

ZONING ADMINISTRATOR DECISION CONDITIONAL USE PERMIT



DECISION NO. 2015-027

HEARING DATE: November 2, 2015

DECISION DATE: November 4, 2015

FILE NO: PCUP15-019

SUBJECT: A Conditional Use Permit to allow liquor and distilled spirits for off-site consumption (Type 21 ABC License), in conjunction with an existing 3,518 square foot Valero service station located on 0.5 acres of land at 101 N. Vineyard Avenue within the C4 (Airport Related Services) land use designation.

STAFF

RECOMMENDATION: Approval Approval subject to conditions Denial

PART A: BACKGROUND & ANALYSIS

MR. DAVINDER S. TALWAR, (herein after referred to as "Applicant") has filed an application requesting Conditional Use Permit approval, File No. PCUP15-019, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(a) Project Setting: The project site is comprised of 0.5 acres of land located at the northwest corner of Holt Boulevard and Vineyard Avenue, and is depicted in *Exhibit A: Aerial Photograph*, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Retail/Valero Service Station	HOS	C4	n/a
<i>North</i>	Retail	HOS	C4	n/a
<i>South</i>	Service Station	HOS	C4	n/a
<i>East</i>	Restaurant	HOS	C4	n/a
<i>West</i>	Retail	HOS	C4	n/a

(b) Project Analysis:

Approved By:

-1-

__RZ__ Principal Planner

(1) Background — On August 6, 2010, the City of Ontario approved Conditional Use Permit (CUP) File No. PCUP10-009 for the subject property to establish a Type 20 ABC License for the Off-sale of beer and wine. Since 2010, the applicant has operated the service station and convenience store with the Type 20 ABC license. According to the Police Department, they have not had any issues with the establishment since 2010.

The applicant is now requesting to upgrade the existing ABC license to a Type 21 Off-sale (liquor and distilled spirits) license to increase business. With the on-going construction of the railroad grade separation, at the intersection of Vineyard and Holt Boulevard, the service station has experienced a large reduction in business. The applicant believes that the on-going construction (since February 28, 2014) and the regular re-directing of traffic in the area has had a negative impact on business. According to the Engineering Department, the railroad grade separation is due to be completed by March of 2016. The applicant is hoping that the City can approve this CUP application so that they can recover some of the business they have lost.

(2) Service Station — The existing Valero station is composed of a 977 square foot convenience store and eight fuel pump stations under a 2,541 square foot canopy. The station is located on approximately one-half acre of land, with vehicular access along Hold Boulevard and Vineyard Avenue. The site has 9 parking spaces conveniently located along the south and east side of the convenience store (Exhibit B: Site Plan). Based on the Development Code parking requirements, the station is only required to provide 4 parking spaces. Therefore, no parking issues are anticipated. The service station was remodeled in 2010 when the first CUP was approved, therefore, no outside improvements are proposed as part of this CUP.

No changes to the service hours are proposed. The service station and convenience store operates 24 hours per day seven days per week. Alcohol sales are limited to the hours of 6 a.m. to 2 a.m.; daily. Per the requirements from the Police Department, all liquor and distilled spirits will be required to be stored behind the cashier counter area. Customers will only have access to them once they have made their purchase. The store will have one employee per shift, with three total shifts per day. The 977 square foot convenience store floor plan includes a cashier area, sales area, cooler area, restroom, storage area and office (Exhibit D: Floor Plan). The current floor plan has 12 walk-in coolers with locks, the coolers with alcohol are locked every night (Exhibit E: Interior Store).

(3) ABC License Concentration — The California Department of Alcohol Beverage Control (ABC) is the State entity responsible for granting, renewing and revocation of all alcoholic beverage licenses. ABC determines how many On-sale and Off-sale alcohol license types should be issued per Census Tract, based upon their population. The subject property is located within Census Tract 15.04, which is generally bounded by Grove Avenue to the west, Holt Boulevard to the south, Vineyard to the east and G Street to the north. ABC has determined that Census Tract 15.04 can support up to four Off-sale licenses. Currently the census shows four existing Off-sale locations, however, since the subject property already has a Type 20 Off-sale beer and wine license,

the request will not add additional licenses to the census tract. The request will simply replace one type of ABC license for another.

(c) Land Use Compatibility: The intent of a Conditional Use Permit application is to ensure that the proposed use will be operated in a manner consistent with all local regulations and to ensure that the use will not be detrimental to the public, health, safety, or welfare, or improvements in the vicinity. The project is located within an area that conditionally permits Off-site sales of liquor and distilled spirits. The service station is located within an area that includes hotels, restaurants and other service stations. Staff believes that the businesses within the immediate area will not be exposed to any impacts beyond those that would normally be associated with a service station and convenience store that sells liquor and distilled spirits. The service station is already selling beer and wine for Off-sale consumption, so the impact will be minimal. Staff believes that the proposed floor plan has been designed adequately and conditions of approval have been placed to mitigate any negative impacts.

(d) Airport Land Use Compatibility Plan: This 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. Any special conditions of approval associated with uses in close proximity to the airport are attached to this report.

(e) Departmental Review: Each City department has been provided the opportunity to review and comment on the subject application and recommends conditions of approval to be imposed upon the application. The Police Department is in support of the application, subject to conditions of approval that have been attached to this report. The Planning Department also supports the proposed use and requests that the Zoning Administrator impose each Department's recommended conditions of approval on the proposed use, which are designed to mitigate anticipated impacts related to alcoholic beverage sales.

(f) Public Notification: The subject application was advertised as a public hearing in at least one newspaper of general circulation in the City of Ontario (the Inland Valley Daily Bulletin newspaper). In addition, notices were mailed to all owners of real property located within 300 feet of the exterior boundaries of the property that is the subject of the hearing, as shown on the records of the County Assessor.

(g) Correspondence: As of the preparation of this Decision, Planning Department staff has not received any written or verbal communications from the owners of properties surrounding the project site or from the public in general, regarding the subject application.

PART B: RECITALS

WHEREAS, the City of Ontario has received a request for Conditional Use Permit approval as described in Part A, above; and

WHEREAS, Ontario Municipal Code § 9-1.0405(f) provides that the Zoning Administrator has the responsibility and authority to review and act upon Conditional Use Permits for existing structures; and

WHEREAS, all members of the Development Advisory Board of the City of Ontario were provided the opportunity to review and comment on the requested Conditional Use Permit, and no comments were received opposing the proposed use; and

WHEREAS, on the 2nd day of November, 2015, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

- (a) Luis E. Batres, Senior Planner, presented the staff report on the proposed use, indicating the staff recommendation of approval. Following staff's presentation, the Zoning Administrator opened the public hearing.
- (b) Mr. Davinder S. Talwar Sr., the applicant, explained the business operation and spoke in favor of the application.
- (c) There being no one else to offer testimony regarding the application, the Zoning Administrator closed the public hearing. The Zoning Administrator then clarified with staff if the hours that alcohol would be sold was 6:00 am to 2:00 am. Staff confirmed that the conditions of approval would only allow them to sell alcohol from 6:00 am to 2:00 am.

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

PART C: THE DECISION

NOW, THEREFORE, it is hereby found, determined and resolved by the Zoning Administrator of the City of Ontario as follows:

- (a) All facts set forth in this Zoning Administrator Report and Decision are true and correct.
- (b) Based upon the evidence presented to the Zoning Administrator during the above-referenced public hearing, the Zoning Administrator hereby finds as follows:

- (1) The proposed location of the Conditional Use Permit and the proposed conditions under which it will be operated or maintained will be consistent with the Policy Plan (General Plan) and will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. Valero's Service Station lies within the C4 (Airport Related Services) zoning designation. The location of the proposed CUP is surrounded with similar commercial and retails uses such as a hotel,

restaurants and other service stations, making the use compatible with the other surrounding uses. The Off-site sales of liquor and distilled spirits, has been conditioned to ensure that it will not be detrimental to the general public health and safety. In addition, the existing station has been licensed with an Off-sale beer and wine (Type 20 ABC) license since 2010 and the Ontario Police Department has not had any issues with the establishment. Furthermore, the Police Department is recommending approval subject to conditions of approval.

(2) The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the Ontario Development Code and the zoning designation within which the site is located. Liquor and distilled spirits sales in conjunction with a service station with a convenience store, is allowed upon approval of a Conditional Use Permit. The project has been conditioned so that the facility and use are operated in a manner that will not be detrimental to the health and safety of the surrounding community. In addition, the existing station has been licensed with an Off-sale beer and wine (Type 20 ABC) license since 2010, and the Ontario Police Department has not had any issues with the establishment. The ABC license will also not over-concentrate the existing census tract because the existing Type 20 Off-sale license will simply be replaced with a Type 21 Off-sale license.

(3) The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the Ontario Development Code, including Article 1: *Purposes and Objectives*. The Off-site sale of liquor and distilled spirits is conditionally allowed within the C4 zone. In addition, the existing service station is currently licensed with a Type 20 (Off-sale) ABC license, so the request will simply replace the existing license with a Type 21 (liquor and distilled spirits) license.

(4) Traffic generated by the proposed Conditional Use Permit will not overload the capacity of the surrounding street system and will not create a hazard to public safety. The sales of liquor and distilled spirits by the Valero's station in conjunction with the sales of gas will provide a convenience to the customer, but will not generate a significant amount of new traffic nor overload the surrounding circulation system. The Engineering Traffic Division has reviewed the proposed CUP request, and they are in support of the application.

(5) The proposed Conditional Use Permit will comply with each of the applicable provisions of the Ontario Development Code, including Article 13: *Land Use and Special Requirements*, Article 16: *Commercial and Professional Districts* and Article 32: *General Development Requirements and Exceptions*. The floor plan has been carefully designed to comply with the guidelines of the C4 land use designation. Conditions of approval have also been placed on the project to further mitigate any negative impacts.

(6) The project has been found to be categorically exempt from the requirements of the California Environmental Quality Act pursuant to Sections 15301 and

15332 of the State CEQA Guidelines based on the findings that: 1) The project is consistent with the applicable general plan designation and zoning designation, and 2) The project site is an existing developed site and no new square footage is proposed, and 3) The project will occur within city limits on a site less than 5 acres, and 4) The project site has no value as habitat for endangered, rare, or threatened species because the site is fully developed as a service station.


(c) The Zoning Administrator hereby finds and determines that the project identified in this Decision is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to Sections 15301 and 15332 of the State CEQA Guidelines based on the findings that the project is consistent with the applicable general plan designation and zoning designation, the project site is an existing developed site and no new square footage is proposed, the project will occur within city limits on a site less than 5 acres and the project site has no value as habitat for endangered, rare, or threatened species.

(d) The Zoning Administrator hereby finds and determines that 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.

(e) Based upon the findings and conclusions set forth in Parts A, B and C above, the Zoning Administrator hereby approves File No. PCUP15-019, subject to the conditions of approval attached hereto and incorporated herein by this reference.



APPROVED by the Zoning Administrator of the City of Ontario on this 4th day of November 2015.



Scott Murphy
Zoning Administrator

Exhibit A: Aerial Photograph



Exhibit B: Site Plan

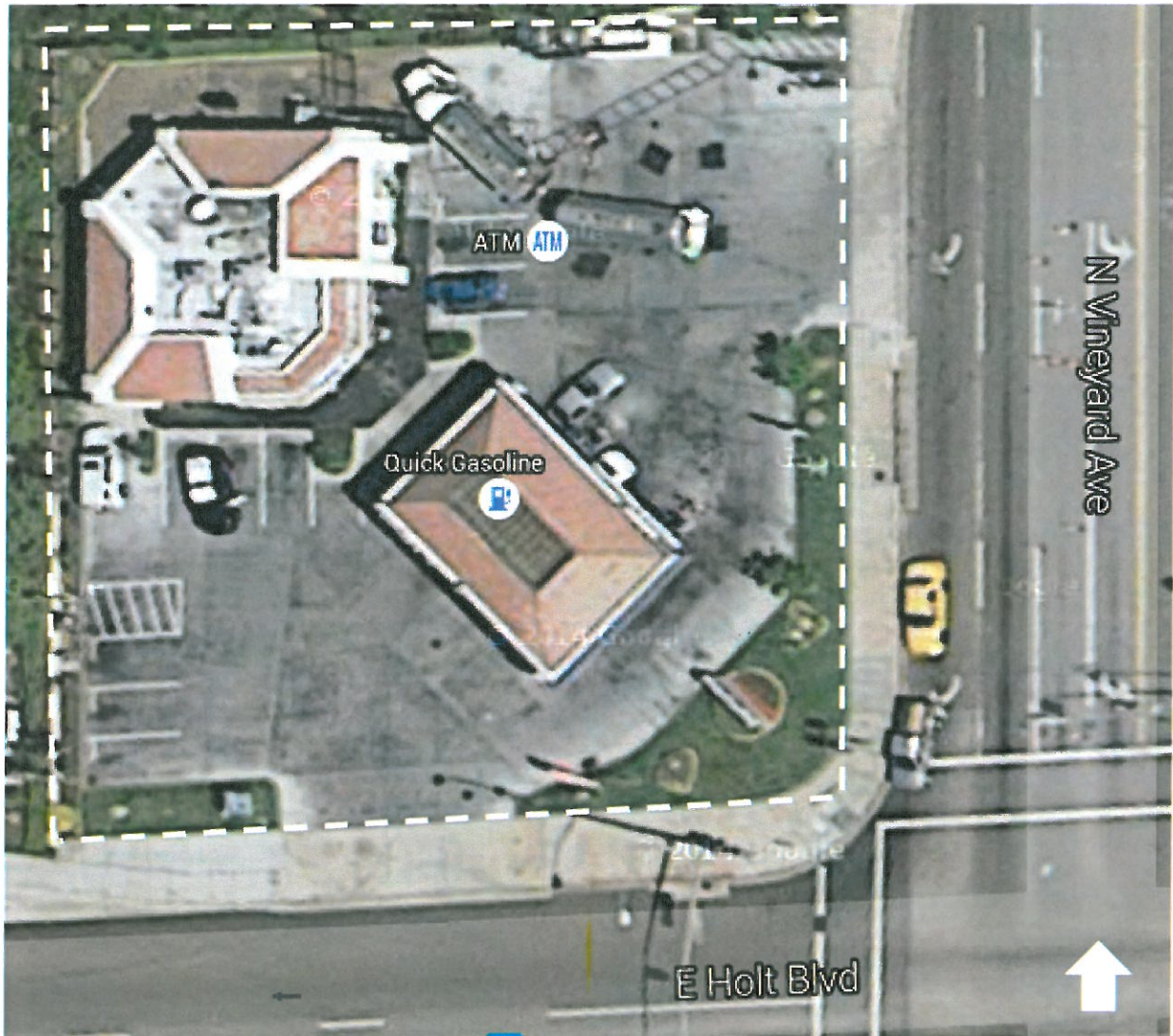


Exhibit D: Interior of Store



Exhibit E: Site Photos



View of the Station at the Intersection of Vineyard and Holt Boulevard



View of the Valero station looking west from Vineyard Avenue

Exhibit F: Site Photos



View looking East from Project Site



View looking North from Project Site



**Planning Department
Conditions of Approval**

Prepared: October 20, 2015
File No: PCUP15-019
Related Files: PCUP10-009
Project Description: A Conditional Use Permit to allow liquor and distilled spirits for off-site consumption (Type 21 ABC License), in conjunction with an existing 3,518 square foot Valero service station located on 0.5 acres of land at 101 N. Vineyard Avenue within the C4 land use designation. (APN: 110-092-04); submitted by Mr. Davinder S. Talwar
Prepared by: Luis E. Batres, Senior Planner
Phone: (909) 395-2431 **Email:** Lbatres@ci.ontario.ca.us **Fax:** (909) 395-2420

CONDITIONS OF APPROVAL

The above-described Project shall comply with the following conditions of approval:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 1020-021 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. Project approval shall become null and void 1 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. 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 Planning and Police shall conduct an inspection of the site before the location will be allowed to sell liquor and distilled spirits.

2.3 Alcoholic Beverage Sales—General.

(a) No upgrade/change of an alcoholic beverage license type may occur until a minimum one-year of operations under the approved license type has occurred.

(b) The business shall be operated in strict compliance with the rules, regulations and orders of the State of California Department of Alcoholic Beverage Control. Failure to comply with this requirement shall be deemed just cause for revocation of conditional use permit approval.

(c) Coinciding with the annual Police Department inspection, the Planning Department shall conduct a review of the approved use and shall prepare for Zoning Administrator consideration, a status report identifying impacts associated with the use and any non-compliance with the conditions of approval. In addition, such status report shall contain a police report regarding calls for service to the subject

**PLANNING DEPARTMENT CONDITIONS OF APPROVAL
FILE NO.: PCUP15-019**

Planning Department Conditions of Approval
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premises during the prior one year period. Nothing herein shall modify or limit the City's ability to regulate the business or modify or revoke the permit upon the City's determination that the business is being operated in a manner adverse to the public health, safety and welfare.

(d) Signs shall comply with all City of Ontario sign regulations. No more than 25 percent of the total window area shall bear advertising or signs of any sort. Window signs shall be placed and maintained in a manner so that there is clear and unobstructed view of the interior of the premises from the building exterior.

(e) The rear doors shall be kept closed at all times during the operation of the premises, except in case of emergency or to permit deliveries.

(f) In the event that security problems occur as a result of the approved subject use and at the request of the Police Department, the permittee, at his/her own expense, shall provide a California licensed, uniformed security guard(s) on the subject premises, during such hours and in such number as requested by the Police Department.

(g) The licensee shall attend a LEAD (Licensee Education on Alcohol and Drugs) training secession sponsored by the State of California Department of Alcoholic Beverage Control, within 6 months following commencement of the approved use.

(h) A clearly legible copy of the herein-listed conditions of approval shall be posted at all times at a prominent place in the interior of the premises.

(i) Live entertainment shall be prohibited.

(j) Amplified prerecorded music may be permitted; however, the sound emitted from the premises shall not be audible outside the walls of the business establishment.

(k) Electronic arcade and amusement games shall be prohibited on-site, unless specifically permitted by the Police Department and shown on the approved site plan.

2.4 Alcoholic Beverage Sales—Convenience Markets and Liquor Stores.

(a) A clearly legible sign not less than 7 inches by 11 inches in size, reading "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES," shall be posted at or near each public entrance of the premises. A sign of like size and content shall also be maintained at a prominent place in the interior of the premises.

(b) A clearly legible sign not less than 7 inches by 11 inches in size, reading "NO OPEN ALCOHOLIC BEVERAGE CONTAINERS ARE ALLOWED ON THESE PREMISES," shall be posted at or near each public entrance of the premises. A sign of like size and content shall also be maintained at a prominent place in the interior of the premises.

(c) All provisions of the Alcoholic Beverage Control Act (Business and Professions Code Section 23000 et seq.) pertaining to the sale of beer and wine for off-premise consumption in conjunction with gasoline service stations shall be complied with, including, but not limited to, the following:

(i) No beer or wine shall be displayed within 5 feet of the cash register or the front door, unless it is in a permanently affixed cooler.

(ii) No advertisement of alcoholic beverages shall be displayed at motor fuel islands.

(iii) No display or sale of beer or wine shall be made from an ice tub.

(iv) No illuminated advertising for beer or wine shall be located on building exteriors or in windows.

PLANNING DEPARTMENT CONDITIONS OF APPROVAL
FILE NO.: PCUP15-019

Planning Department Conditions of Approval
File No.: PCUP15-019

(d) 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.

(e) Within 5 days following final application approval, the Notice of Determination (NOD), Notice of Exemption (NOE), filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which will 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 the 30-day statute of limitations for the filing of a CEQA lawsuit being extended to 180 days.

- (f) No outside storage is allowed behind the building or within the parking lot areas.
- (g) All landscaping and planter areas shall be kept in good condition.
- (h) This Conditional Use Permit will replace Conditional Use Permit File No. PCUP10-009 for the site.
- (i) Only one ABC license is allowed for this site at any time.



TO: Luis Batres, Associate Planner

FROM: Eric Quinones, Police Officer, COPS Unit, ABC Detail

DATE: October 20, 2015

SUBJECT: FILE NO. PCUP15-019 – VALERO GAS STATION, 101 N. VINEYARD AVENUE

This location has applied for a type 21 Off-sale General alcohol license located within Census Tract 15.04. The business currently operates with a type 20 Off-sale Beer and Wine license. The Police Department has no objections regarding the applicant receiving a type 21 alcohol license.

If a Conditional Use Permit is granted, the location must follow all Department of Alcoholic Beverage Control regulations and laws. The Police Department is placing the following conditions:

ABC CONDITIONS

1. Sales of alcohol will occur between the hours of 6:00 a.m. to 2:00 a.m. daily.
2. If store hours go beyond or before the hours of alcohol sales indicated above, devices must be installed to lock up/secure alcohol product accessibility to customers.
3. Applicant will follow all conditions per Business and Professions Code 23790.5(d)- Concurrent sales of alcohol and gasoline.
4. No sales or service to minors.
5. Store will be limited to five (5) coolers for alcohol.

6. No sales or service to intoxicated patrons.
7. No open alcohol beverages in the establishment.
8. No alcohol sales through any pass-through type windows.
9. No drug paraphernalia will be sold at any time.
10. No smoking is permitted inside of the establishment including any type of electronic delivery devices.
11. Single sale of beer, canned or bottles, will not be allowed.
12. Wine shall not be sold in containers less than 750ml.
13. Wine coolers must be sold in four packs.
14. The clerk will hand distilled spirits to the customer from behind the counter or locked up area.
15. Distilled spirits shall not be sold in containers less than 375 ml in size.
16. All alcohol sales must be placed in a plastic or paper bag before leaving the store.
17. No warm beer displays close to the front door will be allowed.
18. Employees engaged in the sales of alcohol must be 18 years of age or older.
19. No more than 25% of advertisements are allowed on the windows of the business.
20. The cashier must be visible from the parking lot.
21. No loitering shall be permitted on any property adjacent to the licensed premise, which is under the control of the applicant, and signs must be posted.
22. Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal, or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.
23. The applicant will be responsible for keeping the grounds of the business clean from debris and litter as much as possible.

24. The parking lot of the premises shall be equipped with a maintained lighting device capable of providing a minimum of one-foot candle of light at ground level.
25. Applicant shall not encourage or permit alcoholic beverages to be consumed on any property adjacent to the licensed premises under the control of the applicant. "No Loitering" and "No Open Container Sign" signs must be posted.
26. The applicant shall modify or equip any public telephones inside or adjacent to the establishment to prevent incoming calls.
27. Applicant, managers, and all employees serving alcohol must attend an Alcoholic Beverage Control (ABC) L.E.A.D. training class or a certified responsible beverage service class, which has been approved by the Ontario Police Department, within six months of this approved conditional use permit (CUP). Proof of re-certification is required every 3 years. This class is given free of charge by the Ontario Police Department.
28. The business shall maintain a security camera surveillance system in proper working order. A minimum of one camera will record the main entrance, to monitor patrons entering and exiting. A minimum of one camera will record the parking lot. Each camera will record at least 640x480 recording resolution levels, and at least fifteen (15) frames per second. The field of view for each camera will be to maximize the coverage of patrons. Recorded video will be stored for a minimum of 30 days and made available to the Police Department upon request.

TOBACCO CONDITIONS

1. No tobacco sales to anyone under 18 years of age
2. Retailers must post age of sale warning signs at each cash register.
3. Customers may not help themselves to cigarettes.
4. Tobacco products must be stored behind the counter.
5. Sales of individual cigarettes are prohibited.
6. Single cigarettes and roll-your-own tobacco in the packaging containing less than 0.6 ounces are prohibited.
7. The distribution of free or normal-cost tobacco products or coupons is prohibited.
8. Outdoor and storefront signs advertising tobacco may not exceed 14 square feet.

If alcohol related crimes at this location are higher than other similar establishments in the overall City during any quarter, the CUP will automatically be referred to the zoning administrator for review and re-conditioning or revocation of the permit. The Police Department may, at their sole discretion, request a revocation hearing if they determine that the establishment is being operated in the violation of this CUP or has violated the laws of the State or City are the intent of this action.

A copy of the listed conditions of approval must be posted with your ABC license at all times in the prominent place in the interior of the premises.

The Ontario Police Department and the Ontario Planning Department will conduct an inspection before the location will be allowed to sell distilled spirits at the location.

The Police Department will conduct a review in six months to determine whether additional conditions will be needed.

Please call me if you have questions regarding this matter at (909) 395-2812.

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PCUP15-019	Reviewed By: Lorena Mejia
Address: 101 N. Vineyard Avenue	Contact Info: 909-395-2276
APN: 110-092-04	Project Planner: Luis Batres
Existing Land Use: Gas Station and mini mart	Date: 10/20/15
Proposed Land Use: Ancillary ABC Type 20 (off-sale beer and wine)	CD No.: 2015-045
Site Acreage: 0.50 Proposed Structure Height: n/a existing building	PALU No.: n/a
ONT-IAC Project Review: N/A	
Airport Influence Area: ONT	

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input checked="" type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input checked="" type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 121 feet	
<input type="radio"/> Zone 5			

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

Zone A
 Zone B1
 Zone C
 Zone D
 Zone E

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 Airport Land Use Compatibility Plan (ALUCP) for ONT.

Airport Planner Signature: _____

Form Updated: 11/14/2014

**CITY OF ONTARIO
MEMORANDUM**

TO: PLANNING DEPARTMENT, Luis Batres
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: September 10, 2015
SUBJECT: PCUP15-019

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

Conditions of Approval

1. Permits are required for all improvements.

KS : kb