

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

January 23, 2018

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

6:30 PM

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

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

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

ROLL CALL

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

PLEDGE OF ALLEGIANCE TO THE FLAG

ANNOUNCEMENTS

- 1) Agenda Items
- 2) Commissioner Items

PUBLIC COMMENTS

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

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

CONSENT CALENDAR ITEMS

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

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of Special Meeting on December 18, 2017, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP TIME

EXTENSION REVIEW FOR FILE NO. PMTT14-020: A one-year Time Extension of the expiration date for the approval of File No. PMTT14-020, a Tentative Parcel Map (PM 19552) to subdivide a 0.20-acre parcel of land into a single parcel for condominium purposes, located on the west side of Euclid Avenue, approximately 450 feet north of Elm Street, at 1420 South Euclid Avenue, within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) and EA (Euclid Avenue) Overlay zoning districts. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 1050-051-01); **submitted by Johnathan Ma.**

A-03. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-028:

A Development Plan (File No. PDEV17-028) to construct 37 multiple-family apartment units on 1.13 acres of land generally located on the north side of Sixth Street, approximately 150 feet east of Interstate 10, at 941 East Sixth Street, within the HDR-45 (High Density Residential – 25.1 to 45.0 DU/Acre) zoning district. The 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) 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: 1047-172-03 and 1047-172-19) **submitted by Kirk Wallace.**

- A-04. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-045:** A Development Plan (File No. PDEV17-045) to construct 190 conventional single-family homes on 40.20 acres of land located within the Conventional Medium Lot Residential district of Planning Area 3 of the Subarea 29 Specific Plan, located at the southeast corner of Archibald Avenue and Eucalyptus Avenue. The environmental impacts of this project were previously reviewed in conjunction with 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); (APNs: 0218-281-15 and 0218-281-16) **submitted by KB Home.**

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, TENTATIVE PARCEL MAP, DEVELOPMENT PLAN AND CERTIFICATE OF APPROPRIATENESS REVIEW FOR FILE NOS.: PMTT17-006 (PM 19832), PDEV17-020 & PHP17-036:** A Tentative Parcel Map (File No. PMTT17-006 (PM 19832) to subdivide a 2.7 acre site for common lot condominium purposes in conjunction with a Development Plan (File No. PDEV17-020) and a Certificate of Appropriateness (File No. PHP17-036) to allow for the construction of a two-story retail and medical office building totaling 37,074 square feet located on the northeast corner of Euclid Avenue and Riverside Drive, within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay District. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1051-614-08) **submitted by Creative Design Associates.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. **File No. PHP17-036** (Certificate of Appropriateness)

Motion to Approve/Deny

3. **File No. PMTT17-006** (Parcel Map)

Motion to Approve/Deny

4. **File No. PDEV17-020** (Development Plan)

Motion to Approve/Deny

- C. **ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT REVIEW FOR FILE NO. PGPA16-005**: An Amendment to the Policy Plan (general plan) component of The Ontario Plan to: [1] modify the Land Use Element designation on a portion of a lot totaling 2.8 acres of land from Industrial to Business Park, generally located at the northwest corner of Grove Avenue and Mission Boulevard, at 1192 East California Street; and [2] modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes. Staff is recommending the adoption of an Addendum to an Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. 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); (Related File No. PZC16-003); (APNs: 1049-382-05 and 1049-172-01) **City Initiated. City Council action is required.**

1. **CEQA Determination**

Motion to recommend Approval/Denial of adoption of an Addendum to an EIR

2. **File No. PGPA16-005** (General Plan Amendment)

Motion to recommend Approval/Denial

- D. **ENVIRONMENTAL ASSESSMENT AND ZONE CHANGE REVIEW FOR FILE NO. PZC16-003**: A Zone Change on a portion of a lot totaling 2.8 acres of land, from IG (General Industrial) to IL (Light Industrial) to bring property zoning into consistency with the Policy Plan (general plan) component of The Ontario Plan, generally located at the northwest corner of Grove Avenue and Mission Boulevard, at 1192 East California Street. Staff is recommending the adoption of an Addendum to an Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. 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: 1049-382-05 and 1049-172-01). (Related File No. PGPA16-005); **City Initiated. City Council action is required.**

1. CEQA Determination

Motion to recommend Approval/Denial of adoption of an Addendum to an EIR

2. File No. PZC16-003 (Zone Change)

Motion to recommend Approval/Denial

E. ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT REVIEW FOR FILE NO. PGPA17-001: A City initiated request to:

- 1) Modify the Land Use Element of The Ontario Plan (General Plan) to change the land use designations shown on the Land Use Plan Map (Exhibit LU-1) for approximately 450 properties, generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, and additional areas located throughout the City; and
- 2) Modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes.

Staff is recommending the adoption of an Addendum to an Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. 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). (Related File PZC17-001) (APNs: Various, see attached map and details per Exhibit A attached to the resolution); **City Initiated. City Council action is required.**

1. CEQA Determination

Motion to recommend Approval/Denial of adoption of an Addendum to an EIR

2. File No. PGPA17-001 (General Plan Amendment)

Motion to recommend Approval/Denial

F. ENVIRONMENTAL ASSESSMENT AND ZONE CHANGE REVIEW FOR FILE NO. PZC17-001: A City initiated request to change the zoning designations on

approximately 800 properties, generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, and utility corridors located mostly on the east and south sides of the City, and additional areas located throughout the City, in order to make the zoning consistent with The Ontario Plan (TOP) land use designations of the properties. The environmental impacts of this project were previously analyzed in an Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. This project introduces no new significant environmental impacts. 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 (ALUCP). (Related File: PGPA17-001) (APNs: Various, see attached map and details per Exhibit A attached to the resolution); **City initiated. City Council action is required.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PZC17-001 (Zone Change)

Motion to recommend Approval/Denial

G. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FILE

NO. PDA13-003: A Development Agreement Amendment (Third Amendment – File No PDA13-003) between the City of Ontario and SL Ontario Development Company LLC, to clarify and update the phasing of the construction of public infrastructure to serve Tract Map No’s 18913-1, 18913-2, 18913-3, 18913-4, 18913-5 and 18913. The project is generally located north of Riverside County Line Channel (Bellegrave Flood Control Channel), south of Eucalyptus Avenue, east of Archibald Avenue, and west of the SCE utility corridor, within Planning Areas 4 through 27, of the Subarea 29 Specific Plan (Park Place Community). The environmental impacts of this project were previously reviewed in conjunction with 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: 0218-022-02, 0218-563-01 through 04, 0218-022-10 and 11, 0218-554-01 through 68, 218-573-01 through 06, 0218-033-01 through 06, 0218-583-01, and 0218-014-01 through 07) **submitted by SL Ontario Development Corporation. City Council action is required.**

1. CEQA Determination

No action necessary – use of previous addendum to an EIR

2. File No. PDA13-003 (Development Agreement)

Motion to recommend Approval/Denial

H. ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT

REVIEW FOR FILE NO. PSPA16-005: An amendment to the Rich Haven Specific Plan (File No. PSPA16-005) to annex 72.3 acres of land located on the southeast corner of Haven Avenue and Ontario Ranch Road into the Mixed-Use Overlay district of the Rich Haven Specific Plan including updates to the development standards, exhibits and text changes to reflect the proposed annexation and Policy Plan (general plan) compliance. 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. 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: 218-211-01 and 218-211-23) **submitted by Brookcal Ontario LLC/Richland Communities. City Council action is required.**

1. CEQA Determination

Motion to recommend Approval/Denial of adoption of an Addendum to an EIR

2. File No. PSPA16-005 (Specific Plan Amendment)

Motion to recommend Approval/Denial

- I. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FILE NO. PDA08-001:** A Development Agreement Amendment (First Amendment – File No PDA18-001) between the City of Ontario and True North Management Group to extend the term of the development agreement allowing for the construction of up to 870,000 square feet of class “A” mixed use office park and the required infrastructure, on approximately 24.8 acres of land within the Guasti Specific Plan, for property located north of Guasti Road and south of the I-10 Freeway, between Turner Avenue and Archibald Avenue. The Environmental Impacts of this project were previously reviewed in conjunction with File Nos. PDEV06-001 & PMTT06-019 for which a Mitigated Negative Declaration was adopted by the Planning Commission on May 23, 2006. 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: 0218-022-02, 0218-563-01 through 04, 0218-022-10 and 11, 0218-554-01 through 68, 218-573-01 through 06, 0218-033-01 through 06, 0218-583-01, and 0218-014-01 through 07) **submitted by True North Management Group. City Council action is required.**

1. CEQA Determination

No action necessary – use of previous Mitigated Negative Declaration

2. File No. PDA08-001 (Development Agreement)

Motion to recommend Approval/Denial

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.

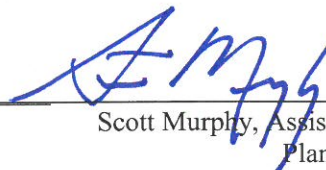
If you challenge any action of the Planning/Historic Preservation Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning/Historic Preservation Commission at,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



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, January 19, 2018**, 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, Assistant Development Director
Planning/Historic Preservation
Commission Secretary

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

MINUTES

December 18, 2017

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CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION SPECIAL MEETING

MINUTES

December 18, 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, Gage, Gregorek, and Reyes

Absent: Downs

OTHERS PRESENT: Assistant Development Director Murphy, City Attorney Rice, Principal Planner Wahlstrom, Principal Planner Zeledon, Senior Planner Mercier, Senior Planner Noh, Assistant Planner Vaughn, Assistant City Engineer Do, Officer Doug Sorel and Lieutenant Chris Martinez Ontario Police Department and Planning Secretary Berendsen

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Gage.

SPECIAL CEREMONIES

- El Pescador at Mountain and the 60 freeway was presented a Design Award.

Mr. Willoughby stated he drives by this location frequently and thinks they did a phenomenal job on the design and the building and that the icing on the cake is the landscaping of the adjacent Caltrans property. He stated this is now a beautiful gateway to the city on the Mountain Avenue corridor and their hard work is appreciated.

Mr. Reyes congratulated them on the award and the exterior and interior design. He stated the off ramp is a very important corner and even with the challenges they have done a great job.

Mr. Delman thanked them for the very nice decor.

Jose Magana, with L A Drafting, thanked the commission for the recognition and stated

the collaboration with the City was a smooth process and the Planning Department was very helpful. He stated that without the financial support of the owner, Victor Ortiz, the project would not have been as successful, and he even improved the original design. He stated that the goal was to create a special place where people can go and have a good experience.

- Gloria's Cocina Mexicana was presented a Design Award.

CV Kenner's representative stated he wanted to thank all the departments within the city, everyone was very helpful and the construction was very involved with this being a historic building. He stated he was involved in the entire project and it couldn't have been done without the owner's investment.

Gloria spoke and thanked everyone within the City for helping her and she is so proud to be part of the City of Ontario.

Mr. Delman stated it's a great example of the restoration of a historic building, and the city is very pleased to have both restaurants here.

Mr. Willoughby stated as part of the Historic Preservation Committee, he saw this project from the beginning, and the concern with it working with the historic aspect and feels this is a home run. He stated this is a great business to have in Ontario and we are happy to have them here.

Mr. Gage was so glad to see Gloria's come to the downtown. He stated that the Blue Seal Laundry was there in the 50's when they had the All State picnic every year and every block was a different state. He stated the state of Connecticut was right across from the Blue Seal Laundry building and that is where his family is from. He stated he even had a picture of his sister as the queen of Connecticut riding in a 57 Cadillac convertible down the parade route in front of that building. He stated it's not easy to renovate a historic building, but it is well worth it when it's done properly and people have been talking about it, because it is a special building. He stated he remembered when it was approved and the 5 foot fence was required, but was happy we were able to work this out and it looks beautiful now. He stated he hasn't heard of anyone buying beer and handing it to a minor through the fence, although he doesn't see why anyone would do that. He stated that once the project was approved, he went to the Downy store and there was an hour wait. Everyone wanted to be there. He expressed that he is happy to see a successful business in our downtown.

Mr. Reyes congratulated them and stated this award is just a token of appreciation for the work that was put into the project, from the design, to the construction, to the finished product. He stated he has been there several times and the Planning Commission had their Christmas party there and he was glad for that and sees the operation's success. He stated they are bringing something special to the downtown and he likes the vibe and the tone, which represents the cross culture of our community. He stated he likes that it is servicing the local people, which is most important of all and the way we say thanks is by going there and showing our support.

Mr. Gregorek stated he wanted to congratulate them on restoring this building. He stated

that over the years many have tried businesses here but have only given half an effort and you have put in the effort, and started something successful. He stated not only is the effort in the restoration of the building, but with the food and the service, and we are very appreciative of that.

Ms. DeDiemar stated that as the public art aficionado on this commission, she wanted to thank them for not only incorporating a mural into the plans, but also commissioning a fine artist to do the work. She stated Ontario is just beginning its journey with public art, and this is part of the inventory now and she thanked them for adding that bit of beauty to the city.

ANNOUNCEMENTS

Mr. Murphy stated there are two letters before them relating to item B.

Mr. Delman stated that Euclid Avenue was decorated very nicely for the holidays, and the nativity scenes are just spectacular and he invited everyone to wonder through them.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of November 28, 2017, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-029: A Development Plan to construct a 121,878 square foot addition to an existing 138,638-square foot industrial building, for a total of 260,516 square feet on 11.76 acres of land located at 905 North Wineville Avenue, within the Light Industrial land use district of the Crossroads Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with a Mitigated Negative Declaration prepared for the Crossroads Specific Plan (File No. 4043 SP), adopted by the City Council on July 3, 1990, and subsequent Negative Declarations prepared in conjunction with amendments to the Crossroads Specific Plan, including File No. 4998-SPA, adopted by the City Council on November 4, 1997, and File No. PSPA02-005, adopted by the City Council on February 19, 2008. This Application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0238-021-66) **submitted by Eric Cohen.**

A-03. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-053: A Development Plan (File No. PDEV17-053) to construct 82 conventional single-family homes on 12.67 acres of land located within the Conventional Small Lot Residential district of Planning Area 23 of the Subarea 29 Specific Plan, located at the northeast corner of Celebration Avenue and Parkview Street. The environmental

impacts of this project were previously reviewed in conjunction with 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); (APNs: 0218-014-06 and 0218-014-07) **submitted by Tri Pointe Homes.**

PLANNING COMMISSION ACTION

It was moved by DeDietmar, seconded by Willoughby, to approve the Planning Commission Minutes of November 28, 2017, as written and to adopt a resolution to approve the Development Plans, File Nos., PDEV17-029 and PDEV17-053, subject to conditions of approval. The motion was carried 6 to 0.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT REVIEW FOR FILE NO. PSPA17-004:** An Amendment to the Ontario Center Specific Plan to allow “Short-Term Sleeping Accommodations” as a conditionally permitted land use within the Garden Commercial land use district. The project is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder pursuant to Section 15061(b)(3) of the CEQA Guidelines, which is the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed project affects properties 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); **submitted by Nap-To-Go, LLC. City Council action is required. Continued from 11/28/2017 PC meeting.**

Senior Planner, Chuck Mercier, presented the staff report. He described the use and the proposed layout of the facility and the rooms. He stated that only three similar uses are located at major airports in the United States. He described the history of how the applicant located this area for the use. He explained the accommodations that should not be imposed on this use within The Ontario Center Specific Plan. He also explained the recommended minimum standards that should be imposed on this use. He stated that staff is recommending the Planning Commission approve File No. PSPA17-004, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Willoughby wanted clarification on page 2 of 5 within the staff report regarding the market feasibility report and if that was completed.

Mr. Mercier stated that it states that the market feasibility report is not required.

Mr. Reyes wanted clarification on who pays for the amendment to the Specific Plan.

Mr. Mercier stated the applicant would incur this cost.

Ms. DeDiemar wanted clarification about how this area was considered the most reasonable and what other areas were considered.

Mr. Mercier stated they looked at several Specific Plans that were within close proximity to the airport and this seemed the most reasonable due to the ease of access into the airport, using Archibald Avenue as the main entry. He stated that there were other Specific Plans within proximity to the airport that were considered.

Mr. Murphy stated that the original location considered by the applicant was the northeast corner of Archibald Avenue and Inland Empire Drive, which is part of the Festival Specific Plan. He stated that the applicant was looking at a suite, which became unavailable and we started looking at other locations.

Mr. Reyes wanted clarification regarding changing the whole Specific Plan, rather than taking it on a case to case basis. He stated that with all the other uses within this Specific Plan that are functioning as they should be, this seems like a broad net to cast to include this one specific type of use.

Mr. Murphy stated the purpose of the amendment to the Specific Plan would really be to address this type of use, as neither the Specific Plan nor Development Code really address short term accommodations. He stated the idea was that as we look at this use and consider allowing it somewhere. He stated that in this case, we have identified that The Ontario Center Specific Plan within the Garden Commercial District and from that we have created the Development Standards and criteria we are proposing. He stated that if it is to be approved then they can look at it from a case to case basis, through the Conditional Use Permit process. He stated we need to get past the issue of if The Ontario Center Specific Plan is the appropriate location first.

Mr. Reyes wanted clarification regarding the proposed facility layout that showed some shared rounded walls, and if these were to be curtains.

Mr. Mercier stated the requirement would be that these be solid walls with doors that closed and locked.

Ms. DeDiemar wanted clarification of the existing sites that are on airport property or facilities and if staff took a look at if any other cities have looked at allowing facilities off airport property.

Mr. Mercier stated no other cities have allowed off airport property locations, but some have allowed hotels to have this sort of use, were they would allow hotels to rent rooms by the hour or minute, to allow for napping use. He stated that there are a number of phone apps that would give you access to day use facilities.

PUBLIC TESTIMONY

Veronica Payne, the applicant, spoke and thanked the Planning Department and their patience for the last two years. She stated that she is hoping that we can finally get closer to making a decision regarding a business that supports The Ontario Plan to add new services to the airport.

She quoted revenue data and the airports struggling areas and what the future holds regarding passenger growth. She stated that Nap-To-Go would support the airport by offering free shuttle services, up-to-date flight information and a future Expedia partnership that would offer patrons a chance to book a flight and a nap-to-go online. She stated that Nap-To-Go is hoping to become an integral part of the business community. She stated she would encourage questions as she realizes that they are the first landside facility of its kind within the United States. She thanked the commission for their time and consideration.

Mr. Willoughby wanted clarification regarding what her research has told her about any other targeted client or entity that Nap-To-Go would service, besides the airport.

Ms. Payne stated that being that they are the first landside establishment of this type, there hasn't been a working landside model but there are some criteria that we can work off based on what is out there now. She stated she is open to other locations as long as we can be in close proximity to the airport. She stated that the idea is to be within the airport, but since Ontario is not a hub and, therefore, doesn't have a lot of layovers, she wants to be considered a service that supports the airport, until the airport can grow and maybe at that point move into the airport.

Mr. Willoughby wanted clarification regarding the type of patrons they are looking to attract, being that Ontario doesn't have flight layovers, is the idea to attract passengers prior to departure.

Ms. Payne stated yes they would encourage clients to use the apps online, and book online, as there would be no cash transactions.

Mr. Reyes wanted clarification regarding how do they get transported, is it through Uber or from a shuttle and if you don't have a ticket, can you still rent a space or would you have to have a flight booked. He wanted clarification about who the target customer would be.

Ms. Payne stated they would offer a free shuttle service, as an incentive to use their service, and they would accept walk-ins, but they would need to pay with a credit card as no cash transactions would occur. She stated they are looking to cater to motorist and airport and business travelers.

Mike Rademaker, with MGR Real Estate and Property Management, stated he relocated to the Ontario area several months ago, and has brought 200 highly paid employees and invested \$137 million purchasing class "A" office buildings in this immediate area, not only because they believe in the City of Ontario, but in the vision of the airport. The vision of the airport is for international flights, for activities for growth and the overall development in the logistics and the office market. He stated that to now try to change some of the best zoning within the city for class A office buildings and national tenants and create it into a situation where there will be temporary housing, would create nothing but a nightmare for the business offices in the immediate area. He stated that he received no notification about this until hours before the hearing that he asked to have it postponed. He stated that he believes none of the statements from the applicant stating it will have no impact on this area, as he highly disagrees and feels it will increase the homeless problem that already exists. He stated temporary housing might be a need but not for this area where it would cheapen the most expensive real estate the city has to offer around the airport. He stated that if this is really a needed commodity, then it should be on the airport or its adjoining land. He stated he feels this change would not be in the best interest of the city.

Carol Plowman, a proud owner of a building in The Ontario Center, stated she has been involved in the Ontario Center for 25 years and in looking at the direction the City is heading, has her concerned about this particular use. She stated that in talking to some of the hotel operators in the area, that this use that offers a 30 day occupancy, takes away from the hotel occupancy, which contradicts that this use is temporary accommodations. She stated that she agrees with Mike Rademaker, that this is one of the most prestigious areas in Ontario that draws the best businesses, tenants and land developers. She expressed that this is just not the appropriate use for this area. She stated that this may be a need at more of the international airports that have layovers, rather than this area. She submitted two letters of owners in The Ontario Center and stated that the Extended Stay Hotel in the area already has a homeless issue, which this would increase that issue. She asked why it wasn't site specific, rather than including the whole area which includes class "A" office buildings. She stated normally when you come in for a CUP, it is very site specific and this opened it up to a whole area within The Ontario Center that really effected 258 acres and dozens of users. She stated that she respects the Planning staff and feels this just got off the beaten track, and is not the right use for this area.

Mr. Murphy stated that typically when looking at a Conditional Use Permit, it is site specific but usually the zoning already identifies that zoning designation as allowing for that use, which is what we are doing here is establishing the allowable use within the zoning and then they would need to come back for a Conditional Use Permit for a specific location. He stated that we are doing the first step in that process to see if this would be appropriate to have in this zone and then doing the CUP for the specific location. He stated that we can't just pick one specific location as this would be considered spot zoning.

Officer Doug Sorel and Lieutenant Chris Martinez with the Ontario Police Department stated they were available to answer any questions the commissioners may have.

Mr. Delman asked what their feelings were regarding this use.

Mr. Sorel stated that generally the Police Department is opposed to this type of use and as stated in the staff report, their issue is that there are no existing examples like this within the United States so, therefore, they have no existing experience from which to draw upon to mitigate any potential issues regarding public safety or quality of life issues. He stated that the Planning Department asked us to look at circumstances under which we would go along with this use and those are included the conditions that are included in the staff report, which attempt to mitigate any potential issues and reflects a broad range of applicants and land use operators.

Mr. Reyes wanted clarification as to how would they police this type of facility and would it be similar to a hotel situation.

Mr. Martinez stated that they looked outside the box as this is a brand new entity for the city and we want to encourage business and this is a new type of business for us to look at. He stated they would treat it more like a hotel or motel and wouldn't necessarily be the security detail from inside but would wait for a call from someone working inside the building.

Mr. Willoughby wanted clarification about the specific issues that concerned the Police Department.

Mr. Sorel stated the big concern with this being classified as short term sleeping accommodations, it brings negative connotations based on the history within the City. He stated this prior experience with hotels and motels has shown them that this use attracts public safety concerns and quality of life concerns for the citizens, which is what they went off of when trying to mitigate potential issues in the recommendations to staff.

Mr. Willoughby stated that he knows there have been issues with the truck stop across the freeway and wanted clarification if these issues were a concern for this use as well.

Mr. Sorel stated yes these concerns are valid and truck stops have their own set of issues. Our concern is that any short term sleeping accommodation business that caters toward motorist or travelers or truckers has its own set of concerns that we are worried about.

Ms. Payne stated she wanted to clarify the parking and truck issues that the Police Department addressed. She stated that there won't be any truck parking allowed, so the only way truckers would get there would be to use the shuttle service. She stated they aren't looking for long term stays in regards to the 30 days, their looking more for people that just need to stay for a few hours. She stated she was encouraging questions, as they are a new entity and she wants to address concerns, and keep an open forum.

Ms. DeDiemar wanted clarification that she understood the report right and there aren't any other facilities like this in the United States.

Ms. Payne stated that that was correct, they would be the first landside establishment.

Ms. DeDiemar wanted clarification as to the definition of landside.

Ms. Payne stated that it is more of their company term because it isn't inside the airport.

Ms. DeDiemar wanted clarification as to why Ontario was chosen.

Ms. Payne stated that when looking at what was going on with the airport sale agreement and they were looking at how their business could help in that aspect. Then she collaborated with John Andrews, who is the liaison to the airport, who helped suggest a landside establishment, until Ontario could build itself up and they could move into the airport, but we could still help support the community as well.

Ms. DeDiemar wanted clarification as to why use this area and not a hub airport.

Ms. Payne stated that although this use is in hubs in the United States, it is a business model across the world, as quite a few office businesses in Germany are open and being used for travelers. She stated with the airport and TA West, she saw this as a nice market area.

Mr. Willoughby wanted clarification that if customer from the truck stop wanted to use the facility, they would have to call to be shuttled over.

Ms. Payne stated yes that is correct.

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

Mr. Willoughby wanted clarification on renting time, that if they couldn't rent to someone for more than 24 hours, renting for 30 days wouldn't be possible.

Mr. Murphy stated that was correct.

Mr. Reyes stated after hearing everyone and reading everything he doesn't see this use working in this particular specific plan, with this area being built up around the arena. He stated he sees the use working within an airport and that makes sense, but there are too many holes in this use, and he doesn't see how they can control the security aspect of it very cleanly. He stated the aspect of changing this specific plan, he just doesn't see that working here.

Mr. Willoughby stated he concurred with Commissioner Reyes on several of his comments and having flown through several airports that have these uses and thinks it works there because they have layovers. In Ontario, we have projections but realistically when will we hit those numbers and the fact that we aren't a layover airport but a destination airport. He stated he doesn't see The Ontario Center Specific Plan as the right area and shares the concerns of the Police Department. He stated that maybe we are ahead of the curve a little too much for a facility like this and feels this would fit better within the airport.

Mr. Gregorek stated he has the same thoughts as the other Commissioners. He stated that with Ontario being a destination airport and not a layover airport, the concept would work at an airport or adjacent to the airport with the proper facilities, but shuttling into the area is not conducive for the retail for this area. He stated it is just the wrong place at the wrong time and he just can't support it at this time.

Ms. DeDiemar stated the applicant's main argument is that this would help the Ontario airport, but she is not persuaded by this argument and she is having difficulty seeing what this will bring to the city. She stated it doesn't seem to serve the residents and she agrees wholeheartedly that we are ahead of the curve. She stated that she thinks this should be in an airport and that they should get statistics regarding the impacts of security and the inconvenience on the Police Department and maybe bring it back when the airport has developed and are ready to have a facility like that on their site.

Mr. Gage stated he would like to applaud the applicant for thinking "out of the box" and thinking of a new business. He stated that Ontario is founded on new business that might not have been right at the time, but have survived. He stated The Ontario Center was Chevron land and before they sold it they made sure that landscaping requirements and amenities were upper quality to attract grade "A" businesses. He stated that when he looks at all the requirements that would need to be waived to fit this particular business in, he can't see breaking all the rules now. To accommodate this business is like trying to fit a square peg into a round hole. He stated he agrees with the Commissioners that this type of facility needs to be at an airport, and it doesn't make sense here, and unfortunately, at this time, he can't support changing the Specific Plan. He stated he applauds the entrepreneur spirit of the applicant and suggests she come back once the airport is more developed and can accommodate this use.

Mr. Delman stated he agrees with the other Commissioners that this is just not the right business for the area at this time. He stated he is very pro-business and he agrees with Commissioner Gage that trying to start your own business is wonderful, but this business just

won't work at this location.

PLANNING COMMISSION ACTION

It was moved by Willoughby, seconded by Gregorek, to recommend denial of a resolution to approve the Specific Plan Amendment, File No., PSPA17-004 and that staff draft a letter to City Council to reflect the denial. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

- C. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-032:** A Development Plan (File No. PDEV17-032) to construct an unmanned telecommunications facility (mono-eucalyptus) totaling 946 square feet (22' x 43') of proposed lease area on 124.18 acres of developed land located at 13568 S. Hamner Avenue, within the SP (AG) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP), with conditions; (APNs: 0218-171-10 and 0218-171-17); **submitted by AT&T Mobility – Donna Rosa.**

Assistant Planner, Alexis Vaughn, presented the staff report. She showed the proposed location area and the landscape requirements surrounding the proposed mono-eucalyptus. She stated that staff is recommending the Planning Commission approve File No. PDEV17-032, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Reyes wanted clarification regarding the size or height of the three new eucalyptus trees and will there be irrigation for them.

Ms. Vaughn stated they would be 24 box sizes and placed 20 - 30 feet apart and irrigation would be required.

Mr. Willoughby wanted clarification regarding the proposed overall height of the project.

Ms. Vaughn stated it would be 65 feet.

PUBLIC TESTIMONY

Alicia Strasheim, the applicant, and Alexis Hadley representing AT&T wanted to thank Alexis Vaughn for helping out with the application. Ms. Strasheim stated AT&T has a significant gap in coverage in the area on Hamner Avenue and the surrounding area. After doing surveys and looking in the surrounding area, this was the best area with the littlest amount of impact.

Mr. Willoughby wanted clarification regarding the proposed look that looked cone-shaped and wanted to know if we can do something to make it look more realistic.

Ms. Strasheim stated yes they are working with staff regarding this issue.

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

Mr. Gregorek stated looking at the area, eucalyptus would work well and wanted to make sure it looks more realistic and take the aesthetics into consideration and make sure the branches aren't too sparse.

Mr. Reyes wanted clarification regarding the real trees size because item C on page 11 of 37 states 15 galloon and he wants to make sure the trees are 24 inch boxed trees. He stated his concerns regarding proper irrigation and that they are be staked to hold up against the winds. He stated he would like to see that there is a one year warranty on the trees to make sure they get the look of the proposed rendering.

Mr. Murphy stated that the conditions of approval on page 37 of 37, condition number 4 states the tree sizes are 24 inch boxed trees, spaced 20 - 30 feet apart and with automatic irrigation.

Mr. Willoughby stated some landscape companies will give a warranty on trees and could we address a warranty of trees.

Mr. Murphy stated this is more common among larger projects. It can sometimes be challenging with smaller ones, but certainly we can consider it. He stated being that these are in the conditions of approval and, if for some reason these trees die, we will be knocking on their door saying they aren't in compliance with their conditions.

PLANNING COMMISSION ACTION

It was moved by DeDiemar, seconded by Reyes, to adopt a resolution to approve the Development Plan, File No., PDEV17-032, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee met on December 14, 2017.

Mr. Willoughby stated they approved an 824 foot garage addition to be built with alleyway access on East D St.

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

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

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Mr. Murphy stated monthly reports are available in their packets.

Mr. Gage stated that he wanted to discuss the calendars that are really cool.

Mr. Murphy stated that the pictures were taken in a photo competition and these were the winners and this keeps the Historic Preservation in the forefront of the community.

ADJOURNMENT

Gregory motioned to adjourn, seconded by Willoughby. The meeting was adjourned at 8:03PM.

Secretary Pro Tempore

Chairman, Planning Commission



PLANNING COMMISSION STAFF REPORT

January 23, 2018

SUBJECT: A one-year Time Extension of the expiration date for the approval of **File No. PMTT14-020**, a Tentative Parcel Map (PM 19552) to subdivide a 0.20-acre parcel of land into a single parcel for condominium purposes, located on the west side of Euclid Avenue, approximately 450 feet north of Elm Street, at 1420 South Euclid Avenue, within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district and EA (Euclid Avenue) Overlay district; (APN: 1050-051-01) **submitted by Johnathan Ma.**

PROPERTY OWNER: Yunhao Zhang

RECOMMENDED ACTION: That the Planning Commission approve a one-year Time Extension of the expiration date for the approval of File No. PMTT14-020 (PM 19552), to December 15, 2018.

PROJECT SETTING: The project site consists of a 0.20-acre parcel of land generally located on the west side of Euclid Avenue, approximately 450 feet north of Elm Street, at 1420 South Euclid Avenue, within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district and EA (Euclid Avenue) Overlay district. The neighboring properties to the north and west of the project site are religious assembly land uses, are within the Low Density Residential land use district of the Policy Plan Land Use Plan, and the LDR5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district and EA (Euclid Avenue) Overlay district. The property to the south is developed with a multiple-family residential land use and is within the Medium Density Residential land use district of the Policy Plan Land Use Plan, and the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district and EA (Euclid Avenue) Overlay district. To the east, across Euclid Avenue, is a convenience store and vacant building pad and parking lot, which lie within the Neighborhood Commercial land use



Figure 1: Project Location

Case Planner:	Charles Mercier	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	1/15/2018		Recommend
Submittal Date:	11/30/2017	ZA			
Hearing Deadline:	3/2/2018	PC	1/23/2018		Final
		CC			

district of the Policy Plan Land Use Plan, and the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay district.

PROJECT ANALYSIS: On December 15, 2016, the Planning Commission approved a Tentative Parcel Map (TPM 19552) to subdivide the project site into a single parcel for condominium purposes. The purpose of the Parcel Map was to facilitate the development of the site with two single-family dwellings, and the subsequent individual sale of each dwelling. Final building inspection for the two dwellings was approved and occupancy was granted during the fourth quarter of 2016.

On January 24, 2017, the Planning Commission approved a resolution granting a one-year time extension for the tentative parcel map, extending its approval to December 15, 2017, pursuant to the requirements of Ontario Development Code Section 2.02.025.B (Time Extensions) and the Subdivision Map Act. The time extension was to allow for the preparation and City approval of Covenants, Conditions and Restrictions (CC&Rs), which are required to be recorded with the Final Parcel Map.

The Applicant is now requesting a second one-year time extension, which would extend the Tentative Parcel Map approval to December 15, 2018. The purpose of the time extension is to provide additional time for completion of the required CC&Rs.

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 Priorities

- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

[2] Policy Plan (General Plan)

[a] *Land Use—Flexibility*

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

Policies: LU3-1 *Development Standards*. We maintain clear development standards which allow flexibility to achieve our Vision.

[b] Community Design—Image & Identity

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.

Policies: 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.

[c] Community Design—Design Quality

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

Policies: 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.

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.

COMPLIANCE WITH THE AIRPORT LAND USE COMPATIBILITY PLAN: The project site is located within the Airport Influence Area of 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 Tentative Parcel Map is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Class 15, Minor Land Divisions) of the CEQA Guidelines, which consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into 4 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 conform to local standards and 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.

CONDITIONS OF APPROVAL: See attached department reports.

SURROUNDING ZONING AND LAND USE:

<i>Direction</i>	<i>Existing Land Use</i>	<i>Policy Plan Land Use Plan Designations</i>	<i>Zoning Map Designation</i>
<i>North:</i>	Religious Assembly	Low Density Residential	LDR5 (Low Density Residential – 2.1 to 5.0 DU/Acre) & EA (Euclid Avenue Overlay)
<i>South:</i>	Multiple-Family Residential	Medium Density Residential	MDR18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) & EA (Euclid Avenue Overlay)
<i>East:</i>	Parking Lot and Vacant Commercial Building Pad (across Euclid Avenue)	Neighborhood Commercial	CN (Neighborhood Commercial) & EA (Euclid Avenue Overlay)
<i>West:</i>	Religious Assembly	Low Density Residential	LDR5 (Low Density Residential – 2.1 to 5.0 DU/Acre) & EA (Euclid Avenue Overlay)

TECHNICAL APPENDIX:

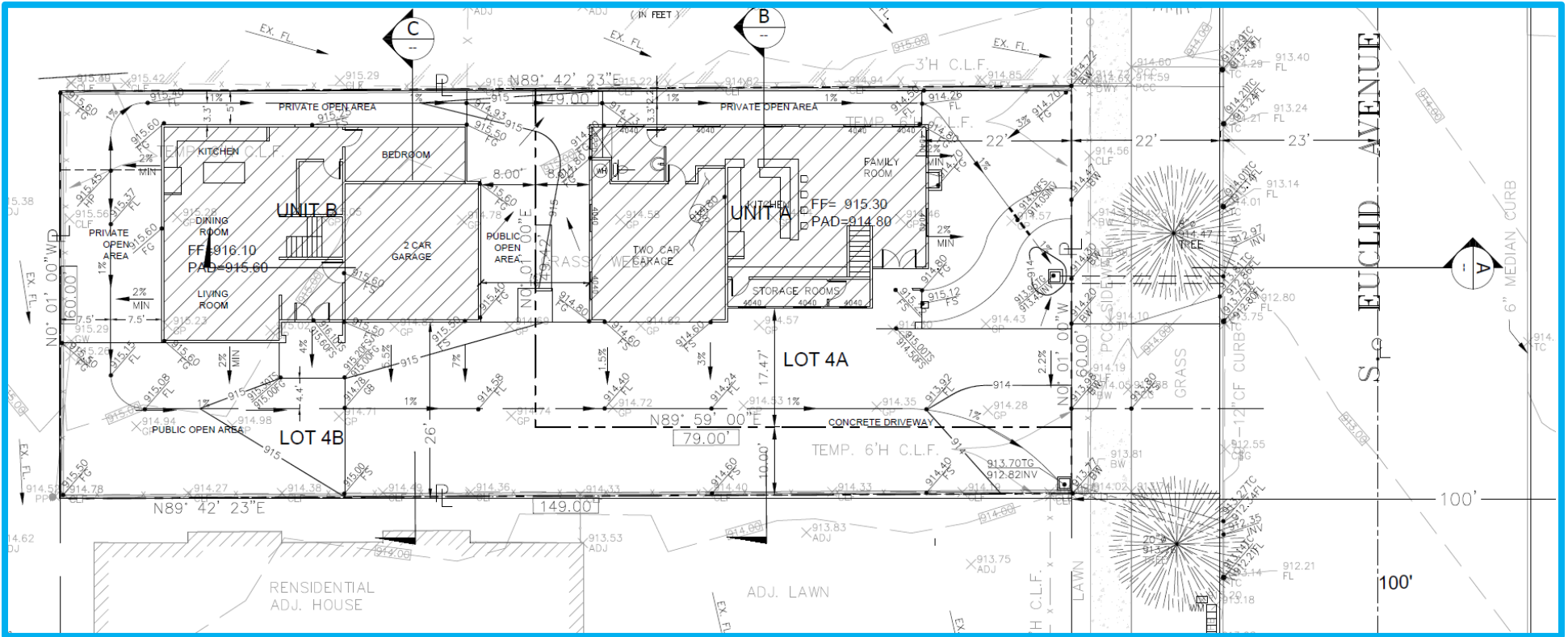
<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area:</i>	8,940 SF	N/A	Y
<i>Lot/Parcel Size:</i>	8,940 SF	7,200 SF	Y

Exhibit A: AERIAL PHOTOGRAPH

Project Site



Exhibit B: Tentative Parcel Map No. 19552



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING A ONE-YEAR TIME EXTENSION OF THE EXPIRATION DATE FOR FILE NO. PMTT14-020 (PM 19552), A TENTATIVE PARCEL MAP TO SUBDIVIDE A 0.20-ACRE PARCEL OF LAND INTO A SINGLE PARCEL FOR CONDOMINIUM PURPOSES, LOCATED ON THE WEST SIDE OF EUCLID AVENUE, APPROXIMATELY 450 FEET NORTH OF ELM STREET, AT 1420 SOUTH EUCLID AVENUE, WITHIN THE MDR-18 (MEDIUM DENSITY RESIDENTIAL – 11.1 TO 18.0 DU/ACRE) ZONING DISTRICT AND EA (EUCLID AVENUE) OVERLAY DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1050-051-01.

WHEREAS, JOHNATHAN MA ("Applicant") has filed an Application for the approval of a one-year Time Extension of the expiration date of a Tentative Parcel Map (PM 19552), File No. PMTT14-020, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.20 acres of land generally located on the west side of Euclid Avenue, approximately 450 feet north of Elm Street, at 1420 South Euclid Avenue, within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district and EA (Euclid Avenue) Overlay district, and is presently improved with two single-family dwellings; and

WHEREAS, the property to the north of the Project site is within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) and EA (Euclid Avenue Overlay) zoning districts, and is improved with a Religious Assembly land use. The property to the east is within the CN (Neighborhood Commercial) and EA (Euclid Avenue Overlay) zoning districts, and is improved with a Parking Lot and Vacant Commercial Building Pad. The property to the south is within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) and EA (Euclid Avenue Overlay) zoning districts, and is improved with a Multiple-Family Residential land use. The property to the west is within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) and EA (Euclid Avenue Overlay) zoning districts zoning district, and is improved with a Religious Assembly land use; and

WHEREAS, on December 15, 2016, the Planning Commission approved a Tentative Parcel Map (TPM 19552) to subdivide the project site into a single parcel for condominium purposes. The purpose of the Parcel Map was to facilitate the development of the site with two single-family dwellings, and the subsequent individual sale of each dwelling. Final building inspection for the two dwellings was approved and occupancy was granted during the fourth quarter of 2016; and

WHEREAS, on January 24, 2017, the Planning Commission approved a resolution granting a one-year time extension for the tentative parcel map, extending its approval to December 15, 2017, pursuant to the requirements of Ontario Development Code Section 2.02.025.B (Time Extensions) and the Subdivision Map Act. The time extension was to allow for the preparation and City approval of Covenants, Conditions and Restrictions (CC&Rs), which are required to be recorded with the Final Parcel Map; and

WHEREAS, the Applicant is now requesting a second one-year time extension, which would extend the Tentative Parcel Map approval to December 15, 2018. The purpose of the time extension is to provide additional time for completion of the required CC&Rs; 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;

WHEREAS, on January 17, 2018, the Development Advisory Board of the City of Ontario conducted a hearing to consider the proposed Time Extension, and concluded said hearing on that date, voting to issue Decision No. DAB18-002 recommending the Planning Commission approve the Application; and

WHEREAS, on January 23, 2018, the Planning Commission of the City of Ontario conducted a hearing to consider the proposed Time Extension, 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, which consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into 4 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 conform to local standards and are available;
- The parcel was not involved in a division of a larger parcel within the previous 2 years;
- 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 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, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 3: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the 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 DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the 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 Medium Density Residential land use district of the Policy Plan

Land Use Map, and the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district and EA (Euclid Avenue) Overlay 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 Medium Density Residential land use district of the Policy Plan Land Use Map, and the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district and EA (Euclid Avenue) Overlay 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 MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district and EA (Euclid Avenue)

Overlay 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 11.1 DUs/acre. The project site meets the minimum lot area and dimensions of the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district and EA (Euclid Avenue) Overlay 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 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 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 23rd day of January 2018, 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, AICP
Assistant Development 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. PC18-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on January 23, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PMTT14-020 (PM 19552)
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



PLANNING DEPARTMENT CONDITIONS OF APPROVAL

File No. PMTT14-020 (PM 19552)

Date: November 17, 2014

Project Description: A Parcel Map (PM 19552) to subdivide a 0.20-acre parcel of land into a single parcel for condominium purposes, located on the west side of Euclid Avenue, approximately 450 feet north of Elm Street, at 1420 South Euclid Avenue, within the C1 (Neighborhood Commercial) and EA (Euclid Avenue) Overlay zoning districts. (APN: 1050-051-01); **submitted by** **submitted by Johnathan Ma.**

Reviewed by: Charles Mercier, Senior Planner
Phone: (909) 395-2425; **Email:** cmercier@ci.ontario.ca.us; **Fax:** (909) 395-2420

CONDITIONS OF APPROVAL

The above-described Development Plan application 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 the City Clerk.

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 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. 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. The final parcel map shall be in conformance with the approved tentative parcel map on file with the City. Any variation from the approved

tentative parcel map shall be reviewed and approved by the Planning Department. Any substantive variation or change may require Planning Commission approval.

2.3 Environmental Review.

(a) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15315 (Minor Land Divisions) of the CEQA Guidelines.

(b) 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.

Airport Land Use Compatibility Planning

Consistency Evaluation Report



Project File No.: PMTT14-020
 Address: 1420 South Euclid Ave
 APN: 1050-051-01
 Existing Land Use: Undeveloped Land
 Proposed Land Use: Parcel map for residential land use
 Site Acreage: .20
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Clarice Burden
 Date: 7/17/14
 CE No.: 2014-042
 PALU No.: n/a

CONSISTENCY EVALUATION DETERMINATION

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

ANALYSIS

See Attached

Airport Planner Signature: 

ONT ALUCP COMPATIBILITY FACTORS (Check all that Apply)

Safety Zones	Noise Impact Zones	Airspace Protection	Overflight
<input type="checkbox"/> Zone 1	<input type="checkbox"/> 75+ dB CNEL	<input type="checkbox"/> High Terrain Zone	<input type="checkbox"/> Avigation Easement
<input type="checkbox"/> Zone 1A	<input type="checkbox"/> 70 - 75 dB CNEL	<input type="checkbox"/> Pierce Part 77 Surfaces	<input checked="" type="checkbox"/> Recorded Overflight
<input type="checkbox"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input type="checkbox"/> FAA Notification	<input type="checkbox"/> Real Estate Disclosure
<input type="checkbox"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL		<input type="checkbox"/> Airport Influence Area
<input type="checkbox"/> Zone 4			
<input type="checkbox"/> Zone 5			

CHINO ALUCP COMPATIBILITY FACTORS (Check all that Apply)

Zone A Zone B1 Zone C Zone D Zone E

Airport Land Use Compatibility Planning

Consistency Evaluation Report

CE No.:	<u>2014-042</u>
PALU No.:	<u>n/a</u>

PROJECT CONDITIONS

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

1. New Residential land uses within the 60-65 dB CNEL noise impact zone must incorporate exterior-to-interior noise level reduction (NLR) design features and be capable of attenuating exterior noise to 45 dB interior noise level, acoustical data documenting that the structure will be designed to comply with the criteria must be provided.
2. New Residential land uses 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.)



HOUSING ELEMENT CONSISTENCY DETERMINATION



File No.: PMTT14-020

Prepared By:

Clarice Burden

Location: 1420 S. Euclid Avenue

Date:

7/22/14

Project Description:

A Tentative Parcel Map (PM 19552) to subdivide 0.20 acres of vacant land into 1 parcel for condominium purposes, located on the west side of Euclid Avenue approximately 450 feet north of Elm Street at 1420 S. Euclid Avenue, within the C1 (Neighborhood Commercial) and the EA (Euclid Ave Overlay) zoning districts in conjunction with a Zone Change (File No. PZC14-001) request to change the zoning of the property to R2 (Medium Density Residential). APN: 1050-051-01

Signature:

Clarice Burden

This project has been reviewed for consistency with the adopted Housing Element. The following was found:

- The proposed project is consistent with the adopted Housing Element. The site is not one of the properties listed in the Available Land Inventory in the Housing Element.
- The proposed project is consistent with the adopted Housing Element. The site is listed as one of the sites in the Available Land Inventory in the Housing Element. The number of units proposed by the project of _____ and density of _____ du/ac is consistent with the minimum number of units specified in the Available Land Inventory in the Housing Element. The Available Land Inventory specifies that this site has a minimum number of _____ units at a minimum density of _____ du/ac.
- The proposed project is not consistent with the adopted Housing Element. The site is one of the properties listed in the Available Land Inventory in the Housing Element. The proposed project is not consistent with the number of dwelling units of _____ and/or the minimum density of _____ specified in the Available Land Inventory in the Housing Element. The Available Land Inventory specifies that this site has a minimum number of _____ units at a minimum density of _____ du/ac. One of the following will be needed:
 - A General Plan Amendment to remove the subject property from the Available Land Inventory in the Housing Element will need to be approved prior to the approval of this project. Removing the subject property from the Available Land Inventory will not impact the City's Regional Housing Needs Allocation obligations since there are **an adequate number of sites in the inventory to meet the RHNA obligation without finding replacement sites; or**
 - A General Plan Amendment to remove the subject property from the Available Land Inventory in the Housing Element will need to be approved prior to the approval of this project. Removing the subject property from the Available Land Inventory will impact the City's Regional Housing Needs Allocation obligations since there are not an adequate number of sites in the inventory to meet the RHNA obligation. Replacement sites that meet the HCD criteria will need to be found and included in the General Plan Amendment (listed by APN, number of units and density). Appropriate replacement sites will need to be reviewed by Advance Planning staff prior to including them in the Available Site Inventory.
 - There are not adequate replacement sites to meet the City's RHNA obligation. The proposed project will either need to be revised to comply with the Housing Element or denied since it is not consistent with The Ontario Plan.
- Additional Comments:

Findings should be included in the approving resolutions stating how/if the proposed project is consistent with the adopted Housing Element.



CITY OF ONTARIO

MEMORANDUM

TO: Otto Kroutil, Development Director
Scott Murphy, Planning Director
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
~~Raymond Lee, Assistant City Engineer~~ *miguel sotomayor*
Carolyn Bell, Landscape Planning Division
Sheldon Yu, Municipal Utility Company
Scott Melendrez, Police Department
Art Andres, Deputy Fire Chief/Fire Marshal
Brent Schultz, Housing and Neighborhood Revitalization Director (Copy of memo only)
Sigrifido Rivera, Housing Manager
Tom Danna, T. E., Traffic/Transportation Manager
Lorena Mejia, Associate Planner, Airport Planning (Copy of memo only)
Steve Wilson, Engineering/NPDES

FROM: Chuck Mercier,

DATE: September 18, 2014

SUBJECT: FILE #: PMTT14-020

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Thursday, October 2, 2014**.

PROJECT DESCRIPTION: A Parcel Map (PM 19552) subdividing a 0.20-acre parcel of land into a single parcel for condominium purposes, located on the west side of Euclid Avenue, approximately 450 feet north of Elm Street, at 1420 South Euclid Avenue, within the C1 (Neighborhood Commercial) and EA (Euclid Avenue) Overlay zoning districts (APN: 1050-051-01). Related File: PZC14-001 -- a request to change the zoning on the property to R2 (Medium Density Residential).

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

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

The plan does not adequately address the departmental concerns.

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

10/23/14

Landscape Planning Carolyn Bell Sr Landscape Planner

Department	Signature	Title	Date
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**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input checked="" type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PM19552 RELATED FILE NO(S): PZC14-001	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Omar Gonzalez, P.E. (909) 395-2147

CITY PROJECT PLANNER & PHONE NO: Chuck Mercier (909) 995-2425

DAB MEETING DATE: November 17, 2014

PROJECT NAME / DESCRIPTION: A Parcel Map subdividing a 0.20-acre parcel of land into a single parcel for condominium purposes.

LOCATION: 1420 South Euclid Avenue

APPLICANT: Johnathan Ma

REVIEWED BY: Steve Latino, P.E.
Principal Engineer 11/12/2014
Date

APPROVED BY: Raymond Lee, P.E.
Assistant City Engineer 11/12/2014
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 OR PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

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

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
 •
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s): _____
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 **Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.**
- 1.07 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 File a Consent and Waiver to Annexation agreement, together with an annexation processing fee, to annex the subject property to a Street Lighting Maintenance Assessment District (SLMD). The agreement and fee shall be submitted a minimum of three (3) months prior to, and the annexation shall be completed, prior to final subdivision map approval or issuance of building permits, whichever occurs first. An annual special assessment shall be levied in the SLMD and will be collected along with annual property taxes. The special assessment will provide funding for costs associated with the annual operation and maintenance of the street lighting facilities and appurtenances that serve the property. Contact Management Services at (909) 395-2124 regarding this requirement.
- 1.09 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.

- 1.10 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) Submit evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Submit evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.11 Other conditions:

2. PRIOR TO ISSUANCE OF PERMITS, APPLICANT SHALL: (2.01 – 2.13)

**A. GENERAL
 (Permits includes Rough Grading, Precise Grading and Building)**

- 2.01 Record Parcel Map No. 19552 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.
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and will be recognized upon the recordation of PM-19552.
- 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: Southern California Edison – Letter from Southern California Edison stating they have no exception to the proposed block wall to be constructed over their existing easement.

- 2.09 Dedicate to the City of Ontario the right-of-way described below:
- 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. 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 Other conditions: _____



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

2.14 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	Euclid Avenue			
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace Damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft.. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove existing	<input type="checkbox"/> New; ___ ft.. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove existing	<input type="checkbox"/> New; ___ ft.. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove existing
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen 12 additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen to construct knuckle, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen to construct knuckle, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace along frontage	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace replace
Sidewalk	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



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

Specific notes for improvements listed in item no. 2.14, above:

- 2.15 Construct a 0.15' asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.16 Reconstruct the full pavement structural section 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.

- 2.17 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.
- 2.18 Other conditions:

C. SEWER

- 2.19 **A 10 inch sewer main is available for connection by this project in Euclid Avenue (Ref: Sewer plan bar code: S12416 and S12415)**
- 2.20 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately ___ feet away.
- 2.21 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.
- 2.22 **Other conditions:**
 - **Each unit shall have a separate sewer lateral, per city Standards.**

D. WATER

- 2.23 **A 12 inch water main is available for connection by this project in Euclid Avenue (Ref: Water plan bar code: W12435)**
- 2.24 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately ____ feet away.
- 2.25 Submit documentation that shows expected peak demand water flows for modeling the impact of the subject project to the existing water system. The project site is within a deficient public water 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 impacts to the deficient public water system, including, but not limited to upgrading of the existing water main(s) and/or construction of a new main(s).
- 2.26 Design and construct appropriate cross-connection protection for new potable water and fire service connections. Appropriate protection shall be based upon the degree of hazard per Title 17 of the California Code of Regulations. The minimum requirement is the installation of a backflow prevention device per current City standards. All existing potable water and fire services that do not meet the current minimum level of protection shall be upgraded (retrofitted) with the appropriate backflow protection assembly per current City standards.
- 2.27 Request a water flow test to be conducted, to determine if a water main upgrade is necessary to achieve required fire flow for the project. The application is available on the City website (www.ci.ontario.ca.us) or Applicant can contact the City of Ontario Fire Department at (909) 395-2029 to coordinate scheduling of this test. Applicant shall design and construct a water main upgrade if the water flow test concludes that an upgrade is warranted.
- 2.28 **Other conditions:**
 - a. **Each unit shall have a separate water service, per City Standard.**



E. RECYCLED WATER

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

F. TRAFFIC / TRANSPORTATION

- 2.34 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
- 2.35 Other conditions:
 - a. The Applicant/Developer shall design and construct one in-fill public streetlight (LED lamp type) along the property frontage of Francis Street, in accordance with the latest City of Ontario Standards and to the satisfaction of the City Engineer.
 - b. All proposed driveways shall be constructed in accordance with City of Ontario Standard Drawing No. 1203 for Residential Driveway Approach. Flat bottom of approach shall not begin closer than five feet from property line.

G. DRAINAGE / HYDROLOGY

- 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 Design and construct a storm water detention facility on the project site. An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Post-development flows from the site shall not exceed 80% of pre-development 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 Calculate Storm Drain Impact Fees based on square footage or acreage of the subject site.
- 2.41 Other conditions:

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

- 2.42 401 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.
- 2.43 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>.
- 2.44 Other conditions: _____

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 File a Consent and Waiver to Annexation agreement, together with an annexation processing fee, to annex the subject property to a Street Lighting Maintenance Assessment District (SLMD). The agreement and fee shall be submitted three (3) months prior to, and the annexation shall be completed prior to, final subdivision map approval or issuance of building permits, whichever occurs first. An annual special assessment shall be levied in the SLMD and will be collected along with annual property taxes. The special assessment will provide funding for costs associated with the annual operation and maintenance of the street lighting facilities and appurtenances that serve the property. Contact the Management Services Department at (909) 395-2124, regarding this requirement.
- 2.47 Other conditions: _____



K. Solid Waste

- 2.48 The project site shall comply with the Standards and Service requirements for Residential Service with automated containers contained in the current update of the "Solid Waste Department Refuse and Recycling Planning Manual", and shall have pick up on Euclid Avenue.

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 Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.04 Submit electronic copies of all approved studies/reports (i.e. hydrology, traffic, WQMP, etc.).
- 3.05 Request existing street light mylars from City and make revisions to reflect LED upgrade on _____.



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PM-19552

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 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 Traffic Signal improvement plan
15. Two (2) copies of Water Quality Management Plan (WQMP)
16. **One (1) copy of Hydrology/Drainage study**
17. **One (1) copy of Soils/Geology report**
18. **Payment for Final Map/Parcel Map processing fee**
19. **Three (3) copies of Final Map/Parcel Map**
20. **One (1) copy of approved Parcel Map**
21. **One (1) copy of Preliminary Title Report (current within 30 days)**
22. One (1) copy of Traverse Closure Calculations
23. **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.**



24. Two (2) copies of Engineering Report and an electronic file (PDF format on a compact disc) for recycled water use
25. Other:

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Clarice Burden
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: June 18, 2014
SUBJECT: PMTT14-020

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

cc: File

KS:kb



CITY OF ONTARIO

MEMORANDUM

TO: Otto Kroutil, Development Director
Scott Murphy, Planning Director
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Raymond Lee, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
Sheldon Yu, Municipal Utility Company
Scott Melendrez, Police Department
Art Andres, Deputy Fire Chief/Fire Marshal
Brent Schultz, Housing and Neighborhood Revitalization Director (Copy of memo only)
Sigfrido Rivera, Housing Manager
Tom Danna, T. E., Traffic/Transportation Manager
Lorena Mejia, Associate Planner, Airport Planning (Copy of memo only)
Steve Wilson, Engineering/NPDES

FROM: Clarice Burden,

DATE: June 17, 2014

SUBJECT: FILE #: PMTT14-020 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, July 1, 2014**.

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

PROJECT DESCRIPTION: A Tentative Parcel Map (PM 19552) for condominium purposes, generally located on the northwest corner of Elm Street and Euclid Avenue, on 0.20 acres of vacant land, within the C1 (Neighborhood Commercial) and the EA (Euclid Ave Overlay) zoning districts. APN: 1050-051-01

RELATED FILES: PZC_14-001

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

Police
Department

[Signature]
Signature

SP. MANAGER ANANDI
Title

7/17/14
Date



CITY OF ONTARIO

MEMORANDUM

TO: Chuck Mercier, Planning Department

FROM: Lora L. Gearhart, Plan Checker
Bureau of Fire Prevention

DATE: October 15, 2014

SUBJECT: **PMTT14-020 – A PARCEL MAP (PM 19552) TO SUBDIVIDE A 0.20-ACRE PARCEL OF LAND INTO A SINGLE PARCEL FOR CONDOMINIUM PURPOSES, LOCATED ON THE WEST SIDE OF EUCLID AVENUE, APPROXIMATELY 450 FEET NORTH OF ELM STREET, AT 1420 SOUTH EUCLID AVENUE, WITHIN THE C1 (NEIGHBORHOOD COMMERCIAL) AND EA (EUCLID AVENUE) OVERLAY ZONING DISTRICTS (APN: 1050-051-01). RELATED FILE: PZC14-001 -- A REQUEST TO CHANGE THE ZONING ON THE PROPERTY TO R2 (MEDIUM DENSITY RESIDENTIAL).**

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

No comments

Report below.

CONDITIONS OF APPROVAL:

1. The required fire flow for this tract is 1,500 g.p.m. x 2 hours. Fire flow calculations are approximations only. Final determination and plotted by Engineering and Fire Departments per established standard criterion.
2. Fire hydrant locations and appropriate main sizes will be determined and plotted by Engineering and Fire Departments pre-established standard criterion.
5. 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.
6. Approved numbers or addresses shall be placed on all new in such a position as to be plainly visible and legible from the street or road fronting the property and comply with the Section

9-1.3280 Street Naming and Street Address Numbering of the Ontario Municipal Code and Ontario Fire Department Standards #H-002.

7. All dwellings shall be equipped with a residential fire sprinkler system.

For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ci.ontario.ca.us, click on Fire Department and then on forms.



CITY OF ONTARIO MEMORANDUM

TO: Otto Kroutil, Development Director
 Scott Murphy, Planning Director
 Cathy Wahlstrom, Principal Planner (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Raymond Lee, Assistant City Engineer
 Carolyn Bell, Landscape Planning Division
 Sheldon Yu, Municipal Utility Company
 Scott Melendrez, Police Department
 Art Andres, Deputy Fire Chief/Fire Marshal
 Brent Schultz, Housing and Neighborhood Revitalization Director (Copy of memo only)
 Sigfrido Rivera, Housing Manager
 Tom Danna, T. E., Traffic/Transportation Manager
 Lorena Mejia, Associate Planner, Airport Planning (Copy of memo only)
 Steve Wilson, Engineering/NPDES

City of Ontario
Housing Department

JUN 18 2014

Received by _____

FROM: Clarice Burden,

DATE: June 17, 2014

SUBJECT: FILE #: PMTT14-020 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, July 1, 2014**.

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

PROJECT DESCRIPTION: A Tentative Parcel Map (PM 19552) for condominium purposes, generally located on the northwest corner of Elm Street and Euclid Avenue, on 0.20 acres of vacant land, within the C1 (Neighborhood Commercial) and the EA (Euclid Ave Overlay) zoning districts. APN: 1050-051-01

RELATED FILES: PZC_14-001

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.

Housing & Municipal Services *Brent Schultz* Housing & Municipal Services Director 06/19/14

Department _____ Signature _____ Title _____ Date _____



PLANNING COMMISSION STAFF REPORT

January 23, 2018

SUBJECT: A Development Plan, **File No. PDEV17-028**, to construct 37 multiple-family apartment units on 1.13 acres of land generally located on the north side of Sixth Street, approximately 150 feet east of Interstate 10, at 941 East Sixth Street, within the HDR-45 (High Density Residential – 25.1 to 45.0 DU/Acre) zoning district (APNs: 1047-172-03 and 1047-172-19); **submitted by Kirk Wallace.**

PROPERTY OWNER: Kirk Wallace

RECOMMENDED ACTION: That the Planning Commission approve File No. File No. PDEV17-028, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 1.13 acres of land generally located on the north side of Sixth Street, approximately 150 feet east of Interstate 10, at 941 East Sixth Street, and is depicted in **Figure 1: Project Location**, below. The site is currently zoned MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre); however, a City initiated Zone Change is being processed concurrently with the proposed project, which will place the entire block containing the subject site in the HDR-45 (High Density Residential – 25.1 to 45.0 DU/Acre) zoning district, consistent with the Policy Plan (general plan) land use designation for the block. The zone change will be in effect prior to any construction taking place on the project site.

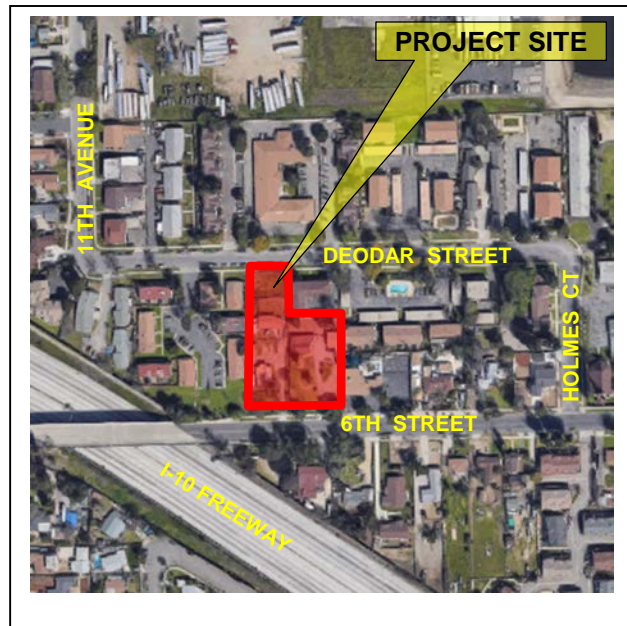


Figure 1: Project Location

Surrounding land uses are characterized by multiple-family dwellings and Bella Vista Health Care (rehabilitation center) to the north across Deodor Street, which is in the MDR-18 zoning district. The abutting property to the east is developed with the Bright Star Montessori Preschool

Case Planner:	Charles Mercier	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	1/17/2018	Approved	Recommend
Submittal Date:	7/6/2017	ZA			
Hearing Deadline:	4/3/2018	PC	1/23/2018		Final
		CC			

and is currently zoned MDR-18. The properties to the south, across Sixth Street, are currently zoned MDR-18 and are developed with single-family dwellings. The property abutting the project site to the west is currently zoned MDR-18. A table summarizing the Policy Plan land use designations, zoning designations, and existing land uses surrounding the project site has been included in the Technical Appendix of this report.

PROJECT ANALYSIS:

[1] Background — The Applicant is requesting development plan approval for the construction of 37 multiple-family residential units, at a density of 32.74 dwelling units per acre of land. The project site currently lies within the MDR-18 (11.1 to 18.0 DU/Acre) zoning district; however, a City initiated Zone Change (File No. PZC17-001) is being processed concurrently with the proposed project, which will change the zoning on the project site, as-well-as surrounding properties, to HDR-45 (25.1 to 45.0 DU/Acre). The Zone Change will provide consistency with the Land Use Plan (Exhibit LU-1) of the Policy Plan (general plan) component of The Ontario Plan, which designates the project site for High Density Residential development. Pursuant to the project's conditions of approval, project approval is contingent upon approval of the Zone Change and the HDR-45 zoning district must be in place prior to the issuance of a building permit for the proposed project, thereby allowing for the proposed density of development.

On January 17, 2018, the Development Advisory Board reviewed the proposed project and unanimously voted to approve a Decision recommending the Planning Commission approve the proposed project.

[2] Site Design/Building Layout — The project consists of a single apartment building designed with a first floor concrete podium slab and bearing walls which house a lobby area, parking garage, refuse collection facilities, tenant storage facilities, and mechanical and electrical rooms (see Exhibit B, attached). A two-story wood-framed superstructure, containing 37 dwellings, in a stacked flat configuration, is designed on top of the podium, for an overall height of 3 stories (37.5 feet) (see Exhibits C-1 and C-2, attached).

Four different floor plans are proposed with unit sizes ranging from 945 to 1,217 square feet. All floor plans are two-bedrooms/two-bathrooms designs. The Dwelling Unit Statistics have been included in the Technical Appendix of this report.

The open space requirements of the Development Code requires that the project provide a minimum of 60 square feet of private open space, and 250 square feet of common open space, per dwelling unit. The project has provided each dwelling with a balcony having a minimum horizontal dimension of 7 feet, and an area ranging from 69 to 74 square feet, meeting the minimum private open space requirements for the project. Additionally, approximately 352.7 square feet of common open space per dwelling unit has been provided (totaling 13,050 square feet), which exceeds the minimum common open space requirements for the project.

With a total of 37 dwellings, the project's minimum requirements for common recreation amenities is one major facility and one minor facility. Recreation amenities provided with the project include a 945-square foot gym (major amenity) and a barbecue area with picnic tables (minor amenity) located on the podium deck (second level).

[3] Site Access/Circulation — The project site will be accessed via driveways at both Sixth Street and Deodar Street. The Sixth Street driveway is intended for use only by tenants and emergency fire apparatus and personnel, and has been provide with turnaround areas should visitors or the general public attempt to use the driveway access. The Deodar Street driveway is intended for use by tenants and visitors accessing the parking garage, as-well-as for emergency fire apparatus and personnel access to the site.

[4] Parking — A total of 84 off-street parking spaces have been provided, exceeding the minimum off-street parking requirements for the project. The off-street parking statistics for the project are as follows:

<i>Type of Use</i>	<i>No. DUs</i>	<i>Parking Ratios</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
Multiple-Family Residential	37		83	84
▪ Plan A (2 Bdrm/2 Ba)	21	Required: 2.0 spaces per dwelling, including one space in a garage or carport.	42	42
▪ Plan B (2 Bdrm/2 Ba)	2		4	4
▪ Plan C (2 Bdrm/2 Ba)	10	Provided: 2.0 spaces per dwelling in a garage.	20	20
▪ Plan D (2 Bdrm/2 Ba)	4		8	8
Guest/Visitor		One space per 4 dwellings	9	10

[5] Architecture — The building exterior design is in keeping with the Modern vernacular, free of clutter and unnecessary elements, and incorporating strong linear elements, bold horizontal and vertical features, multiple changes in the parapet line, and focuses on the use of modern materials (see Exhibits D-1 and D-2, attached). The exterior building elevations incorporate a decorative masonry block base and vertical feature walls; a light sand stucco finish on the body of the building, with bold-colored stucco accent walls; window surrounds and window canopies; decorative sconce lighting; and decorative tube steel at openings for podium ventilation. The mechanical equipment will be roof-mounted and obscured from public view by the parapet walls and, if necessary, equipment screens, which will incorporate design features consistent with the building architecture.

Staff believes that the proposed project illustrates the type of high-quality residential architecture promoted by the Development Code, which is exemplified through the use of:

- Articulation in building footprints, incorporating horizontal changes in the exterior building walls (combinations of recessed and popped-out wall areas);
- Articulation in the building parapet/roof lines, which serves to accentuate the building's entries and openings, and breaks up large expanses of building wall;
- Variations in building massing;
- A mix of exterior materials, finishes and fixtures; and
- Incorporation of base and top treatments defined by the layering of design elements, including horizontal changes in the exterior wall plane in combination with changes in exterior color (use of color blocking) and materials.

[6] Landscaping — At ground level, the project provides substantial landscaping the full length of the project street frontages, within the off-street parking area, and throughout the stormwater retention areas, for an overall landscape coverage of approximately 21.5 percent. A landscaped setback has been provided along the full length of the Sixth Street frontage, 20 feet in depth, and along the Deodar Street frontage, 48 feet in depth, measured from the street property line to the building. Furthermore, intensely landscaped side yard areas, varying from 10 to 18 feet in width, have been provided, which include pedestrian connections through the project site, and the podium level deck incorporates raised planters, with trees and perennial plantings.

Decorative paving and lighting will be provided at vehicular entries, pedestrian walkways, and other key locations within the project. Furthermore, a variety of accent and shade trees in 24-inch, 36-inch and 48-inch box sizes have been provided to enhance the project. Additionally, three date palms (with a brown trunk height of 24 feet) will be planted in the parking garage, which will align with an opening in the podium level, located within the outdoor common recreation area.

Within the podium level outdoor common recreation area, the Development Code requires a 10-foot active open space setback from habitable space, which is intended to provide a buffer between dwellings and active open space areas. As proposed, the setback area would be paved, providing an insufficient buffer. Therefore, staff has conditioned the project to provide fully landscaped raised planters within the active open space setback area, which will serve as adequate buffer between the delineated active open space area and adjacent dwellings (refer to condition of approval no. 2.3(e) of the Planning Department – Land Development Division, Conditions of Approval). The additional landscaped area will also serve to enhance the podium level open space area.

[7] Utilities (drainage, sewer) — A 12-inch water main has been required to be constructed in Sixth Street, from the easterly property line to an existing 12-inch main

within Caltrans right-of-way (I-10 Freeway). An existing 8-inch water main in Sixth Street will be abandoned and all existing services will be reconnected to the new 12-inch line.

Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of an underground stormwater infiltration system installed for the project. Any overflow drainage will be conveyed to the public street by way of parkway culverts.

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.

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

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

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

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

Housing Element:

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

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

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

- H5-2 Family Housing. We support the development of larger rental apartments that are appropriate for families with children, including, as feasible, the provision of services, recreation and other amenities.

Community Economics Element:

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

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

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

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

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

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

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

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

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

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

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

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

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

- CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.
- CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
- CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.
- CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.
- CD2-12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.
- CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.
 - Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.
- CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.
- CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.
- CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.

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

HOUSING ELEMENT COMPLIANCE: 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.

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 project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development) of the CEQA Guidelines, which consists of projects characterized as infill development, which meet the following conditions:

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

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Current Zoning Designation</i>	<i>Proposed Zoning Designation</i>
<i>Site</i>	Single-family dwellings	HDR (High Density Residential)	MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre)	HDR-45 (High Density Residential – 25.1 to 45.0 DU/Acre)
<i>North</i>	Multiple-family dwellings & Bella Vista Health Care (rehabilitation center)	MDR (Medium Density Residential)	MDR-18	MDR-18
<i>South</i>	Single-family dwellings	HDR	MDR-18	HDR-45
<i>East</i>	Bright Star Montessori Preschool	HDR	MDR-18	HDR-45
<i>West</i>	Multiple-family dwellings (Diamondpoint Apartments)	HDR	MDR-18	HDR-45

General Site & Building Statistics

<i>Item</i>	<i>Required</i>	<i>Provided</i>	<i>Meets Y/N</i>
<i>Project Area (in acres):</i>	1.0 Acre	1.13 Ares	Y
<i>Maximum Project Density:</i>	45.0 DU/Acre	32.7 DU/Acre	Y
<i>Minimum Lot Size:</i>	N/A	N/A	Y
<i>Street Setback:</i>	20 FT	Sixth Street: 20 FT Deodar Street: +/- 48 FT	Y
<i>Side Yard Setback:</i>	10 FT	10 FT	Y
<i>Drive Aisle Setback:</i>	10 FT	10 FT	Y
<i>Parking Setback:</i>	10 FT	10 FT	Y
<i>Dwelling Units / Building:</i>	N/A	37	Y
<i>Maximum Height:</i>	75 FT	37.5 FT	Y
<i>Parking – Resident:</i>	74	74	Y
<i>Parking – Guest:</i>	9	10	Y
<i>Open Space – Private:</i>	60 SF	69 SF to 74 SF	Y
<i>Open Space – Common:</i>	9,250 SF (250 SF/DU)	13,050 SF (352.7 SF/DU)	Y

Dwelling Unit Count:

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Total No. of Units</i>	28 / 51	37	Y
<i>Total No. of Buildings</i>	N/A	1	Y
<i>No. Units / Building</i>	N/A	37	Y

Dwelling Unit Statistics:

<i>Unit Type</i>	<i>Size</i>	<i>No. Bedrooms</i>	<i>No. Bathrooms</i>	<i>Private Open Space (in SF)</i>
Plan A	945 SF	2	2	74
Plan B	1,039 SF	2	2	69
Plan C	1,217 SF	2	2	71
Plan D	1,075 SF	2	2	69

Exhibit A: PROJECT LOCATION MAP



Exhibit B: SITE PLAN/FLOOR PLAN—GARAGE LEVEL

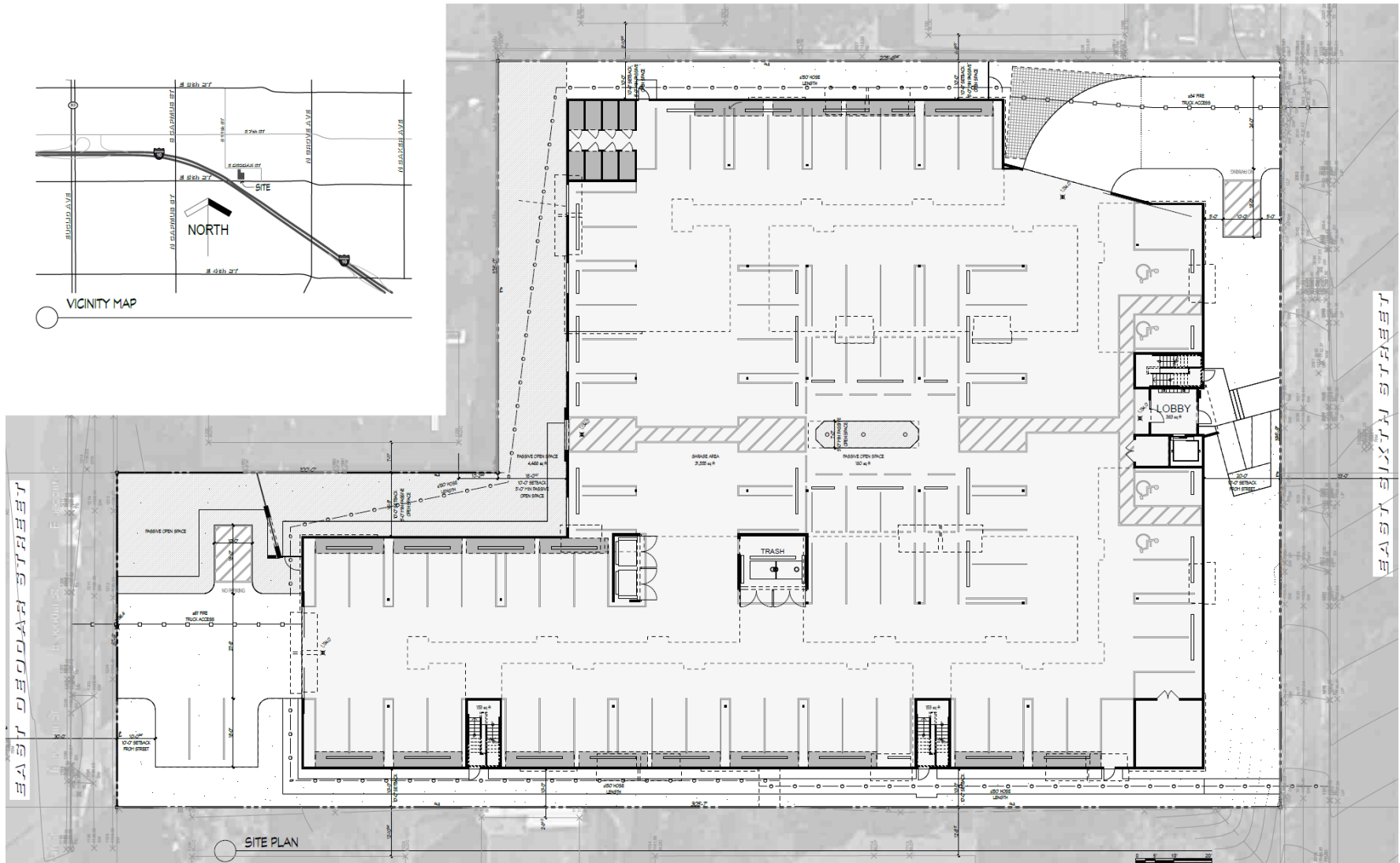


Exhibit C-1: FLOOR PLAN—PODIUM LEVEL (SECOND LEVEL)

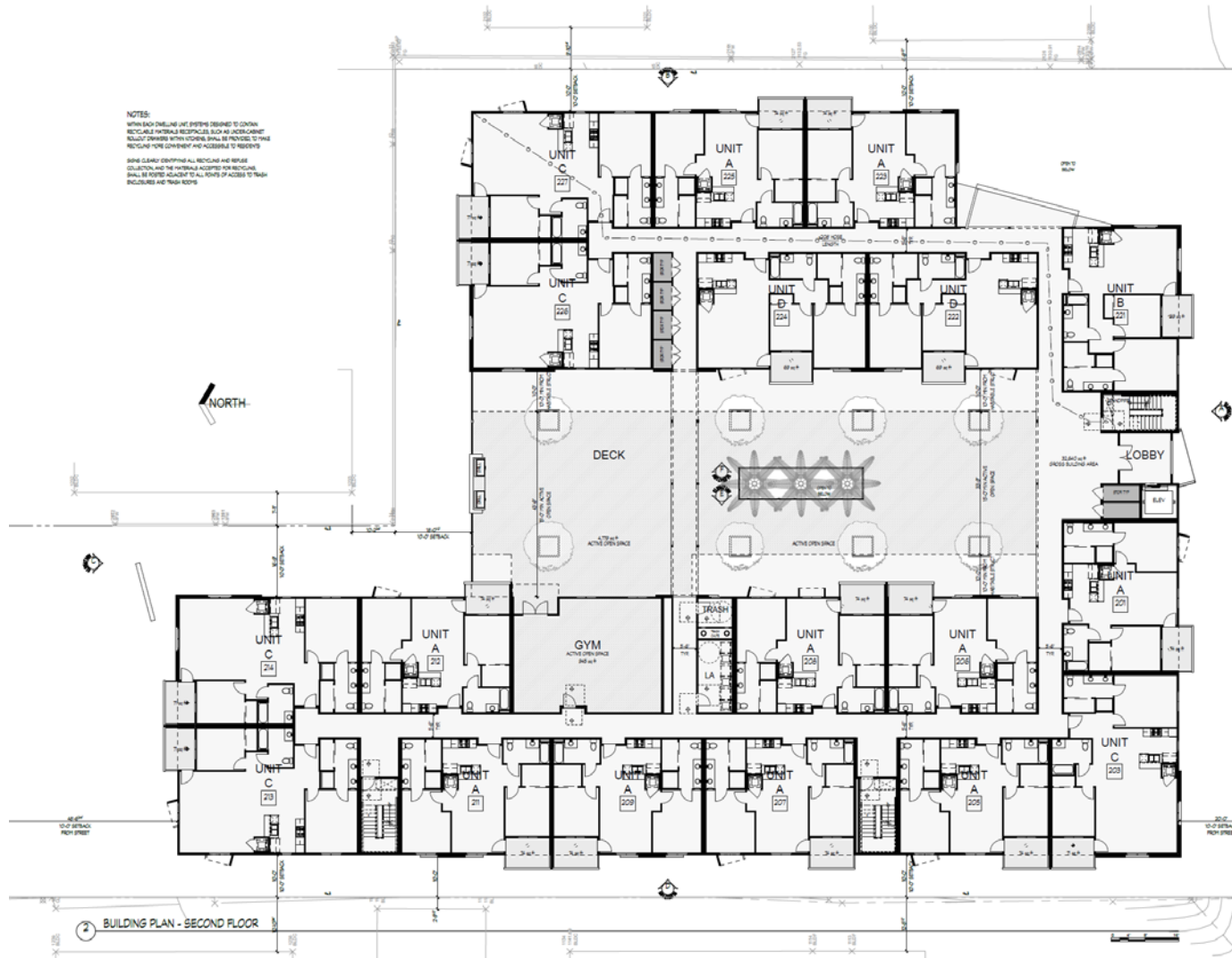


Exhibit C-2: FLOOR PLAN—THIRD LEVEL

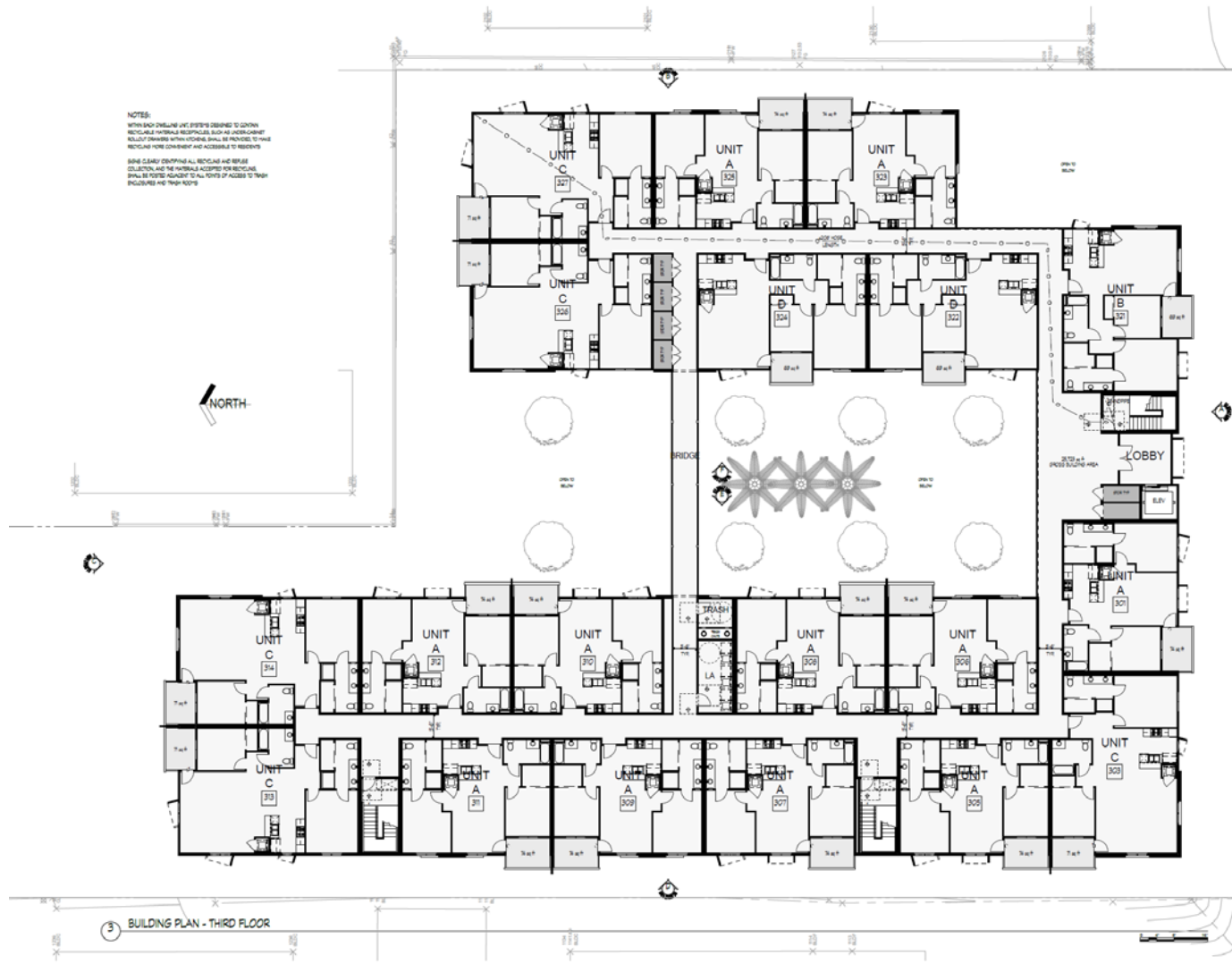


Exhibit D-1: EXTERIOR ELEVATIONS



Exhibit D-2: EXTERIOR ELEVATIONS



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV17-028, A REQUEST TO CONSTRUCT 37 MULTIPLE-FAMILY APARTMENT UNITS ON 1.13 ACRES OF LAND GENERALLY LOCATED ON THE NORTH SIDE OF SIXTH STREET, APPROXIMATELY 150 FEET EAST OF INTERSTATE 10, AT 941 EAST SIXTH STREET, WITHIN THE HDR-45 (HIGH DENSITY RESIDENTIAL – 25.1 TO 45.0 DU/ACRE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1047-172-19.

WHEREAS, Kirk Wallace ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV17-028, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.13 acres of land generally located on the north side of Sixth Street, approximately 455 feet west of Holmes Court, at 941 East Sixth Street, within the HDR-45 (High Density Residential – 25.1 to 45.0 DU/Acre), and is presently improved with single-family dwellings; and

WHEREAS, the property to the north of the Project site is within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district, and is developed with the Bella Vista Health Care facility (a rehabilitation center). The property to the east is within the MDR-18 zoning district, and is developed with Bright Star Montessori Preschool. The property to the south is within the MDR-18 zoning district, and is developed with single-family dwellings. The property to the west is within the MDR-18 zoning district, and is developed with multiple-family dwellings (Diamondpoint Apartments); and

WHEREAS, the Applicant is requesting development plan approval for the construction of 37 multiple-family residential units, at a density of 32.74 dwelling units per acre of land. The project site currently lies within the MDR-18 (11.1 to 18.0 DU/Acre) zoning district; however, a City initiated Zone Change (File No. PZC17-001) is being processed concurrently with the proposed project, which will change the zoning on the project site, as-well-as surrounding properties, to HDR-45 (25.1 to 45.0 DU/Acre). The Zone Change will provide consistency with the Land Use Plan (Exhibit LU-1) of the Policy Plan (general plan) component of The Ontario Plan, which designates the project site for High Density Residential development. Pursuant to the project's conditions of approval, project approval is contingent upon approval of the Zone Change and the HDR-45 zoning district must be in place prior to the issuance of a building permit for the proposed project, thereby allowing for the proposed density of development; and

WHEREAS, the project consists of a single apartment building designed with a first floor concrete podium slab and bearing walls which house a lobby area, parking garage, refuse collection facilities, tenant storage facilities, and mechanical and electrical rooms. A two-story wood-framed superstructure, containing 37 dwellings in a stacked flat configuration, is designed on top of the podium, for an overall height of 3 stories (37.5 feet); and

WHEREAS, four different floor plans are proposed, with unit sizes ranging from 945 to 1,217 square feet. All floor plans are two-bedrooms/two-bathrooms designs; and

WHEREAS, the building exterior design is in keeping with the Modern vernacular, free of clutter and unnecessary elements, and incorporating strong linear elements, bold horizontal and vertical features, multiple changes in the parapet line, and focuses on the use of modern materials. The exterior building elevations incorporate a decorative masonry block base and vertical feature walls; a light sand stucco finish on the body of the building, with bold-colored stucco accent walls; window surrounds and window canopies; decorative sconce lighting; and decorative tube steel at openings for podium ventilation; 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;

WHEREAS, on January 17, 2018, 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 January 23, 2018, 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 environmental review pursuant to Section 15332 (Class 32, Infill Development) of the CEQA Guidelines, which consists of projects characterized as infill development, which meet the following conditions:

- The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations;
- The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- The project site has no value as habitat for endangered, rare or threatened species;

- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- The 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 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, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 3: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the 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 DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the 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 HDR (High Density Residential) land use district of the Policy Plan Land Use Map, and the HDR-45 (High Density Residential – 25.1 to 45.0 DU/Acre) 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 HDR-45 (High Density Residential – 25.1 to 45.0 DU/Acre) 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.

(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 imposed certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan.

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

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

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 23rd day of January 2018, 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, AICP
Assistant Development 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. PC18-003 was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on January 23, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV17-028
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: 01/23/2017

File No: PDEV17-028

Related Files: N/A

Project Description: A Development Plan to construct 37 multiple-family apartment units on 1.13 acres of land, at a density of 32.74 DU/Acre, generally located on the north side of Sixth Street, approximately 150 feet east of Interstate 10, at 941 East Sixth Street, within the HDR-45 (High Density Residential – 25.1 to 45.0 DU/Acre) zoning district. (APNs: 1047-172-03 and 1047-172-19); **submitted by Kirk Wallace.**

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) 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) At the podium deck, provide fully landscaped raised planters within the required 10-foot active open space setback from habitable space and at the exterior wall of the gym, as shown below.



(f) The podium deck shall be provided with a decorative finish, such as stamped concrete, interlocking pavers, tile (ceramic, concrete or clay), scored with integral color or stained finish, or other approved finish. The final design shall be subject to approval by the Planning Director.

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 all applicable off-street parking, loading, lighting, and design requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

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

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

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

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

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

2.6 Site Lighting.

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

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

2.7 Mechanical and Rooftop Equipment.

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

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

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

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

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

2.11 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to **Section 15332 (Class 32, Infill Development Projects)** of the CEQA Guidelines, 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.

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

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

2.14 Additional Requirements.

(a) Project approval shall not be final and complete until File No. PZC-17-001 has been approved by ordinance of the City Council of the City of Ontario, and enacted on the project site pursuant to State law.

(b) The stucco finish specified for the building exterior shall be a smooth or light sand exterior cement plaster.

(c) The concrete block specified for the building exterior shall have a decorative finish, such as split-face, burnished or shot-blast concrete block, or other decorative finish approved by the Planning Department. The use of precision concrete block shall not be acceptable.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-028
 Address: 931 & 947 East Sixth Street
 APN: 1047-172-03 & 09
 Existing Land Use: Single Family Residential Homes
 Proposed Land Use: 37 unit multi-family apartment units
 Site Acreage: 1.13 Proposed Structure Height: 38 feet
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Chuck Mercier
 Date: 9/7/17
 CD No.: 2017-047
 PALU No.: n/a

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

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

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

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6
 Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

See attached Real Estate Transaction Disclosure condition.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2017-047
PALU No.: _____

PROJECT CONDITIONS

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

NOTICE OF AIRPORT IN VICINITY

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

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

CONDITIONS OF APPROVAL

Sign Off

Carolyn Bell
 Carolyn Bell, Sr. Landscape Planner

12/20/17
 Date

viewer's Name: Carolyn Bell, Sr. Landscape Planner	Phone: (909) 395-2237
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D.A.B. File No.: PDEV17-028 Rev 3	Case Planner: Charles Mercier
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Project Name and Location: Multi-Family Apartments 931, 947 East Sixth St

Applicant/Representative: Kirk Wallace 240 Cliff Rd Upland, Ca 91784

<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (dated 12/4/17) 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.
<input type="checkbox"/>	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. Dimension and show on construction plans for backflows (fire, domestic and irrigation) and transformers to be set back a minimum of 4' set back from paving.
2. Call out all utilities in parkways for street tree placement.
3. Show any bays or swales (max 50% of landscape width) that connects to 'undersidewalk drain for overflow'.
4. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1. **Add note for uncompacting landscape areas along property perimeter 5' from building walls by fracturing the soil (per city standards) on construction plans.**

Landscape Plans

5. Show existing trees to remain, or existing trees on adjacent property to remain on plan.
6. Space street trees evenly, keep tree trunks out of sewer easement (mulch area ok in easement)
7. In courtyard show turf grass play area, pavers or rubber surfacing or appropriate surfacing material. **Not corrected. Date palms are too wide for opening shown.**
8. Add details for fences and walls and raised planter materials, materials proposed and heights. Including wall or guardrail at courtyard opening on construction plans.
9. Show minimum on-site tree sizes per the Landscape Development standards., **Change 48" Lirodendron to Quercus in the larger planter.**
10. Show 25% of (on-site) trees as California native (Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis, etc.) in appropriate locations. **Not corrected.**
11. Show all proposed sign locations (on buildings and in landscape) to avoid conflicts with trees, shrubs or basin areas. **(Building signs, not landscape signs). Not corrected.**
12. Show vines on metal trellis in narrow planter by turf block. Add grass or groundcover in turf block.
13. Change low wide Rhamphiolepis to tall narrow shrubs along block walls to screen, Ligustrum, Monterey Bay Eugenia, etc.
14. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
15. 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—less than 5 acres\$1,301.00
Inspection—Construction (up to 3 inspections per phase) \$278.00
\$1579.00

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



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PDEV17-028</u> RELATED FILE NO(S). _____	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Naiim Khoury, 909.395.2152

CITY PROJECT PLANNER & PHONE NO: Chuck Mercier, 909.395.2425

DAB MEETING DATE: January 17, 2018

PROJECT NAME / DESCRIPTION: A development project to merge two lots into one lot and construct 37 apartment units on approximately 1.13 acres of land within the HDR45 Zoning District

LOCATION: 941 E. 6th Street, approximately 150 east of I-10 Fwy.

APPLICANT: Kirk Wallace & Jeff Spangler

REVIEWED BY: *N. Khoury* 1-9-18
 Naiim Khoury Date
 Associate Engineer

APPROVED BY: *[Signature]* 1-9-18
 Khoi Do, P.E. Date
 Assistant City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 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 ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

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

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

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

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

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

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 **Submit for approval Lot Line Adjustment (LLA) to merge two parcels into one parcel.**
- 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; Record Lot Line Adjustment**
Also, a recorded conforming deed shall be submitted to the Engineering department after the LLA is approved and recorded.
 - Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified



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

- 2.08 Submit a soils/geology report.
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:

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

- 2.10 Dedicate to the City of Ontario the right-of-way described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____.

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

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

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

- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor



registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.

- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately _____, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.

- 2.16 Other conditions: _____



B. PUBLIC IMPROVEMENTS

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

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

Improvement	6 th Street	Deodar Street		
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input checked="" type="checkbox"/> Replace Damaged areas due to construction and utilities	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input checked="" type="checkbox"/> Replace Damaged areas due to construction and utilities	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input checked="" type="checkbox"/> Close existing unused approaches with parkway and full-height curb & gutter	<input type="checkbox"/> New <input checked="" type="checkbox"/> Close existing unused approaches with parkway and full-height curb & gutter	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace replace
Sidewalk	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace damaged or uplifted sidewalk areas along the project frontage	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace damaged or uplifted sidewalk areas along the project frontage	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New and/or Upgrade, as required <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New and/or Upgrade, as required <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input checked="" type="checkbox"/> Upsize existing 8" water main to 12" <input checked="" type="checkbox"/> Services	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New and/or Upgrade to LED, as required <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New and/or Upgrade to LED, as required <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral



Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

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

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):
6th Street to the centerline along the project frontage.
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 An 8-inch sewer main is available for connection by this project in 6th Street.
(Ref: Sewer Atlas Sheet F15)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions: _____

D. WATER

- 2.27 A _____ inch water main is available for connection by this project in _____
 (Ref: Water plan bar code: _____)



- 2.28 Design and construct a 12-inch water main along the entire project frontage of 6th Street and abandoned existing 8-inch water main. (Ref: Water Atlas Sheet F-15).
- 2.29 Other conditions:
 - a) Install master water meter with back flow in public right of way (as shown on plan) and sub metering on private property per City of Ontario Building Department.
 - b) All water point of connections with back flows, DCDA, etc. shall be connected to the proposed 12-inch water main in Sixth Street.

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
 - 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
 - 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
 - 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2687 regarding this requirement.
- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions:
 - c) The applicant/developer shall be responsible to design and construct new driveway approaches in accordance with the City of Ontario Standard Drawing No. 1204 (commercial driveway approach. Driveway shall be minimum 5 feet from property line.
 - d) All driveways within the public street right-of-way and /or public easements shall be kept clear of any decorative paving.
 - e) Applicant/Developer shall backfill existing driveway curb-cuts with full-height curb and gutter, sidewalk, and landscaped parkway in accordance with all City standards and to the satisfaction of the City Engineer.
 - f) Applicant/Developer shall be responsible to design and construct in-fill public street light along the property frontage of Sixth Street, in accordance with City of Ontario Traffic and Transportation Design Guidelines.



- g) Applicant/Developer shall prepare a sight-distance exhibit; and be responsible to install no parking signs along the project frontage where on-street parking would interfere with driveway sight-distance. The installation of traffic signs shall be in accordance with all applicable standards and to the satisfaction of the City Engineer.

G. DRAINAGE / HYDROLOGY

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

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

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



J. SPECIAL DISTRICTS

- 2.47 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.48 Other conditions: _____

K. FIBER OPTIC

- 2.49 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building.
- 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.
 - a) Project shall be designed and constructed to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole in the Right-of-Way (ROW) and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.
 - b) Contractor is responsible for locating and connecting conduit to existing OntarioNet hand holes on adjacent properties. There should be no "Gaps" in conduit between the contractor's development and the adjacent property. OntarioNet hand holes are typically located in the ROW at the extreme edge of a property.
 - c) Hand holes - Design and install OntarioNet fiber optic hand hole HH-2 (17x30x24), HH-2A (24x36x30), HH-3 (30x48x36) and/or HH-4 (36x60x36) as needed. Respectively Newbasis Part # PCA-173024-90116, PCA-243630-90064, PCA-304836-90244 and PCA-366036-90146 per City Standard 1316. Conduits sweeping into hand holes shall enter in flush with the cut-out mouse holes aligned parallel to the bottom of the box and come in perpendicular to the wall of the box. Conduits shall not enter at any angle other than parallel. Provide 5 foot minimum clearance from existing/proposed utilities.
 - d) ROW Conduit – Design and install fiber optic conduit at a minimum depth of 36-inch. Trenching shall be per City Standard 1306. Install (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct and (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange with Black Stripe) duct. Conduit(s) between ROW hand holes and hand holes on private property shall be 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct.
 - e) Building Entrance (Multi-family and Commercial) - Design and install fiber optic conduit at a minimum depth of 36 inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct.
 - f) Warning Tape - Contractor shall supply and install an approved non-detectable warning tape 18-inch above the uppermost conduit when backfilling trenches, pits or



excavations greater than 10' in length. Warning Tape shall be non-detectable, Orange in color, 4-inch minimum width, 4 mil, 500% minimum elongation, with bold printed black letters "CAUTION - BURIED FIBER OPTIC CABLE BELOW" printed in bold black lettering no less than 2-inch high.

- g) All hand holes, conduits, conduit banks, materials and installations are per the City's Fiber Optic Master Plan and City Fiber Optic Cable and Duct Standards. All hand holes, conduits and ducts shall be placed in the public right of way. All hand holes will have 1/4-inch galvanized wire between the hand holes and the gravel it is placed on.
- h) All unused conduits/ducts/microducts shall be protected with duct plugs that provide a positive seal. Ducts that are occupied shall be protected with industry accepted duct seal compound.
- i) Locate/Tracer Wire - Conduit bank requires (1) 12AWG high strength (minimum break load 452#) copperclad steel with 30mil HDPE orange insulation for locate/tracer wire. Contact City's Fiber Team for tracer wire specifications and see note 8.
- j) Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet".
- k) A minimum 1.5-inch joint use telecommunications conduit with pull-rope from the multi-family or commercial building communal telecomm/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City's website for additional details.
- l) All hand holes, conduits and ducts shall be placed in the public right of way.
- m) Multi-family dwellings are considered commercial property.
- n) Please contact City's Fiber Team at OntarioNet@ontarioca.gov for conduit design assistance.
- o) For additional information please refer to the City's Fiber Optic Master Plan.
- p) Submit plans in digital format (PDF).

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:

A minimum of 4-bins (4 C.Y./each) within trash enclosures is required. Widest side facing forward. Refer to the manual in the link above. Also, provide elevation view of trash enclosure along with all dimensions.



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

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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV 17-028

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 PDF and 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: Submit Lot Line Adjustment application with all supporting documents and maps**



CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Chuck Mercier

FROM: BUILDING DEPARTMENT, Kevin Shear

DATE: July 12, 2017

SUBJECT: PDEV17-028

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

Conditions of Approval

1. The address for the project is: 941 East Sixth Street.
2. Standard conditions of approval shall apply.

KS:lm



CITY OF ONTARIO

MEMORANDUM

TO: Charles Mercier, Senior Planner
Planning Department

FROM: Lora L. Gearhart, Fire Protection Analyst
Fire Department

DATE: July 24, 2017

SUBJECT: PDEV17-028 – A A Development Plan To Construct 37 Multi-Family Apartment Units 1.13 Acres Of Land Within The HDR45 Zoning District, Generally Located On The North Side Of Sixth Street, Approximately 150 Feet East Of Interstate 10, At 941 East Sixth Street (APNs: 1047-172-03 & 1047-172-19).

-
- The plan **does** adequately address Fire Department requirements at this time.
- No comments.
- Standard Conditions of Approval apply, as stated below.
- The plan **does not** 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): 30,424 Sq. Ft.
- D. Number of Stories: 3 Stories
- E. Total Square Footage: 90,787 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): R, U

CONDITIONS OF APPROVAL:

1.0 GENERAL

- 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario 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.
- 2.5 "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.
- ☒ 3.4 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 may be required depending on locations of public hydrants 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.
- ☒ 4.3 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.

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.
- 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.
- 5.8 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.

7.0 PROJECT SPECIFIC CONDITIONS

- 7.1 Due to the limited access, provide a standpipe system in the building.



CITY OF ONTARIO

MEMORANDUM

TO: Chuck Mercier, Planning Department

FROM: Douglas Sorel, Police Department

DATE: August 2, 2017

SUBJECT: PDEV17-028 – A DEVELOPMENT PLAN TO CONSTRUCT A 37 UNIT APARTMENT COMPLEX AT 931 EAST SIXTH STREET

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. A minimum 1.0 foot-candle of light is required for planned parking areas. 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.
- First floor 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.

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: 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)

FROM: Charles Mercier, Senior Planner

DATE: July 11, 2017

SUBJECT: FILE #: PDEV17-028

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, July 25, 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 37 multi-family apartment units 1.13 acres of land within the HDR45 Zoning district, located at 931 and 947 East Sixth Street.

- 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.

Bob Gluck
Department _____ Signature _____ Title _____ Date 7/17/17



PLANNING COMMISSION STAFF REPORT

January 23, 2018

SUBJECT: A Development Plan (File No. PDEV17-045) to construct 190 conventional single-family homes on 40.20 acres of land located within the Conventional Medium Lot Residential district of Planning Area 3 of the Subarea 29 Specific Plan, located at the southeast corner of Archibald Avenue and Eucalyptus Avenue; (APNs: 0218-281-15 and 0218-281-16); **submitted by KB Home.**

PROPERTY OWNER: KB Home

RECOMMENDED ACTION: That the Planning Commission approve File No. PDEV17-045, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 40.20 acres of land located at the southeast corner of Archibald Avenue and Eucalyptus Avenue, within the Conventional Medium Lot Residential district of Planning Area 3 of the Subarea 29 Specific Plan, and is depicted in **Figure 1: Project Location**, below. The project site gently slopes from north to south and is currently rough graded. The property to the north is agricultural/dairy uses and is located within the future Great Park of the Grand Park Specific Plan. The properties to the east are vacant and are located within Planning Areas 19 and 20 of the Subarea 29 Specific Plan. The property to the south is developed with a single-family residential development and is located within Planning Area 4 of the Subarea 29 Specific Plan. The properties to the west are vacant and are located within Planning Areas 1 and 2 of the Subarea 29 Specific Plan.

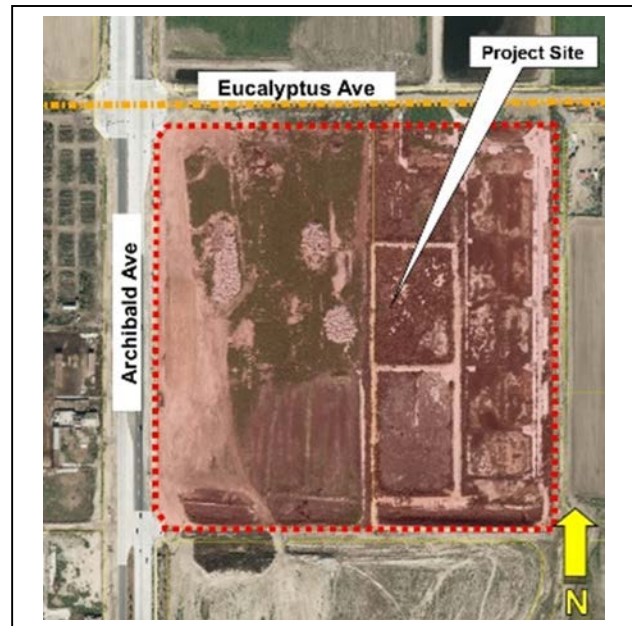
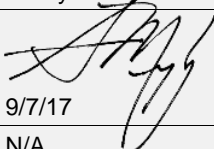


Figure 1: Project Location

Case Planner:	Henry K. Noh	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	1/17/18	Approval	Recommend
Submittal Date:	9/7/17	ZA			
Hearing Deadline:	N/A	PC	1/23/18		Final
		CC			

PROJECT ANALYSIS:

[1] Background — In October 2006, the City Council approved the Subarea 29 Specific Plan (File No. PSP03-003) and the Environmental Impact Report (EIR). The Specific Plan established the land use designations, development standards, and design guidelines for approximately 540 gross acres of land, which included the potential development of 2,293 single-family units and 87,000 square feet of commercial.

On October 22, 2013, the Planning Commission approved Tentative Tract Map 18400 to subdivide 40.20 acres of land into 190 single-family lots and 10 lettered lots, which laid out the residential neighborhood and internal street circulation (see **Figure 2: Subarea 29 Specific Plan Land Use Map**, below). The lots range in size from 4,500 square feet to 9,450 square feet, with an average lot size of 4,841 square feet. KB Home has submitted a development plan application to construct 190 single-family homes. On January 17, 2018, the Development Advisory Board recommended approval of the application to Planning Commission.

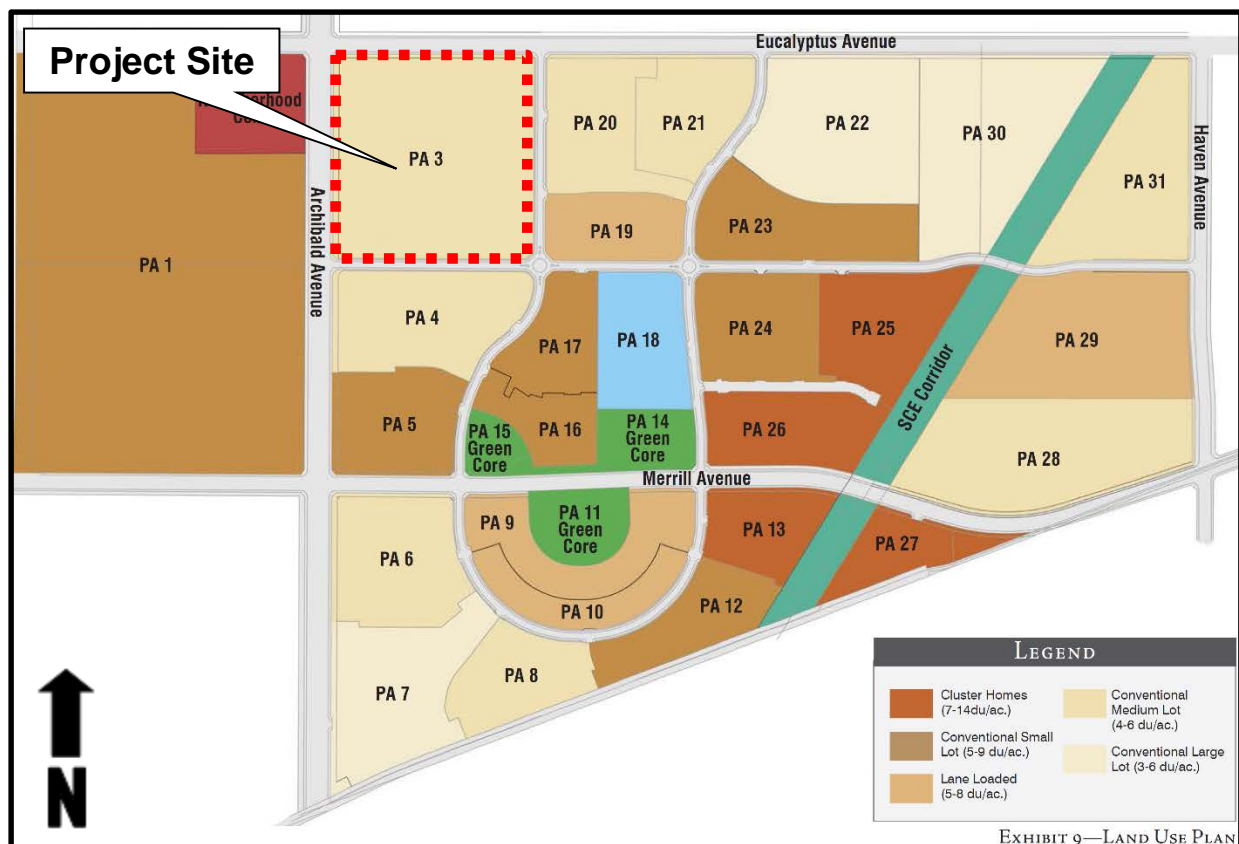


Figure 2: Subarea 29 Specific Plan Land Use Map

[1] Site Design/Building Layout — The 190 homes will be oriented toward the street (architectural forward) with front entries and walks facing the street. Garage access will be taken from the public street. One (1) one-story floor plan and three (3) two-story floor

plans are proposed, each with four elevations per plan. The four proposed floor plans are described further in the following table:

Plan 1	Plan 2	Plan 3	Plan 4
<ul style="list-style-type: none"> • 1,771 SF • 3 bedrooms (Opt. 4th bedroom) + den & 2 bath • 1-story • 29 Units (15%) • 2-car garage 	<ul style="list-style-type: none"> • 2,385 SF • 3 bedrooms, den, loft & 2.5 bath • 2-story • 58 Units (31%) • 2-car garage 	<ul style="list-style-type: none"> • 2,742 SF • 4 bedrooms (Opt. 5th & 6th bedrooms), loft, den & 2.5 bath • 2-story • 51 Units (27%) • 2-car garage 	<ul style="list-style-type: none"> • 2,886 SF • 4 bedrooms (Opt. 5th & 6th bedrooms), loft, den & 2.5 bath • 2-story • 52 Units (27%) • 2-car garage

All plans incorporate various design features, such as single and two-story massing, varied entries, front porches, 2nd floor laundry facilities, and a great room. In addition, each home will have a two-car garage and two-car driveway. The homes feature shallow and/or mid recessed garages, which locates the garage a minimum of 5 to 11 feet behind the front elevation/living space. To minimize visual impacts of garages, techniques such as the use of single-story massing on the front entries, second-story cantilever elements above garages, varied first and second-story roof massing, and garage door header trim and details above garages will be incorporated on the various elevations (see **Figure 3: Typical Plotting**).

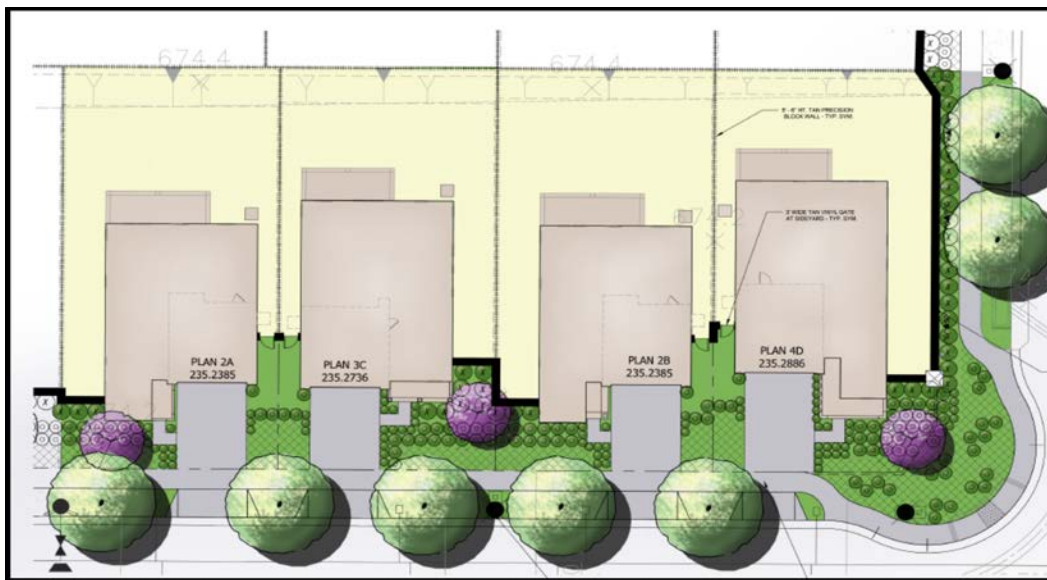


Figure 3: Typical Plotting

[2] Site Access/Circulation — The project street frontage improvements along Archibald Avenue and Parkview Street were constructed as part of the adjacent Park Place Community (Tract Map 18913 (“A” Map) and various “B” Maps). The proposed development is required to construct Parkplace Avenue along the eastern frontage of the

project site and Eucalyptus Avenue along the northern project frontage. Primary vehicular access into the development will be provided from Parkplace Avenue and Parkview Street. No direct vehicular access into the development will be allowed from Archibald Avenue and Eucalyptus Avenue.

[3] Parking — The proposed conventional single-family homes will provide a two-car garage with a standard two-car driveway, which meets the Subarea 29 Specific Plan and Development Code parking requirements.

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

Spanish Colonial: Varying gable and hipped roofs with “S” concrete roof tiles; stucco finish; decorative tile arched entries and covered porches; cantilevered elements with corbels; decorative foam eaves; decorative tile below gable ends; arched headers above garage doors; decorative shutters and window framing.

Craftsman: Varying gable and hipped roofs with flat concrete roof tiles, wooden outlookers below gable ends, knee braces, vertical siding below gable ends, stucco finish, shingle siding, cantilevered elements with corbels; covered porches with either a simple tapered or dual post columns with stone veneer bases, decorative shutters and window framing.

American Traditional: Varying gable and hipped roofs with flat concrete roof tiles, decorative vents below gable ends, stucco finish, horizontal siding, cantilevered elements with corbels; covered porches with a simple wood post columns, decorative shutters and window framing.

Cottage: Varying gable and hipped roofs with flat concrete roof tiles, stucco finish; decorative vents and corbels below gable ends; covered porch entries with stone veneer; cantilever elements with corbels; decorative shutters and window framing.

[5] Landscaping/Open Space — All homes will be provided with front yard landscaping (lawn, shrubs and trees) and an automatic irrigation system to be installed by the developer. The homeowner will be responsible for side and rear yard landscape improvements.

The related Tentative Tract Map (File No. PMTT12-013/TT18400) will facilitate the construction of sidewalks, parkways, and open space areas within the project site. TOP Policy PR1-1 requires new developments to provide a minimum of 2 acres of private park per 1,000 residents. The proposed project is required to provide a 1.45 acre park to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant

is proposing a 1.50-acre neighborhood park that is centrally located within the project site. The residents of the subdivision will also have access to Celebration Park. Additionally, the project will provide three paseo connections to multi-purpose trails located within the neighborhood edges of Eucalyptus Avenue, Archibald Avenue, Parkview Street and Parkplace Avenue.

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
- Pursue City's Goals and Objectives by Working with Other Governmental Agencies
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
 - Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities
 - Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

[2] Vision.

Distinctive Development:

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

[3] Governance.

Decision Making:

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

[4] Policy Plan (General Plan)

Land Use Element:

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

Housing Element:

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

Community Economics Element:

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

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

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

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

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

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

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

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

- Building volume, massing, and height to provide appropriate scale and proportion;

- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and

- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

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

- A pattern of smaller, walkable blocks that promote access, activity and safety;

- Variable setbacks and parcel sizes to accommodate a diversity of housing types;

- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;

- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and

- Landscaped parkways, with sidewalks separated from the curb.

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

➤ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways,

corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

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

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

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. 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 maximum number of dwelling units (190) and density (4.72 DU/AC) specified within the Subarea 29 Specific Plan. Per the Available Land Inventory, the Subarea 29 Specific Plan is required to provide 2,291 dwelling units with an overall density of 5 DU/AC.

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. PSPA14-002, a(n) Amendment to the Subarea 29 Specific Plan for which a(n) addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was adopted by the City council on April 21, 2015. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are 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:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant Rough Graded	Low Density Residential	Subarea 29 Specific Plan	Planning Area 3 (Conventional Medium Lot)
<i>North</i>	Agricultural/Dairy Uses	Open Space – Parkland	Grand Park Specific Plan	Great Park
<i>South</i>	Single-Family Residential	Low Density Residential	Subarea 29 Specific Plan	Planning Area 4 (Conventional Medium Lot)
<i>East</i>	Vacant Previous Agricultural/Dairy Uses	Low Density Residential	Subarea 29 Specific Plan	Planning Area 19 (Lane Loaded) and Planning Area 20 (Conventional Medium Lot)
<i>West</i>	Vacant Previous Agricultural/Dairy Uses	Low Density Residential and Neighborhood Commercial	Subarea 29 Specific Plan	Planning Area 1 (Conventional Small Lot) and Planning Area 2 (Commercial)

General Site & Building Statistics

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Maximum coverage (in %):</i>	50%	21%-49%	Y
<i>Minimum lot size (in SF):</i>	3,400 SF	3,801 SF	Y
<i>Front yard setback (in FT):</i>	12'	12'	Y
<i>Side yard setback (in FT):</i>	5'	5'	Y
<i>Rear yard setback (in FT):</i>	15'	15'	Y
<i>Maximum height (in FT):</i>	35'	27'	Y
<i>Parking:</i>	2-car garage	2-car garage	Y

Exhibit A: Site Plan



Exhibit B — FLOOR PLANS AND ELEVATIONS: PLAN 1

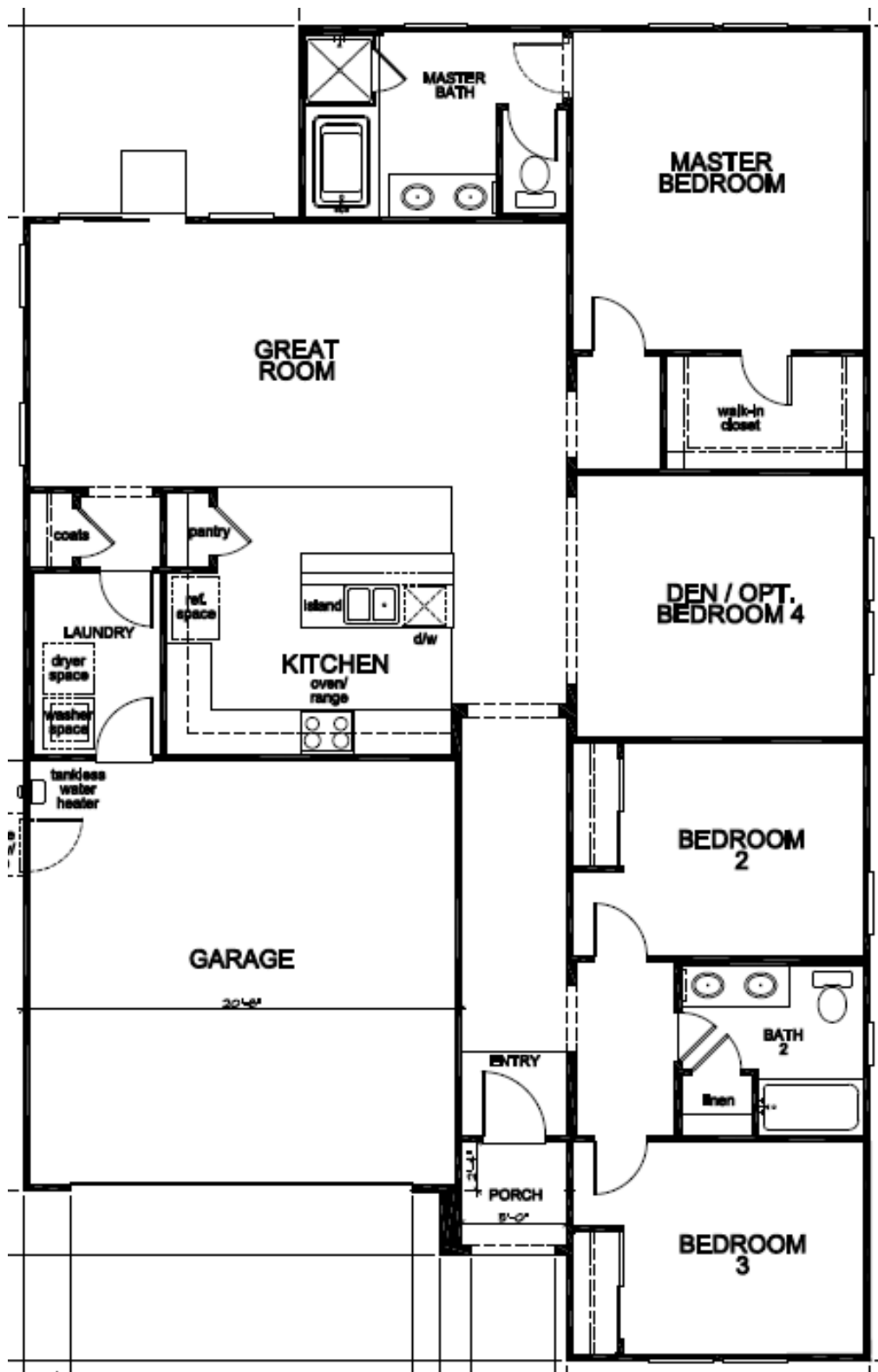


Exhibit B — FLOOR PLANS AND ELEVATIONS: PLAN 1



Elevation 'A' (Spanish Colonial)



Elevation 'B' (Craftsman)



Elevation 'C' (American Traditional)



Elevation 'D' (Cottage)

Exhibit B — FLOOR PLANS AND ELEVATIONS: PLAN 2

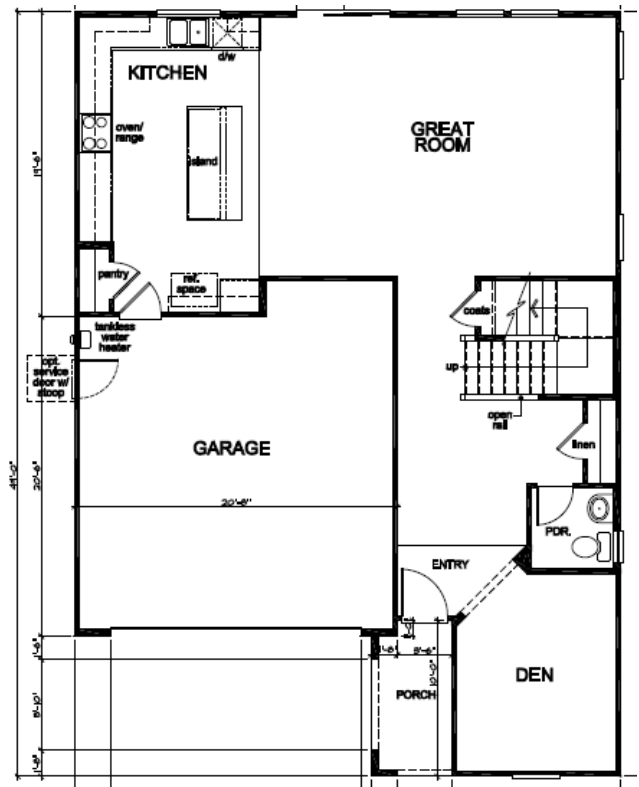
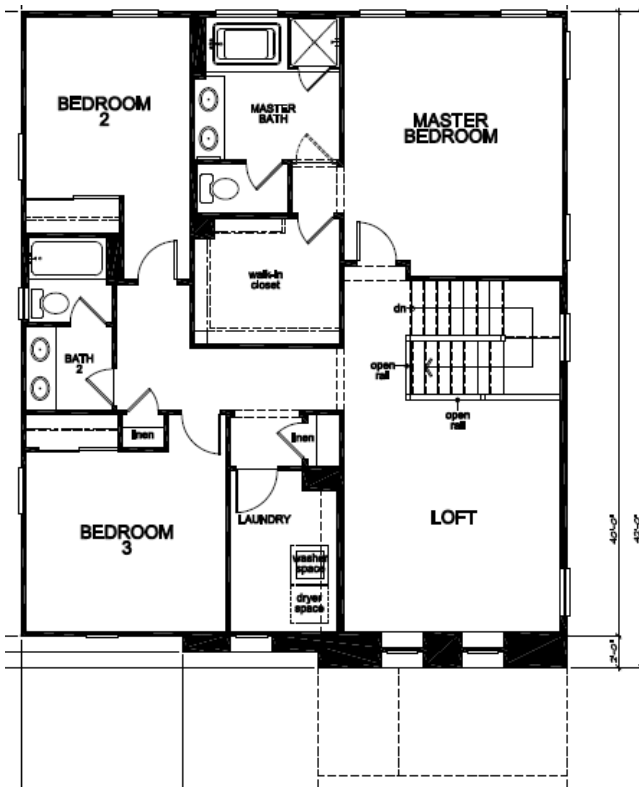
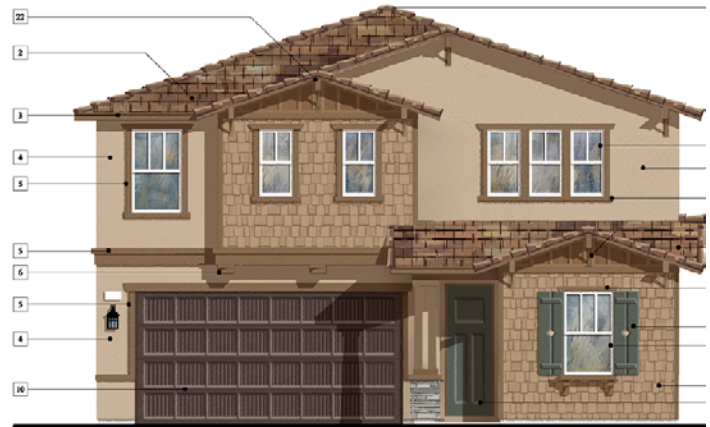


Exhibit B — FLOOR PLANS AND ELEVATIONS: PLAN 2



Elevation 'A' (Spanish Colonial)



Elevation 'B' (Craftsman)



Elevation 'C' (American Traditional)



Elevation 'D' (Cottage)

Exhibit B — FLOOR PLANS AND ELEVATIONS: PLAN 3

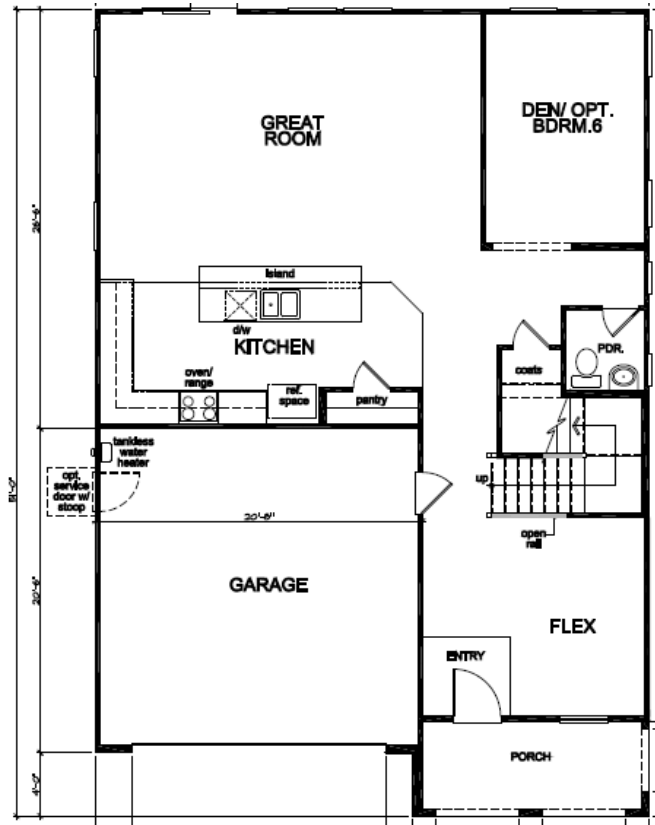
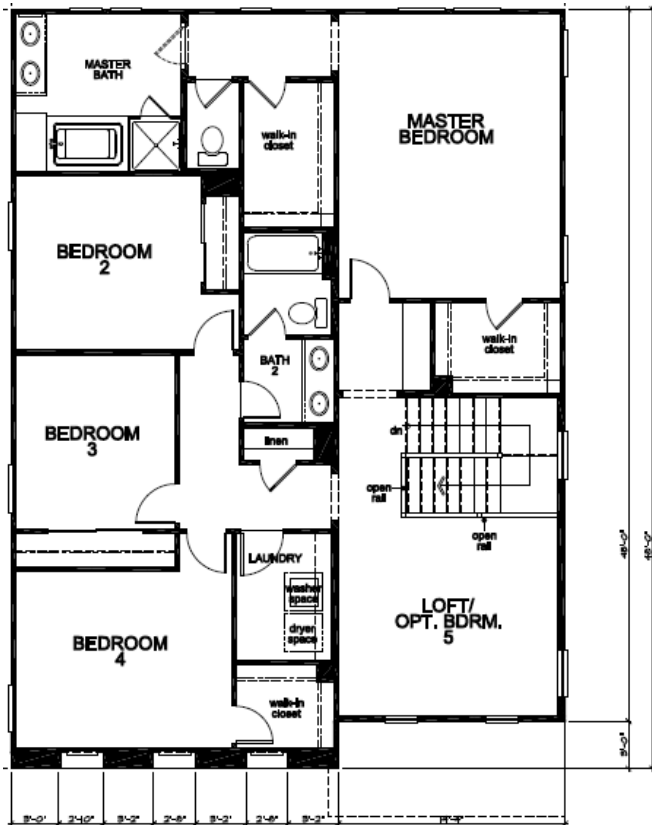
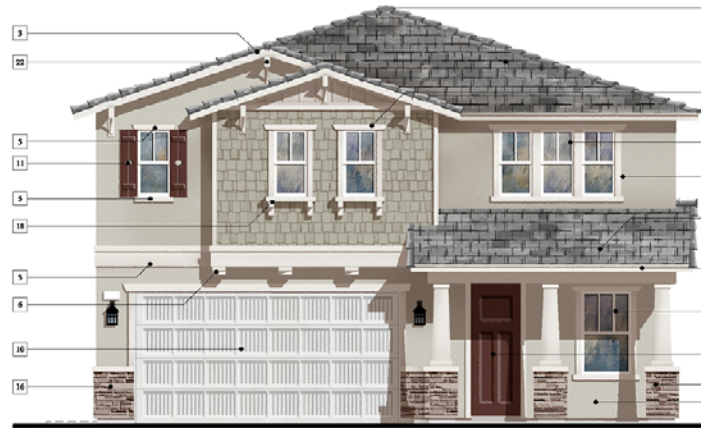


Exhibit B — FLOOR PLANS AND ELEVATIONS: PLAN 3



Elevation 'A' (Spanish Colonial)



Elevation 'B' (Craftsman)



Elevation 'C' (American Traditional)



Elevation 'D' (Cottage)

Exhibit B — FLOOR PLANS AND ELEVATIONS: PLAN 4

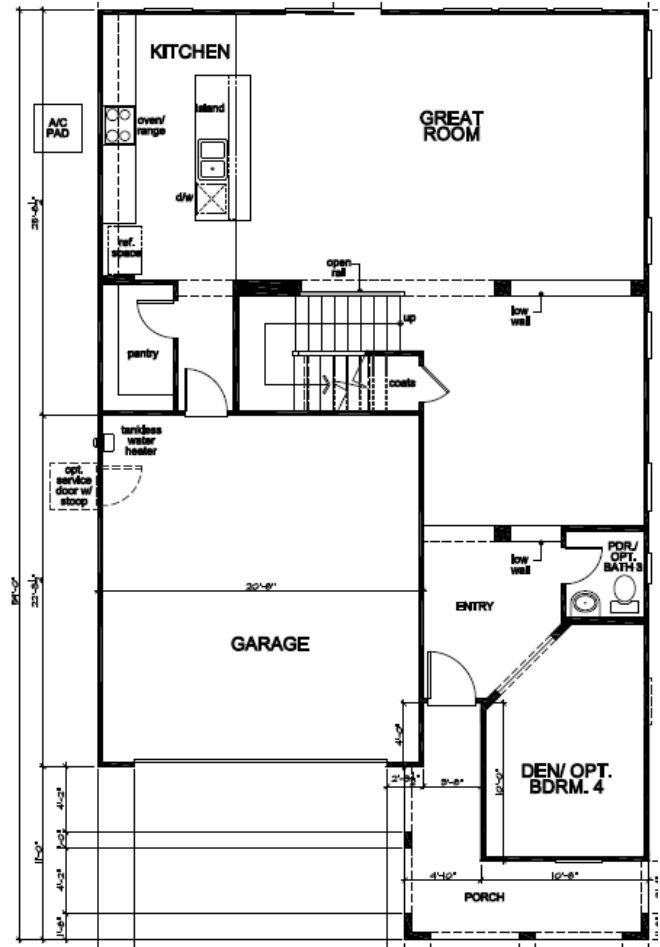
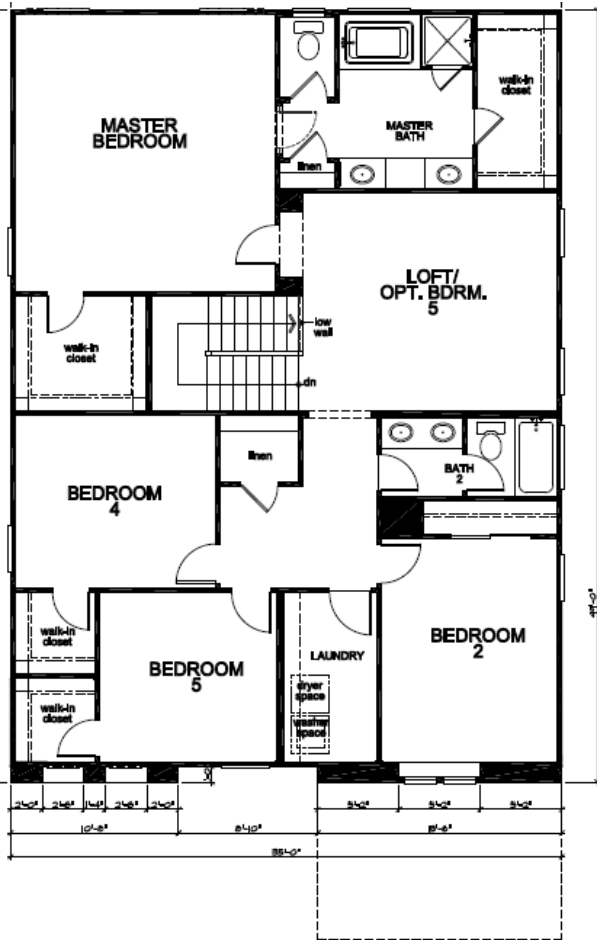


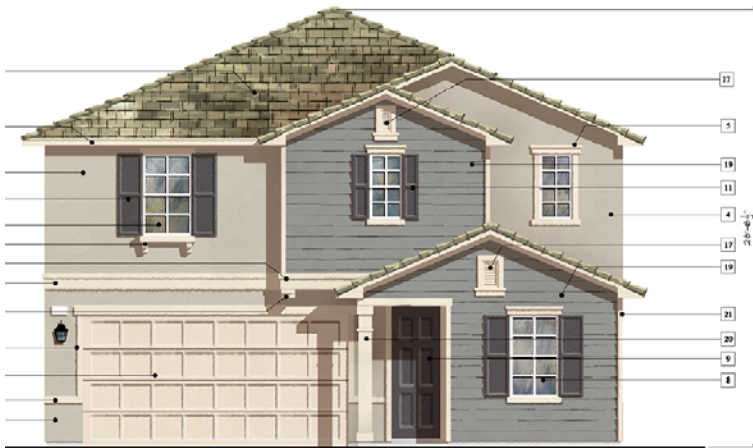
Exhibit B — FLOOR PLANS AND ELEVATIONS: PLAN 4



Elevation 'A' (Spanish Colonial)



Elevation 'B' (Craftsman)



Elevation 'C' (American Traditional)



Elevation 'D' (Cottage)

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV17-045, A DEVELOPMENT PLAN TO CONSTRUCT 190 CONVENTIONAL SINGLE-FAMILY HOMES ON 40.20 ACRES OF LAND LOCATED WITHIN THE CONVENTIONAL MEDIUM LOT RESIDENTIAL DISTRICT OF PLANNING AREA 3 OF THE SUBAREA 29 SPECIFIC PLAN, LOCATED AT THE SOUTHEAST CORNER OF ARCHIBALD AVENUE AND EUCALYPTUS AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-281-15 AND 0218-281-16.

WHEREAS, KB Home ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV17-045, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 40.20 acres of land located at the southeast corner of Archibald Avenue and Eucalyptus Avenue, within the Conventional Medium Lot Residential district of Planning Area 3 of the Subarea 29 Specific Plan, and is presently rough graded; and

WHEREAS, the property to the north is agricultural/dairy uses and is located within the future Great Park of the Grand Park Specific Plan. The properties to the east are vacant and are located within Planning Area 19 and Planning Area 20 of the Subarea 29 Specific Plan. The property to the south is developed with a single-family residential development and is located within Planning Area 4 of the Subarea 29 Specific Plan. The properties to the west are vacant and are located within Planning Areas 1 and 2 of the Subarea 29 Specific Plan; and

WHEREAS, the Development Plan proposes to construct 190 conventional single-family homes. The lots range in size from 4,500 square feet to 9,450 square feet, with an average lot size of 4,841 square feet, which meets the minimum lot size of 4,000 square feet consistent with the Conventional Medium Lot (Village Homes) Development Standards of the Subarea 29 Specific Plan; and

WHEREAS, four floor plans are proposed with four elevations per plan; and

WHEREAS, the architectural styles of the proposed single-family homes include Spanish Colonial, Craftsman, American Traditional and Cottage styles; 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. PSPA14-002, an Amendment to the Subarea 29 Specific Plan for which an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was adopted by the City council on April 21, 2015, 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 January 17, 2018, 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. DAB18-004 recommending the Planning Commission approve the Application; and

WHEREAS, on January 23, 2018, 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 addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) and supporting documentation. Based upon the facts and information contained in the previous addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009, certified by the City of Ontario City Council on April 21, 2015, in conjunction with File No. PSPA14-002.

(2) The previous addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009), and all mitigation measures previously adopted with the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009), 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 addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that will require major revisions to the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was prepared, that will require major revisions to the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009); or

(b) Significant effects previously examined will be substantially more severe than shown in the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009); or

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

(d) Mitigation measures or alternatives considerably different from those analyzed in the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) 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. 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 maximum number of dwelling units (190) and density (4.72 DU/AC) specified within the Subarea 29 Specific Plan. Per the Available Land Inventory, the Subarea 29 Specific Plan is required to provide 2,291 dwelling units with an overall density of 5 DU/AC.

SECTION 4: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the 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 Low Density Residential land use district of the Policy Plan Land Use Map, and the Conventional Medium Lot Residential (Planning Area 3) land use district of the Subarea 29 Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The Development Plan has been required to comply with all provisions of Conventional Medium Lot Residential Product: Village

Homes Residential Development Standards of the Subarea 29 Specific Plan. Future neighborhoods within the Subarea 29 Specific Plan and surrounding area will provide for diverse housing and highly amenitized neighborhoods that will be compatible in design, scale and massing to the proposed development.

(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 Conventional Medium Lot Residential (Planning Area 3; (Conventional Medium Lot Residential Product: Village Homes) land use district of the Subarea 29 Specific Plan, as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Planning Commission has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Subarea 29 Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Subarea 29 Specific Plan. Additionally, the environmental impacts of this project were previously reviewed in conjunction with the Subarea 29 Specific Plan Environmental Impact Report (SCH#2004011009). This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts.

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Subarea 29 Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (conventional single-family residential). 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 Subarea 29 Specific Plan. Additionally, the Development Plan complies with all

provisions of Conventional Medium Lot Residential Product: Village Homes Residential Development Standards of the Subarea 29 Specific Plan.

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

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 23rd day of January 2018, 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, AICP
Assistant Development 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. PC18-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on January 23, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV17-045
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: January 17, 2018
File No: PDEV17-045
Related Files: PMTT12-013/TT18400

Project Description: A Development Plan (File No. PDEV17-045) to construct 190 conventional single-family homes on 40.20 acres of land located within the Conventional Medium Lot Residential district of Planning Area 3 of the Subarea 29 Specific Plan, located at the southeast corner of Archibald Avenue and Eucalyptus Avenue; (APNs: 0218-281-15 and 0218-281-16); **submitted by KB Home.**

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

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

2.5 Parking, Circulation and Access.

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

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

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

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

2.8 Disclosure Statements.

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

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

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

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

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

2.9 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA14-002, a(n) Amendment to the Subarea 29 Specific Plan for which a(n) addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was adopted by the City Council on April 21, 2015. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

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

2.11 Additional Fees.

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

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

2.12 Additional Requirements.

(a) The Ontario Climate Action Plan (CAP) requires new development to be 25% more efficient. The applicant has elected to utilize the Screening Tables provided in the CAP instead of preparing separate emissions calculations. By electing to utilize the Screening Tables the applicant shall be required to garner a minimum 100 points to be consistent with the reduction quantities outlined in the CAP. The applicant shall identify on the construction plans the items identified in the attached industrial Screening Tables.

(b) Off-Site Subdivision Signs.

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

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

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

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

(e) Dairy Separation Requirement for Residential Development.

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

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

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

(g) All applicable conditions of approval of Development Agreement (File No. PDA13-001) shall apply to this tract.

(h) All applicable conditions of approval of the Subarea 29 Specific Plan shall apply to this tract.

(i) All applicable conditions of approval of the "B" Map TT 18400 (File No. PMTT12-013) shall apply to this Development Plan.

(j) The Private Park (Lot A) and Paseos (Lots G, J and K) shall be constructed prior to the issuance of the certificate of occupancy of the 95th home.



CITY OF ONTARIO

MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Traffic/Transportation Division and Municipal Utilities Agency, and Environmental Section Conditions incorporated)

DATE: October 26, 2017

PROJECT PLANNER: Henry Noh, Senior Planner

PROJECT: PDEV17-045 – A Development Plan to construct 190 single family homes on 40.19 acres within Planning Area 3 of the Subarea 29 Specific Plan (Reference File: TM 18400-PMTT12-013)

APN: 0218-281-15 and 16

LOCATION: SEC of Archibald Avenue and Eucalyptus Avenue

PROJECT ENGINEER: Manoj Hariya, P.E, Sr. Associate Civil Engineer


The following items are the Conditions of Approval for the subject project:

1. The applicant/developer shall be responsible to complete all applicable conditions as specified in the Conditions of Approval for TM18400, TM18913-2 and Development Agreement between Warm Springs NMC LLC and City of Ontario for Subarea 29 (Park Place) Specific Plan.
2. Applicant / Developer shall be responsible to design and construct signing and striping plans on the following segments of northbound Archibald Avenue (some of which are beyond the Tract boundaries) :
 - a. South City Limits to Merrill Avenue (Ultimate)
 - b. Merrill Avenue to Parkview Street (Ultimate)
 - c. Parkview Street to Eucalyptus Avenue (Interim)

Signing and striping plans shall comply with all applicable standards and be to the satisfaction of the City Engineer.

3. The applicant/developer shall provide fiber optic connection to each home per City Standards and guidelines.
4. Prior to Building Permits: Any changes to the already approved Engineering Report (ER), including landscaping plans, due to the proposed re-lotting, shall be amended with City and State. Please coordinate with Cynthia Heredia-Torres 909-395-2647, ctorres@ontarioca.gov) to confirm immediately.

M. B. Hariya 10/26/17
Manoj Hariya, P.E. Date
Senior Associate Civil Engineer

 10-26-17
Khoi Do, P.E. Date
Assistant City Engineer



CITY OF ONTARIO

MEMORANDUM

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

FROM: Henry Noh, Senior Planner

DATE: November 22, 2017

SUBJECT: FILE #: PDEV17-045

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Wednesday, December 6, 2017**.

PROJECT DESCRIPTION: A Development Plan to construct 190 single-family dwellings and one private park site on 40.19 acres of land located at the southeast corner of Archibald and Eucalyptus Avenues, within Planning Area 3 of the Subarea 29 Specific Plan (APNs: 0218-281-15 and 0218-281-16). Related File: PMTT12-013 (TT18400).

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

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

The plan does not adequately address the departmental concerns.

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

12/14/17

Landscape Planning Carolyn Bell Sr Landscape Architect
Department Signature Title Date

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

CONDITIONS OF APPROVAL

Sign Off

Carolyn Bell
 Carolyn Bell, Sr. Landscape Planner

12/14/17
 Date

viewer's Name: Carolyn Bell, Sr. Landscape Planner		Phone: (909) 395-2237
D.A.B. File No.: PDEV17-045 Rev 1		Case Planner: Henry Noh
Project Name and Location: Park Place Planning Area 3 SEC of Archiald and Eucalyptus		
Applicant/Representative: KB Home – RJ Hernandez 36310 Inlnd Valley Dr Wildomar, CA 92595		
<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (dated 12/14/17) 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.	
<input type="checkbox"/>	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.	
CORRECTIONS REQUIRED		

Civil/ Site Plans

1. Show **5' letter lots between sidewalk and single family residence side yard wall**, to identify HOA 5' wide maintained landscape with recycled water irrigation separate from private residence potable water irrigation. Show fence and mowstrips to separate areas. **HOA maintained recycled water irrigation systems may NOT be on private property.**
2. Locate utilities including light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans to provide an min 8' clear space for street trees 30' oc. Show transformers with a 5' set back from paving.
3. Note for compaction to be no greater than 85% at landscape areas. **All finished grades at 1 1/2" below finished surfaces.** Slopes to be maximum 3:1.
4. Typical lot drainage shall include a catch basin with gravel sump below each before exiting property, min 24" from sidewalk.

Landscape Plans

5. Show all utilities on the landscape plans. Coordinate so utilities are clear of required tree locations.
6. **Show parkway landscape and street trees spaced 30' apart.**
7. Show concrete mowstrips to identify property lines and to separate ownership/maintenance areas.
8. Show light fixtures on buildings and adjust location of tall shrubs.
9. Note and show on construction plans: all AC units shall be located in residential side yards, opposite the main back yard access path with gate, or a second gate and solid surface path on the opposite side shall be added for access.
10. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
11. **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

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



CITY OF ONTARIO

MEMORANDUM

TO: Henry Noh, Senior Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief / Fire Marshal
Bureau of Fire Prevention

DATE: September 19, 2017

SUBJECT: PDEV17-045 - A Development Plan to construct 190 single-family dwellings and one park site on 40.19 acres of land located at the southeast corner of Archibald and Eucalyptus Avenues, within Planning Area 3 of the Subarea 29 Specific Plan (APNs: 0218-281-15 and 0218-281-16).
Related File: PMTT12-013 (TT18400).

-
- 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: Type V Ordinary
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies, Single Family Dwellings (190)
- D. Number of Stories: 2
- E. Total Square Footage: N/A
- F. 2016 CBC Occupancy Classification(s): Residential

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

- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300’) apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

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

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.
- ☒ 5.3 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.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-045
 Address: SEC Archibald Avenue & Eucalyptus Avenue
 APN: 0218-281-15 & 16
 Existing Land Use: Vacant and Dairy Farms
 Proposed Land Use: 190 Single Family Homes and park
 Site Acreage: 40.19 Proposed Structure Height: 27 ft
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Henry Noh
 Date: 11/13/17
 CD No.: 2017-067
 PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

See attached Real Estate Transaction Disclosure Condition

Airport Planner Signature:

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2017-067

PALU No.: _____

PROJECT CONDITIONS

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

NOTICE OF AIRPORT IN VICINITY

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



CITY OF ONTARIO MEMORANDUM

TO: 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)

FROM: Henry Noh, Senior Planner

DATE: September 12, 2017

SUBJECT: FILE #: PDEV17-045 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, September 26, 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 190 single-family dwellings and one park site on 40.19 acres of land located at the southeast corner of Archibald and Eucalyptus Avenues, within Planning Area 3 of the Subarea 29 Specific Plan (APNs: 0218-281-15 and 0218-281-16). Related File: PMTT12-013 (TT18400).

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

Police
Department

Douglas Sorel
Signature

MANAGEMENT
ANALYST
Title

9/19/17
Date

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Henry Noh
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: September 18, 2017
SUBJECT: PDEV17-045

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

**Table 1: GHG Reduction Measures
 Screening Table for
 Residential Development**

Feature	Description	Assigned Point Values	Project Point Values
Reduction Measure PS E1: Residential Energy Efficiency			
Building Envelope			
Insulation	2008 Baseline (walls: R-13; roof/attic: R-30)	0	15
	Modestly Enhanced Insulation (walls: R-13; roof/attic: R-38)	12	
	Enhanced Insulation (rigid wall insulation: R-13; roof/attic: R-38)	15	
	Greatly Enhanced Insulation (spray foam wall insulated walls R-15 or higher, roof/attic R-38 or higher)	18	
Windows	2008 Baseline Windows (0.57 U-factor, 0.4 solar heat gain coefficient (SHGC))	0	7
	Modestly Enhanced Window Insulation (0.4 U-Factor, 0.32 SHGC)	6	
	Enhanced Window Insulation (0.32 U-Factor, 0.25 SHGC)	7	
	Greatly Enhanced Window Insulation (0.28 or less U-Factor, 0.22 or less SHGC)	9	
Cool Roof	Modest Cool Roof (CRRRC Rated 0.15 aged solar reflectance, 0.75 thermal emittance)	10	10
	Enhanced Cool Roof (CRRRC Rated 0.2 aged solar reflectance, 0.75 thermal emittance)	12	
	Greatly Enhanced Cool Roof (CRRRC Rated 0.35 aged solar reflectance, 0.75 thermal emittance)	14	
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.		10
	Air barrier applied to exterior walls, caulking, and visual inspection such as the HERS Verified Quality Insulation Installation (Q11 or equivalent)	10	
	Blower Door HERS Verified Envelope Leakage or equivalent	8	
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.		—
	Modest Thermal Mass (10% of floor or 10% of walls: 12" or more thick exposed concrete or masonry. No permanently installed floor covering such as carpet, linoleum, wood or other insulating materials)	2	
	Enhanced Thermal Mass (20% of floor or 20% of walls: 12" or more thick exposed concrete or masonry. No permanently installed floor covering such as carpet, linoleum, wood or other insulating materials)	4	
Heating/Cooling Distribution System	Minimum Duct Insulation (R-4.2 required)	0	7
	Modest Duct insulation (R-6)	7	
	Enhanced Duct Insulation (R-8)	8	
	Distribution loss reduction with inspection (HERS Verified Duct leakage or equivalent)	12	

(20141216)

Table 1: GHG Reduction Measures Screening Table for Residential Development
Page 2 of 5

Feature	Description	Assigned Point Values	Project Point Values
Space Heating/ Cooling Equipment	2008 Minimum HVAC Efficiency (SEER 13/60% AFUE or 7.7 HSPF)	0	7
	Improved Efficiency HVAC (SEER 14/65% AFUE or 8 HSPF)	4	
	High Efficiency HVAC (SEER 15/72% AFUE or 8.5 HSPF)	7	
	Very High Efficiency HVAC (SEER 16/80% AFUE or 9 HSPF)	9	
Water Heaters	2008 Minimum Efficiency (0.57 Energy Factor)	0	18
	Improved Efficiency Water Heater (0.675 Energy Factor)	12	
	High Efficiency Water Heater (0.72 Energy Factor)	15	
	Very High Efficiency Water Heater (0.92 Energy factor)	18	
	Solar Pre-heat System (0.2 Net Solar Fraction)	4	
	Enhanced Solar Pre-heat System (0.35 Net Solar Fraction)	8	
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:		—
	▪ All peripheral rooms within the living space have at least one window (required)	0	
	▪ All rooms within the living space have daylight (through use of windows, solar tubes, skylights, etc.)	1	
	▪ All rooms daylighted	2	
Artificial Lighting	2008 Minimum (required)	0	12
	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 to 40 watt fixtures, 60 lumens/watt for fixtures >40watt)	8	
	High Efficiency lights (50% of in-unit fixtures are high efficacy)	10	
	Very High Efficiency Lights (100% of in-unit fixtures are high efficacy)	12	
Appliances	Energy Star Refrigerator (new)	1	1
	Energy Star Dish Washer (new)	1	
	Energy Star Washing Machine (new)	1	
Building Placement	North/South alignment of building or other building placement such that the orientation of the buildings optimizes natural heating, cooling, and lighting.	6	—
Shading	At least 90% of south-facing glazing will be shaded by vegetation or overhangs at noon on Jun 21st*	4	—
Energy Star Homes	EPA Energy Star for Homes (version 3 or above)	25	25
Independent Energy Efficiency Calculations	Provide point values based upon energy efficiency modeling of the Project. Note that engineering data will be required documenting the energy efficiency and point values based upon the proven efficiency beyond Title 24 Energy Efficiency Standards.	TBD	—
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	—

Table 1: GHG Reduction Measures Screening Table for Residential Development
Page 3 of 5

Feature	Description	Assigned Point Values	Project Point Values
Existing Residential Retrofits	The applicant may wish to provide energy efficiency retrofit projects to existing residential dwelling units to further the point value of their project. Retrofitting existing residential dwelling units 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 to participate in this program will be evaluated based upon, but not limited to, the following:	TBD	—
	▪ Will the energy efficiency retrofit project benefit low income or disadvantaged residents?		
	▪ Does the energy efficiency retrofit project fit within the overall assumptions in reduction measures associated with existing residential 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 E2: Residential Renewable Energy Generation			
Photovoltaic	Solar Photovoltaic panels installed on individual homes or in collective neighborhood arrangements, such that the total power provided augments:		2
	▪ Solar Ready Homes (sturdy roof and solar ready service panel)	2	
	▪ 10% of the power needs of the project	10	
	▪ 20% of the power needs of the project	15	
	▪ 30% of the power needs of the project	20	
	▪ 40% of the power needs of the project	28	
	▪ 50% of the power needs of the project	35	
	▪ 60% of the power needs of the project	38	
	▪ 70% of the power needs of the project	42	
	▪ 80% of the power needs of the project	46	
Wind Turbines	Some areas of the City lend themselves to wind turbine applications. Analysis of the area's capability to support wind turbines should be evaluated prior to choosing this feature.		—
	Individual wind turbines at homes or collective neighborhood arrangements of wind turbines such that the total power provided augments:		
	▪ 10% of the power needs of the project	10	
	▪ 20% of the power needs of the project	15	
	▪ 30% of the power needs of the project	20	
	▪ 40% of the power needs of the project	28	
	▪ 50% of the power needs of the project	35	
	▪ 60% of the power needs of the project	38	
	▪ 70% of the power needs of the project	42	
	▪ 80% of the power needs of the project	46	

(20141216)

**Table 1: GHG Reduction Measures Screening Table
for Residential Development**
Page 4 of 5

Feature	Description	Assigned Point Values	Project Point Values
	<ul style="list-style-type: none"> ▪ 90% of the power needs of the project ▪ 100% of the power needs of the project 	52 58	
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 homes that will help implement renewable energy within the City. These off-site renewable energy retrofit project proposals will be determined on a case by case basis, and must be accompanied by a detailed plan that documents the quantity of renewable energy the proposal will generate. Point values will be determined, 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 W1: Residential Water Conservation			
Irrigation and Landscaping			
Water Efficient Landscaping	Limit conventional turf to < 50% of required landscape area	0	8
	Limit conventional turf to < 25% of required landscape area	4	
	No conventional turf (warm season turf to < 50% of required landscape area and/or low water using plants are allowed)	6	
	Only California Native Plants that requires no irrigation or some supplemental irrigation	8	
Water Efficient Irrigation Systems	Low precipitation spray heads < .75"/hour, or drip irrigation	2	3
	Weather based Irrigation control systems or moisture sensors (demonstrate systems 20% reduced water use)	3	
Recycled Water	Recycled connections (purple pipe) to irrigation system on site	6	—
Water Reuse	Gray water Reuse System collects Gray water from clothes washers, showers and faucets for irrigation use,	12	—
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	—
Potable Water			
Showers	Water Efficient Showerheads (2.0 gpm)	3	3
Toilets	Water Efficient Toilets (1.5 gpm)	3	3
Faucets	Water Efficient faucets (1.28 gpm)	3	3
Dishwasher	Water Efficient Dishwasher (6 gallons per cycle or less)	1	1
Washing Machine	Water Efficient Washing Machine (Water factor < 5.5)	1	1
WaterSense	EPA WaterSense Certification	12	—

Table 1: GHG Reduction Measures Screening Table for Residential Development
Page 5 of 5

Feature	Description	Assigned Point Values	Project Point Values
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 a Transportation Impact Analysis (TIA) demonstrating trip reductions and/or reductions in vehicle miles traveled. Suggested ranges: <ul style="list-style-type: none"> ▪ Diversity of land uses complementing each other (2-28 points) ▪ Increased destination accessibility other than transit (1-18 points) ▪ Increased transit accessibility (1-25 points) ▪ Infill location that reduces vehicle trips or VMT beyond the measures described above (points TBD based on traffic data). 	TBD	—
Residential Near Local Retail (residential 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 (VMT)	TBD	—
Other Trip Reduction Measures	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	—
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.	TBD	—
	Provide bicycle paths within project boundaries.	TBD	
	Provide bicycle path linkages between residential and other land uses.	2	
	Provide bicycle path linkages between residential and transit.	5	
Reduction Measure PS T3: Neighborhood Electric Vehicle Infrastructure			
Electric Vehicle Recharging	Provide circuit and capacity in garages of residential units for use by an electric vehicle. Charging stations are for on-road electric vehicles legally able to drive on all roadways including Interstate Highways and freeways	1	1
	Install electric vehicle charging stations in the garages of residential units	8	
Total Points Earned by Residential Project:			134



PLANNING COMMISSION STAFF REPORT

January 23, 2018

SUBJECT: A Tentative Parcel Map (File No. PMTT17-006 (PM 19832) to subdivide a 2.7 acre site for common lot condominium purposes in conjunction with a Development Plan (File No. PDEV17-020) and a Certificate of Appropriateness (File No. PHP17-036) to allow for the construction of a two-story retail and medical office building totaling 37,074 square feet located at the northeast corner of Euclid Avenue and Riverside Drive, within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay District (APN: 1051-614-08) **submitted by Creative Design Associates.**

PROPERTY OWNER: Euclid PHD, LLC

RECOMMENDED ACTION: That the Planning Commission approve File No's. PMTT17-006, PDEV17-020 and PHP17-036, 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 2.7 acres of land located at northeast corner of Euclid Avenue and Riverside Drive, within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay District, and is depicted in **Figure 1: Project Location**. The project site is located within a larger commercial shopping center totaling 8.4 acres. The northern portion of the site was developed in the 1980s with a grocery store and multi-tenant commercial spaces totaling 40,098 square feet, presently occupied by Dollar Tree and other service related uses. In 2014, a stand-alone O'Reilly Auto Parts store was constructed at the southeast corner of the center, totaling 7,454 square feet. Presently, there are three remaining undeveloped parcels within the center including the project site.



Figure 1: Project Location

Case Planner:	Lorena Mejia	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	12/18/17	Approve	Recommend
Submittal Date:	4/24/17	ZA			
Hearing Deadline:	n/a	PC	1/23/18		Final
		CC			

PROJECT ANALYSIS:

[1] Background — On April 24, 2017, Creative Design Associates, submitted a Tentative Parcel Map (File No. PMTT17-006 (PM 19832) to subdivide a 2.7 acre site for common lot condominium purposes in conjunction with a Development Plan (File No. PDEV17-020) to allow for the construction of a two-story retail and medical office building totaling 37,074 square feet located at the northeast corner of Euclid Avenue and Riverside Drive. The Development Code requires approval of a Certificate of Appropriateness for any Development Plan approval located within the EA Overlay District, and resulted in the applicant submitting a Certificate of Appropriateness application on December 6, 2017 for the proposed development.

On December 18, 2017, the Development Advisory Board reviewed the subject application and recommended that the Planning Commission approve the proposed project, subject to the departmental conditions of approval included with this report. The proposed project's pertinent site and development statistics are listed in the Technical Appendix of this report.

On December 11, 2017, the Historic Preservation Subcommittee (HPSC) reviewed the project and recommended approval to the Planning/Historic Preservation Commission, subject to conditions of approval attached to this report.

[2] Site Design/Building Layout/Access/Circulation — The proposed two-story retail/medical office building totals 37,074 square feet and is located along the eastern portion of the commercial shopping center, as shown in **Figure 2: Illustrative Site Plan**. The first floor will be occupied by commercial retail users and the second floor will be occupied by medical offices with main entries facing east and south



Figure 2: Illustrative Site Plan

towards the existing parking lot. There are existing CC&Rs in place that address maintenance, shared parking, access and on-site circulation between the existing parcels. The shopping center's on-site circulation, parking lot configuration, vehicular and emergency access will remain in place except within the northeast portion of the center. The project proposes to modify the northeast portion of the site to accommodate an additional parking lot, plaza area and two separate trash enclosures to serve the project (see **Exhibit A: Site Plan**). Additional parking has also been provided as enclosed attached garages along the eastern and northern elevations for sole use by the medical offices.

There are presently two access points along Riverside Drive and two access points along Euclid Avenue that will remain in place. The service drive aisle along the northern and eastern property lines for emergency access, trash and delivery service will also remain in place.

[3] **Parking** — The Project has provided off-street parking pursuant to the “Medical Offices”, “Motor Vehicles Parts and Accessories”, and “General Retail” parking standards specified in the Development Code and as demonstrated in the table below. The minimum number off-street parking for the commercial center is 376 parking stalls and a total of 388 parking stalls will be provided, exceeding the minimum parking standards.

<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
Existing Commercial Anchor Building	40,098 SF	4 spaces per 1,000 SF of GFA	160	
Existing O'Reilly Commercial Building	7,454 SF	4 spaces per 1,000 SF of GFA	30	
Proposed Medical Office	22,871 SF	5.7 spaces per 1,000 SF of GFA	130	
Proposed Retail	14,023 SF	4 spaces per 1,000 SF of GFA	56	
TOTAL	84,446 SF		376	388

[4] **CC&Rs** — The existing Covenants, Conditions and Restrictions (CC&Rs) will remain in place for the entire center however, new CC&Rs have been required as a condition of approval to ensure maintenance of the new buildings, landscaping, plazas and parking lots within the project site.

[5] **Architecture** — Architecturally, the proposed exterior building elevations illustrate the type of high-quality architecture promoted by the Development Code. The articulation in the building footprint, parapet/roof line and a recessed second floor along the front entry elevation creates a combination of recessed wall areas and popped-out columnar tower elements that accentuate the building's entries and breaks up large expanses of building wall as shown in **Figure 3: South Plaza Building Perspective**. The mixture of building

materials proposed includes a smooth-stucco finish with an earth tone color palette with metal reveals, metal joist canopies over the second floor entrances, blue-green tinted glazing for the windows and storefronts and a stone veneer around the base of the building. Additionally, mechanical equipment will be roof-mounted and obscured from public view by parapet walls (see **Exhibit B: Elevations**).



Figure 3: South Plaza Building Perspective

[6] Landscaping — Landscaping improvements are proposed for the existing parking lot limited to the projects parcel boundaries that include additional planters and shade trees. The site plan includes two plaza areas adjacent to the proposed buildings; one smaller plaza located on the northeast portion of the project area between the parking lot and the proposed building and a larger plaza located adjacent to the southwest elevation between the existing parking lot and proposed building. Both plazas will be treated with colored concrete and pavers, landscaped planters, shade trees and seat walls (see **Exhibit C: Landscape Plan**).

[7] Signage — A sign program will be required for this development plan which will regulate the amount and location of signage for the Project. Staff will work with the applicant to create a Sign Program that will contribute to the overall design quality of the site and surrounding area. A separate application will be required to be approved prior to any signage installation.

[8] Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices (BMPs), such as

retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes a stormwater underground basin located along the eastern portion of site within the drive aisle. Any overflow drainage will be conveyed to Riverside Drive by way of an underground private storm drain.

[9] Tentative Parcel Map — The proposed Tentative Parcel Map (File No. PMTT17-006 (PM 19832)) will allow for the common lot subdivision of the 2.7 acre site for condominium purposes and facilitate the medical office and retail units to be sold or leased (**see Exhibit D: Parcel Map**).

[10] Certificate of Appropriateness — The Applicant is requesting approval of a Certificate of Appropriateness, File No. PHP17-014, to allow for the construction of the proposed commercial building within the Euclid Avenue Overlay Zoning District in conjunction with the Development Plan and Tentative Parcel Map.

Section 6.01.035 (Overlay Zoning Districts) of the Ontario Development Code, requires Certificate of Appropriateness approval for any development project within the Euclid Avenue Overlay Zoning District which requires Development Plan approval. The Euclid Avenue Overlay Zoning District is intended to recognize, protect, and enhance the visual character and quality of Euclid Avenue as a major scenic and historic resource of the City and also to identify and safeguard Euclid Avenue's position on the National Register of Historic Places. The intent of the Overlay Zoning District is not to create a false sense of history with any new development along the Euclid Avenue Corridor but, rather, to ensure that new development does not cause an adverse effect on the character-defining features of Euclid Avenue, such as the 60 foot wide landscaped median, rock curbs, and King's Standard lampposts. Additionally, all new construction should be compatible with the surrounding developments in site design, massing and scale.

Euclid Avenue is defined by various periods of development that have occurred since the boulevard's construction. The segment of Euclid Avenue between G and State Streets is the historic core of the City and features commercial buildings built with no setback from Euclid Avenue. The shift to commercial buildings and uses between G and I Streets that occurred during the 1950s makes up a "transition area" from downtown commercial to residential to the north. The segment of Euclid Avenue south of State Street to Mission Boulevard developed with residential where another "transition area" to commercial begins to the south. Euclid Avenue south of Mission Boulevard originally contained agricultural uses but has been developed with residential and commercial uses over the past 70 years.

Other commercial properties located on Euclid Avenue adjacent to the project site have been developed with landscape planters or parking lots along Euclid Avenue with the buildings setback from Euclid Avenue. The site design of the project is consistent with that of the surrounding area. The design, site configuration and landscaping of the

commercial building is appropriate in scale and massing for the infill construction, and will not detract or adversely affect the historic character of Euclid Avenue.

On January 11, 2018, the Historic Preservation Subcommittee (HPSC) reviewed the project and recommended approval to the Planning/Historic Preservation Commission, subject to conditions of approval and are attached to this report.

The Planning Commission, serving as the Historic Preservation Commission, must consider and clearly establish certain findings of facts for all Certificate of Appropriateness applications. The new construction, in whole or in part:

[a] *Will not detrimentally change, destroy or adversely affect any significant architectural feature of the resource.* While there are no identified historic resources within the project site, the existing commercial center where the project is located has frontage along Euclid Avenue. The historic designation for Euclid Avenue is from Philadelphia Street in Ontario to 24th Street in Upland, and while the project site is located approximately one mile south of Philadelphia Street, the Euclid Avenue corridor is a major scenic resource of the City. The new construction is on an existing pad, setback approximately 400 feet from Euclid Avenue within the existing commercial center and therefore, will not detrimentally change, destroy or adversely affect any significant architectural feature of the resource; and

[b] *Will not detrimentally change, destroy or adversely affect the historic character or value of the resource.* While there are no identified historic resources within the project site, the project has frontage along Euclid Avenue, a designated historic resource. The existing landscaping on the Euclid Avenue median and parkways in front of the existing commercial center will remain and is consistent with the landscaping on the historic sections of Euclid Avenue. The project proposes appropriate building massing and scale, site design, building layout, and architecture that is in keeping with the area; and

[c] *Will be compatible with the exterior Character-defining features of the historic resource.* Although the project site is not considered historic, the project site has frontage along Euclid Avenue, a designated historic resource. Through enhanced architectural elements in the contemporary commercial architectural style the proposed project does not detract from the character of Euclid Avenue.

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
- 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. (Refer to Complete Community Section of Community Economics Element).
- Goal LU2: Compatibility between a wide range of uses.

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

Community Economics Element:

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project

site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The 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 project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits and the area being developed is 2.7 acres less than five acre threshold and is substantially surrounded by urban land uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Also, the site is adequately served by all required utilities and public services.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Commercial Shopping Center/ Undeveloped Building Pads	NC – Neighborhood Commercial	CN – Neighborhood Commercial	
<i>North:</i>	Single Family Residential	LDR – Low Density Residential	LDR 5 – Low Density Residential (2.1 – 5.0 DU/AC)	
<i>South:</i>	Vacant/ Agricultural	GC – General Commercial	SP(AG) – Specific Plan (Agricultural) Overlay District	
<i>East:</i>	Multi-Family Residential	MDR – Medium Density Residential	MDR 18 – Medium Density Residential (11.1 – 18.0 DU/AC)	
<i>West:</i>	Commercial Shopping Center	NC – Neighborhood Commercial	CN – Neighborhood Commercial	

General Site & Building Statistics

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area:</i>	2.7 acres	N/A	
<i>Lot/Parcel Size:</i>	2.7 acres	10,000 (Min.)	Y
<i>Building Area:</i>	37,074 SF	N/A	
<i>Floor Area Ratio:</i>	0.31	0.40 (Max.)	Y
<i>Building Height:</i>	44 feet	44 (Max.)	Y

Off-Street Parking:

<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>Existing Commercial Anchor Building</i>	40,098 SF	4 spaces per 1,000 SF of GFA	160	
<i>Existing O'Reilly Commercial Building</i>	7,454 SF	4 spaces per 1,000 SF of GFA	30	
<i>Proposed Medical Office</i>	22,871 SF	5.7 spaces per 1,000 SF of GFA	130	
<i>Proposed Retail</i>	14,023 SF	4 spaces per 1,000 SF of GFA	56	
TOTAL	84,446 SF		376	388

Exhibit A: Site Plan

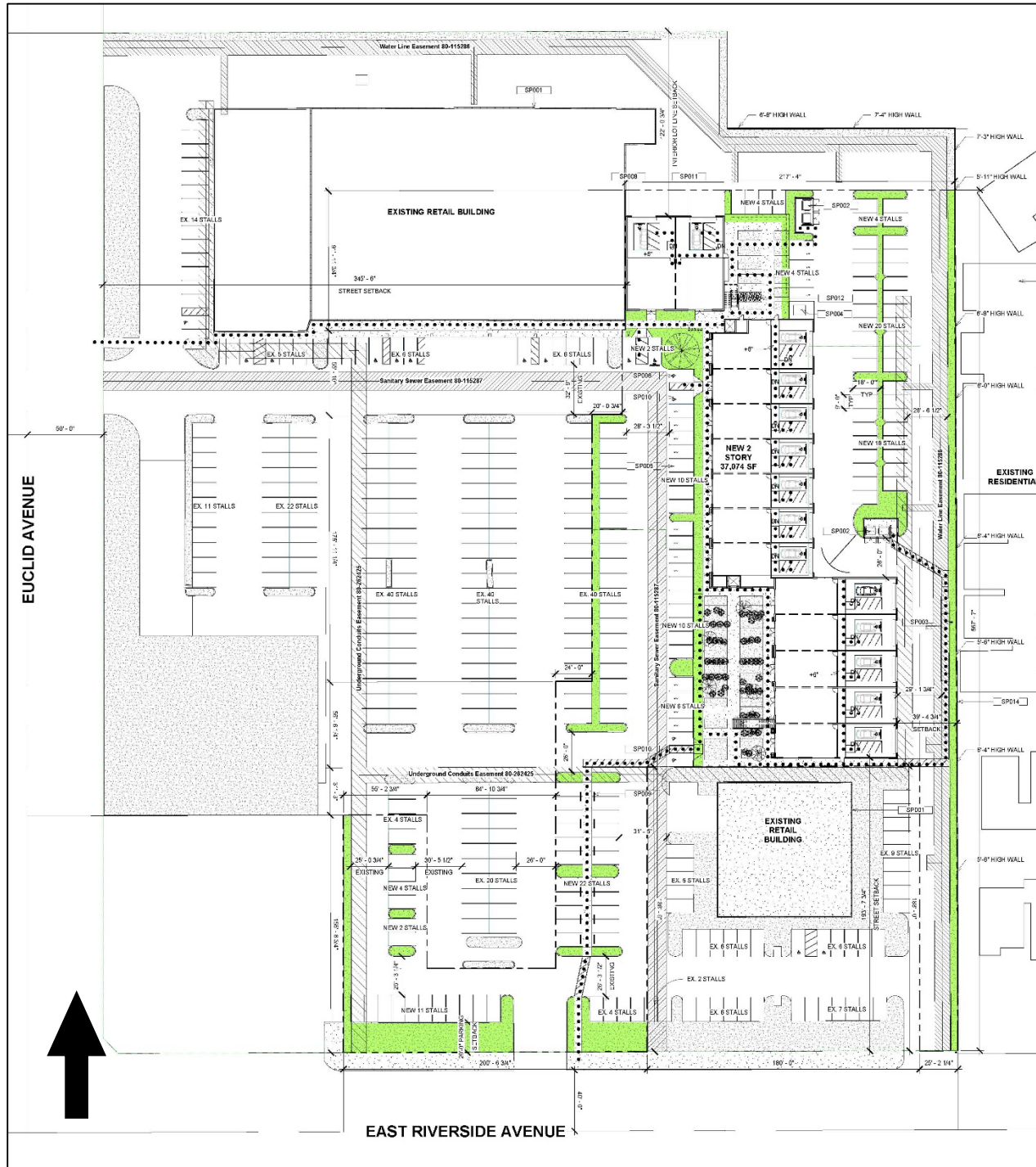


Exhibit B: Elevations



North Elevation



South Elevation



West Elevation



East Elevation

Exhibit C: Landscape Plan

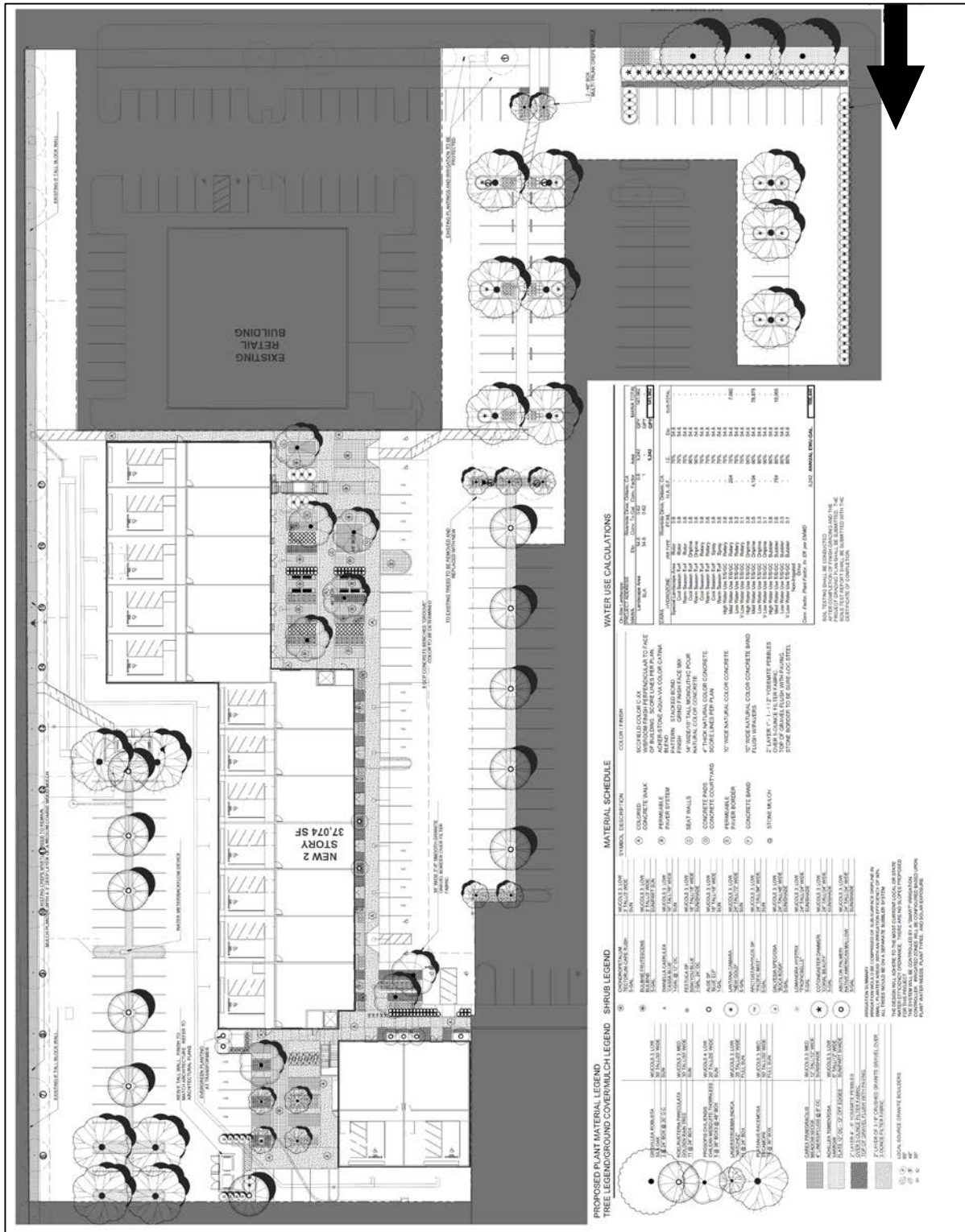


Exhibit D: Tentative Parcel Map

TENTATIVE PARCEL MAP NO. 19832 FOR CONDOMINIUM PURPOSES
 CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

**CITY OF ONTARIO
 COUNTY OF SAN BERNARDINO
 TENTATIVE PARCEL MAP 19832**

DAVID EVANS AND ASSOCIATES INC.
 14400 BIRCHDALE AVENUE
 CARSON, CALIFORNIA 91010
 Phone: 951-881-8777 Fax: 951-881-8777

TRACT NO. 16750
 M.B. 279/21-24

LEGEND:

EXISTING ROAD CENTER LINE

EXISTING RIGHT-OF-WAY

PROPOSED PROPERTY LINE

EXISTING PROPERTY LINE

CENTER LINE

EXISTING

NEW

RIGHT-OF-WAY

STORM DRAIN

EX. STREET LIGHT

EX. FIRE HYDRANT

OWNER: ...

ASSOCIATE: ...

ENGINEER: ...

ASSESSORS: ...

LEGAL DESCRIPTION: ...

BENCHMARK: ...

BASES OF RECORD: ...

RESOLUTION NO.

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PHP17-036, A REQUEST FOR A CERTIFICATE OF APPROPRIATENESS TO ALLOW FOR THE CONSTRUCTION OF A TWO-STORY RETAIL AND MEDICAL OFFICE BUILDING TOTALING 37,074 SQUARE FEET LOCATED ON THE NORTHEAST CORNER OF EUCLID AVENUE AND RIVERSIDE DRIVE, WITHIN THE CN (NEIGHBORHOOD COMMERCIAL) AND EA (EUCLID AVENUE OVERLAY) ZONING DISTRICTS, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1051-614-08.

WHEREAS, Creative Design Associates ("Applicant") has filed an Application for the approval of a Certificate of Appropriateness, File No. PHP17-036, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 2.7 acres of land generally located at the northeast corner of Euclid Avenue and Riverside Drive, within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay District, and is presently improved with a commercial shopping center and undeveloped building pads; and

WHEREAS, the property to the north of the Project site is within the LDR 5 – Low Density Residential zoning district and is developed with single family residential homes. The property to the east is within the MDR 18 – Medium Density Residential zoning district and is developed with multi-family residential homes. The property to the south is within the SP(AG) – Specific Plan (Agricultural) Overlay zoning district and is presently vacant and used for agricultural purposes. The property to the west is within the CN – Neighborhood Commercial zoning district and is developed with a commercial shopping center; and

WHEREAS, the City's character and history are reflected in its cultural, historical, and architectural heritage with an emphasis on the "Model Colony" as declared by an act of the Congress of the United States and presented at the St. Louis World's Fair in 1904; and

WHEREAS, the City's historical foundations should be preserved as living parts of community life and development in order to foster an understanding of the City's past so that future generations may have a genuine opportunity to appreciate, enjoy, and understand Ontario's rich heritage; and

WHEREAS, the Community Development and the Aesthetic, Cultural, Open Space and Recreational Resources Elements the Ontario General Plan sets forth Goals and Policies to conserve Ontario's historic buildings and districts; and

WHEREAS, the Certificate of Appropriateness was submitted in conjunction with a Development Plan (File No. PDEV17-020) to construct a two-story retail and medical office building totaling 37,074 square feet and a Tentative Parcel Map (File No. PMTT17-006 (PM 19832)) to subdivide a 2.7 acre site for common lot condominium purposes; and

WHEREAS, Section 6.01.035 (Overlay Zoning Districts) of the Ontario Development Code, requires Certificate of Appropriateness approval for any development project within the Euclid Avenue Overlay Zoning District which requires Development Plan approval; and

WHEREAS, the Euclid Avenue Overlay Zoning District is intended to recognize, protect, and enhance the visual character and quality of Euclid Avenue as a major scenic and historic resource of the City and also to identify and safeguard Euclid Avenue's position on the National Register of Historic Places. The intent of the Overlay Zoning District is not to create a false sense of history with any new development along the Euclid Avenue Corridor but, rather, to ensure that new development does not cause an adverse effect on the character-defining features of Euclid Avenue, such as the 60 foot wide landscaped median, rock curbs, and King's Standard lampposts. Additionally, all new construction should be compatible with the surrounding developments in site design, massing and scale; and

WHEREAS, Euclid Avenue is defined by various periods of development that have occurred since the boulevard's construction. The segment of Euclid Avenue between G and State Streets is the historic core of the City and features commercial buildings built with no setback from Euclid Avenue. The shift to commercial buildings and uses between G and I Streets that occurred during the 1950s makes up a "transition area" from downtown commercial to residential to the north. The segment of Euclid Avenue south of State Street to Mission Boulevard developed with residential where another "transition area" to commercial begins to the south. Euclid Avenue, south of Mission Boulevard, originally contained agricultural uses but has been developed with residential and commercial uses over the past 70 years; and

WHEREAS, other commercial properties located on Euclid Avenue adjacent to the project site have been developed with a landscape planter or parking lots along Euclid Avenue, with the buildings setback from Euclid Avenue. The site design of the project is consistent with that of the surrounding area. The design, site configuration and landscaping of the commercial building is appropriate in scale and massing for the infill construction and will not detract or adversely affect the historic character of Euclid Avenue; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport (ONT), 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 ONT 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 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, on January 11, 2018, the Historic Preservation Subcommittee (HPSC) of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. 18-001 recommending the Historic Preservation Commission approve the Application; and

WHEREAS, on January 23, 2018, the Historic Preservation 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 Historic Preservation Commission of the City of Ontario, as follows:

SECTION 1. *Environmental Determination and Findings.* As the decision-making body for the Project, the Historic Preservation 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 Historic Preservation Commission, the Historic Preservation Commission finds as follows:

a. The administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

b. The Project is categorically exempt from environmental review pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits and the area being developed is 2.7 acres less than five acre threshold and is substantially surrounded by urban land uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant

effects relating to traffic, noise, air quality, or water quality. Also, the site is adequately served by all required utilities and public services; and

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

d. The determination of CEQA exemption reflects the independent judgment of the Historic Preservation Commission.

SECTION 2. 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 Historic Preservation Commission finds that based upon the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 3. Airport Land Use Compatibility Plan (ALUCP) Consistency. As the recommending body for the Project, the Historic Preservation Commission has reviewed and considered the facts and information contained in the Application and supporting documentation, and finds that, at the time of Project implementation, the Project will be consistent with the policies and criteria set forth within the ONT ALUCP.

SECTION 4. Concluding Facts and Reasons. Based upon the substantial evidence presented to the Historic Preservation Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3 above, the Historic Preservation Commission hereby concludes as follows, that the new construction, in whole or in part:

a. Will not detrimentally change, destroy or adversely affect any significant architectural feature of the resource. While there are no identified historic resources within the project site, the existing commercial center where the project is located has frontage along Euclid Avenue. The historic designation for Euclid Avenue is from Philadelphia Street in Ontario to 24th Street in Upland, and while the project site is located approximately one mile south of Philadelphia Street, the Euclid Avenue corridor is a major scenic resource of the City. The new construction is on an existing pad, setback approximately 400 feet from Euclid Avenue within the existing commercial center and therefore, will not detrimentally change, destroy or adversely affect any significant architectural feature of the resource; and

b. Will not detrimentally change, destroy or adversely affect the historic character or value of the resource. While there are no identified historic resources within

the project site, the project has frontage along Euclid Avenue, a designated historic resource. The existing landscaping on the Euclid Avenue median and parkways in front of the existing commercial center will remain and is consistent with the landscaping on the historic sections of Euclid Avenue. The project proposes appropriate building massing and scale, site design, building layout, and architecture that is in keeping with the area; and

c. Will be compatible with the exterior Character-defining features of the historic resource. Although the project site is not considered historic, the project site has frontage along Euclid Avenue, a designated historic resource. Through enhanced architectural elements in the contemporary commercial architectural style the proposed project does not detract from the character of Euclid Avenue.

SECTION 5. *Historic Preservation Commission Action.* Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Historic Preservation Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports, attached hereto 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 Historic Preservation 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 Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 23rd day of January 2018, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Historic Preservation Commission
Chairman

ATTEST:

Scott Murphy, AICP
Assistant Development Director
Secretary of Historic Preservation
Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Historic Preservation Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC18-[insert #] was duly passed and adopted by the Historic Preservation Commission of the City of Ontario at their regular meeting held on January 23, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV17-020, A DEVELOPMENT PLAN TO ALLOW FOR THE CONSTRUCTION OF A TWO-STORY RETAIL AND MEDICAL OFFICE BUILDING TOTALING 37,074 SQUARE FEET LOCATED ON THE NORTHEAST CORNER OF EUCLID AVENUE AND RIVERSIDE DRIVE, WITHIN THE CN (NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT AND EA (EUCLID AVENUE) OVERLAY DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1051-614-08.

WHEREAS, Creative Design Associates ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV17-020, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 2.7 acres of land generally located at the northeast corner of Euclid Avenue and Riverside Drive, within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay District, and is presently improved with a commercial shopping center and undeveloped building pads; and

WHEREAS, the property to the north of the Project site is within the LDR 5 – Low Density Residential zoning district, and is developed with single family residential homes. The property to the east is within the MDR 18 – Medium Density Residential zoning district, and is developed with multi-family residential homes. The property to the south is within the SP(AG) – Specific Plan (Agricultural Overlay) zoning district, and is presently vacant and used for agricultural purposes. The property to the west is within the CN – Neighborhood Commercial zoning district, and is developed with a commercial shopping center; and

WHEREAS, the proposed two-story retail/medical office building totals 37,074 square feet and is located along the eastern portion of the commercial shopping center. The first floor will be occupied by commercial retail users and the second floor will be occupied by medical offices with main entries facing east and south towards the existing parking lot; and

WHEREAS, the shopping center's on-site circulation, parking lot configuration, vehicular and emergency access will remain in place except within the northeast portion of the center where an additional parking lot, plaza area and two separate trash enclosures are proposed to serve the project. Additional parking has also been provided within enclosed attached garages along the eastern and northern elevations for sole use by the medical offices; and

WHEREAS, the minimum number off-street parking for the commercial center is 376 parking stalls and total of 388 parking stalls will be provided, exceeding the minimum parking standards; and

WHEREAS, the existing Covenants, Conditions and Restrictions (CC&Rs) will remain in place for the entire center however, new CC&Rs have been required as a condition of approval to ensure maintenance of the new buildings, landscaping, plazas and parking lots within the project site; and

WHEREAS, the proposed exterior building elevations illustrate the type of high-quality architecture promoted by the Development Code. The articulation in the building footprint, parapet/roof line and a recessed second floor along the front entry elevations create a combination of recessed wall areas and popped-out columnar tower elements that accentuate the building's entries and breaks up large expanses of building wall. The mixture of building materials proposed includes a smooth-stucco finish with an earth tone color palette with metal reveals, metal joist canopies over the second floor entrances, blue-green tinted glazing for the windows and storefronts and a stone veneer around the base of the building. Additionally, mechanical equipment will be roof-mounted and obscured from public view by parapet walls; and

WHEREAS, public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes a stormwater underground basin located along the eastern portion of site within the drive aisle. Any overflow drainage will be conveyed to Riverside Drive by way of an underground private storm drain; and

WHEREAS, the Applicant is also requesting approval of a Tentative Parcel Map (File No. PMTT17-006 (PM 19832)) to allow for the common lot subdivision of the 2.7 acre site for condominium purposes; and

WHEREAS, the Applicant is also requesting a Certificate of Appropriateness to allow for the construction of the proposed two-story retail and medical office building totaling 37,074 square feet within the EA Overlay District; 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 December 18, 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. 17-062 recommending the Planning Commission approve the Application; and

WHEREAS, on January 23, 2018, 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 environmental review pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits and the area being developed is 2.7 acres less than five acre threshold and is substantially surrounded by urban land uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Also, the site is 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 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 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 NC (Neighborhood Commercial) land use district of the Policy Plan Land Use Map, and the CN (Neighborhood Commercial) 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 CN (Neighborhood Commercial) zoning district, including standards relative to the particular land use proposed (commercial retail/medical office), 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 CN (Neighborhood Commercial) 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

(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 CN (Neighborhood Commercial) that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (commercial retail/medical office). 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 CN (Neighborhood Commercial).

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 23rd day of January 2018, 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, AICP
Assistant Development 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 January 23, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV17-020
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: December 18, 2017

File No: PDEV17-020

Related Files: PMTT17-006

Project Description: A Development Plan (File No. PDEV17-020) to construct a two-story retail and medical office building totaling 37,074 square feet, located on the northeast corner of Euclid Avenue and Riverside Drive, within the CN (Neighborhood Commercial) zoning district. (APN: 1051-614-08); **submitted by Creative Design Associates.**

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

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

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

1.1 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.

1.2 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.

1.3 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.

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

1.5 Parking, Circulation and Access.

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

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

(c) 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.

(d) 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).

(e) 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).

1.6 Outdoor Loading and Storage Areas.

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

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

1.7 Site Lighting.

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

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

1.8 Mechanical and Rooftop Equipment.

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

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

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

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

1.12 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines.

(b) 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, In-Fill Development Projects)** of the CEQA Guidelines, 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.

(c) 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).

(d) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or

paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

1.13 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.

1.14 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.

1.15 Additional Requirements.

(a) A decorative base treatment such as stone/tile veneer or comparable decorative veneer shall be added to the base of building entrances on the 1st story and wrapped to a logical point.

(b) Approval of Certificate of Appropriateness File No. PHP-17-036 is required by the Historic Preservation Subcommittee.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input checked="" type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PM-19832</u> RELATED FILE NO(S). <u>PDEV17-020</u>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u> / / </u>	

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

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

DAB MEETING DATE: December 18, 2017

PROJECT NAME / DESCRIPTION: **PM-19832, a Tentative Parcel Map and Development Plan to subdivide the 2.73 acre site into a common lot for condominium purposes and construct a 37,074 square foot two story retail/medical office building.**

LOCATION: **Riverside Drive E/o Euclid Avenue**

APPLICANT: **Euclid PHD, LLC**

REVIEWED BY: *[Signature]* 12/7/17
 Bryan Lirley, P.E. Date
 Principal Engineer

APPROVED BY: *[Signature]* 12-1-17
 Khoi Do, P.E. Date
 Assistant City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 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:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____
- 1.02 Dedicate to the City of Ontario, the following easement(s):
 a. Easement for Emergency Access purposes over Parcel 1 drive aisles.
- 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. Shall also include cross lot drainage easement.
- 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:
 - a. The applicant/developer shall record and provide a private reciprocal access to the parcel located at the northeast corner of Euclid Avenue and Riverside Drive (APN: 1051-61-401). The property owner at the northeast corner of Euclid Avenue and Riverside Drive may be required to modify the proposed improvements for appropriate ingress/egress access.

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

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

- 2.01 Record Parcel Map No. 19832 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)
- Federal Emergency Management Agency (FEMA)
- Cucamonga Valley Water District (CVWD) for sewer/water service
- United States Army Corps of Engineers (USACE)
- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA)
- Other: _____

2.10 Dedicate to the City of Ontario the right-of-way described below:
_____ feet on _____
Property line corner 'cut-back' required at the intersection of _____
and _____.

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

2.12 New Model Colony (NMC) Developments:

- 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
- 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.



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

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

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

- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$39,224.29, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.

- 2.16 Other conditions: _____



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

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

Improvement	Riverside Drive	Street 2	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach ^(a)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk ^(b)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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

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

- a. The applicant/developer shall remove and replace the westerly drive approach per City Standard 1204.
- b. The applicant/developer shall remove and replace the sidewalk per City Standard 1210 from the west property line (including transition) to the westerly drive approach. New sidewalk shall be 5' wide.



- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). The applicant/developer shall underground the overhead utilities along the entire frontage. Including the frontage of 221 E. Riverside Drive (APN: 1051-61-407)
- 2.22 Other conditions: _____

C. SEWER

- 2.23 A 8" inch sewer main is available for connection by this project in an existing on-site sewer easement. (Ref: Sewer plan bar code: S10601)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:
 - a. The applicant/developer shall construct monitoring manholes per City Standard.
 - b. The applicant/occupant shall apply for a wastewater discharge permit for their establishment, and shall comply with all requirements. For wastewater permit application, please contact:
Ahmed Aly, Principal Engineer
omucenvironmental@ontarioca.gov
Phone: (909) 395-2657

D. WATER

- 2.27 A 8" inch water main is available for connection by this project in an existing on-site water easement. (Ref: Water plan bar code: W11601)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions:
 - a. Upgrade the fire hydrant fronting the project to the current City Standard.
 - 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. Existing water service stub outs shall be used if possible.



E. RECYCLED WATER

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

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

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:**
 - a. **The Applicant/Developer shall be responsible to replace the existing street light fixtures with current City approved LED equivalent fixtures along the project frontages of Riverside Drive. Please refer to the Traffic and Transportation Design Guidelines Section 1.4 Street Light Plans.**
 - b. **The project frontage along Riverside Drive shall be signed "No Parking Anytime".**
 - c. **The westerly Riverside Drive entrance shall be limited to right-in/right-out access only. The applicant/developer shall design and construct signing and striping improvements to render said restriction enforceable.**
 - d. **The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to starting signing and striping design.**



G. DRAINAGE / HYDROLOGY

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

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

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



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

L. Solid Waste

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



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

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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV17-020, and Parcel Map No. 19832

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: _____



GENERAL NOTES

1. PLAN SHALL MEET ALL ENGINEERING & INSPECTION REQUIREMENTS.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL CITY ORDINANCES AND REGULATIONS.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL CITY ORDINANCES AND REGULATIONS.
4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH ALL CITY ORDINANCES AND REGULATIONS.

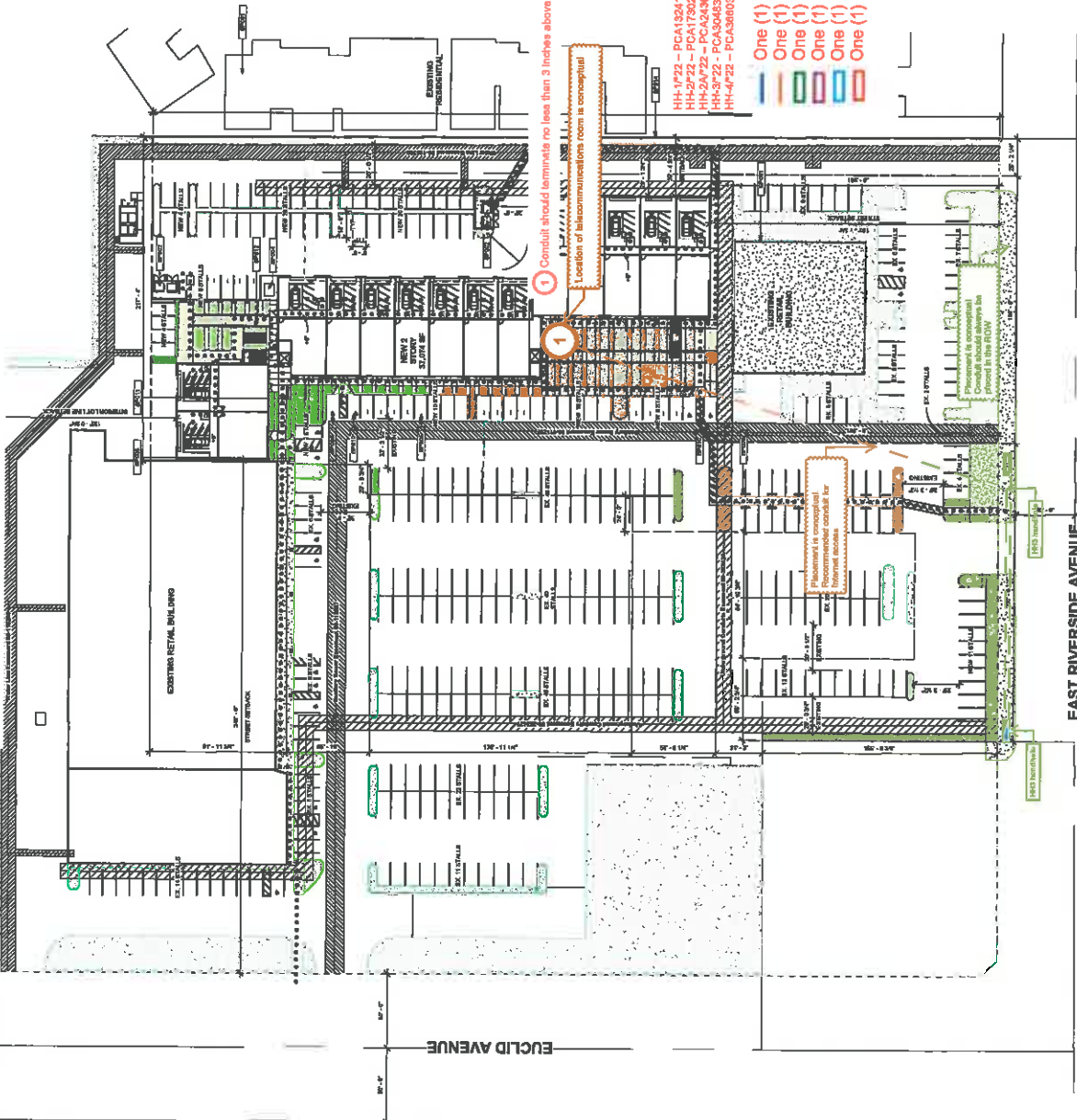
SITE LEGEND

- ***** PROPOSED ADA PATH OF TRAVEL
- PROPOSED LANDSCAPE, SEE LANDSCAPE PLAN FOR DETAILS
- SET BACK LINE
- STREET CENTERLINE
- PROPERTY LINE

SITE PLAN KEYNOTE LEGEND

KEY	VALUE	KEYNOTE
SP001	10000 W. 16th Avenue	EXISTING SIDEWALK
SP002	10000 W. 16th Avenue	EXISTING DRIVE
SP003	10000 W. 16th Avenue	EXISTING DRIVE
SP004	10000 W. 16th Avenue	EXISTING DRIVE
SP005	10000 W. 16th Avenue	EXISTING DRIVE
SP006	10000 W. 16th Avenue	EXISTING DRIVE
SP007	10000 W. 16th Avenue	EXISTING DRIVE
SP008	10000 W. 16th Avenue	EXISTING DRIVE
SP009	10000 W. 16th Avenue	EXISTING DRIVE
SP010	10000 W. 16th Avenue	EXISTING DRIVE
SP011	10000 W. 16th Avenue	EXISTING DRIVE
SP012	10000 W. 16th Avenue	EXISTING DRIVE
SP013	10000 W. 16th Avenue	EXISTING DRIVE
SP014	10000 W. 16th Avenue	EXISTING DRIVE

PDEV17-020 1st Planning Submittal - Fiber Team Markup
 05/25/2017
 by Anna Vaca



CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: May 5, 2017
SUBJECT: PDEV17-020

-
- 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: June 29, 2017

SUBJECT: PDEV17-020 – A Development Plan to construct a two-story, 37,074-square foot retail and medical office building on 7.94 acres of land located at northeast corner of Riverside Drive and Euclid Avenue, within the CN (Neighborhood Commercial) zoning district (APN: 1051-614-08). Related File: PMTT17-006.

-
- 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:
- B. Type of Roof Materials:
- C. Ground Floor Area(s): 23705 Sq. Ft.
- D. Number of Stories: Two
- E. Total Square Footage: 37,074 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): B, U

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario 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 2500 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.
- ☒ 3.4 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 location(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.
- 5.6 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.

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.

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

CONDITIONS OF APPROVAL

Sign Off

Carolyn Bell
 Carolyn Bell, Sr. Landscape Planner

11/2/17
 Date

viewer's Name: Carolyn Bell, Sr. Landscape Planner		Phone: (909) 395-2237
D.A.B. File No.: PDEV17-020 Rev 2		Case Planner: Lorena Mejia
Project Name and Location: Medical Office Building NEC Riverside Dr and Euclid Ave		
Applicant/Representative: Creative Design Associates Kenneth Pang 17528 Rowland St. City of Industry, Ca		
<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (dated 10/6/17) 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.	
<input type="checkbox"/>	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 backflows (fire DCDA, Irrigation and domestic water) per city standard drawings 4206, 4207 4208, located 4' from the right of way, inline with the water POC. Revise location of backflow device shown within parking lot island planters. Show transformers on plan, and dimension a 5' set back from paving for landscape screening.
2. Locate light standards, to not conflict with required tree locations. Coordinate civil plans with landscape plans. Keep new utilities clear of required tree locations in planter areas.
3. Revise site plan to show 15% of the site with landscaping not including right of way or paving areas. Not corrected. 18,087 noted provide but only 5,242 sf shown – 11,874 required. Remove pebble and DG in planters and change to low groundcovers such as fragaria, Senecio or similar.
4. 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 with edging where parking spaces are adjacent to planters. Change parking lot island planters in center of site shown paved to landscape.
5. ok
6. ok
7. ok
8. ok

Landscape Plans

9. Show on plan and provide a tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting. Add tree protection notes on construction and demo plans. Not corrected.
10. Show all utilities on the landscape plans. Keep new utilities clear of required tree locations.
11. Show landscaping (trees and shrubs) in the perimeter planters (east side).
12. ok
13. ok
14. Show appropriate parking lot shade trees with min 30' canopy at maturity: Pistache, Koelreuteria, Ulmus, Etc. Use large trees in larger planter areas: Oaks and Sycamores. Replace Mesquite and Crepe Myrtle for shade trees except as accent trees at entry driveways or adjacent to walls.

- Change to tall narrow trees in plaza areas to not block signage.
15. Replace invasive, frost damaged, short lived, high maintenance or poor performing plants: Chondropetalum, Festuca, Glavezia, Abutilon palmeri, Lantana, Arctostaphylos, Prosopis (lacks quality shade). Avoid short lived perennials and use flowering shrubs and groundcovers.
 16. ok
 17. Agronomical soil testing and report is required on landscape construction plans.
 18. Call out all fences and walls, materials proposed and heights.
 19. ok.
 20. 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. Add tree quantities to legend.
 21. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis, Sambucus Mexicana, etc.) in appropriate locations. Quantities missing. Add tree quantities to legend.
 22. Show all proposed sign locations (on buildings and in landscape) to avoid conflicts with trees, shrubs or basin areas. Missing on plan view.
 23. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
 24. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. 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

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



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Planning Department

FROM: Douglas Sorel, Police Department

DATE: October 25, 2017

SUBJECT: PDEV17-020 Revision 2– A DEVELOPMENT PLAN FOR A TWO-STORY RETAIL AND MEDICAL OFFICE BUILDING AT THE NORTHEAST CORNER OF RIVERSIDE DRIVE AND EUCLID AVENUE

The “Standard Conditions of Approval” contained in Resolution No. 2017-027 will apply to the project. The applicant should 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.
- 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.
- 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.

In addition, due to the lack of natural surveillance on the project site, the Applicant will be required to maintain a surveillance system covering, at a minimum, the parking spaces located to the east and north of the proposed development. Each camera shall record at a minimum resolution of 640x480 and a minimum of fifteen (15) frames per second. Recorded video shall be retained for a minimum of 30 days and made available to the Police Department upon request.

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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-020 & PMTT7-006

Address: NEC Riverside Dr. & Euclid Ave

APN: 1051-614-08

Existing Land Use: Commercial Center - Vacant Pads

Proposed Land Use: 37,074 SF - 2-story retail and medical office bldg. & Common lot for condominium purposes

Site Acreage: 7.94 Proposed Structure Height: 44 ft

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia

Date: 5/26/17

CD No.: 2017-037

PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT17-006 (PM 19832), A TENTATIVE PARCEL MAP TO SUBDIVIDE A 2.7 ACRE SITE FOR COMMON LOT CONDOMINIUM PURPOSES, LOCATED ON THE NORTHEAST CORNER OF EUCLID AVENUE AND RIVERSIDE DRIVE, WITHIN THE CN (NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT AND EA (EUCLID AVENUE) OVERLAY DISTRICT AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1051-614-08.

WHEREAS, Creative Design Associates ("Applicant") has filed an Application for the approval of a Tentative Parcel Map, File No. PMTT17-006, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 2.7 acres of land generally located at the northeast corner of Euclid Avenue and Riverside Drive, within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay District, and is presently improved with a commercial shopping center and undeveloped building pads; and

WHEREAS, the property to the north of the Project site is within the LDR 5 – Low Density Residential zoning district, and is developed with single family residential homes. The property to the east is within the MDR 18 – Medium Density Residential zoning district and is developed with multi-family residential homes. The property to the south is within the SP(AG) – Specific Plan (Agricultural Overlay) zoning district and is presently vacant and used for agricultural purposes. The property to the west is within the CN – Neighborhood Commercial zoning district, and is developed with a commercial shopping center; and

WHEREAS, the Applicant is requesting approval of a Tentative Parcel Map (File No. PMTT17-006 (PM 19832) to allow for the common lot subdivision of a 2.7 acre site for condominium purposes; and

WHEREAS, the Applicant is also requesting a Development Plan (File No. PDEV17-020) to construct a two-story retail/medical office building totaling 37,074 square feet; and

WHEREAS, the Applicant is also requesting a Certificate of Appropriateness to allow for the construction of the proposed two-story retail and medical office building totaling 37,074 square feet within the EA Overlay District; 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 December 18, 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. 17-061 recommending the Planning Commission approve the Application; and

WHEREAS, on January 23, 2018, 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 environmental review pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits and the area being developed is 2.7 acres less than five acre threshold and is substantially surrounded by urban land uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Also, the site is 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 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 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 Parcel Map for condominium purposes is located within the NC (Neighborhood Commercial) land use district of the Policy Plan Land Use Map, and the CN (Neighborhood Commercial) 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 the establishment of “a dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses” (Goal CD1). Furthermore, the project will promote the City’s policy to “take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods” (Policy CD1-1 *City Identity*).

(2) ***The design or improvement of the proposed Tentative 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 Parcel Map for condominium purposes is located within the NC (Neighborhood Commercial) land use district of the Policy Plan Land Use Map, and the CN (Neighborhood Commercial) 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 provide “a high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct (Goal CD2). Furthermore, the project will promote the City’s policy to “collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques” (Policy CD2-7 *Sustainability*).

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

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The project site is proposed for commercial development and the proposed subdivision is for common lot condominium purposes. The project site meets the minimum lot area and dimensions of the CN (Neighborhood Commercial) zoning district, and is physically suitable for the proposed density / intensity of development.

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

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, in conjunction with the proposed two-story retail and medical office building totaling 37,074 square feet on the project site, are not likely to cause serious public health problems, as the project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site.

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

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

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 23rd day of January 2018, 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, AICP
Assistant Development 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 January 23, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PMTT17-006
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: December 18, 2017

File No: PMTT17-006

Related Files: PDEV17-020

Project Description: A Tentative Parcel Map (File No. PMTT17-006 (PM 19832) to subdivide a 2.7 acre site for common lot condominium purposes, located on the northeast corner of Euclid Avenue and Riverside Drive, within the CN (Neighborhood Commercial) zoning district. (APN: 1051-614-08); **submitted by Creative Design Associates.**

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

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

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

1.1 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.

1.2 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) The subject Tentative Parcel Map for condominium purposes shall require the recordation of a condominium plan concurrent with the recordation of the Final 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.

1.3 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.

1.4 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines.

(b) 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, In-Fill Development Projects)** of the CEQA Guidelines, 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.

(c) 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).

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

1.5 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 any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

1.6 Additional Fees.

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

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



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input checked="" type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PM-19832</u> RELATED FILE NO(S). <u>PDEV17-020</u>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> 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: December 18, 2017

PROJECT NAME / DESCRIPTION: PM-19832, a Tentative Parcel Map and Development Plan to subdivide the 2.73 acre site into a common lot for condominium purposes and construct a 37,074 square foot two story retail/medical office building.

LOCATION: Riverside Drive E/o Euclid Avenue

APPLICANT: Euclid PHD, LLC

REVIEWED BY: *[Signature]* 12/7/17
Date
Bryan Lirley, P.E.
Principal Engineer

APPROVED BY: *[Signature]* 12-1-17
Date
Khoi Do, P.E.
Assistant City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 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:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____
- 1.02 Dedicate to the City of Ontario, the following easement(s):
 a. Easement for Emergency Access purposes over Parcel 1 drive aisles.
- 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. Shall also include cross lot drainage easement.
- 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:
 - a. The applicant/developer shall record and provide a private reciprocal access to the parcel located at the northeast corner of Euclid Avenue and Riverside Drive (APN: 1051-61-401). The property owner at the northeast corner of Euclid Avenue and Riverside Drive may be required to modify the proposed improvements for appropriate ingress/egress access.

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

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

- 2.01 Record Parcel Map No. 19832 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)
- Federal Emergency Management Agency (FEMA)
- Cucamonga Valley Water District (CVWD) for sewer/water service
- United States Army Corps of Engineers (USACE)
- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA)
- Other: _____

2.10 Dedicate to the City of Ontario the right-of-way described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____.

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

2.12 New Model Colony (NMC) Developments:

- 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
- 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.



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

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

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

- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$39,224.29, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**

- 2.16 Other conditions: _____



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

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

Improvement	Riverside Drive	Street 2	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach ^(a)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk ^(b)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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

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

- a. The applicant/developer shall remove and replace the westerly drive approach per City Standard 1204.
- b. The applicant/developer shall remove and replace the sidewalk per City Standard 1210 from the west property line (including transition) to the westerly drive approach. New sidewalk shall be 5' wide.



- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). The applicant/developer shall underground the overhead utilities along the entire frontage. Including the frontage of 221 E. Riverside Drive (APN: 1051-61-407)
- 2.22 Other conditions: _____

C. SEWER

- 2.23 A 8" inch sewer main is available for connection by this project in an existing on-site sewer easement. (Ref: Sewer plan bar code: S10601)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:
 - a. The applicant/developer shall construct monitoring manholes per City Standard.
 - b. The applicant/occupant shall apply for a wastewater discharge permit for their establishment, and shall comply with all requirements. For wastewater permit application, please contact:
Ahmed Aly, Principal Engineer
omucenvironmental@ontarioca.gov
Phone: (909) 395-2657

D. WATER

- 2.27 A 8" inch water main is available for connection by this project in an existing on-site water easement. (Ref: Water plan bar code: W11601)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions:
 - a. Upgrade the fire hydrant fronting the project to the current City Standard.
 - 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. Existing water service stub outs shall be used if possible.



E. RECYCLED WATER

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

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

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:**
 - a. **The Applicant/Developer shall be responsible to replace the existing street light fixtures with current City approved LED equivalent fixtures along the project frontages of Riverside Drive. Please refer to the Traffic and Transportation Design Guidelines Section 1.4 Street Light Plans.**
 - b. **The project frontage along Riverside Drive shall be signed "No Parking Anytime".**
 - c. **The westerly Riverside Drive entrance shall be limited to right-in/right-out access only. The applicant/developer shall design and construct signing and striping improvements to render said restriction enforceable.**
 - d. **The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to starting signing and striping design.**



G. DRAINAGE / HYDROLOGY

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

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

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



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. See Fiber Optic Exhibit herein.

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

L. Solid Waste

- 2.51 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:

<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>

- 2.52 Other conditions: _____



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

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



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV17-020, and Parcel Map No. 19832

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: _____



GENERAL NOTES

1. PLAN SHALL MEET ALL ENGINEERING & INSPECTION REQUIREMENTS.
2. ALL CONDUIT SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS.
3. ALL CONDUIT SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS.
4. LOCATIONS OF EXISTING NEIGHBORING IMPROVEMENTS ARE APPROXIMATE AND FOR GENERAL REFERENCE ONLY.

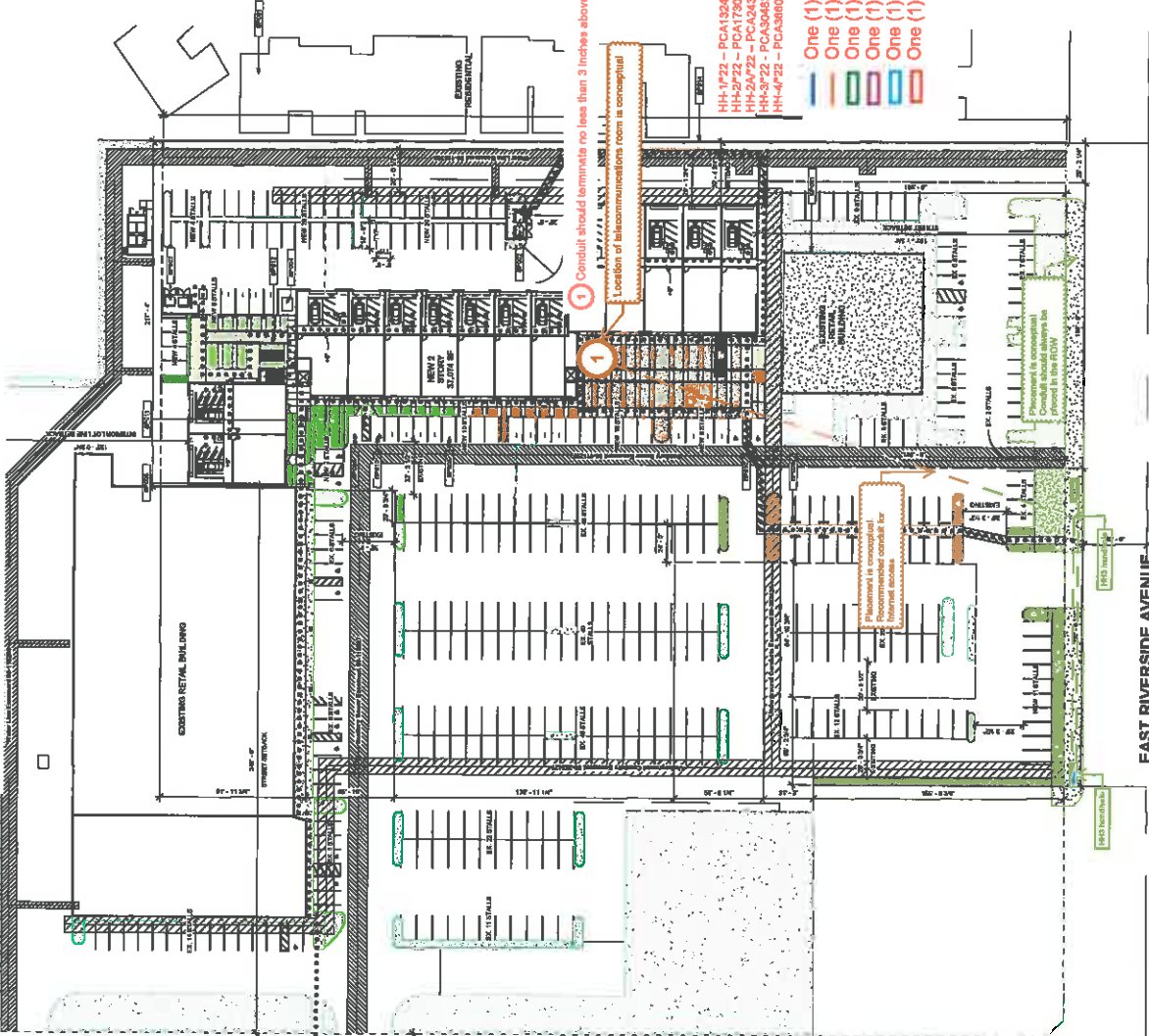
SITE LEGEND

- ***** PROPOSED ADA PATH OF TRAVEL
- PROPOSED LANDSCAPE, SEE LANDSCAPE PLAN FOR DETAILS
- SET BACK LINE
- STREET CENTERLINE
- PROPERTY LINE

SITE PLAN KEYNOTE LEGEND

KEY VALUE	KEYNOTE
SP001	TRANSFORMER (NOT PART OF THIS SUBMITTAL)
SP002	EXISTING FIRE HYDRANT LOCATION (SEE CIVIL PLAN FOR DETAILS)
SP003	TRANSFORMER (SEE CIVIL PLAN FOR DETAILS)
SP004	8" X 16" MIN. ACCESSIBLE PARKING SPACE
SP005	8" X 16" MIN. ACCESSIBLE PARKING SPACE
SP006	WHEEL STOP
SP007	SHORT TERM BICYCLE PARKING (SEE ARCH. DETAIL 14)
SP008	LONG TERM BICYCLE PARKING (SEE ARCH. DETAIL 15)
SP009	EXISTING PERIMETER WALL TO PROTECT IN PLACE
SP010	
SP011	
SP012	
SP013	
SP014	

PDEV17-020 1st Planning Submittal - Fiber Team Markup
 05/25/2017
 by Anna Vaca



- USA-1922 - PCA192418-60097 - Size 15" x 24" x 18"
- HH-5722 - PCA1543618-00016 - Size 17" x 30" x 24"
- HH-24722 - PCA1543618-00016 - Size 17" x 30" x 24"
- HH-3722 - PCA34638-80244 - Size 30" x 46" x 36"
- HH-4722 - PCA34638-80146 - Size 30" x 60" x 36"

- 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) 30x46x36 Composite Polymer Concrete Hand Hole (HH3)
- One (1) 36x60x36 Composite Polymer Concrete Hand Hole (HH4)

EAST RIVERSIDE AVENUE

EUCALD AVENUE



PLANNING COMMISSION STAFF REPORT

January 23, 2018

SUBJECT: An Amendment to the Policy Plan (General Plan) component of The Ontario Plan (File No. PGPA16-005) to: [1] modify the Land Use Plan (Exhibit LU-01), changing the land use designation on a portion of a lot totaling 2.8 acres, from Industrial to Business Park, generally located at the northwest corner of Grove Avenue and Mission Boulevard, at 1192 East California Street; and [2] modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and a Zone Change on a portion of the project site (File No. PZC16-003) from IG (General Industrial) to IL (Light Industrial), to bring property zoning into consistency with the Policy Plan changes (APNs: 1049-382-05 and 1049-172-01). **City Initiated. City Council action is required.**

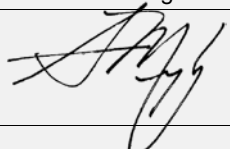
PROPERTY OWNER: Fullmer/MG, LLC

RECOMMENDED ACTION: That the Planning Commission recommends City Council approval of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010, approval of File No. PGPA16-005, and File No. PZC16-003 pursuant to the facts and reasons contained in the staff report and attached resolutions.

PROJECT SETTING: The project site is comprised of 2.8 acres of land located at the northwest corner of Grove Avenue and Mission Boulevard, within the IG (General Industrial) and IL (Light Industrial) zoning districts, and is depicted in **Figure 1: Project Location**, right. The property surrounding the Project site is characterized primarily by industrial land uses to the east, west and south, and railroad right-of-way to the north.



Figure 1: Project Location

Case Planner:	Jeanie Irene Aguilo	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB			
Submittal Date:		ZA			
Hearing Deadline:		PC	01/23/18		Recommend
		CC			Final

PROJECT ANALYSIS: In 2010, The Ontario Plan (“TOP”) was adopted, which sets forth the land use pattern for the City to achieve its Vision. Following adoption of TOP, staff embarked on a two pronged effort to ensure that the zoning and TOP land use designations are consistent for all properties in the City, and to update the Development Code. Staff worked to establish zones that will effectively implement the intent of TOP. In 2015, the Development Code update was adopted, which went into effect January 1, 2016. The applications described below are part of this TOP-Zoning Consistency effort.

[1] General Plan Amendment — On March 18, 2016, the property owner for 1192 East California Street submitted a Tentative Parcel Map (File No. PMTT16-007/PM 19721) to merge 2.8 acres of land into a single parcel and a Development Plan (File No. PDEV16-009) to construct a 52,445-square foot industrial building. The Tentative Tract Map and Development Plan were approved by the Planning Commission on September 27, 2016, and the project is currently under construction. The Project involved two separate parcels of land, each with a different land use designation and the vacation of a paper street. In order to provide one land use designation for the entire Project site, the Land Use Plan (Exhibit LU-01 of TOP’s Policy Plan component) designation for a portion of the property be changed from Industrial (IND) to Business Park (BP), to be consistent with TOP’s Vision. The proposed General Plan Amendment is summarized in Exhibit A, attached to this report. In this case, the northern portion of the site is being changed from Industrial to a Business Park designation, providing consistency along the Mission Boulevard and Grove Avenue street frontages.

Furthermore, the General Plan Amendment will modify the Future Buildout Table (Exhibit LU-03 of TOP’s Policy Plan component) to be consistent with the proposed Land Use Plan changes. The revised Future Buildout Table is included as Exhibit C, attached to this report.

[2] Zone Change — Consistent with the above-described General Plan Amendment, a Zone Change is being processed concurrently which will change the zoning designation on the portion of the project site affected by the General Plan Amendment, from IG (General Industrial) to IL (Light Industrial) which, like the General Plan Amendment, will serve to further TOP’s Vision. The northern portion of the site will be changed to provide a consistent zoning designation along the Mission Boulevard and Grove Avenue street frontages. Warehouse/distribution facilities are permitted within the IL (light Industrial) zoning designation. The proposed Zone Change is summarized in Exhibit B, attached to this report.

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

[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 LU2: Compatibility between a wide range of uses.
 - LU2-1: Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

Compliance: The proposed General Plan Amendment closely coordinates with land use designations in the surrounding area, which will not increase adverse impacts on adjacent properties.

- 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.

Compliance: The proposed land use designation will provide consistency between the portion of property being changed from Industrial (IND) to Business Park (BP), while maintaining a logical land use pattern in and around the affected area.

- **Goal LU5:** Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.

- **LU5-7: *ALUCP Consistency with Land Use Regulations.*** We comply with state law that required general plans, specific plans and all new development by consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

Compliance: The proposed project is located within the Safety, Noise, Airspace Protection and Overflight Zones of the Ontario International Airport Land Use Compatibility Plan (ALUCP). A consistency determination was completed and the proposed project is consistent with the policies and criteria of the ALUCP, subject to certain conditions applicable to the use of the property.

Safety Element:

- **Goal S4:** An environment where noise does not adversely affect the public's health, safety, and welfare.

- **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.

Compliance: The project site is located entirely within the 70-75 dB CNEL Noise Impact Zone of the ALUCP. The proposed uses include warehouse, light manufacturing and ancillary office uses. These uses are consistent with Table 2-3: Noise Criteria of the ALUCP; provided, the light manufacturing and office uses are able to meet noise attenuating criteria of 50 dB for interior noise levels. The proposed land use designations are compatible with the Noise Impact area.

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 proposed project is located within the Safety, Noise, Airspace Protection and Overflight Zones of the Ontario International Airport Land Use Compatibility Plan (ALUCP). A consistency determination was completed and the proposed project is consistent with the policies and

criteria of the ALUCP, subject to certain conditions applicable to the use of the property. The analysis for each compatibility factor is provided below:

[1] Safety Zone Analysis — The project site is located within ALUCP Safety Zones 1 and 2 (see **Exhibit E: ALUCP Safety Zones 1 and 2**). Parking lots, streets and driveways are acceptable uses within Safety Zone 1 and new structures are prohibited unless FAA approval is received. The proposed site plan shows vehicle parking and drive aisles within Safety Zone 1, consistent with ALUCP safety policies.

The remainder of the project site is located within Safety Zone 2. ALUCP Table 2-2 (Safety Criteria) was utilized to calculate Intensity limits for the project site. The proposed 52,445 square foot can provide 31,500 square feet of manufacturing, 17,900 square feet of warehousing and 3,045 square feet of office to meet the Single-Acre and Site-Wide average calculations. The intensity calculations for the project site are included in the Conditions of Approval of the Development Plan. Any future changes to the proposed uses within the building must be consistent with the ALUCP. Additional conditions have been placed on the project to minimize the risks associated with an off-airport aircraft accident or emergency landing, which includes limiting the storage of hazardous material and recording an Avigation Easement and Deed Notification.

[2] Noise Impact Zones — The project site is located entirely within the 70-75 dB CNEL Noise Impact Zone of the ALUCP. The proposed uses include warehouse, light manufacturing and ancillary office uses. These uses are consistent with ALUCP Table 2-3 (Noise Criteria); provided, the light manufacturing and office uses are able to meet noise attenuating criteria of 50 dB interior noise levels. Acoustical data documenting that the structure will be designed to comply with the criteria should be provided. However, if evidence is provided that the indoor noise generated by the use itself exceeds the required 50 dB interior noise levels criteria, then an exception can be made consistent with ALUCP Policy N4c, to not require interior noise attenuation.





















[3] Airspace Protection Zones Analysis — The project site is located within an area where 27 to 39 foot building heights are allowed. Allowable building heights gradually increase from the northeast to the southwest corner of the project site. The proposed building is located on the southern portion of the site and the proposed building height for this project is 39 feet high, which meets the allowable building height for that portion of the site and is consistent with the ALUCP. However, given the project site's close proximity to Ontario International Airport, the developer of the project site has been required to file for an Obstruction Evaluation with the FAA, and receive a Determination of No Hazard prior building permit issuance. The application has already been filed and preliminary review has assessed that lighting and marking of the building will likely be required. To date, the final determination is pending.

[4] Overflight Notification Zones Analysis — The project site is located within the Avigation Easement Area of the ALUCP Overflight Notification Zone. The project was evaluated and found to be consistent with the policies and criteria of the ALUCP Overflight Policies; provided, an avigation easement is filed and recorded with the City of Ontario prior to building occupancy.

ENVIRONMENTAL REVIEW: The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts. The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010, in conjunction with File No. PGPA06-001. The Addendum was prepared pursuant to CEQA, the State CEQA Guidelines and The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" which provides for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts not previously analyzed in the Environmental Impact Report. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The environmental documentation for this project is available for review at the Planning Department public counter.

EXHIBIT A: Proposed General Plan Amendment

TOP Legend:

 Rural Residential	 Mixed Use	 Business Park	 Open Space - Water
 Low Density Residential	 Neighborhood Commercial	 Industrial	 Open Space - Non Recreation
 Low-Medium Density Residential	 General Commercial	 Airport	 Public Facility
 Medium Density Residential	 Office Commercial	 Land Fill	 Public School
 High Density Residential	 Hospitality	 Open Space - Recreation	 Rail

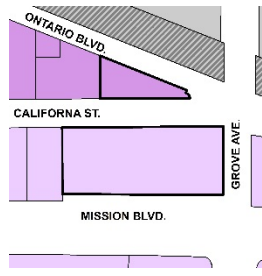












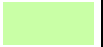





















EXISTING TOP	PARCELS	PROPOSED TOP
	<p>1049-382-05 1049-172-01 Existing Right of Way</p> <p><i>(2 Properties – to be combined into 1 Parcel)</i></p>	
Business Park, Industrial and ROW		Business Park

EXHIBIT B: Proposed Zone Change

ZONING Legend:

	AR-2, Residential-Agricultural		PUD, Planned Unit Development		BP, Business Park		OS-R, Open Space - Recreation
	RE-2, Rural Estate		MU, Mixed Use 1 - Downtown, 2-East Holt, 11-Francis&Euclid		IP, Industrial Park		OS-C, Open Space-Cemetery
	RE-4, Residential Estate		CS, Corner Store		IL, Light Industrial		UC, Utilities Corridor
	LDR-5, Low Density Residential		CN, Neighborhood Commercial		IG, General Industrial		SP, Specific Plan
	MDR-11, Low-Medium Density Residential		CC, Community Commercial		IH, Heavy Industrial		SP(AG), Specific Plan with Agricultural Overlay
	MDR-18, Medium Density Residential		CCS, Convention Center Support		ONT, Ontario Int'l Airport		ES, Emergency Shelter Overlay
	MDR-25, Medium-High Density Residential		OL, Low Intensity Office		CIV, Civic		MTC, Multimodal Transit Center Overlay
	HDR-45, High Density Residential		OH, High Intensity Office		RC, Rail Corridor		ICC, Interim Community Commercial Overlay
	MHP, Mobile Home Park						

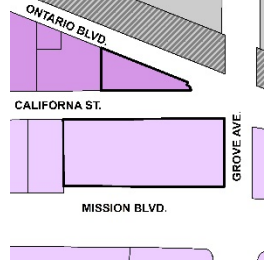

EXISTING ZONING	PARCELS	PROPOSED ZONING
	<p>1049-382-05 1049-172-01 Existing Right of Way</p> <p><i>(2 Properties – to be combined into 1 Parcel)</i></p>	
<p>BP, Business Park, IL, Light Industrial and ROW</p>		<p>IL, Light Industrial and ROW</p>

EXHIBIT C: Future Buildout (Exhibit LU-03) Revision



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	483	2.0 du/ac	965	3,858		
Low Density ⁶	7,294	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,739	122,865		
Low-Medium ⁶ Density	966	8.5 du/ac	8,210	32,814		
Medium Density	1,894	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,143	133,572		
High Density	234	35.0 du/ac	8,178	27,373		
Subtotal	10,870		86,236	320,482		
Mixed Use						
• Downtown	112	<ul style="list-style-type: none"> 60% of the area at 35 du/ac 40% of the area at 0.80 FAR for office and retail 	2,352	4,704	1,561,330	2,793
• East Holt Boulevard	57	<ul style="list-style-type: none"> 25% of the area at 30 du/ac 50% of the area at 1.0 FAR office 25% of area at 0.80 FAR retail 	428	856	1,740,483	3,913
• Meredith	93	<ul style="list-style-type: none"> 23% of the area at 37.4 du/ac 72% at 0.35 FAR for office and retail uses 5% at 0.75 FAR for Lodging 	800	1,600	1,172,788	1,462
• Transit Center	76	<ul style="list-style-type: none"> 10% of the area at 60 du/ac 90% of the area at 1.0 FAR office and retail 	457	913	2,983,424	5,337
• Inland Empire Corridor	37	<ul style="list-style-type: none"> 50% of the area at 20 du/ac 30% of area at 0.50 FAR office 20% of area t 0.35 FAR retail 	368	736	352,662	768
• Guasti	77	<ul style="list-style-type: none"> 20% of the area at 30 du/ac 30% of area at 1.0 FAR retail 50% of area at .70 FAR office 	500	1,001	2,192,636	4,103
• Ontario Center	345	<ul style="list-style-type: none"> 30% of area at 40 du/ac 50% of area at 1.0 FAR office 20% of area at 0.5. FAR retail 	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	<ul style="list-style-type: none"> 5% of area at 40 du/ac 20% of area at 0.75 FAR office 75% of area at 0.5 FAR retail 	479	958	5,477,126	7,285
• NMC West/South	315	<ul style="list-style-type: none"> 30% of area at 35 du/ac 70% of area at 0.7 FAR office and retail 	3,311	6,621	6,729,889	17,188
• NMC East	264	<ul style="list-style-type: none"> 30% of area at 25 du/ac 30% of area at 0.35 FAR for office 40% of area at 0.3 FAR for retail uses 	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	<ul style="list-style-type: none"> 50% of the area at 30 du/ac 50% of area at 0.8 FAR retail 	156	312	181,210	419
• SR-60/ Hamner Tuscana Village	41	<ul style="list-style-type: none"> 18% of the area at 25 du/ac 57% of the area at 0.25 FAR retail 25% of the area at 1.5 FAR office 	185	369	924,234	2,098
Subtotal	1,667		15,116	30,232	34,914,612	72,368



LU-03 Future Buildout¹ (Cont.)

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood ⁶ Commercial	280	0.30 FAR			3,658,256	8,852
General Commercial	601	0.30 FAR			7,850,209	7,293
Office/ Commercial	512	0.75 FAR			16,728,347	37,097
Hospitality	145	1.00 FAR			6,312,715	7,237
Subtotal	1,538				34,549,527	60,479
Employment						
Business Park	1,550	0.40 FAR			27,000,753 27,014,692	47,372 47,397
Industrial	6,253 6,252	0.55 FAR			149,799,312 149,789,728	131,617 131,608
Subtotal	7,802 7,803				176,800,065 176,804,421	170,989 179,005
Other						
Open Space- Non-Recreation	1,230	Not applicable				
Open Space- Parkland ⁶	950	Not applicable				
Open Space- Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,875 4,874	Not applicable				
Subtotal	9,907					
Total	31,784		101,352	350,715	246,264,204 246,268,560	311,836 311,852

Notes

- Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
- Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
- Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
- Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
- To view the factors used to generate the number of employees by land use category, access the Methodology report.
- Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

ATTACHMENT A:
Addendum to The Ontario Plan
Environmental Impact Report

California Environmental Quality Act
Environmental Checklist Form

City of Ontario
Planning Department
303 East "B" Street
Ontario, California
Phone: (909) 395-2036
Fax: (909) 395-2420



Project Title/File No.: PGPA16-005 and PZC16-003

Lead Agency: City of Ontario, 303 East "B" Street, Ontario, California 91764, (909) 395-2036

Contact Person: Jeanie Irene Aguilo, Assistant Planner, (909) 395-2418

Project Sponsor: City of Ontario, 303 East "B" Street, Ontario, California 91764

Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 and 2, below, the project site is located northwest corner of Grove Avenue and Mission Boulevard and Attachments A and B.

Figure 1—REGIONAL LOCATION MAP

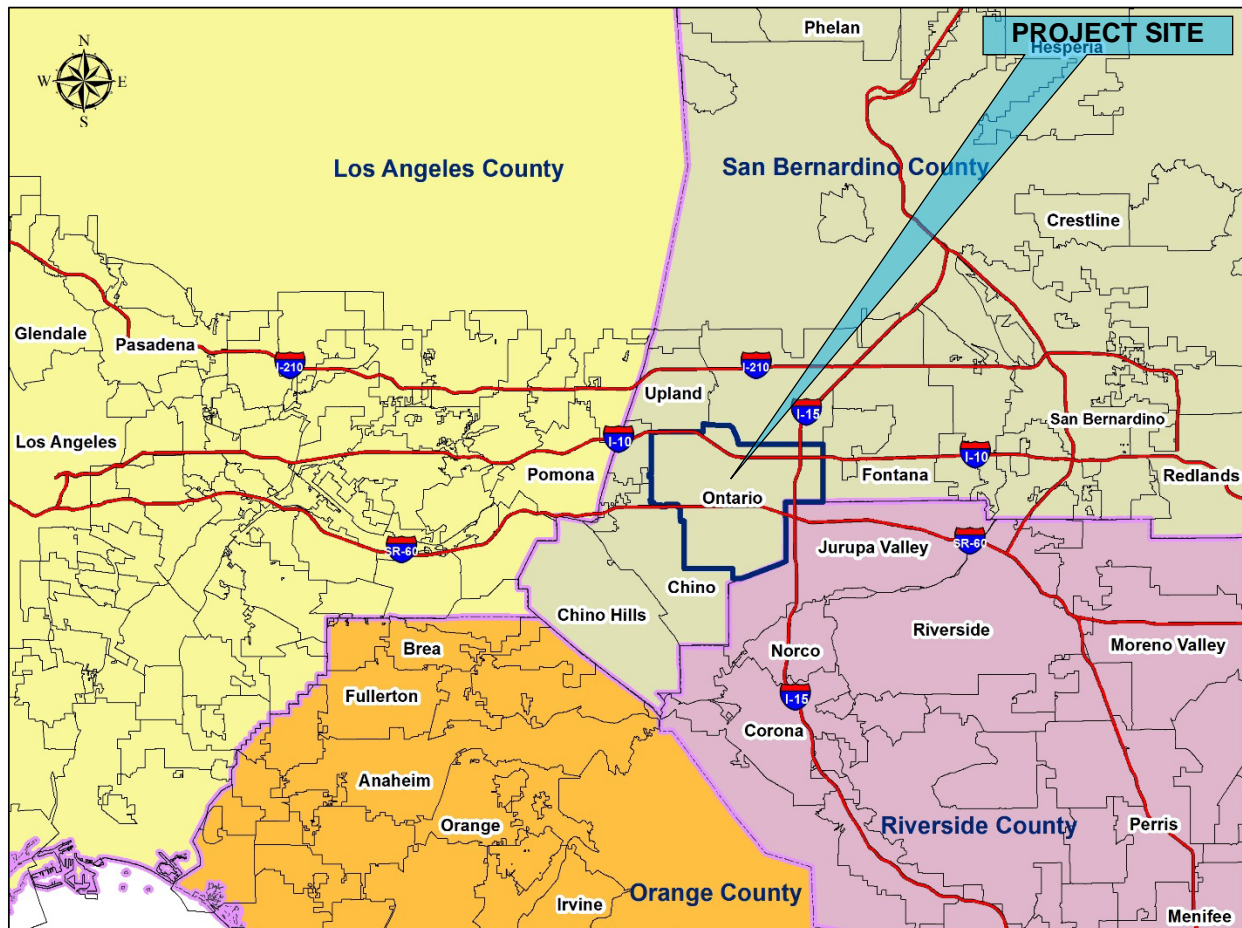
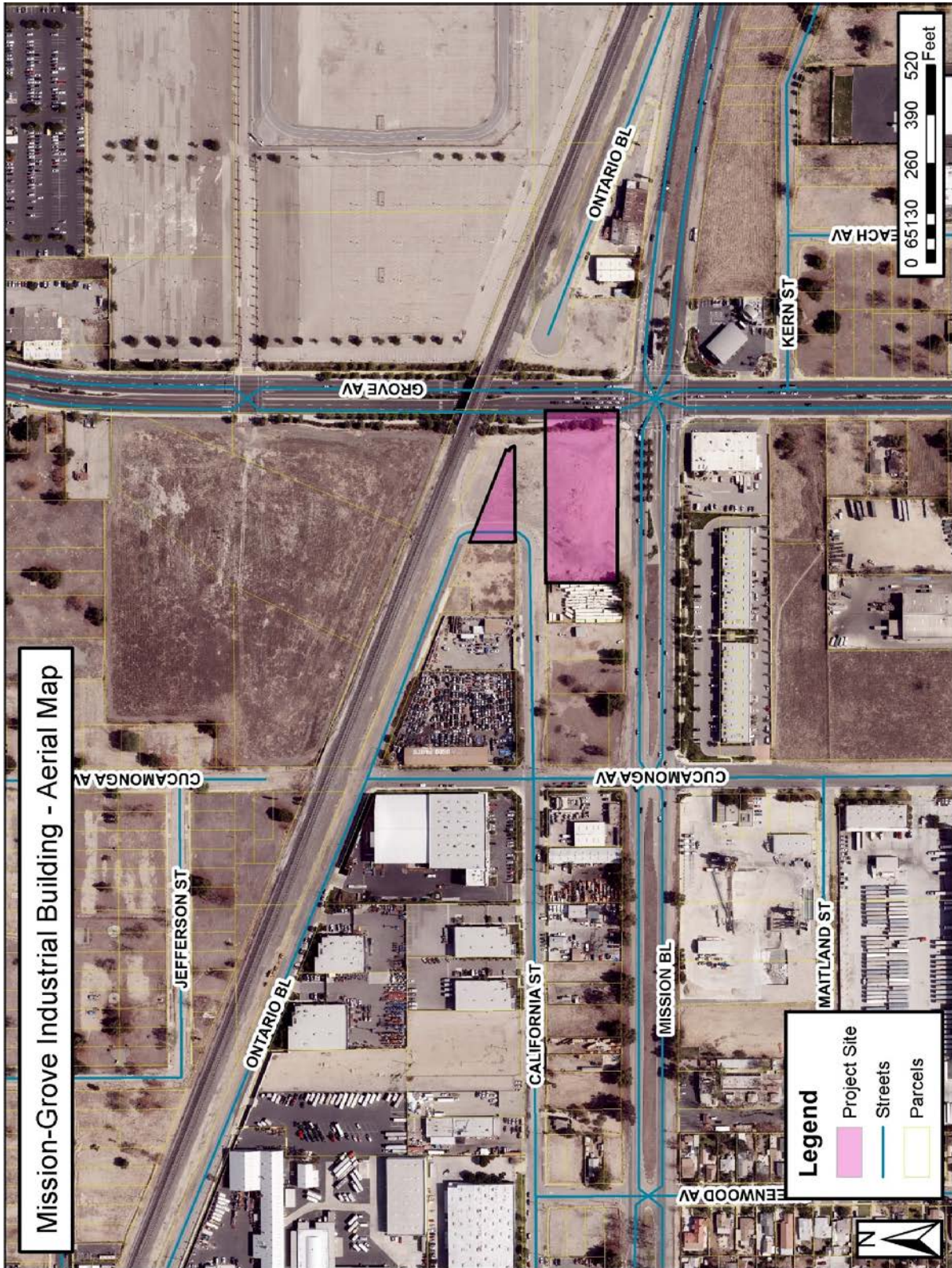


Figure 2—VICINITY MAP



General Plan Designation: Proposal to change the General Plan land use designation on a portion of a lot totaling 2.8 acres of land as shown in Exhibit A.

Zoning: IG (General Industrial) and IL (Light Industrial)

Description of Project: An Amendment to the Policy Plan (general plan) component of The Ontario Plan to: [1] modify the Land Use Plan (Exhibit LU-01), changing the land use designation on a portion of a lot totaling 2.8 acres, from Industrial to Business Park, generally located at the northwest corner of Grove Avenue and Mission Boulevard, at 1192 East California Street; and [2] modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and a Zone Change on a portion of the project site, from IG (General Industrial) to IL (Light Industrial), to bring property zoning into consistency with the Policy Plan changes.

Project Setting: The project site is comprised of 2.8 acres of land located at the northwest corner of Grove Avenue and Mission Boulevard, within the IG (General Industrial) and IL (Light Industrial) zoning districts. The property surrounding the Project site is characterized primarily by industrial land uses to the east, west, and south and railroad to the north.

Surrounding Land Uses:

	<u>Zoning</u>	<u>Current Land Use</u>
▪ North—	RC (Rail Corridor)	N/A
▪ South—	Specific Plan	Grove Avenue Specific Plan
▪ East—	ONT (Ontario International Airport)	N/A
▪ West—	IL (Light Industrial) / IG (General Industrial)	N/A

Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement): (Insert description)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | |
|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature

January 8, 2018
Date

Jeanie Irene Aguilo, Assistant Planner
Printed Name and Title

City of Ontario Planning Department
For

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from the "Earlier Analyses" Section may be cross-referenced).

- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analyses Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1) AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:				

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any 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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resources Code Section 21074?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6) GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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7) GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8) HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9) HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increase in erosion of the project site or surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff during construction and/or post-construction activity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10) LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, airport land use compatibility plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11) MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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12) NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13) POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14) PUBLIC SERVICES. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15) RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16) TRANSPORTATION/TRAFFIC. Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17) UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18) MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

EXPLANATION OF ISSUES

1) **AESTHETICS.** Would the project:

a) **Have a substantial adverse effect on a scenic vista?**

Discussion of Effects: The proposed Project will not have a significant adverse effect aesthetically. As provided in TOP EIR, the City of Ontario's physical setting lends opportunities for many views of the community and surrounding natural features, including panoramic views of the San Bernardino and San Gabriel Mountains and stretches of open space and undeveloped land south of Riverside Drive. TOP EIR provides that compliance with TOP Policy CD1-5 in the Community Design Element will avoid significant impacts to scenic vista by making it the policy of the City to protect public views of the San Gabriel Mountains. The project under consideration only proposes General Plan Amendment on a portion of parcel. The Project does not permit construction of new buildings and so does not conflict with Policy CD1-5 as it will not alter existing public views of the San Gabriel Mountains. Since no adverse aesthetic impacts are expected, no mitigation is necessary.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) **Substantially damage scenic resources, including, but not limited to, tress, rock outcroppings and historic buildings within a state scenic highway?**

Discussion of Effects: The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east–west direction. I-15 traverses the northeastern portion of the City in a north–south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. In addition, there are no historic buildings or any scenic resources identified on or in the vicinity of the project site. Therefore, it will not result in adverse environmental impacts.

Mitigation: None required.

c) **Substantially degrade the existing visual character or quality of the site and its surroundings?**

Discussion of Effects: The project would not degrade the existing visual character or quality of the site or its surroundings. The project site is located in an area that is characterized by industrial development and is surrounded by urban land uses. The proposed General Plan Amendment reflects the existing use of the properties or closely correlates to the land use designations of the surrounding area. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) **Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?**

Discussion of Effects: Changing the General Plan land use designation on the property will not introduce new lighting to the surrounding area beyond what was anticipated in the Certified TOP FEIR. Therefore, no new adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

2) **AGRICULTURE AND FOREST RESOURCES.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

Discussion of Effects: The project site is not zoned for agricultural uses. The site is previously developed. The project will not create any new impacts to agricultural uses in the vicinity which were not identified in the Certified TOP FEIR. As a result, no new adverse environmental impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) **Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

Discussion of Effects: The project site is not zoned for agricultural use. The project site zoned is General Industrial and is being proposed as a zone change to be Light Industrial. The proposed project is consistent with the development standards and allowed land uses of the proposed zone. Furthermore, there is no Williamson Act contract in effect on the subject site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with existing or Williamson Act contracts.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) **Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

Discussion of Effects: The project proposes to change the land use designation on a property and would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production because such land use designations do not exist within the City of Ontario. Therefore, no adverse impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) **Result in the loss of forest land or conversion of forest land to non-forest use?**

Discussion of Effects: There is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code section 12220(g). Neither The Ontario Plan nor the City's Zoning Code provide designations for forest land. Consequently, the proposed project would not result in the loss or conversion of forest land.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e) **Involve other changes in the existing environment, which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

Discussion of Effects: The project site is currently zoned General Industrial and is not designated as Farmland. The project site is currently in construction of an industrial building and there are no agricultural uses occurring onsite. As a result, to the extent that the project would result in changes to the existing environment those changes would not result in loss of Farmland to non-agricultural use.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither The Ontario Plan nor the City's Zoning Code provide designations for forest land. Consequently, to the extent that the proposed project would result in changes to the existing environment, those changes would not impact forest land.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

3) **AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) **Conflict with or obstruct implementation of the applicable air quality plan?**

Discussion of Effects: The City is located in a non-attainment region of South Coast Air Basin (SCAB). However, this impact has already been evaluated and mitigated to the extent feasible in TOP FEIR. TOP FEIR has addressed short-term construction impacts, however, and adequate mitigation (Mitigation Measure 3-1) has been adopted by the City that would help reduce emissions and air quality impacts. No new impacts beyond those identified in TOP FEIR would result from Project implementation. Changing the General Plan land use designations on various parcels will not generate significant new or greater air quality impacts than identified in TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) **Violate any air quality standard or contribute substantially to an existing or projected air quality violation?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not generate significant new or greater air quality impacts than identified in TOP FEIR. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce emissions and air quality impacts to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) **Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not generate significant new or greater air quality impacts than identified in TOP FEIR. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce emissions and air quality impacts to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) **Expose sensitive receptors to substantial pollutant concentrations?**

Discussion of Effects: As discussed in Section 5.3 of TOP FEIR, the proposed Project is within a non-attainment region of the SCAB. Essentially this means that any new contribution of emissions into the SCAB would be considered significant and adverse. The proposed General Plan Amendment reflects the existing use of the properties or closely correlates to the land use designations of the surrounding area and will not generate significant new or greater air quality impacts than identified in TOP FEIR. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce air pollutants to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e) **Create objectionable odors affecting a substantial number of people?**

Discussion of Effects: The proposed General Plan Amendment does not authorize construction of any new buildings and any future development will be required to comply with the standards in place at the time of development. The Project will not create significant objectionable odors. Therefore the Project will not introduce new odors beyond those previously analyzed in TOP EIR

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

4) **BIOLOGICAL RESOURCES.** Would the project:

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any 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 Game or U.S. Fish and Wildlife Service?**

Discussion of Effects: The project site is located within an area that has not 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 Game or the U.S. Fish and Wildlife Service. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

Discussion of Effects: The site does not contain any riparian habitat or other sensitive natural community identified by the Department of Fish & Game or Fish & Wildlife Service. Therefore, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) **Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

Discussion of Effects: No wetland habitat is present on site. Therefore, project implementation would have no impact on these resources.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

Discussion of Effects: The proposed General Plan Amendment does not authorize construction of any new buildings. Future development would be subject to TOP FEIR requirements for implementation of regulatory and standard conditions of approval to mitigate for impacts to species and project-specific CEQA review will be undertaken at the appropriate time. Policy ER5-1 encourages efforts to conserve flood control channels and transmission line corridors as wildlife movement corridors. Therefore, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- e) **Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

Discussion of Effects: The City of Ontario does not have any ordinances protecting biological resources. Further, the proposed General Plan Amendment does not authorize any new

construction. Therefore the General Plan Amendment does not conflict with existing plans. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- f) **Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?**

Discussion of Effects: The site is not part of an adopted HCP, NCCP or other approved habitat conservation plan. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- 5) **CULTURAL RESOURCES.** Would the project:

- a) **Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?**

Discussion of Effects: The project contains no buildings constructed more than 50 years ago and cannot be considered for eligibility for listing in the California Register of Historic Resources. In addition, Title 9, Chapter 1, Article 4, Section 9-1.0412 and 9-1.0413, and Article 26 of the City of Ontario Municipal Code protects sensitive historical resources of local interest. No new impacts beyond those identified in TOP FEIR would result from the Project.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?**

Discussion of Effects: The Ontario Plan FEIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. However, only about 10 percent of the City of Ontario has been adequately surveyed for prehistoric or historic archaeology. The site was previously rough graded when the property was subdivided and/or graded for the existing development and no archaeological resources were found. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions will be imposed on future development that in the event of unanticipated archeological discoveries, construction activities will not continue or will moved to other parts of the project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) **Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

Discussion of Effects: The City of Ontario is underlain by deposits of Quaternary and Upper-Pleistocene sediments deposited during the Pliocene and early Pleistocene time, Quaternary Older Alluvial sediments may contain significant, nonrenewable, paleontological resources and are, therefore, considered to have high sensitivity at depths of 10 feet or more below ground surface. In addition, the Ontario Plan FEIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. However, the project proposes excavation depths to be less than 10 feet. While no adverse impacts are anticipated, standard conditions have been imposed on the project

that in the event of unanticipated paleontological resources are identified during excavation, construction activities will not continue or will be moved to other parts of the project site and a qualified paleontologist shall be contacted to determine significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) **Disturb any human remains, including those interred outside of formal cemeteries?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel does not impact whether human remains may be discovered during future development and the proposed project is in an area that has been previously disturbed by development. No known religious or sacred sites exist within the project area. Thus, human remains are not expected to be encountered during any construction activities. However, in the unlikely event that human remains are discovered, existing regulations, including the California Public Resources Code Section 5097.98, would afford protection for human remains discovered during development activities. Furthermore, standard conditions will be imposed on future development that in the event that unanticipated discoveries of human remains are identified during excavation, construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed, if deemed applicable.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e) **Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resources Code Section 21074?**

Discussion of Effects: The proposed project is in an area that has been previously disturbed by development. No known Tribal Cultural Resources exist within the project area.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

6) **GEOLOGY & SOILS**. Would the project:

a) **Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:**

i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Ontario Plan FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. Given that the closest fault zone is located more than ten miles from the project site, fault rupture within the project area is not likely. All future development will comply with the Uniform Building Code seismic design standards to reduce geologic hazard susceptibility. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

ii) **Strong seismic ground shaking?**

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Land Use Plan

(Figure LU-6) of the Policy Plan (General Plan) FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The closest fault zone is located more than ten miles from the project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All future construction will be in compliance with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iii) **Seismic-related ground failure, including liquefaction?**

Discussion of Effects: As identified in the TOP FEIR (Section 5.7), groundwater saturation of sediments is required for earthquake induced liquefaction. In general, groundwater depths shallower than 10 feet to the surface can cause the highest liquefaction susceptibility. Depth to ground water at the project site during the winter months is estimated to be between 250 to 450 feet below ground surface. Therefore, the liquefaction potential within the project area is minimal. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iv) **Landslides?**

Discussion of Effects: The project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the project site (less than 2 percent slope across the City) makes the chance of landslides remote. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code would reduce impacts to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) **Result in substantial soil erosion or the loss of topsoil?**

Discussion of Effects: Changing the General Plan land use designations will not create greater erosion impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) **Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

Discussion of Effects: Changing the General Plan land use designations will not create greater landslide potential impacts than were identified in the Certified TOP FEIR. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- d) **Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?**

Discussion of Effects: The majority of Ontario, including the project site, is located on alluvial soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- e) **Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

Discussion of Effects: The area is served by the local sewer system and the use of alternative systems is not necessary. There will be no impact to the sewage system.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

7) **GREENHOUSE GAS EMISSIONS.** Would the project:

- a) **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

Discussion of Effects: The impact of buildout of The Ontario Plan on the environment due to the emission of greenhouse gases ("GHGs") was analyzed in the Environmental Impact Report ("EIR") for the Policy Plan (General Plan). According to the EIR, this impact would be significant and unavoidable. (Re-circulated Portions of the Ontario Plan Draft Environmental Impact Report, p. 2-118.) This EIR was certified by the City on January 27, 2010, at which time a statement of overriding considerations was also adopted for The Ontario Plan's significant and unavoidable impacts, including that concerning the emission of greenhouse gases.

Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. Pursuant to Public Resources Code Section 21083.3, this impact need not be analyzed further, because (1) the proposed project would result in an impact that was previously analyzed in The Ontario Plan EIR, which was certified by the City; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in The Ontario Plan EIR; (3) the proposed project is consistent with The Ontario Plan.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary. The mitigation measures adopted as part of TOP FEIR adequately addresses any potential significant impacts and there is no need for any additional mitigation measures.

- b) **Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create significantly greater impacts than were identified in the Certified TOP FEIR. The proposed project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, state and federal regulations. In addition, the proposed project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City's contribution of greenhouse gas emissions at build-out by fifteen (15%), because the project is upholding the applicable City's adopted mitigation measures as represented in 6-1 through 6-6. Therefore, the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

8) **HAZARDS & HAZARDOUS MATERIALS.** Would the project:

- a) **Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?**

Discussion of Effects: The proposed changes in land use designation will not approve any new construction and therefore, it is not anticipated to involve the transport, use or disposal of hazardous materials during project implementation. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

Discussion of Effects: The proposed changes in land use designation will not approve any new construction and therefore, it is not anticipated to involve the use or disposal of hazardous materials during project implementation. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?**

Discussion of Effects: The proposed project does not include the use, emissions or handling of hazardous or acutely hazardous materials, substances or waste. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- d) **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project site is not listed on the hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the project would not create a hazard to the public or the environment and no impact is anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- e) **For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The proposed land use designation changes will create consistency with the existing improvements, land use, and density. Exhibit A depicts the specific location of each of the proposed changes. The project site is located within Safety Zones 1 and 2. Parking lots, streets and driveways are acceptable uses within Safety Zone 1 and new structures are prohibited unless FAA approval is received. The proposed site plan shows vehicle parking and drive aisles within Safety Zone 1, consistent with the ONT ALUCP safety policies. New residential land uses are not acceptable within the Safety Zones, however these land uses are considered Existing Non-conforming uses as defined by the ONT ALUCP. The proposed General Plan land use designations will reflect existing land use and density conditions to further prevent potential future intensification of non-conforming uses within the Safety Zones, furthering the goals and policies of the ONT ALUCP by minimizing the public's exposure to safety hazards. Therefore, no significantly different impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- f) **For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- g) **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from every day and disaster emergencies. In addition, the project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because future development would be required to comply with all applicable State and City codes, any impacts would be reduced to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- h) **Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

Discussion of Effects: The project site is not located in or near wildlands. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

9) **HYDROLOGY & WATER QUALITY.** Would the project:

- a) **Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?**

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. The proposed project does not authorize any new development and therefore no adverse impacts are anticipated. Compliance with established Codes and standards for any future development would reduce any impacts to below a level of significance.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. No increases in the current amount of water flow to the project site are anticipated, and the proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property will be negligible. The future development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 230 to 250 feet below the ground surface. No adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increases in erosion of the project site or surrounding areas?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not authorize any new construction. The existing drainage pattern of the project site will not be altered and it will have no significant impact on downstream hydrology. Stormwater generated by the future development of the project site will be discharged in compliance with the statewide NPDES General Construction Activities Stormwater Permit and San Bernardino County MS4 permit requirements. With the full implementation of a Storm Water Pollution Prevention Plan developed in compliance with the General Construction Activities Permit requirements, the Best Management Practices included in the SWPPP, and a stormwater monitoring program would reduce any impacts to below a level of significance. No streams or streambeds are present on the site. No changes in erosion off-site are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- d) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site or potential for**

significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not authorize any new development. The future development of the project site is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- e) **Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff (a&b) during construction and/or post-construction activity?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The General Plan changes will not increase impervious surfaces and will not increase runoff. It is not anticipated that the project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. Pursuant to the requirements of The Ontario Plan, the City's Development Code, and the San Bernardino County MS4 Permit's "Water Quality Management Plan" (WQMP), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. If master drainage facilities are not in place at the time of project development, then standard engineering practices for controlling post-development runoff may be required, which could include the construction of on-site storm water detention and/or retention/infiltration facilities. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- f) **Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The future development of the site will be required to comply with the statewide NPDES General Construction Permit and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)) to minimize water pollution. Thus it is anticipated that there is no potential for discharges of stormwater during construction that will affect the beneficial uses of the receiving waters. However, with the General Construction Permit requirement and implementation of the policies in The Ontario Plan, any impacts associated with the project would be less than significant.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- g) **Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

h) **Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

i) **Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

j) **Expose people or structures to inundation by seiche, tsunami or mudflow?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel on various parcels will not create greater impacts than were identified in the Certified TOP FEIR. There are no lakes or substantial reservoirs near the project site; therefore, impacts from seiche are not anticipated. The City of Ontario has relatively flat topography, less than two percent across the City, and the chance of mudflow is remote. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

10) **LAND USE & PLANNING.** Would the project:

a) **Physically divide an established community?**

Discussion of Effects: The project site is located in an area that is currently developed with urban land uses. Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. No adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) **Conflict with applicable land use plan, policy or regulation of agencies with jurisdiction over the project (including, but not limited to general plan, airport land use compatibility plan, specific plan, or development code) adopted for the purpose of avoiding or mitigation an environmental effect?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) **Conflict with any applicable habitat conservation plan or natural community conservation plan?**

Discussion of Effects: There are no adopted habitat conservation plans in the project area. As such no conflicts or impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- 11) **MINERAL RESOURCES.** Would the project:

- a) **Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. There are no known mineral resources in the area. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- 12) **NOISE.** Would the project result in:

- a) **Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan FEIR (Section 5.12). No additional analysis will be required at the time of site development review.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The uses associated with this proposed project are required to comply with the environmental standards contained in the City of Ontario Development Code and as such, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) **A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- d) **A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not authorize any development and any future development would need to comply with existing noise standards. As such no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- e) **For a project located within the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The proposed land use designation changes will create consistency with the existing improvements, land use, and density. Exhibit A depicts the specific location of each of the proposed changes. The project site is located entirely within the 70-75 dB CNEL Noise Impact Zone of the ONT ALUCP. The proposed uses include warehouse, light manufacturing and ancillary office uses. These uses are consistent with Table 2-3: Noise Criteria of the ONT ALUCP provided that the light manufacturing and office uses are able to meet noise attenuating criteria of 50 dB interior noise levels. The proposed land use designations are compatible with the Noise Impact area. New residential land uses are not acceptable within 65-70 dB CNEL Noise Impact Zone, however these land uses are considered Existing Non-conforming uses as defined by the ONT ALUCP. The proposed General Plan land use designations will reflect existing land use and density conditions to further prevent potential future intensification of non-conforming uses within the Noise Impact Zones furthering the goals and policies of the ONT ALUCP by minimizing the public's exposure to excessive noise levels. Therefore, no significantly different impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- f) **For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

13) **POPULATION & HOUSING.** Would the project:

- a) **Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?**

Discussion of Effects: Changing the General Plan land use designations on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) **Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

Discussion of Effects: The project site has been previously disturbed by development. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) **Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

Discussion of Effects: The project site has been previously disturbed by development. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

14) **PUBLIC SERVICES.** Would the project:

a) **Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

i) **Fire protection?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area currently served by the Ontario Fire Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

ii) **Police protection?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area, currently served by the Ontario Police Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iii) **Schools?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iv) **Parks?**

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

v) **Other public facilities?**

Discussion of Effects: Changing the General Plan land use designations on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

15) **RECREATION**. Would the project:

a) **Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. This project is not proposing any new housing or large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. This project is not proposing any new housing or large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

16) **TRANSPORTATION/TRAFFIC**. Would the project:

a) **Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The project is in an area that is mostly developed with most street improvements existing. Any future development of the

project site will be served by the existing circulation system or any necessary mitigation will be determined by analysis per the City of Ontario guidelines. As described on page 2, the cumulative impact of the proposed general plan amendment will have less impacts than the TOP EIR assumed resulting in less than significant impacts.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Conflict with an applicable congestion management program, including, but not limited to, level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The project is in an area that is mostly developed with most street improvements existing. The project will generate lower total dwelling units, population, non-residential square footage and jobs than the certified TOP EIR assumed, resulting in fewer impacts. The project will not conflict with an applicable congestion management program or negatively impact the level of service standards on adjacent arterials. Less than significant impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) **Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. The project will not create a substantial safety risk or interfere with air traffic patterns at Ontario International Airport as it is outside of areas with FAA-imposed height restrictions. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- d) **Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

Discussion of Effects: The project is in an area that is mostly developed. All street improvements are complete and no alterations are proposed for adjacent intersections or arterials. The project will, therefore, not create a substantial increase in hazards due to a design feature. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- e) **Result in inadequate emergency access?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. Any future development on the project site will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f) **Result in inadequate parking capacity?**

Discussion of Effects: The future development of the project site will be required to meet parking standards established by the Ontario Development Code and will therefore not create an inadequate parking capacity. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

g) **Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?**

Discussion of Effects: The project does not conflict with any transportation policies, plans or programs. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

17) **UTILITIES AND SERVICE SYSTEMS.** Would the project:

a) **Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel does not significantly alter wastewater treatment needs of Ontario and will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) **Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

Discussion of Effects: Changing the General Plan land use designation will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) **Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

Discussion of Effects: The future development of the project site will be served by the City of Ontario. The project will be required to meet the requirements of the Ontario Engineering Department regarding storm drain facilities. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) **Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- e) **Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel does not authorize any construction and will not create greater impacts than were identified in the Certified TOP FEIR. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- f) **Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- g) **Comply with federal, state, and local statutes and regulations related to solid waste?**

Discussion of Effects: Changing the General Plan land use designation on a portion of a parcel will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

18) MANDATORY FINDINGS OF SIGNIFICANCE

Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion of Effects: The proposed project does not have the potential to reduce wildlife habitat and threaten a wildlife species. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- a) **Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?**

Discussion of Effects: The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)**

Discussion of Effects: The project does not have impacts that are cumulatively considerable.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) **Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?**

Discussion of Effects: The project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

EARLIER ANALYZES

(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D)):

- 1) Earlier analyzes used. Identify earlier analyzes used and state where they are available for review.
 - a) The Ontario Plan Final EIR
 - b) The Ontario Plan
 - c) City of Ontario Zoning

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

- 2) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards.

Comments III.A and C were addressed in The Ontario Plan FEIR and considered a significant adverse effect that could not be mitigated. A statement of overriding considerations was adopted for The Ontario Plan FEIR.

MITIGATION MEASURES

The Mitigation Measures contained in the Certified TOP Environmental Impact Report adequately mitigate the impacts of the proposed project. These mitigation measures are contained in the Mitigation Monitoring Program.

ATTACHMENT A: Proposed General Plan Amendment

TOP Legend:

	Rural Residential		Mixed Use		Business Park		Open Space - Water
	Low Density Residential		Neighborhood Commercial		Industrial		Open Space - Non Recreation
	Low-Medium Density Residential		General Commercial		Airport		Public Facility
	Medium Density Residential		Office Commercial		Land Fill		Public School
	High Density Residential		Hospitality		Open Space - Recreation		Rail

EXISTING TOP	PARCELS	PROPOSED TOP
	<p>1049-382-05 1049-172-01 Existing Right of Way</p> <p><i>(2 Properties – to be combined into 1 Parcel)</i></p>	
Business Park, Industrial and ROW		Business Park

ZONING Legend:

	AR-2, Residential-Agricultural		PUD, Planned Unit Development		BP, Business Park		OS-R, Open Space - Recreation
	RE-2, Rural Estate		MU, Mixed Use 1 – Downtown, 2-East Hot, 11-Francis&Euclid		IP, Industrial Park		OS-C, Open Space-Cemetery
	RE-4, Residential Estate		CS, Corner Store		IL, Light Industrial		UC, Utilities Corridor
	LDR-5, Low Density Residential		CN, Neighborhood Commercial		IG, General Industrial		SP, Specific Plan
	MDR-11, Low-Medium Density Residential		CC, Community Commercial		IH, Heavy Industrial		SP(AG), Specific Plan with Agricultural Overlay
	MDR-18, Medium Density Residential		CCS, Convention Center Support		ONT, Ontario Int'l Airport		ES, Emergency Shelter Overlay
	MDR-25, Medium-High Density Residential		OL, Low Intensity Office		CIV, Civic		MTC, Multimodal Transit Center Overlay
	HDR-45, High Density Residential		OH, High Intensity Office		RC, Rail Corridor		ICC, Interim Community Commercial Overlay
	MHP, Mobile Home Park						

EXISTING ZONING	PARCELS	PROPOSED ZONING
	<p>1049-382-05 1049-172-01 Existing Right of Way</p> <p><i>(2 Properties – to be combined into 1 Parcel)</i></p>	
BP, Business Park, IL, Light Industrial and ROW		IL, Light Industrial and ROW

ATTACHMENT B: Future Buildout (Exhibit LU-03) Revision



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	483	2.0 du/ac	965	3,858		
Low Density ⁶	7,294	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,739	122,865		
Low-Medium ⁶ Density	966	8.5 du/ac	8,210	32,814		
Medium Density	1,894	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,143	133,572		
High Density	234	35.0 du/ac	8,178	27,373		
Subtotal	10,870		86,236	320,482		
Mixed Use						
• Downtown	112	<ul style="list-style-type: none"> 60% of the area at 35 du/ac 40% of the area at 0.80 FAR for office and retail 	2,352	4,704	1,561,330	2,793
• East Holt Boulevard	57	<ul style="list-style-type: none"> 25% of the area at 30 du/ac 50% of the area at 1.0 FAR office 25% of area at 0.80 FAR retail 	428	856	1,740,483	3,913
• Meredith	93	<ul style="list-style-type: none"> 23% of the area at 37.4 du/ac 72% at 0.35 FAR for office and retail uses 5% at 0.75 FAR for Lodging 	800	1,600	1,172,788	1,462
• Transit Center	76	<ul style="list-style-type: none"> 10% of the area at 60 du/ac 90% of the area at 1.0 FAR office and retail 	457	913	2,983,424	5,337
• Inland Empire Corridor	37	<ul style="list-style-type: none"> 50% of the area at 20 du/ac 30% of area at 0.50 FAR office 20% of area at 0.35 FAR retail 	368	736	352,662	768
• Guasti	77	<ul style="list-style-type: none"> 20% of the area at 30 du/ac 30% of area at 1.0 FAR retail 50% of area at .70 FAR office 	500	1,001	2,192,636	4,103
• Ontario Center	345	<ul style="list-style-type: none"> 30% of area at 40 du/ac 50% of area at 1.0 FAR office 20% of area at 0.5 FAR retail 	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	<ul style="list-style-type: none"> 5% of area at 40 du/ac 20% of area at 0.75 FAR office 75% of area at 0.5 FAR retail 	479	958	5,477,126	7,285
• NMC West/South	315	<ul style="list-style-type: none"> 30% of area at 35 du/ac 70% of area at 0.7 FAR office and retail 	3,311	6,621	6,729,889	17,188
• NMC East	264	<ul style="list-style-type: none"> 30% of area at 25 du/ac 30% of area at 0.35 FAR for office 40% of area at 0.3 FAR for retail uses 	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	<ul style="list-style-type: none"> 50% of the area at 30 du/ac 50% of area at 0.8 FAR retail 	156	312	181,210	419
• SR-60/ Hamner Tuscana Village	41	<ul style="list-style-type: none"> 18% of the area at 25 du/ac 57% of the area at 0.25 FAR retail 25% of the area at 1.5 FAR office 	185	369	924,234	2,098
Subtotal	1,667		15,116	30,232	34,914,612	72,368



LU-03 Future Buildout¹ (Cont.)

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood ⁶ Commercial	280	0.30 FAR			3,658,256	8,852
General Commercial	601	0.30 FAR			7,850,209	7,293
Office/Commercial	512	0.75 FAR			16,728,347	37,097
Hospitality	145	1.00 FAR			6,312,715	7,237
Subtotal	1,538				34,549,527	60,479
Employment						
Business Park	1,550	0.40 FAR			27,000,753 27,014,692	47,372 47,397
Industrial	6,253 6,252	0.55 FAR			149,799,312 149,789,728	131,617 131,608
Subtotal	7,802 7,803				176,800,065 176,804,421	178,989 179,005
Other						
Open Space-Non-Recreation	1,230	Not applicable				
Open Space-Parkland ⁶	950	Not applicable				
Open Space-Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,875 4,874	Not applicable				
Subtotal	9,907					
Total	31,784		101,352	350,715	246,264,204 246,268,560	311,836 311,852

Notes

- Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
- Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
- Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
- Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
- To view the factors used to generate the number of employees by land use category, access the Methodology report.
- Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO RECOMMENDING CITY COUNCIL APPROVAL OF AN ADDENDUM TO THE ONTARIO PLAN (TOP) CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH # 2008101140), FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NOS. PGPA16-001 AND PZC16-003

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of Ontario prepared an Initial Study and approved, for attachment to the certified Environmental Impact Report, an addendum to The Ontario Plan (TOP) certified Environmental Impact Report (SCH # 2008101140) for File No. PGPA16-005 (hereinafter referred to as "Initial Study/Environmental Impact Report Addendum"), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as "CEQA"); and

WHEREAS, File Nos. PGPA16-005 and PZC16-003 analyzed under the Initial Study/Environmental Impact Report Addendum, consists of an Amendment to the Policy Plan (General Plan) component of The Ontario Plan to: [1] modify the Land Use Plan (Exhibit LU-01), changing the land use designation on a portion of a lot totaling 2.8 acres, from Industrial to Business Park, generally located at the northwest corner of Grove Avenue and Mission Boulevard, at 1192 East California Street; and [2] modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and a Zone Change on a portion of the project site, from IG (General Industrial) to IL (Light Industrial), to bring property zoning into consistency with the Policy Plan changes (hereinafter referred to as the "Project"); and

WHEREAS, the Initial Study/Environmental Impact Report Addendum concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, The Ontario Plan Environmental Impact Report was certified on January 27, 2010, in which development and use of the Project site was discussed; and

WHEREAS, pursuant to California Environmental Quality Act ("CEQA") Guidelines Section 15164(a), a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary to a project, but the preparation of a subsequent or supplemental EIR is not required; and

WHEREAS, the City determined that none of the conditions requiring preparation of a subsequent or supplemental EIR would occur from the Project, and that preparation of an addendum to the EIR was appropriate; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the Planning Commission is the approving authority for the proposed approval to construct and otherwise undertake the Project; and

WHEREAS, the Planning Commission has reviewed and considered the Initial Study/Environmental Impact Report Addendum for the Project, has concluded that none of the conditions requiring preparation of a subsequent of supplemental EIR have occurred, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the Initial Study/Environmental Impact Report Addendum for the Project are on file in the Planning Department, located at 303 East B Street, Ontario, CA 91764, are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein; 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 environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report, certified by the City of Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001.

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

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts.

(4) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the DAB; and

(5) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

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

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

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

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

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

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

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

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

SECTION 3: *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 and 2, above, the Planning Commission hereby recommends the City Council finds that based upon the entire record of proceedings before it, and all information received, that there is no substantial evidence that the Project will constitute substantial changes to the Certified EIR, and does hereby APPROVE the Addendum to the Certified EIR, attached hereto as "Attachment A," and incorporated herein by this reference.

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.

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 23rd day of January 2018, 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, AICP
Assistant Development 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. PC18-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on January 23, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**Addendum to The Ontario Plan
Environmental Impact Report**

(Addendum to follow this page)

RESOLUTION NO. [INSERT #]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PGPA16-005, AN AMENDMENT TO THE POLICY PLAN (GENERAL PLAN) COMPONENT OF THE ONTARIO PLAN TO [1] MODIFY THE LAND USE PLAN (EXHIBIT LU-01), CHANGING THE LAND USE DESIGNATION ON A PORTION OF A LOT TOTALING 2.8 ACRES, FROM INDUSTRIAL TO BUSINESS PARK, GENERALLY LOCATED AT THE NORTHWEST CORNER OF GROVE AVENUE AND MISSION BOULEVARD, AT 1192 EAST CALIFORNIA STREET; AND [2] MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1049-382-05 AND 1049-172-01). (SEE ATTACHMENTS A AND B) (PART OF CYCLE 1 FOR THE 2018 CALENDAR YEAR).

WHEREAS, City of Ontario ("Applicant") has filed an Application for the approval of a General Plan Amendment, File No. PGPA16-005, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City of Ontario adopted the Policy Plan (General Plan) component of The Ontario Plan in January 2010. Since the adoption of The Ontario Plan, the City has evaluated Exhibits LU-01 (Land Use Plan) and LU-03 (Future Buildout) further, and is proposing certain modifications thereto; and

WHEREAS, the Application applies to a portion of a property totaling 2.8 acres of land generally located at the northwest corner of Grove Avenue and Mission Boulevard, at 1192 East California Street; and

WHEREAS, on March 18, 2016, the property owner for 1192 East California Street submitted a Tentative Parcel Map (File No. PMTT16-007/PM 19721) to merge 2.8 acres of land into a single parcel and a Development Plan (File No. PDEV16-009) to construct a 52,445-square foot industrial building. The ultimate use of the project site requires that the Land Use Plan (Exhibit LU-01) designation for a portion of the property be changed from Industrial (IND) to Business Park (BP), to be consistent with the Vision of The Ontario Plan. In addition, the General Plan Amendment will modify the Future Buildout Table (Exhibit LU-03) to be consistent with the proposed Land Use Plan changes; and

WHEREAS, the proposed changes to Exhibit LU-01 (Land Use Plan) include changes to land use designations of certain properties, as shown in Attachment A (Proposed General Plan Amendment), to make the Land Use Plan designations of the affected property consistent with adjacent properties; and

WHEREAS, Policy Plan Exhibit LU-03 (Future Buildout) specifies the expected buildout for the City of Ontario, incorporating the adopted land use designations. The proposed changes to Exhibit LU-01 (Land Use Plan) will require that Exhibit LU-03 (Future Buildout) is modified to be consistent with Exhibit LU-01 (Land Use Plan), as depicted in Attachment B (Future Buildout (Exhibit LU-03) Revision); 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 Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, as the first action on the Project, on January 23, 2018, the Planning Commission recommended approval of a Resolution recommending City Council adopt an Addendum to the Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 for File No. PGPA06-001. The Addendum finds that the proposed project introduces no new significant environmental impacts, and all previously adopted mitigation measures are incorporated into the Project by reference; and

WHEREAS, on January 23, 2018 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 environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report — State Clearinghouse

No. 2008101140 ("Certified EIR"), which was certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001.

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

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts.

(4) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference.

(5) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and

(6) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

SECTION 2: Additional Environmental Review Not Required. Based on the Addendum, all related 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 environmental impact report is not required for the Project, as the Project:

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

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

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

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

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

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

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

SECTION 3: *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 Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) The proposed General Plan Amendment is consistent with the goals and policies of The Ontario Plan as follows:

LU2-1 Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

Compliance: The proposed General Plan Amendment closely coordinates with land use designations in the surrounding area which will not increase adverse impacts on adjacent properties.

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.

Compliance: The proposed land use designation will provide consistency between the portion of the property from Industrial to Business Park while maintaining a logical land use pattern in and around the affected areas.

LU5-7 ALUCP Consistency with Land Use Regulations. We comply with state law that required general plans, specific plans and all new development by consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

Compliance: The proposed project is located within the Safety, Noise, Airspace Protection and Overflight Zones of the ALUCP. A consistency determination was completed and the proposed project is consistent with the policies and criteria of the ALUCP, subject to conditions.

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.

Compliance: The project site is located entirely within the 70-75 dB CNEL Noise Impact Zone of the ALUCP. The proposed uses include warehouse, light manufacturing and ancillary office uses. These uses are consistent with ALUCP Table 2-3 (Noise Criteria); provided, the light manufacturing and office uses are able to meet noise attenuating criteria of 50 dB interior noise levels. The proposed land use designations are compatible with the Noise Impact area.

(2) The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

(3) The Land Use Element is a mandatory element allowed four general plan amendments per calendar year and this general plan amendment is the first amendment to the Land Use Element of the 2018 calendar year consistent with Government Code Section 65358;

(4) 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. Changing the land use designation of the subject property from Industrial to Business Park will not impact the City's Regional Housing Needs Allocation obligations or the City's ability to satisfy its share of the region's future housing need.

(5) During the amendment of the general plan, 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 Government Code Section 65351.

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 General Plan Amendment as summarized in Attachment A (Policy Plan Land Use Plan (Exhibit LU-01) Revision) and Attachment B (Future Buildout (Exhibit LU-03) Revision) of this Resolution.

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 23rd day of January 2018, 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, AICP
Assistant Development 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. PC18-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on January 23, 2018, by the following roll call vote, to wit:

AYES:

NOES:





















ABSENT:

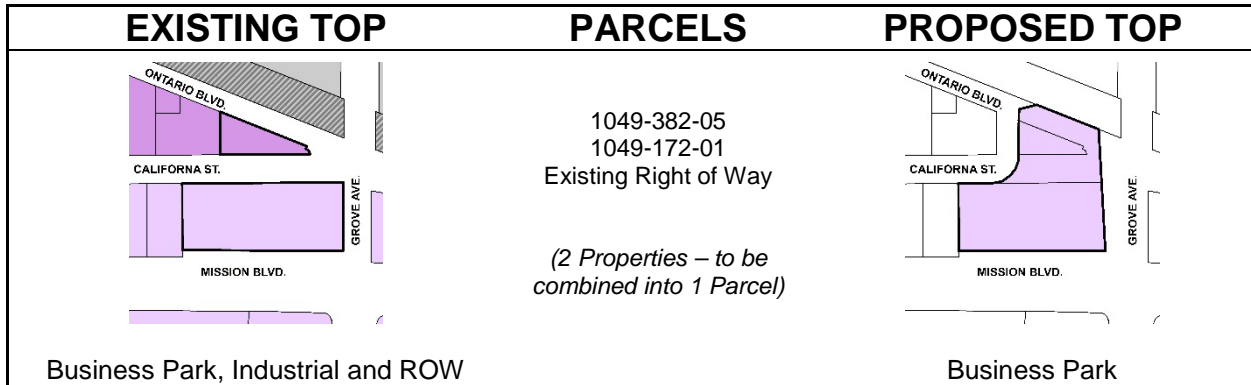
ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A: Policy Plan Land Use Plan (Exhibit LU-01) Revision

TOP Legend:

 Rural Residential	 Mixed Use	 Business Park	 Open Space - Water
 Low Density Residential	 Neighborhood Commercial	 Industrial	 Open Space – Non Recreation
 Low-Medium Density Residential	 General Commercial	 Airport	 Public Facility
 Medium Density Residential	 Office Commercial	 Land Fill	 Public School
 High Density Residential	 Hospitality	 Open Space - Recreation	 Rail



ATTACHMENT B: Future Buildout (Exhibit LU-03) Revision



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	483	2.0 du/ac	965	3,858		
Low Density ⁶	7,294	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,739	122,865		
Low-Medium ⁶ Density	966	8.5 du/ac	8,210	32,814		
Medium Density	1,894	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,143	133,572		
High Density	234	35.0 du/ac	8,178	27,373		
Subtotal	10,870		86,236	320,482		
Mixed Use						
• Downtown	112	<ul style="list-style-type: none"> 60% of the area at 35 du/ac 40% of the area at 0.80 FAR for office and retail 	2,352	4,704	1,561,330	2,793
• East Holt Boulevard	57	<ul style="list-style-type: none"> 25% of the area at 30 du/ac 50% of the area at 1.0 FAR office 25% of area at 0.80 FAR retail 	428	856	1,740,483	3,913
• Meredith	93	<ul style="list-style-type: none"> 23% of the area at 37.4 du/ac 72% at 0.35 FAR for office and retail uses 5% at 0.75 FAR for Lodging 	800	1,600	1,172,788	1,462
• Transit Center	76	<ul style="list-style-type: none"> 10% of the area at 60 du/ac 90% of the area at 1.0 FAR office and retail 	457	913	2,983,424	5,337
• Inland Empire Corridor	37	<ul style="list-style-type: none"> 50% of the area at 20 du/ac 30% of area at 0.50 FAR office 20% of area at 0.35 FAR retail 	368	736	352,662	768
• Guasti	77	<ul style="list-style-type: none"> 20% of the area at 30 du/ac 30% of area at 1.0 FAR retail 50% of area at .70 FAR office 	500	1,001	2,192,636	4,103
• Ontario Center	345	<ul style="list-style-type: none"> 30% of area at 40 du/ac 50% of area at 1.0 FAR office 20% of area at 0.5 FAR retail 	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	<ul style="list-style-type: none"> 5% of area at 40 du/ac 20% of area at 0.75 FAR office 75% of area at 0.5 FAR retail 	479	958	5,477,126	7,285
• NMC West/South	315	<ul style="list-style-type: none"> 30% of area at 35 du/ac 70% of area at 0.7 FAR office and retail 	3,311	6,621	6,729,889	17,188
• NMC East	264	<ul style="list-style-type: none"> 30% of area at 25 du/ac 30% of area at 0.35 FAR for office 40% of area at 0.3 FAR for retail uses 	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	<ul style="list-style-type: none"> 50% of the area at 30 du/ac 50% of area at 0.8 FAR retail 	156	312	181,210	419
• SR-60/ Hamner Tuscana Village	41	<ul style="list-style-type: none"> 18% of the area at 25 du/ac 57% of the area at 0.25 FAR retail 25% of the area at 1.5 FAR office 	185	369	924,234	2,098
Subtotal	1,667		15,116	30,232	34,914,612	72,368



LU-03 Future Buildout¹ (Cont.)

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood ⁶ Commercial	280	0.30 FAR			3,658,256	8,852
General Commercial	601	0.30 FAR			7,850,209	7,293
Office/Commercial	512	0.75 FAR			16,728,347	37,097
Hospitality	145	1.00 FAR			6,312,715	7,237
Subtotal	1,538				34,549,527	60,479
Employment						
Business Park	1,550	0.40 FAR			27,000,753 27,014,692	47,372 47,397
Industrial	6,253 6,252	0.55 FAR			149,799,312 149,789,728	131,617 131,608
Subtotal	7,802 7,803				176,800,065 176,804,421	170,989 179,005
Other						
Open Space-Non-Recreation	1,230	Not applicable				
Open Space-Parkland ⁶	950	Not applicable				
Open Space-Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,875 4,874	Not applicable				
Subtotal	9,907					
Total	31,784		101,352	350,715	246,264,204 246,268,560	311,836 311,852

Notes

- Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
- Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
- Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
- Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
- To view the factors used to generate the number of employees by land use category, access the Methodology report.
- Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

RESOLUTION NO. [INSERT #]

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PZC16-003, A ZONE CHANGE ON A PORTION OF A LOT TOTALING 2.8 ACRES OF LAND, FROM IG (GENERAL INDUSTRIAL) TO IL (LIGHT INDUSTRIAL) TO BRING PROPERTY ZONING INTO CONSISTENCY WITH THE POLICY PLAN (GENERAL PLAN) LAND USE PLAN (EXHIBIT LU-01), ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF GROVE AVENUE AND MISSION BOULEVARD, AT 1192 EAST CALIFORNIA STREET, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1049-382-05 AND 1049-172-01. (SEE ATTACHMENT A) (PART OF CYCLE 1 FOR THE 2018 CALENDAR YEAR).

WHEREAS, City of Ontario ("Applicant") has filed an Application for the approval of a General Plan Amendment, File No. PZC16-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to a portion of a property totaling 2.8 acres of land generally located at the northwest corner of Grove Avenue and Mission Boulevard, at 1192 East California Street; and

WHEREAS, the Project was filed in conjunction with a Tentative Parcel Map (File No. PMTT16-007/PM 19721) to merge 2.8 acres of land into a single parcel and a Development Plan (File No. PDEV16-009) to construct a 52,445-square foot industrial building. The Development Plan required that the Policy Plan (General Plan) land use designation for a portion of the property be changed from Industrial (IND) to Business Park (BP), consistent with the Vision of The Ontario Plan (TOP). The proposed General Plan Amendment is designed to support the zone change being processed concurrently, from IG (General Industrial) to IL (Light Industrial), to bring property zoning into consistency with the Policy Plan (general plan) component of TOP, as shown on Exhibit A, attached; 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 Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, as the first action on the Project, on January 23, 2018, the Planning Commission recommended approval of a Resolution recommending City Council adopt an Addendum to the Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 for File No. PGPA06-001. The Addendum finds that the proposed project introduces no new significant environmental impacts, and all previously adopted mitigation measures are incorporated into the Project by reference; and

WHEREAS, on January 23, 2018 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 environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report — State Clearinghouse No. 2008101140 ("Certified EIR"), which was certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001.

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

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts.

(4) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference.

(5) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and

(6) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

SECTION 2: *Additional Environmental Review Not Required.* Based on the Addendum, all related 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 environmental impact report is not required for the Project, as the Project:

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

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

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

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

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

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

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

SECTION 3: *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 Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) The proposed General Plan Amendment is consistent with the goals and policies of The Ontario Plan as follows:

LU2-1 Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

Compliance: The proposed General Plan Amendment closely coordinates with land use designations in the surrounding area which will not increase adverse impacts on adjacent properties.

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.

Compliance: The proposed land use designation will provide consistency between the portion of the property from Industrial to Business Park while maintaining a logical land use pattern in and around the affected areas.

LU5-7 ALUCP Consistency with Land Use Regulations. We comply with state law that required general plans, specific plans and all new development by

consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

Compliance: The proposed project is located within the Safety, Noise, Airspace Protection and Overflight Zones of the ALUCP. A consistency determination was completed and the proposed project is consistent with the policies and criteria of the ALUCP, subject to conditions.

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.

Compliance: The project site is located entirely within the 70-75 dB CNEL Noise Impact Zone of the ALUCP. The proposed uses include warehouse, light manufacturing and ancillary office uses. These uses are consistent with ALUCP Table 2-3 (Noise Criteria); provided, the light manufacturing and office uses are able to meet noise attenuating criteria of 50 dB interior noise levels. The proposed land use designations are compatible with the Noise Impact area.

(2) The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

(3) The Land Use Element is a mandatory element allowed four general plan amendments per calendar year and this general plan amendment is the first amendment to the Land Use Element of the 2018 calendar year consistent with Government Code Section 65358;

(4) 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. Changing the land use designation of the subject property from Industrial to Business Park will not impact the City's Regional Housing Needs Allocation obligations or the City's ability to satisfy its share of the region's future housing need.

(5) During the amendment of the general plan, 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 Government Code Section 65351.

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 Zone Change summarized in Attachment A of this Resolution.

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 23rd day of January 2018, 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, AICP
Assistant Development 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. PC18-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on January 23, 2018, by the following roll call vote, to wit:

AYES:

NOES:


































ABSENT:

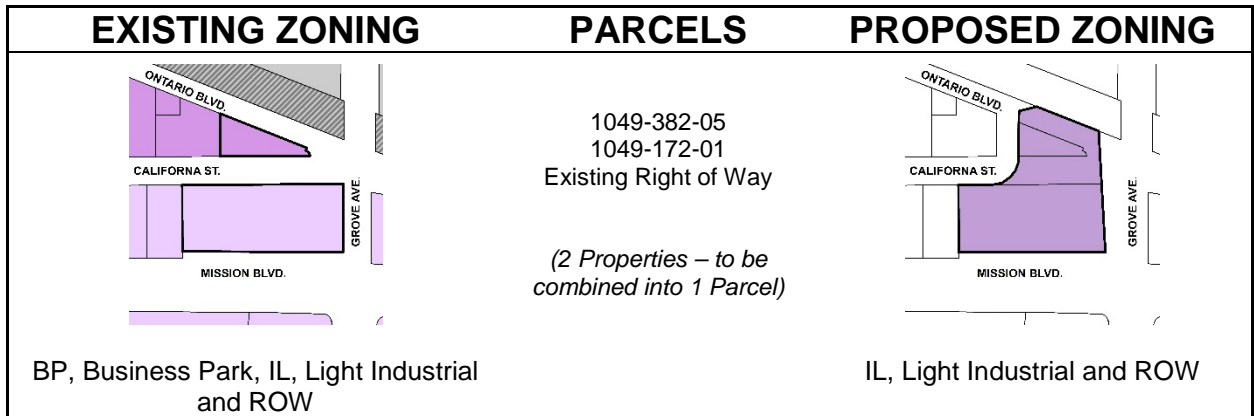
ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A: Proposed Zone Change

ZONING Legend:

	AR-2, Residential-Agricultural		PUD, Planned Unit Development		BP, Business Park		OS-R, Open Space - Recreation
	RE-2, Rural Estate		MU, Mixed Use 1 - Downtown, 2-East Holt, 11-Francis&Euclid		IP, Industrial Park		OS-C, Open Space-Cemetery
	RE-4, Residential Estate		CS, Corner Store		IL, Light Industrial		UC, Utilities Corridor
	LDR-5, Low Density Residential		CN, Neighborhood Commercial		IG, General Industrial		SP, Specific Plan
	MDR-11, Low-Medium Density Residential		CC, Community Commercial		IH, Heavy Industrial		SP(AG), Specific Plan with Agricultural Overlay
	MDR-18, Medium Density Residential		CCS, Convention Center Support		ONT, Ontario Int'l Airport		ES, Emergency Shelter Overlay
	MDR-25, Medium-High Density Residential		OL, Low Intensity Office		CIV, Civic		MTC, Multimodal Transit Center Overlay
	HDR-45, High Density Residential		OH, High Intensity Office		RC, Rail Corridor		ICC, Interim Community Commercial Overlay
	MHP, Mobile Home Park						





PLANNING COMMISSION STAFF REPORT

January 23, 2018

SUBJECT: File No. PGPA17-001 A City initiated request to:

- 1) Modify the Land Use Element of The Ontario Plan (General Plan) to change the land use designations shown on the Land Use Plan Map (Exhibit LU-1) for approximately 450 properties, generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, and additional areas located throughout the City; and
- 2) Modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes.

Related File No.: PZC17-001

This project is City initiated. City Council action is required.

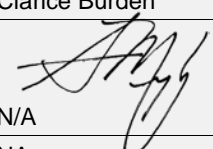
PROPERTY OWNERS: Various

RECOMMENDED ACTION: That the Planning Commission recommend City Council approval of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010, and approval of File No. PGPA17-001, pursuant to the facts and reasons contained in the staff report and attached resolutions.

PROJECT ANALYSIS:

[1] Background — In 2010, The Ontario Plan (“TOP”) was adopted which contains the Policy Plan (General Plan) component that sets forth the land use pattern for the City to achieve its Vision. After adoption of TOP, staff embarked on a two pronged effort to ensure that the zoning and TOP land use designations are consistent for all properties in the City and to update the Development Code. Staff worked to establish zones that will effectively implement the intent of TOP. The Development Code update has been adopted and went into effect January 1, 2016. This application is part of this TOP-Zoning Consistency effort.

The proposed General Plan Amendment (**File No.: PGPA17-001**) is designed to support the zone changes being processed concurrently (**File No.: PZC17-001**). During the review of the approximate 800 sites needing zone changes, staff found that the land use designations of the subject parcels should be changed to be more in keeping with the

Case Planner:	Clarice Burden	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	NA	NA	NA
Submittal Date:	N/A	ZA	NA	NA	NA
Hearing Deadline:	NA	PC	1/23/18		Recommend
		CC			Final

existing development of the sites, while retaining the overall City Vision for the areas as shown in Exhibit A of the attached resolution.

The proposed General Plan Amendment will result in the changes to the land use map (Exhibit LU-01) for approximately 450 properties shown in Exhibit A and to the Future Buildout Table (LU-03) shown in Exhibit B of the attached resolution.

[2] Community Open Houses – Community Open Houses were held on November 13, and November 14, 2017, for this General Plan Amendment (**File No.: PGPA17-001**) and the associated zone change application (**File No. PZC17-001**). Subject property owners and property owners within 300 feet were notified of the meeting. About 90 people attended. One property owner provided a written response that was not in support of the General Plan Amendment. The owner's property is located in the residential area north of the I-10 Freeway which had proposed zoning of MDR-18, Medium Density Residential and current density of about 25 du/ac. He would like to have HDR-45, High Density Residential zoning like some of the surrounding area – Staff response: Upon re-analyzing the area, staff is recommending HDR-45, High Density Residential zoning for Group F34 (see Exhibit A attached to the resolution) which contains this owner's property. No other comments were received regarding the proposed General Plan Amendment.

Staff is recommending approval of the proposed General Plan Amendment affecting the properties shown in Exhibit A in the accompanying resolution. The approximate 450 properties with proposed General Plan changes are generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, with additional areas located throughout the City. If approved, the Future Buildout table will also be amended to reflect the changes as shown in Exhibit B (attached to resolution).

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 Priorities

Supporting Goals: Operate in a Businesslike Manner
Invest in the Growth and Evolution of the City's Economy

[2] Policy Plan (General Plan)

Land Use Element — Balance, Compatibility, Flexibility, Phased Growth & Airport Planning

- 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 stage of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario.

Compliance: The proposed General Plan Amendment reflects the existing uses of the properties or closely coordinates with land use designations in the surrounding area which provides opportunities for choice in living and working environments.

- Goal LU2: Compatibility between a wide range of uses

- LU2-1: Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

Compliance: The proposed General Plan Amendment reflects the existing uses of the properties or closely coordinates with land use designations in the surrounding area which will not increase adverse impacts on adjacent properties.

- Goal LU5: Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.

- LU5-7: ALUCP Consistency with Land Use Regulations. We comply with state law that required general plans, specific plans and all new development by consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

Compliance: The proposed General Plan Amendment is consistent with the adopted Airport Land Use Compatibility Plan for both Ontario Airport and Chino Airport.

Safety Element — Noise Hazards

- Goal S4: An environment where noise does not adversely affect the public's health, safety, and welfare.

➤ 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.

Compliance: The subject properties are located within the 60 to 65 CNEL or the 65 to 70 CNEL Noise Impact areas. The proposed land use designations are compatible with the Noise Impact area or are existing uses.

COMPLIANCE WITH THE AIRPORT LAND USE COMPATIBILITY PLAN: The project site is located within the Airport Influence Area of LA/Ontario International Airport and has been found to be consistent with the policies and criteria set forth within the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP).

ENVIRONMENTAL REVIEW: The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts. The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010, in conjunction with File No. PGPA06-001. The Addendum was prepared pursuant to CEQA, the State CEQA Guidelines and The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" which provides for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts not previously analyzed in the Environmental Impact Report. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The environmental documentation for this project is available for review at the Planning Department public counter.

PGPA17-001 and PZC17-001
Correspondence



10 November 2017

To:
Planning Department
Ontario City Hall
303 East "B" Street
Ontario, CA 91764

From: East La Deney Court Land Trust

Regarding: Notice 5 – OH

The proposed land use designation makes little sense.

The area designated as F-34 is being downgraded from MDR-25 to MDR-18. Currently, the majority of the properties use the land as 4 units per lot. These lots are being downgraded to about 3 units per lot.

Yet, the surrounding areas designated F-5, F-27, F-30, F-32 are being upgraded to HDR-45. Currently, these areas are largely a mix of single family homes, duplexes, triplexes, and a few 4-plexes averaging 2 to 3 units per lot. The proposed land use change is to cram far more people onto that space at the expense of the F-34 area.

This change will cause numerous problems in the F-34 area because 1) re-building any of the units may be limited and 2) the high density nearby may cause severe parking and traffic problems on La Deney Ct in particular if an entrance to the High Density is allowed in the area designated F-5.

Staff response: Staff conducted further review of this area and is recommending that the General Plan land use designation for Group F34 remain High Density Residential and that the zoning be changed to HDR-45, High Density Residential as indicated in the staff reports and resolutions for PGPA17-001 and PZC17-001

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO RECOMMENDING CITY COUNCIL APPROVAL OF AN ADDENDUM TO THE ONTARIO PLAN (TOP) CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH # 2008101140), FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NO. PGPA17-001

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of Ontario prepared an Initial Study, and approved for attachment to the certified Environmental Impact Report, an addendum to The Ontario Plan (TOP) certified Environmental Impact Report (SCH # 2008101140) for File No. PGPA17-001 (hereinafter referred to as "Initial Study/Environmental Impact Report Addendum"), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as "CEQA"); and

WHEREAS, File No. PGPA17-001 analyzed under the Initial Study/Environmental Impact Report Addendum, consists of a General Plan Amendment to change the land use designations of various properties generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, and additional areas located throughout the City, and modify the Future Buildout Table to be consistent with the land use designation changes (amending Exhibits LU-01 and LU-03) in the City of Ontario, California (hereinafter referred to as the "Project"); and

WHEREAS, the Initial Study/Environmental Impact Report Addendum concluded that implementation of the Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in The Ontario Plan (TOP) certified Environmental Impact Report (SCH # 2008101140). No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures; and

WHEREAS, The Ontario Plan (TOP) Environmental Impact Report was certified on January 27, 2010, in conjunction with File No. PGPA06-001; and

WHEREAS, pursuant to California Environmental Quality Act ("CEQA") Guidelines Section 15164(a), a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary to a project, but the preparation of a subsequent or supplemental EIR is not required; and

WHEREAS, the City determined that none of the conditions requiring preparation of a subsequent or supplemental EIR would occur from the Project, and that preparation of an addendum to the EIR was appropriate; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the Planning Commission is the approving authority for the proposed approval to construct and otherwise undertake the Project; and

WHEREAS, the Planning Commission has reviewed and considered the Initial Study/Environmental Impact Report Addendum for the Project, has concluded that none of the conditions requiring preparation of a subsequent of supplemental EIR have occurred, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the Initial Study/Environmental Impact Report Addendum for the Project are on file in the Planning Department, located at 303 East B Street, Ontario, CA 91764, are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein; 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 environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan (TOP) Environmental Impact Report — State Clearinghouse No. 2008101140, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (hereinafter referred to as “Certified EIR”).

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

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts.

(4) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference.

(5) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and

(6) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

SECTION 2: Additional Environmental Review Not Required. Based on the Addendum, all related information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission recommends that City Council find that the preparation of a subsequent or supplemental Environmental Impact Report is not required for the Project, as the Project:

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

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

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

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

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

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

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

SECTION 3: *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby recommends the City Council find that based upon the entire record of proceedings before it, and all information received, that there is no substantial evidence that the Project will constitute substantial changes to the Certified EIR, and does hereby approve the Addendum to the Certified EIR, attached hereto as "Attachment A," and incorporated herein by this reference.

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.

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 23rd day of January, 2018, 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, AICP
Assistant Development 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. PC18-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on January 23, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**Addendum to The Ontario Plan (TOP)
Environmental Impact Report**

(Addendum to follow this page)

CITY OF ONTARIO

ADDENDUM TO THE CERTIFIED ENVIRONMENTAL IMPACT REPORT FOR THE ONTARIO PLAN RE: FILE NO. PGPA17-001: A GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATIONS ON APPROXIMATELY 450 PROPERTIES, GENERALLY CONCENTRATED IN THE DOWNTOWN AREA, AND THE RESIDENTIAL AREA NORTH OF THE I-10 FREEWAY, AND ADDITIONAL AREAS LOCATED THROUGHOUT THE CITY AND MODIFY THE FUTURE BUILDOUT TABLE AND LAND USE PLAN TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES

A. PROJECT INFORMATION

- 1. Project Title:** General Plan Amendment (**File No. PGPA17-001**) A City initiated request to change the General Plan land use designations of for approximately 450 properties, generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, and additional areas located throughout the City.
- 2. Lead Agency Name and Address:** City of Ontario
303 East "B" Street
Ontario, CA 91764
- 3. Contact Person(s) and Phone** Clarice Burden, Associate Planner (909) 395-2432
- 4. Project Location:** Approximately 450 properties, generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, and additional areas located throughout the City as shown in Exhibit A(attached)

BACKGROUND:

On January 27, 2010, the Ontario City Council adopted The Ontario Plan (TOP). TOP serves as the framework for the City's business plan and provides a foundation for the City to operate as a municipal corporation that consists of six (6) distinct components: 1) Vision; 2) Governance Manual; 3) Policy Plan; 4) Council Priorities; 5) Implementation; and 6) Tracking and Feedback. The Policy Plan component of TOP meets the functional and legal mandate of a General Plan and contains nine elements; Land Use, Housing, Parks and Recreation, Environmental Resources, Community Economics, Safety, Mobility, Community Design and Social Resources.

An Environmental Impact Report (EIR) was prepared for TOP (SCH # 2008101140) and certified by the City Council on January 27, 2010 that included Mitigation Findings and a Statement of Overriding Considerations pursuant to CEQA. TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan, in the Policy Plan and impacts resultant of population and employment growth in the City. The significant unavoidable adverse impacts that were identified in the EIR included; agriculture resources, air quality, cultural resources, greenhouse gas emissions, noise, and transportation/traffic.

PROJECT DESCRIPTION:

The City has initiated a request to change the General Plan land use designations on approximately 450 properties, generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, and additional areas located throughout the City. The changes are to accommodate the existing uses of the properties and to coordinate with the surrounding area. The project also includes modifications to the Future Buildout Table and changes to the General Plan land use map in order to be consistent with these changes.

ANALYSIS:

According to the California Environmental Quality Act Guidelines Section 15164, an Addendum to a previously certified EIR may be used if some changes or additions are necessary, but none of the conditions described in Section 15162 requiring the preparation of a subsequent Negative Declaration or EIR have occurred. The CEQA Guidelines require that a brief explanation be provided to support the findings that no subsequent EIR or Negative Declaration are needed for further discretionary approval. These findings are described below:

1. *Required Finding: Substantial changes are not proposed for the project that will require major revisions of the previous EIR due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified effects.*

Substantial changes are not proposed for the project and will not require revisions to TOP EIR. TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan. The Ontario Plan EIR assumed more overall development at buildout as shown below. Since the adoption and certification of TOP EIR, several amendments have been approved. These amendments, along with the proposed amendment of the approximate 37 acres associated with this amendment, will result in less development than TOP EIR analyzed at buildout.

	Units	Population	Non-Residential Square Footage	Jobs
Original TOP EIR	104,644	360,851	257,405,754	325,794
After Proposed Project	99,878	345,936	247,088,873	312,750

Since the anticipated buildout associated from the proposed changes will be less than originally analyzed in TOP EIR, no revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

2. *Required Finding: Substantial changes have not occurred with respect to the circumstances under which the project is undertaken, that would require major revisions of the previous Environmental Impact Report due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*

Substantial changes have not occurred with respect to the circumstances under which the project was undertaken, that would require major revisions to TOP EIR in that the proposed changes would be more in keeping with the existing use of the properties and the surrounding area. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

3. *Required Finding. No new information has been provided that would indicate that the proposed project would result in one or more significant effects not discussed in the previous EIR.*

No new information has been provided that would indicate the proposed project would result in any new significant effects not previously discussed in TOP EIR. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

CEQA REQUIREMENTS FOR AN ADDENDUM:

If changes to a project or its circumstances occur or new information becomes available after adoption of an EIR or negative declaration, the lead agency may: (1) prepare a subsequent EIR if the criteria of State CEQA Guidelines § 15162(a) are met, (2) prepare a subsequent negative declaration, (3) prepare an addendum, or (4) prepare no further documentation. (State CEQA Guidelines § 15162(b).) When only minor technical changes or additions to the EIR or negative declaration are necessary and none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred, CEQA allows the lead agency to prepare and adopt an addendum. (State CEQA Guidelines, § 15164(b).)

Under Section 15162, a subsequent EIR or negative declaration is required only when:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the negative declaration due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the negative declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (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 project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Thus, if the Project does not result in any of the circumstances listed in Section 15162 (i.e., no new or substantially greater significant impacts), the City may properly adopt an addendum to TOP EIR.

CONCLUSION:

The Ontario Plan Environmental Impact Report (TOP EIR), certified by City Council on January 27, 2010, was prepared as a Program EIR in accordance with CEQA, the State CEQA Guidelines, and the City's Rules for the Implementation of CEQA. In accordance with Section 15121(a) of the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). The EIR considered the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by The Ontario Plan. Consequently, the EIR focused on impacts from changes to land use associated with buildout of the City's Land Use Plan, within the Policy Plan, and impacts from the resultant population and employment growth in the City. The proposed land use designation changes reflect the existing uses of the properties or closely coordinate with TOP land use designations in the surrounding areas. As described on page 2, the amount of development anticipated at buildout will be cumulatively lower (dwelling units, population, non-residential square footage and jobs) than TOP EIR analyzed. Subsequent activities within TOP Program EIR must be evaluated to determine whether an additional CEQA document needs to be prepared.

Accordingly, and based on the findings and information contained in the previously certified TOP EIR, the analysis above, the attached Initial Study, and the CEQA statute and State CEQA Guidelines, including Sections 15164 and 15162, the Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in TOP EIR. No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures. Therefore, pursuant to State CEQA Guidelines Section 15164, the Council hereby adopts this Addendum to TOP EIR.

California Environmental Quality Act Environmental Checklist Form

City of Ontario
Planning Department
303 East "B" Street
Ontario, California
Phone: (909) 395-2036
Fax: (909) 395-2420



Project Title/File No.: PGPA17-001

Lead Agency: City of Ontario, 303 East "B" Street, Ontario, California 91764, (909) 395-2036

Contact Person: Clarice Burden, Associate Planner (909)395-2432

Project Sponsor: City of Ontario, 303 East "B" Street, Ontario, California 91764

Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 through 4, below, the project site consists of approximately 450 properties, generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, and additional areas located throughout the City.

Figure 1: Regional Location Map

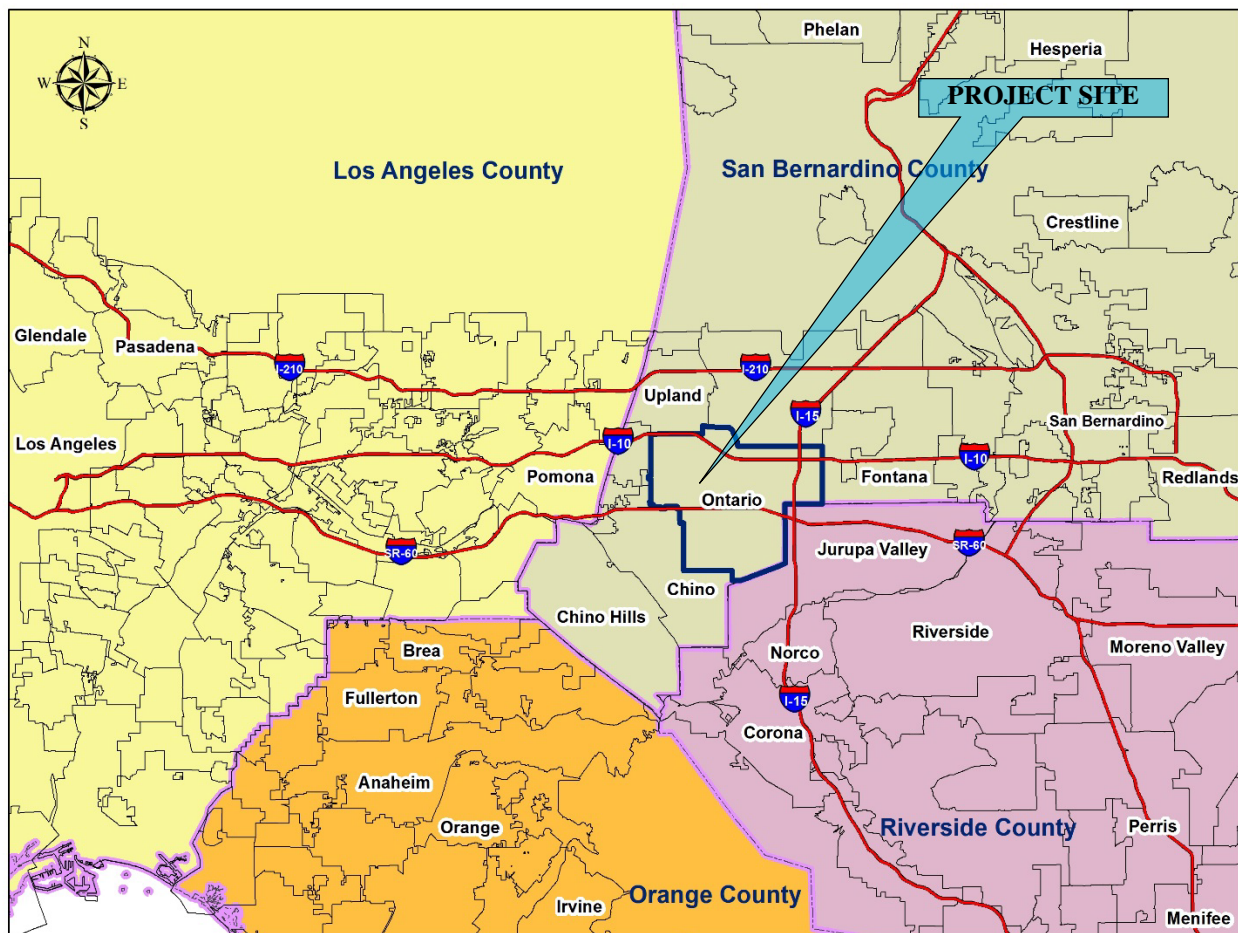


Figure 2—Proposed General Plan Amendments

PGPA17-001

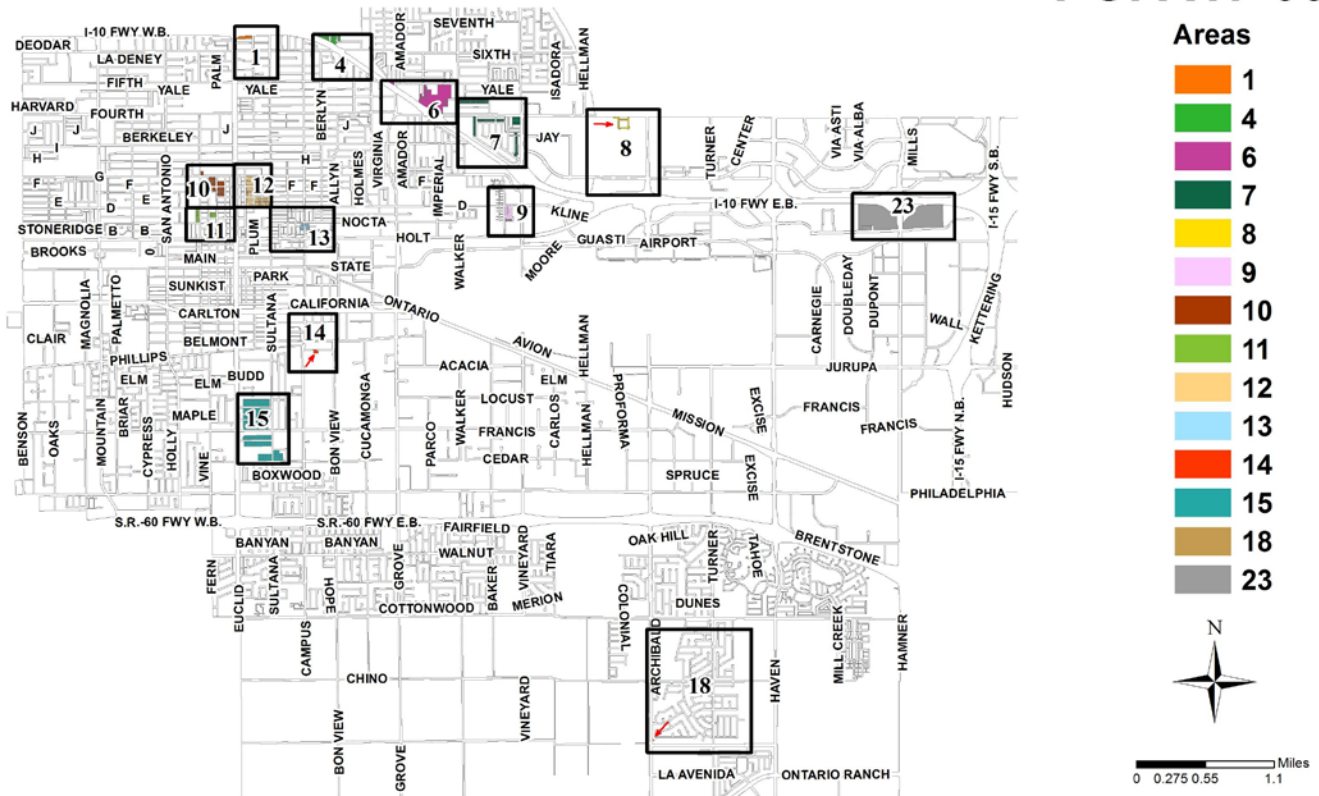
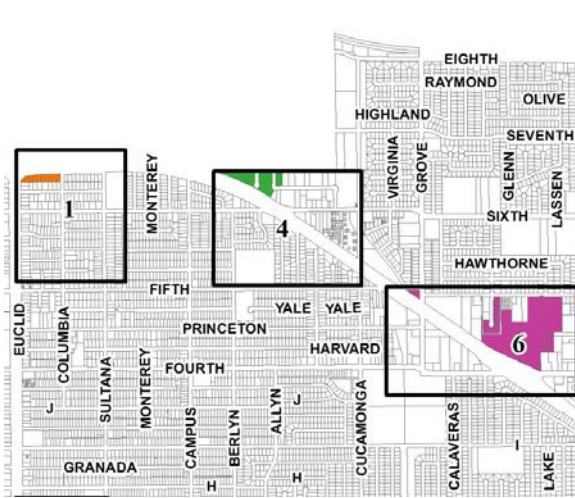
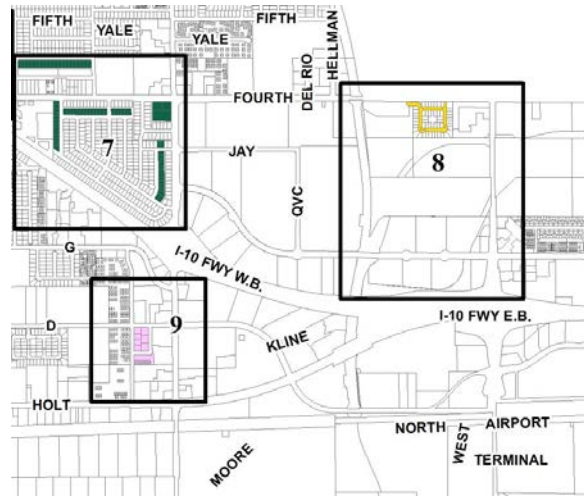


Figure 3—Vicinity Maps



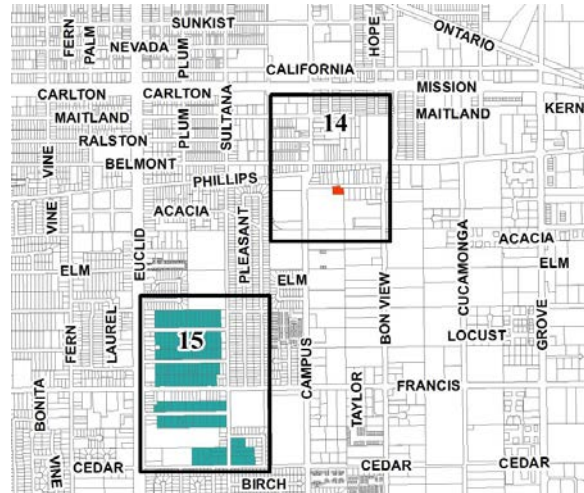
Area 1



Area 2



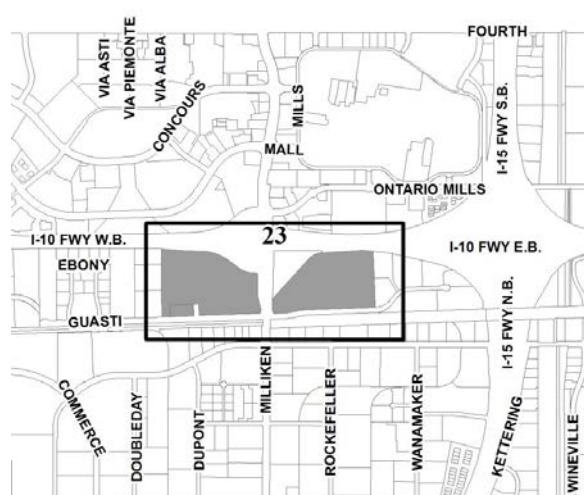
Area 3



Area 4

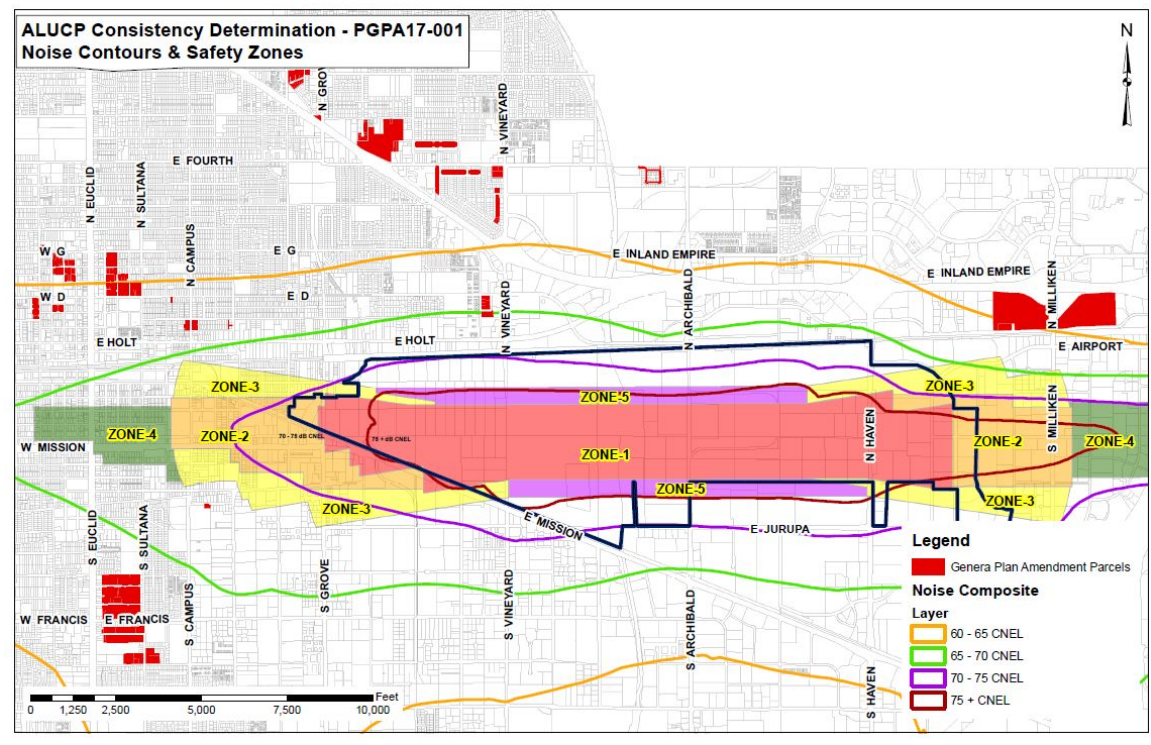


Area 5



Area 6

Figure 4—Airport Landuse Compatibility Review



General Plan Designation: Proposal to change the General Plan land use designations on approximately 450 properties, generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, and additional areas located throughout the City located as shown in Exhibit A.

Zoning: Various (See Exhibit A)

Description of Project: A City initiated request to:

- 1) Modify the Land Use Element of The Ontario Plan (General Plan) to change the land use designations shown on the Land Use Plan Map (Exhibit LU-1) for approximately 450 properties, generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, and additional areas located throughout the City (as shown in Exhibit A); and
- 2) Modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes (as shown in Exhibit B).

Project Setting: The project is comprised of approximately 450 properties, generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, and additional areas located throughout the City as shown in Exhibit A.

Surrounding Land Uses:

	<u>Zoning</u>	<u>Current Land Use</u>
▪ North—	Various	Various
▪ South—	Various	Various
▪ East—	Various	Various
▪ West—	Various	Various

Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement): None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | |
|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier Certified The Ontario Plan (TOP) Environmental Impact Report (EIR) pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier Certified TOP EIR, including revisions or mitigation measures that are imposed upon the proposed project, the analysis from the Certified TOP EIR was used as a basis for this Addendum, nothing further is required.

Signature

January 3, 2018

Date

Clarice Burden

Printed Name

Ontario Planning Department

For

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from the "Earlier Analyses" Section may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analyses Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards,

and state whether such effects were addressed by mitigation measures based on the earlier analysis.

- c) **Mitigation Measures.** For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) **Supporting Information Sources.** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1) AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any 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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6) GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7) GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8) HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9) HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increase in erosion of the project site or surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff during construction and/or post-construction activity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10) LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, airport land use compatibility plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
11) MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12) NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13) POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14) PUBLIC SERVICES. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15) RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
16) TRANSPORTATION/TRAFFIC. Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17) UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18) MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

EXPLANATION OF ISSUES

1) AESTHETICS. Would the project:

a) Have a substantial adverse effect on a scenic vista?

Discussion of Effects: The proposed Project will not have a significant adverse effect aesthetically. As provided in TOP EIR, the City of Ontario’s physical setting lends opportunities for many views of the community and surrounding natural features, including panoramic views of the San Bernardino and San Gabriel Mountains and stretches of open space and undeveloped land south of Riverside Drive. TOP EIR provides that compliance with TOP Policy CD1-5 in the Community Design Element will avoid significant impacts to scenic vista by making it the policy of the City to protect public views of the San Gabriel Mountains. The project under consideration only proposes General Plan Amendments on approximately 450 properties, located throughout the City. The Project does not permit construction of new buildings and so does not conflict with Policy CD1-5 as it will not alter existing public views of the San Gabriel Mountains. Since no adverse aesthetic impacts are expected, no mitigation is necessary.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway?

Discussion of Effects: The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east–west direction. I-15 traverses the northeastern portion of the City in a north–south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. SR-83 (Euclid Avenue) traverses through the City and a portion of it is designated as a National Landmark. The proposed project does not authorize any new construction and will not impact the scenic or historic character of SR-83. Many of the properties, particularly in the downtown area, are listed on the Ontario Register (List of Historic Resources) however the proposed General Plan land use designations establish densities that are in keeping with the existing development so as to discourage removal of existing historic development. Therefore, it will not result in adverse environmental impacts.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Discussion of Effects: The project would not degrade the existing visual character or quality of the site or its surroundings. The project site is located in an area that is characterized by development and is surrounded by urban land uses. The proposed General Plan Amendments reflects the existing use of the properties or closely correlates to the land use designations of the surrounding area. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Discussion of Effects: Changing the General Plan land use designations on the properties will not introduce new lighting to the surrounding area beyond what was anticipated in the Certified TOP FEIR. Therefore, no new adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

2) AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Discussion of Effects: The sites are mostly developed and do not contain any agricultural uses. Further, the sites are identified as Urban Built up land on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program. The project will not create any new impacts to agricultural uses in the vicinity which were not identified in the Certified TOP FEIR. As a result, no new adverse environmental impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Discussion of Effects: The project site is not and will not be zoned for agricultural use. The project proposes to change the General Plan land use designations for these parcels. Future development will be consistent with the development standards and allowed land uses. Furthermore, there are no Williamson Act contracts in effect on the subject sites. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with existing zoning or Williamson Act contracts.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

Discussion of Effects: The project proposes to change the land use designations on various properties and would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production because such land use designations do not exist within the City of Ontario. Therefore, no adverse impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

Discussion of Effects: There is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither The Ontario Plan nor the City's Zoning Code provide designations for forest land. Consequently, the proposed project would not result in the loss or conversion of forest land.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e) Involve other changes in the existing environment, which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use or conversion of forest land to non-forest use?

Discussion of Effects: Implementation of the Project would not result in changes to the existing environment other than those previously addressed in TOP FEIR. While conversion of farmland increases the potential for adjacent areas to also be converted from farmland to urban uses, the Project does not directly result in conversion of farmland. No new cumulative impacts beyond those identified in TOP FEIR would result from Project implementation. The potential for growth inducement due to extension of utility systems into the City is addressed in TOP FEIR. There are no agricultural uses occurring onsite. As a result, the project will not result in loss of Farmland to non-agricultural use.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither The Ontario Plan nor the City's Zoning Code provide designations for forest land. Consequently, to the extent that the proposed project would result in changes to the existing environment, those changes would not impact forest land.

Mitigation Required: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

3) AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

Discussion of Effects: The City is located in a non-attainment region of South Coast Air Basin (SCAB). However, this impact has already been evaluated and mitigated to the extent feasible in TOP FEIR. TOP FEIR has addressed short-term construction impacts, however, and adequate mitigation (Mitigation Measure 3-1) has been adopted by the City that would help reduce emissions and air quality impacts. No new impacts beyond those identified in TOP FEIR would result from Project implementation. Changing the General Plan land use designations on these parcels will not generate significant new or greater air quality impacts than identified in TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Discussion of Effects: Changing the General Plan land use designations on these various parcels located throughout the City will not generate significant new or greater air quality impacts than identified in TOP FEIR. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce emissions and air quality impacts to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?

Discussion of Effects: Changing the General Plan land use designations on approximately 450 parcels will not generate significant new or greater air quality impacts than identified in TOP FEIR due to the net reduced housing, population and non-residential square footage compared to the TOP FEIR analysis. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce emissions and air quality impacts to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) Expose sensitive receptors to substantial pollutant concentrations?

Discussion of Effects: As discussed in Section 5.3 of TOP FEIR, the proposed Project is within a non-attainment region of the SCAB. Essentially this means that any new contribution of emissions into the SCAB would be considered significant and adverse. The proposed General Plan Amendment reflects the existing use of the properties or closely correlates to the land use designations of the surrounding area and will not generate significant new or greater air quality impacts than identified in TOP FEIR. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce air pollutants to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e) Create objectionable odors affecting a substantial number of people?

Discussion of Effects: The proposed General Plan Amendment does not authorize construction of any new buildings and any future development will be required to comply with the standards in place at the time of development. The Project will not create significant objectionable odors. Therefore the Project will not introduce new odors beyond those previously analyzed in TOP EIR

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

4) BIOLOGICAL RESOURCES. Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any 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 Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The project site is not located within 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 Game or the U.S. Fish and Wildlife Service. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The site does not contain any riparian habitat or other sensitive natural community identified by the Department of Fish & Game or Fish & Wildlife Service. Therefore, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) **Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

Discussion of Effects: No wetland habitat is present on site. Therefore, project implementation would have no impact on these resources.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

Discussion of Effects: The proposed General Plan Amendment does not authorize construction of any new buildings. Future development would be subject to TOP FEIR requirements for implementation of regulatory and standard conditions of approval to mitigate for impacts to species and project-specific CEQA review will be undertaken at the appropriate time. Policy ER5-1 encourages efforts to conserve flood control channels and transmission line corridors as wildlife movement corridors. Therefore, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- e) **Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

Discussion of Effects: The City of Ontario does not have any ordinances protecting biological resources. Further, the proposed General Plan Amendment does not authorize any new construction. Therefore the General Plan Amendment does not conflict with existing plans. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- f) **Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?**

Discussion of Effects: The site is not part of an adopted HCP, NCCP or other approved habitat conservation plan. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

5) **CULTURAL RESOURCES.** Would the project:

- a) **Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?**

Discussion of Effects: The project area contains several buildings constructed more than 50 years ago and some may be considered for eligibility for listing in the California Register of Historic Resources. However, the proposed General Plan land use designations establish densities that are in keeping with the existing development so as to discourage removal of existing historic development. Therefore, no impacts to historic resources are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?**

Discussion of Effects: The Ontario Plan FEIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. However, only about 10 percent of the City of Ontario has been adequately surveyed for prehistoric or historic archaeology. The site was previously rough graded when the property was subdivided and/or graded for the existing development and no archaeological resources were found.

While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions will be imposed on future development that in the event of unanticipated archeological discoveries, construction activities will not continue or will be moved to other parts of the project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Discussion of Effects: The City of Ontario is underlain by deposits of Quaternary and Upper-Pleistocene sediments deposited during the Pliocene and early Pleistocene time, Quaternary Older Alluvial sediments may contain significant, nonrenewable, paleontological resources and are, therefore, considered to have high sensitivity at depths of 10 feet or more below ground surface. In addition, the Ontario Plan FEIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. However, the Project does not directly propose excavation and standard conditions will be imposed on any future development that in the event that unanticipated paleontological resources are identified during excavation, construction activities will not continue or will be moved to other parts of the project site and a qualified paleontologist shall be contacted to determine the significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) Disturb any human remains, including those interred outside of formal cemeteries?

Discussion of Effects: Changing the General Plan land use designation on various parcels does not impact whether human remains may be discovered during future development and the proposed project is in an area that has been previously disturbed by development. No known religious or sacred sites exist within the project area. Thus, human remains are not expected to be encountered during any construction activities. However, in the unlikely event that human remains are discovered, existing regulations, including the California Public Resources Code Section 5097.98, would afford protection for human remains discovered during development activities. Furthermore, standard conditions will be imposed on future development that in the event that unanticipated discoveries of human remains are identified during excavation, construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed, if deemed applicable.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

6) GEOLOGY & SOILS. Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rupture Hazard Zone (formerly Alquist-Priolo Zone). The Ontario Plan FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. Given that the closest fault zone is located more than ten miles from the project site, fault rupture within the project area is not likely. All future development will comply with the Uniform Building Code seismic design standards to reduce geologic hazard susceptibility. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

ii) Strong seismic ground shaking?

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rupture Hazard Zone (formerly Alquist-Priolo Zone). The Policy Plan (General Plan) FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The proposed change in land use designation will not approved any new construction. All future construction will be in compliance with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iii) Seismic-related ground failure, including liquefaction?

Discussion of Effects: As identified in TOP FEIR (Section 5.7), groundwater saturation of sediments is required for earthquake induced liquefaction. In general, groundwater depths shallower than 10 feet to the surface can cause the highest liquefaction susceptibility. Depth to ground water at the project site during the winter months is estimated to be between 250 to 450 feet below ground surface. Therefore, the liquefaction potential within the project area is minimal. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iv) Landslides?

Discussion of Effects: The project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the project site (less than 2 percent slope across the City) makes the chance of landslides remote. Changing the General Plan land use designations will not create greater landslide potential impacts than were identified in the Certified TOP FEIR. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code for any future development would reduce impacts to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) Result in substantial soil erosion or the loss of topsoil?

Discussion of Effects: Changing the General Plan land use designations will not create greater erosion impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Discussion of Effects: Changing the General Plan land use designations will not create greater landslide potential impacts than were identified in the Certified TOP FEIR. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Discussion of Effects: The majority of Ontario, including the project site, is located on alluvial soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated. Changing the General Plan land use designation will not create greater impacts than were identified in the Certified TOP FEIR

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- e) **Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

Discussion of Effects: The area is served by the local sewer system and the use of alternative systems is not necessary. There will be no impact to the sewage system.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

7) **GREENHOUSE GAS EMISSIONS.** Would the project:

- a) **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

Discussion of Effects: The impact of buildout of The Ontario Plan on the environment due to the emission of greenhouse gases (“GHGs”) was analyzed in the Environmental Impact Report (“EIR”) for the Policy Plan (General Plan). According to the EIR, this impact would be significant and unavoidable. (Re-circulated Portions of the Ontario Plan Draft Environmental Impact Report, p. 2-118.) This EIR was certified by the City on January 27, 2010, at which time a statement of overriding considerations was also adopted for The Ontario Plan’s significant and unavoidable impacts, including that concerning the emission of greenhouse gases.

Changing the General Plan land use designations on the subject parcels as shown in Exhibit A will not create greater impacts than were identified in the Certified TOP FEIR. Pursuant to Public Resources Code Section 21083.3, this impact need not be analyzed further, because (1) the proposed project would result in an impact that was previously analyzed in The Ontario Plan EIR, which was certified by the City; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in The Ontario Plan EIR; (3) the proposed project is consistent with The Ontario Plan.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary. The mitigation measures adopted as part of TOP FEIR adequately addresses any potential significant impacts and there is no need for any additional mitigation measures.

- b) **Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

Discussion of Effects: Changing the General Plan land use designations on these parcels will not create significantly greater impacts than were identified in the Certified TOP FEIR. The proposed project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, state and federal regulations. In addition, the proposed project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City’s contribution of greenhouse gas emissions at build-out by fifteen (15%), because the project is upholding the applicable City’s adopted mitigation measures as represented in 6-1 through 6-6. Therefore, the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

8) **HAZARDS & HAZARDOUS MATERIALS.** Would the project:

- a) **Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?**

Discussion of Effects: The project is not anticipated to involve the transport, use or disposal of hazardous materials during either construction or project implementation. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Discussion of Effects: The project is not anticipated to involve the use or disposal of hazardous materials during either construction or project implementation. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?

Discussion of Effects: The proposed project does not include the use, emissions or handling of hazardous or acutely hazardous materials, substances or waste. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Discussion of Effects: Changing the General Plan land use designations 50 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project site is not listed on the hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the project would not create a hazard to the public or the environment and no impact is anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e) For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The project site is located outside on the safety zone for ONT and Chino Airports.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from everyday and disaster emergencies. In addition, the project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because future development would be required to comply with all applicable State and City codes, any impacts would be reduced to a less than significant level.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

Discussion of Effects: The project site is not located in or near wildlands. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

9) HYDROLOGY & WATER QUALITY. Would the project:

- a) Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?**

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. The proposed project does not authorize any new development and therefore no adverse impacts are anticipated. Compliance with established Codes and standards for any future development would reduce any impacts to below a level of significance.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. No increases in the current amount of water flow to the project site are anticipated, and the proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property will be negligible. The future development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 230 to 250 feet below the ground surface. No adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increases in erosion of the project site or surrounding areas?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not authorize any new construction. The existing drainage pattern of the project site will not be altered and it will have no significant impact on downstream hydrology. Stormwater generated by the future development of the project site will be discharged in compliance with the statewide NPDES General Construction Activities Stormwater Permit and San Bernardino County MS4 permit requirements. With the full implementation of a Storm Water Pollution Prevention Plan developed in compliance with the General Construction Activities Permit requirements, the Best Management Practices included in the SWPPP, and a stormwater monitoring program would reduce any impacts to below a level of significance. No streams or streambeds are present on the site. No changes in erosion off-site are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- d) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not authorize any new development. The future development of the project site is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- e) **Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff (a&b) during construction and/or post-construction activity?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The General Plan changes will not increase impervious surfaces and will not increase runoff. It is not anticipated that the project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. Pursuant to the requirements of The Ontario Plan, the City's Development Code, and the San Bernardino County MS4 Permit's "Water Quality Management Plan" (WQMP), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. If master drainage facilities are not in place at the time of project development, then standard engineering practices for controlling post-development runoff may be required, which could include the construction of on-site storm water detention and/or retention/infiltration facilities. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- f) **Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The future development of the site will be required to comply with the statewide NPDES General Construction Permit and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)) to minimize water pollution. Thus it is anticipated that there is no potential for discharges of stormwater during construction that will affect the beneficial uses of the receiving waters. However, with the General Construction Permit requirement and implementation of the policies in The Ontario Plan, any impacts associated with the project would be less than significant.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- g) **Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- h) **Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

i) **Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. No levees or dams are located near the project site. Therefore, no adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

j) **Expose people or structures to inundation by seiche, tsunami or mudflow?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. There are no lakes or substantial reservoirs near the project site; therefore, impacts from seiche are not anticipated. The City of Ontario has relatively flat topography, less than two percent across the City, and the chance of mudflow is remote. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

10) **LAND USE & PLANNING.** Would the project:

a) **Physically divide an established community?**

Discussion of Effects: The project site is located in an area that is currently developed with urban land uses. Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. No adverse impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) **Conflict with applicable land use plan, policy or regulation of agencies with jurisdiction over the project (including, but not limited to general plan, airport land use compatibility plan, specific plan, or development code) adopted for the purpose of avoiding or mitigation an environmental effect?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) **Conflict with any applicable habitat conservation plan or natural community conservation plan?**

Discussion of Effects: There are no adopted habitat conservation plans in the project area. As such no conflicts or impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

11) **MINERAL RESOURCES.** Would the project:

- a) **Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. There are no known mineral resources in the area. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

12) **NOISE.** Would the project result in:

- a) **Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan FEIR (Section 5.12). No additional analysis will be required at the time of site development review.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The uses associated with this proposed project are required to comply with the environmental standards contained in the City of Ontario Development Code and as such, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) **A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- d) **A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not authorize any development and any future development would need to comply with existing noise standards. As such no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- e) **For a project located within the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?**

Discussion of Effects: Changing the General Plan land use designations on approximately 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. According to the Safety Element in The Ontario Plan, the proposed site is located within the airport land use plan. The project proposes to change the General Plan land use designation on two hundred eight parcels, located within the 60-65 CNEL Noise Impact area and two parcels, located within the 65-70 CNEL Noise Impact area. These parcels are not located within safety zones. The remaining two hundred seventeen properties are outside the Noise Impact areas. All proposed changes were found to be consistent with the ALUCP. Therefore, no significant impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- f) **For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

13) **POPULATION & HOUSING.** Would the project:

- a) **Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?**

Discussion of Effects: Changing the General Plan land use designations on approximately 450 parcels located throughout the City **Mitigation:** None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

Discussion of Effects: Changing the General Plan land use designations on approximately 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The housing units on the three parcels that contain housing will be allowed to remain.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) **Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The housing units on the three parcels that contain housing will be allowed to remain.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

14) **PUBLIC SERVICES.** Would the project:

- a) **Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

i) **Fire protection?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area currently served by the Ontario Fire Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

ii) **Police protection?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area, currently served by the Ontario Police Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iii) **Schools?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

iv) **Parks?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

v) **Other public facilities?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

15) **RECREATION.** Would the project:

- a) **Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. This project is not proposing any new housing or large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?**

Discussion of Effects: Changing the General Plan land use designation designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. This project is not proposing any new housing or large employment generator that would require the construction of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

16) **TRANSPORTATION/TRAFFIC.** Would the project:

- a) **Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The project is in an area that is mostly developed with most street improvements existing. Any future development of the project site will be served by the existing circulation system or any necessary mitigation will be determined by analysis per the City of Ontario guidelines. As described on page 2, the cumulative impact of the proposed general plan amendment will have less impacts than the TOP EIR assumed resulting in less than significant impacts.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Conflict with an applicable congestion management program, including, but not limited to, level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The project is in an area that is mostly developed with most street improvements existing. The project will generate lower total dwelling units, population, non-residential square footage and jobs than the certified TOP EIR assumed, resulting in less impacts. The project will not conflict with an applicable congestion management program or negatively impact the level of service standards on adjacent arterials. Less than significant impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) **Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. The project will not create a substantial safety risk or

interfere with air traffic patterns at Ontario International Airport as it is outside of areas with FAA-imposed height restrictions. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Discussion of Effects: The project is in an area that is mostly developed and most street improvements are complete. The project will not create a substantial increase in hazards due to a design feature. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e) Result in inadequate emergency access?

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. Any future development on the project site will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f) Result in inadequate parking capacity?

Discussion of Effects: The future development of the project site will be required to meet parking standards established by the Ontario Development Code and will therefore not create an inadequate parking capacity. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Discussion of Effects: The project does not conflict with any transportation policies, plans or programs. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

17) UTILITIES AND SERVICE SYSTEMS. Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not significantly alter wastewater treatment needs of Ontario and will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Discussion of Effects: Changing the General Plan land use designations will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Discussion of Effects: The future development of the project site will be served by the City of Ontario. The project will be required to meet the requirements of the Ontario Engineering Department regarding storm drain facilities. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City does not authorize any construction and will not create greater impacts than were identified in the Certified TOP FEIR. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR. No impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

g) Comply with federal, state, and local statutes and regulations related to solid waste?

Discussion of Effects: Changing the General Plan land use designations on 450 parcels located throughout the City will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

18) MANDATORY FINDINGS OF SIGNIFICANCE

Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop

below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion of Effects: The proposed project does not have the potential to reduce wildlife habitat and threaten a wildlife species. Therefore, no impacts are anticipated.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

a) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Discussion of Effects: The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)

Discussion of Effects: The project does not have impacts that are cumulatively considerable.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion of Effects: The project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation: None required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

EARLIER ANALYZES

(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D)):

1) Earlier analyzes used. Identify earlier analyzes used and state where they are available for review.

- a) The Ontario Plan Final EIR
- b) The Ontario Plan
- c) City of Ontario Zoning

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

2) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards.

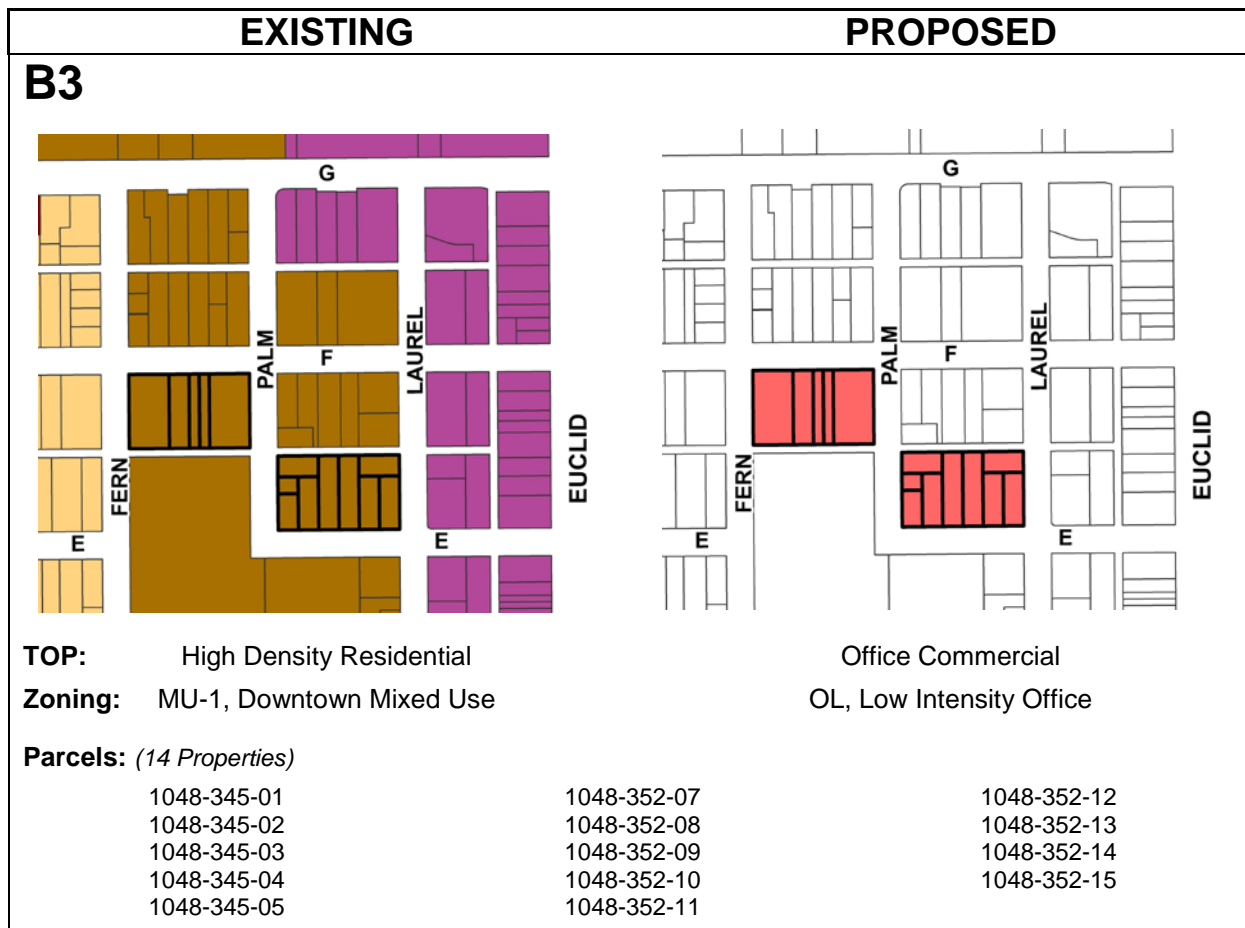
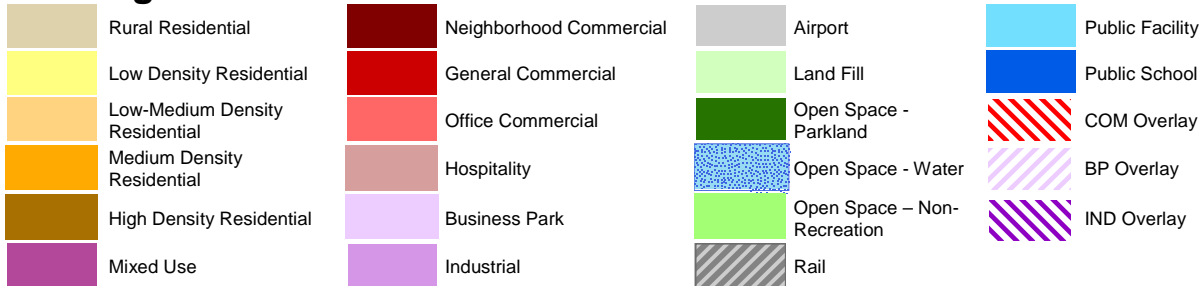
Comments III.A and C were addressed in The Ontario Plan FEIR and considered a significant adverse effect that could not be mitigated. A statement of overriding considerations was adopted for The Ontario Plan FEIR.

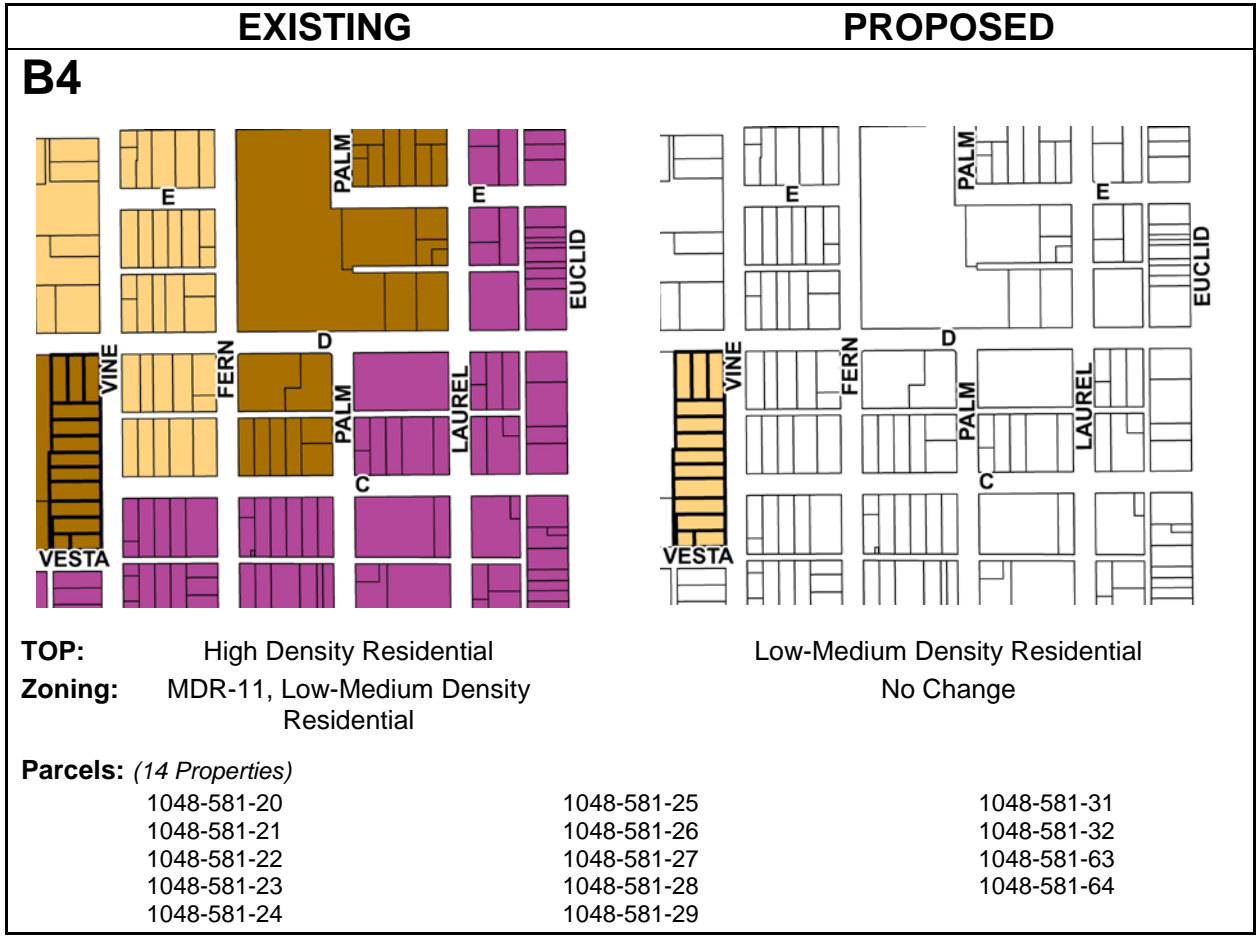
MITIGATION MEASURES

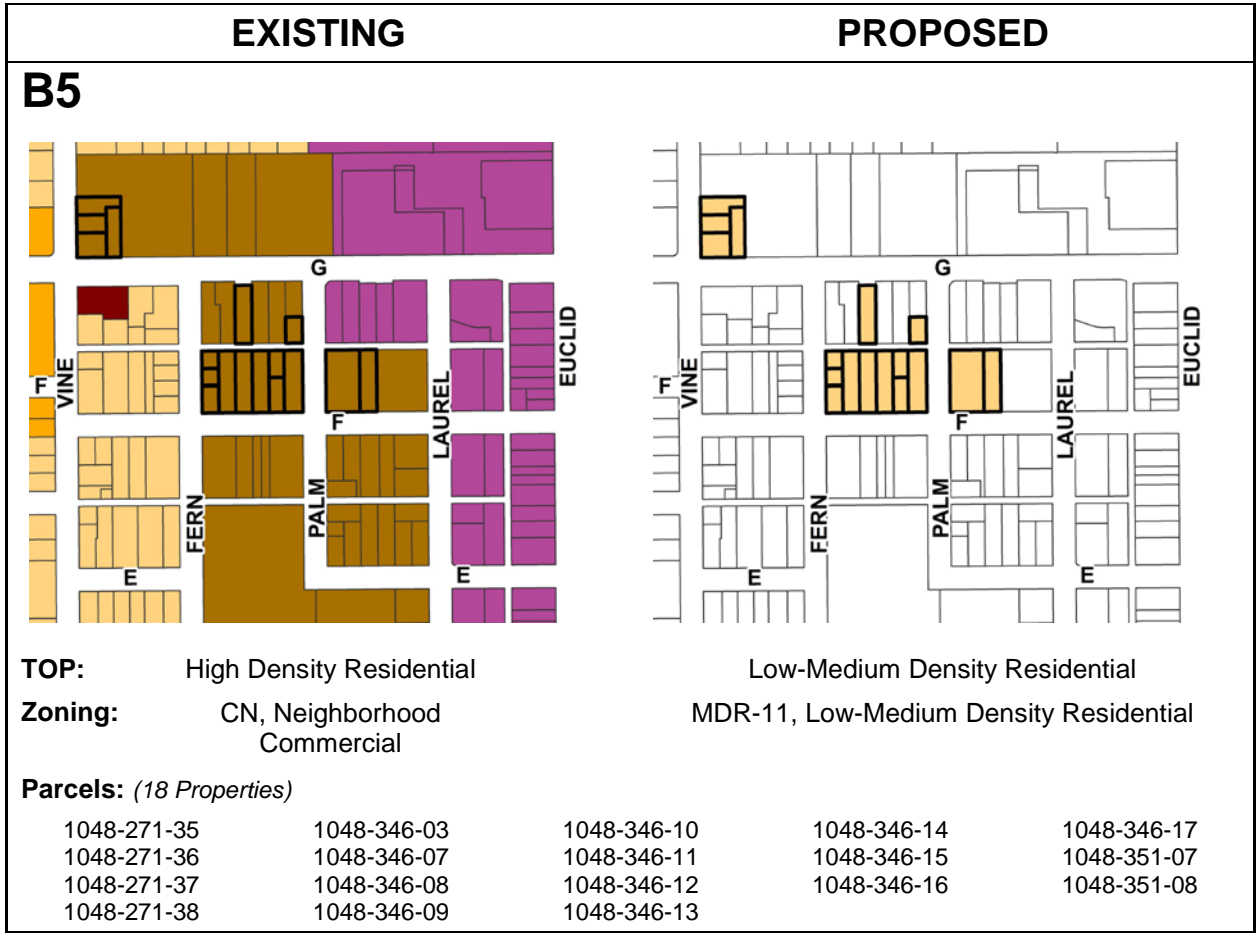
The Mitigation Measures contained in the Certified TOP Environmental Impact Report adequately mitigate the impacts of the proposed project. These mitigation measures are contained in the Mitigation Monitoring Program.

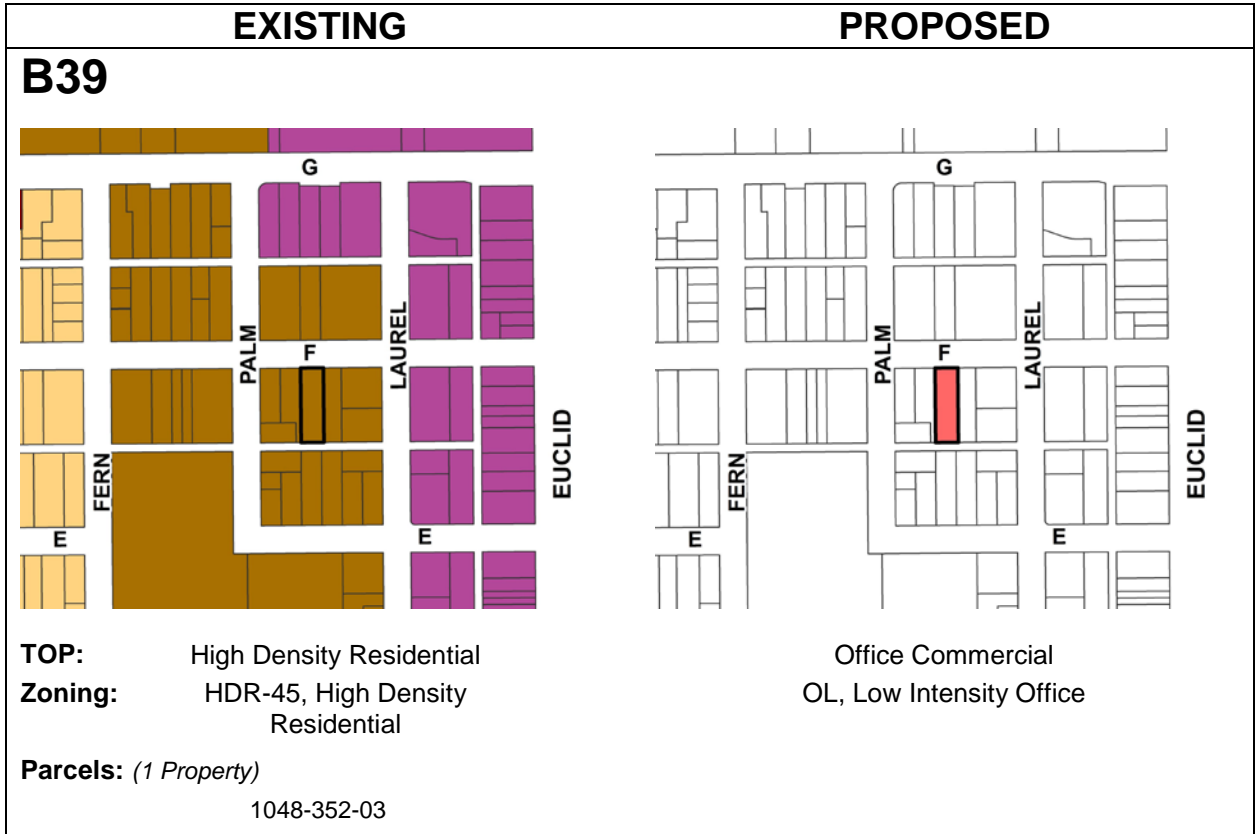
Exhibit A PGPA17-001

TOP Legend:



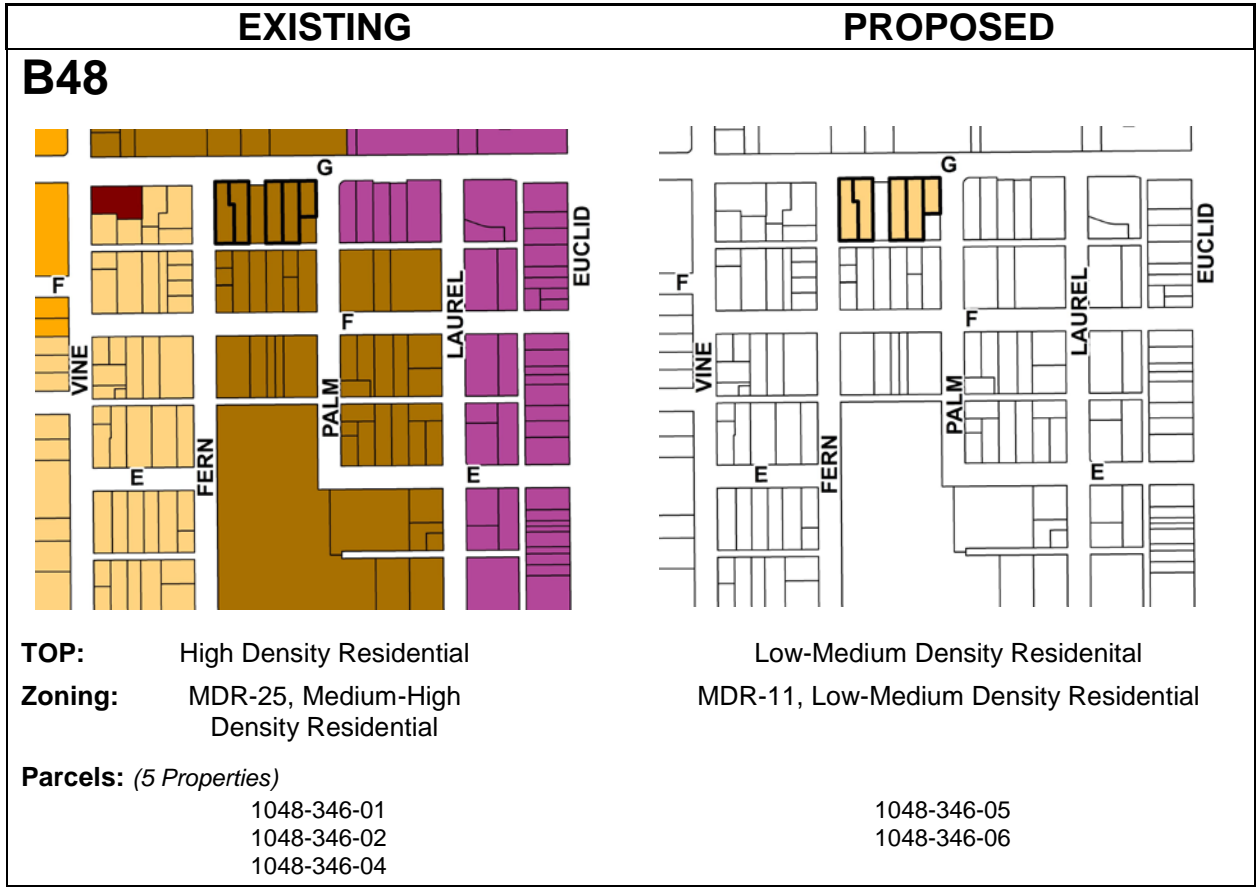


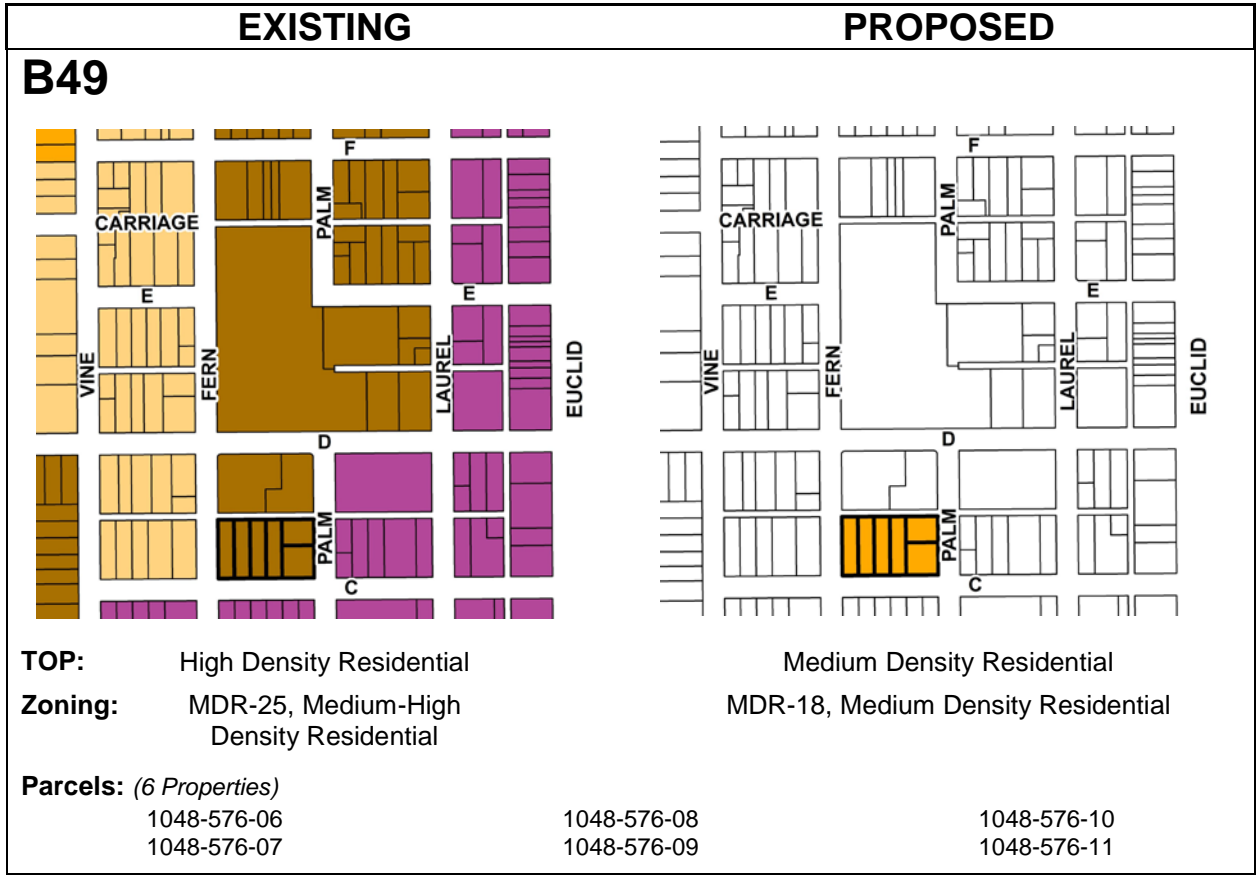


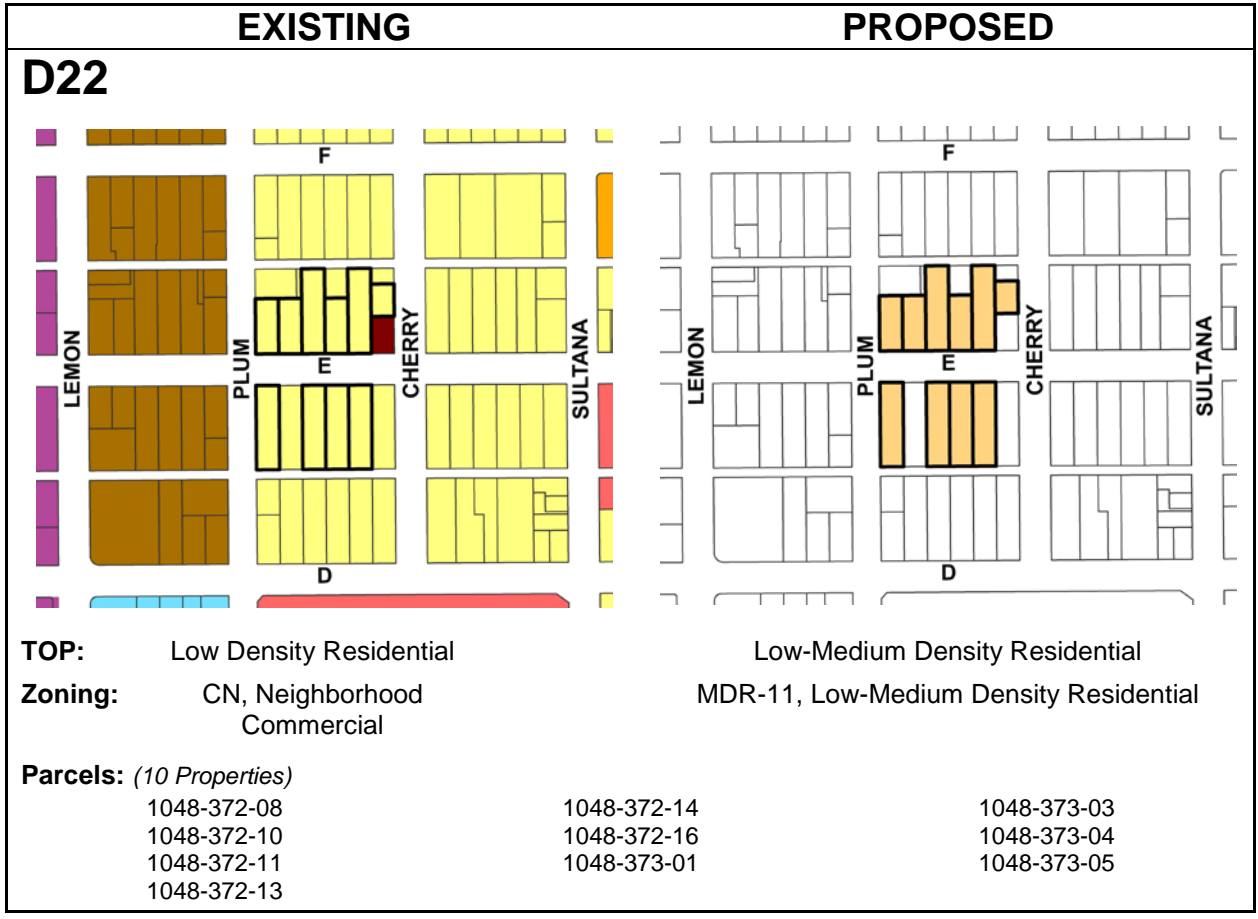




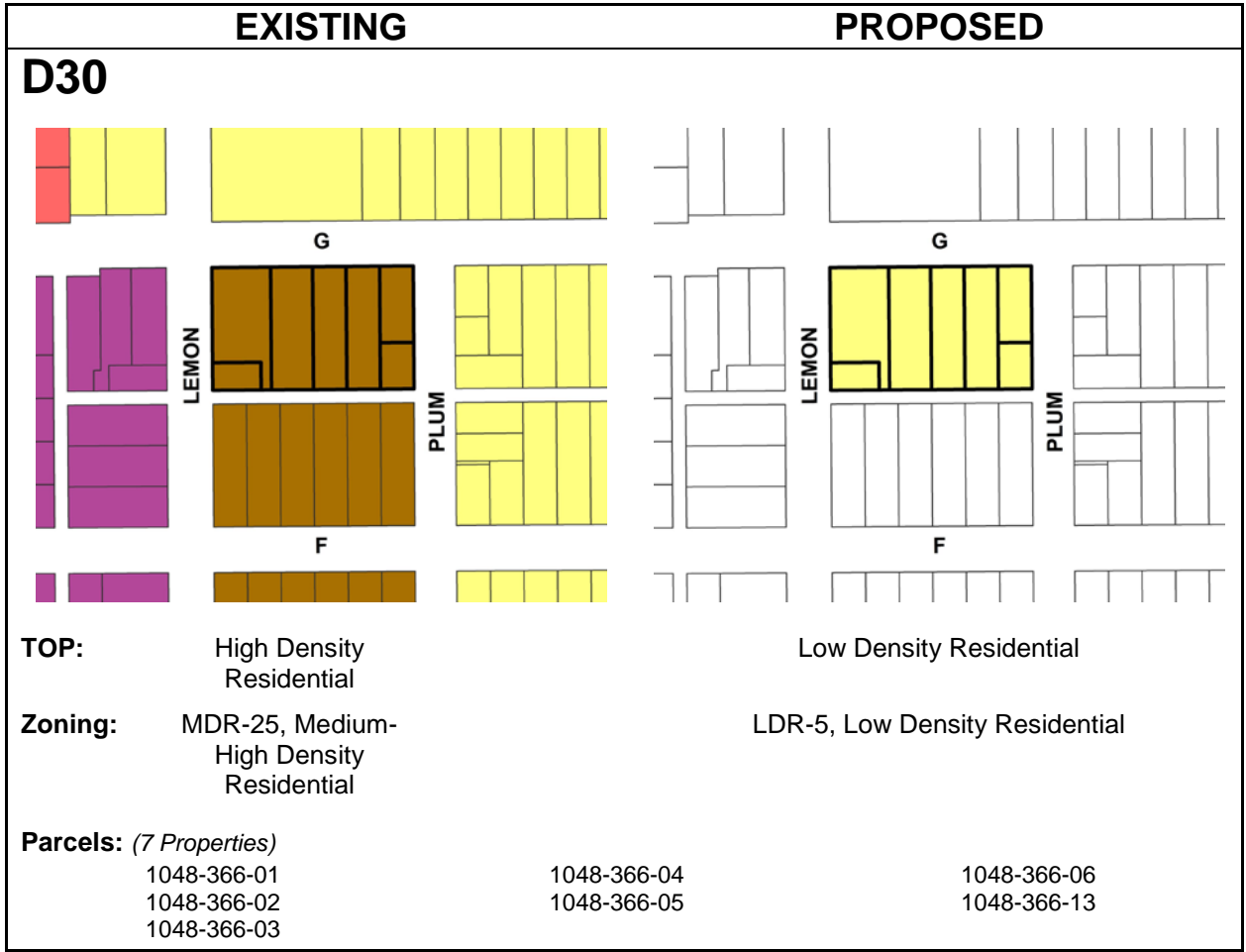


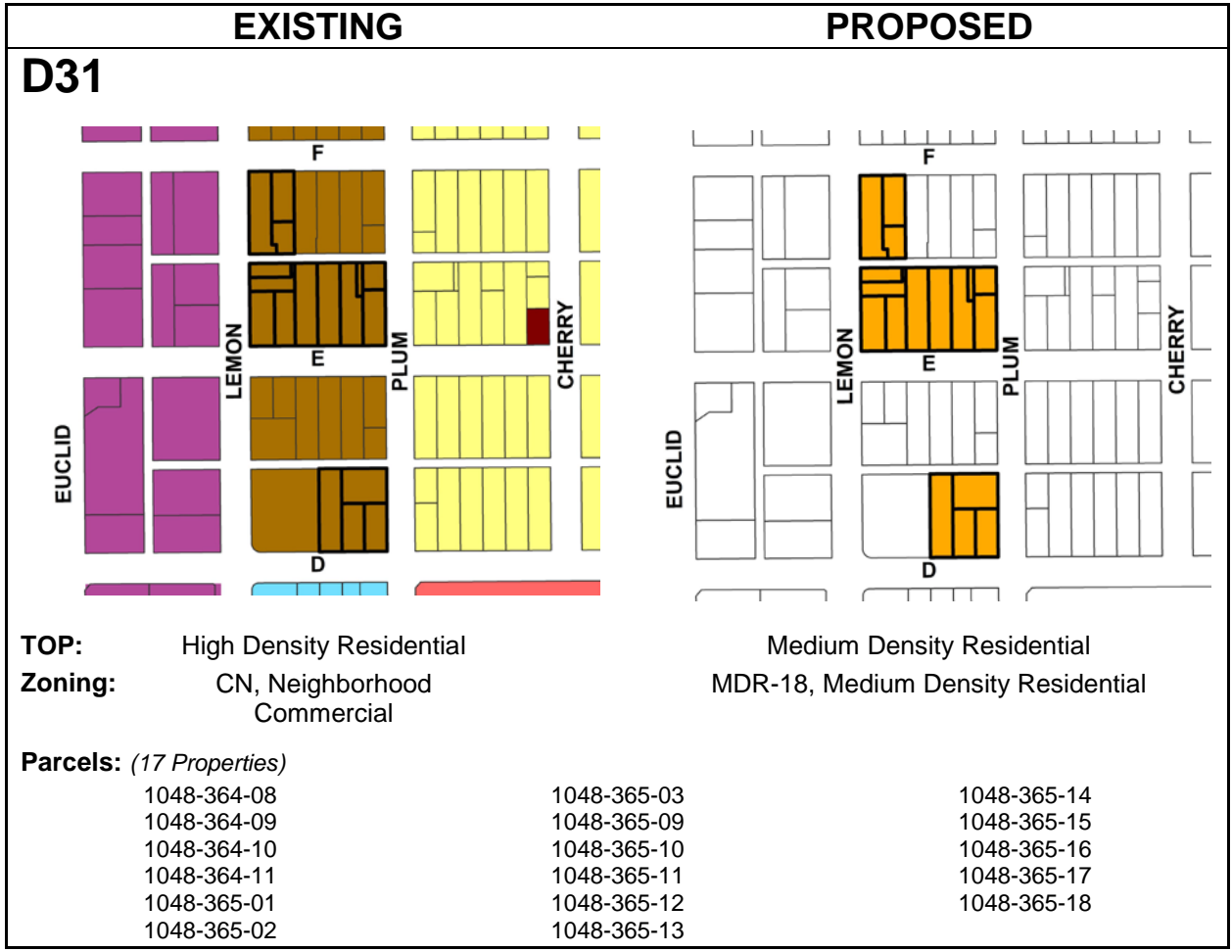


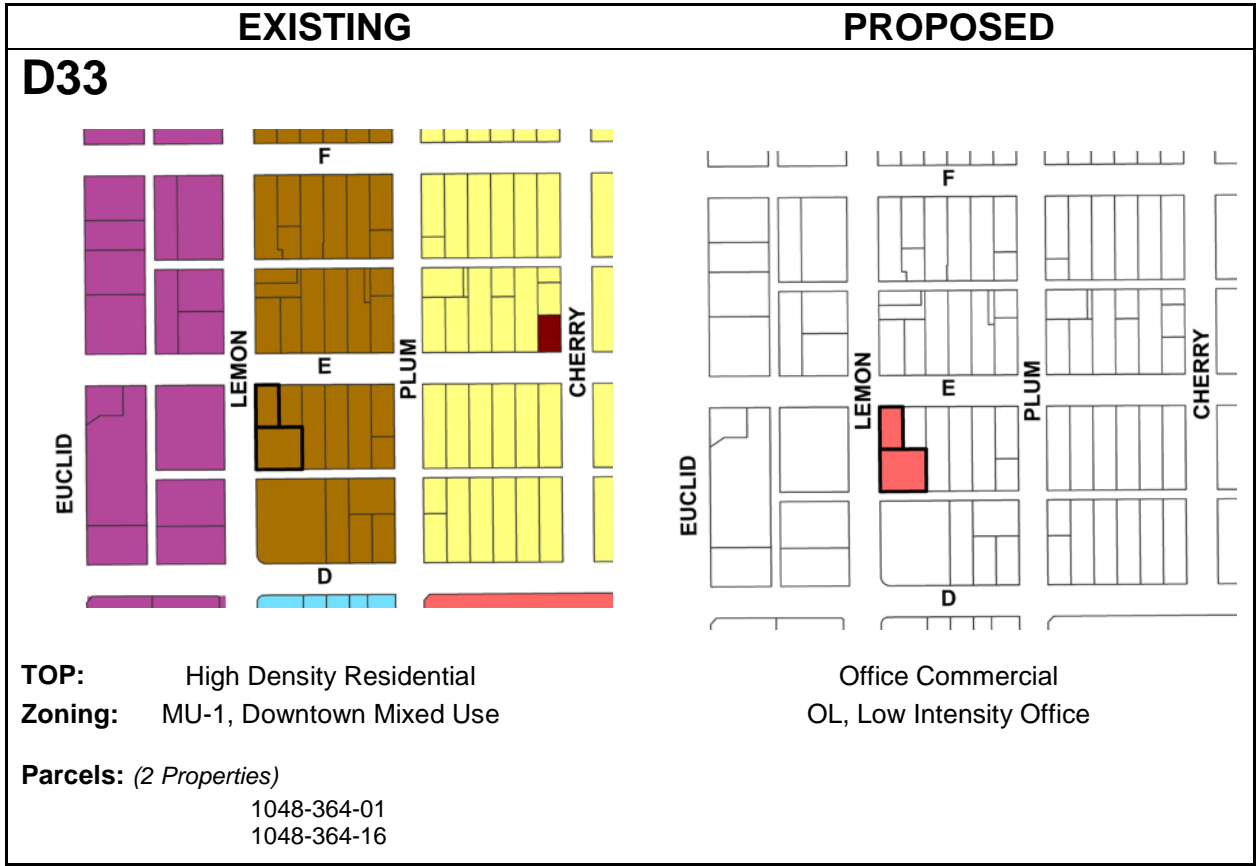




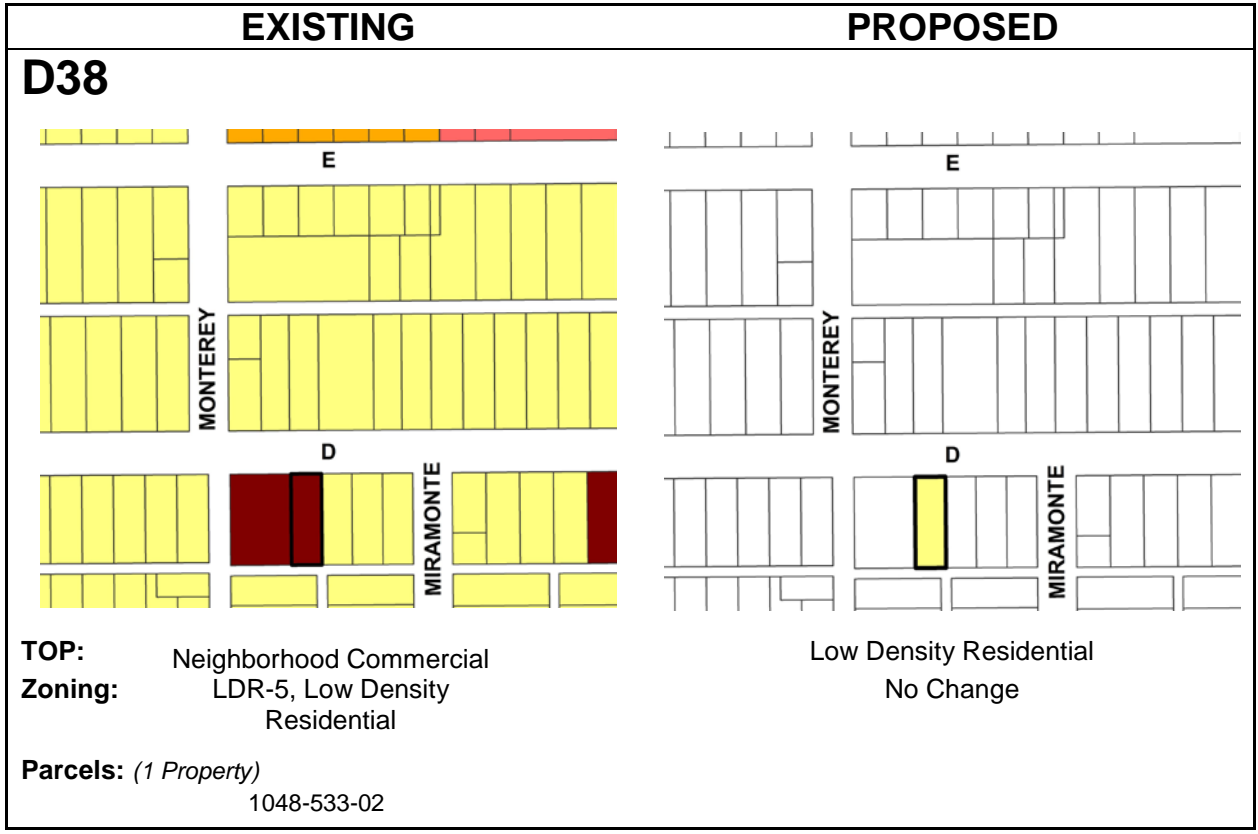
EXISTING	PROPOSED	
D23		
I-10 FWY E.B. I-10 E/B ON RAMP		
TOP: Low Density Residential Zoning: CIV, Civic	TOP: Open Space – Non-Recreation Zoning: UC, Utilities Corridor	
Parcels: (8 Properties)		
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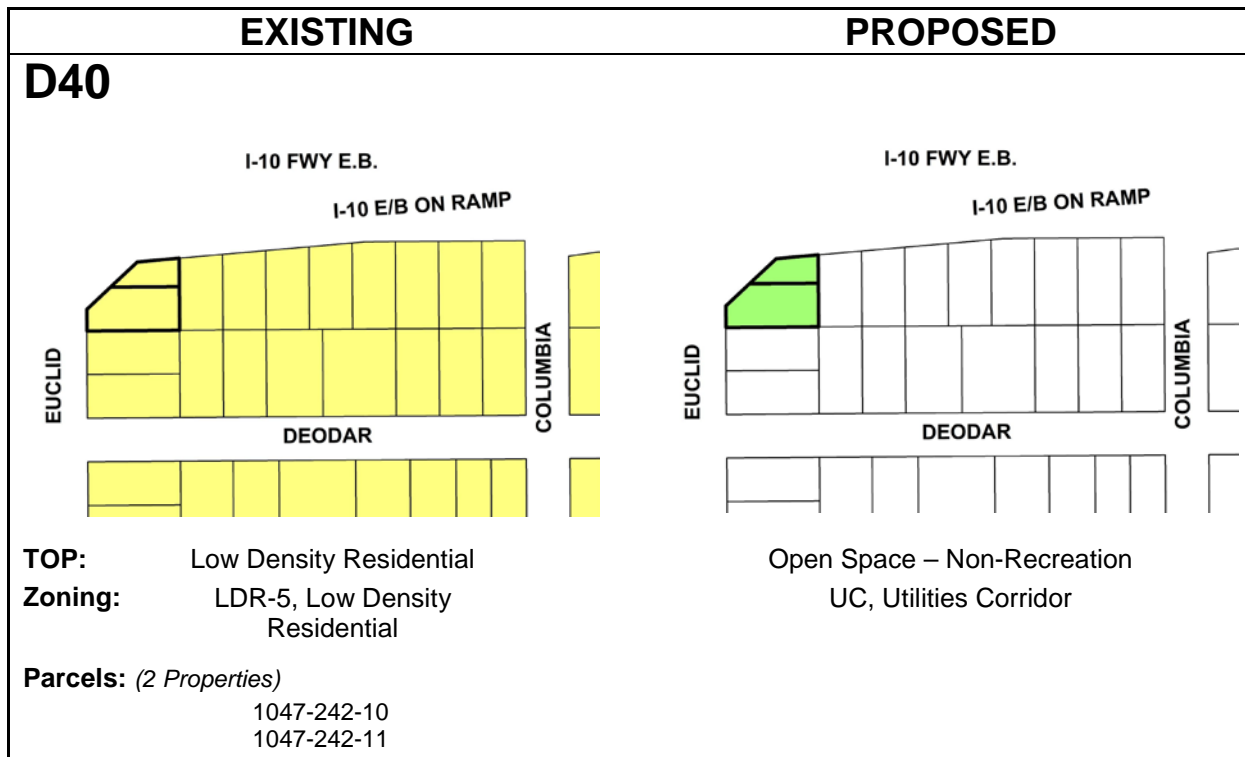
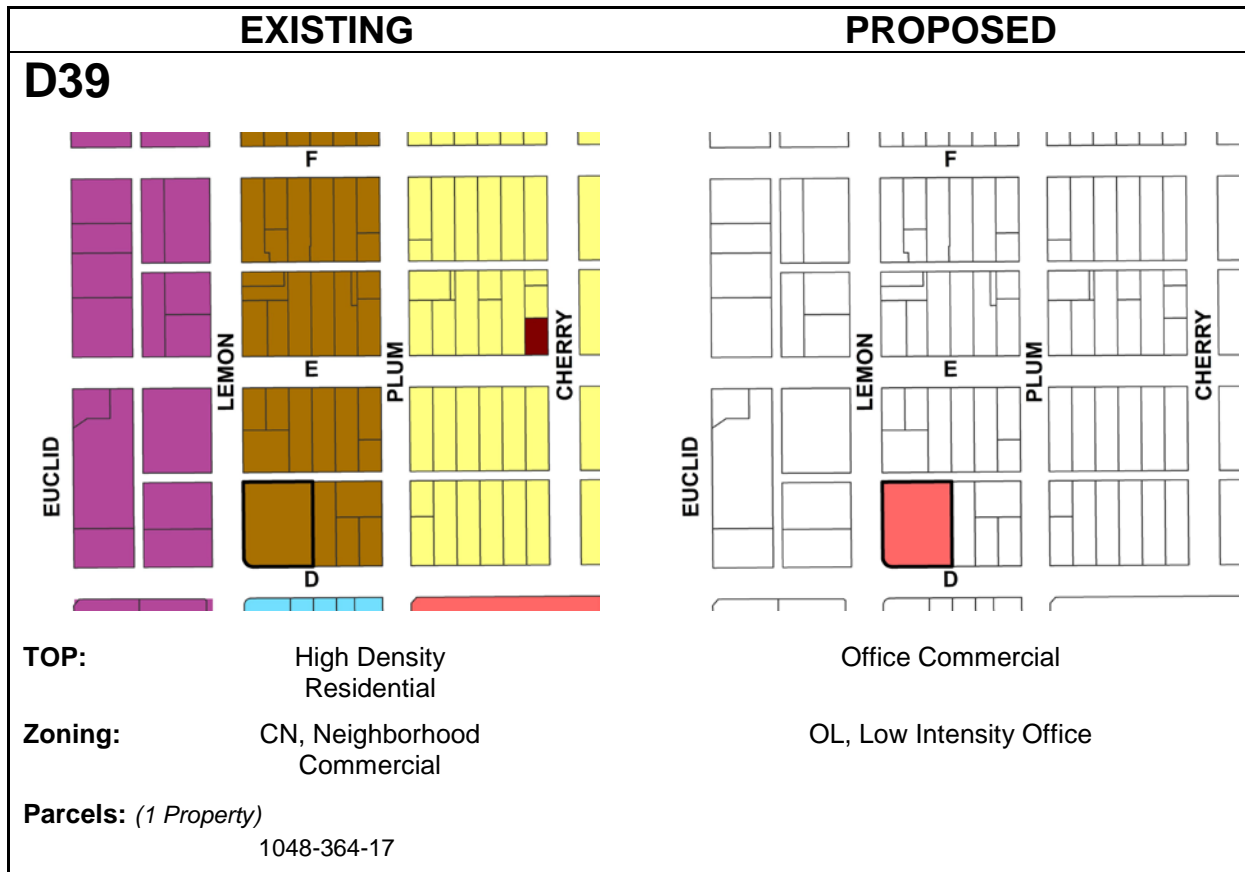


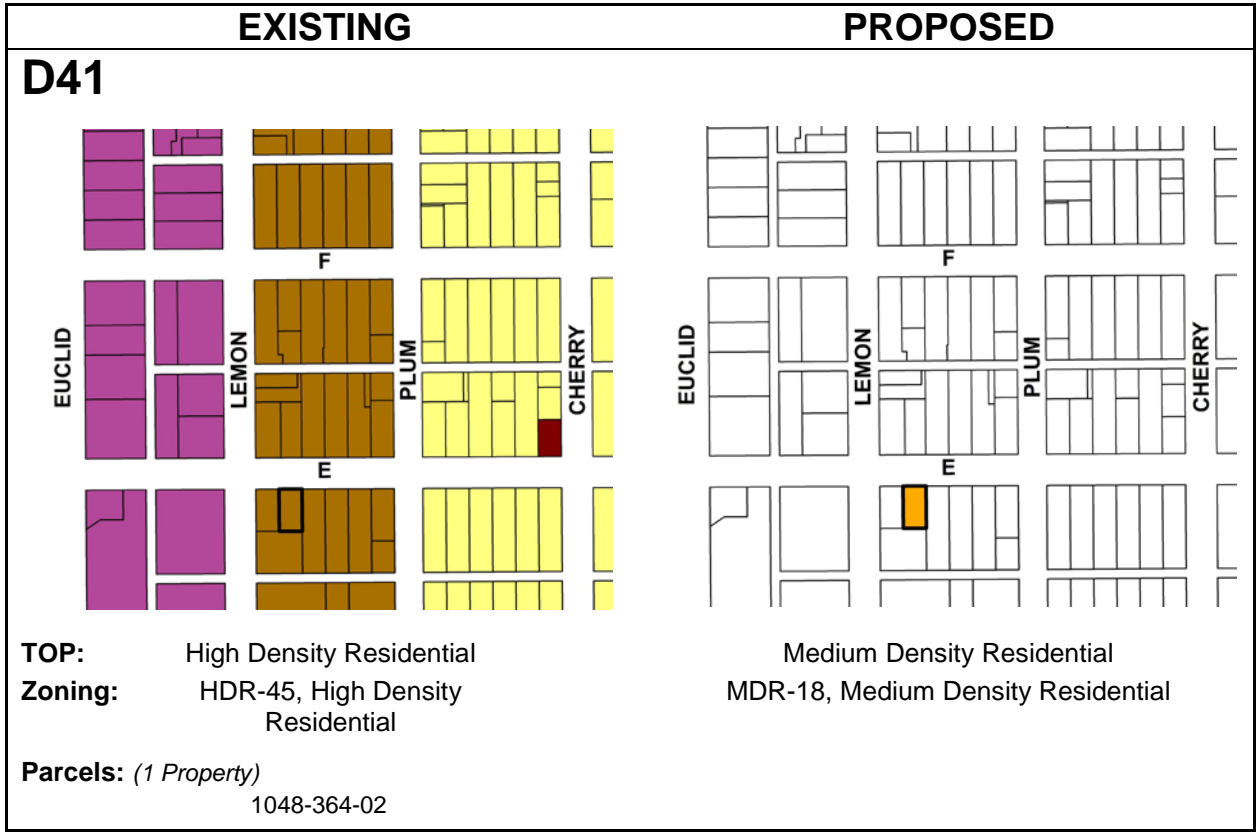


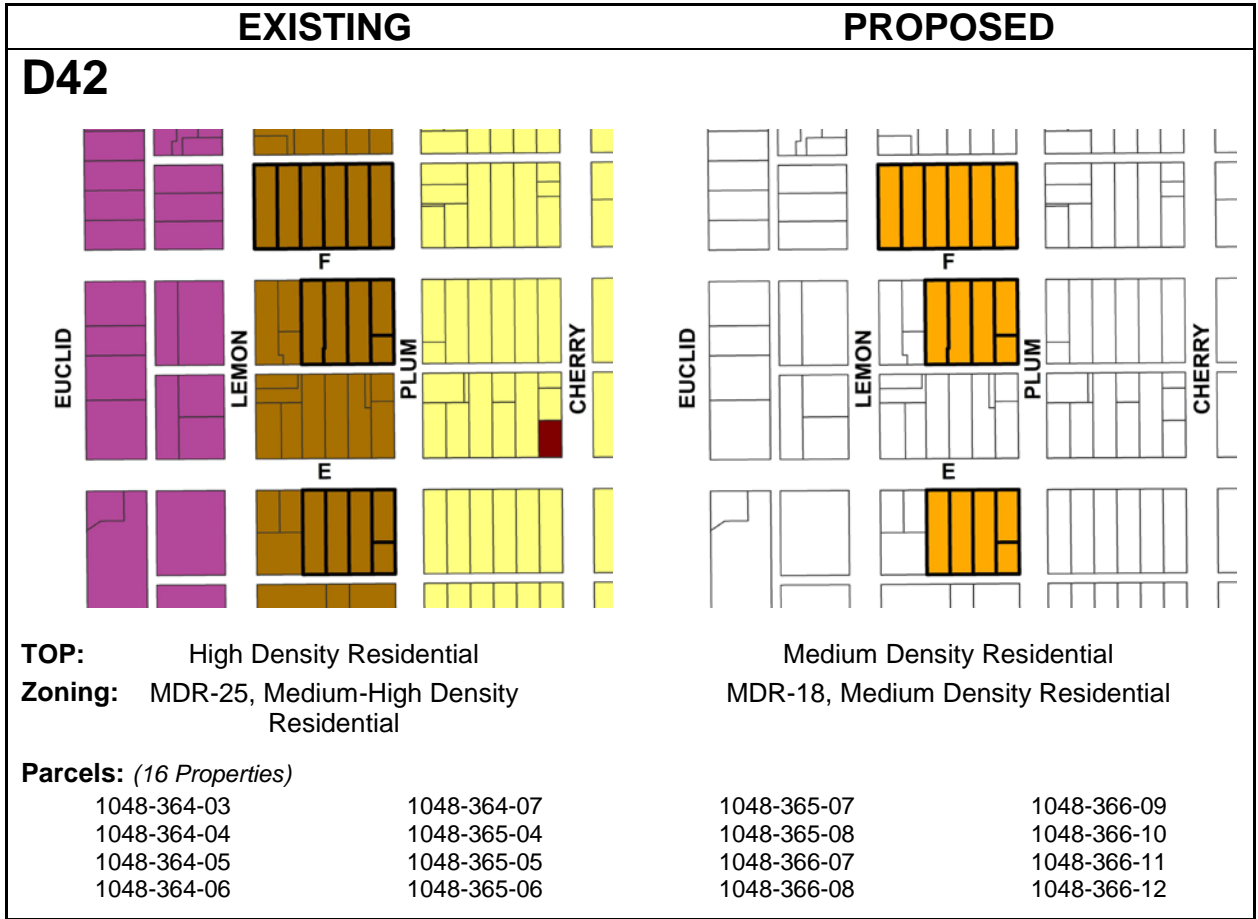


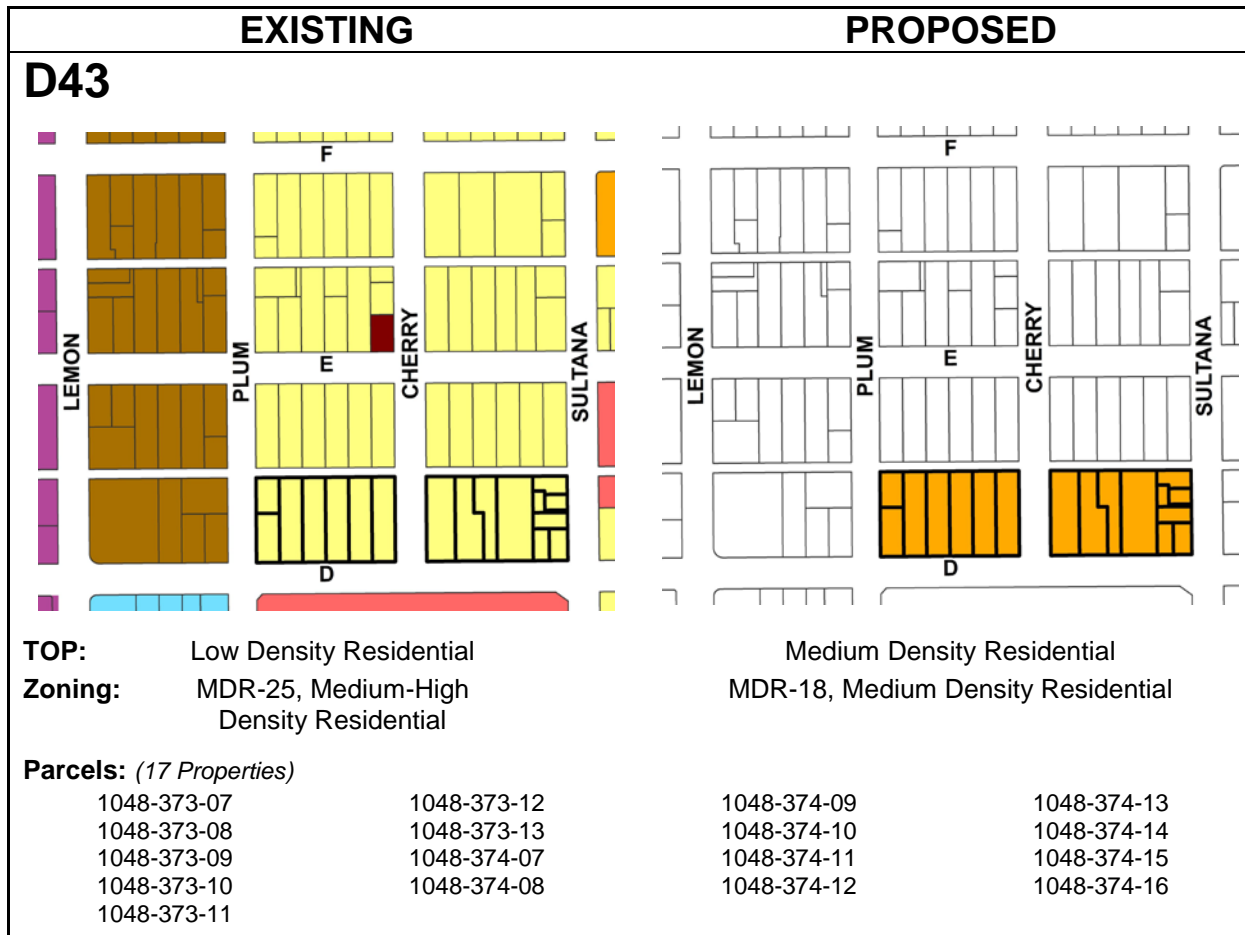


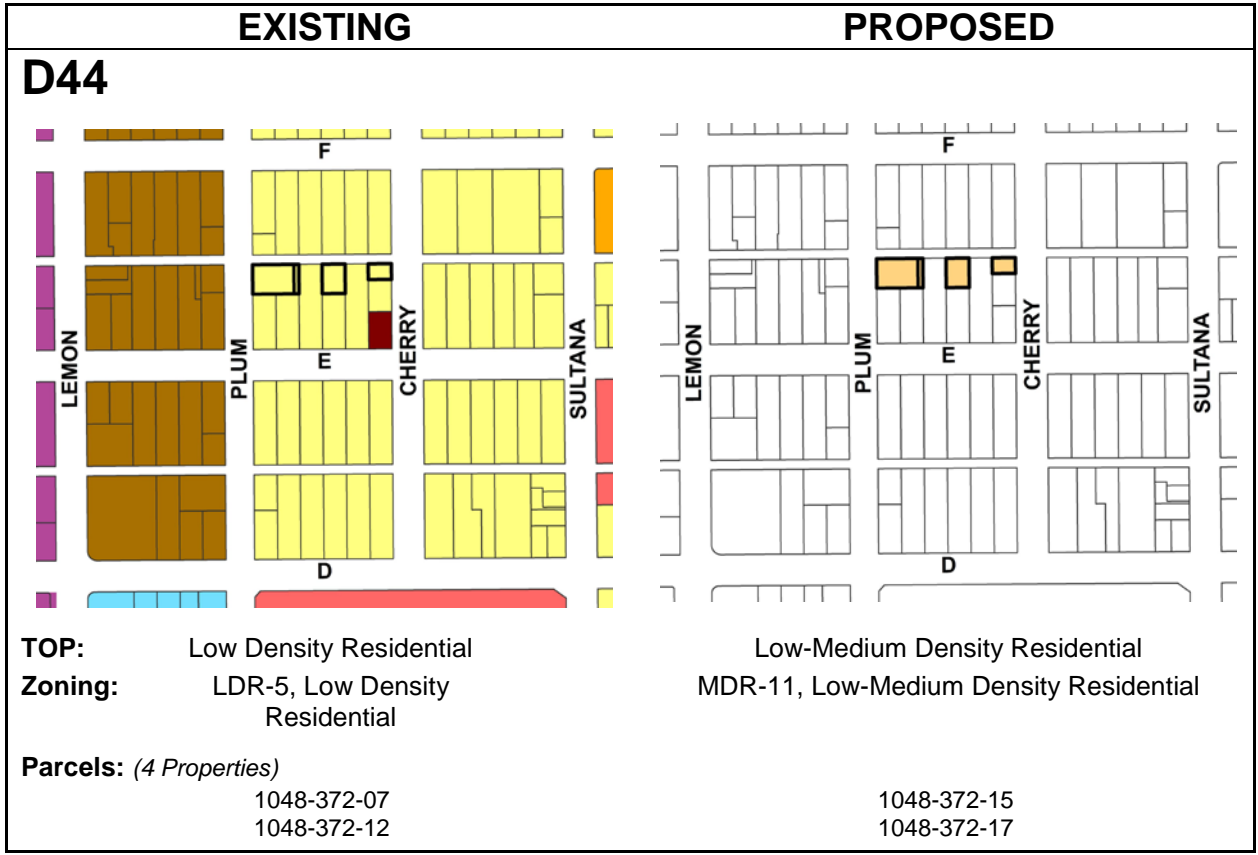


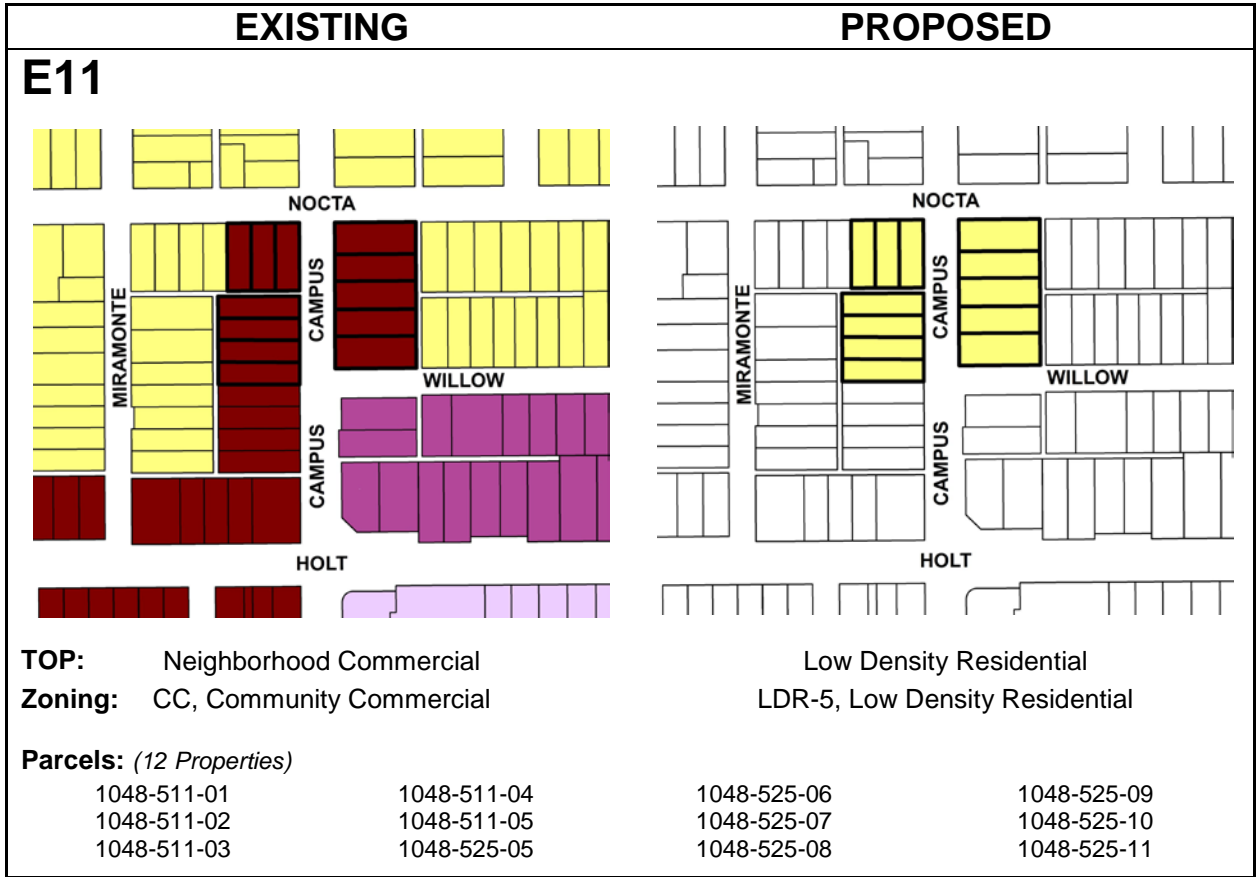


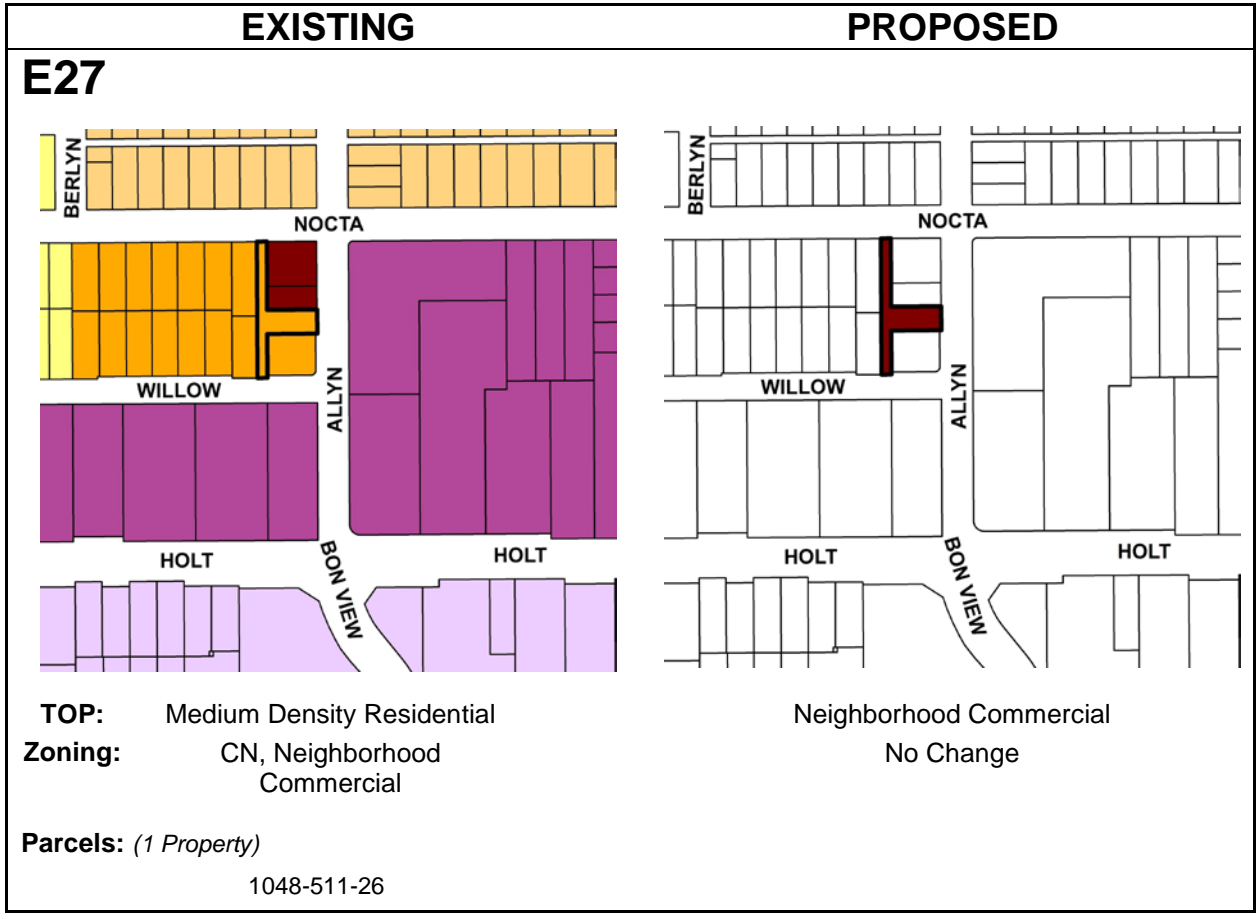


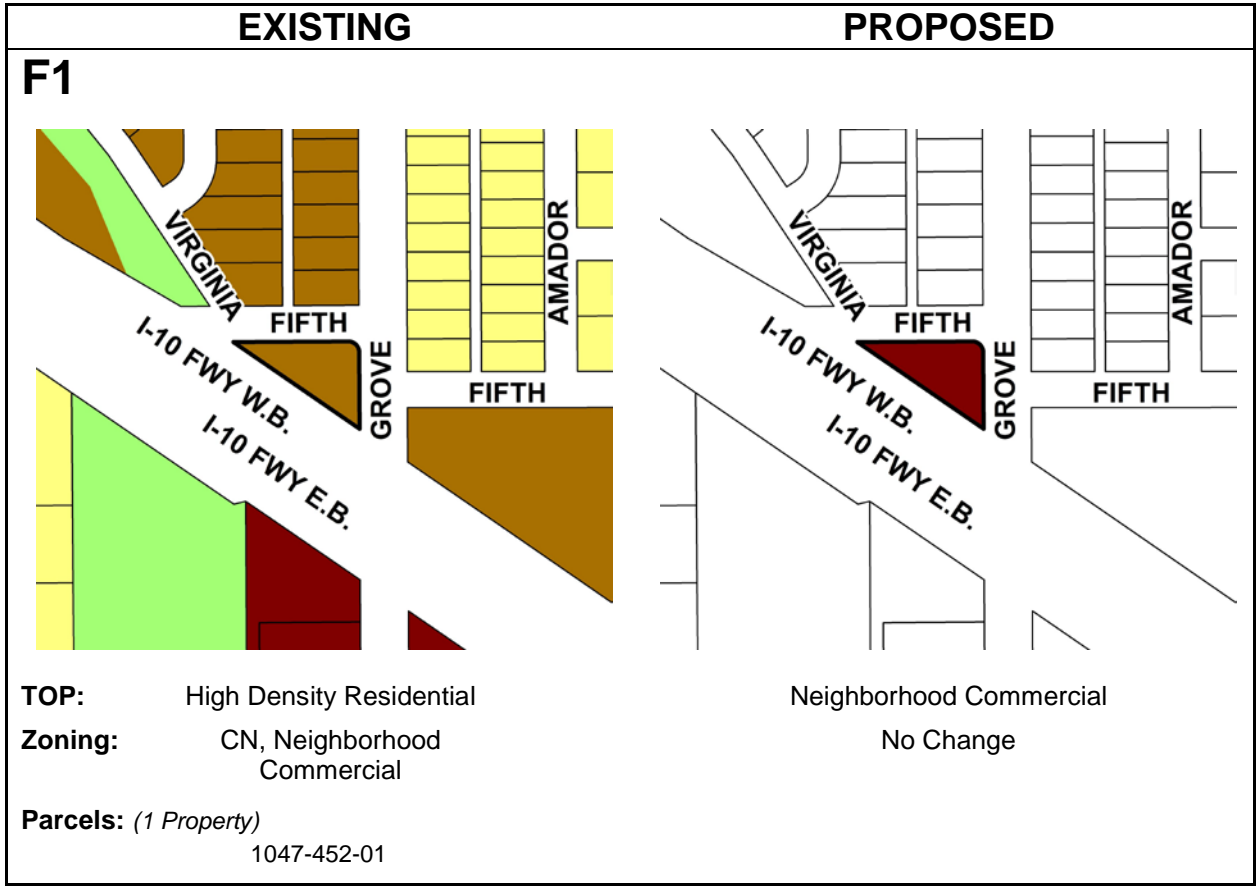


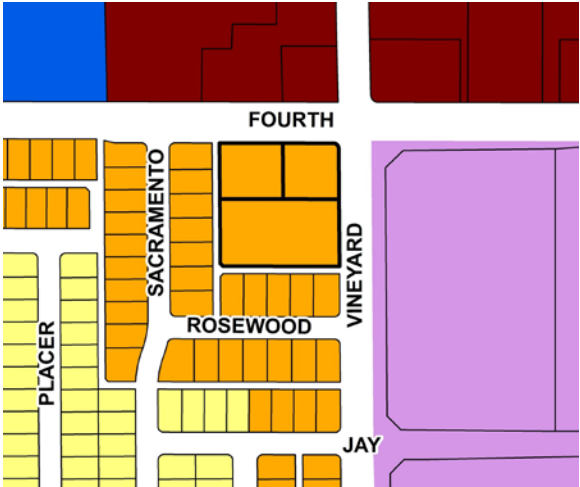
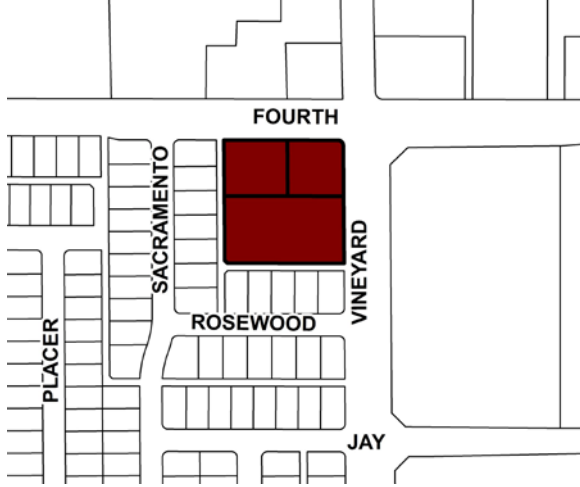




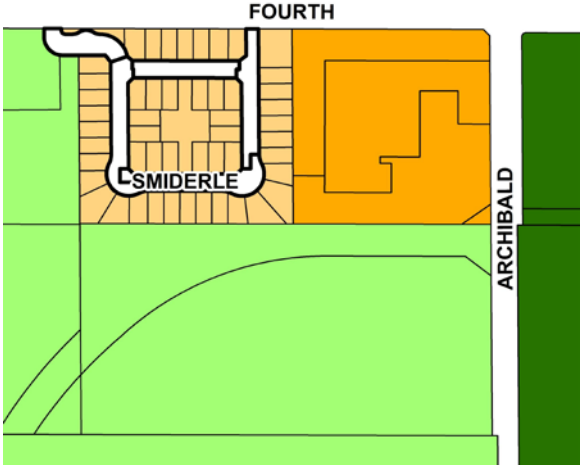
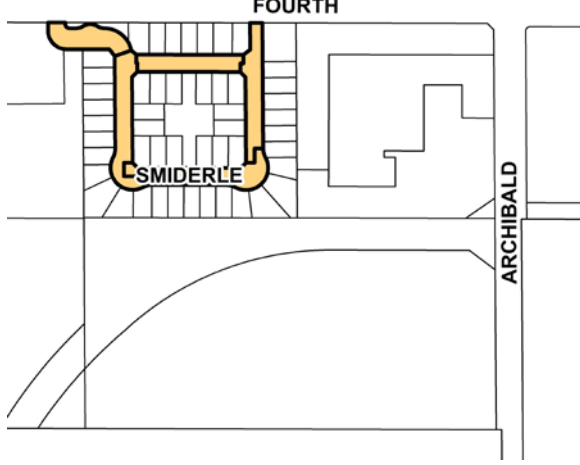


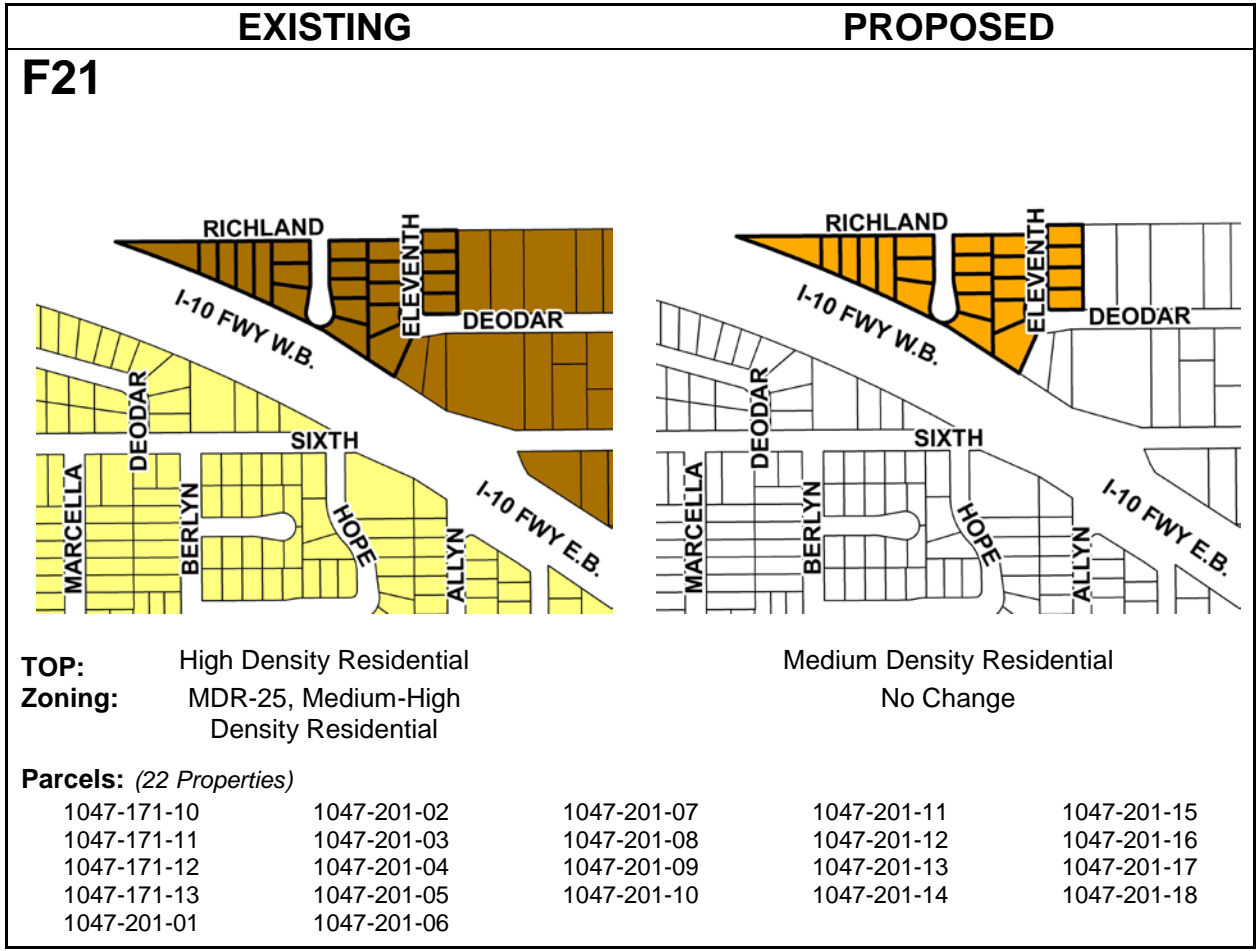


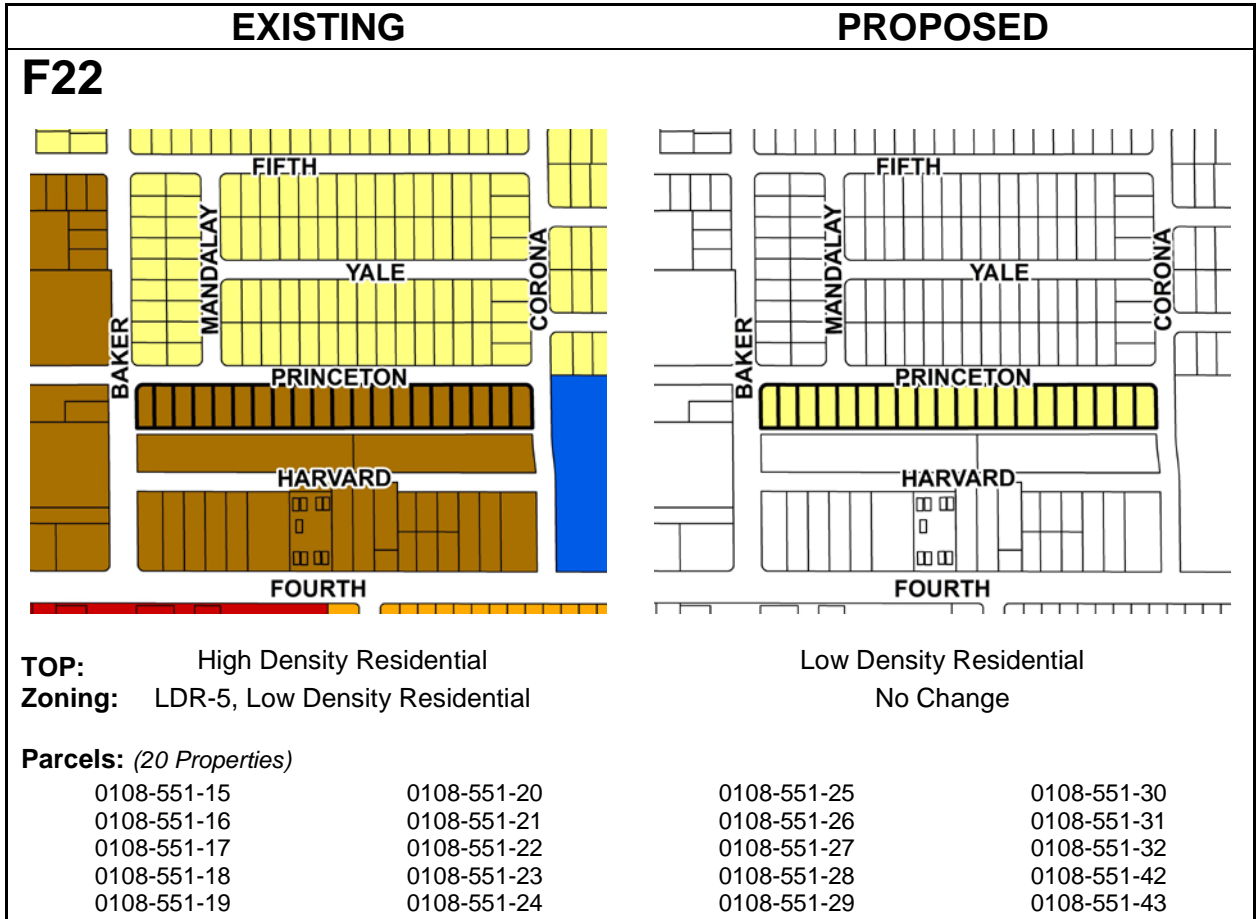


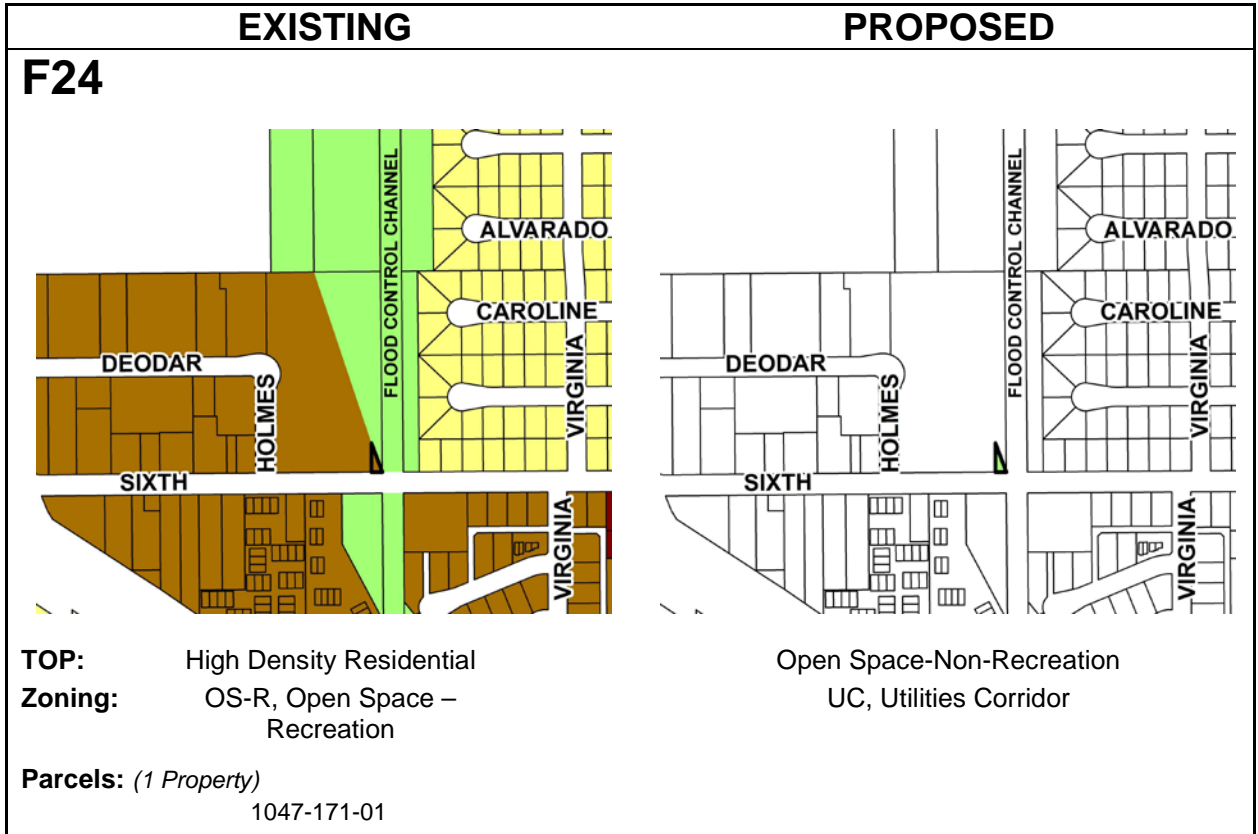
EXISTING	PROPOSED
F11	
	
<p>TOP: Medium Density Residential</p> <p>Zoning: CC, Community Commercial</p> <p>Parcels: (3 Properties)</p> <ul style="list-style-type: none"> 0110-334-14 0110-334-19 0110-334-20 	<p style="text-align: center;">Neighborhood Commercial</p> <p style="text-align: center;">CN, Neighborhood Commercial</p>

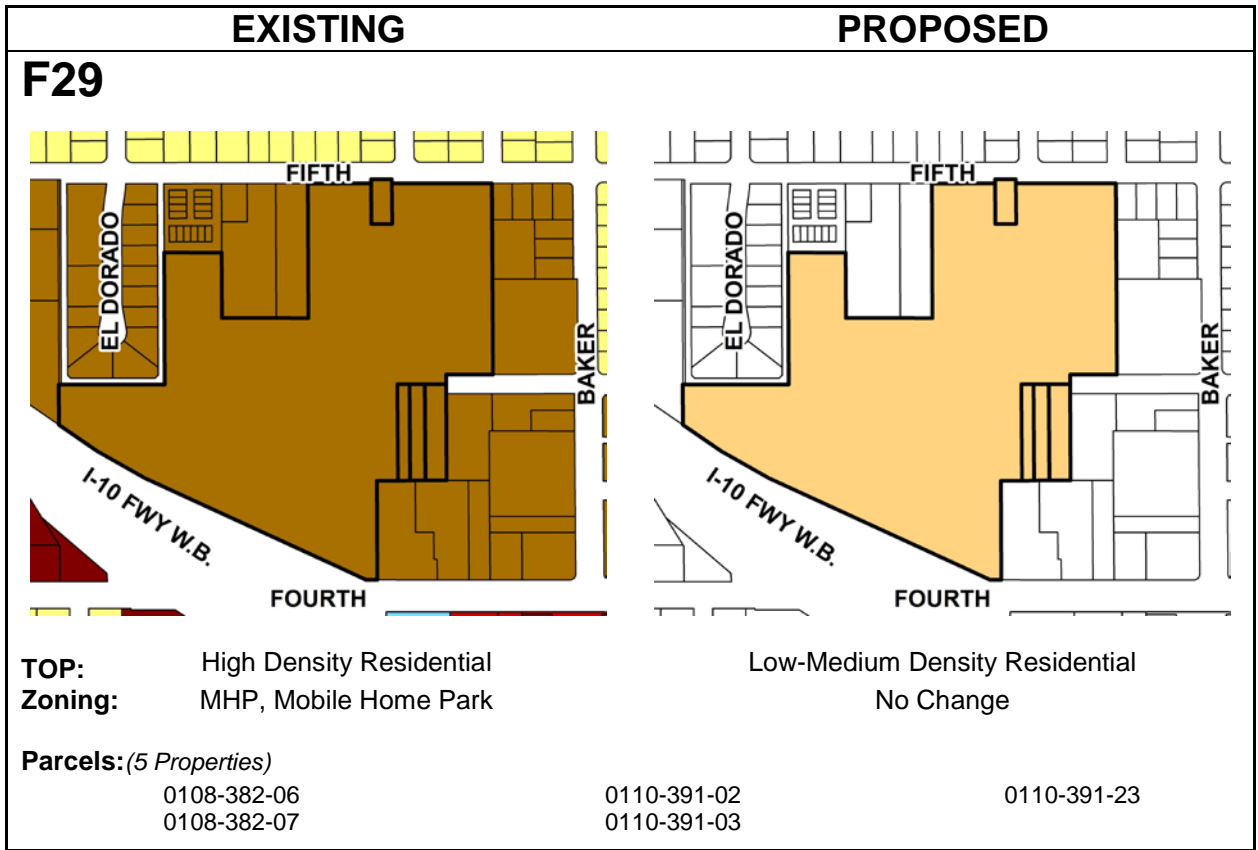
EXISTING	PROPOSED																																																		
F12																																																			
<p>TOP: Medium Density Residential</p> <p>Zoning: LDR-5, Low Density Residential</p>	<p>TOP: Low Density Residential</p> <p>Zoning: No Change</p>																																																		
<p>Parcels: (48 Properties)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 25%;">0110-332-12</td> <td style="width: 25%;">0110-341-07</td> <td style="width: 25%;">0110-342-04</td> <td style="width: 25%;">0110-343-01</td> <td style="width: 25%;">0110-374-04</td> </tr> <tr> <td>0110-332-13</td> <td>0110-341-08</td> <td>0110-342-05</td> <td>0110-343-02</td> <td>0110-374-05</td> </tr> <tr> <td>0110-332-14</td> <td>0110-341-09</td> <td>0110-342-06</td> <td>0110-362-03</td> <td>0110-374-06</td> </tr> <tr> <td>0110-332-15</td> <td>0110-341-10</td> <td>0110-342-07</td> <td>0110-362-04</td> <td>0110-374-07</td> </tr> <tr> <td>0110-341-01</td> <td>0110-341-11</td> <td>0110-342-08</td> <td>0110-363-01</td> <td>0110-374-08</td> </tr> <tr> <td>0110-341-02</td> <td>0110-341-12</td> <td>0110-342-09</td> <td>0110-363-02</td> <td>0110-374-09</td> </tr> <tr> <td>0110-341-03</td> <td>0110-341-13</td> <td>0110-342-10</td> <td>0110-363-03</td> <td>0110-374-10</td> </tr> <tr> <td>0110-341-04</td> <td>0110-342-01</td> <td>0110-342-11</td> <td>0110-363-04</td> <td>0110-374-11</td> </tr> <tr> <td>0110-341-05</td> <td>0110-342-02</td> <td>0110-342-12</td> <td>0110-374-03</td> <td>0110-374-12</td> </tr> <tr> <td>0110-341-06</td> <td>0110-342-03</td> <td>0110-342-13</td> <td></td> <td></td> </tr> </table>		0110-332-12	0110-341-07	0110-342-04	0110-343-01	0110-374-04	0110-332-13	0110-341-08	0110-342-05	0110-343-02	0110-374-05	0110-332-14	0110-341-09	0110-342-06	0110-362-03	0110-374-06	0110-332-15	0110-341-10	0110-342-07	0110-362-04	0110-374-07	0110-341-01	0110-341-11	0110-342-08	0110-363-01	0110-374-08	0110-341-02	0110-341-12	0110-342-09	0110-363-02	0110-374-09	0110-341-03	0110-341-13	0110-342-10	0110-363-03	0110-374-10	0110-341-04	0110-342-01	0110-342-11	0110-363-04	0110-374-11	0110-341-05	0110-342-02	0110-342-12	0110-374-03	0110-374-12	0110-341-06	0110-342-03	0110-342-13		
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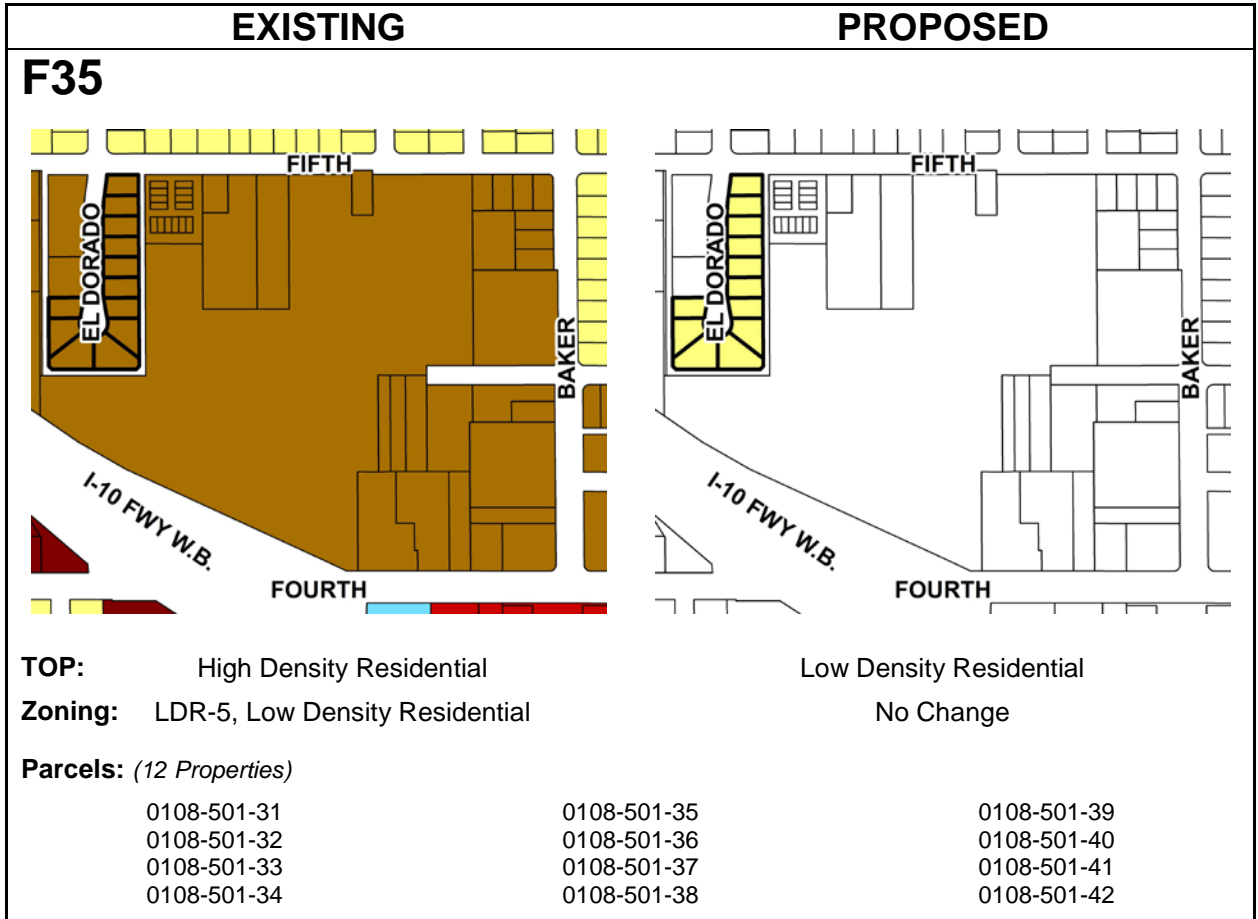
EXISTING	PROPOSED
<p>F17</p> 	
<p>TOP: Right of Way</p> <p>Zoning: ROW, Right of Way</p>	<p>Low-Medium Density Residential MDR-11, Low-Medium Density Residential</p>
<p>Parcels: (5 Properties)</p> <p>0210-601-51 0210-601-52</p>	<p>0210-601-53 0210-601-54</p> <p style="text-align: right;">0210-601-55</p>

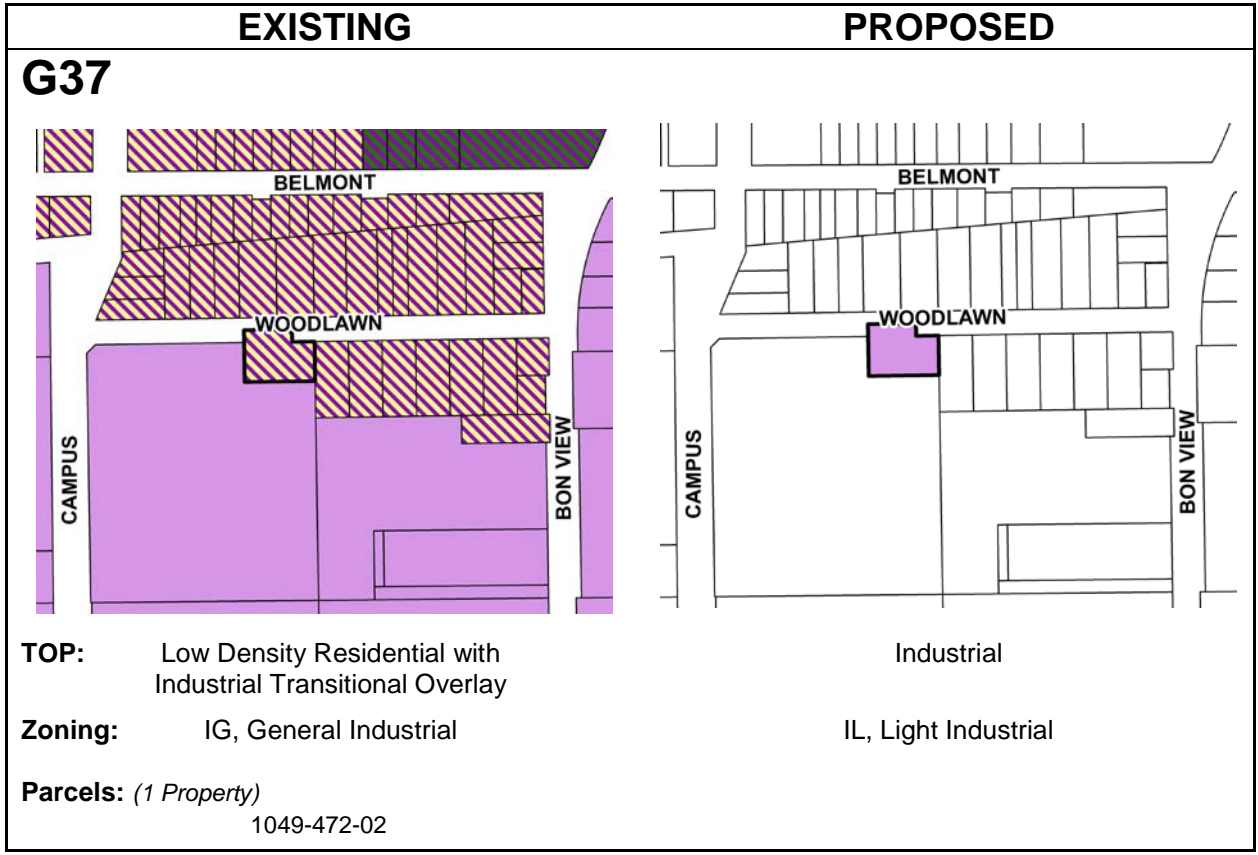




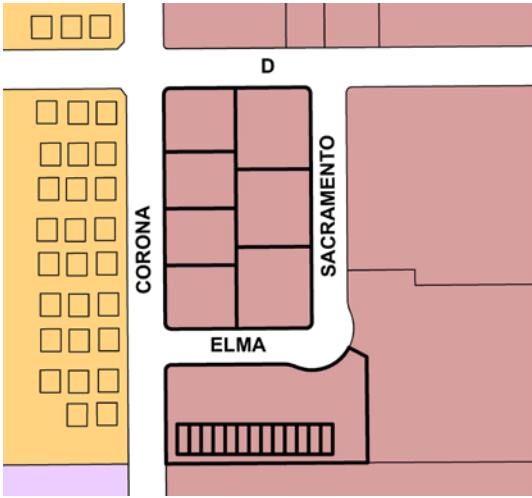
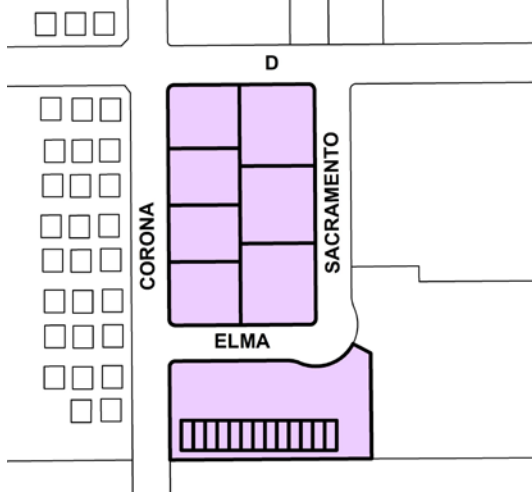


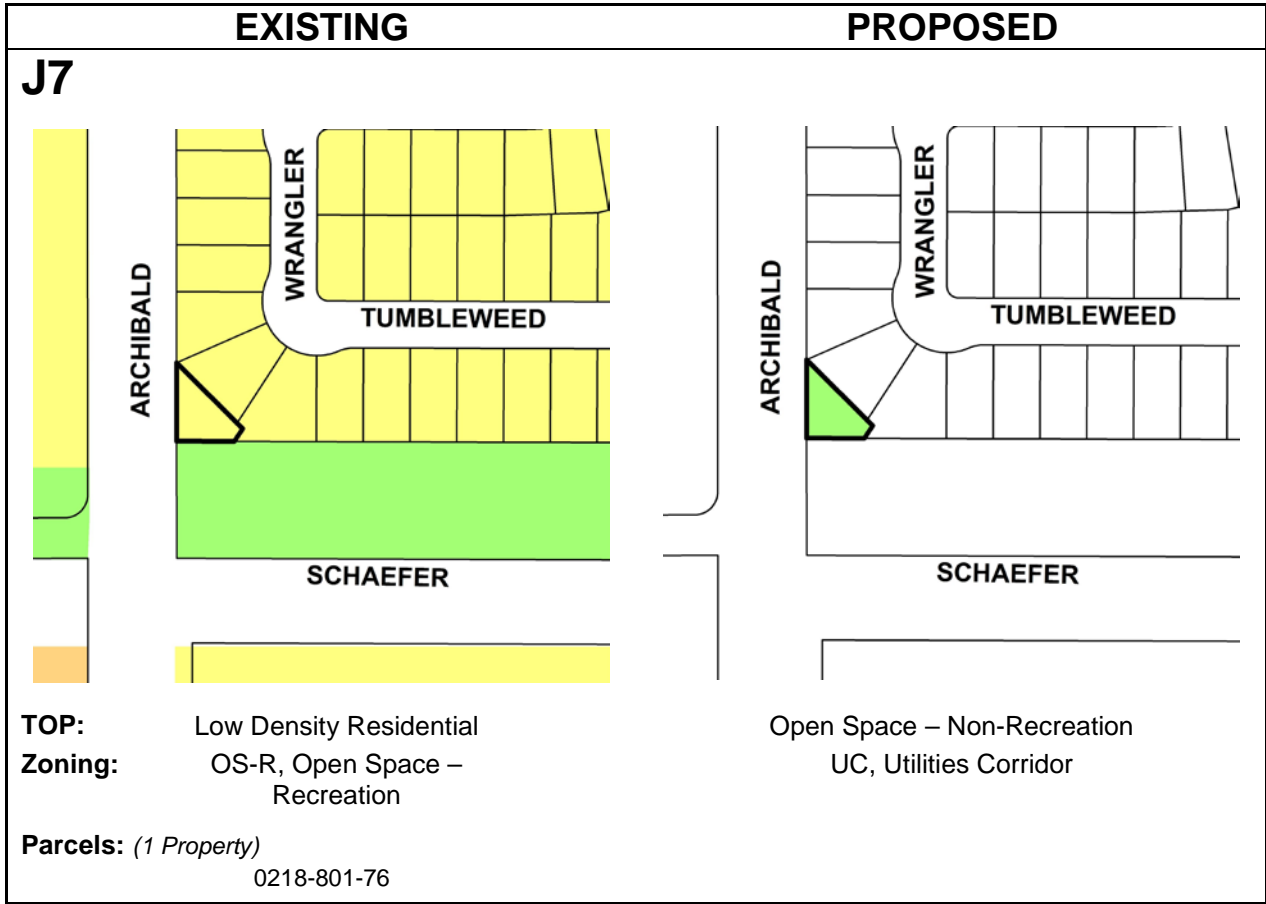






EXISTING	PROPOSED																																																																																																																
G38																																																																																																																	
<p>TOP: Low Density Residential</p> <p>Zoning: AR-2, Residential-Agricultural</p>	<p>TOP: Rural Residential</p> <p>Zoning: RE-2, Residential Estate</p>																																																																																																																
<p>Parcels: (112 Properties)</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td>1050-251-02</td><td>1050-251-24</td><td>1050-261-06</td><td>1050-262-13</td><td>1050-262-32</td><td>1050-391-25</td><td>1050-402-06</td> </tr> <tr> <td>1050-251-03</td><td>1050-251-25</td><td>1050-261-07</td><td>1050-262-14</td><td>1050-262-33</td><td>1050-401-23</td><td>1050-402-07</td> </tr> <tr> <td>1050-251-04</td><td>1050-251-26</td><td>1050-261-08</td><td>1050-262-15</td><td>1050-262-34</td><td>1050-401-24</td><td>1050-402-08</td> </tr> <tr> <td>1050-251-05</td><td>1050-251-27</td><td>1050-261-09</td><td>1050-262-16</td><td>1050-262-35</td><td>1050-401-25</td><td>1050-402-09</td> </tr> <tr> <td>1050-251-06</td><td>1050-251-28</td><td>1050-261-10</td><td>1050-262-17</td><td>1050-262-36</td><td>1050-401-26</td><td>1050-402-10</td> </tr> <tr> <td>1050-251-07</td><td>1050-251-29</td><td>1050-261-11</td><td>1050-262-18</td><td>1050-262-37</td><td>1050-401-27</td><td>1050-402-11</td> </tr> <tr> <td>1050-251-08</td><td>1050-251-30</td><td>1050-261-12</td><td>1050-262-19</td><td>1050-262-38</td><td>1050-401-28</td><td>1050-402-12</td> </tr> <tr> <td>1050-251-09</td><td>1050-251-31</td><td>1050-261-13</td><td>1050-262-20</td><td>1050-262-39</td><td>1050-401-29</td><td>1050-402-13</td> </tr> <tr> <td>1050-251-10</td><td>1050-251-32</td><td>1050-261-14</td><td>1050-262-21</td><td>1050-262-40</td><td>1050-401-30</td><td>1050-402-14</td> </tr> <tr> <td>1050-251-11</td><td>1050-251-33</td><td>1050-261-15</td><td>1050-262-22</td><td>1050-262-41</td><td>1050-401-31</td><td>1050-402-15</td> </tr> <tr> <td>1050-251-12</td><td>1050-251-34</td><td>1050-261-16</td><td>1050-262-23</td><td>1050-391-03</td><td>1050-401-32</td><td>1050-411-03</td> </tr> <tr> <td>1050-251-13</td><td>1050-251-35</td><td>1050-261-17</td><td>1050-262-27</td><td>1050-391-04</td><td>1050-401-33</td><td>1050-411-04</td> </tr> <tr> <td>1050-251-14</td><td>1050-251-36</td><td>1050-262-08</td><td>1050-262-28</td><td>1050-391-07</td><td>1050-401-34</td><td>1050-411-05</td> </tr> <tr> <td>1050-251-15</td><td>1050-261-03</td><td>1050-262-10</td><td>1050-262-29</td><td>1050-391-08</td><td>1050-401-35</td><td>1050-411-39</td> </tr> <tr> <td>1050-251-16</td><td>1050-261-04</td><td>1050-262-11</td><td>1050-262-30</td><td>1050-391-09</td><td>1050-402-04</td><td>1050-411-40</td> </tr> <tr> <td>1050-251-17</td><td>1050-261-05</td><td>1050-262-12</td><td>1050-262-31</td><td>1050-391-22</td><td>1050-402-05</td><td>1050-411-41</td> </tr> </table>		1050-251-02	1050-251-24	1050-261-06	1050-262-13	1050-262-32	1050-391-25	1050-402-06	1050-251-03	1050-251-25	1050-261-07	1050-262-14	1050-262-33	1050-401-23	1050-402-07	1050-251-04	1050-251-26	1050-261-08	1050-262-15	1050-262-34	1050-401-24	1050-402-08	1050-251-05	1050-251-27	1050-261-09	1050-262-16	1050-262-35	1050-401-25	1050-402-09	1050-251-06	1050-251-28	1050-261-10	1050-262-17	1050-262-36	1050-401-26	1050-402-10	1050-251-07	1050-251-29	1050-261-11	1050-262-18	1050-262-37	1050-401-27	1050-402-11	1050-251-08	1050-251-30	1050-261-12	1050-262-19	1050-262-38	1050-401-28	1050-402-12	1050-251-09	1050-251-31	1050-261-13	1050-262-20	1050-262-39	1050-401-29	1050-402-13	1050-251-10	1050-251-32	1050-261-14	1050-262-21	1050-262-40	1050-401-30	1050-402-14	1050-251-11	1050-251-33	1050-261-15	1050-262-22	1050-262-41	1050-401-31	1050-402-15	1050-251-12	1050-251-34	1050-261-16	1050-262-23	1050-391-03	1050-401-32	1050-411-03	1050-251-13	1050-251-35	1050-261-17	1050-262-27	1050-391-04	1050-401-33	1050-411-04	1050-251-14	1050-251-36	1050-262-08	1050-262-28	1050-391-07	1050-401-34	1050-411-05	1050-251-15	1050-261-03	1050-262-10	1050-262-29	1050-391-08	1050-401-35	1050-411-39	1050-251-16	1050-261-04	1050-262-11	1050-262-30	1050-391-09	1050-402-04	1050-411-40	1050-251-17	1050-261-05	1050-262-12	1050-262-31	1050-391-22	1050-402-05	1050-411-41
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1050-251-17	1050-261-05	1050-262-12	1050-262-31	1050-391-22	1050-402-05	1050-411-41																																																																																																											

EXISTING	PROPOSED																								
H25																									
																									
<p>TOP: Hospitality</p> <p>Zoning: CCS, Convention Center Support</p>	<p>Business Park</p> <p>BP, Business Park</p>																								
<p>Parcels: (21 Properties)</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 25%;">0110-022-03</td> <td style="width: 25%;">0110-022-02</td> <td style="width: 25%;">0110-022-19</td> <td style="width: 25%;">0110-022-17</td> </tr> <tr> <td>0110-022-04</td> <td>0110-022-29</td> <td>0110-022-21</td> <td>0110-022-20</td> </tr> <tr> <td>0110-022-07</td> <td>0110-022-24</td> <td>0110-022-28</td> <td>0110-022-18</td> </tr> <tr> <td>0110-022-06</td> <td>0110-022-25</td> <td>0110-022-16</td> <td>0110-022-26</td> </tr> <tr> <td>0110-022-05</td> <td>0110-022-23</td> <td>0110-022-27</td> <td>0110-022-22</td> </tr> <tr> <td>0110-022-08</td> <td></td> <td></td> <td></td> </tr> </table>		0110-022-03	0110-022-02	0110-022-19	0110-022-17	0110-022-04	0110-022-29	0110-022-21	0110-022-20	0110-022-07	0110-022-24	0110-022-28	0110-022-18	0110-022-06	0110-022-25	0110-022-16	0110-022-26	0110-022-05	0110-022-23	0110-022-27	0110-022-22	0110-022-08			
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0110-022-04	0110-022-29	0110-022-21	0110-022-20																						
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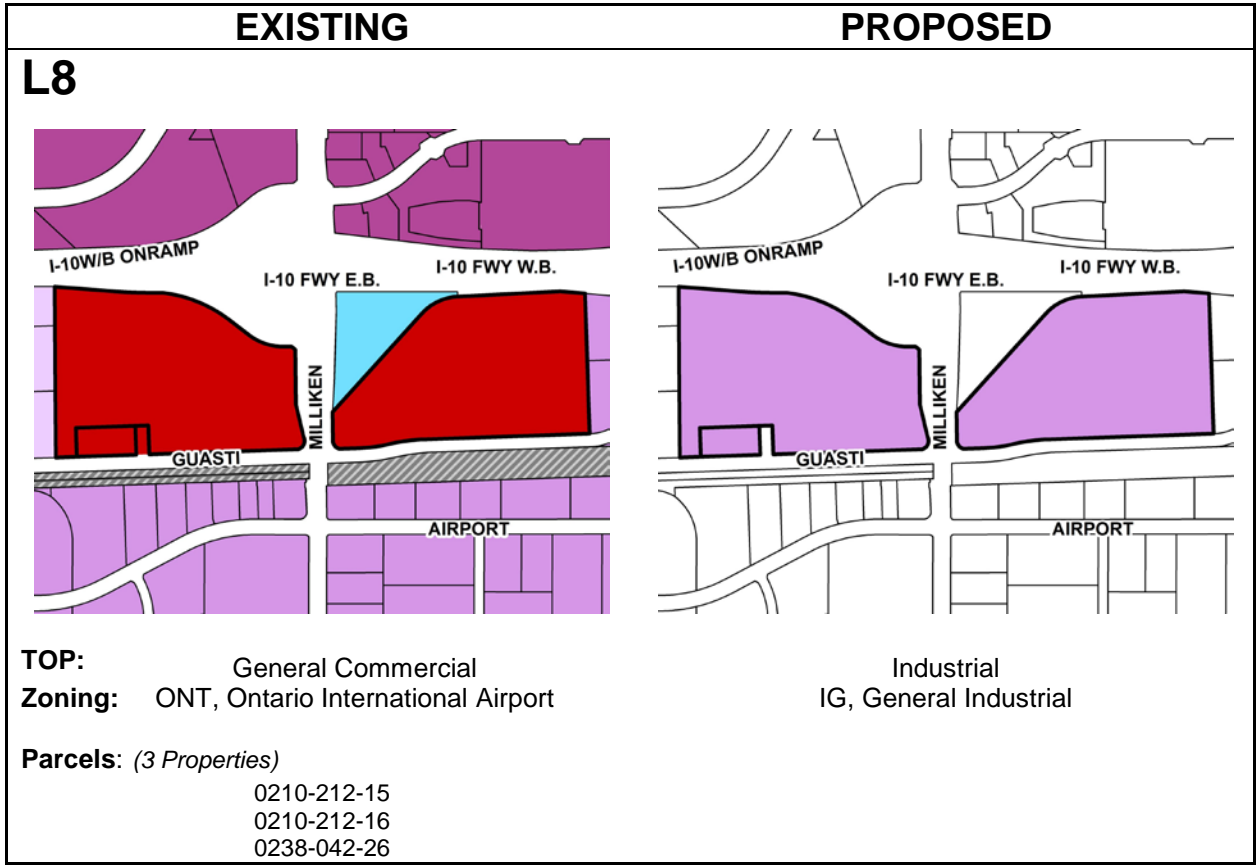


Exhibit B LU-03 Future Buildout



Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	483 529	2.0 du/ac	965 1,059	3,858 4,232		
Low Density ⁶	7,294 7,255	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,739 30,584	122,865 122,244		
Low-Medium ⁶ Density	966 999	8.5 du/ac	8,210 8,492	32,814 33,941		
Medium Density	1,894 1,897	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,143 38,200	133,572 133,791		
High Density	234 183	35.0 du/ac	8,178 6,415	27,373 21,470		
<i>Subtotal</i>	10,870 10,864		86,236 84,750	320,482 315,679		
Mixed Use						
• Downtown	112 113	• 60% of the area at 35 du/ac • 40% of the area at 0.80 FAR for office and retail	2,352 2,365	4,704 4,729	1,561,330 1,569,554	2,793 2,808
• East Holt Boulevard	57	• 25% of the area at 30 du/ac • 50% of the area at 1.0 FAR office • 25% of area at 0.80 FAR retail	428	856	1,740,483	3,913
• Meredith	93	• 23% of the area at 37.4 du/ac • 72% at 0.35 FAR for office and retail uses • 5% at 0.75 FAR for Lodging	800	1,600	1,172,788	1,462
• Transit Center	76	• 10% of the area at 60 du/ac • 90% of the area at 1.0 FAR office and retail	457	913	2,983,424	5,337
• Inland Empire Corridor	37	• 50% of the area at 20 du/ac • 30% of area at 0.50 FAR office • 20% of area t 0.35 FAR retail	368	736	352,662	768
• Guasti	77	• 20% of the area at 30 du/ac • 30% of area at 1.0 FAR retail • 50% of area at .70 FAR office	500	1,001	2,192,636	4,103
• Ontario Center	345	• 30% of area at 40 du/ac • 50% of area at 1.0 FAR office • 20% of area at 0.5 FAR retail	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	• 5% of area at 40 du/ac • 20% of area at 0.75 FAR office • 75% of area at 0.5 FAR retail	479	958	5,477,126	7,285
• NMC West/South	315	• 30% of area at 35 du/ac • 70% of area at 0.7 FAR office and retail	3,311	6,621	6,729,889	17,188
• NMC East	264	• 30% of area at 25 du/ac • 30% of area at 0.35 FAR for office • 40% of area at 0.3 FAR for retail uses	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	• 50% of the area at 30 du/ac • 50% of area at 0.8 FAR retail	156	312	181,210	419
• SR-60/ Hamner Tuscana Village	41	• 18% of the area at 25 du/ac • 57% of the area at 0.25 FAR retail • 25% of the area at 1.5 FAR office	185	369	924,234	2,098
<i>Subtotal</i>	1,667 1,668		15,116 15,129	30,232 30,257	34,914,612 34,922,836	72,368 72,383

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood ⁶ Commercial	280 281	0.30 FAR			3,658,256 3,671,585	8,852 8,884
General Commercial	604 533	0.30 FAR			7,850,209 6,964,199	7,293 6,470
Office/ Commercial	512 516	0.75 FAR			16,728,347 16,872,748	37,097 37,418
Hospitality	145 141	1.00 FAR			6,312,715 6,157,642	7,237 7,060
<i>Subtotal</i>	1,538 1,472				34,549,527 33,666,174	60,479 59,831
Employment						
Business Park	1,550 1,553	0.40 FAR			27,000,753 27,062,783	47,372 47,481
Industrial	6,253 6,321	0.55 FAR			149,799,312 151,37,081	131,617 133,056
<i>Subtotal</i>	7,802 7,874				176,800,065 178,499,863	178,989 180,537
Other						
Open Space– Non-Recreation	1,230 1,232	Not applicable				
Open Space– Parkland ⁶	950	Not applicable				
Open Space- Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,875 4,872	Not applicable				
<i>Subtotal</i>	9,907 9,906					
Total	31,784		101,352 99,878	350,715 345,936	246,264,204 247,088,873	311,836 312,750

- Notes
- Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
 - Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
 - Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
 - Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
 - To view the factors used to generate the number of employees by land use category, access the Methodology report.
 - Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PGPA17-001, A CITY INITIATED REQUEST TO 1) MODIFY THE LAND USE ELEMENT OF THE ONTARIO PLAN (GENERAL PLAN) TO CHANGE THE LAND USE DESIGNATIONS SHOWN ON THE LAND USE PLAN MAP (EXHIBIT LU-01) FOR APPROXIMATELY 450 PROPERTIES, GENERALLY CONCENTRATED IN THE DOWNTOWN AREA, AND THE RESIDENTIAL AREA NORTH OF THE I-10 FREEWAY, AND ADDITIONAL AREAS LOCATED THROUGHOUT THE CITY; AND 2) MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES; AND MAKING FINDINGS IN SUPPORT THEREOF—APN: AS SHOWN IN EXHIBIT A (ATTACHED). (LAND USE ELEMENT CYCLE 1 FOR THE 2018 CALENDAR YEAR).

WHEREAS, City of Ontario ("Applicant") has initiated an Application for the approval of a General Plan Amendment, File No. PGPA17-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to approximately 450 properties, generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, and additional areas located throughout the City; and

WHEREAS, the proposed changes to Figure LU-01 Official Land Use Plan include changes to land use designations of certain properties as shown in Exhibit A (attached) to make the land use designations of these properties consistent with the existing use of the property or to coordinate with the surrounding land use designations; and

WHEREAS, Figure LU-03 Future Buildout specifies the likely buildout for Ontario with the adopted land use designations. The proposed changes to Figure LU-01 Official Land Use Plan will require Figure LU-03 Future Buildout to be modified, as shown in Exhibit B (attached), to be consistent with LU-01 Official Land Use Plan; and

WHEREAS, the City of Ontario held Community Open Houses on November 13 and November 14, 2017, to gain input from impacted property owners and property owners within a 300 foot radius; and

WHEREAS, one written comment that was not in support of the General Plan Amendment was received at the Community Open Houses from a property owner in the residential area north of the I-10 Freeway that requested that his property keep High Density Residential designation rather than the proposed Medium Density Residential designation; and

WHEREAS, staff re-analyzed the area and has removed these properties from the proposed General Plan Amendment resulting in the properties keeping a High Density Residential designation; and

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

WHEREAS, the 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, as the first action on the Project, on January 23, 2018, the Planning Commission approved a resolution recommending City Council adoption of an Addendum to a previous Environmental Impact Report prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of less than significant; and

WHEREAS, on January 23, 2018, the Planning Commission of the City of Ontario conducted a hearing to consider the Addendum to The Ontario Plan (TOP) Environmental Impact Report, the initial study, and 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 Addendum, the initial study, and the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission recommends the City Council find as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan (TOP) Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001.

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

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts.

(4) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and

(5) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

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

SECTION 2: Additional Environmental Review Not Required. Based on the Addendum, all related information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission recommends the City Council find that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

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

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

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

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

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

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

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

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the Planning Commission recommends the City Council find that based upon 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 sites are not properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix (as amended).

SECTION 4: Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the 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, recommends the City Council find and determine that the Project, when implemented, 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 recommends the City Council conclude as follows:

a. The proposed General Plan Amendment is consistent with the goals and policies of The Ontario Plan as follows:

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.

Compliance: The proposed General Plan Amendment reflects the existing uses of the properties or closely coordinates with land use designations in the surrounding area which provides opportunities for choice in living and working environments.

LU2-1 Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

Compliance: The proposed General Plan Amendment reflects the existing uses of the properties or closely coordinates with land use designations in the surrounding area which will not increase adverse impacts on adjacent properties.

LU5-7 ALUCP Consistency with Land Use Regulations. We comply with state law that required general plans, specific plans and all new development by consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

Compliance: The proposed General Plan Amendment is consistent with the adopted Airport Land Use Compatibility Plan for both Ontario Airport and Chino Airport.

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.

Compliance: The subject properties are located within the 60 to 65 CNEL or the 65 to 70 CNEL Noise Impact areas. The proposed land use designations are compatible with the Noise Impact area or are existing uses.

b. The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

c. The Land Use Element is a mandatory element of the Policy Plan (General Plan) component of The Ontario Plan, which, pursuant to GC Section 65358, may be amended up to four times per calendar year, and the proposed General Plan Amendment is the first cycle amendment to the Land Use Element within the 2018 calendar year.

d. During the amendment of the Policy Plan (General Plan) component of The Ontario Plan, opportunities for the involvement of citizens, California Native American Indian tribes (pursuant to GC 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 GC Section 65351.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application, as detailed in "Exhibit A" and "Exhibit B" attached hereto, 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 23rd day of January, 2018, 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, AICP
Assistant Development 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. PC18-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on January 23, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

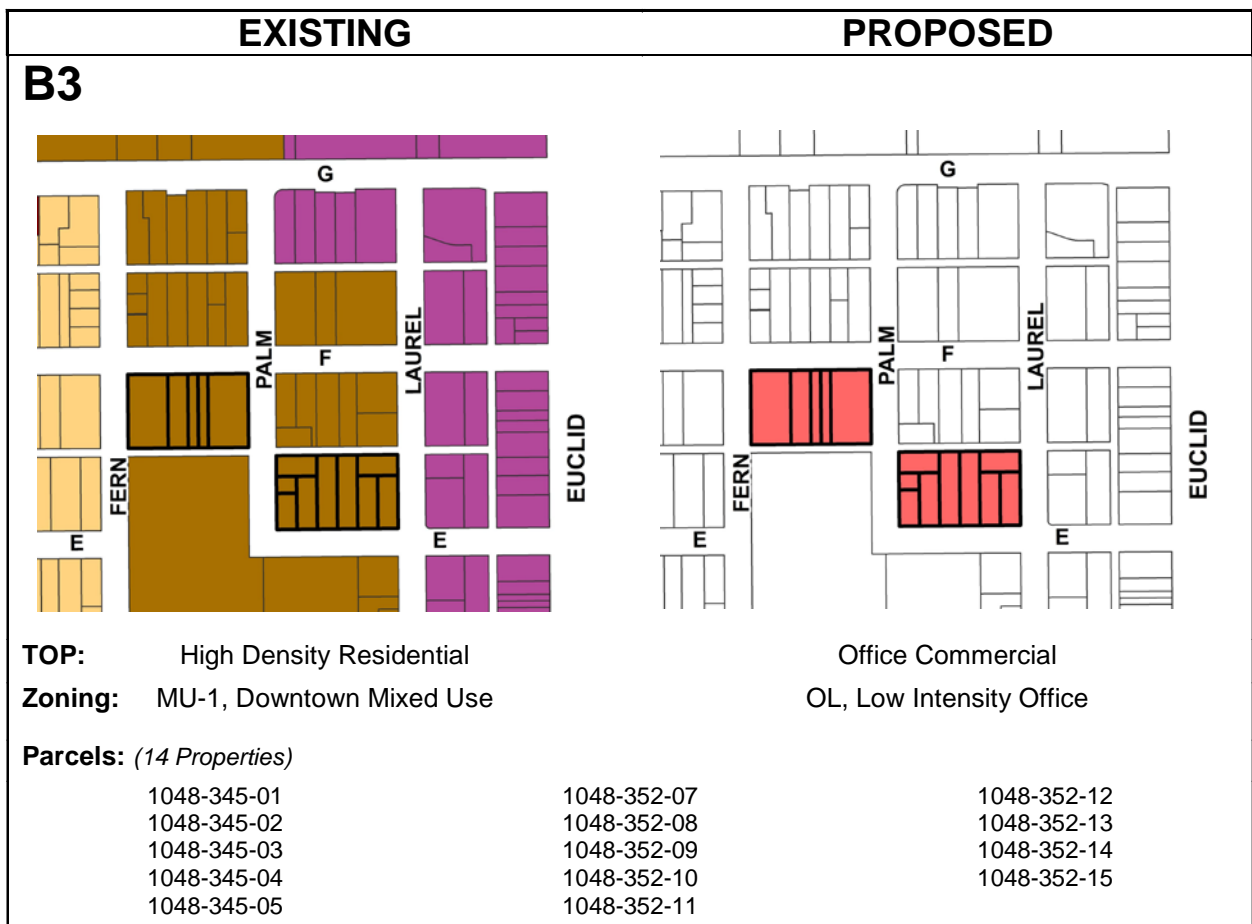
EXHIBIT A:

**File No. PGPA17-001
General Plan Amendments to Land Use Plan Map
(Exhibit LU-1)**

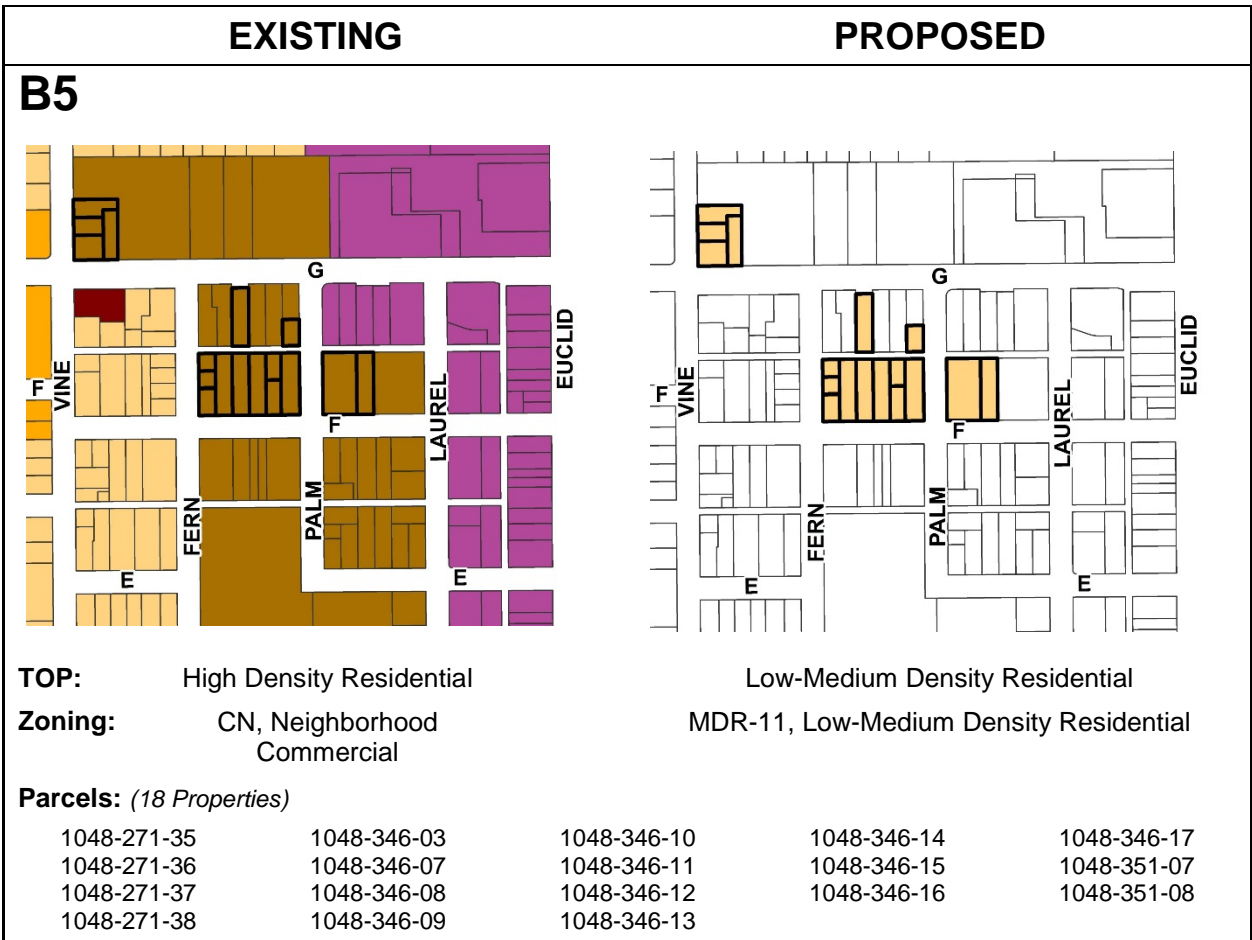
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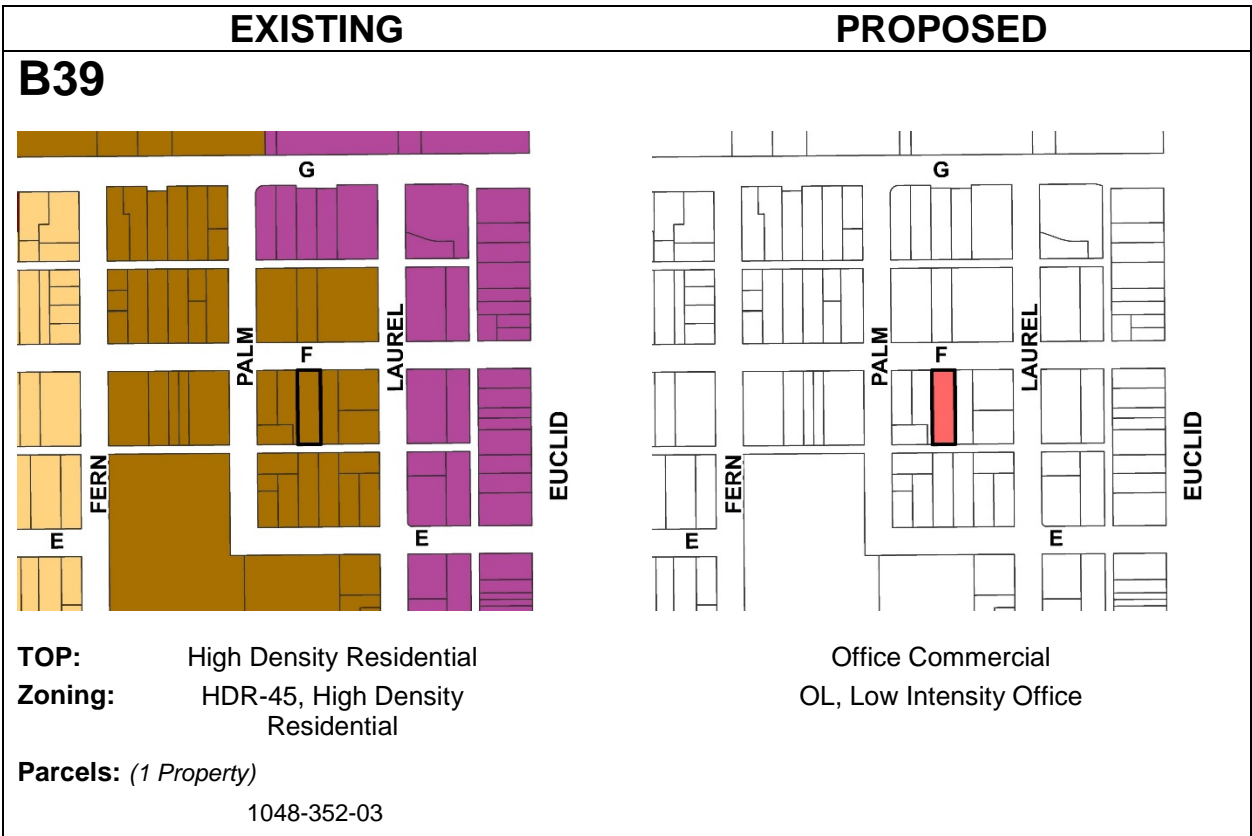
Exhibit A PGPA17-001

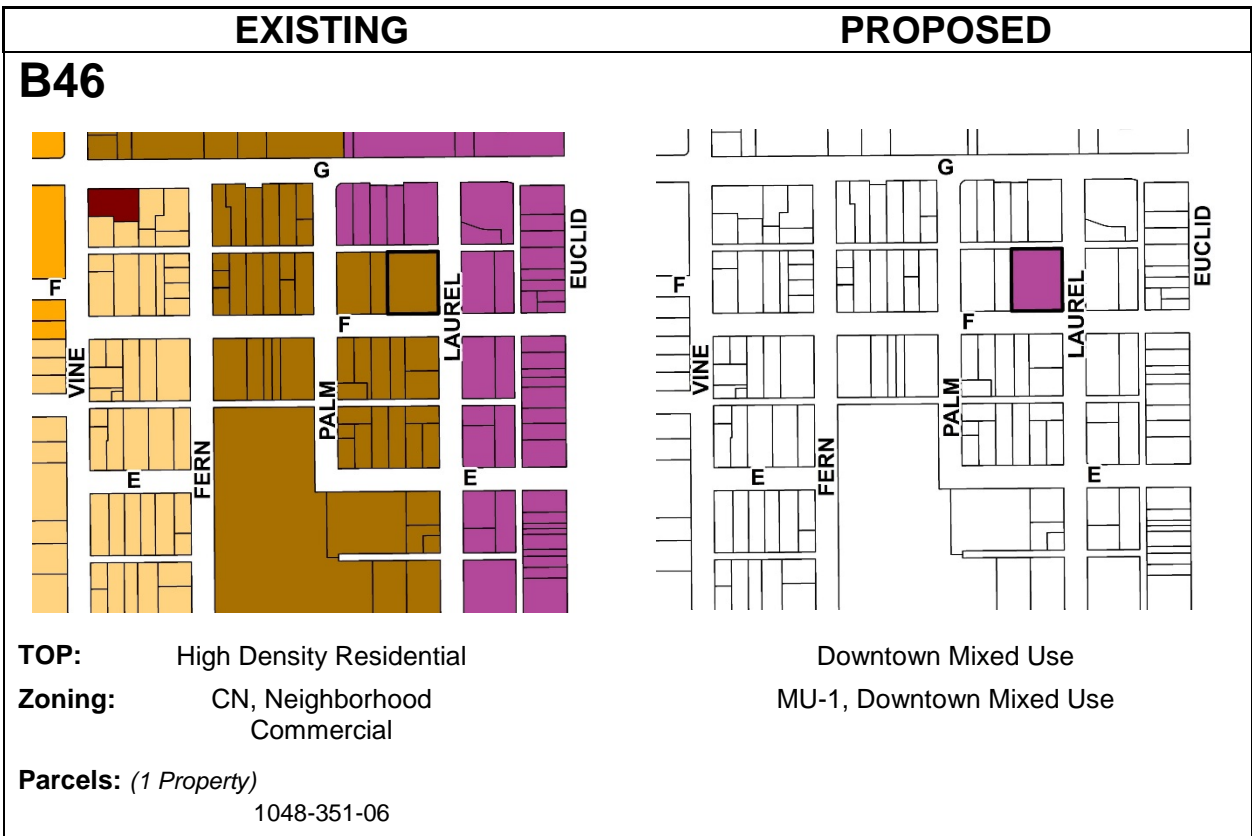
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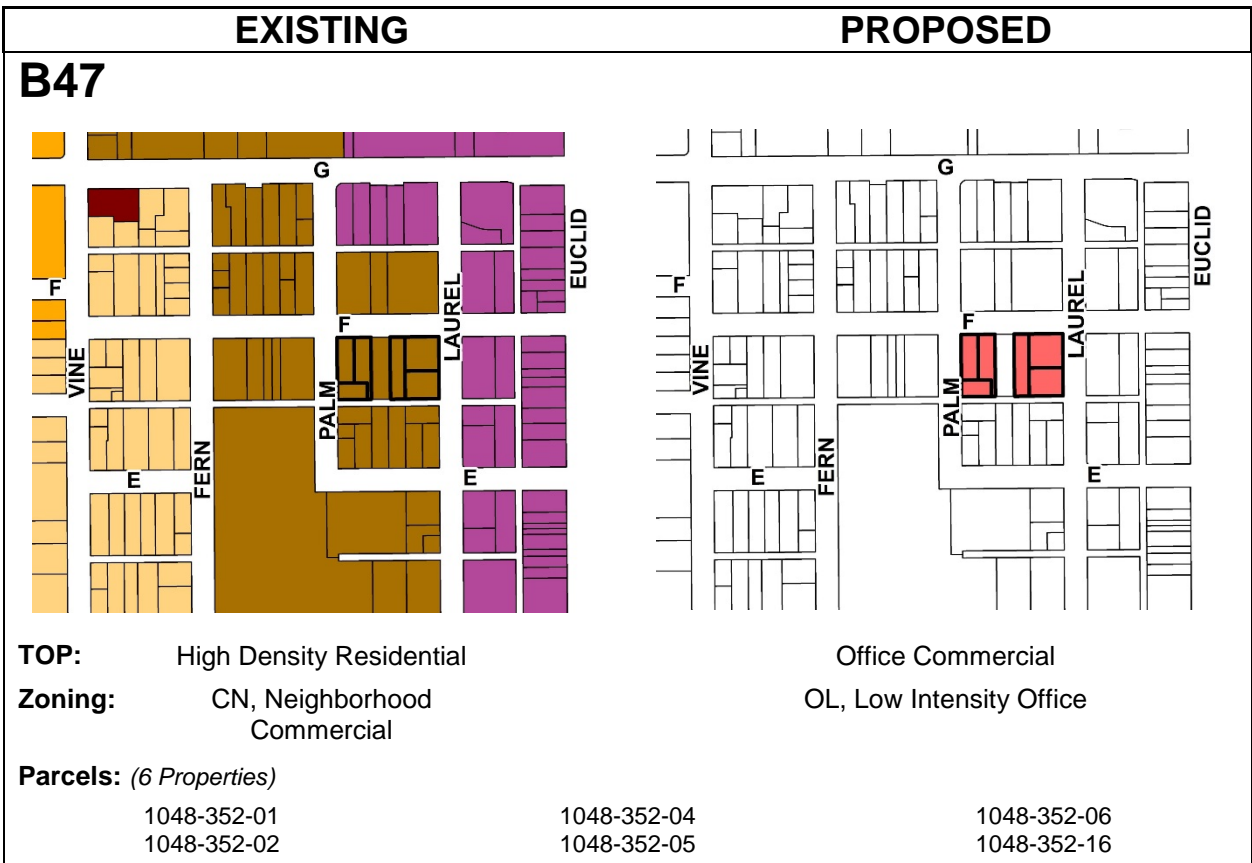


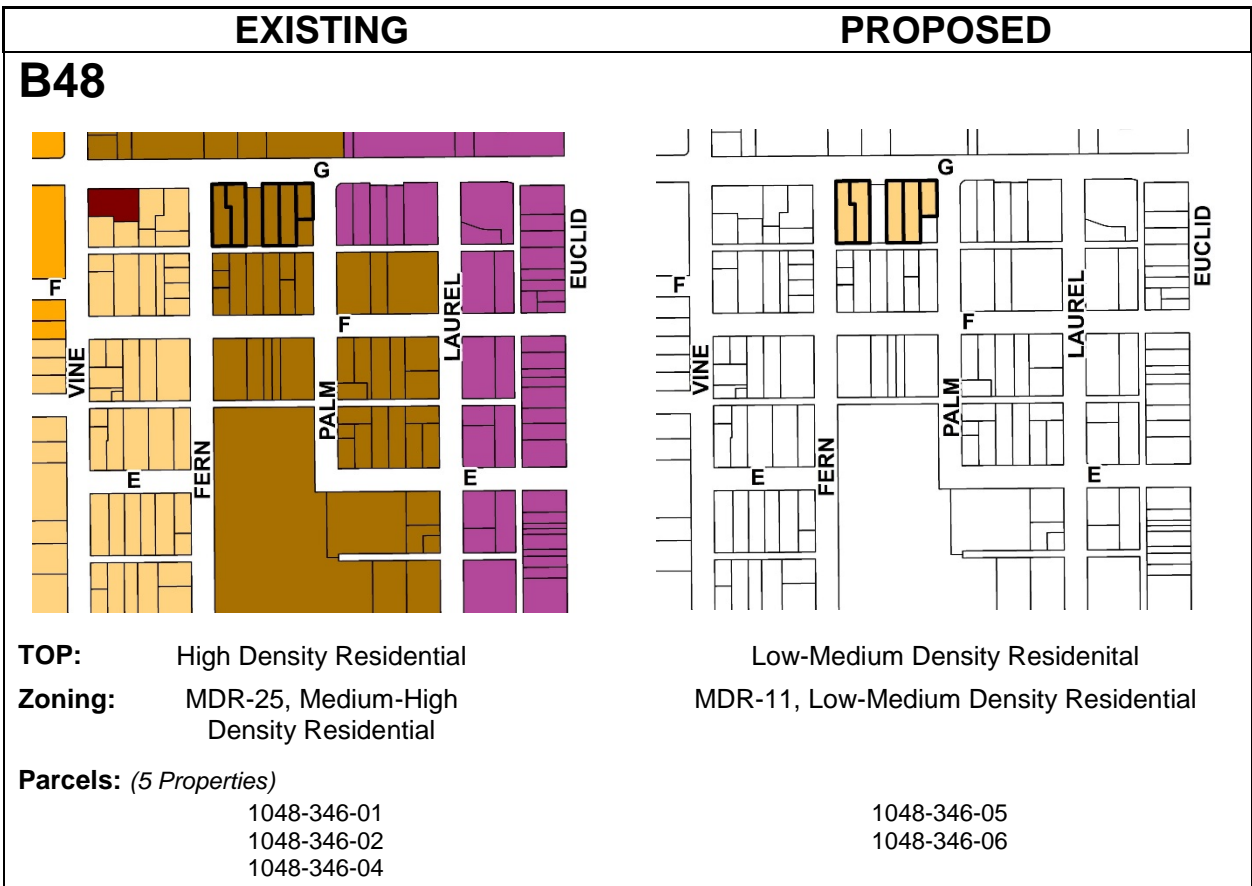


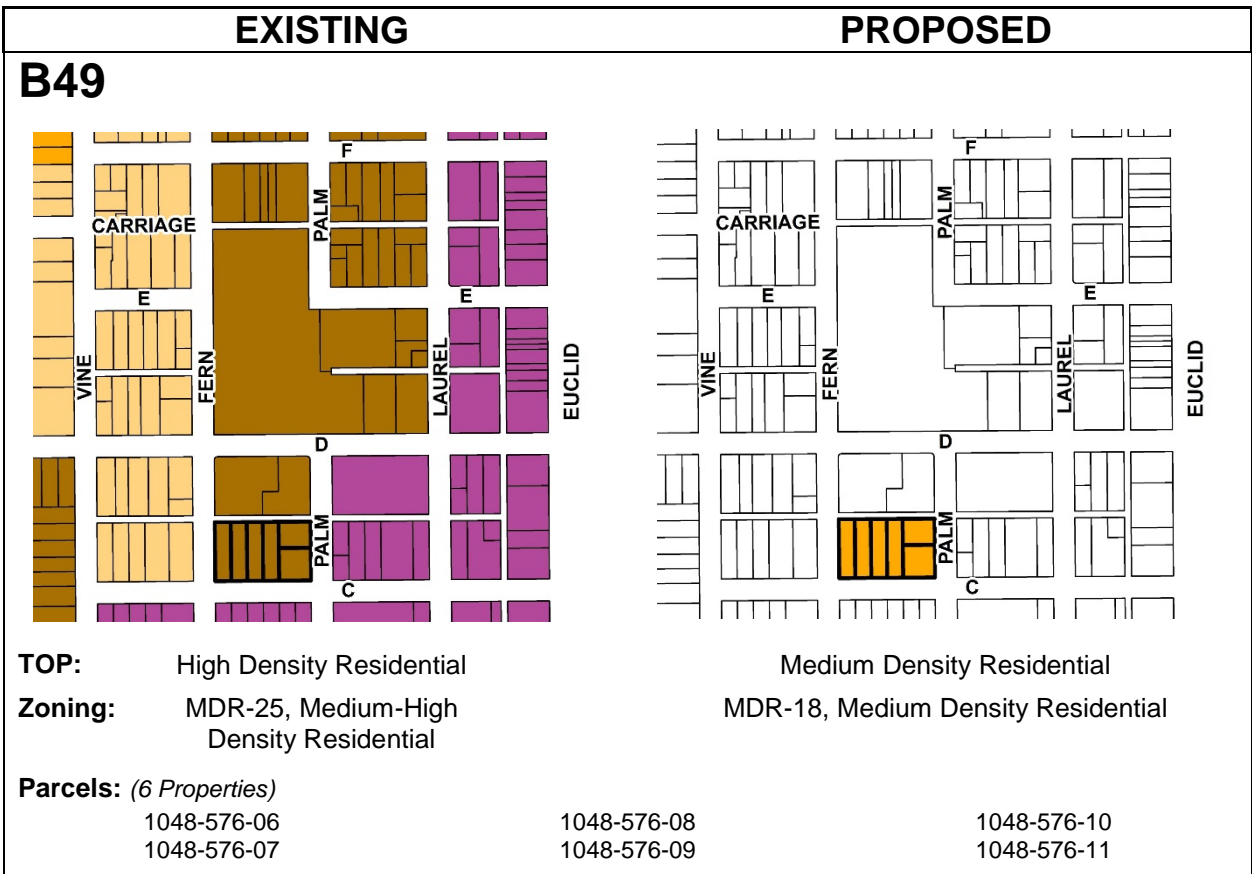


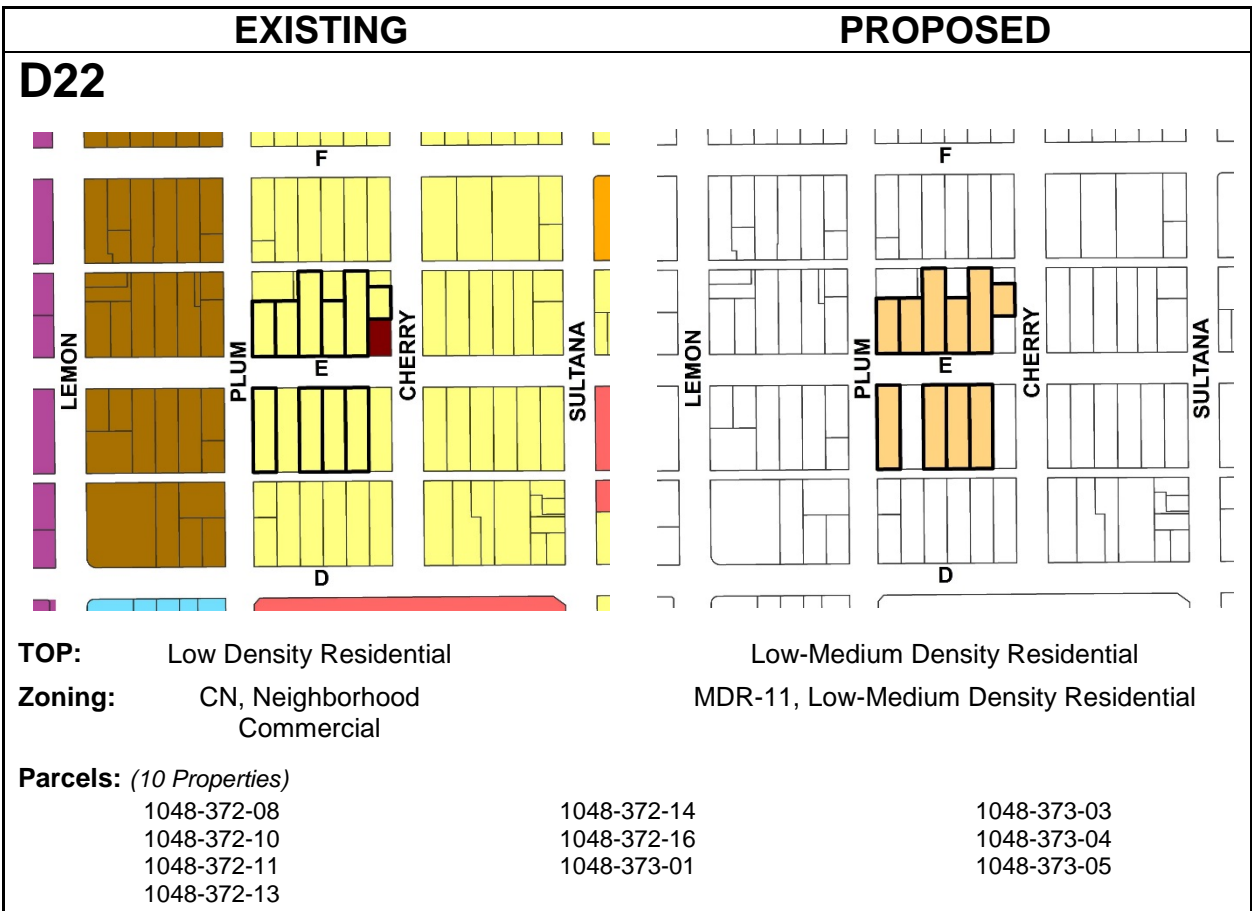


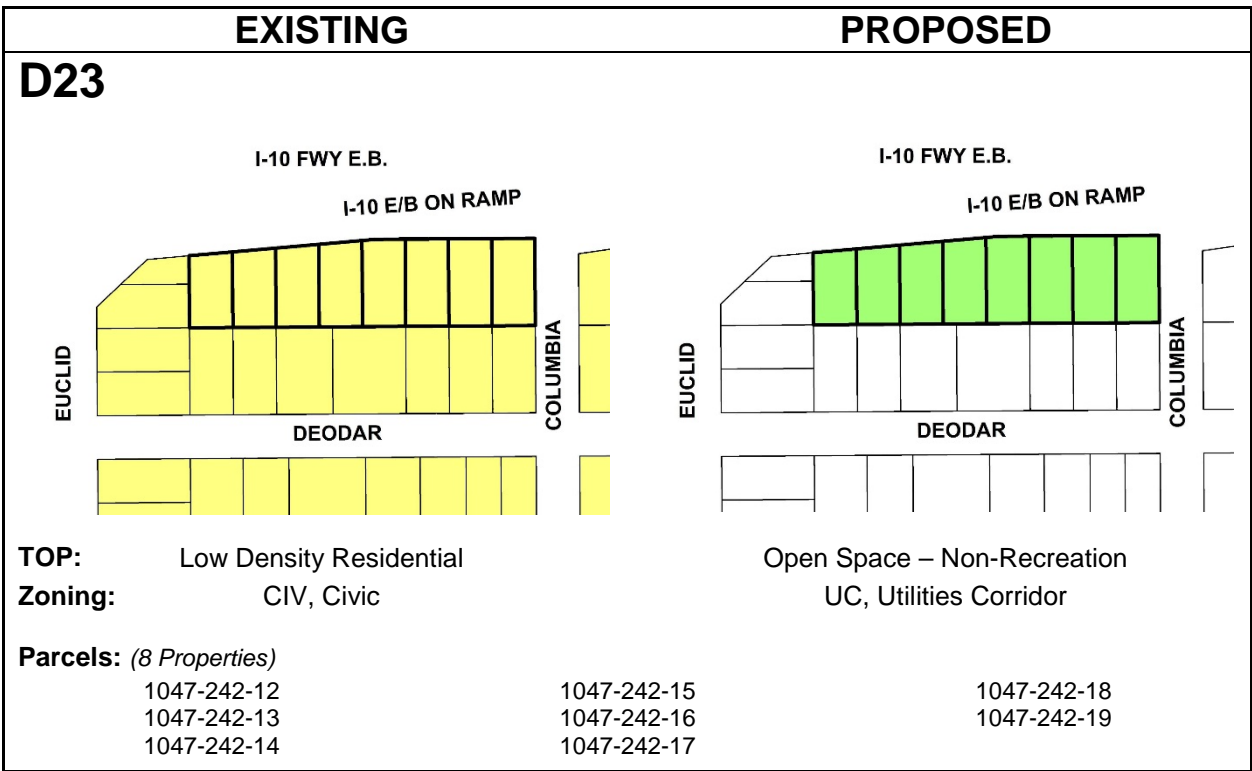


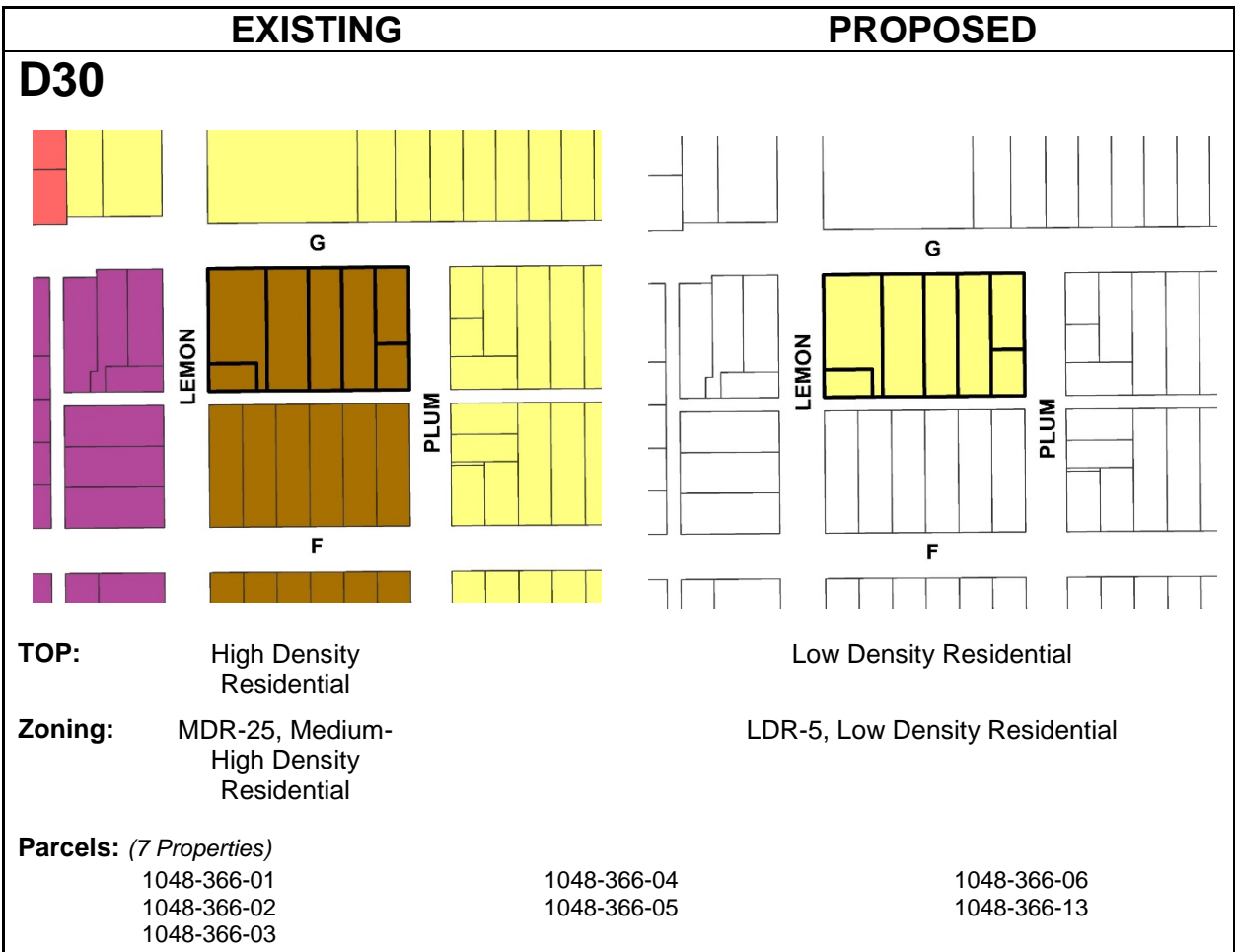


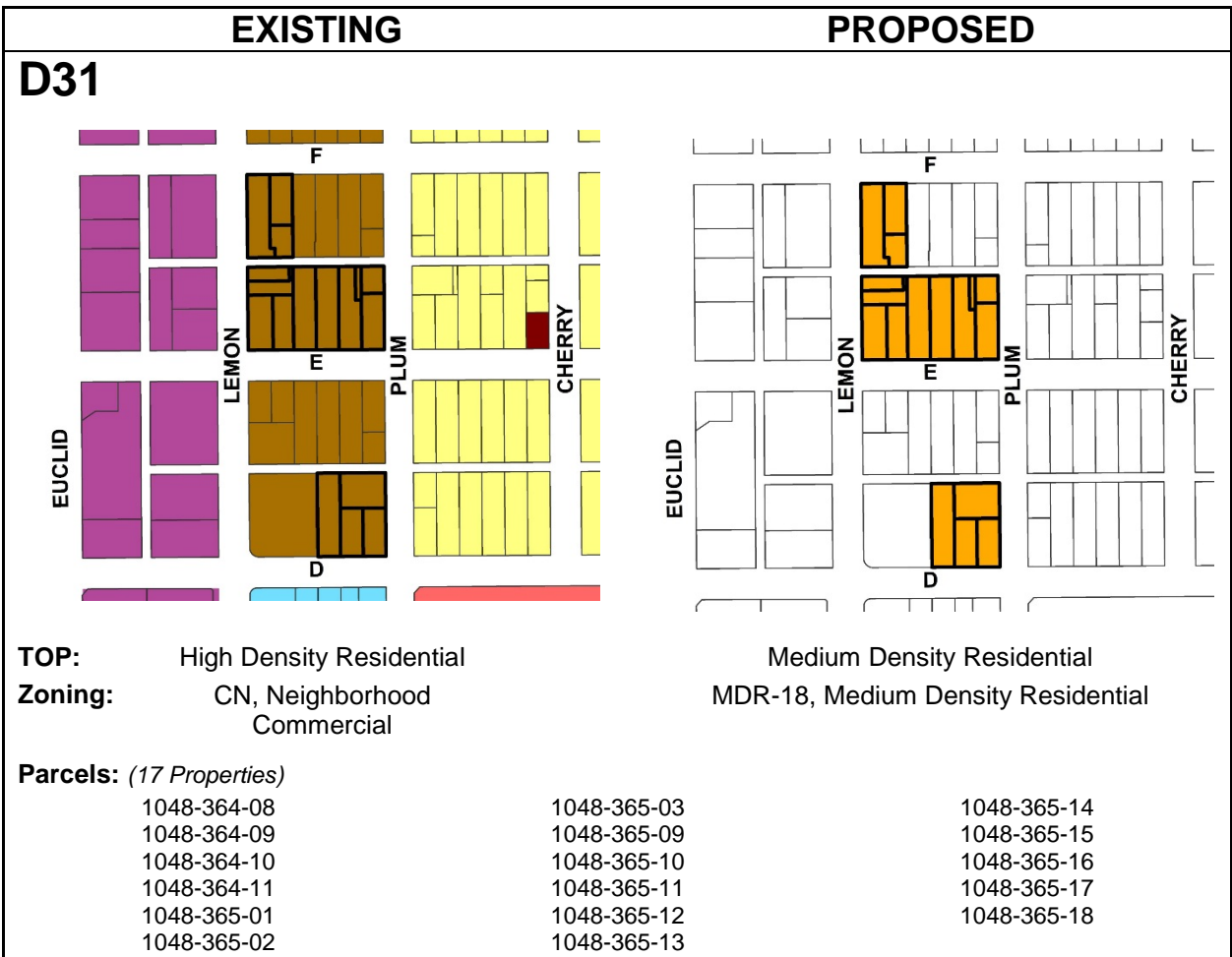






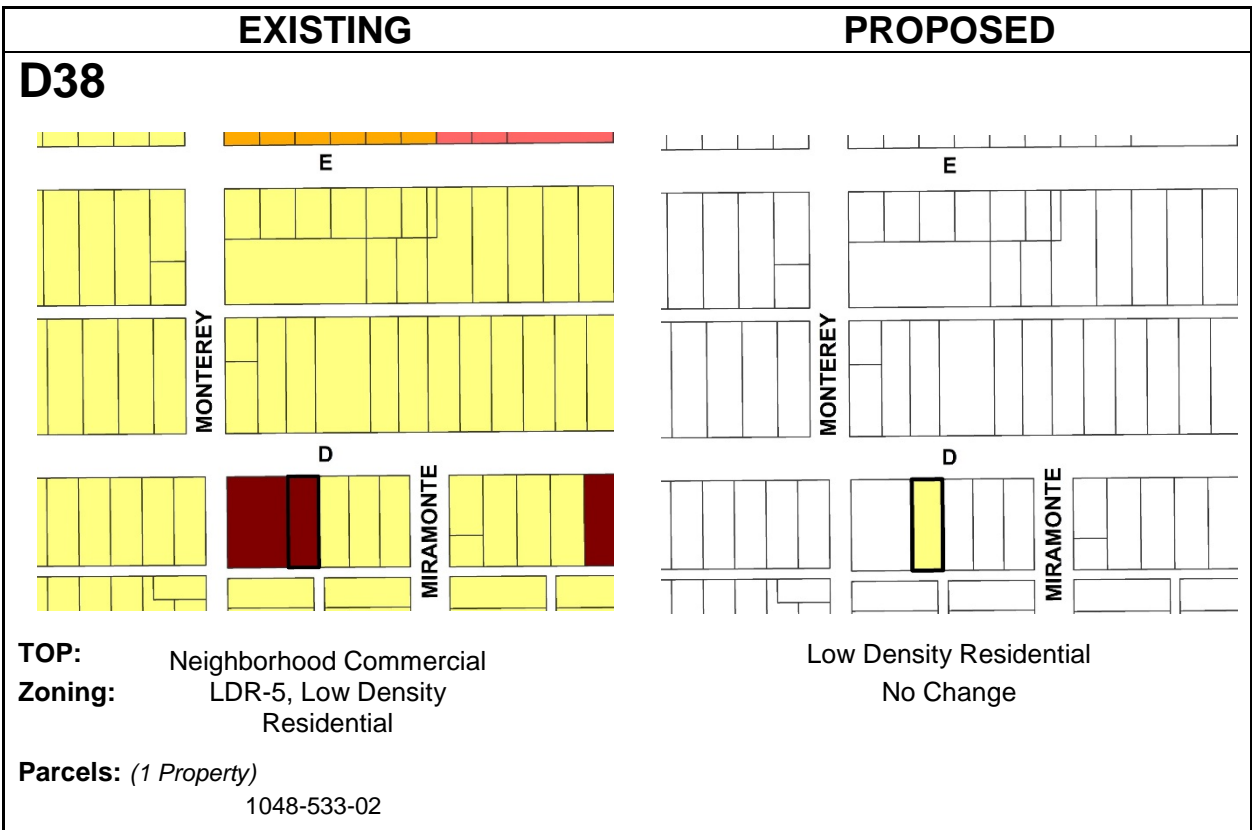


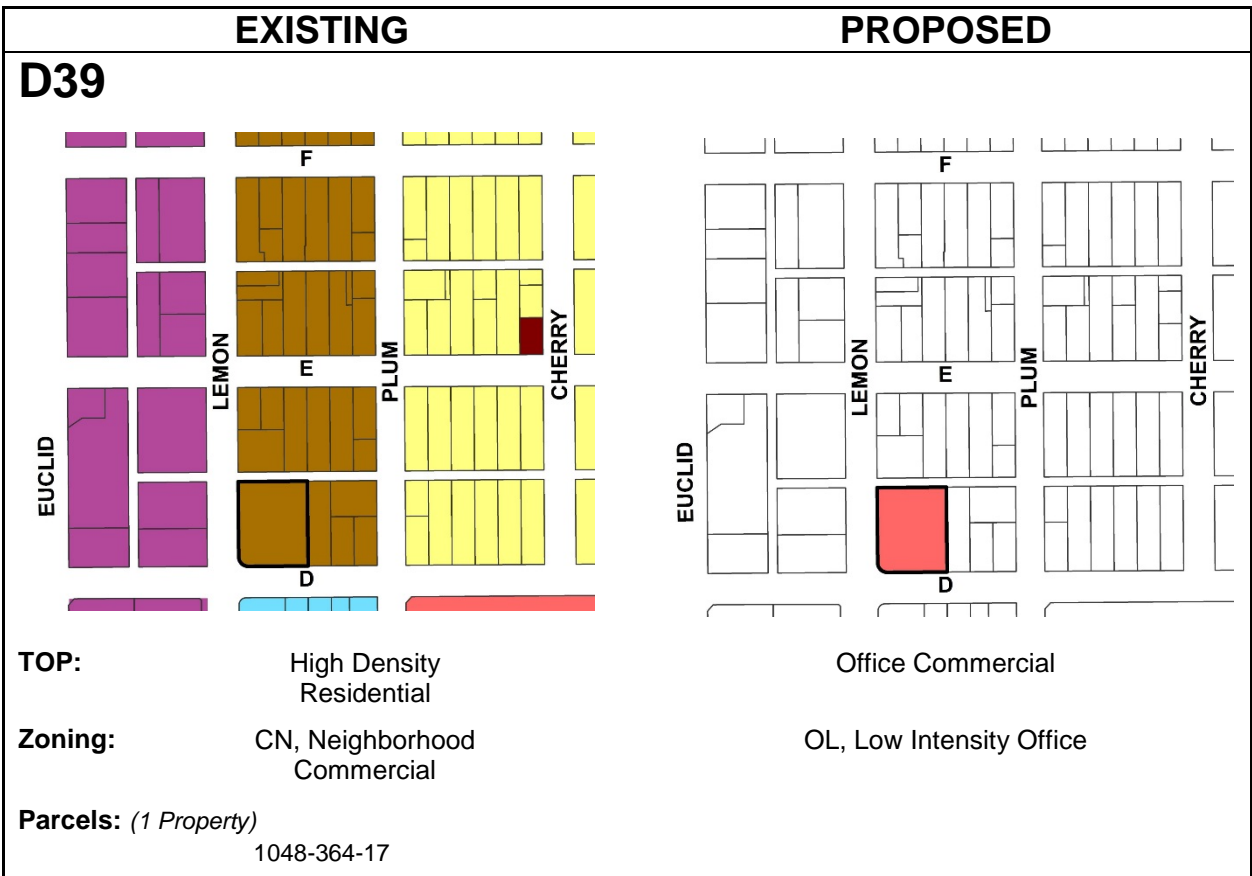


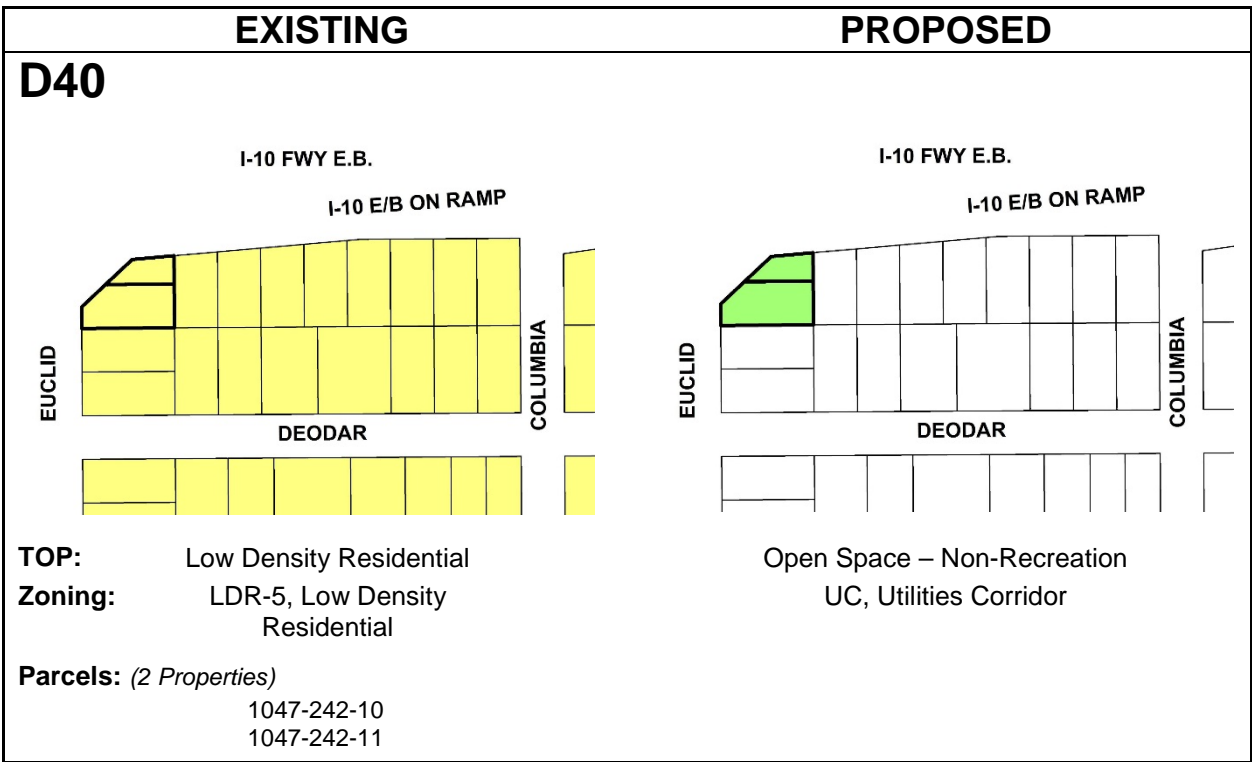


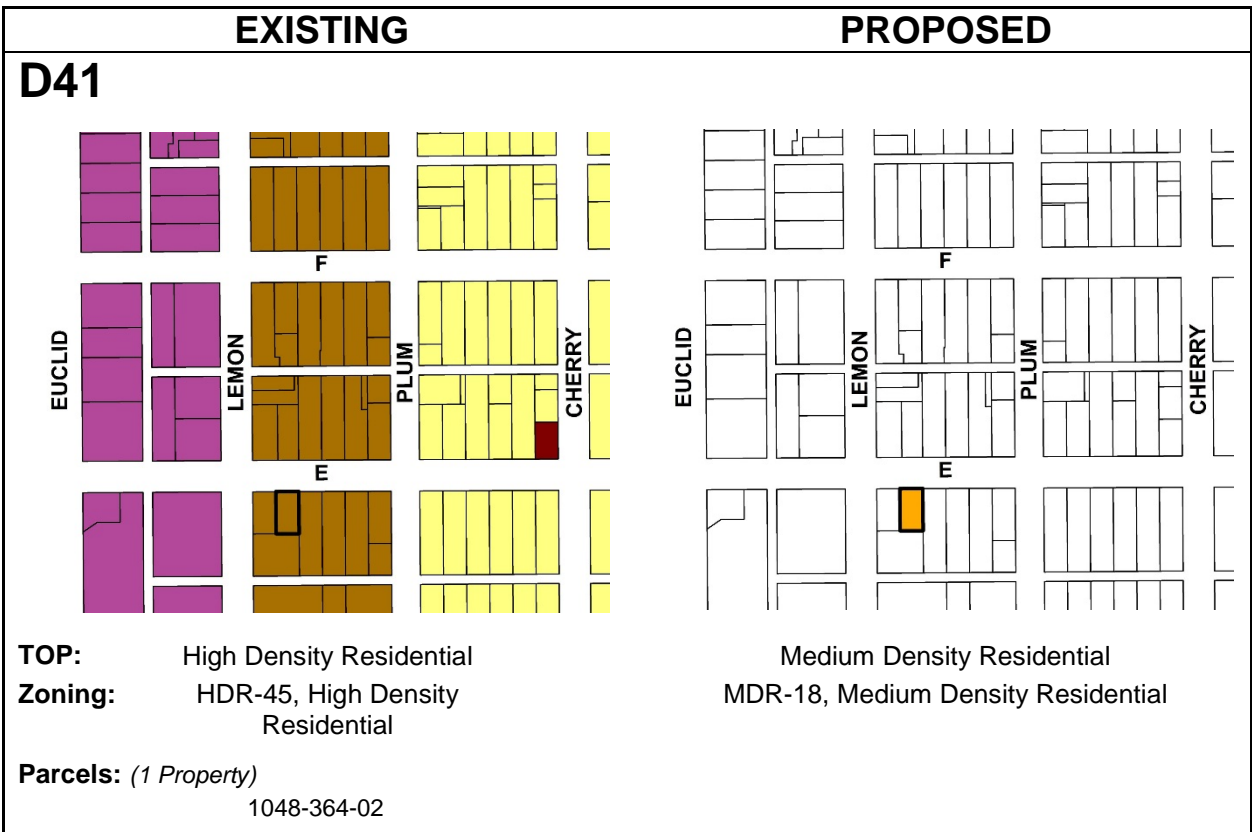


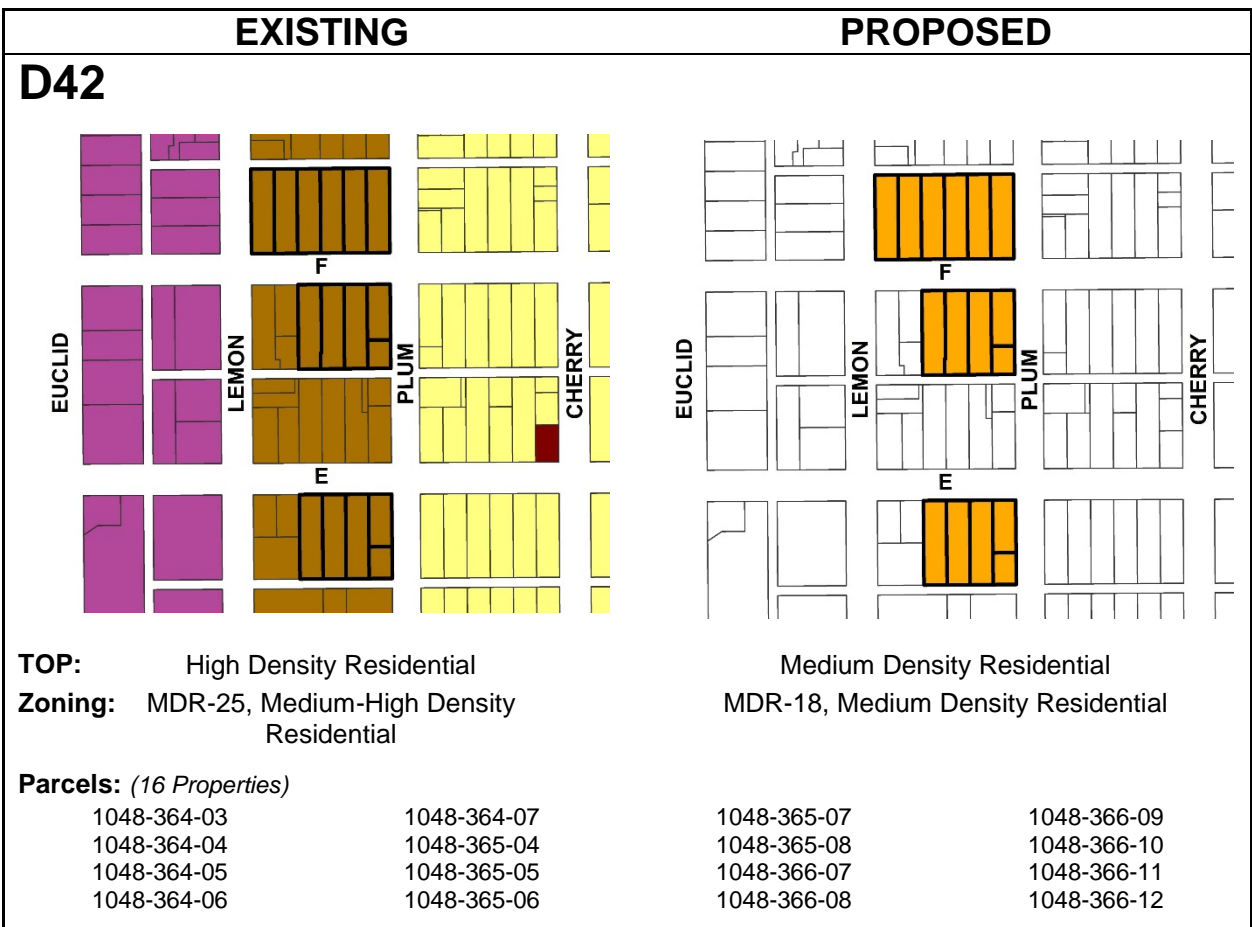


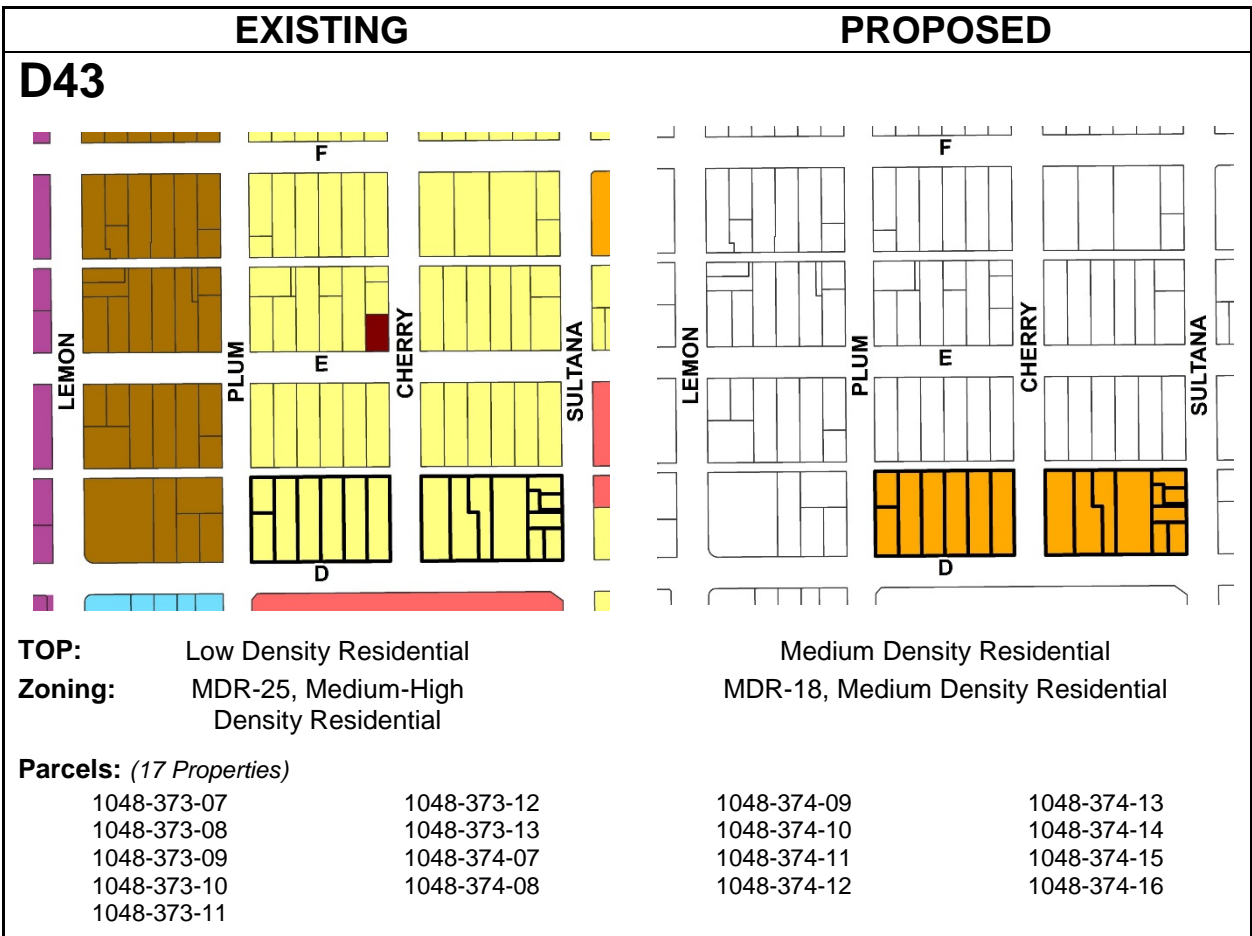


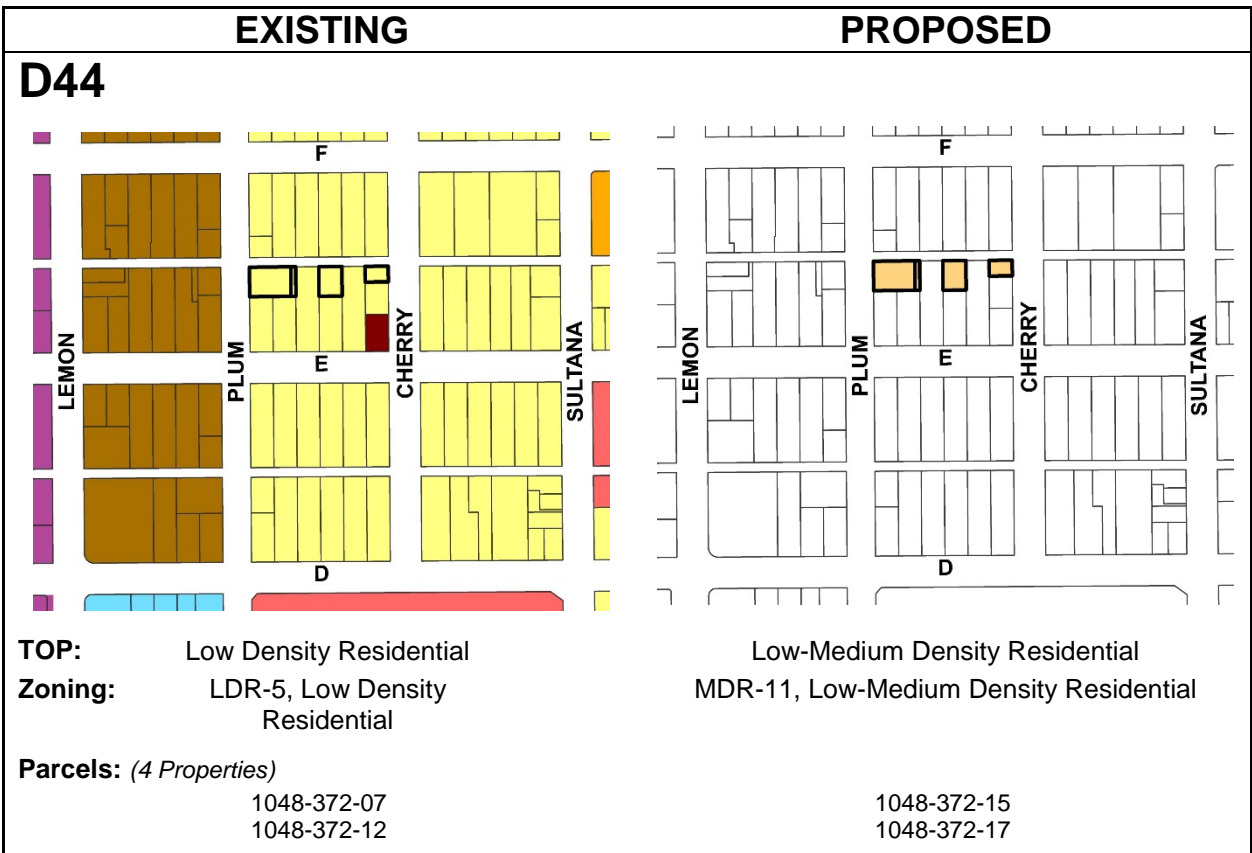




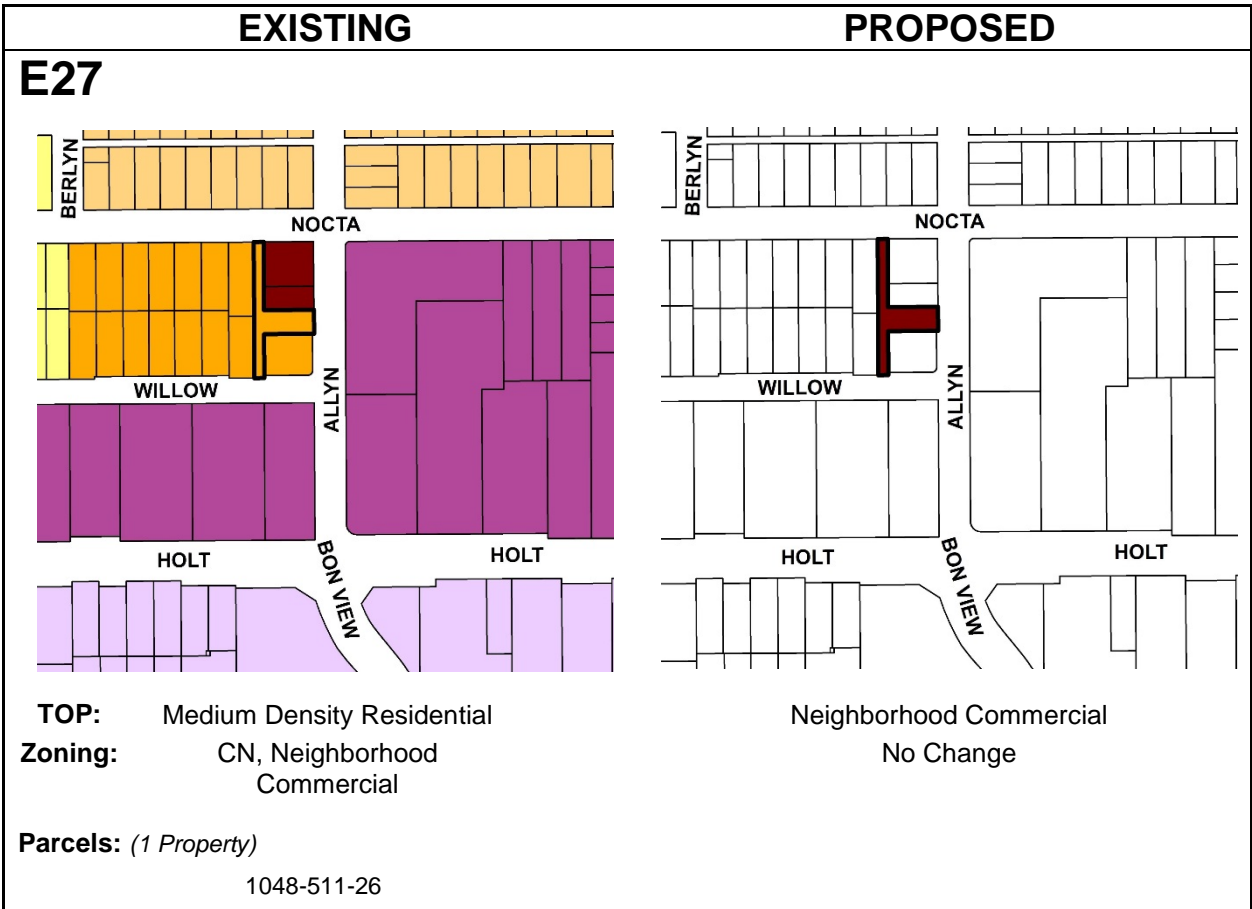


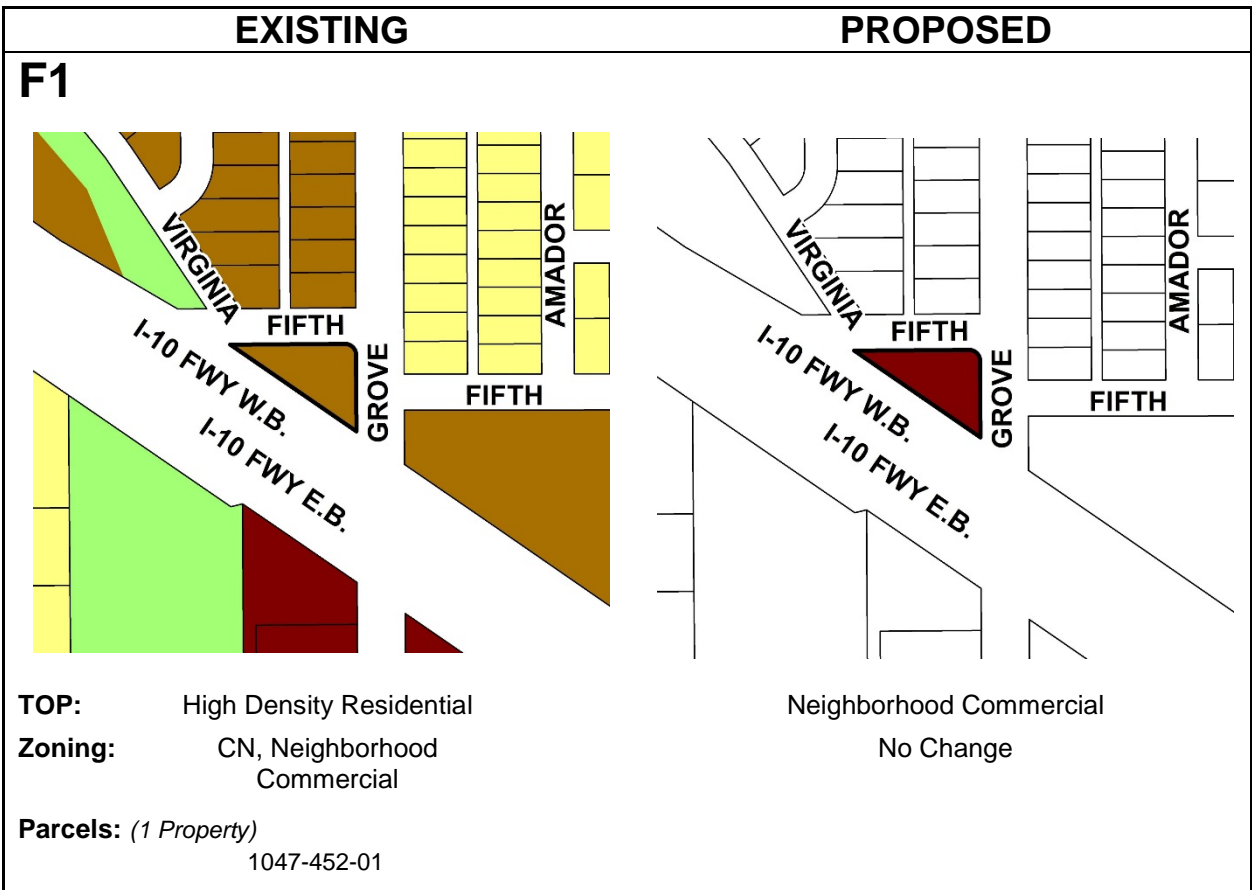


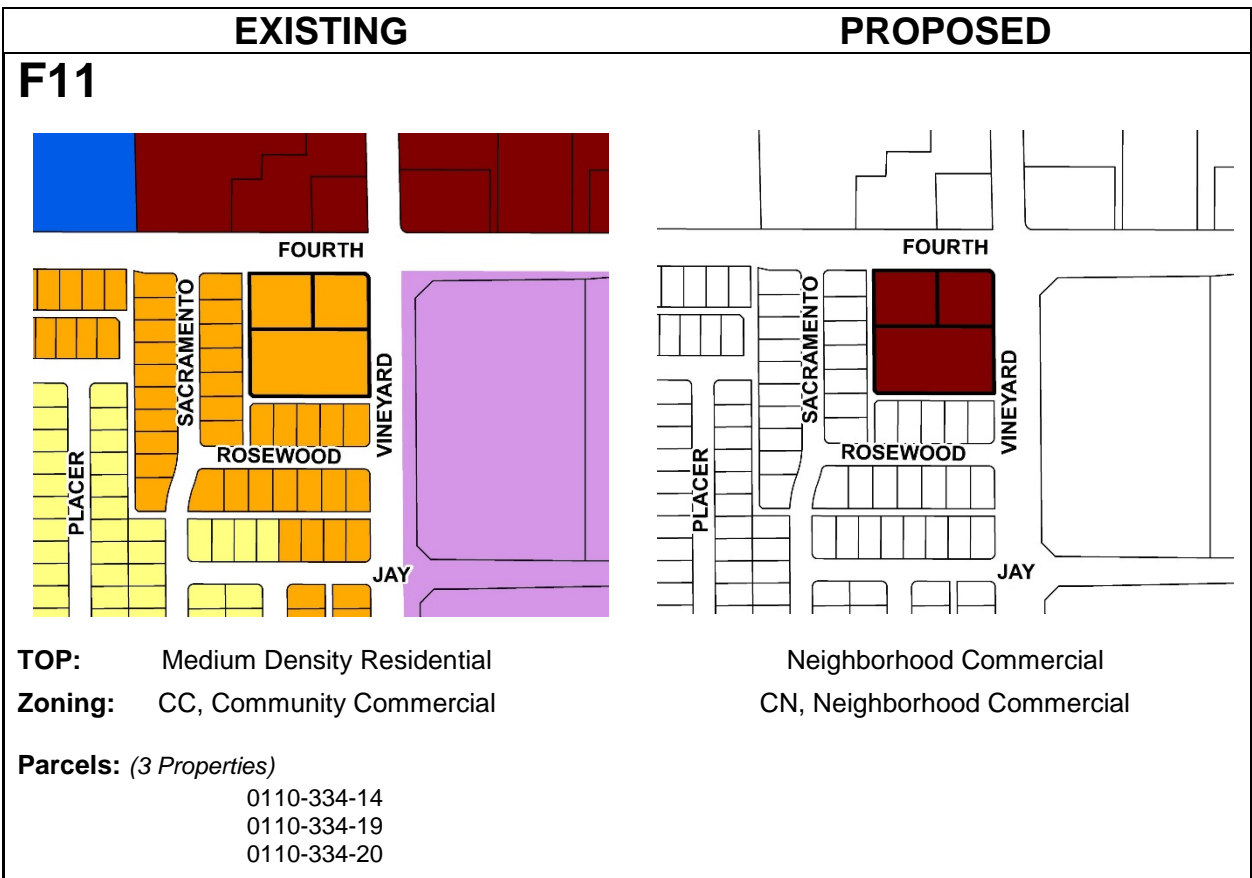




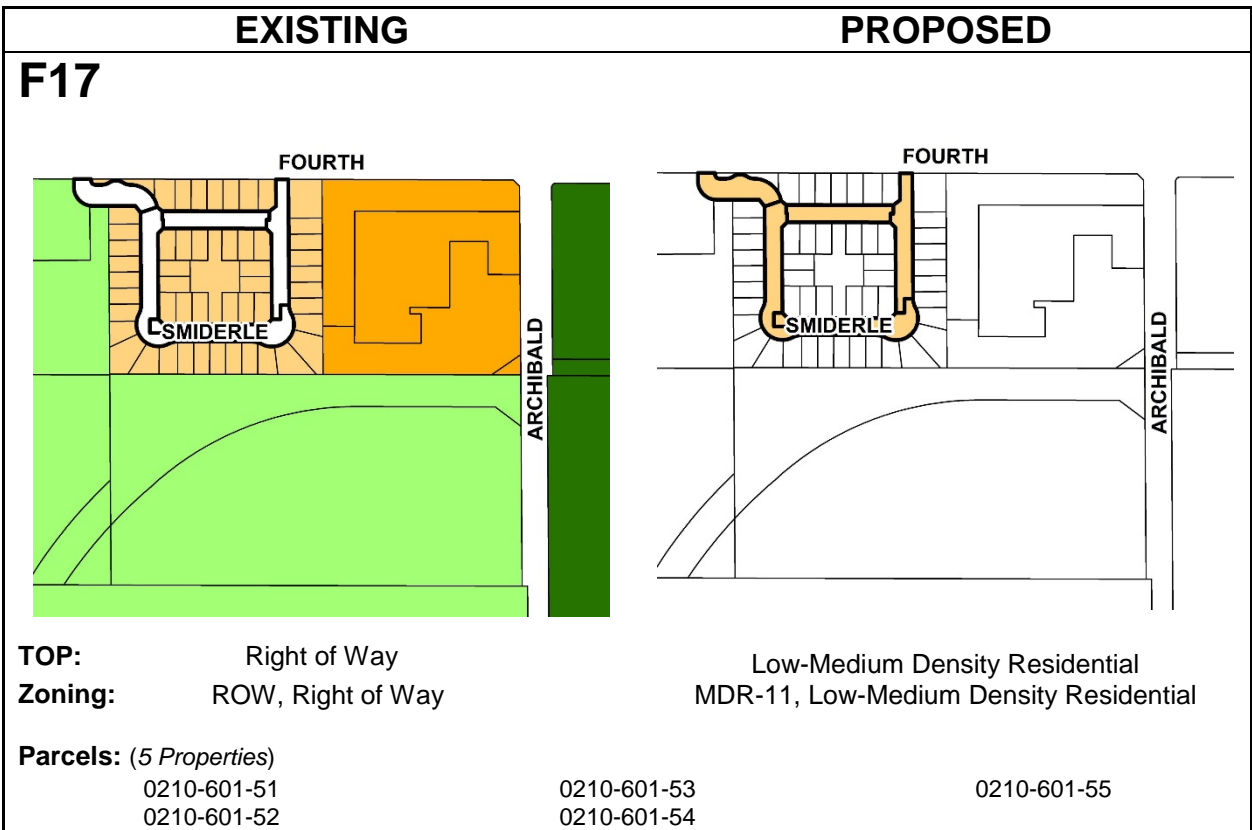


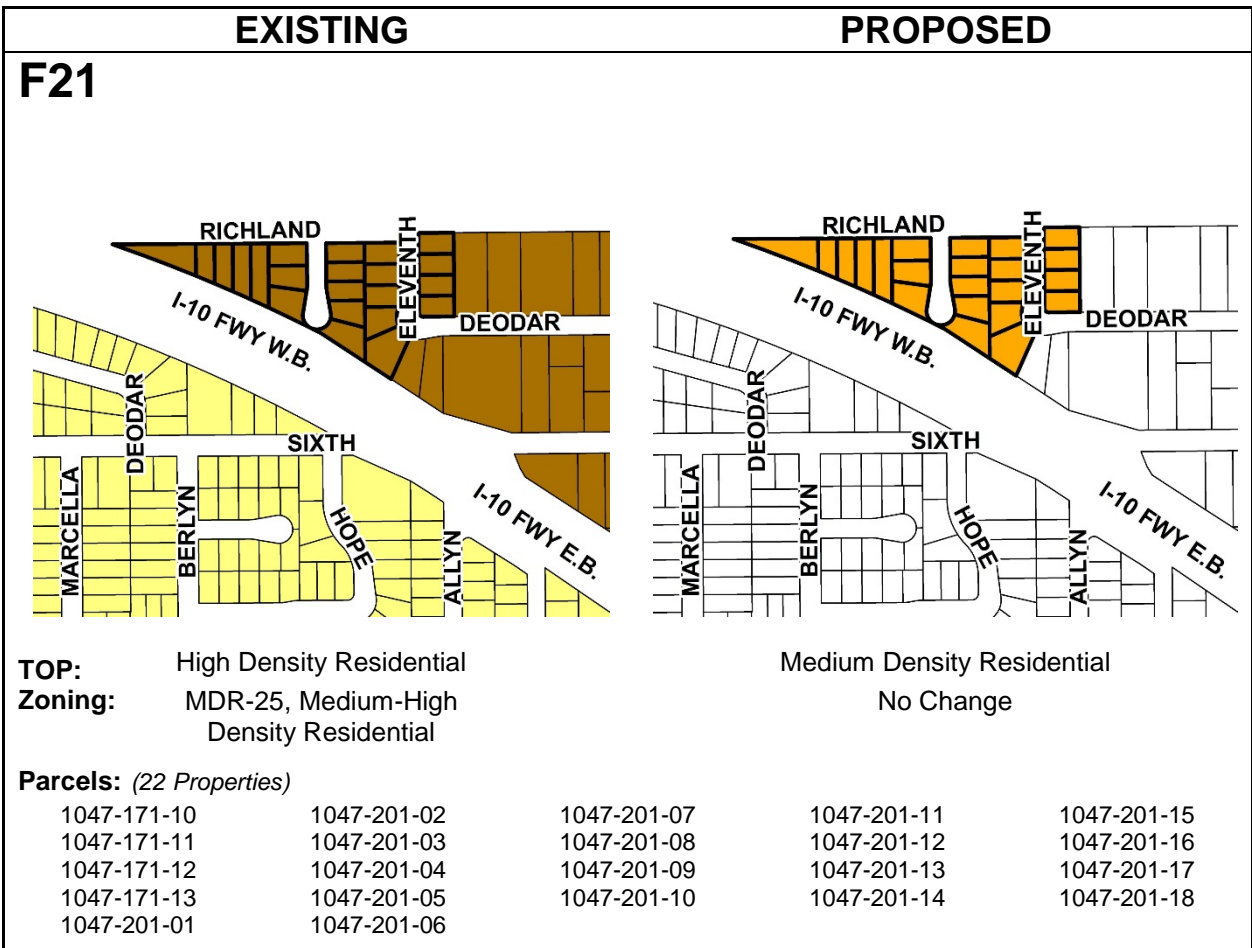


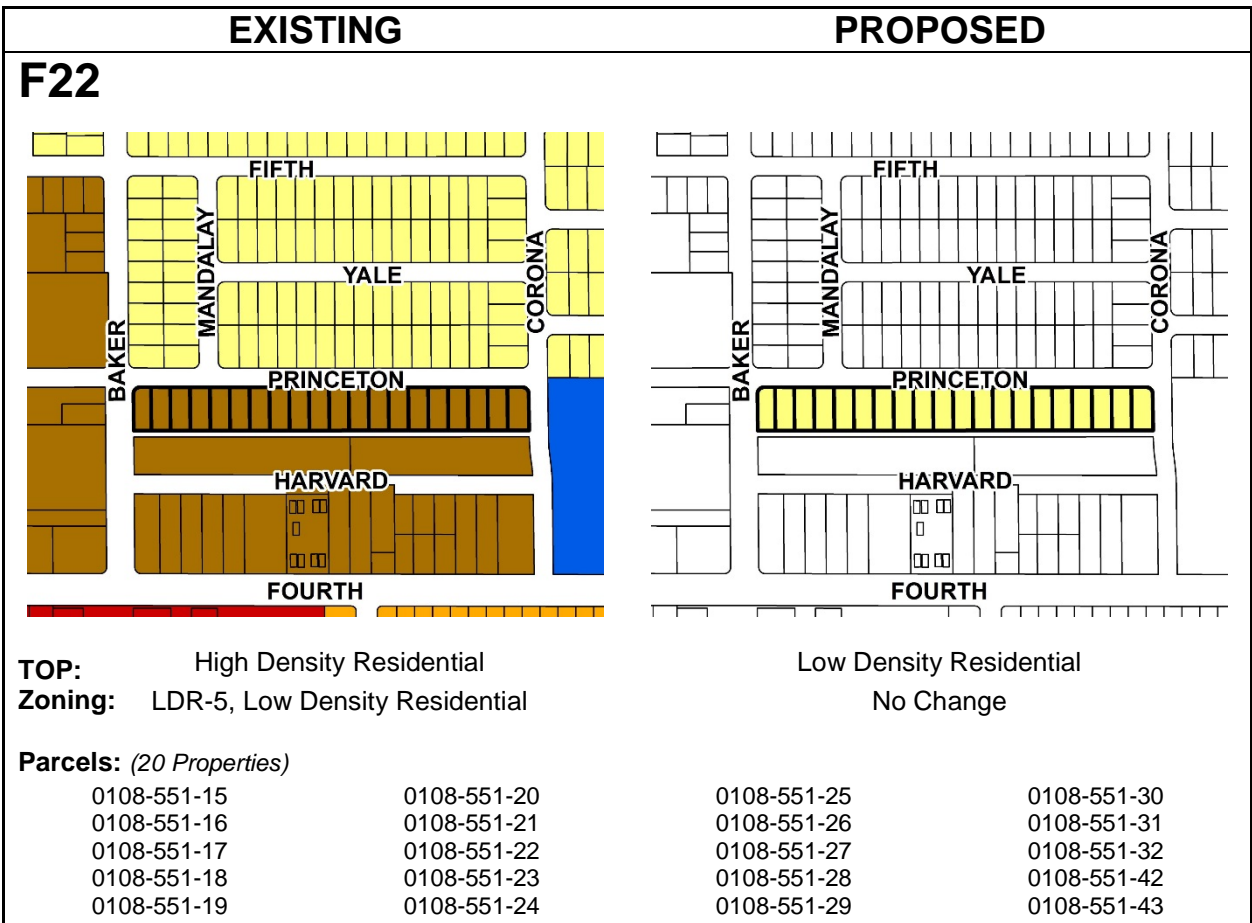


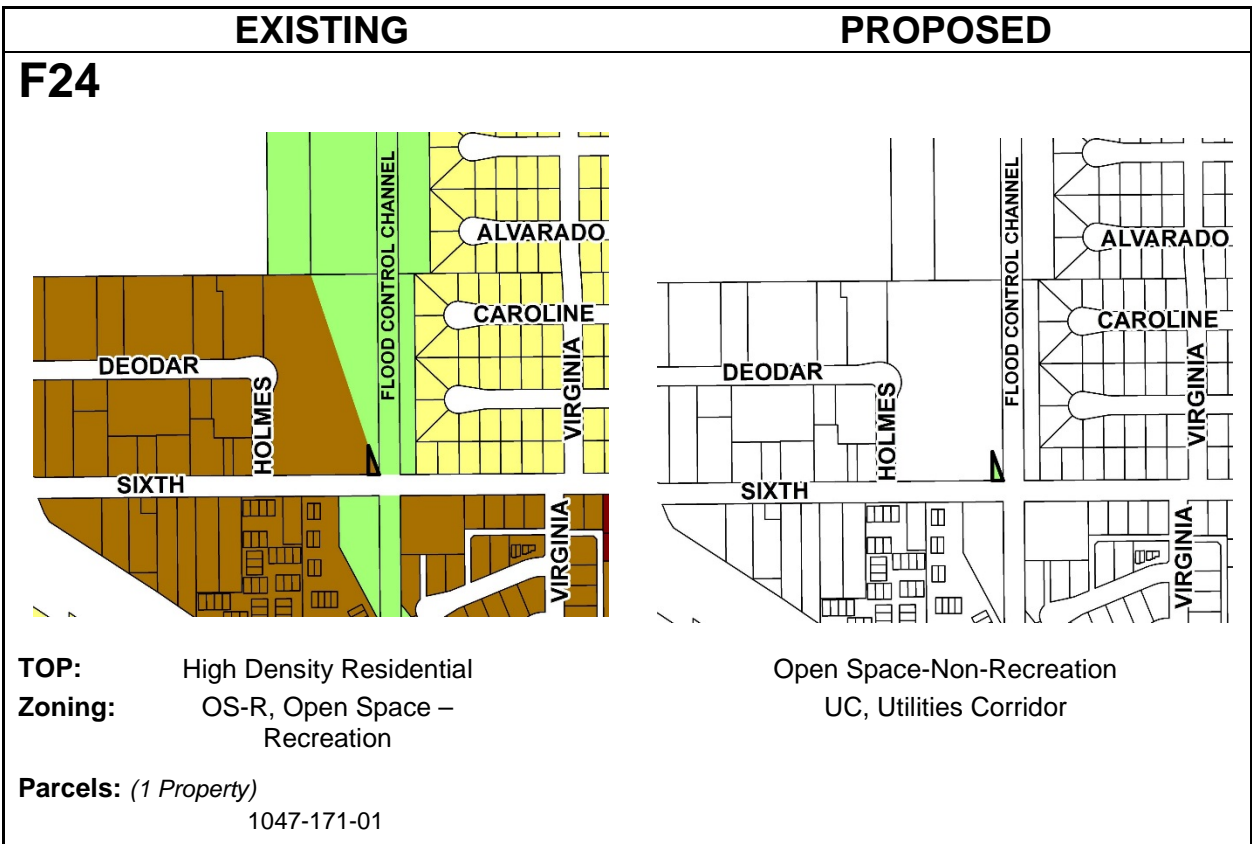


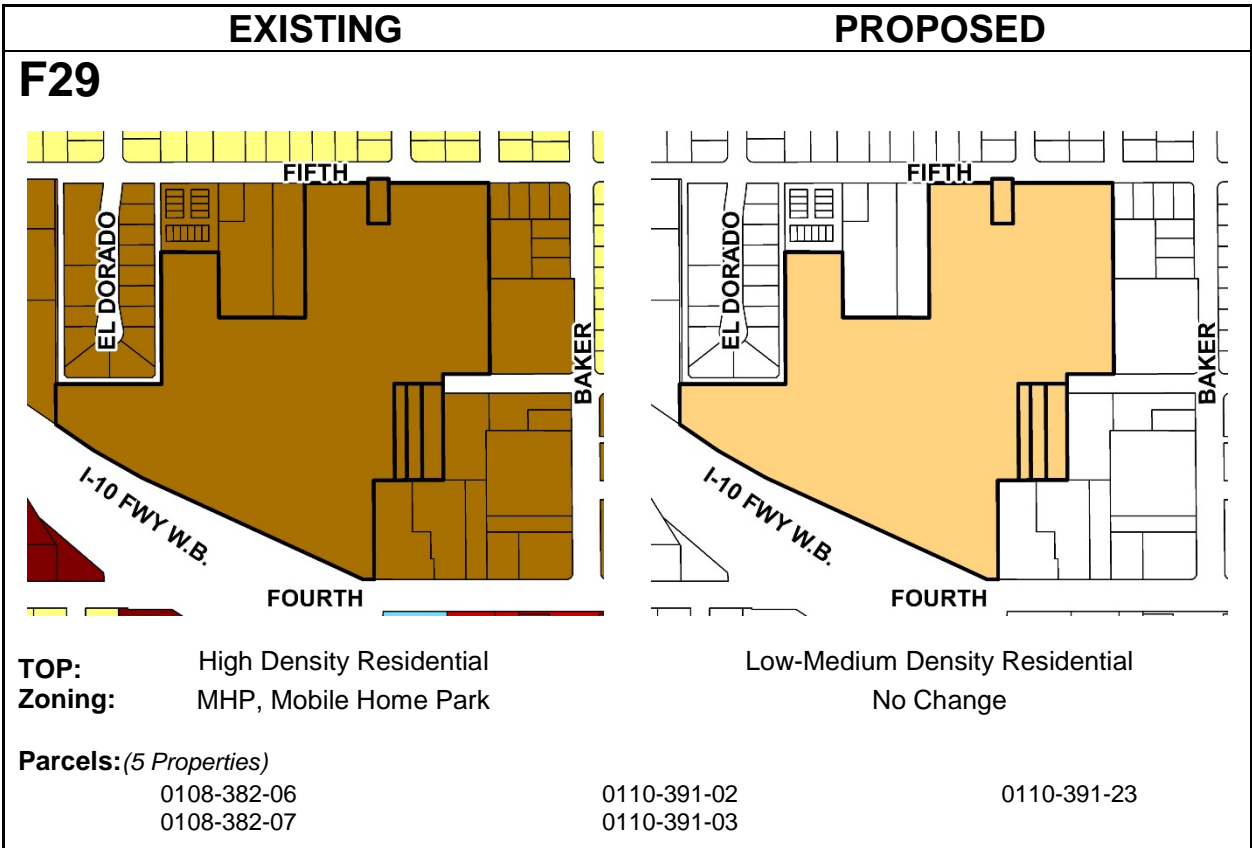


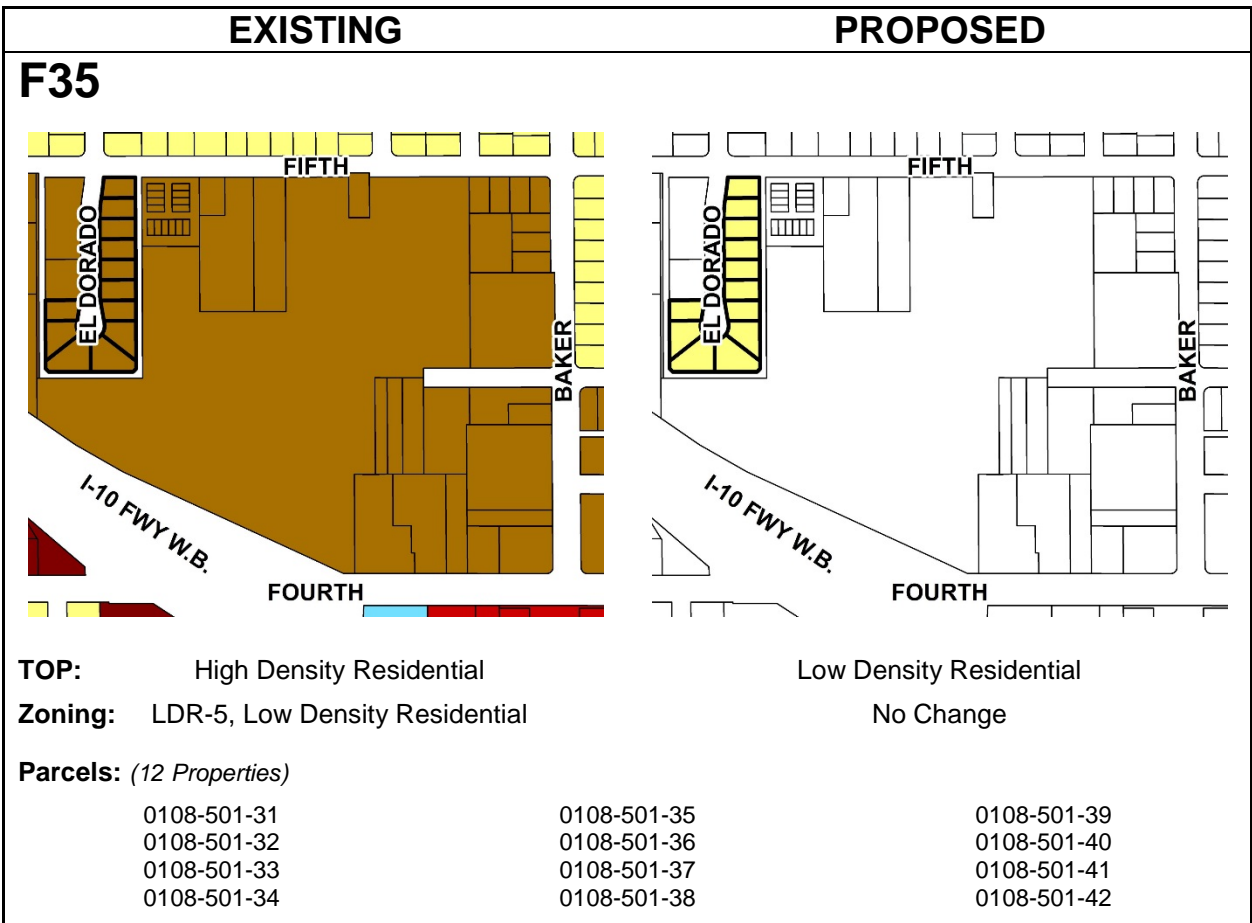


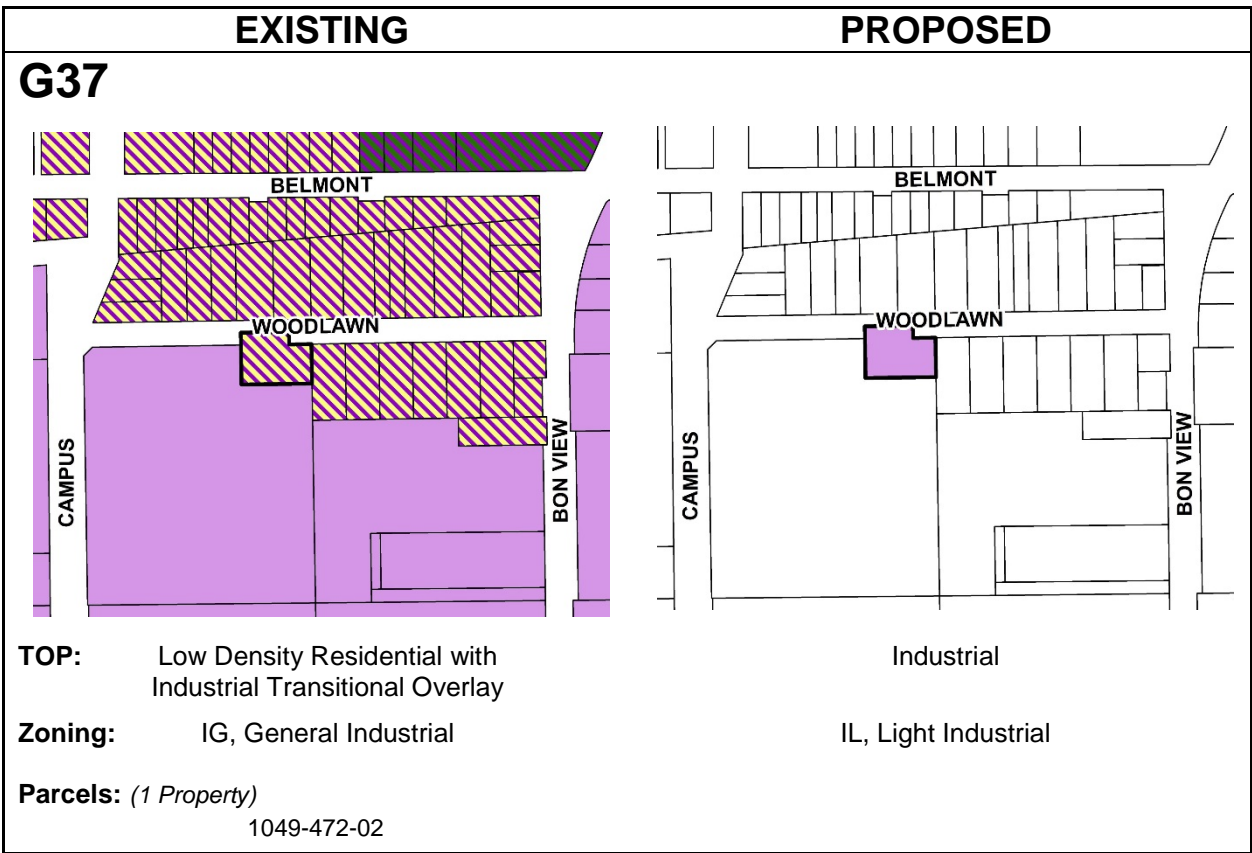


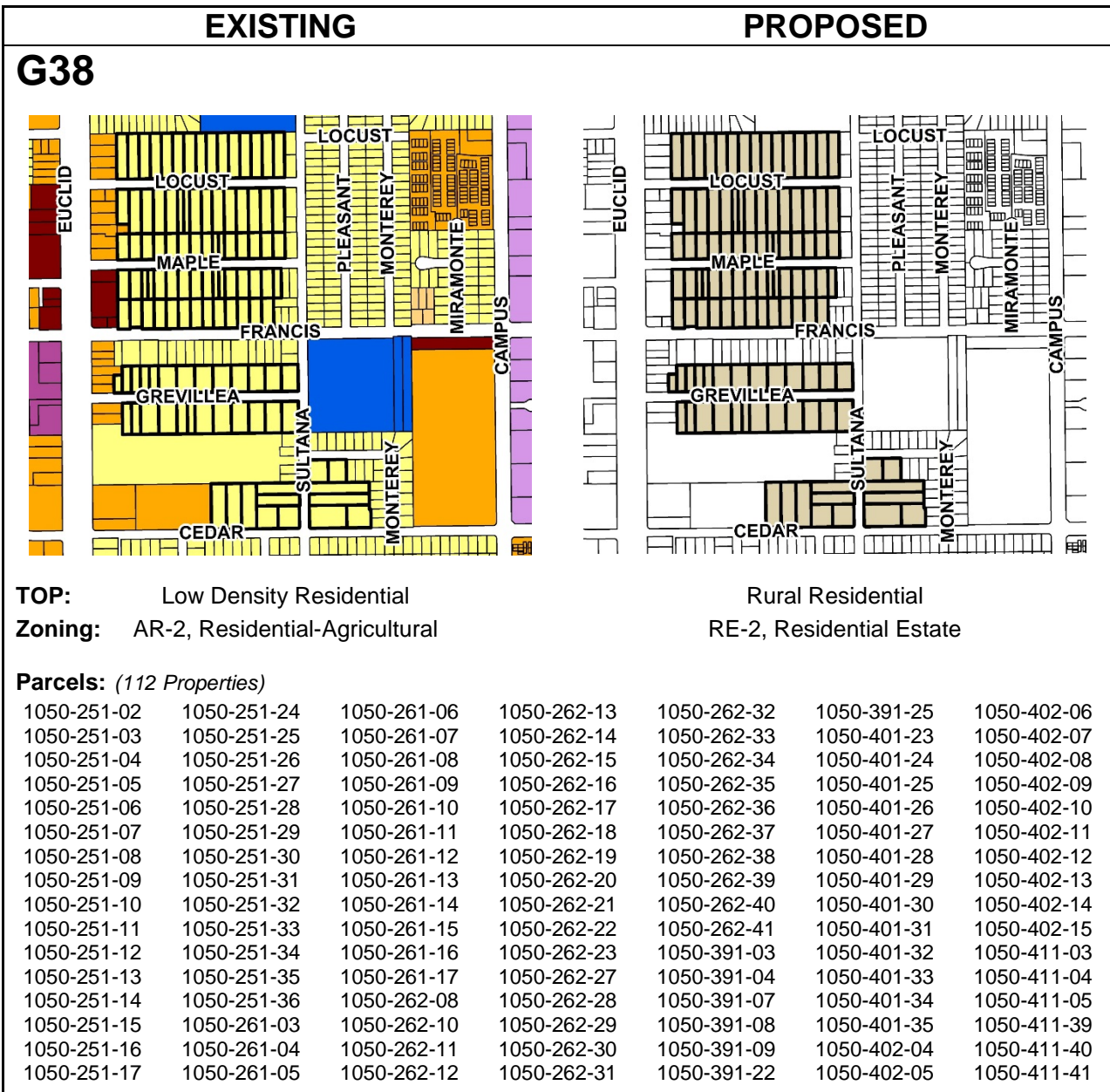


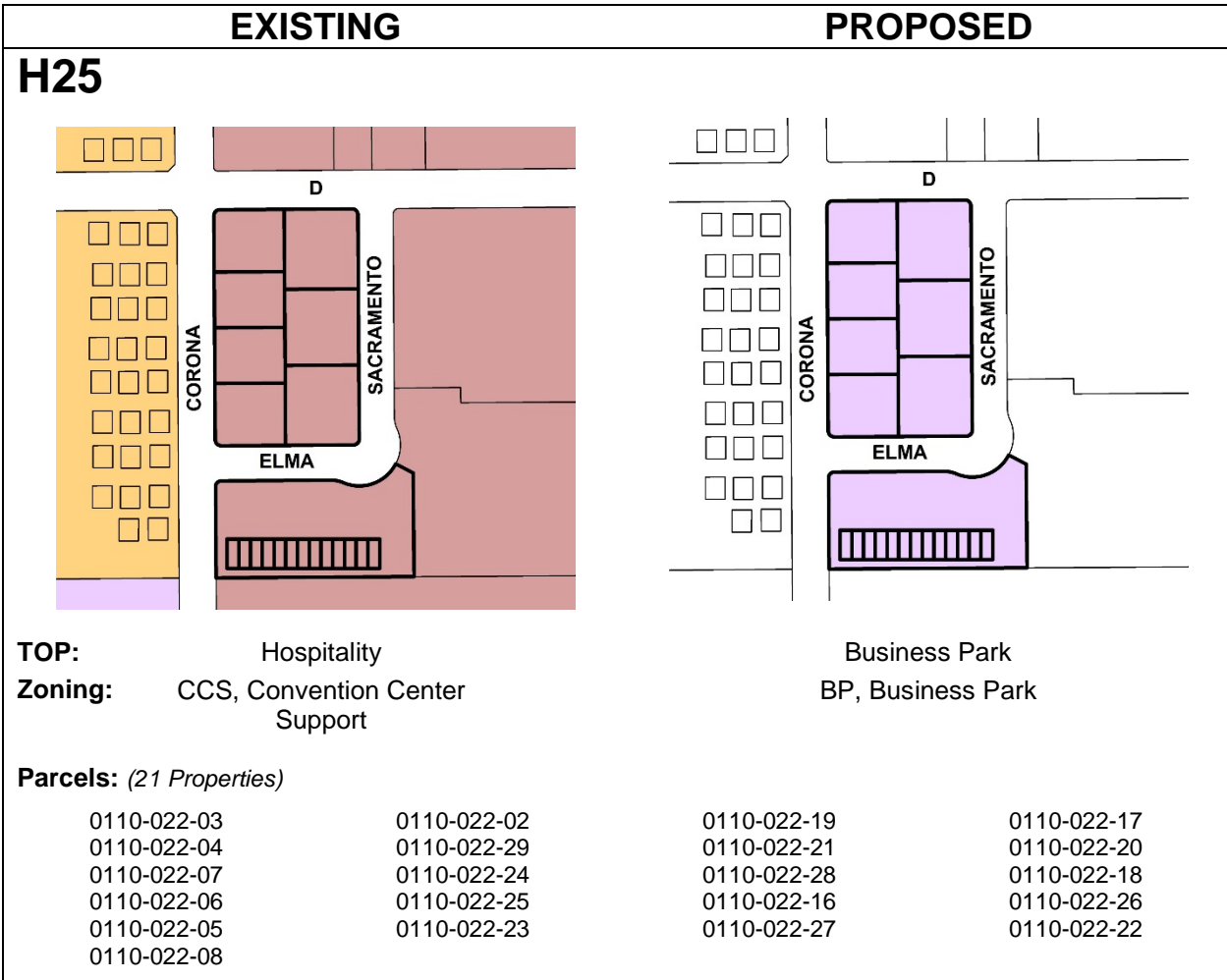


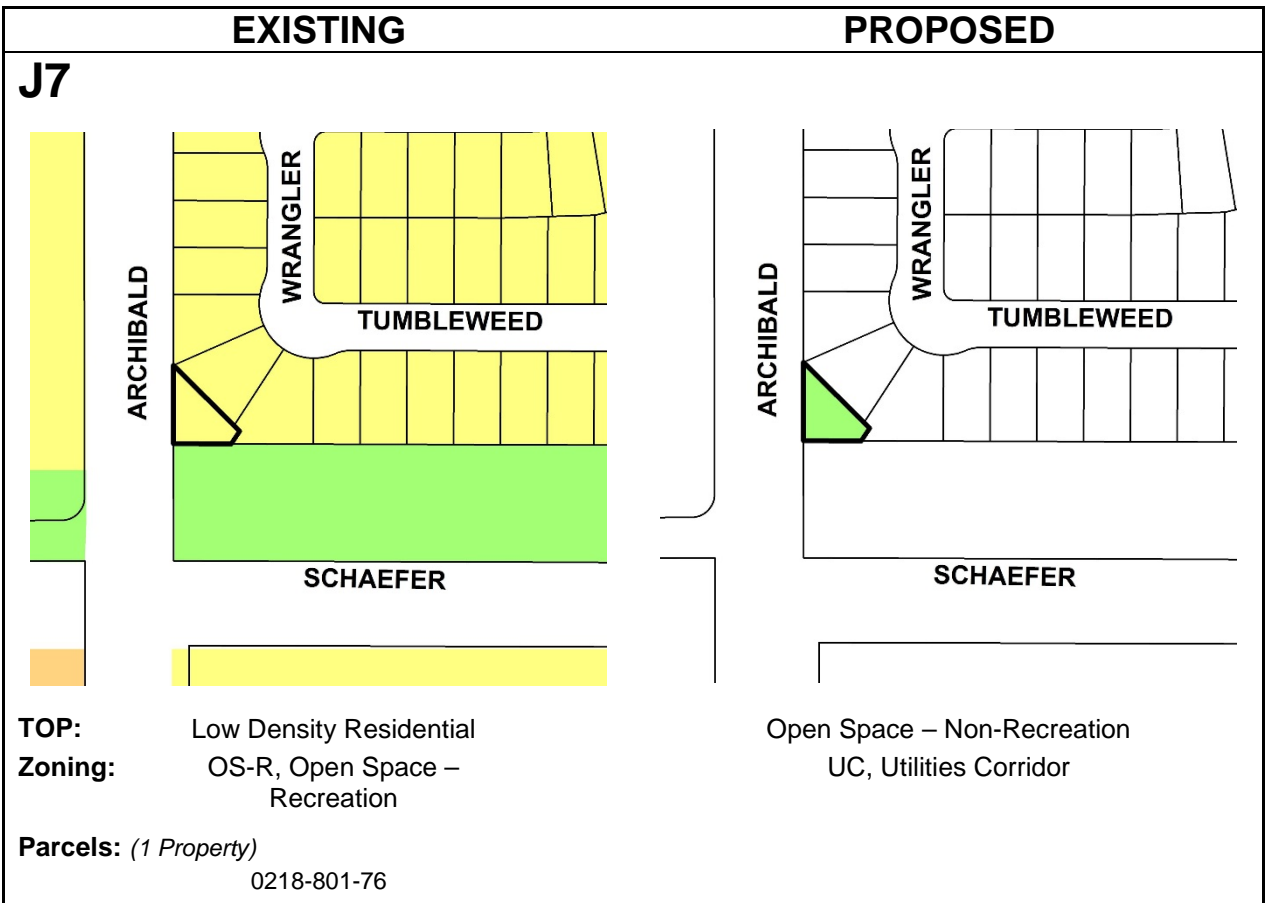












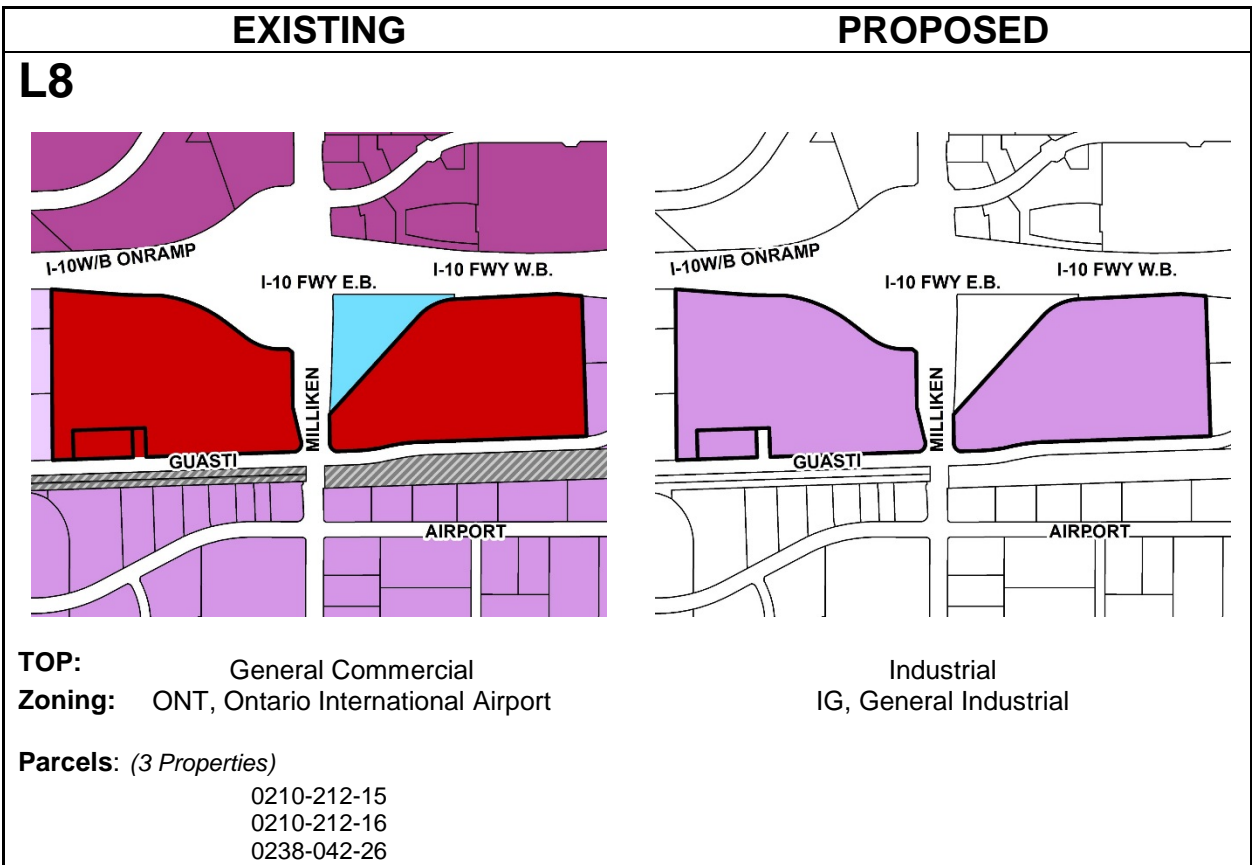


EXHIBIT B:

**File No. PGPA17-001
General Plan Amendments to Future Buildout Table
(Exhibit LU-03)**

(Proposed changes to TOP Exhibit LU-03 follow this page)

LU-03 Future Buildout



Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	483 529	2.0 du/ac	965 1,059	3,858 4,232		
Low Density ⁶	7,294 7,255	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,739 30,584	122,865 122,244		
Low-Medium ⁶ Density	966 999	8.5 du/ac	8,210 8,492	32,814 33,941		
Medium Density	1,894 1,897	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,143 38,200	133,572 133,791		
High Density	234 183	35.0 du/ac	8,178 6,415	27,373 21,470		
<i>Subtotal</i>	10,870 10,864		86,236 84,750	320,482 315,679		
Mixed Use						
• Downtown	412 113	• 60% of the area at 35 du/ac • 40% of the area at 0.80 FAR for office and retail	2,352 2,365	4,704 4,729	1,561,330 1,569,554	2,793 2,808
• East Holt Boulevard	57	• 25% of the area at 30 du/ac • 50% of the area at 1.0 FAR office • 25% of area at 0.80 FAR retail	428	856	1,740,483	3,913
• Meredith	93	• 23% of the area at 37.4 du/ac • 72% at 0.35 FAR for office and retail uses • 5% at 0.75 FAR for Lodging	800	1,600	1,172,788	1,462
• Transit Center	76	• 10% of the area at 60 du/ac • 90% of the area at 1.0 FAR office and retail	457	913	2,983,424	5,337
• Inland Empire Corridor	37	• 50% of the area at 20 du/ac • 30% of area at 0.50 FAR office • 20% of area at 0.35 FAR retail	368	736	352,662	768
• Guasti	77	• 20% of the area at 30 du/ac • 30% of area at 1.0 FAR retail • 50% of area at .70 FAR office	500	1,001	2,192,636	4,103
• Ontario Center	345	• 30% of area at 40 du/ac • 50% of area at 1.0 FAR office • 20% of area at 0.5 FAR retail	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	• 5% of area at 40 du/ac • 20% of area at 0.75 FAR office • 75% of area at 0.5 FAR retail	479	958	5,477,126	7,285
• NMC West/South	315	• 30% of area at 35 du/ac • 70% of area at 0.7 FAR office and retail	3,311	6,621	6,729,889	17,188
• NMC East	264	• 30% of area at 25 du/ac • 30% of area at 0.35 FAR for office • 40% of area at 0.3 FAR for retail uses	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	• 50% of the area at 30 du/ac • 50% of area at 0.8 FAR retail	156	312	181,210	419
• SR-60/ Hamner Tuscana Village	41	• 18% of the area at 25 du/ac • 57% of the area at 0.25 FAR retail • 25% of the area at 1.5 FAR office	185	369	924,234	2,098
<i>Subtotal</i>	1,667 1,668		15,116 15,129	30,232 30,257	34,914,612 34,922,836	72,368 72,383

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood ⁶	280	0.30 FAR			3,658,256	8,852
Commercial	281				3,671,585	8,884
General Commercial	601	0.30 FAR			7,850,209	7,293
	533				6,964,199	6,470
Office/Commercial	512	0.75 FAR			16,728,347	37,097
	516				16,872,748	37,418
Hospitality	145	1.00 FAR			6,312,715	7,237
	141				6,157,642	7,060
<i>Subtotal</i>	1,538 1,472				34,549,527 33,666,174	60,479 59,831
Employment						
Business Park	1,550	0.40 FAR			27,000,753	47,372
	1,553				27,062,783	47,481
Industrial	6,253	0.55 FAR			149,799,312	131,617
	6,321				151,37,081	133,056
<i>Subtotal</i>	7,802 7,874				176,800,065 178,499,863	170,989 180,537
Other						
Open Space–Non-Recreation	4,230	Not applicable				
	1,232					
Open Space–Parkland ⁶	950	Not applicable				
Open Space–Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,875	Not applicable				
	4,872					
<i>Subtotal</i>	9,907 9,906					
Total	31,784		101,35 2 99,878	350,715 345,936	246,264,204 247,088,873	311,836 312,750

- Notes
- Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
 - Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
 - Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
 - Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
 - To view the factors used to generate the number of employees by land use category, access the Methodology report.
 - Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.



PLANNING COMMISSION STAFF REPORT

January 23, 2018

SUBJECT: A City initiated request (**File No. PZC17-001**) to change the zoning designations on approximately 800 properties, generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, and utility corridors located mostly on the east and south sides of the City, and additional areas located throughout the City, in order to make the zoning consistent with The Ontario Plan (TOP) land use designations of the properties. APNs: Various as shown in Exhibit A of the attached resolution. (**Related File No. PGPA17-001**)

This project is City initiated. City Council action is required.

PROPERTY OWNER: Various

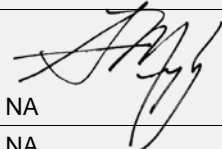
RECOMMENDED ACTION: That the Planning Commission recommend City Council approval of File No. PZC17-001, pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT ANALYSIS:

[1] Background - In January 2010, The Ontario Plan (TOP) was adopted which contains the Policy Plan (General Plan) component that sets forth the land use pattern for the City to achieve its Vision. After the adoption of TOP, staff embarked on a two pronged effort to update the Development Code and ensure that the zoning and TOP land use designations are consistent for all properties in the City. Staff worked to establish zones that effectively implement the intent of TOP. The Development Code update was adopted and went into effect January 1, 2016. This application is part of the on-going TOP-Zoning Consistency effort.

[2] Community Open Houses - Community Open Houses were held on November 13, and November 14, 2017, for this zone change (File No. PZC17-001) and the associated General Plan Amendment (File No. PGPA17-001). Subject property owners and property owners within 300 feet were notified of the meetings and about 90 people attended. The majority of the people in attendance were seeking information about the proposed zone changes and did not voice any opposition to the project. Forty-one people provided written comments. Nine of these responses did not support the proposed changes.

[3] Proposed Changes – Many of the proposed zone changes are to properties concentrated in the downtown area, the residential area north of the I-10, and utility

Case Planner:	Clarice Burden	Hearing Body	DAB	Date	NA	Decision	NA	Action	NA
Planning Director Approval:		ZA	NA	NA	NA	NA	NA	NA	
Submittal Date:	NA	PC	1/23/18				Recommend		
Hearing Deadline:	NA	CC					Final		

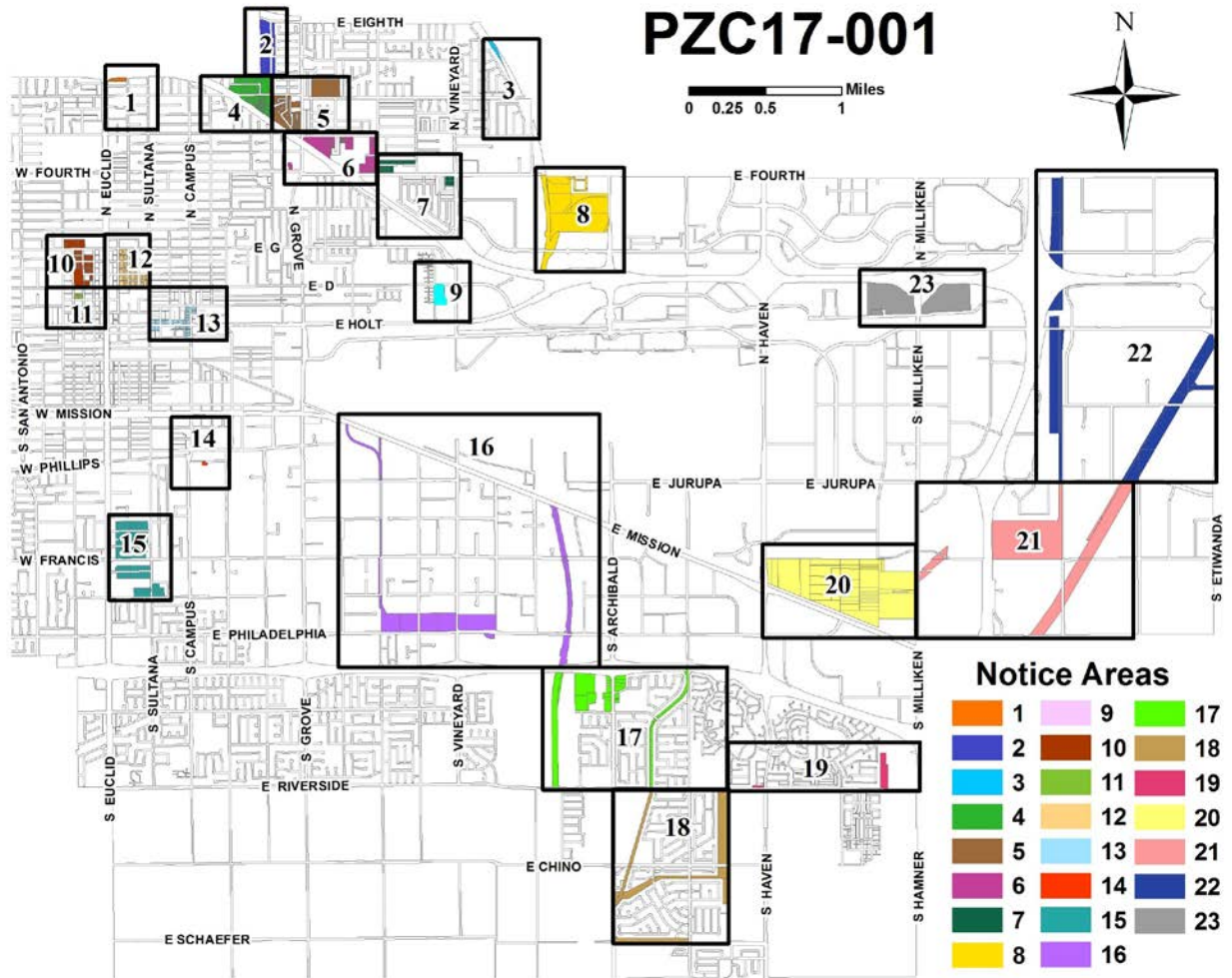
corridors located mostly on the east and south sides of the City as well as additional areas located throughout the City. The proposed zone changes include 774 properties located within 23 different map areas (see Vicinity Map below).

In order to align zoning with TOP land use designations, the updated Development Code created and/or refined specific zones. The table below outlines the zoning consistent with TOP land use designations being addressed in this proposed zone change.

TOP Land Use Designation	Zoning Consistent with TOP
Rural Residential	AR-2, Residential-Agricultural RE-2, Rural Estate
Low Density Residential	RE-4, Residential Estate LDR-5, Low Density Residential CS, Corner Store *
Low-Medium Density Residential	MDR-11, Low-Medium Density Residential CS, Corner Store *
Medium Density Residential	MDR-18, Medium Density Residential MDR-25, Medium-High Density Residential CS, Corner Store *
High Density Residential	HDR-45, High Density Residential CS, Corner Store *
Neighborhood Commercial	CS, Corner Store CN, Neighborhood Commercial
General Commercial	CC Community Commercial
Hospitality	CCS, Convention Center Support Commercial
Office-Commercial	OL, Low Intensity Office OH, High Intensity Office
Airport	ONT, Ontario International Airport
Industrial	IL, Light Industrial IG, General Industrial IH, Heavy Industrial Zoning District
Public Facility	CIV, Civic
Open Space-Non Recreation	UC, Utilities Corridor OS-C, Open Space-Cemetery
Rail	RC, Rail Corridor
Mixed Use	MU-1, Downtown Mixed-Use MU-2, East Holt Mixed-Use MU-11, Euclid/Francis Mixed-Use

* CS, Corner Store zone may be used to implement residential zones if the location would serve the adjacent residential neighborhood without negatively impacting it.

The following pages include maps showing the proposed changes. The Vicinity Map below, shows the locations of these 23 map areas.



Vicinity Map

1. Area Between I-10 Freeway and Deodar St. from Euclid Ave. to Columbia Ave.

Detailed Maps can be found in PC Resolution Exhibit A Groups D23, D40

Purpose:

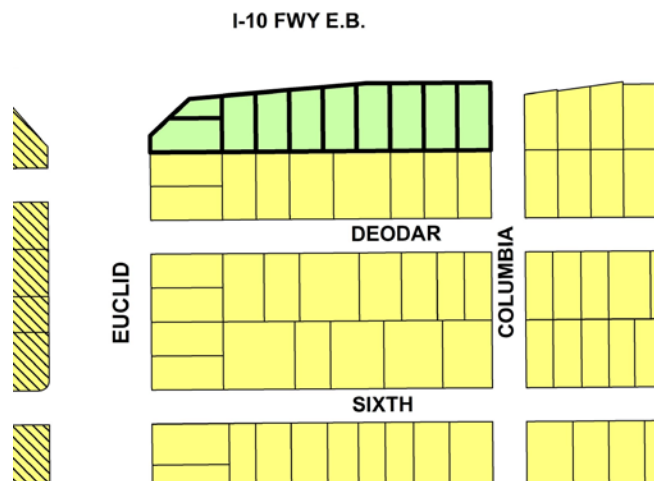
- To place City well site and utility storage area in the UC, Utilities Corridor zone.
- To provide consistency with TOP land use designations of properties.

Current Zoning

Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 1 (10 zone change properties) Public Responses Received:

- One response card has been received for this area,
 - 1 was not in support,
- Written comments included:
 - In this area I'm bothered by late night activities such as City trucks, construction noise (moving pipes, etc.) throughout the night and different nights. It's a nuisance that wakes up my family in the middle of the night. I do not want multi-family either due to nuisance. Staff response: Although not directly related to the zone changes, the noise issue was referred to the Traffic Engineering Division (traffic poles stored at this location). (Subject properties contain a City well site and a storage area).

Zoning Legend

AR-2, Agricultural Residential	CS, Cornder Store	ONT, Ontario International Airport
RE-2, Rural Estate	CN, Neighborhood Commercial	CIV, Civic
RE-4, Residential Estate	CC, Community Commercial	OS-R, Open Space-Recreation
LDR-5, Low Density Residential	CR, Regional Commercial	OS-C, Open Space-Cemetery
MDR-11, Low-Medium Density Residential	CCS, Convention Center Support	UC, Utilities Corridor
MDR-18, Medium Density Residential	OL, Low Intensity Office	SP, Specific Plan
MDR-25	OH, High Intensity Office	SP(AG), Specific Plan with Agricultural Overlay
HDR-45, High Density Residential	BP, Business Park	RC, Rail Corridor
PUD, Planned Unit Development	IP, Industrial Park	
MHP, Mobile Home Park	IL, Light Industrial	
MU, Mixed Use	IG, General Industrial	
	IH, Heavy Industrial	

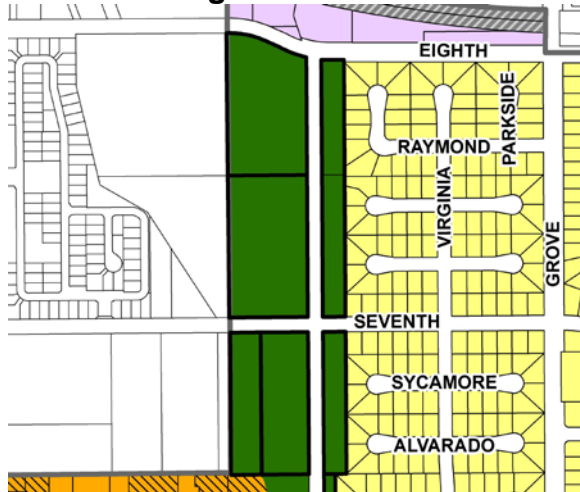
**2. Area Between Eight St. and South Side of Alvarado St.
from City Boundary to Edge of Flood Control Basin**

Detailed Maps can be found
in PC Resolution Exhibit A
Group F36

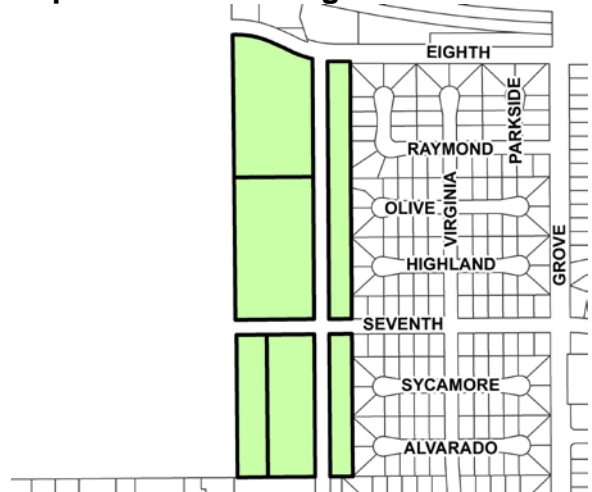
Purpose:

- To place flood control basins and channels in the UC, Utilities Corridor zone.
- To provide consistency with TOP land use designations of properties.

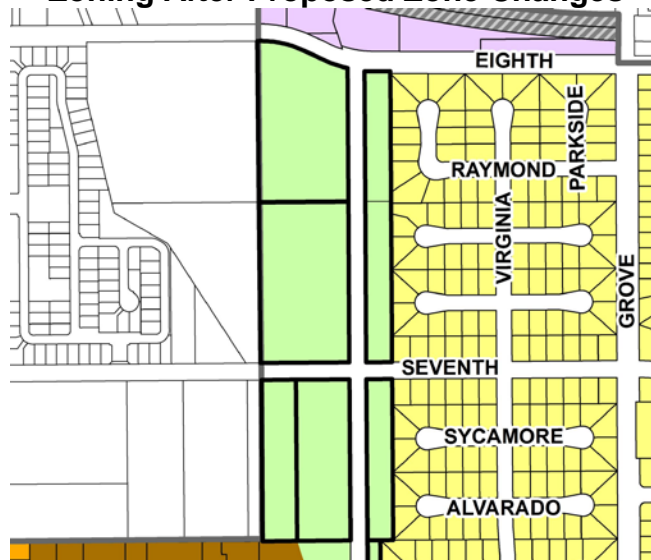
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 2 (6 zone change properties) Public Responses Received:

- No response cards were received for this area.

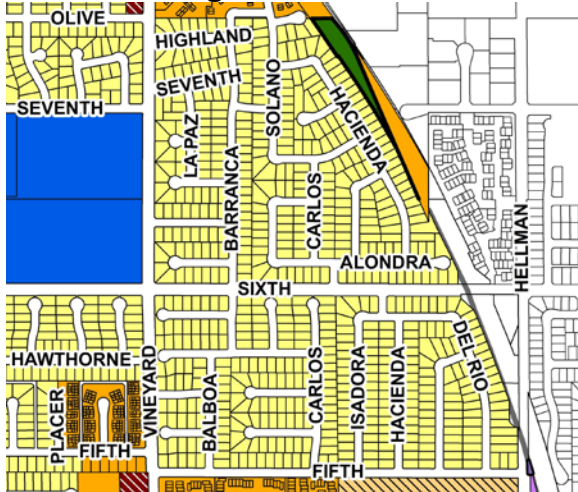
3. Area Between Olive St. and Fifth St. from Edge of Flood Control Channel to City Boundary

Detailed Maps can be found in PC Resolution Exhibit A Groups F20, F37

Purpose:

- To place flood control channels in the UC, Utilities Corridor zone.
- To provide consistency with TOP land use designations of properties.

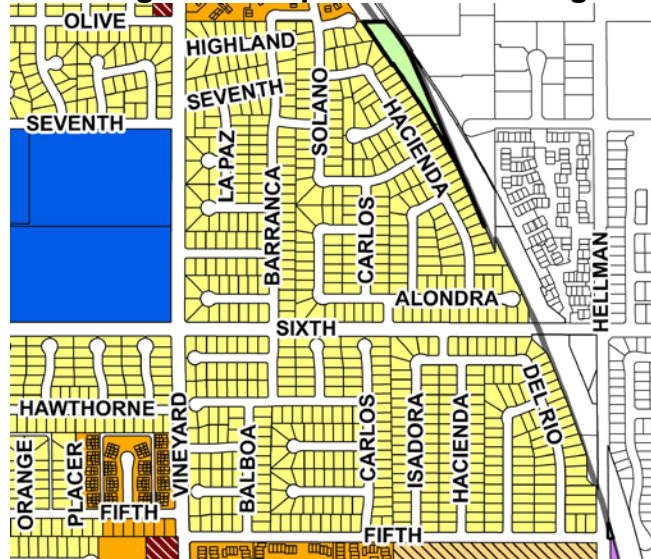
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 3 (18 zone change properties) Public Responses Received:

- One response card has been received for this area,
 - 1 had no comment and indicated that staff provided good information.

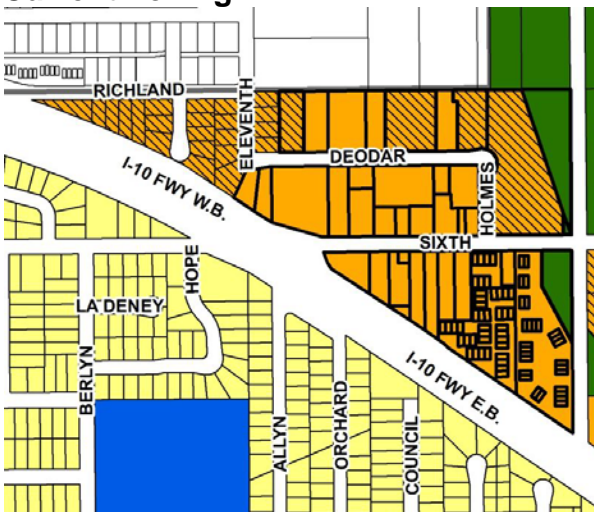
4. Area Between Northern City Boundary and I-10 Freeway from I-10 Freeway to Edge of Flood Control Basin/Channel (Triangle in the vicinity of Sixth St. & Grove Ave.)

Detailed Maps can be found in PC Resolution Exhibit A Groups F9, F10, F19, F24, F28

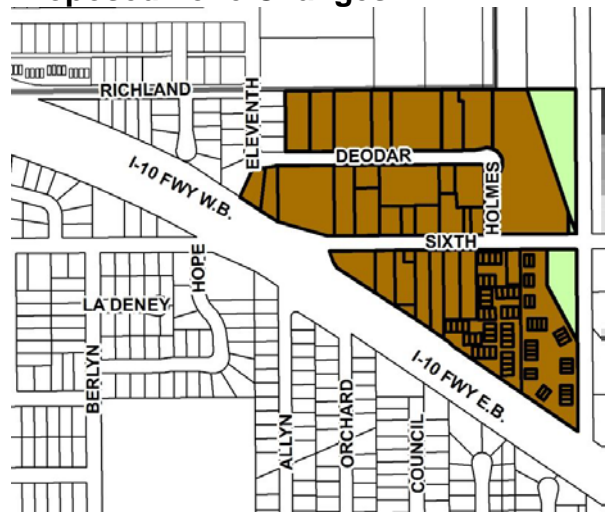
Purpose:

- To encourage new investment in the area by allowing higher residential densities.
- To place flood control channels and basins in the UC, Utilities Corridor zone.
- To provide consistency with TOP land use designations of properties.

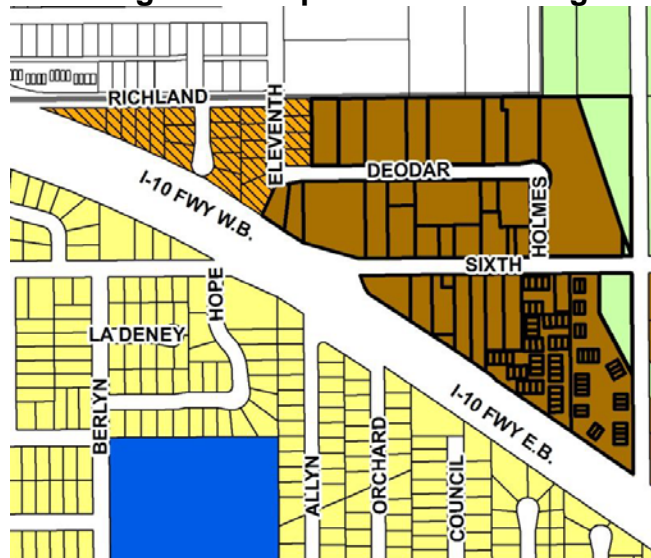
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 4 (130 zone change properties) Public Responses Received:

- One response card has been received for this area,
 - 1 was in support of the zone changes

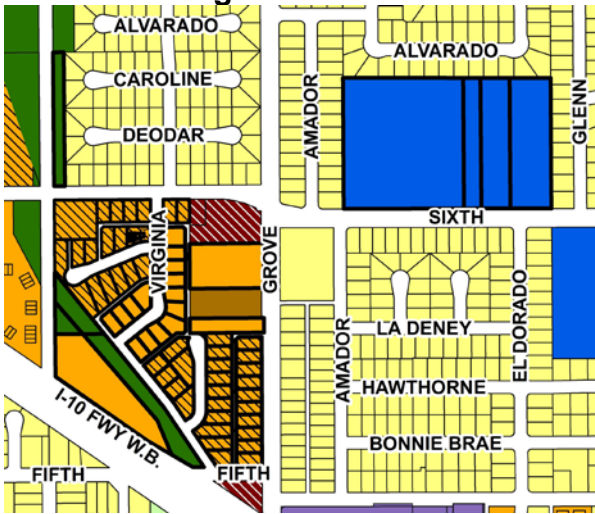
**5. Area Between North side of Sixth St. and I-10 Freeway/
 Fifth St. from Edge of Flood Control Basin/Channel to
 El Dorado Ave.**

Detailed Maps can be found
 in PC Resolution Exhibit A
 Groups F5, F15, F27, F30,
 F32, F34, F39

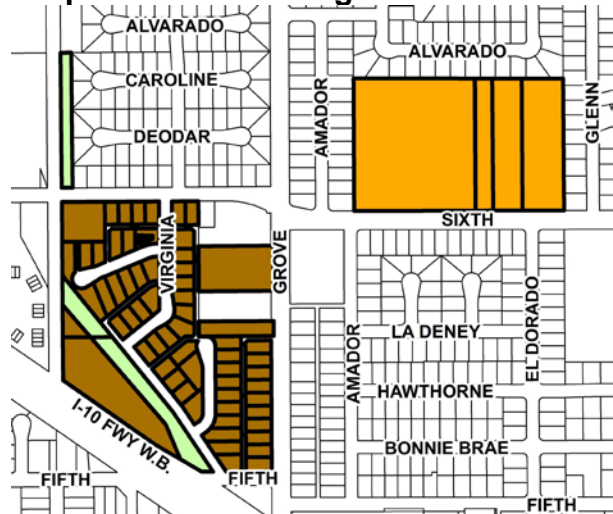
Purpose:

- To encourage new investment in the area by allowing higher residential densities.
- To allow for lot consolidation to provide larger sites for residential development at higher densities.
- To place surplus school site in MDR-18, Medium Density Residential zone in conformance with TOP Housing Element.
- To place flood control basins and channels in the UC, Utilities Corridor zone.
- To provide consistency with TOP land use designations of properties.

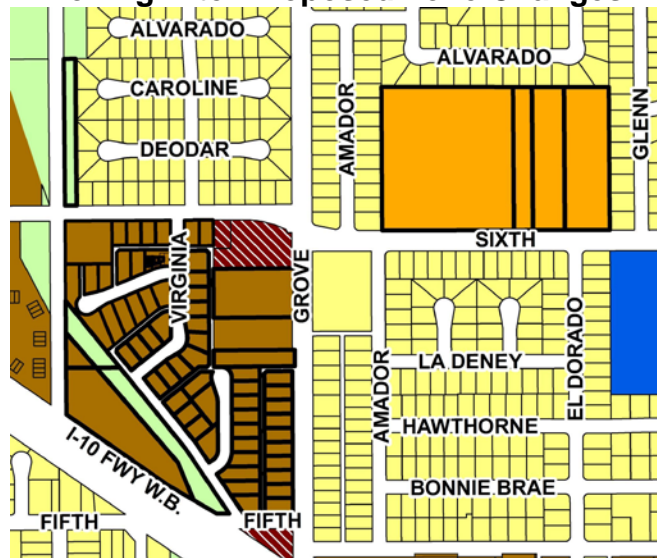
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 5 (74 zone change properties) Public Responses Received:

- Eight response cards have been received for this area,
 - 3 had no comments
 - 2 were in support of the zone changes
 - 3 were not in support of the zone changes
- Written comments included:
 - The proposed zoning (MDR-18) is too restrictive and could cause severe economic impact on current owners in cases of significant damage to existing building. Also parking is not addressed. Properties should also be designated HDR-45 to be consistent. The transition argument is not valid. Staff response: Upon re-analyzing the area staff is recommending HDR-45, High Density Residential zoning for the group F34 which contains this property owner's property.
 - Concerned about parking. Do not want Glenn Ave. to become a parking lot. Staff response: Any new multi-family development would have to comply with the parking requirements in our current Development Code, which has higher requirements than some of the older projects.

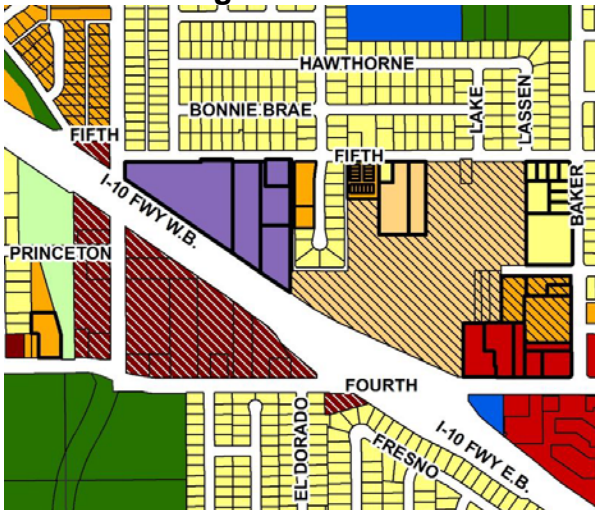
6. Area Between Fifth St. and I-10 Freeway/ Fourth St. from Grove Ave. to Baker Ave.

Detailed Maps can be found in PC Resolution Exhibit A Groups E34, F3, F4, F7, F8, F31, F33

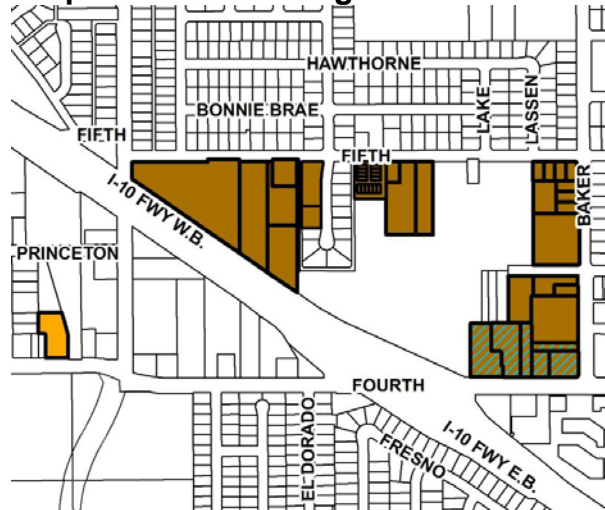
Purpose:

- To encourage new investment in the area by allowing higher residential densities.
- To provide larger sites for residential development at higher densities.
- To allow the ongoing use of properties uniquely designed to accommodate commercial uses by the use of an ICC, Interim Community Commercial Overlay.
- To eliminate split zoning of properties which are difficult to develop.
- To provide consistency with TOP land use designations of properties.

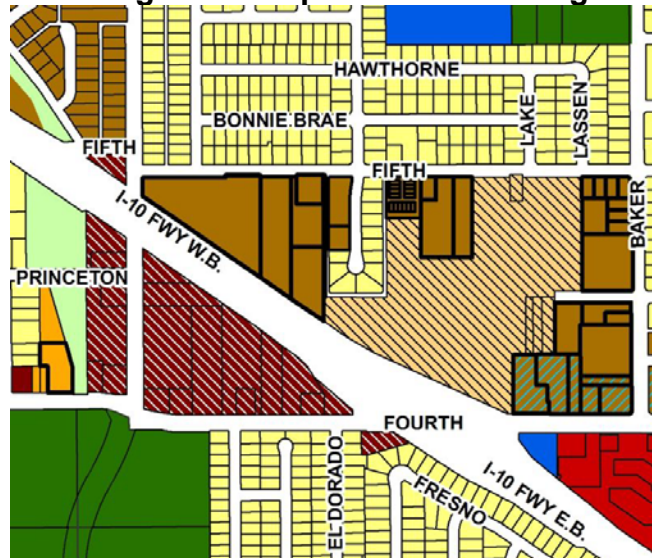
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 6 (64 zone change properties) Public Responses Received:

- Six response cards have been received for this area,
 - 4 had no comments
 - 2 were not in support of the zone changes
- Written comments included:
 - “I am not happy we were told initially that there was to be only a zoning change-no construction. When I asked for the reason for zoning change I was then told that they are putting a freeway exit at Grove which is on top of my property at 1202 N. El Dorado. Eminent Domain!!” Staff response: This project is only a zone change for the subject property. Caltrans has a freeway widening project in the area and also modifications to the Grove Avenue exit are proposed but neither of these other projects are related to the proposed zone change. Property owners in this area may have received notification of these other projects which may or may not affect the property at 1202 N. El Dorado.

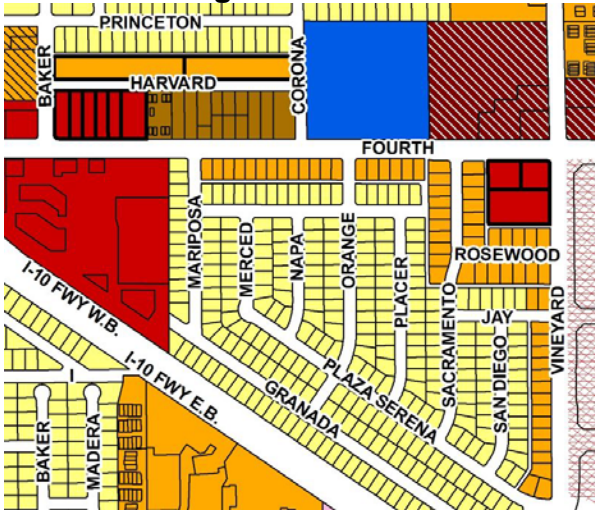
7. Area Between Princeton St. and I-10 Freeway from Baker Ave. to Vineyard Ave.

Detailed Maps can be found in PC Resolution Exhibit A Groups F11, F23, F40

Purpose:

- To protect the existing single family neighborhood from intrusion of higher density projects.
- To place smaller commercial development within the appropriate CN, Neighborhood Commercial zone, which is more in keeping with the location, size, and uses of these sites.
- To allow the ongoing use of properties uniquely designed to accommodate commercial uses by the use of an ICC, Interim Community Commercial Overlay.
- To provide consistency with TOP land use designations of properties.

Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 7 (79 zone change properties) Public Responses Received:

- Three response cards have been received for this area,
 - 3 had no comments

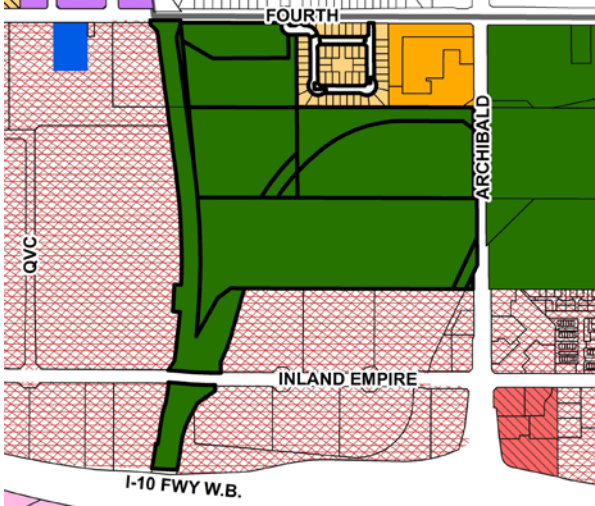
8. Area Between Fourth St. and I-10 Freeway from Edge of Flood Control Basin/Channel to Archibald Ave.

Detailed Maps can be found in PC Resolution Exhibit A Groups F17, F36

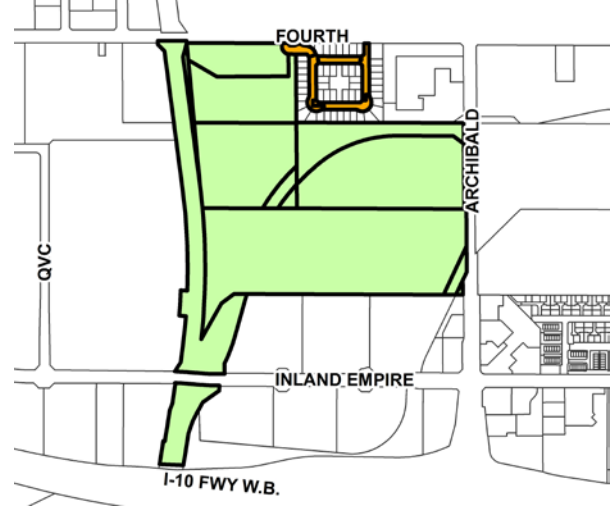
Purpose:

- To place flood control basins and channels in the UC, Utilities Corridor zone.
- To establish zoning for all properties that have Accessors Parcel Numbers by placing the private street in the same zone as adjacent properties.
- To provide consistency with TOP land use designations of properties.

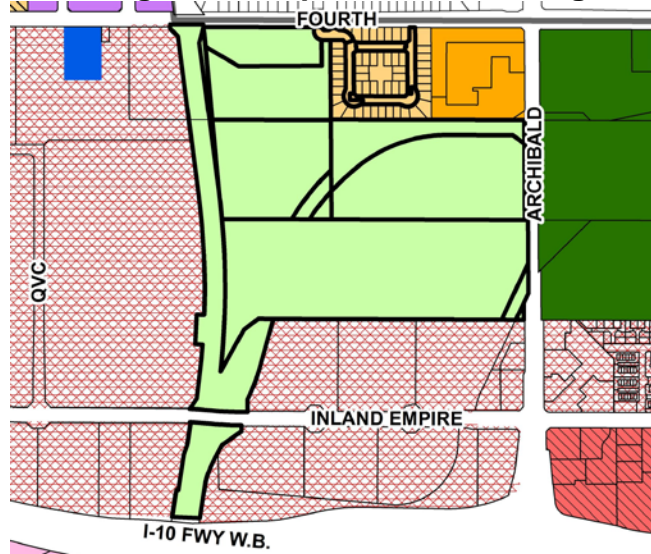
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 8 (18 zone change properties) Public Responses Received:

- No response cards were received for this area

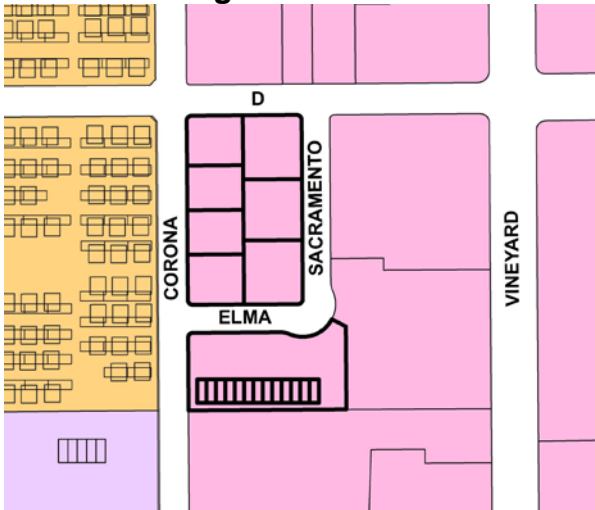
9. Area Between D St. and Holt Blvd. St. from Corona Ave. to Vineyard Ave.

Detailed Maps can be found in PC Resolution Exhibit A Group H25

Purpose:

- To place Business Park type development in the BP, Business Park zone which is more in keeping with the uses of these sites.
- To provide consistency with TOP land use designations of properties.

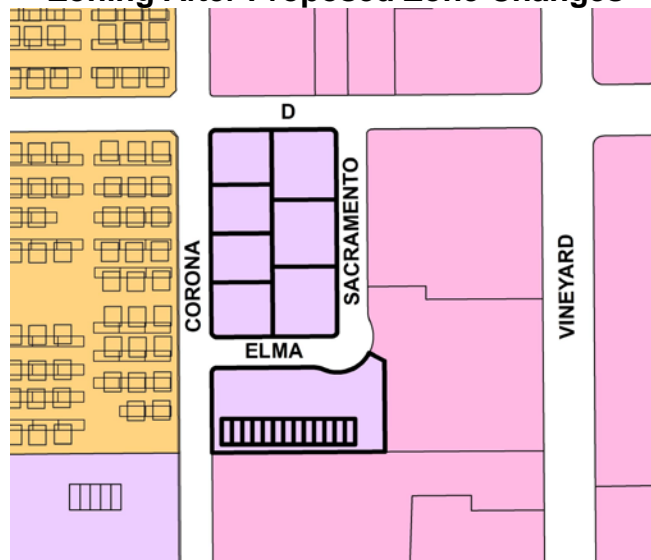
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 9 (21 zone change properties) Public Responses Received:

- One response cards have been received for this area,
 - 1 had no comments

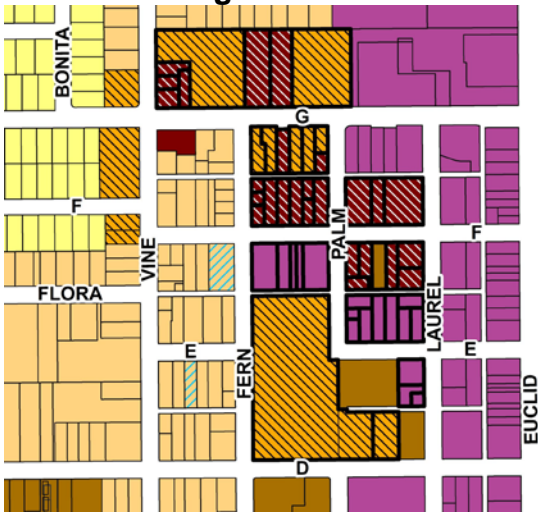
10. Area Between North Side of G St. and D St. from Vine Ave. to Euclid Ave.

Detailed Maps can be found in PC Resolution Exhibit A Groups B3, B5, B39, B42, B43, B45, B46, B47, B48

Purpose:

- To protect existing historic homes by providing appropriate zoning within the correct density range.
- To place an area of existing small offices within the OL, Low Intensity Office zone.
- To provide for higher residential densities in appropriate areas of Downtown.
- To allow the ongoing use of properties uniquely designed to accommodate commercial uses by the use of an ICC, Interim Community Commercial Overlay.
- To provide consistency with TOP land use designations of properties.

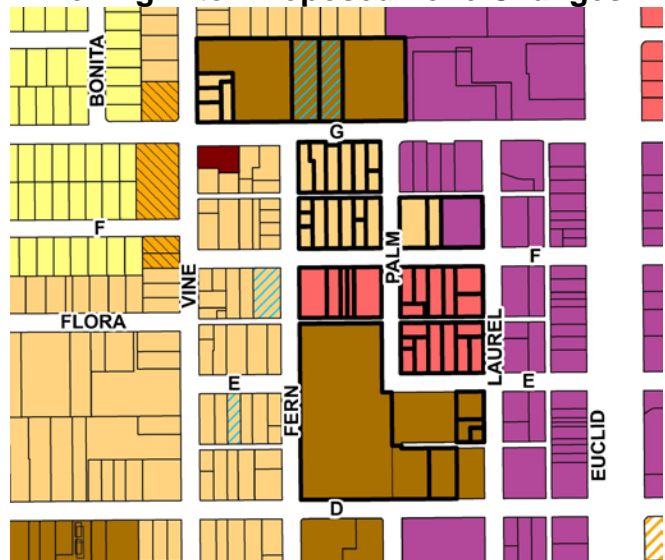
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 10 (54 zone change properties) Public Responses Received:

- Three response cards have been received for this area,
 - 1 had no comments
 - 1 was in support of the zone changes
 - 1 was not in support of the zone changes
- Written comments included:
 - “Stay with MDR-25.” Staff response: With the existing 10 units on this owner’s property it already falls within the high density range and the proposed HDR-45, High Density Residential zoning would reflect the existing use of the property

11. Area Between D St. and B St. from West Side of Vine Ave the Palm Ave.

Detailed Maps can be found in PC Resolution Exhibit A Groups B49

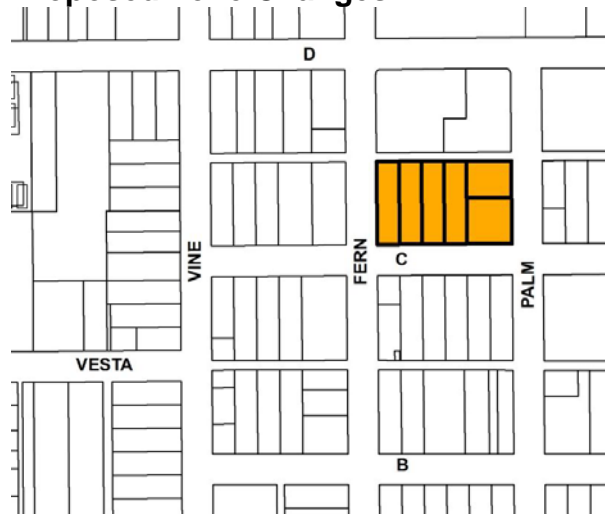
Purpose:

- To reflect the existing residential density of the project sites.
- To provide consistency with TOP land use designations of properties.

Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 11 (20 zone change properties) Public Responses Received:

- One response cards have been received for this area,
 - 1 had no comments

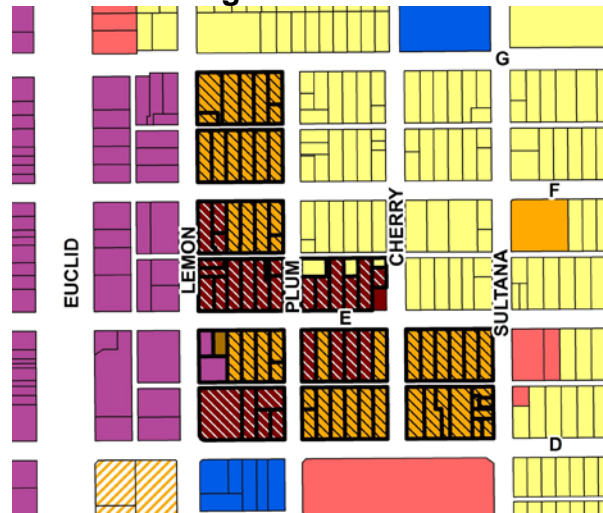
12. Area Between G St. and D St. from Lemon Ave. to Sultana Ave.

Detailed Maps can be found in PC Resolution Exhibit A Groups D22, D30, D31, D33, D36, D39, D41, D42, D43, D44

Purpose:

- To protect existing historic homes by providing appropriate zoning within the correct density range.
- To place an area of existing small offices within the OL, Low Intensity Office zone.
- To provide consistency with TOP land use designations of properties.

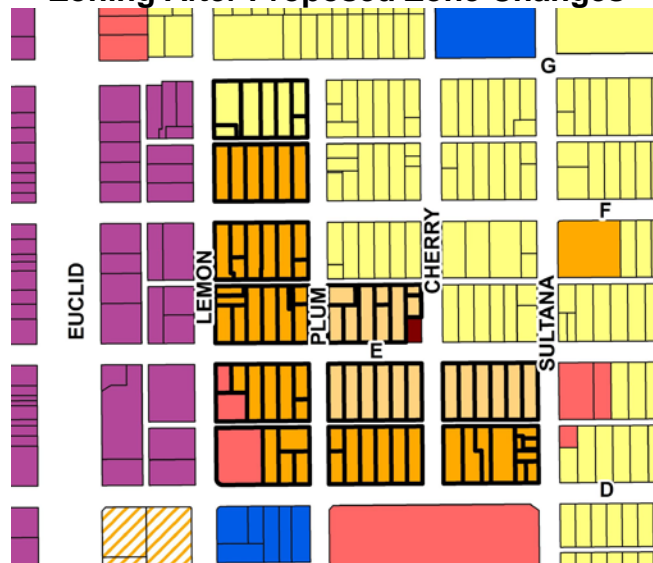
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 12 (83 zone change properties) Public Responses Received:

- Two response cards have been received for this area,
 - 1 had no comments
 - 1 was in support of the zone changes

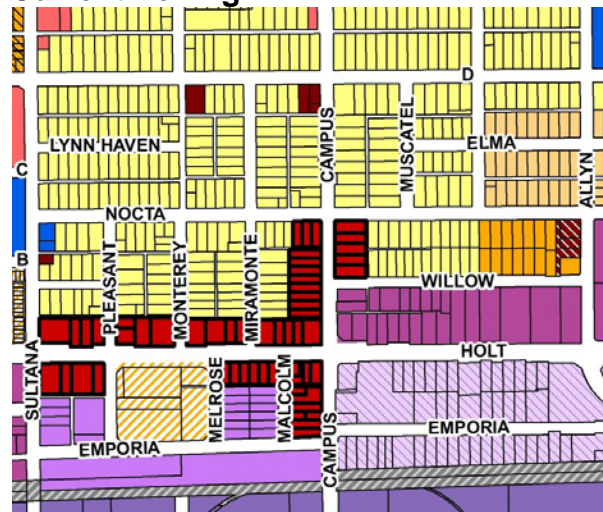
13. Area Between D St. and Emporia St. from Sultana Ave. to East Side of Campus Ave.

Detailed Maps can be found in PC Resolution Exhibit A Groups D6, E11

Purpose:

- To place commercial development within the appropriate CN, Neighborhood Commercial zone, which is more in keeping with the location, size, and uses of these sites.
- To provide residential zoning to properties developed with residential uses.
- To provide consistency with TOP land use designations of properties.

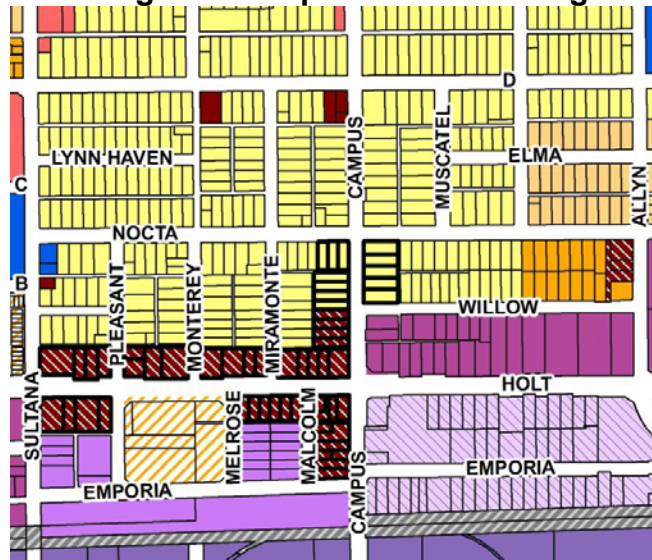
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 13 (59 zone change properties) Public Responses Received:

- Four response cards have been received for this area,
 - 1 had no comments
 - 3 were in support of the zone changes

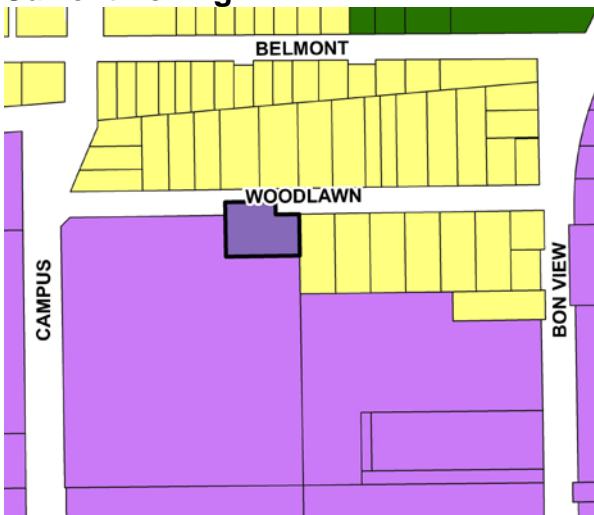
14. Area Along South Side of Woodlawn St. from Campus Ave. to Bon View Ave.

Detailed Maps can be found in PC Resolution Exhibit A Group G37

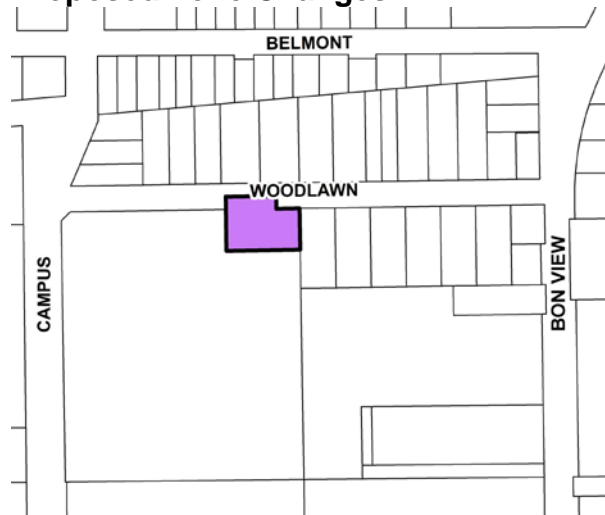
Purpose:

- To provide IL, Light Industrial zoning for a property that is adjacent to industrial development per the direction of City Council.
- To provide a lighter industrial zone in close proximity to existing residential uses.

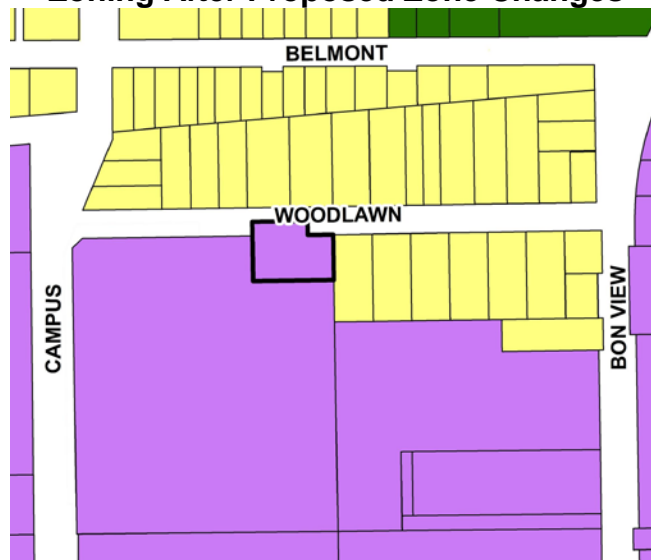
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 14 (1 zone change property) Public Responses Received:

- No response cards have been received for this area.

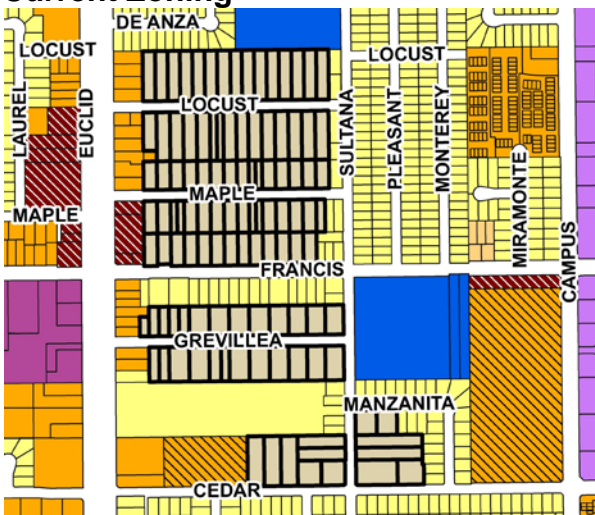
**15. Area Between North Side of Locust St. and Cedar St.
from Euclid Ave. to Sultana Ave.**

Detailed Maps can be found
in PC Resolution Exhibit A
Group G38

Purpose:

- To allow the continued use of large animal keeping by placing RE-2, Residential Estate zoning on properties that currently have AR-2, Agricultural Residential zoning but more closely meet the RE-2 standards for lot size per the direction of City Council. The standards for the number and type of animals and placement of animal keeping areas will remain the same.

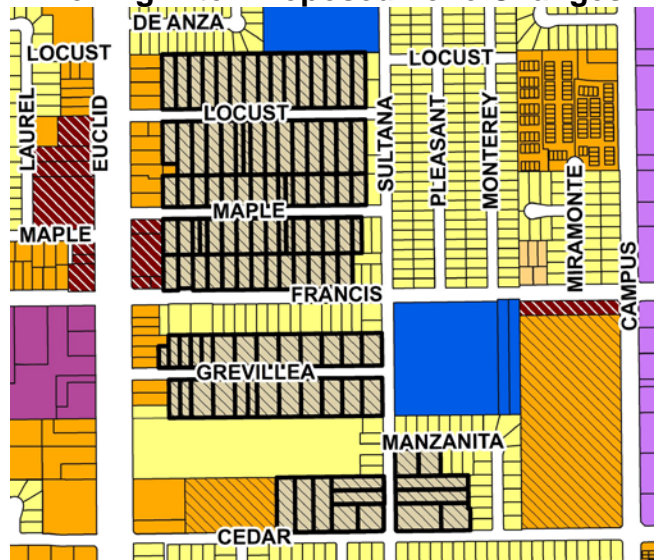
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 15 (112 zone change properties) Public Responses Received:

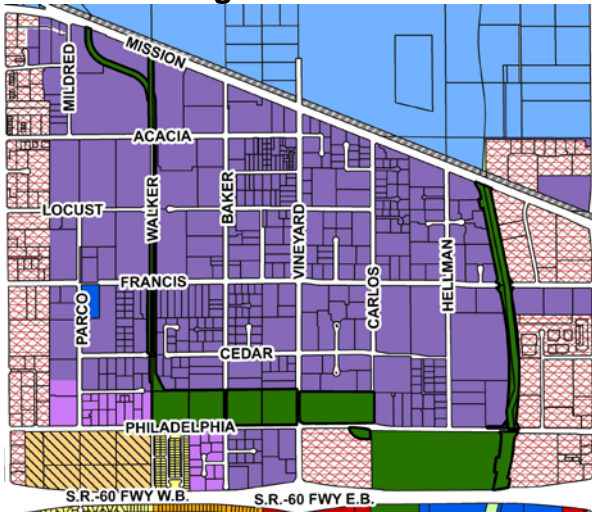
- Four response cards have been received for this area,
 - 2 had no comments
 - 1 was in support of the zone changes
 - 1 was not in support of the zone changes
- Written comments included:
 - I like the rural county atmosphere & would like to keep farm animals.
- Although not directly related to the proposed zone changes these comments were also received:
 - Put lights on my street. 3 City lights in the entire street is no good.
 - Too many homeless cats in the area. City needs to get involved and pick them up.

16. Area Between Mission Blvd. and SR-60 Freeway. from Edge of Flood Control Channel (Walker Ave.) to Edge of Flood Control Channel/Basin (East of Hellman Ave.)

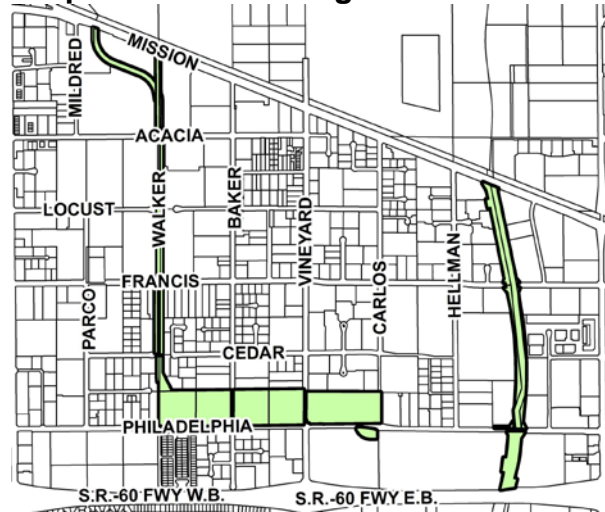
Detailed Maps can be found in PC Resolution Exhibit A Groups I9, I10, I11, I12

- **Purpose:**
- To place flood control channels and basins in the UC, Utilities Corridor zone.
- To provide consistency with TOP land use designations of properties.

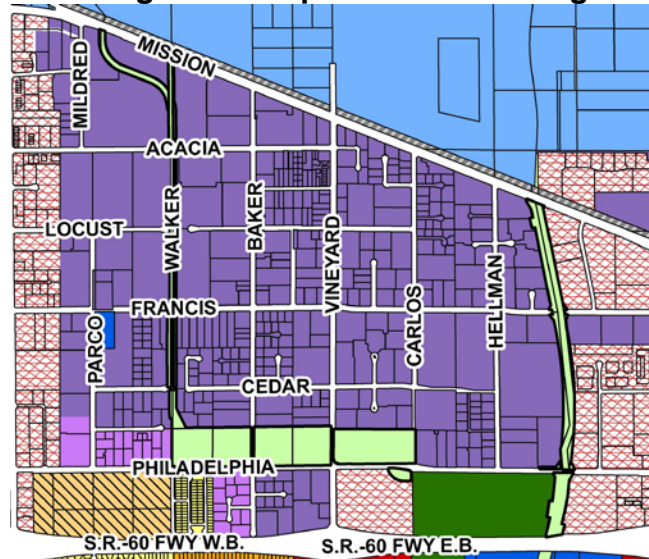
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 16 (31 zone change properties) Public Responses Received:

- No response cards have been received for this area.

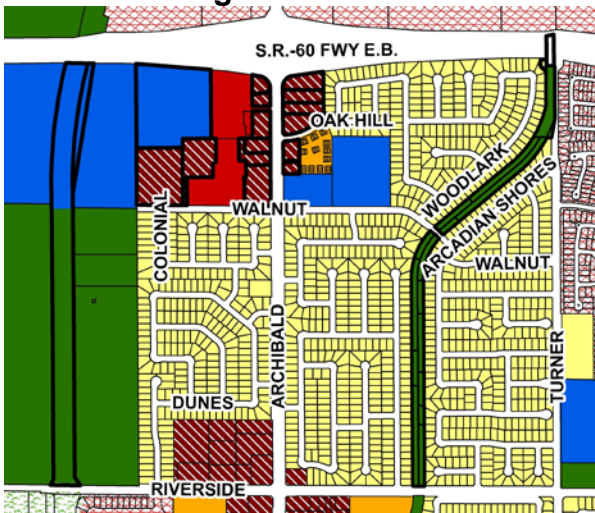
17. Area Between SR-60 Freeway and Riverside Drive from Edge of Flood Control Channel (West of Archibald Ave.) to Edge of Flood Control Channel (Turner Ave.)

Detailed Maps can be found in PC Resolution Exhibit A Groups 14, 15, 18, 113, J4, J5, J16

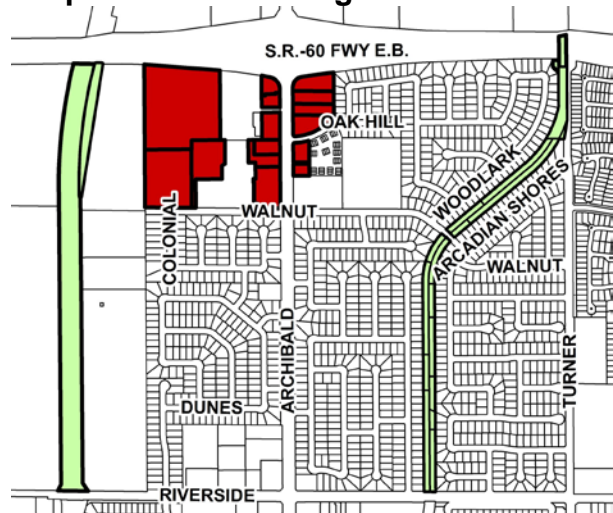
Purpose:

- To place flood control channels in the UC, Utilities Corridor zone
- To accommodate CC, Community Commercial zoning for the shopping centers on Archibald Ave., adjacent to the SR-60 Freeway.
- To provide consistency with TOP land use designations of properties

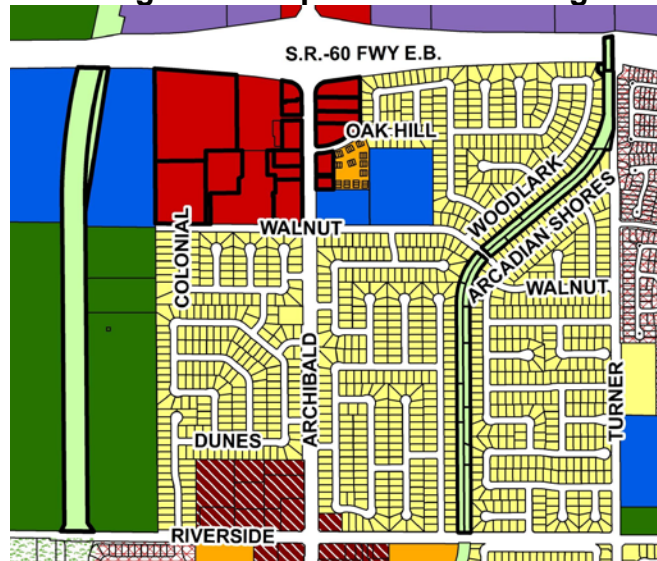
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 17 (35 zone change properties) Public Responses Received:

- No response cards have been received for this area.

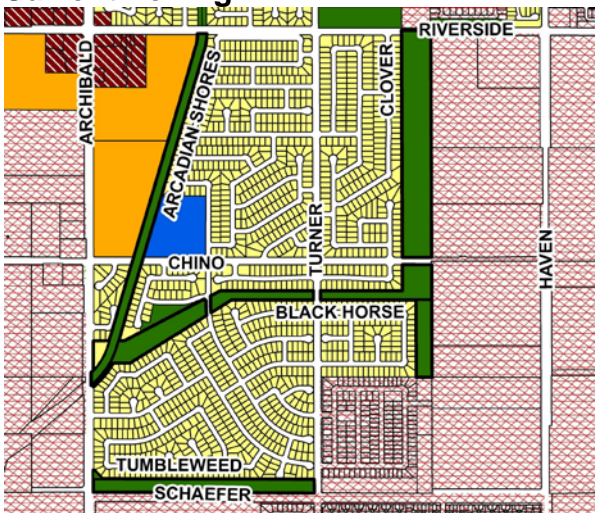
18. Area Between Riverside Dr. and Schaefer St. from Archibald Ave. to Haven Ave.

Detailed Maps can be found in PC Resolution Exhibit A Groups J7, J17, J18

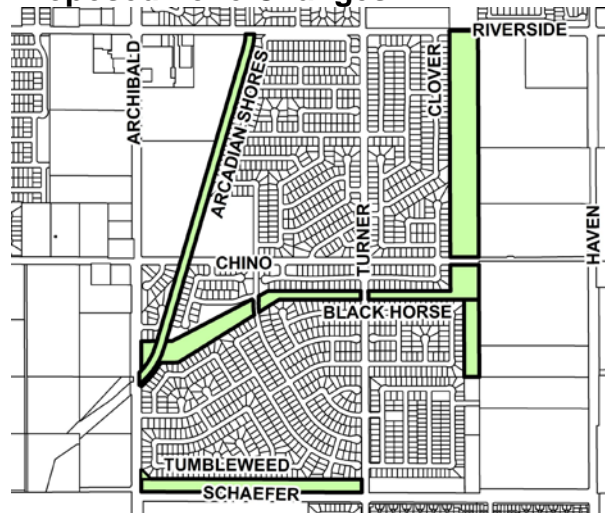
Purpose:

- To place flood control channels and electric transmission lines in the UC, Utilities Corridor zone.
- To provide consistency with TOP land use designations of properties.

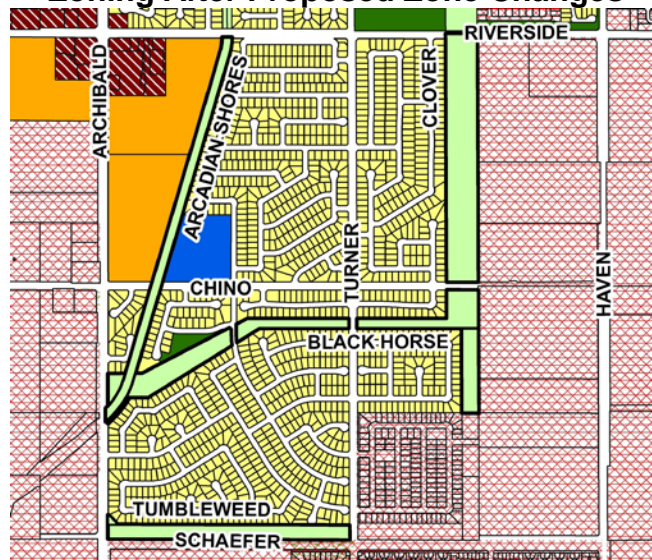
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 18 (10 zone change properties) Public Responses Received:

- Four response cards have been received for this area,
 - 4 had no comments related to the zone changes
- Although not directly related to the proposed zone changes these comments were also received:
 - Please do not make our electricity poles any bigger. It's crazy where I live!
 - I want to know what Edison is going to do with the land behind my home.

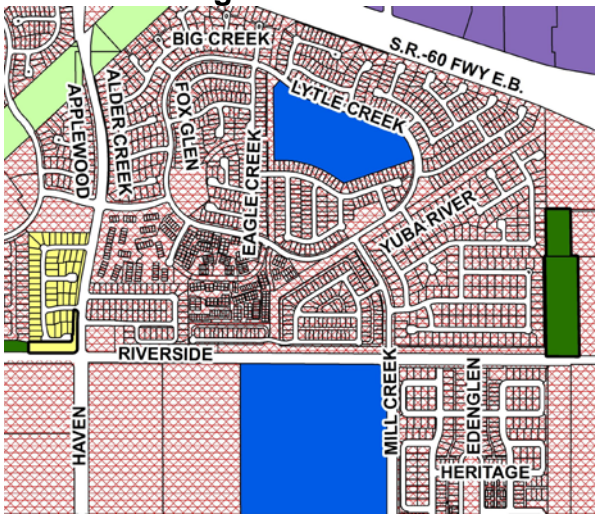
19. Area Between SR-60 Freeway and Riverside Dr. from West Side of Haven Ave to Edge of SCE Easement

Detailed Maps can be found in PC Resolution Exhibit A Groups J3, J6

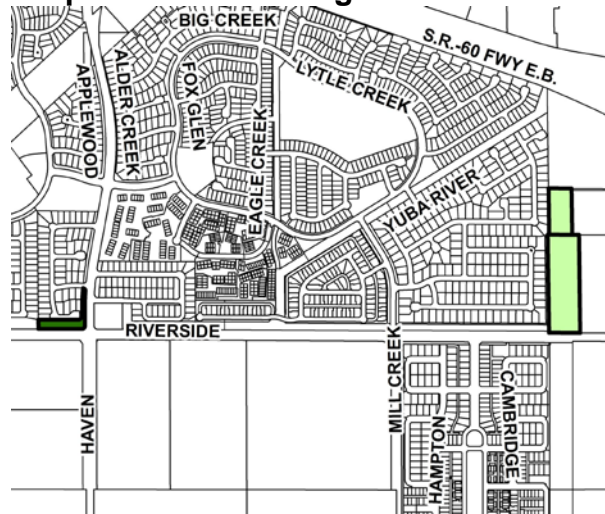
Purpose:

- To place electric transmission lines in the UC, Utilities Corridor zone.
- To recognize the existing open space use of property along Riverside Dr.
- To provide consistency with TOP land use designations of properties.

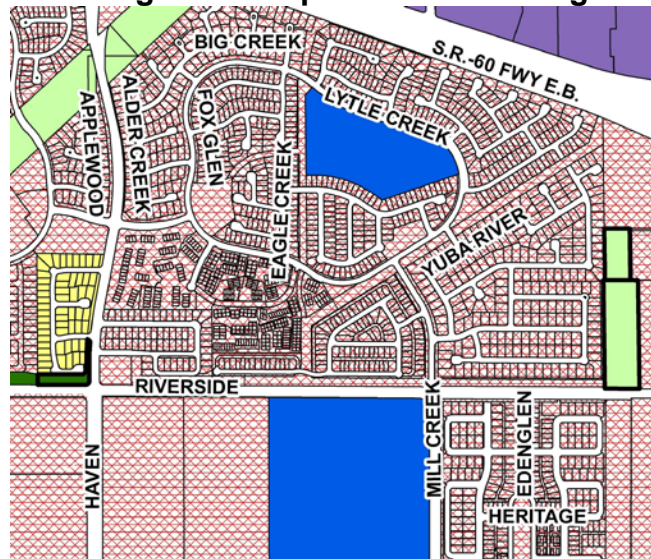
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 19 (3 zone change properties) Public Responses Received:

- One response card has been received for this area,
 - 1 was in support of the zone changes

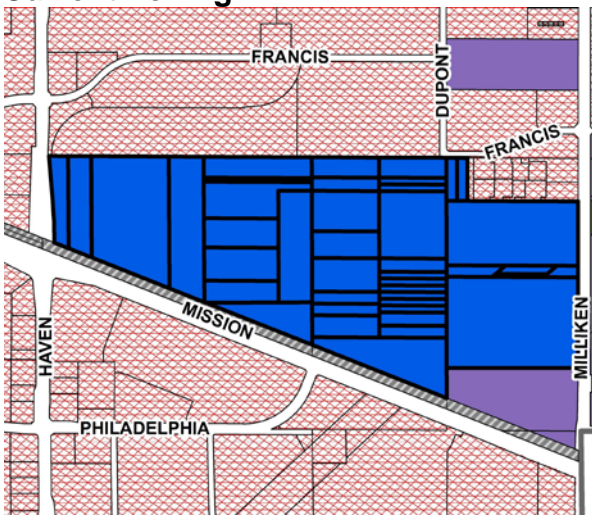
20. Area Between Francis St. and Mission Blvd. from Haven Ave. to Milliken Ave.

Detailed Maps can be found in PC Resolution Exhibit A Groups K3, K9

Purpose:

- To place the land fill and adjacent property within the appropriate UC, Utilities Corridor and IG, General Industrial zones.
- To provide consistency with TOP land use designations of properties.

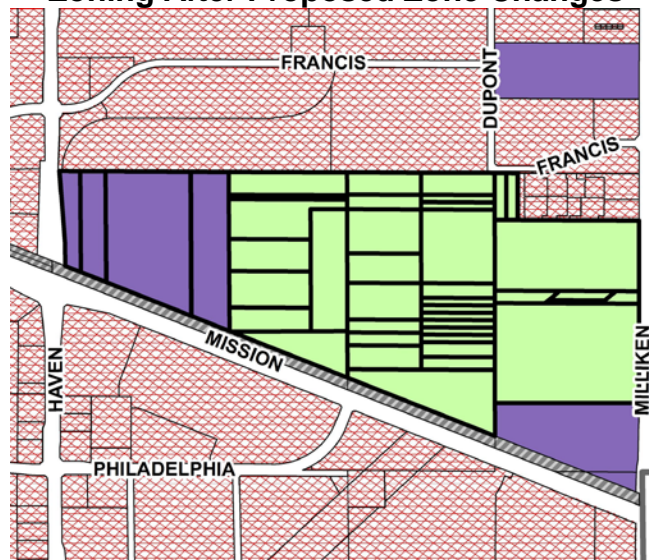
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 20 (41 zone change properties) Public Responses Received:

- No response cards have been received for this area.

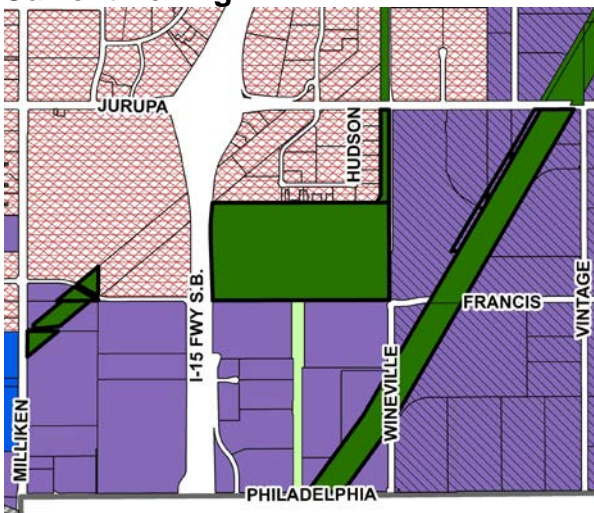
21. Area Between Jurupa St. and Philadelphia from Milliken Ave. to Vintage Ave.

Detailed Maps can be found in PC Resolution Exhibit A Groups K8, K12

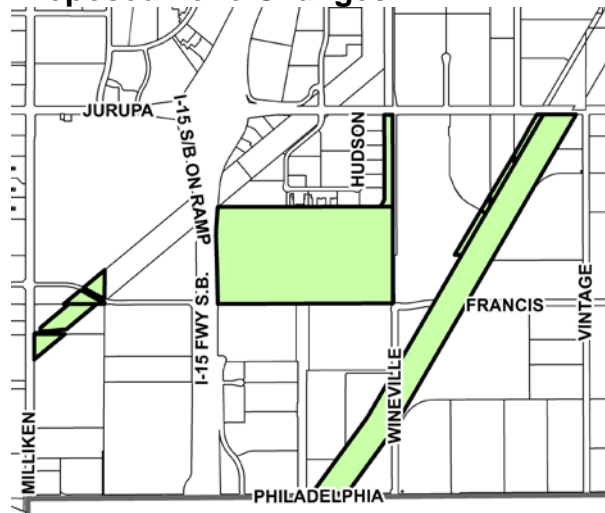
Purpose:

- To place flood control basins and channels, and electric transmission lines in the UC, Utilities Corridor zone.
- To provide consistency with TOP land use designations of properties.

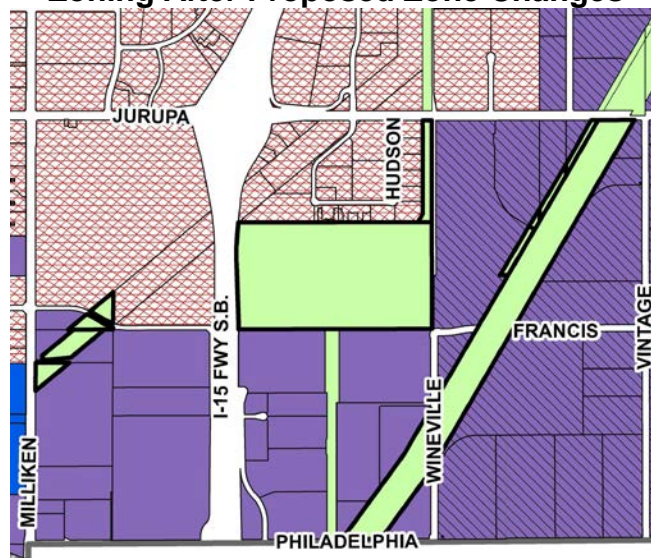
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 21 (12 zone change properties) Public Responses Received:

- No response cards have been received for this area.

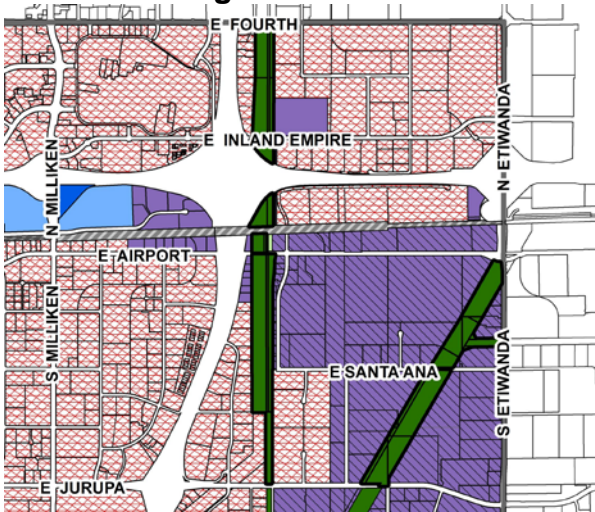
22. Area Between Fourth St. and Jurupa St. from I-15 Freeway to Etiwanda Ave.

Detailed Maps can be found in PC Resolution Exhibit A Groups L12, L13

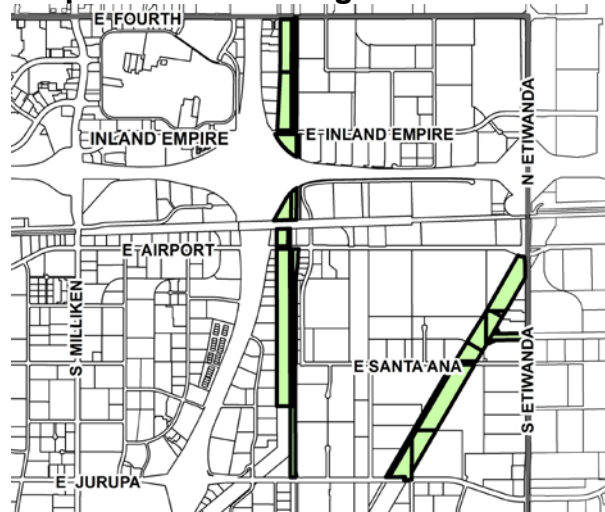
Purpose:

- To place flood control channels and electric transmission lines in the UC, Utilities Corridor zone.
- To provide consistency with TOP land use designations of properties.

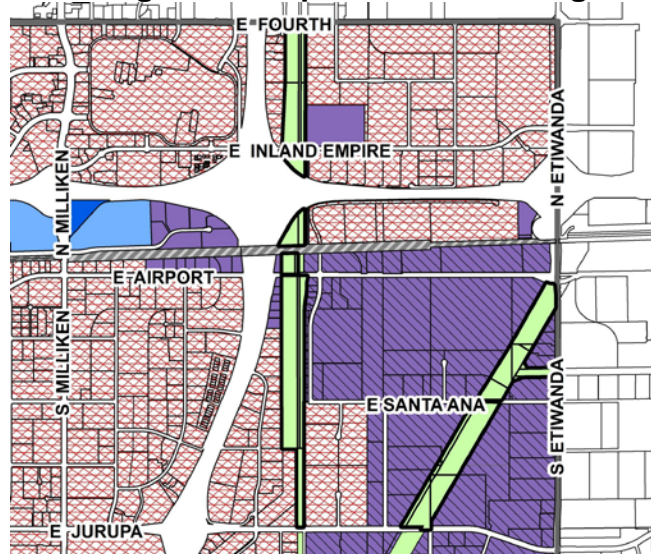
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 22 (30 zone change properties) Public Responses Received:

- No response cards have been received for this area.

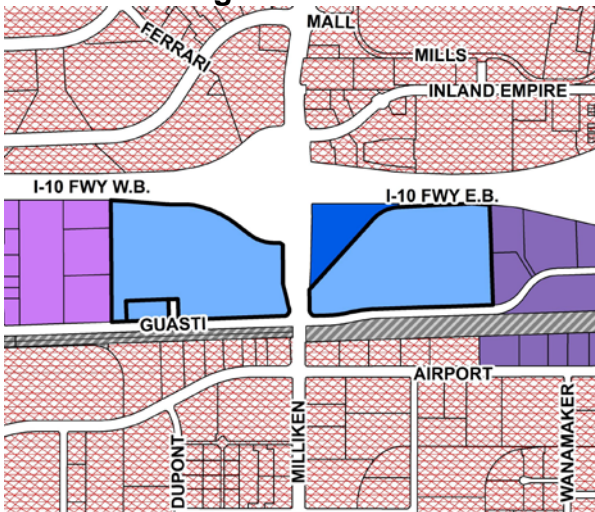
23. Area Between I-10 Freeway and Guasti Road Along East and West Sides of Milliken Ave.

Detailed Maps can be found in PC Resolution Exhibit A Group L8

Purpose:

- To recognize the industrial nature of the truck stops.
- To coordinate with the industrial uses to the east and west of the sites.
- To provide consistency with TOP land use designations of properties.

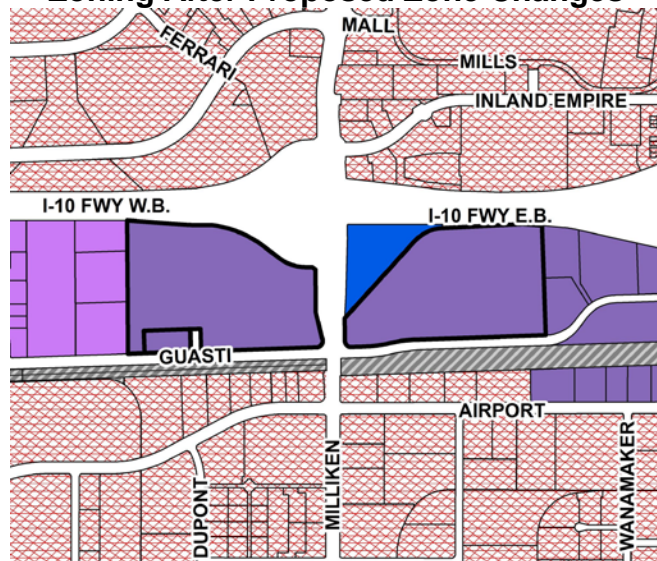
Current Zoning



Proposed Zone Changes



Zoning After Proposed Zone Changes



Area 23 (3 zone change properties) Public Responses Received:

- One response cards has been received for this area,
 - 1 was not in support of the zone changes
- Written comments included:
 - We own a hotel on this lot. Changing the zoning will impact future hotel development. Staff response: Hotels/Motels are not permitted in either the existing or proposed zone, the existing use is already non-conforming and would continue to be non-conforming after the proposed change. The motel location has the railroad tracks to the south and existing industrial development to the north, east, and west and therefore any zoning other than industrial could be considered spot zoning.

When the TOP-Zoning Consistency Project started, after the adoption of The Ontario Plan (TOP) in 2010, there were about 5,000 properties requiring changes. Staff is recommending approval of this group, affecting 774 properties, which represents the final major phase in the effort to achieve consistency between TOP land use designations and zoning for all properties in the City.

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 Priorities

Goals: Operate in a Businesslike Manner
Invest in the Growth and Evolution of the City's Economy

[2] Policy Plan (General Plan)

Land Use Element – Balance & Phased Growth

- 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.

Compliance: Undertaking the zone changes to provide consistency between the zoning and TOP land use designations will further the City's intent of becoming a complete community which will result in a land use pattern that provides residents, employers, workers, and visitors a wide spectrum of choices to live, work, shop and recreate within Ontario.

Housing – Neighborhoods & Housing

- **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

➤ **H1-2: *Neighborhood Conditions*.** We direct efforts to improve the long-term sustainability of neighborhoods through comprehensive planning, provisions of neighborhood amenities, rehabilitation and maintenance of housing, and community building efforts.

Compliance: Changing the zoning of certain existing residential properties, to comply with our Vision, will provide for long term stability of the neighborhoods.

Safety – Noise Hazards

- **Goal S4:** An environment where noise does not adversely affect the public's health, safety, and welfare.

➤ **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.

Compliance: The proposed zone changes are consistent with the adopted Airport Land Use Compatibility Plan for both Ontario Airport and Chino Airport and limit new units in noise sensitive locations near the airports.

COMPLIANCE WITH THE AIRPORT LAND USE COMPATIBILITY PLAN: The project site is located within the Airport Influence Area of LA/Ontario International Airport and has been found to be consistent with the policies and criteria set forth within the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP).

ENVIRONMENTAL REVIEW: The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"). The environmental impacts of this project were previously reviewed in conjunction The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. This Application introduces no new significant environmental impacts not previously analyzed in the Environmental Impact Report. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The environmental documentation for this project is available for review at the Planning Department public counter.

PGPA17-001 and PZC17-001
Correspondence



10 November 2017

To:
Planning Department
Ontario City Hall
303 East "B" Street
Ontario, CA 91764

From: East La Deney Court Land Trust

Regarding: Notice 5 – OH

The proposed land use designation makes little sense.

The area designated as F-34 is being downgraded from MDR-25 to MDR-18. Currently, the majority of the properties use the land as 4 units per lot. These lots are being downgraded to about 3 units per lot.

Yet, the surrounding areas designated F-5, F-27, F-30, F-32 are being upgraded to HDR-45. Currently, these areas are largely a mix of single family homes, duplexes, triplexes, and a few 4-plexes averaging 2 to 3 units per lot. The proposed land use change is to cram far more people onto that space at the expense of the F-34 area.

This change will cause numerous problems in the F-34 area because 1) re-building any of the units may be limited and 2) the high density nearby may cause severe parking and traffic problems on La Deney Ct in particular if an entrance to the High Density is allowed in the area designated F-5.

A handwritten signature in blue ink, appearing to be a stylized name.

Staff response: Staff conducted further review of this area and is recommending that the General Plan land use designation for Group F34 remain High Density Residential and that the zoning be changed to HDR-45, High Density Residential as indicated in the staff reports and resolutions for PGPA17-001 and PZC17-001

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PZC17-001, A CITY INITIATED REQUEST TO CHANGE THE ZONING DESIGNATIONS ON APPROXIMATELY 800 PROPERTIES, GENERALLY CONCENTRATED IN THE DOWNTOWN AREA, AND THE RESIDENTIAL AREA NORTH OF THE I-10 FREEWAY, AND UTILITY CORRIDORS LOCATED MOSTLY ON THE EAST AND SOUTH SIDES OF THE CITY, AND ADDITIONAL AREAS LOCATED THROUGHOUT THE CITY, IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN (TOP) LAND USE DESIGNATIONS OF THE PROPERTIES, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: AS SHOWN IN EXHIBIT A (ATTACHED).

WHEREAS, City of Ontario ("Applicant") has initiated an Application for the approval of a Zone Change, File No. PZC17-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to approximately 800 properties, generally concentrated in the downtown area, and the residential area north of the I-10 Freeway, and utility corridors located mostly on the east and south sides of the City, and additional areas located throughout the City; and

WHEREAS, the zoning of the properties is inconsistent with The Ontario Plan ("TOP") land use designations of the properties and the proposed zone changes will make the zoning consistent with TOP land use designations of the properties as shown in Exhibit A (attached); and

WHEREAS, the City of Ontario held Community Open Houses on November 13, and November 14, 2017, to gain input from impacted property owners and property owners within a 300 foot radius; and

WHEREAS, about 90 people attended the Open House meetings. Forty-two response cards were received regarding the proposed zone changes. Of the response cards, 12 were in support of the changes, 9 were not in support, 4 filled out a response card but did not indicate if they were in support or not, and 17 provided no specific written comments about the proposed zone changes; 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 The Ontario Plan (TOP) Environmental Impact Report (State

Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001, 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 make recommendation to City Council 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, 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 January 23, 2018, 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 previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified

EIR and supporting documentation, the Planning Commission recommends the City Council find as follows:

(1) The environmental impacts of this project were reviewed in conjunction with The Ontario Plan (TOP) Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001 and this Application introduces no new environmental impacts; and

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the 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 most of the project sites are not properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix (as amended). A few properties are listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix (see Groups F8, F15 and F27 in Exhibit A attached). The proposed project establishes land use designations for the listed properties within appropriate density ranges that are consistent with the Housing Element requirements.

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

a. The proposed Zone Change 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 follows:

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.

Compliance: Undertaking the zone changes to provide consistency between the zoning and TOP land use designations will further the City's intent of becoming a complete community which will result in a land use pattern that provides residents, employers, workers and visitors a wide spectrum of choices to live, work, shop and recreate within Ontario.

H1-2 Neighborhood Conditions. We direct efforts to improve the long-term sustainability of neighborhoods through comprehensive planning, provisions of neighborhood amenities, rehabilitation and maintenance of housing, and community building efforts.

Compliance: Changing the zoning of certain existing residential properties, to comply with our Vision, will provide for long term stability of the neighborhoods.

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.

Compliance: The proposed zone changes are consistent with the adopted Airport Land Use Compatibility Plan for both Ontario Airport and Chino Airport and do not allow the addition of new units in noise sensitive locations near the airports.

b. The proposed Zone Change would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

c. The proposed Zone Change will not adversely affect the harmonious relationship with adjacent properties and land uses.

d. 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.

SECTION 6: 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 Application, as detailed in "Exhibit A" attached hereto, 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 23rd day of January, 2018, 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, AICP
Assistant Development 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. PC18-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on January 23, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore


































EXHIBIT A:

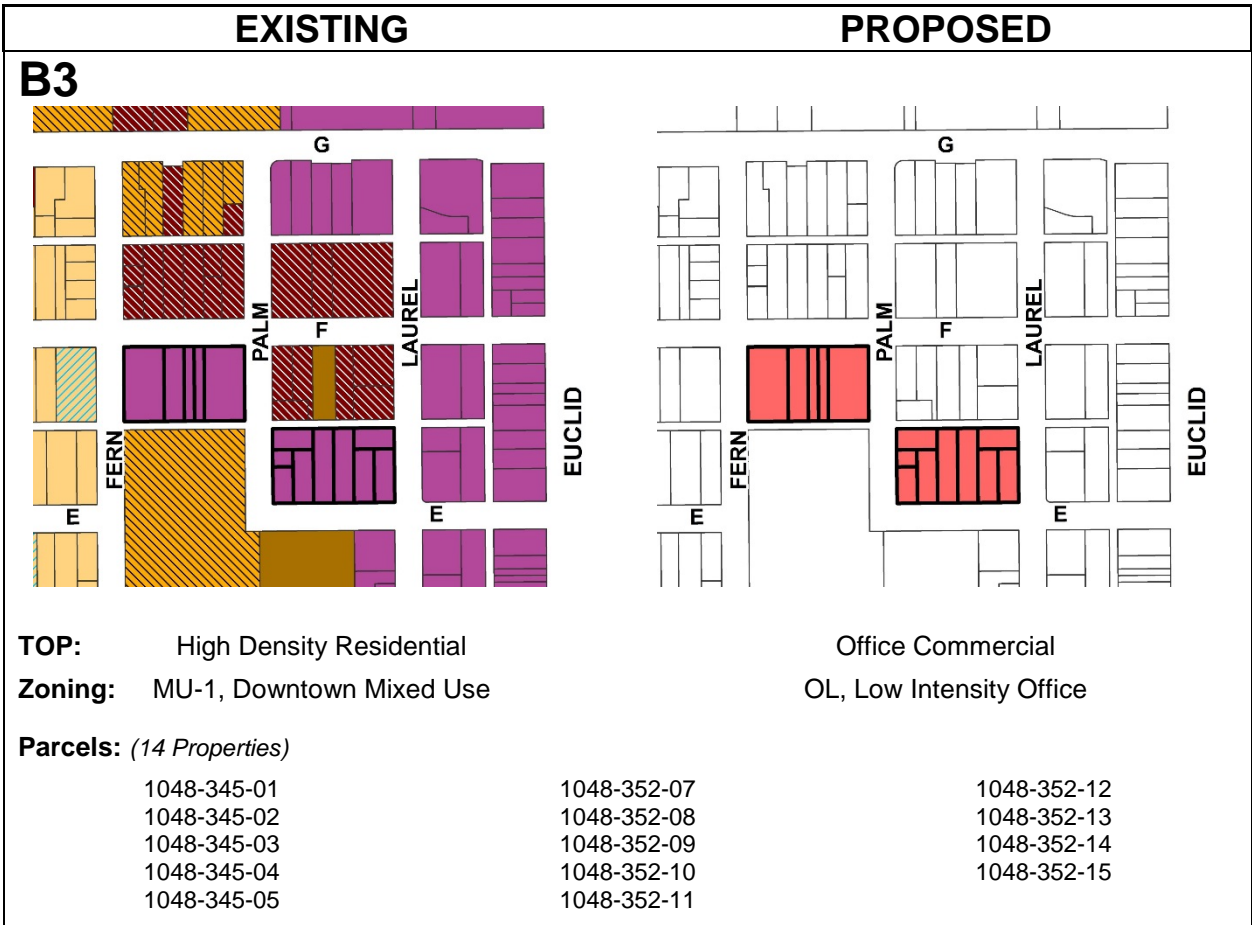
**File No. PZC17-001
Zone Changes**

(Zone Changes follow this page)

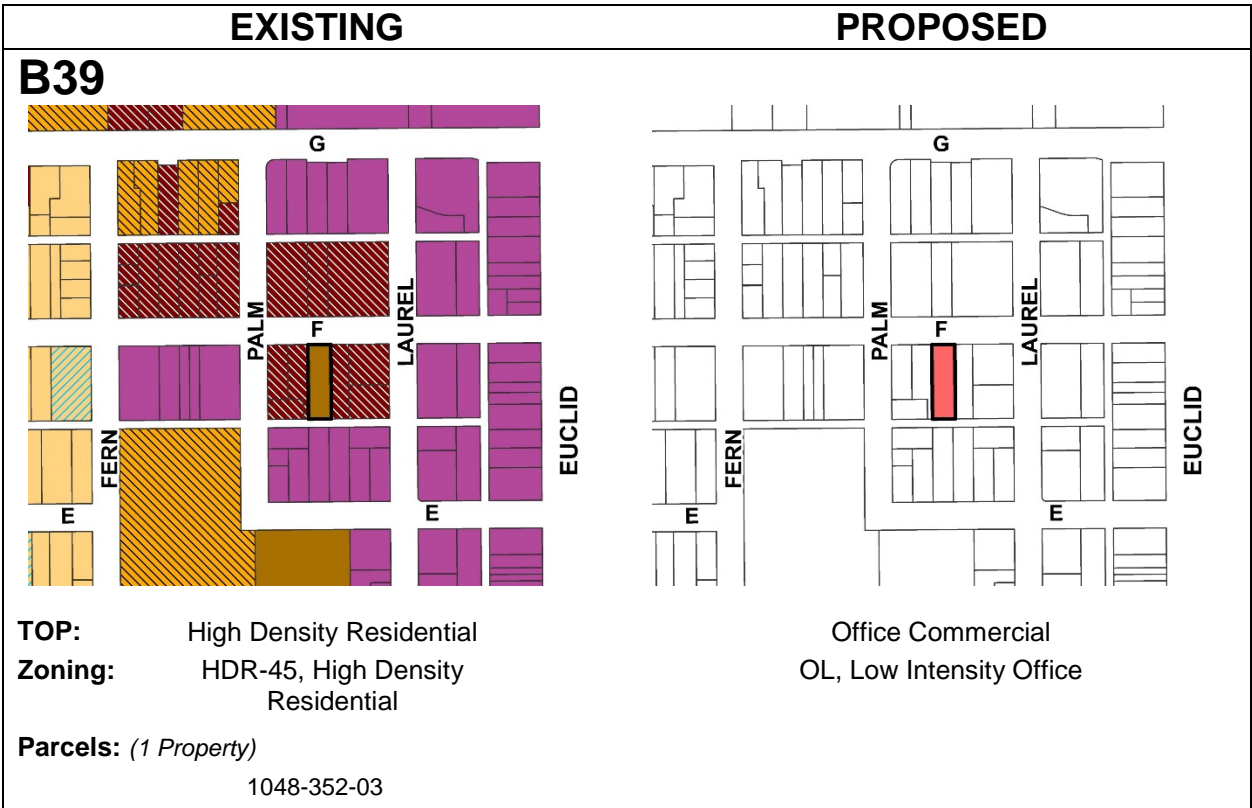
PZC17-001

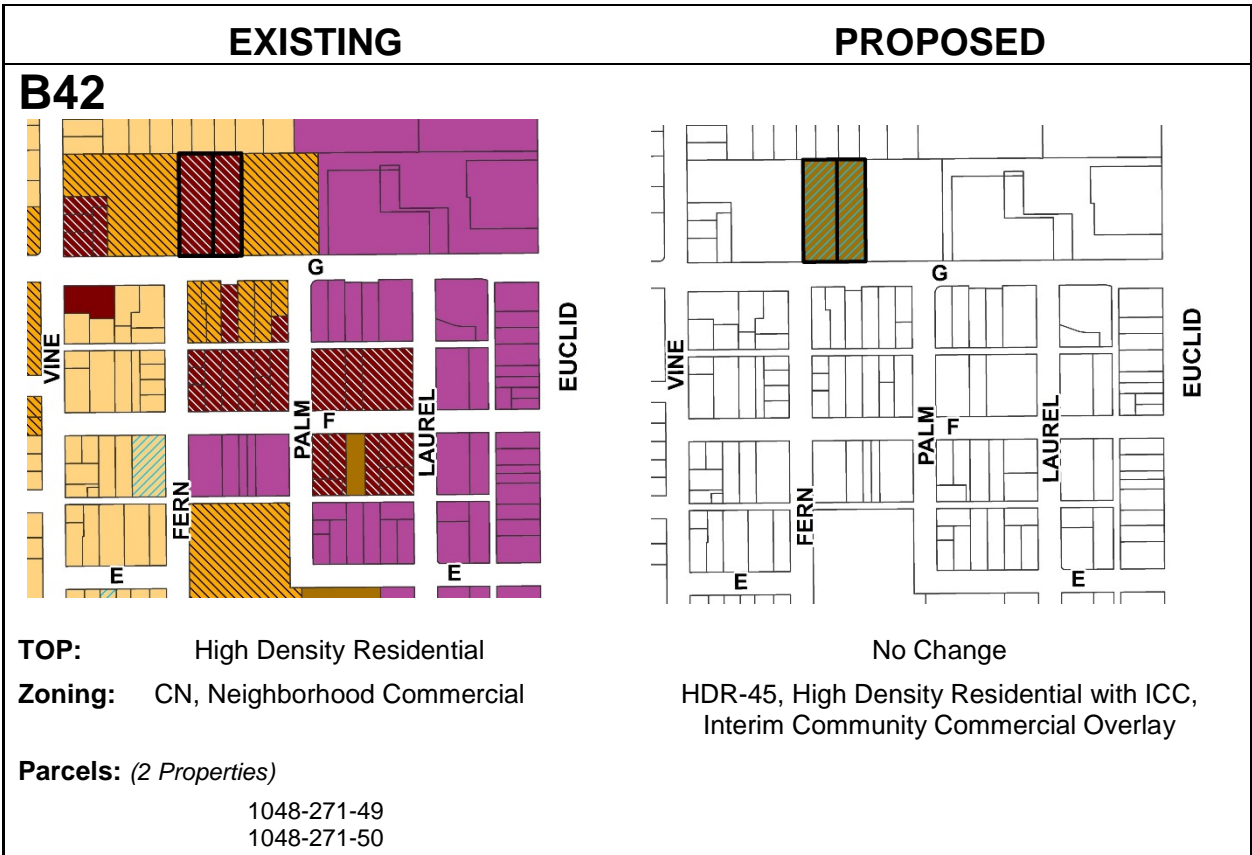
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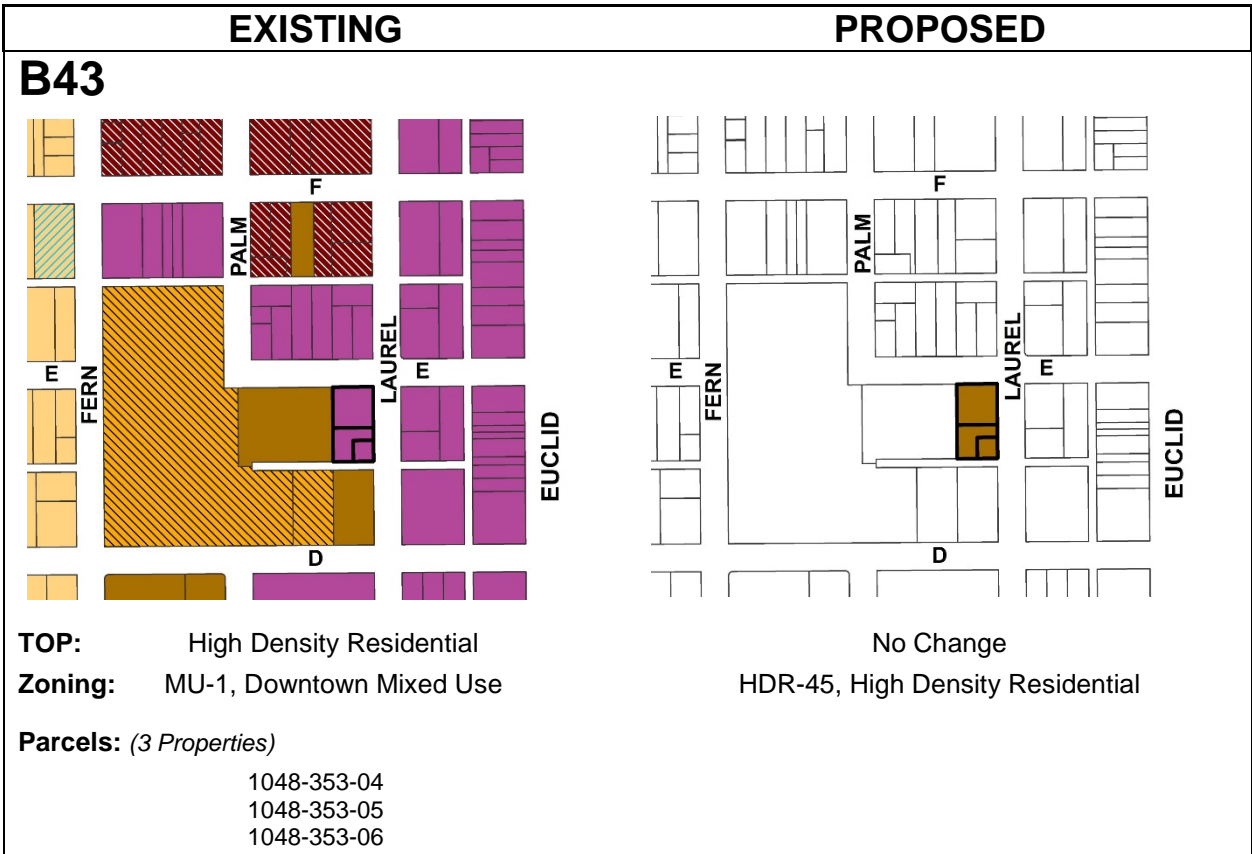
	AR-2, Residential-Agricultural		PUD, Planned Unit Development		BP, Business Park		OS-R, Open Space - Recreation
	RE-2, Rural Estate		MU, Mixed Use 1 – Downtown, 2-East Holt, 11-Francis&Euclid		IP, Industrial Park		OS-C, Open Space-Cemetery
	RE-4, Residential Estate		CS, Corner Store		IL, Light Industrial		UC, Utilities Corridor
	LDR-5, Low Density Residential		CN, Neighborhood Commercial		IG, General Industrial		SP, Specific Plan
	MDR-11, Low-Medium Density Residential		CC, Community Commercial		IH, Heavy Industrial		SP(AG), Specific Plan with Agricultural Overlay
	MDR-18, Medium Density Residential		CCS, Convention Center Support		ONT, Ontario Int'l Airport		ES, Emergency Shelter Overlay
	MDR-25, Medium-High Density Residential		OL, Low Intensity Office		CIV, Civic		MTC, Multimodal Transit Center Overlay
	HDR-45, High Density Residential		OH, High Intensity Office		RC, Rail Corridor		ICC, Interim Community Commercial Overlay
	MHP, Mobile Home Park						

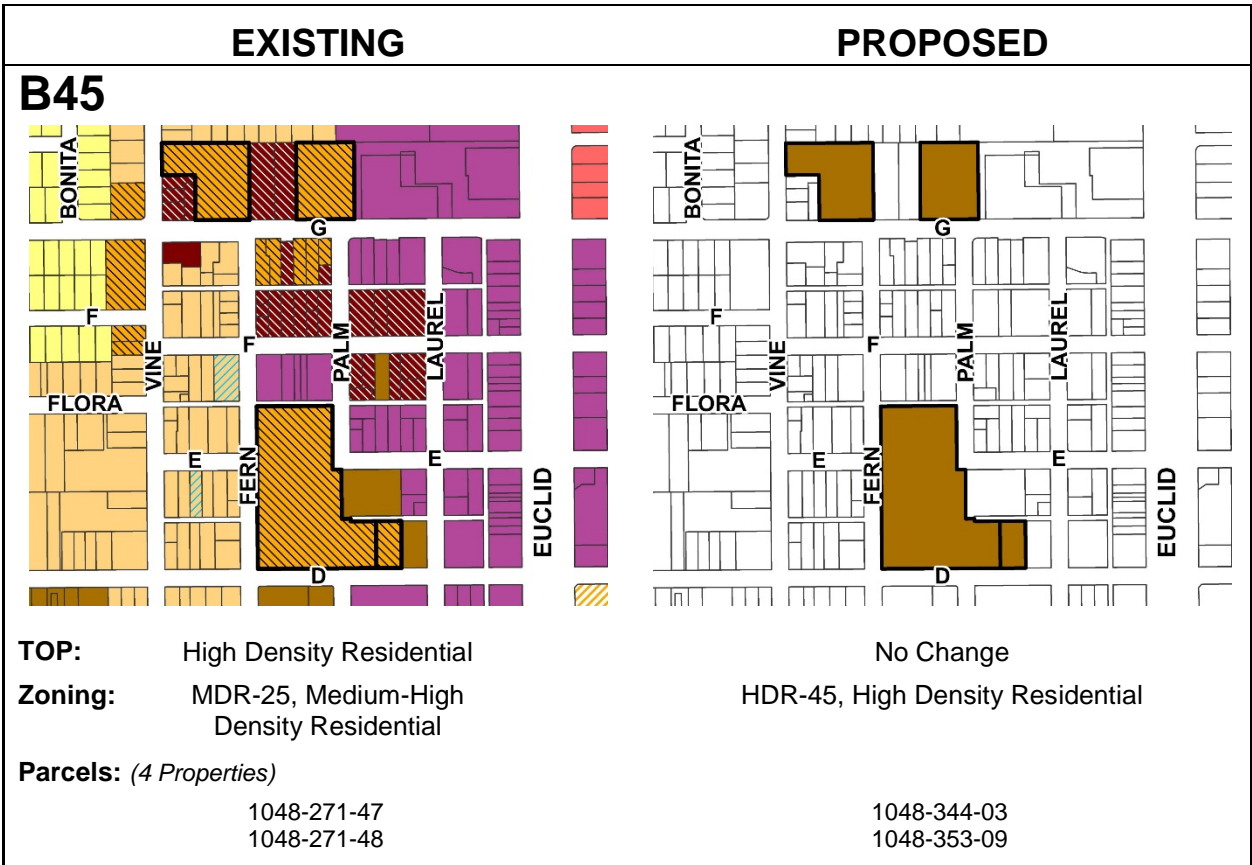




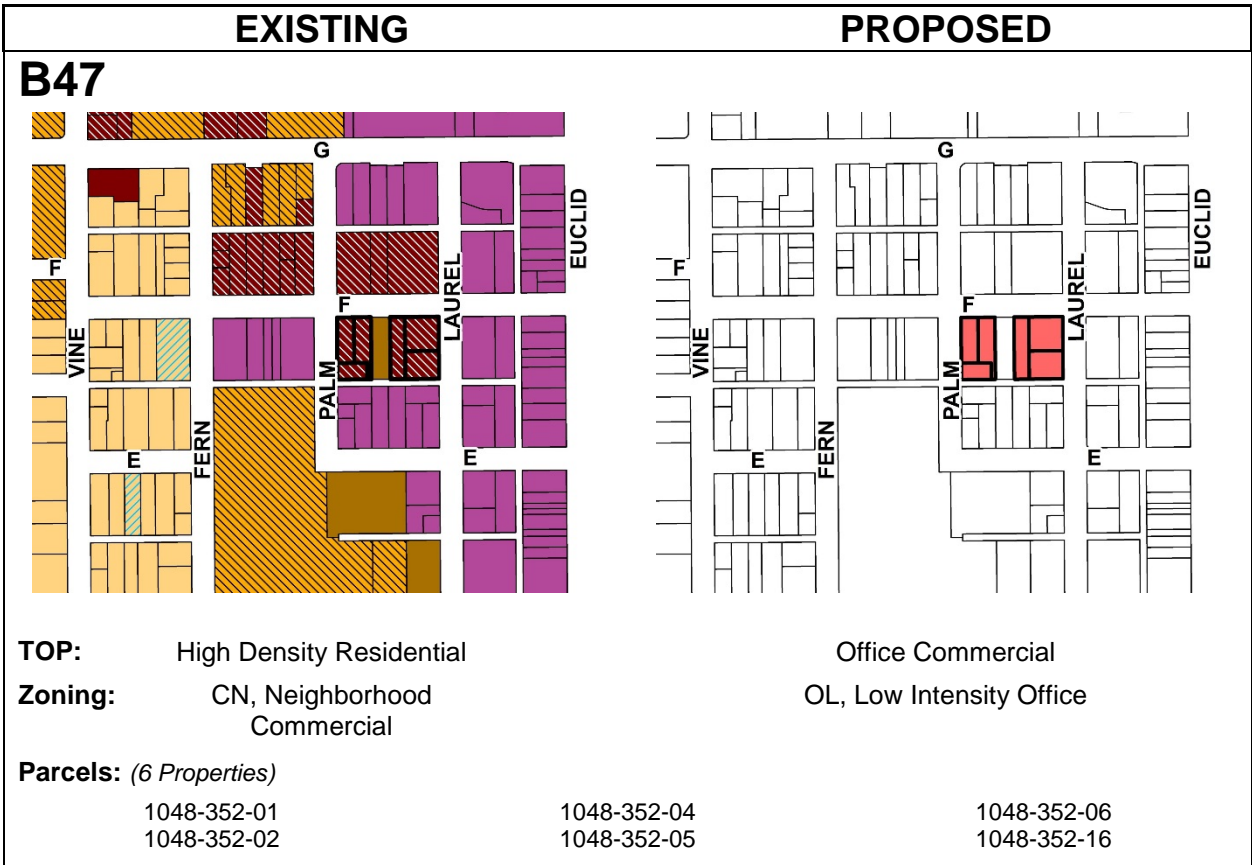


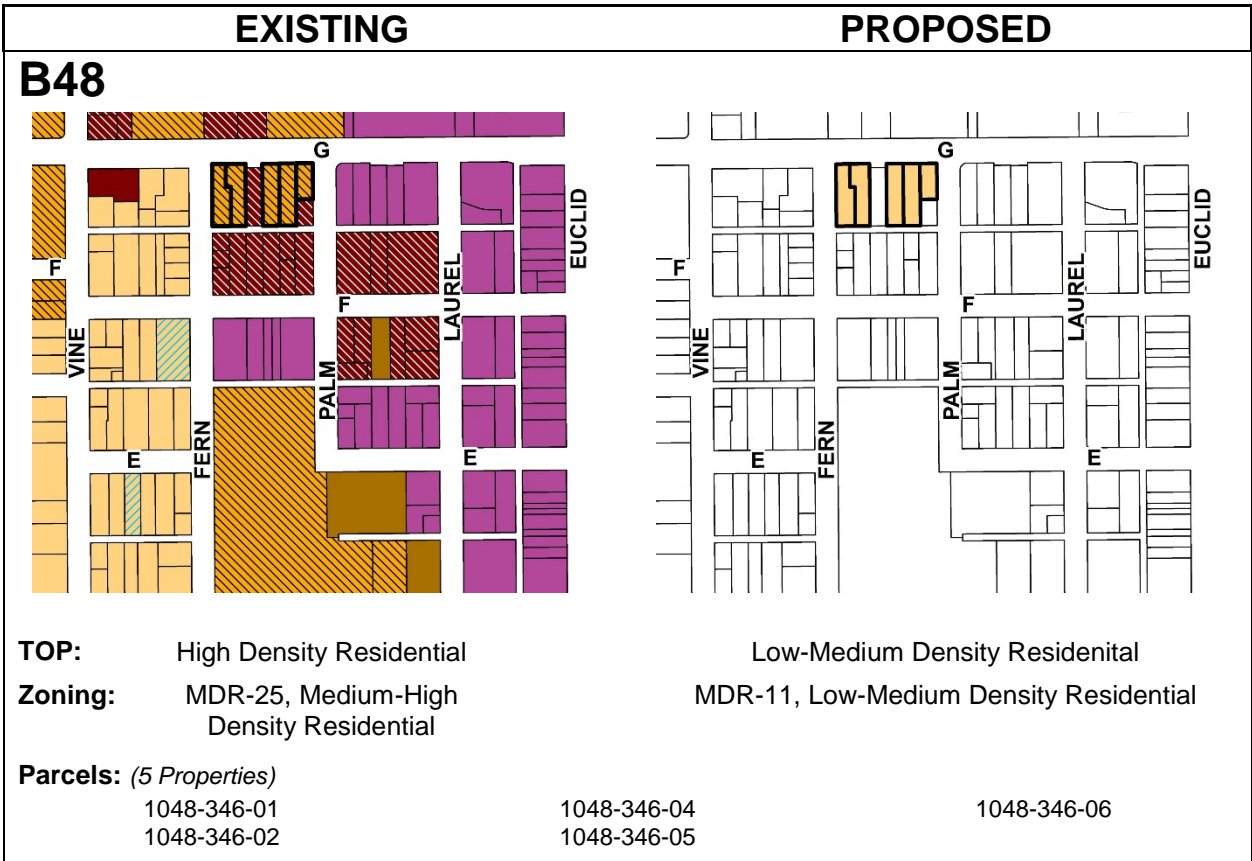


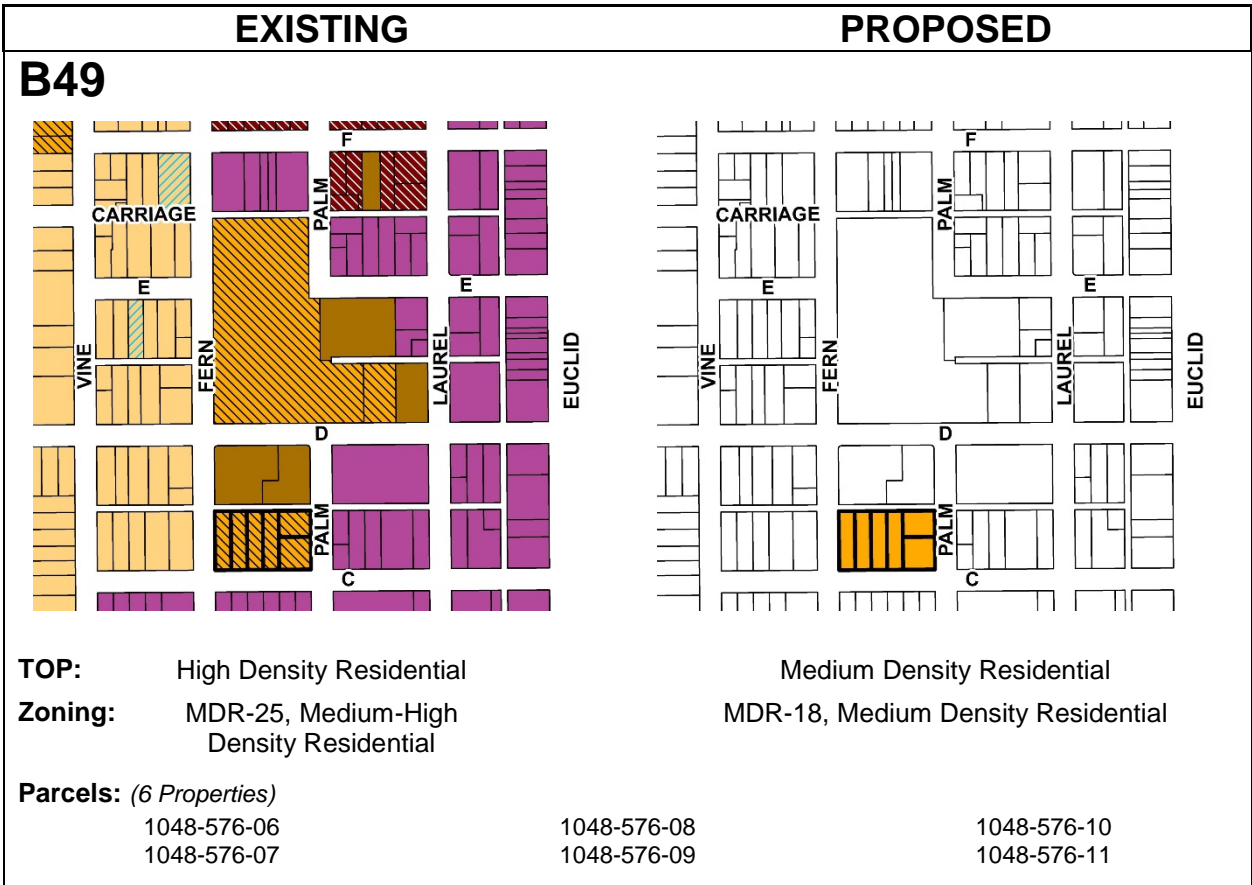


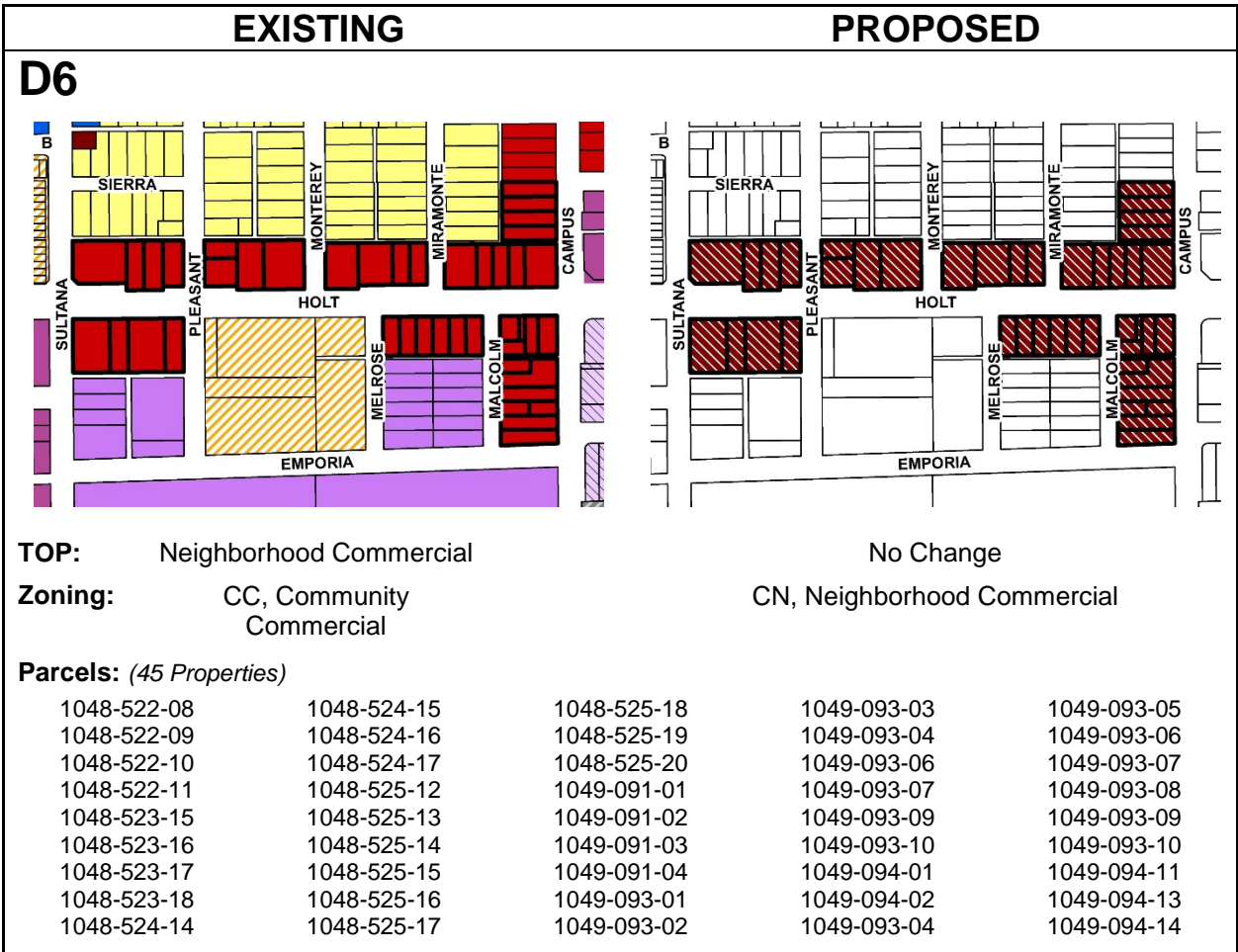


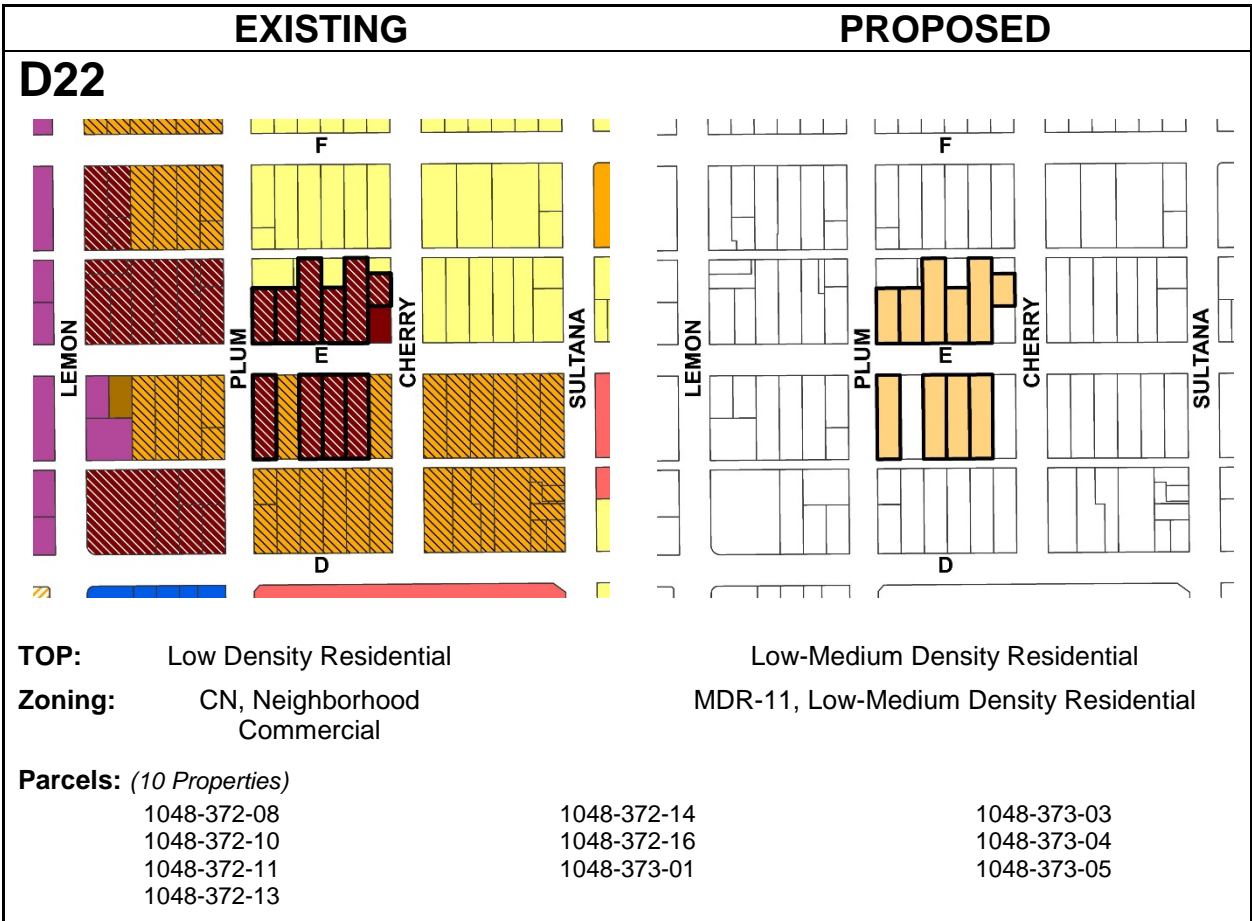


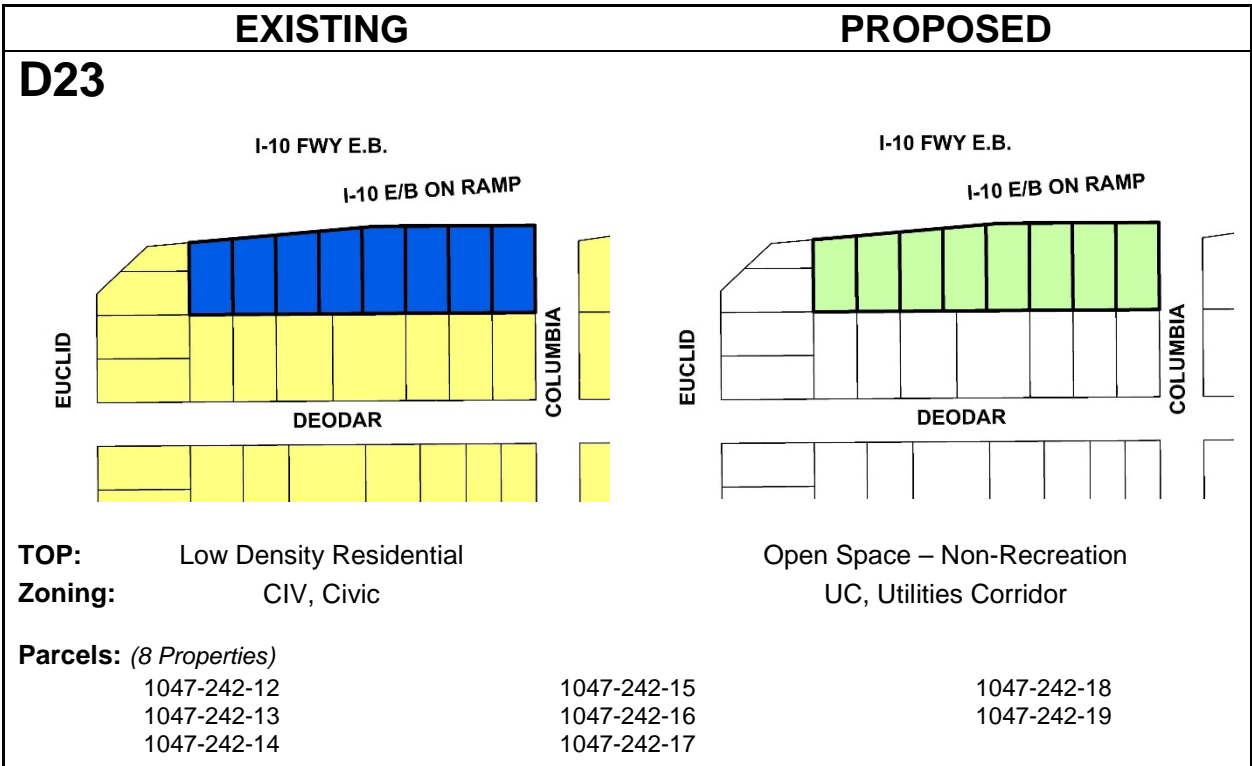


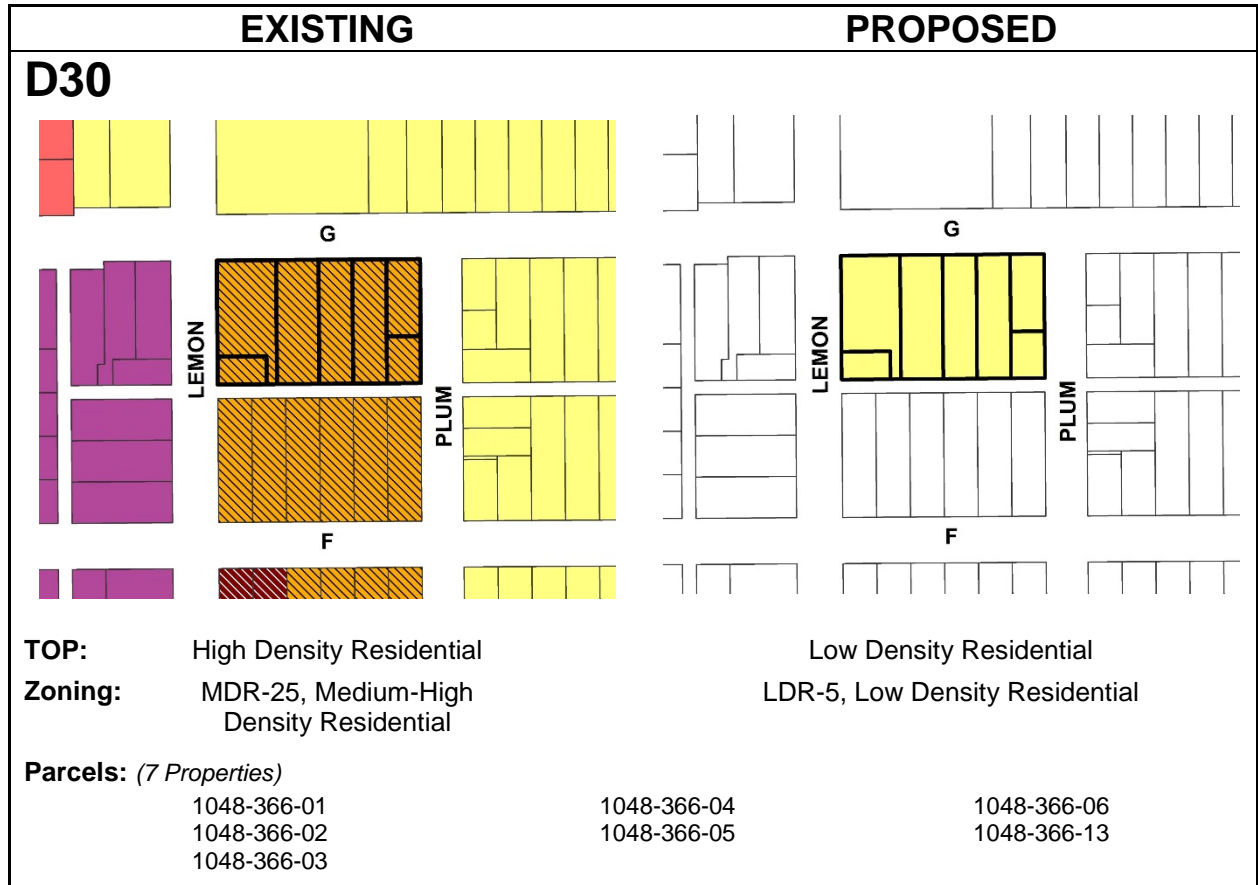


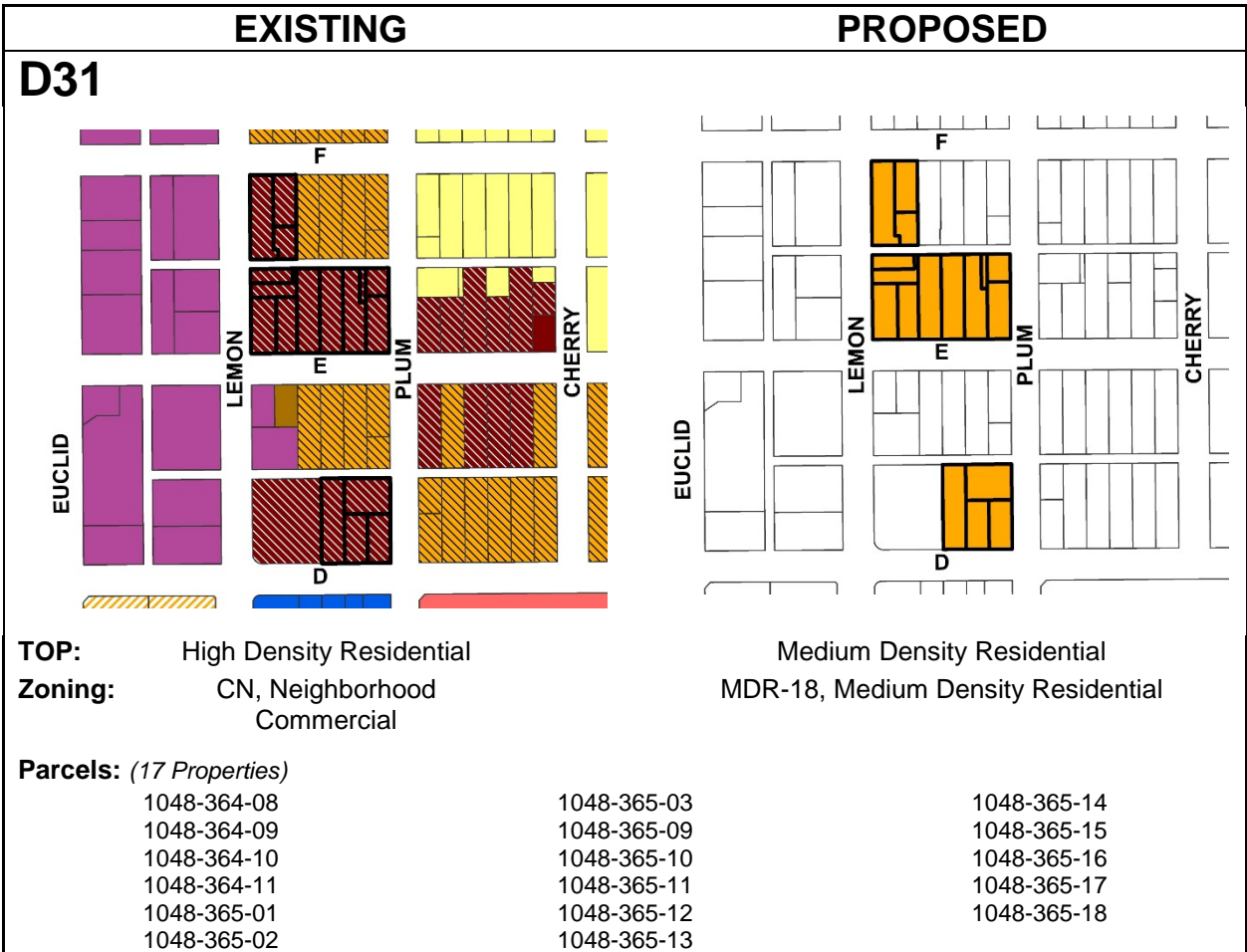




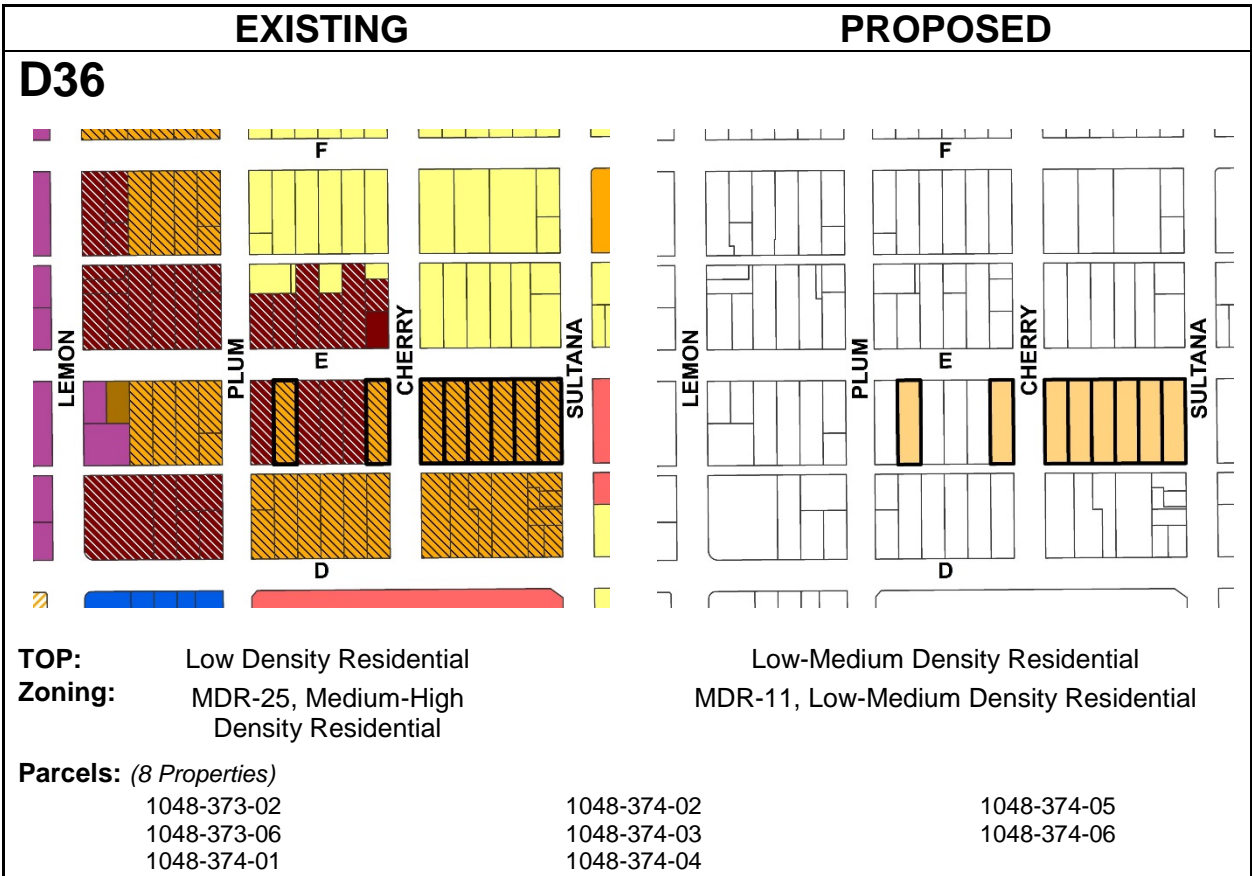


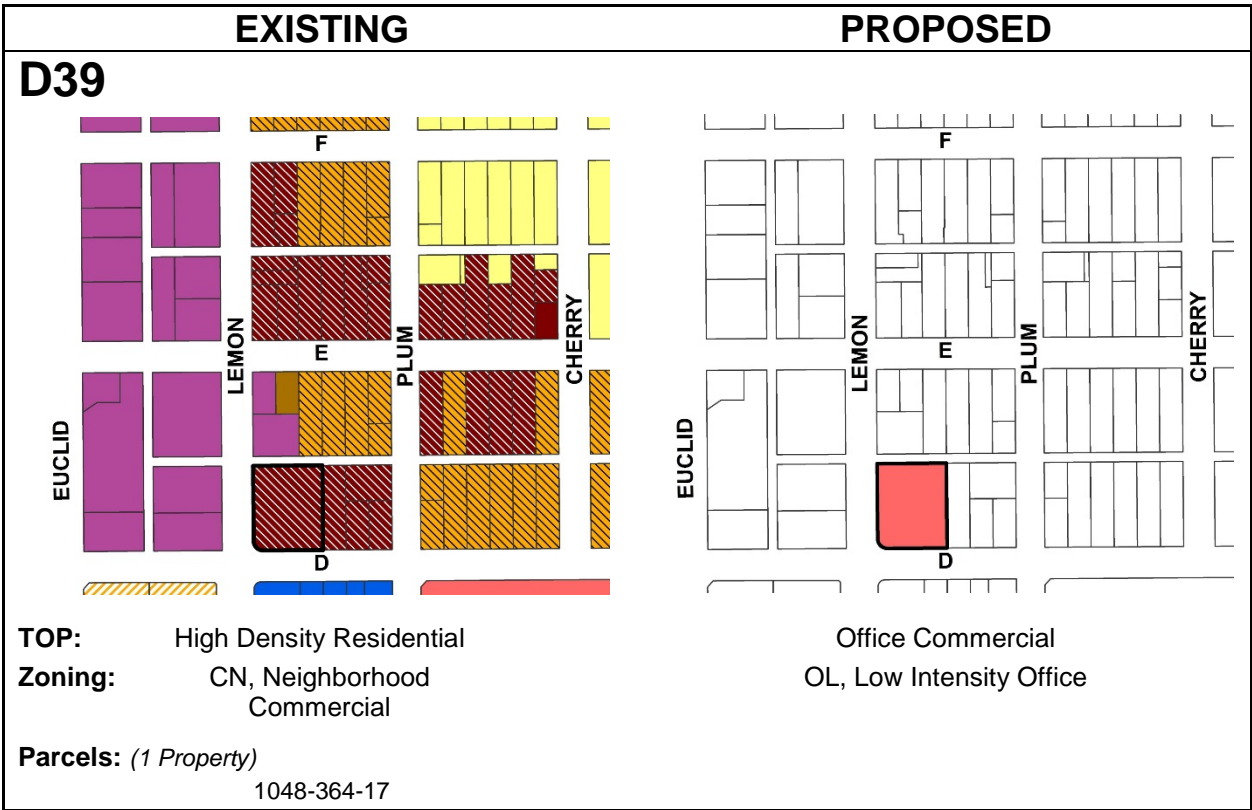


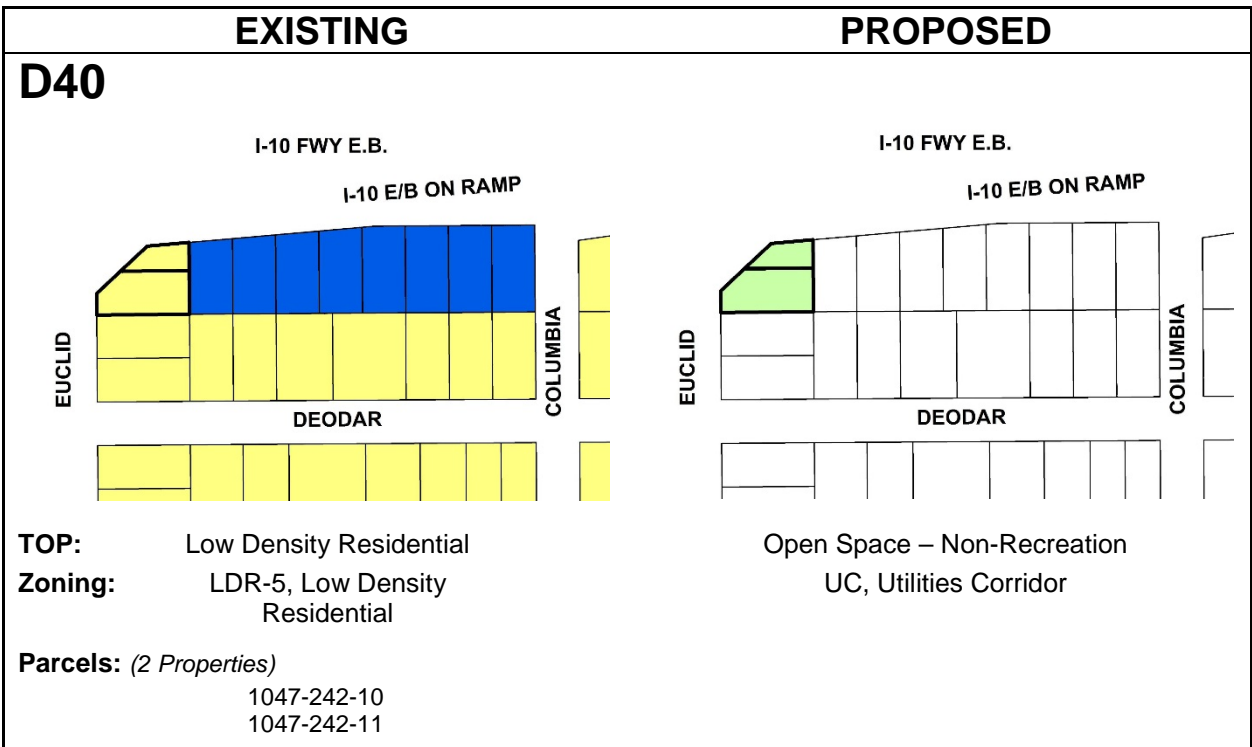


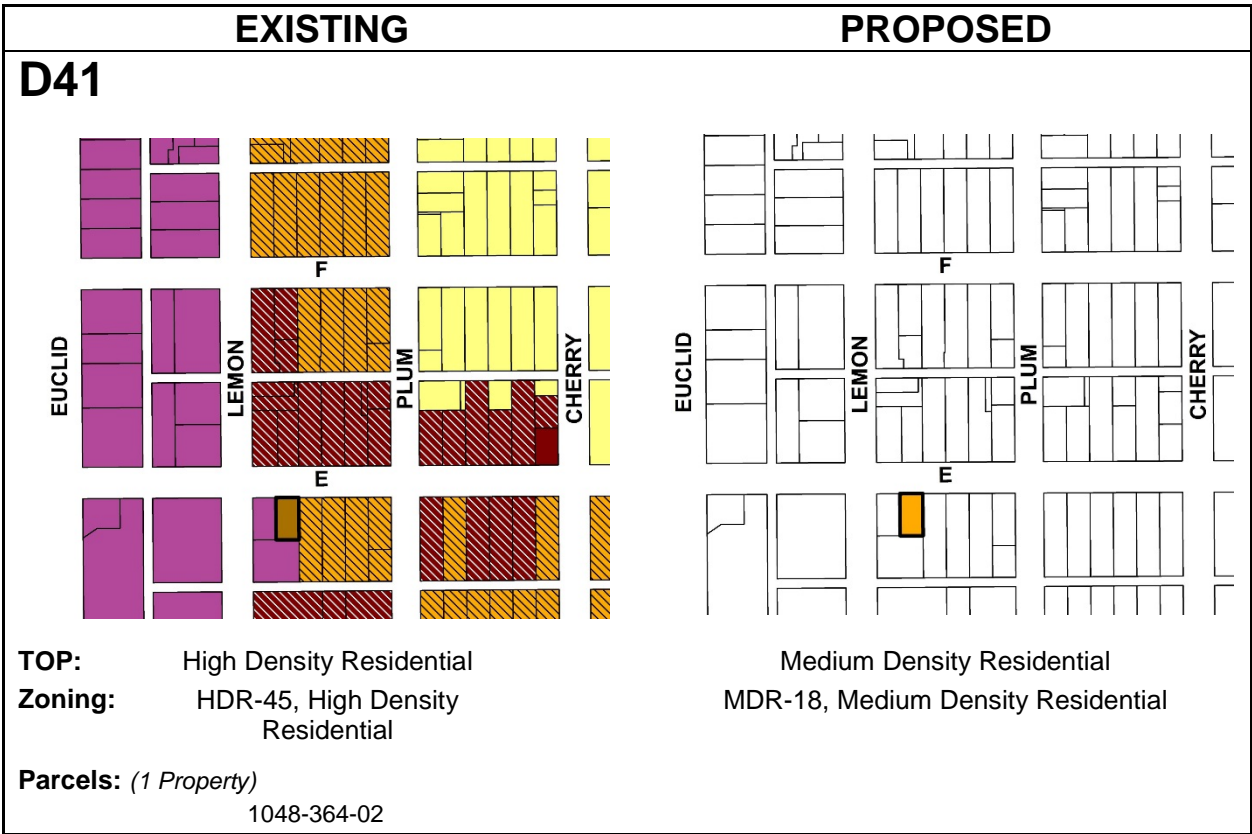


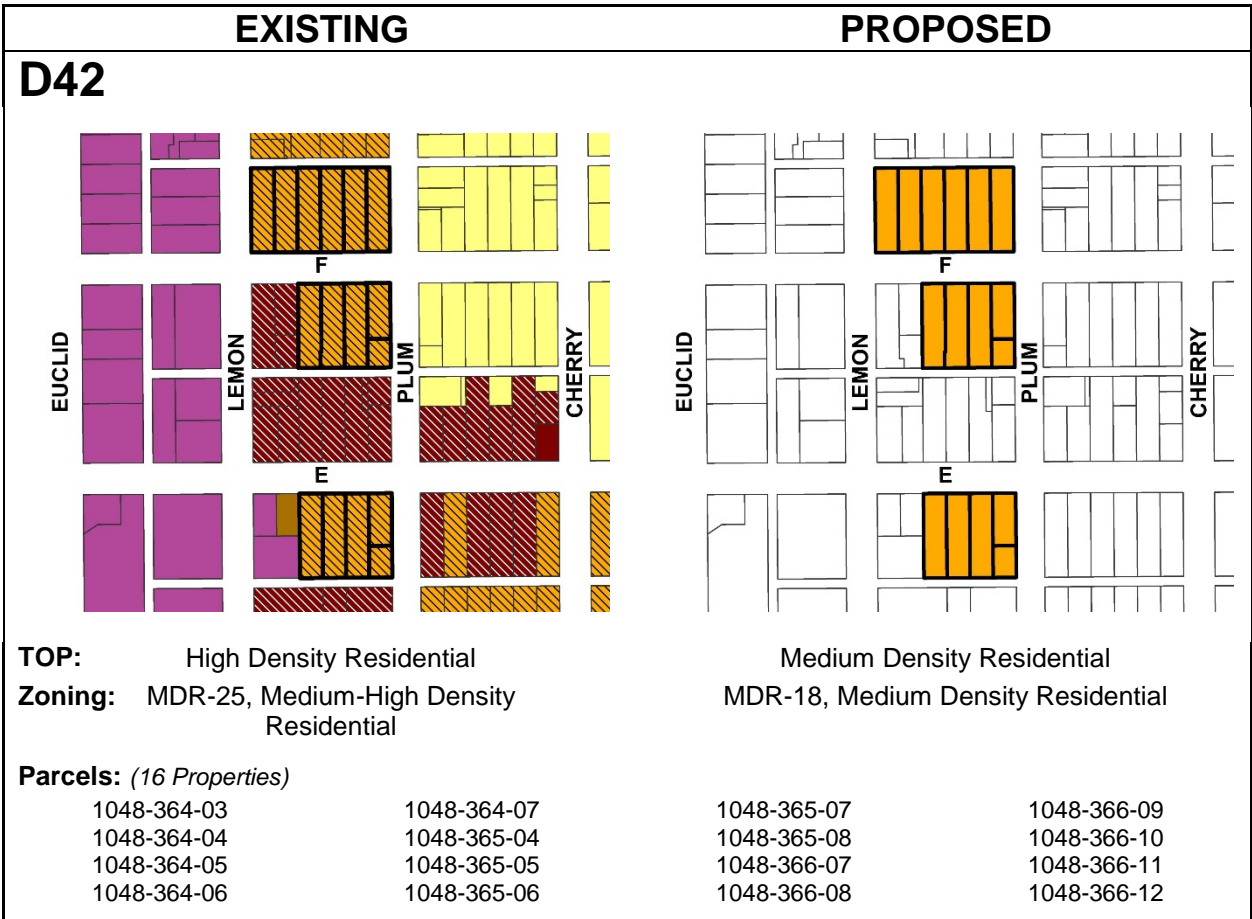


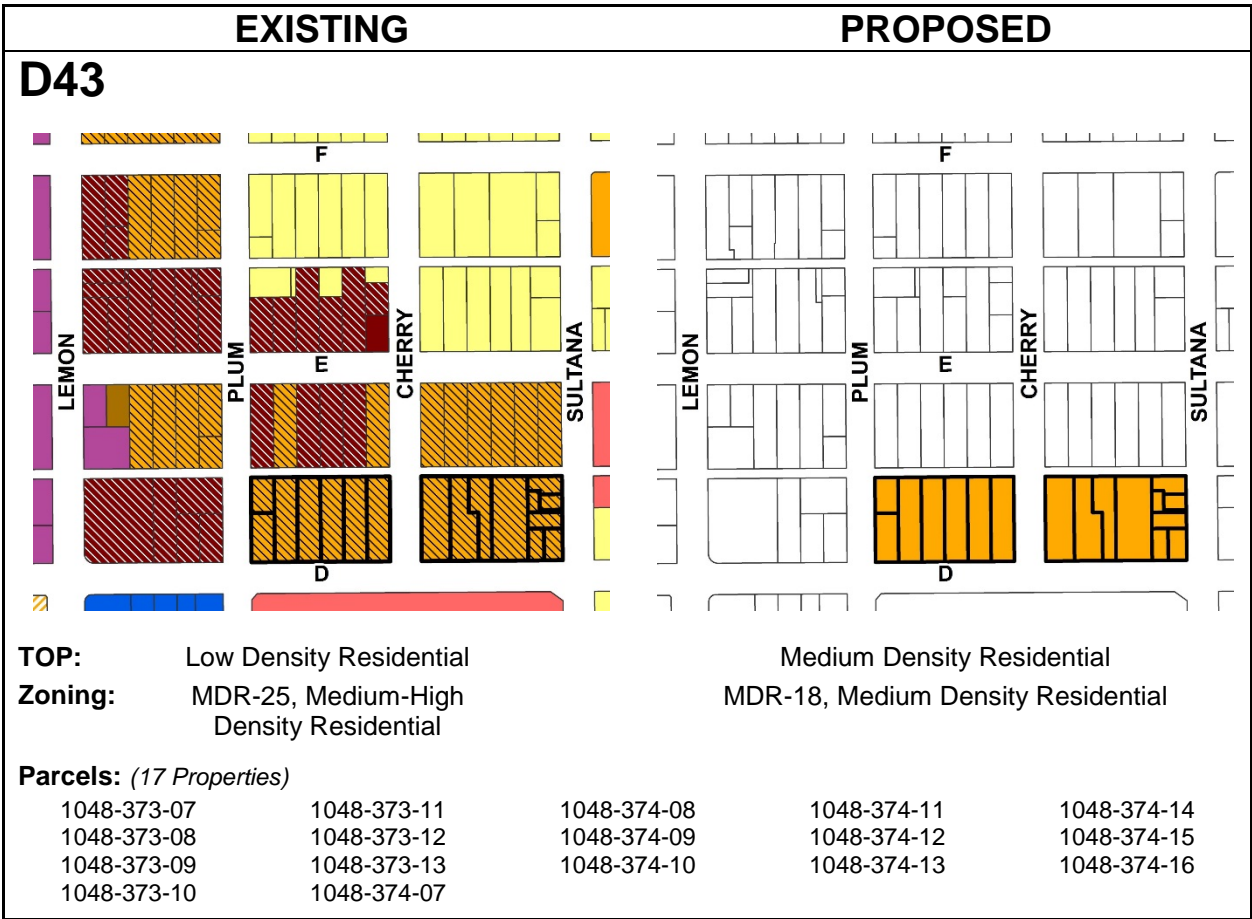


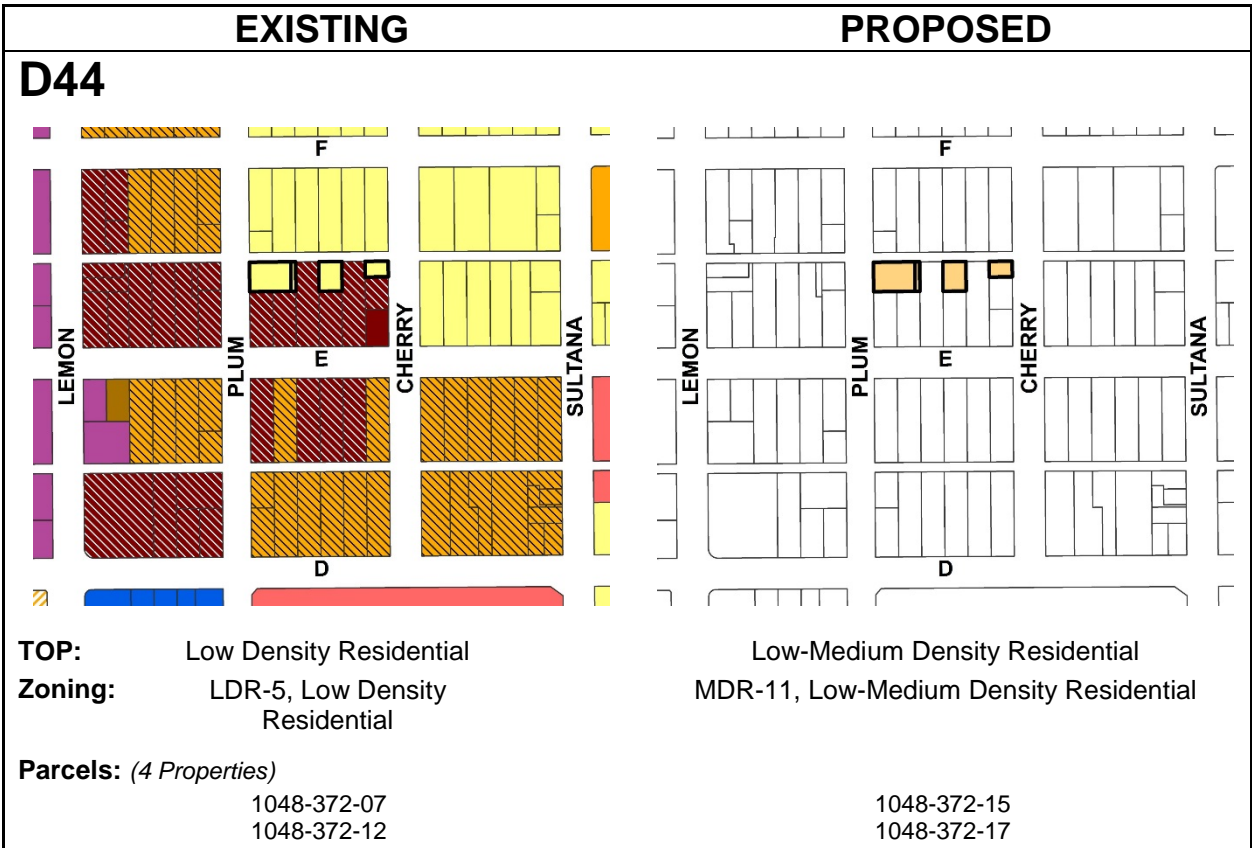


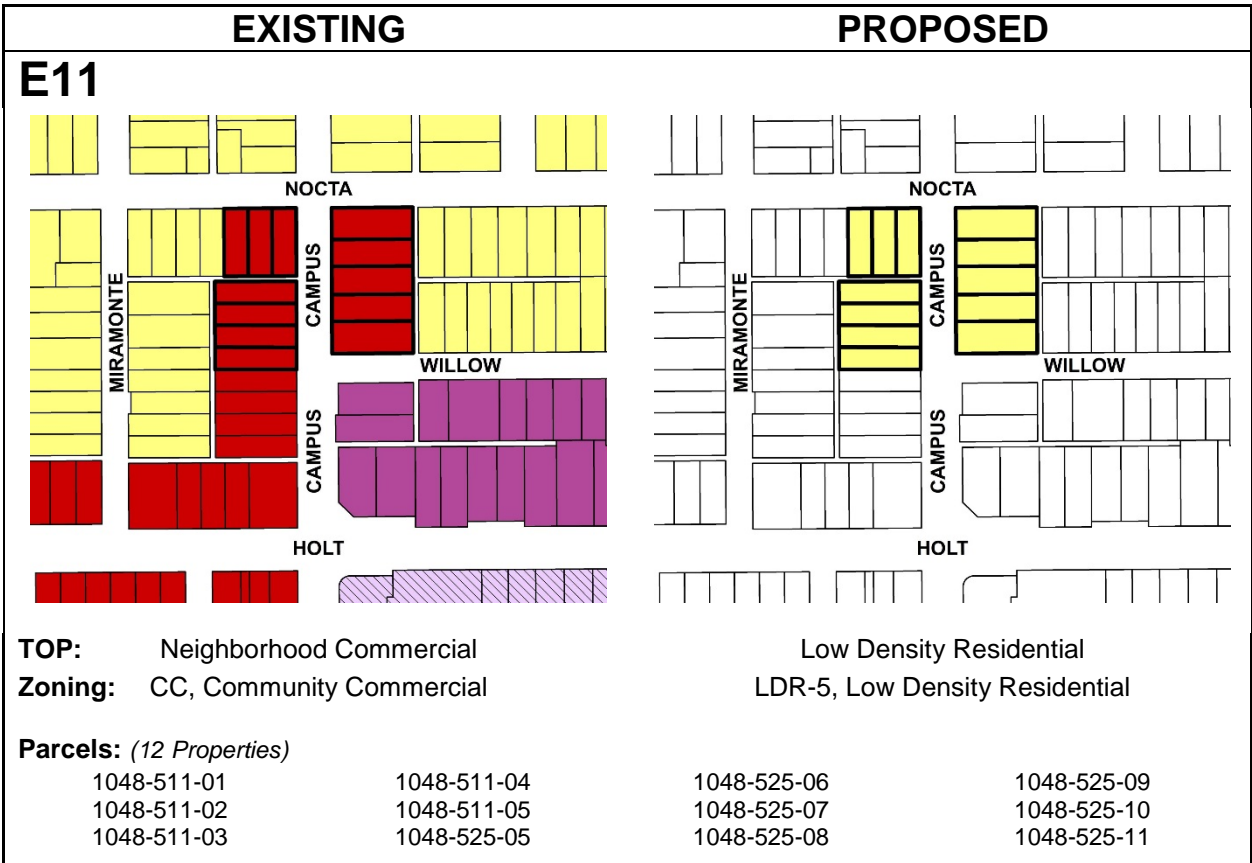


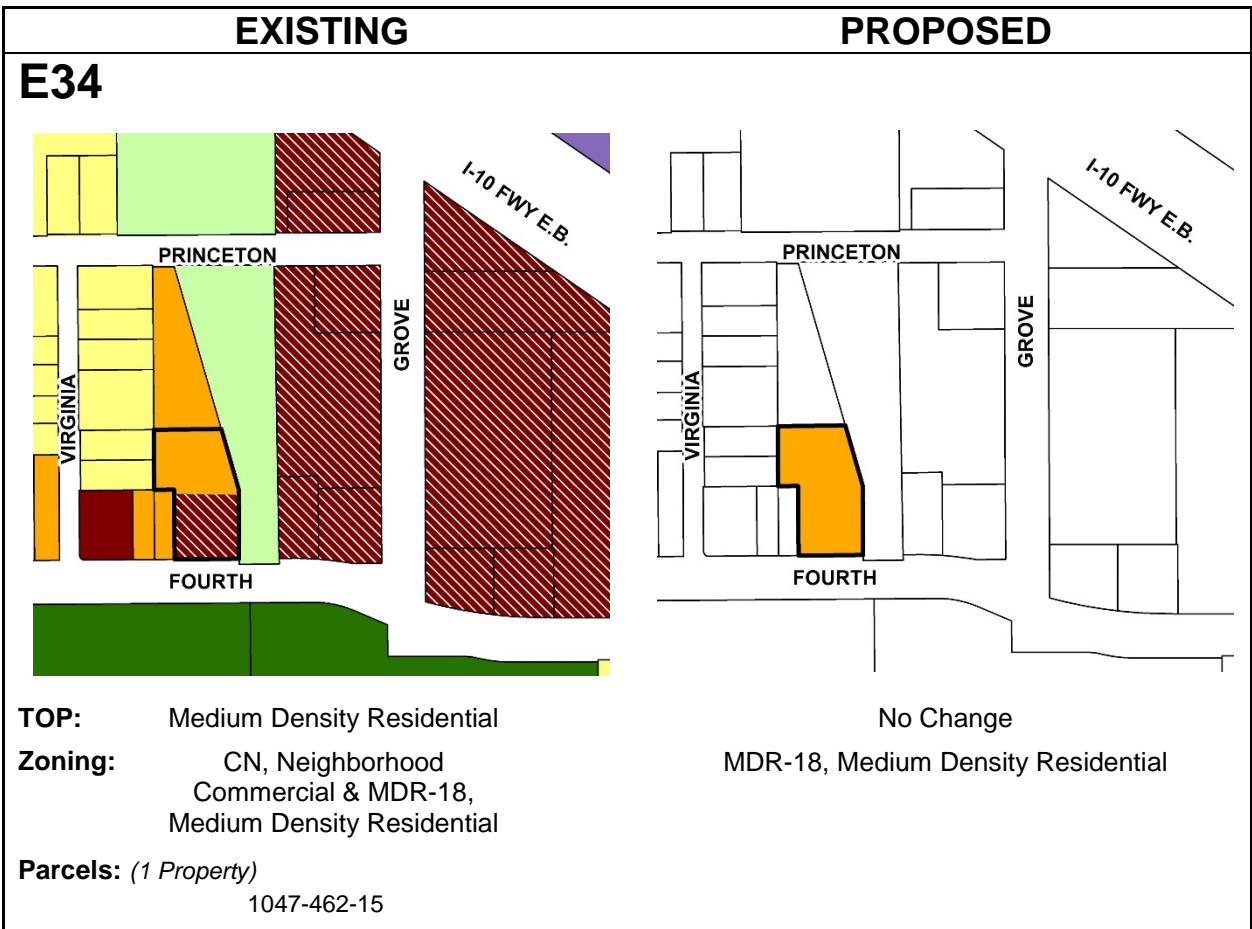


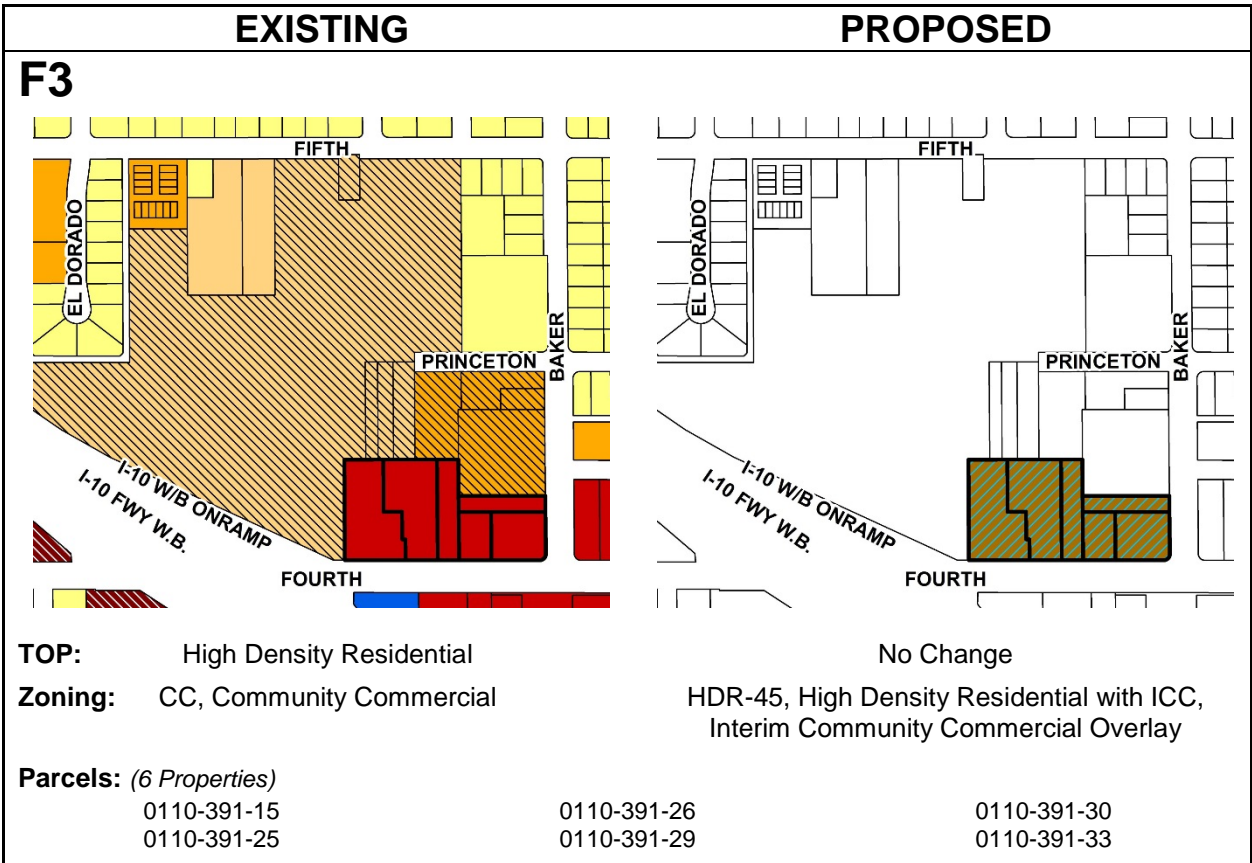


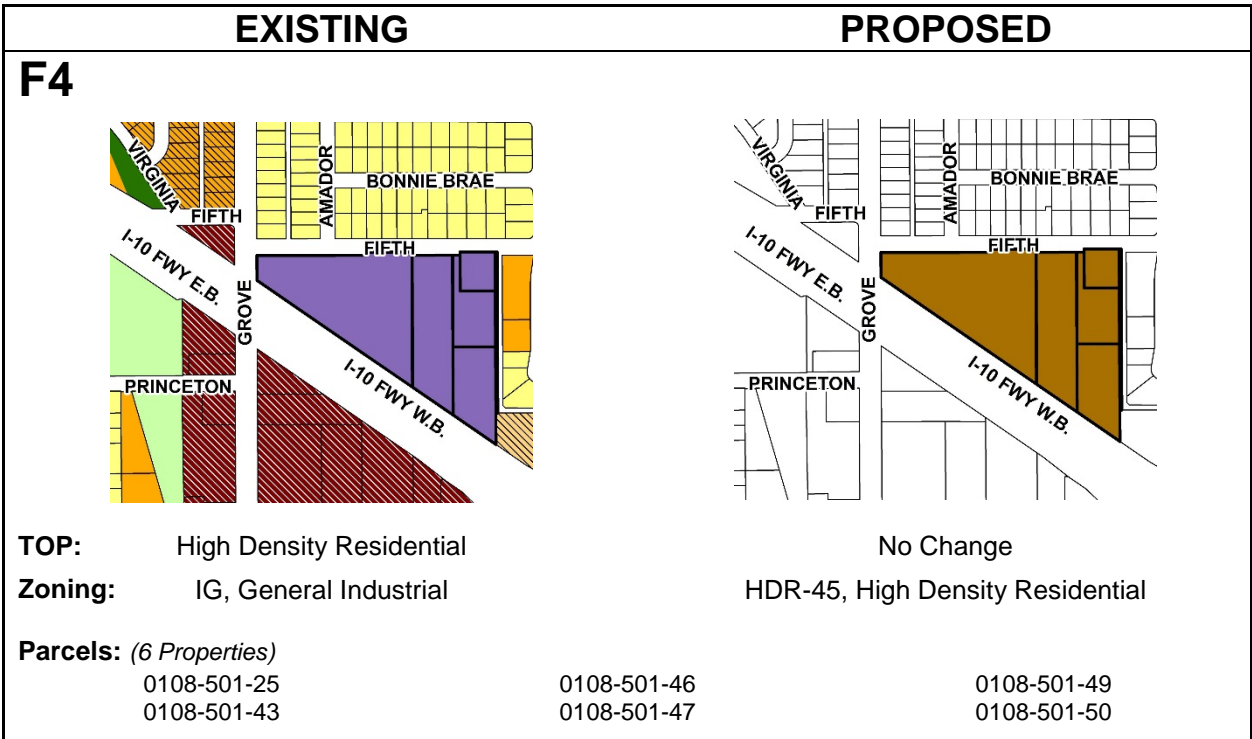


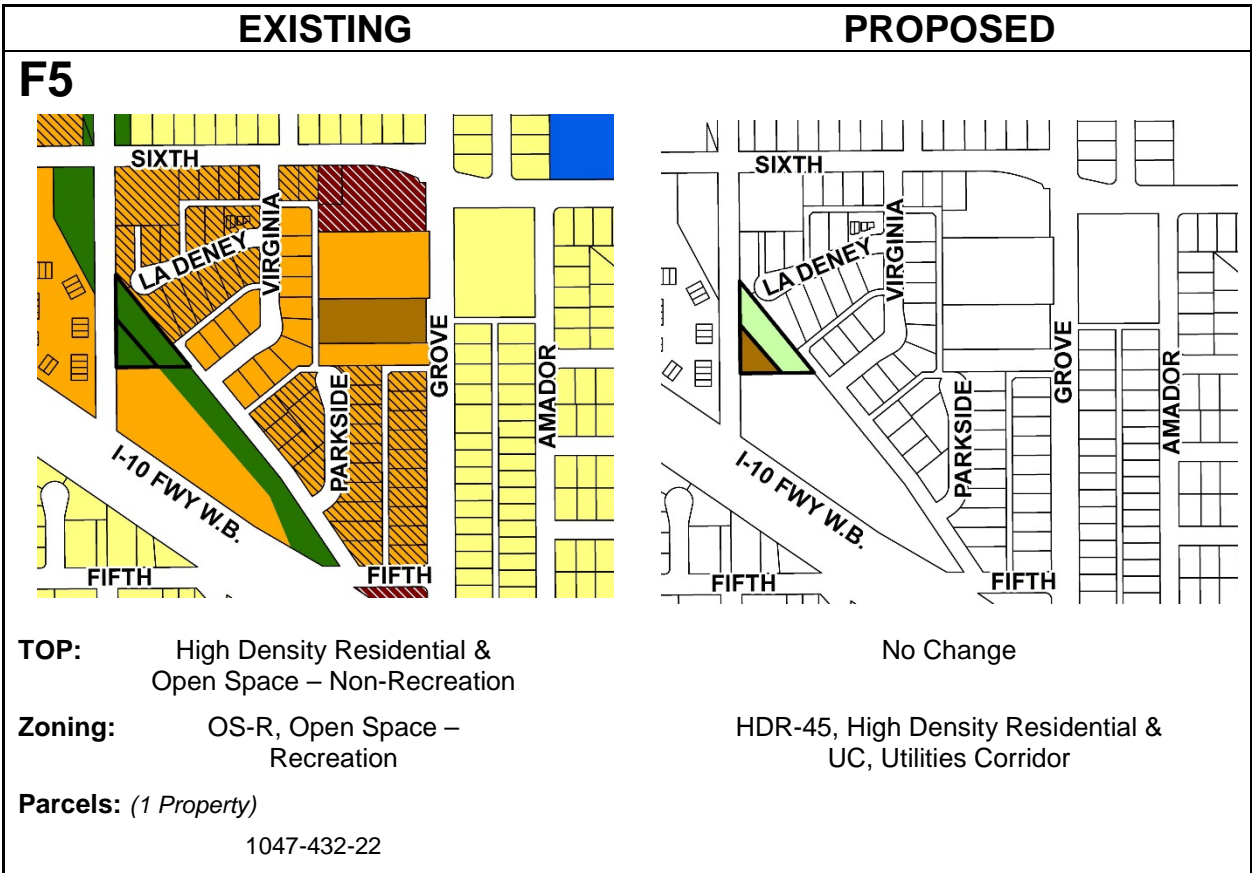


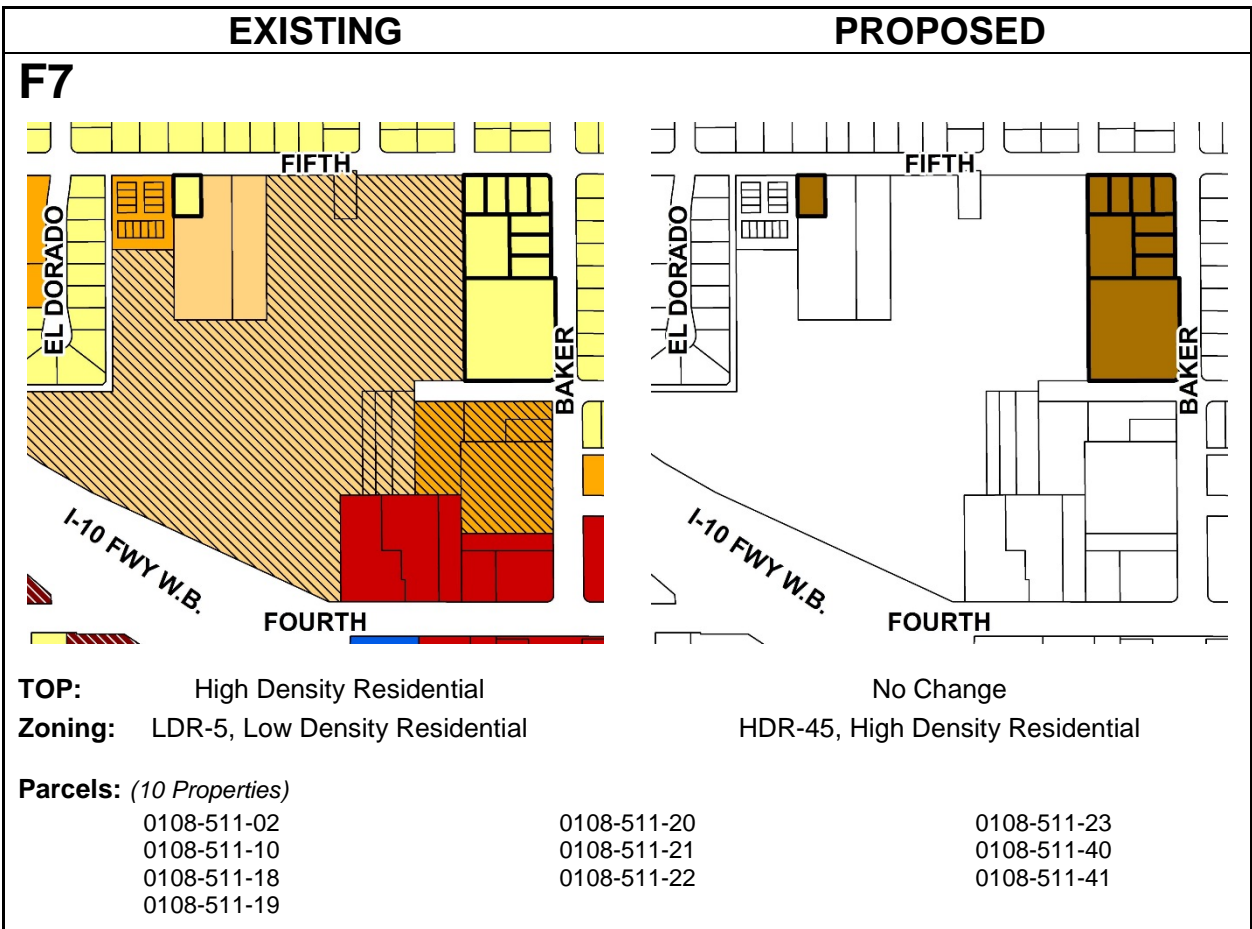


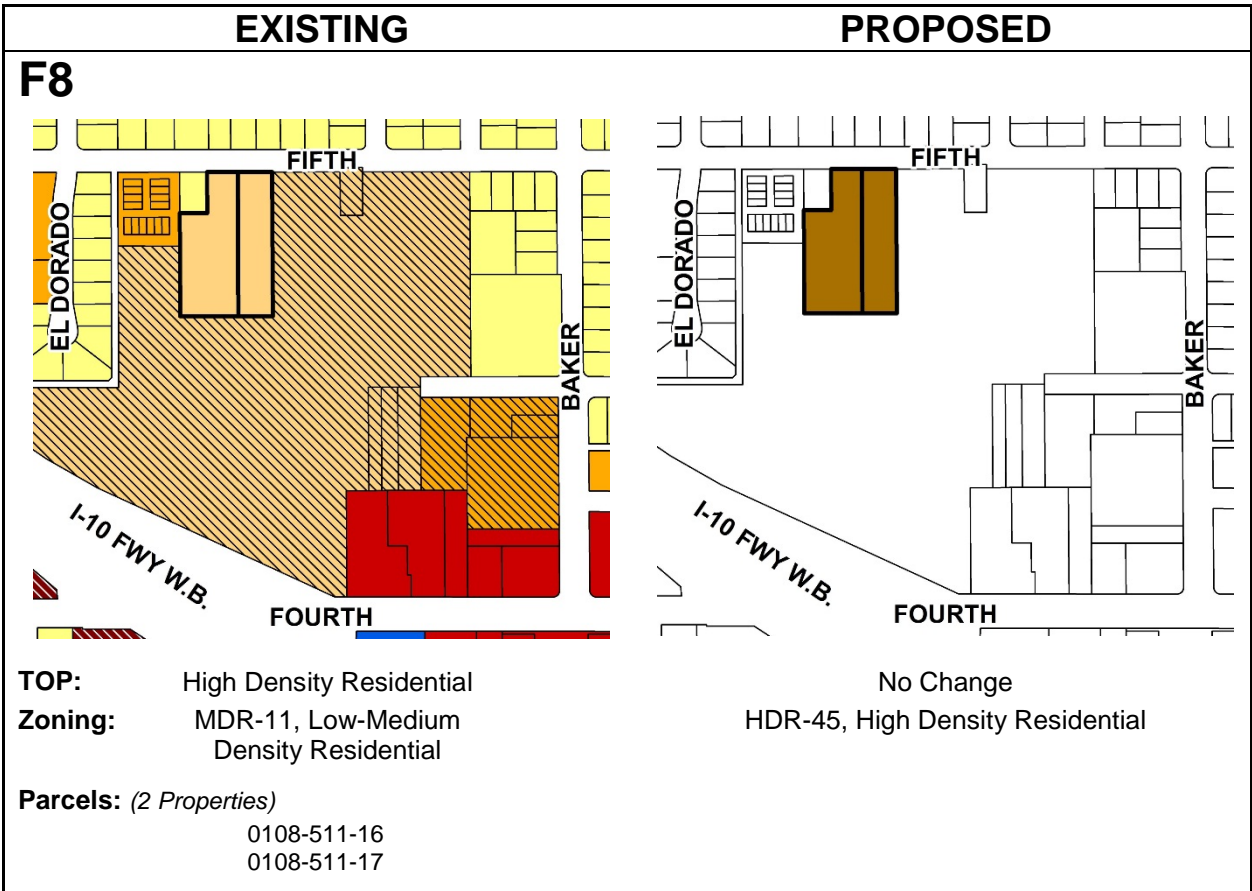


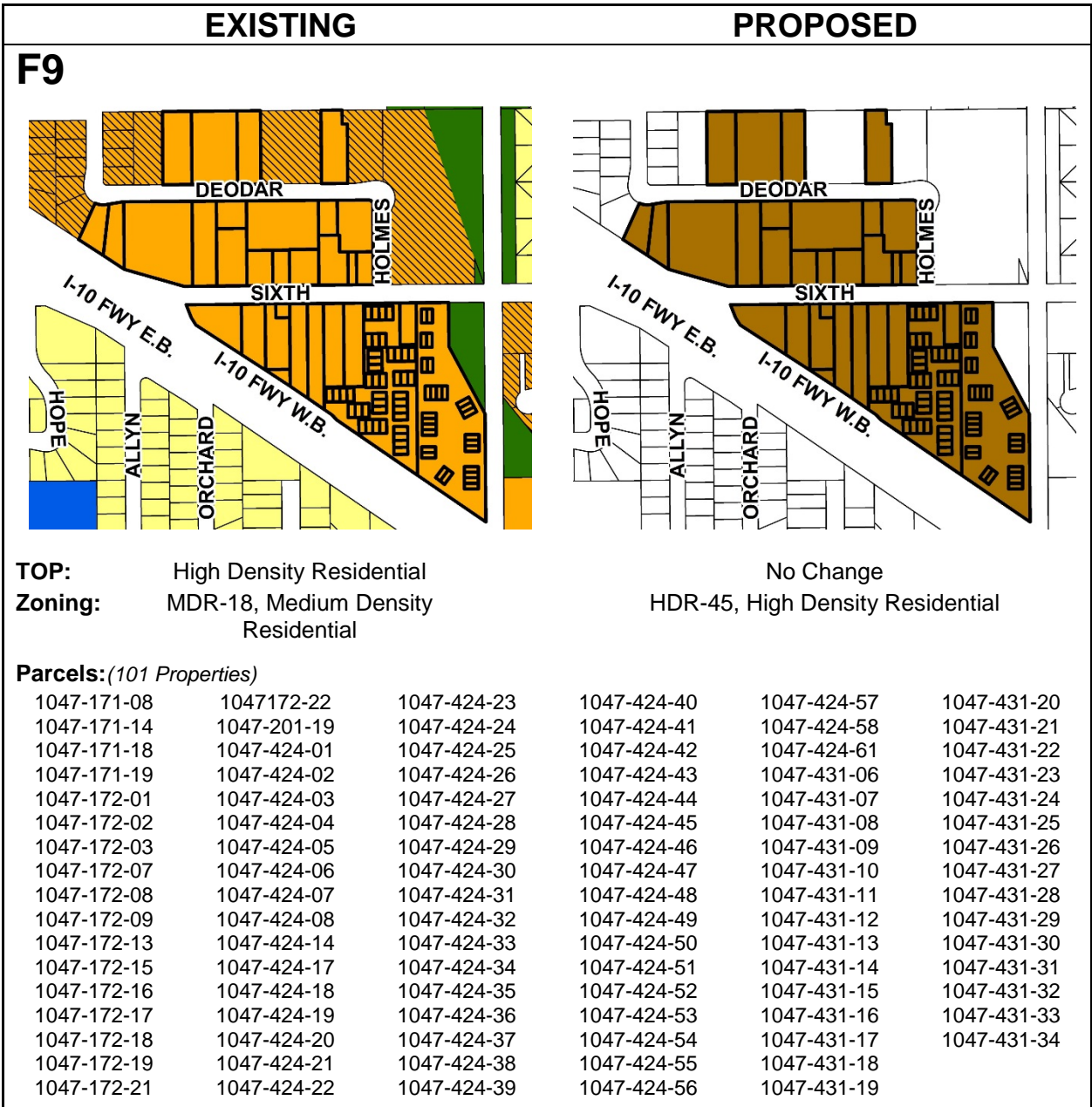


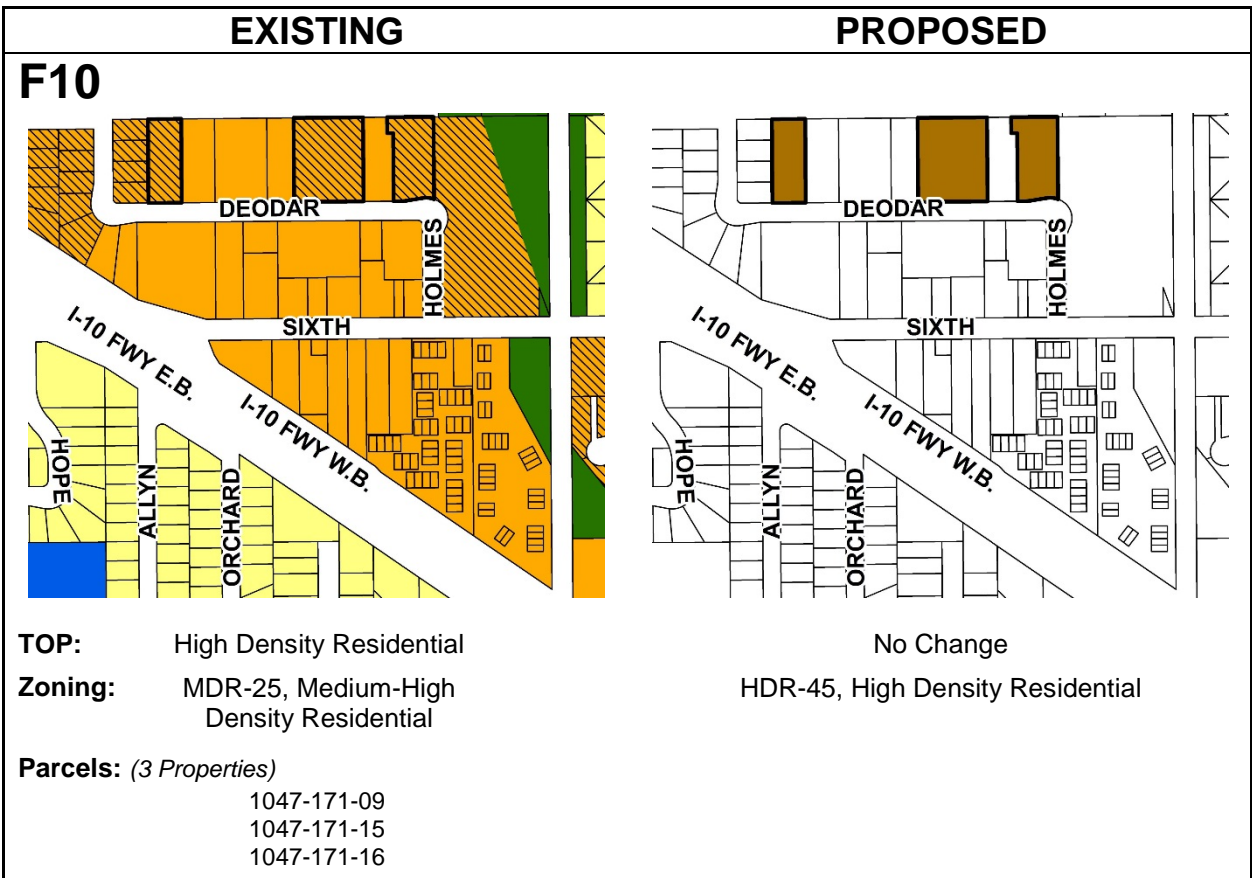


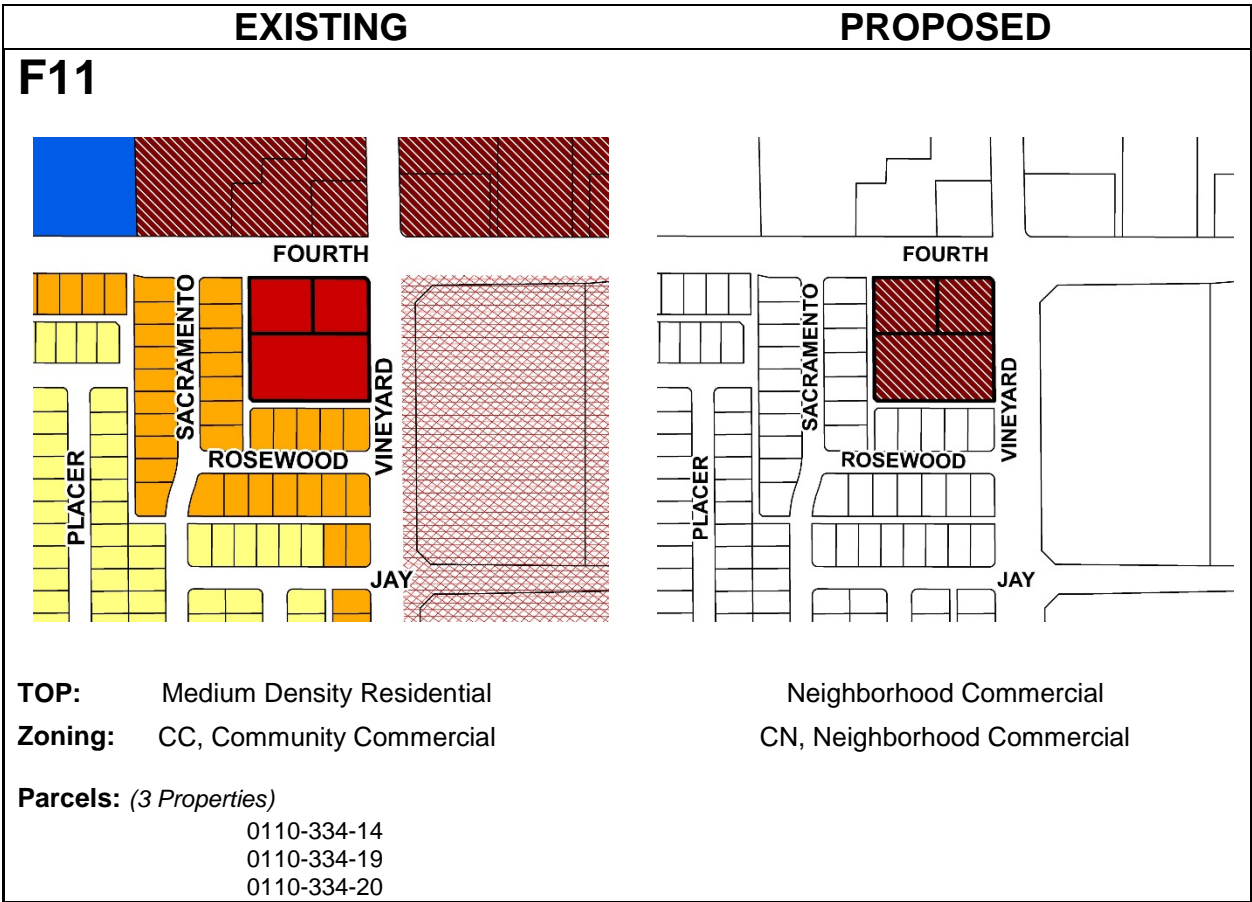


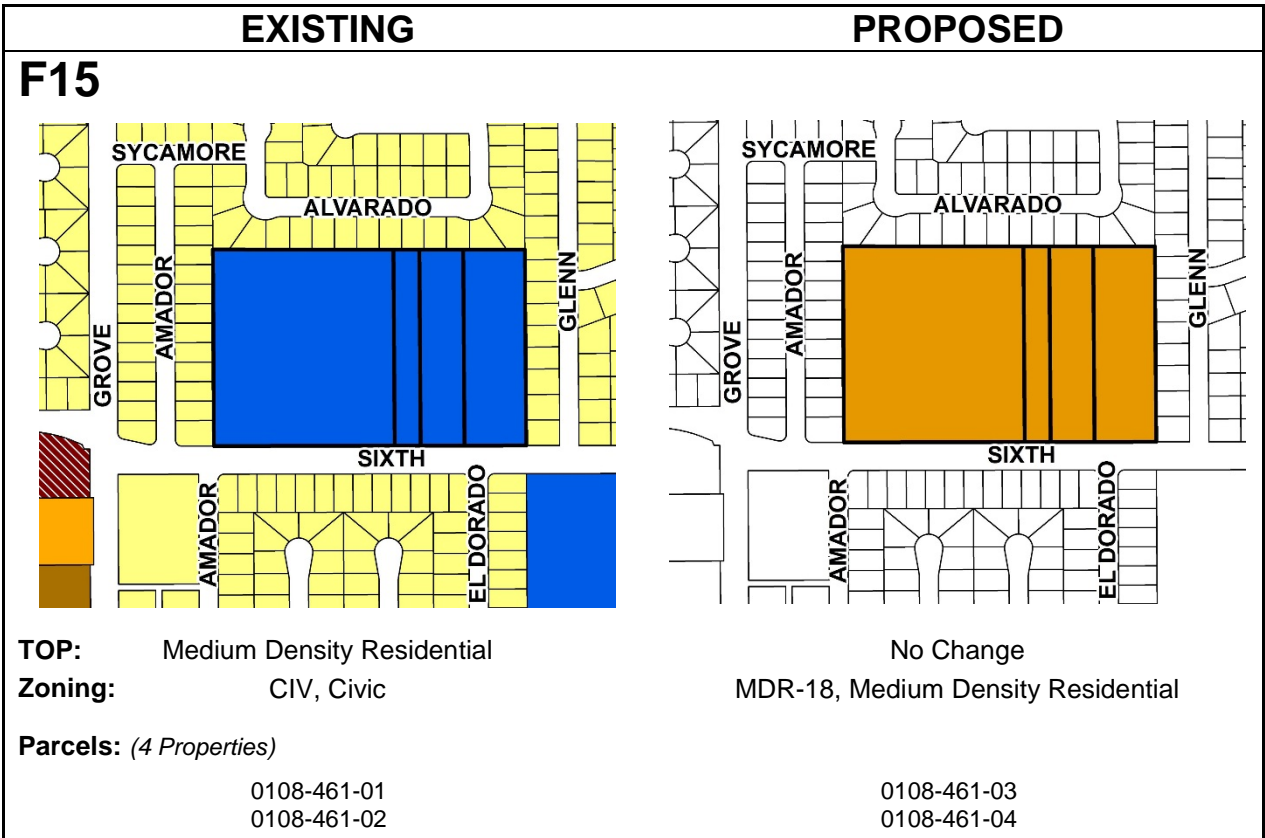


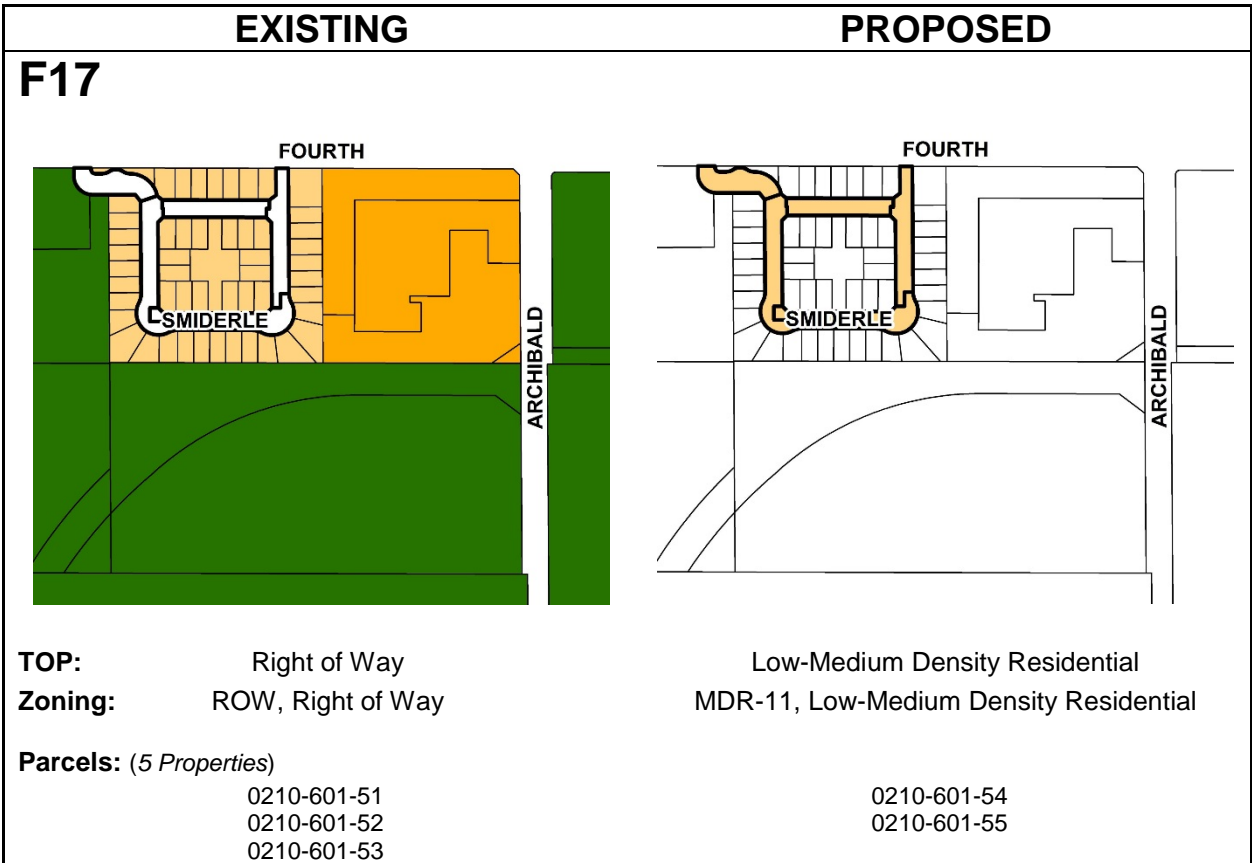


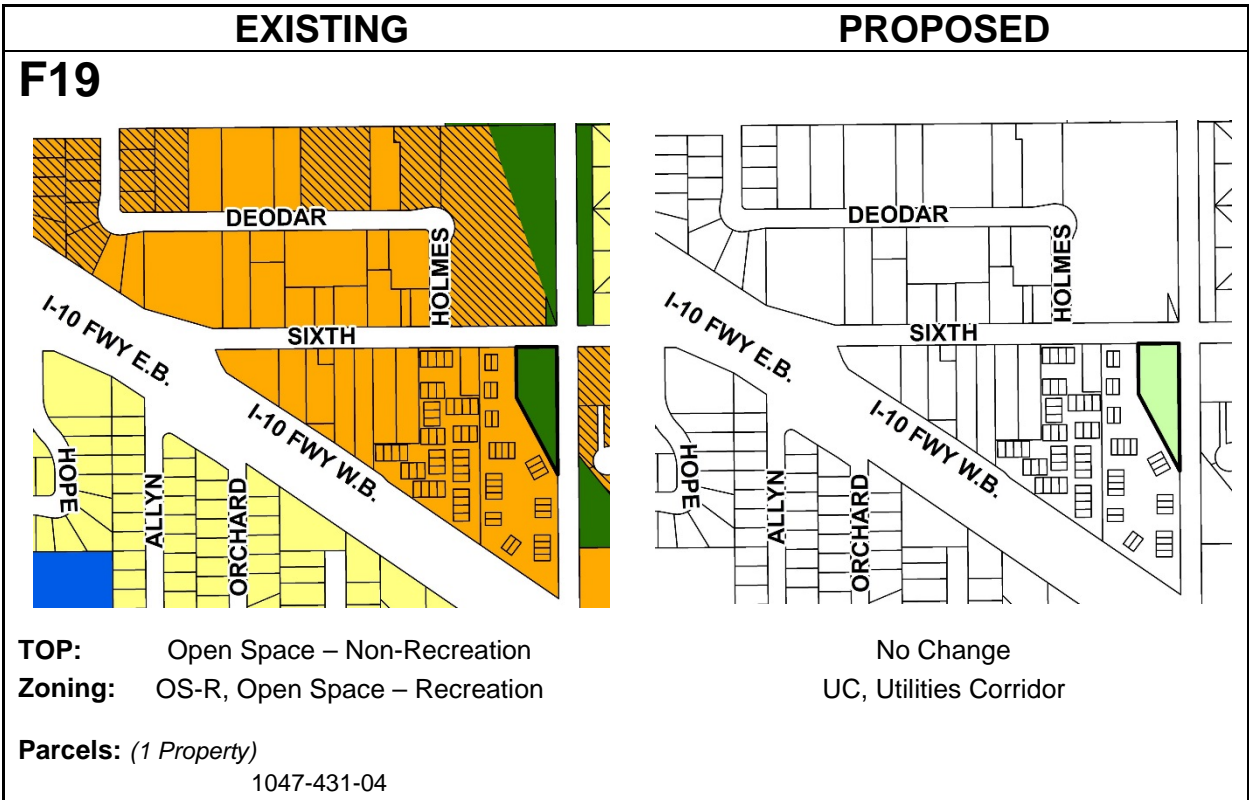


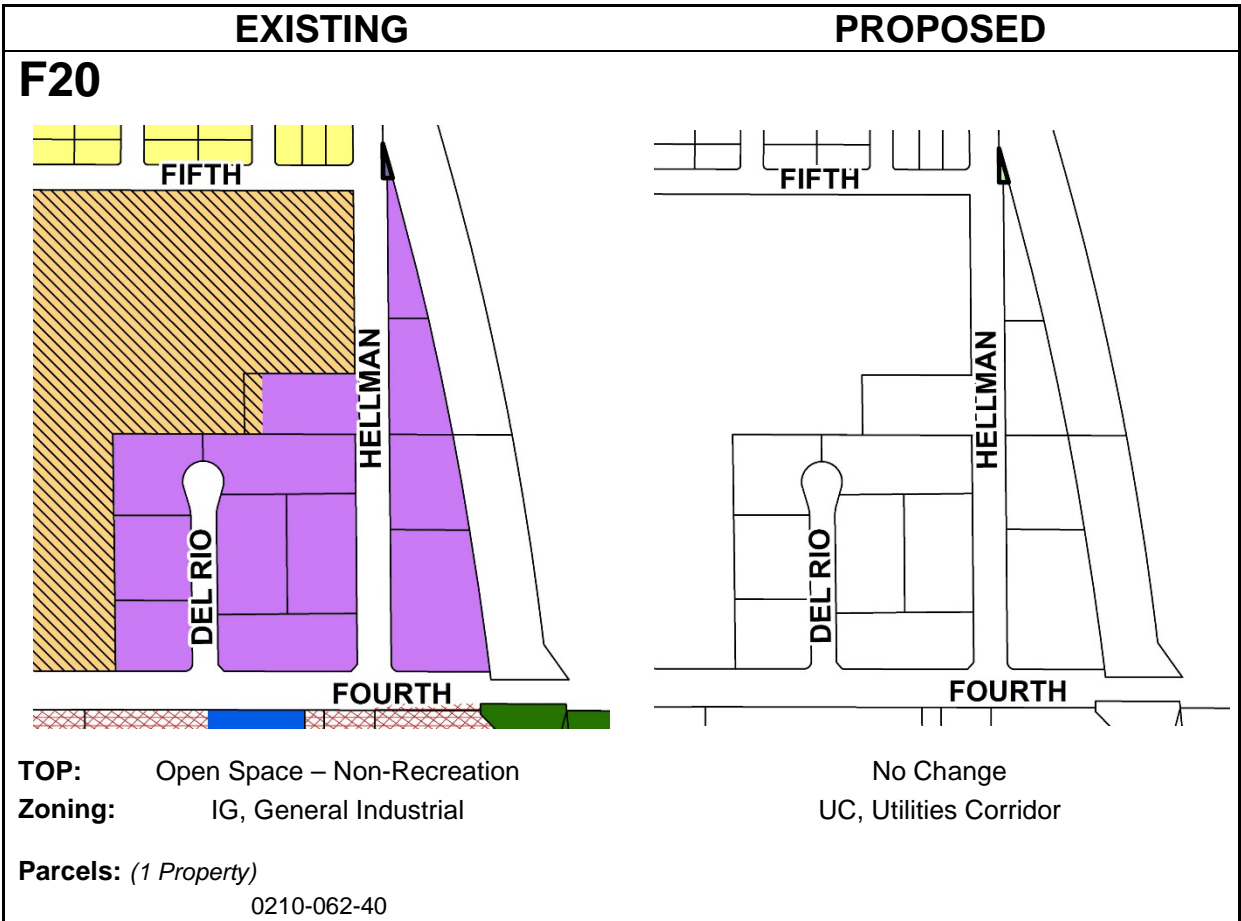


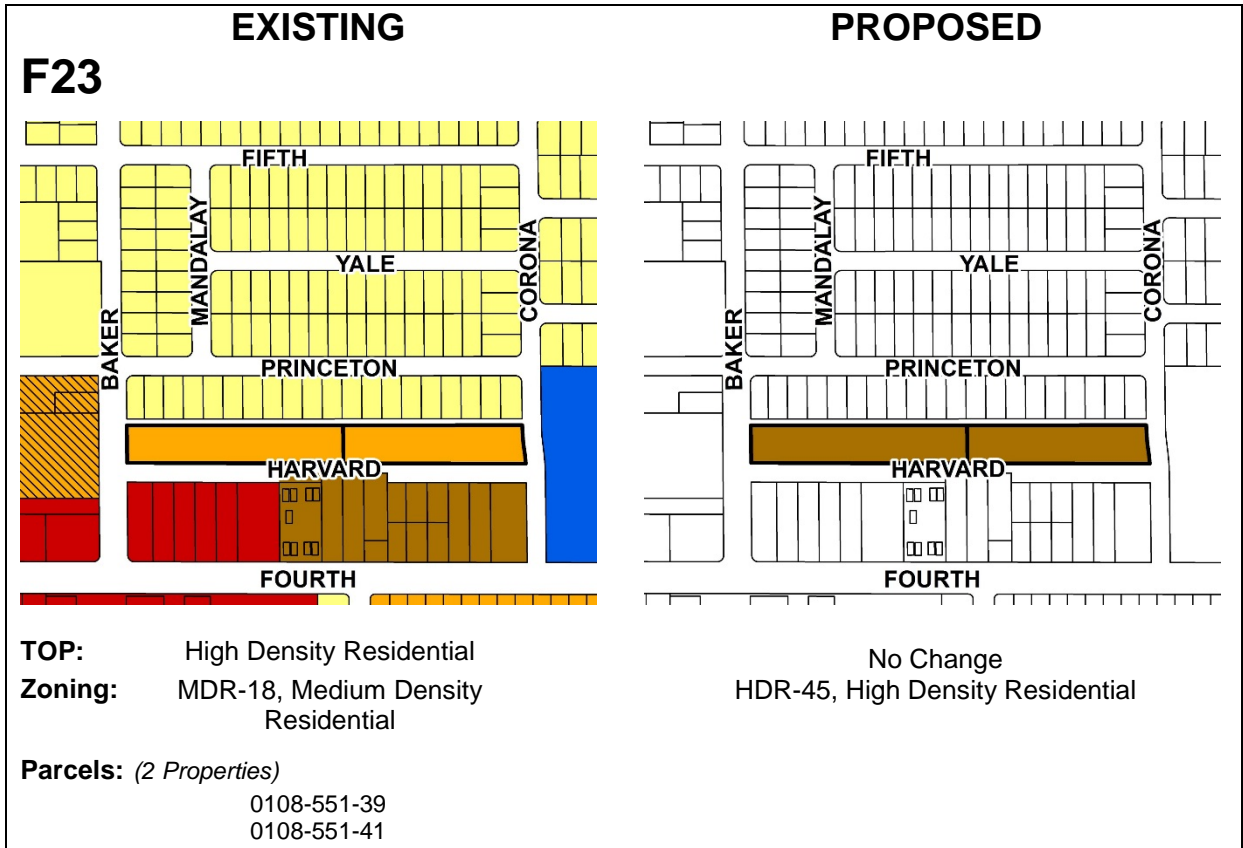


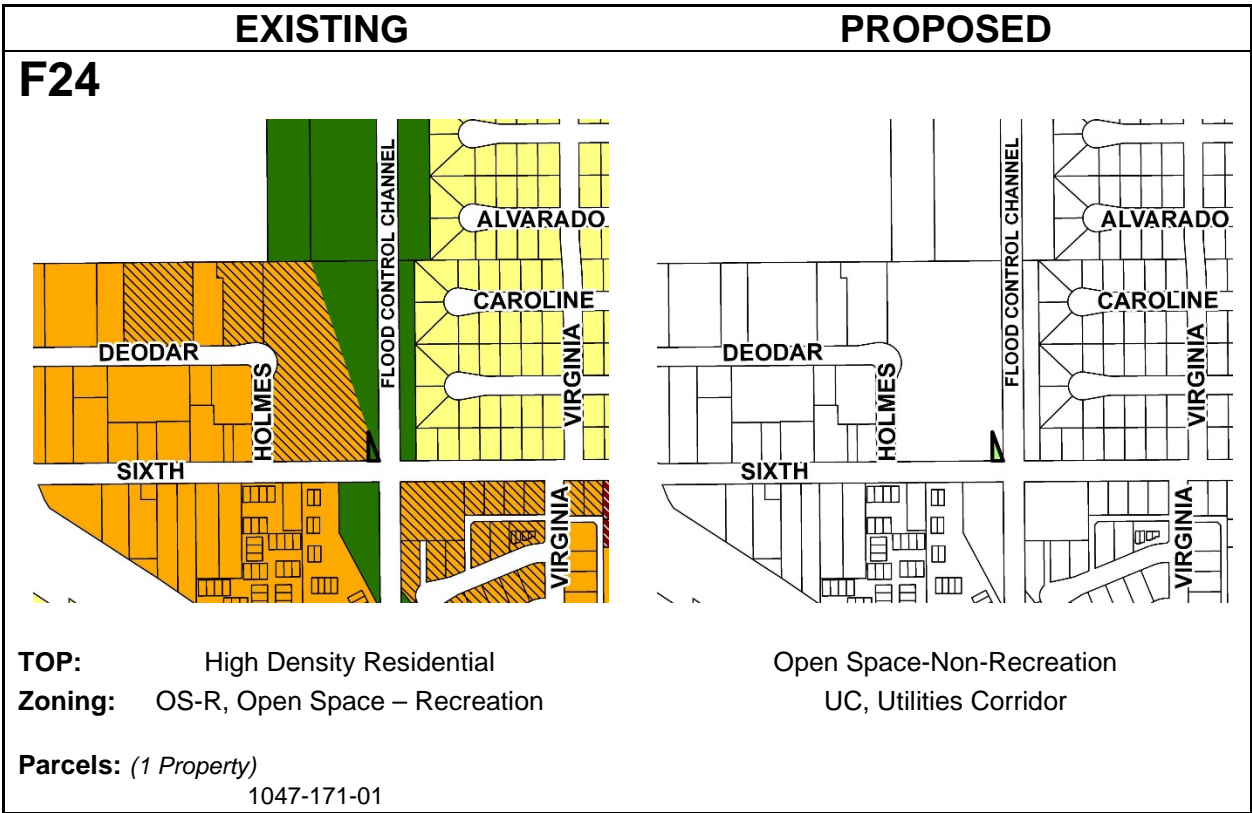


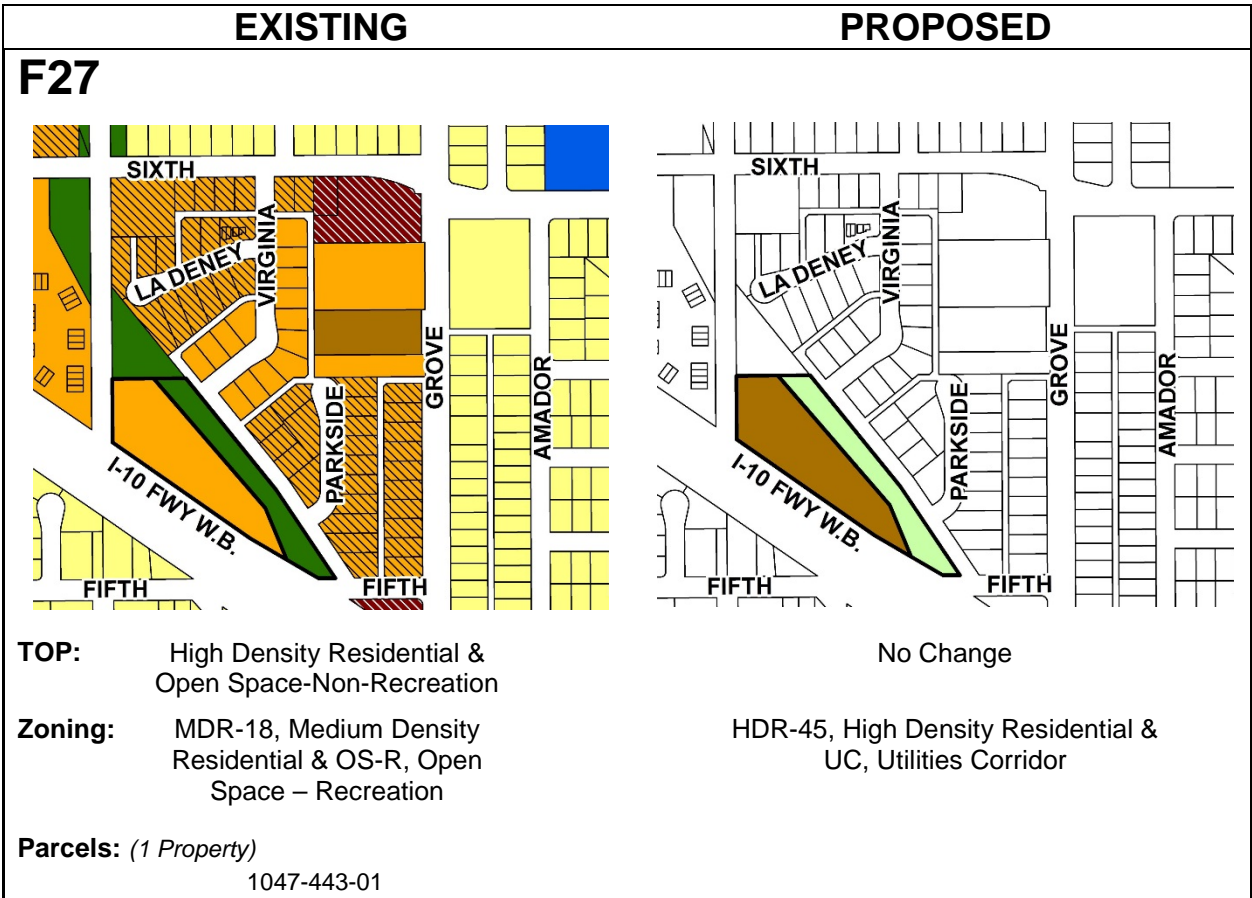


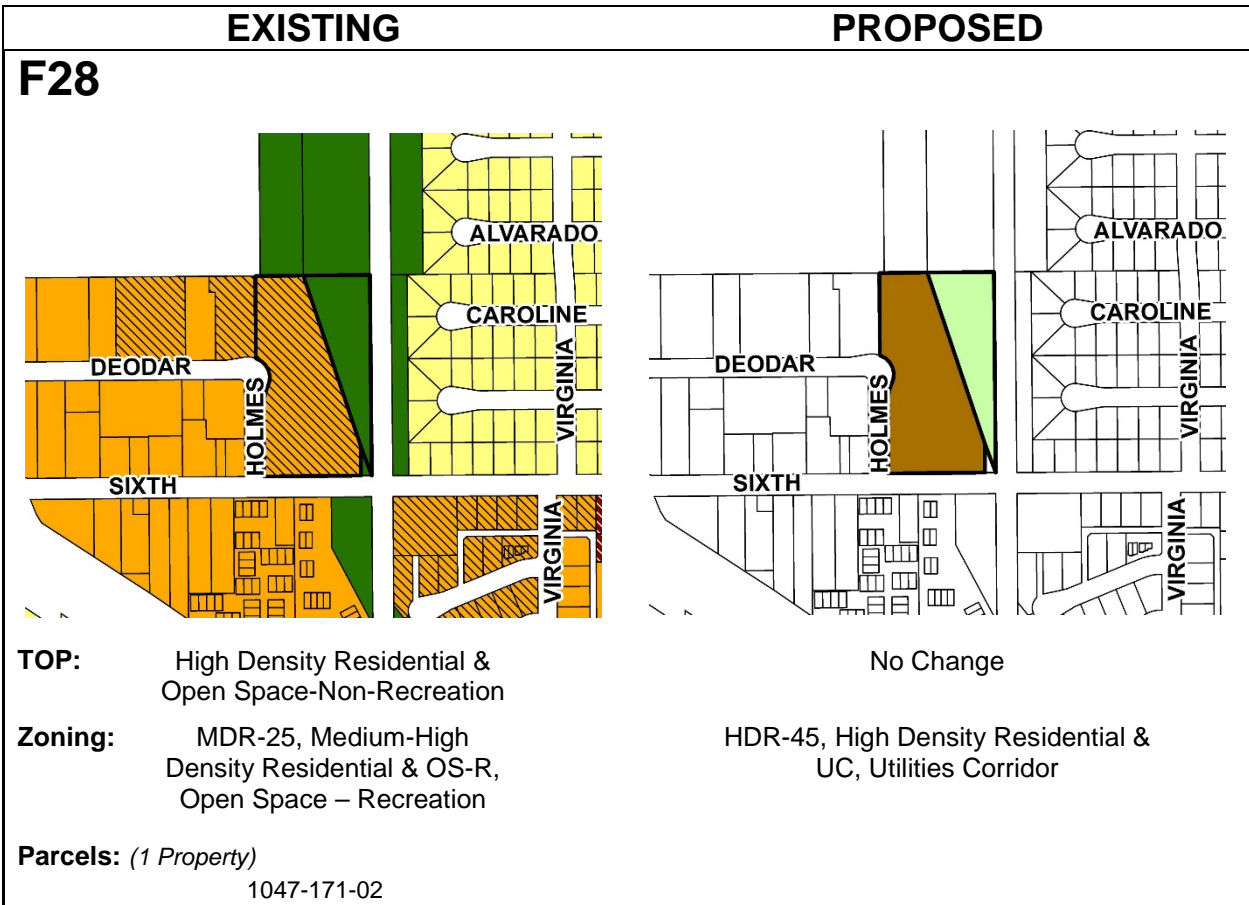


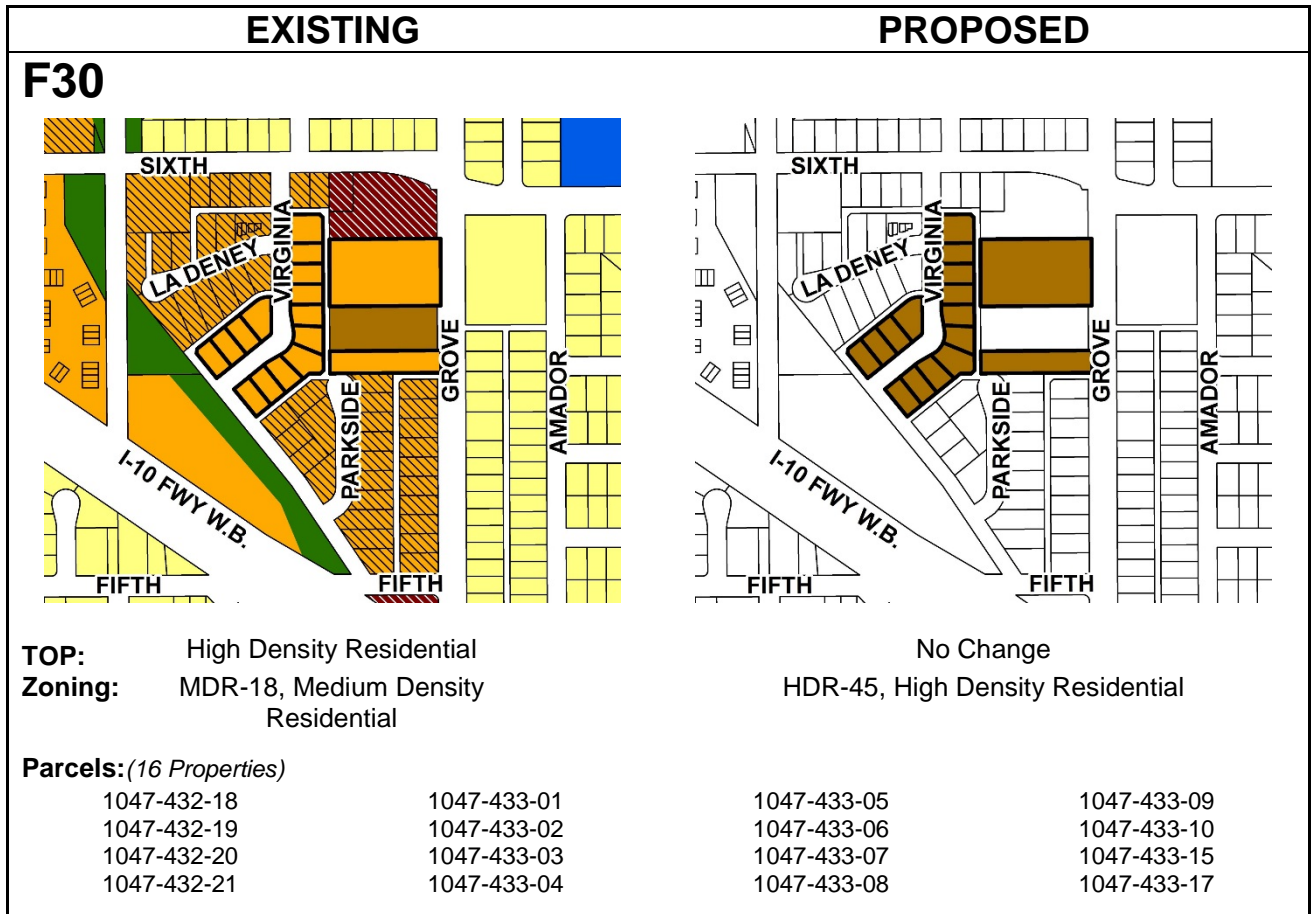


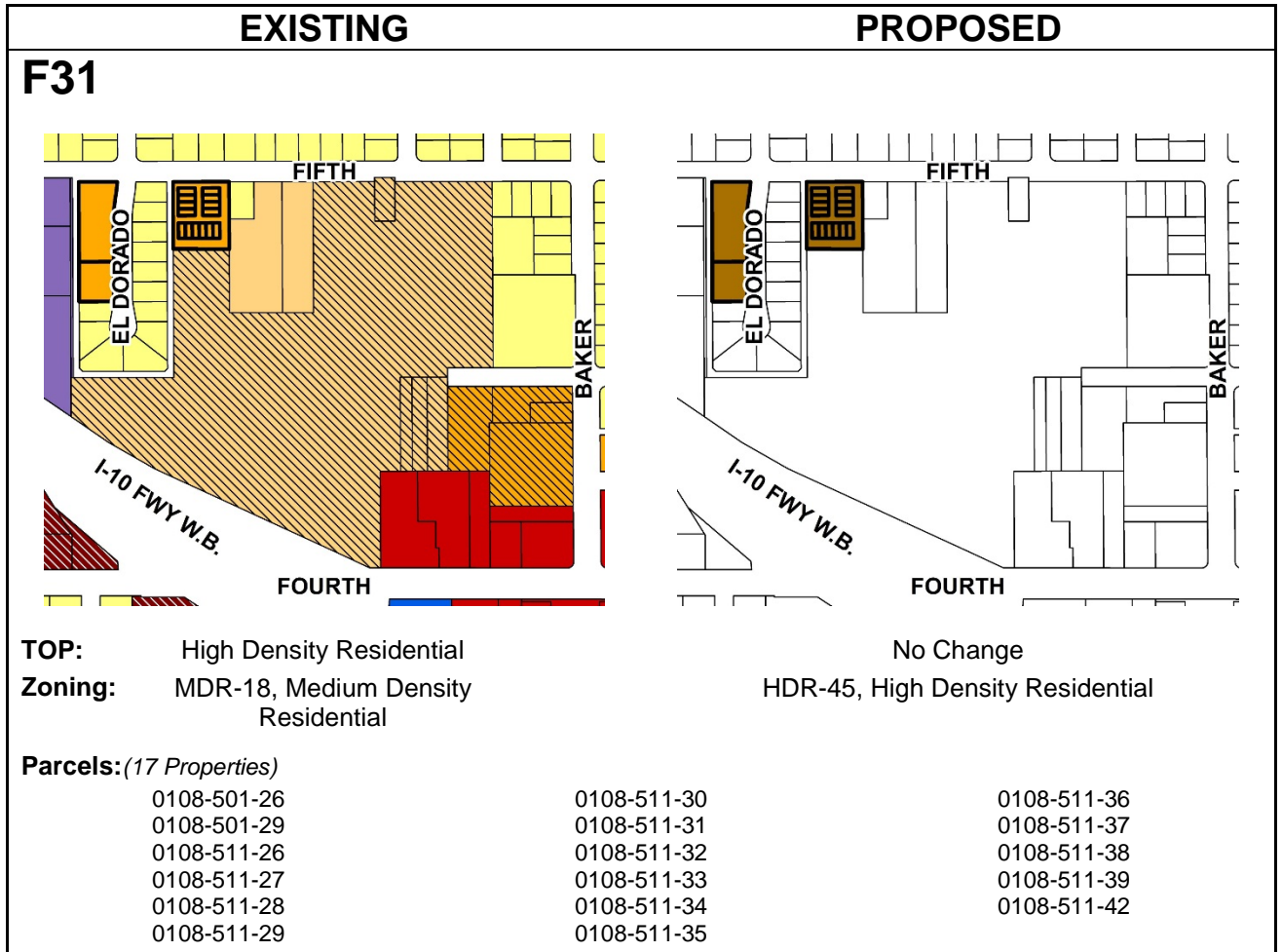


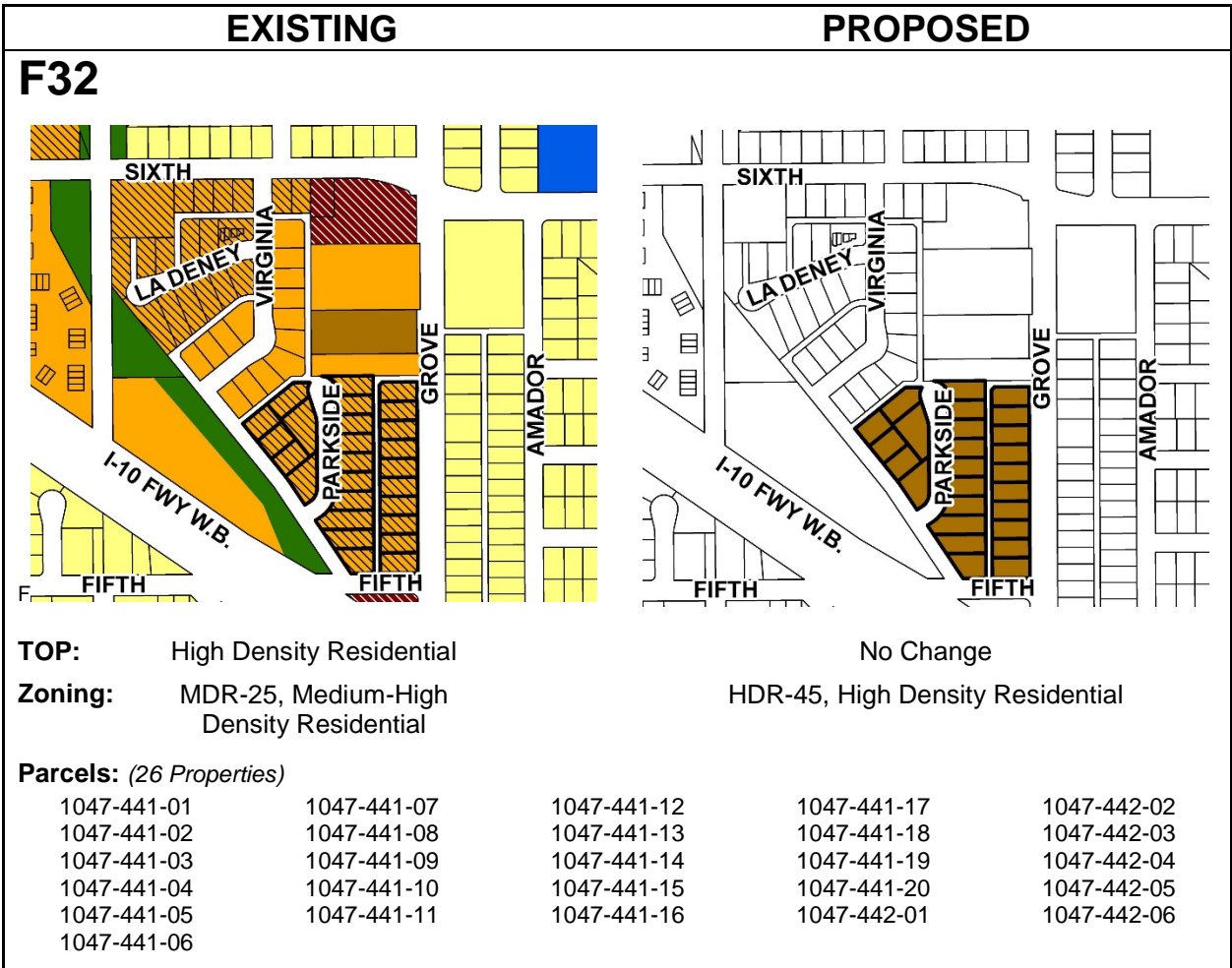


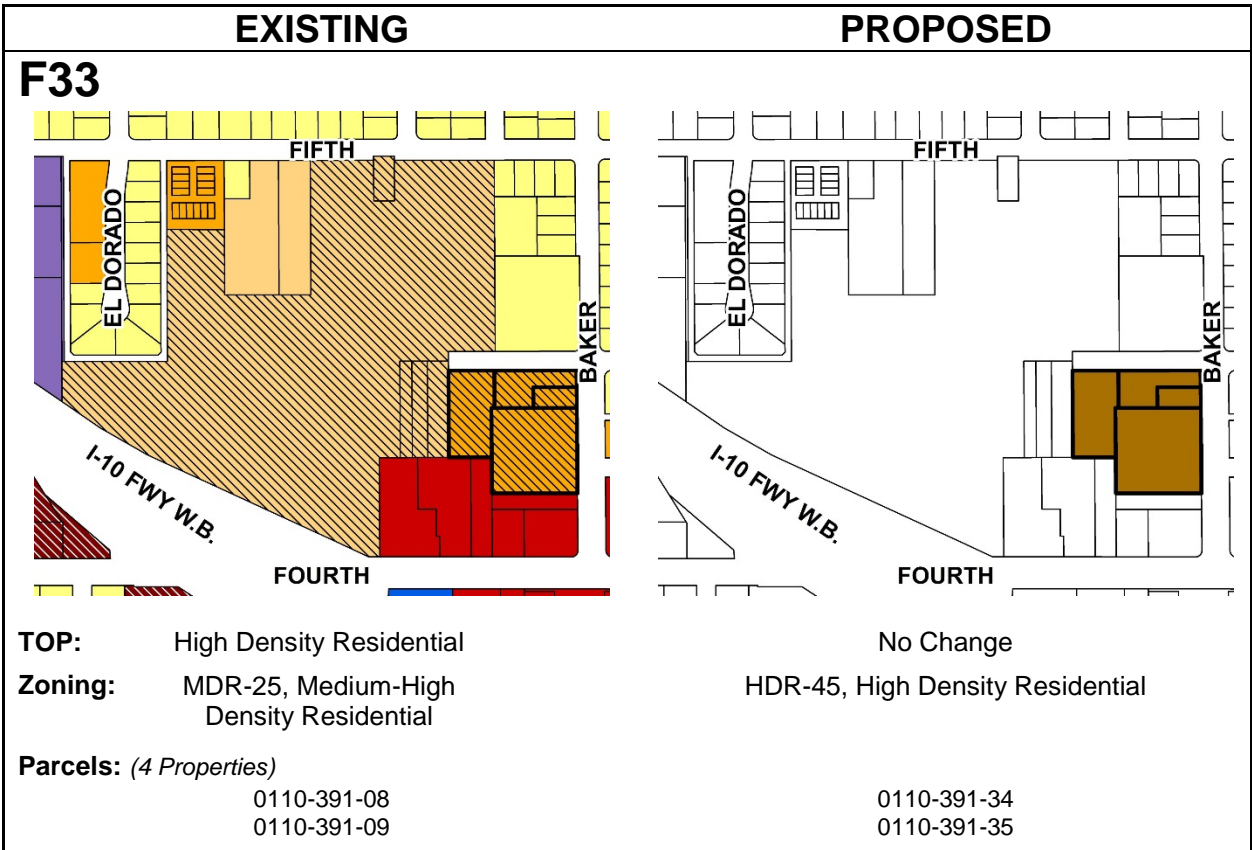


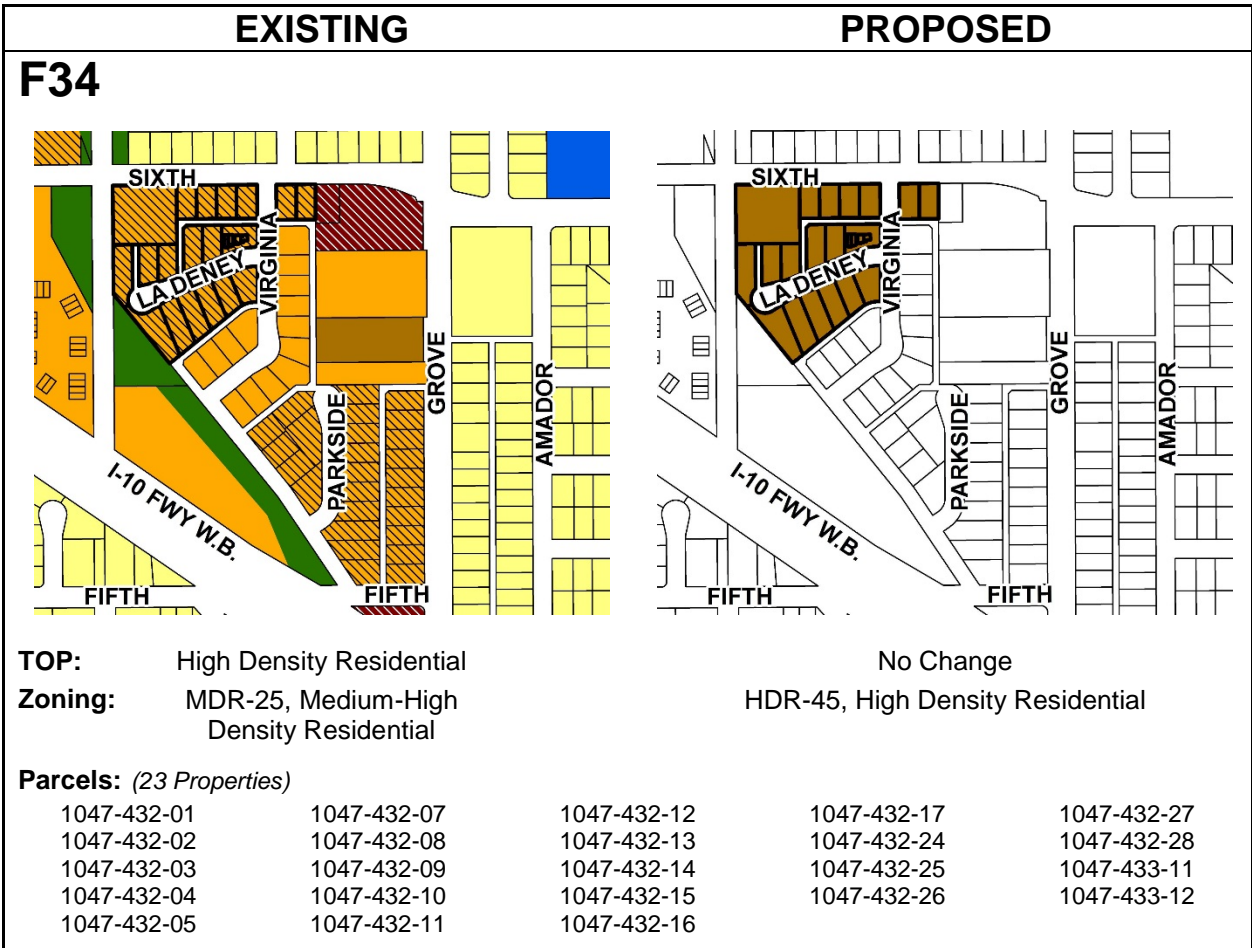


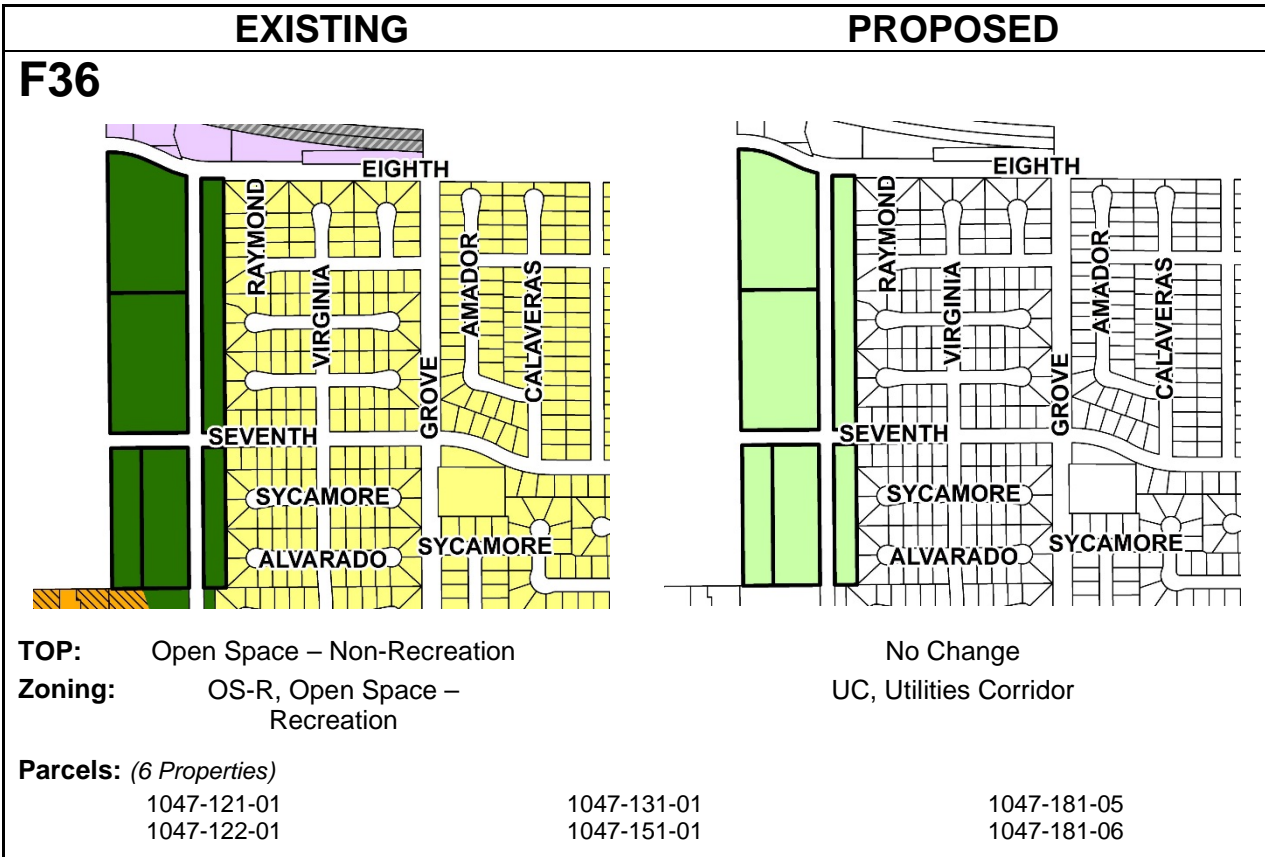


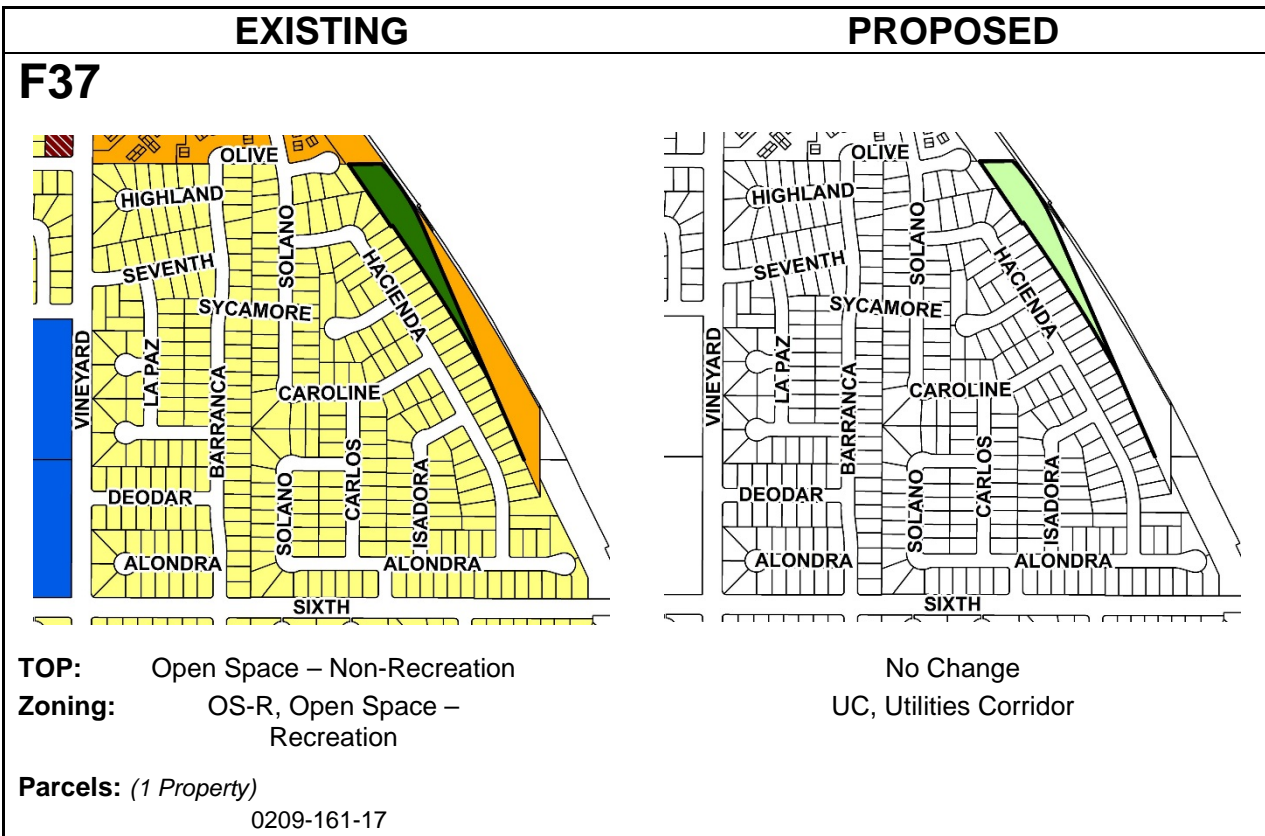


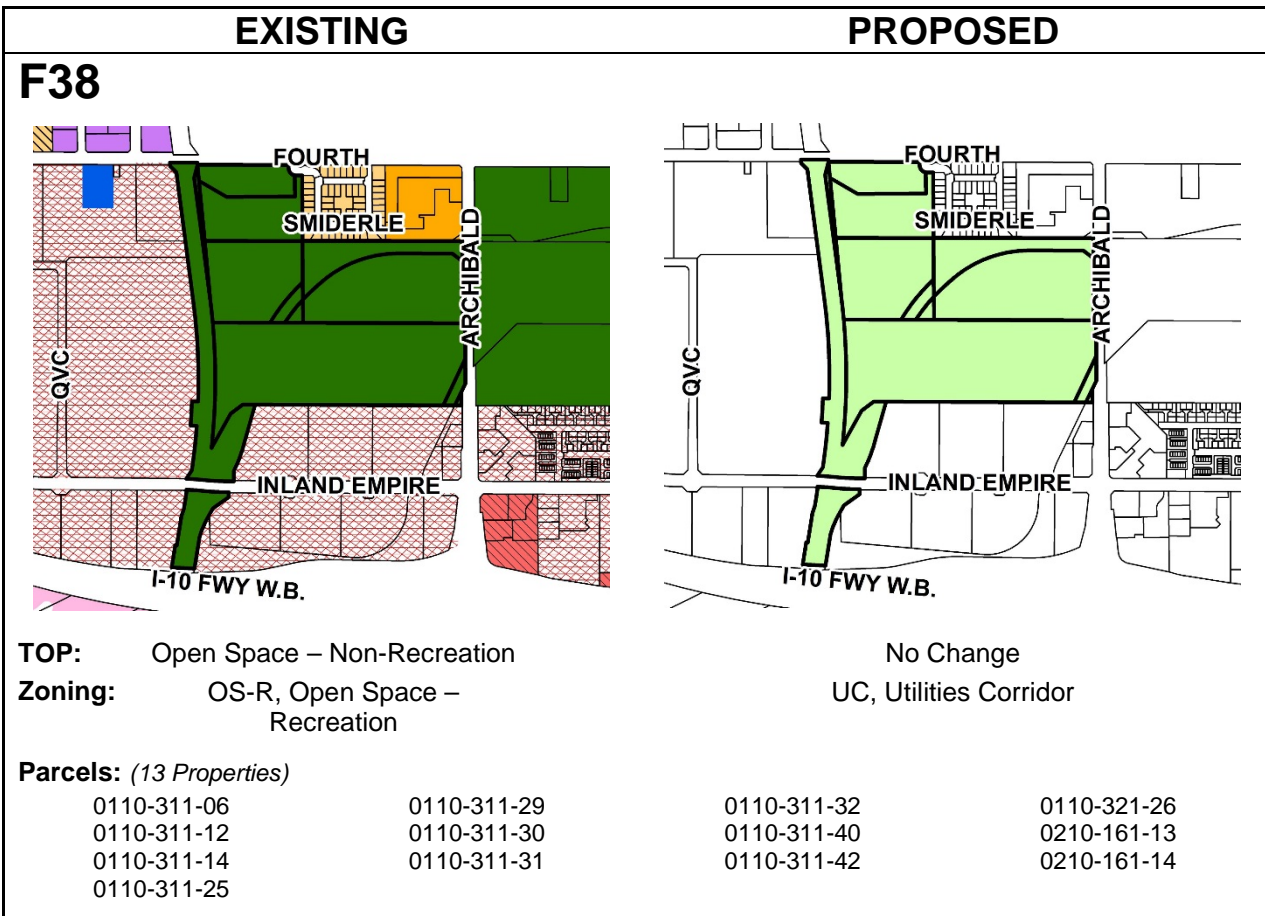


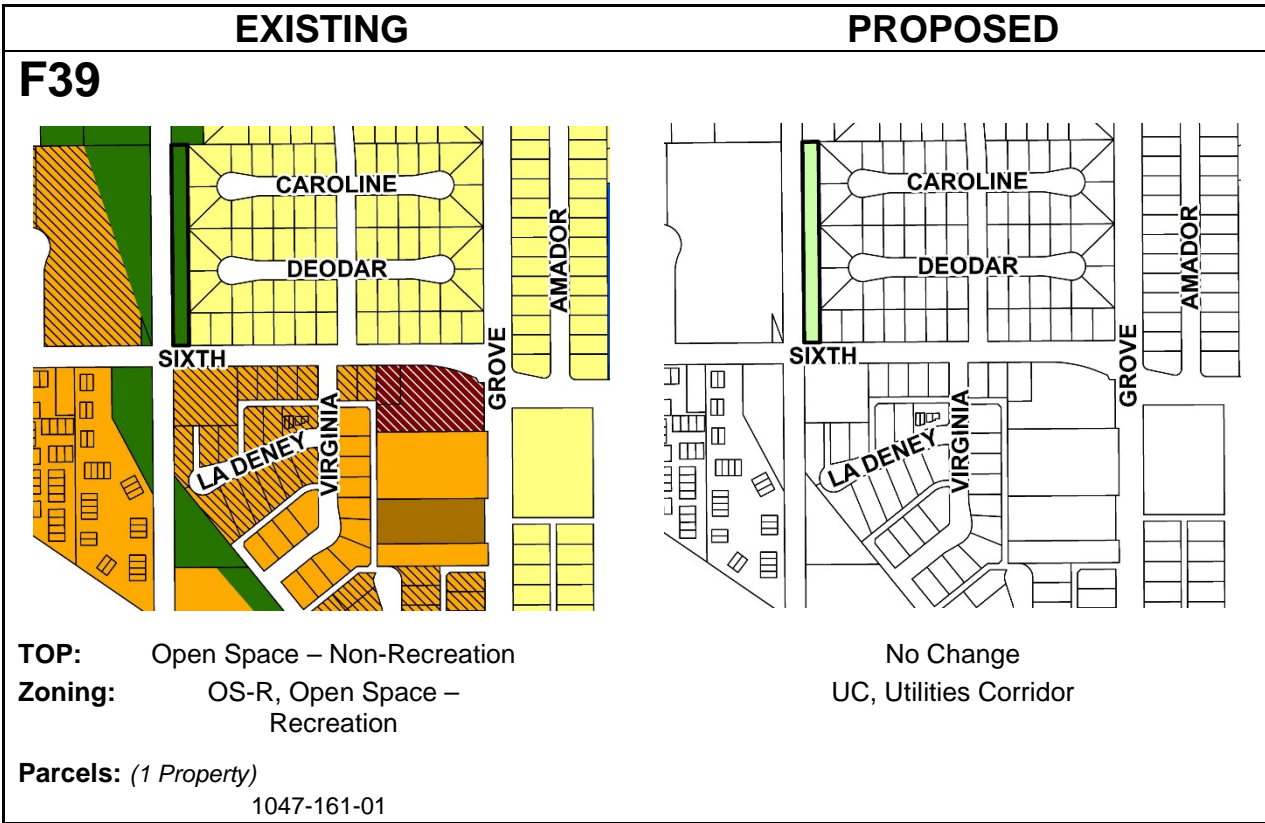


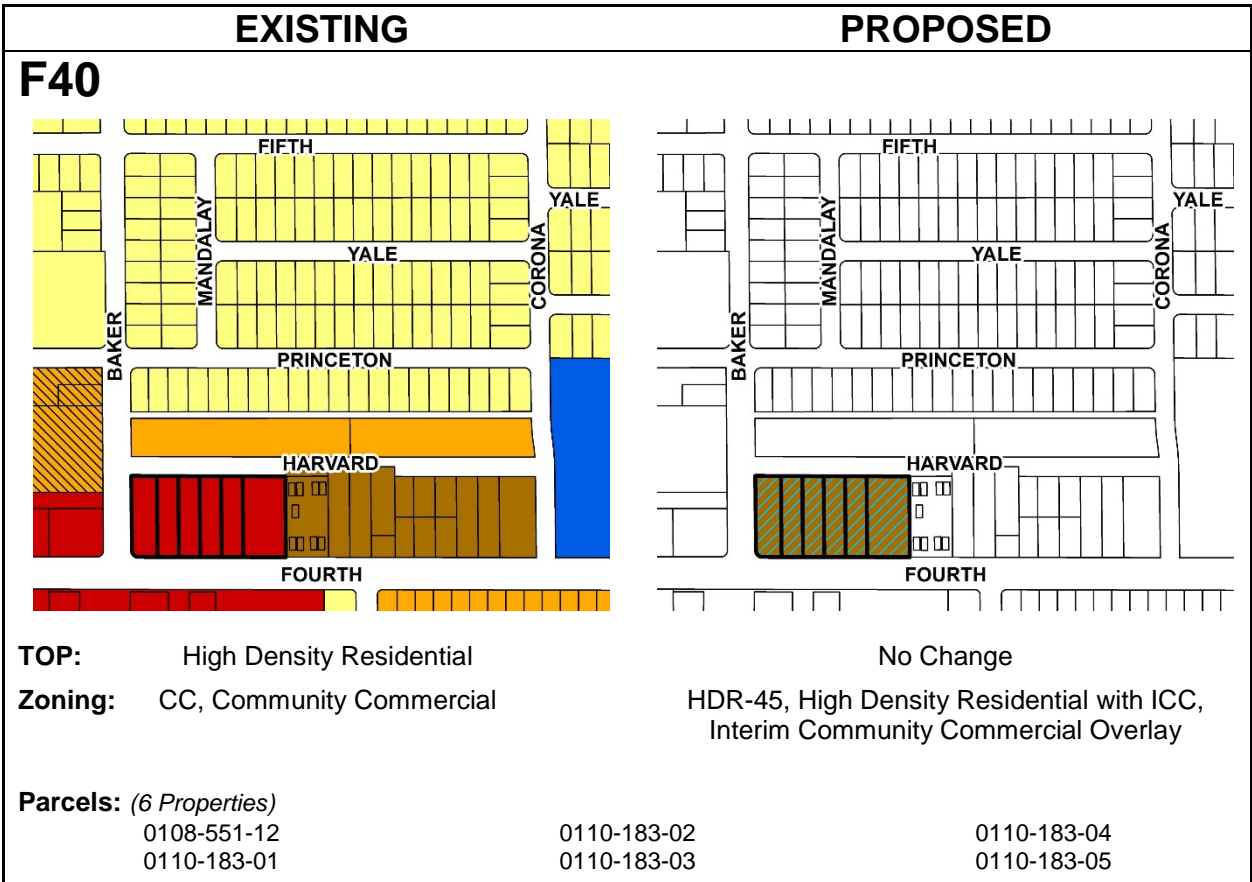




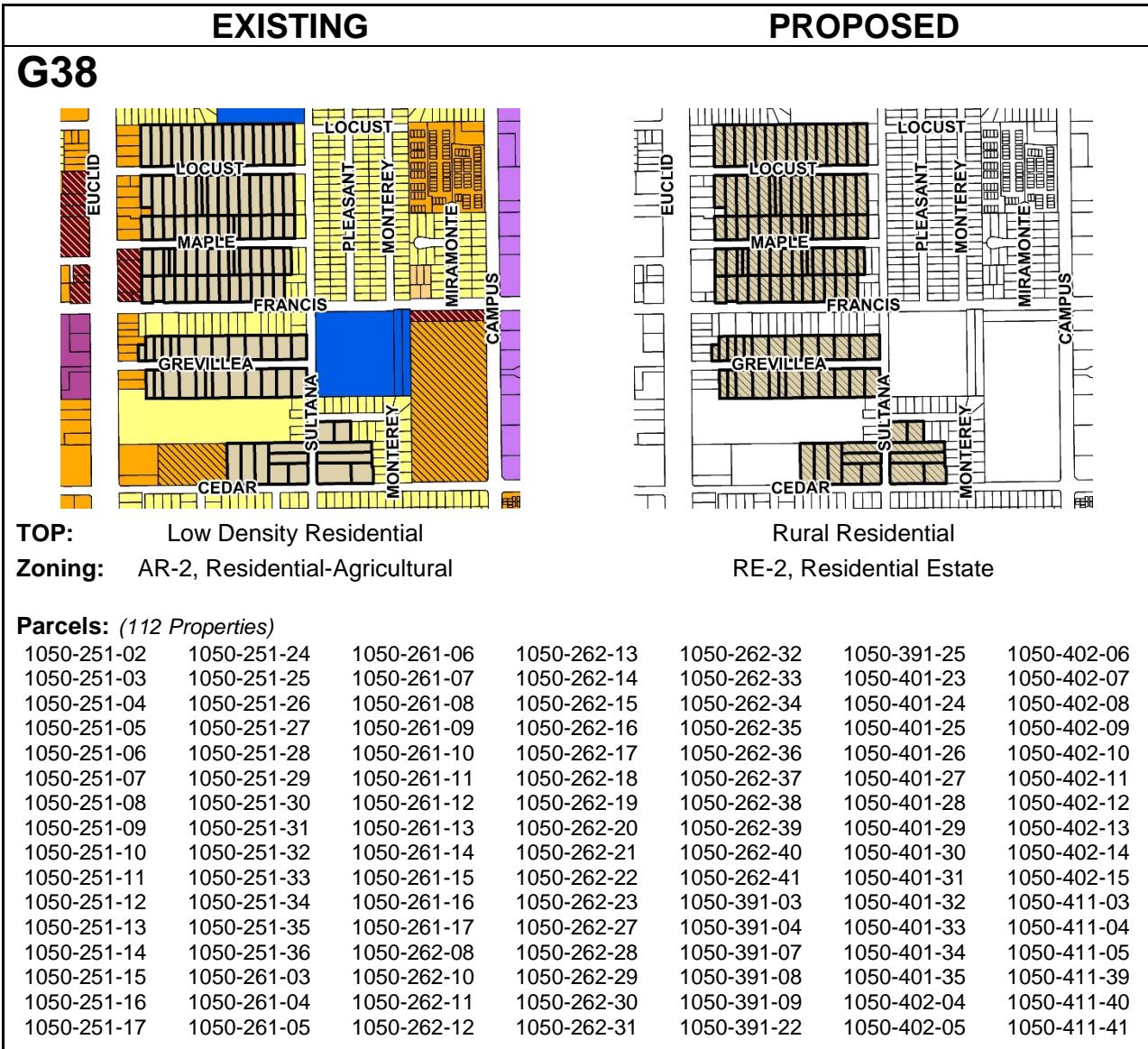


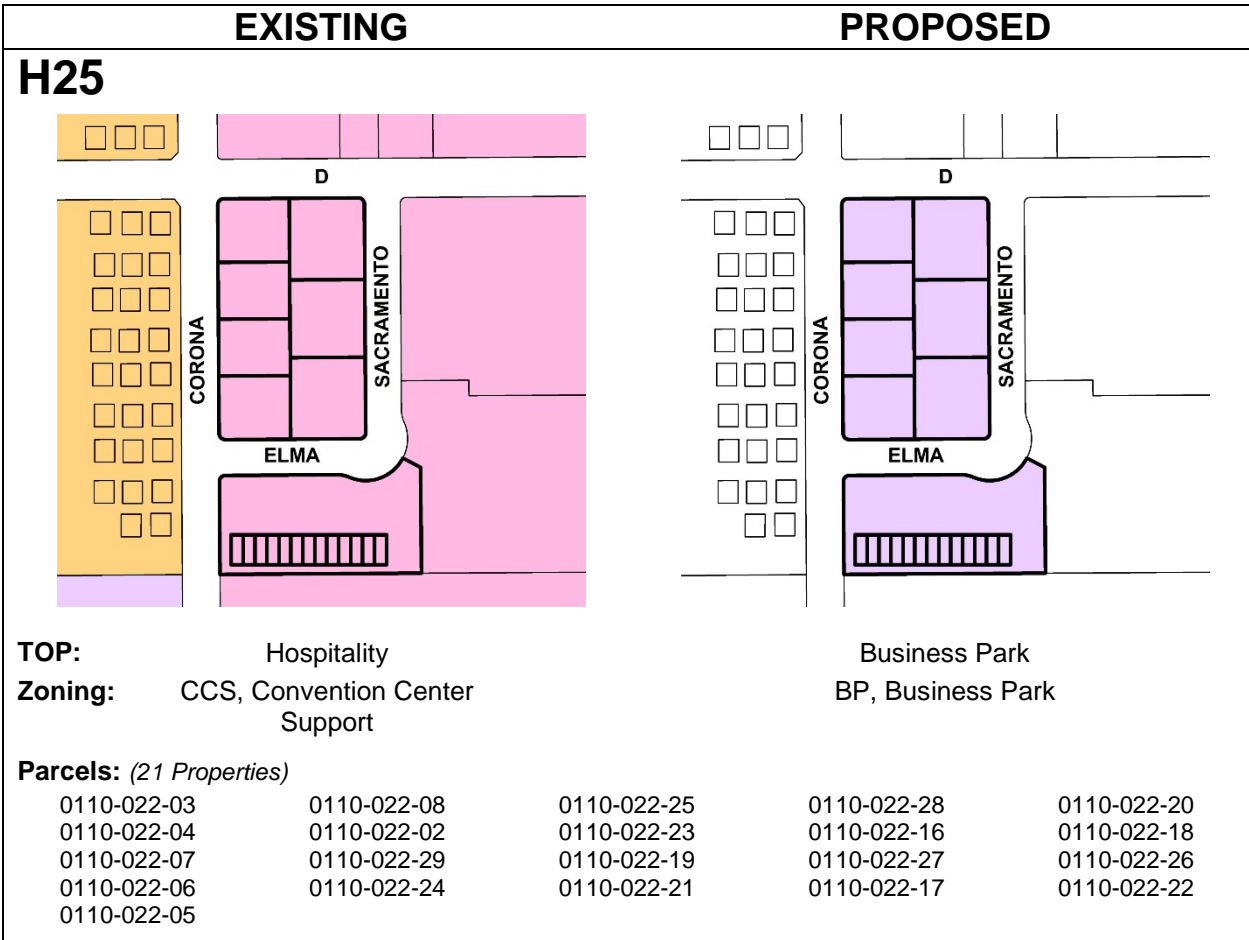


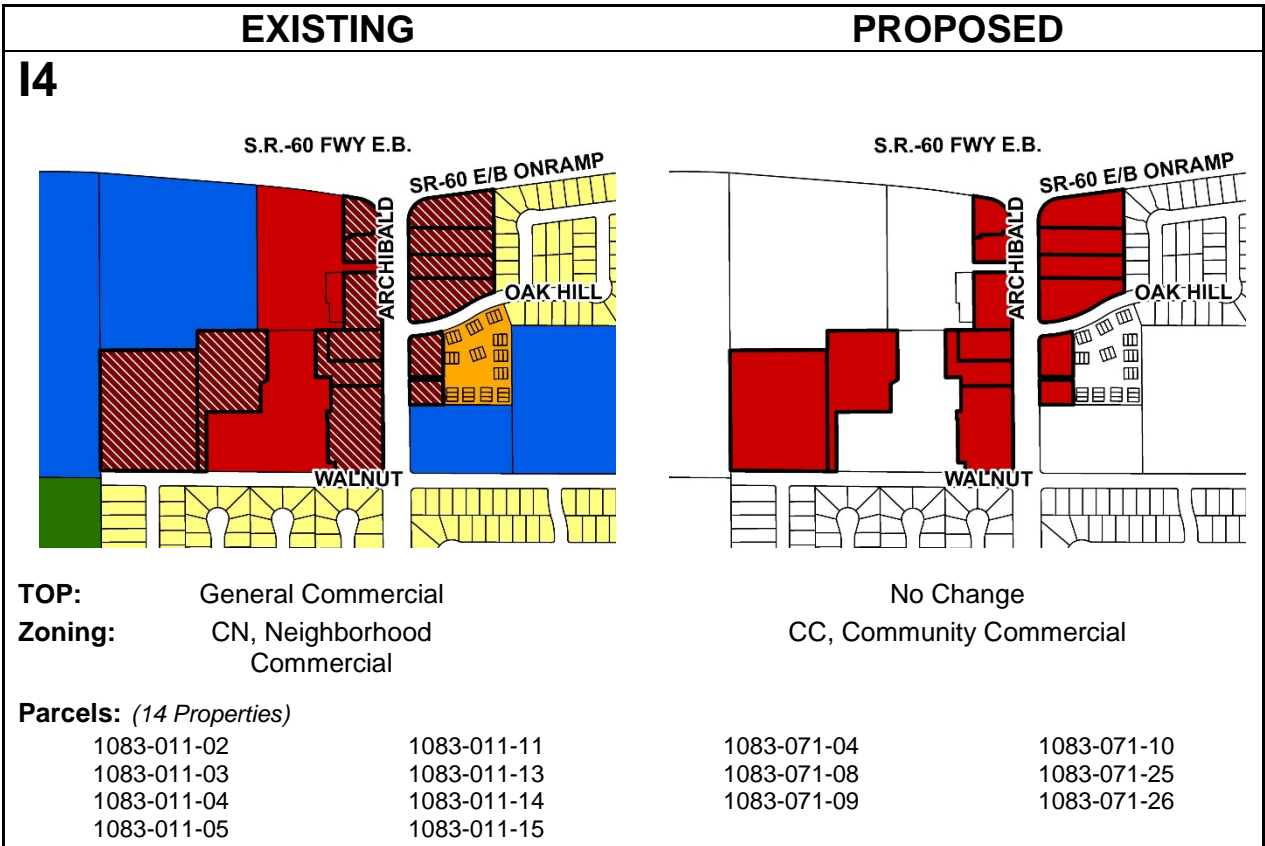


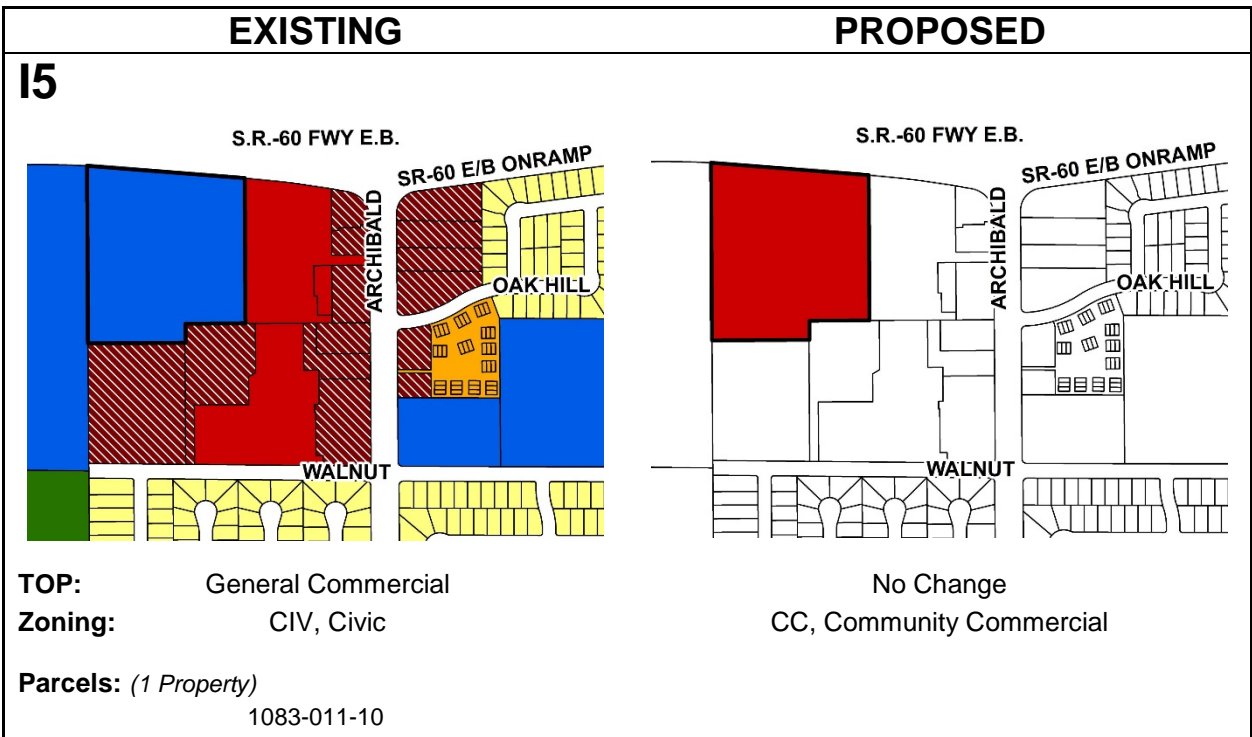


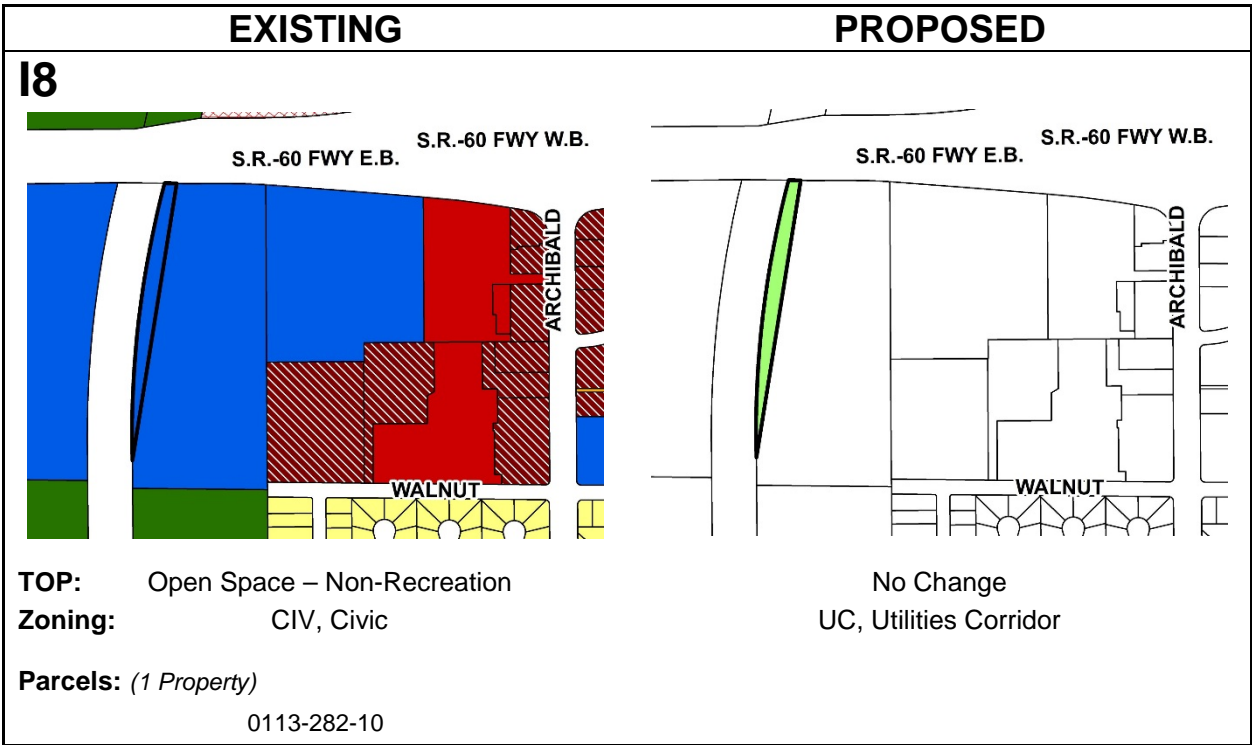


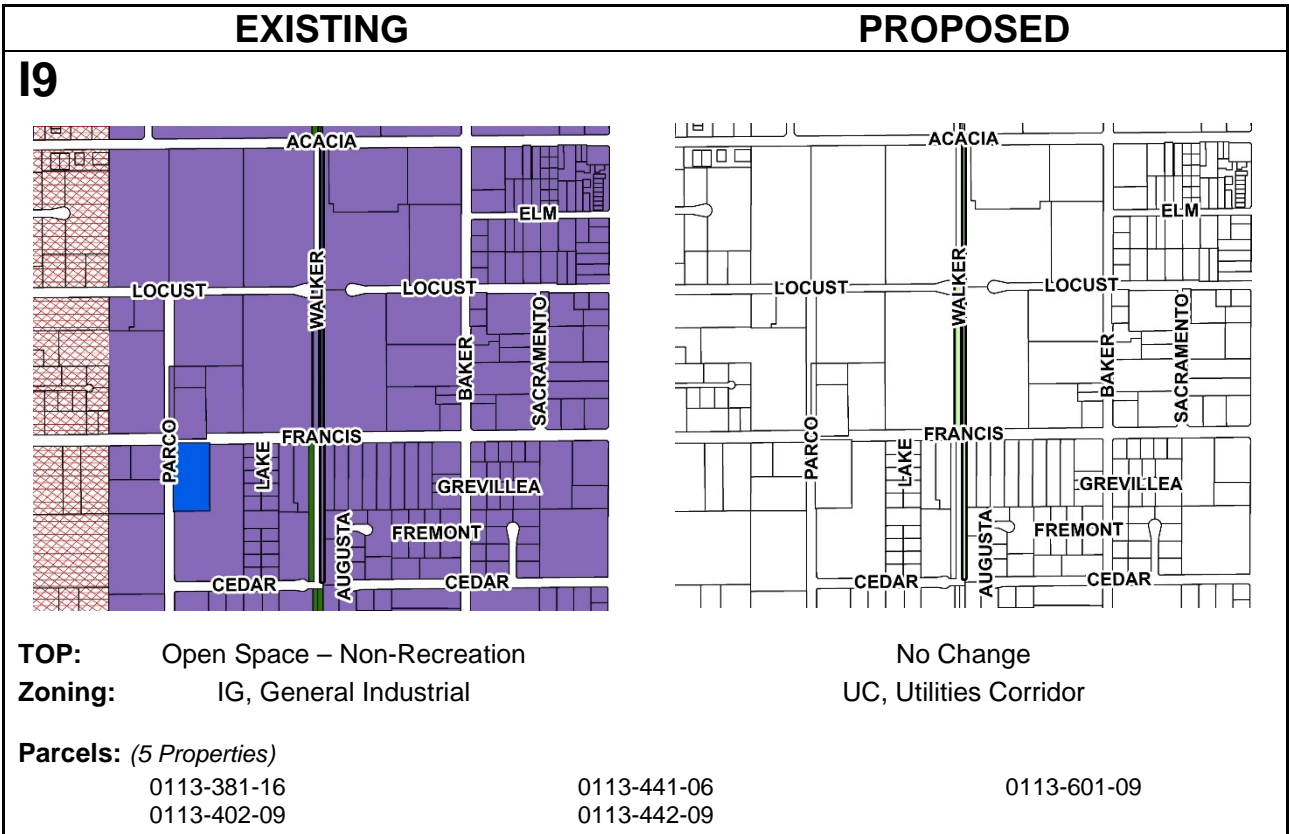


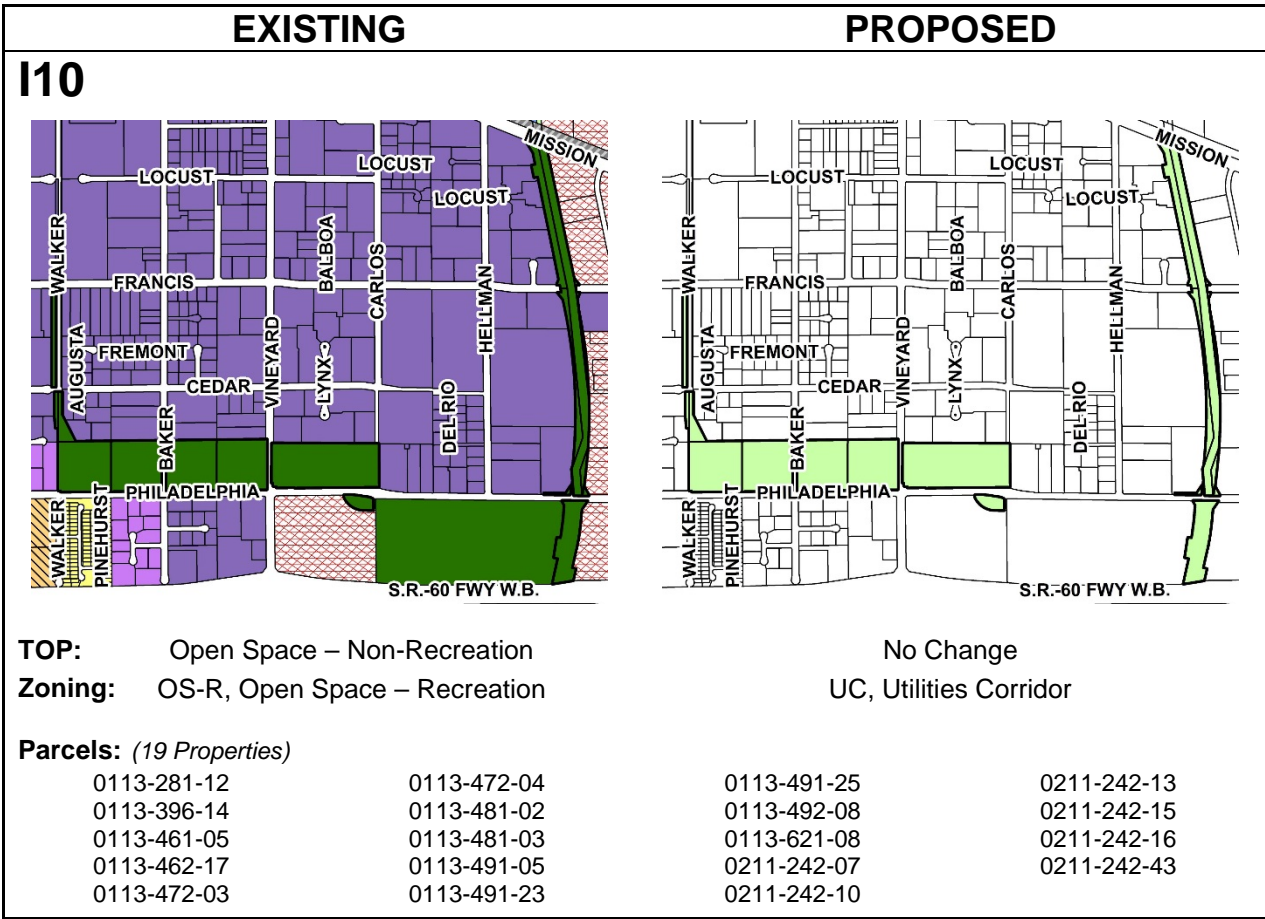


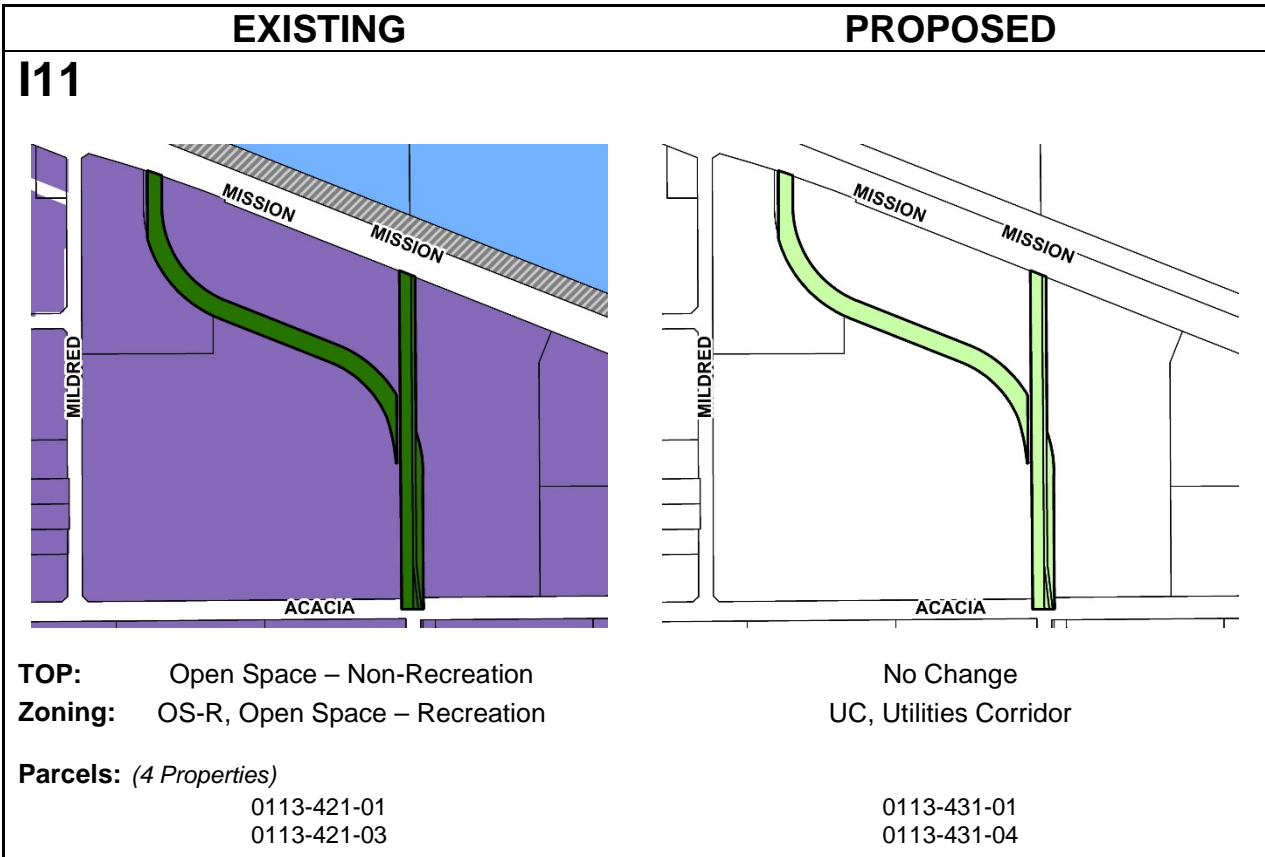


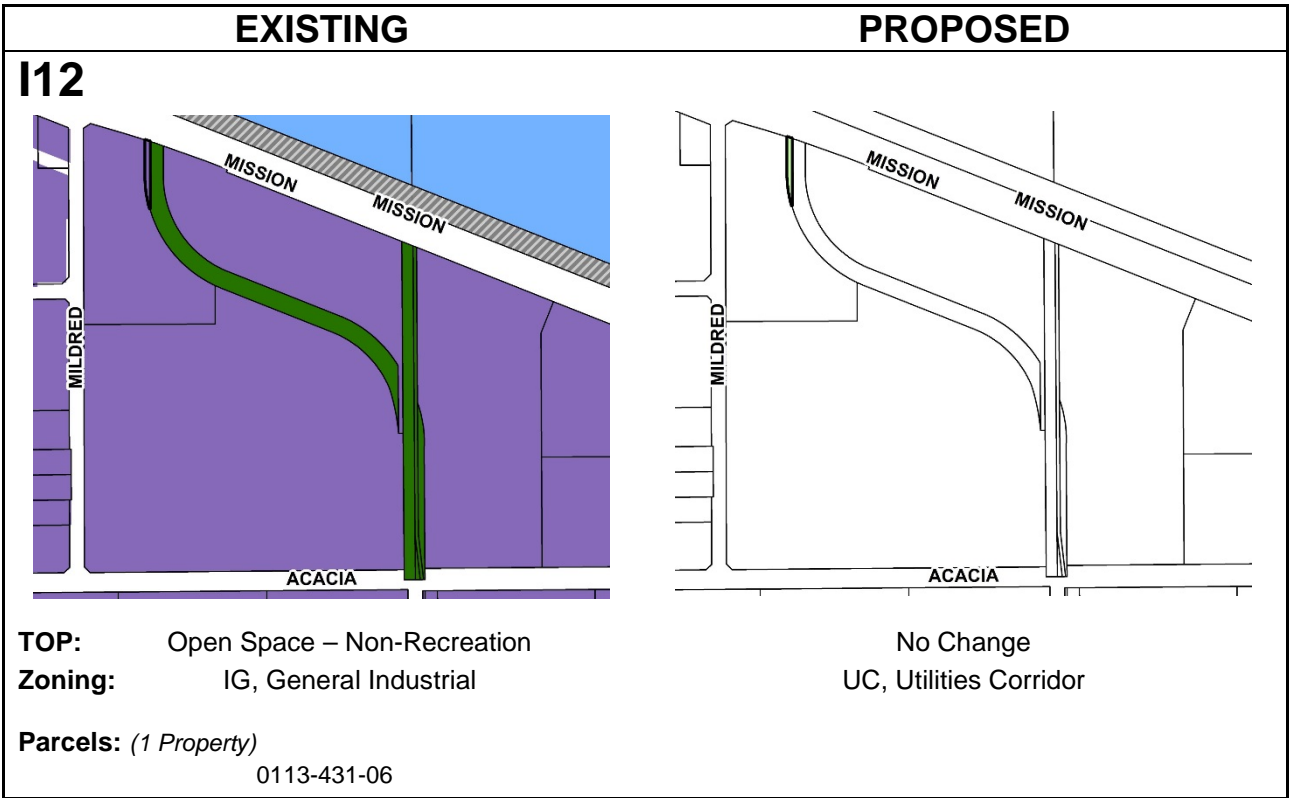


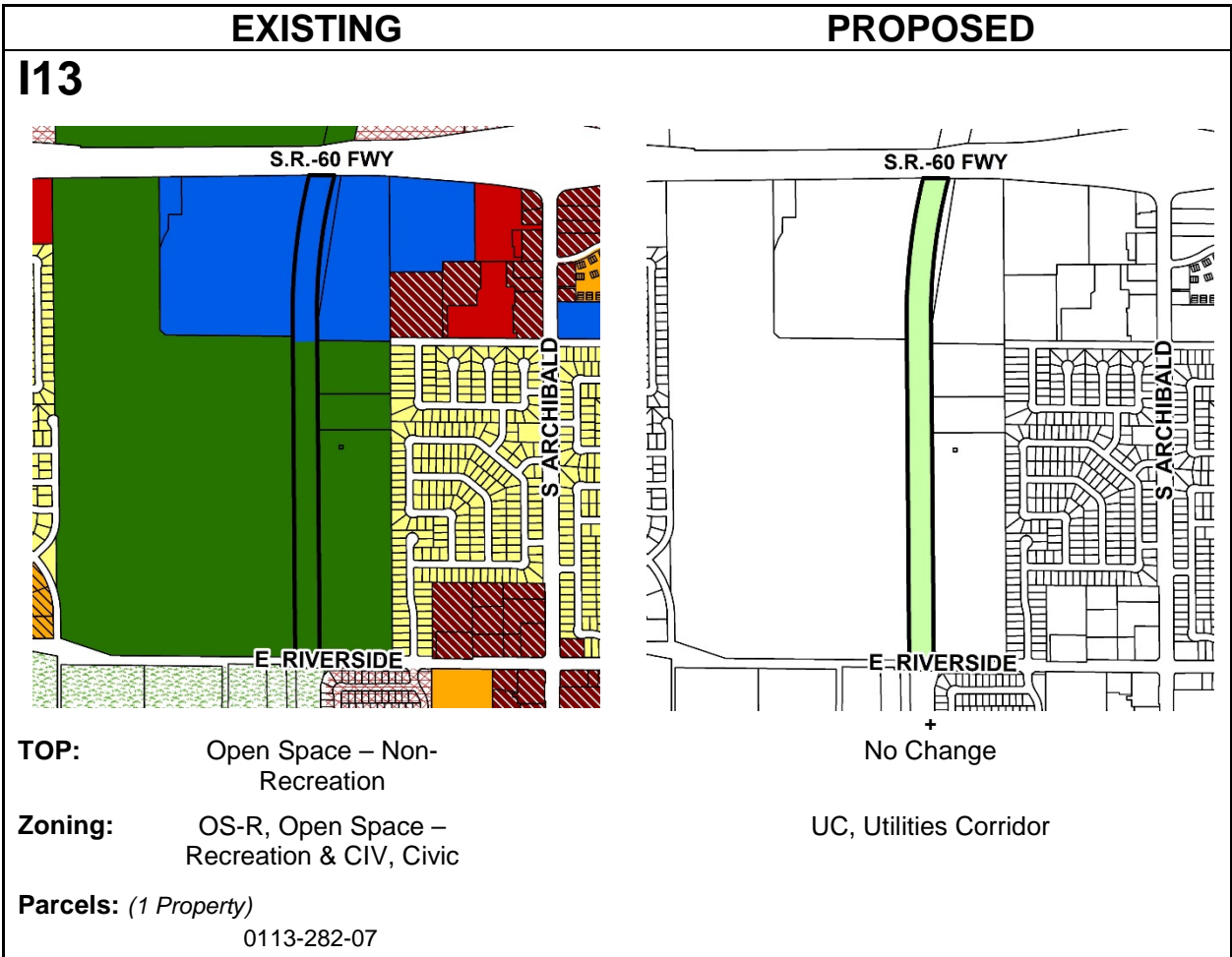


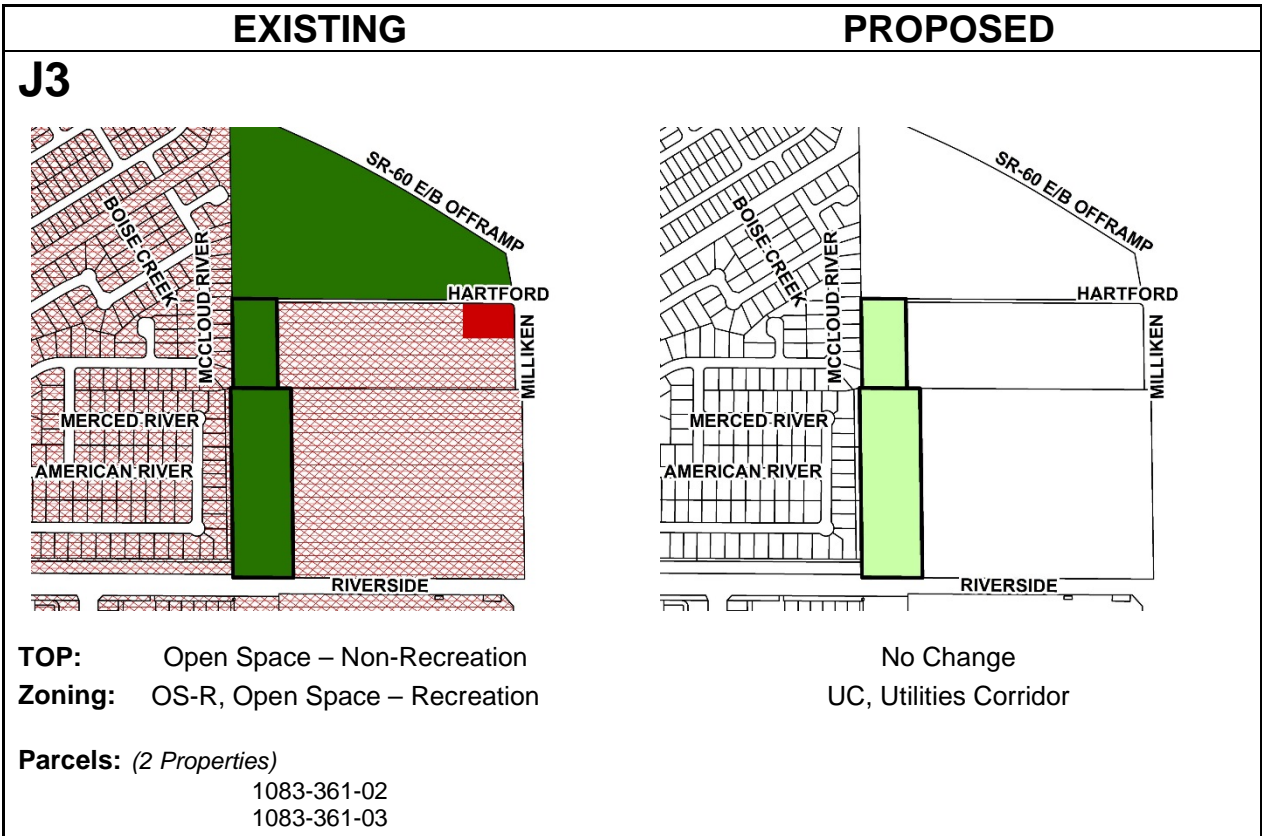


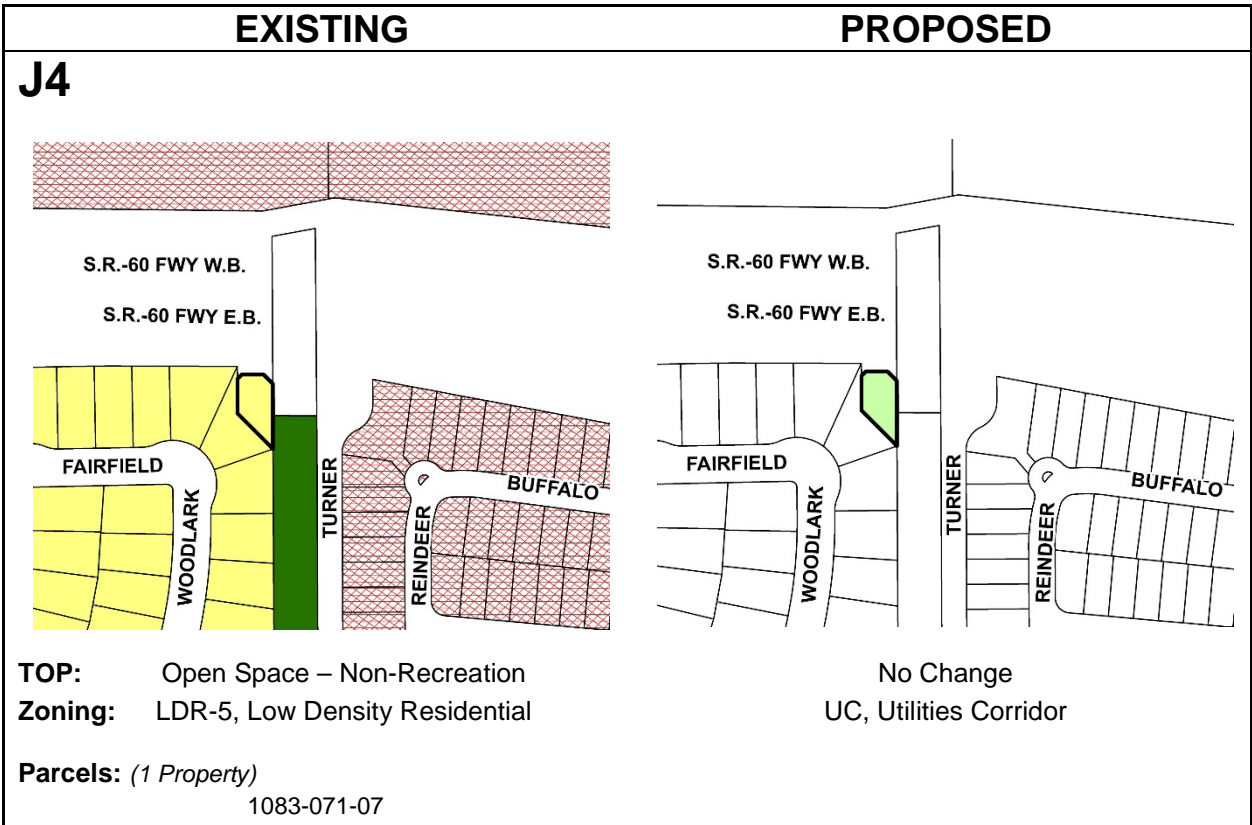


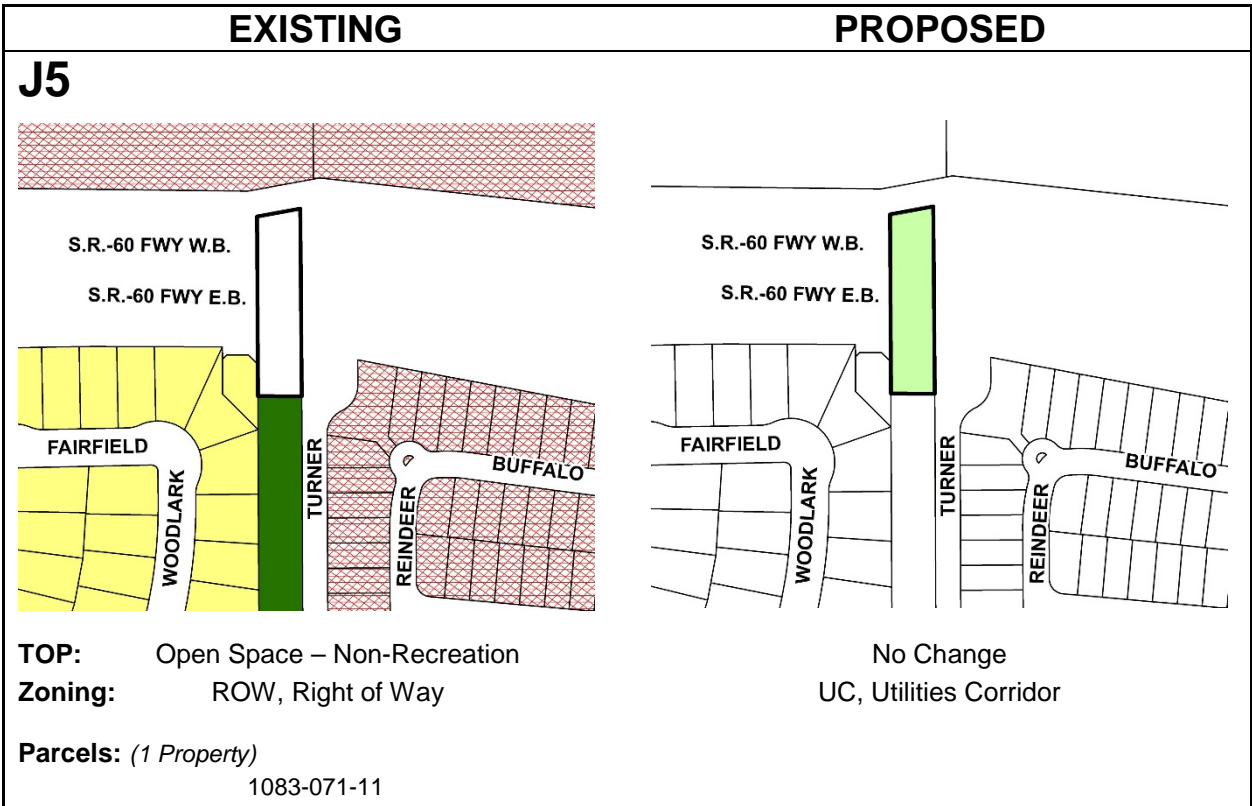


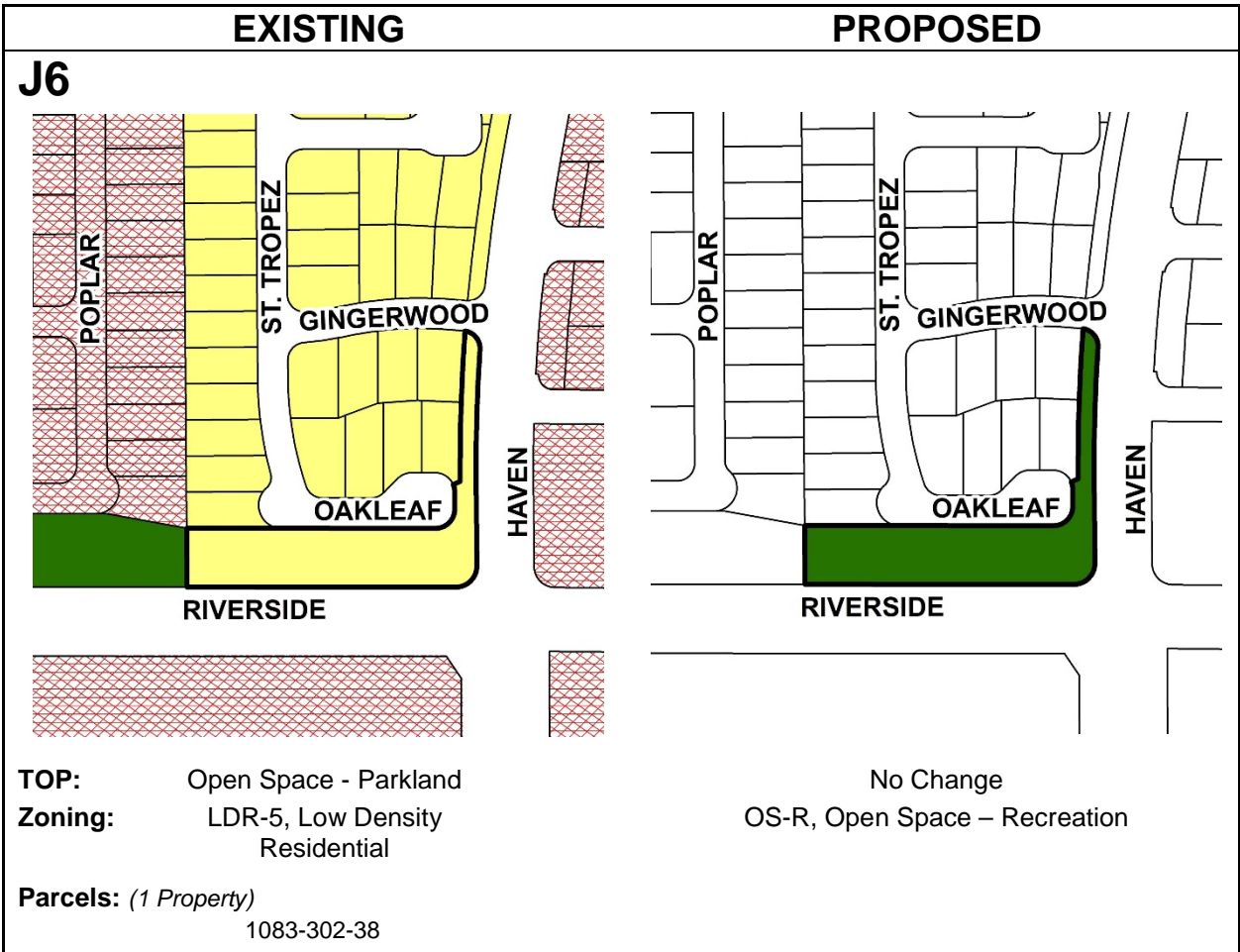


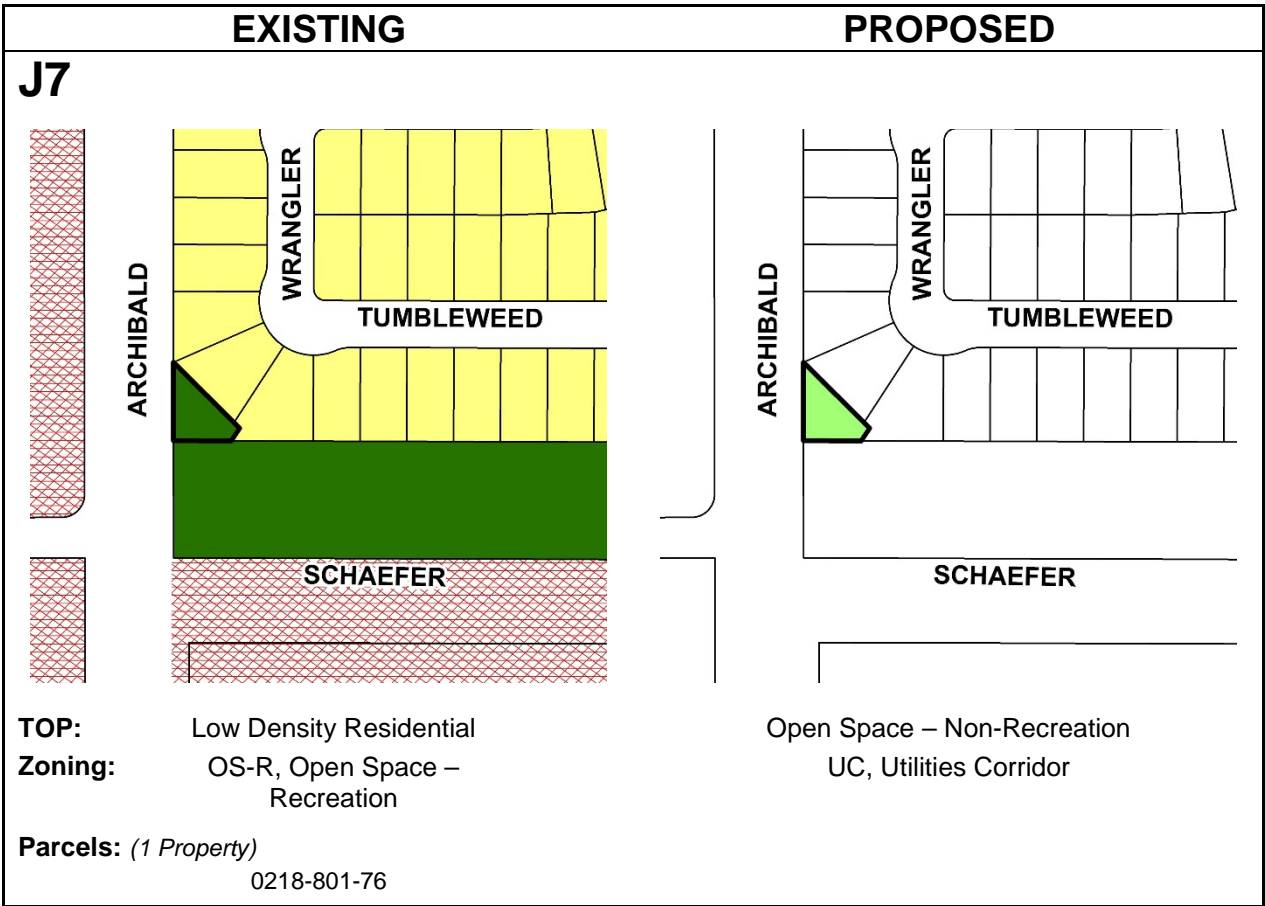


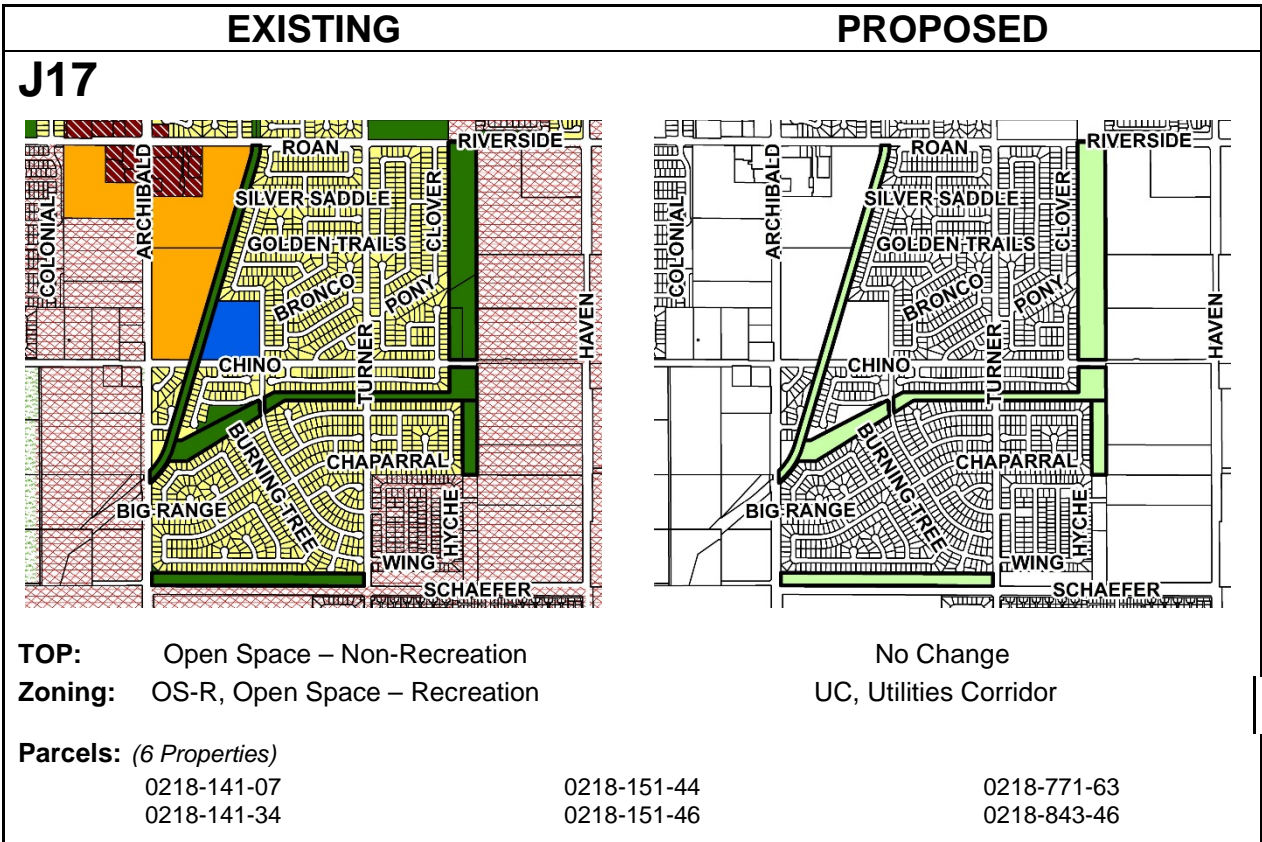


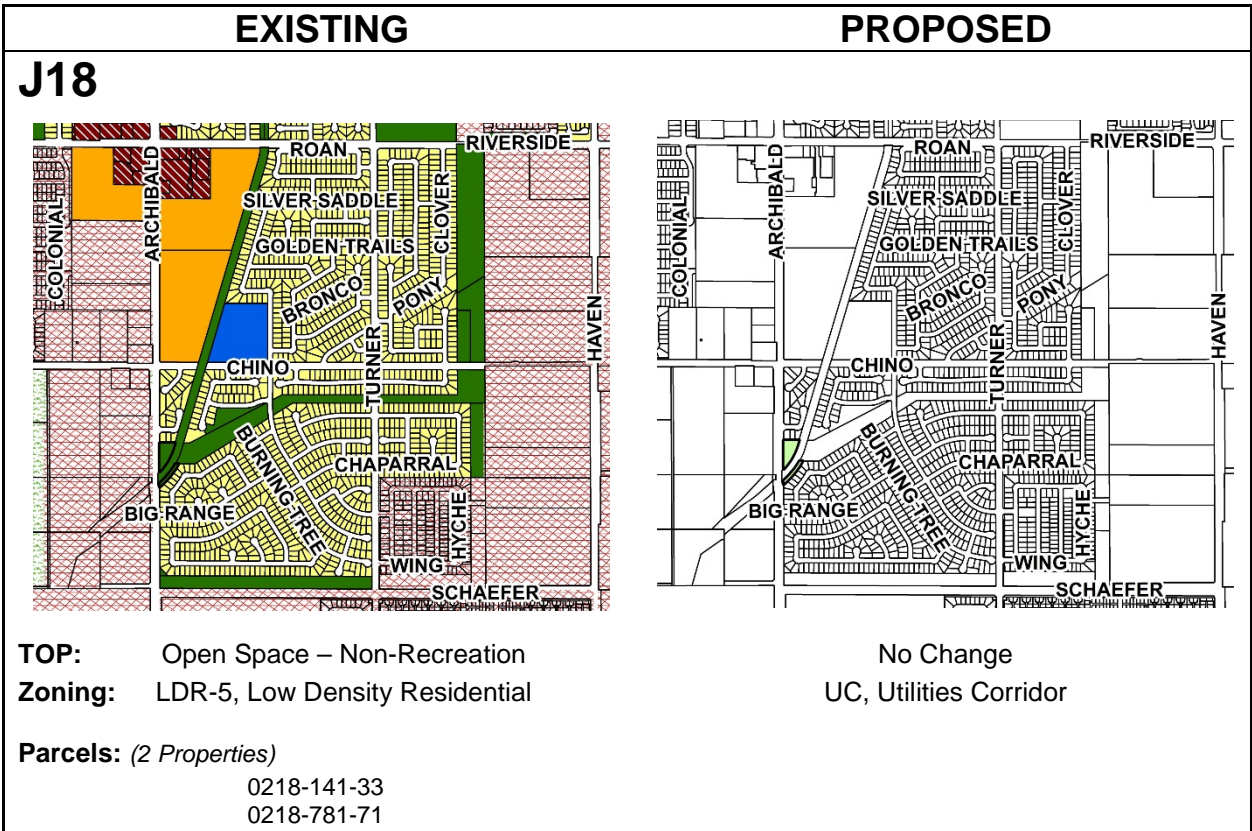


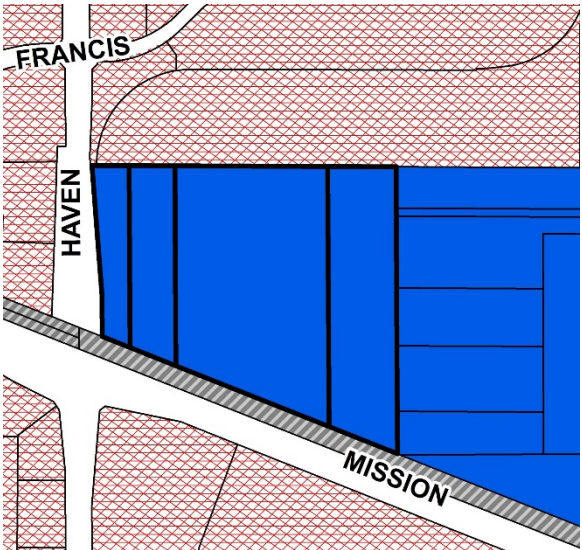



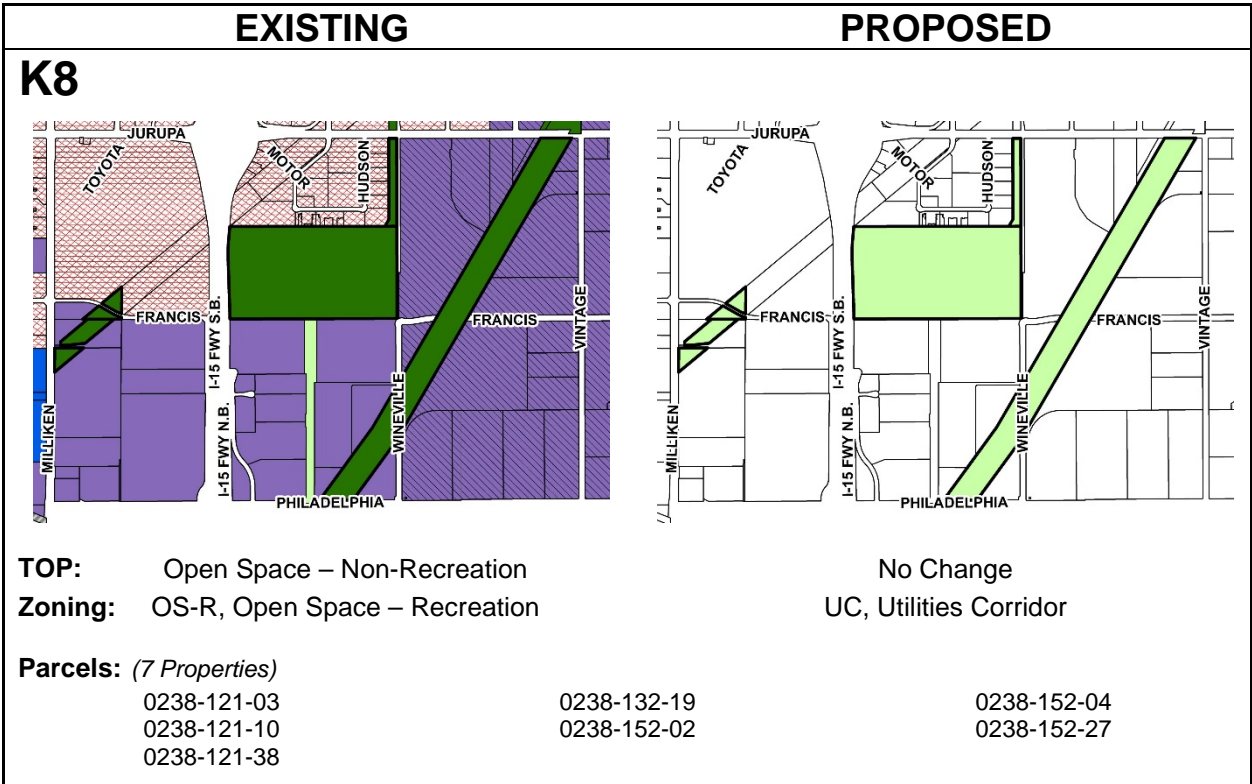




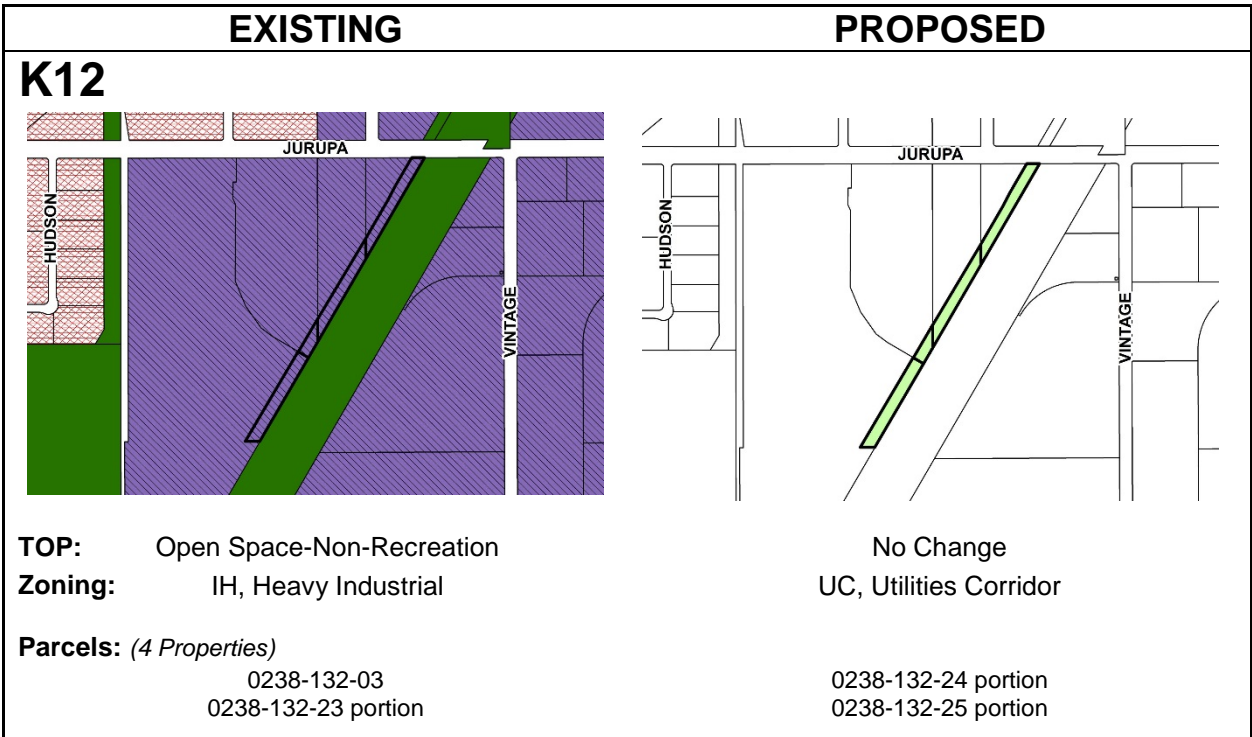


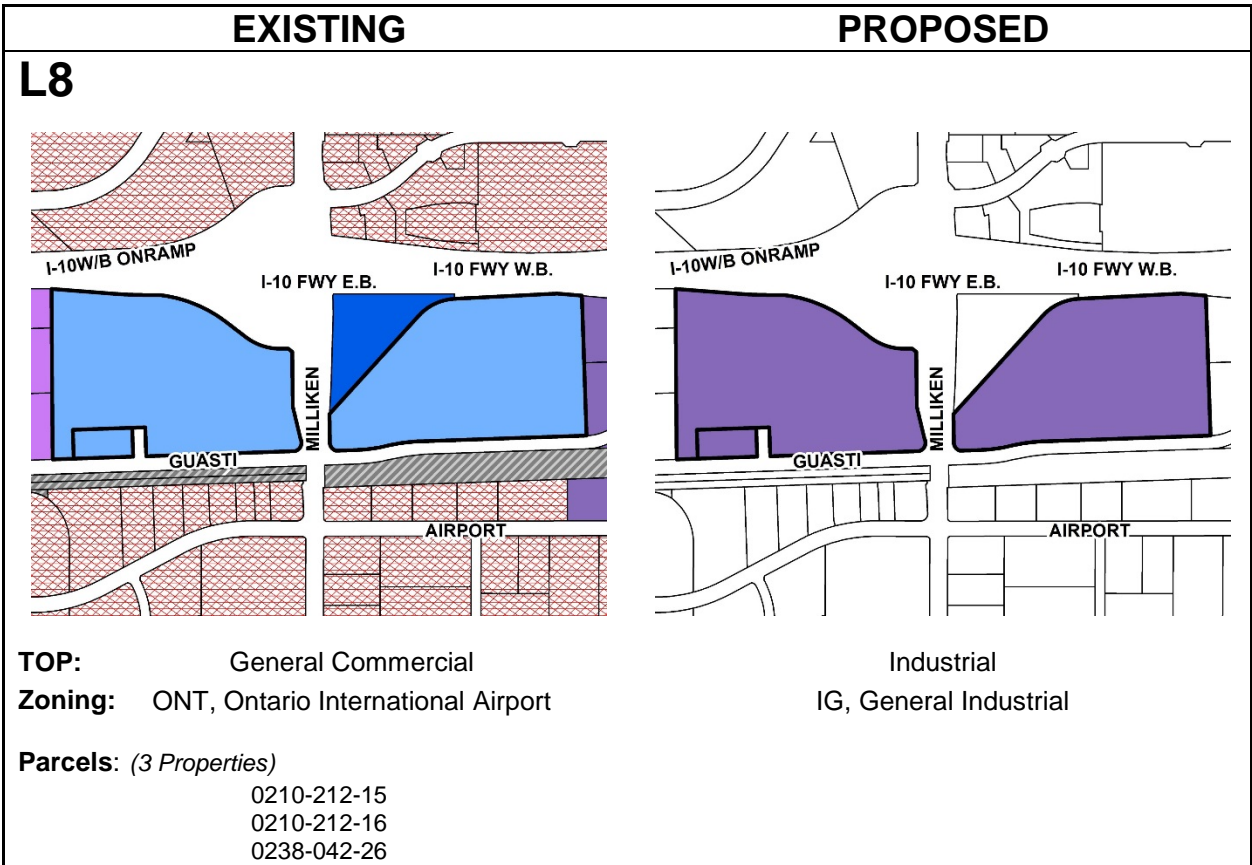


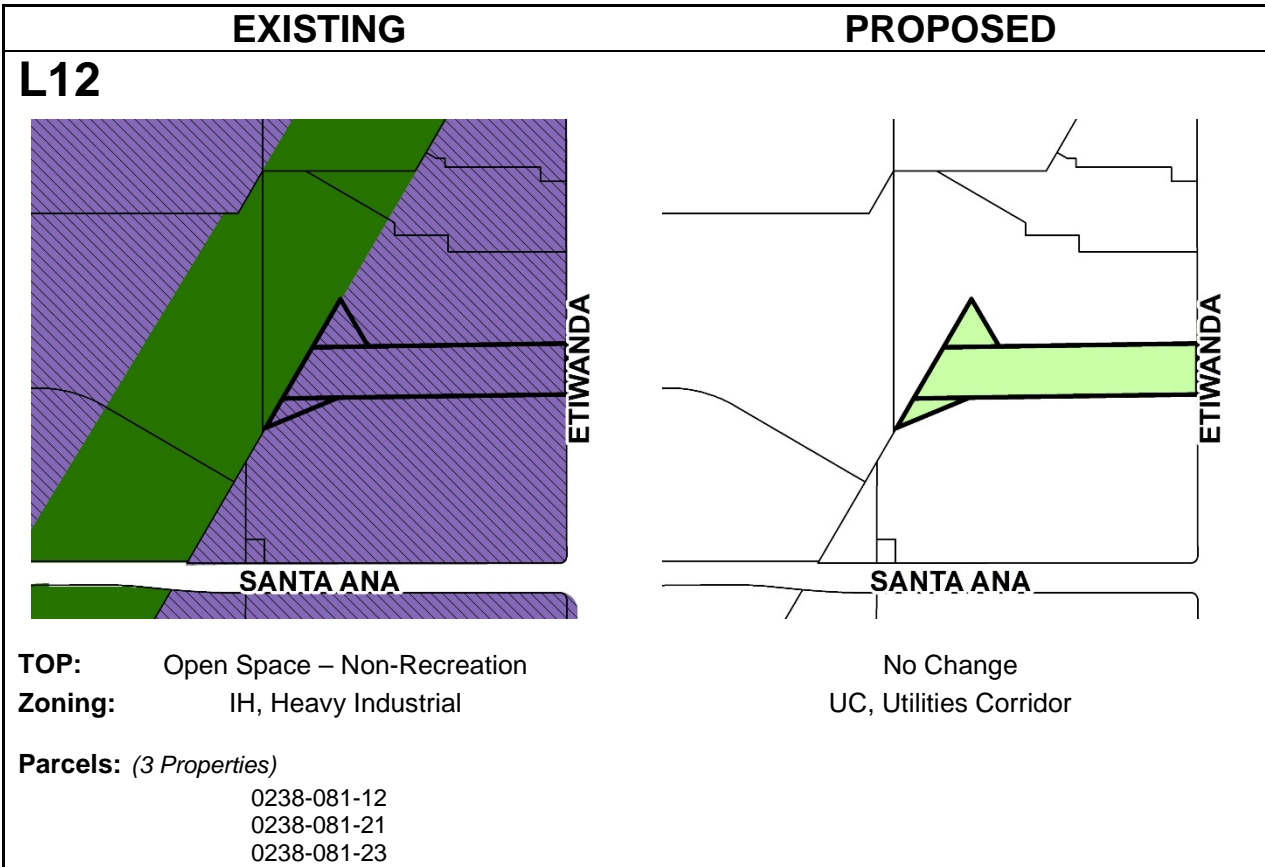
EXISTING	PROPOSED
K3	
	
<p>TOP: Industrial with Landfill Impact Area Overlay</p> <p>Zoning: CIV, Civic</p> <p>Parcels: (4 Properties) 0211-291-02 0211-291-03</p>	<p>No Change</p> <p>IG, General Industrial</p> <p>0211-291-04 0211-291-05</p>

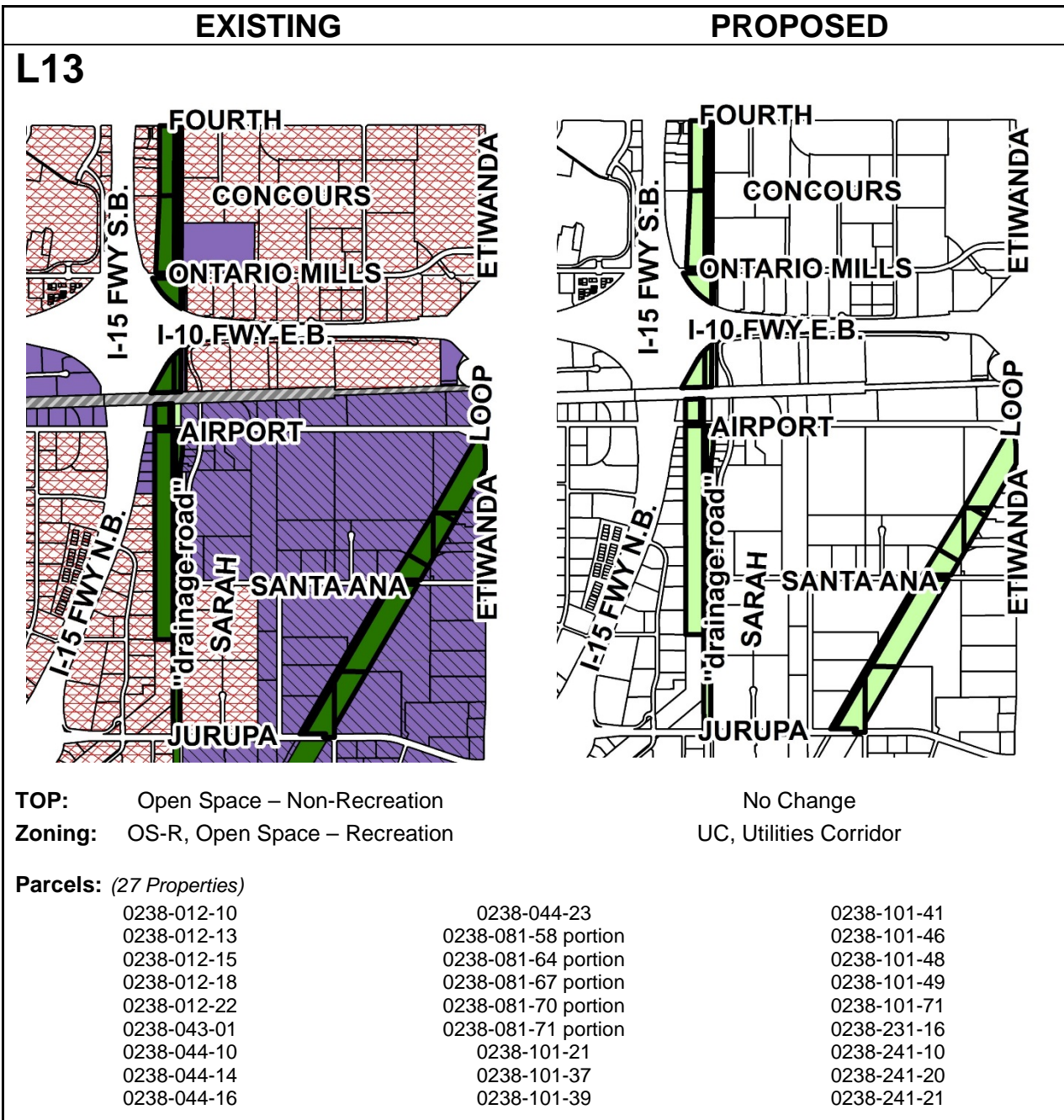


EXISTING		PROPOSED		
K9				
TOP:	Landfill with Landfill Impact Area Overlay	No Change		
Zoning:	CIV, Civic	UC, Utilities Corridor		
Parcels: (37 Properties)				
0211-291-06	0211-311-01	0211-311-09	0211-311-16	0211-321-01
0211-291-07	0211-311-02	0211-311-10	0211-311-17	0211-321-02
0211-291-12	0211-311-03	0211-311-11	0211-311-18	0211-321-09
0211-291-13	0211-311-04	0211-311-12	0211-311-19	0211-321-11
0211-291-14	0211-311-05	0211-311-13	0211-311-20	0211-321-15
0211-291-15	0211-311-06	0211-311-14	0211-311-21	0211-321-15
0211-291-16	0211-311-07	0211-311-15	0211-311-22	0211-321-17
0211-291-17	0211-311-08			











PLANNING COMMISSION STAFF REPORT

January 23, 2018

SUBJECT: A Development Agreement Amendment (Third Amendment – File No PDA13-003) between the City of Ontario and SL Ontario Development Company, LLC to clarify and update the phasing of the construction of public infrastructure to serve Tract Map No’s 18913-1, 18913-2, 18913-3, 18913-4, 18913-5 and 18913. The project is generally located north of the Riverside County Line Channel (Bellegrave Flood Control Channel), south of Eucalyptus Avenue, east of Archibald Avenue, and west of the SCE utility corridor, within Planning Areas 4 through 27, of the Subarea 29 Specific Plan (Park Place Community). **Submitted SL Ontario Development Company, LLC. City Council Action Required.**

PROPERTY OWNER: SL Ontario Development Company LLC

RECOMMENDED ACTION: That the Planning Commission recommend the City Council adopt an ordinance approving the Third Amendment to the Development Agreement (File No. PDA13-003) between SL Ontario Development Company, LLC, and the City of Ontario.

PROJECT SETTING: The project site is comprised of approximately 279 acres of land generally located north of the Riverside County Line Channel (Bellegrave Flood Control Channel), south of Eucalyptus Avenue, east of Archibald Avenue, and west of the SCE utility corridor and is depicted in **Figure 1: Project Location**, to the right.

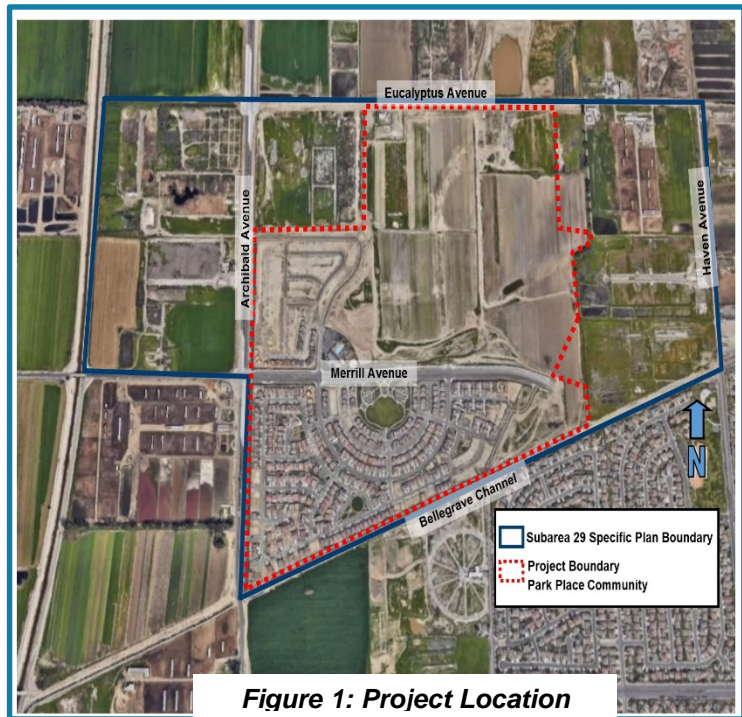


Figure 1: Project Location

PROJECT ANALYSIS:

[1] Background — In November 2006, the City Council approved the Subarea 29 Specific Plan (File No. PSP03-003) and the Environmental Impact Report

Case Planner:	Rudy Zeledon, Principal Planner	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	N/A	N/A	N/A
Submittal Date:	12/22/2017	ZA			
Hearing Deadline:	N/A	PC	01/23/2018		Recommend
		CC			Final

(EIR). The Specific Plan established the land use designations, development standards, and design guidelines for approximately 540 gross acres of land, which included the potential development of 2,293 single-family units and 87,000 square feet of commercial. Subsequently, the City Council approved a Development Agreement, File No. PDA13-003, between the City of Ontario and SL Ontario Development Company, LLC to develop to 279 acres of land within Planning Areas 4 through 27, of the Subarea 29 Specific Plan, known as Park Place.

State law and Section 2.5 of the existing Development Agreement provide the amendments may be made to the Development Agreement, upon the mutual agreement of the parties, using the same process and procedures as for the consideration and approval of the original Development Agreement.

In June 2009, the First Amendment to the Development Agreement was approved by City Council. The First Amendment was considered and approved primarily to comply with loan covenants that the applicant had, requiring a final subdivision map be recorded by a specified date. City staff and the applicant reached an agreement on a proposed Amendment to the Development Agreement that allowed the applicant to obtain a final subdivision map that was sufficiently restricted by the provisions of the First Amendment.

In August 2012, the City and NMC Builders LLC entered into an Amended and Restated Construction Agreement known as the Construction Agreement Amendment. The Construction Agreement Amendment included several modifications that applied to the original Development Agreement between the City and SL Ontario Development Corporation. As a result, in October 2013, the City Council approved a Second Amendment to the Development Agreement, which incorporated new and modified provisions to conform to the Construction Agreement Amendment. In addition, the Amendment incorporated specific requirements for the phased construction and completion of required public infrastructure, including regional and local streets and traffic signals, water and sewer utilities, and regional and local storm drain improvements.

Staff Analysis — The Third Amendment continues to apply to the same area as the original Development Agreement and proposes to clarify and update the phasing of the construction of public infrastructure to serve Tract Map No's 18913-1, 18913-2, 18913-3, 18913-4, 18913-5 and 18913 by cleaning up the map numbering for all three phases and splitting up and revising the Phase III Improvements into Phases IIIA and IIIB. This will allow SL Ontario Development Company, LLC to sell the tracts within phase III to independent developers to develop. Key points of the Third Amendment are as follows:

Phase III

- Splits Phase III into two sub-phases, Phase IIIA and Phase IIIB;
- Splits the public improvements between Phases IIIA & IIIB;

- Eliminates the condition requiring the extension of Parkview Street to Haven Avenue and replaces it with the requirement to construct the northern last lane on Eucalyptus Avenue east of the project frontage;
- Provides a mechanism by which the City may issue grading and encroachment permits prior to final map approval;
- Establishes conditions precedent to issuance of Production Building Permits;
- Allows for the deferral of the traffic signal and back of curb improvements at Celebration Avenue and Eucalyptus Avenue up to the issuance of a maximum of 112 production building permits in Phase III; and
- Provides for the construction of twelve (12) and eighteen (18) models prior to completion of the public improvements in Phases IIIA and IIIB respectively.

Phase II

- Eliminates completion of Celebration Park North as a condition precedent to issuance of Phase IIIC Production Building Permits;
- Ties completion of the Merrill Avenue and Celebration traffic signal and SCE trail to Phase IID; and
- Allows for the deferral of the southern last lane improvements on Merrill Avenue, beyond the project frontage, until the issuance of the 961st building permit for the project or the filing of an application for a final map for PA 27.

The term of the Development Agreement remains at 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, fire, open space/parks 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; and the Park/Open Space Policy Plan requirement of five acres per 1,000 projected population through park dedication and/or the payment of in-lieu fees. Other points addressed by the Agreement include provisions for affordable housing, as required by the Policy Plan, through construction, rehabilitation, or by paying an in-lieu fee, and satisfaction of the Mountain View Elementary School District and Chaffey High School District school facilities requirements.

Staff finds that the Third Amendment 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 for the Third Amendment to the Planning Commission. If the Commission finds the Third Amendment 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
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
 - Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

[2] Vision.

Distinctive Development:

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

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

[3] 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.

➤ LU1-3 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. (Refer to Complete Community Section of Community Economics Element).

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

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

Housing Element:

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

➤ H2-4 New Model Colony. We support a premier lifestyle community in the New Model Colony distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.

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

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

Community Economics Element:

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

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

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

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

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

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

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

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

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

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

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

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

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

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

physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

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

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

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

➤ CD3-6 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 maximum number of dwelling units and density specified within the Subarea 29 Specific Plan. Per the Available Land Inventory, the Subarea 29 Specific Plan is required to provide 2,291 dwelling units with an overall density of 5 DU/AC.

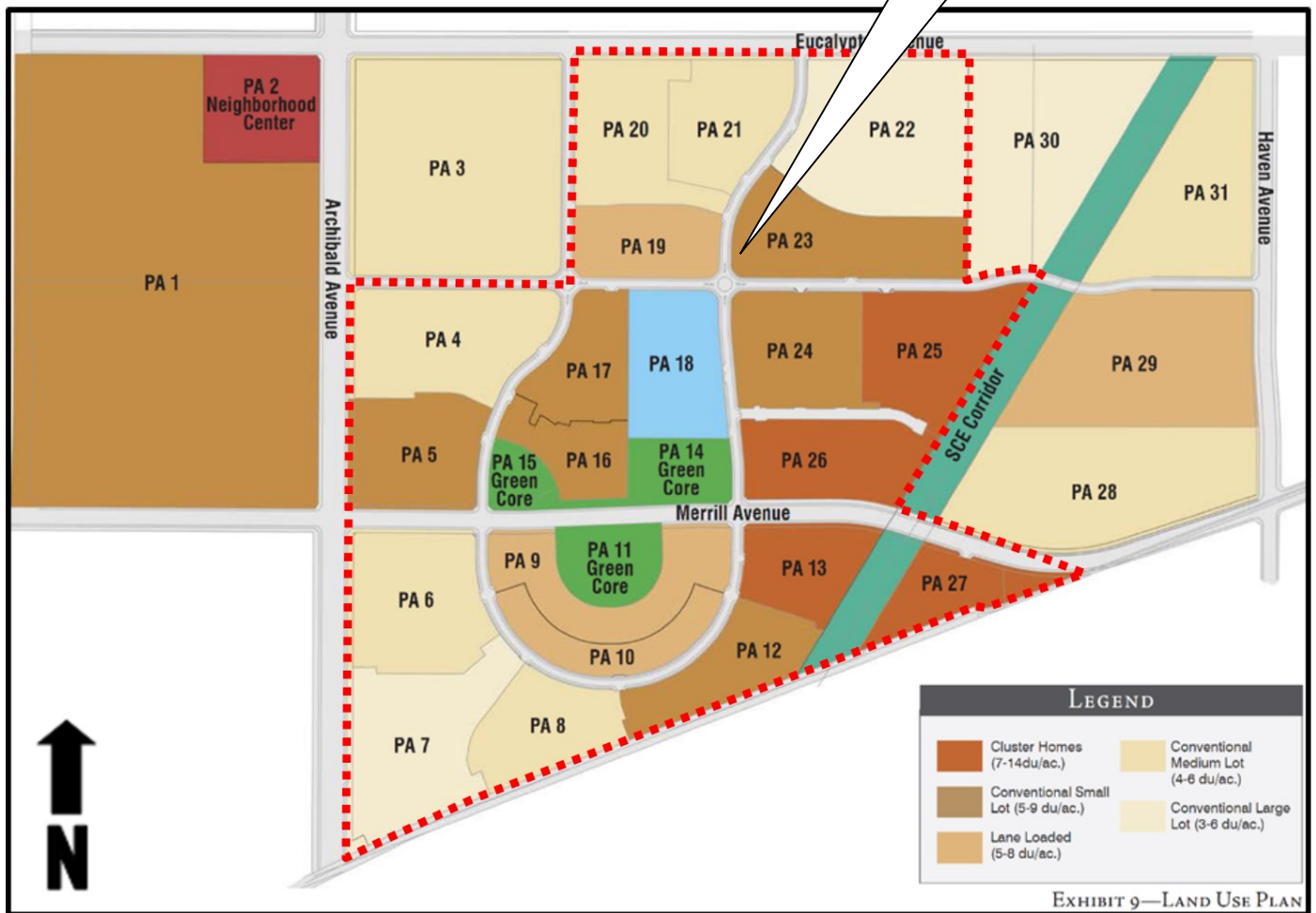
AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with 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. All previously adopted mitigation measures are be a condition of project approval and are incorporated herein by reference.

CONDITIONS OF APPROVAL: See attached department reports.

EXHIBIT "A"
Subarea 29 Specific Plan

Project Site
Park Place



RESOLUTION NO. PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE A THIRD AMENDMENT TO THE DEVELOPMENT AGREEMENT, FILE NO. PDA13-003, BETWEEN THE CITY OF ONTARIO AND SL ONTARIO DEVELOPMENT COMPANY, LLC TO CLARIFY AND UPDATE THE PHASING OF THE CONSTRUCTION OF PUBLIC INFRASTRUCTURE TO SERVE TRACT MAP NO'S 18913-1, 18913-2, 18913-3, 18913-4, 18913-5 AND 18913. THE PROJECT IS GENERALLY LOCATED NORTH OF THE RIVERSIDE COUNTY LINE CHANNEL (BELLEGRAVE FLOOD CONTROL CHANNEL), SOUTH OF EUCALYPTUS AVENUE, EAST OF ARCHIBALD AVENUE, AND WEST OF THE SCE UTILITY CORRIDOR, WITHIN PLANNING AREAS 4 THROUGH 27, OF THE SUBAREA 29 SPECIFIC PLAN (PARK PLACE COMMUNITY), AND MAKING FINDINGS IN SUPPORT THEREOF — APN: 0218-022-02, 0218-563-01 THROUGH 04, 0218-022-10 AND 11, 0218-554-01 THROUGH 68, 218-573-01 THROUGH 06, 0218-033-01 THROUGH 06, 0218-583-01, AND 0218-014-01 THROUGH 07.

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, on November 7, 2006, the City Council of the City of Ontario, adopted Ordinance No. 2844, approving a Development Agreement between SL Ontario Development Company, LLC and the City; and

WHEREAS, on June 16, 2009, the City Council of the City of Ontario, adopted Ordinance No. 2908, approving an Amendment to the Development Agreement between SL Ontario Development Company, LLC and the City; and

WHEREAS, on October 1, 2013, the City Council of the City of Ontario, adopted Ordinance No. 2965, approving a Second Amendment to the Development Agreement between SL Ontario Development Company, LLC and the City; and

WHEREAS, attached to this resolution, marked Exhibit “A” and incorporated herein by this reference, is the proposed Third Amendment to the Development Agreement between SL Ontario Development Company, LLC, and the City of Ontario, File No. PDA13-003. Hereinafter in this Resolution, the Development Agreement is referred to as the “Development Agreement”; and

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with 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. All previously adopted mitigation measures are be a condition of project approval and are incorporated herein by reference; and

WHEREAS, on January 23, 2018, 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 previously adopted addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015, and supporting documentation. Based upon the facts and information contained in the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with the previously adopted addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015. This application introduces no new significant environmental impacts; and

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

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts.

(4) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference.

(5) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and

(6) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the Addendum, all related 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 Environmental Impact Report is not required for the Project, as the Project:

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

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

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

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

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

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

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

SECTION 3. Housing Element Consistency. 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. 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 maximum number of dwelling units and density specified within the Subarea 29 Specific Plan. Per the Available Land Inventory, the Subarea 29 Specific Plan is required to provide 2,291 dwelling units with an overall density of 5 DU/AC.

SECTION 4: Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate

to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the 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 substantial evidence presented to the Planning Commission during the above-referenced hearing on October 24, 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 approximately 279 acres of land generally located north of Riverside County Line Channel (Bellegrave Flood Control Channel), south of Eucalyptus Avenue, east of Archibald Avenue, and west of the SCE utility corridor, within Planning Areas 4 through 27, of the Subarea 29 Specific Plan (Park Place Community), and is presently improved with residential development (Phase 1 of the Park Place Community) and grading and residential construction is on-going (Phase 2 and 3 of the Park Place Community); and

b. The properties to the north of the Project site are within the Grand Park Specific Plan, are designated for open space uses and are vacant. The properties to the south of the project site are developed with single family residents within the City of Eastvale. The properties to the east are within planning areas 28, 29, 30 and 31 -29 of the Subarea 29 Specific Plan and are vacant. The properties to the west are within planning area 1, 2 and 3 of the Subarea 29 Specific Plan (designated for single family residential and commercial) are vacant and developed with a dairy; and

The Third Amendment continues to apply to the same area as the original Development Agreement and proposes to clarify and update the phasing of the construction of public infrastructure to serve Tract Map No's 18913-1, 18913-2, 18913-3, 18913-4, 18913-5 and 18913 by cleaning up the Map numbering for all three phases and splitting up and revising the Phase III Improvements into Phases IIIA and IIIB. This will allow SL Ontario Development Company, LLC to sell the tracts within phase III to independent developers to develop. Key points of the Third Amendment are as follows:

Phase III

- Splits Phase III into two sub-phases, Phase IIIA and Phase IIIB;
- Splits the public improvements between Phases IIIA & IIIB;
- Eliminates the condition requiring the extension of Parkview Street to Haven Avenue and replaces it with the requirement to construct the northern last lane on Eucalyptus Avenue east of the project frontage;

- Provides a mechanism by which the City may issue grading and encroachment permits prior to final map approval;
- Establishes conditions precedent to issuance of Production Building Permits;
- Allows for the deferral of the traffic signal and back of curb improvements at Celebration Avenue and Eucalyptus Avenue up to the issuance of a maximum of 112 production building permits in Phase III; and
- Provides for the construction of twelve (12) and eighteen (18) models prior to completion of the public improvements in Phases IIIA and IIIB respectively.

Phase II

- Eliminates completion of Celebration Park North as a condition precedent to issuance of Phase IIIC Production Building Permits;
- Ties completion of the Merrill Avenue and Celebration traffic signal and SCE trail to Phase IID; and
- Allows for the deferral to complete the southern last lane improvements on Merrill Avenue beyond the project frontage until the issuance of the 961st building permit for the project or the filing of an application for a final map for PA 27.

c. 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 previously adopted addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015, and supporting documentation. This application introduces no new significant environmental impacts; and

d. 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 Third Amendment of the Development Agreement, File No. PDA13-003, to the City Council.

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 23rd day of January 2018, 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, AICP
Assistant Development 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. was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on January 23, 2018 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

Exhibit “A” Development Agreement

**THIRD AMENDMENT TO THE DEVELOPMENT AGREEMENT BY AND
BETWEEN THE CITY OF ONTARIO AND SL ONTARIO DEVELOPMENT
COMPANY, LLC
FILE NO. PDA13-003**

This Third Amendment (hereinafter "Third Amendment") is entered into as of the _____ day of _____ 20__ by and among the City of Ontario, a California municipal corporation (hereinafter "CITY"), and SL ONTARIO DEVELOPMENT COMPANY LLC, a Delaware limited liability company (hereinafter "OWNER").

RECITALS

WHEREAS, the CITY and OWNER's predecessor have previously entered into a Development Agreement dated November 7, 2006 and recorded in San Bernardino County, California on March 19, 2007 as Instrument No. 2007-0171238 pursuant to Section 65864, et seq., of the Government Code, (hereinafter the "Original Development Agreement"); and

WHEREAS, the CITY and OWNER have previously entered into a First Amendment to the Development Agreement dated June 16, 2006 and recorded in San Bernardino County, California on September 14, 2009, as Instrument No. 2009-0403691, pursuant to Section 65864, et seq., of Government Code, (hereinafter the "First Amendment"); and

WHEREAS, the CITY and OWNER have previously entered into a Second Amendment to the Development Agreement dated October 1, 2103 and recorded in San Bernardino County, California on October 3, 2013, as Instrument No. 2013-0431431, pursuant to Section 65864, et seq., of Government Code, (hereinafter the "Second Amendment"); and

WHEREAS, the OWNER's predecessor has previously assigned the entered into an assignment and assumption agreement whereby OWNER's predecessor assigned to OWNER, and OWNER assumed all of the rights, duties and obligations of OWNER's predecessor; and

WHEREAS, the CITY and OWNER have previously entered into the First Supplemental Memorandum, Second Supplemental Memorandum, Third Supplemental Memorandum and Fourth Supplemental Memorandum to the Development Agreement (collectively, "Supplemental Memoranda"); and

WHEREAS, Section 2.5 of the Development Agreement specifies that the Development Agreement may be amended in whole or in part only in the manner provided for in Government Code Section 65868.1 and the procedure for adopting and entering into an amendment to the Development Agreement shall be the same as the procedure for adopting and entering into the Development Agreement; and

WHEREAS, the CITY and NMC Builders, LLC, a California limited liability company (“NMC Builders”), entered into that certain Agreement for the Financing and Construction of Phase I and II Infrastructure Improvements to Serve an Easterly Portion of the New Model Colony dated October 4, 2005, which is referred to both herein and in the Development Agreement as the “Construction Agreement;” and

WHEREAS, the CITY and NMC Builders have entered into the Amended and Restated Construction Agreement dated August 21, 2012 that supersedes and replaces the Construction Agreement (the “Construction Agreement Amendment”); and

WHEREAS, the City and NMC Builders have entered into an Amendment to the Amended and Restated Construction Agreement dated September 19, 2017 (the “First Amendment to the Construction Agreement Amendment”); and

WHEREAS, NMC Builders is identified as the “Developer” under the Construction Agreement Amendment; and

WHEREAS, OWNER is a member of NMC Builders and is a “Member” as such term is defined in the Construction Agreement Amendment; and

WHEREAS, OWNER and CITY have agreed to apply certain specified provisions of the Construction Agreement Amendment and modify the Development Agreement by and between the CITY and OWNER; and

WHEREAS, the CITY and OWNER agree that execution of this Third Amendment shall also constitute Certification of Agreement Compliance under Section 6.4 of the Development Agreement and City shall issue “Certificate of Agreement Compliance” within 20 days following the Effective Date of this Third Amendment.

AGREEMENTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual agreements hereinafter contained, the parties agree as follows:

1. DEFINITIONS AND EXHIBITS.

1.1 Existing Definitions. The following terms when used in this Third Amendment shall be defined as in the Original Development Agreement; the First Amendment to the Development Agreement and the Second Amendment to the Development Agreement: “CITY”; Construction Agreement; Construction Agreement Amendment, Deferred Infrastructure; Development; Effective Date; Existing Development Approvals; Development Exaction; Development Impact Fee; Development Plan; General Plan; Existing Land Use Regulations; “OWNER”; OWNER’s Fire Station No. 9 Capital Contribution, OWNER’s Storm Water Treatment Improvements Capital Contribution; Project, Property, Model Units, Production Units, Specific Plan; Storm Water Capacity Equivalents, Subsequent Development Approvals; and Subsequent Land Use Regulations, Water Availability Equivalents (WAE).

1.2 Revised Definitions. The definitions for the following terms shall be added or revised as follows:

“Phase I Improvements” means the public infrastructure and improvements that shall be designed, constructed and completed by OWNER prior to, and as a condition precedent to, CITY’s issuance of the first building permit for Production Units and as shown in Exhibit F- Phase I Improvements.”

“Phase I Units” means the first four hundred thirty-five (435) units for which the CITY issues building permits to OWNER and shall include up to thirty-five (35) Model Units.

“Phase II Units” means the residential units to be constructed in the Phase IIA, IIB, IIC and IID areas of the Property, as shown on the attached Exhibit “E-R3” titled “Conceptual Phasing Plan”.

“Phase II Improvements” means the public infrastructure and improvements that shall be designed, constructed and completed by OWNER for Phase II in phases, as shown on the attached Exhibits titled “Exhibit F- Phase IIA Improvements”, “Exhibit F-Phase IIB Improvements”, “Exhibit F-Phase IIC Improvements”, and “Exhibit F-Phase IID Improvements”.

“Phase II Area” means the combined areas with Phase IIA, IIB, IIC and IID, as shown on the attached Exhibit E-R3 titled “Conceptual Phasing Plan,” including the areas within Tract Nos. 18266, 18267, 18977, 18978, 18998, 18073, 18074 and the area described as “PA 27”.

“Phase IIA Improvements” means the public infrastructure and improvements, as described in the conditions of approval for Tract Nos. 18266 and 18267 and as further described in the attached Exhibit F- “Phase IIA Improvements”.

“Phase IIA Units” means the Production Units in Tract Nos. 18266 and 18267, excluding a maximum of twelve (12) Model Units.

“Phase IIB Improvements” means the public infrastructure and improvements as described in the conditions of approval for Tract Nos. 18977 and 18978 and as further described in the attached Exhibit “F-Phase IIB Improvements”.

“Phase IIB Units” means the Production Units in Tract Nos. 18977 and 18978, excluding a maximum of twelve (12) Model Units.

“Phase IIC Improvements” means the public infrastructure and improvements as described in the conditions of approval of Tract Nos. 18073, 18074 and 18998 and as further described in the attached Exhibit F- “Phase IIC Improvements”.

“Phase IIC Units” means the Production Units in Tract Nos. 18073, 18074 and 18998, excluding a maximum of twenty (20) Model Units.

“Phase IID Improvements” means the public infrastructure and improvements described in the attached “Exhibit F -Phase IID Improvements”.

“Phase IID Units” means the Production Units in Planning Area 27, excluding a maximum of six (6) Model Units.

“Phase III Improvements” means the public infrastructure and improvements that shall be designed, constructed and completed by OWNER for Phase III in phases, as shown on the attached “Exhibit F-Phase IIIA Improvements” and “Exhibit F- Phase IIIB Improvements”.

“Phase III Units” means the units in Phases IIIA and IIIB inclusive of the Phase IIIA Units in Tract Nos. 18067 and 18068 and the Phase IIIB Units in Tract Nos. 18065, 18066 and 18081 for which the CITY issues building permits to OWNER.

“Phase III Area” means the combined areas within Phase IIIA and IIIB as shown on the attached Exhibit E-R3 titled “Conceptual Phasing Plan”, including tracts 18065, 18066, 18067, 18068 and 18081.

“Improvement or Improvements” means those public improvements required to support the development of the Project, as described in the Tract Map conditions for the “A” Tract Map No’s 18913-1, 18913-2, 18913-3, 18913-4, 18913-5 and 18913 and the “B” Tract Maps for Tract Nos. 18075, 18076, 18077, 18078, 18079, and 18080 and as set forth on the attached Exhibits: Exhibit F-Phase IIA Improvements“, “Exhibit F- Phase IIB Improvements,” Exhibit F- Phase IIC Improvements, “Exhibit F – Phase IID Improvements, “Exhibit F – Phase IIIA Improvements” and Exhibit F – Phase IIIB Improvements” which describe Improvements for Phases 1, IIA, IIB, IIC, IID, IIIA and IIIB.

“Phase IIIA Additional Model Units” means a maximum of twelve (12) units constructed by OWNER prior to the construction of any Production Units and not offered for sale and occupancy prior to the issuance of building permits for any Production Units in Phase III A.

“Phase IIIA Improvements” means the public infrastructure and improvements, as described in the conditions of approval of “A” map Tract No. 18913-5, and “B” map Tract Nos. 18067 and 18068 and as further described in the attached Exhibit F- “Phase IIIA Improvements”.

“Phase IIIA Units” means the residential Production Units within Tract Nos. 18067 and 18068 of Phase IIIA.

“Phase IIIB Additional Model Units” means a maximum of eighteen (18) units constructed by OWNER prior to the construction of any Production Units in Phase IIIB and not offered

for sale and occupancy prior to the issuance of building permits for any Production Units in Phase IIIB.

“Phase IIIB Improvements” means the public infrastructure and improvements as described in the conditions of approval of “A” map Tract No. 18913 and “B” map Tract Nos. 18065, 18066 and 18081 and as further described in the attached Exhibit F-Phase IIIB Improvements”.

“Phase IIIB Units” means the residential Production Units within Tract Nos. 18065, 18066 and 18081 of Phase IIIB.

1.3 Revised Exhibits. The following documents are attached to, and by this reference made a part of, this Third Amendment. These revised Exhibits shall replace previous attached Exhibits to the Original Development Agreement, the First Amendment to the Development Agreement, the Second Amendment to the Development Agreement and the Supplemental Memoranda.

Exhibit E-R3 - “Conceptual Phasing Plan”

Exhibit F- “Phase IIA Improvements”

Exhibit F- “Phase IIB Improvements”

Exhibit F- “Phase IIC Improvements”

Exhibit F- “Phase IID Improvements”

Exhibit F – “Phase IIIA Improvements”

Exhibit F – “Phase IIIB Improvements”

2. Revised Phasing Plan. Section 3.4 of the Development Agreement is deleted in its entirety and replaced by the following:

“3.4 Phasing Plan. Development of the Property is contingent on the phasing of infrastructure improvements. Attached hereto as Exhibit “E-R3” is a revised phasing plan which is based on the OWNER’s established phasing for the completion of needed infrastructure improvements and the availability of improvements and services to serve Tract Map No’s 18913-1, 18913-2, 18913-3, 18913-4, 18913-5 and 18913.”

3. Revised Phase II References. Section 3.7.2.2 of the Development Agreement is deleted in its entirety and replaced by the following:

“3.7.2.2 (a) CITY and OWNER agree that OWNER shall file an application with CITY for approval of “A” map Tract Map No. 18913-2 and shall design, construct and

complete all public infrastructure for the areas within Phase IIA, as shown in the attached collective exhibits of Exhibit F-Phase IIA Improvements prior to, and as a condition precedent to, CITY's issuance of any building permits for any Production Units in the Phase IIA area, inclusive of the areas covered by "B" map Tract No. 18267 and "B" map Tract No. 18266. CITY and OWNER also agree that all Subdivision/Tract Map conditions, all other required improvements and all other conditions or requirements of "B" map Tract Map No. 18266 and "B" map Tract Map No. 18267 shall be completed and operational prior to, and as a condition precedent to, CITY's granting of a building permit for the Phase IIA Units.

(b) CITY and OWNER agree that OWNER shall file an application with CITY for approval of "A" map Tract Map 18913-3 and shall design, construct and complete all public infrastructure for the areas within Phase IIB, as shown in the attached collective exhibits of Exhibit F-Phase IIB Improvements prior to, and as a condition precedent to, CITY's issuance of any building permits for any Production Units in the Phase IIB area, inclusive of the areas covered by "B" map Tract No. 18977 and "B" map Tract No. 18978. CITY and OWNER agree that all Subdivision/Tract Map conditions, all other required improvements and all other conditions or requirements of "B" map Tract Map No. 18977 and "B" map Tract No. 18978 shall be completed and operational prior to, and as a condition precedent to, CITY's granting of a building permit for Phase IIB Units.

(c) CITY and OWNER agree that OWNER shall file an application with CITY for approval of "A" map Tract Map 18913-4 and shall design, construct and complete all public infrastructure for the areas within Phase IIC, as shown in the attached collective exhibits of Exhibit F-Phase IIC Improvements prior to, and as a condition precedent to, CITY's issuance of any building permits for any Production Units in the Phase IIC area, inclusive of the areas covered by "B" map Tract No. 18073, "B" map Tract No. 18074 and "B" map Tract No. 18998. CITY and OWNER agree that all Subdivision/Tract Map conditions, all other required improvements and all other conditions or requirements of "B" map Tract Map No. 18073, "B" map Tract Map No. 18074 and "B" map Tract Map No. 18998 shall be completed and operational prior to, and as a condition precedent to, CITY's granting of a building permit for Phase IIC Units.

(d) CITY and OWNER agree that OWNER shall file an application with CITY for approval of "A" map Tract Map No. 18913-4 and shall design, construct and complete the Phase IID Improvements for the area within Phase IID, as shown in the attached collective exhibits of Exhibit F-Phase IID prior to, and as a condition precedent to, CITY's issuance of any building permits for any Production Units in the Phase IID area, inclusive of the areas covered by Planning Area 27.

Notwithstanding (d) of the above, CITY and OWNER agree that OWNER may defer the design and construction of the portion of the street Improvements to the South side of Merrill Avenue beyond the Eastern limits of Planning Area 27 to an intersection with Haven/Sumner Avenue. CITY and OWNER agree that OWNER shall acquire and dedicate the necessary Rights of Way and shall design and construct such

deferred Improvements prior to and a condition precedent to, either: (i) submittal of application by OWNER to CITY for CITY approval and recordation of a Final Tract Map for all or any portion of Planning Area 27; or (ii) OWNER requesting and CITY granting of the nine-hundred sixty first (961st) building permit for Production Units within the Property, whichever comes first.”

4. Revised Phase III References. Section 3.7.2.3 of the Development Agreement deleted in its entirety and replaced by the following:

“3.7.2.3 (a) CITY and OWNER agree that OWNER shall file an application with CITY for approval of “A” map Tract Map No. 18913-5 and “A” map Tract Map No. 18913 and shall design, construct and complete all Phase IIIA Improvements as shown in Exhibit F- Phase IIIA Improvements prior to, and as a condition precedent to, the earlier of: CITY’s issuance of the nine hundred sixty fourth (964th) building permit for the Property or CITY’s issuance of the first building permit for any Production Units in the Phase IIIA area inclusive of all Production Units in “B” map Tract Map Nos. 18067, or 18068.

(b) CITY and OWNER agree that the extension of Parkview Avenue to Haven Avenue shall no longer be required as a condition of approval for Tract 18067 and 18068 and the construction of the northern last lane street improvements on Eucalyptus Avenue from the eastern boundary of “A” map Tract Map No. 18913-5 to Haven Avenue shall be required as a condition of approval for “B’ map Tract Nos. 18067or 18068 and as shown on Exhibit F- Phase IIIA Improvements.

(c) CITY and OWNER agree that CITY may issue grading and encroachment permits prior to recordation of Final Maps for “B” map Tract Nos. 18067, 18068, or “A” map Tract Nos. 18913-5 or 18913, subject to the OWNER providing CITY with an “at risk” letter, in a form acceptable to the City Manager, acknowledging that the improvements are being installed at the OWNER’s risk and subject to OWNER meeting all other CITY requirements for the issuance of such Encroachment Permits.

(d) CITY and OWNER agree that OWNER may defer the completion of the Celebration Avenue / Eucalyptus Avenue traffic signal and the Eucalyptus Avenue Improvements that are outside of the street curb (underground utilities and streetlights behind the back of curb) as described in Exhibit F – Phase IIIA Improvements. CITY’s agreement to allow OWNER to defer the completion of the construction of the traffic signal is conditioned upon OWNER’s agreement that OWNER shall complete the Celebration Avenue / Eucalyptus Avenue traffic signal and the Eucalyptus Avenue Improvements that are outside of the street curb (underground utilities and streetlights behind the back of curb) prior to, and as a condition precedent to, OWNER requesting and the CITY granting a building permit for the one-hundred twelfth (112th) Production Unit in the Phase III Area.

(e) CITY and OWNER agree that OWNER shall not be required to construct full Right of Way Improvements on Celebration Avenue, however, OWNER shall be required to construct the curb-to-curb improvements to Celebration Avenue as described in Exhibit F- Phase IIIA Improvements.

(f) CITY and OWNER agree that OWNER shall be required to construct Improvements on Eucalyptus Avenue along the frontage of "A" map Tract Nos. 18913-5 and 18913 which shall be comprised of full curb to curb street improvements as described in Exhibit F- Phase IIIA Improvements and OWNER shall also be required to construct improvements to extend Eucalyptus Avenue to Haven Avenue from the eastern boundary of the "A" map Tract No. 18913-5 as described in Exhibit F- Phase IIIA Improvements.

3.7.2.3 (g) CITY and OWNER agree that the provisions of this Section 3.7.2.3 (a) through (f), to the extent they may be in conflict with the Subdivision Agreement and/or Tract Map conditions or requirements of the "A" Tract Map 18913-5 or the "B" Tract Map- Nos. 18067 or 18068, shall supersede and take precedence over such Subdivision Agreement provisions and/or Tract Map conditions and requirements. Notwithstanding, and except as expressly set forth herein in Sections 3.7.2.3 (a) through (g) above all other required improvements and all other conditions or requirements of the "A" Tract Map 18913-5 shall be completed and operational prior to, and as a condition precedent to, CITY's granting of a building permit for any Phase IIIA Unit.

3.7.2.3 (h) CITY and OWNER agree that OWNER shall file an application with CITY for approval of "A" map Tract Map 18913 and shall design, construct and complete all Phase IIIB Improvements as shown in Exhibit F- Phase IIIB Improvements prior to, and as a condition precedent to, the earlier of: CITY's issuance of the one-thousand one hundred and thirty first (1,131st) building permit for the Property; or CITY's issuance of any building permit for any Production Units in the Phase IIIB area, inclusive of all Production Units in "A" map Tract Map No 18913 and "B" map Tract Map Nos. 18065, 18066 and 18081.

3.7.2.3 (i) CITY and OWNER agree that the provisions of this Section 3.7.2.3 (a) through (h), inclusive, to the extent they may be in conflict with the Subdivision Agreement and/or Tract Map conditions or requirements of the "A" Tract Map 18913 or the "B" Tract Map Nos. 18065, 18066 and 18081, shall supersede and take precedence over such Subdivision Agreement provisions or Tract Map conditions and requirements. Notwithstanding and except as expressly set forth herein all other required improvements and all other conditions or requirements of the "A" Tract Map No. 18913-5 shall be completed and operational prior to, and as a condition precedent to, CITY's granting of a building permit for any Phase IIIB Unit. Additionally, except as expressly set forth herein in Sections 3.7.2.3 (a) through (h), inclusive, all other required improvements and all of the conditions for each Tract Map within Phase IIIB area shall be completed and operational prior to, and as condition precedent to, OWNER requesting and CITY's granting of a building permit for any Production Unit within any such "B" Tract Map."

5. Modification of Second Supplemental Memorandum. Section 2.e.ii of the Second Supplemental Memorandum is deleted in its entirety.

6. Section 5. FINANCING OF PUBLIC IMPROVEMENTS. All provisions of Section 5 of the Development Agreement titled "FINANCING OF PUBLIC IMPROVEMENTS" shall continue and shall be unaffected by this Third Amendment.

7. Additional Model Units. A new Section 3.4.1.1 shall be added to the Development Agreement as follows:

“3.4.1.1 In addition to the previously constructed Model Units and subject to the prior submittal by OWNER and approval by CITY of a plan to provide sufficient public infrastructure for the construction the Phase IIIA Additional Model Units and the Phase IIIB Additional Model Units, OWNER may request and CITY shall issue a maximum of thirty (30) additional building permits for Model Units. The plan to be submitted by OWNER for CITY approval shall describe the utilities and other infrastructure necessary to provide sufficient fire protection and other public health and safety requirements for the Phase IIIA and the Phase IIIB Additional Model Units.”

8. INTEGRATION.

8.1 Integration of Previous Understandings and Clarifications. This Third Second Amendment reflects the complete understanding of the parties with respect to the subject matter hereof. To the extent this Third Amendment conflicts with the Development Agreement, the First Amendment, the Second Amendment and/or the Supplemental Memoranda, this Third Amendment supersedes such previous document(s). In all other respects, the parties hereto re-affirm and ratify all other provisions of the Development Agreement, the First Amendment, the Second Amendment and the Supplemental Memoranda. This Third Amendment shall be recorded against the Property within 60 days following its full execution.

IN WITNESS WHEREOF, the parties hereto have executed this Third Amendment as of the date the ordinance adopting this Third Amendment becomes effective.

SIGNATURE PAGE
TO THIRD AMENDMENT TO DEVELOPMENT AGREEMENT BY AND BETWEEN
THE CITY OF ONTARIO AND SL ONTARIO DEVELOPMENT COMPANY LLC

"OWNER"

**SL ONTARIO DEVELOPMENT COMPANY
LLC**, a Delaware California limited liability
company

By: _____

Name: John M. Goodman

Its: Authorized Agent

Date: _____

By: _____

Name: Keyvan Razi

Its: Authorized Agent

Date: _____

"CITY"

CITY OF ONTARIO

By: _____

Scott Ochoa, City Manager

Date: _____

ATTEST:

City Clerk, Ontario

APPROVED AS TO FORM:
BEST, BEST & KRIEGER LLP

City Attorney

EXHIBIT "E-R3" – CONCEPTUAL PHANNING PLAN

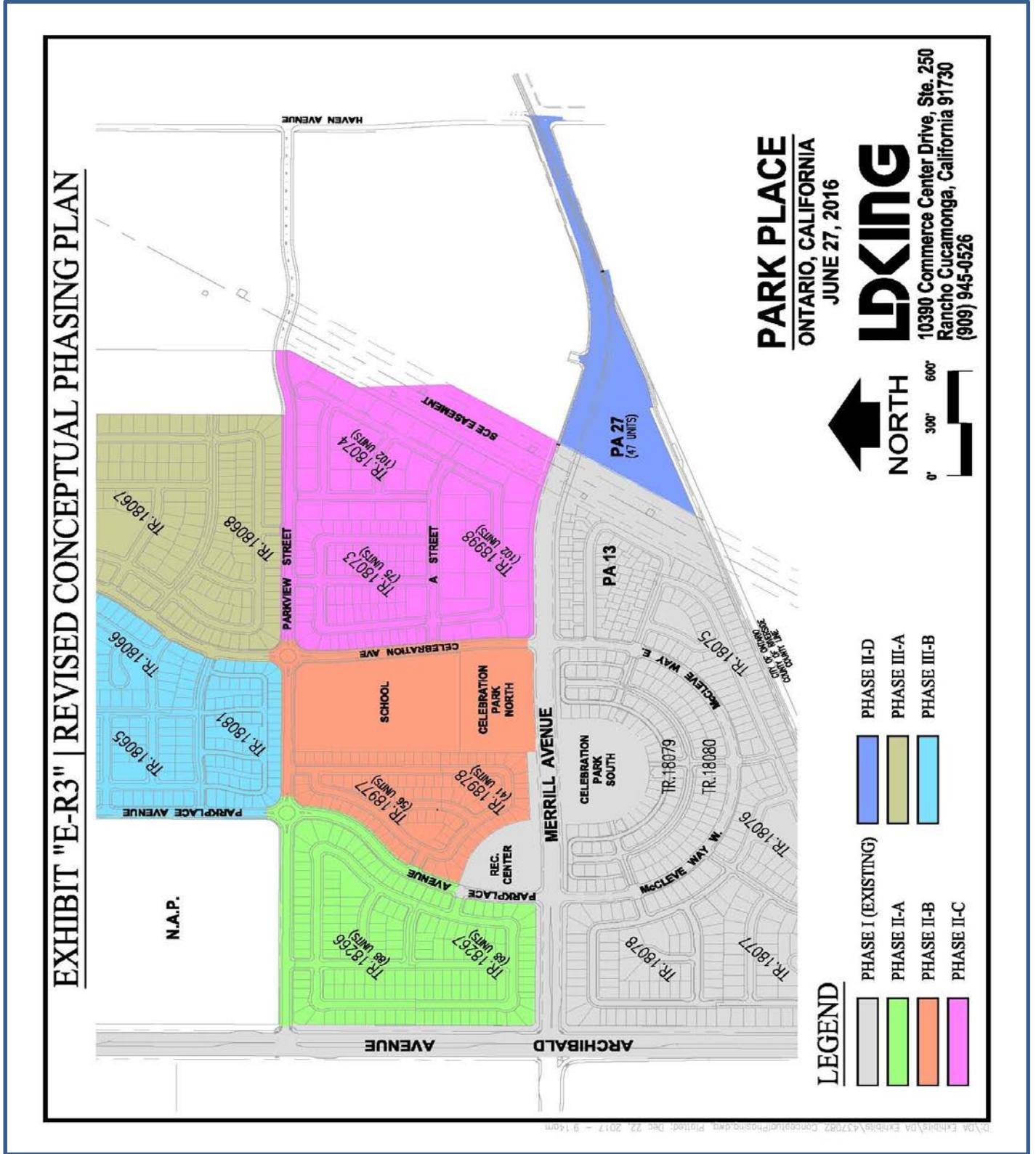


EXHIBIT F- PHASE IIA IMPROVEMENTS

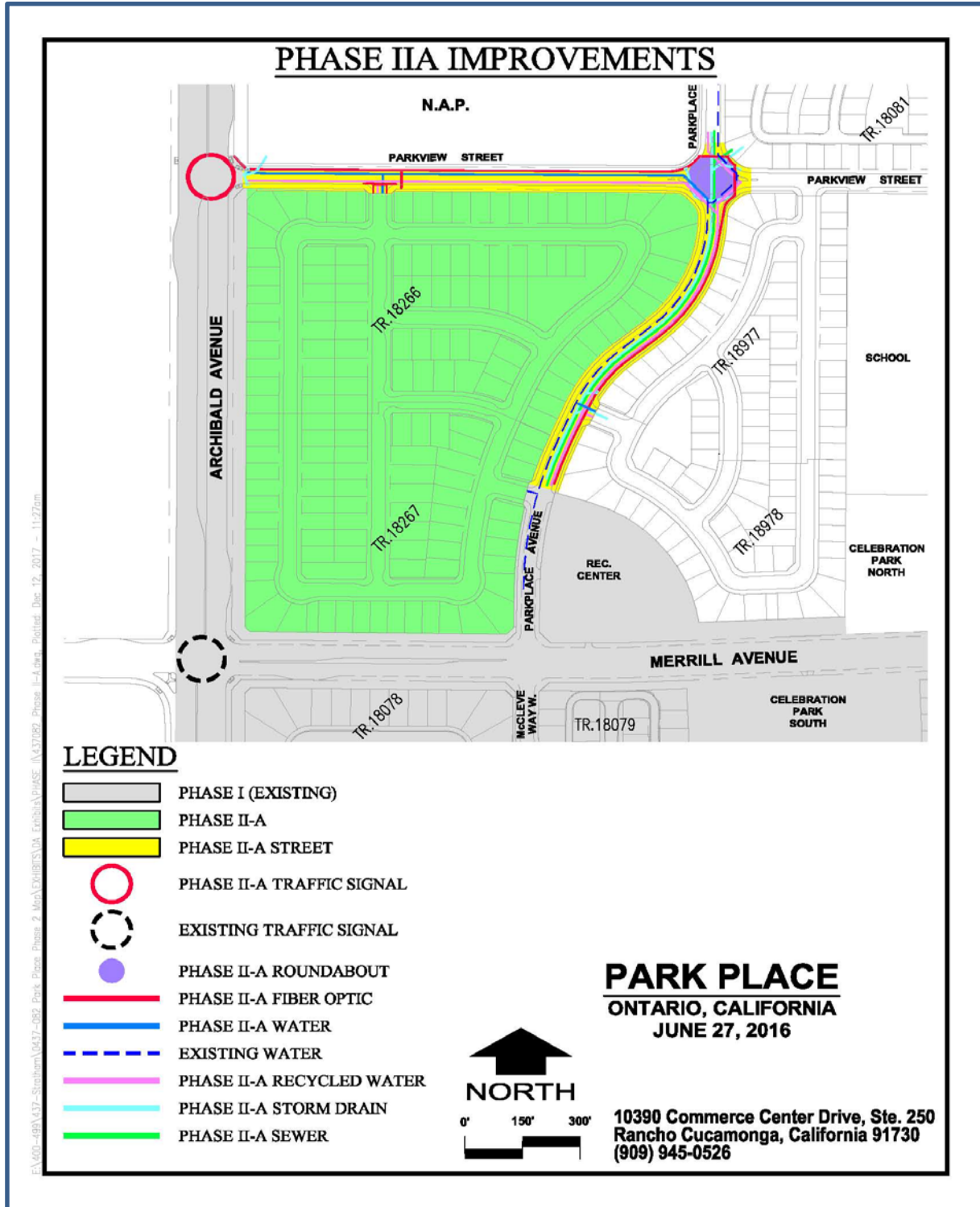


EXHIBIT F- PHASE IIB IMPROVEMENTS

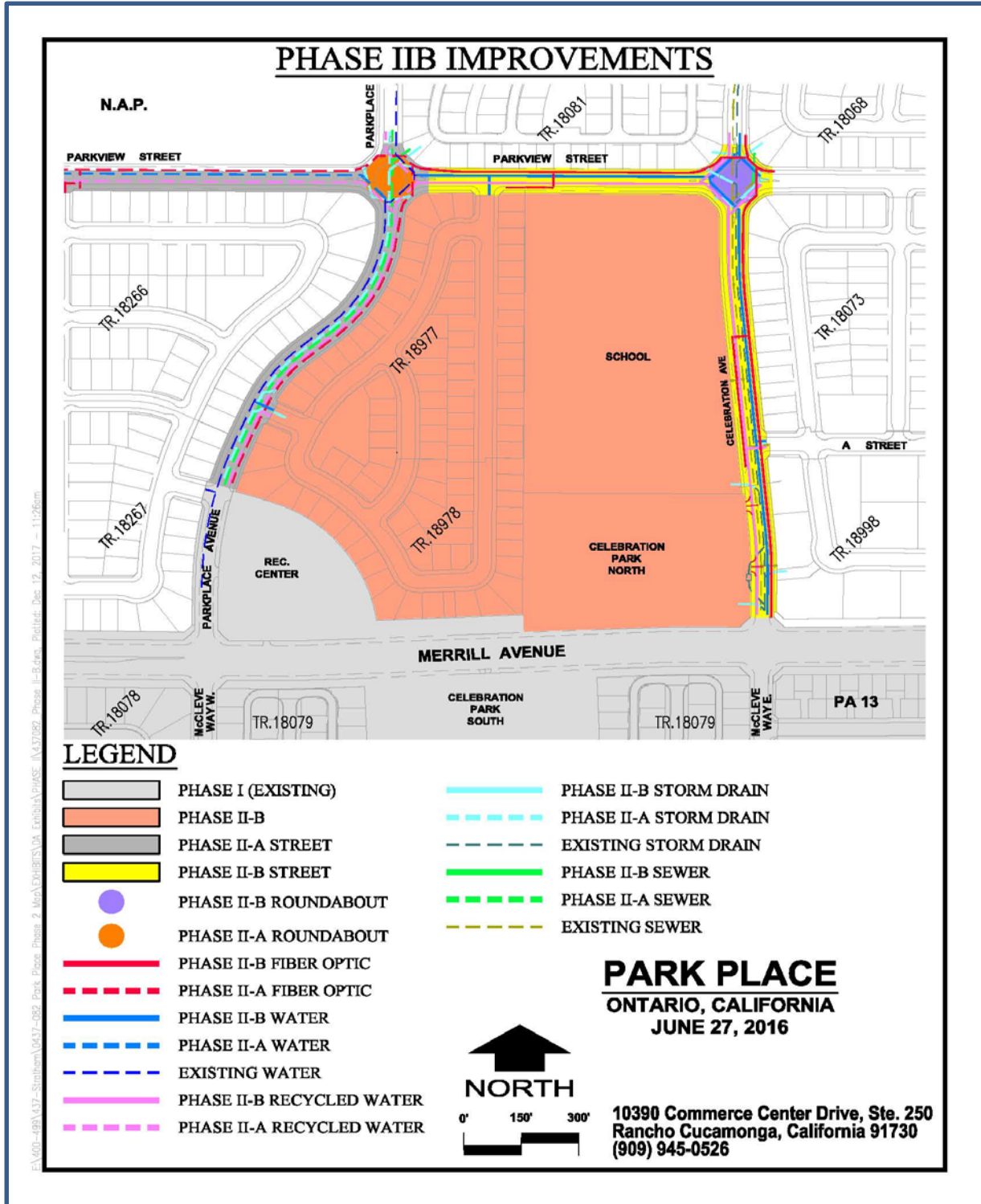


EXHIBIT F- PHASE IIC IMPROVEMENTS

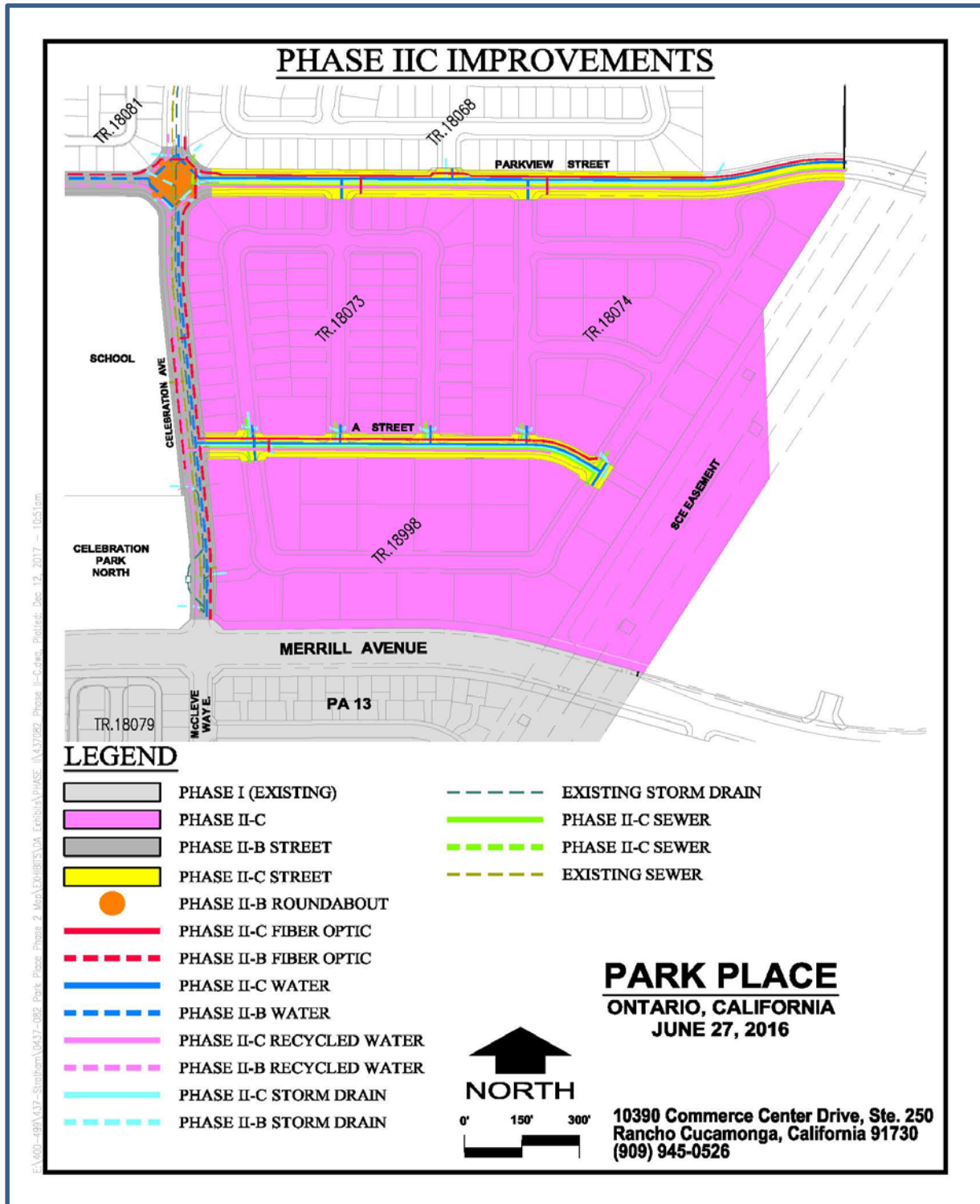


EXHIBIT F- PHASE IID IMPROVEMENTS

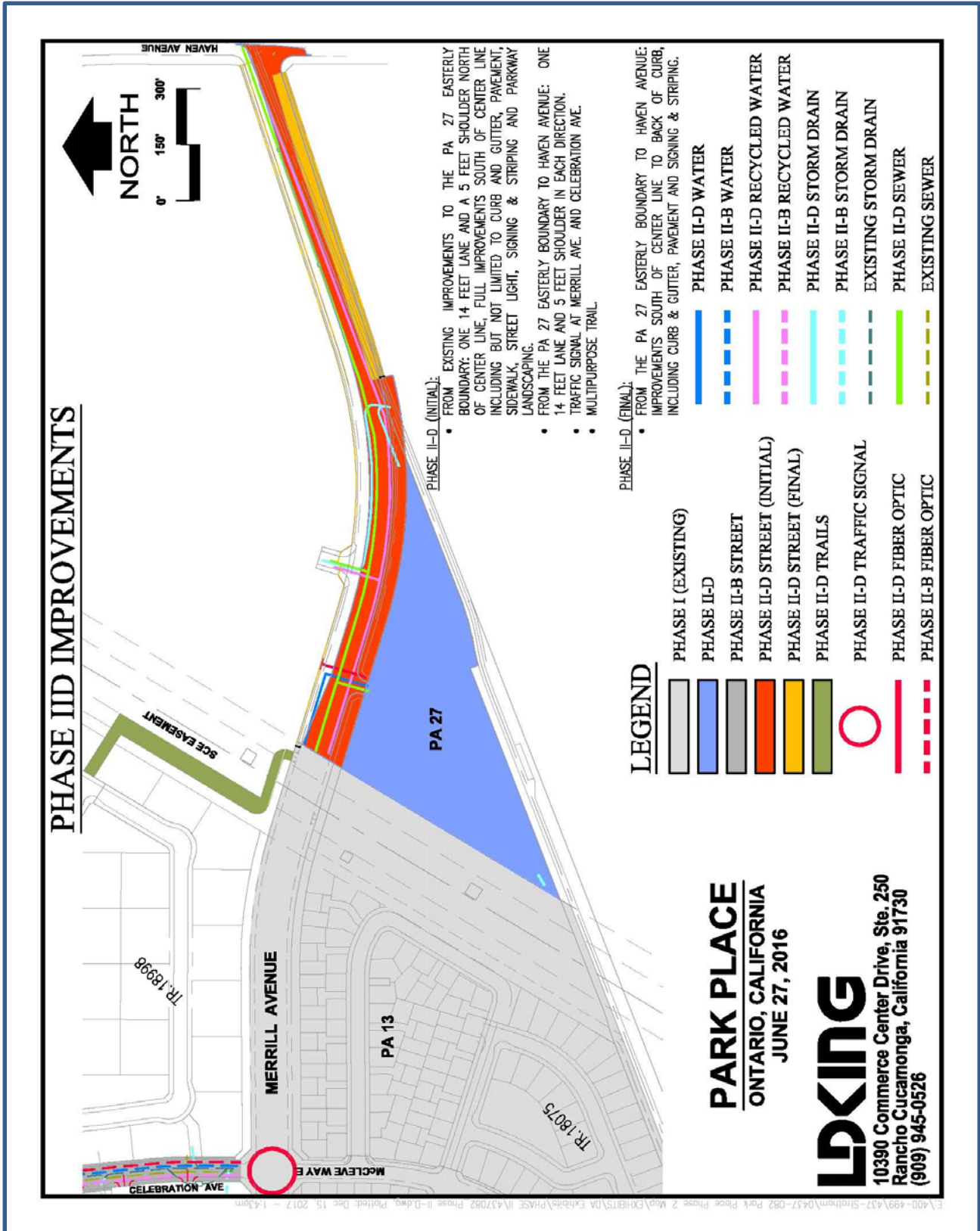


EXHIBIT F- PHASE IIIA IMPROVEMENTS

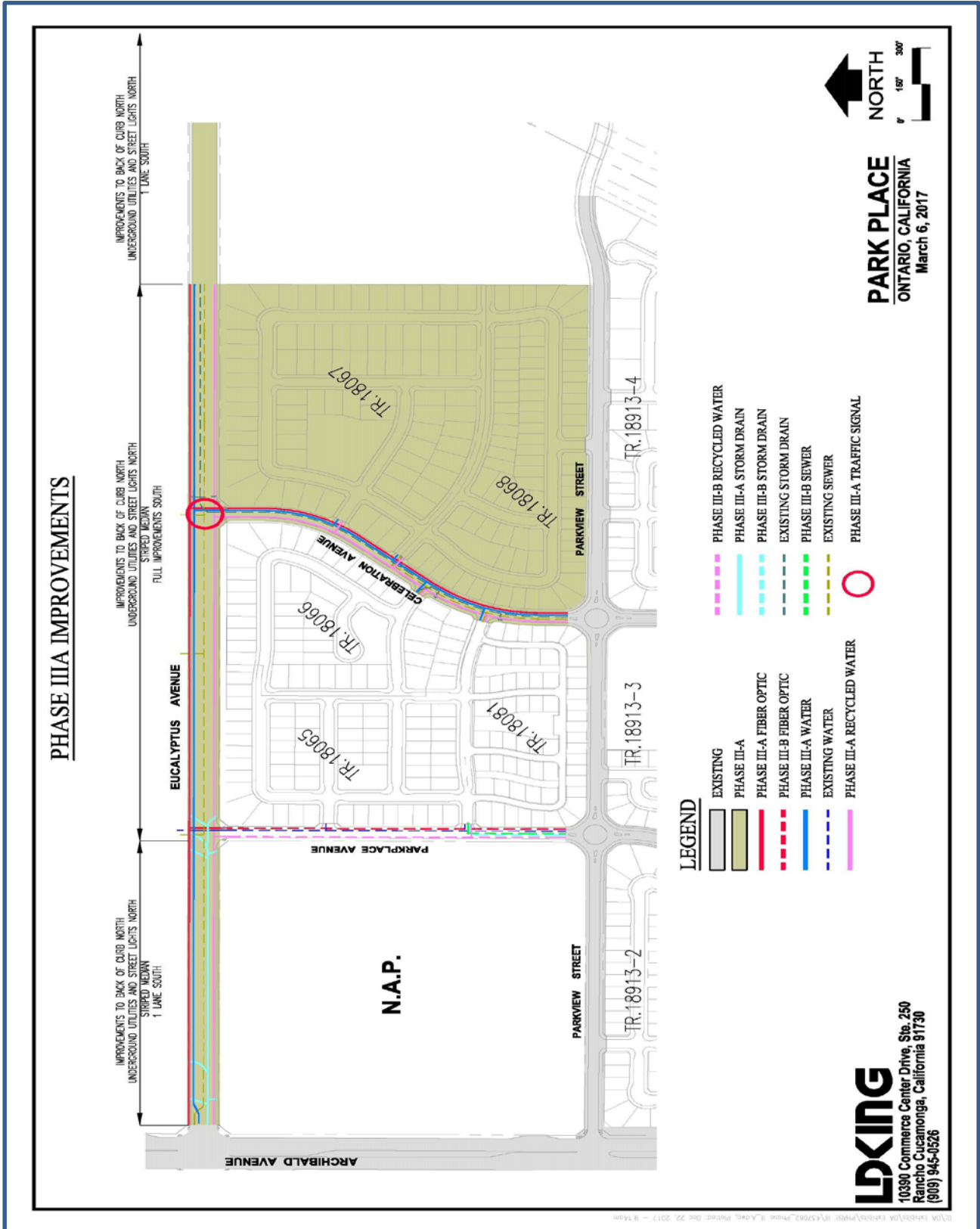
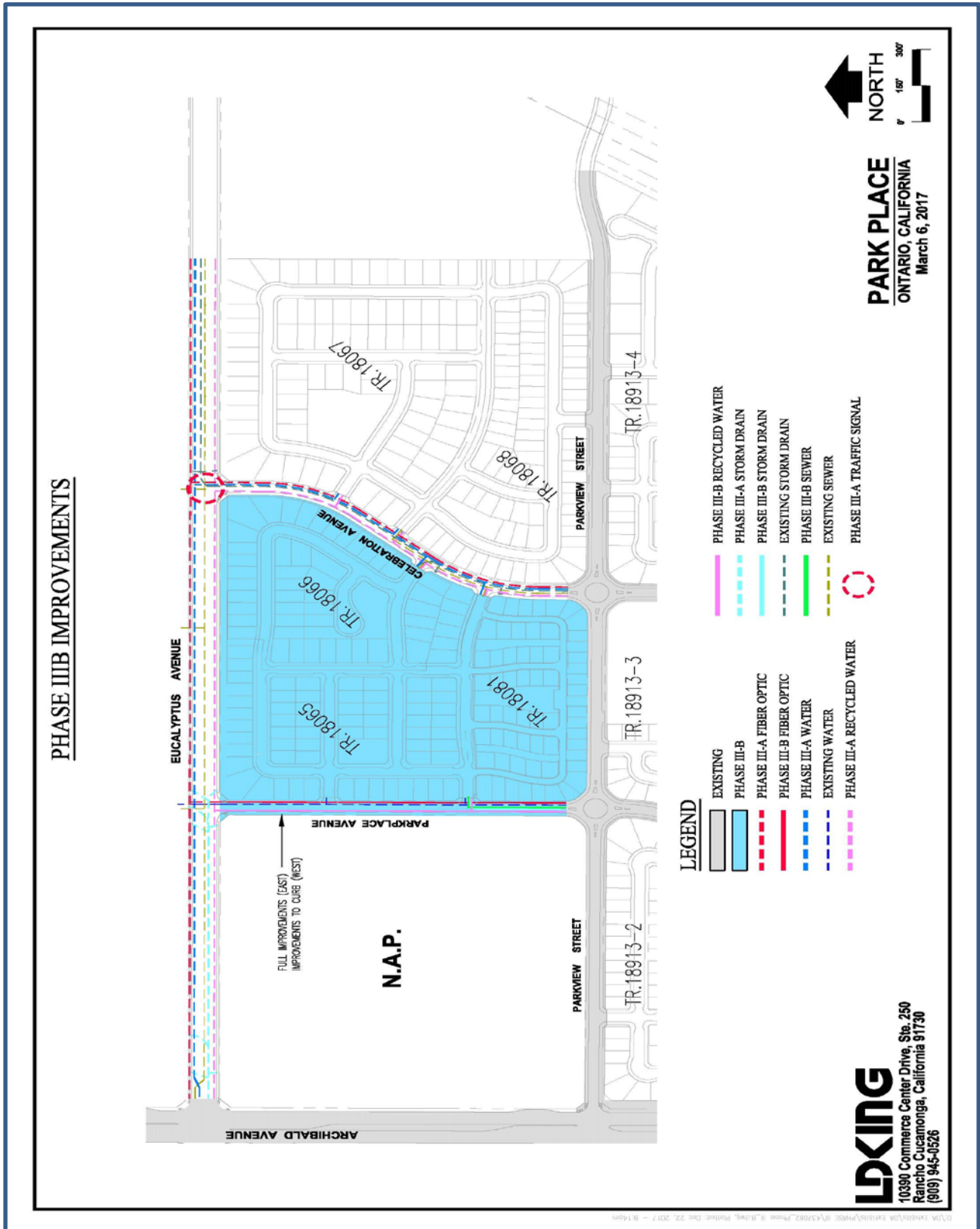


EXHIBIT F- PHASE IIIB IMPROVEMENTS





PLANNING COMMISSION STAFF REPORT

January 23, 2018

SUBJECT: An amendment to the Rich Haven Specific Plan (File No. PSPA16-005) to annex 72.3 acres of land located on the southeast corner of Haven Avenue and Ontario Ranch Road into the Mixed-Use district of the Rich Haven Specific Plan including updates to the development standards, exhibits and text changes to reflect the proposed annexation and Policy Plan (general plan) compliance (APNs: 218-161-01, 218-161-04, 218-161-05, 218-161-09, 218-161-10, 218-161-11, 218-161-13, 218-161-14, 218-211-01, 218-211-02, 218-211-05, 218-211-08, 218-211-12, 218-211-15, 218-211-17, 218-211-21, 218-211-23, 218-211-24, 218-211-25 and 218-211-27). **City Council action is required.**

PROPERTY OWNER: Brookcal Ontario LLC and Richland Communities

RECOMMENDED ACTION: That the Planning Commission recommend adoption of an Addendum to The Ontario Plan Environmental Impact Report and approval of File No. PSPA16-005 to the City Council, pursuant to the facts and reasons contained in the staff report and attached resolutions.

PROJECT SETTING: The proposed annex area to the Rich Haven Specific Plan is comprised of approximately 72 acres of land generally located at the southeast corner of Haven Avenue and Ontario Ranch Road. The Rich Haven Specific Plan, including the annex site and surrounding properties, are depicted in **Figure 1: Project Location Map** of this report. The zoning and land use surrounding the entire Rich Haven Specific Plan

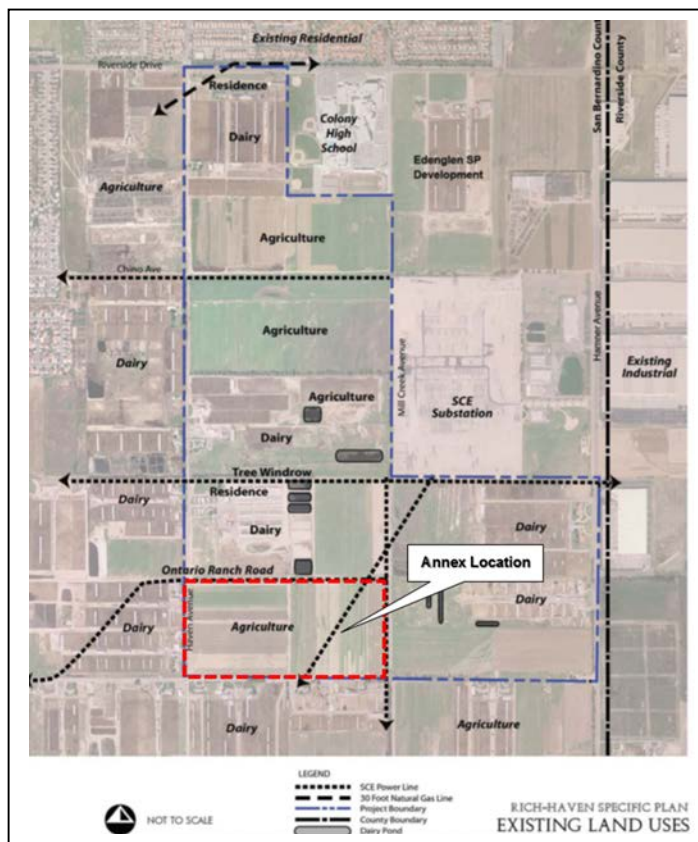


Figure 1: Project Location

Case Planner:	Lorena Mejia	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB			
Submittal Date:	12/06/16	ZA			
Hearing Deadline:		PC	2/23/2016		Recommend
		CC			Final

boundary, including the proposed annex area, are as follows:

- The properties to the north are designated LDR (Low Density Residential)/PS (Public School) and are developed with the Creekside Residential Community and Colony High School.
- The properties to southeast are designated High Density Residential, located within the Esperanza Specific Plan and are developed with dairy and agriculture uses.
- The properties to the southwest are zoned SP/AG (Specific Plan/Agriculture Preserve) and are developed with dairy and agriculture uses.
- The properties to the east include Colony High School, Edenglen Specific Plan developed with residential land uses, Specific Plan/Agriculture Overlay and the City of Eastvale that are zoned Industrial/Commercial and are developed with industrial uses.
- The properties to the west are designated Low Density Residential, Medium Density Residential and Neighborhood Commercial, are located within portions of the West Haven Specific Plan and The Avenue Specific Plan, and are developed with new residential subdivisions, dairy and agriculture uses.

PROJECT ANALYSIS:

[1] Background — On December 4, 2007, the City Council approved the Rich Haven Specific Plan (File No. PSP05-004) and certified the Environmental Impact Report (EIR) for the Specific Plan. The Specific Plan established the land use designations, development standards, and design guidelines for approximately 512 acres of land, which included the potential development of 4,256 residential units and 889,200 square feet of commercial/office.

In 2010, The Ontario Plan (TOP) was adopted by City Council. TOP Policy Plan (General Plan) Land Use Plan (Policy Plan Exhibit LU-01) changed the land use designations within certain areas of the Rich Haven Specific Plan. To bring the Rich Haven Specific Plan into conformance with TOP Policy Plan, an amendment to the Rich Haven Specific Plan (File No. PSPA16-001) was processed and approved by the Ontario City Council on March 15, 2016. The Amendment included updates to the Rich Haven Specific Plan Land Use Plan, the housing product types, exhibits and language to reflect the proposed land use changes and overall TOP Policy Plan consistency.

On December 16, 2016, Brookcal Ontario LLC and Richland Communities submitted an amendment to the Rich Haven Specific Plan for the annexation of 72.3 acres of land located on the southeast corner of Haven Avenue and Ontario Ranch Road into the

Mixed-Use district of the Rich Haven Specific Plan. The amendment includes updates to the development standards, exhibits and text changes to reflect the proposed annexation and overall TOP Policy Plan compliance.

[2] Amendment to the Rich Haven Specific Plan — The Amendment to the Rich Haven Specific Plan (SPA) proposes the following:

a) *The annexation of 72.3 acres of land located on the southeast corner of Haven Avenue and Ontario Ranch Road into the Mixed-Use District and updates to the Rich Haven Specific Plan Table 3-1 – Land Use Summary Table.*

Land Use Plan Amendments - The proposed 72.3 acre annexation will create two additional planning areas within the Mixed-Use District, 9A and 9B. The entire Mixed-Use District will encompass 312.9 gross acres and consist of Planning Areas 6, 7, 8, and 9 as shown in **Figure 2: Land Use Plan Comparison**. This District is envisioned to be a highly active area with a variety of commercial uses, including retail, office, residential, medical, research, entertainment and other comparable uses. The Mixed Use District includes a Stand Alone Residential Overlay, Regional Commercial and Mixed Use Overlay land use designations.

- Planning Area 9A is presently controlled by Brookcal Ontario LLC and totals 35.97 acres of land and is divided into three land use categories: 7.3 acres of Regional Commercial located on the southeast corner of Ontario Ranch Road and Haven Avenue; 27.97 acres of Stand Alone Residential that encompasses the majority of site with street frontages along Ontario Ranch Road and Haven Avenue; and a 0.70 acre SCE Easement area located on the southeast corner of Planning Area 9A (see **Figure 2: Land Use Plan Comparison**).
- Planning Area 9B is presently controlled by Richland Communities and totals 36.42 acres of land and is divided into three land use categories: 4.55 acres of Regional Commercial located on the northeast corner of Planning Area 9B with street frontage along Ontario Ranch Road; 23.63 acres of Stand Alone Residential that encompasses the majority of the site with street frontage along Ontario Ranch Road; and a 8.24 acre SCE Easement area that runs diagonally southwest to northeast throughout Planning Area 9B (see **Figure 2: Land Use Plan Comparison**).

Land Use Summary Table Amendments - The Rich Haven Specific Plan Land Use Summary Table 3-1, has been updated to reflect the addition of Planning Areas 9A and 9B to the Mixed Use District (see Technical Appendix-Land Use Summary Table of this report). The land use summary table combines Planning Areas 6A and 9A (Brookcal owned parcels) and Planning Areas 6B and 9B (Richland owned parcels) for purposes of averaging units between the northern and southern planning areas. As a result, the total number of acreages, residential unit maximums and

commercial/office square footages are combined between Planning Areas 6 and 9 based on property ownership. The applicant had initially requested to expand Planning Areas 6A and 6B south into the annex areas, however to identify and analyze impacts of the annex areas into the Rich Haven Specific Plan new Planning Areas were assigned.

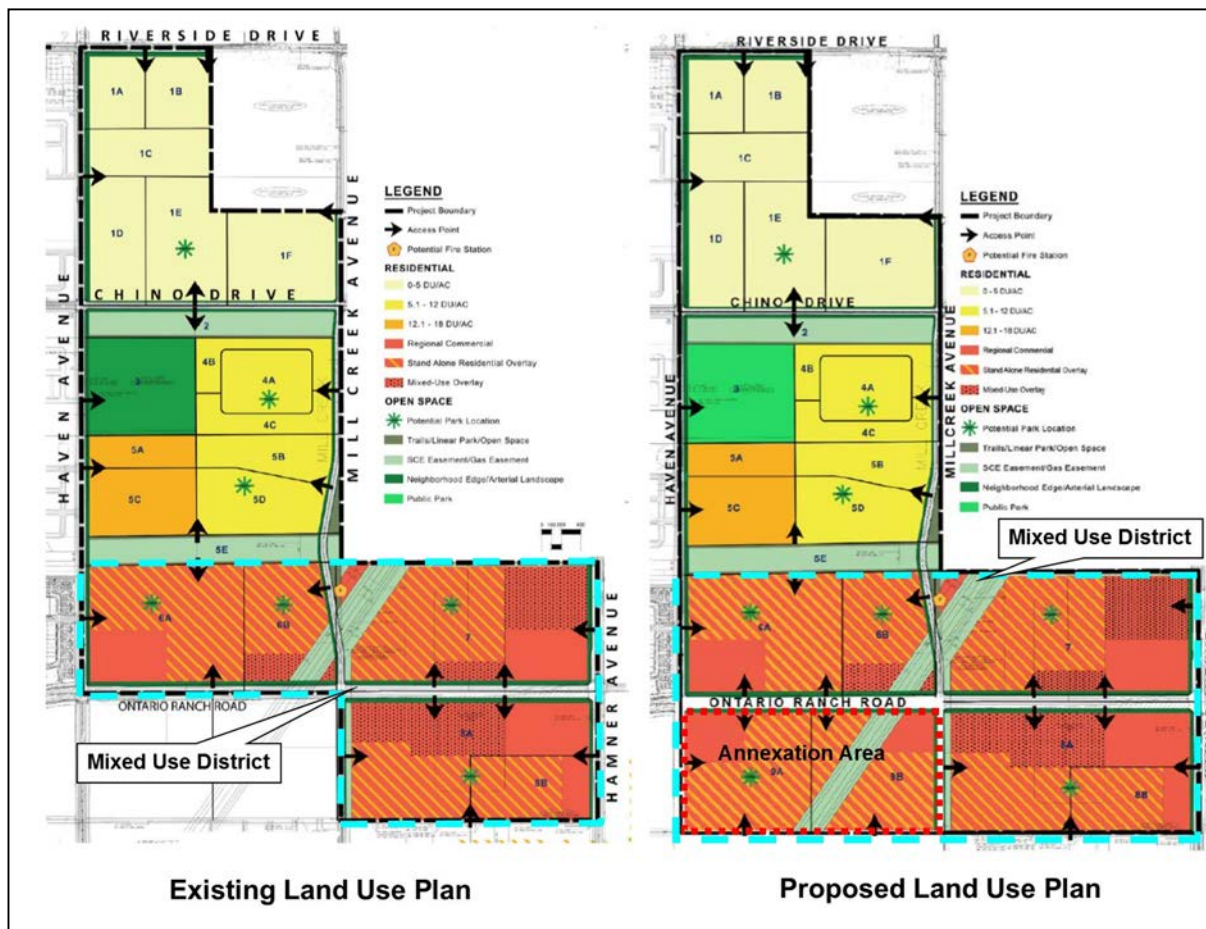


Figure 2: Land Use Plan Comparison

b) Revision of specific plan document to reflect the proposed 72.3 annexation.

The Rich Haven Specific Plan document amendments included the following:

- Map exhibit changes (land use, utility, circulation, etc.) to display Planning Areas 9A and 9B and the expanded geographic boundaries of the specific plan; and
- Text changes throughout the document to include the additional Planning Areas, primarily Section 5.5 the Mixed Use District development standards.

c) *Revise and update the Rich Haven Specific Plan for compliance with the Development Code and TOP Compliance.*

Development Code Compliance - Revisions were made to the Specific Plan to reflect the most recent update to the Development Code that primarily consisted of updating code section number references and changes to the parking standards.

TOP Compliance - Language within the Specific Plan referring to the previous NMC General Plan has been changed to reflect consistency with TOP Policy Plan Land Use Plan.

The policy analysis in *Section 9* of the Specific Plan has been expanded to include “*The Ontario Plan Residential and Mixed Use Consistency Tables*”. These tables provide a summary of the minimum and maximum number of units allowed within each Residential Planning Area (PA 1, 4 and 5) and shows that the Rich Haven Specific Plan Land Use Plan is consistent with the assigned TOP Land Use Designation. The Mixed Use TOP Land Use designated parcels (Planning Areas 6A, 6B, 7, 8A, 8B, 9A and 9B) allow for a combination of Regional Commercial, Mixed-Use Overlay and a Stand-Alone Residential Overlay uses. Projects within these areas are required to maintain a Residential density range of 14.0 – 50 du/ac and cannot exceed a 0.7 Floor Area Ratio for any commercial/office use to be consistent with City’s TOP policies. The Consistency Tables within Section 9 includes a detailed breakdown of how each Mixed Use Planning Area is consistent with TOP.

d) *Revise the permitted uses and development standards within the Regional Commercial and Mixed Use land use categories.*

Additional permitted land uses were added to the Regional Commercial and Mixed Use land use categories which include Hospital and Helistop/Heliport/Helipad uses. Hospitals would be permitted by right and Helistop/Heliport/Helipad would require approval of a Conditional Use Permit. Building heights were also increased from 55 feet to 75 feet for single use buildings.

All changes and additions to the Specific Plan (exhibits, tables, development standards and design guidelines) are contained within the revised Specific Plan document accompanying this report. All additions to the Specific Plan have been highlighted in red.

COMPLIANCE WITH THE ONTARIO PLAN: The Amendment to the Rich Haven Specific Plan 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 Compliance:

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 Rich Haven Specific Plan has been prepared in conformance with the goals and policies of the City of Ontario Policy Plan (General Plan). In addition, TOP Policy Plan analysis in *Section 9, "Policy Plan Consistency,"* of the Specific Plan describes the manner in which the Rich Haven Specific Plan complies with the Policy Plan goals and policies.

City Council Goals.

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

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. However, the Available Land Inventory reflects the Rich Haven Specific Plan as it was initially approved, this will be the second revision to the plan since the Available Land Inventory was created and it shall be amended administratively after City Council approval to reflect new acreages and unit counts for the Moderate and Above Moderate Income levels.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The proposed Amendment to the Rich Haven Specific Plan 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 Ontario.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were reviewed in conjunction with an Addendum (Attachment "A") to The Ontario Plan Final

Environmental Impact Report (SCH# 2008101140). 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. All previously 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: RICH HAVEN SPECIFIC PLAN LAND SUMMARY TABLE



LAND USE

3

Planning Area ^{3,4}	Land Use	Dwelling Units ¹	Acres (Gross)	Density (Gross)
1A	Residential - SFD	58	12.8	4.5
1B	Residential - SFD	57	12.7	4.5
1C	Residential - SFD	68	14.9	4.5
1D	Residential - SFD	91	20.5	4.5
1E	Residential - SFD	109	23.4	4.5
1F	Residential - SFD	120	26.3	4.5
Subtotal		503	110.6	4.5
2	Edison Parcel ²		20.0	
3	Park ²		27.0	
Subtotal			47.0	
4A	Residential – Small Lot SFD	154	14.0	11.0
4B	Residential – Small Lot SFD	101	9.2	11.0
4C	Residential – Small Lot SFD	108	9.8	11.0
Subtotal		363	33.1	11.0
5A ⁵	Residential – Small Lot SFD	109	9.1	12.1
5B	Residential – Small Lot SFD	165	14.2	11.7
5C ⁵	Residential – Small Lot SFD	332	27.0	12.3
5D	Residential – Small Lot SFD	361	30.3	11.9
5E	Edison Easement	-	-	-
Subtotal		967	80.6	12.0
Subtotal Residential District		1,833	271.3	8.2

Mixed Use District Planning Area ^{5, 6, 7, 8}	Land Use	Gross Acreage	Residential Maximum	Commercial/ Office Min (SF)	Commercial/ Office Max (SF)
6A + 9A	Residential & Commercial	85.6	2,178	109,335	166,182
6B + 9B	Residential & Commercial	65.1	1,406	36,639	76,320
7 ⁵	Residential & Commercial	81.1	725	100,000	440,800
8A	Residential & Commercial	61.4	852	95,000	325,000
8B	Residential & Commercial	19.70	200	20,000	123,400
Total		312.9	5,361	360,974	1,131,702

NOTES:

- ALL RESIDENTIAL DWELLING UNITS SHOWN IN LAND USE SUMMARY ARE MAXIMUMS.
- PROJECT TOTAL & SUBTOTAL RESIDENTIAL DISTRICT DENSITIES ARE CALCULATED USING RESIDENTIAL ACREAGES ONLY, THEREFORE THE ACREAGES OF PA 2 & 3 ARE NOT INCLUDED.
- WITHIN THIS SPECIFIC PLAN DOCUMENT, REFERENCES TO PLANNING AREAS ARE ONLY 1 THROUGH 9. SUB-PLANNING AREAS SUCH AS 1A, 1B, ETC ARE DESIGNATED TO HELP ADDRESS OWNERSHIP PATTERNS AND ARE NOT INTENDED TO BE USED FOR DENSITY TRANSFER.
- PLANNING AREAS 1A THROUGH 1F SHALL INCLUDE A MINIMUM OF 80 LOTS OF 7,200 SQ. FT. OR ABOVE.
- RESIDENTIAL DEVELOPMENT ALONG THE FRONTAGE OF HAVEN AVENUE WITHIN PLANNING AREAS 5A, 5C, 6A AND 7 SHALL AVERAGE A DENSITY OF 18 TO 25 DWELLING UNITS PER ACRE TO SUPPORT BUS RAPID TRANSIT (BRT) ALONG HAVEN AVENUE.
- RESIDENTIAL DEVELOPMENT WITHIN PLANNING AREAS 6A, 6B, 7, 8A, 8B, 9A AND 9B SHALL MEET A MINIMUM NET DENSITY OF 14 DWELLING UNITS PER TOP ADJUSTED GROSS ACREAGE.
- RESIDENTIAL DEVELOPMENT WITHIN PLANNING AREAS 6A + 9A AND RESIDENTIAL DEVELOPMENT WITHIN PLANNING AREAS 6B + 9B SHALL MEET A MINIMUM NET DENSITY OF 14 DWELLING UNITS PER TOP ADJUSTED GROSS ACREAGE. THE MINIMUM DENSITY IN PLANNING AREAS 6A + 9A AND PLANNING AREAS 6B + 9B CAN BE AVERAGED BETWEEN THE TWO AREAS AND SHALL BE ESTABLISHED AT TENTATIVE TRACT SUBMITTAL FOR EACH PLANNING AREA.
- ALTERNATE COMMERCIAL/OFFICE SQUARE FOOTAGE OR RESIDENTIAL DWELLING UNITS MAY BE PERMITTED, IF A TRIP GENERATION ANALYSIS DEEMS THAT THE PROPOSAL IS CONSISTENT WITH OR LESS THAN SIGNIFICANT WITH THE ONTARIO PLAN EIR AVERAGE DAILY TRIPS (ADT) ASSUMPTION FOR THE PLANNING AREA. THE PROPOSAL SHALL BE REVIEWED AND APPROVED BY THE PLANNING DIRECTOR OR ASSIGNEE AT SUBDIVISION ENTITLEMENT.

Attachment "A"

**File No. PSPA16-005
Environmental Check List Form
Addendum to The Ontario Plan Final EIR (SCH#2008101140)**

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO RECOMMENDING CITY COUNCIL APPROVAL OF AN ADDENDUM TO THE ONTARIO PLAN ENVIRONMENTAL IMPACT REPORT, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NO. PSPA16-005, AND MAKING FINDINGS IN SUPPORT THEREOF—APN'S: 218-161-01, 218-161-04, 218-161-05, 218-161-09, 218-161-10, 218-161-11, 218-161-13, 218-161-14, 218-211-01, 218-211-02, 218-211-05, 218-211-08, 218-211-12, 218-211-15, 218-211-17, 218-211-21, 218-211-23, 218-211-24, 218-211-25 AND 218-211-27.

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of Ontario prepared an Initial Study, and approved for attachment to the certified Environmental Impact Report, an addendum to The Ontario Plan Environmental Impact Report for File No. PGPA06-001 (hereinafter referred to as "Initial Study/Environmental Impact Report Addendum"), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as "CEQA"); and

WHEREAS, File No. PSPA16-005 analyzed under the Initial Study/Environmental Impact Report Addendum, consists of a Specific Plan Amendment to the Rich Haven Specific Plan to annex 72.3 acres of land located on the southeast corner of Haven Avenue and Ontario Ranch Road into the Mixed-Use district of the Rich Haven Specific Plan including updates to the development standards, exhibits and text changes to reflect the proposed annexation and TOP Policy Plan compliance, in the City of Ontario, California (hereinafter referred to as the "Project"); and

WHEREAS, the Initial Study/Environmental Impact Report Addendum concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, The Ontario Plan Environmental Impact Report was certified on January 27, 2010, in which development and use of the Project site was discussed; and

WHEREAS, pursuant to California Environmental Quality Act ("CEQA") Guidelines Section 15164(a), a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary to a project, but the preparation of a subsequent or supplemental EIR is not required; and

WHEREAS, the City determined that none of the conditions requiring preparation of a subsequent or supplemental EIR would occur from the Project, and that preparation of an addendum to the EIR was appropriate; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the Planning Commission is the approving authority for the proposed approval to construct and otherwise undertake the Project; and

WHEREAS, the Planning Commission has reviewed and considered the Initial Study/Environmental Impact Report Addendum for the Project, has concluded that none of the conditions requiring preparation of a subsequent of supplemental EIR have occurred, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the Initial Study/Environmental Impact Report Addendum for the Project are on file in the Planning Department, located at 303 East B Street, Ontario, CA 91764, are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein; 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 environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report — State Clearinghouse No. 2008101140, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (hereinafter referred to as “Certified EIR”).

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

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts.

(4) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference.

(5) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and

(6) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

SECTION 2: Additional Environmental Review Not Required. Based on the Addendum, all related 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 Environmental Impact Report is not required for the Project, as the Project:

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

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

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

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

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

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

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

SECTION 3: *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby recommends the City Council finds that based upon the entire record of proceedings before it, and all information received, that there is no substantial evidence that the Project will constitute substantial changes to the Certified EIR, and does hereby approve the Addendum to the Certified EIR, attached hereto as "Attachment A," and incorporated herein by this reference.

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.

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 23rd day of January 2018, 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, AICP
Assistant Development 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. PC18-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on January 23, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**Addendum to The Ontario Plan
Environmental Impact Report**

(Addendum to follow this page)

California Environmental Quality Act Environmental Checklist Form

City of Ontario
Planning Department
303 East "B" Street
Ontario, California
Phone: (909) 395-2036
Fax: (909) 395-2420



Project Title/File No.: Rich Haven Specific Plan Amendment – PSPA16-005

Lead Agency: City of Ontario, 303 East "B" Street, Ontario, California 91764, (909) 395-2036

Contact Person: Lorena Mejia, Senior Planner

Project Sponsor: Brookcal Ontario LLC/Richland Communities, 3200 Park Center Drive, Suite 1000
Costa Mesa, CA 92626 and 3161 Michelson Drive, Suite 425, Irvine, CA 92612

Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 through 3, below, the project site is generally located on the southeast corner of Haven Avenue and Ontario Ranch Road (APN No's: 218-161-01, 218-161-04, 218-161-05, 218-161-09, 218-161-10, 218-161-11, 218-161-13, 218-161-14, 218-211-01, 218-211-02, 218-211-05, 218-211-08, 218-211-12, 218-211-15, 218-211-17, 218-211-21, 218-211-23, 218-211-24, 218-211-25 and 218-211-27).

Figure 1—REGIONAL LOCATION MAP

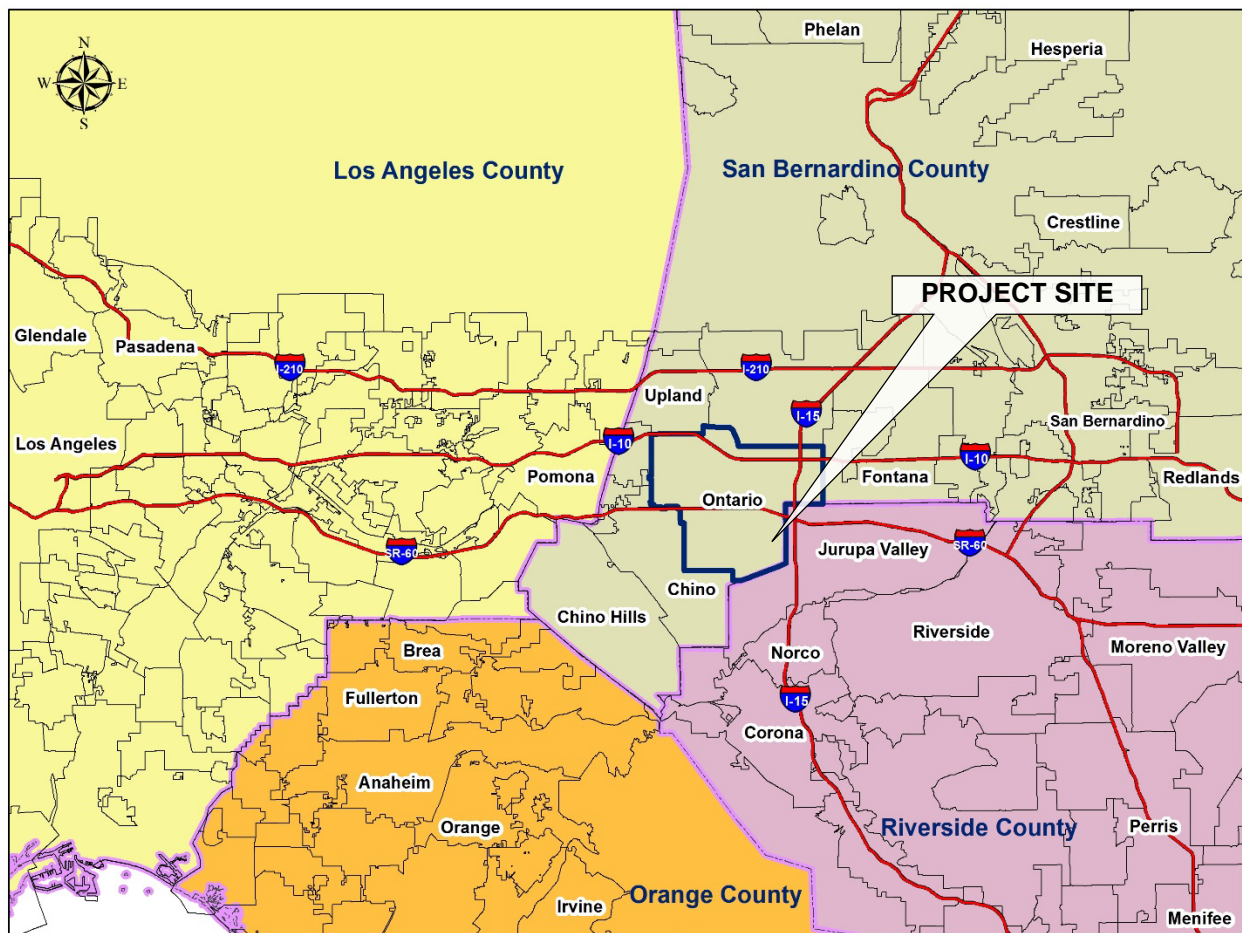


Figure 2—VICINITY MAP

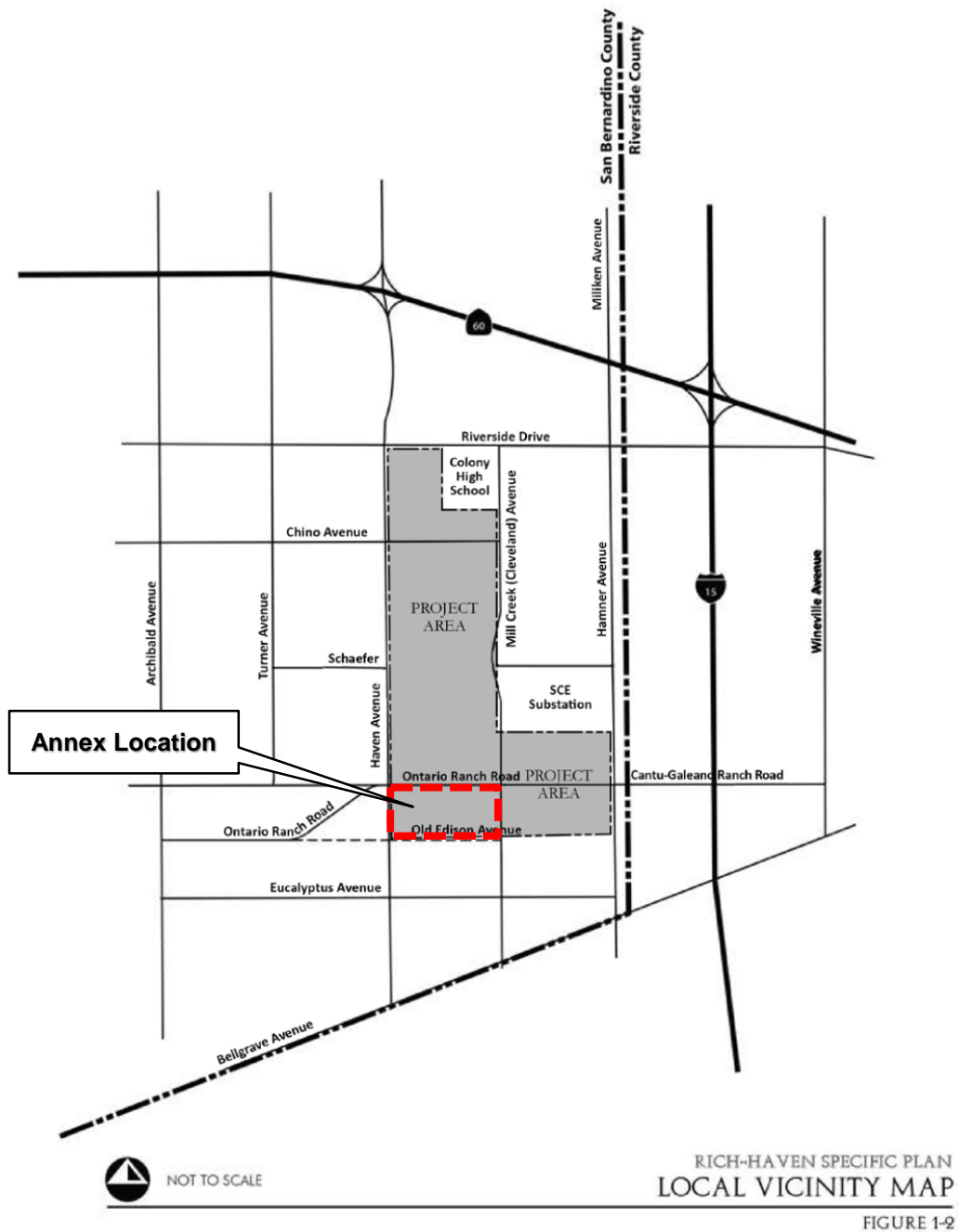
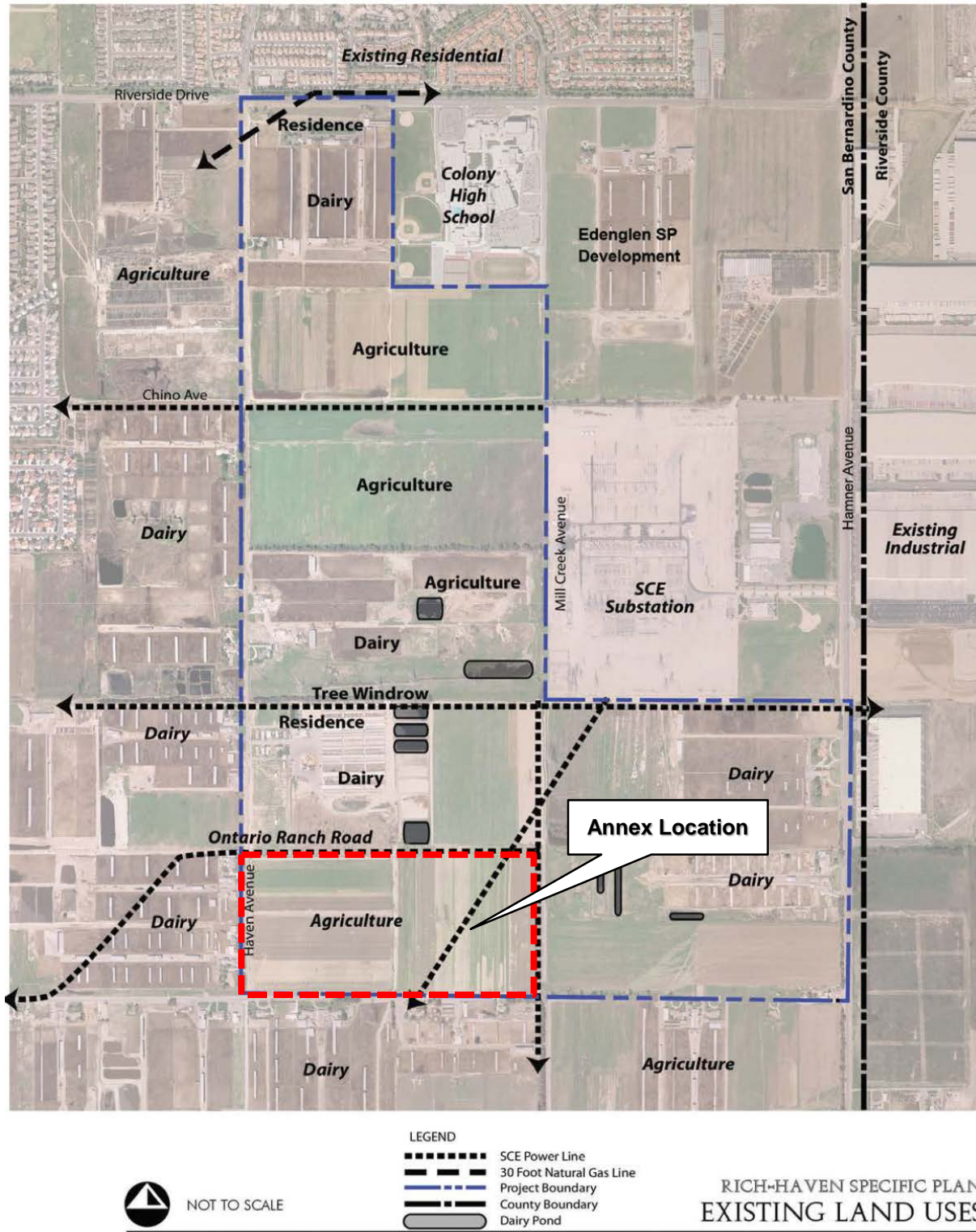


Figure 3—AERIAL PHOTOGRAPH



General Plan Designation: Low Density Residential (2.1 – 5.0 du/ac), Low Medium Density Residential (5.1 – 11.0 du/ac), Medium Density Residential (11.1 – 25.0 du/ac) Mixed Use, and Open Space – Parkland.

Zoning: SP – Rich Haven Specific Plan

Description of Project: An Amendment to the Rich Haven Specific Plan to annex 72.3 acres of land located on the southeast corner of Haven Avenue and Ontario Ranch Road into the Mixed-Use Overlay district of the Rich Haven Specific Plan including updates to the development standards, exhibits and text changes to reflect the proposed annexation and Policy Plan (general plan) compliance (**See Exhibit A: Specific Plan Land Use Map and Specific Plan Land Use Table**).

The proposed annex areas have a TOP Land Use designation of Mixed Use – NMC East and Open Space - Non Recreation and are envisioned to contain low-rise (3–5 stories) buildings with primarily a horizontal mixture of retail, office, medical, and residential uses. The Mixed Use - NMC East land use designation is required to maintain a residential density range of 14.0 – 50 du/ac and Floor Area Ratios of no greater than 0.7 for any commercial/office uses to be consistent with City's TOP policies. The certified TOP EIR (SCH#2008101140) analyzed the impacts of all proposed land use designations and established thresholds that are listed in Exhibit LU-03 Future Buildout of TOP. The proposed specific plan amendment for the 72.3 acre annex area is consistent with the TOP land use designation requirements and the proposed text changes includes policy language to create consistency between the Rich Haven Specific Plan, TOP (Policy Plan) and certified TOP EIR.

Background: On January 27, 2010, the Ontario City Council adopted The Ontario Plan (TOP). TOP serves as the framework for the City's business plan and provides a foundation for the City to operate as a municipal corporation that consists of six (6) distinct components: 1) Vision; 2) Governance Manual; 3) Policy Plan; 4) Council Priorities; 5) Implementation; and 6) Tracking and Feedback. The Policy Plan component of TOP meets the functional and legal mandate of a General Plan and contains nine elements; Land Use, Housing, Parks and Recreation, Environmental Resources, Community Economics, Safety, Mobility, Community Design and Social Resources.

An Environmental Impact Report (EIR) was prepared for TOP (SCH # 2008101140) and certified by the City Council on January 27, 2010 that included Mitigation Findings and a Statement of Overriding Considerations pursuant to CEQA. TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan, in the Policy Plan and impacts resultant of population and employment growth in the City. The significant unavoidable adverse impacts that were identified in the EIR included; agriculture resources, air quality, cultural resources, greenhouse gas emissions, noise and transportation/traffic.

Prior to adoption of The Ontario Plan (TOP), an Environmental Impact Report (EIR) was prepared for the Rich Haven Specific Plan and certified (SCH# 2006051081) by the City Council on December 4, 2007, with a Statement of Overriding Considerations. The EIR analysis identified the potential environmental impacts associated with the Specific Plan. The significant unavoidable adverse impacts that were identified in the EIR included air quality, agriculture, traffic, biological resources and noise. In conjunction with the EIR, the City Council also approved the Rich Haven Specific Plan (File No. PSP05-004). The Specific Plan established the land use designations, development standards, and design guidelines for the existing Rich Haven Specific Plan project area boundary that presently encompasses approximately 512 acres of land for residential, mixed-use and commercial/office land uses. The proposed project would increase the project area to approximately 584 acres of land.

Analysis: According to the California Environmental Quality Act Guidelines Section 15164, an Addendum to a previously certified EIR may be used if some changes or additions are necessary, but none of the conditions described in Section 15162 requiring the preparation of a subsequent Negative Declaration or EIR have occurred. The CEQA Guidelines require that a brief explanation be provided to support the findings that no subsequent EIR or Negative Declaration are needed for further discretionary approval. These findings are described below:

1. *Required Finding: Substantial changes are not proposed for the project that will require major revisions of the previous EIR due to the involvement of new, significant environmental effects or a*

substantial increase in the severity of previously identified effects. Substantial changes are not proposed for the project and will not require revisions to the TOP EIR. The proposed project is an amendment to the Rich Haven Specific Plan to annex 72.3 acres of land located on the southeast corner of Haven Avenue and Ontario Ranch Road into the Mixed-Use Overlay district of the Rich Haven Specific Plan including updates to the development standards, exhibits and text changes to reflect the proposed annexation and Policy Plan (general plan) compliance. The proposed annex areas have a TOP Land Use designation of Mixed Use – NMC East and Open Space - Non Recreation and are envisioned to contain low-rise (3–5 stories) buildings with primarily a horizontal mixture of retail, office, medical, and residential uses. The Mixed Use - NMC East land use designation is required to maintain a residential density range of 14.0 – 50 du/ac and Floor Area Ratios of no greater than 0.7 for any commercial/office uses to be consistent with City's TOP policies. The certified TOP EIR (SCH#2008101140) analyzed the impacts of all proposed land use designations and established thresholds that are listed in Exhibit LU-03 Future Buildout of TOP. The proposed specific plan amendment for the 72.3 acre annex area is consistent with the TOP land use designation requirements and the proposed text changes includes policy language to create consistency between the Rich Haven Specific Plan, TOP (Policy Plan) and certified TOP EIR. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present. Therefore, no proposed changes or revisions to the EIR are required.

2. *Required Finding: Substantial changes have not occurred with respect to the circumstances under which the project is undertaken, that would require major revisions of the previous Environmental Impact Report due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.* Substantial changes have not occurred with respect to the circumstances under which the project is undertaken that would require major revisions of the previous Environmental Impact Report due to the involvement of new significant environmental effects. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.
3. *Required Finding. No new information has been provided that would indicate that the proposed project would result in one or more significant effects not discussed in the previous EIR.* No new information has been provided that would indicate the proposed project would result in any new significant effects not previously discussed in TOP EIR. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

CEQA REQUIREMENTS FOR AN ADDENDUM:

If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency may: (1) prepare a subsequent EIR if the criteria of State CEQA Guidelines § 15162(a) are met, (2) prepare a subsequent negative declaration, (3) prepare an addendum, or (4) prepare no further documentation. (State CEQA Guidelines § 15162(b).) When only minor technical changes or additions to the negative declaration are necessary and none of the conditions described in section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred, CEQA allows the lead agency to prepare and adopt an addendum. (State CEQA Guidelines, § 15164(b).)

Under Section 15162, a subsequent EIR or negative declaration is required only when:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the negative declaration due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the negative declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (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 project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Thus, if the Project does not result in any of the circumstances listed in section 15162 (i.e., no new or substantially greater significant impacts), the City may properly adopt an addendum to the Rich Haven Specific Plan EIR (2007).

Conclusion:

Accordingly, and based on the findings and information contained in the previously certified TOP EIR, the analysis above, the attached Initial Study, and the CEQA statute and State CEQA Guidelines, including sections 15164 and 15162, the Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the EIR documents. No changes or additions to the TOP EIR, analyses are not necessary, nor is there a need for any additional mitigation measures.

The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines section 15162 are present.

Surrounding Land Uses:

	<u>Zoning</u>	<u>Current Land Use</u>
▪ North—	Creekside Community Specific Plan	Residential Subdivisions
▪ South—	Specific Plan/Agriculture Overlay	Agriculture and Dairy uses
▪ East—	High School, Edenglen Specific Plan, Specific Plan/Agriculture Overlay and the City of Eastvale	Colony High School, Residential Subdivisions, SCE Substation and Industrial uses.
▪ West—	West Haven Specific Plan and The Avenue Specific Plan	Agriculture, Dairy uses and Residential Subdivisions.

Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement): None.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | |
|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature

January 8, 2018
Date

Lorena Mejia, Senior Planner
Printed Name and Title

City of Ontario Planning Department
For

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from the "Earlier Analyses" Section may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analyses Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources. A source list should be attached, and other sources used or

individuals contacted should be cited in the discussion.

- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
- a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
1) AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
3) AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any 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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resources Code Section 21074?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6) GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18.1 B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7) GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8) HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9) HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increase in erosion of the project site or surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff during construction and/or post-construction activity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
f) Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10) LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, airport land use compatibility plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11) MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12) NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
13) POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14) PUBLIC SERVICES. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15) RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16) TRANSPORTATION/TRAFFIC. Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17) UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18) MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

EXPLANATION OF ISSUES

1) **AESTHETICS.** Would the project:

a) **Have a substantial adverse effect on a scenic vista?**

Discussion of Effects: The Policy Plan (General Plan) does not identify scenic vistas within the City. However, the Policy Plan (Policy CD1-5) requires all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountain, which are part of the City's visual identity and a key to geographic orientation. North-south streets should be clear of visual clutter, including billboards and be enhanced appropriately by framing corridors with trees.

Portions of the annex area are located along Haven Avenue a major north-south street that is identified as a 6-lane Principal Arterial in the Functional Roadway Classification Plan (Figure M-2) of the Mobility Element within the Policy Plan. Furthermore, any future development would be required to meet the development standards that permits a maximum building height of 75-feet within the Mixed-Use areas, which should not obstruct views of the San Gabriel Mountains for properties located south of the project site. Therefore, no adverse impacts are anticipated in relation to the project.

Mitigation: No additional mitigation measures are required.

b) **Substantially damage scenic resources, including, but not limited to, tress, rock outcroppings and historic buildings within a state scenic highway?**

Discussion of Effects: The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east-west direction. I-15 traverses the northeastern portion of the City in a north-south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. In addition, there are no historic buildings or any scenic resources identified on or in the vicinity of the project site. Therefore, it will not result in adverse environmental impacts.

Mitigation: No additional mitigation measures are required.

c) **Substantially degrade the existing visual character or quality of the site and its surroundings?**

Discussion of Effects: The project would not degrade the existing visual character or quality of the site or its surroundings. The project site is located in an area that is characterized by agriculture development and is surrounded by recently developed urban land uses.

The proposed project will substantially improve the visual quality of the area through development of the site with Mixed-Use (Residential/Commercial/Office) uses, which will be consistent with the

policies of the Community Design Element of the Policy Plan (General Plan) and zoning designations on the property, as well as with recently developed residential subdivisions within the surrounding area. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation measures are required.

d) **Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?**

Discussion of Effects: New lighting will be introduced to the site with the development of the project. Pursuant to the requirements of the City's Development Code and Rich Haven Specific Plan, project on-site lighting will be shielded, diffused or indirect, to avoid glare to pedestrians or motorists. In addition, lighting fixtures will be selected and located to confine the area of illumination to within the project site and minimize light spillage.

Site lighting plans will be subject to review by the Planning Department and Police Department prior to issuance of building permits (pursuant to the City's Building Security Ordinance). Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation measures are required.

2) **AGRICULTURE AND FOREST RESOURCES.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

Discussion of Effects: As discussed in the TOP EIR and the Rich Haven Specific Plan EIR (2007), a considerable portion of the project site is has been used for agricultural/dairy farming. The project will convert this land, which is considered to be Prime Farmland and identified by the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use. The conversion of farmland to urban uses was determined to be a potentially significant impact that is unavoidable. The changes to the Project do not change this conclusion and there is no additional mitigation presently available that could potentially reduce this impact. The impact will remain as a significant unavoidable impact.

Mitigation: No additional mitigation measures are available or proposed.

b) **Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

Discussion of Effects: The project site is currently zoned for AG (Agriculture) overlay district/Specific Plan. The annexation of the 72.3 acres into the Rich Haven Specific Plan as part of the Mixed-Use district will create consistency with the previously analyzed TOP Mixed Use - NMC East land use designation. Furthermore, there is no Williamson Act contract in effect on the project site (72.3 acre annex area). Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with existing or Williamson Act contracts. As discussed in the TOP EIR and the Rich Haven Specific Plan EIR (2007), a considerable portion of the site is presently used for agricultural/dairy farming. The project will convert this land, to nonagricultural use. The conversion of agricultural uses to urban uses was determined to be a potentially significant impact that is unavoidable. The changes to the Project do not change this conclusion and there is no additional mitigation presently available that could potentially reduce this impact. The impact will remain as a significant unavoidable impact.

Mitigation: No additional mitigation measures are available or proposed.

- c) **Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

Discussion of Effects: The project is zoned AG (Agriculture) overlay district/Specific Plan. The City of Ontario does not have any land zoned for forest, timberland, or timberland production. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

- d) **Result in the loss of forest land or conversion of forest land to non-forest use?**

Discussion of Effects: There is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code section 12220(g). Neither The Ontario Plan nor the City's Zoning Code or Rich Haven Specific Plan provide designations for forest land. Consequently, the proposed project would not result in the loss or conversion of forest land.

Mitigation: No additional mitigation measures are available or proposed.

- e) **Involve other changes in the existing environment, which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

Discussion of Effects: As discussed in the previous TOP EIR and Rich Specific Plan EIR (2007), a considerable portion of the site is presently used for agricultural/dairy farming. The project will convert 72.3 acres of this land which is considered to be Prime Farmland and identified by the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use. The conversion of farmland to urban uses was determined to be a potentially significant impact that is unavoidable. The changes to the project do not change this conclusion and there is no additional mitigation presently available that could potentially reduce this impact. The impact will remain as a significant unavoidable impact.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither The Ontario Plan nor the City's Zoning Code or Rich Haven Specific Plan provide designations for forest land. Consequently, to the extent that the proposed project would result in changes to the existing environment, those changes would not impact forest land.

Mitigation Required: No additional mitigation measures are available or proposed.

- 3) **AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) **Conflict with or obstruct implementation of the applicable air quality plan?**

Discussion of Effects: The project will not conflict with or obstruct implementation of any air quality plan. As noted in The Ontario Plan FEIR (Section 5.3), pollutant levels in the Ontario area already exceed Federal and State standards. To reduce pollutant levels, the City of Ontario is actively participating in efforts to enhance air quality by implementing Control Measures in the Air Quality Management Plan for local jurisdictions within the South Coast Air Basin.

The proposed project is consistent with The Ontario Plan, for which the EIR was prepared and impacts evaluated. Furthermore, the project is consistent with the City's participation in the Air Quality Management Plan and, because of the project's limited size and scope, will not conflict with or obstruct implementation of the plan. However, out of an abundance of caution, the project will use low emission fuel, use low VOC architectural coatings and implement an alternative transportation program (which may include incentives to participate in carpool or vanpool) as recommended by the South Coast Air Quality Management District's Air Quality modeling program.

Mitigation: No additional mitigation measures are available or proposed.

b) **Violate any air quality standard or contribute substantially to an existing or projected air quality violation?**

Discussion of Effects: Project impacts would remain significant and unavoidable even with additional mitigation measures proposed by the 2009 Air Quality Impact Analysis prepared for TOP EIR. In addition, TOP EIR, which analyzed a residential, commercial and industrial buildout (2035) for the entire City and determined that a significant and unavoidable air quality impacts due to the magnitude of emissions that would be generated by the buildout (2035) of the Policy Plan (General Plan).

Mitigation: No additional mitigation measures are available or proposed.

c) **Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?**

Discussion of Effects: The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or state ambient air quality because of the limited size and scope of the project. Although no impacts are anticipated, the project will still comply with the air quality standards of the TOP FEIR and the SCAQMD resulting in impacts that are less than significant [please refer to Sections 3(a) and 3(b)].

Mitigation: None No additional mitigation measures are available or proposed.

d) **Expose sensitive receptors to substantial pollutant concentrations?**

Discussion of Effects: Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. The SCAQMD identifies the following as sensitive receptors: long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, child care centers, and athletic facilities. According to the SCAQMD, projects have the potential to create significant impacts if they are located within one-quarter mile of sensitive receptors and would emit toxic air contaminants identified in SCAQMD Rule 1401.

The project will not expose sensitive receptors to any increase in pollutant concentrations because there are no sensitive receptors located within close proximity of the project site. Further, there is limited potential for sensitive receptors to be located within close proximity of the site because the project site will become part of the Mixed-Use Overlay district of the Rich Haven Specific Plan at the time of project approval. The types of uses that would potentially impact sensitive receptors would not be supported on the property pursuant to the Land Use Element (Figure LU-6) of the Policy Plan (General Plan) and Rich Haven Specific Plan. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

e) **Create objectionable odors affecting a substantial number of people?**

Discussion of Effects: The uses proposed on the subject site, as well as those permitted within the Mixed-Use Overlay district of the Rich Haven Specific Plan for which this project is proposing, do not create objectionable odors. Further, the project shall comply with the policies of the Ontario Municipal Code and the Policy Plan (General Plan). Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

4) **BIOLOGICAL RESOURCES.** Would the project:

a) **Have a substantial adverse effect, either directly or through habitat modifications, on any 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 Game or U.S. Fish and Wildlife Service?**

Discussion of Effects: The Ontario Plan FEIR (Section 5.4) and the Rich Haven Specific Plan EIR (2007) identified the potential habitat for the federally listed Delhi Sands Flower Loving Fly (DSFF)

and Burrowing Owl. The Ontario Recovery Unit for the DSFLF includes 21.7 square miles of the City of Ontario, mostly in the eastern and southwestern portions of the City, including portions of the Ontario Ranch (formally the NMC). Projects proposed within the Ontario Recovery Unit would be required to have focused surveys for DSFLF conducted on the project sites and consult with the USFWS regarding mitigation of impacts on any DSFLF found, pursuant to Section 7 of the FESA. In some of the parts of the Ontario Ranch that were previously used as dairies, the USFWS has concluded from the findings of previous focused surveys that DSFLS is very unlikely to occur; and therefore no focused surveys for DSFLF areas are required in these areas (Porter 2008). The project site was previously utilized for agricultural/dairy farming. Furthermore, the Rich Haven EIR further discussed that changing the land use from the existing agricultural uses to suburban development could further reduce the viability of the site as habitat for these species and during the biological surveys for the EIR extensive surveys were completed for the Delhi Sands Flower-Loving Fly and its habitat, but no evidence of the fly or its habitat was found. However, it was found that Burrowing Owls were present within the existing Rich Haven Specific Plan area and mitigation was included for pre-construction surveys to occur with the requirement that relocation would occur if burrowing owls were present that shall also be applicable to the proposed annex areas. Subsequently, prior to the granting of discretionary entitlements and any further approvals would be withheld until surveys could be completed and any necessary permits were obtained. In summary, the proposed Project will not result in new or increased significant impacts to special-status biological resources, and with the implementation of mitigation measures identified in the Rich Haven Specific Plan EIR (2007) and TOP FEIR, impacts to special-status species (i.e., the burrowing owl) are reduced to below a level of significance.

Mitigation: No additional mitigation measures are available or proposed.

- b) **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

Discussion of Effects: The site does not contain any riparian habitat or other sensitive natural community identified by the Department of Fish & Game or Fish & Wildlife Service. The changes to the Project do not substantially change the previously evaluated impacts and as a result, no adverse environmental impacts are anticipated. Therefore, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

- c) **Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

Discussion of Effects: TOP EIR does not identify any federally protected wetlands within the Ontario Ranch (formally the NMC), including the Rich Haven Specific Plan. The changes to the project will not substantially change the impacts already evaluated.

Mitigation: No additional mitigation measures are available or proposed.

- d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

Discussion of Effects: The TOP FEIR established that there are no regional wildlife movement corridors have in the City, and most of the City is ill-suited for the purposes of wildlife movement. The flood control channels and the SCE corridors could serve as local corridors for movement within the City and between the San Gabriel Mountains to the north and the Prado Basin to the south. The segments of flood control channels in the City would be designated Open Space – Non-Recreation under the Policy Plan, and would not be developed with other land uses. The SCE Corridors would also be designated Open Space – Non-Recreation. Therefore, implementation of the proposed Policy Plan is not anticipated to substantially impair the use of flood control channels or SCE Corridors in the City as wildlife movement corridors. There are trees and shrubs scattered throughout the City that may be used for nesting or roosting by migrating birds. The Specific Plan

amendment would not grant specific entitlements for development; therefore, implementation of The Ontario Plan would not directly impact vegetation that could be used by migrating birds. Such projects would be required to comply with the federal MBTA. Therefore, The Ontario Plan is not anticipated to have substantial adverse impacts to migratory birds. Furthermore, Policy ER5-1 would encourage efforts to conserve flood control channels and transmission line corridors as wildlife movement corridors. Consequently, impacts would be less than significant. In addition, the Rich Haven Specific Plan EIR analysis concluded that the implementation of the Specific Plan would remove state-mandated dairy manure water retention basins and windrows that serve as a migratory waterfowl habitat and considered the impact potentially significant. The EIR identified that the impact would remain potentially significant and project specific mitigation measures required would further reduce the impact to less than significant. However, development within the Rich Haven Specific Plan would be required to pay a Habitat Mitigation Fee that would go towards the development of a Waterfowl and Raptor Conservation Area. The changes to the project do not change these conclusions since the annex areas do not include dairy manure water basins. Therefore, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

e) **Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

Discussion of Effects: The City of Ontario does not have any ordinances protecting biological resources. Further, the site does not contain any mature trees necessitating the need for preservation. The changes to the Project do not substantially change the previously evaluated impacts and as a result, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

f) **Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?**

Discussion of Effects: The site is not part of an adopted HCP, NCCP or other approved habitat conservation plan. The changes to the Project do not substantially change the previously evaluated impacts and as a result, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

5) **CULTURAL RESOURCES.** Would the project:

a) **Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?**

Discussion of Effects:

The project site is vacant and does not contain any buildings, structures, or objects. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

b) **Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?**

Discussion of Effects: The Ontario Plan FEIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. However, only about 10 percent of the City of Ontario has been adequately surveyed for prehistoric or historic archaeology. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions have been imposed on the project that in the event of unanticipated archeological discoveries, construction activities will not continue or will be moved to other parts of the project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

Mitigation: No additional mitigation measures are available or proposed.

c) **Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

Discussion of Effects: The City of Ontario is underlain by deposits of Quaternary and Upper-Pleistocene sediments deposited during the Pliocene and early Pleistocene time, Quaternary Older Alluvial sediments may contain significant, nonrenewable, paleontological resources and are, therefore, considered to have high sensitivity at depths of 10 feet or more below ground surface. In addition, the Ontario Plan FEIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. However, the project proposes excavation depths to be less than 10 feet. While no adverse impacts are anticipated, standard conditions have been imposed on the project that in the event of unanticipated paleontological resources are identified during excavation, construction activities will not continue or will be moved to other parts of the project site and a qualified paleontologist shall be contacted to determine significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

Mitigation: No additional mitigation measures are available or proposed.

d) **Disturb any human remains, including those interred outside of formal cemeteries?**

Discussion of Effects: The proposed project is in an area that has been previously disturbed by development. No known religious or sacred sites exist within the project area. Thus, human remains are not expected to be encountered during any construction activities. However, in the unlikely event that human remains are discovered, existing regulations, including the California Public Resources Code Section 5097.98, would afford protection for human remains discovered during development activities. Furthermore, standard conditions have been imposed on the project that in the event of unanticipated discoveries of human remains are identified during excavation, construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed, if deemed applicable.

Mitigation: No additional mitigation measures are available or proposed.

e) **Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resources Code Section 21074?**

Discussion of Effects: The proposed project is in an area that has been previously disturbed by development. No known Tribal Cultural Resources exist within the project area.

Mitigation: No additional mitigation measures are available or proposed.

6) **GEOLOGY & SOILS.** Would the project:

a) **Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:**

i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Ontario Plan FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. Given that the closest fault zone is located more than ten miles from the project site, fault rupture within the project area is not likely. All development will comply with the Uniform Building Code seismic design standards to reduce geologic hazard susceptibility. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

ii) **Strong seismic ground shaking?**

Discussion of Effects: There are no active faults known on the site and the project site is located

outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Land Use Plan (Figure LU-6) of the Policy Plan (General Plan) FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The closest fault zone is located more than ten miles from the project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All construction will be in compliance with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

iii) **Seismic-related ground failure, including liquefaction?**

Discussion of Effects: As identified in the TOP FEIR (Section 5.7), groundwater saturation of sediments is required for earthquake induced liquefaction. In general, groundwater depths shallower than 10 feet to the surface can cause the highest liquefaction susceptibility. Depth to ground water at the project site during the winter months is estimated to be between 250 to 450 feet below ground surface. Therefore, the liquefaction potential within the project area is minimal. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation measures are available or proposed.

iv) **Landslides?**

Discussion of Effects: The project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the project site (less than 2 percent slope across the City) makes the chance of landslides remote. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation measures are available or proposed.

b) **Result in substantial soil erosion or the loss of topsoil?**

Discussion of Effects: As previously evaluated in the TOP EIR and Rich Haven Specific Plan EIR (2007), due to the manure content of the current topsoil as a result of heavy agricultural use for dairy farming and grazing, it will be necessary for the current layer of soil to be removed. It was determined that after removal the project site will be backfilled with fresh topsoil. Replacement of topsoil is a beneficial impact to the project site. Furthermore, compliance with the CBC and review of grading plans for individual projects by the City Engineer would ensure no significant impacts would occur. In addition, construction activities on project sites larger than one acre are required to prepare a Stormwater Pollution Prevention Plan that details best management practices to reduce the potential for erosion during construction activities. Consequently, impacts would be less than significant. The changes to the Project do not substantially change the previously evaluated impacts.

Mitigation: No additional mitigation measures are available or proposed.

c) **Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

Discussion of Effects: The project would not result in the location of development on a geologic unit or soil that is unstable, or that would become unstable because as previously discussed, the potential for liquefaction and landslides associated with the project is less than significant. The Ontario Plan FEIR (Section 5.7) indicates that subsidence is generally associated with large decreases or withdrawals of water from the aquifer. The project would not withdraw water from the existing aquifer. Further, implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation measures are available or proposed.

d) **Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994),**

creating substantial risks to life or property?

Discussion of Effects: The majority of Ontario, including the project site, is located on alluvial soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

- e) **Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

Discussion of Effects: No impact- As a master planned community; the proposed Project would use sewer systems and would not include the use of the septic systems or alternative wastewater treatment systems. As a result, no impact relating to septic or alternative wastewater systems would occur, and no further analysis of this issue is required.

Mitigation: No additional mitigation measures are available or proposed.

- 7) **GREENHOUSE GAS EMISSIONS.** Would the project:

- a) **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

Discussion of Effects: The impact of buildout of The Ontario Plan on the environment due to the emission of greenhouse gases (“GHGs”) was analyzed in the Environmental Impact Report (“EIR”) for the Policy Plan (General Plan). According to the EIR, this impact would be significant and unavoidable. (Re-circulated Portions of the Ontario Plan Draft Environmental Impact Report, p. 2-118.) This EIR was certified by the City on January 27, 2010, at which time a statement of overriding considerations was also adopted for The Ontario Plan’s significant and unavoidable impacts, including that concerning the emission of greenhouse gases.

Pursuant to Public Resources Code section 21083.3, this impact need not be analyzed further, because (1) the proposed project would result in an impact that was previously analyzed in The Ontario Plan EIR, which was certified by the City; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in The Ontario Plan EIR; (3) the proposed project is consistent with The Ontario Plan.

As part of the City’s certification of The Ontario Plan EIR and its adoption of The Ontario Plan, the City adopted mitigation measures 6-1 through 6-6 with regard to the significant and unavoidable impact relating to GHG emissions. These mitigation measures, in summary, required:

MM 6-1. The City is required to prepare a Climate Action Plan (CAP).

MM 6-2. The City is required to consider for inclusion in the CAP a list of emission reduction measures.

MM 6-3. The City is required to amend its Municipal Code to incorporate a list of emission reduction concepts.

MM 6-4. The City is required to consider the emission reduction measures and concepts contained in MMs 6-2 and 6-3 when reviewing new development prior to adoption of the CAP.

MM 6-5. The City is required to evaluate new development for consistency with the Sustainable Communities Strategy, upon adoption by the Southern California Association of Governments.

MM 6-6. The City is required to participate in San Bernardino County’s Green Valley Initiative.

While Public Resources Code section 21083.3 requires that relevant mitigation measures from a General Plan EIR be imposed on a project that is invoking that section’s limited exemption from CEQA, these mitigation measures impose obligations on the City, not applicants, and hence are not directly relevant. However, the mitigation proposed below carries out, on a project-level, the

intent of The Ontario Plan's mitigation on this subject.

Mitigation Required: The following mitigation measures shall be required:

- i) The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project:
- ii) Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and install or replace vegetation with drought-tolerant, low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects;
- iii) Require all new landscaping irrigation systems installed to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors;
- iv) Reduce heat gain from pavement and other similar hardscaping;
- v) The City is required to consider for inclusion in the CAP a list of emission reduction measures.
- vi) The City is required to amend its Municipal Code to incorporate a list of emission reduction concepts.

Therefore, the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

b) **Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

Discussion of Effects: The proposed project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, state and federal regulations. In addition, the proposed project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City's contribution of greenhouse gas emissions at build-out by fifteen (15%), because the project is upholding the applicable City's adopted mitigation measures as represented in 6-1 through 6-6. Therefore, the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

Mitigation Required: No additional mitigation measures are available or proposed.

8) **HAZARDS & HAZARDOUS MATERIALS.** Would the project:

a) **Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?**

Discussion of Effects: TOP FEIR concluded that the, current federal and state regulations, City ordinances, and The Ontario Plan policies would regulate the handling of hazardous substances to reduce potential releases; exposure; and risks of transporting, storing, treating, and disposing of hazardous materials and wastes. Additional hazardous waste transport, use, and/or disposal that would occur upon the buildout of The Ontario Plan would be less than significant with adherence to the existing regulations. The Rich Haven Specific Plan EIR (2007) included further discussion that before any project construction can begin, disposal of any hazardous or potentially hazardous materials as a result of current and historical uses of the agricultural/dairy industry. However, the risks of exposure of the public to hazardous materials were previously evaluated in the existing Rich Haven Specific Plan EIR (2007). Mitigation measures were incorporated into the EIR that reduced these impacts to a less than significant level that this project would be subject to. The changes to the Project do not substantially change the previously-evaluated impacts. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

Mitigation: No additional mitigation measures are available or proposed.

- b) **Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

Discussion of Effects: The proposed project does not include the use of hazardous materials or volatile fuels. In addition, there are no known stationary commercial or industrial land uses within close proximity to the subject site, which use/store hazardous materials to the extent that they would pose a significant hazard to visitors/occupants to the subject site, in the event of an upset condition resulting in the release of a hazardous material.

Mitigation: No additional mitigation measures are available or proposed.

- c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?**

Discussion of Effects: The proposed project does not include the use, emissions or handling of hazardous or acutely hazardous materials, substances or waste. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

- d) **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

Discussion of Effects: The proposed project site is not listed on the hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the project would not create a hazard to the public or the environment and no impact is anticipated.

Mitigation: No additional mitigation measures are available or proposed.

- e) **For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?**

Discussion of Effects: The proposed Rich Haven Specific Plan Amendment was reviewed and found to be 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 project site is located outside of the Safety, Noise Impact and Airspace Protection Zones. However, the project is located within the Real Estate Transaction Disclosure and in accordance with California Codes: Business and Professions Code Section 11010-11024, new 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. In addition, the proposed site is located within two miles of Chino Airport and lies outside the boundaries of the Chino Airport Comprehensive Land Use Plan. The proposed changes to the Project will not substantially change the previously evaluated impacts.

Mitigation: No additional mitigation measures are available or proposed.

- f) **For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

- g) **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Discussion of Effects: The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks

interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from everyday and disaster emergencies. In addition, the project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because the project is required to comply with all applicable City codes, any impacts would be reduced to a less than significant level.

Mitigation: No additional mitigation measures are available or proposed.

- h) **Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

Discussion of Effects: The project site is not located in or near wildlands. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

9) **HYDROLOGY & WATER QUALITY.** Would the project:

- a) **Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?**

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. Discharge of storm water pollutants from areas of materials storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing, waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work) areas could result in a temporary increase in the amount of suspended solids, trash and debris, oil and grease, organic compounds, pesticides, nutrients, heavy metals and bacteria pathogens in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide National Pollutant Discharge Elimination System (NPDES) General Industrial Activities Stormwater Permit, the San Bernardino County Area-Wide Urban Runoff Permit (MS4 permit) and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)). This would reduce any impacts to below a level of significance.

Mitigation: No additional mitigation measures are available or proposed.

- b) **Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**

Discussion of Effects: No increases in the current amount of water flow to the project site are anticipated, and the proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property will be negligible. The development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 230 to 250 feet below the ground surface. No adverse impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

- c) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increases in erosion of the project site or surrounding areas?**

Discussion of Effects: It is not anticipated that the project would alter the drainage pattern of the site or area, in a manner that would result in erosion, siltation or flooding on-or-off site nor will the proposed project increase the erosion of the subject site or surrounding areas. The existing

drainage pattern of the project site will not be altered and it will have no significant impact on downstream hydrology. Stormwater generated by the project will be discharged in compliance with the statewide NPDES General Construction Activities Stormwater Permit and San Bernardino County MS4 permit requirements. With the full implementation of a Storm Water Pollution Prevention Plan developed in compliance with the General Construction Activities Permit requirements, the Best Management Practices included in the SWPPP, and a stormwater monitoring program would reduce any impacts to below a level of significance. No streams or streambeds are present on the site. No changes in erosion off-site are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

- d) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?**

Discussion of Effects: The proposed project is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance.

Mitigation: No additional mitigation measures are available or proposed.

- e) **Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff (a&b) during construction and/or post-construction activity?**

Discussion of Effects: It is not anticipated that the project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. Pursuant to the requirements of The Ontario Plan, the City's Development Code, and the San Bernardino County MS4 Permit's "Water Quality Management Plan" (WQMP), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. If master drainage facilities are not in place at the time of project development, then standard engineering practices for controlling post-development runoff may be required, which could include the construction of on-site storm water detention and/or retention/infiltration facilities. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

- f) **Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?**

Discussion of Effects: Activities associated with the construction period, could result in a temporary increase in the amount of suspended solids in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide NPDES General Construction Permit and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)) to minimize water pollution. Thus it is anticipated that there is no potential for discharges of stormwater during construction that will affect the beneficial uses of the receiving waters. However, with the General Construction Permit requirement and implementation of the policies in The Ontario Plan, any impacts associated with the project would be less than significant.

Mitigation: No additional mitigation measures are available or proposed.

- g) **Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?**

Discussion of Effects: The project site is not located within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

h) **Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?**

Discussion of Effects: As identified in the Safety Element (Exhibit S-2) of the Policy Plan (General Plan), the site lies outside of the 100-year flood hazard area. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

i) **Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?**

Discussion of Effects: As identified in the Safety Element (Exhibit S-2) of The Ontario Plan, the site lies outside of the 100-year flood hazard area. No levees or dams are located near the project site. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

j) **Expose people or structures to inundation by seiche, tsunami or mudflow?**

Discussion of Effects: There are no lakes or substantial reservoirs near the project site; therefore, impacts from seiche are not anticipated. The City of Ontario has relatively flat topography, less than two percent across the City, and the chance of mudflow is remote. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

10) **LAND USE & PLANNING.** Would the project:

a) **Physically divide an established community?**

Discussion of Effects: As shown in the previous TOP FEIR, Rich Specific Plan EIR (2007), and according to the TOP Policy Plan (General Plan), the project site is located in an area that will be developed with urban land uses. This project will be of similar design and size to adjacent development to the north and northwest. The project site is sparsely populated, with land use being predominately agricultural. Adjacent land uses to the east, west and south are also sparsely populated with no strong spatial community pattern. The project will become an integrated part of Ontario Ranch (former New Model Colony) that will be developed with a series of planned communities. It was determined that the impacts would be less than significant. The changes to the Project will remain consistent with the TOP Policy Plan (General Plan), and therefore would not substantially change the conclusions reached in the previous EIR.

Mitigation: No additional mitigation measures are available or proposed.

b) **Conflict with applicable land use plan, policy or regulation of agencies with jurisdiction over the project (including, but not limited to general plan, airport land use compatibility plan, specific plan, or development code) adopted for the purpose of avoiding or mitigation an environmental effect?**

Discussion of Effects: The project will bring consistency between the Policy Plan (General Plan) Land Use Plan and the Rich Haven Specific Plan Land Use Plan and does not interfere with any policies for environmental protection. The changes to the Project will remain consistent with the TOP Policy Plan (General Plan), and therefore would not substantially change the conclusions reached in the TOP EIR.

Mitigation: No additional mitigation measures are available or proposed.

c) **Conflict with any applicable habitat conservation plan or natural community conservation plan?**

Discussion of Effects: There are no adopted habitat conservation plans in the project area. As such no conflicts or impacts are anticipated.

Mitigation: No additional mitigation measures are available or proposed.

11) **MINERAL RESOURCES.** Would the project:

- a) **Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

Discussion of Effects: The project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area. Therefore, no impacts are anticipated.

Mitigation: None required.

- b) **Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

Discussion of Effects: There are no known mineral resources in the area. No impacts are anticipated.

Mitigation: None required.

12) **NOISE.** Would the project result in:

- a) **Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Discussion of Effects: The project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan FEIR (Section 5.12). In addition, the previous Rich Haven Specific Plan EIR (2007), analysis concluded that the construction activities associated with the Specific Plan buildout could generate substantial temporary or periodic noise levels and considered the impact to be significant and unavoidable. The EIR analysis concluded that project specific mitigation measures required for development would further reduce the impact to less than significant. The changes to the Project do not change this conclusion.

Mitigation: No additional mitigation measures are proposed or necessary.

- b) **Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?**

Discussion of Effects: The uses associated with this project normally do not induce groundborne vibrations. As such, no impacts are anticipated.

Mitigation: No additional mitigation measures are proposed or necessary.

- c) **A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

Discussion of Effects: The project will not be a significant noise generator and will not cause a substantial permanent increase in ambient noise levels because of the limited size and scope of the project that wasn't already analyzed for and mitigated in the certified TOP EIR and Rich Haven Specific Plan EIR. Moreover, the proposed use will be required to operate within the noise levels permitted for commercial development, pursuant to City of Ontario Municipal Cod. Therefore, no increases in noise levels within the vicinity of the project are anticipated.

Mitigation: No additional mitigation measures are proposed or necessary.

- d) **A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

Discussion of Effects: Temporary construction activities will minimally impact ambient noise levels. All construction machinery will be maintained according to industry standards to help minimize the impacts. Normal activities associated with the project are unlikely to increase ambient noise levels.

Mitigation: No additional mitigation measures are proposed or necessary.

- e) **For a project located within the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?**

Discussion of Effects: The proposed Rich Haven Specific Plan Amendment was reviewed and found to be 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 project site is located outside of the Safety, Noise Impact and Airspace Protection Zones. However, the project is located within the Real Estate Transaction Disclosure and in accordance with California Codes: Business and Professions Code Section 11010-11024, new 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. In addition, the proposed site is located within two miles of Chino Airport and lies outside the boundaries of the Chino Airport Comprehensive Land Use Plan. The proposed changes to the Project will not substantially change the previously evaluated impacts since the project boundary has not changed.

Mitigation: No additional mitigation measures are proposed or necessary.

- f) **For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation measures are proposed or necessary.

13) **POPULATION & HOUSING.** Would the project:

- a) **Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?**

Discussion of Effects: The proposed project is an amendment to the Rich Haven Specific Plan to annex 72.3 acres of land located on the southeast corner of Haven Avenue and Ontario Ranch Road into the Mixed-Use Overlay district of the Rich Haven Specific Plan including updates to the development standards, exhibits and text changes to reflect the proposed annexation and Policy Plan (general plan) compliance. The proposed annex areas have a TOP Land Use designation of Mixed Use – NMC East and Open Space - Non Recreation and are envisioned to contain low-rise (3–5 stories) buildings with primarily a horizontal mixture of retail, office, medical, and residential uses. The Mixed Use - NMC East land use designation is required to maintain a residential density range of 14.0 – 50 du/ac and Floor Area Ratios of no greater than 0.7 for any commercial/office uses to be consistent with City's TOP policies. The certified TOP EIR (SCH#2008101140) analyzed the impacts of all proposed land use designations and established thresholds that are listed in Exhibit LU-03 Future Buildout of TOP. The buildout assumptions utilized in the certified TOP EIR for the Mixed Use – NMC East analyzed included: Residential - 30% of area at 25 du/ac which equates to 476 units; Office - 30% of area at 0.35 FAR which equates to 289,979 square feet of office; and Retail - 40% of area at 0.3 FAR which equates to 331,404 square feet of retail. However the proposed specific plan amendment is proposing to increase the area devoted for residential purposes to 71% and up to a maximum of 1,702 units at 33 dwelling units per acre and decrease the area devoted to office and retail uses to 29% and up to a maximum of 171,716 square feet at a 0.33 FAR. The future buildout projections for Mixed Use – NMC East included within TOP FEIR identifies a maximum of 1,978 units and 2,584,524 square feet of retail/office. The Citywide buildout assumptions for residential are for 104,644 units with a total population of 360,851 people and for commercial (retail/office) uses is 75,290,759 square feet. The proposed Specific Plan Amendment would increase the residential unit count by 1,226 (from 476 to 1,702 within the Mixed Use – NMC East category), a 1.17% increase in units from the Citywide buildout assumptions. The population would increase by 2,452 people (360,851 to 363,303) a 0.68% increase in City population and would not induce a substantial population growth. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation measures are proposed or necessary.

- b) **Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

Discussion of Effects: The project site is currently undeveloped. Therefore, no impacts are

anticipated.

Mitigation: No additional mitigation measures are proposed or necessary.

c) **Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

Discussion of Effects: The project site is currently undeveloped. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation measures are proposed or necessary.

14) **PUBLIC SERVICES.** Would the project:

a) **Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

i) **Fire protection?**

Discussion of Effects: The proposed Rich Haven Specific Plan Amendment will not create greater impacts than were identified in the certified TOP FEIR and the Rich Haven Specific Plan EIR. Implementation of the Project will increase the number of residential units by 1,226 units and decrease the commercial/office square foot by 449,667 square feet. These additional units, while they will increase demand on existing facilities, will also provide additional funds through development impact fees that will contribute to the expansion and/or construction of new fire protection facilities to meet the increased demands. The mitigation measures listed in Section 5.9.3 – Fire Services of the Rich Haven Specific Plan EIR (2007) also identify specific requirements pertaining to fire protection which will be implemented prior to development of the Project and will reduce impacts with regard to fire protection to less than significant. The Project will be required to meet standards for the quantity of water provided and available to the Ontario Fire Department in order to adequately respond to any future incidents. In addition, the Project will be subject to requirements of the Ontario Municipal Code regarding circulation and design features that allow adequate emergency vehicle access. Impacts to fire protection services will remain at a less than significant level and no additional mitigation measures beyond those previously included in the EIR are required.

Mitigation: No additional mitigation measures are proposed or necessary.

ii) **Police protection?**

Discussion of Effects: The proposed Rich Haven Specific Plan Amendment will not create greater impacts than were identified in the certified TOP FEIR and the Rich Haven Specific Plan EIR. As discussed above, the additional increase in the number of residential will increase the demand on the police protection services provided by the City of Ontario. Again, the additional units and commercial/office square feet will also provide additional development impact fees to offset these demands and provide funding to expand existing services (Rich Haven EIR Section 5.9.2 – Police Facilities). The addition of the residential units and commercial/office square feet is not significant enough to cause the need for the Ontario Police Department to change their plans for future police protection in the area of the Ontario Ranch (NMC). No additional mitigation measures will be necessary for this change in the Project.

Mitigation: No additional mitigation measures are proposed or necessary.

iii) **Schools?**

Discussion of Effects: The proposed Rich Haven Specific Plan Amendment will not create greater impacts than were identified in the certified TOP FEIR and the Rich Haven Specific Plan EIR. The Rich Haven Specific Plan EIR (2007) analysis concluded that future growth in the vicinity of the project area will result in an increased student population and substantially contribute to a significant cumulative impact on public school facilities. However, the proposed project, along with other foreseeable development is required to bear its fair share of the cost

of providing additional school services (Rich Haven Specific Plan EIR Section 5.9.1 Schools). The Project will not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Rich Haven Specific Plan EIR (2007) or TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures.

Mitigation: No additional mitigation measures are proposed or necessary.

iv) **Parks?**

Discussion of Effects: The proposed Rich Haven Specific Plan Amendment will not create greater impacts than were identified in the certified TOP FEIR and the Rich Haven Specific Plan EIR. The Rich Haven Specific Plan EIR (2007), analysis concluded that the implementation of the Specific Plan would contribute to a shortage of parkland, which could result in the need for new or altered facilities and considered this impact as less than significant. The Rich Haven Specific Plan includes network of paseos, parks and bicycle trails for its residents and therefore the impacts the project would have would be less than significant. In addition, The Policy Plan (Policy PR1-5) has established a standard of 5-acres of parklands (public and private) per 1,000 residents, with a minimum of 2-acres of developed private park space per 1,000 residents (Policy PR1-16). The proposals within the Rich-Haven Land Use Plan will include enough parkland to meet the minimum ratio of 2-acres per 1,000 residents. The remaining acreage of parkland required will be accommodated through the payment of in-lieu park fees. The proposed changes to the Project will not substantially change the previously evaluated impacts.

Mitigation: No additional mitigation measures are proposed or necessary.

v) **Other public facilities?**

Discussion of Effects: Other existing public facilities such as libraries, museums, or other cultural opportunities would be adequate to serve the residents of the proposed project. However, in order to reduce impacts associated with additional residents increasing the demand on the local library system, the City has adopted a library development impact fee. Because libraries need enough people within a geographic area to warrant their construction, the fees are considered adequate mitigation and no significant impact results from the project.

Mitigation: No additional mitigation measures are proposed or necessary.

15) **RECREATION**. Would the project:

a) **Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

Discussion of Effects: The Project proposes an additional 1,226 residential units above what was previously evaluated in the certified TOP FEIR. However, the Policy Plan (Policy PR1-5) has established a standard of 5-acres of parklands (public and private) per 1,000 residents, with a minimum of 2-acres of developed private park space per 1,000 residents (Policy PR1-16). The proposals within the Rich-Haven Land Use Plan will include enough parkland to meet the minimum ratio of 2-acres per 1,000 residents. The remaining acreage of parkland required will be accommodated through the payment of in-lieu park fees. The proposed changes to the Project will not substantially change the previously evaluated impacts.

Mitigation: No additional mitigation measures are proposed or necessary.

b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?**

Discussion of Effects: The only existing facility within the vicinity of the project site is Whispering Lakes Golf Course and Westwind Park. Because the project is within the Rich Haven Specific Plan, which will include parks and paseos, it is not expected that the project will rely on other existing parks in the vicinity. In addition, the project will be required to pay impact fees for mitigating impacts on park facilities. The proposed changes to the Project do not change this conclusion.

Mitigation: No additional mitigation measures are proposed or necessary.

16) **TRANSPORTATION/TRAFFIC.** Would the project:

- a) **Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited?**

Discussion of Effects: The proposed Rich Haven Specific Plan Amendment will not create greater impacts than were identified in the certified TOP FEIR and the Rich Haven Specific Plan EIR. The proposed increase in residential units and decrease of commercial square footage previously discussed were analyzed and the project's number of vehicle trips per day did not increase above the established thresholds of the FEIR, see Exhibit B – Rich Haven Specific Plan Amendment: Traffic Comparison Table. Staff analyzed the existing and proposed land use buildout trip generation scenarios within planning areas 6a, 6b, 9a and 9b to determine if the proposed project would be a greater impact than what was previously analyzed in the TOP EIR traffic study. The trip generation analyses relied upon the *Trip Generation, 9th Edition, and Institute of Transportation Engineers (ITE) 2012* to determine the number of trips generated from the project site during a.m. and p.m. weekday peak hours. Therefore, since the project will not create a substantial increase in the number of vehicle trips, traffic volume or congestion at intersections. Less than significant impacts are anticipated.

Mitigation: No additional mitigation measures are proposed or necessary.

- b) **Conflict with an applicable congestion management program, including, but not limited to, level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

Discussion of Effects: The proposed Rich Haven Specific Plan Amendment will not create greater impacts than were identified in the certified TOP FEIR and the Rich Haven Specific Plan EIR. In addition, the proposed Specific Plan Amendment would not impact the proposed Specific Plan master circulation or intersection geometry. The intersections within the Specific Plan would operate at an acceptable Level of Service (LOS) and no additional traffic signals or lane geometry changes would be warranted. Subsequently, infrastructure improvement designs for installation will also be reviewed at the time the individual developments are submitted. Therefore, no proposed changes or revisions to the EIR are required.

Mitigation: No additional mitigation measures are proposed or necessary.

- c) **Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

Discussion of Effects: As previously evaluated, the Project will not create a substantial safety risk or interfere with air traffic patterns at Ontario International Airport or Chino Airport. It was determined that no impacts were anticipated.

Mitigation: No additional mitigation measures are proposed or necessary.

- d) **Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

Discussion of Effects: As previously evaluated, the Project is required to comply with the City of Ontario's right of way design standards. It was determined that the project will, therefore, not create a substantial increase in hazards due to a design feature and no impacts were anticipated. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation measures are proposed or necessary.

- e) **Result in inadequate emergency access?**

Discussion of Effects: The project will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

Mitigation: None required.

f) **Result in inadequate parking capacity?**

Discussion of Effects: All proposed development within the Rich Haven Specific Plan will be required to meet parking standards established by the Ontario Development Code and will therefore not create an inadequate parking capacity. It was determined that no impacts are anticipated. The same parking standards apply to the proposed project, and therefore the changes do not change this conclusion.

Mitigation: No additional mitigation measures are proposed or necessary.

g) **Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?**

Discussion of Effects: The proposed Project is consistent with transportation requirements of the Specific Plan. As a result, no impacts related to applicable transportation plans or programs would result and therefore the changes do not change this conclusion.

Mitigation: No additional mitigation measures are proposed or necessary.

17) **UTILITIES AND SERVICE SYSTEMS.** Would the project:

a) **Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

Discussion of Effects: The Rich Haven Specific Plan is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 (or RP-5) treatment plant. Additionally, in the future prior to final map recordation a Water Quality Management Plan (WQMP) will be required to be submitted for each development project within the Specific Plan area. The WQMP shall be reviewed and approved by the City's Engineering Department, prior to Final Map recordation. Therefore, the changes do not change this conclusion.

Mitigation: No additional mitigation measures are proposed or necessary.

b) **Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

Discussion of Effects: As previously shown in the Rich Haven Specific Plan EIR (2007), the proposed Project area is served by both the City of Ontario sewer system and Inland Empire Utilities Agency which has waste treated by the Inland Empire Utilities Agency at Regional Plant 5 (RP5). In order to serve the Project with water or wastewater service, the construction of new facilities, such as water and sewer lines would be necessary. The construction of these facilities would not result in significant environmental impacts. In addition, the previously certified EIR stated that RP5 would be of adequate capacity to serve the entire Ontario Ranch (NMC), of which the proposed Project is a part. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation measures are proposed or necessary.

c) **Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

Discussion of Effects: As previously discussed in the Rich Haven Specific Plan EIR (2007), due to the high frequency of flooding and lack of existing storm water drainage facilities in the Project area, the construction of new facilities as well as the expansion of existing facilities will be required. It was shown that the construction of these new facilities would not cause significant environmental effects. The proposed Project will not change this conclusion.

Mitigation: No additional mitigation measures are proposed or necessary.

d) **Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).**

Discussion of Effects: The Rich Haven Specific Plan EIR (2007) analysis concluded that the implementation of the Specific Plan would generate an additional demand for water; however, there will be sufficient water supply exists to meet the City's existing and planned future uses. Additionally, the City's water, recycled water, and/or sewer infrastructure would have sufficient capacity with the proposed Specific Plan Amendment and specific infrastructure improvement designs for installation shall be reviewed at the time the individual developments are submitted. In addition, the Ontario Municipal Utilities Company reviewed the increase in residential units and decrease in comm. office square footage and determined that the City's water, recycled water, sewer infrastructure and circulation infrastructure would have sufficient capacity to serve the proposed Specific Plan Amendment. The proposed Project will not change this conclusion.

Mitigation: No additional mitigation measures are proposed or necessary.

- e) **Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

Discussion of Effects: The previous Rich Haven Specific Plan EIR (2007), states that the existing wastewater treatment system has the capacity to accept the projected wastewater flows from the entire Ontario Ranch. Since the proposed Project is a part of the Ontario Ranch and has been planned for in TOP Policy Plan (General Plan), less than significant impacts would result from Project implementation. The changes to the Project will not change this conclusion.

Mitigation: No additional mitigation measures are proposed or necessary.

- f) **Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

Discussion of Effects: As previous discussed in the Rich Haven Specific Plan EIR (2007), the Project will be required to comply with Section 6.3 of the City's Municipal Code; therefore, demolition and construction debris resulting from the proposed Project would result in less than significant direct impacts regarding solid waste. The Project would also participate in residential recycling programs in accordance with Section 6.3 of the City's Municipal Code, reducing the amount of solid waste being disposed of in landfills. The City also offers composting workshops for residents and a household hazardous waste program for residents to dispose of their hazardous waste including paints, batteries, or pesticides. The changes to the Project will not change this conclusion.

Mitigation: No additional mitigation measures are proposed or necessary.

- g) **Comply with federal, state, and local statutes and regulations related to solid waste?**

Discussion of Effects: This project complies with federal, state, and local statutes and regulations regarding solid waste. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation measures are proposed or necessary.

18) MANDATORY FINDINGS OF SIGNIFICANCE

Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion of Effects: The proposed project does not have the potential to degrade the quality of the environment, reduce the fish and wildlife habitat, threaten plant, fish or wildlife species, or eliminate historical, archeological, or cultural resources. Substantial changes have not occurred with respect to the circumstances under which the project is undertaken that would require major revisions of the previous Environmental Impact Report due to the involvement of new significant environmental effects. In addition, the certified TOP FEIR and Rich Haven Specific Plan EIR identified the potential habitat for the federally listed Delhi Sands Flower Loving Fly (DSFF) and Burrowing Owl. Both EIRs discussed that changing the land use from the existing agricultural

uses to suburban development could further reduce the viability of the site as habitat for these species. During the biological surveys for the Rich Haven EIR, it was found that Burrowing Owls were present within the project area. Mitigation was included for pre-construction surveys to occur with the requirement that relocation would occur if burrowing owls were present. Subsequently, prior to the granting of discretionary entitlements and any further approvals would be withheld until surveys could be completed and any necessary permits were obtained. In addition, extensive surveys were completed for the Delhi Sands Flower-Loving Fly and its habitat, but no evidence of the fly or its habitat was found. The proposed project do not change these conclusions.

Mitigation: None required. The Project will not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects, other than those previously considered and addressed in the Certified Rich Haven Specific Plan EIR. No changes or additions to the Rich Haven Specific Plan EIR (2007) analyses are necessary, nor is there a need for any additional mitigation measures.

- a) **Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?**

Discussion of Effects: The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

Mitigation: None required.

- b) **Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)**

Discussion of Effects: The project does not have impacts that are cumulatively considerable.

Mitigation: None required.

- c) **Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?**

Discussion of Effects: The project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation: None required.

EARLIER ANALYZES

(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D)):

- 1) Earlier analyzes used. Identify earlier analyzes used and state where they are available for review.
 - a) The Ontario Plan Final EIR (SCH #2008101140)
 - b) The Ontario Plan
 - c) The Rich Haven Specific Plan EIR (SCH# 2006051081)
 - d) The Rich Haven Specific Plan EIR Mitigation Monitoring and Reporting Program
 - e) The Rich Haven Specific Plan
 - f) Ontario International Airport Land Use Compatibility Plan
 - g) Ontario International Airport Land Use Compatibility Plan Negative Declaration (SCH 2011011081)All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.
- 2) Impacts adequately addressed. Identify which effects from the above checklist were within the scope

of and adequately analyzed in an earlier document pursuant to applicable legal standards.

Comments III.A and C were addressed in The Ontario Plan FEIR and considered a significant adverse effect that could not be mitigated. A statement of overriding considerations was adopted for The Ontario Plan FEIR.

MITIGATION MEASURES *(For effects that are “Less than Significant with Mitigation Incorporated,” describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project):*

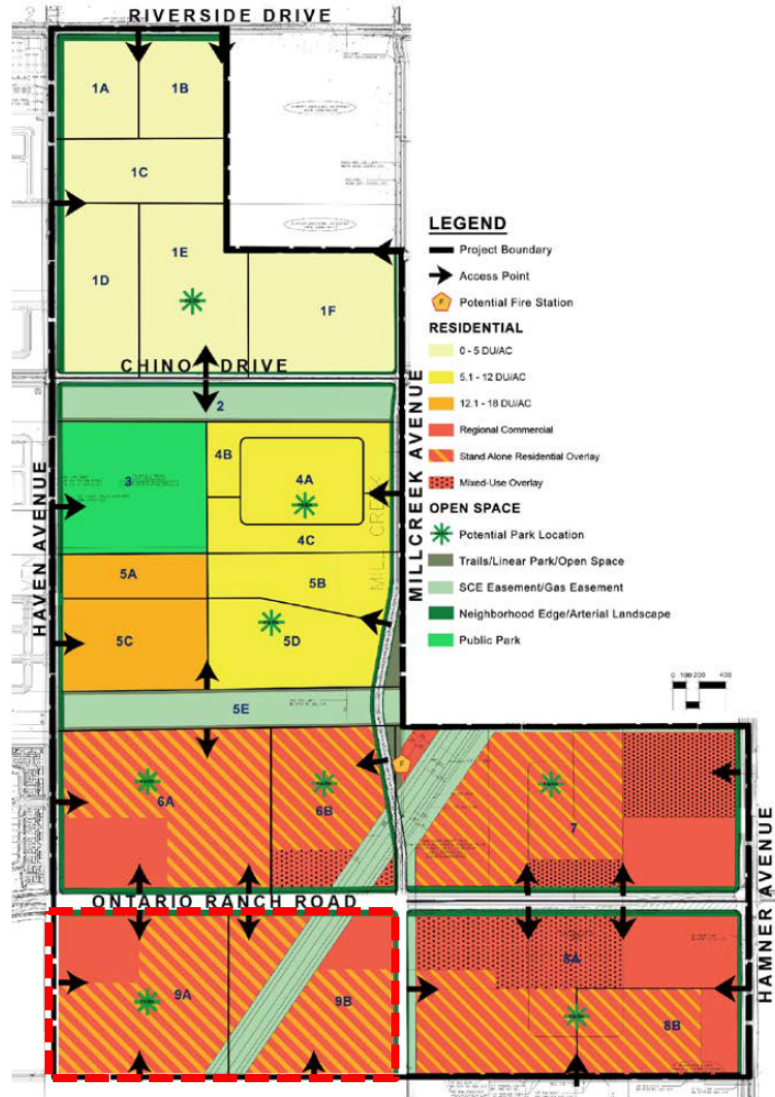
As the project does not have any adverse environmental impacts beyond those identified in the original EIR, as modified by the, no mitigation beyond that previously imposed is required.

Exhibit A – Specific Plan Amendment: Proposed Rich Haven Land Use Map and Table

RICH HAVEN

3

LAND USE



- * Circulation pattern for local streets within Specific Plan Area to be established at Tentative Tract Map submittal.
 - ** Residential development along the frontage of Haven Avenue within Planning Areas 5A, 5C and 6A and residential development along the frontage of Ontario Ranch Road within Planning Areas 6A and 7 shall average a density of 18 to 25 dwelling units per acre to support Bus Rapid Transit (BRT) along Haven Avenue.
 - *** After full dedication of Master Plan sheets and neighborhood edges, residential development within Planning Areas 6A + 9A and residential development within Planning Areas 6B + 9B shall meet a minimum net density of 14 dwelling units per acre.
- The minimum density in Planning Areas 6A + 9A and Planning Areas 6B + 9B can be averaged between the two areas and shall be established at Tentative Tract submittal for each Planning Area.

RICH HAVEN SPECIFIC PLAN
 LAND USE PLAN

FIGURE 3-1

Planning Area ^{3,4}	Land Use	Dwelling Units ¹	Acres (Gross)	Density (Gross)
1A	Residential - SFD	58	12.8	4.5
1B	Residential - SFD	57	12.7	4.5
1C	Residential - SFD	68	14.9	4.5
1D	Residential - SFD	91	20.5	4.5
1E	Residential - SFD	109	23.4	4.5
1F	Residential - SFD	120	26.3	4.5
Subtotal		503	110.6	4.5
2	Edison Parcel ²		20.0	
3	Park ²		27.0	
Subtotal			47.0	
4A	Residential – Small Lot SFD	154	14.0	11.0
4B	Residential – Small Lot SFD	101	9.2	11.0
4C	Residential – Small Lot SFD	108	9.8	11.0
Subtotal		363	33.1	11.0
5A ⁵	Residential – Small Lot SFD	109	9.1	12.1
5B	Residential – Small Lot SFD	165	14.2	11.7
5C ⁵	Residential – Small Lot SFD	332	27.0	12.3
5D	Residential – Small Lot SFD	361	30.3	11.9
5E	Edison Easement	-	-	-
Subtotal		967	80.6	12.0
Subtotal Residential District		1,833	271.3	8.2

Mixed Use District Planning Area ^{5, 6, 7, 8}	Land Use	Gross Acreage	Residential Maximum	Commercial/ Office Min (SF)	Commercial/ Office Max (SF)
6A + 9A	Residential & Commercial	85.6	2,178	109,335	166,182
6B + 9B	Residential & Commercial	65.1	1,406	36,639	76,320
7 ⁵	Residential & Commercial	81.1	725	100,000	440,800
8A	Residential & Commercial	61.4	852	95,000	325,000
8B	Residential & Commercial	19.70	200	20,000	123,400
Total		312.9	5,361	360,974	1,131,702

NOTES:

- ALL RESIDENTIAL DWELLING UNITS SHOWN IN LAND USE SUMMARY ARE MAXIMUMS.
- PROJECT TOTAL & SUBTOTAL RESIDENTIAL DISTRICT DENSITIES ARE CALCULATED USING RESIDENTIAL ACREAGES ONLY, THEREFORE THE ACREAGES OF PA 2 & 3 ARE NOT INCLUDED.
- WITHIN THIS SPECIFIC PLAN DOCUMENT, REFERENCES TO PLANNING AREAS ARE ONLY 1 THROUGH 9. SUB-PLANNING AREAS SUCH AS 1A, 1B, ETC ARE DESIGNATED TO HELP ADDRESS OWNERSHIP PATTERNS AND ARE NOT INTENDED TO BE USED FOR DENSITY TRANSFER.
- PLANNING AREAS 1A THROUGH 1F SHALL INCLUDE A MINIMUM OF 80 LOTS OF 7,200 SQ. FT. OR ABOVE.
- RESIDENTIAL DEVELOPMENT ALONG THE FRONTAGE OF HAVEN AVENUE WITHIN PLANNING AREAS 5A, 5C, 6A AND 7 SHALL AVERAGE A DENSITY OF 18 TO 25 DWELLING UNITS PER ACRE TO SUPPORT BUS RAPID TRANSIT (BRT) ALONG HAVEN AVENUE.
- RESIDENTIAL DEVELOPMENT WITHIN PLANNING AREAS 6A, 6B, 7, 8A, 8B, 9A AND 9B SHALL MEET A MINIMUM NET DENSITY OF 14 DWELLING UNITS PER TOP ADJUSTED GROSS ACREAGE.
- RESIDENTIAL DEVELOPMENT WITHIN PLANNING AREAS 6A + 9A AND RESIDENTIAL DEVELOPMENT WITHIN PLANNING AREAS 6B + 9B SHALL MEET A MINIMUM NET DENSITY OF 14 DWELLING UNITS PER TOP ADJUSTED GROSS ACREAGE. THE MINIMUM DENSITY IN PLANNING AREAS 6A + 9A AND PLANNING AREAS 6B + 9B CAN BE AVERAGED BETWEEN THE TWO AREAS AND SHALL BE ESTABLISHED AT TENTATIVE TRACT SUBMITTAL FOR EACH PLANNING AREA.
- ALTERNATE COMMERCIAL/OFFICE SQUARE FOOTAGE OR RESIDENTIAL DWELLING UNITS MAY BE PERMITTED, IF A TRIP GENERATION ANALYSIS DEEMS THAT THE PROPOSAL IS CONSISTENT WITH OR LESS THAN SIGNIFICANT WITH THE ONTARIO PLAN EIR AVERAGE DAILY TRIPS (ADT) ASSUMPTION FOR THE PLANNING AREA. THE PROPOSAL SHALL BE REVIEWED AND APPROVED BY THE PLANNING DIRECTOR OR ASSIGNEE AT SUBDIVISION ENTITLEMENT.

RICH HAVEN SPECIFIC PLAN
 LAND USE SUMMARY

TABLE 3-1

Exhibit B – Rich Haven Specific Plan Amendment: Traffic Comparison Table

Rich Haven Specific Plan Amendment - Traffic Generation Comparison

Land Use Trip Generation Rates

Land Use Trip Generation Factors	Average Rate Weekday	Average Rate Weekday AM Peak Rate	Average Rate Weekday PM Peak Rate
Shopping Center: 820	42.70/1,000 SF	0.96/1,000 SF	3.71/1,000 SF
Office Park: 750	11.42/1,000 SF	1.71/1,000 SF	1.48/1,000 SF
Residential Condominium/ Townhouse: 230	5.81/per unit	0.44/per unit	0.52/per unit

TOP EIR Traffic Trip Generation Assumptions - Brookfield Planning Area 6a & 9a

Land Use: Trip Generation Number	Units/SF	Average Number Trips - Weekday	Average Number Trips - Weekday AM	Average Number Trips Weekday PM
Shopping Center: 820	410,335	17,521.30	395.15	1,522.34
Office Park: 750	359,043	4,100.27	613.96	531.38
Residential Condominium/ Townhouse: 230	589	3,422	259	306
Subtotal Trips		25,043.67	1,268.28	2,360

TOP EIR Traffic Trip Generation Assumptions - Richland Planning Area 6b & 9b

Land Use: Trip Generation Number	Units/SF	Average Number Trips - Weekday	Average Number Trips - Weekday AM	Average Number Trips Weekday PM
Shopping Center: 820	257,178	10,981.50	247.66	954.13
Office Park: 750	225,896	2,579.73	386.28	334.33
Residential Condominium/ Townhouse: 230	213	1,238	94	111
Subtotal Trips		14,798.76	727.66	1,399

Max Developer Proposed Traffic Trip Assumptions - Brookfield PA 6a & 9a

Land Use: Trip Generation Number	Units/SF	Average Number Trips - Weekday	Average Number Trips - Weekday AM	Average Number Trips Weekday PM
Shopping Center: 820	94,961	4,054.83	91.45	352.31
Office Park: 750	71,221	813.34	121.79	105.41
Residential Condominium/Townhouse: 230	2178	12,654	958	1,133
Subtotal Trips		17,522.36	1,171.56	1,590

Max Developer Proposed Traffic Trip Generation - Richland PA 6b & 9b

Land Use: Trip Generation Number	Units/SF	Average Number Trips - Weekday	Average Number Trips - Weekday AM	Average Number Trips Weekday PM
Shopping Center: 820	32,670	1,395.01	31.46	121.21
Office Park: 750	43,560	497.46	74.49	64.47
Residential Condominium/Townhouse: 230	1406	8,169	619	731
Subtotal Trips		10,061.32	724.59	917

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PSPA16-005, AN AMENDMENT TO THE RICH HAVEN SPECIFIC PLAN TO ANNEX 72.3 ACRES OF LAND LOCATED ON THE SOUTHEAST CORNER OF HAVEN AVENUE AND ONTARIO RANCH ROAD INTO THE MIXED-USE DISTRICT OF THE RICH HAVEN SPECIFIC PLAN INCLUDING UPDATES TO THE DEVELOPMENT STANDARDS, EXHIBITS AND TEXT CHANGES TO REFLECT THE PROPOSED ANNEXATION AND TOP POLICY PLAN COMPLIANCE, AND MAKING FINDINGS IN SUPPORT THEREOF—APN'S: 218-161-01, 218-161-04, 218-161-05, 218-161-09, 218-161-10, 218-161-11, 218-161-13, 218-161-14, 218-211-01, 218-211-02, 218-211-05, 218-211-08, 218-211-12, 218-211-15, 218-211-17, 218-211-21, 218-211-23, 218-211-24, 218-211-25 AND 218-211-27.

WHEREAS, Brookcal Ontario LLC and Richland Communities ("Applicant") has filed an Application for the approval of a Specific Plan Amendment, File No. PSPA16-005, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 72.3 acres of land generally located southeast corner of Haven Avenue and Ontario Ranch Road, within the Mixed-Use District of the Rich Haven Specific Plan, and is presently improved with agriculture uses; and

WHEREAS, the properties north of the Rich Haven Specific Plan are designated Low Density Residential/PS (Public School) and developed with the Creekside Residential Community and Colony High School. The properties to southeast are designated High Density Residential, located within the Esperanza Specific Plan and developed with dairy and agriculture uses. The properties to the southwest are zoned SP/AG (Specific Plan/Agriculture Preserve) and developed with dairy and agriculture uses. The properties to the east are located within the City of Eastvale, zoned Industrial/Commercial and developed with industrial uses. The properties to the west are designated Low Density Residential, Medium Density Residential and Neighborhood Commercial, located within portions of the West Haven Specific Plan and The Avenue Specific Plan and developed with new residential subdivisions, dairy and agriculture uses; and

WHEREAS, on December 4, 2007, the City Council approved the Rich Haven Specific Plan (File No. PSP05-004) and certified the Environmental Impact Report (EIR) (SCH#2006051081) for the Specific Plan. The Specific Plan established the land use designations, development standards, and design guidelines for approximately 512 acres

of land, which included the potential development of 4,256 residential units and 889,200 square feet of commercial/office; and

WHEREAS, in 2010, The Ontario Plan (TOP) was adopted by City Council. TOP Policy Plan (General Plan) Land Use Plan (Policy Plan Exhibit LU-01) changed the land use designations within certain areas of the Rich Haven Specific Plan. To bring the Rich Haven Specific Plan into conformance with TOP Policy Plan an amendment to the Rich Haven Specific Plan (File No. PSPA16-001) was processed and approved by the Ontario City Council on March 15, 2016. The Amendment included updates to the Rich Haven Specific Plan Land Use Plan, the housing product types, exhibits and language to reflect the proposed land use changes and TOP Policy Plan consistency; and

WHEREAS, on December 16, 2016, Brookcal Ontario LLC and Richland Communities submitted an amendment to the Rich Haven Specific Plan to accommodate the annexation of 72.3 acres of land located at the southeast corner of Haven Avenue and Ontario Ranch Road into the Mixed-Use District. The amendment includes updates to the development standards, exhibits and text changes to reflect the proposed annexation and overall TOP Policy Plan compliance; and

WHEREAS, the proposed 72.3 acre annexation will create two additional planning areas within the Mixed-Use District, 9A and 9B. The entire Mixed-Use District will encompass 312.9 gross acres and consist of Planning Areas 6, 7, 8, and 9. The District is envisioned to be a highly active area with a variety of commercial uses, including retail, office, residential, medical, research, entertainment and other comparable uses. The Mixed Use District includes a Stand Alone Residential Overlay, Regional Commercial and Mixed Use Overlay land use designations; and

WHEREAS, the Rich Haven Specific Plan Land Use Summary Table 3-1, has been updated to reflect the addition of Planning Areas 9A and 9B to the Mixed Use District; and

WHEREAS, revisions were made to the Specific Plan for compliance with the Development Code and TOP Compliance; and

WHEREAS, the policy analysis in Section 9 of the Specific Plan has been expanded to include "The Ontario Plan Residential and Mixed Use Consistency Tables". The Consistency Tables within Section 9 include a detailed breakdown of how each Planning Area is consistent with TOP and are incorporated by reference; 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 the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make recommendation to City Council 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, as the first action on the Project, on January 23, 2018, the Planning Commission approved a Resolution recommending City Council adoption of an Addendum to The Ontario Plan (SCH#2008101140) Environmental Impact Report. The Addendum finds that the proposed project introduces no new significant environmental impacts, and all previously adopted mitigation measures are to be a condition of project approval, and are incorporated into the Project by reference; and

WHEREAS, on January 23, 2018, 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 previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to TOP Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001.

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

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts.

(4) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and

(5) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

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

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

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

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

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

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

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

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

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

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

SECTION 4: *Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport ("ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport

Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the 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 Specific Plan, or amendment thereto, 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 Amendment to the Rich Haven Specific will bring the annexation area in conformance with TOP Policy Plan Land Use Plan (Policy Plan Exhibit LU-01). In addition, TOP Policy Plan analysis in *Section 9* of the Specific Plan, has been updated and describes the manner in which Rich Haven Specific Plan complies with the Policy Plan goals and policies.

(2) ***The proposed Specific Plan, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** The TOP EIR and Rich Haven Specific Plan EIR include safeguards, and imposed certain mitigation measures to ensure that development within the Rich Haven Specific Plan boundary and annexation area would not be detrimental to public interest, health, safety, or general welfare of City.

(3) ***In the case of an application affecting specific property(ies), the proposed Specific Plan, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses.*** According to the TOP Policy Plan (General Plan) and the Rich Haven Specific Plan, the project site is located in an area that will be developed with urban land uses. The Rich Haven Specific Plan Amendment ensures the annexation area is of similar design and size to adjacent development within the Mixed Use District. The annexation land use is predominately agricultural and adjacent land uses are sparsely populated with no strong spatial community pattern. The project will become an integrated part of Ontario Ranch and the Rich Haven Specific Plan and surrounding planned communities.

(4) ***In the case of an application affecting specific property(ies), 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.*** The proposed annexation to the Rich Haven Specific Plan will maintain the appropriate balance of land uses within the City consistent with TOP Policy Plan. In addition, development within the Rich Haven Specific Plan will be required to construct the necessary infrastructure and public services that will support Rich Haven’s residential and commercial/office uses.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 5, 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 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 23rd day of January 2018, 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, AICP
Assistant 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 January 23, 2018, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PSPA16-005
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: January 23, 2018

File No: PSPA16-005

Related Files: N/A

Project Description: An amendment to the Rich Haven Specific Plan (File No. PSPA16-005) to annex 72.3 acres of land located on the southeast corner of Haven Avenue and Ontario Ranch Road into the Mixed-Use district of the Rich Haven Specific Plan including updates to the development standards, exhibits and text changes to reflect the proposed annexation and Policy Plan (general plan) compliance (APNs: 218-161-01, 218-161-04, 218-161-05, 218-161-09, 218-161-10, 218-161-11, 218-161-13, 218-161-14, 218-211-01, 218-211-02, 218-211-05, 218-211-08, 218-211-12, 218-211-15, 218-211-17, 218-211-21, 218-211-23, 218-211-24, 218-211-25 and 218-211-27); **submitted by** Brookcal Ontario LLC and Richland Communities

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

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

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

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

2.1 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 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with an **Addendum to The Ontario Plan Environmental Impact Report**, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006). This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval, and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

(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.

2.3 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.

2.4 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.

2.5 Additional Requirements.

(a) The project developer shall retain a Native American Monitor of Gabrieleño Ancestry to conduct a Native American Indian Sensitivity Training for construction personnel prior to commencement of any excavation activities. The training session shall include a handout and focus on how to identify Native American resources encountered during earthmoving activities and the procedures followed if resources are discovered, the duties of the Native American Monitor of Gabrieleño Ancestry and the general steps the Monitor would follow in conducting a salvage investigation.

(b) The project developer shall retain a Native American Monitor of Gabrieleño Ancestry to be on-site during all project-related, ground-disturbing construction activities (e.g., pavement

removal, auguring, boring, grading, excavation, potholing, trenching, and grubbing) of previously undisturbed native soils to a maximum depth of 30 feet below ground surface. At their discretion, a Native American Monitor of Gabrieleño Ancestry can be present during the removal of dairy manure to native soil, but not at the developers' expense.

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

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

(e) No scientific study or the utilization of any invasive diagnostics shall be allowed to any Native American human remains.

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

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

ATTACHMENT B:
File No. PSPA16-005
Rich Haven Specific Plan

(Document to follow this page)

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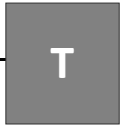
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SECTION 1 INTRODUCTION

The Rich-Haven Specific Plan applies to approximately 584.2 gross acres of land in the southern portion of the City of Ontario, within the Ontario Ranch (NMC). The Rich-Haven Specific Plan must be consistent with the planning guidelines of the City's The Ontario Plan ("TOP"), adopted by the City of Ontario in 2010.

The Ontario Plan 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 30-year 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.

The Rich-Haven Specific Plan defines a development that can be financed, marketed, and absorbed within a reasonable time frame. At 584.2 gross acres, Rich-Haven will be developed as a cohesive community, incorporating a series of well-integrated neighborhoods, including residential, regional commercial, and community facility land uses. Upon adoption, the Rich-Haven Specific Plan will be implemented through the development standards, design guidelines, and land use plan contained within this document. Development within the Rich-Haven Specific Plan area that is consistent with this Plan and the City's TOP will not require subsequent specific plans or environmental review, as the planning requirements for consistent development will have already been satisfied.

The Rich-Haven Specific Plan is a regulatory document prepared pursuant to California Government Code, Title 7, Division 1, Chapter 3, Article 8, and Sections 65450 through 65457, and serves as the regulating zoning document for the property within the Specific Plan area.

1.1 LOCATION AND SETTING

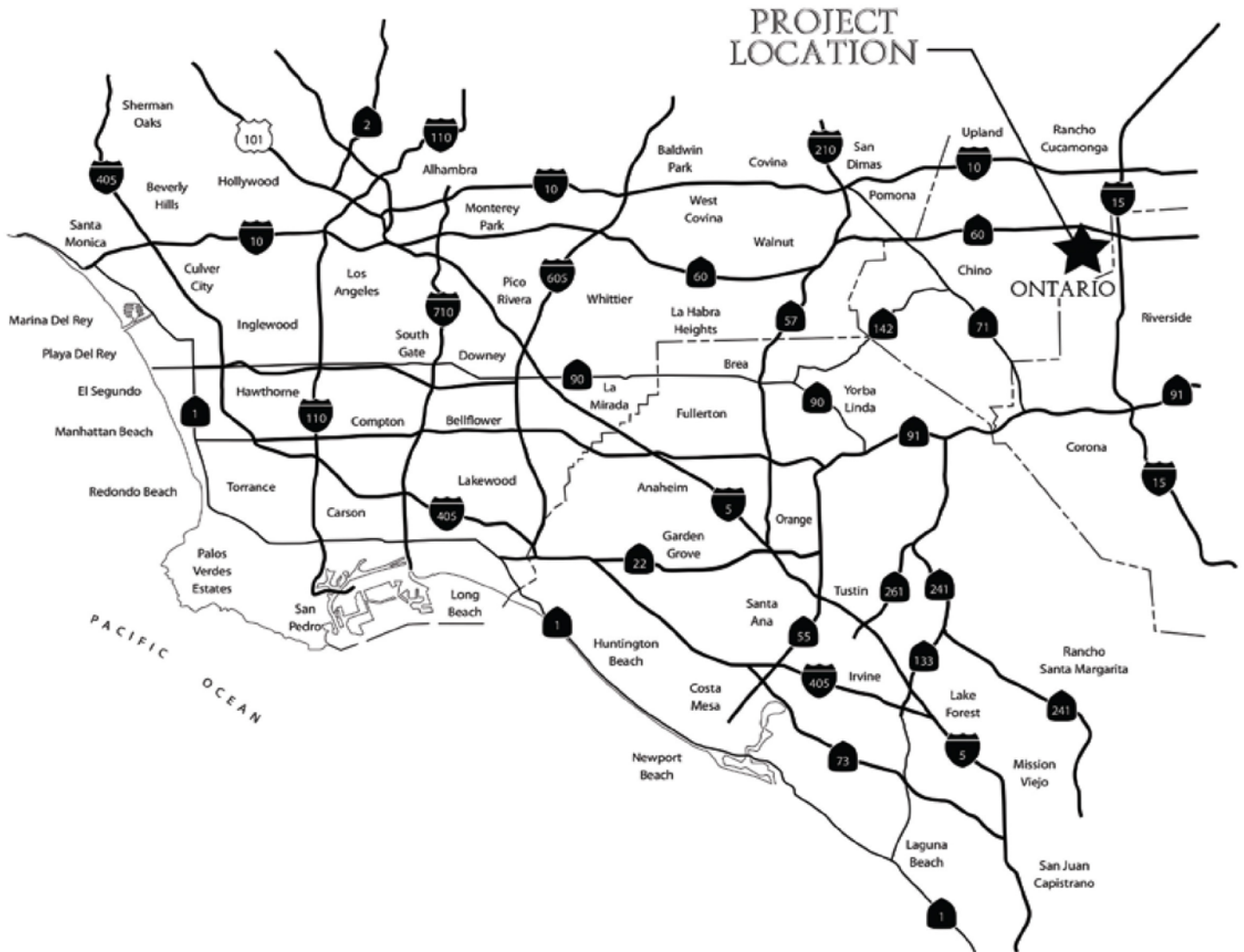
The Rich-Haven Specific Plan is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles east of downtown Los Angeles, 20 miles west of San Bernardino, and 30 miles northeast of Orange County. The project site is located west of Interstate 15 (I-15), and south of State Route 60 (SR-60), within the 8,200-acre Ontario Ranch.

The project site is bounded to the north by Riverside Drive and the property line for Colony High School. Haven Avenue bounds the project to the west. The Edison Company substation, and dirt roads that extend through agricultural fields north of Ontario Ranch Road, form the eastern boundary. That portion of the project south of Ontario Ranch Road is bounded by Hamner Avenue to the east and **Old Edison Road to the south. The Esperanza Specific Plan is located to the south of the eastern half of the site.** See Figure 1-1, *Regional Map*, and Figure 1-2, *Local Map*.

The Rich-Haven Specific Plan area contains portions of the City's TOP designated for low-density residential uses, and areas designated by that document as a major regional commercial center.

1

INTRODUCTION

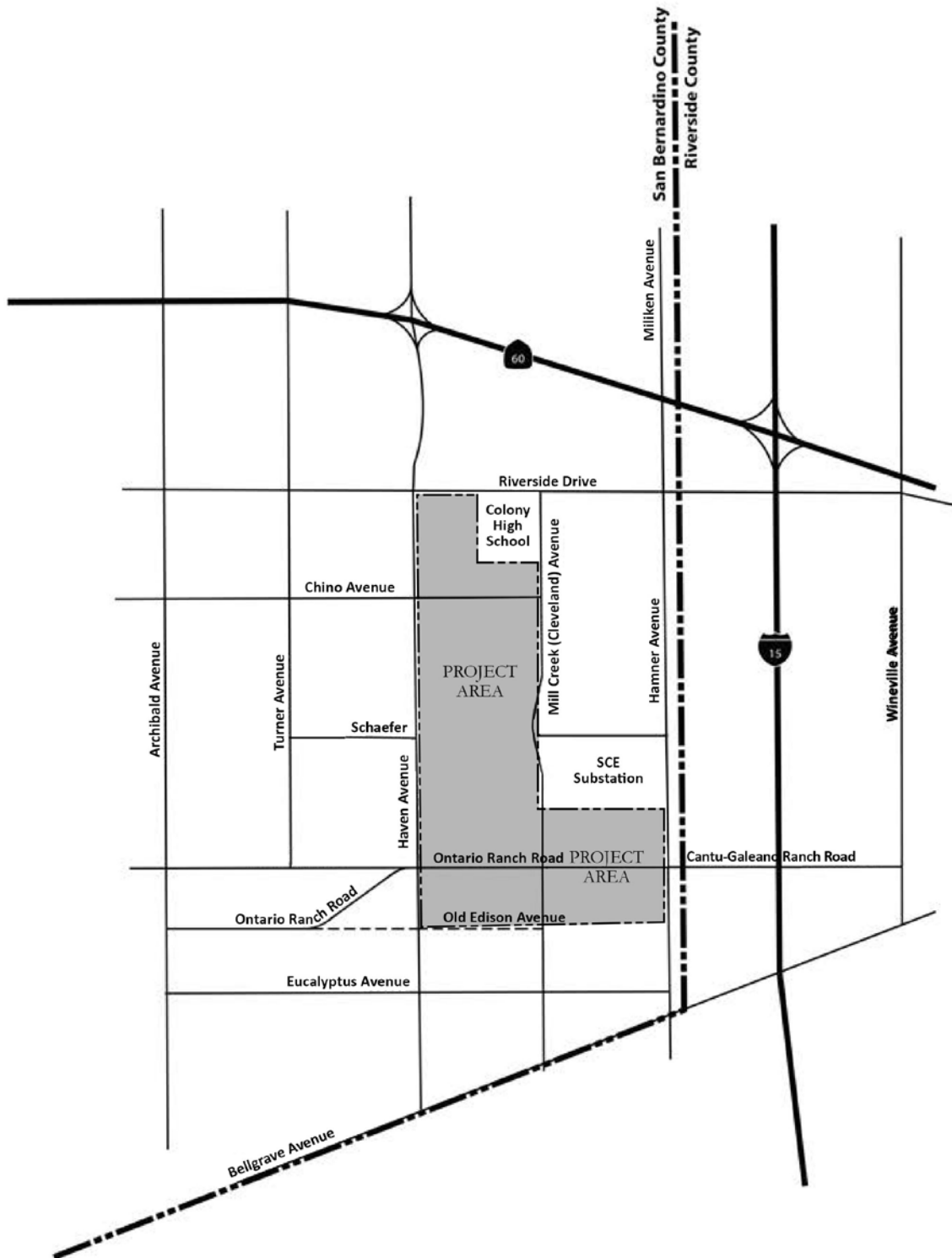


NOT TO SCALE

RICH-HAVEN SPECIFIC PLAN
REGIONAL MAP

FIGURE 1-1

1-2



 NOT TO SCALE

RICH-HAVEN SPECIFIC PLAN
LOCAL VICINITY MAP

FIGURE 1-2

1.2 SPECIFIC PLAN PURPOSE AND OBJECTIVES

The Rich Haven Plan serves to implement the City's TOP Policy Plan (General Plan) for the project site and provides zoning regulations for the development of the project site by establishing permitted land uses, development standards, infrastructure requirements, and implementation requirements for development. The Rich-Haven Specific Plan includes the potential development of up to 7,194 dwelling units and maximum 1,131,702 square feet of commercial/office uses.

The City's TOP overall vision for the Ontario Ranch is to create a self-sustaining place of diversity, extending into Ontario's existing fabric of development. The City's TOP also envisions each neighborhood and commercial center within the Ontario Ranch as a place uniquely identifiable for its residents, employees, and visitors, united through an area-wide network of greenways, trails, open spaces, amenities, and infrastructure.

The Rich-Haven Specific Plan provides the specific regulations necessary to meet and enhance the City's TOP's vision and goals. To do so, the Rich-Haven Specific Plan establishes its own vision, objectives, and policies, and provides regulations and standards pertaining to the density, permitted, conditional, and prohibited uses, implementation, and design of Rich-Haven.

The vision for Rich-Haven is to *"create a vibrant community with a mixture of uses all connected through a series of trails providing opportunities for people to live, work and play."* In order to actualize this vision, a series of objectives are provided to augment the NMC-wide objectives and policies identified within the City's TOP. These objectives and policies are as follows:

Livable Neighborhood Development

- ❖ Incorporate Traditional Neighborhood Design guiding principles during the design phase to provide for opportunities to achieve the project's vision statement, including:
 - **Central Focus.** To create a community with a central focus that combines commercial, civic, cultural, and recreational uses.
 - **Connections.** To provide a series of sidewalks and trails connecting community parks, civic uses, mixed-use and transit stops designed to be pedestrian friendly to avoid unnecessary automobile trips.
 - **Traditional Street Network.** To design a hierarchy of streets connected in a grid network with a variety of routes for pedestrians and vehicles, as well as creating a visually favorable and comfortable environment for pedestrians and bicyclists.
 - **Main Street Environment.** To design commercial/retail areas to a human scale with storefronts oriented to the street providing a "Main Street" atmosphere for strolling and shopping, all within walking distance from most homes.
 - **Public Spaces.** To create plazas, parks, and community gathering places placed within centralized areas providing synergy between adjacent land uses.

- **Identifiable Neighborhoods.** To design neighborhoods around a discernable center, which may include a small park, square, school or mixed-use center, within a five-minute walking distance.
- **Mix of Housing.** To provide neighborhoods with a range of household types: a variety of single-family detached homes, attached units for young families, and live/work units for small at-home businesses.
- ❖ Design a mixed-use environment to ensure compatible uses that are cohesive and integrate a diversity of residential neighborhoods, with a range of commercial uses, and supporting open spaces.
- ❖ Utilize transportation, utility, and greenways/open space networks to establish clear edges and boundaries.
- ❖ Accommodate residential, commercial, open space, public, and other uses in accordance with the generalized distribution of uses depicted within the City's TOP Land Use Plan.
- ❖ Implement elements that will ensure walkability throughout the Project Area to discourage automobile dependency and encourage walking, biking, and other forms of transportation. This is achieved through the incorporation of subarea greenways and pedestrian connections and through sensitive site design of mixed-use development.
- ❖ Implement technological advances within residential communities, including internet access, to allow residents to shop and work from home and to decrease reliance on automobiles.
- ❖ Provide opportunity for at least one major public plaza/square as a centerpiece of community activities, including events and celebrations, outdoor performances, community meetings, picnics, farmers markets, and similar functions.
- ❖ Establish a clearly defined "edge" for the City's TOP area, where appropriate, that avoids the use of walls and creation of a "walled" enclave.
- ❖ Incorporate electrical transmission corridors and similar elements to form "edges" for residential neighborhoods and centers and/or accommodate public greenways/trails/corridors.

Residential District

- ❖ Create a livable community with neighborhoods designed at a human scale and oriented for pedestrian access to mixed-use, educational, and recreational uses.
- ❖ Provide for a range and diversity of housing products (detached single-family, detached and attached condominiums, and townhomes) that respond to a variety of homeownership needs and desires.
- ❖ Design residential projects to complement the character of adjacent neighborhoods.
- ❖ Encourage interaction among residents through the provision of an organized, simple, and “neo-traditional” system of streets, pathways, and entries to allow residents to walk or bike to parks, recreation, and public facilities (including schools).
- ❖ Promote outdoor activity and casual social contact among residents and neighbors by designing neighborhoods around a central park where they can gather.
- ❖ Provide a focal point of activity within each residential planning area that may include a park, school, common area, or public meeting facility.
- ❖ Encourage architectural styles and traditional design elements that reflect the historic and eclectic mixture of architecture, reflective of the greater Ontario area.
- ❖ Increase densities adjacent to commercial centers.
- ❖ Establish clear defined “edges” and “entries” that contribute to the neighborhood identity.
- ❖ Avoid the use of walls to separate residential areas from arterials and other high traffic volume streets by expanded landscape setbacks, frontage roads, and other appropriate techniques.
- ❖ Include clustered multi-family housing within the Residential District, in order to create a diverse range of housing products and opportunities, while still in keeping with the overall low-density residential designation.
- ❖ Locate higher-density residential uses that provide population to support adjacent regional commercial centers.
- ❖ Provide sufficient on-site recreational amenities within higher density developments.
- ❖ Include community oriented uses such as public meeting rooms, plazas and courtyards, and similar uses.
- ❖ Establish visual and physical links among the individual multi-family developments to create a cohesive and continuous corridor.
- ❖ Design building elevations to promote visual interest.
- ❖ Provide linkages between community service facilities, multi-family corridors, and residential neighborhoods.

Regional Commercial/Mixed-Use District

- ❖ Accommodate a diversity of large scale retail, community and neighborhood shopping, office, medical research, entertainment, hotel/motel, dining, housing, cultural, public, and similar uses that will serve the project area and neighboring Planning Areas.
- ❖ Function with a high level of activity and/or employment.
- ❖ Accommodate development of multi-family housing, mixed-use buildings that incorporate housing and retail/office, and live/work facilities.
- ❖ Accommodate single-use buildings and mixed-use structures containing a variety of uses from residential over retail or office-to-office over retail.
- ❖ Encourage traditional, mixed-use design of commercial buildings, by requiring a lower maximum floor area ration (FAR) for single-use buildings, and a higher maximum FAR for mixed-use buildings.
- ❖ Develop plaza areas and other amenities to provide places of social interaction.
- ❖ Include one or more public “squares” to serve as gathering places.
- ❖ Incorporate modulated building volumes, mass, height, and articulated facades to create individual spaces.
- ❖ Site a portion of the buildings on peripheral streets to provide connectivity to adjacent uses.
- ❖ Orient buildings towards the local streets whenever possible to create an urban edge and sense of arrival and place.
- ❖ Include sidewalks of sufficient width to accommodate pedestrian activity and outdoor restaurants, newsstands, and other uses.
- ❖ Create visual interest through the opening of streets and sidewalks/plazas towards building elevations.
- ❖ Incorporate landscaping to enhance the environment.
- ❖ Visually integrate parking structures to continue the intended design character of the district.
- ❖ Incorporate multi-family housing to create a cohesive and continuous corridor.
- ❖ Ensure an appropriate mix of uses (residential and commercial) that are compatible.
- ❖ Encourage pedestrian access and ease of use within the mixed-use area by designing pedestrian and bike paths.
- ❖ Create a “Main Street” environment with buildings designed to a human scale where pedestrian activity is not overwhelmed by automobile traffic.
- ❖ Utilize urban design to create a “Gateway” or portal to the Ontario Ranch.
- ❖ Incorporate transitions and/or buffers between commercial/mixed-use areas and adjacent residential areas.

Circulation

- ❖ Provide a circulation system designed to promote pedestrian activity through a network of off-street pedestrian walkways linking each neighborhood to parks, mixed-use commercial, and residential uses.
- ❖ Design a hierarchy of streets connected in a grid network with a variety of routes for pedestrians and vehicles, creating a visually attractive, enhanced, and comfortable environment for pedestrians and bicyclists.
- ❖ Design streets to incorporate landscaped parkways and pedestrian walkways separated from the street to enhance safety and enjoyment of residents and visitors.
- ❖ Provide opportunities for transit connections and alternative modes of transportation.

Recreation/Trails

- ❖ Provide new recreational opportunities for residents through the development of a series of public and private parks.
- ❖ Provide a series of pedestrian trails connecting community parks, civic uses, mixed-use, and transit stops designed to be pedestrian friendly to avoid unnecessary automobile trips.
- ❖ Incorporate off-street multi-use trails within the Southern California Edison easements.
- ❖ Incorporate a system of on- and off-street bicycle pathways with access from the residences to mixed-use areas.
- ❖ Use landscaping and streetscape materials that are low maintenance in recreation and trail areas.
- ❖ Provide a system of on-street bikeways integrated throughout the project to provide access to schools, parks, and commercial uses.
- ❖ Provide new recreational opportunities for residents through the development of a series of parks ranging in size.

Community Facilities

- ❖ Incorporate existing major utilities into the overall fabric of the community.
- ❖ Provide opportunities for incorporation of community facilities (e.g. schools, fire station) as identified by the various agencies.

1.3 LAND USE PLAN OVERVIEW

The Rich-Haven Specific Plan proposes a land use plan that includes a mixture of uses, and is based on Traditional Neighborhood Design principles and concepts, including pedestrian and bicycle connectivity, a traditional grid street network, and a variety of housing types and architectural styles.

The Specific Plan area is separated into a Residential District encompassing approximately 271.3 gross acres and a Regional Commercial/Mixed-Use District encompassing approximately 312.9 gross acres. The Residential District is planned to include low-, medium-, and high-density residential units, park and open space areas, a public park and a fire station site. A variety of uses, as identified within Section 5, *Development Regulations* and allowed by the City's TOP, are proposed within the Regional Commercial/Mixed-Use District. Together, the Residential District and the Regional Commercial/Mixed-Use District include a project-wide total of a maximum of 7,194 dwelling units and a maximum of 1,131,702 square feet of commercial uses.

1.3.1 Residential District

The Rich-Haven Residential District includes approximately 271.3 gross acres within Specific Plan Planning Areas 1 through 5. This District provides for a variety of housing types at low and medium densities, and a total of 1,833 dwelling units. In addition to housing, the Residential District also includes approximately 27.0 acres of public parks and 20.0 acres of open space within the Southern California Edison parcel.

Housing units planned within the Residential District are oriented around park and open space amenities, fostering identifiable sub-neighborhoods and enhanced opportunities for people to meet and recreate. Some residential neighborhoods may be gated with private streets. Integrated throughout the Residential District is a series of trails and sidewalk systems providing connectivity and opportunities to utilize alternative modes of transportation to the public park, Regional Commercial/Mixed-Use District, and the greater NMC area.

1.3.2 Regional Commercial/Mixed-Use District

The Regional Commercial/Mixed-Use District includes approximately 312.9 gross acres within Specific Plan Planning Areas 6, 7, 8 and 9. This District is envisioned per the City's TOP as a highly active area with a variety of uses that are responsive to market demands, including commercial, office, residential, medical office, and research, as well as other uses identified in Section 5, *Development Regulations*. In total, a maximum of 5,361 dwelling units and a maximum of 1,131,702 square feet of regional commercial uses are planned within this District. Residential uses shall include both mixed-use, multi-family attached residential as well as stand-alone residential neighborhoods, accommodated for through a "Stand Alone Residential Overlay".

To provide developers with the opportunity to respond to changes in the market, the ultimate mix of uses developed within the Regional Commercial/Mixed-Use District is flexible.

1.4 SPECIFIC PLAN AUTHORITY AND REQUIREMENTS

1.4.1 AUTHORITY

The California Government Code establishes the authority for a legislative body to adopt an ordinance or resolution requiring that a specific plan be prepared. As with General Plans, the Planning Commission must hold a public hearing before the planning agency can recommend the adoption of a specific plan. The City Council may then adopt a specific plan by ordinance.

The Specific Plan is regulatory in nature, and serves as zoning law for the properties involved. Development plans, site plans, and tentative tract and parcel maps must be consistent with both this Rich-Haven Specific Plan and the City of Ontario’s TOP. The scope of subjects covered in the Specific Plan is the same as that of the City’s TOP to the extent that the subject under consideration involves the Ontario Ranch portion of the City of Ontario.

The Rich-Haven Specific Plan is established through the authority granted to the City of Ontario by the California Government Code, Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457 (Specific Plans).

1.4.2 REQUIREMENTS

The California Government Code, Article 8, Sections 65450 et seq., establishes the minimum requirements and review procedures for specific plans, requiring that a specific plan include text and diagrams that specify all of the following in detail:

- ❖ The distribution, location, and extent 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 essential facilities proposed to be located within the area covered by the plan, and needed to support the land uses described 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, public works projects, and financing measures necessary to carry out the project.

1.4.3 DEVELOPMENT APPROVAL COMPONENTS

Rich-Haven’s development approval process is as follows:

SPECIFIC PLAN – The Rich-Haven Specific Plan is a regulatory document that establishes the zoning, land use designations, densities, and design guidelines for the entire Specific Plan Project Area. The Rich-Haven Specific Plan will implement the City’s TOP, as amended by this Specific Plan proposal. The Specific Plan will be considered by the Planning Commission and City Council and will be adopted by Ordinance. Subsequent tract or parcel maps and site development plans must be in compliance with the adopted Specific Plan.

ENVIRONMENTAL IMPACT REPORT – The Rich-Haven Specific Plan is a discretionary project and is subject to the requirements of the California Environmental Quality Act (CEQA). As part of the approval process for the Specific Plan, an Environmental Impact Report must be considered and certified by the City prior to approval of the Specific Plan.

SUBDIVISION MAPS – A series of subdivision maps will be reviewed and approved by the City of Ontario for the residential components of the project area that will include information on lot layout and dimensions, roads, grading, easements, and slope. Subsequent to approval by the City, final maps will be prepared that will become the legal recorded documents that will establish legal parcels. Development in the Regional Commercial/Mixed-Use District of this Specific Plan (Planning Areas 6, 7, 8, and 9) will require approval of parcel **subdivision** and/or condominium maps by the City of Ontario for residential, mixed-use, and commercial plans.

DEVELOPMENT PLAN REVIEW – Development of individual planning areas within the Rich-Haven Specific Plan will be subject to the Development Plan Review **process consistent with** the City of Ontario’s Development Code.

DEVELOPMENT AGREEMENT – Unless done in a coordinated manner and with adequate fiscal planning, development projects within Ontario Ranch are likely to present a challenge in their implementation because of the lack of existing public facilities, including streets, sewer, transportation, drinking water, school, and utility facilities. California law has established a mechanism for ensuring the adequate provision of such facilities, while at the same time providing assurances to applicants that, upon approval of the project, the applicants can proceed with their projects. Approval of this Specific Plan without a development agreement may result in a waste of resources, escalate housing prices for the consumer, and discourage investment in and commitment to comprehensive planning, as envisioned by the City, which seeks to make maximum efficient utilization of resources at the least economic cost to the public.

Therefore, a statutory development agreement, authorized pursuant to California Government Code sections 65864 et seq., shall be required in conjunction with the approval of this Specific Plan. For the abovementioned reasons, the development

agreement for this Specific Plan shall include, among other things, 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 regional housing needs assessment. Such development agreement shall have been fully approved before the issuance of the first building permit for this project.

1.4.4 RELATIONSHIP TO THE ONTARIO PLAN, AIRPORT LAND USE COMPATIBILITY PLANS AND ZONING

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 the project site for the following land uses:

- Low Density Residential (2.1-5.0 dwelling units per acre) – Planning Areas 1A, 1B, 1C, 1D, 1E and 1F.
- Low Medium Residential (5.1- 11.0 dwelling units per acre) – Planning Areas 4A, 4B, 4C and 4D.
- Medium Density Residential (11.1-25.0 dwelling units per acre) – Planning Areas 5A, 5B, 5C and 5D.
- Mixed Use (14.0-50.0 dwelling units per acre for residential and maximum 0.7 FAR for commercial/office) – Planning Areas 6A, 6B, 7, 8A, 8B, 9A and 9B.
- Open Space: Parkland – Planning Area 3.
- Open Space: Non-Recreation – Planning Areas 2 and 5E.

Section 9 – (TOP Residential and Mixed Use Consistency Tables) provides a summary of the minimum and maximum number of units allowed within each Residential Planning Area (PA 1, 4 and 5) and shows that the Rich Haven Specific Plan Land Use Plan is consistent with the assigned TOP Land Use Designation.

The Mixed Use Planning Areas (6A, 6B, 7, 8A, 8B, 9A and 9B) TOP Land Use designated areas within Rich Haven Specific Plan allow for a combination of Regional Commercial, Mixed-Use Overlay and a Stand-Alone Residential Overlay uses. Projects within these areas shall be required to maintain a Residential density range of 14.0 – 50 du/ac and shall not exceed 0.7 Floor Area Ratio for any commercial/office use to be consistent with City's TOP policies. The Consistency Tables within Section 9 includes a detailed breakdown of how each Mixed Use Planning Area is consistent with the TOP.

The Rich-Haven Specific Plan is located within the Airport Influence Area (AIA) of the Ontario International Airport and Chino Airport and required to be consistent with both Airport Land Use Compatibility Plans.

1.4.5 CEQA COMPLIANCE

An Environmental Impact Report (EIR) has been prepared for the project to analyze significant environmental impacts of the project, discuss feasible alternatives, and recommend feasible mitigation measures in compliance with the provisions of the California Environmental Quality Act (CEQA). This EIR has analyzed the entire Rich-Haven Specific Plan area and addresses potential impacts associated with development of the Specific Plan area. The EIR includes recommended mitigation measures and will analyze implementing actions for development. The EIR has been prepared to fulfill the requirements for environmental documentation for most subsequent discretionary and ministerial applications for development within the Rich-Haven Specific Plan.

Subsequently, an addendum to The Ontario Plan Environmental Impact Report was prepared for the annexation of Planning Areas 9A and 9B into the Rich Haven Specific Plan.

1.5 SPECIFIC PLAN ORGANIZATION

The Rich-Haven Specific Plan is organized into the following sections:

INTRODUCTION – This section includes an overview of the Specific Plan, an overview of the Development Plan, identifies the Specific Plan’s authority and requirements, and also includes a glossary of terms.

EXISTING CONDITIONS – Provides the location of the property, the surrounding land uses, and discusses environmental opportunities and constraints of the site.

LAND USE – Contains the overall design concepts that define the community as well as the neighborhoods.

INFRASTRUCTURE AND SERVICES – Establishes circulation improvements, identifies development criteria for the community facilities, and provides master planned and conceptual infrastructure requirements for water, wastewater, storm drainage, and dry utilities in the Specific Plan Area.

DEVELOPMENT REGULATIONS – Sets forth the land use designations and regulations and describes the development plan of the Specific Plan area for residential and commercial uses.

DESIGN GUIDELINES – Sets forth the Design Programs and provides requirements for development, including landscaping and signage.

ADMINISTRATION AND IMPLEMENTATION – Sets forth administrative procedures for implementing the mixed-use implementation mechanisms, modification, and procedures for amending the Specific Plan, and establishes the implementation, phasing, financing, improvement responsibilities, and subsequent Design Review submittal requirements.

THE ONTARIO PLAN CONSISTENCY – The City of Ontario Policy Matrix describes the relationship of the Rich-Haven Specific Plan to the policy requirements of the City’s TOP.

1.6 GLOSSARY OF TERMS

The meaning and constructions of words, phrases, title, and terms shall be the same as provided in the City of Ontario Development Code unless otherwise provided herein.

Ancillary use: A use which is incidental or supplementary to a primary permitted use.

Area, gross: A unit of land measure, including easements, existing and future rights-of-way and other future dedications.

Area, net: A unit of land measure, not including the area within the established rights-of-way of a public or private street, or any other area dedicated or required to be dedicated in the future for a public use.

Conditional Use Permit (CUP): A zoning instrument used primarily to review the location, site development, or operation of certain land uses. A conditional use permit is granted at the discretion of the Planning Commission or Zoning Administrator and is not the automatic right of the applicant or landowner.

Daily Vehicle Trips: The number of vehicle trips per a specific use during an average day.

Development Advisory Board (DAB): A board in the City as established by the City Council charged with the responsibility for the review and approval of development plans.

Dwelling unit, single family: An attached or detached building not to contain more than one kitchen and which, regardless of the form of ownership, is not designed to accommodate more than one household.

Dwelling unit, multi-family: One or more rooms designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping, and sanitary facilities provided within the same unit for the exclusive use of the household.

Floor area ratio (FAR): The total building square footage on a given lot, divided by the lot area of the same lot. Building square footage includes all structures on the lot, including accessory structures.

Height, building: The vertical dimension of a building or any other structure, measured from the highest point of the roof to adjacent grade within five feet of the building immediately below the point of measurement, not including chimneys, antennas, elevators, or other appurtenant structures.

Home occupation: An occupation conducted by the occupant of a dwelling as a secondary use in which there is no display, no stock-in-trade, no commodity sold on the premises, no person employed other than residents of the dwelling, and no mechanical equipment used except for that necessary for housekeeping purposes.

Lane: A public or private way permanently reserved as a secondary means of access to abutting property.

Live/Work: A dwelling unit that acts as both a residence and a place of commercial activity, where the residential use is the primary use, and the commercial activity is the secondary use.

Mixed use: Horizontal mixed use includes a variety of uses adjacent to each other from commercial to office, etc. Vertical mixed use includes a mixture of uses vertically stacked on one parcel or building from office over commercial to residential over commercial.

Open space: Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use.

Setback, front yard: The horizontal distance between the front property line and a line parallel thereto at the nearest point of a structure on the site.

Setback, rear yard: The horizontal distance between the nearest part of a main building and the nearest point of the rear property line.

Setback, side yard: The horizontal distance between the side property line and a line parallel thereto at the nearest point of a structure on the site.

Street, arterial: A street with signals at important intersections and stop signs on the side streets, that collects and distributes traffic to and from other arterial streets, and moves regional traffic.

Street, collector: A street that collects traffic from local streets and connects with arterial streets. Collector streets may be signalized under certain conditions.

Street, local: A street designed to provide vehicular access to abutting property.

Trip Allocation: The number of average daily trips for individual planning areas.

Trip Budget: The total average daily vehicular trips generated by use located within the project.

Use: The purposes for which a site or a structure is arranged, designed, intended, constructed, or erected.

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SECTION 2 EXISTING CONDITIONS

This section of the Rich-Haven Specific Plan discusses the existing physical natural and man-made conditions of the Rich-Haven Specific Plan area at the time of the preparation of the Specific Plan, including existing land uses, infrastructure and improvements, topography, geology, and vegetation and wildlife.

2.1 OWNERSHIP/WILLIAMSON ACT CONTRACTS

A total of four private property owners have properties currently under Williamson Act contracts. See Figure 2-1, Ownership Map.

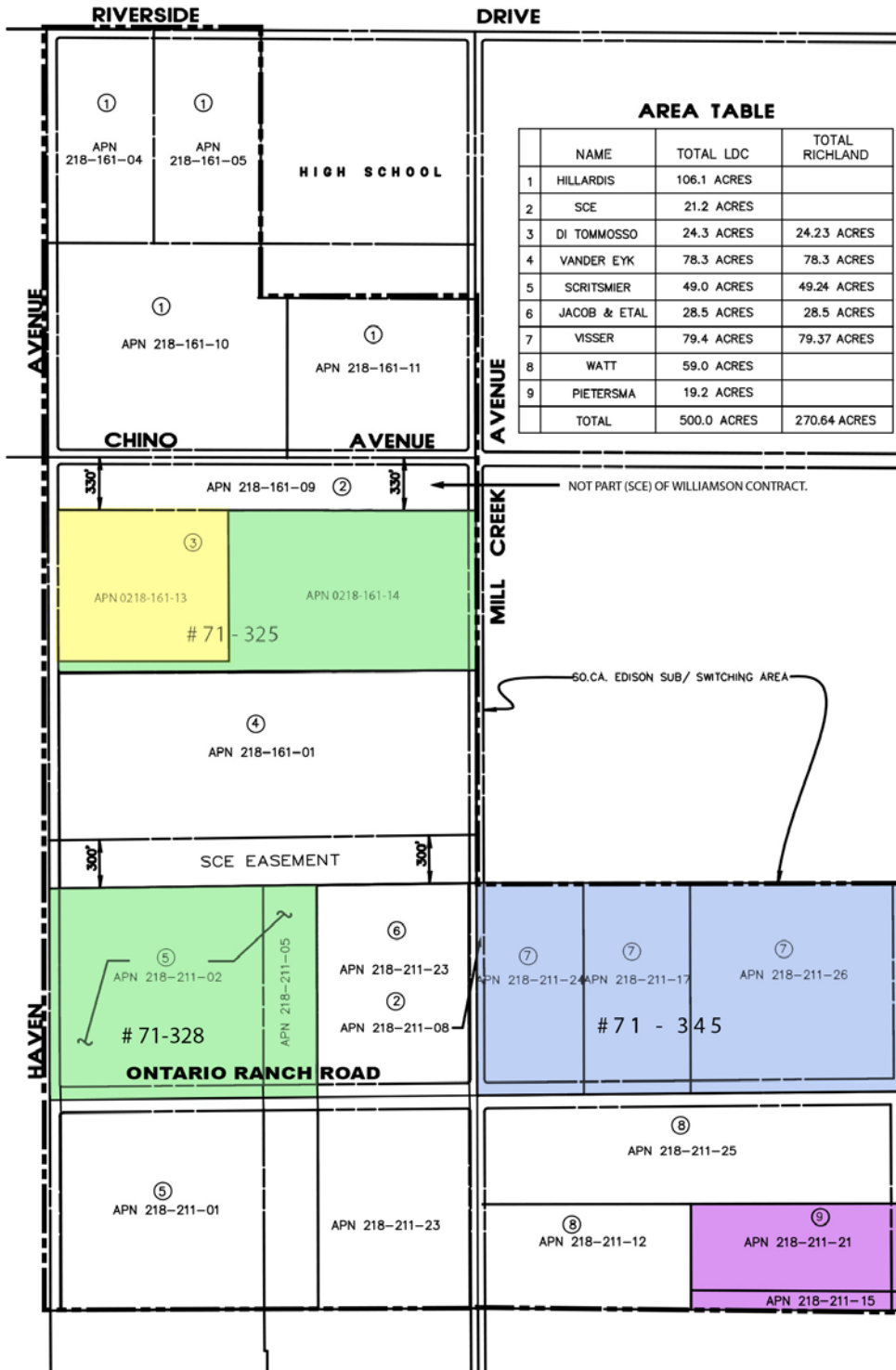
2.2 LAND USES

2.2.1 ON-SITE LAND USES

The Rich-Haven project site is presently used for agricultural purposes, including the raising of livestock. Fallow and cultivated fields are present, with multiple dry basins and windrows throughout the central portion of the site. Additionally, Southern California Edison (SCE) easements containing power transmission lines cross the site in an east to west direction directly south of the Chino Avenue alignment (mid-way between Chino Avenue and Ontario Ranch Road) and directly south of Ontario Ranch Road. Transmission lines also run north/south along the east side of Mill Creek Avenue, and northeast to southwest diagonally across the site near the intersection of Mill Creek Avenue and Ontario Ranch Road. See Figure 2-2, *Existing Conditions*.

2.2.2 SURROUNDING LAND USES

Existing land uses in the vicinity include residential development to the north, and Colony High School to the northeast. A Southern California Edison (SCE) Substation is located adjacent to the project on the east, separating the site from existing industrial uses to the east of the Substation. Both active and fallow agricultural lands, including dairy farms, are present to the west and south of the project area. To the west, east, and south, new development is proposed for the adjacent existing agricultural areas.

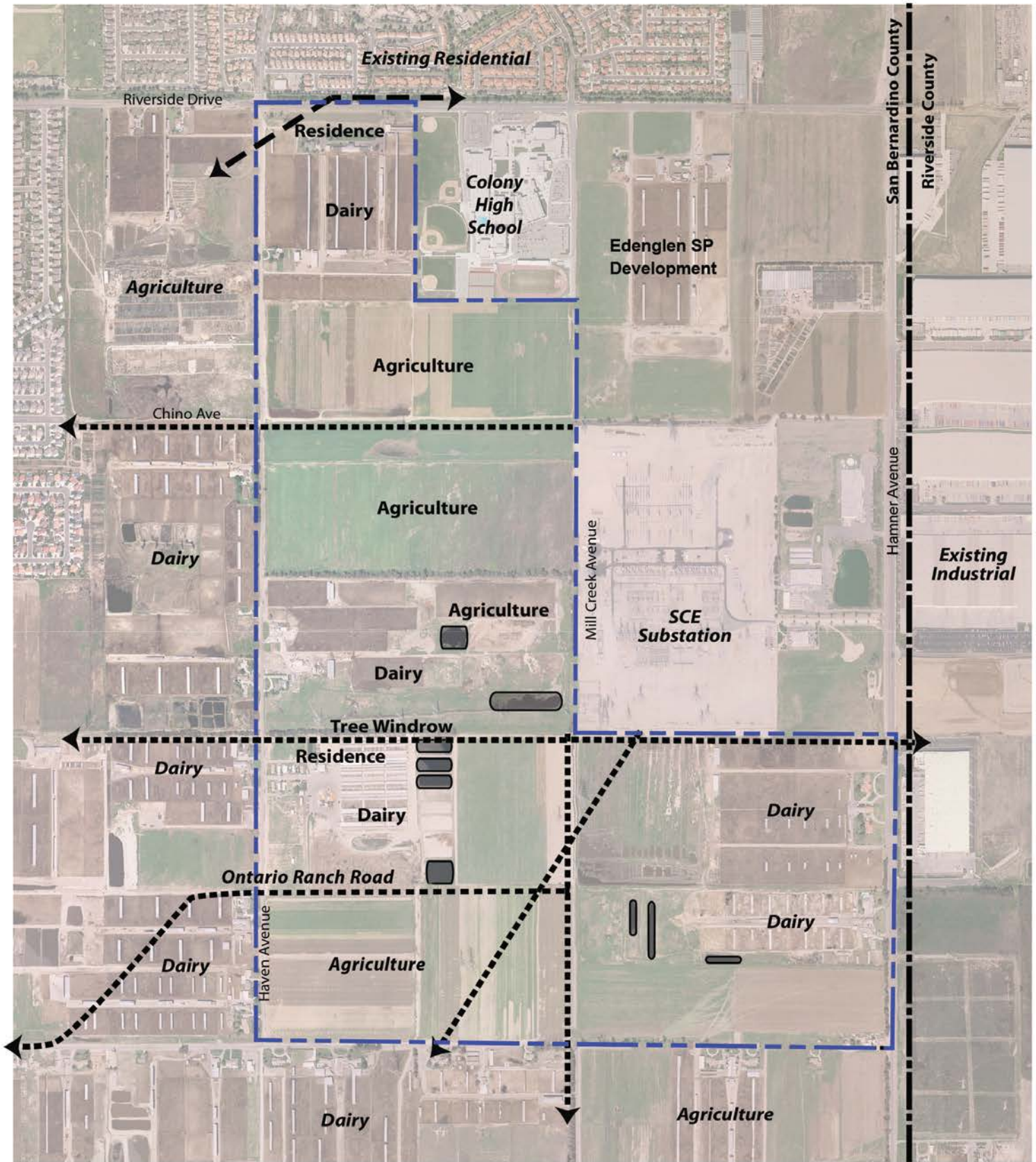


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RICH-HAVEN SPECIFIC PLAN
OWNERSHIP MAP

FIGURE 2-1

January 2017



NOT TO SCALE

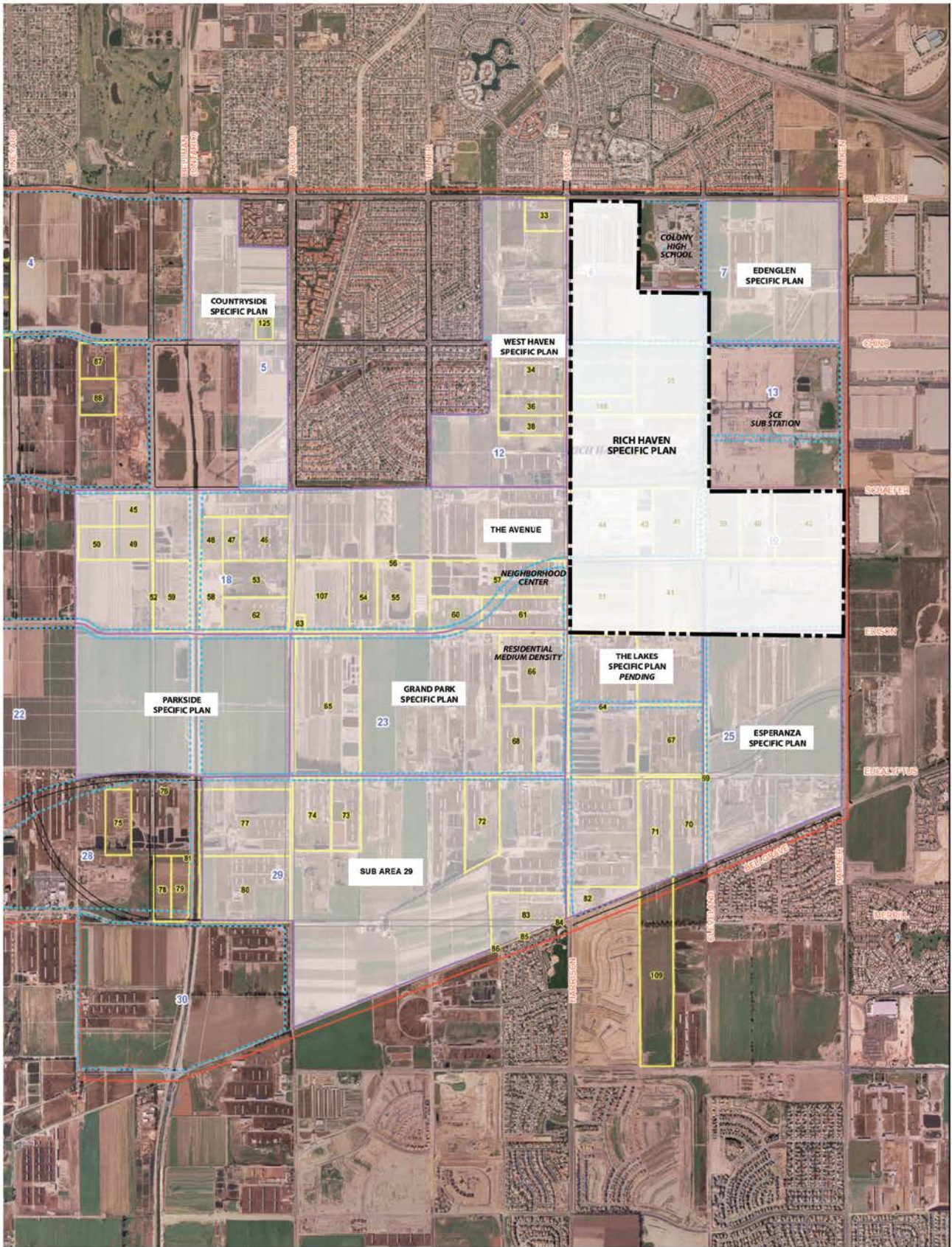
LEGEND

-  SCE Power Line
-  30 Foot Natural Gas Line
-  Project Boundary
-  County Boundary
-  Dairy Pond

RICH-HAVEN SPECIFIC PLAN
EXISTING LAND USES

FIGURE 2-2

January 2017



 NOT TO SCALE

RICH-HAVEN SPECIFIC PLAN SURROUNDING PROPOSED LAND USES

FIGURE 2-3

September 2017

Projects proposed in the immediate area include the West Haven Specific Plan area, directly to the west of the project across Haven Avenue, designated low- and medium-density residential, and an elementary school. The Edenglen Specific Plan area is adjacent to the project on the northeast side, and also proposes low- and medium-density residential areas. The Esperanza Specific Plan located adjacent to the southern portion of the project and includes a mixture of residential uses and a school. Residential low and medium-density and Neighborhood Commercial uses are also designated in the City's TOP for the lands generally to the southeast of the Rich-Haven Specific Plan. See Figure 2-4, *Surrounding Land Uses*.

2.2.3 ONTARIO AIRPORT INFLUENCE AREA SECTION

Existing conditions and impacts include:

- **Safety Zones** – The project site is located outside the ONT ALUCP Safety Zones. Refer to *ONT ALUCP*.
- **Noise Impact Zones** – Portions of the Rich Haven SP are located within the 60-65 dB CNEL Noise Impact Zone. New Residential land uses within the 60-65 dB CNEL noise impact zone must incorporate exterior-to-interior noise level reduction (NLR) design features and be capable of attenuating exterior noise to 45 dB interior noise level. Acoustical data documenting that the structure will be designed to comply with the criteria must be provided. Refer to *ONT ALUCP*.
- **Airspace Protection Zones** – Allowable structure heights for the project site are greater than 200 feet.
 - **Policy A1b of the ONT ALUCP** states: The FAA requires that it be notified about any proposal to construct or alter a structure that would be taller than 200 feet above the ground level regardless of the structure's proximity to ONT or any other airport. Refer to *ONT ALUCP*.
- **Overflight Notification Zones** – Portions of the project site are located within a Recorded Overflight Notification Zone and the following is required. Refer to *ONT ALUCP*:
 - New Residential land uses 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.)

- Portions of the project site are located within Real Estate Transaction Disclosure Notification Zone and the following is required:
 - 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.*

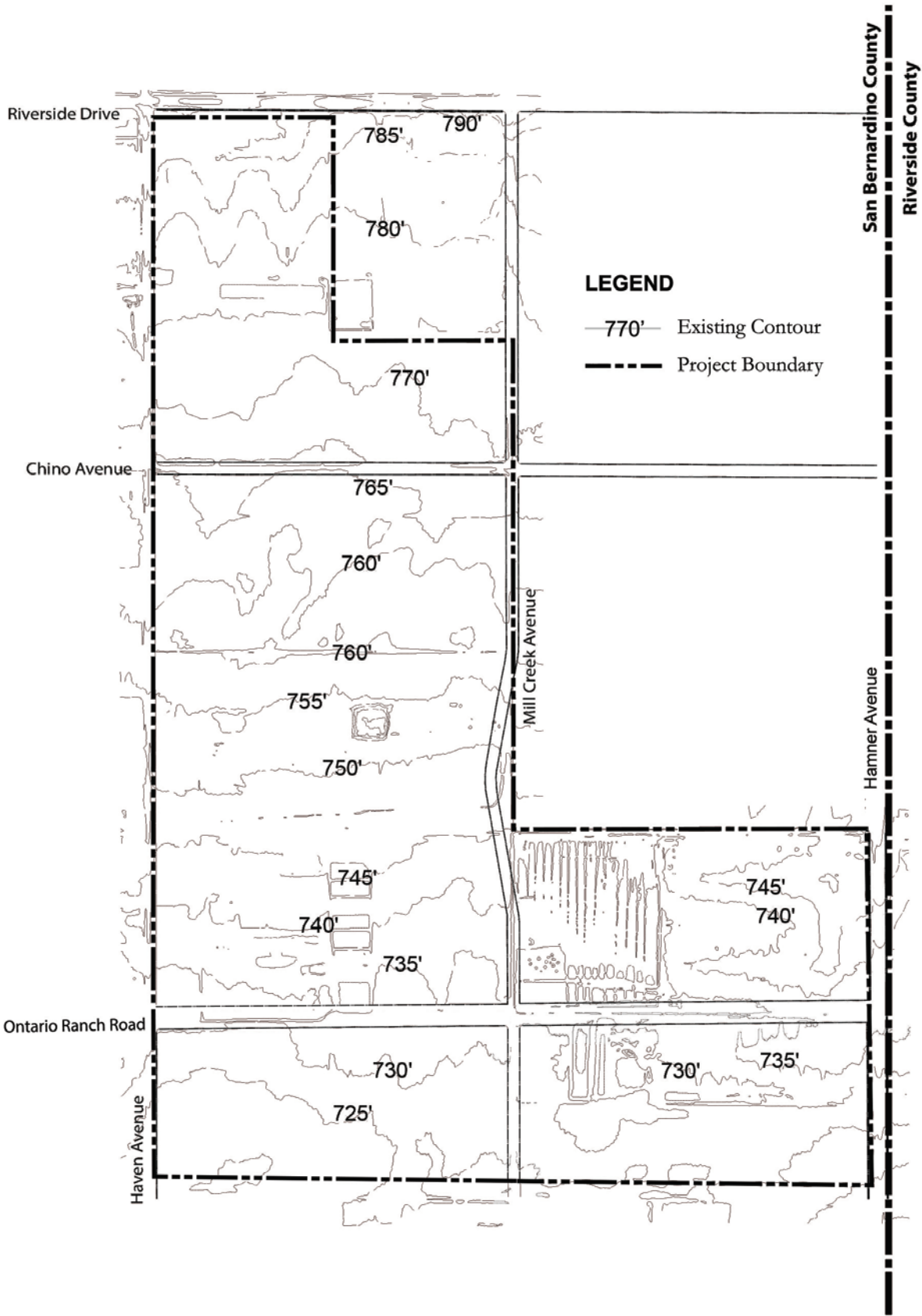
2.3 EXISTING IMPROVEMENTS

Presently, few improvements exist on and adjacent to the Rich-Haven project site. Riverside Drive to the north is an improved roadway running from east to west, and Mill Creek Avenue is improved as it runs adjacent to Colony High School, but unimproved as it runs adjacent to the project site. Chino Avenue, which has a proposed alignment running east to west across the project, is also an unimproved, dirt road.

Structures associated with the current agricultural and dairy uses of the site are present mainly in the northwest, southwest, and southeast portions of the project area. Dairy ponds are also present in active and abandoned dairy properties. See Figure 2-2, *Existing Land Uses*.

2.4 TOPOGRAPHY

Like the rest of the Ontario Ranch, the Rich-Haven Specific Plan area is relatively flat, located in the central portion of the Chino Basin. Ground elevations in the Ontario Ranch vary from 780 to 630 feet above sea level, and, like the area at large, the Rich-Haven Specific Plan Area is relatively flat with an average slope of approximately two percent (2%). See Figure 2-5, *Site Topography*.



NOT TO SCALE

RICH-HAVEN SPECIFIC PLAN
SITE TOPOGRAPHY

FIGURE 2-5

January 2017

2.5 CIRCULATION AND ACCESS

The Ontario Ranch is served by two freeways, State Route 60 to the north and Interstate 15 to the east, and one state highway, Euclid Avenue (SR-83) to the west. Euclid Avenue (SR-83) is a major divided arterial, with four to six lanes.

The Rich-Haven Specific Plan is directly accessed by arterial and collector roads that pass through and adjacent to the site, including Riverside Drive to the north, Haven Avenue to the west and Hamner Avenue to the east. Riverside Drive is a three-lane primary arterial with an existing 60-foot right-of-way. Haven Avenue is a two-lane major arterial with an existing 60-foot right-of-way. Hamner Avenue is a four lane major arterial with an existing 80-foot right-of-way. Mill Creek Avenue is unimproved south of the Colony High School, and is a rural dirt road as it passes the project site.

Chino Avenue is unimproved and is currently designated as a four-lane collector street. Few other internal roadways exist, with the exception of unimproved dirt roads serving the site's agricultural operations. The existing Ontario Ranch Road roadway alignment to the south of the project site is proposed to be realigned through a portion of the Rich-Haven Specific Plan.

2.6 INFRASTRUCTURE AND UTILITIES

See Figure 2-6 for existing onsite and surrounding electric, communications, and gas lines locations.

2.6.1 WATER

The Rich-Haven Specific Plan area is located within the Chino Groundwater Basin, and water demand from the Rich-Haven Specific Plan is currently served by private wells, as the Ontario Ranch area currently does not have a water distribution infrastructure system. The Chino Groundwater Basin, the primary source of groundwater for the City of Ontario, has an estimated storage capacity of 13 million acre-feet and a current storage of approximately 7.5 million acre-feet.

The project site is located within the 1010 and 925 Pressure Zones of the City's water delivery system. Existing infrastructure near the project within the 1010 Pressure Zone includes 12-inch water main within Archibald Avenue and Turner Avenue to the west of the project, and both a 10-inch and a 12-inch water main within Riverside Drive, adjacent to the project to the north. The 925 Pressure Zone includes an existing 16-inch high-pressure water main along a portion of the east side of Hamner Avenue, within the County of Riverside, owned by Jurupa Community Services District. There is a City of Ontario existing water line in Hamner Avenue which has an existing 24"/30" water main.

Any wells found to be present will be destroyed per the Department of Health Services and in compliance with the Chino Basin Water Master Well Procedures for developers. A

well use/designation plan and schedule for existing private/ agricultural wells shall be submitted to the City of Ontario for approval prior to issuance of permits for any construction activity. The Ontario Ranch Water Master Plan outlines the need for additional facilities to service the site.

2.6.2 SEWER

Wastewater from the project site is currently disposed of through private septic systems. An existing 10-inch sewer line is located within Riverside Drive, although, it does not service the site. The Eastern Trunk Sewer line is also located in the vicinity of the project, running north to south, to the west of the Rich-Haven project site in Archibald Avenue.

Four wastewater treatment plants are in the vicinity of the Ontario Ranch: RP1 to the north, RP2 to the North, Carbon Canyon Wastewater Treatment Plant (CCWTP) to the southwest, and RP5 also to the southwest. Sewage will ultimately be conveyed to RP5 from the Rich-Haven Specific Plan area through the Eastern Trunk Sewer line to the Kimball Interceptor.

2.6.3 STORM DRAINAGE

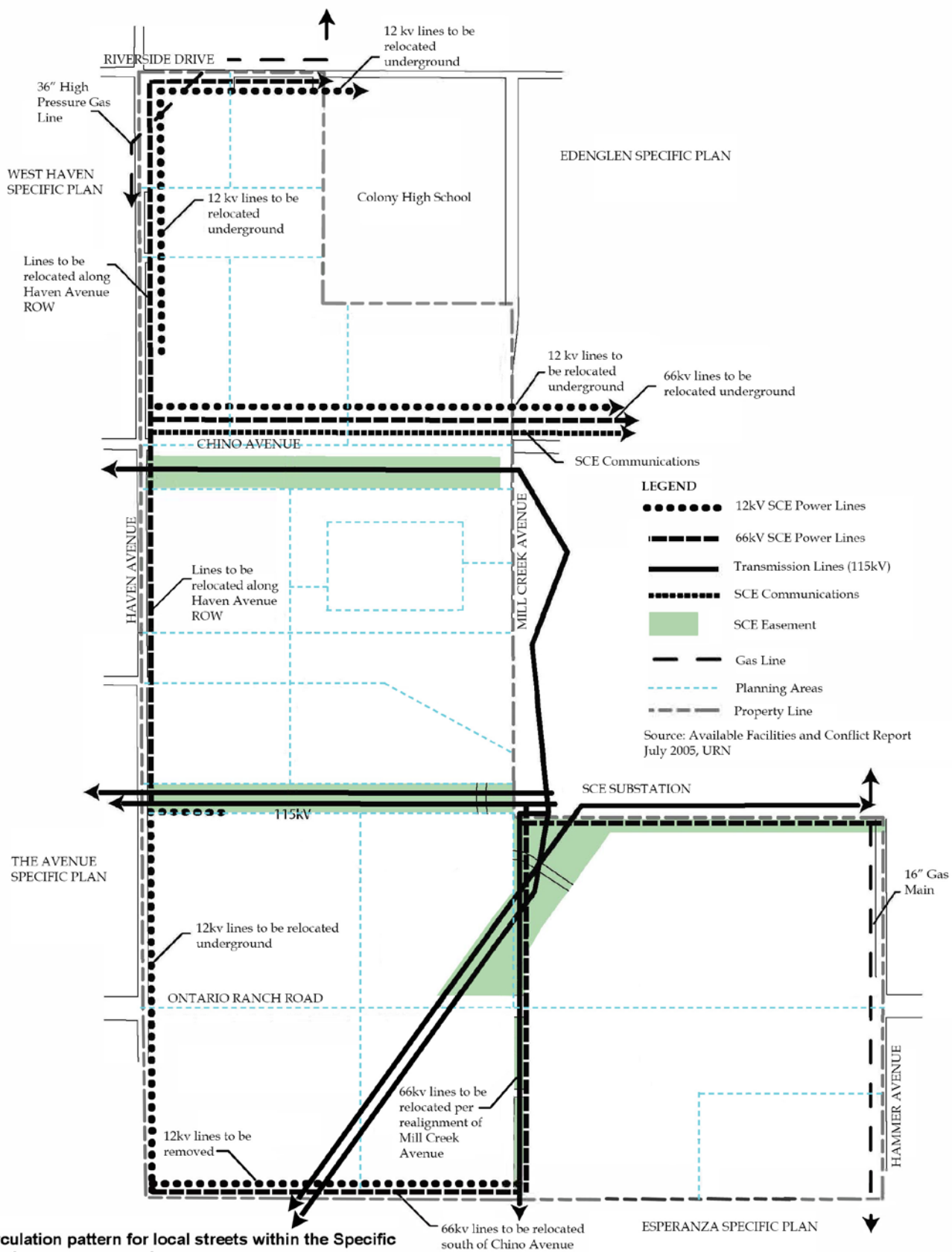
The major improved drainage facility affecting the Rich-Haven Specific Plan is the Cucamonga Creek Channel, which runs parallel to Archibald Avenue, west of the project site. Cucamonga Creek Channel is a major north-to-south rectangular concrete line channel, carrying storm water from the mountains to the Santa Ana River.

Lower Deer Creek Channel feeds into the Cucamonga Creek Channel, by way of the Chris Basin, a county-owned groundwater recharge basin west of the project site. Lower Deer Channel also conveys flows from a very small portion of the eastern half of the Ontario Ranch area.

Drainage facilities on-site include unimproved basins and open earthen swales along area roadways. Because of the existing agricultural uses, normal rainfall does not cause runoff. Ground waters within the NMC, as a whole, contain high concentrations of salt, attributable to historic agricultural activities such as dairy farming. The high organic content of on-site soils has contributed incrementally to the degradation of surface and groundwater quality.

2.6.4 ELECTRIC

Currently, the project site is located within the service territory of the Southern California Edison Company (SCE). SCE facilities located within and adjacent to the project area consist of a substation, 500 kV, 220kV, 115kV, 66kV, and 12kV lines, and SCE Communications lines. See Figure 2.6, *Existing On-Site Facilities*.



Electric power transmission lines associated with the adjacent Southern California Edison (SCE) Substation transverse the site. Electric power 115kv transmission lines are present within a 330-foot wide SCE easement, crossing the site east to west.

Electric power 115kv transmission lines are also present between Chino Avenue and Ontario Ranch Road within a 300-foot SCE easement, which also crosses the site east to west. In a 355-foot-wide SCE easement running northeast to southwest near the intersection of Mill Creek Avenue and Ontario Ranch Road, 115kv transmission lines cross the site as they follow Mill Creek Avenue north. These lines connect to north-to-south 115kv transmission lines along the east side of Mill Creek Avenue, ultimately connecting to the SCE Substation.

In addition to the 115kv transmission lines, there are existing 66kv, 12kv, and SCE communications lines that transverse the site. Electric power 66kv and 12kv lines exist along the north side of the existing old Ontario Ranch Road roadway alignment running east to west. Electric power 66kv, 12kv, and communication lines are located along the north side of Chino Avenue running east to west. Along the east side of Haven Avenue electric power 66kv and 12kv lines exist running north to south. Electric power 66kv lines exist along the east side of Mill Creek Avenue running north to south. Electric power 66kv, 12kv, and communication lines are located along the north side of Chino Avenue running east to west as well as, along northern portion of property between Mill Creek Avenue and Hamner Avenue. All existing facilities with 34.5kV or less will be underground in accordance to City ordinance.

2.6.5 NATURAL GAS

Southern California Gas Company (The Gas Company) provides natural gas service to the area. The Gas Company has an existing 36" high pressure main extending through the site at the northwest corner of the project along a gas easement that continues extending east along Riverside Drive and turns north at about 1,000 feet before the extension of Mill Creek Avenue. There is a four-inch main that extends in an east/west direction along Riverside Drive and parallels the 36" high-pressure main along Riverside Drive for about 800 feet. A three-inch main is located on the west side of Haven Avenue and extends in a north/south direction and continues south to existing Ontario Ranch Road, transitioning east for about 1,200 feet. In addition, a 16" main extends in a north/south direction along the west side of Hamner Avenue.

2.6.6 COMMUNICATIONS SYSTEMS

Currently, Verizon provides telephone service within the project area. Verizon has existing underground facilities located on the east side of Haven Avenue that transition to overhead lines just south of Riverside Avenue to Chino Avenue, where the lines cross over to the west side of Haven Avenue terminating approximately 1,200 feet south.

SBC has existing underground telephone lines on the east side of Hamner Avenue extending in a north/south direction.

Charter Spectrum and Frontier have existing overhead facilities on the south side of Riverside Drive.

2.6.7 SOLID WASTE

The Ontario Municipal Utilities Company (OMUC) currently, by request, provides solid waste collection and disposal services to the Ontario Ranch.

2.7 GEOLOGY AND SOILS

A Preliminary Geotechnical Investigation for a majority of the project was prepared by Petra in September 2005 and revealed from subsurface investigation that the project site is underlain by Quaternary-age alluvial deposits to the maximum depth explored (51.5 feet below ground surface). A relatively thin layer of artificial fill mantles the ground surface throughout the entire site. Surface layers of manure, generally six to 12-inches thick were observed within existing cattle pens at the dairy farms, in addition to stockpiles of manure, some several feet high, within the dairies and the pig farm.

2.7.1 SEISMICITY

The project site is located within the Southern California area, dominated by northwest-trending faults associated with the San Andreas system. No active or potentially active faults are known to extend through the site. Several active or potentially active faults are in close proximity and include the Chino-Central Avenue fault approximate 7 mile to the northeast, the San Jose fault 10 miles to the southeast, Cucamonga fault 11 miles to the south, Whittier fault and Glen Ivy fault 11 miles to the northeast, and the San Andreas fault 19 miles to the southwest.

2.8 VEGETATION & WILDLIFE

Little or no naturally occurring vegetation is present on the project site, due to its historic dairy and agricultural use. Existing vegetation within dairy lands include cattle pastures, while agricultural uses consist of cultivated and fallow fields, in addition to windrows along internal, unimproved roadways.

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SECTION 3 LAND USE

This section of the Rich-Haven Specific Plan discusses the land uses proposed within the Rich-Haven development. Land uses include the residential, commercial/**mixed-use**, retail, office, parks and open space, and community facility components planned for Rich-Haven.

3.1 COMMUNITY DESIGN

The Rich-Haven Specific Plan is envisioned as a high quality residential and mixed-use community, designed with reference to “Traditional Neighborhood Design” principles. Rich-Haven is organized into two Districts, a Residential District and a Regional Commercial/Mixed-Use District. Each district is designed around Planning Areas, which form smaller neighborhoods. Each Planning Area can contain a variety of residential and/or commercial product types, but will be organized around one common internal street system. Rich-Haven’s Residential District contains Planning Areas 1 through, 5, and the Regional Commercial/Mixed-Use District is comprised of Planning Areas 6, 7, **8 and 9**.

3.1.1 TRADITIONAL NEIGHBORHOOD DESIGN

To best create Rich-Haven’s distinct Residential District and plan for a well-integrated Regional Commercial/Mixed-Use District, the Rich-Haven Specific Plan proposes numerous Traditional Neighborhood Design (TND) principles. The application of TND principles can simultaneously give Rich-Haven identity as well as better connect it to the rest of the Ontario Ranch. The TND principles to be implemented at Rich-Haven include:

- ❖ **CONNECTIONS** – Rich-Haven is designed to provide both internal and external connectivity, providing connections between Rich-Haven’s own land use components and between Rich-Haven and surrounding future and existing developments. Sidewalks, linear parks and bike trails will internally connect Rich-Haven’s residential areas, neighborhood parks, community facilities, proposed public park, and the retail, commercial, and office uses of the Regional Commercial/Mixed-Use District. Additionally, Rich-Haven’s Land Use Plan includes a segment of the SCE Corridor Trail System, which extends through all of the Ontario Ranch, connecting Rich-Haven’s residents with important uses and amenities outside of Rich-Haven.

Connectivity within Rich-Haven is also achieved by designing the community at a walkable scale and density, similar to those of traditional neighborhoods. This allows non-drivers, such as children, seniors, and those with disabilities to be active and independent.

- ❖ **TRADITIONAL STREET NETWORK** – The Rich-Haven Land Use Plan is designed around a hierarchy of streets, connected by a grid network with a variety of routes for pedestrians and vehicles. The Rich-Haven street grid extends through both the Residential and Regional Commercial/Mixed-Use Districts. Traditional street

networks are visually favorable and comfortable environment for pedestrians, bicyclists, and Rich-Haven's residents at large.

- ❖ **INCORPORATION OF NEIGHBORHOOD AND COMMUNITY INSTITUTIONS** – The Rich-Haven Specific Plan proposes a public park site within the Rich-Haven community. Inclusion of a school site helps to define Rich-Haven as a cohesive and complete community, and draws on the traditional organization of a community around a neighborhood school. Other community facilities, including a fire station, will also be located within the Residential District.
- ❖ **IDENTIFIABLE NEIGHBORHOODS** – Identifiable neighborhoods can make Rich-Haven more attractive to residents and employers by increasing a “sense of community” and belonging. This document's Design Guidelines stress the use of defined neighborhood edges and entrances within the Residential District to make this District's neighborhoods more distinct and identifiable. Within the Regional Commercial/Mixed-Use District, neighborhoods will be identifiable through other means, as the normally defined edges between adjacent uses are intentionally blurred to create a well-integrated mixed-use neighborhood. The mix of residential and commercial uses within the Regional Commercial/Mixed-Use District can itself provide neighborhood identity.
- ❖ **MIX OF HOUSING TYPES** – A variety of housing types and varying architectural styles are proposed within Rich-Haven, in order to address varying housing needs caused by the different lifestyles of families, singles, students, executives, retirees, and empty nesters.
- ❖ **PUBLIC SPACES** – Rich-Haven's residential neighborhoods are organized around a number of small parks and open space areas. These public spaces provide opportunities for neighbors to meet and socialize, and children to play, within a safe and visible environment. The Regional Commercial/Mixed-Use District will also be organized around common public facilities including central parks, plazas, and paseos.
- ❖ **MAIN STREET ENVIRONMENT** – The Regional Commercial/Mixed-Use District may include retail, commercial, office and residential uses, along with well-incorporated central parks, plazas, and paseos, designed to a human scale. Creation of a Main Street environment aids in keeping pedestrian activity from being overwhelmed by automobile traffic. A vital “town center” atmosphere will offer the opportunity for higher-density residential uses to be within a five-minute walk of all goods and services offered in the heart of each mixed-use neighborhood. These higher-density units will provide for a more vibrant Main Street environment.

3.2 LAND USE PLAN

The Rich-Haven Land Use Plan outlines how land uses, dwelling units, and commercial square footage are allocated within the community's two Districts. The Land Use Plan is organized into 9 Planning Areas, with Planning Areas 1 through 5 comprising the Residential District, and Planning Areas 6, 7, 8 and 9 comprising the Regional Commercial/Mixed-Use District. In total, the Land Use Plan proposes a maximum of 7,194 dwelling units (including all residential dwelling unit types), a maximum of 1,131,702 square feet of commercial/office space, 27 acres of public parkland, approximately 20.0 acres SC Edison Parcel open space, a 1.5-acre fire station site, along with additional private parklands and Edison Easements.

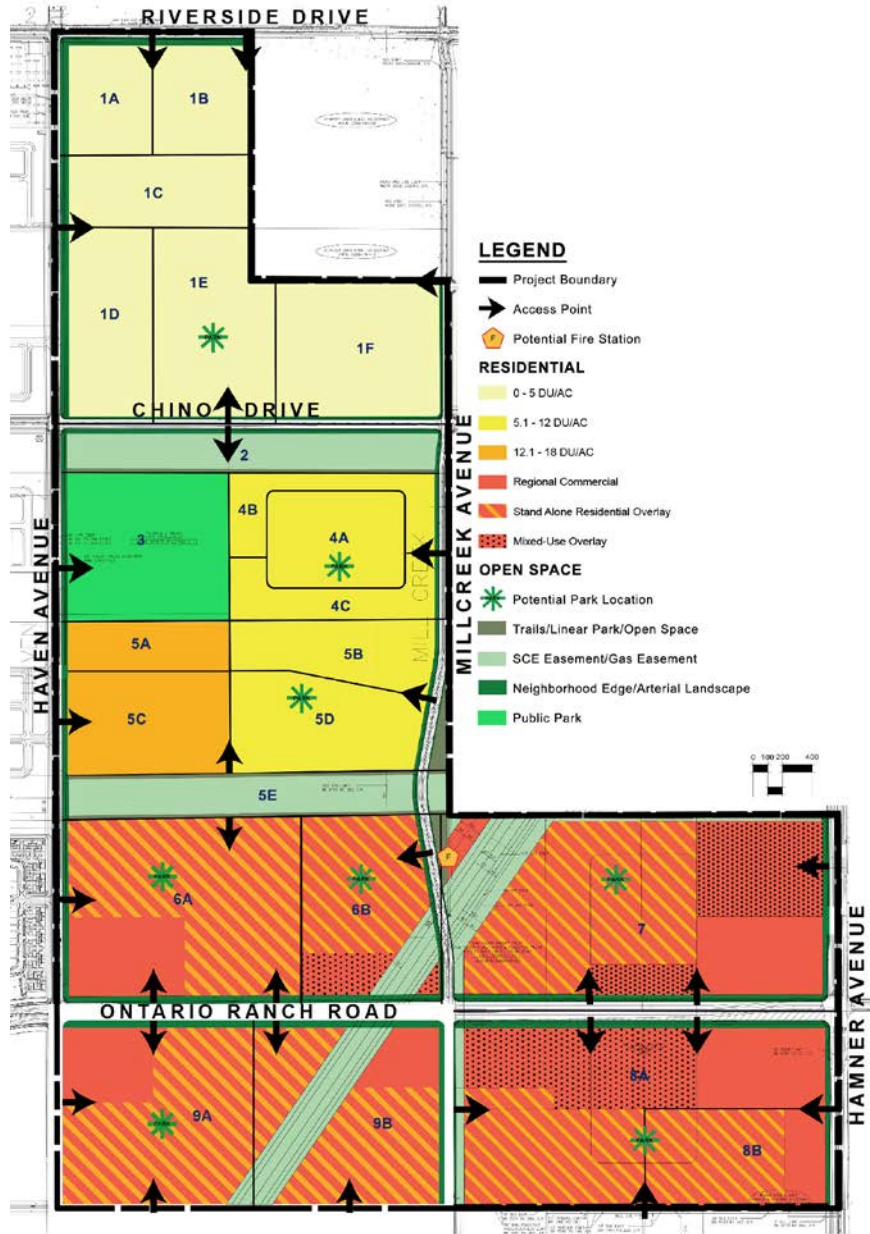
Figure 3-1, *Specific Plan Land Use Plan*, and Table 3-1, *Land Use Plan Summary*, describe how these uses and dwelling units are allocated within the two districts and 9 Planning Areas of the Rich-Haven Specific Plan.

3.2.1 RESIDENTIAL DISTRICT

Rich-Haven's Residential District includes approximately 271.3 acres organized into 5 Planning Areas, each planned around local parks and open space. In total, the Residential District includes 1,833 dwelling units, approximately 27.0 acres of public park and 20.0 acres of open space within the Southern California Edison parcel.

Rich-Haven's Residential District Planning Areas include a variety of housing products that respond to a variety of homeownership needs and desires. These housing products may include detached single-family, detached and attached condominiums, townhomes, and live/work units. Clustered multi-family housing may be included throughout the District, including its lower density neighborhoods. In general, the density of the District's neighborhoods increase from north to south, with Planning Area 1 averaging 5.0 dwelling units per acre, while Planning Areas 2 through 5 average 12.0 dwelling units per acre.

LAND USE



- * Circulation pattern for local streets within Specific Plan Area to be established at Tentative Tract Map submittal.
 - ** Residential development along the frontage of Haven Avenue within Planning Areas 5A, 5C and 6A and residential development along the frontage of Ontario Ranch Road within Planning Areas 6A and 7 shall average a density of 18 to 25 dwelling units per acre to support Bus Rapid Transit (BRT) along Haven Avenue.
 - *** After full dedication of Master Plan sheets and neighborhood edges, residential development within Planning Areas 6A + 9A and residential development within Planning Areas 6B + 9B shall meet a minimum net density of 14 dwelling units per acre.
- The minimum density in Planting Areas 6A + 9B and Planning Areas 6B + 9B can be averaged between the two areas and shall be established at Tentative Tract submittal for each Planning Area.

RICH HAVEN SPECIFIC PLAN
LAND USE PLAN

FIGURE 3-1

Planning Area ^{3,4}	Land Use	Dwelling Units ¹	Acres (Gross)	Density (Gross)
1A	Residential - SFD	58	12.8	4.5
1B	Residential - SFD	57	12.7	4.5
1C	Residential - SFD	68	14.9	4.5
1D	Residential - SFD	91	20.5	4.5
1E	Residential - SFD	109	23.4	4.5
1F	Residential - SFD	120	26.3	4.5
Subtotal		503	110.6	4.5
2	Edison Parcel ²		20.0	
3	Park ²		27.0	
Subtotal			47.0	
4A	Residential – Small Lot SFD	154	14.0	11.0
4B	Residential – Small Lot SFD	101	9.2	11.0
4C	Residential – Small Lot SFD	108	9.8	11.0
Subtotal		363	33.1	11.0
5A ⁵	Residential – Small Lot SFD	109	9.1	12.1
5B	Residential – Small Lot SFD	165	14.2	11.7
5C ⁵	Residential – Small Lot SFD	332	27.0	12.3
5D	Residential – Small Lot SFD	361	30.3	11.9
5E	Edison Easement	-	-	-
Subtotal		967	80.6	12.0
Subtotal Residential District		1,833	271.3	8.2

Mixed Use District Planning Area ^{5,6,7,8}	Land Use	Gross Acreage	Residential Maximum	Commercial/ Office Min (SF)	Commercial/ Office Max (SF)
6A + 9A	Residential & Commercial	85.6	2,178	109,335	166,182
6B + 9B	Residential & Commercial	65.1	1,406	36,639	76,320
7 ⁵	Residential & Commercial	81.1	725	100,000	440,800
8A	Residential & Commercial	61.4	852	95,000	325,000
8B	Residential & Commercial	19.70	200	20,000	123,400
Total		312.9	5,361	360,974	1,131,702

NOTES:

- ALL RESIDENTIAL DWELLING UNITS SHOWN IN LAND USE SUMMARY ARE MAXIMUMS.
- PROJECT TOTAL & SUBTOTAL RESIDENTIAL DISTRICT DENSITIES ARE CALCULATED USING RESIDENTIAL ACREAGES ONLY, THEREFORE THE ACREAGES OF PA 2 & 3 ARE NOT INCLUDED.
- WITHIN THIS SPECIFIC PLAN DOCUMENT, REFERENCES TO PLANNING AREAS ARE ONLY 1 THROUGH 9. SUB-PLANNING AREAS SUCH AS 1A, 1B, ETC ARE DESIGNATED TO HELP ADDRESS OWNERSHIP PATTERNS AND ARE NOT INTENDED TO BE USED FOR DENSITY TRANSFER.
- PLANNING AREAS 1A THROUGH 1F SHALL INCLUDE A MINIMUM OF 80 LOTS OF 7,200 SQ. FT. OR ABOVE.
- RESIDENTIAL DEVELOPMENT ALONG THE FRONTAGE OF HAVEN AVENUE WITHIN PLANNING AREAS 5A, 5C, 6A AND 7 SHALL AVERAGE A DENSITY OF 18 TO 25 DWELLING UNITS PER ACRE TO SUPPORT BUS RAPID TRANSIT (BRT) ALONG HAVEN AVENUE.
- RESIDENTIAL DEVELOPMENT WITHIN PLANNING AREAS 6A, 6B, 7, 8A, 8B, 9A AND 9B SHALL MEET A MINIMUM NET DENSITY OF 14 DWELLING UNITS PER TOP ADJUSTED GROSS ACREAGE.
- RESIDENTIAL DEVELOPMENT WITHIN PLANNING AREAS 6A + 9A AND RESIDENTIAL DEVELOPMENT WITHIN PLANNING AREAS 6B + 9B SHALL MEET A MINIMUM NET DENSITY OF 14 DWELLING UNITS PER TOP ADJUSTED GROSS ACREAGE. THE MINIMUM DENSITY IN PLANNING AREAS 6A + 9A AND PLANNING AREAS 6B + 9B CAN BE AVERAGED BETWEEN THE TWO AREAS AND SHALL BE ESTABLISHED AT TENTATIVE TRACT SUBMITTAL FOR EACH PLANNING AREA.
- ALTERNATE COMMERCIAL/OFFICE SQUARE FOOTAGE OR RESIDENTIAL DWELLING UNITS MAY BE PERMITTED, IF A TRIP GENERATION ANALYSIS DEEMS THAT THE PROPOSAL IS CONSISTENT WITH OR LESS THAN SIGNIFICANT WITH THE ONTARIO PLAN EIR AVERAGE DAILY TRIPS (ADT) ASSUMPTION FOR THE PLANNING AREA. THE PROPOSAL SHALL BE REVIEWED AND APPROVED BY THE PLANNING DIRECTOR OR ASSIGNEE AT SUBDIVISION ENTITLEMENT.

RICH HAVEN SPECIFIC PLAN LAND USE SUMMARY

TABLE 3-1

Consistent with the City's TOP, the Rich-Haven Specific Plan encourages residential neighborhoods designed around Traditional Neighborhood Design (TND) principles, planned to include multiple pedestrian routes, bikeways, and multi-use trails, neo-traditional street-grid systems, a diversity of housing types, and the integration of public facilities into the community fabric.

The land use plan for the Rich-Haven Residential District responds by including park and open space amenities throughout, including linear parks and SCE parcel/easement areas that provide pedestrian and bikeway connectivity. The internal backbone streets proposed within the District are planned on a traditional grid system, creating a visually attractive street network that connects well both internally, between the Residential and Regional Commercial/Mixed-Use Districts, and between Rich-Haven and its surrounding development. Additionally, the Residential District includes a variety of housing types, with a gradient increase in density from the north to the south, and may include gated neighborhoods. Finally, the Residential District is designed to include community facilities and public institutions, including a proposed public park and fire station site.

3.2.2 REGIONAL COMMERCIAL/MIXED-USE DISTRICT

The Regional Commercial/Mixed-Use District includes approximately 312.9 gross acres within Planning Areas 6, 7, 8, and 9. This District is envisioned as a highly active area with a variety of commercial uses, including retail, office, residential, medical, research, entertainment and other comparable uses identified in Section 5, *Development Regulations*. As a true mixed-use district, residential uses are also to be included. In total, a maximum of 5,361 dwelling units and a maximum of 1,131,702 square feet of regional and local commercial uses are planned within this District. Additionally, the Regional Commercial/Mixed-Use District includes appropriate required acreage of private parklands, a 1.5-acre fire station site and additional open space found within the existing Southern California Edison easements.

Residential uses allowed within the Regional Commercial/Mixed-Use District include high-density attached residential / mixed-use, as well as standalone residential neighborhoods, accommodated through a "Stand Alone Residential Overlay". The Stand Alone Residential Overlay is identified on the Land Use Plan Figure 3-1 and may include gated residential neighborhoods. Within this overlay area, residential uses are permitted without being vertically mixed with commercial uses, and may include single-family detached residential units. **Stand Alone Residential Development within the Mixed Use Areas (Planning Areas 6A + 9A, 6B + 9B, 7, 8A and 8B) are required to be developed at a minimum average density of 14 units per TOP Adjusted Gross Acreage, consistent with the City's TOP. Compliance with the TOP's minimum density shall be established with Tentative Tract Map submittal.**

The community design concept to be implemented within the Regional Commercial/Mixed-Use District is one of a Main Street environment, with uses seamlessly integrated and designed at a pedestrian friendly scale. Like the Residential District, the Regional Commercial/Mixed-Use District will be designed with a high level of connectivity, both between its own land use components, between the District and the rest of Rich-Haven, and between Rich-Haven and the rest of the Ontario Ranch. The integration of common public spaces, including plazas, paseos and

small park areas will be included in the design of this District, and a mix of housing products will provide a diversity of opportunities for the District's residents, further executing the Traditional Neighborhood Design Principles encouraged by the City's TOP.

3.3 COMMUNITY FACILITIES

A variety of community facilities are included within the Rich-Haven Specific Plan Land Use Plan, including private parks and open space, a proposed public park site, a fire station site, and a network of greenbelts and landscaped neighborhood edges.

3.3.1 PARKS

A series of private parks will be provided throughout the Rich-Haven community, in both the Residential and Regional Commercial/Mixed-Use Districts. Linear parks are proposed within the Edison easements, and a series of private parks are proposed within each of the community neighborhoods or districts. Refer to Figure 3-1, *Land Use Plan*, for general individual private park locations.

The Policy Plan (Policy PR1-5) has established a standard of 5-acres of parklands (public and private) per 1,000 residents, with a minimum of 2-acres of developed private park space per 1,000 residents (Policy PR1-16). The proposals within the Rich-Haven Land Use Plan will include enough parkland to meet the minimum ratio of 2-acres per 1,000 residents. The remaining acreage of parkland required will be accommodated through the payment of in-lieu park fees.

A portion of the required park area may be provided within the SCE Easement. Any easement area will be required to be improved and maintained by the Master Development and/or Homeowners Association in order to receive park credit. Refer to Section 5.4.1.13 of the Development Regulations.

Additionally, a 27.0-acre public park area will be located in Planning Area 3. Access to this park will be provided along internal streets.

3.3.2 FIRE STATION

A potential 1.5-acre fire station pad is allowed within the Regional Commercial/Mixed-Use District. The fire station would serve surrounding areas, and be located in the southern portion of the Specific Plan area, potentially within Planning Area 7. See Figure 3-1 for approximate location.

3.3.3 GREENBELTS AND LANDSCAPED NEIGHBORHOOD EDGES

Greenbelts

Greenbelts throughout the Rich-Haven Specific Plan encompass a network of easements belonging to Southern California Edison (SCE) with exception to Planning Area 2 fee-owned rights-of-way. These greenbelts crisscross the Ontario Ranch, are to be jointly used as a trails and bikeways system and identified as the SCE Corridor Trail connecting the various neighborhoods of the Ontario Ranch.

The greenbelts extend across the Rich-Haven Specific Plan area in three places; east to west along the southern side of the proposed Chino Avenue; east to west to the south of Rich-Haven Planning Area 5; and extending diagonally to the southwest across the proposed Mill Creek (Cleveland) Avenue. See Figure 4-3, *Trails and Bikeways Plan*.

Access to the SCE trails will be provided through the various residential areas of the Rich-Haven development, providing pedestrian and bicycle accessibility between residential areas, parks, schools, and shopping and town centers. The corridor will include a multi-use pathway, fencing, signage, and landscaping, and will be accessible to wheelchairs, bicycles, and pedestrians. The multi-use pathway will also provide access for maintenance equipment and vehicles.

Landscape Neighborhood Edges

Landscape neighborhood edges will be located along the internal backbone roadway system of the Specific Plan and include expanded parkways.

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SECTION 4 INFRASTRUCTURE AND SERVICES

This section of the Rich-Haven Specific Plan discusses the proposed infrastructure and public services that will support Rich-Haven’s residential and mixed-use districts. Infrastructure discussed herein includes the construction of master planned facilities. Public services include schools, parks, fire, law enforcement, library, telephone and technology wiring, natural gas, electricity, and solid waste disposal. A discussion of project grading is also provided.

General Notes

1. Master planned utilities serving and surrounding the development, as identified in the approved respective Master Plan, shall be constructed prior to issuance of first occupancy.
2. All development and corresponding utilities shall be constructed and be consistent with the NMC Construction Agreement.
3. Public Utilities construction shall be avoided within private alleys; where city has limited access.
4. Public Utilities construction (especially water lines) shall be avoided beneath roundabouts/traffic circles.
5. All signalized intersections and approaches on designated truck routes shall be concrete.

4.1 CIRCULATION PLAN

The Circulation Plan for the Rich-Haven Specific Plan will provide effective movement of automobiles as well as pedestrians, bicyclists, and transit. The Rich-Haven Specific Plan will be served by a system of new and varied parkway, arterial, and collector roadways to be improved per City’s TOP and current Master Plan of Streets and Highways, and, through proposed local backbone streets to be constructed as part of the project site development. Improvements will be constructed for Haven Avenue, Ontario Ranch Road, Hamner Avenue, Chino Avenue, and Mill Creek Avenue, which run through or border the project site.

Within the Specific Plan area, local backbone streets will provide efficient movement of vehicles and pedestrians. Roadways will be designed to meet current and approved design standards. Figure 4-1B, *Conceptual Circulation Plan*, illustrates backbone on-site roadway circulation, access points, potential roundabout locations, signalized intersections, and non-signalized access points. Access points are from Hamner Avenue to the east, and Haven Avenue to the west of the project site, as noted in figure 4-1. The location of final access points and round-about locations will be determined at time of the tentative tract mapping in the residential areas and site plan review in commercial areas. The traffic study will verify the need for additional right-of-way at critical intersections to accommodate left and right turn lanes.

The minimum design speeds to be used for centerline curve radii, super-elevation, corner sight distance, vertical and horizontal alignment and sight distance, are listed below:

- ❖ Ontario Ranch Road: 50 mph
- ❖ Chino Avenue: 40 mph
- ❖ Riverside Drive: 45 mph

- ❖ Haven Avenue: 45 mph
- ❖ Mill Creek Avenue: 40 mph
- ❖ Hamner Avenue: 50 mph

4.1.1 STREET NETWORK

The proposed Rich-Haven street network is based on the existing underlying grid system of improved and unimproved streets, adjacent to and within the project site. And will be consistent with the City's Master Plan of Streets and Highways. See *Street Cross Sections*. The developer(s) of the Rich-Haven Specific Plan area will be responsible for all off-site improvements for the entire project frontage or as otherwise indicated. Phasing of the improvements will be implemented as required by the City Engineer and pursuant to the mitigation measures identified in the Environmental Impact Report (EIR) and/or the Conditions of Approval established on the approved tentative tract maps for the project. Additionally, bus turnouts and shelters, to serve the future residents, shall be provided on arterial and collector roadways prescribed by the City.

The following is a description of the streets to be improved within the Rich-Haven Specific Plan and NMC L.L.C. associated improvements:

HAMNER AVENUE – Bounding the project at the east, Hamner Avenue is designated as a divided Other Principal Arterial with eight lanes and a minimum right-of-way of 140 feet. Access to Hamner Avenue via driveways from residential units and on-street parking will be prohibited. The developer shall be responsible for those improvements to Hamner Avenue as determined by the City Engineer and pursuant to the mitigation measures identified in the EIR and/or to the Conditions of Approval established on the approved tentative tract maps for the project. Bus turnouts will be required to the satisfaction of the City of Ontario and Omnitrans. Proposed traffic signals along Hamner Avenue are shown in Figure 4-1.

HAVEN AVENUE – Located on the western boundary of the project site, Haven Avenue is classified by the Mobility Element of Policy Plan (Figure M-2 Functional Roadway Classification Plan) as a proposed Other Principal Arterial, with four travel lanes and a double row of parkway trees. Haven Avenue, as it borders the project site, is proposed at a minimum right-of-way of 124 feet with multi-purpose trail. Right of way areas with parkways and sidewalks are also proposed. Access to this street via driveways from residential units and on-street parking will be prohibited. The developer shall be responsible for those improvements to Haven Avenue as determined by the City Engineer and pursuant to the mitigation measures identified in the EIR and/or to the Conditions of Approval established on the approved tentative tract maps for the project. Bus turnouts will be required to the satisfaction of the City of Ontario and Omnitrans. Proposed traffic signals along Haven Avenue are shown in Figure 4-1.

ONTARIO RANCH ROAD – Bounding and crossing the site along the south, Ontario Ranch Road is classified the Mobility Element of Policy Plan (Figure M-2 Functional Roadway Classification Plan) as an Other Principal Arterial, with eight travel lanes at build-out, and

a minimum right-of-way of 160 feet. The right of way area is proposed with landscaped buffers/parkways, sidewalks and an 8-foot multipurpose trail on the south side between Mill Creek Avenue and Hamner Avenue within the Rich-Haven Specific Plan. Access to this street via driveways from residential units and on-street parking will be prohibited. Ontario Ranch Road connects the project site to Hamner Avenue to the east, the rest of the Ontario Ranch to the west and the City of Chino further to the west. To the east of the project is the Cantu-Galeano Ranch Road/I-15 Interchange. The developer shall be responsible for those improvements to Ontario Ranch Road as determined by the City Engineer and pursuant to the mitigation measures identified in the EIR and/or to the Conditions of Approval established on the approved tentative tract maps for the project. Bus turnouts will be required to the satisfaction of the City of Ontario and Omnitrans. Proposed traffic signals along Ontario Ranch Road are shown in Figure 4-1.

Ontario Ranch Road is a designated truck route. Ontario Ranch designated truck routes will direct truck traffic along arterial roadways and out of residential areas.

RIVERSIDE DRIVE – Bounding the site on the north, Riverside Drive is designated as a Minor Arterial with a 108-foot right-of-way with a landscape buffer along its neighborhood edge. A sidewalk and parkway is also proposed within the right of way area, as well as an 8-foot multipurpose trail on the north side between Haven Avenue and Mill Creek Avenue and curb adjacent 5-foot bike lanes on both sides of the street. Access to this street via driveways from residential units and on-street parking will be prohibited. The developer shall be responsible for those improvements to Riverside Drive as determined by the City Engineer and pursuant to the mitigation measures identified in the EIR and/or to the Conditions of Approval established on the approved tentative tract maps for the project. Bus turnouts will be required to the satisfaction of the City of Ontario and Omnitrans. Proposed traffic signals along Riverside Drive are shown in Figure 4-1

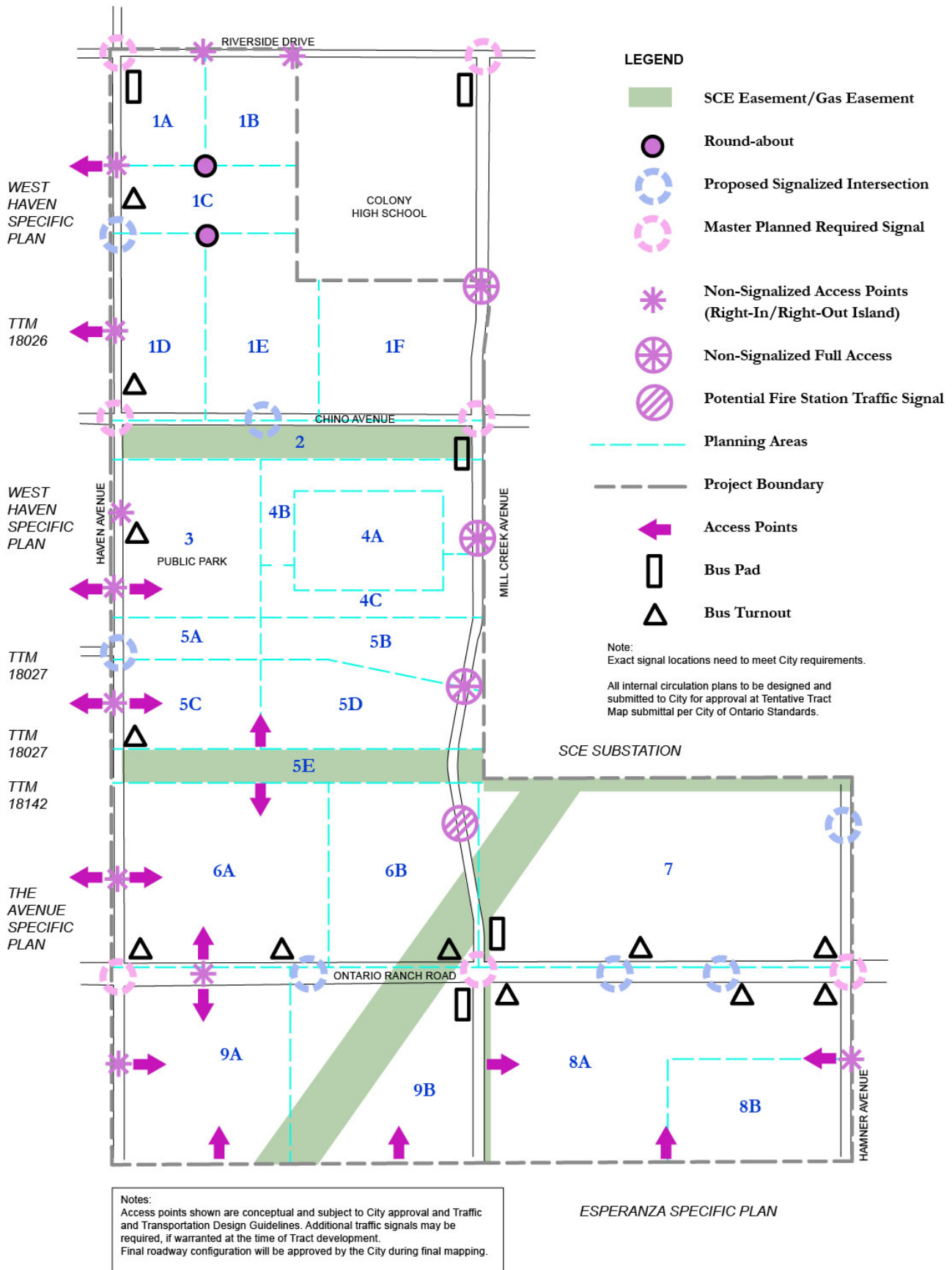
CHINO AVENUE – Crossing the site from east to west, Chino Avenue is identified as a Collector Street the Mobility Element of Policy Plan (Figure M-2 Functional Roadway Classification Plan), to be improved to two travel lanes in each direction with a minimum 88-foot right-of-way, which includes a parkway, sidewalk, 8 foot multipurpose trail on the north side between Haven Avenue and Mill Creek Avenue and curb adjacent 5-foot bike lanes on both sides of the street. Access to this street via driveways from residential units and on-street parking will be prohibited. The developer shall be responsible for those improvements to Chino Avenue as determined by the City Engineer and pursuant to the mitigation measures identified in the EIR and/or to the Conditions of Approval established on the approved tentative tract maps for the project. Bus turnouts will be required to the satisfaction of the City of Ontario and Omnitrans. Proposed traffic Signals along Chino Avenue are shown in Figure 4-1

MILL CREEK AVENUE –Bisecting the site from north to south, Mill Creek Avenue is identified as a Collector Street the Mobility Element of Policy Plan (Figure M-2 Functional Roadway Classification Plan), to be improved to four lanes, with a minimum 88-foot right-of-way. For the portion of Mill Creek Avenue between Ontario Ranch Road and Chino Avenue, proposed minimum right of way is 83-feet. Right of way areas are also proposed that

consist of a sidewalk, an adjacent parkway, an 8 foot multipurpose trail on the west side between Chino Avenue, and Ontario Ranch Road and curb adjacent 5-foot bike lanes on both sides of the street. Access to this street via driveways from residential units and on-street parking will be prohibited. The roadway will be realigned to the west starting approximately 50 feet south of the existing high school and continuing south beyond the project area. The ultimate alignment of Mill Creek Avenue will be determined as part of the Master Infrastructure Improvements to be determined by the City and NMC, LLC. The developer shall be responsible for those improvements to Mill Creek Avenue as determined by the City Engineer and pursuant to the mitigation measures identified in the EIR and/or to the Conditions of Approval established on the approved tentative tract maps for the project. Bus turnouts will be required to the satisfaction of the City of Ontario and Omnitrans. Proposed traffic signals for Mill Creek Avenue are shown in Figure 4-1.

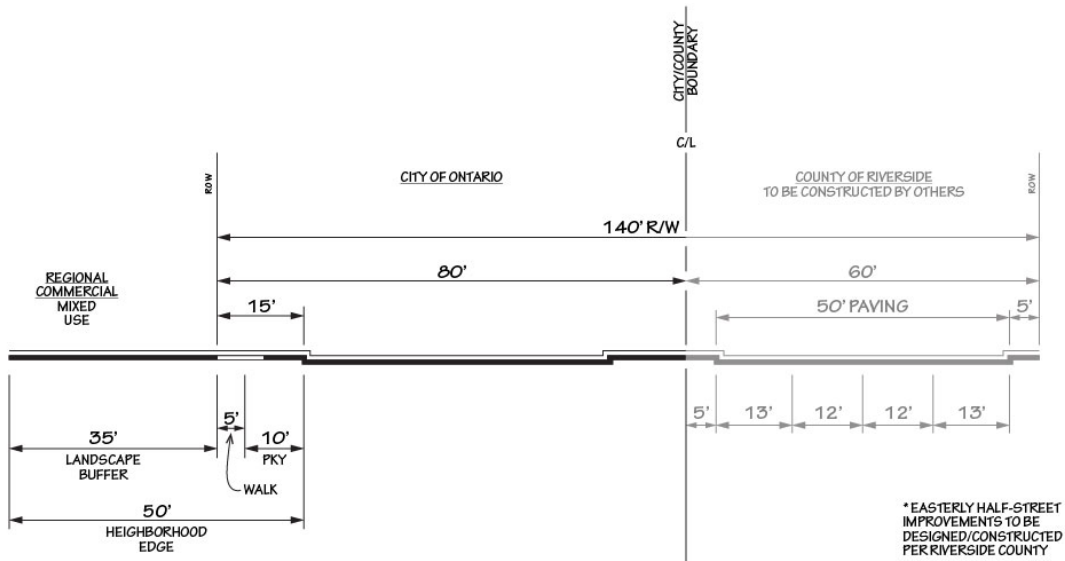
LOCAL BACKBONE STREETS—Connecting the above regional backbone roadways, the project’s local backbone streets will connect the project’s various components and provide for safe and efficient vehicular circulation. Internal project access points will be taken from Haven Avenue on the west side of the project, Mill Creek Avenue and Hamner Avenue on the east side, while another access point will occur along Hamner Avenue. The internal streets within the Regional Commercial/Mixed-Use District will form a central loop off of Ontario Ranch Road.

LOCAL NEIGHBORHOOD/PRIVATE STREETS – Local Neighborhood/Private Streets that carry neighborhood related traffic and be constructed with a 60-foot right-of-way, which includes a minimum 12-foot landscaped parkway with sidewalk. Themed Streets will have an additional 5-foot wide lettered lot along the theme street edge, located adjacent to ROW. To be maintained by HOA.



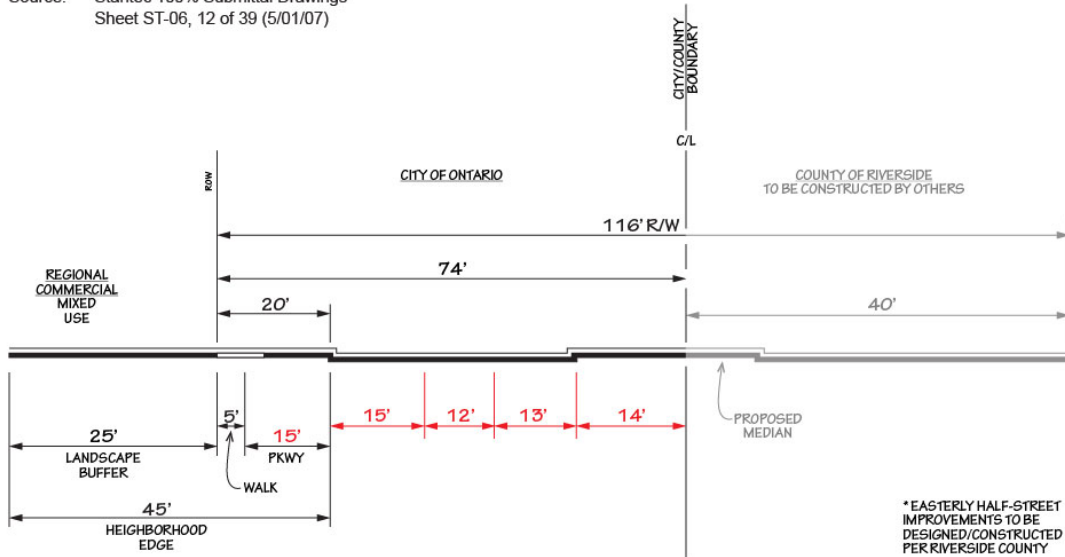
RICH-HAVEN SPECIFIC PLAN
CONCEPTUAL CIRCULATION PLAN

FIGURE 4-1

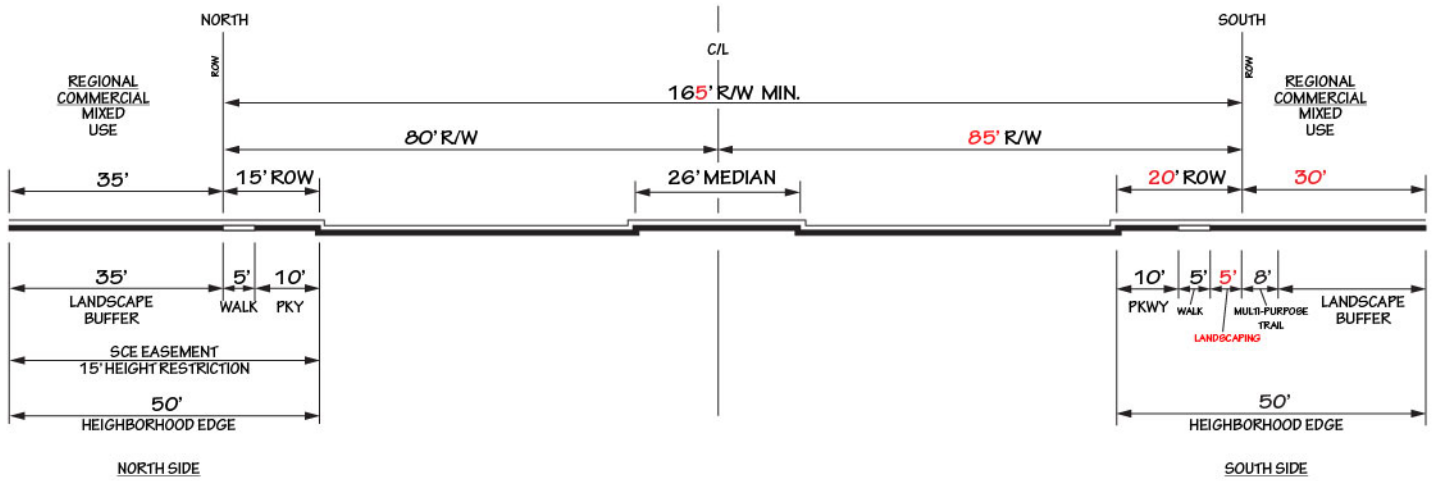


Hamner Avenue - Westside (North of Ontario Ranch Road)
 Between Riverside Drive and Ontario Ranch Road
 Divided Other Principal Arterial
 Interim Improvements

On-Street Parking Prohibited
 Source: Stantec 100% Submittal Drawings
 Sheet ST-06, 12 of 39 (5/01/07)

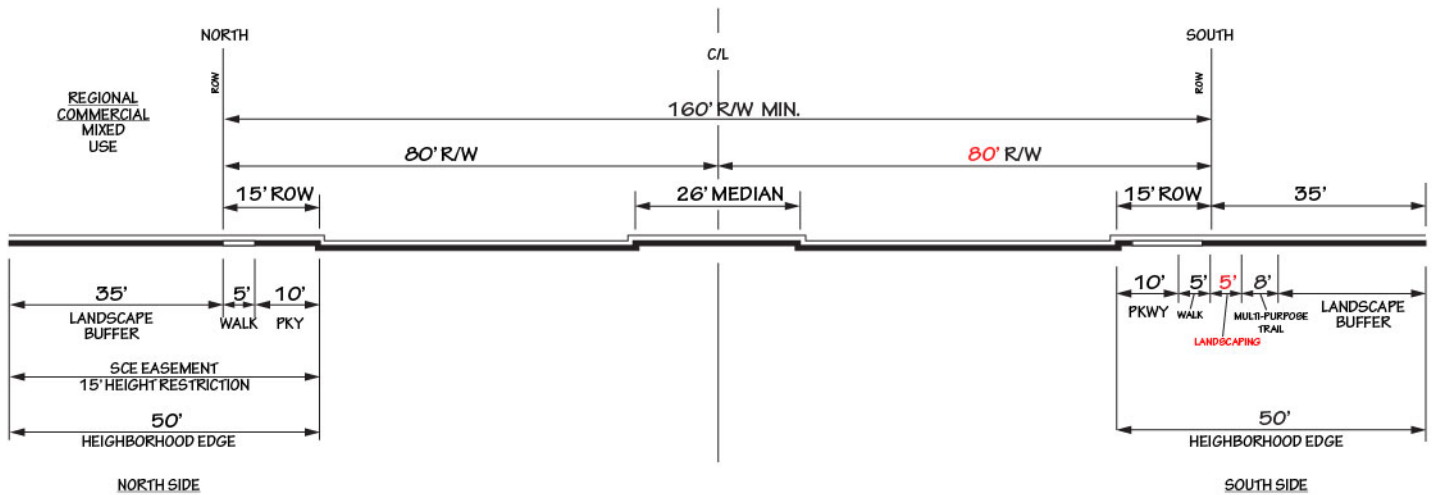


Hamner Avenue - Westside (North of Ontario Ranch Road)
 South of Ontario Ranch Road
 Divided Other Principal Arterial
 On-Street Parking Prohibited
 (three-lanes/median)

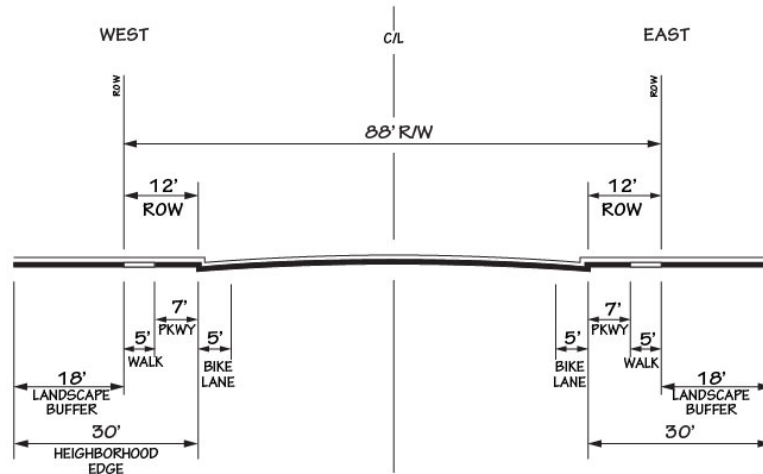


Ontario Ranch Road (West)
 Between Haven Avenue and Mill Creek Avenue
 Divided Other Principal Arterial w/ Bikeway
 On-Street Parking Prohibited

Source: Stantec 35% Submittal Drawings, Sheet DT-01



Note: Refer to Chapter 7 for Streetscape Design.

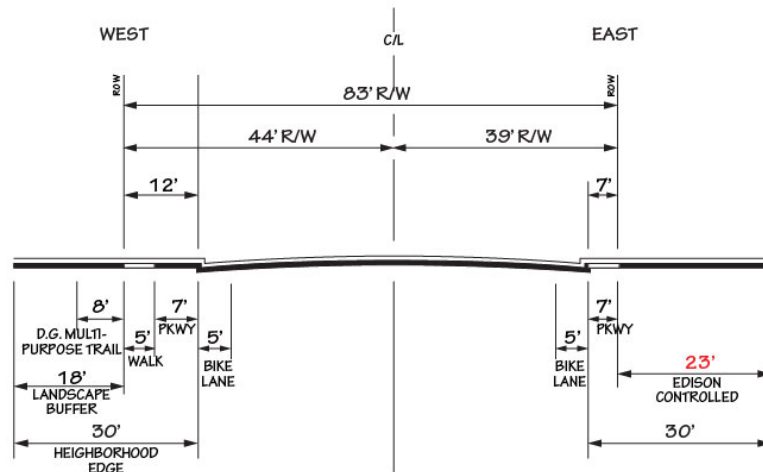


Mill Creek Avenue

Collector Street

On-Street Parking Prohibited

Source: Stantec 100% Submittal Drawings
Sheet ST-06, 3 of 32



Mill Creek Avenue (Between Ontario Ranch Road and Chino Avenue)

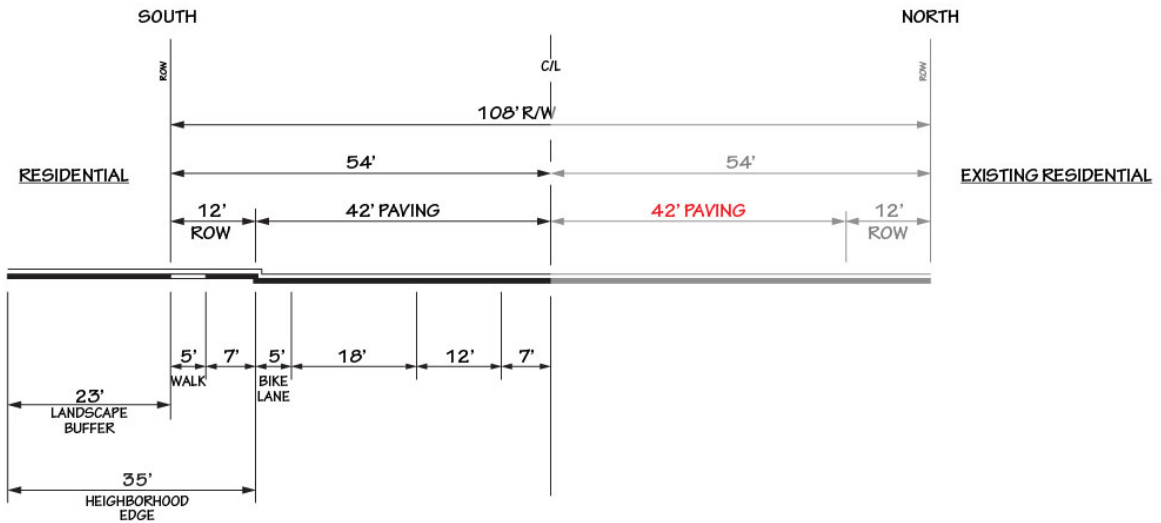
Collector Street

On-Street Parking Prohibited

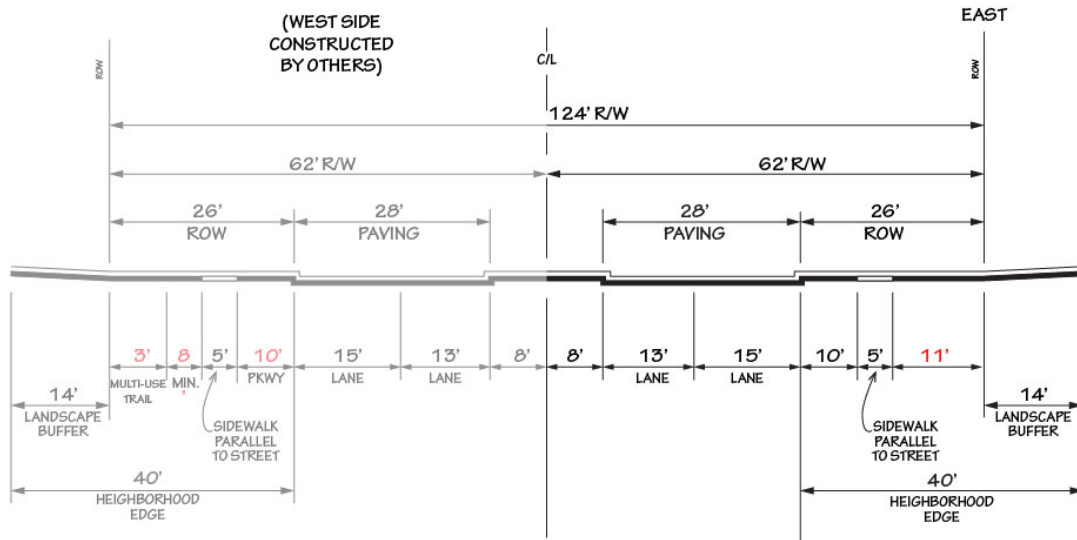
Source: Stantec 100% Submittal Drawings
Sheet ST-06, 3 of 32

Note: Refer to Chapter 7 for Streetscape Design.





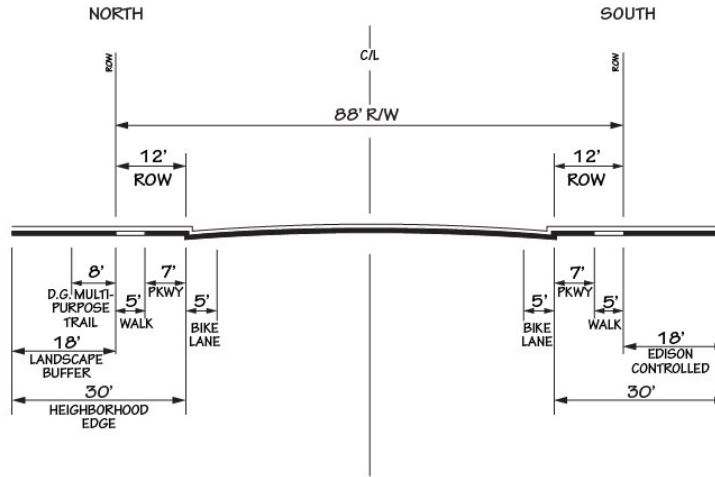
Riverside Drive
 Arterial
 On-Street Parking Prohibited



Haven Avenue
 Divided Other Principal Arterial
 On-Street Parking Prohibited

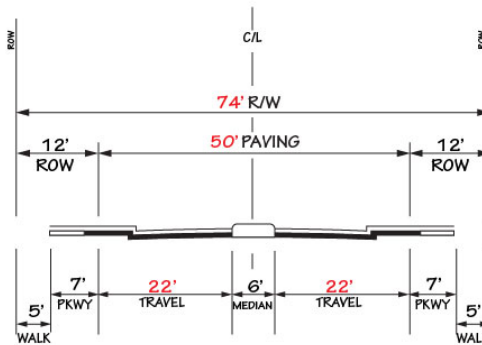
Note: Refer to Chapter 7 for Streetscape Design.





Chino Avenue
Collector Street ❖
On-Street Parking Prohibited

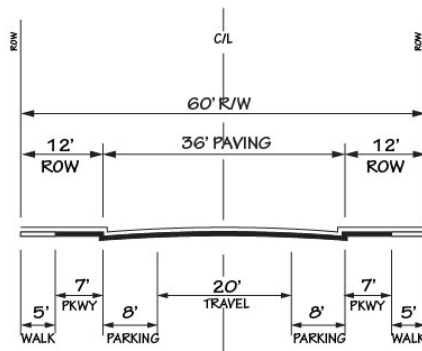
Source: Stantec 100% Submittal Drawings
Sheet ST-06, 3 of 32



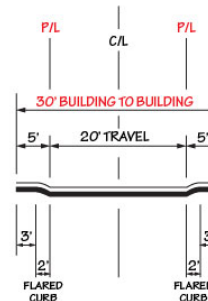
ENTRY STREETS ADJACENT TO COMMERCIAL AREAS SHALL BE DESIGNED TO ACCOMMODATE A WB-50 VEHICLE, WHICH MAY RESULT IN DIMENSIONS THAT EXCEED THIS CROSS-SECTION.

FINAL ROADWAY SECTION WIDTHS WILL BE DETERMINED BY THE CITY ENGINEER BASED ON THE NEED FOR INTERSECTION LEFT AND/OR RIGHT TURNS.

Residential Entry Street (Public or Private)
No Parking Permitted



Residential Neighborhood Street (Public or Private)
Parking Permitted
Sidewalk and Parkway widths may increase along "Theme Edges", and near the school



Common Drive/Alley (Private)
20' travel minimum
*24' travel for emergency access road

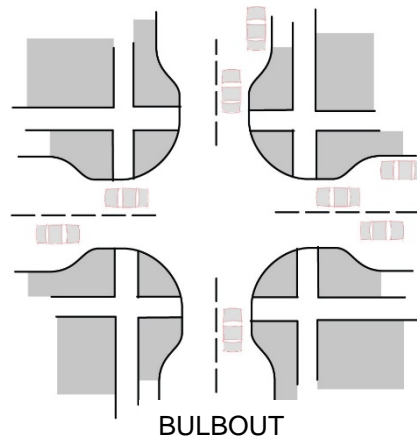
Note: Refer to Chapter 7 for Streetscape Design.

*minimum dimension

COMMON DRIVES – Common Drives will be constructed with a **20-foot minimum** right-of-way. Common Drives will contain a minimum 20-foot travel lane and 24-foot travel lane for emergency access roads. **A 30-foot minimum distance is required between buildings on each side of the common drive.** Final alley design shall be subject to review and approval by the planning, engineering, and fire departments.

4.1.2 TRAFFIC CALMING

The Rich-Haven Land Use Plan is designed on a traditional grid and with a hierarchy of streets, offering a variety of routes for pedestrians and vehicles. Traditional street networks can result in a visually favorable and comfortable environment for pedestrians, bicyclists, and Rich-Haven’s residents at large. Traffic calming measures incorporated within the Rich-Haven Specific Plan development will include roundabouts and curb-bulbouts. See Figure 4-1B, *Conceptual Circulation Plan* for locations of proposed roundabouts. Additional traffic calming measures include the incorporation of landscaped parkways and medians to add interest in the street, encouraging drivers to slow their travel speed and observe the surroundings.



Additionally, within the Regional Commercial/Mixed-Use District, on-street parallel parking will be used to control the speed of traffic in and near pedestrian zones. Angled parking may also be used at the discretion of the City Engineer.

4.1.3 PEDESTRIAN AND BICYCLE CIRCULATION

The Rich-Haven Specific Plan is consistent with and implements the Multipurpose Trails and Bikeway Corridor within the Mobility Element of the Policy Plan (Figure M-3).

In addition to the hierarchical street grid, which can increase available routes, the Rich-Haven Specific Plan proposed pedestrian trails and bikeways plan will be interconnected with the Ontario Ranch multi-purpose trail system, which includes a comprehensive network of greenways, pedestrian paths, and bike trails. See Figure 4-3, *Trails Plan*.

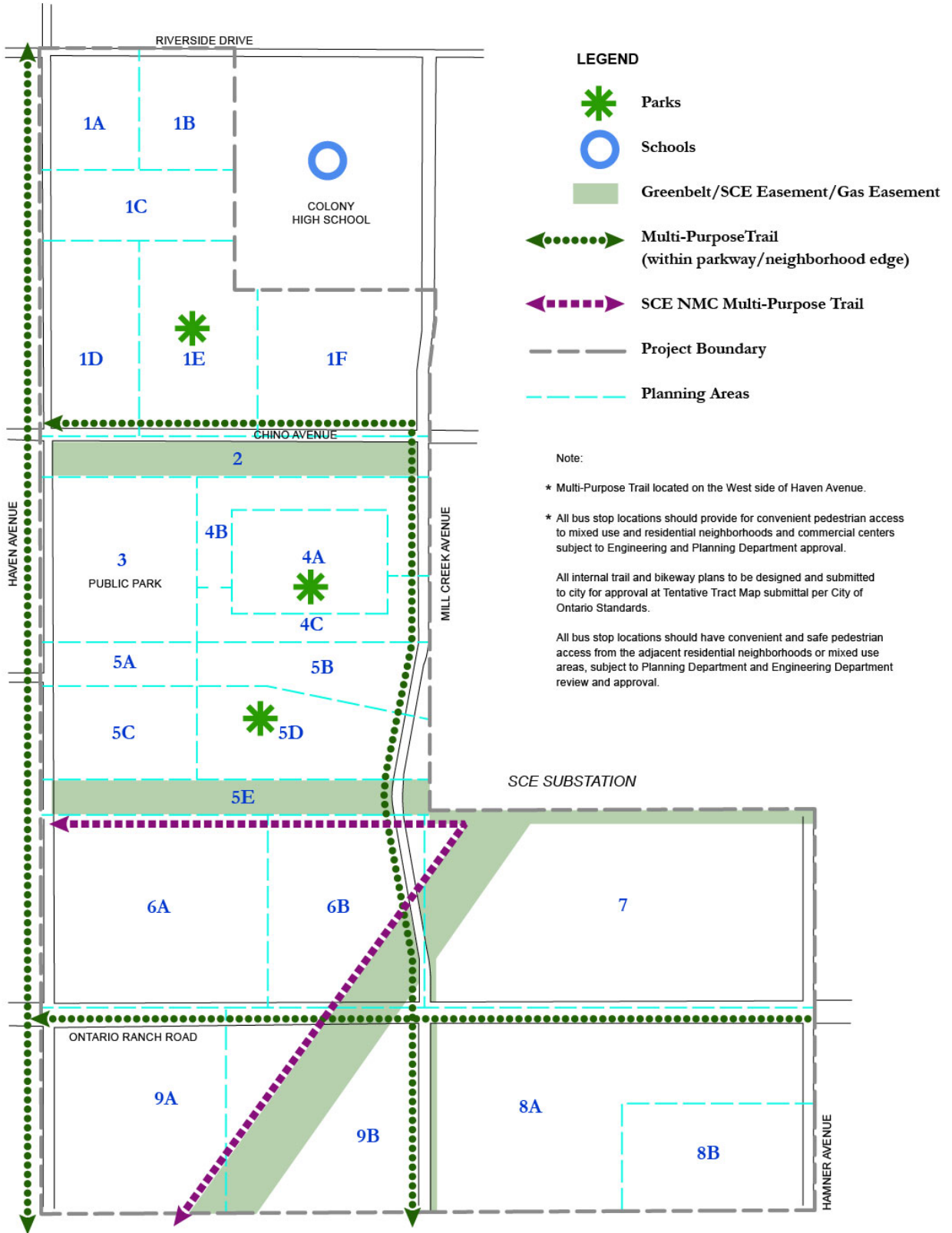
Internal project streets will be constructed with sidewalks, providing pedestrian access and inter-connectivity between the project's Residential and Regional Commercial/Mixed-Use Districts. The pedestrian system will also allow for easy pedestrian access to Rich-Haven's proposed approximately 27.0-acre public park site and several smaller private parks, Colony High School, and proposed elementary school sites within the West Haven Specific Plan and Esperanza Specific Plan.

Multi-purpose trails and sidewalks connect with a network that flows throughout the Ontario Ranch, connecting Rich-Haven with schools and other proposed residential areas in the region. Directional signage will be provided to facilitate movement to and from crosswalks and trail connections. Within the Residential District, the pedestrian sidewalks on cul-de-sac streets will connect to the Multi-purpose trails and Bikeway Corridor Plan trails within the linear parks. Internal paseos, sidewalks, and pathway connections will be incorporated into the Regional Commercial/Mixed-Use District to connect with residential areas and multi-purpose trails.

Additionally, Ontario Ranch multi-purpose trails are designated within proposed parkways along Haven Avenue, Ontario Ranch Road, Chino Avenue, Mill Creek Avenue and Riverside Drive. These multi-purpose will be accessed from the project directly, or through the multi-purpose trails within the SCE parcel/easements. Bike racks will be provided as per City standards.

As part of the City's Master Plan of Trails, the SCE Corridor Trail will be extended within the linear park areas located within the SCE easements, as shown within Figure 4-3, *Trails and Bikeway Plan*. Access to the SCE Corridor Trail will be provided throughout the Specific Plan area at key points to provide safe accessibility to the multi-purpose trails and opportunities to utilize alternate modes of transportation between the residential and commercial uses and to the greater NMC.

On-street curb adjacent 5-foot bike lanes will be provided on both sides on Riverside Drive, Chino Avenue and Mill Creek Avenue.



- LEGEND**
- Parks
 - Schools
 - Greenbelt/SCE Easement/Gas Easement
 - Multi-Purpose Trail (within parkway/neighborhood edge)
 - SCE NMC Multi-Purpose Trail
 - Project Boundary
 - Planning Areas

Note:

- * Multi-Purpose Trail located on the West side of Haven Avenue.
- * All bus stop locations should provide for convenient pedestrian access to mixed use and residential neighborhoods and commercial centers subject to Engineering and Planning Department approval.

All internal trail and bikeway plans to be designed and submitted to city for approval at Tentative Tract Map submittal per City of Ontario Standards.

All bus stop locations should have convenient and safe pedestrian access from the adjacent residential neighborhoods or mixed use areas, subject to Planning Department and Engineering Department review and approval.

ESPERANZA SPECIFIC PLAN

4.1.4 TRANSIT

Public transit in the City of Ontario is currently provided by Omnitrans, which does not presently provide regular fixed route transit services inside the Ontario Ranch area. Bus turnouts and shelters, to serve the future residents, shall be provided on arterial and collector roadways prescribed by Omnitrans and approved by the City, as per Figure-3 found in Ontario Ranch East Proposed Bus Facilities plan.

In addition, the Riverside Transit Authority (RTA) service area boundaries are located to the east of Planning Areas 7 and 8, along Hamner Avenue. Currently, service by RTA will not be provided within the Rich-Haven **Specific Plan Area**.

4.2 WATER MASTER PLAN

Rich-Haven's Water Master Plan shall conform to the City of Ontario's Water Master Plan and will include both domestic (potable) and recycled water infrastructure. Water service will be provided by the City of Ontario as identified within the Water Master Plan. The NMC Construction Agreement (Phases 1a-1e) water facilities are proposed to include two reservoirs, four wells, a treatment plant, and potable and recycled water lines. All Master Planned potable water infrastructure surrounding the Specific Plan shall be the responsibility of the NMC Developers' consortium and/or the Rich Haven Developer(s). In addition, the Master Planned domestic and recycled water main lines serving surrounding and within the Specific Plan, as identified in the most currently approved Water Master Plan Update shall be constructed prior to issuance of the first certificate of occupancy.

Water, recycled water, and sewer utilities may be designated as "public utilities" if located within public or private streets. All public utilities within private streets shall be designed per City standards and contained within acceptable easements. The CC&Rs shall contain language that requires all proposed work by the HOA within said easements to be plan checked and inspected by the City, including applicable fees. Generally, utilities will not be accepted as public within alleys, parking areas, or driveways. Utilities within commercial and industrial parking lots and loading areas will be designated as private. The extent to which said utilities would be accepted, as public utilities shall be determined, at the full discretion of the City, during final design plan review.

4.2.1 DOMESTIC WATER

The ultimate utility sizing and alignment shall follow the most currently approved Master Plan.

In the interim scenario in Ontario Ranch, when the ultimate master planned pipeline network has not been completed, there may be instances whereby just constructing the master planned pipeline improvements to serve the project may not meet the required fire flow demands. Therefore, the proposed project may be required to construct additional pipelines whether specifically called out in the Master Plan or not; or upsize master planned pipelines in order to meet the necessary fire flow requirements per Fire Department and/or the criteria as provided for in the Water Master Plan. Developer shall submit a hydraulic analysis to the City for review/approval to demonstrate adequate fire flow protection requirements.

REGIONAL DOMESTIC WATER PLAN

The Rich Haven Specific Plan falls into two pressure zones, with the portion of the project north of Chino Avenue falling within the 1010 Pressure Zone, and the portion of the project south of Chino Avenue falling within the 925 Pressure Zone. See Figure 4-4A *Master Planned Domestic Water Plan*, please refer to *The City's Master Plan* for specific sizing and alignment.

1010 Pressure Zone. New domestic water mains to be constructed as part of the development of Rich-Haven include a 24-inch main from the 1010 Pressure Zone reservoir north of the project site to Riverside Drive and Hamner Avenue, a 24-inch domestic main in Archibald between Ontario Ranch Road and the Pressure Reducing Station at Schaefer Avenue, an 18-inch main in Riverside Drive from Hamner Avenue to Haven Avenue, an 18-inch main in Chino Avenue from Haven Avenue to Vineyard Avenue, the designated Master Plan domestic water line along Haven Avenue between Riverside and Chino Avenues. In addition, the 24-inch main in Hamner Avenue and Riverside Drive reduces down to a 12-inch main to Chino Avenue and heads west along Chino Avenue to Mill Creek Avenue ultimately connecting to the existing 12-inch water main within Mill Creek Avenue.

Smaller 12-inch water mains will be constructed adjacent to the project site that ultimately connects to the regional water system in Riverside Drive, Haven Avenue, and Hamner Avenue.

925 Pressure Zone NMC Builder's Loop. New domestic water mains to be constructed as part of the NMC Builder's Loop include a 24-inch to 42-inch main in Hamner Avenue from the 925 Pressure Zone reservoir to Eucalyptus Avenue, a 24-inch main in Eucalyptus Avenue from Hamner Avenue to Archibald Avenue, a 24-inch main in Archibald Avenue from Eucalyptus Avenue to Ontario Ranch Road, and a 24-inch main in Archibald Avenue from Ontario Ranch Road to the Pressure Reducing Station #17 at Schaefer Avenue.

Within the 925 Pressure Zone, 12-inch water mains will be constructed in Haven Avenue, Mill Creek Avenue, and Ontario Ranch Road and ultimately connect to the regional NMC Builder's Loop. Additionally, a 12-inch water main will be constructed within Chino Avenue from Haven Avenue to Mill Creek, and an 18-inch water main from Mill Creek to Hamner Avenue. Within the project site, a network of minimum 8-inch water lines will be installed. The proposed on-site public water system sizing is subject to the recommendations and approval of the required hydraulic analysis.

NMC Builders is currently constructing the first series of master planned domestic water main lines per the construction agreement with the City. The 925 PZ alignment is from Riverside Drive PRS #18, then easterly in Riverside, southerly in Milliken, westerly in Eucalyptus, and northerly in Archibald to Schaefer PRS #17. Proposed Rich Haven Specific Plan development shall connect to the above mentioned series of domestic water lines via 2 separate points of connection. The above mentioned alignment shall be fully operational prior to first occupancy.

CONCEPTUAL DOMESTIC WATER PLAN

Local backbone domestic water mains to be constructed as part of the Rich-Haven Specific Plan project will include 8-inch to 12-inch water mains throughout the local backbone street system. Additionally, the Chino Basin Water master Water Quality Map identifies the Rich Haven area within an optimum water quality zone and requires that the owner/developer dedicate a total of two wells within the Specific Plan area to the City of Ontario for production of potable water. The owner/developer of Planning Area 5 has identified a well location site within the greenbelt in the area east of Mill Creek Avenue. A second well location site within the Specific Plan area shall be located within Planning Areas 1 or 8 as approved by the City. Master planned domestic water main lines serving the surrounding area and within the Specific Plan, as identified in the most currently approved Water Master Plan Update, shall be constructed prior to issuance of first occupancy.

Within the project site, a network of minimum 8-inch water lines will be installed. The proposed on-site public water system sizing is subject to the recommendations and approval of the required hydraulic analysis. All water mains and wells internal to the Rich-Haven Specific Plan project, will be provided by the merchant builder. In-tract water system design will be provided at the time of subdivision. Offsite water improvements to serve the Specific Plan will be implemented according the most current version of the City's Water Master Plan.

Eleven existing wells have been identified within the Rich-Haven Specific Plan project site.

In compliance with the Chino Basin Water Master's Well Procedure for Developers, a well use/destruction plan and schedule for all existing private/agricultural wells shall be submitted to the City of Ontario for approval prior to the issuance of permits for any construction activity. If a private well is actively used for water supply, the Developer shall submit a plan to abandon such well and connect users to the City's water system

(residential to the domestic water system and agricultural to the recycled water system) when available. Wells shall be destroyed/abandoned per the California Water Resource Guidelines and require permitting from the County Health Department. A copy of such permit shall be provided to the Engineering and Public Works Agency prior to issuance of grading and/or building permits.

4.2.2 RECYCLED WATER

The ultimate utility sizing and alignment shall follow the most currently approved Master Plan.

REGIONAL RECYCLED WATER PLAN

Recycled Water will be provided by City of Ontario. The Rich Haven SP development shall connect to the forthcoming NMC Builders' first phase of recycled water pipeline, generally described as follows: (#1) From IEUA's RP-1, southerly to Riverside Drive, easterly to Archibald, southerly in Archibald to Merrill (including the Pressure Reducing Station at Archibald & Chino Avenue); and (#2) Ontario Ranch Road, between Archibald and Hamner. The above mentioned NMC Builders recycled water pipeline shall be fully operational prior to first occupancy. The Specific Plan area is located within two pressure zones. The portion of the project north of Chino Avenue will be served by the 1050 Pressure Zone and the area south of Chino Avenue will be served by the 930 Pressure Zone. A range of recycled water lines will be constructed both on-site and off-site to service the project. There will be 8-inch to 24-inch lines constructed within the 1050 Pressure Zone, and 8-inch to 24-inch lines within the 930 Pressure Zone. Master Planned domestic and recycled water main lines serving the surrounding area and within the Specific Plan, as identified in the most currently approved Water Master Plan Update, shall be constructed prior to issuance of first occupancy. Offsite recycled water improvements to serve the Specific Plan will be implemented according the most current version of the City's Recycled Water Master Plan.

LOCAL BACKBONE RECYCLED WATER PLAN

The Rich Haven Specific Plan shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to irrigation of parks, schools, street landscaping, recreational trails, HOA maintained on-site common areas and commercial/industrial landscaping. An engineering report approved by the City and the California Department of Public Health is required prior to the use of recycled water.

The local backbone recycled water system will be built with 8-inch to 12-inch lines throughout the backbone street system. In-tract recycled water system design will be provided at the time of subdivision. See Figure 4-5A, *Master Planned Recycled Water Plan*, please refer to *The City's Master Plan for specific sizing and alignment*.

Recycled water will be used in the Rich Haven Specific Plan area for irrigation of parks, schools, street landscaping, recreational trails, parkways, common area residential landscaping and commercial/industrial landscaping. See Figure 4-5B Conceptual *Recycled Water Plan Areas* for locations of recycled water use. Locations of common residential landscaping areas will be determined at the time of the Tentative Tract Map.

An Engineer's Report approved by the City and the Department of Health is required prior to the use of recycled water in the Rich-Haven development. There may be an interim period where recycled water supply does not have adequate pressure depending on the timing of development and construction of a regional booster station.

Master planned recycled water main lines serving surrounding and within the Specific Plan, as identified in the most currently approved Water Master Plan Update shall be constructed prior to issuance of first occupancy.

Additional backbone recycled water improvements shall include:

- In-tract system of recycled water lines;
- Haven Ave. pipeline, between southerly property limits to Chino Ave.;
- Pressure Reducing Station @ Haven Ave. and Chino Ave.;
- Riverside Drive pipeline between Haven Ave. and Cucamonga Creek; and
- Pipeline between Riverside Drive and IEUA's RP-1 facility
- Haven Avenue pipeline between Chino Avenue and Riverside Drive.

Please note that the recycled water system, in Rich Haven, is in two separate pressure zones (1050 pressure zone = north of Chino Ave. and, 930 pressure zone = south of Chino Ave.)

It should be noted that NO recycled water can be used on single family single lot ownership properties. And there shall be a clear physical separation between potable and recycled water systems such as a wall, fence, sidewalk, or mow strip. Common areas are to use recycled water and either maintained by HOA or CFD, and shall be In a ROW or within a lettered lot.

4.3 SEWER MASTER PLAN

The ultimate utility sizing and alignment shall follow the most currently approved Master Plan.

Sewer service for the Rich-Haven Specific Plan will be provided by the City of Ontario. Rich-Haven's Sewer Master Plan shall comply with the Sewer Master Plan, which is designed as a gravity sewer system that generally drains to the west and east from the central spine road. The areas located between Haven Avenue and Mill Creek Avenue should flow into Haven Avenue trunk sewer, while flows generally east of the spine road will flow to the Mill Creek Avenue trunk sewer. Within the project site a network of minimum 8-inch sewer lines will be installed. The proposed on-site public sewer system sizing is subject to the recommendations and approval of the required sewer analysis.

REGIONAL SEWER PLAN

Regional sewer improvements include a proposed 12-inch line within Mill Creek north of Chino Avenue transitioning to 15-inch sewer line from Ontario Ranch Road south to Bellegrave Avenue. A proposed 24-inch line in Bellegrave Avenue extends west and follows Merrill Avenue to the Eastern Trunk Sewer in Archibald. An additional 21-inch sewer line will be constructed in Haven Avenue from the Haven Pump Station north of the project site to Ontario Ranch Road and a 15-inch line extends south to Bellegrave Avenue. A 27-inch and 30-inch sewer line will continue in Ontario Ranch Road from Haven Avenue to the Eastern Trunk Sewer.

Wastewater in these facilities will be conveyed from the Eastern Trunk Sewer south to the Inland Empire utility Agency's Kimball Interceptor in Kimball Avenue, which will then convey waste water west to Regional Plant 5. See figure 4-6A, Master Planned Sewer Plan, please refer to The City's Master Plan for specific sizing and alignment. Offsite sewer improvements to serve the Specific Plan will be implemented according the most current version of the City's Sewer Master Plan.

LOCAL BACKBONE SEWER PLAN

In order to serve residential and commercial uses, the merchant builder will install 8-inch to 10-inch sewer mains within the local backbone street system. In-tract sewer system design will be provided at the time of subdivision processing. See Figure 4-6, Conceptual Sewer Plan. Within the project site, a network of a minimum of 8-inch sewer lines will be installed. The proposed on-site public sewer system sizing is subject to the recommendations and approval of the required sewer analysis.

4.4 DRAINAGE MASTER PLAN

REGIONAL BACKBONE DRAINAGE PLAN

The Master Plan of Drainage proposes multiple storm drain facilities that will serve the Rich Haven project site. Within Hamner Avenue a 36-inch to 54-inch storm drain will be constructed from north of Ontario Ranch Road to Bellegrave Avenue, a 72-inch to a 10' x 8' box storm drain in Mill Creek Avenue from Chino Avenue to Bellegrave Avenue, a 48-inch to 96-inch storm drain in Haven Avenue from Riverside Avenue to Bellegrave Avenue, and a 48-inch to 72-inch storm drain that generally runs north-south Colony High School and connects to the proposed Haven Avenue storm drain. Additionally, there will be a 48" storm drain in Ontario Ranch Road starting at Haven Avenue and running approximately 1/3 of the way towards Mill Creek and a 54" storm drain in Ontario Ranch Road running from halfway between Haven Avenue and Mill Creek Avenue through until it connects with a 48" drain East of Mill Creek. All storm drains serving the project site will drain south to the County Line Channel and ultimately to the Cucamonga Creek Channel. See Figure 4-7A, Master Planned Drainage Plan, please refer to the City's Master Plan for specific sizing and alignment. Offsite drainage improvements to serve the Specific Plan will be implemented according the most current version of the City's Drainage Master Plan.

STORMWATER QUALITY MEASURES

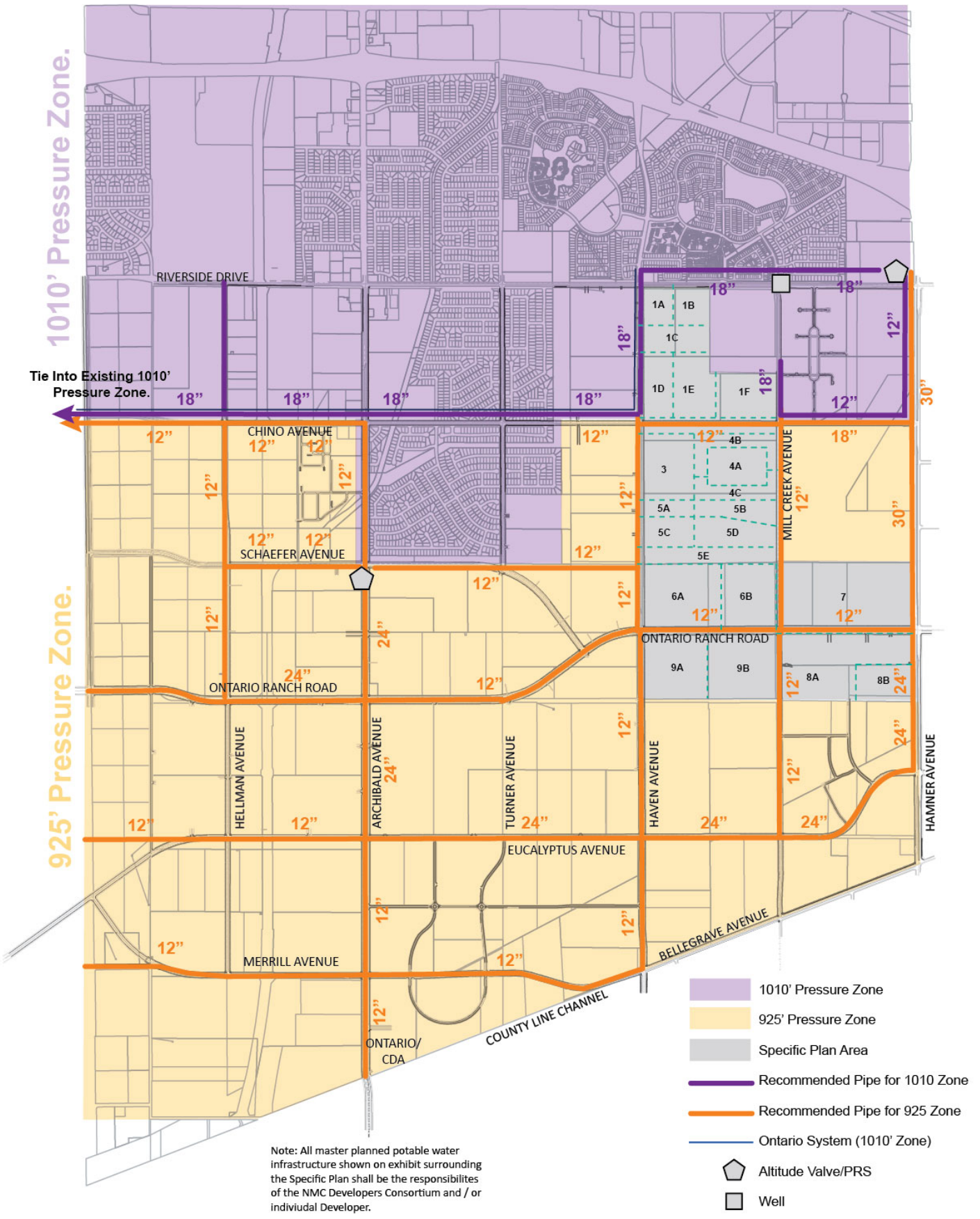
The grading and drainage of the Rich Haven Specific Plan area shall be designed to retain, infiltrate, and/or biotreat surface runoff to the maximum extent practicable, in order to comply with the requirements of the current San Bernardino County NPDES Stormwater Program's MS4 Permit and Water Quality Management Plan (WQMP) for priority development projects. The objective of the WQMP for this 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 (BMPs) that reduce runoff and pollutant transport by minimizing impervious surfaces, maximizing on-site infiltration, and specifically retain/in-filter or biotreat the 85th percentile storm event. In addition, non-structural and structural Source Control Best Management Practices (BMPs), shall also be implemented and documented in the project's approved Water Quality Management Plan(s) to reduce pollutant generation and transport from the project site.

Prior to the issuance of a grading or construction permit, each development project within this Specific Plan area which disturbs >1 acre of land shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and shall obtain coverage under the California State Water Resources Control Board's (State Water Board) current "General Permit to Discharge Storm Water Associated With Construction Activity" and the current Area-wide Urban Storm Water Runoff (Regional NPDES) Permit. The SWPPP will identify and detail all appropriate Best Management Practices (BMPs) to be implemented or installed during construction of the project and permit coverage shall be evidenced by the issuance of a Waste Discharger's Identification number.

In addition to the preparation of a SWPPP for construction-related activities, and as part of the approval of any grading plans within the Specific Plan Area, project applicants will be required to submit a Water Quality Management Plan (WQMP) on the current SB County model template form, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>. The WQMP shall identify and detail all on-site and off-site Low Impact Development Site Design BMPs, Source Control BMPs, and Treatment Control BMPs to be implemented or installed within the project, in order to reduce storm water pollutants and site runoff.

LOCAL BACKBONE DRAINAGE PLAN

The local stormdrain system will convey flows within the project streets to a series of culverts, with pipe sizes ranging from 24-inches to 108-inches. It should be noted that storm drainpipe sizes are conceptual. Final design will be determined upon submittal of individual tentative tract maps and associated hydrology studies.



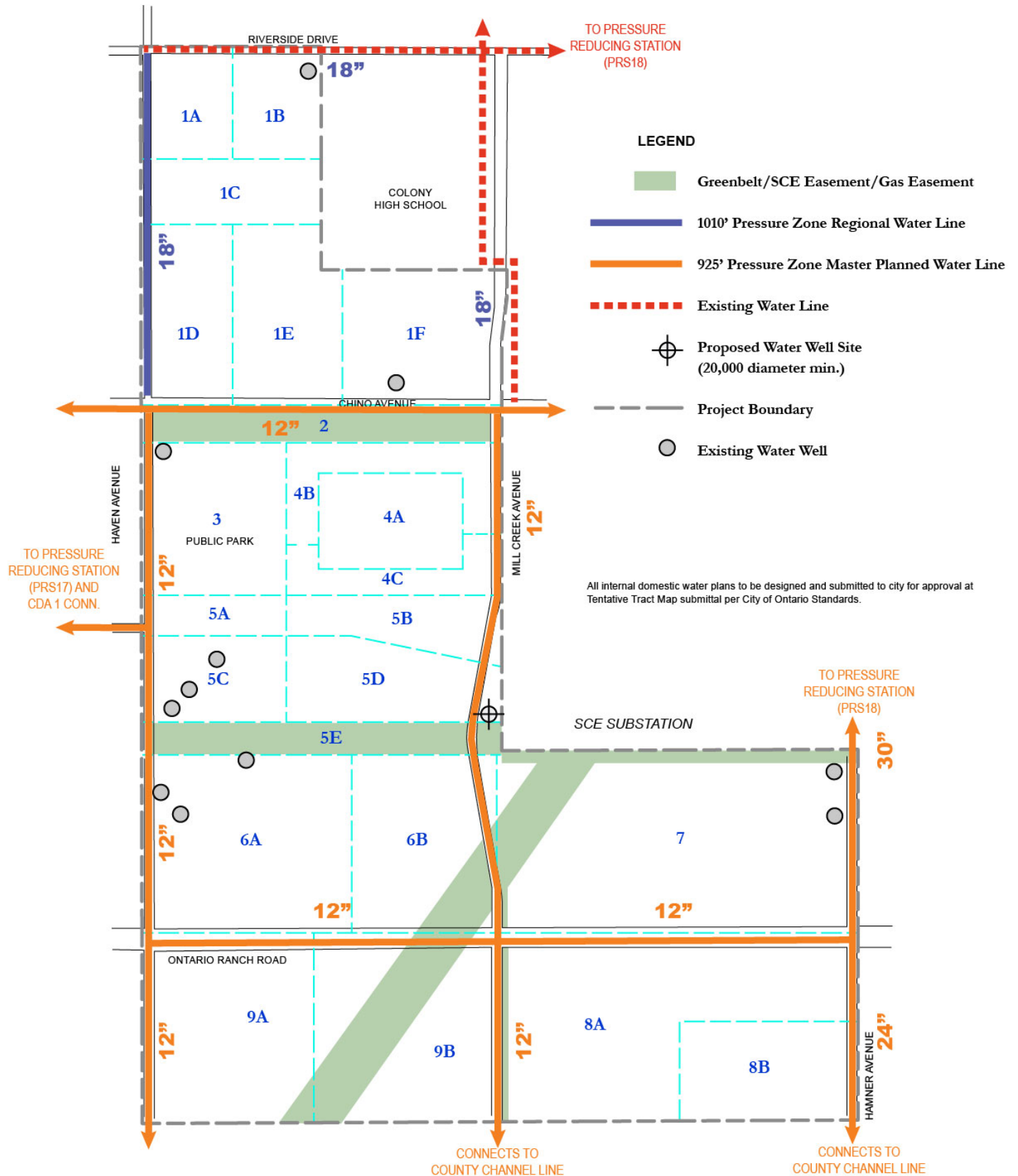
Note: All master planned potable water infrastructure shown on exhibit surrounding the Specific Plan shall be the responsibilities of the NMC Developers Consortium and / or individual Developer.



NOT TO SCALE

RICH-HAVEN SPECIFIC PLAN
MASTER PLANNED DOMESTIC WATER PLAN

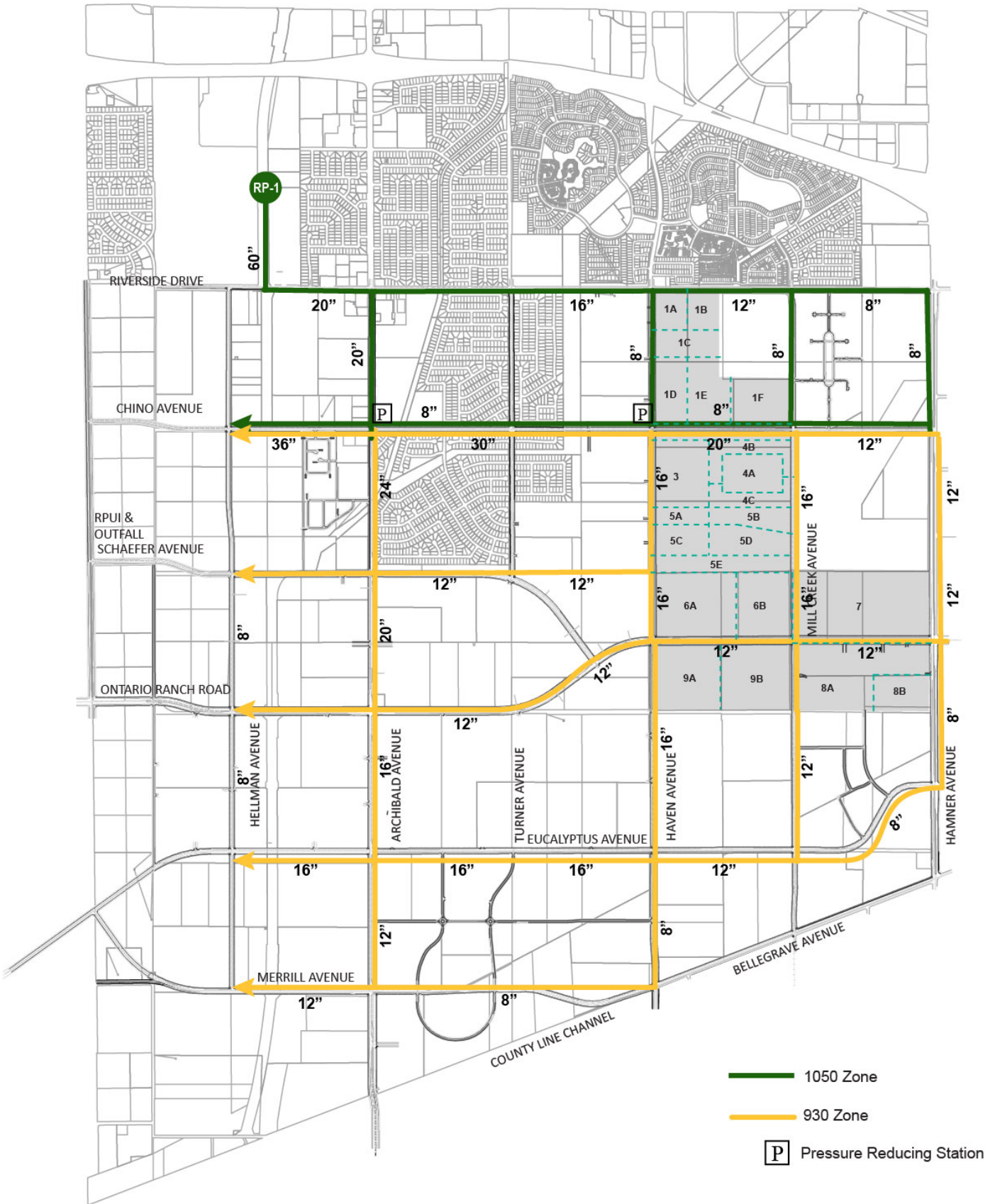
FIGURE 4-4A



Source: - Guidelines for the Preparation and Review of Hydraulic Analysis for new Development in the City of Ontario.

- City Existing Agricultural Wells Map 2/7/06.

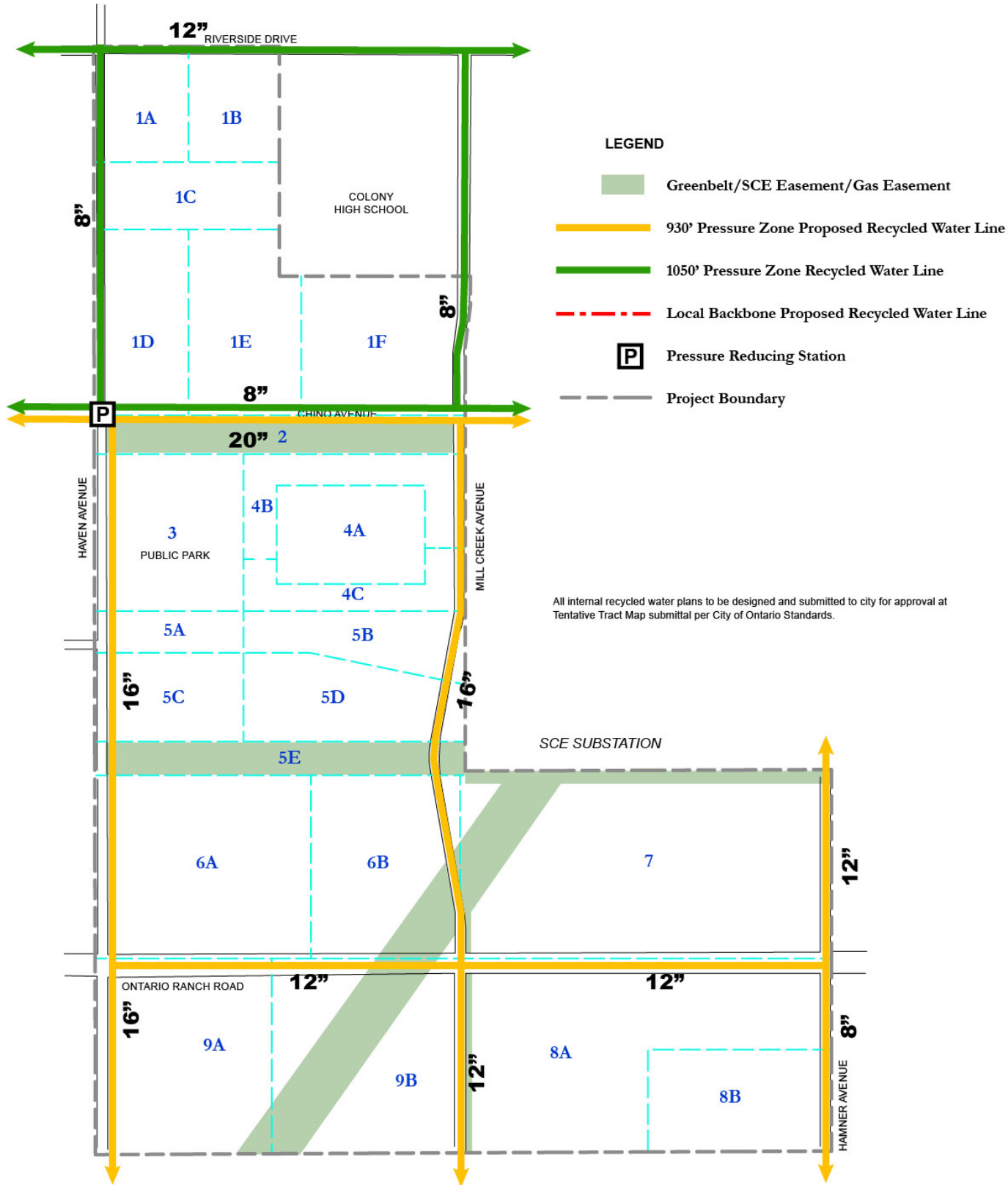
ESPERANZA SPECIFIC PLAN



NOT TO SCALE

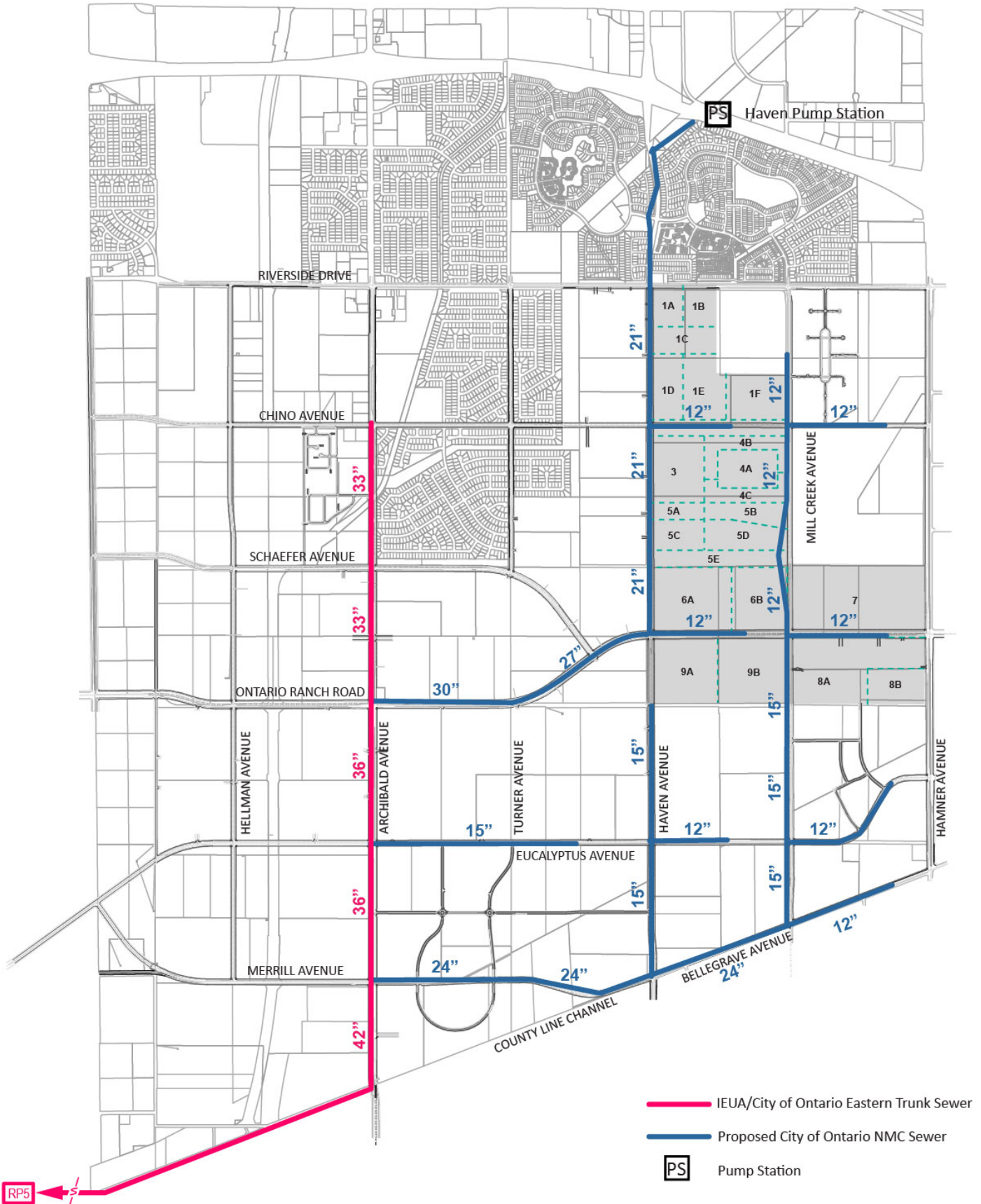
Rich-Haven Specific Plan
MASTER PLANNED Recycled Water Plan

FIGURE 4-5A



Source: - Guidelines for the Preparation and Review of Hydraulic Analysis for new Development in the City of Ontario.
 - City Existing Agricultural Wells Map 2/7/06.

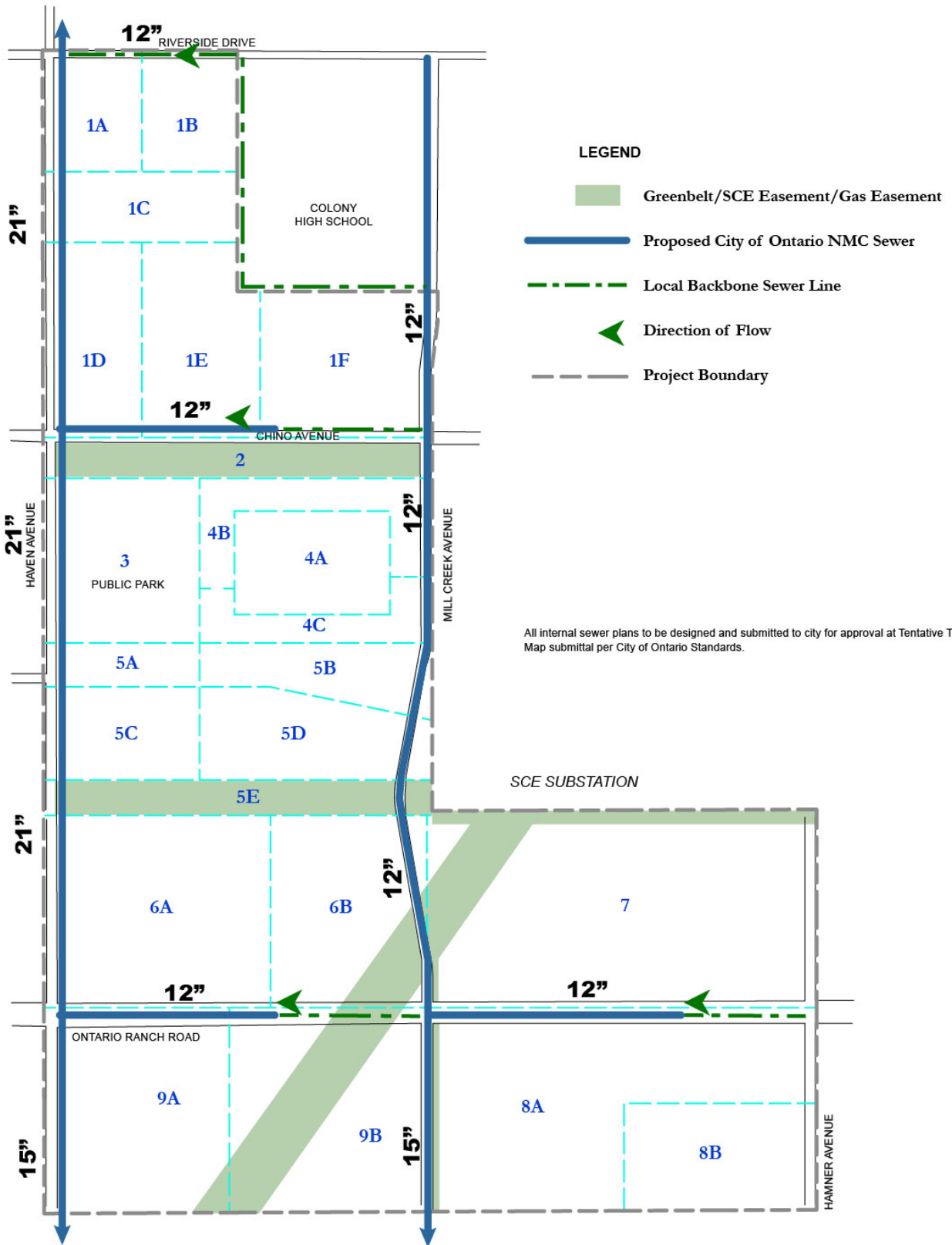
ESPERANZA SPECIFIC PLAN



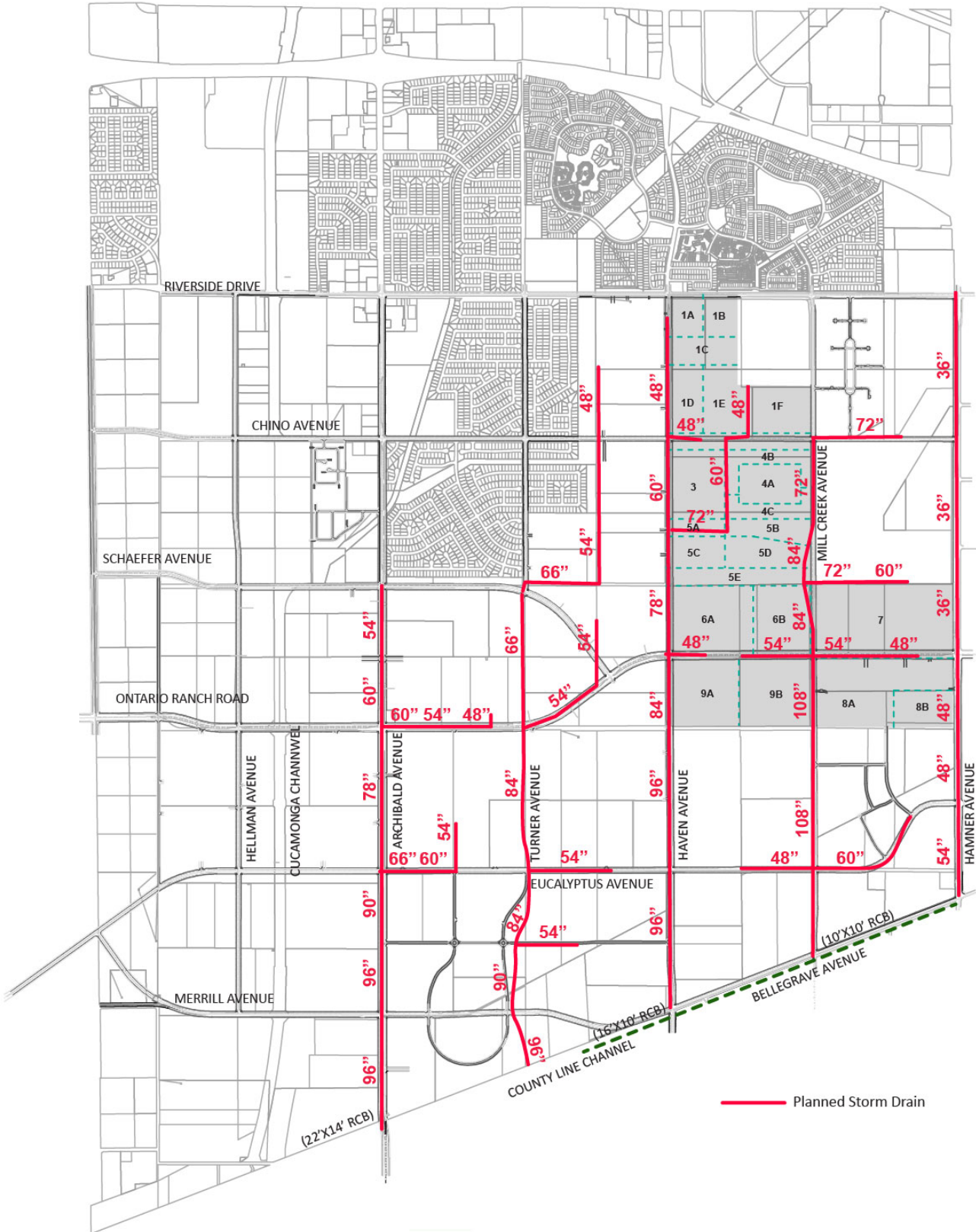
Rich-Haven Specific Plan
MASTER PLANNED Sewer Plan

FIGURE 4-6A

October 2017



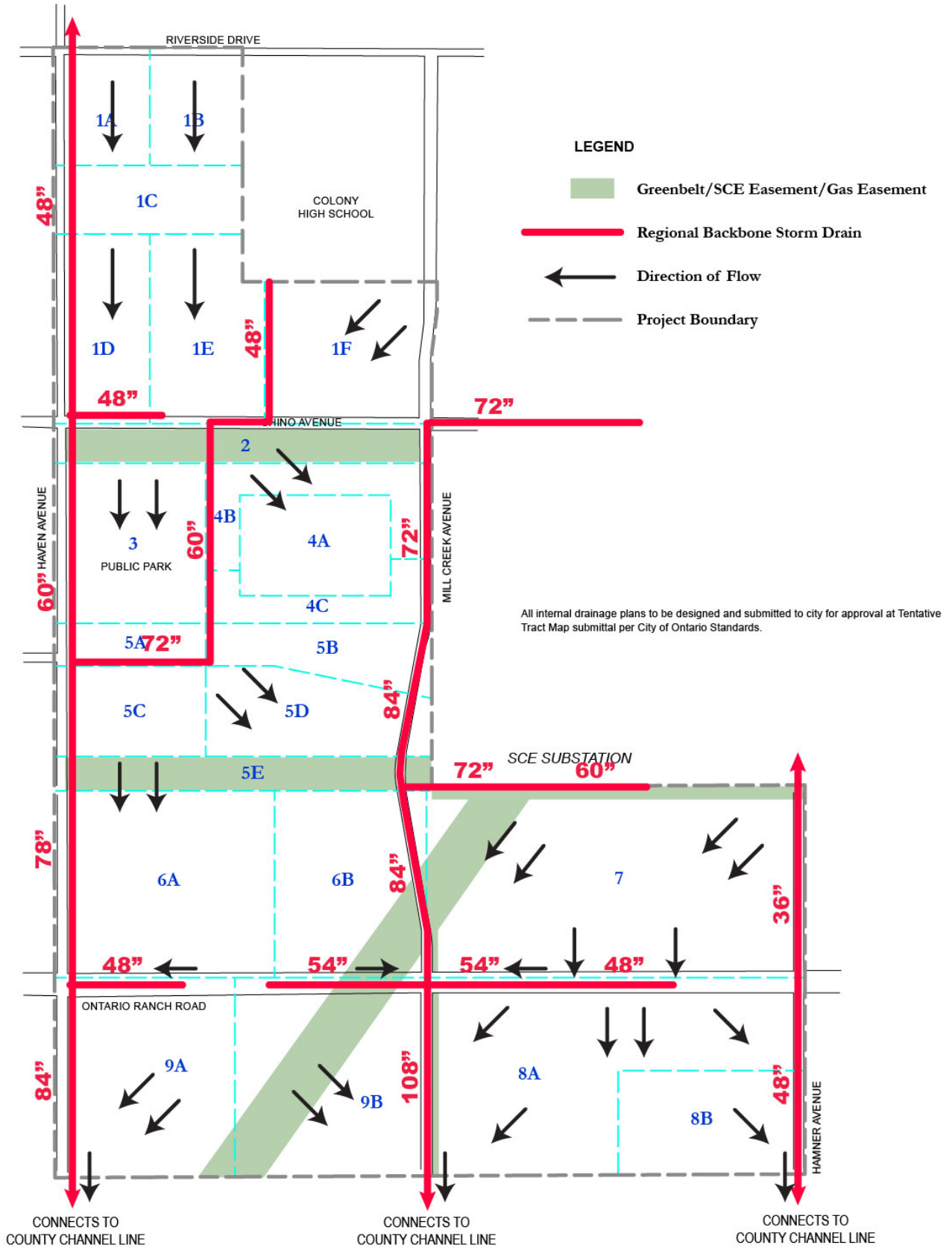
ESPERANZA SPECIFIC PLAN



NOT TO SCALE

Rich-Haven Specific Plan
MASTER PLANNED Drainage Plan

FIGURE 4-7A



ESPERANZA SPECIFIC PLAN

RICH-HAVEN SPECIFIC PLAN
CONCEPTUAL DRAINAGE PLAN

FIGURE 4-7B

4.5 GRADING PLAN

The existing topography of the project site is relatively flat, and the Rich-Haven grading plan will use the existing grade and elevations wherever possible. The grading plan will include the excavation of any remaining agricultural soils unsuitable for development, clearing of any existing vegetation, demolition of existing structures, and the creation of building pads. Where slope conditions are present, the property line shall be located at the top of the slope. Exposed retaining walls facing roadways shall be no greater than six-feet in height, and where feasible, be built of decorative materials consistent with the theme of the neighborhood. See Figure 4-8, *Grading Plan*.

Grading plans will be reviewed and approved by the City of Ontario prior to the issuance of grading permits. All grading plans and activities will comply with the City grading ordinance, dust and erosion control requirements, and NPDES requirements.

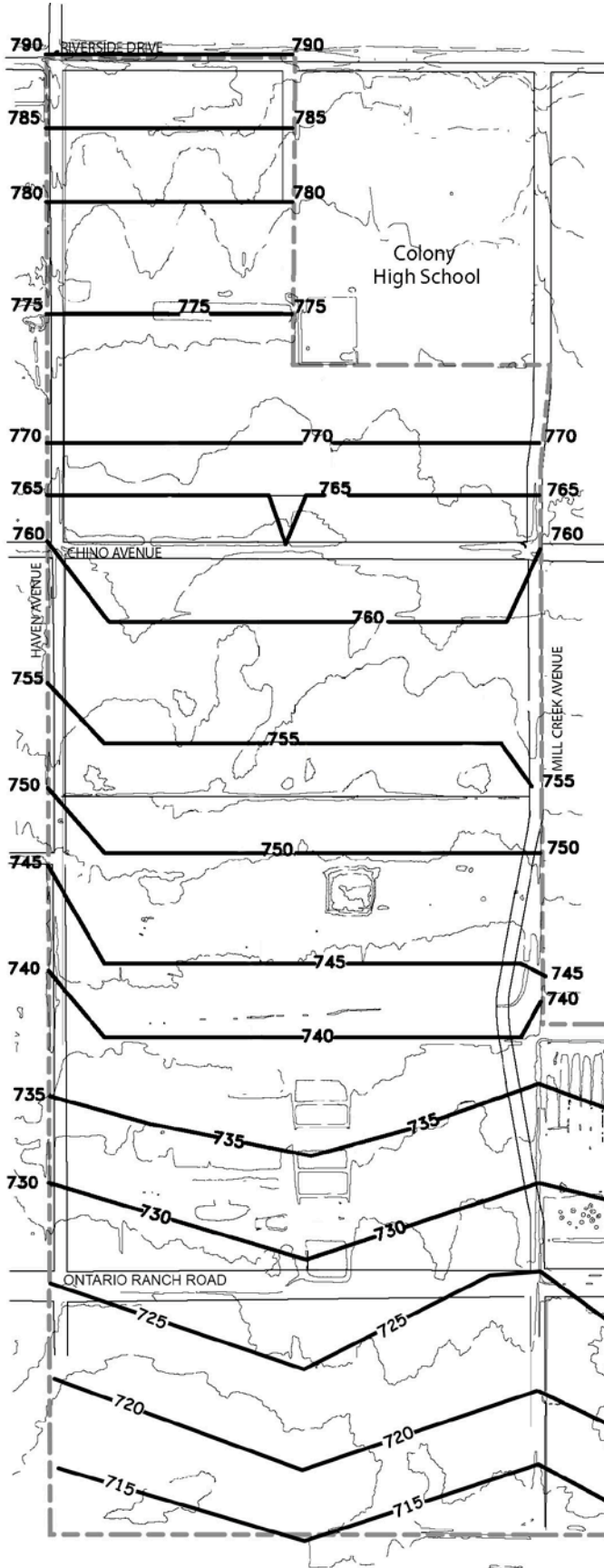
The City of Ontario is in the process of adopting a protocol to assess the potential for methane generation on proposed building sites in areas previously used for certain agricultural practices such as dairies. It is anticipated that prior to issuance of a grading permit, a methane site assessment would be conducted and submitted to the City, with additional testing required during grading if required by the assessment. If testing indicates that mitigation is required, designs would be submitted to the City as part of building permit review and approval. Section 8, *Administration and Implementation*, of this Specific Plan includes more detail of the anticipated protocol.

4.6 SERVICES

4.6.1 SCHOOLS

The Rich-Haven project site is within the jurisdiction of the Mountain View School District, serving grades K-8, and the Chaffey Joint Union School District, serving grades 9 through 12. Nearby Mountain View District grade schools include Creek View Elementary to the north, Ranch View School to the west, and Grace Yokley School to the northwest. Chaffey Joint Union's Colony High School is located adjacent to the project on the northeast. Surrounding proposed school facilities include an elementary school to the west within the West Haven Specific Plan area and south within the Esperanza Specific Plan area and to the west in The Avenue Specific Plan area.

WEST
HAVEN
SPECIFIC
PLAN



EDENGLLEN
SPECIFIC PLAN

LEGEND
 — 770 — Proposed Contour
 — Existing Contour
 - - - Project Boundary

Source: LDC May 2006

All internal grading plans to be designed and submitted to city for approval at Tentative Tract Map submittal per City of Ontario Standards.

SCE SUBSTATION

ESPERANZA SPECIFIC PLAN

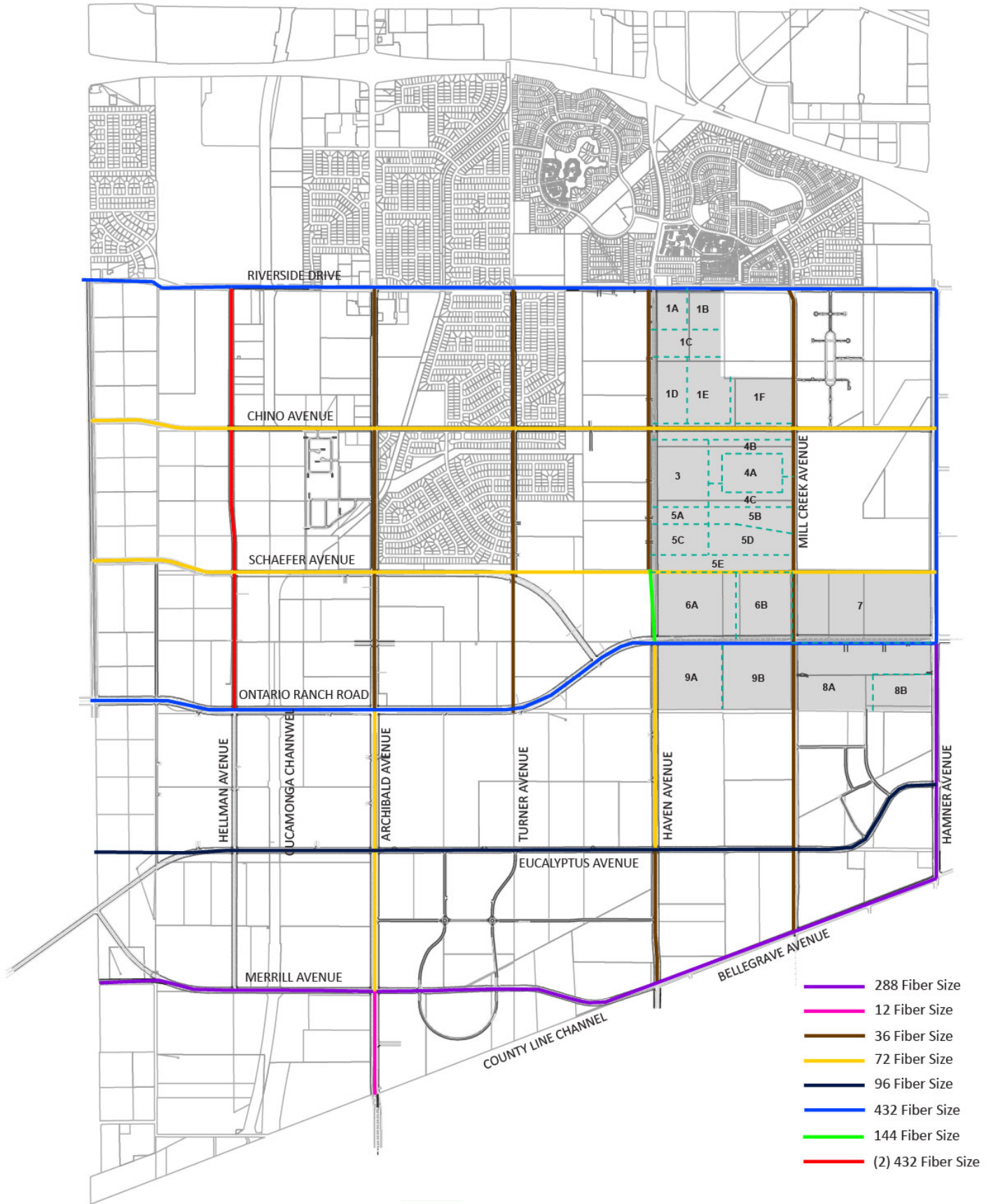


NOT TO SCALE

65-100102.001 - 6/14/07

RICH-HAVEN SPECIFIC PLAN
 GRADING PLAN

FIGURE 4-8



NOT TO SCALE

Rich-Haven Specific Plan
MASTER PLANNED Fiber Optic Plan

FIGURE 4-9

May 2017

The following are the estimated student population for the Rich-Haven Specific Plan area (based on student generation numbers, City of Ontario) under the Specific Plan:

<u>Grades K-5</u>	<u>Grades 6-8</u>	<u>Grades 9-12</u>
Generation factor .38/DU	Generation factor .22/DU	Generation factor .20/DU
.38 x 7,194 = 2,734	.22 x 7,194 = 1,583	.20 x 7,194 = 1,439

4.6.2 PARKS

The City of Ontario has an established standard of 5 acres of park and recreation area for every 1,000 residents for regional parks, with a minimum of 2 acres of open park areas per 1,000 residents. The City has also established three standard park sizes: Private Parks of a minimum of 0.25-acres and serving a one-quarter mile radius; Public Neighborhood Parks of 10 to 20 acres and servicing a one-half mile radius; and Public Community Parks of twenty acres or more, servicing a two mile radius.

Within the Rich-Haven Specific Plan area a minimum requirement for open park areas is 2 acres per 1,000 residents, which can include hardscape urban plazas within the Regional Commercial/Mixed-Use District and SCE easements. Portions of the SCE easements may be allocated towards local park credit in the event they are improved and maintained to the appropriate standards. Refer to Section 5, Development Standards. Parks in excess of 2 acres per 1,000 residents may be eligible for “regional” classification under the City’s 5 acre/1,000 residents.

The Rich-Haven Specific Plan Land Use Plan identifies three conceptual locations for private parks within the Residential District and four within the Regional Commercial/Mixed-Use District of the project. These parks may include picnic areas, tot lots, trails, and open play fields. The private park requirement may be met within any residential development, attached or detached. Fees will be paid to fulfill the balance of the City’s park requirements (the remaining 3-acres per 1,000 residents).”

4.6.3 FIRE

The Ontario Fire Department provides fire and emergency medical service (EMS) for the Ontario Ranch from existing fire stations. The response capability consists of eight paramedic engine companies, and two truck (ladder) companies and 2 Battalion Supervisors, totaling 42 emergency personnel on duty 24 hours per day, 7 days a week.

The closest fire station to the proposed project site is Ontario Fire Station No. 6, located northwest of the project site at 2931 E. Philadelphia. The Department’s current response time from Station No. 6 to the proposed site exceeds current emergency response goals. The department has a goal to achieve an average response time to all emergency calls

within 8 minutes. To be consistent with the City's TOP Policy Plan, fire protection services planned for the NMC planning area will be subject to this goal.

A 1.5-acre fire station pad is proposed in the Regional Commercial / Mixed-Use District as part of the Rich-Haven Specific Plan, which will serve Rich-Haven and adjacent neighborhoods. Final location will be reviewed and approved by the Ontario Fire Department.

4.6.4 LAW ENFORCEMENT

The Rich Haven Specific Plan will be within the jurisdiction of the City of Ontario Police Department, which currently operates one main and three satellite stations. The nearest police station to the Rich-Haven project site is at Archibald Avenue and Walnut Avenue.

4.6.5 LIBRARY

The City of Ontario Library is part of the Inland Library System, a public library cooperative of library branches in San Bernardino, Riverside, and Inyo Counties. The City currently has a main library and a branch library at Colony High School.

4.6.6 FIBER OPTICS

The proposed backbone street fiber optics (conduits, 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 Figure 4-9. 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. See Figure 4-9.

4.6.7 NATURAL GAS

The Gas Company will provide natural gas service to the project site. The Gas Company as necessary will install natural gas mains within the Rich-Haven site, with possible integration with existing 3-inch and 6-inch mains within Riverside Drive, Hamner Avenue, and Ontario Ranch Road. The 36-inch High Pressure main located within the northwestern corner will remain.

4.6.8 ELECTRICITY

SCE will provide electrical service to the project site from existing facilities in the Ontario Ranch area; any new facilities will be located underground, and be owned and operated by the City of Ontario.

SCE facilities located within and adjacent to the project area consist of 115kV, 66kV, 12kV, and communications. Facilities less than 34.5kV will be located underground in the event that they are located adjacent to any streets proposed to be improved in conjunction with site improvements. See Figure 2-5, *Existing On-Site Facilities*.

SCE has a number of easements within and adjacent to the project area. The easement extending along the north side of the existing Ontario Ranch Road will be vacated as part of the project concurrently with removal of the existing 12kV lines. The existing 66kV lines will be relocated along the Ontario Ranch Road to the north. The SCE existing 66kV lines located along Haven Avenue will be relocated outside the project area and within the Haven Avenue right-of-way.

As part of the project, Mill Creek Avenue will be realigned to the west. With the realignment of Mill Creek Avenue, existing 115kV SCE towers located along Mill Creek Avenue may require to be relocated to the north of Ontario Ranch Road, in addition to the potential for the relocation of 115kV and 66kV lines located to the south of Ontario Ranch Road.

4.6.9 SOLID WASTE

Solid waste and recyclables in the City of Ontario are collected by the **Ontario Municipal Utilities Company (OMUC)** and transported to the Burtec West Valley Materials Recovery Facility in the City of Fontana. Refuse is ultimately landfilled at the El Sobrante Landfill in Riverside County. The development shall follow the Solid Waste Department Refuse and Recycling Planning Manual for the City of Ontario. The community trash enclosures may be utilized within the Specific Plan development depending on the types of architectural layouts.

The following shall apply:

- i) Commercial – Developer shall comply with Municipal Code Sec. 6-3.314 Commercial Storage Standards, and Sec. 6-3.601 Business Recycling Plan.

- ii) Apartment – For apartments using commercial bin service developer shall comply with Municipal Code Sec. 6-3.314 Commercial Storage Standards and Sec 6-3.601 Business Recycling Plan.
- iii) Residential – For curbside automated container service developer shall comply with Municipal Code Sec. 6-3.308.9(a) and (d), Residential Receptacles, Placement.
- iv) Recycling Requirements – Developer shall comply with Municipal Code, Article 6. Recycling Requirements for Specified Business Activity, Sec. 6-3.601 Business Recycling Plan, and Sec. 6-3.602 Construction and Demolition Recycling Plan.
- v) Site Improvement Plans shall follow the City of Ontario refuse collections standards.

The City of Ontario will assess development fees to new developments to pay for the necessary expansion of solid waste collection services.

SECTION 5 DEVELOPMENT REGULATIONS

5.1 Introduction

The provisions contained herein will regulate design and development within the Rich-Haven Specific Plan. This section has been prepared in accordance with California Government Code Section 65450, et seq., and the City of Ontario Development Code.

The *Site Development Standards Summary* (refer to Table 5-1) sets forth the standards for development of all uses within the community. Regulations are proposed for residential, mixed-use/commercial, and open space uses. Individual planning areas are defined by density and have been included in accordance with the goals and objectives of this document.

The following General Development Standards apply to all uses within the Rich-Haven Specific Plan.

5.2 General Provisions

5.2.1 DEFINITION OF TERMS

The meaning of words, phrases, titles, and terms shall be the same as provided in the City of Ontario Development Code unless specifically provided herein.

5.2.2 APPLICABILITY

The Rich-Haven Specific Plan is a regulatory plan, which, upon adoption by ordinance, will constitute the zoning of the property. Development plans or agreements, tract or parcel maps, precise development plans, or any other action requiring ministerial or discretionary approval for the subject property must be consistent with the approved Specific Plan. Actions deemed to be consistent with the Specific Plan shall be judged to be consistent with the City of Ontario's TOP Policy Plan (General Plan) as mandated in California Government Code, Section 65454. Should the regulations contained herein differ from the regulations of the City of Ontario Development Code, the regulations of the Specific Plan shall take precedence. Where the Rich-Haven Specific Plan is silent, City Code shall apply. These regulations shall reinforce the specific site planning, architectural design, and landscape guidelines contained in Section 6, *Design Guidelines*, of the Rich-Haven Specific Plan.

5.2.3 SEVERABILITY

In the event that any regulation, condition, program, portion, or policy of this Specific Plan or the application thereof to any person or circumstance is held to be invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed separate, distinct, and independent provisions and shall not affect the validity of the remaining provisions of this Specific Plan or applications thereof which can be implemented without the invalid provision or application.

5.2.4 ADMINISTRATION

The Rich-Haven Specific Plan is adopted by ordinance and will serve as the implementation tool for the City's TOP Policy Plan as well as the zoning for the project site. The Specific Plan Development Regulations as outlined herein address general provisions, permitted uses, and development standards for the land uses within the project site.

5.2.5 METHODS AND INTERPRETATION

Development within the Rich-Haven Specific Plan shall be implemented through the approval by the City of Ontario of parcel maps, tract maps, and development permits. The administration process described herein provides for the mechanisms for review and approval of development projects within Rich-Haven consistent with the Specific Plan objectives.

Unlisted Uses

Any land use proposal not specifically covered by the provisions contained herein shall be subject to the City of Ontario Development Code.

Boundaries

The boundaries and acreage of the individual planning areas or portions thereof are approximate. Precise boundaries and acreages will be established in conjunction with the subdivision map or site development plan for each planning area or portions thereof within the project. Minor boundary and acreage variations (15% maximum deviation) shall be permitted without an amendment to this Specific Plan, subject to review by the Planning Director for conformance with the intent of the Specific Plan.

5.3 GENERAL SITE DEVELOPMENT CRITERIA

The following general site development criteria shall apply to all land development proposed within the Rich-Haven Specific Plan.

5.3.1 TOP ADJUSTED GROSS ACREAGE

Development area acreages are based upon TOP Adjusted Gross Acreages. The TOP Adjusted Gross Acreage is defined as the existing parcel size before removing the required dedication.

5.3.2 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 this Specific Plan and the grading section of the development plan, and shall be subject to a grading permit issued by the City of Ontario. Methane remediation may be required, subject to a remediation protocol developed by the City of Ontario (see discussion in Sections 4.5, *Grading*, and 8.6, *Methane Remediation*, herein).

5.3.3 SUBSEQUENT BUILDING MODIFICATION

Subsequent building modification by homeowners and/or builders, including additions and/or projections into setback areas permitted by the Specific Plan, shall match the architectural style of the primary unit and shall be constructed of the same materials and colors as the primary unit and/or in context with the overall Design Guidelines.

5.3.4 TECHNOLOGY

All homes and businesses shall accommodate the most modern technology for computer internet access, phone, fax, and television via the "Ontario Fiber Optic Conduct". Broadband fiber optics cable will be installed on all peripheral streets per the approved Broadband Master Plan. The homebuilder will provide broadband to the homes.

5.3.5 UTILITIES

All new and existing public utility distribution lines of less than 34.5kV shall be subsurface throughout the Rich-Haven Specific Plan, in accordance with City ordinance.

Water, recycled water, sewer, and storm drain utilities may be designated as "public utilities" if located within public streets. All public utilities within private streets shall be designed per City standards and contained within applicable easements. The CC&R's shall contain language that requires all proposed work by the HOA within said easements to be plan checked and inspected by the City, including applicable fees. Generally, utilities will not be accepted within alleys, parking areas and driveways, although they may be

permitted subject to review and approval by the engineering and public works departments. Utilities within commercial parking lots and loading areas will be designated as private. The extent to which said utilities will be accepted as public utilities shall be determined, at the full discretion of the City, during final design plan review.

5.3.6 DEVELOPMENT INTENSITY

The Rich-Haven Land Use Plan allocates a total number of units to each residential Planning Area as indicated in Table 3-1, *Land Use Plan Summary*, included in Section 3, *Land Use*, of this Specific Plan. Variations in the number and type of dwelling units within each residential planning area may occur at the time of final design of the neighborhood depending upon the residential project identified for development. Increases in allocation of residential units up to a maximum of fifteen percent (15%) are permitted among the residential planning areas within the Specific Plan provided the total number of units established for the Specific Plan area is not exceeded. The maximum number of residential dwelling units permitted within the Specific Plan shall be **7,194** dwelling units.

Provisions for transfer of residential units between Planning Areas is outlined in Section 8, *Administration and Implementation*, of this Specific Plan.

Note: Section 5.3.7 was intentionally omitted as part of the Rich Haven Specific Plan Amendment (File # PSPA16-001).

5.3.8 MIXED-USE OVERLAY

Mixed-Use projects are specifically allowed in Planning Areas 6, 7, 8 and 9 of this Specific Plan. Mixed-use projects may be horizontal or vertical mixed-use. Vertical mixed-use projects may consist of office or residential over retail/commercial/ hospitality uses or residential over office or retail/commercial/hospitality uses. When proposing a vertically Mixed-Use residential project, Podium or Wrap Apartments/Condominiums development standards shall be used.

5.3.9 LIVE/WORK

“Live/Work” is a mixed-use building type that is designed to accommodate non-residential work areas in addition to, or combined with, living quarters. The residential and commercial spaces are clearly identified and separated and all uses are in compliance with applicable government codes. Live/Work units, although suitable for home occupation uses, have specialized workspaces that can accommodate more intensive work activities than would be appropriate for an exclusive residential building. Live/Work opportunities shall be limited to the Regional Commercial/Mixed-Use District of the Specific Plan (Planning Areas 6, 7, 8 and 9) and may develop in one of three scenarios: 1) live/work may be included in a vertical mixed-use setting with residential units located over retail/commercial/office; 2) live/work may also occur in multi-family live/work buildings such as townhomes and lofts, and would be a stand-alone multi-family workspace; or 3) live/work may also occur in single-family cottage products. Refer to Section 5.10 of this chapter for performance standards related to Live/Work uses.

5.4 RESIDENTIAL DISTRICT DEVELOPMENT STANDARDS

5.4.1 RESIDENTIAL PERFORMANCE STANDARDS

The following Performance Standards shall apply to all residential uses within the Residential District of this Specific Plan (Planning Areas 1-5) and High Density Residential uses within the Stand Alone Residential Overlay of the Regional Commercial/Mixed-Use District.

5.4.1.1 Mixture of Housing Types

Within each residential Planning Area and the Stand Alone Residential Overlay Zone in the Regional Commercial/Mixed-Use District, a mix of housing floor plans is required as shown below:

Number of Dwelling Units:	Number of Differing Floor Plans and Elevations:
5 –10	As required by Planning Commission
11 – 25	2
26 – 50	3
51 – 75	3
76 – 100	4
Over 100	4; +1 additional floor plan with 4 elevations for each additional 50 units exceeding 100

5.4.1.2 Projections Into Required Yards

Residential roof overhangs and decorative architectural features such as fireplaces, bay windows, niches, and similar elements may project a maximum of two feet into any required front or side yard setback, five feet into rear yard. Structural features such as exposed staircases may encroach a maximum of five feet into any required rear yard setback. Porches and balconies, including post and columns, may project into yards as prescribed within the following prototypes.

5.4.1.3 Lot Coverage

Lot coverage includes the main structure, garages, and accessory structures, and excludes driveways and areas devoted to recreational uses.

5.4.1.4. Building Height

- i. Primary Structure: The building height of single-family detached homes may not exceed two stories plus an attic of less than five hundred (500) square feet, with a maximum height of 35 feet.
- ii. Primary Structure: The building height of multi-family residential units may not exceed three stories, with a maximum height of 35 feet in the Residential District, and five stories and 55' in the Regional Commercial/Mixed-Use District.
- iii. Primary Structure: The Stand-Alone Residential Overlay within Planning Areas 6, 7, 8 and 9 may exceed the three-story limit, subject to Planning Department review and approval.
- iv. Architectural features such as, but not limited to, weather vanes, chimneys, etc. as are appropriate to the architectural style of the home may extend in height five feet (5') above the stated building height of the Primary Structure for low and medium density units.
- v. Accessory structures are limited to one story or 14 feet.

5.4.1.5 Lot Width

Lot width shall be measured at the front yard property line for main residences. Lot width on a cul-de-sac or knuckle shall be measured at the front yard setback.

5.4.1.6 Front Porches

The minimum depth of a porch shall be 7 feet, with an area of 70 square feet of clear space. The porch depth may be reduced to 5 feet, where appropriate to mass and scale of the building, subject to Planning Department review and approval.

5.4.1.7 Standards for Non-Residential Uses

Development standards for non-residential uses located within residential districts shall comply with the City of Ontario Development Code.

5.4.1.8 Dairy Separation Requirements for Residential Uses

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

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

5.4.1.9 Walls, Fencing and Landscaping

The criteria for walls, fences and landscaping shall be as follows:

- i. Maximum wall height in Traffic Safety Site Areas and/or front corner side yard areas 3-feet.
- ii. Maximum wall height at all other locations on lot 6-feet, except as required for sound attenuation.
- iii. Maximum height of exposed portions of retaining walls 3-feet.
- iv. Front yard landscaping and irrigation shall be provided by the Developer/Builder for all single-family products (Planning Areas 1-5 and Stand Alone Residential Overlay within Planning Areas 6, 7, 8 and 9).

- v. Privacy walls may be increased to 8 foot maximum on retaining side if there is retaining condition required (retaining 3' maximum portion), subject to approval from the Planning Director.

5.4.1.10 Residential Permitted Uses

- a. Single-family detached residences and two family residences (duplex).
- b. Single-family attached residence.
- c. Townhomes.
- d. Cluster and courtyard homes.
- e. Attached and detached condominiums.
- f. Guest house/second unit in accordance with the City of Ontario Development Code.
- g. Public parks, community centers, and similar facilities.
- h. Home Occupation in accordance with the City of Ontario Development Code.
- i. Residential Community Care Facility (6 or less).
- j. Public School K-12 in accordance with the City Development Code.
- k. Police Store front/ Sub Station.
- l. Fire Station/Emergency Services.
- m. Satellite Dishes/Ham Radio Antennas in compliance with the City of Ontario Development Code.
- n. Day Care Facilities serving up to 7 children (per State guidelines).
- o. Recreational Facilities ancillary to a permitted use.
- p. Amusement Temporary (Carnival, etc.) in accordance with the City of Ontario Development Code.
- q. Temporary Structures (construction office, community information and subdivision sales office, etc.) in accordance with the City of Ontario Development Code.
- r. Animal regulations in accordance with the City of Ontario Development Code.
- s. Home schools.
- t. Open space and conservation areas.
- u. Parking lots in conjunction with a permitted or conditionally permitted use

- v. Signs in accordance with the signage regulations and guidelines within this Specific Plan.
- x. RV parking in accordance with the City of Ontario Development Code. No RV storage in front or side street side yard. No RV street parking for more than 72 hours.
- y. Model homes and temporary related signage, sales, and parking facilities.

5.4.1.11 Residential Uses Subject to a Conditional Use Permit,

- a. Senior Center.
- b. Senior Housing.
- c. Assisted Living/Congregate Care in accordance with the City of Ontario Development Code.
- d. Convalescent Facility.
- e. Live/Work Units – Refer to Section 5.5.10, Live/Work Development Standards.
- f. Places of public assembly (including places of worship).
- g. Residential Day Care Facilities serving up to 14 children (per State guidelines).
- h. Public safety facilities.
- i. Public utilities.
- j. Bed and Breakfast in accordance with the City of Ontario Development Code.
- k. Tennis and Swim Club.
- l. Private School K-12 in accordance with the City of Ontario Development Code.
- m. Mobile/Manufactured Homes in accordance with the City of Ontario Development Code.
- n. Agricultural operations.

5.4.1.12 Parking

- a. Parking shall be provided in accordance with the City of Ontario Development Code, except as specifically provided herein.
- b. Residential uses shall provide two spaces within an enclosed garage per dwelling unit, for all one- and two-family (i.e. duplex) residential structures.

- c. Residential dwellings with three or more attached residential units are subject to the following parking requirements:
- i. One-bedroom units require 1.75 parking spaces per unit, with at least 1 space in a garage or carport.
 - ii. Two-bedroom units require 2 parking spaces per unit, with at least 1 space in a garage or carport.
 - iii. Three or more bedroom units require 2.5 spaces, with at least 2 spaces in a garage or carport.
 - iv. Tandem configurations are permitted for covered or enclosed spaces where both spaces serve the same residence. A maximum of 25% of the required covered spaces may be tandem, for multi-family projects with densities over 12 DU/Ac., and single family detached projects with lots or exclusive use areas below 3000 SF.
 - v. In multi-family triplex units, 0.4 per unit of additional visitor and guest parking space is required.
 - vi. In multi-family projects, resident parking may be reduced for units within 300 feet of the Ontario Ranch Road ROW and for units (including live work units) that face onto Ontario Ranch Road according to the following table:

Studio Unit	1.0 space per unit + required guest parking
One Bedroom Unit	1.25 space per unit + required guest parking
Two Bedroom Unit	1.5 space per unit + required guest parking
Three Bedroom Unit	2.0 space per unit + required guest parking
Senior Housing	0.5 space per unit + required guest parking

- vii. A minimum of 75% of the required residential parking for units that qualify for reduced parking requirements must be within a garage or carport. Guest parking for these units shall be provided in accordance with the [City of Ontario](#) Development Code.
- viii. Surface parking is permitted within SCE easements subject to approval from the utility provider. This surface parking may not be included towards meeting minimum resident and guest parking requirements.

5.4.1.13 Common Open Space

Residential projects shall comply with the following common open space requirements to fulfill open park area requirements in accordance with Section 4.6.2, Parks herein. In addition to common open space requirements in this section, residential units are required to have private open space, in accordance with development standards for the given prototype. Refer to Section 5.4.2, Residential Prototypes herein.

The minimum amount of open park area required of any residential projects shall be determined by the following:

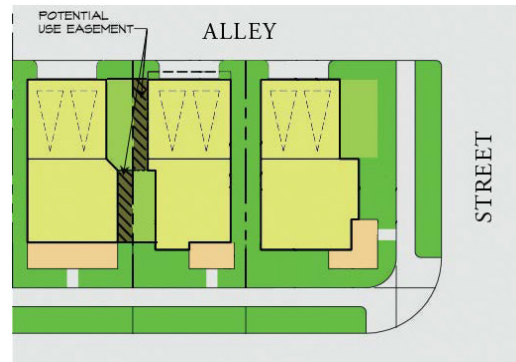
$(\# \text{ of dwelling units}) \times (\text{occupancy factor}) \times (0.002) = \text{Area of park and/or public plaza to be permanently established.}$

This standard fulfills the 2-ac./1000 population open park area requirements for Rich-Haven. This open space requirement may be met within any development containing residential components, attached or detached, or by satisfying the in-lieu park development impact fee as approved by the City. Fees will be paid to fulfill the balance of the City's parks requirement.

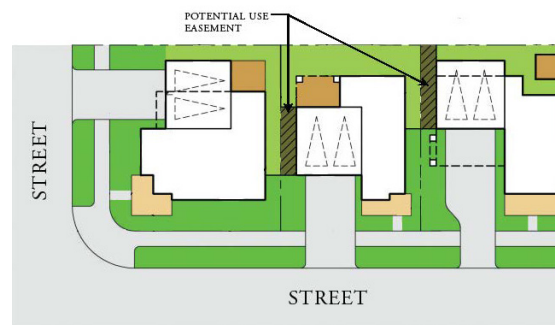
For residential projects, private open space may be provided in at least one third (1/3) of high-density residential units across the entire project to create architectural variety. When private open space is not provided, an equivalent amount of common open space will be provided outside. This space will not count towards public/park open space requirements.

5.4.1.14 Use and Benefit Easements

In order to optimize usable yard area, decrease the visual impact of the garage from the street or otherwise provide a better quality of life some single family detached home types may utilize "use and benefit easements." The "use and benefit easements" shall be recorded on the subject property's deed and shall be described in the Covenants, Conditions, and Restrictions of the respective homeowner's association.



SFD ALLEY LOAD EXAMPLE



SFD CONVENTIONAL EXAMPLE

5.4.2 RESIDENTIAL PROTOTYPES

Prototypes specify building type, orientation, lot size, and configuration. There are twelve prototypes in the following section. Six are single-family configurations and six are multi-family or attached configurations, some containing more than one alternative. The use of multiple prototypes is required to achieve the desired variety across the community. Additional prototypes may be proposed or existing prototypes amended, subject to Planning Department review and approval. The list of prototypes has been included here for reference.

- Conventional 7,200 SF Single Family Detached
- Conventional 4,500 SF Single Family Detached
- Conventional 2,700 SF Single Family Detached
- Two-Pack or "Z" Lot Single Family Detached
- Alley Loaded Single Family Detached
- Courtyard Single Family Detached Lots
- Cluster Single Family Detached
- Duplex/Triplex
- Row Town Homes

- Courtyard Town Homes
- Tuck Under Town Homes
- Tuck Under Apartments/Condominiums
- Wrap Apartments/Condominiums
- Podium Apartments/Condominiums

The following standards illustrate and provide the lot development criteria for each prototype.

5.4.2.1 Development Standards, Conventional 7,200 SF Single Family Detached**5.4.2.1.1 Lot Criteria:**

Minimum Area:	7,200 SF
Maximum Lot Coverage:	55%

5.4.2.1.2 Lot Dimensions:

Standard Lot:	Minimum Width @ Front PL ⁴ :	60'
	Minimum Depth:	100'
Corner Lot:	Minimum Width @ Front PL ⁴ :	65'
	Minimum Depth:	100'

5.4.2.1.3 Building Setbacks¹:

Front Setbacks

Living Area:	18'
Porch / Balcony:	15'
Garage - Front Loaded:	20' (Garage door to back of sidewalk)
Garage - Side Loaded:	10' (Side of garage to back of sidewalk)

Side Setbacks

Living Area / Accessory Structure

Interior PL:	5'
Corner PL:	10'

Porch / Balcony

Interior PL:	3'
Corner PL:	7'

Garage

Interior PL:	5'
Corner PL (Front Loaded, No Side Access):	10' (Side of garage to back of sidewalk)
Corner PL (Side Access with Driveway):	18' (Garage door to back of sidewalk)

Rear Setbacks

Living Area:	15'
Garage (Single Story Plate Line):	5'
Garage (Two Story Plate Line):	15'
Patio Cover:	5'
Second Story Deck / Balcony:	10'
Accessory Structure:	5'

5.4.2.1.4 Building Height²:

Primary Structure:	35'
Accessory Structure:	14'
Projections / Architectural Features:	3' above primary structure, or 10% of the building height

Wall, Fence and Hedge Height

Front or Corner Side Yard:	3'
All other locations:	6'
Retaining Walls:	3'

1. All setbacks and building separations are minimums and shall be measured from the property line unless otherwise noted.

2. Building heights shown are maximum dimensions.

3. Building separations are to be measured between main walls.

4. Lots within cul-de-sac, standard knuckles or modified configurations shall provide a minimum 35' lot width at front property line and shall meet the minimum lot width established for the product type at the building setback. All minimum side and rear yard setbacks shall be maintained at all times.



CONVENTIONAL 7,200 SF SINGLE FAMILY DETACHED
*Building footprints are conceptual. Actual floor plans may differ.

5.4.2.2 Development Standards, Conventional 4,500 SF Single Family Detached**5.4.2.2.1 Lot Criteria:**

Minimum Area:	4,500 SF
Maximum Lot Coverage:	55%

5.4.2.2.2 Lot Dimensions:

Standard Lot:	Minimum Width @ Front PL ⁴ :	50'
	Minimum Depth:	90'
Corner Lot:	Minimum Width @ Front PL ⁴ :	55'
	Minimum Depth:	90'

5.4.2.2.3 Building Setbacks¹:

Front Setbacks

Living Area:	12'
Porch / Balcony:	8'
Garage - Front Loaded:	18' (Garage door to back of sidewalk)
Garage - Side Loaded:	10' (Side of garage to back of sidewalk)

Side Setbacks

Living Area

Interior PL:	5'
Corner PL:	10'

Porch / Balcony

Interior PL:	3'
Corner PL:	7'

Garage

Interior PL:	5'
Corner PL (Front Loaded, No Side Access):	10' (Side of garage to back of sidewalk)
Corner PL (Side Access with Driveway):	18' (Garage door to back of sidewalk)

Accessory Structure:

3'

Rear Setbacks

Living Area:	15'
Garage (Single Story Plate Line):	5'
Garage (Two Story Plate Line):	15'
Patio Cover:	5'
Second Story Deck / Balcony:	10'
Accessory Structure:	3'

5.4.2.2.4 Building Height²:

Primary Structure:	35'
Accessory Structure:	14'
Projections / Architectural Features:	3' above primary structure, or 10% of the building height

Wall, Fence and Hedge Height

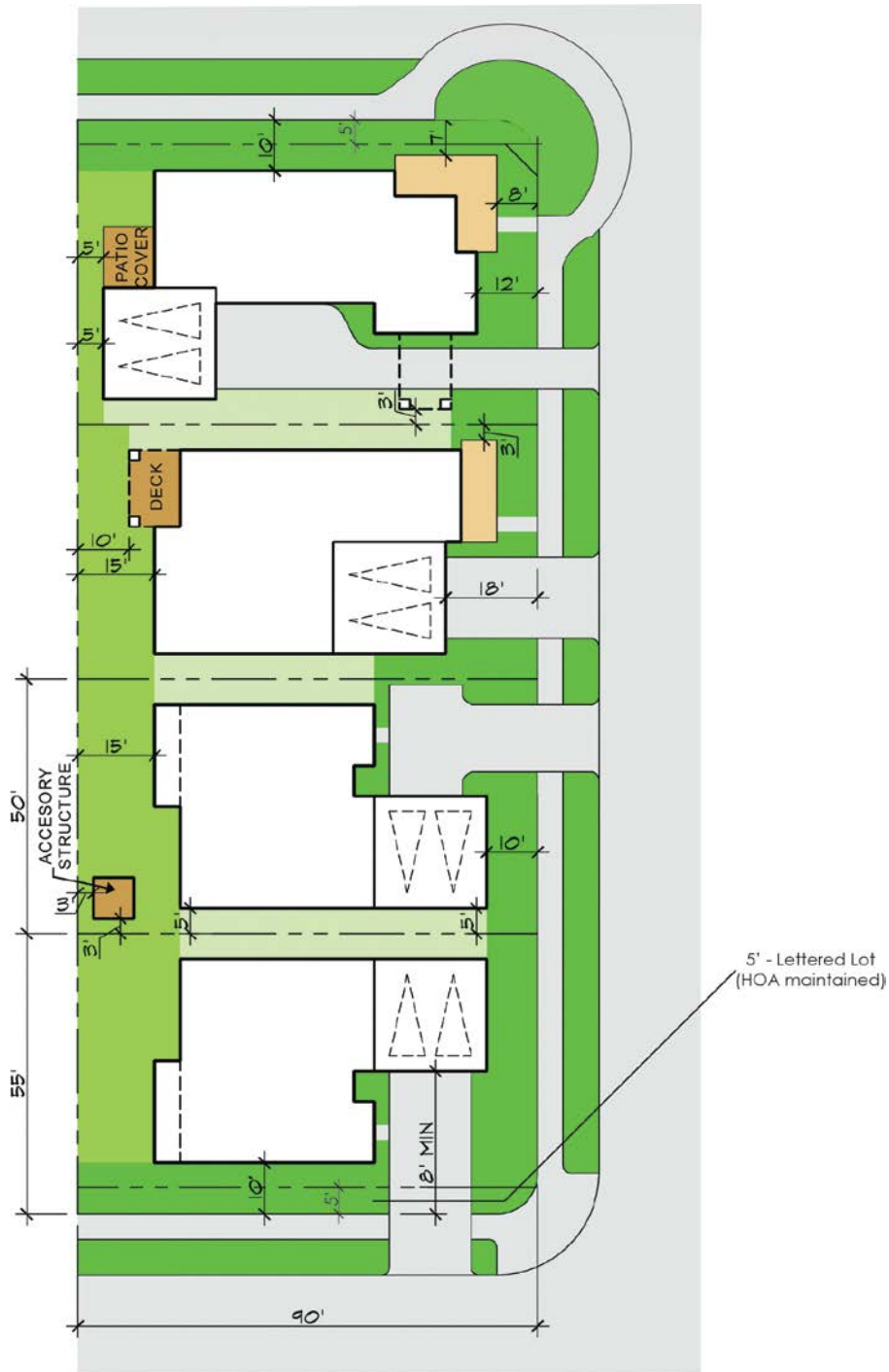
Front or Corner Side Yard:	3'
All other locations:	6'
Retaining Walls:	3'

1. All setbacks and building separations are minimums and shall be measured from the property line unless otherwise noted.

2. Building heights shown are maximum dimensions.

3. Building separations are to be measured between main walls.

4. Lots within cul-de-sac, standard knuckles or modified configurations shall provide a minimum 35' lot width at front property line and shall meet the minimum lot width established for the product type at the building setback. All minimum side and rear yard setbacks shall be maintained at all times.



CONVENTIONAL 4,500 SF SINGLE FAMILY DETACHED

*Building footprints are conceptual. Actual floor plans may differ.

5.4.2.3 Development Standards, Conventional 2,700 SF Single Family Detached**5.4.2.3.1 Lot Criteria:**

Minimum Area:	2,700 SF
Maximum Lot Coverage:	55%

5.4.2.3.2 Lot Dimensions:

Standard Lot:	Minimum Width @ Front PL ⁴ :	45'
	Minimum Depth:	60'
Corner Lot:	Minimum Width @ Front PL ⁴ :	50'
	Minimum Depth:	60'

5.4.2.3.3 Building Setbacks¹:

Front Setbacks

Living Area:	10'
Porch / Balcony:	5'
Garage - Front Loaded	
From Public or Private Street:	18' (Garage door to back of sidewalk)
From Common Drive or Alley:	5' (Garage door to back of curb)
Garage - Side Loaded:	10' (Side of garage to back of sidewalk)

Side Setbacks

Living Area

Interior PL:	5'
Corner PL:	10'

Porch / Balcony

Interior PL:	3'
Corner PL:	7'

Garage

Interior PL:	5'
Corner PL (Front Loaded, No Side Access):	10' (Side of garage to back of sidewalk)
Corner PL (Side Access with Driveway):	18' (Garage door to back of sidewalk)

Accessory Structure:	3'
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Rear Setbacks

Living Area:	10'
Garage (Single Story Plate Line):	5'
Garage (Two Story Plate Line):	10'
Patio Cover:	5'
Second Story Deck / Balcony:	10'
Accessory Structure:	3'

5.4.2.3.4 Building Height²:

Primary Structure:	35'
Accessory Structure:	14'
Projections / Architectural Features:	3' above primary structure, or 10% of the building height

Wall, Fence and Hedge Height

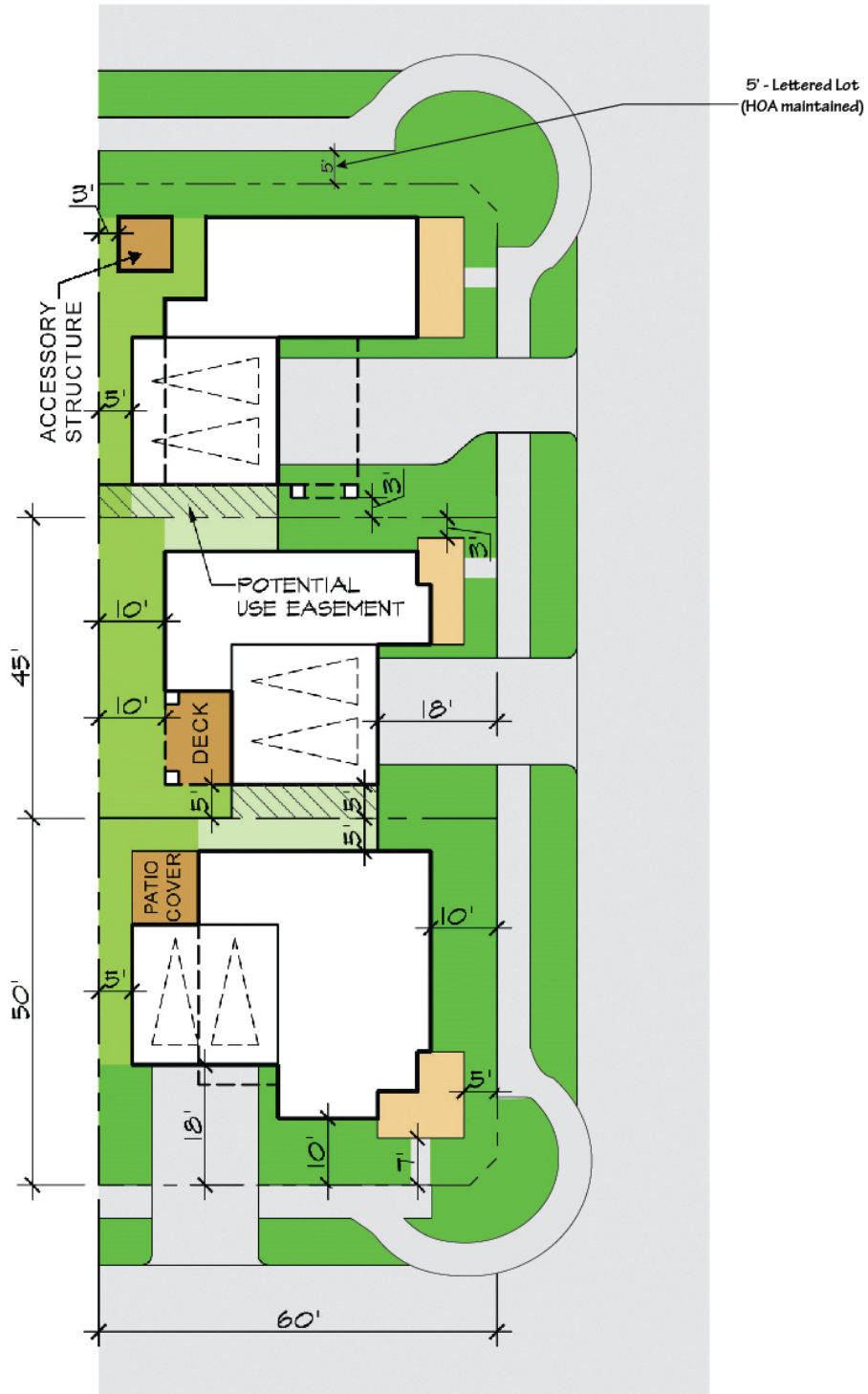
Front or Corner Side Yard:	3'
All other locations:	6'
Retaining Walls:	3'

1. All setbacks and building separations are minimums and shall be measured from the property line unless otherwise noted.

2. Building heights shown are maximum dimensions.

3. Building separations are to be measured between main walls.

4. Lots within cul-de-sac, standard knuckles or modified configurations shall provide a minimum 35' lot width at front property line and shall meet the minimum lot width established for the product type at the building setback. All minimum side and rear yard setbacks shall be maintained at all times.



CONVENTIONAL 2,700 SF SINGLE FAMILY DETACHED
*Building footprints are conceptual. Actual floor plans may differ.

5.4.2.4 Development Standards, Two-Pack OR "Z" Lot Single Family Detached**5.4.2.4.1 Lot Criteria:**

Minimum Area:	2,800 SF
Maximum Lot Coverage:	55%

5.4.2.4.2 Lot Dimensions:

Standard Lot:	Minimum Width @ Front PL ⁴ :	40'
	Minimum Depth:	72'
Corner Lot:	Minimum Width @ Front PL ⁴ :	45'
	Minimum Depth:	72'

5.4.2.4.3 Building Setbacks¹:

Front Setbacks

Living Area:	10'
Porch / Balcony:	5'
Garage - Front Loaded	
From Public or Private Street:	18' (Garage door to back of sidewalk)
From Common Drive or Alley:	5' (Garage door to back of curb)

Side Setbacks

Living Area

Interior PL:	4'
Corner PL:	10'

Porch / Balcony

Interior PL:	3'
Corner PL:	7'

Garage

Interior PL:	4'
Corner PL (Front Loaded, No Side Access):	10' (Side of garage to back of sidewalk)
Corner PL (Side Access with Driveway):	18' (Garage door to back of sidewalk)

Accessory Structure:

3'

Rear Setbacks

Living Area:	10'
Garage (Single Story Plate Line):	4'
Garage (Two Story Plate Line):	10'
Patio Cover:	5'
Second Story Deck / Balcony:	10'
Accessory Structure:	3'

5.4.2.4.4 Building Height²:

Primary Structure:	35'
Accessory Structure:	14'
Projections / Architectural Features:	3' above primary structure, or 10% of the building height
Wall, Fence and Hedge Height	
Front or Corner Side Yard:	3'
All other locations:	6'
Retaining Walls:	3'

1. All setbacks and building separations are minimums and shall be measured from the property line unless otherwise noted.

2. Building heights shown are maximum dimensions.

3. Building separations are to be measured between main walls.

4. Lots within cul-de-sac, standard knuckles or modified configurations shall provide a minimum 35' lot width at front property line and shall meet the minimum lot width established for the product type at the building setback. All minimum side and rear yard setbacks shall be maintained at all times.



TWO-PACK OR "Z" LOT SINGLE FAMILY DETACHED
*Building footprints are conceptual. Actual floor plans may differ.

5.4.2.5 Development Standards, Alley Loaded Single Family Detached

For Common Lot or Single Lot Subdivisions, perimeter setbacks shall be measured from street right of way or property line. Minimum building separations shall apply for all interior conditions.

5.4.2.5.1 Lot Criteria:

Minimum Area:	1,800 SF
Maximum Lot Coverage:	55%

5.4.2.5.2 Lot Dimensions:

Standard Lot:	Minimum Width @ Front PL ⁴ :	30'
	Minimum Depth:	60'
Corner Lot:	Minimum Width @ Front PL ⁴ :	35'
	Minimum Depth:	60'

5.4.2.5.3 Building Setbacks^{1,3}:

Front Setbacks (Street Frontage)

Living Area:	10'
Porch / Balcony:	5'
Building Separation (Greenbelt or Paseo Frontage)	
Front to Front:	30'
Front to Side:	25'
Porch to Porch:	15'

Side Setbacks

Living Area / Accessory Structure

Interior PL:	4'
Corner PL:	10'

Porch / Balcony

Interior PL:	3'
Corner PL:	5'

Garage

Interior PL:	4'
Garage Separation (Door to Door):	30'
Building Separation (Side to Side):	8'

Rear Setbacks

Living Area, Second Story Deck, Balcony:	3'
Garage (From Common Drive or Alley):	5'
Garage Separation (Door to Door)	30'
Patio Cover:	5'
Accessory Structure:	3'

5.4.2.5.4 Building Height²:

Primary Structure:	35'
Accessory Structure:	14'
Projections / Architectural Features:	3' above primary structure, or 10% of the building height

Wall, Fence and Hedge Height

Front or Corner Side Yard:	3'
All other locations:	6'
Retaining Walls:	3'

5.4.2.5.4 Private Open Space:

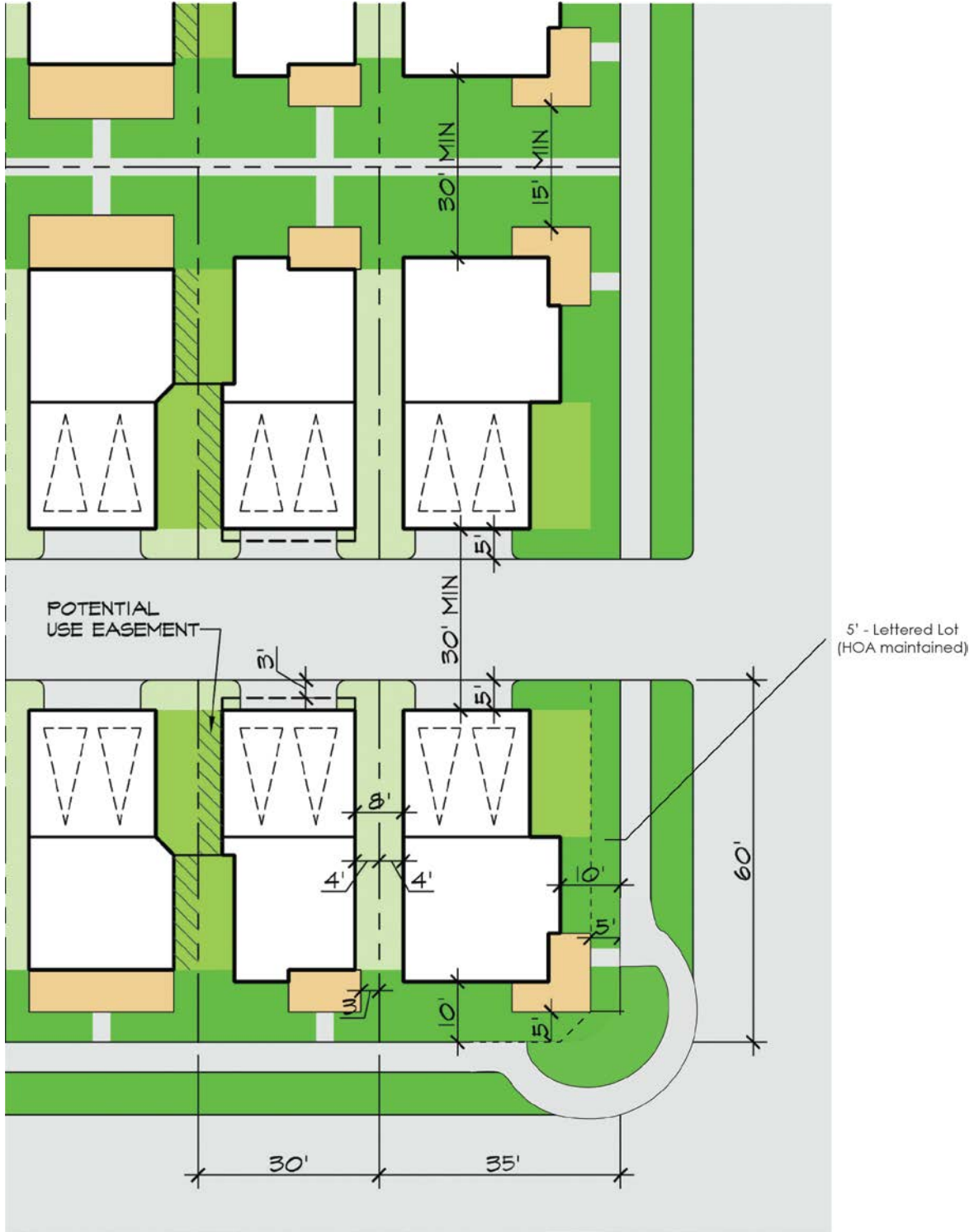
The ground floor of each home shall have a minimum contiguous area of 150 sq. ft. with no dimension less than 10 feet in any direction. Refer to the Setbacks above.

1. All setbacks and building separations are minimums and shall be measured from the property line unless otherwise noted.

2. Building heights shown are maximum dimensions.

3. Building separations are to be measured between main walls.

4. Lots within cul-de-sac, standard knuckles or modified configurations shall provide a minimum 35' lot width at front property line and shall meet the minimum lot width established for the product type at the building setback. All minimum side and rear yard setbacks shall be maintained at all times.



ALLEY LOADED SINGLE FAMILY DETACHED

5.4.2.6 Development Standards, Courtyard Single Family Detached

For Common Lot or Single Lot Subdivisions, perimeter setbacks shall be measured from street right of way or property line. Minimum building separations shall apply for all interior conditions.

5.4.2.6.1 Lot Criteria:

Minimum Area:	2,000 SF
Maximum Lot Coverage:	65%
Maximum Units per Cluster:	6

These standards shall also apply where the cluster homes are plotted with less than six (6) units.

5.4.2.6.2 Lot Dimensions:

Standard Lot:	Minimum Width:	45'
	Minimum Depth:	55'
Street Adjacent:	Minimum Width:	50'
	Minimum Depth from Street PL:	55'

5.4.2.6.3 Building Setbacks^{1,3}:

Front Setbacks

Living Area from Street:	10'
Porch / Balcony from Street:	5'
Building Separation	
Front to Front:	30'
Front to Side:	25'
Porch to Porch:	15'

Side Setbacks

Interior PL (Living Area/Porch/Balcony/Side of Garage):	4'
Living Area Adjacent to Street (Corner Lot):	10'
Building Separation (Side to Side):	8'

Rear Setbacks

Interior PL:	10'
Building Separation (Rear to Rear):	20'
Building Separation (Rear to Side):	14'

Garage Setbacks

Front Loaded from Public or Private Street:	18' (Garage door to back of sidewalk)
Side Load from Public or Private Street:	10' (Side of garage to back of sidewalk)
Garage from Alley or Common Drive:	3'
Building Separation (Door to Door, Door to Living Area):	30'

5.4.2.6.4 Building Height²:

Primary Structure:	35'
Accessory Structure:	14'
Projections / Architectural Features:	3' above primary structure, or 10% of the building height

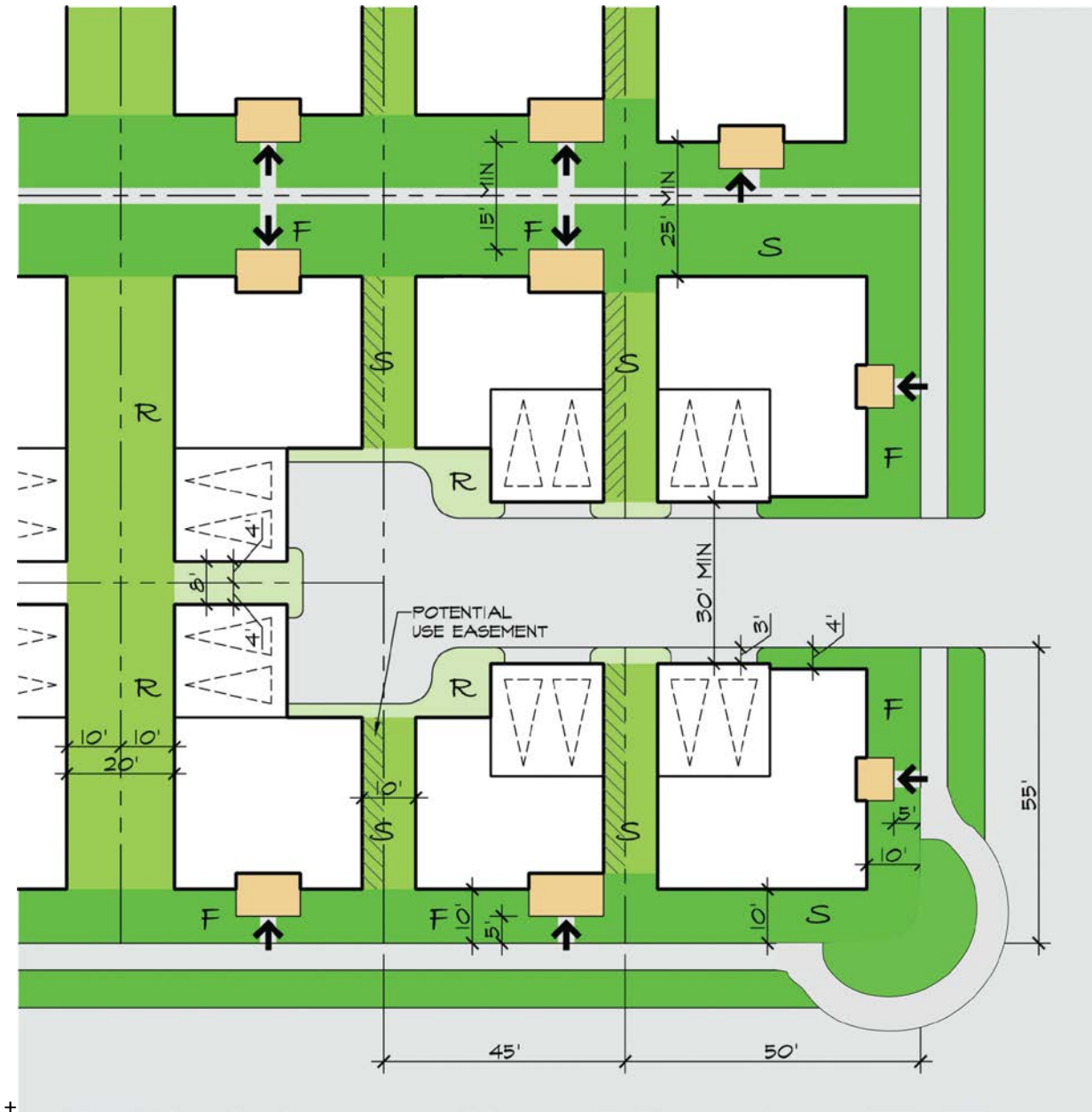
Wall, Fence and Hedge Height

Front or Corner Side Yard:	3'
All other locations:	6'
Retaining Walls:	3'

5.4.2.6.5 Private Open Space:

The ground floor of each home shall have a minimum contiguous area of 150 sq. ft. with no dimension less than 10 feet in any direction. Refer to the Setbacks above.

1. All setbacks and building separations are minimums and shall be measured from the property line unless otherwise noted.
2. Building heights shown are maximum dimensions.
3. Building separations are to be measured between main walls.



COURTYARD SFD

*Building footprints are conceptual. Actual floor plans may differ.

*Private lanes shall be enhanced with pavers, colored concrete or similar decorative material and approved by the Planning Director. Builders are encouraged to enhance driveways using decorative materials, or scored natural concrete.

*Pervious pavers may be used as a decorative feature of the courtyard paving to provide storm water infiltration.

5.4.2.7 Development Standards, Cluster Single Family Detached

For Common Lot or Single Lot Subdivisions, perimeter setbacks shall be measured from street right of way or property line. Minimum building separations shall apply for all interior conditions.

5.4.2.7.1 Lot Criteria:

Minimum Area:	2,000 SF
Maximum Lot Coverage:	65%
Maximum Units per Cluster:	8

These standards shall also apply where the cluster homes are plotted with less than six (6) units.

5.4.2.7.2 Lot Dimensions:

Standard Lot:	Minimum Width:	42'
	Minimum Depth:	60'
Street Adjacent:	Minimum Width:	47'
	Minimum Depth from Street PL:	60'

5.4.2.7.3 Building Setbacks^{1,3}:

Front Setbacks

Living Area from Street:	10'
Porch / Balcony from Street:	5'
Building Separation	
Front to Front:	40' to living
Front to Side:	35'
Porch to Porch:	36'

Side Setbacks

Interior PL (Living Area/Porch/Balcony/Side of Garage):	5'
Living Area Adjacent to Street (Corner Lot):	10'
Building Separation (Side to Side):	10'

Rear Setbacks

Interior PL:	5'*
Building Separation (Rear to Rear):	10'
Building Separation (Rear to Side):	10'

Garage Setbacks

Front Loaded from Public or Private Street:	18' (Garage door to back of sidewalk)
Side Load from Public or Private Street:	10' (Side of garage to back of sidewalk)
Garage from Alley or Common Drive:	18' (50% driveways may be reduced to 5')
Building Separation (Door to Door, Door to Living Area):	40'

5.4.2.7.4 Building Height²:

Primary Structure:	35'
Accessory Structure:	14'
Projections / Architectural Features:	3' above primary structure, or 10% of the building height

Wall, Fence and Hedge Height

Front or Corner Side Yard:	3'
All other locations:	6'
Retaining Walls:	3'

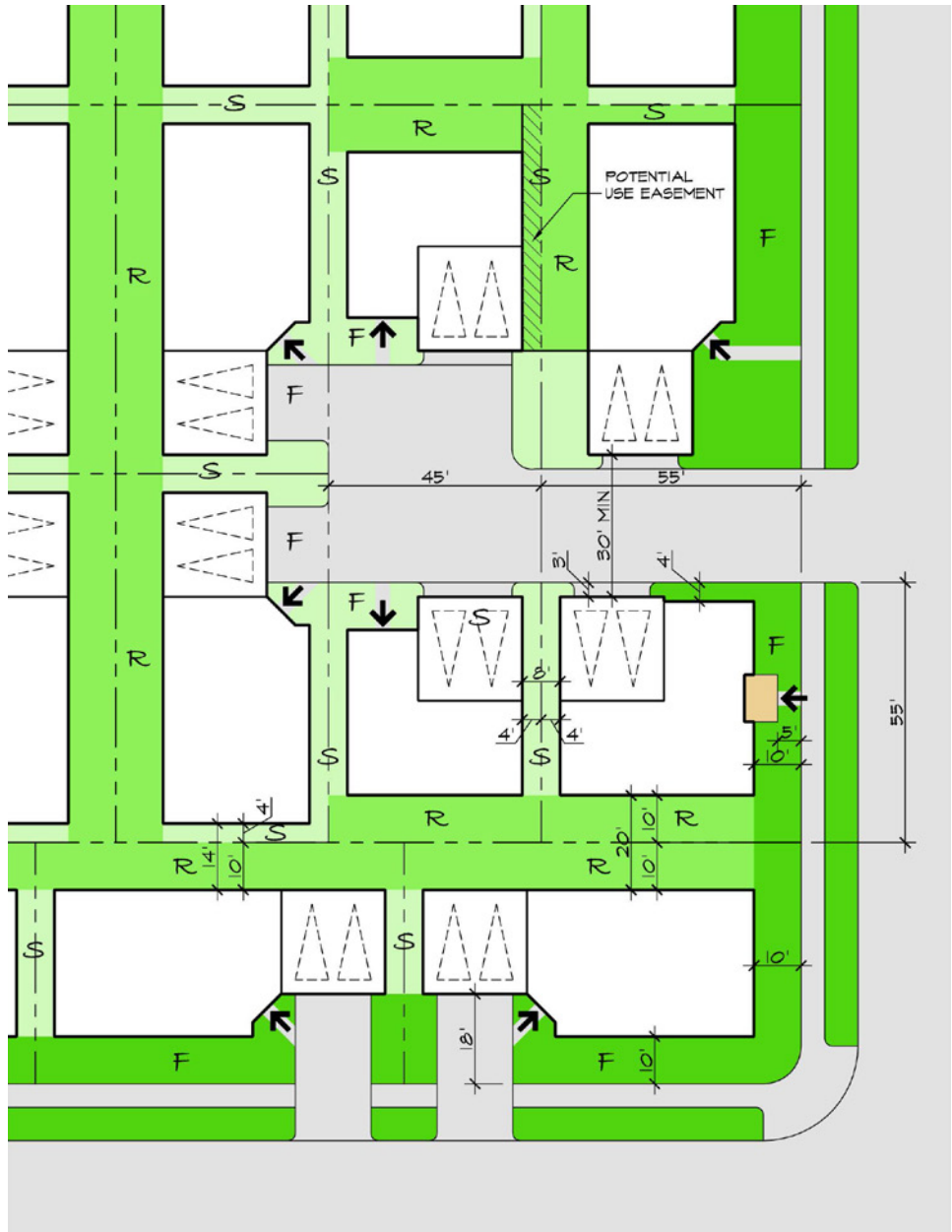
5.4.2.7.5 Private Open Space:

*The ground floor of each home shall have a minimum contiguous area of 150 sq. ft. with no dimension less than 10 feet in any direction. Refer to the Setbacks above.

1. All setbacks and building separations are minimums and shall be measured from the property line unless otherwise noted.

2. Building heights shown are maximum dimensions.

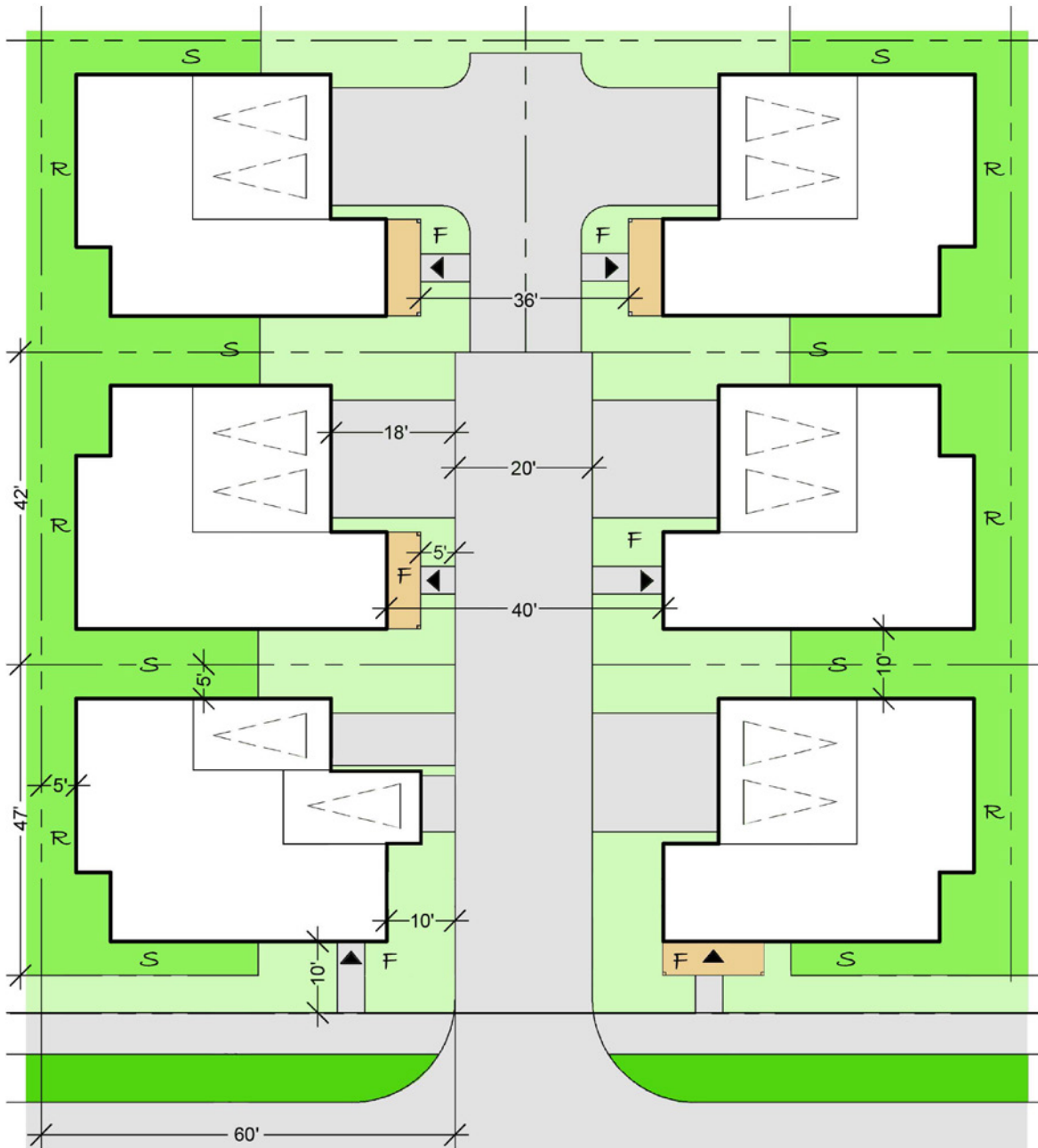
3. Building separations are to be measured between main walls.



CLUSTER SFD – Alt. 1

*Building footprints are conceptual. Actual floor plans may differ.

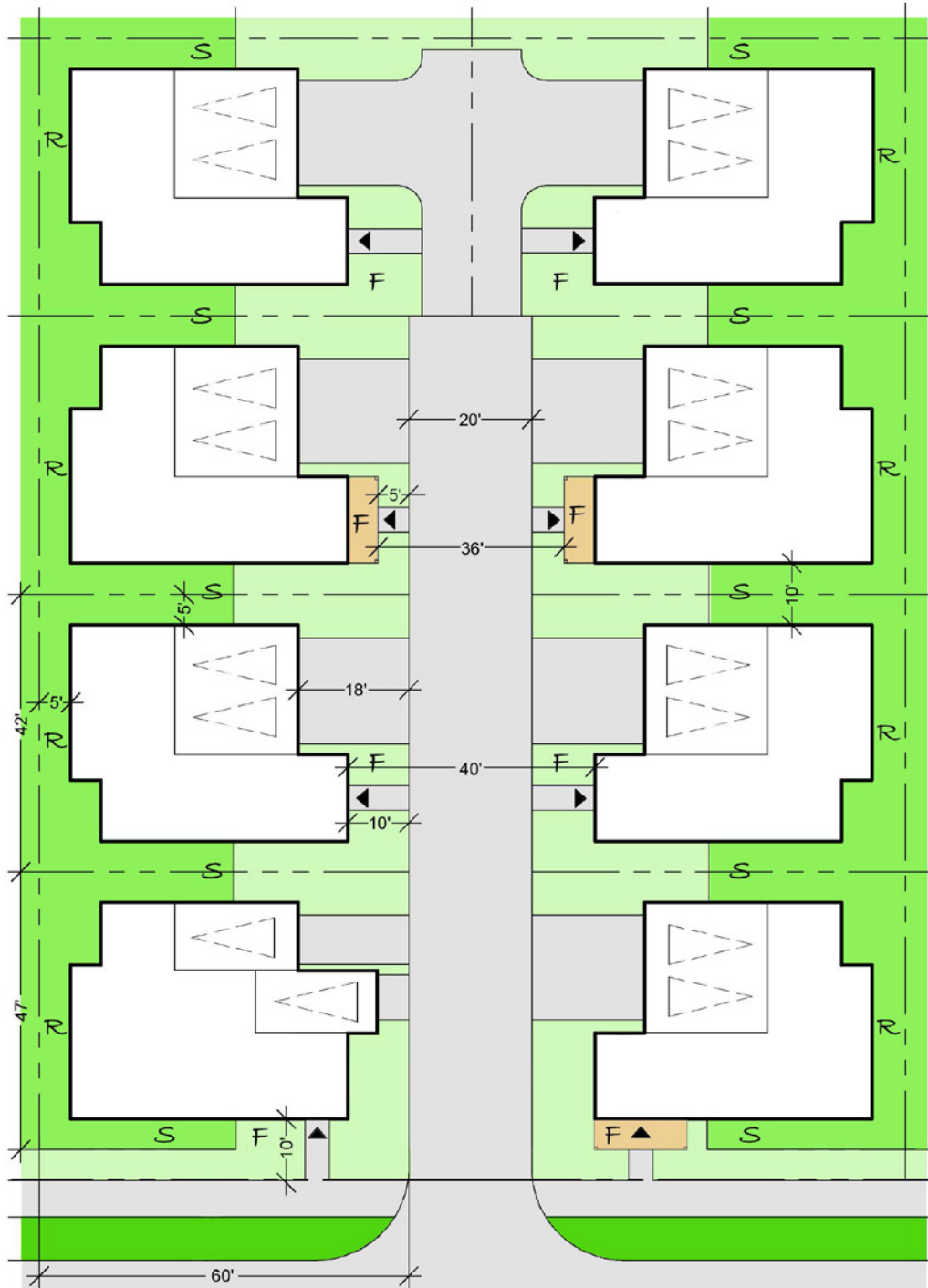
*Private lanes shall be enhanced with pavers, colored concrete or similar decorative material and approved by the Planning Director. Builders are encouraged to enhance driveways using decorative materials or scored natural concrete.



CLUSTER SFD – Alt. 2

*Building footprints are conceptual. Actual floor plans may differ.

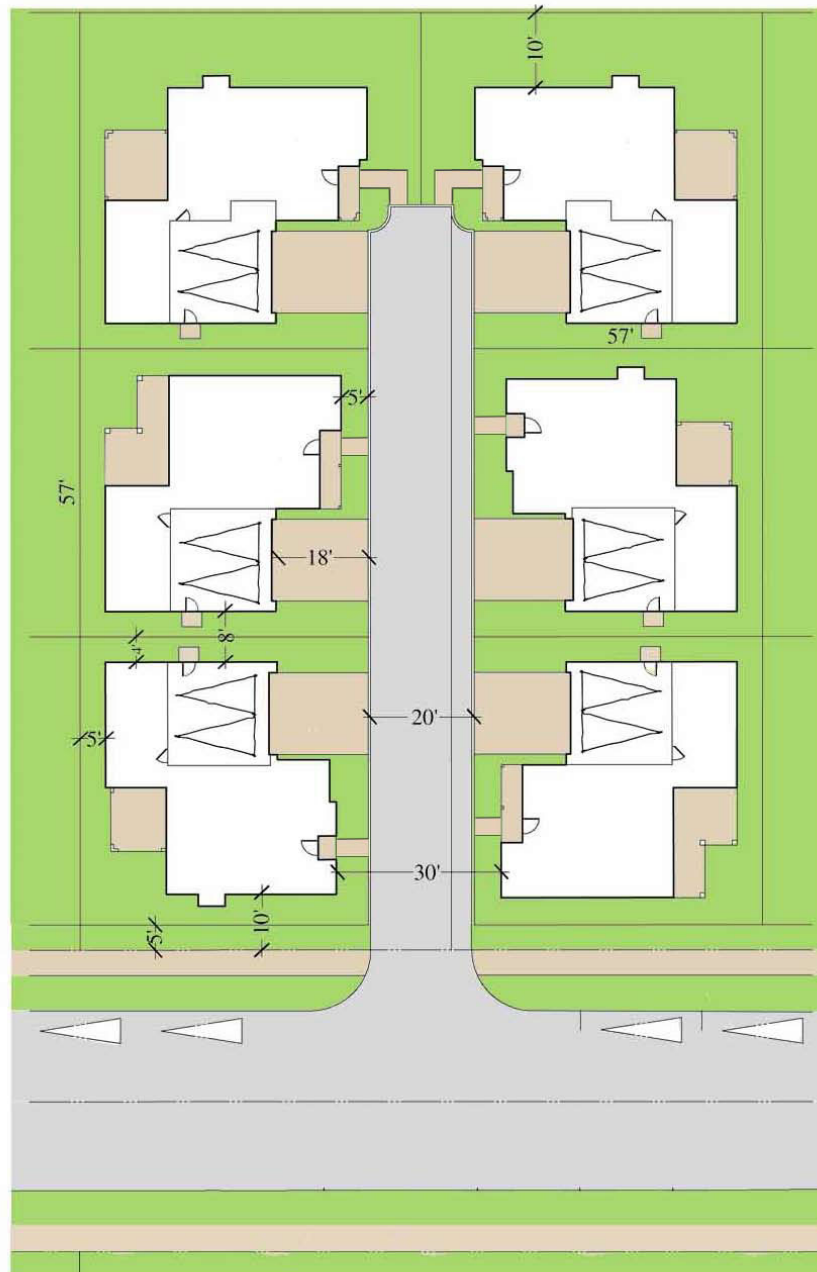
*Private lanes shall be enhanced with pavers, colored concrete or similar decorative material and approved by the Planning Director. Builders are encouraged to enhance driveways using decorative materials or scored natural concrete.



CLUSTER SFD – Alt. 3

*Building footprints are conceptual. Actual floor plans may differ.

*Private lanes shall be enhanced with pavers, colored concrete or similar decorative material and approved by the Planning Director. Builders are encouraged to enhance driveways using decorative materials or scored natural concrete.



CLUSTER SFD – Alt. 4

*Building footprints are conceptual. Actual floor plans may differ.

*Private lanes shall be enhanced with pavers, colored concrete or similar decorative material and approved by the Planning Director. Builders are encouraged to enhance driveways using decorative materials or scored natural concrete.

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5.4.2.8 Development Standards, Duplex/Triplex

For Common Lot or Single Lot Subdivisions, perimeter setbacks shall be measured from street right of way or property line. Minimum building separations shall apply for all interior conditions.

5.4.2.8.1 Lot Criteria:

Minimum Area:	1,800 SF (per unit)
Maximum Lot Coverage:	65%

5.4.2.8.2 Building Setbacks^{1,3}:

Front Setbacks

Living Area:	12'
Porch / Balcony:	0'
Building Separation	
Front to Front:	30'
Front to Side:	25'
Porch to Porch:	15'

Side Setbacks

Interior PL (Non-Entry)	5'
Interior PL (Entry, i.e. at Carriage Flat)	6'
Living Area Adjacent to Street (Corner Lot):	10'
Porch/Balcony Adjacent to Street (Corner Lot):	7'
Front Door to Front Door:	25'

Building Separation (Side to Side)

Front Entry Residence:	10'
Side-Yard Entry Residence (i.e. Carriage Flat):	12'

Rear Setbacks

Living Area, Second Story Deck, Balcony

Interior PL:	10'
Alley or Common Drive:	5'
Patio Cover:	5'
Accessory Structure:	3'
Building Separation (Rear to Rear):	20'

Garage Setbacks

Garage Door at Street (With Driveway):	18' (Garage door to back of sidewalk)
Side of Garage at Street (No Driveway):	10' (Side of garage to back of sidewalk)
Garage from Alley or Common Drive:	3'
Building Separation (Door to Door):	30'

5.4.2.8.3 Building Height²:

Primary Structure:	35'
Accessory Structure:	14'
Projections / Architectural Features:	3' above primary structure, or 10% of the building height

Wall, Fence and Hedge Height

Front or Corner Side Yard:	3'
All other locations:	6'
Retaining Walls:	3'

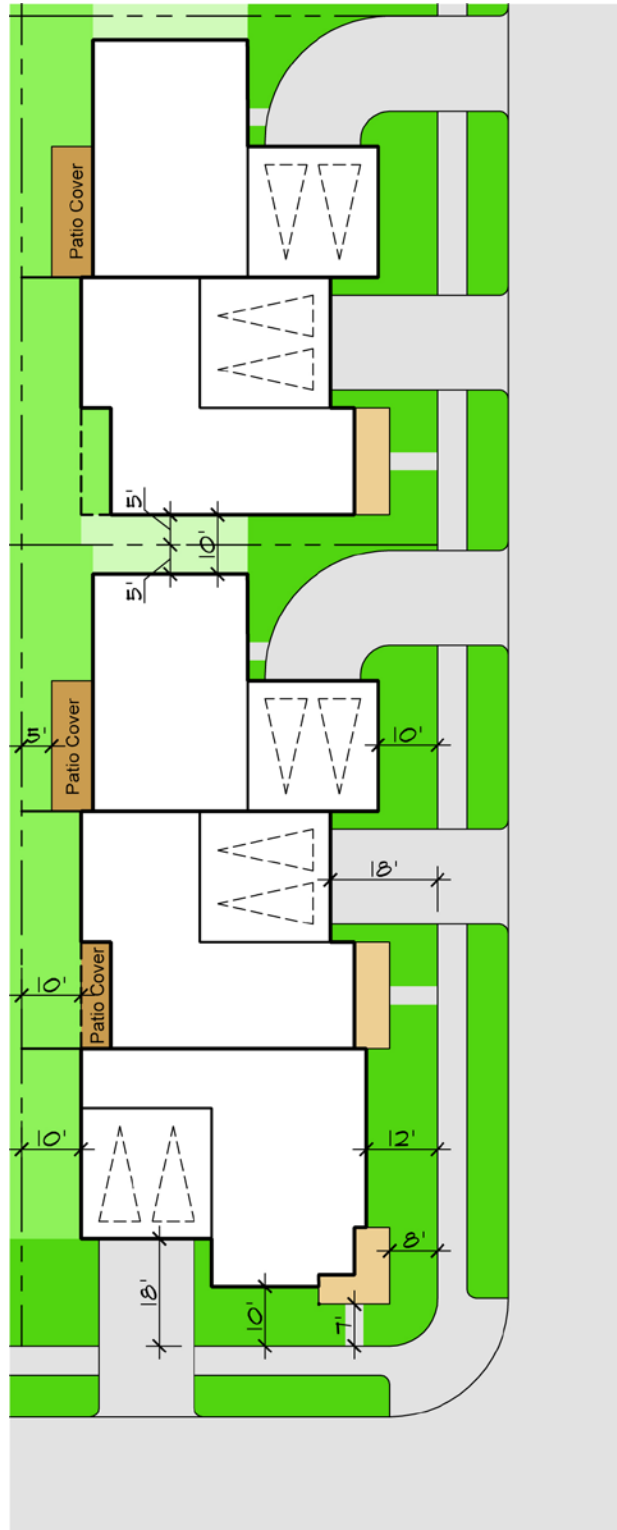
5.4.2.8.4 Parking: Refer to Section 5.4.1.12 for parking requirements.**5.4.2.8.5 Private Open Space:**

Each home shall have a minimum cumulative private open space area of 150 sq. ft. Upper floor decks and balconies may only be counted towards the private open space requirement when they have a minimum contiguous area of 50 sq. ft. and have no dimension less than 5 feet in any direction. Refer to the Setbacks above.

1. All setbacks and building separations are minimums and shall be measured from the property line unless otherwise noted.

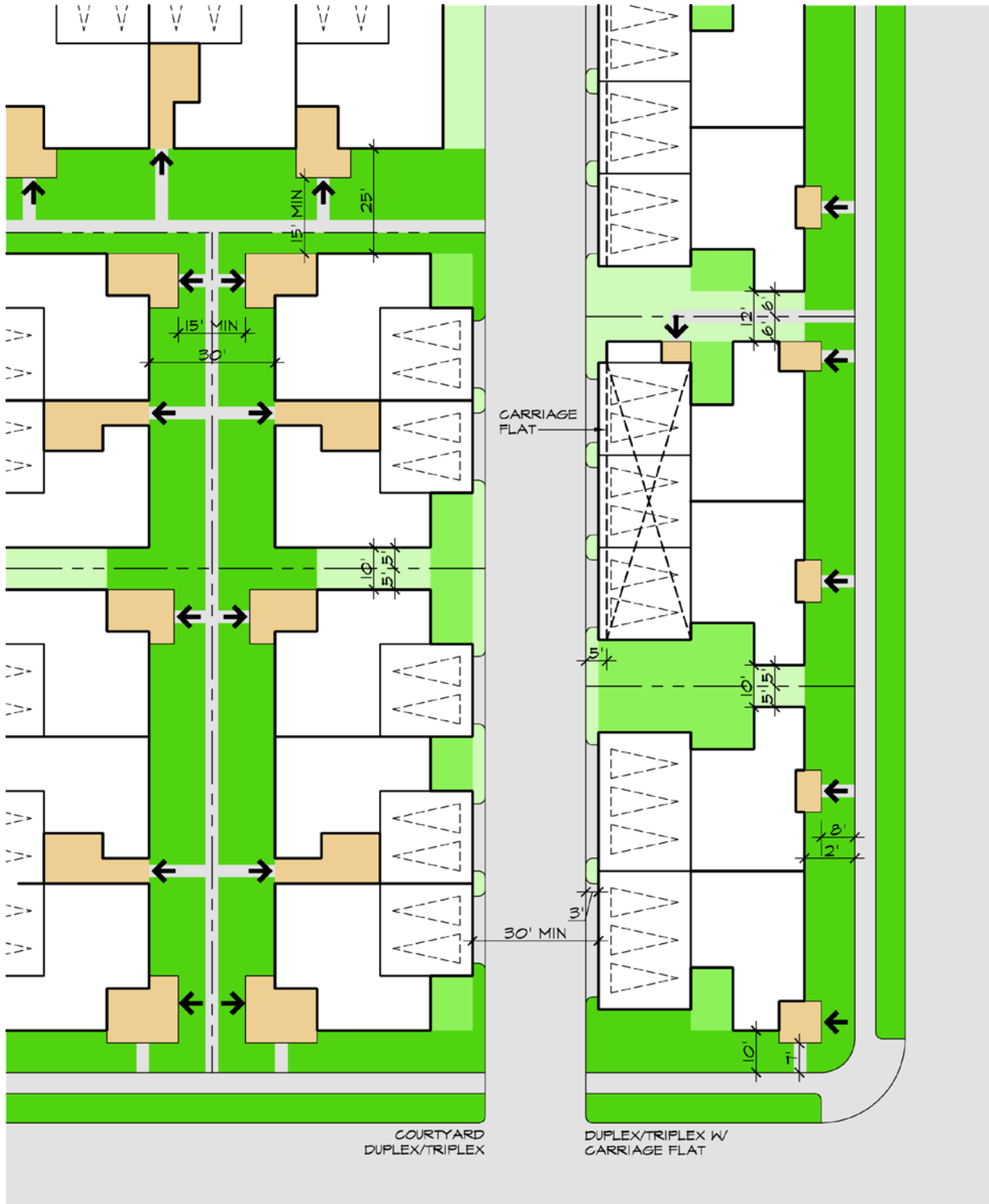
2. Building heights shown are maximum dimensions.

3. Building separations are to be measured between main walls.



CONVENTIONAL DUPLEX/TRIPLEX – Alt. 1

*Building footprints are conceptual. Actual floor plans may differ.



ALLEY DUPLEX/TRIPLEX – Alt. 2

*Building footprints are conceptual. Actual floor plans may differ.

5.4.2.9 Development Standards, Row Town Homes

5.4.2.9.1 Lot Criteria:

Minimum Area:	1,800 SF (per unit)
Maximum Lot Coverage:	60%
Maximum Units Per Building:	16

(or as established by the approved Development Plan for Medium Density Residential uses)

5.4.2.9.2 Building Setbacks^{1,3:}

Front Setbacks	
Living Area:	10'
Porch / Balcony:	5'
Building Separation (Greenbelt or Paseo Frontage)	
Front to Front:	25'
Front to Side:	25'
Porch to Porch:	15'
Side Setbacks	
Interior PL (Living Area, Porch/Balcony, Side of Garage):	4'
Living Area Adjacent to Street (Corner Lot):	10'
Porch/Balcony Adjacent to Street (Corner Lot):	5'
Building Separation (Side to Side):	8'
Front Door to Front Door:	25'
Rear Setbacks	
Living Area, Second Story Deck, Balcony:	5'
Patio Cover:	5'
Garage Setbacks	
Garage Door at Street (With Driveway):	18' (Garage door to back of sidewalk)
Side of Garage at Street (No Driveway):	10' (Side of garage to back of sidewalk)
Garage at Alley or Common Drive:	3'
Building Separation (Door to Door):	30'

5.4.2.9.3 Building Height^{2:}

Primary Structure:	35'
Accessory Structure:	14'
Projections / Architectural Features:	3' above primary structure, or 10% of the building height

Wall, Fence and Hedge Height

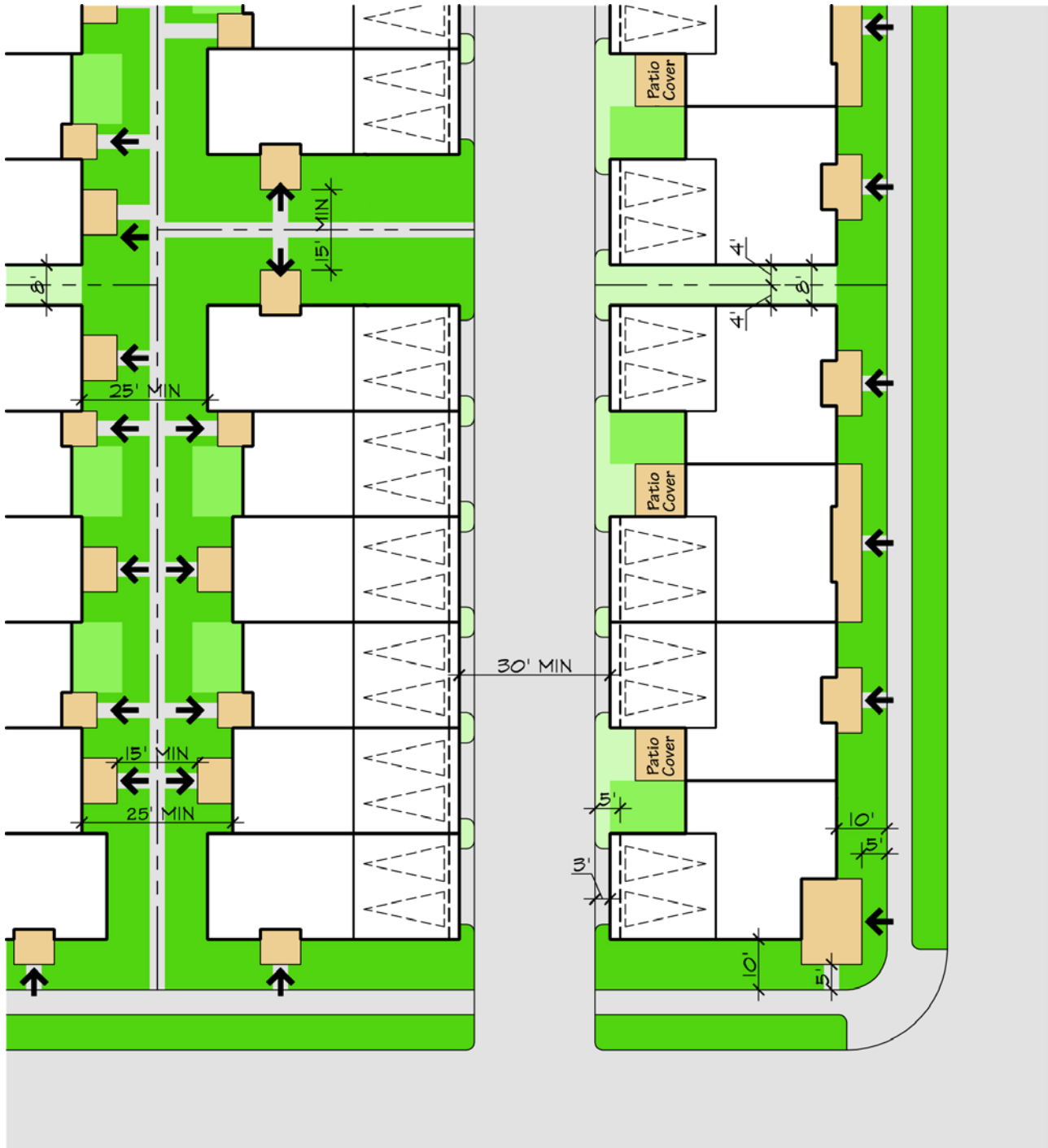
Front or Corner Side Yard:	3'
All other locations:	6'
Retaining Walls:	3'

5.4.2.9.4 Parking^{4:} Refer to Section 5.4.1.12 for parking requirements.

5.4.2.9.5 Private Open Space:

Each home shall have a minimum cumulative private open space area of 150 sq. ft. Upper floor decks and balconies may only be counted towards the private open space requirement when they have a minimum contiguous area of 40 sq. ft. and have no dimension less than 5 feet in any direction. Refer to the Setbacks above.

1. All setbacks and building separations are minimums and shall be measured from the property line unless otherwise noted.
 2. Building heights shown are maximum dimensions.
 3. Building separations are to be measured between main walls.
 4. Lots within cul-de-sac, standard knuckles or modified configurations shall provide a minimum 35' lot width at front property line and shall meet the minimum lot width established for the product type at the building setback. All minimum side and rear yard setbacks shall be maintained at all times.



ROW TOWN HOMES – Alt. 1

*Building footprints are conceptual. Actual floor plans may differ.



ROW TOWN HOMES – Alt 2

*Building footprints are conceptual. Actual floor plans may differ.

5.4.2.10 Development Standards, Courtyard Town Homes**5.4.2.10.1 Lot Criteria:**

Minimum Area:	1,800 SF (per unit)
Maximum Lot Coverage:	60%
Maximum Units Per Building:	16

(or as established by the approved Development Plan for Medium Density Residential uses)

5.4.2.10.2 Building Setbacks^{1,3}:

Front Setbacks

Living Area:	10'
Porch / Balcony:	5'
Building Separation (Greenbelt or Paseo Frontage)	
Front to Front:	30'
Front to Side:	25'
Porch to Porch:	15'

Side Setbacks

Living Area

Interior PL:	4'
Corner PL (Adjacent to Street):	10'
Porch/Balcony Adjacent to Street (Corner Lot):	5'
Building Separation (Side to Side):	8'

Rear Setbacks

Living Area (From Alley or Common Drive):	5'
Patio Cover:	5'

Garage Setbacks

Garage Door at Street:	18' (Garage door to back of sidewalk)
Side of Garage at Street:	10' (Side of garage to back of sidewalk)
Garage at Alley or Common Drive:	3'

Building Separation

Door to Door at Alley or Common Drive:	30'
Side to Side:	8'

5.4.2.10.3 Building Height²:

Primary Structure:	35'
Accessory Structure:	14'
Projections / Architectural Features:	3' above primary structure, or 10% of the building height)

5.4.2.10.4 Parking⁴:

Refer to Section 5.4.1.12 for parking requirements.

5.4.2.10.5 Private Open Space:

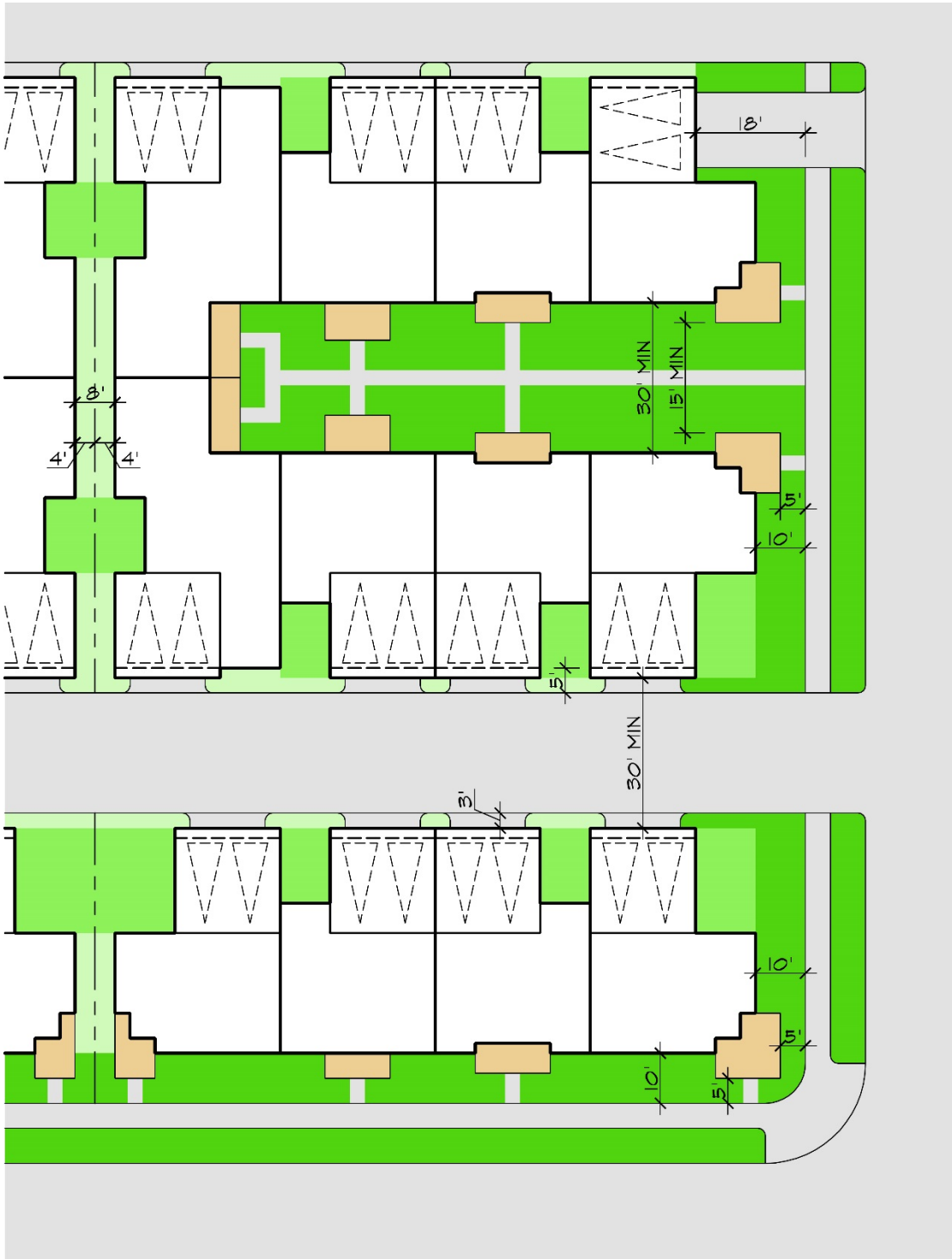
Each home shall have a minimum cumulative private open space area of 150 sq. ft.. Upper floor decks and balconies may only be counted towards the private open space requirement when they have a minimum contiguous area of 40 sq. ft. and have no dimension less than 5 feet in any direction. Refer to the Setbacks above.

1. All setbacks and building separations are minimums and shall be measured from the property line unless otherwise noted.

2. Building heights shown are maximum dimensions.

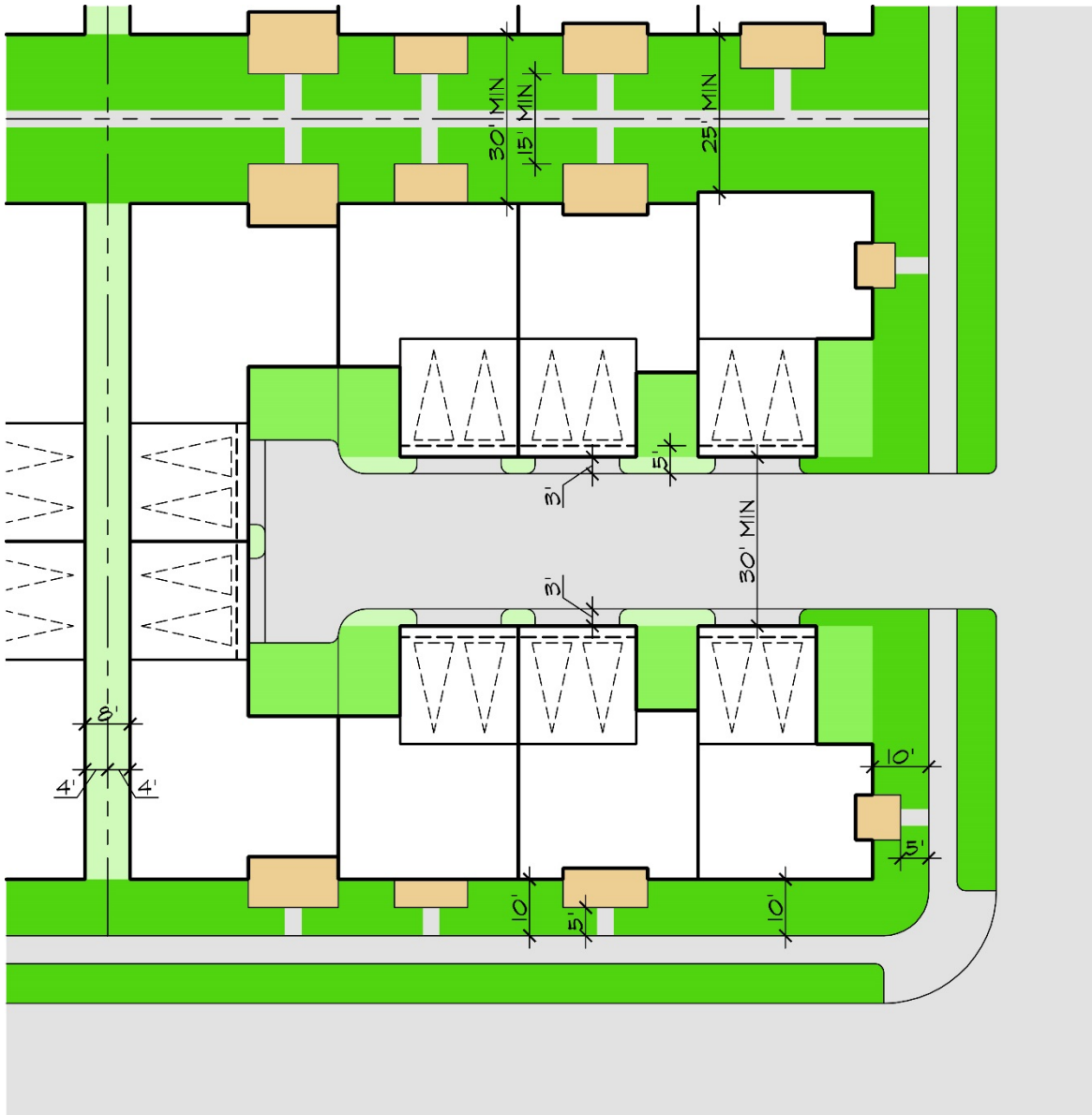
3. Building separations are to be measured between main walls.

4. Lots within cul-de-sac, standard knuckles or modified configurations shall provide a minimum 35' lot width at front property line and shall meet the minimum lot width established for the product type at the building setback. All minimum side and rear yard setbacks shall be maintained at all times.



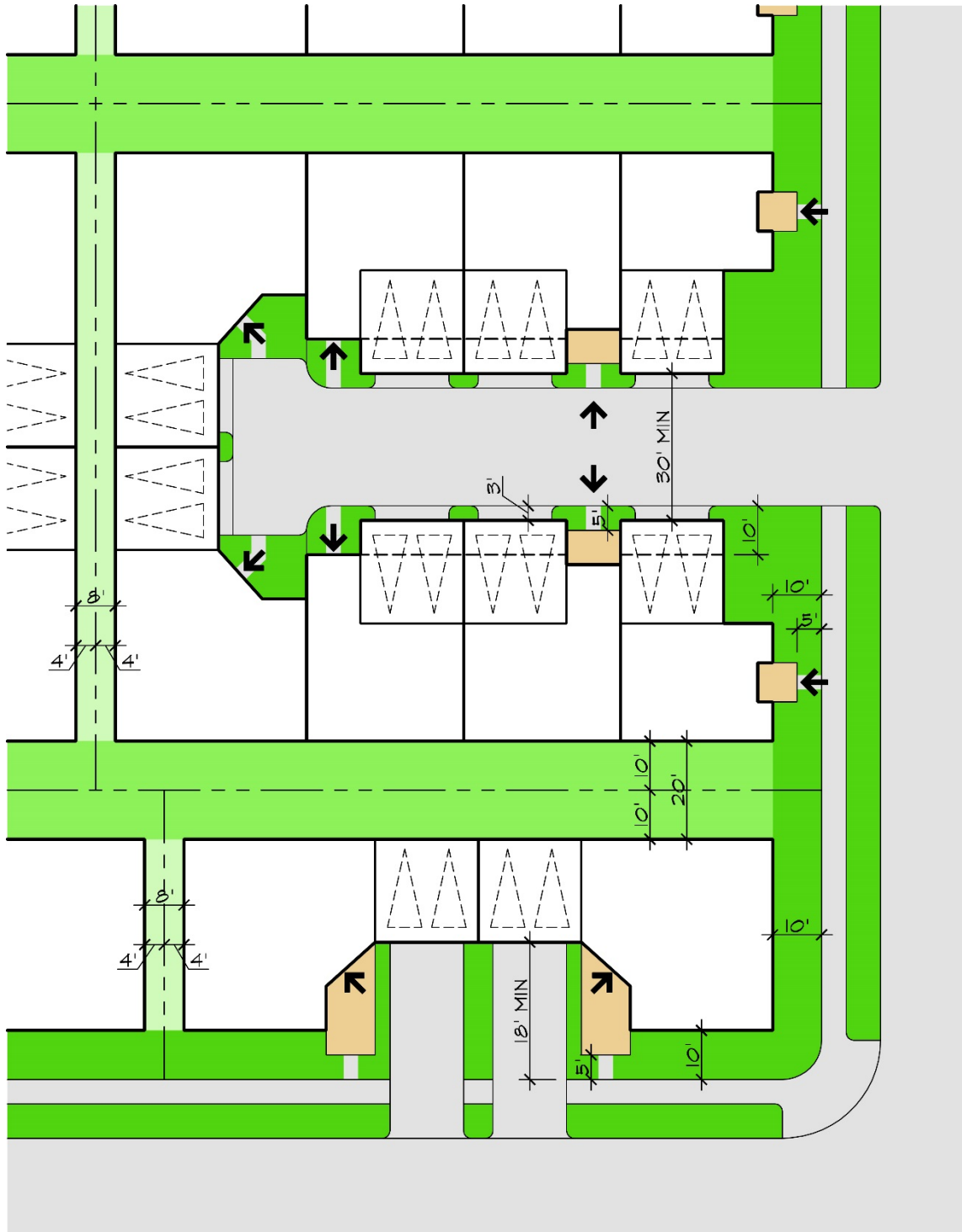
COURTYARD TOWN HOMES – Alt 1

*Building footprints are conceptual. Actual floor plans may differ.



COURTYARD TOWN HOMES – Alt. 2

*Building footprints are conceptual. Actual floor plans may differ.



COURTYARD TOWN HOMES – Alt. 3

*Building footprints are conceptual. Actual floor plans may differ.



COURTYARD TOWN HOMES – Alt. 4

*Building footprints are conceptual. Actual floor plans may differ.

5.4.2.11 Development Standards, Tuck Under Town Homes and Flats

5.4.2.11.1	Lot Criteria	
	Minimum Area:	1,400 SF (per unit)
	Maximum Lot Coverage:	60%
	Maximum Units Per Building:	24
	(or as established by the approved Development Plan for High Density Residential uses)	
5.4.2.11.2	Building and Remote Parking Setbacks^{1,4}:	
	Living Area:	10'
	Porch / Balcony:	5'
	Garage Frontage onto Street:	Prohibited
	From Interior PL Adjacent to Detached Residential:	25'
	From SCE PL / Easements:	15'
5.4.2.11.3	Setbacks at Alley, Common Drive, or Adjacent to Remote Parking¹:	
	Living Area:	5'
	Garage:	5'
	Porch / Balcony:	3'
5.4.2.11.4	Building Separation^{1,3}:	
	Front to Front:	30'
	Front to Side:	25'
	Front to Rear:	Prohibited
	Porch to Porch:	15'
	Side to Side:	15'
	Side to Porch:	15'
	Garages	
	Door to Door:	30'
	Side to Side (Including Remote Parking):	15'
5.4.2.11.5	Building Height²:	
	Primary Structure:	35'
	Accessory Structure:	14'
	Projections / Architectural Features:	3' above primary structure, or 10% of the building height
5.4.2.11.6	Parking⁴:	
	Refer to Section 5.4.1.12 for parking requirements.	

1. All setbacks and building separations are minimums and shall be measured from the property line unless otherwise noted.
 2. Building heights shown are maximum dimensions.
 3. Building separations are to be measured between main walls.
 4. Parking stalls perpendicular to the street shall be screened by landscaping, berms, or decorative walls that match the architectural style of the nearest development. Screening shall be a minimum height of 36" (to ensure concealment of vehicle grills).

5.4.2.11.7 Private Open Space:

Ground floor units shall have a minimum cumulative private open space area of 150 sq. ft. Upper floor decks and balconies may only be counted towards this private open space requirement when they have a minimum contiguous area of 40 sq. ft. and have no dimension less than 5 feet in any direction.

Upper floor units with no ground floor living area (i.e. carriage units and stacked flats) shall have a minimum contiguous area of 40 sq. ft. with no dimension less than 5 feet in any direction.

Stand-alone multi-family developments over 18 du/ac, shall have private outdoor living space with a minimum contiguous area of 40 sq. ft. for each unit, with no dimension less than 5 feet in any direction qualified by one of the following:

- Courtyard (front, rear or interior open to the sky)
- Front Porch
- 2nd story balcony (no encroachment into rear setback)
- Rooftop deck

5.4.2.11.8 Common Open Space:

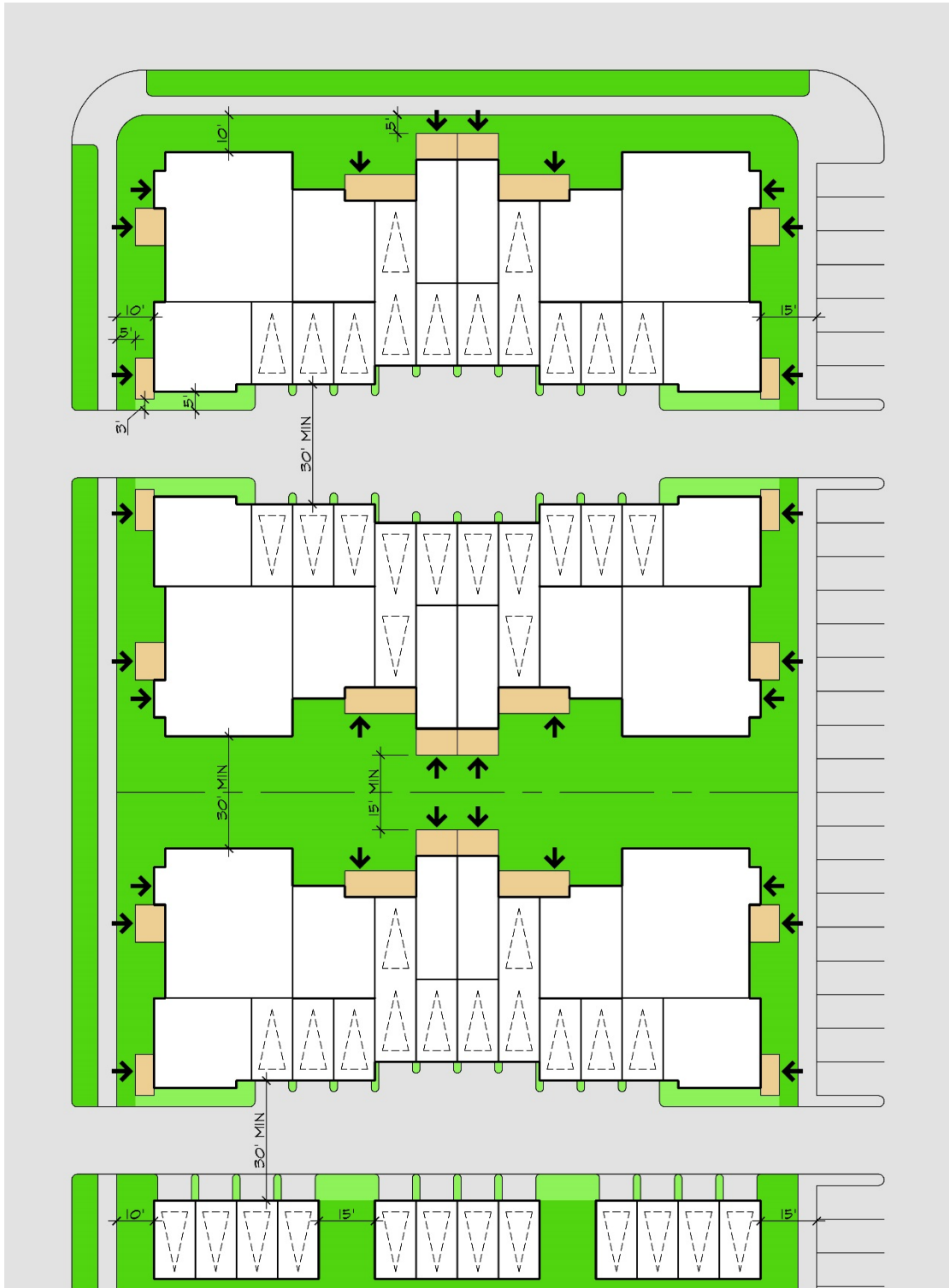
A minimum of 250 sq. ft. of common open space shall be provided per unit as follows:

Common open space shall require a minimum contiguous area of 300 sq. ft. with no dimension less than 15 feet in any direction. Hardscape courtyard and plaza areas shall require a minimum contiguous area of 400 sq. ft., with no dimension less than 20 feet in any direction, to qualify as common open space.

Common open space may include but is not limited to landscaping, plazas, picnic areas, pools and spas, court games, gyms, gardens, tot lots, paseos, trails or other recreational facilities/uses.

Common and private open spaces are to be permanently maintained in an orderly fashion.

Required common open space may not be satisfied by the utilization of parking areas, driveways, service areas, or unusable slopes (slopes greater than or equal to 3:1). Greenbelts, and on-site circulation improvements including bicycle and walking paths may be counted toward common open space requirements.



TUCK UNDER TOWNHOMES AND FLATS

*Building footprints are conceptual. Actual floor plans may differ.

5.4.2.12 Development Standards, Tuck Under Apartments/Condominiums

5.4.2.12.1	Lot Criteria:	
	Maximum Lot Coverage:	60%
	Maximum Units Per Building:	24
	(or as established by the approved Development Plan for High Density Residential uses)	
5.4.2.12.2	Lot Dimensions:	
	Minimum Project Area:	3.0 acres
	Minimum Lot Width:	N/A
	Minimum Lot Depth:	N/A
5.4.2.12.3	Building and Remote Parking Setbacks^{1,4}:	
	From Ontario Ranch Road (30' neighborhood edge):	0' from neighborhood edge (30' from R.O.W.)
	From Mill Creek (18' neighborhood edge):	10' from neighborhood edge (28' from R.O.W.)
	From Interior Property Line adjacent to Detached Residential:	10' to bldg.. 5' to remote parking/detached garage 0' to carport
	From Haven (14' neighborhood edge):	0' from neighborhood edge (14' from R.O.W.)
	From SCE Property Line/Easements:	0' to bldg. ⁽⁵⁾
	From Private or Local Street:	0' from neighborhood edge
	Allowable Porch/Balcony/Architectural Projections:	5' maximum encroachment into setbacks
	From Alley, Common Drive, or Adjacent to Remote Parking:	0'
5.4.2.12.4	Building Separation^{1,3}:	
	Front to Front:	25'
	Front to Side:	20'
	Porch to Porch:	15'
	Side to Side:	10'
	Side to Porch:	10'
5.4.2.12.5	Building Height²:	
	Primary Structure:	45' / 3-story
	Accessory Structure:	1 story/ 14'
	Projections/Architectural Features:	3' above Primary Structure
5.4.2.12.6	Parking⁴:	
	Refer to Section 5.4.1.12 for parking requirements	

1. All setbacks and building separations are minimums and shall be measured from the property line unless otherwise noted.

2. Building heights shown are maximum dimensions.

3. Building separations are to be measured between main walls.

4. Parking stalls perpendicular to the street shall be screened by landscaping, berms, or decorative walls that match the architectural style of the nearest development. Screening shall be a minimum height of 36" (to ensure concealment of vehicle grills).

5.4.2.12.7 Private Open Space:

Ground floor units shall have a minimum cumulative private open space area of 75 sq. ft. Upper floor decks and balconies may only be counted towards this private open space requirement when they have a minimum contiguous area of 40 sq. ft. and have no dimension less than 5 feet in any direction.

Upper floor units with no ground floor living area (i.e. carriage units and stacked flats) shall have a minimum contiguous area of 40 sq. ft. with no dimension less than 5 feet in any direction.

Stand-alone multi-family developments over 18 du/ac, shall have private outdoor living space with a minimum contiguous area of 40 sq. ft. for each unit, with no dimension less than 5 feet in any direction qualified by one of the following:

- Courtyard (front, rear or interior open to the sky)
- Front Porch
- 2nd story balcony (no encroachment into rear setback)
- Rooftop deck

Private open space may be provided in at least one third (1/3) of high-density residential units across the entire project to create architectural variety. When private open space is not provided, an equivalent amount of common open space will be provided outside. This space will not count toward public/park open space requirements.

5.4.2.12.8 Common Open Space:

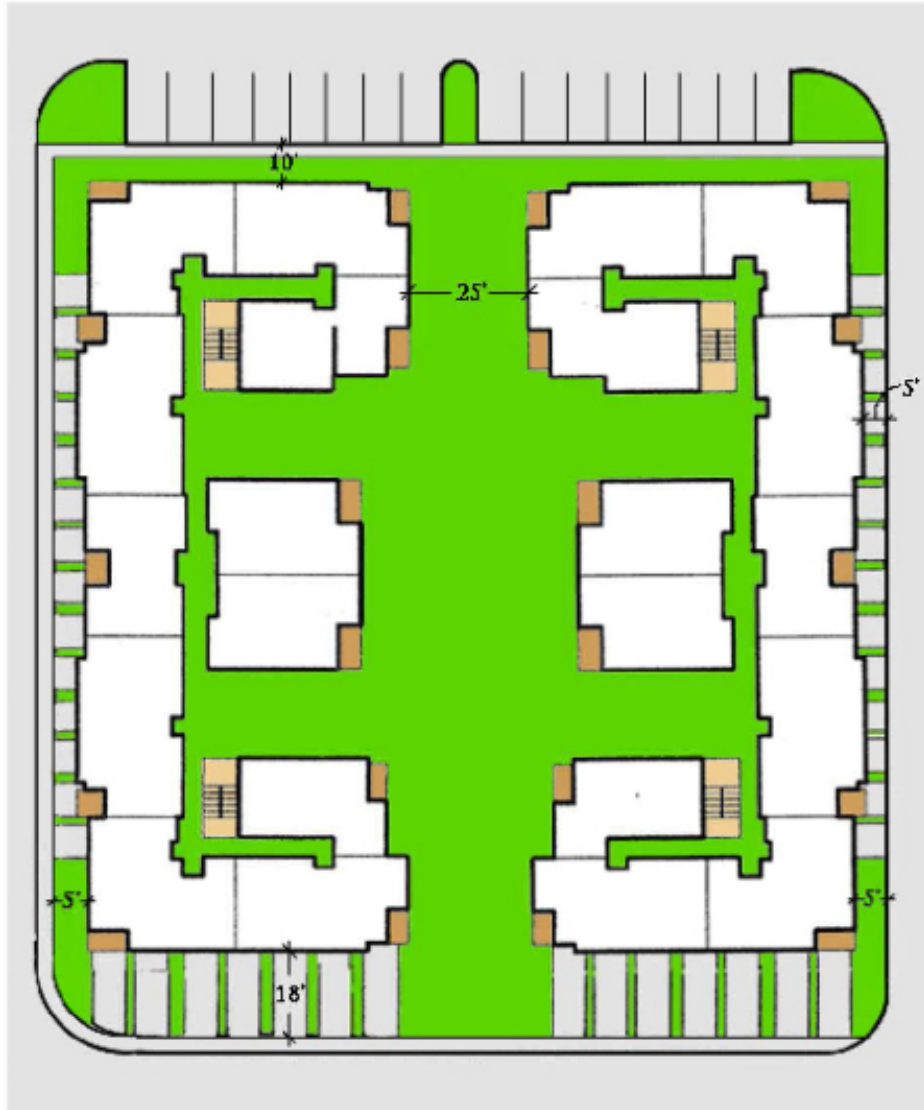
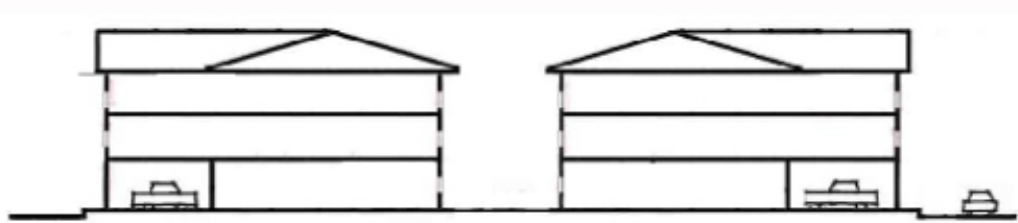
A minimum of 250 sq. ft. of common open space shall be provided per unit as follows:

Common open space shall require a minimum contiguous area of 300 sq. ft. with no dimension less than 15 feet in any direction. Hardscape courtyard and plaza areas shall require a minimum contiguous area of 400 sq. ft., with no dimension less than 20 feet in any direction, to qualify as common open space.

Common open space may include but is not limited to landscaping, plazas, picnic areas, pools and spas, court games, gyms, gardens, tot lots, paseos, trails or other recreational facilities/uses.

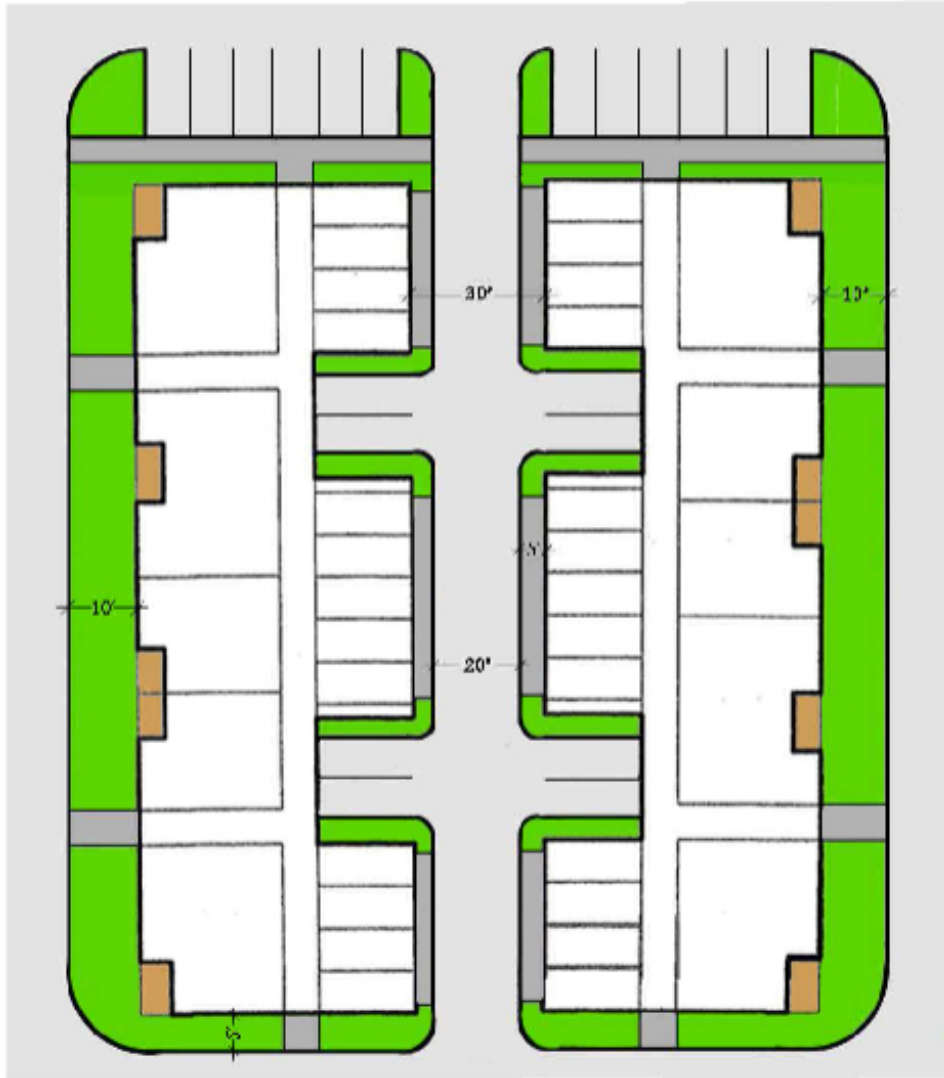
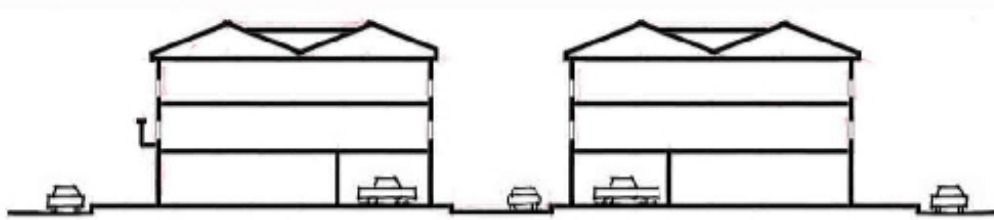
Common and private open spaces are to be permanently maintained in an orderly fashion.

Required common open space may not be satisfied by the utilization of parking areas, driveways, service areas, or unusable slopes (slopes greater than or equal to 3:1). Greenbelts, and on-site circulation improvements including bicycle and walking paths may be counted toward common open space requirements.



TUCK UNDER APARTMENTS/CONDOMINIUMS – ALT. 1

*Building footprints are conceptual. Actual floor plans may differ.



TUCK UNDER APARTMENTS/CONDOMINIUMS – ALT. 2

5.4.2.13 Development Standards, Wrap Apartments/Condominiums

5.4.2.13.1	Lot Criteria:	
	Maximum Lot Coverage:	60%
	Maximum Units Per Building:	24
	(or as established by the approved Development Plan for High Density Residential uses)	
5.4.2.13.2	Lot Dimensions:	
	Minimum Project Area:	3.0 acres
	Minimum Lot Width:	N/A
	Minimum Lot Depth:	N/A
5.4.2.13.3	Building and Remote Parking Setbacks^{1,4}:	
	From Ontario Ranch Road (35' neighborhood edge):	15' from neighborhood edge (50' from R.O.W.)
	From Mill Creek (18' neighborhood edge):	10' from neighborhood edge (28' from R.O.W.)
	From Interior Property Line adjacent to Detached Residential:	25'
	From Haven (14' neighborhood edge):	10' from neighborhood edge (24' from R.O.W.)
	From SCE Property Line/Easements:	15'
	From Private or Local Street:	10' from neighborhood edge
	Allowable Porch/Balcony/Architectural Projections:	5' maximum encroachment into setbacks
	From Alley, Common Drive, or Adjacent to Remote Parking:	10'
5.4.2.13.4	Building Separation^{1,3}:	
	Front to Front:	30'
	Front to Side:	25'
	Porch to Porch:	15'
	Side to Side:	15'
	Side to Porch:	15'
5.4.2.13.5	Building Height²:	
	Primary Structure:	65' / 5-story
	Accessory Structure:	1 story/ 14'
	Projections/Architectural Features:	3' above Primary Structure
5.4.2.13.6	Parking⁴:	
	Refer to Section 5.4.1.12 for parking requirements	

1. All setbacks and building separations are minimums and shall be measured from the property line unless otherwise noted.

2. Building heights shown are maximum dimensions.

3. Building separations are to be measured between main walls.

4. Parking stalls perpendicular to the street shall be screened by landscaping, berms, or decorative walls that match the architectural style of the nearest development. Screening shall be a minimum height of 36" (to ensure concealment of vehicle grills).

5.4.2.13.7 Private Open Space:

Ground floor units shall have a minimum cumulative private open space area of 75 sq. ft. Upper floor decks and balconies may only be counted towards this private open space requirement when they have a minimum contiguous area of 40 sq. ft. and have no dimension less than 5 feet in any direction.

Upper floor units with no ground floor living area (i.e. carriage units and stacked flats) shall have a minimum contiguous area of 40 sq. ft. for each unit, with no dimension less than 5 feet in any direction.

Stand-alone multi-family units over 18 du/ac, shall have private outdoor living space with a minimum contiguous area of 40 sq. ft. with no dimension less than 5 feet in any direction qualified by one of the following:

- Courtyard (front, rear or interior open to the sky)
- Front Porch
- 2nd story balcony (no encroachment into rear setback)
- Rooftop deck

Private open space may be provided in at least one third (1/3) of high-density residential units across the entire project to create architectural variety. When private open space is not provided, an equivalent amount of common open space will be provided outside. This space will not count toward public/park open space requirements.

5.4.2.13.8 Common Open Space:

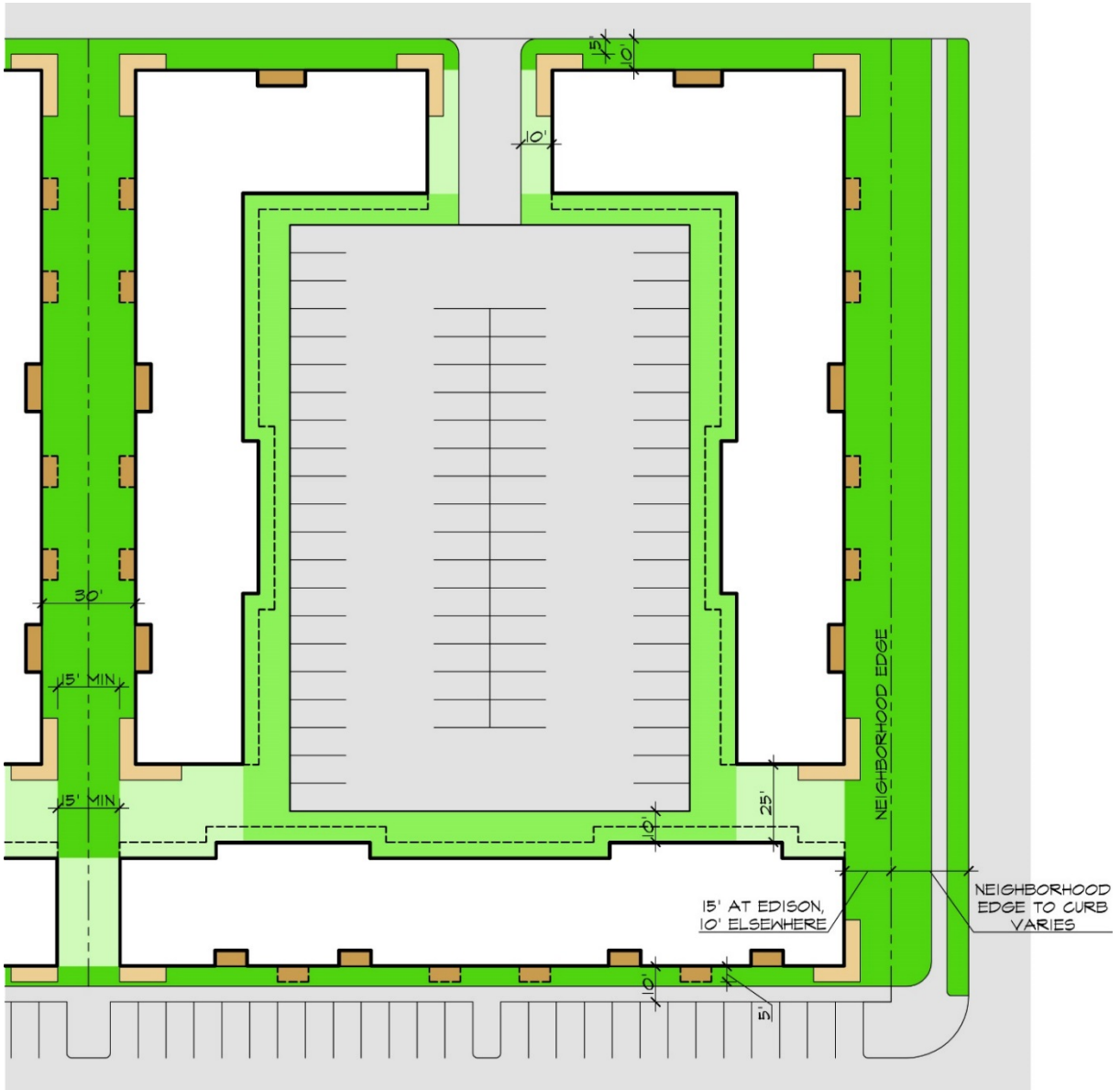
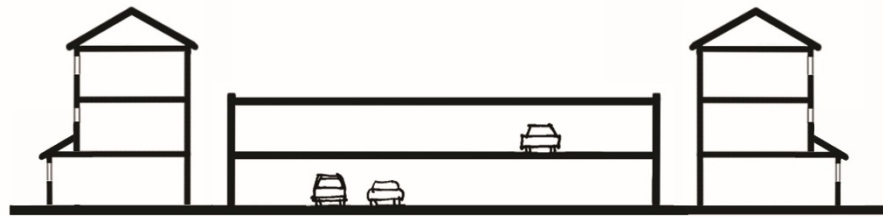
A minimum of 250 sq. ft. of common open space shall be provided per unit as follows:

Common open space shall require a minimum contiguous area of 300 sq.ft. with no dimension less than 15 feet in any direction. Hardscape courtyard and plaza areas shall require a minimum contiguous area of 400 sq.ft., with no dimension less than 20 feet in any direction, to qualify as common open space.

Common open space may include but is not limited to landscaping, plazas, picnic areas, pools and spas, court games, gyms, gardens, tot lots, paseos, trails or other recreational facilities/uses.

Common and private open spaces are to be permanently maintained in an orderly fashion.

Required common open space may not be satisfied by the utilization of parking areas, driveways, service areas, or unusable slopes (slopes greater than or equal to 3:1). Greenbelts, and on-site circulation improvements including bicycle and walking paths may be counted toward common open space requirements.



WRAP APARTMENTS/CONDOMINIUMS

*Buildings footprints are conceptual. Actual floor plans may differ.

5.4.2.14 Development Standards, Podium Apartments/Condominiums

5.4.2.14.1	Lot Criteria:	
	Maximum Lot Coverage:	60%
	Maximum Units Per Building:	24
	(or as established by the approved Development Plan for High Density Residential uses)	
5.4.2.14.2	Lot Dimensions:	
	Minimum Project Area:	3.0 acres
	Minimum Lot Width:	N/A
	Minimum Lot Depth:	N/A
5.4.2.14.3	Building and Remote Parking Setbacks^{1,4}:	
	From Ontario Ranch Road (35' neighborhood edge):	15' from neighborhood edge (50' from R.O.W.)
	From Mill Creek (18' neighborhood edge):	10' from neighborhood edge (28' from R.O.W.)
	From Interior Property Line adjacent to Detached Residential:	25'
	From Haven (14' neighborhood edge):	10' from neighborhood edge (24' from R.O.W.)
	From SCE Property Line/Easements:	15'
	From Private or Local Street:	10' from neighborhood edge
	Allowable Porch/Balcony/Architectural Projections:	5' maximum encroachment into setbacks
	From Alley, Common Drive, or Adjacent to Remote Parking:	10'
5.4.2.14.4	Building Separation^{1,3}:	
	Front to Front:	30'
	Front to Side:	25'
	Porch to Porch:	15'
	Side to Side:	15'
	Side to Porch:	15'
5.4.2.14.5	Building Height²:	
	Primary Structure:	65' / 5-story
	Accessory Structure:	1 story/ 14'
	Projections/Architectural Features:	3' above Primary Structure
5.4.2.14.6	Parking⁴:	
	Refer to Section 5.4.1.12 for parking requirements	

1. All setbacks and building separations are minimums and shall be measured from the property line unless otherwise noted.
 2. Building heights shown are maximum dimensions.
 3. Building separations are to be measured between main walls.
 4. Parking stalls perpendicular to the street shall be screened by landscaping, berms, or decorative walls that match the architectural style of the nearest development. Screening shall be a minimum height of 36" (to ensure concealment of vehicle grills).

5.4.2.14.7 Private Open Space:

Ground floor units shall have a minimum cumulative private open space area of 150 sq. ft. Upper floor decks and balconies may only be counted towards this private open space requirement when they have a minimum contiguous area of 40 sq. ft. and have no dimension less than 5 feet in any direction.

Upper floor units with no ground floor living area (i.e. carriage units and stacked flats) shall have a minimum contiguous area of 40 sq. ft. with no dimension less than 5 feet in any direction.

Multi-family projects over 18 du/ac, shall have private outdoor living space for a percentage of the units, with a minimum contiguous area of 40sq. ft. for each unit with no dimension less than 5 feet in any direction qualified by one of the following:

- Courtyard (front, rear or interior open to the sky)
- Front Porch
- 2nd story balcony (no encroachment into rear setback)
- Rooftop deck

Private open space shall be provided for at least one third (1/3) of multi-family residential units of the project. This also helps create architectural variety. When private open space is not provided, an equivalent amount of common open space will be provided outside. This space will not count toward public/park open space requirements.

5.4.2.14.8 Common Open Space:

A minimum of 250 sq. ft. of common open space shall be provided per unit as follows:

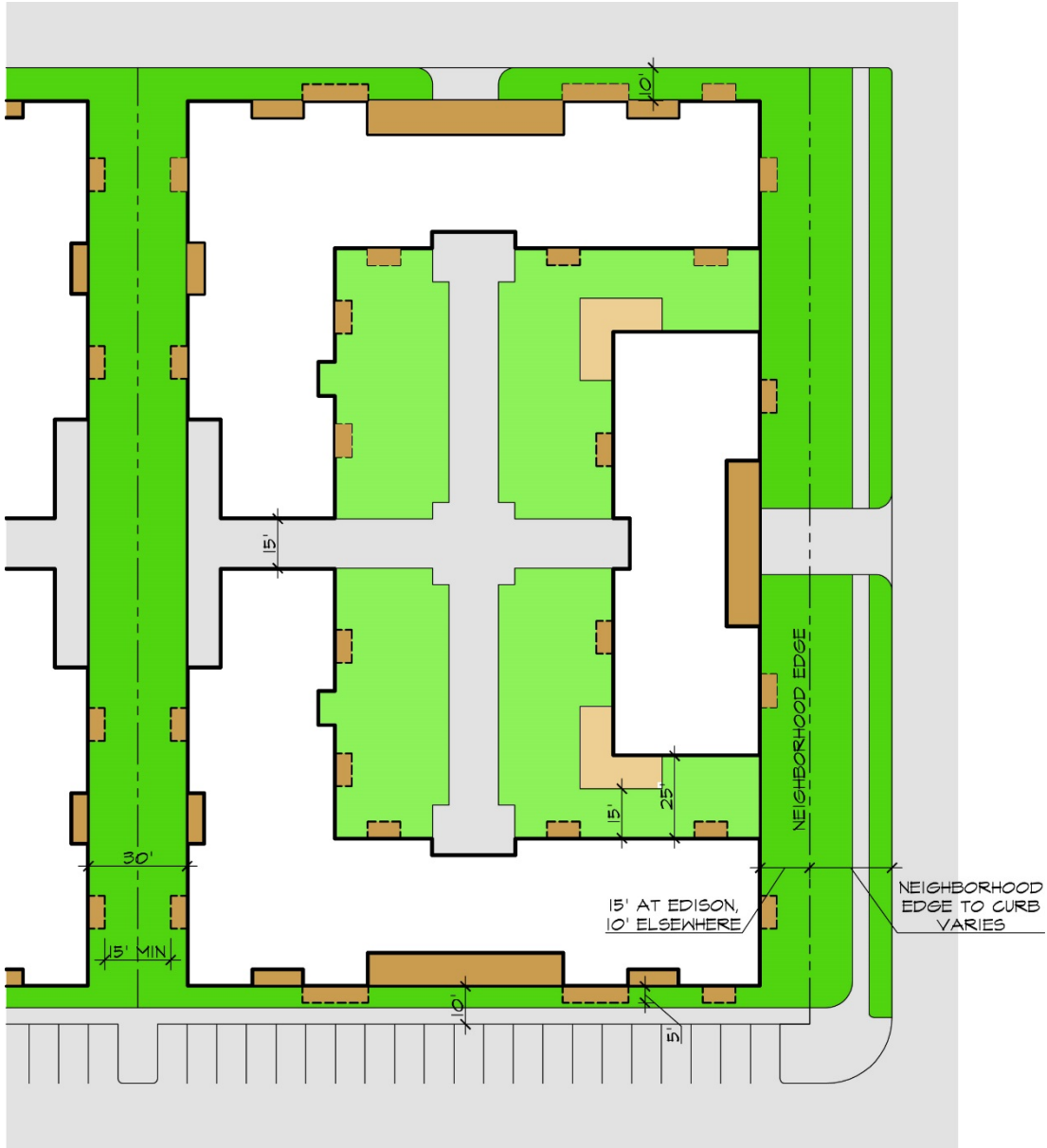
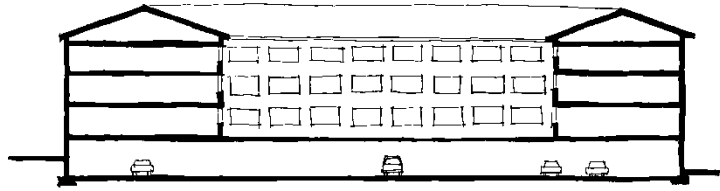
Common open space shall require a minimum contiguous area of 300 sq. ft. with no dimension less than 15 feet in any direction. Hardscape courtyard and plaza areas shall require a minimum contiguous area of 400 sq. ft., with no dimension less than 20 feet in any direction, to qualify as common open space.

All required open space shall be useable hard or softscaping. Hardscaping, including community pools and courtyard/plaza space, may not comprise more than 60 percent of common open space requirements.

Common open space may include but is not limited to landscaping, plazas, picnic areas, pools and spas, court games, gyms, gardens, tot lots, paseos, trails or other recreational facilities/uses.

Common and private open spaces are to be permanently maintained in an orderly fashion.

Required common open space may not be satisfied by the utilization of parking areas, driveways, service areas, or unusable slopes (slopes greater than or equal to 3:1). Greenbelts, and on-site circulation improvements including bicycle and walking paths may be counted toward common open space requirements.



PODIUM APARTMENTS/CONDOMINIUMS

*Building footprints are conceptual. Actual floor plans may differ.

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5.5 REGIONAL COMMERCIAL/MIXED-USE DISTRICT DEVELOPMENT STANDARDS

Applies to Planning Areas 6, 7, 8 and 9

The purpose of the Regional Commercial/Mixed-Use District and complementary Stand Alone Residential Overlay is to foster dynamic neighborhoods. The cooperative development of the Regional Commercial District and Stand Alone Residential Overlay generates mixed-use neighborhoods with the potential to integrate diverse uses into a single land use concept, allowing for seamless relationships between compatible uses. This district, and corresponding overlay, provides for complementary regional commercial, mixed-use, and integrated residential opportunities. This place making district enables a main street environment with feasible commercial opportunities where pedestrian activity is as important to the streetscape as vehicular activity; a place where the town center atmosphere is a short walk for residents to enjoy the goods and services within the heart of the Regional Commercial District.



The City of Ontario Development Code defines Mixed-Use (MU). The intent of the Regional Commercial/Mixed Use District is to go beyond this definition, to address Mixed-use as the horizontal

or vertical mixing of mutually-supporting retail, service, office, hospitality, and high density residential uses connected to each other within a walkable environment.

Portions of Planning Areas 6, 7, 8 and 9 may be developed as Mixed-Use enclaves that create a vital and attractive environment for residents, visitors, and employees in a higher-density active, urban environment.

5.5.1 APPLICABILITY

According to the City’s TOP, the creation of mixed-use, commercial, and public spaces that emphasize pedestrian activity is a fundamental premise of the Land Use Plan. Development within Planning Areas 6, 7, 8 and 9, the regional commercial mixed-use area, will be designed to promote community activity. Major public places (square, plazas, promenades, etc.) will be incorporated to accommodate connectivity, events, and enhance pedestrian activity and connectivity. Buildings will be sited in close relation to common sidewalks and public places, with parking strategically located to balance retailer and user needs with pedestrian connectivity.

The Land Use Plan provides an incentive for the development of mixed use projects by granting a story bonus and corresponding increase in the maximum floor area ratio from 0.5:1 for commercial/office uses to 2.0:1 for mixed use buildings. In order to secure the additional density bonus and height, the applicant shall follow the development standards and design guidelines associated with the Regional Commercial/Mixed Use District of this Specific Plan and incorporate traditional neighborhood principles.

Notwithstanding Development Code, the Regional Commercial/Mixed Use development regulations and design guidelines contained herein shall apply to new construction of commercial or mixed-use projects within the Regional Commercial/Mixed Use District. New construction of “commercial only” projects may utilize either the Regional Commercial/Mixed-Use regulations of this Specific Plan, or the commercial and professional office zoning designations contained within the Development Code, *Commercial and Professional Districts*. Declaration of zoning regulations utilized shall take place upon project application. Residential development within the Regional Commercial/Mixed-Use District zone may occur as part of a horizontal or vertical mixed use project, or as a “residential only” project within the Stand Alone Residential Overlay. See Figure 3-1, *Land Use Plan*. All residential development within the Regional Commercial/Mixed Use District or Stand Alone Residential Overlay shall be subject to the regulations, design guidelines, and development standards of this Specific Plan.

5.5.2 DEFINITION OF TERMS

The meaning of words, phrases, titles, and terms shall be the same as provided in the City of Ontario Development Code, unless specifically provided herein and those as identified within Section 1, Introduction of this document.

5.5.3 MIX OF USES

The Land Use Plan for the Regional Commercial/Mixed Use District provides standards and concepts for the development of high activity economic employment centers that are supported by residents of the area and the greater region. Specific uses shall be selected in response to market demands. Any permitted mix or combination of uses can be provided within a single structure, parcel, or leasehold in the Regional Commercial / Mixed Use District.

The Regional Commercial/Mixed Use District allows for a seamless transition between pure commercial and pure residential uses. Defined edges of adjacent uses are intentionally blurred to foster a dynamic urban environment. Transitions between private residential neighborhoods within the Stand Alone Residential Overlay and active public/commercial spaces should portray the sense of a cohesive community without walls, fences, or sharp edges.

Though independent from the residential planning areas, Regional Commercial/Mixed Use District development should be abutted by, and integrated with, higher density housing and amenities to create a cohesive district.

The Regional Commercial/Mixed Use District allows for a wide spectrum of commercial uses (neighborhood to regional scale), retail commercial, office and professional, public and quasi-public, medium to very-high density residential, and hospitality uses. Commercial uses that are neighborhood serving in scale, and generate pedestrian activity are encouraged along interior pedestrian and vehicular circulation corridors.

Total commercial development (integrated, stand alone, or commercial only) within the Planning Areas 6, 7, 8 and 9, Regional Commercial/Mixed Use District may not exceed 1,039,200 square feet, based on the trip budget maximum identified within the Ontario Ranch Transportation Implementation Plan.

Horizontal and vertical mixture of uses are permitted and encouraged within the Regional Commercial/Mixed Use District. Vertical mixed-uses are building configurations with commercial, office or service/community on the lower level, and office and/or residential on upper levels. While development of a mixed-use nature is preferred, and allowed by right, mixed-use development is not a required project component within the Regional Commercial/Mixed Use District.

Residential projects are allowed by right, as part of the Mixed-Use or Stand-Alone Residential Overlays, either in single family detached or multi-family configurations. The Stand Alone Residential Overlay allows for higher density residential neighborhoods in an urban setting.

Live/Work, within Stand-Alone Residential or Mixed-Use Overlays, is an appropriate transitional use between primarily commercial and primarily residential areas within the district, and allowed by right, anywhere in the District and Stand Alone Residential Overlay. But, Live/Work uses are not required.

5.5.4 DEVELOPMENT CAPACITY

Commercial, residential, and service uses in any configuration are limited by development and design standards of this section, and specific development capacities established by trip generation allotments. The Rich-Haven Land Use Plan allocates a total number of units to each residential Planning Area as indicated in Table 3-1, *Land Use Plan Summary*, included in Section 3 of this Specific Plan. Variations in the number, type, and intensity of residential dwelling units and commercial uses may occur at the time of final design of the planning area depending upon the project and development timing.

5.5.5 OPEN PARK AREA (COMMON OPEN SPACE)

Residential projects and residential uses within mixed-use buildings/projects shall comply with the following common open space requirements to fulfill open park area requirements in accordance with Section 4.6.2, Parks herein. In addition to common open space requirements in this section, residential units are required to have private open space. These standards are discussed, by product type, in Section 5.4.

The minimum amount of open park area required of any residential components within the Regional Commercial/Mixed Use District or Stand Alone Residential Overlay shall be determined by the following:

(number of dwelling units) x (occupancy factor) x (0.002) = Area (acres) of park and/or public plaza to be permanently established. Occupancy factors to be applied at Tentative Tract Map submittal, for each development proposal.

This standard fulfills the 2-acres/1000 population open park area requirements for Rich-Haven. This open space requirement may be met within any mixed-use development containing residential components, attached or detached, or by satisfying the in-lieu park development impact fee as approved by the City. Fees will be paid to fulfill the balance of the City's parks requirement.

Mixed-Use development, commercial or residential uses, shall be organized around or in conjunction with common public facilities including parks, plazas, paseos, and other open space features. Open space and landscaping plans should incorporate spaces of varying size, locations, and uses to serve the full gamut of uses within the Regional Commercial/Mixed Use District.

5.5.5.1 MIXED-USE BUILDING COMPUTATION OF MAXIMUM AREA OF PARK TO BE DEDICATED

Open park area in residential components, except for residential paseos, shall require a minimum contiguous area of 200 sq. ft. with no dimension less than 10 feet in any direction. Hardscape plaza areas within Regional Commercial/Mixed-Use areas shall require a minimum contiguous area of 400 sq. ft., with no dimension less than 20 feet in any direction, to qualify as open park area.

Required open park area may not be satisfied by the utilization of parking areas, driveways, service areas, or unusable slopes (slopes greater than or equal to 3:1). Greenbelts, and on-site circulation improvements including bicycle and walking paths may be counted toward open park area requirements.

Common open space may include but is not limited to landscaping, plazas, picnic areas, pools and spas, court games, gyms, gardens, tot lots, paseos, and trails.

5.5.6 DESIGN

All new development in the Regional Commercial/Mixed Use District is subject to the architectural and design criteria in the Design Guidelines for Mixed-Use Development.

5.5.7 COMMERCIAL COMPONENT

This section sets forth the permitted use regulations for commercial uses, as stand-alone buildings or as part of a mixed-use building/development within Planning Areas 6, 7, 8 and 9 of the Rich-Haven Specific Plan. The primary use of commercial areas within Rich-Haven can be either regional or neighborhood commercial services.

Should the regulations contained herein differ from the regulations of the City of Ontario Development Code, the regulations of the Specific Plan shall take precedence. Where the Rich-Haven Specific Plan is silent, City Code shall apply.

5.5.7.1 PERMITTED USES

All the following uses are permitted as defined in the **City of Ontario Development Code**. The zoning code is structured to allow permitted uses to occur as accessory uses or as permitted use. Therefore, a department store that contains a super market and pharmacy would be permitted, whether in the same building or as individual buildings. As such, permitted commercial uses within the Regional Commercial/Mixed-Use District land use shall be consistent with those uses defined by the City of Ontario Development Code.

PERMITTED USES	Regional Commercial	Mixed Use
Antique shop	X	X
Appliance store	X	
Art supply store	X	X
Automotive minor repair, as ancillary use only (i.e. brakes, tires, electrical)	X	
Automotive Parts/Supply	X	
Bakery retail	X	X
Banks/Credit unions	X	X
Barber/beauty shop	X	X
Beauty supply store	X	X
Book store	X	X
Business management	X	X
Camera supply store	X	X
Catering establishment	X	X
Clothing and accessory store	X	X
Coffee House/Café	X	X

PERMITTED USES	Regional Commercial	Mixed Use
Commercial sports facilities such as batting cages, indoor golf, etc.	X	
Computer and home electronics retail	X	X
Computer, electronics home repair	X	X
Cutlery	X	X
Dance hall/Studio hall	X	X
Delicatessen/cafeteria	X	X
Department Store	X	
Discount/Variety store	X	
Dry Cleaners (commercial off-site cleaning operations only)	X	X
Dry Cleaners (Commercial)	X	X
Family entertainment centers	X	X
Florist shop	X	X
Furniture sales	X	
General merchandise/retail store	X	X
General offices for: advertising agency, economic consultant, insurance companies, escrow companies, interior decorator, real estate, public utilities, personnel agency, management consultant, collection agency	X	X
Government offices	X	X
Garden Supply/Hardware store	X	X
Health Clubs	X	X
Health/Specialty food store	X	X
Hobby supply store	X	
Home appliance store	X	X
Hospital	X	X
Ice cream parlor	X	X
Ice skating rinks/in-line or roller hockey rinks	X	
Jewelry store	X	X
Jewelry, watch and clock repair	X	X
Locksmith/key shop	X	X
Luggage and leather goods	X	X
Medical Clinic/Healthcare Center/ Emergency care facility	X	
Movies theatres	X	
Music and Video stores	X	X
Nursery school or child care center	X	X
Office supplies and equipment	X	X
Other financial services	X	X
Personal service shops	X	X
Pet and pet supply stores	X	
Photocopy services	X	X
Photography studio		X
Plant nurseries (retail)	X	

PERMITTED USES	Regional Commercial	Mixed Use
Police Station	X	X
Fire Station	X	
Private clubs, lodge halls, union halls	X	X
Private/non-profit cultural facilities such as, but not limited to, art galleries, music halls, museums	X	X
Produce stands	X	
Professional offices for: architect, accountant, attorney, chiropractor, contractor, dentist, doctor, engineer, optometrist, land planner, and other similar professions	X	X
Recreational equipment sales	X	X
Residential Units (apartments and for sale units)		X
Restaurant, family sit down full service, specialty and fast food refer to Section 5.5.8.8 of this chapter	X	X
Shoe store, repair	X	X
Sporting goods store	X	X
Sports related research facility	X	X
Stationary & gift shops	X	X
Super Market	X	
Travel agencies	X	X
Warehouse/Club store	X	

PERMITTED USES SUBJECT TO A CONDITIONAL USE PERMIT	Regional Commercial	Mixed Use
Banks, and Credit unions with drive-thru in accordance with the City of Ontario Development Code and Section 5.5.8.5 herein	X	
Billiard parlor/Pool hall	X	
Bowling alleys	X	
Car wash-full service	X	
Car wash-self service as an ancillary use	X	
Drug store/pharmacy with drive-thru in accordance with Section 9-101305D of the City Development Code and Section 5.5.8.8 herein	X	
Gas station in accordance with section 9-1.1305 G of the City Development Code	X	
Hotels	X	X
Kiosks/carts	X	
Laundromat (coin operated)	X	X
Liquor store	X	X
Live performance facility, night club	X	X

PERMITTED USES SUBJECT TO A CONDITIONAL USE PERMIT		
	Regional Commercial	Mixed Use
Live/Work, subject to the provisions of Section 5.6, herein		X
On-site alcoholic beverage sales establishment including bars, taverns, cocktail lounges (when not an integral part of a restaurant)	X	X
Places of worship including but not limited to churches, temples, mosques or synagogues	X	X
Public utilities	X	X
Swim club	X	
Helistop/Heliport/Helipad ¹	X	X
Tennis club	X	
Video Arcade	X	X
Virtual-Reality facilities	X	X
Wireless Facilities	X	X
ACCESSORY USES AND STRUCTURES		
Accessory uses and structures are permitted when customarily associated with and subordinate to a permitted use on the same site and would include:		
a. Enclosed, screened outdoor storage		
b. Maintenance facilities and structures		
c. Satellite Dishes (In compliance with the City of Ontario Development Code.)		
TEMPORARY USES AND INTERIM USE		
Temporary uses are subject to the City of Ontario Development Code and include the following:		
a. Amusement (i.e. circuses, carnivals etc.)		
b. Christmas Tree, Pumpkin, and similar lots		
c. Outdoor displays		
d. Parking lot sales		
e. Street/Craft fairs and Farmer Markets		
f. Temporary Structures		
g. Agricultural Operations		
UNLISTED USES		
Those uses not specifically listed are subject to a determination by the Planning Director as either permitted, permitted subject to a conditional use permit or prohibited consistent with the purpose of the land designation of this District and the Specific Plan. Decisions of the Director are appeal able to the Planning Commission.		

1. The Planning Commission shall be the approving authority for any Helistop/Heliport/Helipad use. California State and FAA approvals are also required prior to operating the facility.

5.5.8 REGIONAL COMMERCIAL DEVELOPMENT STANDARDS

The following standards provide the lot development criteria for commercial uses within Planning Areas 6, 7, 8 and 9. Refer also to General Standards in Section 5.3.

Minimum Lot Size/Area: Minimum lot size shall be large enough to accommodate the proposed use, meet all Development Standards, and cumulatively meet commercial thresholds as specified within the Specific Plan.

Floor Area Ratio (Calculated based on gross site acreage)

Minimum Retail/Office	0.2:1
Maximum Retail/Office	0.5:1

Minimum Landscape Coverage 15%, all setback from right-of-way areas shall be landscaped.

Building Setbacks (minimum)

From Hamner Avenue Right-Of-Way	35 feet ⁽⁴⁾ ⁽⁵⁾
From Ontario Ranch Road Right-Of-Way	35 feet ⁽⁴⁾ ⁽⁵⁾
From Mill Creek Avenue Right-Of-Way	18 feet ⁽⁴⁾
From Private or Local Street	15 feet ⁽²⁾
From Interior Property Line Adjacent to Residential (Stand Alone Residential) Overlay District	0 feet
From detached residential on adjacent property	25 feet
From SCE Property Line/Easements	10 feet
Building to Building	0 feet if attached; free standing buildings shall maintain a setback of 2/3 the height of the building, or 25', whichever is less.

Allowable Porch/Balcony Encroachment into Setback 5 feet

Parking Setbacks⁽³⁾ (minimum)

From Hamner Avenue Right-Of-Way	35 feet
From Ontario Ranch Road Right-Of-Way	35 feet
From Mill Creek Avenue Right-Of-Way	18 feet
From Private or Local Street	10 feet
From detached residential on adjacent property	5 feet
From SCE Property Line/Easements	0 feet

Building Height (Maximum)

Single Use Structure	75 feet
Architectural Projections (including towers, focal elements, cupolas, etc.)	85 feet
Porte-cocheres	35 feet

- (1) Per the [City of Ontario Development Code](#). Commercial parking standards still apply.
- (2) Refer to Section 7, Landscape Design Guidelines for further setback/design requirements.
- (3) Parking stalls perpendicular to street shall be screened by landscaping, berms, or decorative walls that match architectural style of nearest development. Screening shall mature to a minimum height of 36" (to screen car grilles)
- (4) Buildings shall be set back to the Neighborhood Edge or to the given setback from R.O.W., whichever is more restrictive. Where a Neighborhood Edge condition does not exist, setbacks from R.O.W. shall govern.
- (5) One and two-story buildings may encroach 10 feet into the neighborhood edge subject to Planning Department review and approval.

5.5.8.1 Circulation

Serving as a commercial retail destination with neighborhood elements, Rich-Haven Specific Plan shall have street frontage monumentation announcing the major entrance to the development from Ontario Ranch Road. Within Rich-Haven Specific Plan major vehicular access to commercial elements and residential areas shall be clearly designated and intuitive, supplemented with special paving, landscaping and signage. Intersection nodes, where both vehicular and primary pedestrian activities occur, may feature enhanced paving to signify the mix of these activities. Parking should be oriented toward specific tenants and away from the street, with clearly marked pedestrian pathways to building entrances.

A strong pedestrian connection should be provided between the commercial area and the residential neighborhoods within Planning Areas 6, 7, 8 and 9, to enhance the walk-ability of the development.

5.5.8.2 Parking Standards

The following standards apply for required off-street parking of stand alone commercial uses based on gross interior floor area within the Regional Commercial/Mixed-Use District:

Restaurant	1 per 100 sq. ft.
Fast Food drive-thru	1 per 75 sq. ft.
Retail	1 per 250 sq. ft.
Banking	1 per 250 sq. ft.
Medical	1 per 250 sq. ft.
Office	1 per 250 sq. ft.
Day Care	1 per 500 sq. ft.

All other uses not identified in the table shall conform to [The City of Ontario Development Code](#).

Speed humps or other devices may be used to control vehicular traffic speeds in and near pedestrian zones. Double loaded parking aisles may be either 90-degree or angled. Parking drive aisles shall be a minimum of 25 feet for 90-degree or 2-way angled parking. Drive aisle may be reduced to 20 feet wide for one-way angled parking. A dashed line along main travel routes is recommended to provide a street appearance. Walkways within the parking

fields are required to have scored concrete, stamped concrete or paver treatment to integrate pedestrian paths of travel.

Standard parking stalls shall be no less than 9 feet wide by 18 feet deep.

Refer to Mixed-Use/Commercial Landscape Design Guidelines, section 7.8.

5.5.8.2.1 Loading

All large commercial uses, except medical, require one loading space unless otherwise noted. Refer to Loading and Service Design, of the Regional Commercial/Mixed Use District Design Guidelines for further loading requirements. Appropriate queuing, six to eight car stacking, for drive-thru banks and pharmacies shall be provided.

On-street loading spaces shall have appropriate loading, time/day signage for the space and shall be in addition to required parking for the mixed-use building/tenant.

5.5.8.2.2 Shared Parking Programs

Where opportunities exist for shared parking between uses with staggered peak parking demands, owners and developers should make every possible effort to take advantage of this opportunity to reduce total number of parking spaces within each site or parcel. The intent of a shared parking program is to reduce land devoted to parking, thereby providing for open spaces, walkways or other amenities. The parking standards may be reduced, up to a 40% reduction, based on a shared parking reduction study as outlined within the Specific Plan.

5.5.8.2.3 SCE Easement Parking

Surface Parking is permitted within SCE easements subject to approval from utility provider. This surface parking may not be included towards meeting minimum resident, guest or commercial parking requirements.

5.5.8.3 **Pedestrian Orientation and Connectivity**

Fostering pedestrian activity along interior circulation corridors is critical to the interactive, urban nature of the Regional Commercial/Mixed Use District. Interior circulation corridors, with commercial and mixed-use frontages shall have appropriate planting and paving features to accommodate pedestrian activity.

Shaded courtyards or plazas are encouraged to be incorporated into building layout and design to provide comfortable pedestrian spaces. Such courtyards

may feature elements that enhance the pedestrian experience such as fountains, trellises, umbrellas, shade trees, comfortable tables, chairs and benches, kiosks, etc. Please refer to Section 7.8, Mixed-Use/ Commercial Landscape Design Guidelines.

5.5.8.4 Patio Dining

Outdoor seating, in conjunction with business, is encouraged to enliven the street scene along commercial edges. Patio dining areas may be either connected or separated from building face. If separated, the space between seating area and building face must be a minimum of 8 feet to allow pedestrian traffic. In all cases, the seating area must have an internal minimum dimension of 5' clear. There is a maximum 20-foot encroachment onto park/paseo or urban edge/setback areas. Along Ontario Ranch Road, patio dining may encroach a maximum of 10 feet. Patio areas may be enclosed by the tenant by open rail compatible with the architecture of the building, hedges or other suitable separation. Please also refer to Section 6.5.4.1, Patio Dining.

5.5.8.5 Drive-thru Facilities

A drive-through facility shall be operated only as (a) part of a restaurant which also has an indoor dining area, (b) a banking facility or (c) a drug Store, and in such locations provided for such uses within the Regional Commercial/Mixed-Use District, subject to satisfying the requirements listed below.

All drive-through facilities shall be subject to the following performance standards:

a. Separation from Sensitive Land Uses

1. A drive-through facility shall be separated from any single-family residential development or single-family residential district by no less than 300 feet. A drive-through facility within a Regional Commercial/Mixed Use District shall be separated from any "stand alone" multi-family building by no less than 150 feet. This standard may be modified, particularly for non-restaurant drive-through uses if mitigation measures satisfactory to the City are presented in the overall design program.
2. The drive-through facility shall be architecturally treated with service and delivery "back of house" areas visually screened from residential development with a reverse corner design in addition to a wall, landscaping, or other screening features, or by other natural or constructed barriers, such as other commercial or mixed-use development.

b. Minimum Site or Part of Center or Development Complex

A restaurant with drive-through facilities shall have a minimum one-half acre land area (legal lot or tax parcel) or shall be part of a commercial center or larger development complex of at least one acre.

c. Setbacks

Buildings shall orient toward the street. The building shall maintain a 15 foot landscaped setback from the property line. Design elements, such as trellises, may encroach into the setback when well integrated with the landscape. Landscaped berms shall screen the parking lot and drive through aisle.

All structures, parking areas, drive-through stacking and exit lanes, intercom system, trash enclosure, etc., shall be set back a minimum of 20 feet from any property line, or if part of a commercial center or larger development complex, 20 feet or more from any perimeter property line of the center or complex.

Site design shall minimize pedestrian/vehicle conflicts by creating opportunities for courtyards, plazas, outdoor dining, and landscaped pathways that promote safe and convenient pedestrian movement.

d. Aesthetics

All structures, signs and related facilities shall be subject to architectural design criteria established for this Specific Plan, and subject to design review by the City Planning Department to ensure the integrity of the overall design program in the Regional Commercial/Mixed-Use District. All development shall be visually compatible to surrounding uses in form, materials, colors, and scale.

In addition, all signs are subject to the Sign Criteria established as part of this Specific Plan and Design Guidelines.

e. Circulation

Drive-through restaurants shall have a drive-through lane that measures a minimum of 144 feet in length from entry to pick-up window, accommodating 6 vehicles. The lane shall not enter from the street. The lane shall have a minimum width of 11 feet on straight section and 12 feet on curved section. Drive-through lanes shall be screened through building orientation, landscaping, low screen walls, hedges, or trelliswork.

1. Vehicle conflicts with pedestrians and bicycles shall be minimized.

2. All drive-thru facilities shall be consistent with [The City of Ontario Development Code](#).
3. The project applicant may be required to prepare and submit to the City as part of the initial application a traffic circulation study. The study shall address: 1) the function of the internal street(s) or driveway(s) that serve the subject parcel for bypass, parking access and drive-thru queuing; 2) the placement, design, and adequacy of the vehicle queuing aisle; 3) the on-site circulation, parking lot design and pedestrian/bicycle safety for the parking supporting the use; and 4) additional information as requested by the City Engineer. The traffic circulation study shall identify potential adverse impacts and include measures for mitigating such impacts.
4. There shall be no curb cuts for driveways to any individual drive-through parcel from any City thoroughfares. All circulation to and from drive-through parcels shall be contained within a larger commercial or mixed-use project, with points of access to City thoroughfares via established curb cuts approved in the Specific Plan. Adequate sight distance shall be provided for exiting from the drive-through parcel to the internal circulation routes within the commercial or mixed-use center.
5. Appropriate cueing, six to eight car stacking, for drive-thru banks and pharmacies shall be provided.

f. Parking

1. One parking space shall be provided for each 75 square feet of gross interior, non-food preparation, floor area for each restaurant drive-through use. Up to 8 spaces in the drive-through queue (8 x 25' minimum = 200') may be applied towards meeting the parking standard. One parking space shall be provided for each 250 square feet of gross interior floor area for each banking or drug store use.
2. All parking areas shall comply with development standards of this Specific Plan.
3. Parking shall be restricted to customers and employees only for restaurant drive-through parcels. The parking restrictions shall be posted in the parking lots and enforced by the restaurant management.

g. Restrooms

Access to bathroom facilities located within the restaurant development shall be from within the structure, with no direct access from the parking area.

h. Noise

1. Noise levels from the drive-through facilities shall not exceed the City noise standards.
2. The project applicant shall provide the plans and specifications for any potential noise sources, such as intercom system, trash compactor, etc. Plans shall include measures to mitigate any potential adverse impact from such noise sources.
3. Speaker boxes of any point to point intercom system shall be oriented away from residential development and other sensitive receptors located in the general area of the drive-through facility.
4. Outdoor maintenance and cleaning activities shall be limited if determined necessary by the City to achieve compatibility with surrounding land uses.
5. The on-site manager shall not permit any loud music, noise or other sounds by means of phonograph, radio, or other broadcasting apparatus or device, and shall not permit fighting, quarreling, loitering, or loud noise or other nuisance which disturbs the quiet and peace of the premises or the neighborhood. Outdoor music as part of an outdoor dining area shall be allowed subject to City approved noise thresholds, between the hours of 9 am to 9 pm, with speakers oriented away from residential uses.
6. Generally speaking, drive-through operations for any use shall be limited to the hours of 6:30 am to 11:30 pm, unless mitigation measures are provided to the City's satisfaction to address potential noise impacts on adjacent uses. Deliveries shall be limited to hours of operation.

i. Light and Glare

1. A wall or hedge along the outer perimeter of the parking area(s) and drive-through lane(s), except for areas of ingress and egress, may be required if determined necessary by the City to prevent unwanted light and glare. The height, design and specific location of such

barrier shall be subject to architectural criteria established within the Specific Plan Design Guidelines.

2. All lighting fixtures shall be designed, installed and maintained so as to direct light only onto the subject parcel.
3. All lighting in the parking lot(s) and drive-through area(s) shall comply with the provisions of the City of Ontario Lighting Code. No motion sensor lighting shall be allowed within any areas exposed to residential uses.
4. All lighting shall be subject to a 30-day lighting level review period, during which time illumination levels shall be evaluated and adjusted where determined necessary by the City.

j. Maintenance

1. The site shall be maintained in a litter free condition and no undesirable odors shall be generated on the site. The on-site manager shall make all reasonable efforts to see that the trash or litter originating from the use is not deposited on adjacent properties. Trash enclosures and bins shall be enclosed on all sides to suppress odors and prevent spillage of materials. Employees shall be required daily to pick up trash or litter originating from the site within 150 feet of the perimeter of the property. Graffiti shall be removed within 48 hours.
2. The project applicant shall prepare and submit a litter control plan and a recycling plan to the City, if not part of an overall recycling plan established for the commercial or mixed-use project.
3. The on-site manager of the use shall take whatever steps are deemed necessary to assure the orderly conduct of employees, patrons, and visitors on the premises.
4. A copy of the above maintenance standards and any applicable Planning staff Conforming Use Permit conditions shall be posted alongside the necessary business licenses and be visible at all time to employees.

- k. Special Notice Requirements:** Drive-through facilities located in areas designated within the Specific Plan, conforming to the above standards, shall be reviewed and approved by City Planning staff by issuance of a Conforming Use Permit.

Drive-thru uses which do not comply with those locations shown in the Specific Plan or that substantially vary from the guidelines noted above

shall be subject to a Conditional Use Permit process through the City of Ontario, including any public noticing and/or hearing processes required through such process. Any notice of any public hearing on a proposed drive-through facility or a physical modification of an existing drive through facility shall be given to the blind, aged, and disabled communities, in order that they may participate in the hearing.

- l. **Additional Conditions:*** The above performance standards constitute the minimum deemed necessary under general circumstances and in most cases to prevent adverse effects from drive-through facilities. Other and further standards may be required as conditions of approval defined by City Planning staff to ensure that such uses are in accord with the intent of the Specific Plan and in concert with the integrity of the commercial or mixed-use project.

- m. **Discontinuation of Use:*** If any drive-through facility approved pursuant to this Part is discontinued for a period of 12 months or longer, the Conforming Use or Conditional Use Permit for such use shall be void. Subsequent uses shall be reviewed and approved under the same criteria, as may be amended from time to time. If such parcels are (a) within the originally established “Conforming Use Areas” or (b) on a site granted a Conditional Use Permit and, in the opinion of the City Planning Department, such subsequent use is deemed less impacting than the originally approved Conditional Use, then such uses shall be afforded the Confirming Use Permit process for their project approvals.

Discontinuation of use for a period of 12 months or longer of any drive-through facility approved pursuant to this Part for, the Conforming Use or Conditional Use Permit (CUP) for such use shall be void. Please refer to City of Ontario CUP process.

5.5.9 REGIONAL COMMERCIAL/MIXED-USE DEVELOPMENT STANDARDS

The following are the development standards for Mixed-Use projects proposed within Planning Areas 6, 7, 8 and 9. Refer also to Section 5.3 for Residential Development Standards. The northwest corner of Planning Area 8A, adjacent to Mill Creek Avenue and Ontario Ranch Road is designated as mixed-use and would allow for the development of a 4-story wrap or podium residential product type, including ground floor retail interfacing with commercial development to the east within Planning Area 8A.

Minimum Lot Size/Area: Minimum lot size shall be large enough to accommodate the proposed use, meet all Development Standards, and cumulatively meet commercial thresholds as specified within the Specific Plan.

Maximum Floor Area Ratio

Mixed Use Buildings ⁽¹⁾	2.0:1
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Minimum Landscape Coverage	15%, all setback from right-of-way areas shall be landscaped.
Building Setbacks (minimum)	
From Hamner Avenue Right-Of-Way	35 feet ⁽⁴⁾ ⁽⁵⁾
From Ontario Ranch Road Right-Of-Way	35 feet ⁽⁴⁾ ⁽⁵⁾
From Mill Creek Avenue Right-Of-Way	18 feet ⁽⁴⁾
From Private or Local Street	10 feet ⁽²⁾
From Interior Property Line	0 feet
From Interior Property Line adjacent to Residential District (Stand Alone Residential)	25 feet
From SCE Property Line/Easements	15 feet
Building to Building	0 feet, free standing buildings shall maintain a setback of 2/3 the height of the building, or 25', whichever is less.
Allowable Porch/Balcony Encroachment into Setback	5 feet
Parking Setbacks⁽³⁾ (minimum)	
From Hamner Avenue Right-Of-Way	35 feet
From Ontario Ranch Road Right-Of-Way	35 feet
From Mill Creek Avenue Right-Of-Way	18 feet
From Private or Local Street	10 feet
From Interior Property Line	5 feet
From Interior Property Line adjacent to Residential District (Stand Alone Residential)	5 feet
From SCE Property Line/Easements	0 feet
Building Height (Maximum)	
Vertical Mixed Use	75 feet
Architectural Projections (including towers, focal elements, cupolas, etc.)	Up to 10 feet above the height of the building; projections shall not be habitable space.
Porte-cocheres	35 feet
Structured Parking	Structured parking for mixed-use buildings may not exceed the height of the adjacent building, which it serves.

⁽¹⁾ Per the City of Ontario Development Code. Commercial parking standards still apply. For residential units, parking standards within Section 5.4.1.12 of the Specific Plan shall apply.

⁽²⁾ Refer to Sections 7.6.7, 7.6.9, and 7.6.10 for further setback/design requirements.

⁽³⁾ Parking stalls perpendicular to street shall be screened by landscaping, berms, or decorative walls that match architectural style of the development. Screening shall mature to a minimum height of 36" (to screen car grilles)

- ⁽⁴⁾ Buildings shall be set back to the Neighborhood Edge or to the given setback from R.O.W., whichever is more restrictive. Where a Neighborhood Edge condition does not exist, setbacks from R.O.W. shall govern.
- ⁽⁵⁾ One and two-story buildings may encroach 10 feet into the neighborhood edge subject to Planning Department review and approval.

5.5.9.1 Retail/Shop Space “Veneer”

To achieve a desired commercial frontage on pedestrian corridors, retail/shop space veneers on residential buildings may be incorporated, and are encouraged, on the first story level. Retail service stores are the intended occupant for retail/shop space veneers, creating an incubator space for small independent businesses such as, but not limited to, travel agencies, hair salons, personal services, dry cleaners, art galleries, wine tasting venues, and similar pedestrian serving commercial ventures. Restaurants and incidental food usages such as coffee or juice bars and sandwich shops are also allowed and encouraged. Refer to the table in Section 5.5.7.1 for the full list of permitted uses.

A minimum shop depth of 25 feet is required, with building entries fronting onto streets, private drives, interior circulation corridors, pedestrian corridors, or plazas. Heavy service uses are not allowed in retail veneer spaces, therefore, separate delivery entrances to these shops are not required. Retail veneer is specifically not a live/work product. Therefore, direct residential entrance to these retail shops is not permitted. Residential unit entrances and associated parking spaces shall be separate from retail veneer entrances and parking. Vertical mixed-use buildings in a retail veneer/residential configuration are encouraged to provide building separations for pedestrian plazas or walkways connecting to the residential neighborhoods. These separations are encouraged to be no greater than 500 feet apart. Retail/shop space veneers must meet development standards in this section, design guidelines, and all applicable building codes.

5.5.9.2 Circulation

Serving as a commercial retail destination with neighborhood elements, Rich-Haven Specific Plan shall have street frontage monumentation announcing the major entrance to the development from Ontario Ranch Road at Hamner Ave.. Within Rich-Haven Specific Plan major vehicular access to commercial elements and residential areas shall be clearly designated and intuitive, supplemented with special paving, landscaping and signage. Intersection nodes, where both vehicular and primary pedestrian activities occur, may feature enhanced paving to signify the mix of these activities. Parking should be oriented toward tenant customer access and away from the street, with clearly marked pedestrian pathways to building entrances.

A strong pedestrian connection should be provided between the mixed-use area and the residential neighborhoods within Planning Areas 6, 7, 8 and 9, to enhance the walk-ability of the development.

5.5.9.3 Parking Standards

The following standards apply for required off-street parking of mixed-use uses based on gross interior floor area within the Regional Commercial/Mixed-Use District:

Restaurant	1 per 100 sq. ft.
Fast Food drive-thru	1 per 75 sq. ft.
Retail	1 per 250 sq. ft.
Banking	1 per 250 sq. ft.
Medical	1 per 250 sq. ft.
Office	1 per 250 sq. ft.
Day Care	1 per 500 sq. ft.

All other uses not identified in the table shall conform to [Off-Street Parking and Loading Standards of the City of Ontario Development Code](#).

In mixed-use areas, on-street parallel and/or angled parking may be used to satisfy the project parking requirement. Speed humps or other devices may also be used to control vehicular traffic speeds in and near pedestrian zones. Double loaded parking aisles may be either 90-degree or angled. Parking drive aisles shall be a minimum of 25 feet for 90-degree or 2-way angled parking. Drive aisle may be reduced to 20 feet wide for one-way angled parking. A dashed line along main travel routes is recommended to provide a street appearance. Walkways within the parking fields are required to have scored concrete, stamped concrete or paver treatment to integrate pedestrian paths of travel.

Standard parking stalls shall be no less than 9 feet wide by 18 feet deep.

Refer to Mixed-Use/Commercial Landscape Design Guidelines, section 7.8.

5.5.9.3.1 Loading

All large commercial tenants, except medical, require one loading space unless otherwise noted. Refer to Loading and Service Design, of the Regional Commercial/Mixed Use District Design Guidelines for further loading requirements. Appropriate queuing, six to eight car stacking, for drive-thru banks and pharmacies shall be provided.

Mixed-use buildings/tenants are encouraged to employ shared loading areas and on-street parallel parking as loading spaces. On-street loading spaces shall have appropriate loading, time/day signage for the space and shall be in addition to required parking for the mixed-use building/tenant.

5.5.9.3.2 Shared Parking Programs

Where opportunities exist for shared parking between uses with staggered peak parking demands, owners and developers should make every possible effort to take advantage of this opportunity to reduce total number of parking spaces within each site or parcel. The intent of a shared parking program is to reduce land devoted to parking, thereby allowing increased densities in mixed-use areas or providing for open spaces, walkways or other amenities. The parking standards may be reduced, up to a 40% reduction, based on a shared parking reduction study as outlined within the Specific Plan.

5.5.9.4 **Pedestrian Orientation and Connectivity**

Fostering pedestrian activity along interior circulation corridors is critical to the interactive, urban nature of the Regional Commercial/Mixed Use District. Interior circulation corridors, with commercial and mixed-use frontages shall have appropriate planting and paving features to accommodate pedestrian activity.

Shaded courtyards or plazas are encouraged to be incorporated into building layout and design to provide comfortable pedestrian space. Such courtyards may feature elements that enhance the pedestrian experience such as fountains, trellises, umbrellas, shade trees, comfortable tables, chairs and benches, kiosks, etc. Please refer to Section 7.8, Mixed-Use Landscape Design Guidelines.

5.5.9.5 **Streetscape Interaction**

Along major pedestrian walkways (greater than 300 linear feet of mixed-use frontage) and plazas that are adjacent to adequate customer parking and commercially viable, it is encouraged that the linear street frontage, excluding driveways and pedestrian connections, be designed to accommodate pedestrian-oriented neighborhood service uses including retail, office, or other community service uses. The minimum depth of these uses shall be 25 feet. Residential parking is permitted behind this use.

5.5.9.6 **Patio Dining**

Outdoor seating, in conjunction with business, is encouraged to enliven the street scene along commercial edges. Patio dining areas may be either connected or separated from building face. If separated, the space between

seating area and building face must be a minimum of 8 feet to allow pedestrian traffic. In all cases, the seating area must have an internal minimum dimension of 5' clear. A maximum encroachment of 20 feet is allowed onto park/paseo or urban edge/setback areas. Along Ontario Ranch Road, patio dining may encroach a maximum of 10 feet into these setback areas. Patio areas may be enclosed by the tenant by open rail compatible with the architecture of the building, hedges or other suitable separation. Please also refer to Section 6.5.4.1, Patio Dining.

5.5.9.7 Drive-thru Facilities

Please refer to Section 5.5.8.5 for Drive-thru Facility development standards.

5.5.10 LIVE/WORK

Intended Character: The “Live/Work” designation is a residential building type that accommodates non-residential work areas adjacent to or below residential living areas, having specialized work-spaces that can accommodate more intensive work activities than appropriate for an exclusive residential building. Live/Work is allowed and encouraged in single family detached, and multi-family attached, with orientation to streets at transitional locations between pure commercial and pure residential areas. The Live/Work standards for the Rich-Haven Specific Plan assume no employees for Live/work uses. Live/Work is an appropriate transitional use between primarily commercial and primarily residential areas within the Regional Commercial/Mixed Use District.

5.5.10.1 Applicability, Live/Work

The standards provided herein apply to single-family attached home type or alley-loaded single family uses within Planning Areas 6, 7, 8 and 9 within the Regional Commercial/Mixed Use District. Refer to Table 5-1, *Site Development Standards Summary* and applicable residential development standards within Section 5.4. The following standards are intended to supplement the standards provided within Section 5.4.

5.5.10.2 Live/Work Permitted Occupational Standards

This section is a supplement to Sub-sections 5.4.3, 5.4.4, 5.5.3, and 5.5.7.1 permitted uses, and all commercial activities specified herein shall be restricted to the ground floor of each dwelling unit, with exception to the Vertical Mixed Use Building, where uses can be included on the second level. Free-standing commercial buildings are to use appropriate commercial building standards and not the live/work standards.

Live Work Permitted Uses

a. Home Occupations

As defined within the City Development Code

b. Artist and Craft Activities

Activities of artists and crafts persons working in low-impact media or processes (e.g., painters, graphic artists, potters, carvers, musicians.)

c. Cottage Production Activities

Production of goods or services involving low impacts and no employees (e.g., jewelry making, garment making, small leather goods, printing, computer or small goods repair, media production and recording studios.)

d. Service Activities

Office or service work with few or no impacts, no employees, (e.g., software developers, analysts, writers, accountants, secretarial services, personal services such as hair stylists, music teachers, tutors, doctors, therapists, child daycare, contract workers, telecommuters, office bases for off-site services such as building and landscape contractors, sales representatives.)

e. Public Access Businesses

Public Access Businesses typically have frequent one-on-one interaction with individual client groups who meet in home offices. Examples of these types of permitted uses are:

1. Architect/Landscape Architect/Engineer/Land Planner
2. Interior Decorator or Designer
3. Fine Arts Studio and Sales/Ceramics and Pottery Studio and Sales/Clothing Design Studio and Sales
4. Graphic Design Studio and Sales
5. Photography Studio/Portraiture and Sales
6. Planning Consultant
7. Attorney/consultant
8. Income Tax Service/Escrow Service/Insurance Agency
9. Internet Service Provider/Webmaster
10. Consulting and Business Service
11. Music or Dance Instruction (tutor)
12. Real Estate Developer/Specialty Contractor
13. Licensed Small-family child-Care Home
14. Personal Fitness Training
15. Tutor

f. Mobile Businesses

Mobile businesses typically involve a significant time away from the office where work is either acquired or performed at the client’s residence or place of business. Examples of these types of permitted uses are:

1. Pick-up and Delivery Service
2. Cleaning Service
3. Pool Maintenance
4. Building Contracting
5. Gardening and Landscape Service
6. Electronic and Computer Equipment Repair and Fix-it Service
7. Catering Service
8. Flower Arranging and Plant Service
9. Specialty Food Products and Delivery

Live Work Permitted Uses**g. Other Permitted Businesses**

Notwithstanding the specific permitted uses outlined above, the Planning Director may authorize other uses using reasonable discretion, as long as such other uses are not otherwise precluded by law. The Planning Director may authorize other uses using reasonable discretion, as long as such other uses are not otherwise precluded by law. The Planning Director will consider the effect on the project, and will not approve a use that has a materially adverse impact on other units in the condominium project, or surrounding neighborhood. The Director's decision may be appealed to the Planning Commission or the Director may refer the request to the Planning Commission as a Conditional Use Permit.

Live/Work Prohibited Uses

Prohibited uses are those uses that are not compatible with the permitted uses for the project, as well as all uses which are contrary to any city development code or other governmental condition of approval for the project. The following uses are expressly prohibited:

1. Medical/Dental Office
2. Chiropractic/Acupuncture Service
3. Massage/Acupressure Service
4. Veterinarian/Kennel/Animal Care Facility
5. Tattoo or Body Piercing Service
6. Fortuneteller
7. Banquet Facility
8. Adult Business
9. Recycling Center
10. Sales, repair or maintenance of vehicles, including automobiles, boats, motorcycles, aircraft, trucks, or recreational vehicles, provided that light maintenance of resident owned vehicles shall be allowed so long as such maintenance is conducted entirely within the interior of a garage.
11. Trade or Private School
12. Religious Institution
13. Any use that regularly or periodically generates vibrations, excessive noise, heat or smell, which affects any other condominium units within the project, as determined by the Planning Director; or surrounding properties, as determined by the City of Ontario Planning Director
14. Other uses that the Planning Director reasonably determines would detract from the overall image of the project or which might adversely affect the value of the individual condominiums within the project.

5.5.10.3 Live/Work Development Standards

Live/Work is the blend of residential and working components within a single dwelling. The development standards found in Section 5.4 set forth the base criteria. The following standards are written to give further standards on the commercial aspects of the building, and also the interaction between living and working areas.

5.5.10.3.1 Orientation

Most of the residential living quarters are anticipated to be located above the ground floor; however, if properly designed to mitigate conflicts concerning livability and privacy, ground floor or partial ground floor living quarters are allowed.

5.5.10.3.2 Entries and Private Outdoor Space

There should be direct pedestrian access from the front street to each individual business.

Direct pedestrian access from the business to the residential unit is also encouraged.

Residential units may be accessed from the fronting street or from the rear or side of the building.

5.5.10.3.3 Living Quarters and Work Space

Living quarters are permitted above the work space, to the side or in back (toward garage) of the work space. A minimum square footage of living area per residential unit shall be 400 sq. ft. Work space shall have a minimum square footage of 200 sq. ft. and a maximum square footage of 800 sq. ft..

5.5.10.3.4 Parking and Storage

All parking required for the workspace shall be provided for on-site, at the rear of the units or underground. Live/Work units are required to provide an additional .25 visitor spaces/unit, which may be located on-street. This requirement is in addition to the parking requirements of Section 5.4.

Garbage container storage areas, heating and mechanical equipment, and off-street parking and loading facilities must be located at the rear of the units.

5.5.10.3.5 Loading

Mixed-use and Live/Work settings are encouraged to employ shared loading areas and on-street parallel parking as loading spaces. On-street loading spaces shall have appropriate loading, time/day signage for the space and shall be in addition to required parking for the mixed-use building/tenant.

Otherwise, no loading or unloading is permitted in the public right-of-way. No loading or unloading activities shall interfere with parking or vehicular access. Loading areas, where provided, shall not be visible from the public street.

Loading activities serving live/work uses shall be limited to 9:00 a.m. to 5:00 p.m. on weekdays and 9:00 a.m. to noon on weekends.

5.5.10.3.6 Signage

Signage is intended to promote and enhance on-site businesses, maintain a quality neighborhood, provide direction for pedestrian and vehicular circulation, support a residential living environment and retain the character of the local neighborhood. No free-standing or monument signage is allowed for live-work uses.

A signage program shall be prepared by the merchant builder and submitted for review and approval by the City of Ontario. See Section 6.5.5 Signage Guidelines for signage program.

5.5.10.4 Live/Work Performance Standards

5.5.10.4.1 Business License

A business license must be obtained for all live/work activities. Licenses will define:

- a. Permitted number of employees
- b. Business hours of operation
- c. Potential public safety concerns, nuisances such as noise, vibrations etc.

5.5.10.4.2 Review Procedures

If the use requires City approval, then the application for live/work commercial uses shall be reviewed and approved by the both Builder and Master Associations before submittal to the City..

5.5.11 STAND ALONE RESIDENTIAL OVERLAY

5.5.11.1 Development Standards

Stand Alone Residential Overlay developments within the Regional Commercial/Mixed-Use District shall comply with the Residential Development Standards outlined in the Residential District. Refer to the applicable tables in Section 5.4 for Stand Alone Residential Overlay development standards

SECTION 6 DESIGN GUIDELINES

INTRODUCTION

6.1

It is the intent of these guidelines to provide guidance and a framework for development of highly livable residential neighborhoods offering a variety of planning concepts, densities and home sizes. In addition, a unique, vibrant mixed-use district will serve the homes within the Rich-Haven Specific Plan area, as well as the surrounding communities.

These guidelines will further serve to implement the objectives, policies and principles of the City's TOP by drawing upon the rich architectural diversity, quality and history of Ontario's established neighborhoods. The scale, character, charm and authenticity of the City's historic districts will be interpreted and integrated into 21st Century forms and lifestyles. The palette of landscape materials, street fixtures & furniture, walls and monumentation will reinforce the unity of vision woven throughout the Rich-Haven Specific Plan area and tie the diverse districts and neighborhoods into a cohesive, livable, timeless community. Residential Guidelines can be found in Section 6.2 of this document. High Density Residential Design Guidelines can be found in Section 6.3. Regional Commercial/Mixed-Use Design Guidelines can be found in Section 6.5 of this document.



6.1.1 COMMUNITY DESIGN OBJECTIVES

- Secure the long-term vitality of the City's TOP by implementing its objectives, policies and principles.
- Create a land use concept that weaves a mixed use component into the community fabric.
- Create a community of cohesive neighborhoods that provide a wide variety of architectural configurations and housing prototypes.
- Create a palette of landscape materials, features and details that blend diverse architectural elements into cohesive neighborhoods.
- Create a hierarchy of pedestrian and vehicular circulation within the community.
- Utilize the existing easements for open space and trails.
- Provide safe and convenient pedestrian links from residential areas to school, park and commercial sites that serve the community.
- Provide the opportunity for diverse, pedestrian oriented recreation areas to serve as local parks.
- Create a palette of architectural styles and community features that evoke traditional, timeless qualities.
- Utilize architectural massing to define private yard areas.
- Create neighborhoods where residential entries and living areas dominate the primary street scene.

6.1.2 ARCHITECTURAL PHILOSOPHY

While the overall goal is one of architectural harmony, variety is an important objective, and is strongly encouraged. Quality is crucial in working towards architectural harmony. Quality is manifested in, but not limited to, materials, design and construction.

The function of the architectural portion of this supplement is to provide detailed guidance regarding the level of design, variety and quality is required of the architecture for these neighborhoods. Should there be a conflict between these guidelines and City ordinances, the more stringent shall govern.

The architectural parameters outlined in this section apply to all lots. Architecture shall have full architectural treatment on all four sides, regardless of orientation (a.k.a. 360° architecture). Additional enhancements shall be provided at corner lots and critical edges. Refer to Section 6.2.1.7 for specific criteria.

RESIDENTIAL DESIGN GUIDELINES

GENERAL DESIGN ELEMENTS & OBJECTIVES

The primary goal for the Rich-Haven community is to create homes with a balance of form, massing and scale that respects the critical relationship within and between the individual neighborhoods and the overall Rich-Haven community. The following principles establish the essential characteristics that will promote and support these goals:

6.2.1.1 A palette of styles, materials and details shall convey timeless qualities.

- Overarching architectural themes combine compatible historic architectural characters to create aesthetic harmony within and between neighborhoods.
- Use authentic exterior finish material and detailing.
- Windows and doors shall be positioned authentically and sensitively.
- Principal windows with recesses, surrounds, enhanced headers/sills, window groupings, or other decorative features for shadow, depth, and detail are required on all front elevations and elevations adjacent to a critical edge (see Section 6.2.1.7 for additional requirements at critical edges.)
- Use colors appropriate for the architectural style, with traditional colors for doors, windows, shutters, decorative iron and tile work, awnings, stucco, roofs and enriched materials. Permitted roof materials are limited to concrete or clay barrel tile, flat concrete or slate tile, simulated wood shakes and asphalt shingles (on Federalist, Cape Cod or similar style where shingles were traditionally appropriate).





Covered porch with distinctive gable end treatment.



Forecourt door to walled patio area on an attached product personalizes and accentuates entry.



Recessed entry, roof articulated with dormer window above.

6.2.1.2 Homes shall orient to the street and be plotted with care and sensitivity to their environs.

- Individually site each home, taking into consideration adjacent plan types and yard orientations, landscaping, views and other adjacent features.
- Sensitively combine one & two story profiles within each home as well as within each neighborhood.
- Variable front setbacks may take into account: covered porches, porte-cocheres or other roofed features, not just the garage or habitable space.
- No two identical single-family plans shall be plotted next to each other. In the case of two plans side by side, one shall be reversed and each shall offer different elevations, details and color schemes.

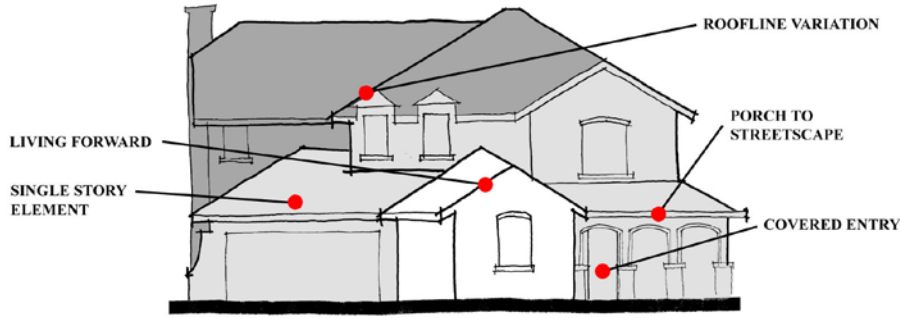
6.2.1.3 Individual residential entry statements shall be emphasized.

- Architectural designs shall utilize plan forms that emphasize the entry to each home by creatively and harmoniously combining porches, balconies and massing.
- Wing walls, buttresses, patio walls and/or gates, forecourt doors and covered walkways are all appropriate features to accentuate entries.
- All residences shall have their addresses illuminated as close to the front door as possible and the address numbers painted on the curb with white reflective paint on a black background.
- Where secondary access is provided via alleys or common drives, illuminated addresses shall be provided on or near the garage or gate serving the residence.

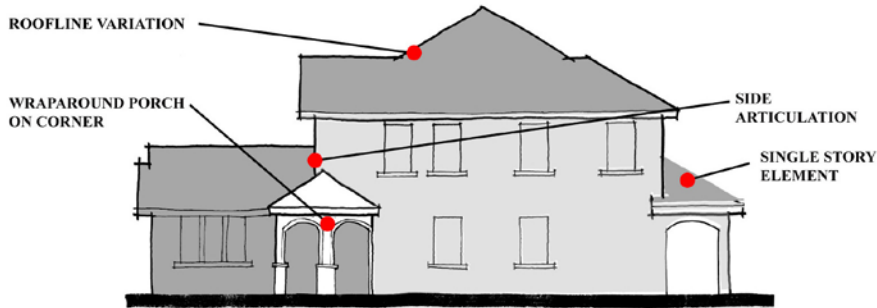
6.2.1.4 Scaled massing and roof forms, either symmetrical or asymmetrical, shall be appropriate to each architectural style.

- A minimum of three front façade breaks of horizontal and/or vertical orientation, each a minimum of 2' from the adjacent mass, shall be required.
- The rear elevations shall incorporate one façade break of at least 2' to create visual interest both individually and collectively as a neighborhood.
- Roof pitches shall be reinforce the intended architectural style. Where an architectural style dictates a steeper roof pitch, it is acceptable to limit that steeper pitch to accent roofs and not the entire home.
- Each architectural style shall exhibit historically accurate roof forms, i.e. gables, hips, sheds, or combinations thereof.
- Eaves and rakes shall be dependent on the architectural style to which they are applied.
- Dormers, where style dictates, are appropriate.
- Each architectural style has its own distinctive massing characteristics that shall be respected and reflected in its execution. A Federalist Colonial home is symmetrical reflecting its austere and traditional social roots whereas a Santa Barbara style home can be more relaxed and asymmetrical. Every style is not appropriate for every plan form and attempts to force a style upon an inappropriate plan form shall be prohibited.

CONVENTIONAL- ACCESS MASSING

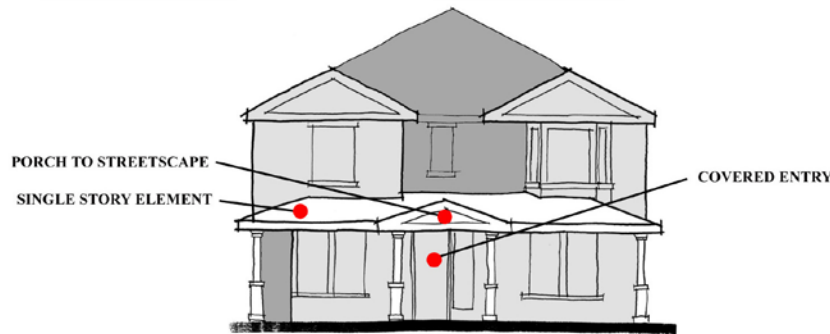


FRONT ELEVATION
CONVENTIONAL ACCESS

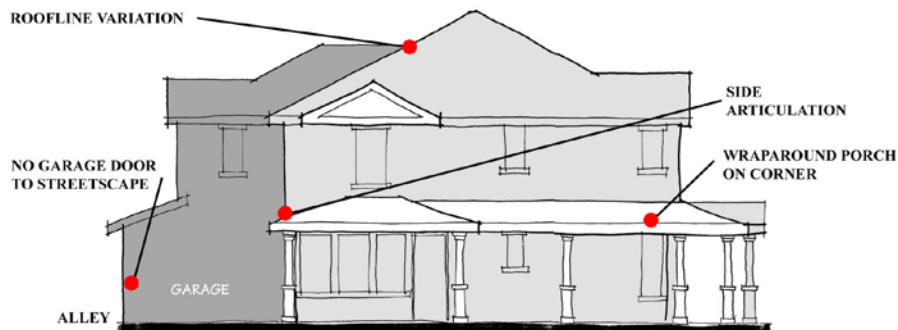


SIDE ELEVATION
CONVENTIONAL ACCESS

ALLEY-ACCESS MASSING



FRONT ELEVATION
ALLEY ACCESS



SIDE ELEVATION
ALLEY ACCESS

MASSING LEGEND

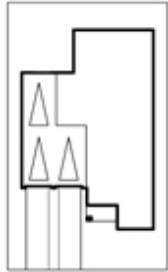
- FOREGROUND
- MIDGROUND
- BACKGROUND



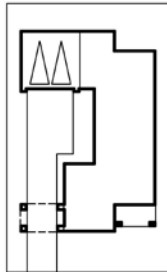
Detached, deep recessed garage.



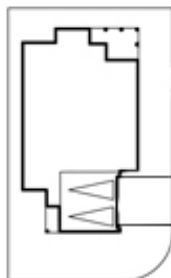
Landscape strip centered on driveway.



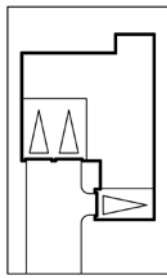
Tandem



Deep Recessed



Corner Lot w/
Side Access



Side Load
and/or Split

6.2.1.5 The garage door shall be de-emphasized in order to enrich the visual impact of the community.

- Proper treatment of the garage is critical in creating a sense of variety and quality.
- The number of homes with Garage Forward or Shallow-Recessed garage configurations shall be limited to 25% per builder project.
- On homes with Garage Forward or Shallow-Recessed garage configurations, garage doors shall be recessed or surrounded by pop-outs of 12" minimum.
- Pairs of single garage doors are encouraged.
- A 2' offset of one to two of three front-facing garage bays is required.
- Tandem arrangements are encouraged, as well as Swing In conditions.
- Attached homes having front entry garages adjacent to one another along interior lot lines require a 2' offset of garage faces.
- "Hollywood-Style" driveways, e.g. driveways with a 30" landscape strip centered on an 8' wide driveway, are encouraged. Locating a planter with sufficient area for a vine to trail onto a garage is also appropriate.
- Each driveway shall have either a pattern of scoring lines or enriched material to create a pleasing texture and design compatible with the architectural style.
- Innovative garage locations and configurations are encouraged - a minimum of one plan per conventional front loaded neighborhood is to have at least one of the following garage configurations:
 1. **Shallow-Recessed** garages are recessed at least 5' from the habitable portion of the home.
 2. **Medium-Recessed** garages are recessed at least 7' from the habitable portion of the home.
 3. **Side Load and/or Split** garages are accessed 90 degrees from the street and drive cut, or a separate one or two car Garage is loaded 90 degrees from the third car space.
 4. **Deep-Recessed** garages are located at the rear of the home, thus creating an opportunity for a porte-cochere and/or a "Hollywood-Style" landscape strip to enrich the driveway.
 5. **Corner Lot w/ Side Access** garages are entered from the side of a home plotted on a corner lot, usually away from the home's entry. Using this condition, usually an alternate of a standard front loaded condition, enhances the side elevation of the home and creates a more articulated side elevation. ("Hollywood Style" driveway shown)
 6. **Tandem** garages can also have a pull through condition with an additional garage door opposite the main garage door to allow passage through the garage to either the rear lot of the home or to an additional garage at the rear of the home.
 7. See Section 6.3.4 for detached carports and parking structures at **High Density Configurations**.

6.2.1.6 Alleys and common drives provide a number of useful design opportunities:

- Additional access ways serve as the capillaries of the community vehicular circulation system.
- They help to reduce the visual and traffic impact of garages on the primary street scene.
- They can help to reduce the visual impact of community walls.
- They can enhance the perception of community scale.
- They often serve as the residents' "front door"

In order to optimize these opportunities, proposed alley or common drive programs should meet or exceed the following design objectives:

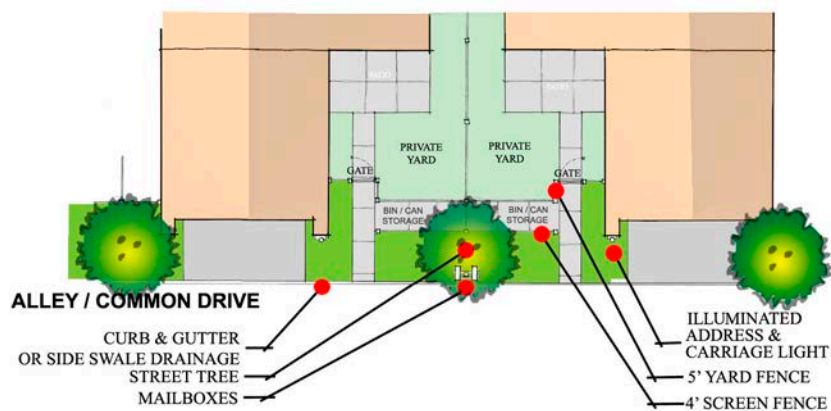
- Provide full architectural elevation enhancement along alleys and common drives.
- Provide addresses, mailboxes, guest parking, street signage, etc. to enhance the residential character of alleys and common drives.
- All residences shall have their addresses illuminated on or near the garage or gate serving the residence.
- Provide adequate landscape opportunities along alleys and common drives.
- Vary the height and location of walls and fences to add visual interest to alleys and common drives.
- No center swale drainage.
- Provide adequate home and street lighting along alleys and common drives.
- Provide adequate storage and/or screening for storage of trash and recyclables.



Pedestrian gate for side access at Common Drive with window treatment and landscaping on first floor.



Full architectural treatment with opportunities for low walls and landscaping as screening on common drives.



Mailboxes and trash screening



Deck



Wrap Around Porch

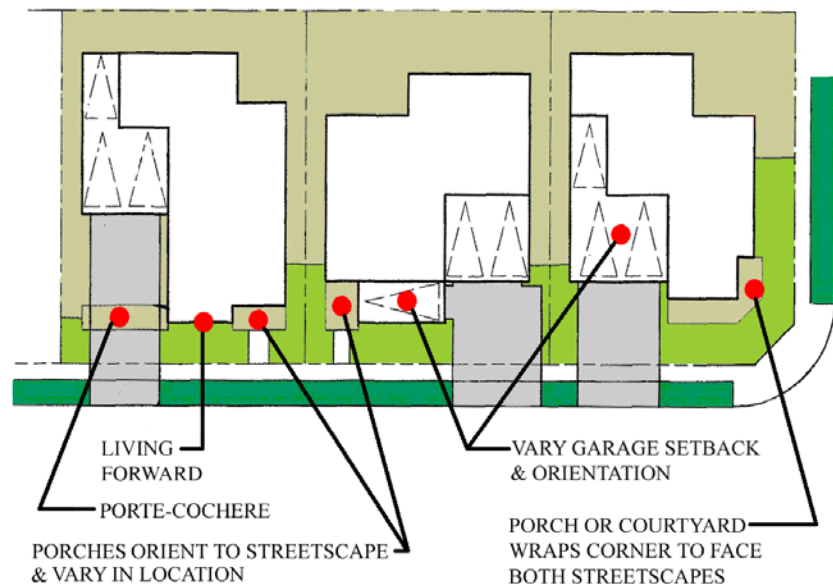


Porch

6.2.1.7 Corner lots and critical edges shall receive special attention by providing architectural and/or landscape enhancements.

- Variety is crucial to the success of Rich-Haven's streetscape, and enhanced architectural edge patterns are imperative in achieving that variety. Many lots in Rich-Haven are located on critical edges and/or front the street on two or even three sides. These elevations require additional architectural enhancements, varied setbacks, and building breaks that might normally be reserved for front elevations.
- More than 50% of corner lots must be plotted with a single story home, assuming a one story home is offered as a standard home. If not, a one story element of a two story home must be plotted adjacent to the more traveled street.
- Enhanced architecture shall be oriented to the street so that interactive elements along critical edges create a human scale and are consistent with the architectural style of the house. Interactive elements are those that orient the home to the street and engage it with the neighborhood. (Please see the table on the next page for appropriate locations of interactive elements) These elements include, but are not limited to the following:

1. porches
2. wrap around porches (at corners and critical edges)
3. verandahs
4. porte cocheres
5. balcones
6. decks
7. porticos
8. trellises
9. arbors
10. courtyards



- The quality design and orientation of interactive elements provide “eyes on the street” and contribute to pedestrian safety, a sense of place and activity, and neighborhood socialization. As a guideline, each house plan in a collection must contain at least one interactive element at the street elevation, with corner homes and homes on critical edges to have an additional interactive element on the side or rear elevation adjacent to that edge. The following locations shall be considered a critical edge:
 1. Neighborhood Entries
 2. Theme Streets
 3. Paths, Parks, Open Spaces and School Sites
 4. Roundabouts and Theme Intersections
 5. Alleys and Common Drives

Locating Interactive Elements	Porches	Wrap Around Porches (at corner conditions)	Verandahs or Patios	Porte-Cocheres	Balconies	Decks	Porticos	Trellises	Arbors	Courtyards
Neighborhood Entries	X	X	X	X	X	X	X	X	X	X
Theme Streets	X	X	X	X	X	X	X	X	X	X
Paths, Parks, Open Spaces and School Sites			X		X	X		X	X	X
Roundabouts and Theme Intersections		X	X		X	X		X	X	X
Alleys and Common Drives	X	X	X		X	X		X	X	X

- Any elevation adjacent to a critical edge shall require additional architectural enhancement along with the required interactive elements. Refer to Section 6.2.4 for details appropriate for each architectural style. Architectural enhancements at critical edges shall meet or exceed the following:
 1. The use of additional finish materials and/or colors other than monochromatic stucco as appropriate for the architectural style, such as stone, brick, or siding.
 2. Window and Door enhancements of divided light patterns and trim or recesses appropriate for the architectural style
 3. Varied setbacks and building breaks.



Wrap material, gable end treatment and window detailing to side elevation where required.

6.2.2

ARCHITECTURAL CONFIGURATIONS

An architectural configuration is defined by the placement of the residential entry, orientation of the garage, and respective density. Prototypes are attached or detached product types relative to a specific architectural configuration. The use of multiple configurations and prototypes is required to achieve the desired variety across the community. Additional prototypes may be proposed or existing prototypes amended, subject to Planning Department review and approval. For detailed requirements and conditions specific to each prototype, refer to Section 5.4.2. The list of prototypes has been repeated below for reference.

- Conventional 7,200 SF Single Family Detached
- Conventional 4,500 SF Single Family Detached
- Conventional 2,700 SF Single Family Detached
- Two-Pack or “Z” Lot Single Family Detached
- Alley Loaded Single Family Detached
- Courtyard Single Family Detached Lots
- Cluster Single Family Detached
- Duplex/Triplex
- Row Town Homes
- Courtyard Town Homes
- Tuck Under Town Homes
- Tuck Under Apartments/Condominiums
- Wrap Apartments/Condominiums
- Podium Apartments/Condominiums

6.2.2.1 General Design Elements and Objectives

The following principles apply to all residential product types within Rich-Haven, regardless of lot size and architectural style:

- Create off set or articulated wall planes for front and rear elevations.
- Create the opportunity for front & rear single story elements or, in the case of higher density prototypes, reduce or 'step-down' the massing at key focal areas and intersections.
- Utilize roof hips, dormers, staggered gables, etc. to vary roof forms and create visual interest.
- Create the opportunity for usable outdoor spaces with front porches, courtyards, decks or balconies.
- Diversify the orientation and placement of porches, residential entries, and garages.
- Provide full architectural treatment & finish to any elevation facing a public street, park, or open space.
- For single family detached prototypes, a variation of at least 5'-0" in lot width or building frontage shall define a prototype.
- Consider dedicated plans or elevations for key entry, corner, or end locations. Corner plans or elevations could include multiple or "wrap around" porches, alternate garage locations/access, etc.
- All trash enclosures shall meet or exceed the City's requirements in addition to the following:
 1. Trash enclosures that are viewable from public areas should be adequately screened and constructed of materials complementary to the adjacent architecture.
 2. Trash enclosures, parking areas and service areas should be screened from adjacent residential neighborhoods.
 3. Where possible, trash enclosures should be:
 - Located to provide convenient access to residents and service providers. Attention should be paid to the proximity of adjacent residential entries, balconies, patios and yard areas.
 - Adjacent to main or major entries, but not as their "focal point."
 4. Screening may occur in the form of masonry walls, landscaping, trellises and/or other landscape or hardscape elements subject to City approval. Screening shall also mitigate overhead views from residents of adjacent buildings. The proposed height of the screen shall be adequate to fully obscure the view of the service area.

6.2

RESIDENTIAL
DESIGN GUIDELINES

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6.3 High Density Residential Design Guidelines



The primary goal for High Density residential elements within the Rich-Haven Regional Commercial, Mixed-Use and Stand Alone Residential Overlay District is to infuse the dynamic commercial mixed-use neighborhood with residential and pedestrian assets while providing for a range of housing types. The following principles establish the essential characteristics that will promote the support these goals.

High Density Residential components of a Mixed-Use project are intended as an extension of a dense, urban fringe project. However they are intended to capture the flavor of an all American small town lifestyle in terms of its neighborhood character and architectural charm. The architecture of these residential projects should be designed to reinforce the overall community design concept. The following design guidelines apply to high-density residential development within Planning Areas 6, 7, 8 and 9.

6.3.1 GENERAL DESIGN ELEMENTS & OBJECTIVES

6.3.1.1 Architectural Styles

- Variety in architectural style and treatment is encouraged within and between residential product types.
- High-density single-family residential product shall follow the architectural character and plotting requirements as defined in the Residential Design Guideline section of this chapter.
- High intensity attached residential products are only subject to 75% of required items per character.

6.3.1.2 Mixture of Housing Types

- Interesting residential streetscapes shall be designed.
- In a given high density planning area, no more than 150 units shall be of the same prototype.

6.3.1.3 Projections into Required Yards

- Building articulation is encouraged as it fosters greater variety along the streetscape.
- Architectural projections may encroach a maximum of 2 feet into required front, rear or side setback areas.
- An architectural projection is defined as an element that articulates the building elevation such as media niches, bay windows, chimneys, balconies, porches, and other similar elements. Encroachments may be supported by a foundation.

Architectural Components

6.3.2

6.3.2.1 Building Facades

- The scale of buildings shall be broken down through the use of varied building massing and forms on a single structure.
- Buildings shall incorporate offsets both horizontally and vertically, minimizing expansive uninterrupted wall planes.
- No more than one third (1/3) of the front façade may comprise a single wall plane.
- Horizontal or vertical offsets shall be 2' minimum.

6.3.2.2 Roof Forms

- Roof treatments shall be consistent with the architectural style of the building.
- Variety in roof forms, ridge heights and direction of gables is required in order to avoid monotonous roof lines along master planned streets and paseos.
- Roof slopes and overhangs shall be consistent with the architectural style of the building.
- Broken roof pitches extending over porches, patios or other similar features are encouraged where appropriate to the architectural style.

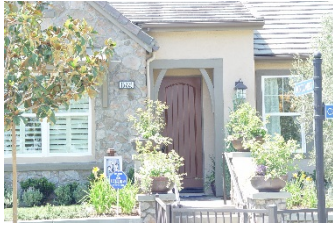
6.3.2.3 Roof Materials

- A variety of roof materials is encouraged throughout the High Density development in order to avoid a monotonous roof-scape appearance.
- Roof materials shall be compatible with the architectural style of the residence as indicated on the architectural checklist for each style.
- Fascias may be either stucco, wood, or tile. If wood is used, it shall be stained or painted.
- Skylights are permitted, but shall be designed as an integral part of the roof. White "bubble" skylights are not permitted. Skylight framing material shall be bronze anodized or colored to match the adjacent roof.
- Permitted roof materials are limited to concrete or clay barrel tile, flat concrete or slate tile, simulated wood shakes and asphalt shingles (on Federalist, Cape Cod or similar style where shingles were traditionally appropriate).
- Copper or metal details and accents may be used on a limited basis. When used, they shall have a matte finish to minimize glare.



Varied building massing and form in a single structure.

6.3.3 Architectural Features & Accents



6.3.3.1 Windows

Principal windows, with recess, surround, enhanced header/sill, window grouping, or other decorative features for shadow, depth and detail, are required on all elevations. Features such as 12" deep pot-shelf with roof element and corbels can define principal windows and greatly enhance elevations.

All other windows and openings shall be trimmed or otherwise treated.

- Stucco trim elements, when used, shall be sand or smooth finish on the first floor.
- Trim elements with 1 ½" reveal on small decorative windows are encouraged.
- Trim shall be of different color or material than principal wall treatment.

6.3.3.2 Garage Doors

- All garage doors on front elevations shall be recessed 12" or be surrounded with 12" minimum pop-outs.
- Door lights, when used, shall be appropriate to the architectural style of the building.
- On court streets, drive aisles, or common drives, the face of garage doors shall be recessed a minimum of 6" or be surrounded with 6" minimum pop-outs.

6.3.3.3 Front Doors and Entries

- Entries for direct access prototypes shall provide a focal point to each residential unit and shall be sun protected with overhangs, recesses, porches, or trellises.
- Common entries shall be well articulated and identifiable for pedestrian and vehicular users.

6.3.3.4 Courtyards

- Courtyards are encouraged and, when used, shall appear as an extension of the architecture of the main building.
- Courtyard walls shall be finished to match the building and may be embellished with stone, ceramic tiles, steps, recesses, cut-outs, or wrought iron accents as appropriate to the architectural style of the building.

6.3.3.5 Balconies

- Balconies shall be designed to be in scale and proportion with the architecture of the adjoining building.
- Covered or trellised balconies are preferred.
- Scuppers or internal drains are required on all balconies for drainage.
- Balcony supports shall be proportional to porch size.
- Balconies may encroach into setbacks a maximum of 36 inches.

6.3.3.6 Chimneys

- Chimneys, when provided, shall be compatible in design, material, and color with the adjoining building.
- Chimneys caps shall be compatible with the architecture of the building. Vents
- 'B' type vents for gas appliances, water heaters, and heating units shall be painted to match the adjacent material. Such elements shall be located to minimize visual impact to building elevations.

6.3.3.7 Exterior Stairs

- Exterior stairs must be designed as an integral part of the architecture. Stairs are included in the setback calculation and must remain within the building envelope, as defined by an outermost wall and/or roof.
- Stair guardrail design must be consistent with the architecture of the building.

6.3.3.8 Awnings

- Awnings must be designed as an integral part of the architecture.
- Unacceptable awning treatments include: metal louvers (except Bermuda style shutters, or those consistent with architectural style) or untreated fabric. Project names, texts, or logos are acceptable as decorative awning treatments, however not as primary signage.

6.3.3.9 Mechanical Equipment

- No mechanical equipment (air conditioning/heating units, etc.) shall be mounted on, or attached to, any sloped roof. Mechanical equipment, when mounted on flat roofs, must be completely screened by parapet walls at least as tall as the equipment screened.
- Ground mounted air conditioning units must be screened by walls at least 6" higher than the unit(s) and located away from pedestrian paths and project amenities.
- Mechanical devices such as exhaust fans, vents, and pipes shall be painted to match adjacent roof surfaces.

6.3.3.10 Meters

- Natural gas meters shall be grouped and screened behind walls or hedges. Builders shall contact the gas company for minimum clearances.
- Electrical meters located on exterior street elevations shall be ganged and located behind doors. Builders shall contact the power company for minimum clearances.
- Screen walls and electrical enclosures shall be designed integral to the project's architecture.

6.3.3.11 Solar Panels

- Panels shall be mounted directly to a sloped roof plane and be integral to the roof design.
- Roof mounted solar panel equipment shall be similar to the roof in color and appearance and have a reflectivity value of 20% or less.
- Non-camouflaged solar panel equipment shall be located behind parapet walls of equal height to the equipment.
- Frames shall be colored to compliment the roof. Mill finish aluminum frames are prohibited.
- Support solar equipment shall be enclosed and screened from view.

6.3.3.12 Satellite Dishes

- All antenna and satellite dishes visible from any public or private street, sidewalk, open space or adjacent lot must be submitted for review and is subject to the CCR's and all federal regulations.

6.3.3.13 Gutters and Downspouts

- Exposed gutters and downspouts, when used, shall be colored to match/compliment the surface to which they are attached.

ACCESSORY STRUCTURES

6.3.4.1 Clubhouse and Recreation Buildings

- Clubhouses, recreation buildings, and other support buildings shall match the architectural style and detailing of the residential buildings.

6.3.4.2 Storage Buildings

- Storage buildings must have the same level of architectural detailing as the residential buildings within the project.

6.3.4.3 Detached Garages

- Detached garages must use a similar roof treatment and building material as the residential buildings they serve.
- Six-car detached garage structures are preferred as a maximum.
- Detached garage structures with more than six parking spaces shall have a minimum 2' garage door offset within the length of the structure.

6.3.4.4 Carports

- Design, including materials, roofing, screening and color, shall match project style and design.
- Carport length shall not exceed the width of 8 parking spaces.

6.3.4.5 Parking Structures

- Parking structure facades, where exposed to streets or to project active common open space areas, shall be compatible with building architecture; preferably building architecture should wrap in front of the garage.
- Pedestrian access to parking structures shall be clearly delineated.
- Pedestrian entryways shall be separated from auto circulation, where feasible.
- Pedestrian access for tenants, residents, and guests, where applicable, shall be combined in the same entry.
- Parking spaces, open or enclosed, shall be no less than 9 feet wide by 19 feet deep. Compact parking shall be allowed at dimensions of 8 feet wide by 15 feet deep, and not comprise more than 25% of the total parking spaces.
- Elevators/stairways/exits shall be clearly marked for ease of pedestrian use.
- Reserved/Guest parking, as applicable, shall be marked on the stall or by placard.
- Tandem parking configurations are allowed for tenants, t may include one standard and one compact stall.



6.3.4.6 Trash Enclosures

- Trash enclosures shall be constructed of concrete masonry units finished similar to buildings in the development.
- All trash enclosures shall have opaque metal gates that are designed consistent with the development.
- Each trash enclosure shall have a lighted access that meets federal accessibility standards.

Neighborhood Criteria

The community of Rich-Haven is a composition of 8 planning areas with 3 unique residential districts and one mixed use district. Each district is defined by an overall architectural theme. Densities increase from North to South with the lowest densities in Rich-Haven North and the highest densities in the Mixed Use District. Refer to Figure 3.1 Land Use Plan for Planning Area Allocations.

Rich-Haven North

Planning Areas: 1a – 1f
 Primary Architectural Theme: Spanish
 Minimum Number of Floor Plans: 3 per model complex

- Select a minimum of one style from the Primary Character:
 - Spanish Eclectic Character
- Additional styles shall be selected from the following Secondary Characters:
 - American Traditional Character
 - Early California Character
 - English Country Character

Note: Within Planning Areas 1a – 1f a, a minimum of 80 lots of 7,200 sf or greater lot area are required.

For other potentially compatible styles refer to the Architectural Compatibility Matrix in Section 6.2.3.3.

Landscape Palette:

- Street Tree: Quercus Ilex, Holly Oak
- Plant Palette: See Community Plant Matrix, Section 7.7
- Planting color scheme: Warm – Red, orange, and yellow flowering plants. Foliage can be dark green, medium green, yellow-green, or grey.

Rich-Haven Central

Planning Areas: 2 through 4a – 4c
 Primary Architectural Theme: American
 Minimum Number of Floor Plans: 3 per model complex

- Select a minimum of one style from the Primary Character:
 - American Traditional Character
- Additional styles shall be selected from the following Secondary Characters:
 - Craftsman Bungalow Character
 - Spanish Eclectic Character

For other potentially compatible styles refer to the Architectural Compatibility Matrix in Section 6.2.3.3.

6.4

6.4

Landscape Palette:

- Street Tree: Podocarpus gracilior – Fern Pine (tree standard)
- Plant Palette: See Community Plant Matrix, Section 7.7
- Planting color scheme: Warm – Red, orange, and yellow flowering plants. Foliage can be dark green, medium green, yellow-green or grey.

Rich-Haven South

Planning Areas: 5

Primary Architectural Theme: European

Minimum Number of Floor Plans: 3 per model complex

- Select a minimum of one style from the Primary Character:
 - English Country Character
- Additional styles shall be selected from the following Secondary Characters:
 - French Eclectic Style
 - Richardsonian Romanesque Style
 - Craftsman (Arts & Crafts) Style
 - Mediterranean Bungalow Style

For potentially compatible styles refer to the Architectural Compatibility Matrix in Section 6.2.3.3.

Landscape Palette:

- Street Tree: Koelreuteria Paniculata, Goldenrain Tree
- Plant Palette: See Community Plant Matrix , Section 7.7
- Planting color scheme: Cool – Blue, Lavender, Peach, and White flowering plants. Foliage can be dark green, medium green, or grey.

Neighborhood Design Criteria- Each planning area, or neighborhood, within these districts is distinguished by architectural configurations and prototypes, along with its adjacency to various amenities and public uses including parks, open space, and schools.

Architectural Design Criteria- Within each district the themes, groups or styles work together to mimic the historic districts of Old Ontario, including College Park and Armsley Square. To maintain compatibility, each district has an architectural and landscape character designated, identified as a Primary Character, with additional Architectural Design Criteria available from Section 6.2.3.3

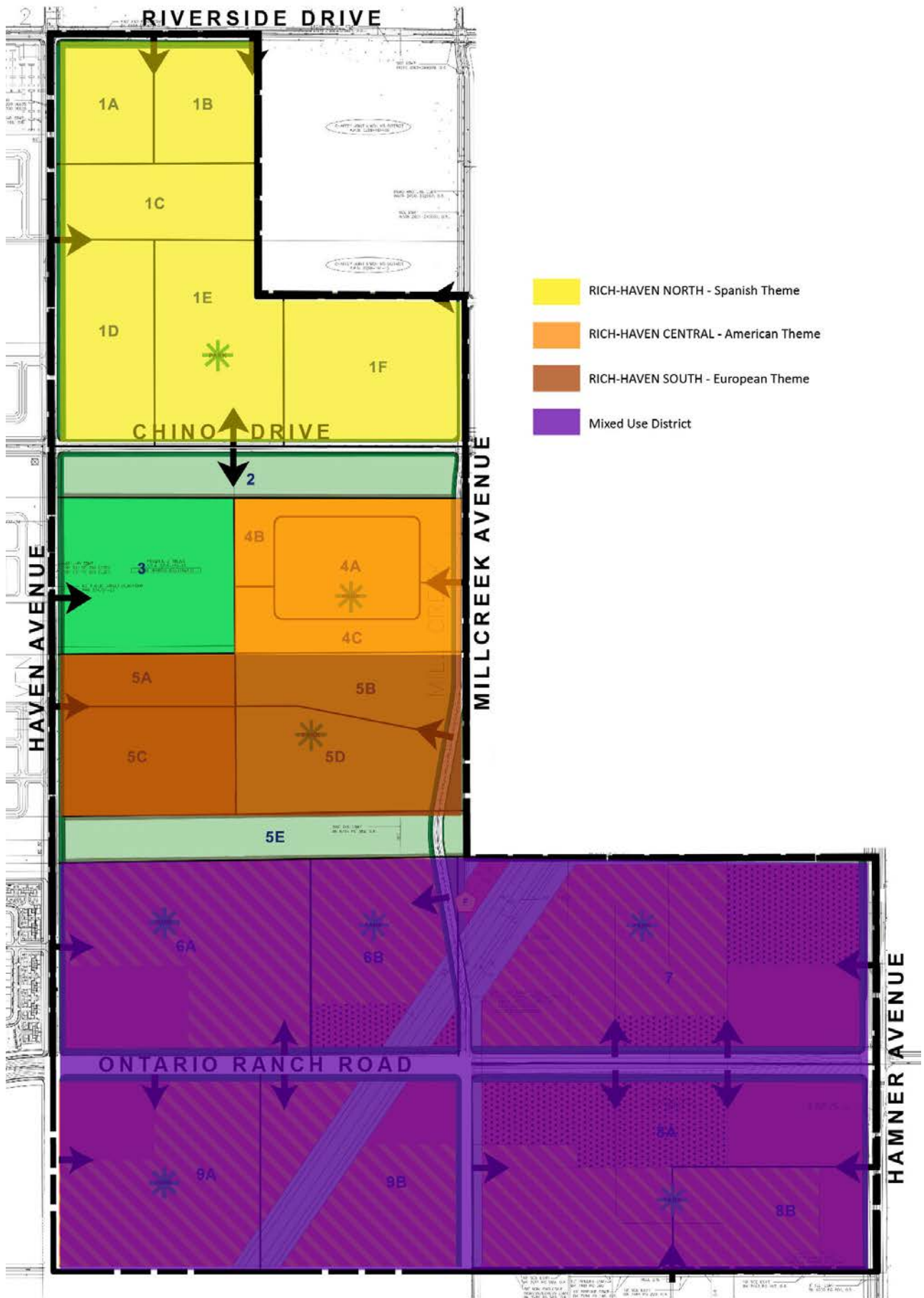
Architectural Compatibility – The designated Architectural Design Criteria have been selected using the Architectural Compatibility Matrix (found in Section 6.2.3.3 of this document) to provide differentiation among neighborhoods. Other styles may be considered for substitution at the discretion of the Planning Department based on the matrix and the Architectural Compatibility criteria outlined in Section 6.2.3.2.

Number of Dwelling Units	Number of Differing Floor Plans and Elevations
5-10	As required by Planning Commission
11-25	2
26-50	3
51-75	3
76-100	4
Over 100	4; +1 additional floor plan with 4 elevations for each additional 50 units exceeding 100

PLAN/ELEVATION MIXES

The Developer/Builder can propose a change in Architectural style criteria to the Planning Department director for approval, including additional Architectural styles not currently included in the Architectural Compatibility Matrix 6.2.3.3.

Prototypes and Floor Plan Criteria - Refer to Section 5 of this Specific Plan for development regulations and further explanation of uses, parking, setbacks, etc. for all neighborhoods. Please refer to the table entitled "Plan/Elevation Mixes" for additional requirements on plan and elevation mixes.



- RICH-HAVEN NORTH - Spanish Theme
- RICH-HAVEN CENTRAL - American Theme
- RICH-HAVEN SOUTH - European Theme
- Mixed Use District

REGIONAL COMMERCIAL/MIXED-USE DESIGN GUIDELINES

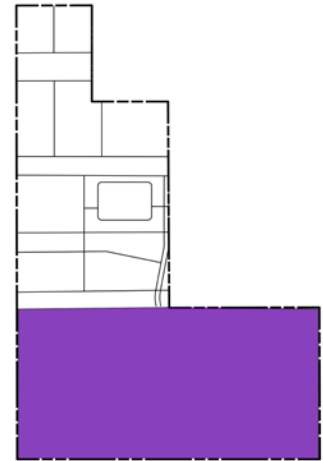
6.5

Regional Commercial/Mixed-Use guidelines apply to Planning Areas 6, 7, 8 and 9. Refer to Section 6.3 for High Density residential guidelines, which apply to the Stand-Alone Residential Overlay and residential components within Planning Areas 6, 7, 8 and 9.

It is the intent of these guidelines to provide guidance and a frame work for development of vibrant and viable Regional Commercial Mixed-Use services, including office/professional, hospitality, retail, commercial, civic, quasi-public, and high density residential uses.

The Regional Commercial/Mixed-Use district provides for immediate office/professional/service needs of the Rich-Haven neighborhoods and the greater regional areas. In addition, the Regional Commercial/Mixed-Use District may have the capacity to provide day-to-day commercial retail services, truly enabling this area to serve as a “community gathering place” where residents may stop and linger while enjoying a cup of coffee, reading the newspaper, or socializing with their neighbors in a pleasant pedestrian environment.

These guidelines will further serve to implement the goals, policies and principles of the City’s TOP by drawing upon the rich architectural diversity, quality and history of Ontario’s established neighborhoods. Architecture of all commercial buildings, mixed-use or single use, shall complement the overall traditional community image of the Rich-Haven Specific Plan. The intent is to allow for a variety of building size, types, configuration, and uses to coexist while providing sufficient architectural direction to ensure a unified, cohesive development.



6.5.1 COMMUNITY DESIGN OBJECTIVES

- Secure the long-term vitality of **The Ontario Plan** by implementing its objectives, policies and principles.
- Create a Mixed-Use land use concept that seamlessly transitions high density living into commercial/service activities.
- Create a community of cohesive land uses, which provide for a wide variety of architectural configurations and housing prototypes.
- Create a palette of landscape materials, features and details that blend diverse architectural elements into cohesive neighborhoods.
- Create a palette of way finding signage that infuses the community with character and reinforces the viability of mixed land uses.
- Create a hierarchy of pedestrian and vehicular circulation within the community.
- Provide safe and convenient pedestrian links from residential areas to school, park and commercial sites that serve the community.
- Create a palette of architectural styles and community features that evoke traditional, timeless qualities.
- Utilize architectural massing to define use and public/private spaces.
- Create mixed-use neighborhoods where interactive architecture dominates the primary street scene.

ARCHITECTURAL PHILOSOPHY

6.5.2



The purpose of the Regional Commercial/Mixed-Use land use is to foster dynamic neighborhoods. This place making land use enables a main street environment where bustling pedestrian activity is as important to the streetscape as vehicular activity; a place where the town center atmosphere is a short walk for residents to enjoy the goods and services at the heart of the mixed use district. Commercial components stand alone or mixed-use elements, within the Regional Commercial/Mixed-Use district should reflect an architectural style reminiscent of small-town American town centers. Architectural execution of this style is described in subsequent sections.

GENERAL DESIGN ELEMENTS & OBJECTIVES

A palette of styles, massing, materials, and details shall convey a timeless sense of place.

- Use appropriate finish materials and detailing.
- Vary vertical/horizontal scale and massing within and between buildings.
- Visual massing/style breaks between commercial/retail and residential uses are encouraged.
- Roof styles and materials shall be architecturally and aesthetically compatible, not uniformly consistent, among and between buildings/uses.
- Architectural styles shall be authentic; mixing of details between styles is allowed where details are complementary.

Active architecture shall orient toward Edison Avenue and primary auto and pedestrian circulation corridors.

- Offset wall planes should be used, where appropriate, as an integral part of the building design.
- Building offsets or recesses should be used to accentuate building entries and form pedestrian nodes.
- Windows and doors shall be positioned sensitively to engage public spaces while maintaining privacy.
- Articulation of tenant entries for pedestrian identification should be achieved through wall plane offsets, architectural detailing and color schemes.
- Signage, monumentation, and landscaping shall supplement pedestrian corridor and plaza spaces created by articulated architecture.

Pedestrian linkages shall be active, useable transition spaces between uses.

- Hard distinct edges between uses are discouraged.
- Signage, paving, landscaping shall visually identify pedestrian linkages/corridors.
- Pedestrian circulation shall be continuous from residential to commercial/regional sections of the district.
- Articulation can include, but is not limited to:
 1. Vertical and horizontal offsets
 2. Color blocking
 3. Appropriate use of detail elements

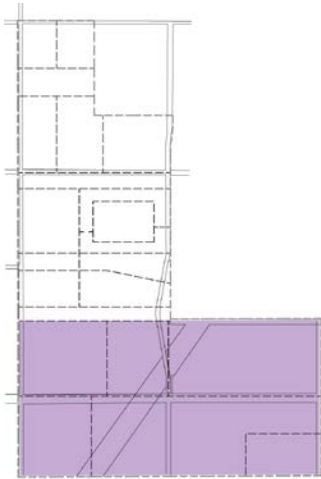
The primary goal for the Rich Haven Regional Commercial /Mixed-Use District is to create a dynamic environment for the interaction of vibrant commercial, retail, regional services and high density residential neighborhoods. Sensitive spatial and architectural form, massing, and



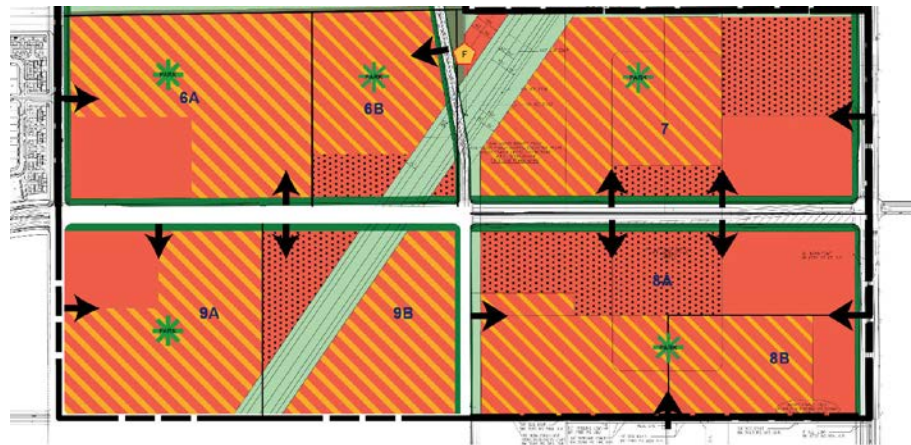
Visual breaks between commercial and residential uses



Pedestrian linkages



The primary goal for the Rich Haven Regional Commercial /Mixed-Use District is to create a dynamic environment for the interaction of vibrant commercial, retail, regional services and high density residential neighborhoods. Sensitive spatial and architectural form, massing, and transitions are critical to the relationship between compatible uses. The following principles establish the essential characteristics that will promote the support these goals.



REGIONAL COMMERCIAL / MIXED-USE LAND USE PLAN

Neighborhood Design Criteria:

- Visual and practical interaction of mutually supporting commercial and residential uses.
- Integration of open space and pedestrian linkages with regional commercial tenant needs
- Foster clustering of high-density residential buildings to create smaller “neighborhoods” within planning area.
- Maximize architecture along theme streets
- Limit direct garage access along theme streets
- Provide Community entry at Haven and Theme Street
- Provide theme street intersection treatment
- Provide pedestrian link to neighborhoods and High School site to north.

ARCHITECTURAL COMPONENTS

Quality architectural and aesthetic design of a project has its foundations in the primary forms of the buildings. Guidelines for the following component intend to cultivate varied and interesting architecture while allowing room for creativity and project stylization.

Building Form and Mass

Building forms shall be simple and well-proportioned resulting in a balanced composition of elements.

- Layering of wall planes and volumes should provide a rhythm of dynamic building shadows.
- Building massing shall consist of a mix of building heights to provide visual interest to the commercial area.
- Tower elements and other vertical/prominent building features should be used to accentuate key elements such as building entries, pedestrian nodes, plazas or courtyards.
- Taller buildings shall have greater articulation.

Modulation and variation of building masses between adjacent buildings is encouraged. Three and four story elevations should have varied massing and architecture, both in height and depth, along the façade. The preference is for the project to feel less like a set of monolithic structures and more like a collection of distinct building in the eclectic style of the district. This can be accomplished through massing, color blocking, wall plane breaks, and variations in architectural styling and façade treatment.

Building mass shall be proportional to the tenant use to create obvious and identifiable delineation between uses.

Materials and Colors

Materials and colors should be applied to create cohesive and authentic architectural styles and streetscapes.

- All surface treatments or materials should be designed to appear as an integral part of the design, not merely an application.
- All materials should wrap architectural elements in their entirety, on primary elevations and where exposed to primary public spaces.
- Material changes should occur at inside corners.
- Materials applied to any elevations shall turn the corner of the building a minimum of 8', or to a logical termination point in relation to architectural features or massing.
- Highly reflective surfaces/materials, including colored glass and highly polished materials, are not allowed.
- Rough cut, rustic appearances through the use of stone, brick, or siding are encouraged. Only finished materials are allowed, no exposed or untreated concrete masonry units, unless consistent with the architectural style.

6.5.4



Articulation through the use of color blocking and detail elements



Exterior Design

Buildings shall have articulation along auto and pedestrian corridors to generate pedestrian scaling and visual interest along the streetscape.

- No single building shall have a singular wall plane or building height on the primary elevation.
- Front wall planes of commercial/mixed-use buildings, including retail/shop space veneer configurations, shall be articulated.
- Articulation can include, but is not limited to:
 1. Vertical and horizontal offsets.
 2. Color blocking.
 3. Appropriate use of detail elements.
- Mixed-Use buildings, multi-tenant shop buildings with more than one ground floor tenant: no more than sixty six percent (66%) of the front elevation may consist of a single contiguous wall plane on a tenant by tenant basis

OR

- On an overall building, a cumulative total of no more than sixty six percent (66%) of the front elevation may have the same setback dimension; with no more than forty percent (40%) of the elevation comprising a continuous wall plane.
- Massing of large expanses of street exposure or pedestrian corridor exposure walls are encouraged to be visually broken down through the use of architectural features and treatments, and color changes, including but not limited to, pilasters, trellis elements, decorative light fixtures, and material inlays, murals, graphics, or other visual variations.

Primary exposures/elevations shall be appropriately detailed and articulated consistent with the architectural style and character of the development, as established by these guidelines.

- First-story pedestrian scale character and commercial retail exposure is crucial to business viability. In-line retail/commercial/service space shall be designed for the optimization of space, exposure, and aesthetic articulation.

Architectural massing and style among buildings shall be compatible.

- No two adjacent mixed-use buildings shall have identical architectural appearance, or use of materials, or color palette unless pairing is integral feature of project design theme.
- Combinations and composition shall be varied, although massing may be comparable.
- Some repeat materials may be used; however, they may not be used with the same color palette unless architectural pairing is integral feature of project design theme.
- Offset wall planes should be used, where appropriate, as an integral part of the building design.
- Projections, overhangs and recesses may be used to provide shadow articulations, and scale to building elevations.
- Building offsets or recesses may be used to accentuate building entries and form pedestrian nodes.
- At least 40% of the ground floor of the primary exposure of an in-line/shop-space/free standing show use, excluding restaurant pads, shall be devoted to transparent windows and/or doors.
- Big-box tenants shall use appropriate glass frontage, subject to tenant by tenant review and approval.



Offset Wall Planes



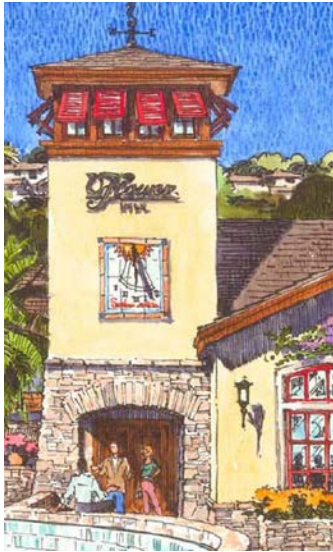
Variety in building height

Variety in massing and articulation emphasizes pedestrian scale.

- Primary exposure of commercial buildings greater than one story should suggest the presence of a “usable” second story and shall reduce the impact of higher volumes through the use of details consistent with the architectural style.

Secondary exposure of commercial buildings greater than one story shall provide an appropriate level of articulation to engage the street-scene.

- Articulation can be achieved through the use of wall plane offsets, break of parapet lines, details such as windows and shutters, material inlays, and color or texture changes.
- Secondary exposures shall be architecturally compatible, though not as detailed, with primary exposures.



Tower Elements

Roof Form and Slope

Building height shall be varied to provide visual interest to the commercial center as viewed from community streets, open space, or other public spaces.

- Variety in roof forms, ridge heights and direction of gables is required.
- Tower elements or other prominent building features should be used to accentuate key elements such as building entries, pedestrian nodes, plazas, or courtyards.
- Form and materials should be integrated with the overall character of the development.
- Although the majority of commercial roof area may be flat, visible elevations should be treated with sloping roof elements, including hips or gable forms (as appropriate to the primary architectural style), or parapet treatments.
- Roof pitch shall be in proportion to the design of the building and in conformance with code regulations for the roof material.
- Secondary roof elements that accentuate special features may have more gentle or extreme slopes, as consistent with the primary architectural style.
- Architecturally exposed roof materials shall consist of flat, barrel, or "S" concrete or slate tiles or shakes.
- Metal roofs are permitted as feature elements consistent with the architectural style.
- Fascia elements should be consistent with the primary architectural style.

6.5.4.1 Architectural Features and Accents

Buildings and/or Tenant Entries

Entries shall be visually appealing and identifiable to users.

Each commercial building and/or tenant shall provide well-articulated, identifiable path of entry for pedestrian and vehicular users from the site into the buildings themselves.

- Commercial/retail entryways shall be clearly identifiable from the perceived “face” of the building so as not to confuse or mislead patrons.
- Landscape, hardscape, and architectural design elements for the project site and building entries shall work together to create a sense of arrival.
- Appropriate signage and lighting shall be provided for emphasis.
- Mixed-use buildings should incorporate design features such as porches, bays, balconies, arcades, street-level windows, and second story windows where feasible.

Patio Dining

Outdoor seating is encouraged to enliven the street-scene along mixed-use edges.

- Outdoor business activity is permitted in the interior circulation ROW only if additional public sidewalk is provided greater than the required 8 foot width.
- Seating areas shall be 5 feet in minimum dimension from the store/building front. Edge of seating area shall be a minimum of 8 feet from the ROW/landscape.
- Seating areas shall have a maximum 20 foot encroachment onto park/paseo areas.
- Patio areas may be enclosed by the tenant using an open rail compatible to the architecture of the building, or hedges, or other suitable separation.
- Patio areas do not require railing or enclosure.

Storefront Windows

Accenting of display windows on the first floor is a strong tool for the articulation of store frontage. Display windows shall be at pedestrian eye level to stimulate street-scene interest and promote viable business.

- A minimum of 40% glazing is required on all multi-tenant commercial buildings and the commercial base of a multi-story mixed-use building.
- Window treatments, where feasible are encouraged. Exterior window treatments include, but are not limited to:
 1. Recessing/surrounds of not less than 6”.
 2. Trim elements
 3. Headers and sills
 4. Awnings (cloth, metal, or trellises)
 5. Shutters (proportional to window where consistent with the architectural style).
 6. Mullion patterns, as appropriate to the architectural style.



Character is infused into architecture through the use of details, special features, and accents. Creativity and articulation at the human scale will help engender a stronger sense of place in the Regional Commercial/Mixed-Use District along pedestrian and auto corridors.

6.5.4.2 Storefront Windows

- Awnings, when provided should be designed consistent with the architectural style and color palette of the main structure.
- Unacceptable awning treatments include: metal louvers (except Bermuda style shutters) or untreated fabric. Project names, texts, or logos are acceptable as decorative awning treatments, however not as primary signage.

Exterior Lighting

Exterior lighting fixtures shall be compatible with the architectural style of the building, and proportional in size to the scale of the building.

6.5.4.3 Accessory Elements

Loading and Service Design

Site design shall specifically address the needs of pick-up, delivery, and service vehicles related to commercial/retail uses.

- Service entrances and vehicles shall be sited such that they do not interfere with owners/tenants/customer access.
- Appropriate on-site service vehicle parking/turnouts shall be provided in an efficient, non-obtrusive location appropriate to the scale and needs of the project.
- Loading vehicles, when parked, shall not impede normal traffic flow.
- Service and storage areas shall be effectively screened from public view.
- Screening shall be by fences or walls with aesthetically compatible landscaping, and/or comparable materials that effectively obscure loading/service areas.
- Loading zones, where adjacent to residential development (30 feet or closer), shall be partially roofed to dampen sound and screened from pedestrian view of the area.
- Enclosed service areas or service alleys serving multiple tenants need screen only access points of the service area.

Exterior Storage

- Storage buildings are discouraged.

Trash Enclosures

Trash enclosures and other service elements should be screened from view.

- Solid walls or fences compatible with the building architecture and enclosed with opaque metal gates shall be used for screening.
- No refuse collection or storage areas shall be located between a street and the front of a building.
- Refuse collection areas shall be designed to contain all refuse generated onsite between collections.

Gutters and Downspouts

- Gutters and downspouts shall be internally routed, with a continuous paved path to storm drain system, or use decorative exposed gutters and downspouts.

Mechanical Equipment

- All mechanical equipment including satellite equipment shall be screened from site by the use of parapets, decorative screens of compatible color, style, and material, or other appropriate architectural features.
- Devices are to be located in unobtrusive locations and care shall be taken to screen view from public thoroughfares at the pedestrian level.
- Where ground mounted, these devices shall be buffered by landscape or screening. All equipment must be shown on submitted plans as part of the Design Review process.

Meters

- All electrical meters shall be located on the rear or side elevation of a pure retail buildings and interior to an architectural feature compatible with the architectural style of the mixed-use or pad restaurant building and subject to all applicable building codes.
- Natural gas meters shall be grouped and screened by walls, on a secondary or rear elevation of the building.
- Electrical meters located on exterior street elevations shall be ganged and located behind doors.
- Screening electrical meters behind doors is not required where meters are located in screened service areas or in “back of house” areas not intended for general public access and service courts.
- Builders should contact the utility provider for minimum clearances.
- Screen walls and electrical enclosures should be designed integral to the primary commercial building’s architecture.

6.5.5 SIGNAGE GUIDELINES

The purpose of these sign guidelines is to promote an overall “sense of place” through signage that is architecturally integrated and visually interesting while conforming to applicable code requirements.

6.5.5.1 Signage Design Objectives



- To identify the project with elements that convey a distinct character which enhances the collective architectural them and “story”.
- To incorporate an environmental communication system categorized into five groups of sign types: identity, direction, information, regulation, and special amenities.
- To ensure the efficient circulation of vehicle traffic within the site.
- To clearly identify vehicular entry points and to direct vehicles to designated parking areas.
- To enhance the pedestrian experience through the design of way finding components: directories, directional signage and destination identifiers.
- To establish the tenant sign criteria to serve as the basis of the leaseholder submittal process for the review and approval of tenant sign proposals.

6.5.5.2 Definitions

Sign – Any arrangement of letters, numeral, or design superimposed or painted on, suspended from, or incised into a surface and used as an outdoor display or notice, pictorial or otherwise, for the purpose of delineating identity, advertising available services and/or products, or for providing instructions and/or direction and/or information.



Advertising Sign – Those which direct attention to the goods or services sold, leased, or otherwise provided and made available, which shall include the name of the leasehold premises and may include names or sub-tenancies located thereon.

Awning Sign – A message integrated into the surface of an architectural awning structure mounted parallel to the building façade.



Blade Sign – A wall-mounted projecting or canopy-suspended sign at the pedestrian level adjacent to a building entry.

Pylon Sign – Those which are vertically freestanding, providing site and major tenant identification oriented to principal vehicle thoroughfares and entries.

Monument Sign – Those which are horizontally freestanding, integrated into the landscape, providing primary or secondary identification of single tenants.

Permanent Sign – Those of substantial, durable materials and finishes intended for long-term use.

Temporary Sign – Those intended for short duration, normally during the planning and construction phase of development or for temporary events.

Sign Area – Shall be the sum of the areas enclosed within parallelograms drawn around each letter and/or pictorial or architectural embellishment. Where letters or embellishments are connected, as in script writing, the parallelograms shall encompass each group connected. Where a frame or backing for the letters, embellishments, etc., constitutes an integral part of the sign, the total area enclosed shall be considered.

Façade – The exterior wall of a building exclusive of projecting signs, columns, pilasters, canopies, marquees, decorations, or the like.

Parapet – That portion of the exterior wall of a building occurring above the roof.

Marquee – A rigid canopy extending outwards from the building façade, generally over the main entrance or along a principal façade.



6.5.5.3 General Sign Design & limits

- Tenant sign size and quantity must be compatible with architectural scale and structure as determined by the Owner and conform to City of Ontario Sign Code as determined by the Planning Department.
- The dimensions and shape of sign panels or elements mounted on building facades or marquees shall be scaled proportionately to the architecture.
- Double or multi-face signs shall count as one (1) unit when computing number of signs allowed.
- The area of one (1) face shall be used in computing area of double or multi-faced signs.
- Sign elements shall not project more than 2'-0" beyond the lease line unless reviewed and approved by the Owner.
- All projecting blade signs must maintain a minimum 8'-0" clearance height above grade.





6.5.5.4 Identity Signs

- Primary project identity signs shall be situated at appropriate locations and may be any of the following: an entry-spanning gateway sign, entry flanking monument sign or double-sided pylon sign. The project identity signage should be creatively interesting and visually engaging.
- Secondary project or tenant identity signs are typically ground-mounted monument signs. The design of the monument sign shall be in keeping with the character established for the project with variations to include individual tenant identities.
- Commercial tenant identity wall signage shall adhere to the criteria set forth within the Commercial Sign Design Guidelines to be established and implemented as part of a comprehensive sign program for each project. The design of commercial tenant signage shall be in keeping with the character established for the project with variations to include individual tenant identities.
- Retail tenant identity signs shall adhere to individual national identity/corporate branding standards and remain in keeping with the character established for the project.
- Residential Development identity signs shall adhere to the criteria set forth within the Residential Sign Design Guidelines contained within the comprehensive sign program for each project. The design of the residential identity sign shall be in keeping with the character established for the project with variations to include individual tenant identities.
- Code-required identity signs are required for restrooms, telephones, fire extinguishers, elevators, escalators and stairs within the project. All code-required identity signs throughout the project shall incorporate the appropriate international symbols as established by the Society of Environmental Graphic Design (SEGD).



6.5.5.5 Directional Signs

- Direction signs shall be located at any vehicular or pedestrian decision point within the leaseholder project.
- Vehicular direction signs shall clearly direct to destination anchors within the leaseholder project and to on-premise parking areas.
- Vehicular direction signs shall be consistent in size, shape and design throughout the leaseholder project.
- Typography on vehicular direction signs should be legible and have enough contrast to be read from an appropriate windshield viewing distance.
- Vehicular direction signs shall incorporate reflective vinyl copy for night-time illumination.
- Vehicular signs should have no more than three messages per sign.
- All direction signs throughout the project should incorporate the appropriate identity symbol as established by the Society for Environmental Graphic Design (SEGD) and comply with all state, local and federal regulations.



6.5.5.6 Information Signs

- Wall-mounted or freestanding directories are appropriate within a mixed-use district.
- Parking information signs should be located at parking entrances for mixed-use structured parking.





6.5.5.7 Regulation Signs

- Regulatory signs that may be required within the project include: non smoking no parking, do not enter, no dogs, no skateboarding, and accessibility-related (ADA) signs.
- Vehicle regulatory signs including stop, yield, do not enter, wrong way, speed limit, no parking and one way are intended to impose legal obligations and/or restrictions on all traffic. It is essential, therefore, that their use be authorized by the public body or official having jurisdiction, and that signs conform with the Manual on Uniform Traffic Control Devices. A traffic engineering consultant is required to verify location of regulation signs on public right-of-way.
- Signs within the project must be in compliance with the following local and national guidelines:
 1. CalDAG 96 – Combined ADA and CA Title 24
 2. AASHTO Part 1 Guidelines for Supplemental signs
 3. MUTCD – Manual of Uniform Traffic Control Devices
 4. City of Ontario Municipal Code, except where modified by this document.
 5. San Bernardino County ordinances, except where modified by this document.

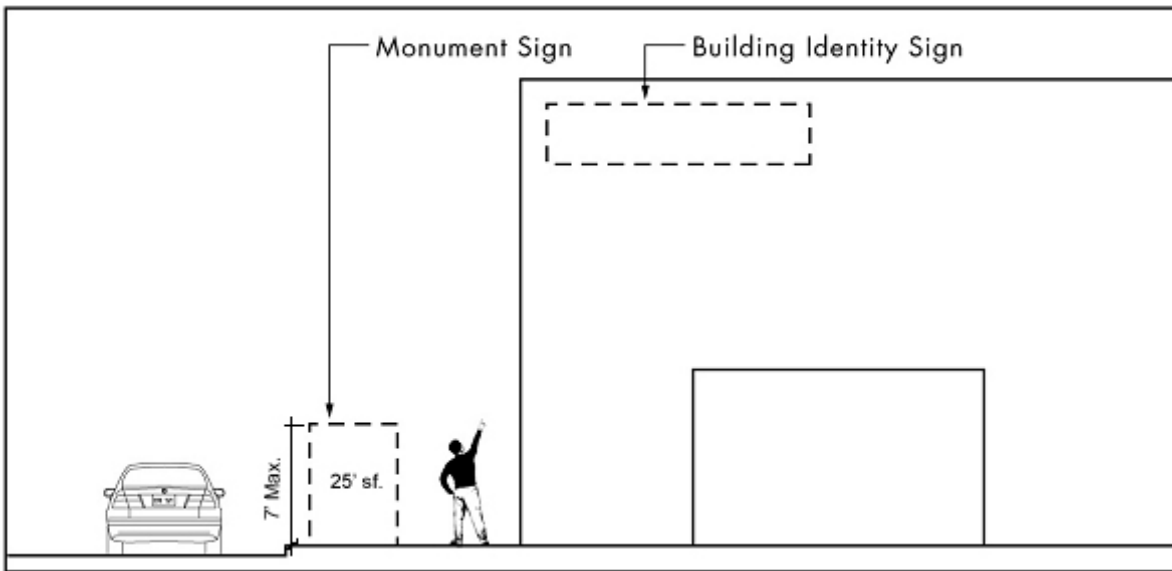
6.5.5.8 Amenities

- Project banners may be incorporated on architectural features and light fixtures. The design and application of banner elements shall be subject to approval by Owner.



6.5.5.9 Commercial Sign Design Guidelines

- Commercial project leaseholders are allotted a total of one (1) square foot of signage per linear foot of frontage for building signs.
- Commercial project leaseholders are allowed the following signs:
 - Building Identity Sign
 - Monument Sign (as allocated and approved by Owner)
 - Placement of Identity on an Information Sign
- Environmental graphics color palettes should be compatible with the architectural design of the buildings.



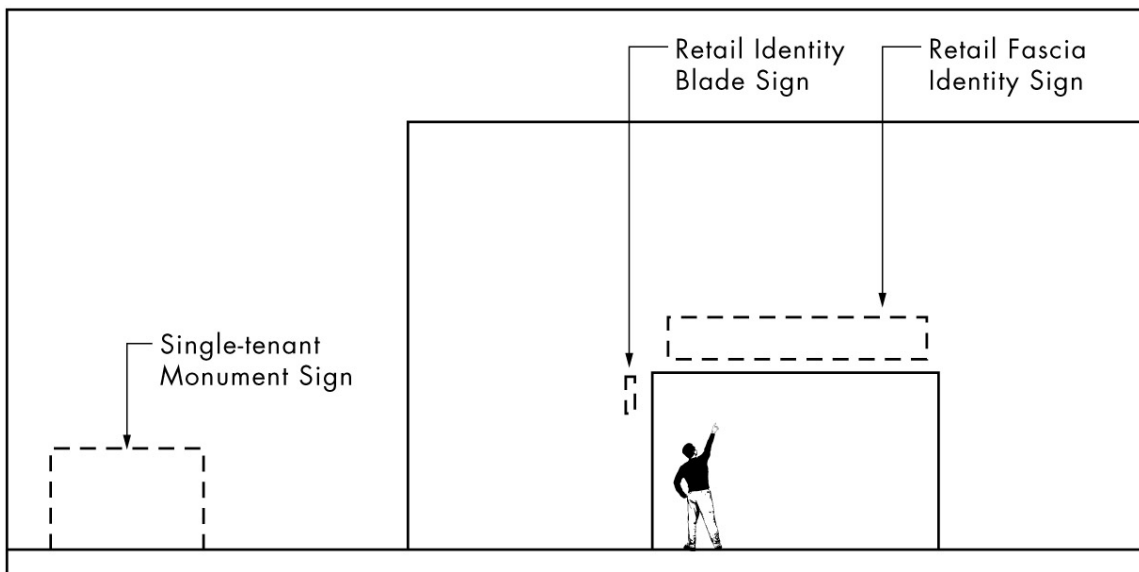
6.5

SIGNAGE DESIGN GUIDELINES



6.5.5.10 Retail Sign Design Guidelines

- Retail project leaseholders are allotted a total of one (1) square foot of signage per linear foot of frontage for building signs.
- Retail project leaseholders are encouraged to incorporate the following signs into their project:
 1. Retail Fascia Identity Sign
 2. Retail Blade Identity Sign (required 8'-0" clearance above grade)
 3. Single-tenant Monument Sign (where applicable)
 4. Building Awnings
 5. Multi-Tenant Pylon Signs
- Environmental graphics color palettes should be bold and vibrant within the Retail project.



6.5.5.11 Residential Sign Design Guidelines

- Residential developments are allotted a total of one (1) square foot of signage per linear foot of street frontage for building signs.
- Residential developments are encouraged to incorporate the following signs into their project:
 1. Fascia Identity Sign (into residential lobbies)
 2. Building/Tenant Address System
- Environmental graphics color palettes should be harmonious with the architecture and integrate bold accent colors.



6.5.5.12 Fabrication & Installation

It is intended that all finished work be of the highest quality to pass eye-level examination and scrutiny.

General Fabrication Specification

- Construct all work to eliminate burrs, dents, cutting edges and sharp corners.
- Finish welds on exposed surfaces to be imperceptible in the finished work.
- Surfaces which are intended to be flat shall be without dents, bulges, oil canning, gaps or other physical deformities.
- Except where approved otherwise by the Owner, conceal all fasteners.
- Make access panels tight-fitting, light-proof and flush with adjacent surfaces.
- Carefully follow manufacturer's recommended fabrication procedures regarding expansion/contraction, fastening and restraining of acrylic plastic.
- Exercise care to assure that painted, polished and plated surfaces are unblemished in the finished work.

Non-Permitted Sign Construction

The following construction methods are not permitted:

- Letters with exposed fastening and unfinished edges (unless architecturally consistent).
- Paper, cardboard, Styrofoam or untreated cloth.
- Signs employing flashing, flickering, rotating or moving lights (except as approved by owner).

6.5.5.13 Sign Maintenance

All signs shall be kept in "like new" condition and shall be promptly restored to such condition if damaged or other wise marred. Copy and text employed on signs shall be kept accurate and current.

6.5.5.14 Sign Location

All signs shall be contained within the premises to which applicable and shall be so oriented as to preclude hazardous obstructions to person and/or vision of pedestrians and/or vehicle operators. All sign locations to be submitted in elevation and plan view for Owner approval per the Comprehensive Sign Program for each project.

6.5.5.15 Temporary Signs

Temporary signs may be authorized at the discretion of the Owner on leased premises during the period of initial planning and construction. For continued use subsequent to the first 60-days of leasehold operations justification in the form of written definition of intended permanent sign program shall be submitted to the Owner for consideration and disposition.

- Temporary signs should reflect the project design or brand to generate excitement for the project.
- Branded Construction Fence or Storefront Barricade may be used as a communication devise to generate excitement for the project.
- Leasing Signs shall be allowed upon approval by Owner.
- Sandwich Board signs which are architecturally consistent with the project shall be allowed upon approval by Owner.
- Other Environmental Graphics may be utilized upon approval by Owner.

6.5.5.16 Sign Illumination

All sign elements must be internally and/or externally illuminated. Hot spots and light leaks are not permitted and must be repaired by the Leaseholder. All illuminated signs shall be fabricated, installed, and comply with national/local building and electrical codes and shall bear the U.L. label. All signs shall conceal all identification labels and U.L. labels to conform to U.L. codes. All conductors, transformers, cabinets, housing and other equipment shall be concealed and/or incorporated into storefront and/or sign components.

- To protect the visual environment, all leaseholders' light fixtures in regards to brightness and glare, shall be subject to approval by Owner.

Leaseholders' primary sign, secondary sign (if applicable) and canopy signs shall remain illuminated during business hours as designated by the owner. Lighting in these zones are required to be circuited and switched separately from other store fixtures on the leaseholders' panel and controlled by a time-clock. Leaseholder shall provide a disconnect switch at sign transformer or near electrical junction box per the Comprehensive Sign Program.



6.5

SIGNAGE
DESIGN GUIDELINES

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MASTER LANDSCAPE PLAN

7.1

7.1.1 Community Vision

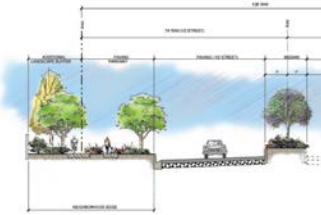
The landscape design concept for Rich-Haven is to create open spaces and lifestyle opportunities for a community that evokes traditional and timeless qualities. The emphasis in the landscape design is on community and neighborhood, focusing on the individuals and their interaction with their livable surroundings. Using innovative design to focus the street scene on entries and living areas, as opposed to garages and property walls, emphasizes neighborhood scale within the community. Importance is placed on connectivity and linkages between homes, parks, schools, and retail centers. A variety of park types and sizes provide for a wide array of activities to various community groups and users. Incorporating design elements such as clear sightlines, pedestrian lighting, and a separation of pedestrian from vehicular circulation impresses a premium on safety and individual security. Landscape elements selected will establish a community with a landscape that incorporates the diverse and traditional styles of the neighborhood architecture, yet share a common palette and streetscape pattern that unify neighborhoods and the community at large.



7.2 COMMUNITY STREET SCENE

7.2.1 COMMUNITY ARTERIALS

See Master Planned Circulation Plan (Figure 4-1A) for arterial locations as they apply to the Rich-Haven community.



Landscape guidelines concerning major community arterials in the Ontario Ranch are addressed by the City of Ontario in the Ontario Ranch Streetscape Master Plan. Street tree, under-story tree, and shrub palettes have been determined by the City of Ontario and shall be complied with where applicable within the Rich-Haven community.

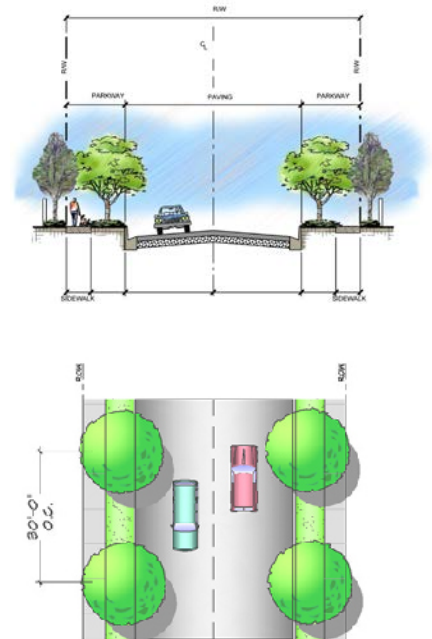
7.2.2. NEIGHBORHOOD STREETScape

7.2.2.1 Residential Theme Streets

Residential Theme Streets are those significant residential streets that are commonly designed to be used as ‘separator’ streets between residential neighborhoods, and therefore are usually faced by two different home types. These streets will be designed to connect and unify various neighborhoods and planning areas through the use of community theme elements such as unified street trees, lighting fixtures, directional signage, and construction materials.

Also, residential Theme Streets will act as primary pedestrian corridors in addition to vehicle corridors. These streets will be designed with a differentiating street trees/parkway planting treatment or a widened landscape edge to provide convenient and safe pedestrian circulation throughout the Rich-Haven community.

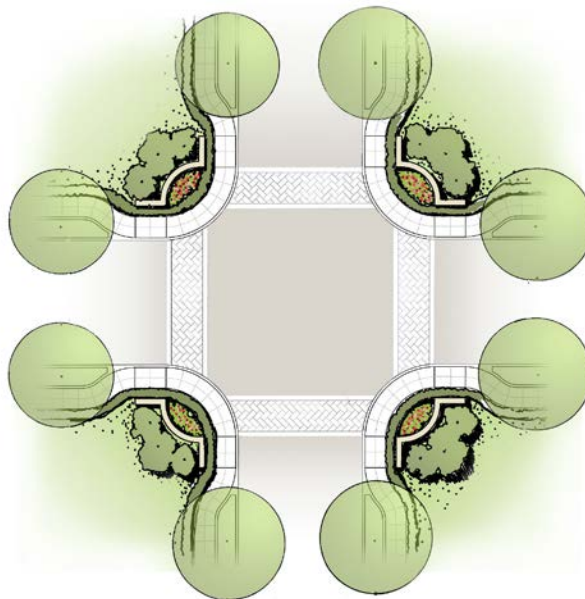
- Street Trees shall be spaced at 30’ O.C. When feasible, utilities and other obstructions shall be located outside of an 8’ clear space 30’ on center reserved for street trees.
- Street Trees shall be installed at 24” box size minimum.
- Street Trees located closer than 5’ of walks, walls, or other hardscape shall have a linear root barrier installed per manufacturer’s recommendation.
- Street Trees shall align on both sides of the street in a soldier course wherever possible subject to site conditions.
- The number of trees per street shall be based on 1 Street Tree per 30’ of linear street measured between beginnings of curves at intersections. The number of street trees shall only be reduced from this amount with permission from the City of Ontario.
- Parkway between sidewalk and roadside curb shall be planted with low water using groundcover, turf or approved equal.
- For all trees proposed in turf areas, a minimum 7’ area clear of turf, and in parks a 10’ area clear of turf, measured from the outside diameter of the tree trunk, shall be maintained to prevent damage from lawn maintenance equipment. Trees in parkway turf area shall have a turf free, groundcover only section the length and width to equal the parkway size.
- Street light fixtures shall be consistent, decorative in nature, and selected from the City of Ontario’s approved street light fixtures.
- Sidewalks shall be scored with a 24” x 24” score pattern.
- Turf shall only be used where play or pedestrian use is expected; such as parks, play areas or limited areas in parkways for access from street parking to avoid excessive water use.



7.2.2.2 Theme Street Intersections

Monumentation at the Local Theme Streets shall consist of ornamental walls with the following criteria:

- Walls shall be 2'-6" in height and be located outside sight triangles calculated per City of Ontario guidelines.
- Design shall be simple and timeless in nature and be symbiotic with the surrounding architectural styles. Walls will be finished in an antique brick veneer or stone veneer. Suggested finishing techniques include sandblasted concrete and mortar wash over stone.
- Color shall match or be in harmony with the surrounding neighborhood architecture.
- Landscape associated with walls shall be selected to provide an accent in color and/or form.
- Landscape shall not exceed 24" high within sight triangles calculated per City of Ontario guidelines.
- Specimen type trees shall chosen to accent the corner monumentation shall be multi-trunk, with unique branching, flowers or fall color.



Plan View – Local Theme Street Wall Locations



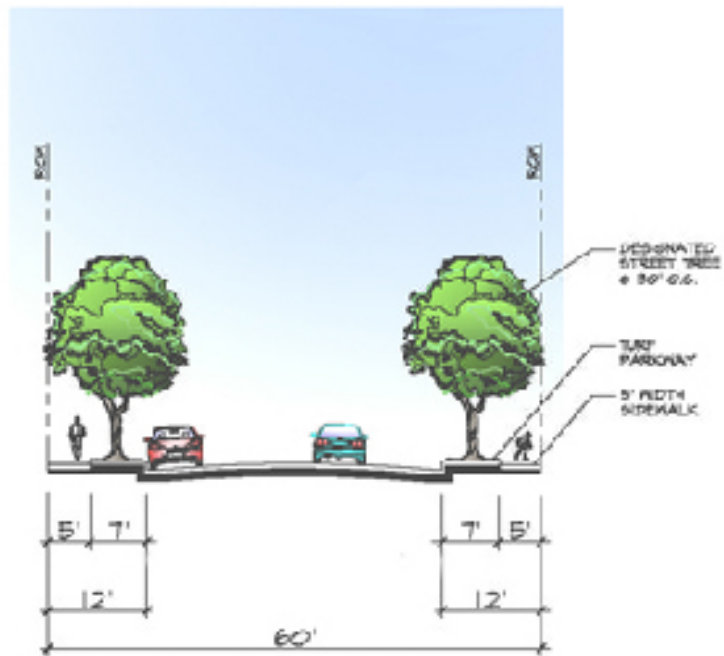
Example Theme Street Wall Elevation

**THEME STREET
IDENTIFICATION**

FIGURE 7.1

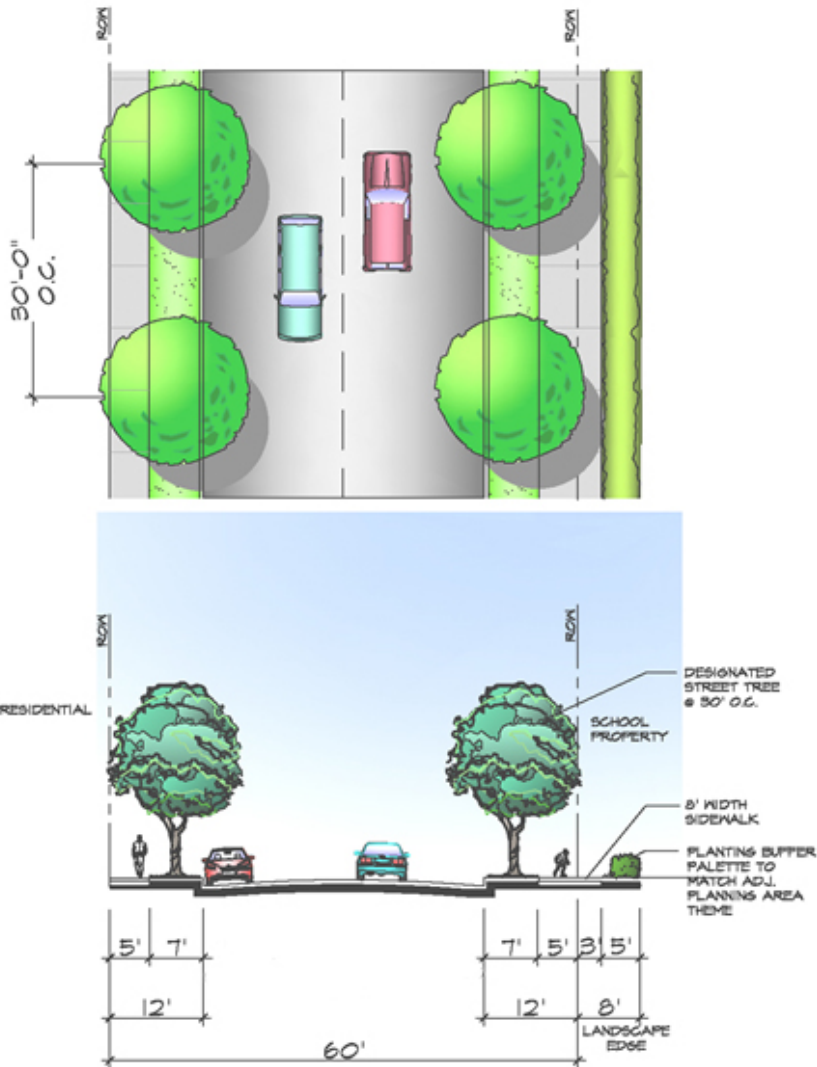
7.2.2.3 Local Neighborhood Streets

- Local Neighborhood Streets unify and identify smaller neighborhoods and/or housing types within the Community. Primary identifiers include a common street tree type and similar hardscape materials.
- See Planning Area Landscape criteria (Section 6.4) for street tree designation on local neighborhood streets.
- Street trees shall be installed at 24" box size minimum at 30' O.C.
- Street Trees located within 5' of walks, walls, or other hardscape shall have a linear root barrier installed per manufacturer's recommendation.
- Parkway between sidewalk and roadside curb shall be planted with low water using groundcover, turf or approved equal.



**Local Neighborhood Street
Parking Permitted**

- Where a Local Neighborhood Street exists adjacent to School Property, there shall be an additional 8' landscape edge provided on the School side to allow for a widened sidewalk and landscape buffer.



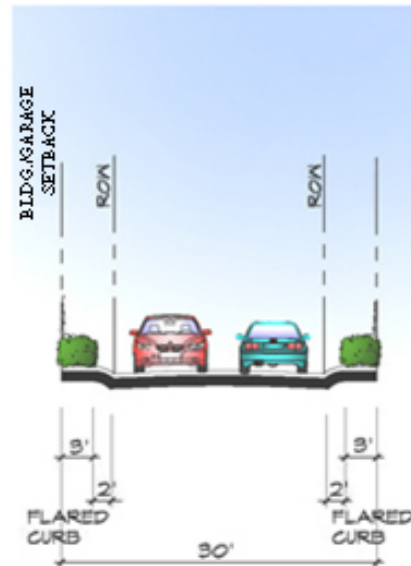
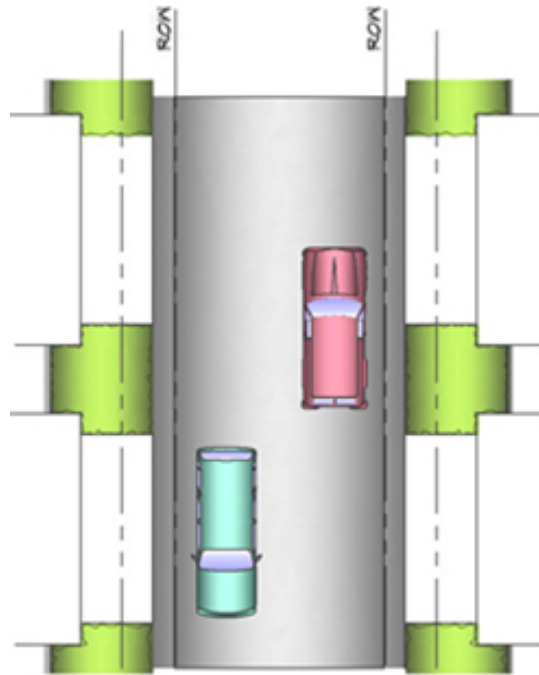
**Local Street Next to School
Parking Permitted**

7.2

LANDSCAPE
DESIGN GUIDELINES

7.2.2.4 Common Drive/Alley

- Landscape materials and details shall soften and enhance essential service and vehicular access, creating a utility oriented residential street type. Shrubs and vines shall be used in conjunction with screen wall and fence types to provide a cohesive circulation element for alley-loaded product types.



Common Drive/Alley (Private)
20' Pavement Minimum
***24' Pavement for Emergency Access Road**

7.2.3 Community Intersections

The City of Ontario, Ontario Ranch Streetscape Master Plan defines improvement requirements at intersections of City maintained primary and secondary arterials. In addition, the Streetscape Master Plan categorizes Major and Secondary Gateways and Intersections within the Ontario Ranch. These Design Standards and Guidelines for the intersection of streets shall be complied with.

7.3

LANDSCAPE
DESIGN GUIDELINES

7.3 ENTRIES AND MONUMENTATION

7.3.1 Community Monumentation



The Ontario Ranch Streetscape Master Plan defines guidelines for size, materials, and placement of monumentation at Major and Secondary Gateways and Intersections within the public right-of-way. All monumentation designs are subject to approval by the City of Ontario. And, all monuments shall be placed in accordance with City of Ontario Traffic and Transportation Design Guidelines for Monument Placement.

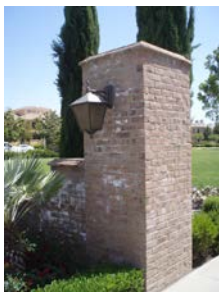
7.3.2 Neighborhood Monumentation

Neighborhood monumentation will exist primarily at intersections associated with Residential Theme Streets, Community entries, Neighborhood entries, and at residential area parks.

7.3.2.1 Community Entries

Community Entries are defined as those junctions where Residential Theme Streets intersect with major City of Ontario arterials, yet are not defined as Major Intersections per the Ontario Ranch Streetscape Plan. Community Entries shall consist of ornamental walls subject to the following criteria:

- Walls shall be maximum 6'-0" in height and be located outside sight triangles calculated per City of Ontario guidelines.
- Design shall be simple and timeless in nature and be symbiotic with the surrounding architectural styles. Walls will be finished in an antique brick veneer or stone veneer. Suggested finishing techniques include sandblasted concrete and mortar wash over stone.
- Color shall match or be in harmony with the surrounding neighborhood architecture.
- Landscape associated with walls shall be selected to provide an accent in color and/or form.
- Landscape shall not exceed 24" height within sight triangles calculated per City of Ontario guidelines.
- Signage lettering will be wrought iron, brass, brushed aluminum, or similar high quality material.
- Ornamentation will be wrought iron, brass, stained wood, or similar high quality material.
- Other than decorative lanterns, monument lighting will be screened from pedestrian and vehicular traffic view.
- Community Entry monumentation is subject to City of Ontario approval.





Example Community Entry
Elevation

Where Private Development Entries coincide with Theme Street intersections, Guidelines for Private Development Entries shall prevail.

7.3.2.3 Neighborhood Entries

Monumentation at Neighborhood Entries shall consist of ornamental walls and signage subject to the following criteria:

- Walls shall be a minimum 2'- 6" in height and a maximum of 4'- 0" in height, and be located outside sight distance triangles as calculated by City of Ontario criteria.
- Design shall be simple and timeless in nature and be harmonious with adjacent architectural styles.
- Walls will be finished in an antique brick mix veneer or stone veneer. Concrete wall and pilaster caps will be permitted. Suggested finishing techniques include sandblasted concrete and mortar wash over stone.
- Signage will be wrought iron, brass, aluminum, tile mosaic, or recessed lettering in light sandblasted concrete.
- Ornamentation to be wrought iron, brass, wood, or similar high quality material.
- Other than decorative lanterns, monument lighting shall be screened from pedestrian view
- Landscape associated with walls shall be selected to provide an accent in color and/or form.
- Landscape shall not exceed 24" high within sight triangles calculated per City of Ontario guidelines.
- Neighborhood monumentation is subject to approval by the City of Ontario.



Example Neighborhood Signage

7.3.2.4 Park Monumentation

At a minimum, monument signs will be placed at the primary entrances of community parks. These signs will be subject to the following criteria:

- Monumentation is strongly encouraged to include pilasters, arbors, and other design elements to create an entry statement or gateway into the park.
- Signage walls shall be 3'-5' in height and located outside sight distance triangles as calculated by City of Ontario criteria.
- Designs shall be simple yet strong in form and be harmonious with surrounding neighborhood architectural styles.
- Park names shall be embedded in light sandblasted concrete or on tile mosaic. Embedded letters filled with black or bronze enamel is permitted.
- Walls will be finished in an antique brick mix veneer or a stone veneer. Pre-cast or poured-in-place concrete wall caps and pilaster caps are permitted. Suggested finishing techniques include sandblasted concrete and mortar wash over stone.
- Additional walls without signage may be used throughout the park as a design element, but shall be consistent in material and theme throughout the individual park.
- Other than decorative lanterns, monument lighting shall be screened from pedestrian view.
- Park Monumentation is subject to approval by the City of Ontario.



Example Park Entry

7.4 Parks and open space



The parks contained within the residential development areas of the Rich Haven Specific Plan will be designed to provide a variety of uses and activities within the overall community. Each park will consider the unique opportunities of its location and provide complimentary facilities to suit the neighborhood setting. The parks will be developed as a “system” rather than an open space “island”, providing facilities, activities and open space to the surrounding neighborhoods.



Safety and visibility will be incorporated within the park system design. Design principles include maintaining clear site lines, adequate lighting, and elimination of “hiding spaces”. All parks shall be equipped with necessary maintenance and convenience facilities such as benches, trash receptacles, restrooms, ash urns, and bicycle racks.

All parks shall meet ADA guidelines in terms of accessibility.



All Parks shall be irrigated with Recycled Water.

All parks, open space areas, greenbelts, parkways and parking lots shall consider, where feasible, incorporating the latest Low Impact Design (LID) Best Management Practices for storm water collection and infiltration as discussed in Section 4.4 of this Specific Plan. These methods shall include: pervious pavement, engineered soil (amended soil), vegetated swales, retention/infiltration basins and trenches, dry wells and bio-treatment basins and structures, where infiltration is infeasible. Landscape design will need to coordinate with Civil engineer in planning and implementation of all these methodologies.



7.4.1 Residential District Parks

7.4.1.1 General Design Elements and Objectives

Suggested program elements for Residential District parks may include some or all of these elements:

ACTIVE

- Basketball court
- Sand Volleyball
- Turf field with clearance for pick-up games (football, soccer, softball, etc.)
- Perimeter walking/jogging trail
- Tot Lot (5-12 years)
- Tot Lot (ages 2-5) w/ play structure
- Open turf play field
- Softball backstop

PASSIVE

- Shade Trees and open lawn area.
- Picnic Tables
- Solid cover shade overheads
- Benches
- Gazebo structure
- Pavilion structure with barbecues and tables suitable for parties
- Individual solid cover shade structures with tables beneath
- Rose, flower or native plant garden
- Giant Chess Board

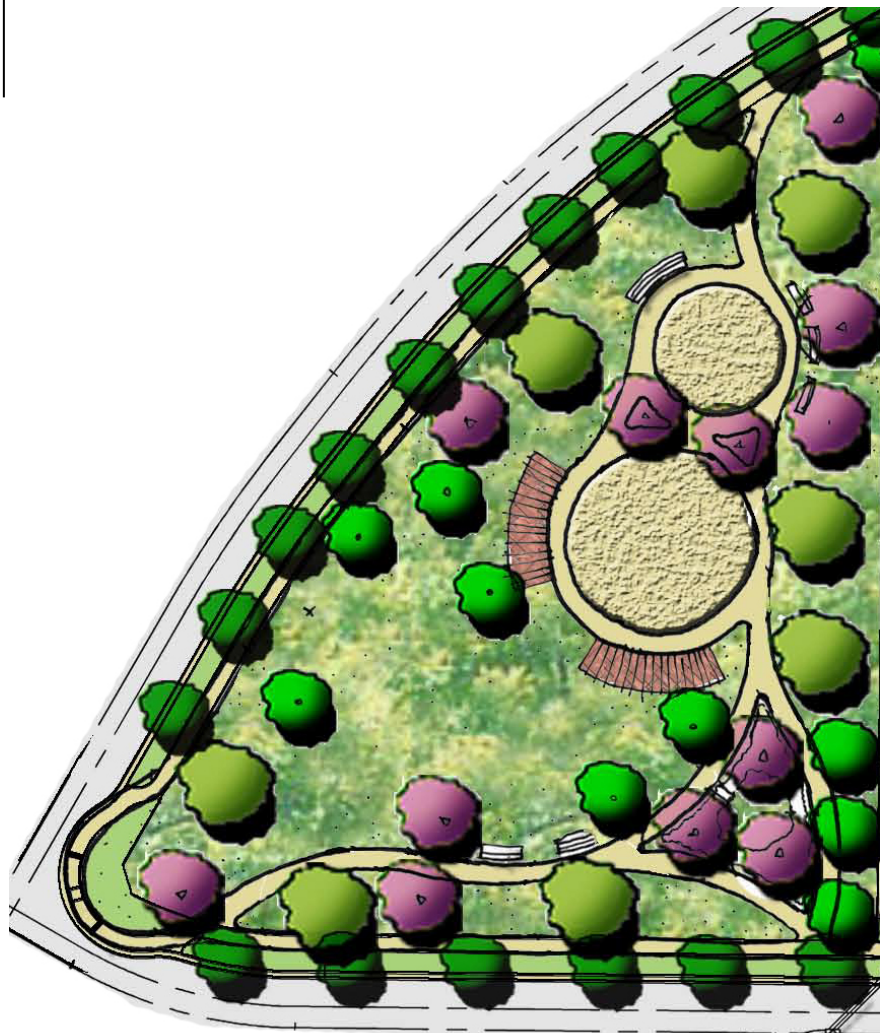
General requirements:

- At least 80% of the site should be generally level. Open field areas shall be at a minimum 2% minimum grade.
- Play areas shall meet all federal and local ADA guidelines and requirements in terms of accessibility.
- Installed play equipment shall meet all current American Society for Testing and Materials (ASTM) standards regarding play equipment, play surfacing, and fall absorbency.
- Installed play equipment shall meet all current Consumer Product Safety Commission (CPSC) guidelines for public playground safety, including but not limited to, fall zone clearances, critical heights, and assembly guidelines.
- ADA compliant restrooms shall be provided.
- Bike racks shall be provided.
- Trash receptacles and ash urns shall be provided.
- Wherever possible, Residential District Park areas should be finish graded to accept street runoff water and serve a dual purpose as stormwater runoff spreading and infiltration areas, as well as recreational areas.

Residential Park Concept

Park design is conceptual in nature. Final designs shall be reviewed and approved by the City of Ontario.

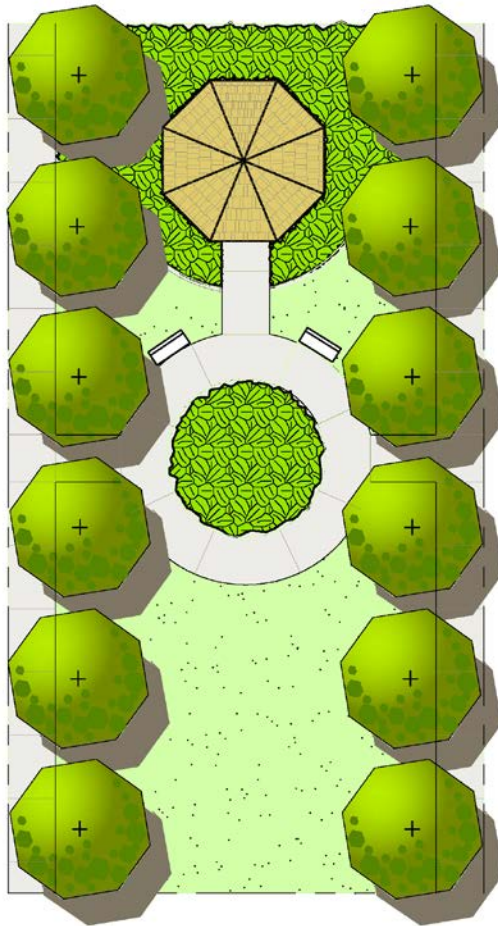
- Clear and effective sightlines shall be maintained from surrounding roadways and throughout the park.
- Clearly delineated crosswalks shall be provided to connect surrounding amenities to adjacent use areas.
- On-site parking and a formal pick-up/drop-off area near the major entry point shall be provided.
- Parks shall have clearly delineated crosswalks to set them off from surrounding amenities to adjacent areas.
- Security lighting shall be provided around the park at 100' minimum spacing with 70-watt bulbs on minimum 14' high poles.



7.4.2 Pocket/Linear Parks

Small Pocket/Linear Parks will be incorporated into the design of neighborhoods in order to both soften the built environment and provide open natural spaces for residents to experience and enjoy.

- The pocket/linear park program may contain formal or informal layouts. They also will contain walkways and trails.
- Pocket/linear parks are exempt from the requirement to contain restroom facilities.
- Pocket/linear parks shall contain maintenance and convenience furnishings such as benches, trash receptacles, and ash urns.
- Built pergolas, arbors, gazebos, and walls are encouraged design features. Open lattice or solid roofs are allowed on overhead structures.
- Security lighting in the form of bollard lighting or decorative post lighting is encouraged.
- Pocket/Linear Parks shall be a minimum of 30' in width and 0.25 acres in size.



Example Pocket/Linear Park

Landscape within the Southern California Edison easements is subject to SCE requirements and review. All landscape plans shall be submitted and approved by SCE before implementation.

See the City of Ontario, Ontario Ranch Streetscape Master Plan for more guidelines concerning SCE Easements in the Rich-Haven project area.

7.4.3 SCE Easements

7.4.3.1 SCE Requirements

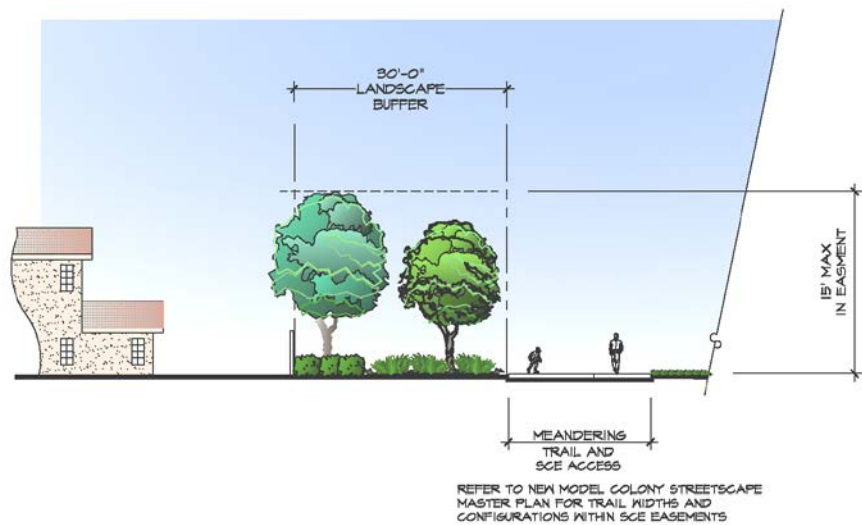
- Landscape design will follow current local and regional SCE guidelines concerning use of hardscape materials, planting materials, irrigation equipment, and clearances.

7.4.3.2 Design

- SCE easements will be designed as linear green spaces.
- It is expected and encouraged that SCE maintenance access will also be designed to be used by the community for pedestrian and bicycle use.
- Community Gardens shall be considered as a design element in SCE easements.

7.4.3.3 Screening

- Where use of an SCE Easement is deemed unsightly, a 30' minimum area shall be used to buffer and screen the use from adjacent areas.
- Provide a separation for trails and landscape from SCE easements with a minimum 24" high block garden wall or 12" high curb and dense hedge material to prevent blowing dust, soil and tumble weeds from damaging trail and landscape.



SCE EASEMENT EDGE/PATH

Community Walls and Fences

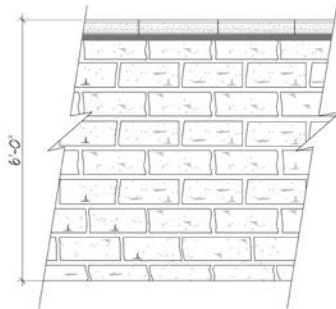
7.5

7.5.1 Wall and Fence Types

7.5.1.1 Solid Walls

- Solid walls shall not exceed 8' in height unless expressly required in a sound study conducted by a qualified acoustic engineer. Walls that exceed 6' in height are subject to approval by the planning department.
- Walls facing and/or viewed by public spaces shall be decorative in nature consisting of split face block, stone or brick veneer, or plaster.
- Wall caps shall be either precast concrete, concrete block, or plaster stucco finish. Mortar caps are not allowed.
- Wall materials and color shall match or be in harmony with adjacent architectural features.

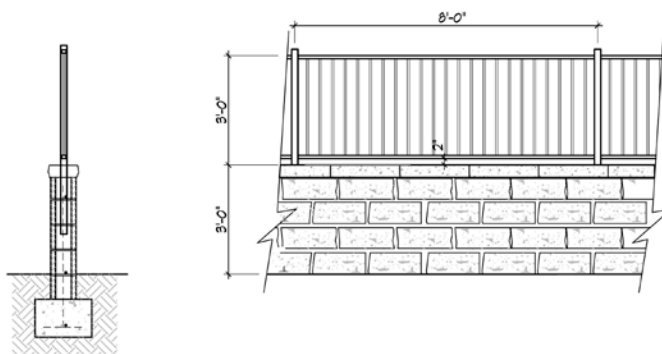
Community Walls will be set back and de-emphasized wherever possible. Where walls are determined necessary, the requirements listed herein will apply. The spacing of pilasters and wall offsets shall be subject to City of Ontario Planning Department review and approval. (See Figure 7.2)



Typical Wall Elevation

7.5.1.2 View Fencing

- View fencing may be implemented where property walls abut park, open space, or where views are deemed appropriate.
- View fencing shall consist of 3' high maximum wrought iron, tubular steel, or glass over 3' high decorative block wall.
- Steel fencing shall be black in color and appropriately treated to prevent rust.



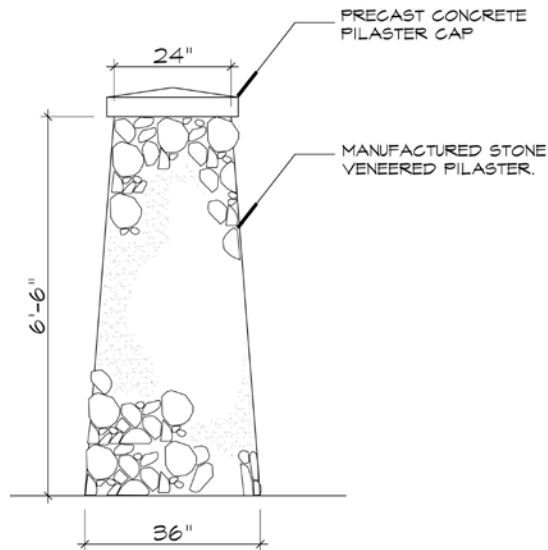
Typical View Fence Elevation

7.5.1.3 Private Homeowner Lot Fencing

- Private fencing between homeowner lots shall be 6’ high.
- Private fencing shall be of solid wall or view fence construction subject to section 7.5.1.1 and 7.5.1.2.
- Interior side residential walls, not exposed to public view, may consist of precision face block with a cap consistent in color with any adjacent walls.

7.5.1.4 Pilasters

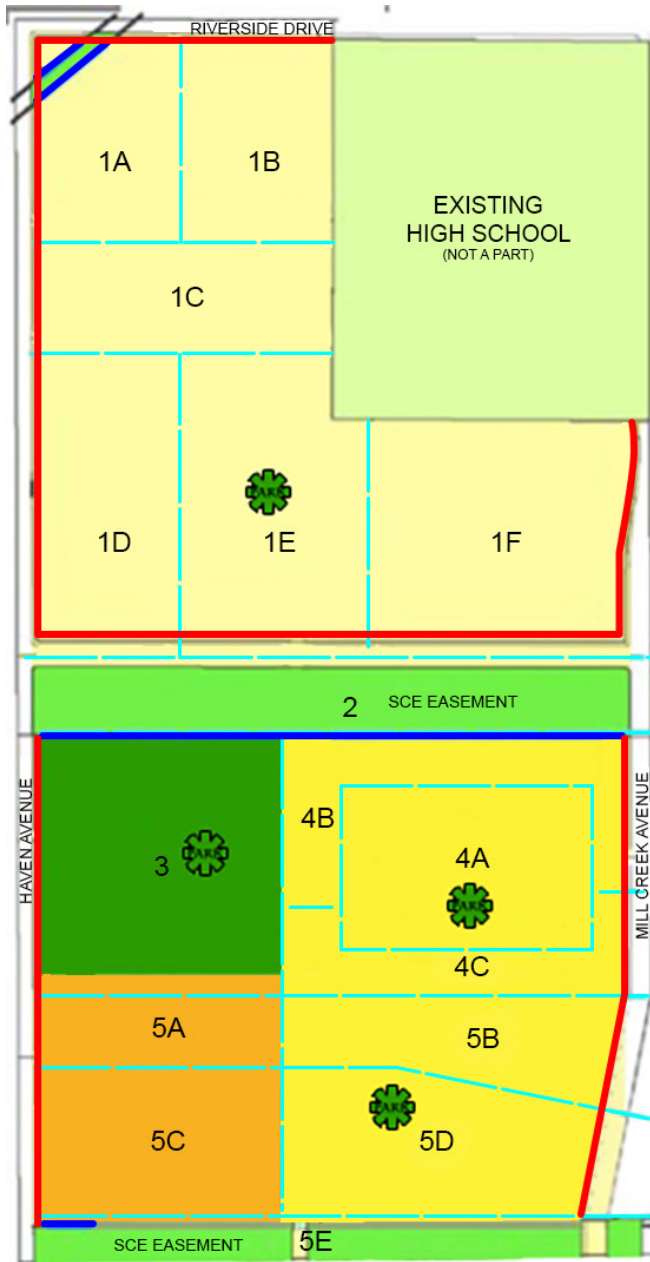
- Decorative pilasters shall be used on walls adjacent to or viewable from public areas.
- Pilasters shall be decorative in nature consisting of split face block, stone or brick veneer, or plaster.
- Pilaster materials and color shall match or be in harmony with adjacent architectural features.
- The spacing of pilasters and wall offsets shall be subject to City of Ontario Planning Department and review.



Example Pilaster Elevation

7.5.1.5 Retaining Walls




- Retaining walls shall not exceed 5 feet above rough grade and must be set 5’ clear from rear and side property lines.
- Retaining walls that terrace must include a 3’ clear planting area between walls and/or hardscape.
- Retaining walls must be screened with substantial planting.
- Retaining walls must be properly waterproofed and drained.
- Retaining walls facing or viewable from public areas shall decorative in nature consisting of split face block, brick or stone veneer, or plaster.



Community Wall
Figure 7.2

Breaks may occur in walls shown to accommodate local neighborhood entries, walks, and trails subject to City of Ontario approval.

REFER TO SECTION 7.8 FOR PA'S 7, 8, AND 9 MIXED USE LANDSCAPE DESIGN STANDARDS

	GENERAL PARK LOCATIONS
	COMMUNITY WALLS - Exact placement per New Model Colony Master Plan. Materials per these guidelines subject to City of Ontario.
	COMMUNITY WALLS - Exact placement and construction per these guidelines (Section 7.5)

7.6 General Landscape

7.6.1 Irrigation guidelines

- All planting areas shall be irrigated with an automatic irrigation system.
- Parks, parkways, HOA landscaped areas, and other common areas shall be irrigated with recycled water. See Section 4.2.2 for recycled water system.
- LMD areas are to be controlled with a central control irrigation system.
- Trees shall have a bubbler system on a dedicated bubbler valve.
- Drip systems are permitted.
- Above grade Backflow Preventers shall be located in planting areas, protected with locking enclosures, and screened with plant material.
- Irrigation systems shall be zoned for exposure (south and west exposures together, north and east exposures together), topography, and varying water requirements (hydro-zones) of plant material.
- Turf shall be zoned separately from shrub and groundcover systems.

7.6.2 Utility Placement

- Various utility boxes shall be grouped together as much as possible.
- Utility boxes shall be placed in landscape easements and shrub/groundcover areas. Utility boxes shall not be placed in lawn areas unless absolutely necessary.
- Utility boxes shall not be placed closer than 50 feet to street corners or intersections measured from the beginning of curve.
- Above grade utility boxes shall be screened with planting to the extent possible to allow required access and clearance.

7.6.3 Slopes

- Slopes shall be irrigated separately from flat areas on dedicated valves.
- 2:1 Slopes shall be covered with jute mesh per manufacturer's recommendations and specifications.
- Slopes shall be planted with trees, shrubs, and groundcover to cover 100% of the slope at maturity to help prevent slope erosion.
- Turf shall only be used on slopes with a grade equal to or flatter than 4.1.

7.6.4 Street ends and alleys

- Where street ends or alleys do not terminate in housing, a trailhead, or a park, the terminus shall be treated with landscape screening or a focal point as appropriate.

7.7 Community Plant Matrix
7.7.1 Trees

Architectural Characters

Botanical Name	Common Name	Early California	Spanish Eclectic	European Cottage	Craftsman Bungalow	American Traditional	Ranch	English Country	Common Drives	Parks	Corner Entry/Accents	SCE Easements
<i>Agonis flexuosa</i>	Peppermint Tree											
<i>Arbutus unedo</i>	Strawberry Tree											
<i>Bauhinia blakeana</i>	Hong Kong Orchid Tree											
<i>Cedrus atlantica 'Glauca'</i>	Atlas Cedar											
<i>Cedrus deodara</i>	Deodar Cedar											
<i>Cercidium floridum</i>	Blue Palo Verde											
<i>Cercis canadensis</i>	Eastern Redbud											
<i>Cercis occidentalis</i>	Western Redbud											
<i>Celtis sinensis</i>	Chinese Hackberry											
<i>Chamaerops humilis</i>	Mediterranean Fan Palm											
<i>Chitalpa tashkentensis</i>	Chitalpa											
<i>Coryline australis</i>	Giant Dracaena											
<i>Cinnamomum camphora</i>	Camphor Tree											
<i>Citrus spp.</i>	Citrus											
<i>Cupressus glabra</i>	Smooth Arizona Cypress											
<i>Cupressus sempervirens</i>	Italian Cypress											
<i>Eriobotrya deflexa</i>	Bronze Loquat											
<i>Feijoa sellowiana</i>	Pineapple Guava											
<i>Ginkgo biloba</i>	Maidenhair Tree											
<i>Geijera parviflora</i>	Australian Willow											
<i>Jacaranda mimosifolia</i>	Jacaranda											
<i>Koelreuteria bipinnata</i>	Chinese Flame Tree											
<i>Koelreuteria paniculata</i>	Golden Rain Tree											
<i>Lagerstroemia indica</i>	Crape Myrtle											
<i>Laurus nobilis</i>	Sweet Bay											
<i>Liquidambar styraciflua</i>	Sweet Gum											
<i>Liriodendron tulipifera</i>	Tulip Tree											
<i>Magnolia grandiflora</i> vars.	Magnolia											
<i>Melaleuca nesophila</i>	Pink Melaleuca											
<i>Melaleuca quinquenervia</i>	Cajuput Tree											
<i>Olea europea</i> - fruitless variety	Fruitless Olive											
<i>Parkinsonia aculeata</i>	Mexican Palo Verde											
<i>Phoenix dactylifera</i>	Date Palm											

NOTE: See NMC Master Plan for landscape requirements for all master plan roadways.

NOTE: Designated Street Trees for each planning area are listed in Section 6.4. Designated Theme Street Trees are listed in Section 7.2.2.

7.7 Community Plant Matrix
7.7.1 Trees Continued

Botanical Name	Common Name	Architectural Characters													
		Early California	Spanish Eclectic	European Cottage	Craftsman Bungalow	American Traditional	Ranch	English Country	Common Drives	Parks	Corner Entry/Accents	SCE Easements			
<i>Pinus brutia</i>	Calabrian Pine														
<i>Pinus canariensis</i>	Canary Island Pine														
<i>Pinus eildarica</i>	Afghan Pine														
<i>Pinus pinea</i>	Italian Stone Pine														
<i>Pistacia chinensis</i>	Chinese Pistache														
<i>Platanus x acerifolia</i>	London Plane Tree														
<i>Platanus racemosa</i>	California Sycamore														
<i>Podocarpus gracillior</i>	Fern Pine														
<i>Prunus coccinea</i> 'Kreutz-Verschnitt'	Purple Leaf Plum														
<i>Punica granatum</i>	Pomegranate														
<i>Pyrus calleryana</i>	Ornamental Pear														
<i>Quercus agrifolia</i>	Coast Live Oak														
<i>Quercus engelmannii</i>	Engleman Oak														
<i>Quercus ilex</i>	Holly Oak														
<i>Rhaphirolepis indica</i> 'Majestic Beauty'	India Hawthorn														
<i>Rhus lancea</i>	African Sumac														
<i>Schinus molle</i>	California Pepper														
<i>Syagrus romanzoffiana</i>	Queen Palm														
<i>Tipuana tipu</i>	Tipu Tree														
<i>Trachycarpus fortunei</i>	Windmill Palm														
<i>Tristania conferta</i>	Brisbane Box														
<i>Ulmus parvifolia</i>	Chinese Elm														
<i>Zelkova serrata</i>	Sawleaf Zelkova														

NOTE: Designated Street Trees for each planning area are listed in Section 6.4
Designated Theme Street Trees are listed in Section 7.2.2.

Architectural Characters

7.7 Community Plant Matrix
7.7.2 Shrubs

Botanical Name	Common Name	Early California	Spanish Eclectic	European Cottage	Craftsman Bungalow	American Traditional	Ranch	English Country	Common Drives	Parks	Corner Entry/Accents
Agave spp.	Century Plant										
Aloe spp.	Aloe										
Alyogene huegelii	Blue Hibiscus										
Arctostaphylos spp.	Manzanita										
Aspidistra elatior	Cast Iron Plant										
Bougainvillea cvs.	Bougainvillea										
Buxus microphylla japonica	Japanese Boxwood										
Callistemon viminalis 'Little John'	Dwarf Bottlebrush										
Carissa grandiflora 'Emerald Carpet'	Dwarf Natal Plum										
Carpenteria californica	Bush Anemone										
Ceanothus spp.	California Lilac										
Cistus purpureus	Orchid Rockrose										
Convolvulus cneorum	Bush Morning Glory										
Convolvulus mauritanicus	Ground Morning Glory										
Cotoneaster spp.	Cotoneaster										
Diplacis hybrids	Monkey Flower										
Dietes bicolor	Fortnight Lily										
Dietes vegeta	Fortnight Lily										
Echium fastuosum	Pride of Madeira										
Elaeagnus pungens	Silverberry										
Ensete ventricosum 'Maurelii'	Abyssinian Banana										
Euryops pectinatus	Grey-leaved Euryops										
Fuschia t. 'Gartenmeister Bonstedt'	Fuschia										
Gaura lindheimeri	Gaura										
Hemerocallis cvs.	Daylily										
Heteromoles arbutifolia	Toyon										
Ilex spp.	Holly										
Juniperus spp.	Juniper										
Lantana spp.	Lantana										
Lavandula augustifolia	English Lavender										
Lavandula augustifolia 'Hidcote'	Pink English Lavender										
Leptospermum scoparium cvs.	New Zealand Tea Tree										
Ligustrum japonica 'Texanum'	Texas Privet										

Architectural Characters

7.7 Community Plant Matrix
7.7.2 Shrubs Continued

Botanical Name	Common Name	Corner Entry/Accents	Parks	Common Drives	English Country	Ranch	American Traditional	Craftsman Bungalow	European Cottage	Spanish Eclectic	Early California
<i>Liriope muscari</i>	Big Blue Lily Turf	●	●		●						
<i>Liriope muscari</i> 'Silvery Sunproof'	Variiegated Big Blue Lily Turf	●	●		●						
<i>Lonicera japonica</i> 'Halliana'	Hall's Honeysuckle	●	●		●						
<i>Myrtus communis</i> 'Compacta'	Dwarf Myrtle	●	●		●						
<i>Osmanthus fragrans</i> 'Goshiki'	ncn	●	●		●						
<i>Pennisetum setaceum</i>	Fountain Grass	●	●		●						
<i>Phormium tenax</i> cvs.	New Zealand Flax	●	●		●						
<i>Photinia fraseri</i>	Fraser's Photinia	●	●		●						
<i>Pittosporum tobira</i> cvs.	Mock Orange	●	●		●						
<i>Plumbago auriculata</i>	Cape Plumbago	●	●		●						
<i>Rhaphiolepis indica</i> cvs.	India Hawthorn	●	●		●						
<i>Rosa</i> spp.	Rose	●	●		●						
<i>Rosa banksiae</i>	Lady Banks' Rose	●	●		●						
<i>Rosmarinus officinalis</i> 'Majorca Pink'	Rosemary	●	●		●						
<i>Salvia greggii</i> 'Flame'	Furman's Red Autumn Sage	●	●		●						
<i>Salvia leucantha</i>	Mexican Bush Sage	●	●		●						
<i>Santolina virens</i>	Green Santolina	●	●		●						
<i>Scaevola</i> 'Mini-Pink'	ncn	●	●		●						
<i>Strelitzia reginae</i>	Bird-Of-Paradise	●	●		●						
<i>Viburnum tinus</i> 'Spring Bouquet'	Dwarf Laurustinus	●	●		●						
<i>Xylosma congestum</i> cvs.	Shiny Xylosma	●	●		●						

Architectural Characters

7.7 Community Plant Matrix
7.7.3 Groundcovers & 7.7.4 Vines

Botanical Name	Common Name	Early California	Spanish Eclectic	European Cottage	Craftsman Bungalow	American Traditional	Ranch	English Country	Common Drives	Parks	Corner Entry/Accents
Groundcovers											
Arctostaphylos spp.	Manzanita										
Baccharis pilularis	Dwarf Coyote Brush										
Fragaria chiloensis	Wild Strawberry										
Juniperus spp.	Juniper										
Myoporum spp.	Myoporum										
Pelargonium peltatum	Ivy Geranium										
Rosmarinus officinalis 'Prostratus'	Prostrate Rosemary										
Thymus praecox	Thyme										
Trachelospermum jasminoides	Star Jasmine										
Verbena peruviana	Verbena										
Vinca Minor	Dwarf Periwinkle										
Vines											
Bougainvillea spp.	Bougainvillea										
Clytostoma callistegioides	Violet Trumpet Vine										
Distictus buccinatoria	Blood Red Trumpet Vine										
Jasminum polyanthum	Pink Jasmine										
Macfadyena unguis-cati	Cat's Claw										
Pandorea jasminoides	Bower Vine										
Parthenocissus tricuspidata	Boston Ivy										
Rosa banksiae	Lady Banks' Rose										
Solanum jasminoides	Potato Vine										
Vigna caracalla	Snail Vine										
Wisteria sinensis	Wisteria										

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**REGIONAL COMMERCIAL / MIXED-USE LANDSCAPE
DESIGN GUIDELINES**

7.8

7.8.1 COMMUNITY VISION

To create a distinct and unified landscape character for the Regional Commercial/Mixed-Use District that will provide visual cohesiveness, pedestrian connections and functional spaces throughout the different districts and streetscapes.

Also provided within the Landscape Palate Matrix is a list of additional planting materials that will give a more urban feel to this mixed-use area.

Soft and hard landscape design is to give character and define the hierarchy of open spaces within this mixed-use area using the following principles:

- The provision of an open space network that includes passive space, social space, activity areas and facilities. Consideration should be given to the orientation of such areas with regard to sunlight and shade
- Using plant species and trees at an appropriate scale to define, identify, separate and enclose space
- The encouragement of visual links and view corridors throughout the neighborhood
- Creating a balance between lush community landscapes while considering the needs for commercial visibility
- Co-ordination and appropriate scale of street furnishings, signage and lighting
- The use of materials to stimulate the senses through texture, smell, color and contrast
- Safety through visibility and pathways located where they are overlooked by buildings
- The use of landmarks, public art and focal points at entrances/key buildings
- The use of materials to define pedestrian dominated areas and slow traffic
- To screen utility equipment, loading and trash collection areas.
- Adequate aftercare and maintenance of all areas



These Landscape Design and Development Guidelines provide design criteria for the Rich Haven Regional Commercial Mixed-Use District as a whole including Planning Areas 6, 7, 8 and 9.

7.8.1.1 PA 6, 7, 8 and 9 “Urban” Parks

The Planning Area 6, 7, 8 and 9 parks will be located at the south end of the project within the Mixed-Use District. Where the aforementioned Parks in Planning Areas 1, 4 and 5 lend themselves to a more informal and pastoral arrangement, the Planning Area 6, 7, 8 and 9 parks has an opportunity for a more formal village green style park. With a strong axial design, this park would be divided into different areas. This park would provide facilities and varied activities to all user groups, and contain more specialized elements such as themed gardens, a bandstand and / or community gathering facilities.

Suggested program elements include:

ACTIVE

- Tot lot (ages 2-5)
- Tot lot (ages 5-12)
- Play lawn
- Lighted dancing/party square with bandstand
- Pools
- Clubhouse

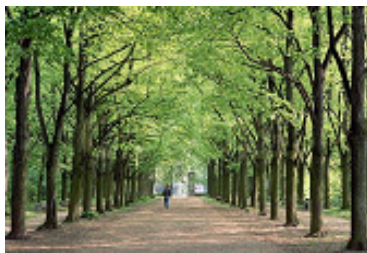
PASSIVE

- Rose Garden
- Native Plant Garden
- Annual/Perennial Flower Garden
- Giant Chess Board
- Gazebo structure
- Benches

General requirements:

- At least 80% of the site should be generally level. Open field areas shall be at a minimum 2% grade.
- Play areas shall meet all federal and local ADA guidelines and requirements in terms of accessibility.
- Installed play equipment shall meet all current American Society for Testing and Materials (ASTM) standards regarding play equipment, play surfacing, and fall absorbency.
- Installed play equipment shall meet all current Consumer Product Safety Commission (CPSC) guidelines for public playground safety, including but not limited to, fall zone clearances, critical heights, and assembly guidelines.
- ADA compliant restrooms shall be provided.
- Bike racks shall be provided.
- Trash receptacles and ash urns shall be provided.
- Security lighting shall be provided around the park at 100’ minimum spacing with 70-watt bulbs on minimum 14’ high poles.
- Clear and effective sightlines shall be maintained from surrounding roadways and throughout the park.

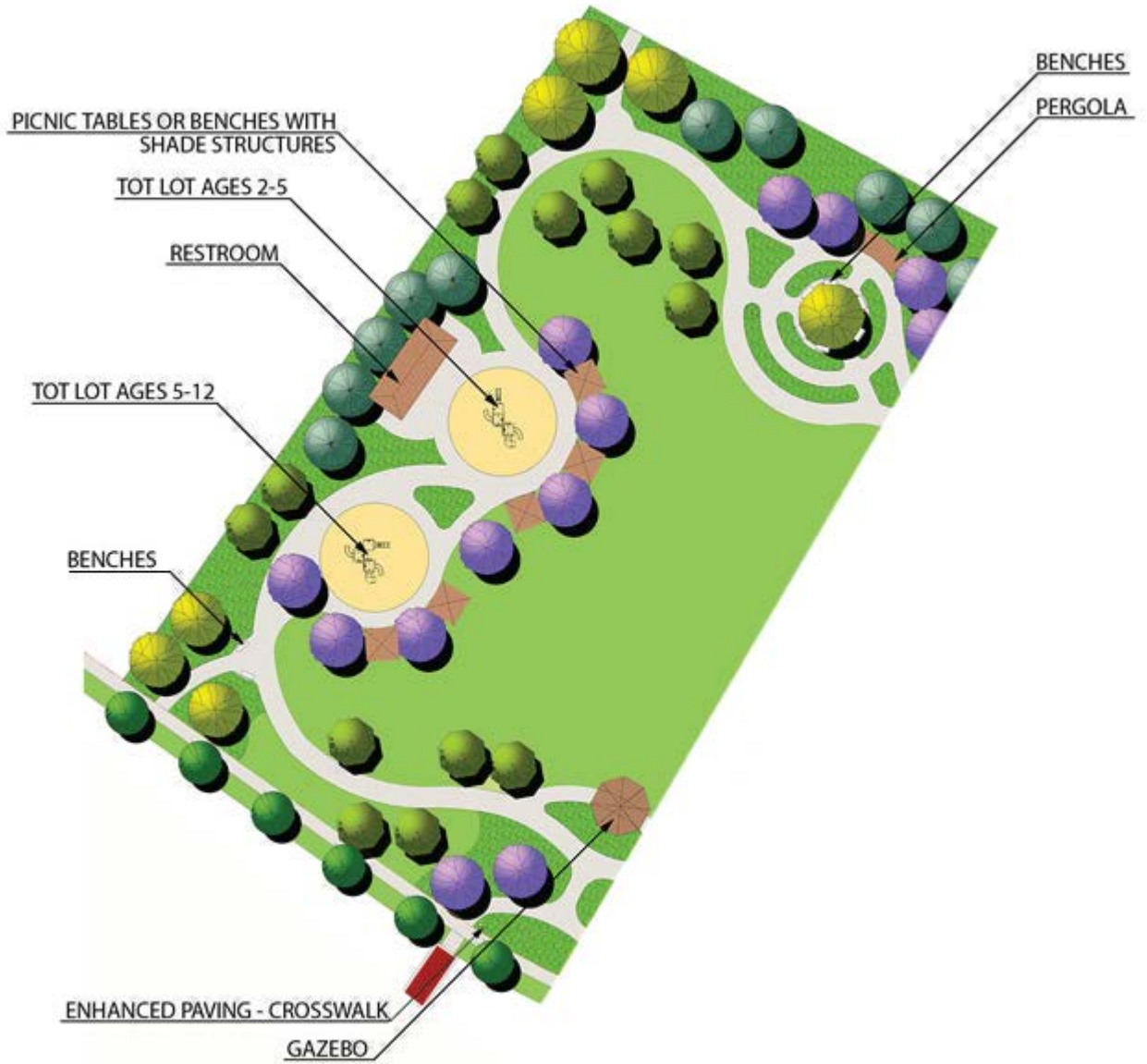
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7.8.2 COMMUNITY PARKS (NON-PUBLIC)

7.8.2.1 General Design Elements and Objectives

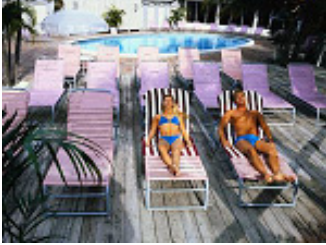
- Community parks provide focal points at the entries, and an attractive frontage for surrounding buildings.
- Community Parks include active recreation areas of 5 acres or more.
- These parks are the main recreation areas for the mixed use neighborhoods and provide a buffer between residential and mixed used development.
- Facilities will provide for a broad range of uses and activities, by all segments of the neighborhood population.
- Trees help define and enclose space and furnishing co-ordinate with that in other parks and with the overall architectural style.
- The active recreation area should include lighted playing fields and courts.
- Community Park should provide some on-site parking and formal pick-up/drop-off area.
- Design shall provide a play area near the main hub of park.
- Security lighting shall be provided throughout the park.
- Maintain clear and effective sightlines to make park visible from surrounding roadways.
- Wherever possible, Community Park areas should be finish graded to accept street runoff water and serve a dual purpose as stormwater runoff spreading and infiltration areas, as well as recreational areas.



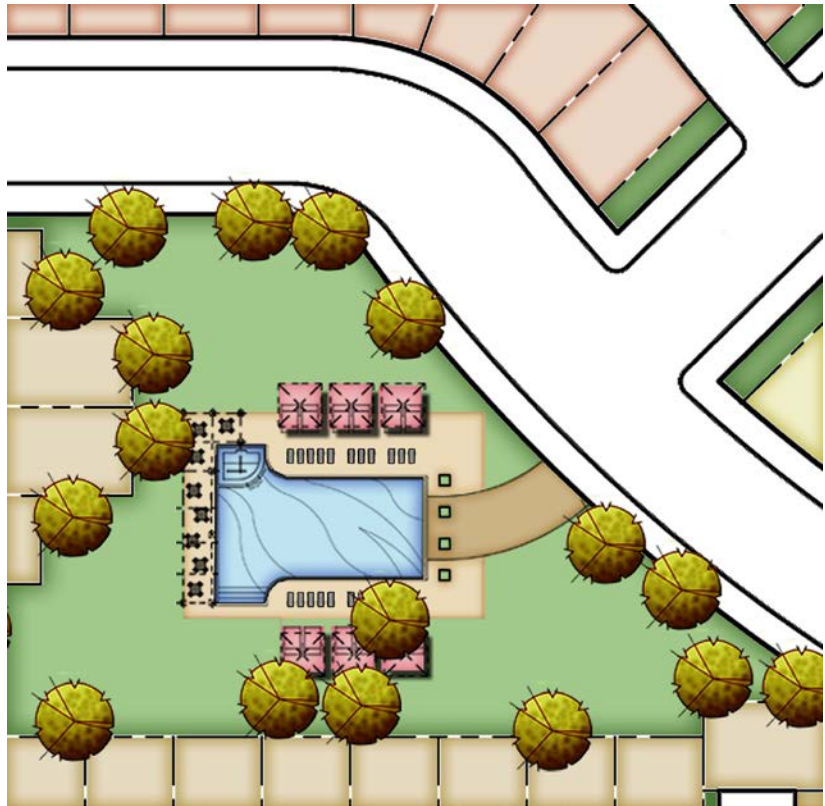
7.8.3 POOL AREAS

7.8.3.1 General Design Elements and Objectives

- Located within easy access of residential units, facilities include a pool, restroom building, cabanas, lounge chairs, shade structures, tables and chairs.
- Planting in this area provides a buffer to adjacent residences.



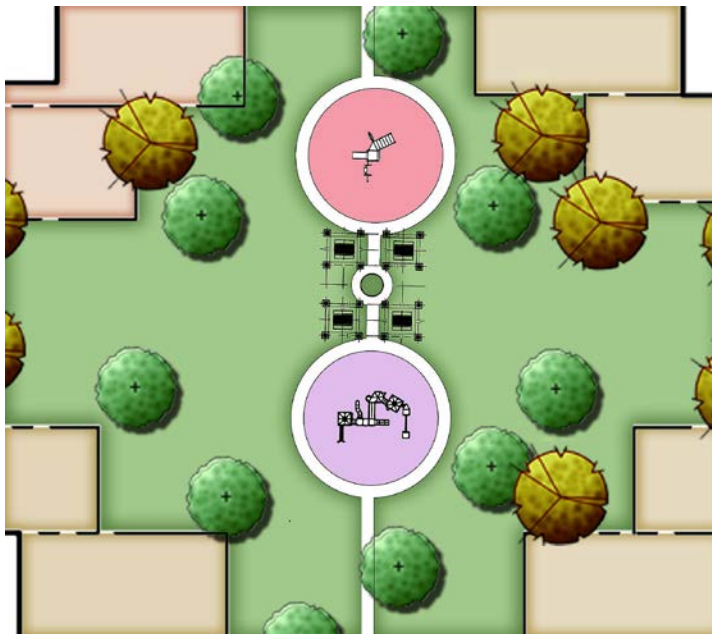
TYPICAL PARK AMENITIES



7.8.4 TOT LOTS

7.8.4.1 General Design Elements and Objectives

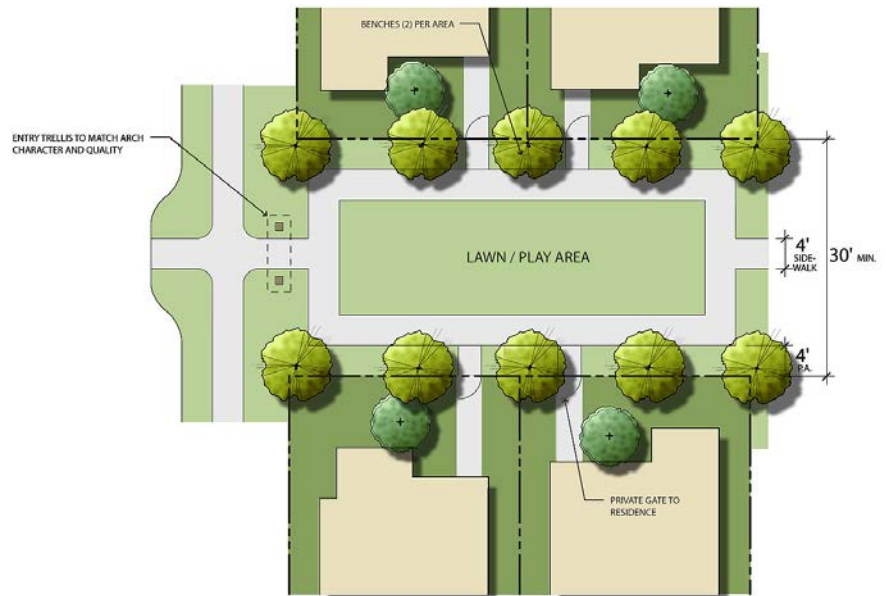
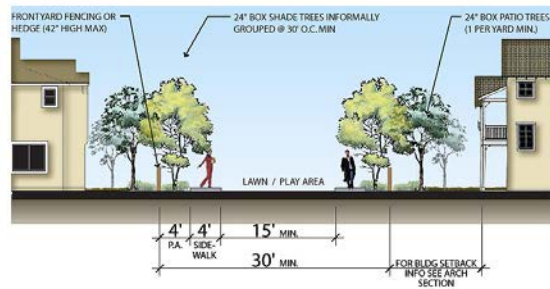
- The tot lot is located in easily accessible areas away from traffic.
- Trees are used to help provide structure and shade while shaded seating areas enable comfortable supervision.
- Play equipment is to cater for a range of ages and be installed with a colorful safety surface.



7.8.5 PASEO GARDENS

7.8.5.1 General Design Elements and Objectives

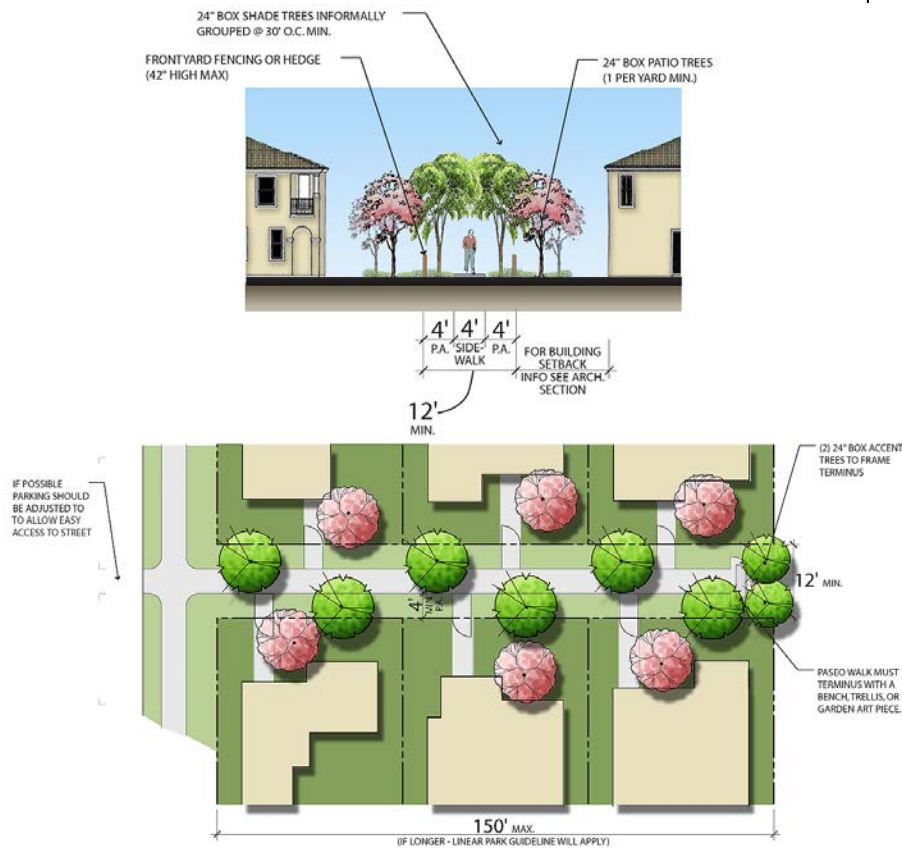
- This space acts as a buffer between commercial districts and residential areas
- It is intended to provide a semi private space for activity, play or relaxation for residents
- The entry and end points are defined by a trellis
- The sidewalk parts to provide circulation to adjacent housing and rejoins to enable direct circulation
- Benches are located along sidewalks
- Landmarks and public art help to provide a sense of place and character



7.8.6 PASEOS

7.8.6.1 General Design Elements and Objectives

- Paseos provide a safe and informal greeting zone for residents and attractive access from the houses
- They end in a terminus with a focal point framed by trees
- Paseos provide safe and informal passive play areas
- Paseo lighting should balance scale, safety and glare. It should be integrated into the paseo design. It may be provided by free standing fixtures, integrated into the adjacent buildings, or both

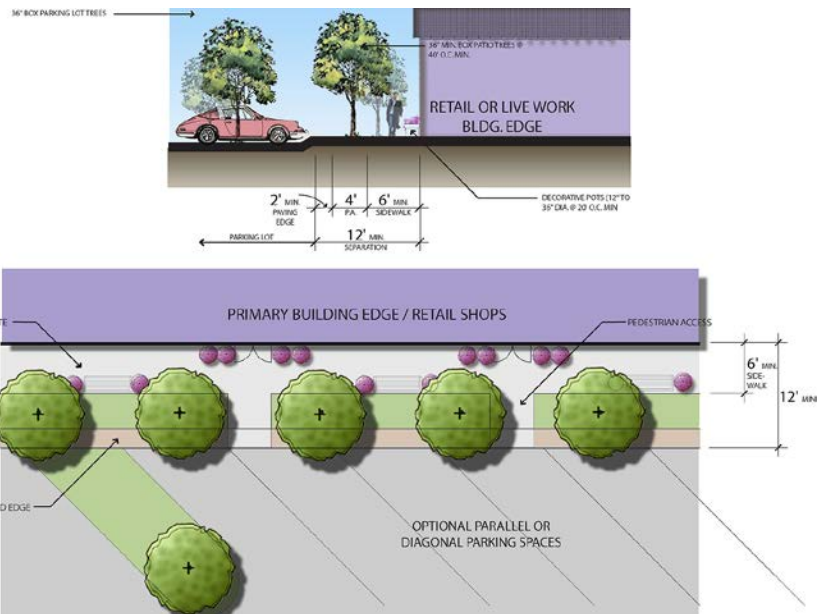


7.8.7 PARKING/SHOPPING INTERFACE

7.8.7.1 General Design Elements and Objectives



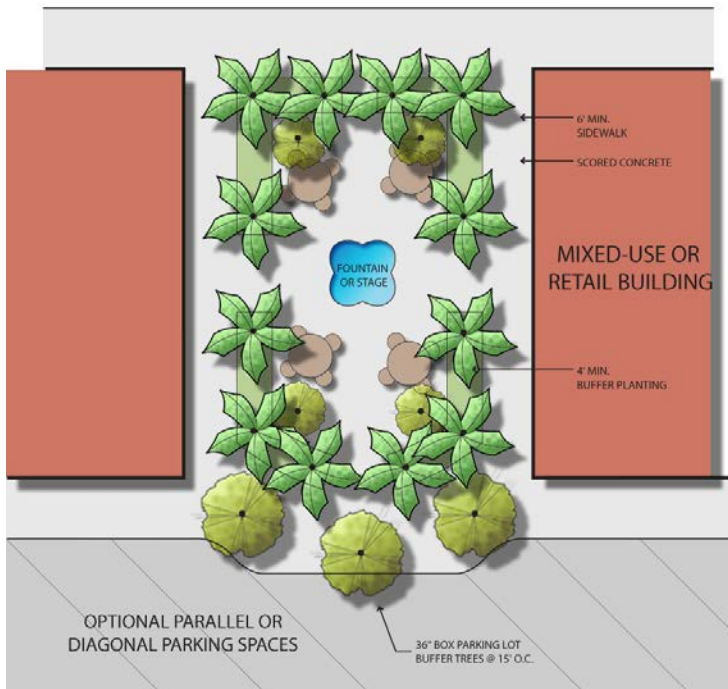
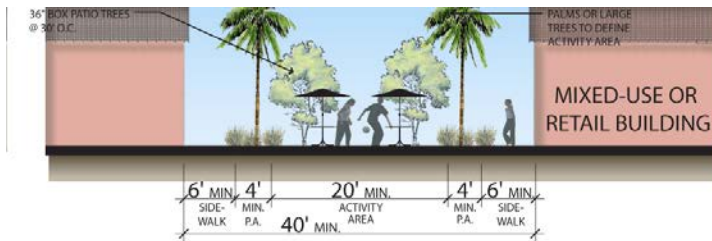
- The intent is to provide a safe and comfortable pedestrian experience and reduce the presence of the parking area from shoppers with buffer planting
- These areas are intended to be used predominantly for circulation, but rest areas are also provided for people watching
- Adequate seating and resting areas are to be provided within this zone
- Various functions are defined with use of enhanced paving (interlocking pavers, brick, stone, or stamped concrete)
- A 2' decorative paving edge is to be used in direct/primary store front openings
- The overall dimension from curb to building can be reduced from 12' to 8' when adjacent to a building, but not a direct/primary store front
- Pedestrian paved surfaces should typically be scored concrete with colored stamped concrete or paved accents
- Planters and furniture should be located as to not block building entries or prohibit ADA access
- Furnishings are coordinated throughout the project



7.8.8 RETAIL PLAZAS

7.8.8.1 General Design Elements and Objectives

- Plazas are Intended to provide active and passive pedestrian spaces that encourage user interaction.
- Fountains, stages, public art, and game tables are not a requirement, but are appropriate in these areas.
- Both shaded and open seating areas should be included.
- Refer to Section 6.3.4.3 for patio dining guidelines.
- Plaza design should consider their use during holiday and specialty sales festivals, and community events.



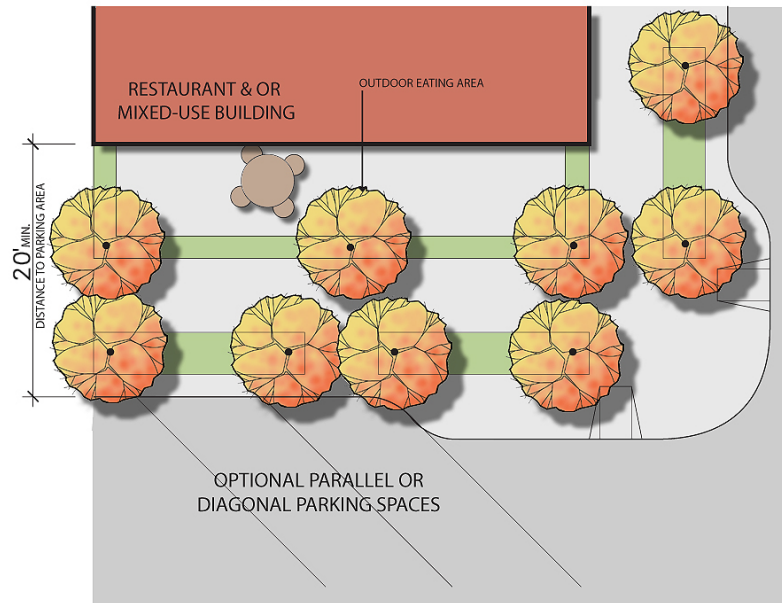
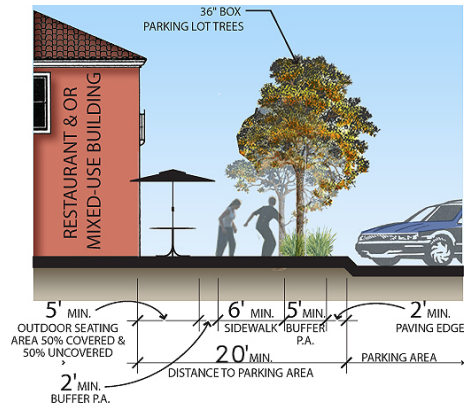
7.8

MIXED-USE LANDSCAPE
DESIGN GUIDELINES

7.8.9 RESTAURANTS/OUTDOOR EATING AREAS

7.8.9.1 General Design Elements and Objectives

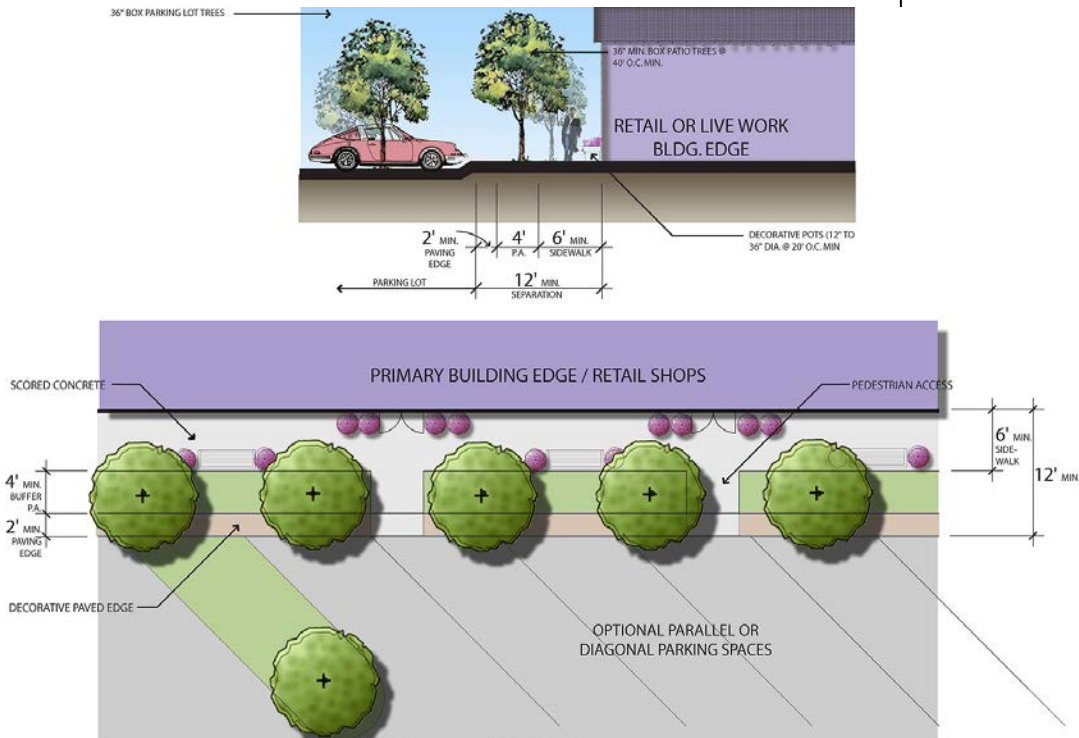
- These are intended to provide shaded and non shaded dining areas.
- Shade devices such as awnings or umbrellas should be provided especially in West or South facing exposures.
- Planting should provide a comfort barrier, but also allow for people watching.
- The 2'-wide minimum plant barrier can be substituted with a rail; less the 2' wide.



7.8.10 BUILDING EDGE/RETAIL SHOPS

7.8.10.1 General Design Elements and Objectives

- This area is intended to be used predominantly for circulation, but rest areas are also provided for people watching
- Planting creates a buffer zone between the parking lot and promenade
- Furnishings are coordinated throughout the project

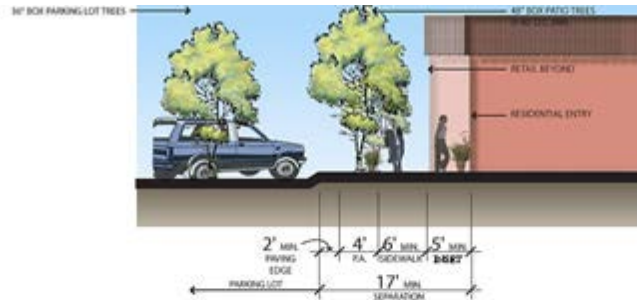


7.8.11 PARKING/RESIDENTIAL ENTRY



7.8.11.1 General Design Elements and Objectives

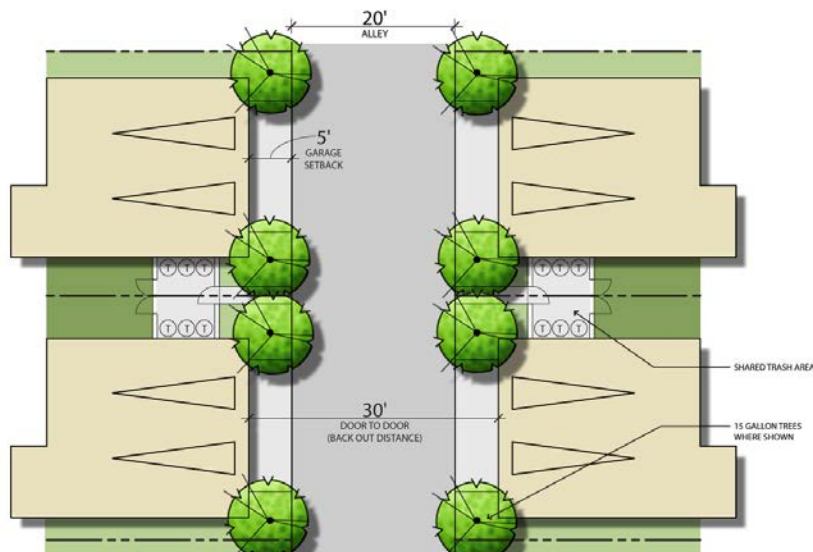
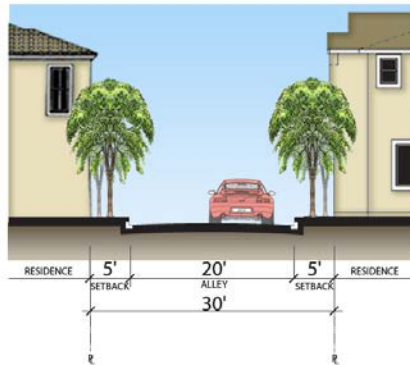
- The intention is to define residential entryways with enhanced paving and planting to create a mini courtyard while allowing the space to continue functioning as a promenade.



7.8.12 COMMON DRIVE

7.8.12.1 General Design Elements and Objectives

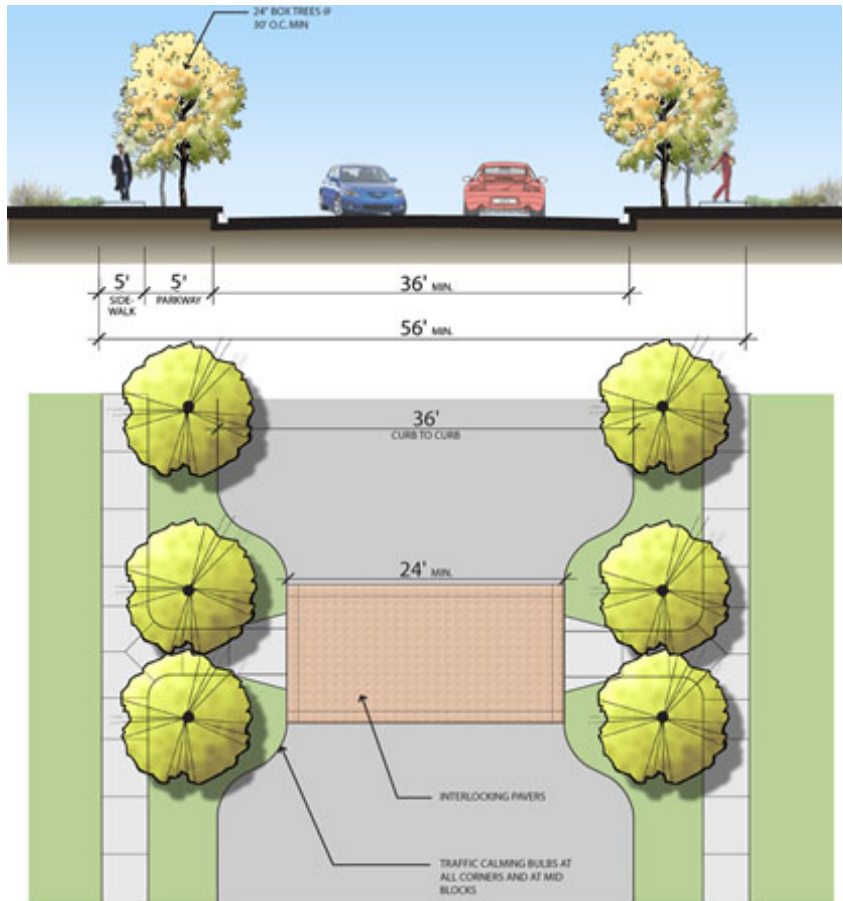
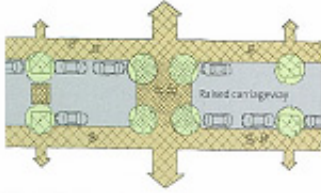
- The intent is to provide access for vehicles and trash storage and removal in an attractive space that encourages neighbor interaction.
- The drive shall be 24' wide where common drives provide emergency access.



7.8.13 RESIDENTIAL LOCAL STREETS (PRIVATE)

7.8.13.1 General Design Elements and Objectives

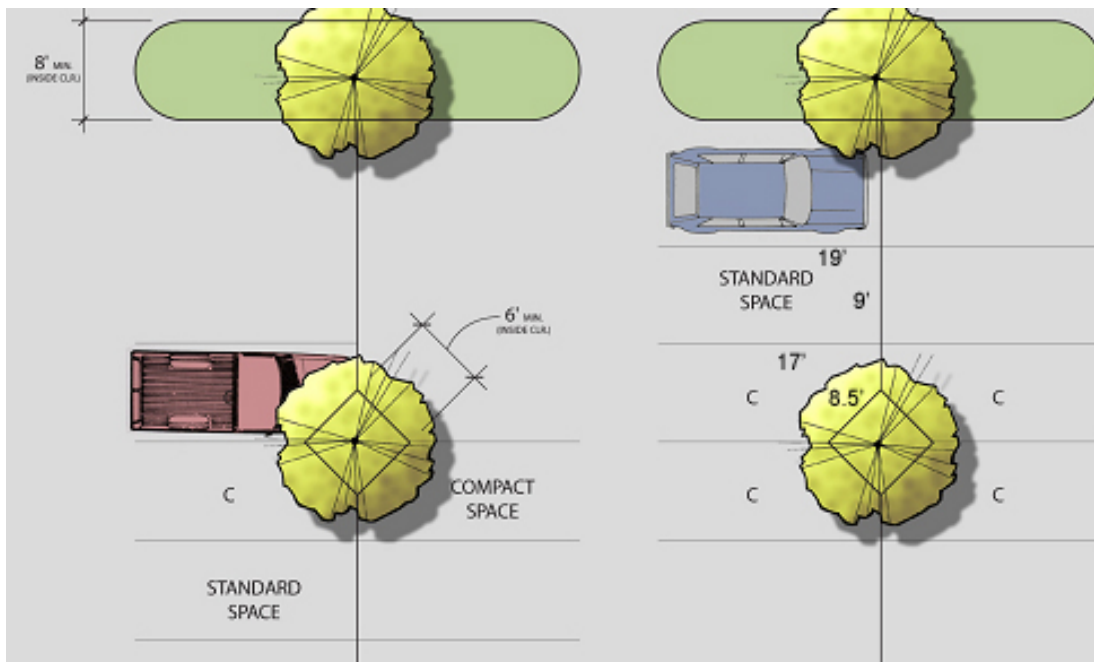
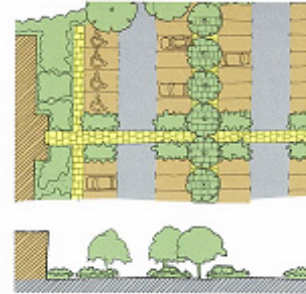
- The intent is to calm traffic and make a safer neighborhood.
- Interlocking pavers define the pedestrian right of way and slow vehicles.
- Bulb outs bring the street to a comfortable crossing width.



7.8.14 PARKING/LANDSCAPE ISLANDS

7.8.14.1 General Design Elements and Objective

- Canopy trees screen parking lots from the street while allowing views into the districts and buildings.
- Vertical trees, such as Italian Cypress and Palms, should be combined to promote safety and visibility from major boulevards.
- Planting materials should be of a robust/hardy nature.



7.8.15 ENTRY TRAFFIC PLAZA

7.8.15.1 General Design Elements and Objectives



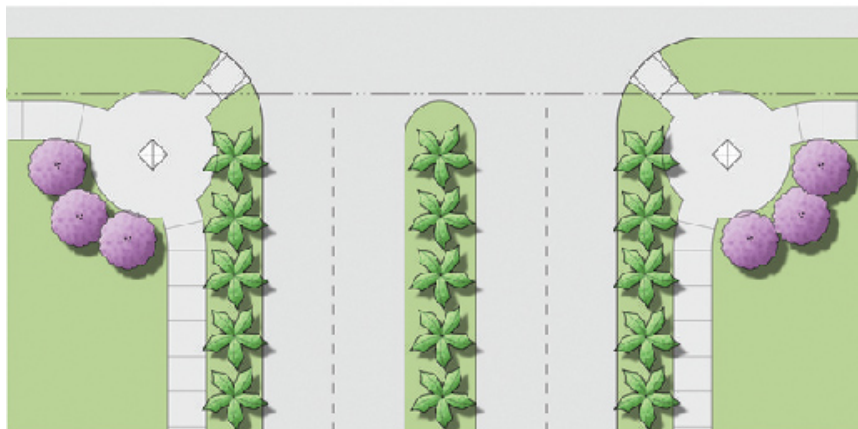
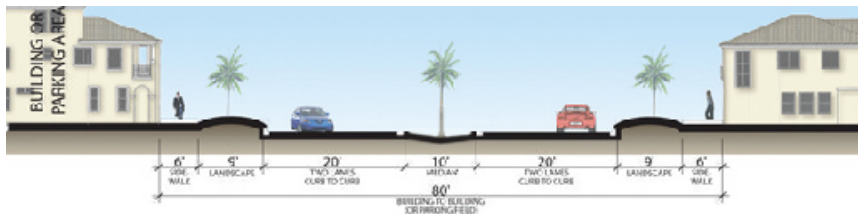
- The intention is to provide efficient circulation through the one way road system.
- Traffic Plazas also provide good opportunity to create an entry statement.



7.8.16 PROJECT ENTRY

7.8.16.1 GENERAL DESIGN ELEMENTS AND OBJECTIVES

- The intention is to provide an enhanced entry experience while using large scale plant material to denote entries significance.
- Large bold plant materials are to be used at main intersections and entrances.
- Image below subject to Engineering Department approval.



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SECTION 8 Administration and Implementation

8.1 ADMINISTRATION

The City of Ontario shall administer the provisions of the Rich-Haven Specific Plan in accordance with the State of California Government Code, Subdivision Map Act, the City's TOP, and the Development Code.

8.1.1 ADOPTION

The Rich-Haven Specific Plan shall be adopted by ordinance in accordance with the City's TOP

8.1.2 ENFORCEMENT

The Rich-Haven Specific Plan serves as the implementation tool for the City's TOP and zoning for the Specific Plan area. The Specific Plan addresses permitted uses, development standards, and community design guidelines.

The City shall enforce the provisions of this Specific Plan in the same manner that the City enforces the provisions of the Development Code.

Permitted and conditional uses included, as part of the Specific Plan, shall be compatible with permitted and conditional uses established within the Development Code for residential, commercial, and industrial uses.

8.1.3 INTERPRETATION

The development standards and regulations contained in this Specific Plan shall replace and supplement the standards contained in the Development Code, except where specifically provided in the Specific Plan. Whenever the provisions contained in the Specific Plan conflict with the Development Code, the provisions of this Specific Plan shall prevail. Any ambiguity concerning the content or application of the Rich-Haven Specific Plan shall be resolved by the Planning Director or designee. Such interpretations shall take into account the stated goals and intent of the Specific Plan.

8.1.4 SEVERABILITY

If any portion of these regulations is declared to be invalid or ineffective in whole or in part, such decision shall not affect the validity of the remaining portions thereof. The legislative body hereby declares that they would have enacted these regulations and each

portion thereof irrespective of the fact that any one or more portions be declared invalid or ineffective.

8.1.5 RESIDENTIAL UNIT TRANSFER

Figure 3-1, *Specific Plan Land Use Plan*, and Table 3-1, *Specific Plan Land Use Summary*, sets forth the planning area identification, total residential acreage, density, and total dwelling units planned for each of the Planning Areas. Residential unit transfer allows for the redistribution of residential units and associated daily trip budget allocations from one Planning Area to another, within the Specific Plan. If the number of units developed within a Planning Area is below the maximum number of designated units, the remainder of those units may be transferred to another residential Planning Area within the Specific Plan. Such transfers may be approved administratively by the City of Ontario upon a determination by the Planning Director or designee that the transfer meets all of the following criteria:

- a. The total number of residential units within the Specific Plan boundary shall not exceed the allowed maximum of 7,194 dwelling units.
- b. A landowner may transfer unused residential units and associated allocated daily vehicle trips from a previously approved Residential Planning Area(s) to a proposed Planning Area(s) as unused residential units, eligible for residential unit transfer. When a development application is submitted to the City for a Planning Area(s), the developer must submit with the application a project residential unit reconciliation summary that identifies units previously declared eligible for residential unit transfer and the total number of projected future residential units remaining to be developed in the balance of the project.
- c. The number of excess residential units identified for transfer from one Planning Area to another Planning Area(s) may not exceed 15% of the total residential units in the receiving Planning Area, as identified in Table 3-1, *Specific Plan Land Use Summary*.
- d. Unit transfers within the Regional Commercial/Mixed-Use District shall be subject to an agreement between those landowners within the Regional Commercial/Mixed-Use District identifying approval of the developer or major landowner of the transferring planning area.
- e. There would be no significant adverse effect on projected demands on parks, schools, infrastructure, or community facilities.
- f. Grading would remain in substantial conformance with the approved Specific Plan.
- g. No new significant environmental issues would result.

NOTE: SECTION 8.1.6 WAS INTENTIONALLY OMITTED AS PART OF THE RICH HAVEN SPECIFIC PLAN AMENDMENT (FILE # PSPA16-001).

8.1.7 SPECIFIC PLAN CONSISTENCY, MODIFICATIONS, AND AMENDMENTS

Development proposals within the Rich-Haven Specific Plan area shall be deemed consistent if proposals meet the standards within this Specific Plan. In addition, development within the Regional Commercial/Mixed-Use District shall be in conformance with the Mixed-Use Implementation Mechanisms identified in the above section and the above Table 8-3, *Regional Commercial/Mixed-Use District Specific Plan Consistency*. The checklist is intended to determine the adequacy of the proposed project with the Mixed-Use Implementation Mechanisms that govern the ultimate mix of uses to be developed within the Regional Commercial/Mixed-Use District.

8.1.7.1 Substantial Conformance and Minor Modifications

Minor modifications to the Rich-Haven Specific Plan shall not require a Specific Plan Amendment, and shall be subject to a “substantial conformance” determination, an administrative mechanism by which minor modifications to the Specific Plan which do not result in significant impacts and are consistent with the intent of the Plan, shall be permitted without a formal amendment process. The City of Ontario Planning Director shall make determinations of substantial conformance.

Minor modifications that meet the above “substantial conformance” determination may include, but are not limited to, modifications necessary to comply with Final Conditions of Approval or modifications affecting infrastructure, public services and facilities, landscape palette, and other issues except those affecting project financing and development regulations. The following minor modifications to the Rich-Haven Specific Plan shall not require a Specific Plan Amendment, and shall be subject to the substantial conformance determination procedure set forth above:

- ❖ Change in utility and/or public service provider or location;
- ❖ Change in roadway alignment, width, or improvements;
- ❖ A residential density transfer between any individual planning areas within the Specific Plan Area, including between Districts, as long as the number of dwelling units and associated daily vehicle trips transferred out of the Regional Commercial/Mixed-Use District are included in the Trip Budget Allocation, the maximum number of daily trips for the project is not exceeded, and residential transfer of units to the Residential District are in compliance with Section 8.1.5, *Residential Unit Transfer*.
- ❖ An adjustment of any planning area boundary within the Residential District not to exceed 15% of the acreage within that planning area boundary, as identified within Figure 3-1, *Specific Plan Land Use Plan*, and Table 3-1, *Specific Plan Land Use Summary*.
- ❖ Variation in the number and type of dwelling units within each planning area boundary may occur at the time of final design depending on the residential product identified for development with the Residential District.

- ❖ Minor changes to landscape materials, wall materials, wall alignment, entry design, and streetscape design which are consistent with the design criteria set forth in Section 7, *Landscape Plan*, of the Rich-Haven Specific Plan.
- ❖ Minor changes to the architectural or landscape design guidelines, which are intended to be conceptual in nature and flexible in implementation.
- ❖ Modification of any design element in this Specific Plan that improves circulation, reduces grading, improves drainage, or improves infrastructure.

The Minor Modifications described and listed above are not conclusive. Any Minor Modification that is deemed by the Planning Director to be in substantial conformance with the purpose and intent of the Specific Plan shall be permitted.

8.1.7.2 Specific Plan Amendments

Development proposals that do not meet the above Specific Plan consistency requirements, or that are not found to be in substantial conformance with the Specific Plan, shall require a Specific Plan Amendment. The applicant may request amendments to the Rich-Haven Specific Plan at any time pursuant to Section 65453(a) of the Government Code.

An amendment to the Specific Plan will require review and approval by the City of Ontario Development Advisory Board, Planning Commission, and City Council. Such amendments are governed by California Government Code, Section 65500, and require an application and fee to be submitted to the City of Ontario Planning Department, stating in detail the reasons for the proposed amendment.

In the event the proposed amendment requires supplemental environmental analysis pursuant to the California Environmental Quality Act (CEQA), the applicant(s) will be responsible for associated fees for the preparation of necessary CEQA documentation.

8.1.8 APPEALS

An appeal from any determination, decision, or requirement of City staff, Development Advisory Board, or the Planning Commission shall be made in conformance to the appeal procedures established by the Ontario Development Code.

8.2 IMPLEMENTATION

The Rich-Haven Specific Plan is implemented through City approval of parcel map(s), tract map(s), and site development plans. Any development proposals shall be subject to the review procedures established in this Specific Plan. Implementation of the Rich-Haven Specific Plan development 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.

8.2.1 DEVELOPMENT PERMIT

Development projects within the Rich-Haven Specific Plan area shall be subject to the Development Plan Review process established in the City of Ontario Development Code. Adoption of the Rich-Haven Specific Plan by the City of Ontario includes adoption of the design guidelines contained within the Specific Plan and which provide direction for the design of development projects within the Plan area. The design guidelines are intended to be flexible in nature while establishing basic evaluation criteria for review by the City of projects during the design review process.

The Development Permit process constitutes a design review of project architecture, site plans, and landscape plans. Development permits are approved with conditions of approval.

8.2.2 SUBDIVISION MAPS

Tentative maps shall be prepared and filed with the Planning Department in accordance with the City of Ontario Development Code. Approval by the City Council of Final Tract Map(s) and/or Parcel Maps within the Rich-Haven Specific Plan area shall be required in order to create legal lots for residential and commercial development. Tentative Tract and/or Parcel Maps will be reviewed and approved pursuant to applicable provisions of the Development Code and shall be consistent with this Specific Plan.

A vesting tentative map may instead be filed in accordance with the provisions of the Development Code. A vesting tentative map shall be filed in the same form, shall have the same content, accompanying data and reports, and shall be processed in the same manner described for tentative maps.

8.2.3 SUBSEQUENT DEVELOPMENT ENTITLEMENTS

8.2.3.1 Development Agreements (DA)

Development Agreements for planning areas may be executed between the City and the Developer in order to set forth the terms, conditions, and obligations of all parties signatory to the contract. California Government Code, Section 65864, et seq., and the procedures for Development Agreements, adopted by the City of Ontario, provide the authority for the Development Agreement.

8.2.3.2 Conditional Use Permits (CUP)

Conditional Use Permits shall be required for land use classifications typically having unusual site development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area. Conditional Use Permits must be first granted by the Zoning Administrator or Planning Commission before a use is allowed within a particular district.

CUP performance standards herein for drive-thru facilities (Section 5.3.8.8) constitute the minimum deemed necessary under general circumstances and in most cases to prevent adverse effects from drive-through facilities. Other and further standards may be required as conditions of approval defined by City Planning staff to ensure that such uses are in accord with the intent of the Specific Plan and in concert with the integrity of the commercial or mixed-use project.

8.3 PHASING

Development within the Rich-Haven Specific Plan area is expected to occur in two general phases, with the first phase encompassing those builders participating in the NMC Builders, LLC Eastern Portion Infrastructure Agreement. Phase II are those not participating in the NMC Builders, LLC Eastern Portion Infrastructure Agreement (Planning Areas 1a – f). Refer to Figure 8-1, *Phasing Plan*.

8.3.1 PHASE I

Phase I includes all development within Planning Areas 2 through 9. Development of individual planning areas and associated parks facilities will occur as appropriate levels of master infrastructure, public facilities, and any required dedications are provided. Phasing sequence is subject to change over time to respond to various factors. Improvements within individual phases may overlap or develop concurrently. Development phasing will be implemented through the approval by the City of tentative tract maps and development permits. Backbone infrastructure to serve all areas of the Rich-Haven Specific Plan area shall be installed by the developer(s) in accordance with the City's adopted Master Plan for the areas or any approved amendments to it. Infill service mains will be installed/constructed in phases as development occurs and conditioned by the City Engineer's office to support individual phases of development. The development of Planning Areas will provide viable, future utility and circulation connections to those undeveloped properties, as necessary.

8.3.2 PHASE II

Phase II includes a mixture of residential products within Planning Area 1, Future development phasing will be implemented through the approval by the City of tentative tract maps and development permits.

8.3.3 COMMUNITY FACILITIES AND SERVICES

The timing for installation of community facilities, including park and trail facilities, and payment of impact fees for public services for the Specific Plan will be determined as part of the City's approval process in accordance with the provisions of the existing City fee ordinance. Community facilities, such as bike routes, will be developed in conjunction with construction of public improvements. Those portions of the Neighborhood Parks, paseos, and open space areas adjacent to individual developments within each Planning Area will be constructed to provide amenities as development progresses.



 NOT TO SCALE

RICH-HAVEN SPECIFIC PLAN
PHASING PLAN

FIGURE 8-1

January 2017

8.4 PROJECT FINANCING

The financing of construction, operation, and maintenance of public improvements and facilities (the “facilities”), and public service will 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, will be made prior to recordation of the final maps. In order for the project to be fiscally self-sufficient, the following financing options can be considered for implementation:

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.

Operation and Maintenance:

- ❖ By individual private property owner.
- ❖ By private property owners or Home 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 mechanism. The use of the Mello-Roos Community Facilities District Act of 1982 [the “Act”) to finance public facilities and services will be at the City’s sole discretion. Moreover, the use of the Act must be consistent with the City’s adopted goals and policies concerning the use of the act.

8.5 MAINTENANCE RESPONSIBILITIES

During the course of maintenance of public utilities (including storm drain) within private and public streets, the City will pave the streets and restore landscaping per City standards. Restoration of any enhancements above and beyond City standards, including but not limited to architectural, hardscaping and landscaping enhancements shall be the responsibility of the HOA or other entity maintaining those enhancements. This applies to all areas where public utilities are located including but not limited to public and private streets, gated communities, alleys, etc.

Improvements constructed within the Rich-Haven Specific Plan will be maintained through a combination of public and private entities as described below and shown within Table 8-4, *Maintenance Responsibilities*, and:

8.5.1 PROJECT FINANCING

The financing of construction, operation and maintenance of public improvements and facilities (“facilities”), and public services will include funding through a combination of financing mechanisms. Final determination as to the facilities to be constructed and maintenance responsibilities – whether publicly or privately maintained, will be made prior to recordation of the final maps. In order for the project to be fiscally self-sufficient, the following financing options can be considered for implementation:

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.

Operation and Maintenance:

- ❖ By individual private property owner.
- ❖ By private Property Owners Association or Homeowners 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 will be at the City’s sole discretion. Moreover, the use of the Act must be consistent with the City’s adopted goals and policies concerning the use of the Act.

8.6 METHANE REMEDIATION

The City of Ontario is in the process of adopting protocol to assess the potential for methane generation on proposed building sites in areas previously used for certain agricultural practices. The preliminary protocol requires the following, which may be modified after approval of a final protocol:

- ❖ Prior to issuance of a grading permit, a methane site assessment shall be prepared to determine whether the property was ever used as a dairy, poultry ranch, hog ranch, livestock feed operation, manure stockpile site, manure burial site, agricultural pond, or for any other purpose that might result in the deposition of materials which could produce significant methane. The report will provide recommendations as to which areas should be tested after grading and which areas that should be exempt from methane testing, based upon historic site usage.

- ❖ The assessment report shall be submitted to the City of Ontario for review and approval. Areas identified in the assessment, which indicate a potential for methane generation, shall be tested 30 days after rough grading has been completed. Testing would occur on a weekly basis for four weeks.

After testing, recommendations for methane mitigation measures are made on a lot-by-lot basis depending on the concentrations detected in the soil gas probes. Mitigation designs would be submitted to the City of Ontario, along with the result of the methane testing, for review and approval as part of building permit issuance.

**Table 8-4
Maintenance Responsibilities**

	City and/or Special District	Private Homeowners Association (HOA)	Private Homeowners/ Commercial Property Owners	Utility Entity
Master Plan Roadways (<i>Riverside Drive, Haven Avenue, Milliken Avenue, Mill Creek Avenue, Chino Avenue, Ontario Ranch Road</i>)	√			
Interior Project Streets (<i>curb to curb Primary Entry Street, Secondary Entry Streets, Neighborhood Streets, and street lights</i>)	√			
Parkway of Master Plan Roadways (<i>curb to perimeter walls including landscape, sidewalks, street lights</i>)	√			
Parkways of Interior Project Streets ¹ (<i>landscaping, sidewalks</i>)		√		
Interior Tract Graffiti Removal		√		
Private interior yard walls			√	
Private Recreational Areas		√		
Monument Signs and Master Plan Roadways	√			
Monument signs within tract entry		√		
Traffic Signals	√			
Traffic Control Signs	√		√	
Alleys		√		
Community Trail (SCE Corridor Trail)	√			
Off-site and on-site water, sewer, and storm drain improvements (<i>excluding laterals- Only those facilities in public roads and/or easements</i>)	√			
Neighborhood Park (5 acres or more)	√			
Pocket/Linear Park		√		
Residential/Urban Parks		√		
Front Yard Landscaping Areas (<i>Planning Areas 1, 4 & 5</i>)		√		
Landscaping and Common Areas (<i>Planning Areas 6, 7, 8 and 9</i>)			√	
Community Theme Wall and Entry Monuments (<i>outside face for Graffiti removal</i>)	√			

	City and/or Special District	Private Homeowners Association (HOA)	Private Homeowners/ Commercial Property Owners	Utility Entity
Community Theme Wall and Entry Monuments (<i>structural integrity and face repair</i>)		√		
Community Neighborhood Entries (<i>within Neighborhood edges on Master Plan Roadways</i>)	√			
Driveway & Parking Areas (including landscaping) Serving Commercial Property		√		
Private Streets in Gated Communities		√		
Alley Landscaping and Lighting		√		
Electricity				√
Natural Gas				√
Communications Systems	√			√
Police	√			
Fire	√			
NPDES Facilities (Off-site)/WQMP ²		√		
NPDES Facilities on private property		√		

1. Include restoration work following public street repairs.
2. Only those facilities in public roads, public right-of-way and/or easements, to be maintained through an Encroachment Agreement with the City of Ontario.

8.7 MITIGATION MONITORING

Pursuant to Public Resources Code (PRC) Section 21081.6, a summary of conditions of project approval shall be prepared to mitigate or avoid significant effects on the environment. An approved Mitigation Monitoring Program shall insure that the project and all future development within the project area comply with all applicable environmental mitigation and permit requirements. The final approved Mitigation Monitoring program shall be attached as an appendix to this Specific Plan upon EIR certification.

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Rich Haven SECTION 9

9.1 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 Rich Haven Policy Plan has been prepared in conformance with the goals and policies of the City of Ontario Policy Plan. The policy analysis in **Table 9-1, “Policy Plan Consistency,”** describes the manner in which the Rich Haven Specific Plan complies with The Ontario Plan (TOP) policies applicable to the project.

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
LAND USE ELEMENT	
<p>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.</p>	
<p>LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identify, maximize available and planned infrastructure, and foster the development of transit.</p>	<p>The Specific Plan outlines a pedestrian sidewalk and multi-use trail network connecting neighborhoods to open space and adjacent future commercial land uses.</p>
<p>LU1-2 Sustainable Community Strategy. We integrate state, regional and local Sustainable Community/Smart Growth principles into the development and entitlement process.</p>	<p>Sustainable Community/Smart Growth principles are incorporated into the Rich Haven Land Use Plan. Pedestrian sidewalks and bicycle paths to be constructed as part of the project throughout the community provide connectivity among residential planning areas and schools to help reduce vehicle trips and miles traveled. The design of residential areas incorporates tree-lined parkways providing shade for pedestrians and parked cars. Safe and efficient pedestrian and bicycle connectivity is provided throughout the project.</p> <p>The Rich Haven architectural design guidelines allow for a variety of architectural styles that respond to local climate conditions. Some styles allow the incorporation of flat roofs that facilitate the use of solar collectors. All new construction will utilize design features, fixtures, appliances, and heating and cooling controls to conserve</p>

	energy and water. The landscape concept for Rich Haven incorporates a plant palette of drought tolerant materials and requirements that the development implement planting and irrigation systems designed to conserve water. Park and recreation areas will include shaded areas, bicycle racks, and other amenity features to encourage pedestrian and other non-vehicular activities.
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PLAN POLICY	SPECIFIC PLAN CONSISTENCY
LU1-3 Adequate Capacity. We require adequate infrastructure and services for all development.	The Rich Haven 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 schools, parks, and other public facilities are provided to serve the project.
LU1-4 Mobility. We require development and urban design, where appropriate, that reduces reliance on the automobile and capitalizes on multi-modal transportation opportunities.	The Rich Haven Specific Plan requires the construction of Class 1 Bike Paths, which are an integral element to creating accessibility and mobility within Rich Haven. The Specific Plan requires locations and construction of bus turnouts that may be required within the project to be coordinated with and constructed to the satisfaction of the City of Ontario and Omnitrans.

<p>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.</p>	<p>Rich Haven provides for development of up to 1,833 residential dwelling units in a variety of residential single-family detached housing types oriented toward open space amenities.</p>
<p>GOAL LU2: Compatibility between a wide range of uses.</p>	
<p>LU2-6 Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community character.</p>	<p>Arterial streets within Rich Haven will be uniformly landscaped in an aesthetically pleasing manner with 8-10 foot wide landscaped parkways on each side of the street and 16 -26 foot wide landscaped medians in each street. A planting buffer area varying in width from 40-50 feet in width will be provided adjacent to sidewalks within the project adjacent to all arterial roadways. Decorative project monuments will be constructed at key project entries providing community identification and establishing a sense of arrival and a welcoming feeling for the community.</p>
<p>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.</p>	<p>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.</p>

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>GOAL LU4: Development that provides short-term value only when the opportunity to achieve our Vision can be preserved.</p>	
<p>LU4-3 Infrastructure Timing. We require that the necessary infrastructure and services be in place prior to or concurrently with development.</p>	<p>Approval of the Rich Haven 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, 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 assessment. The Rich Haven development agreement shall be fully approved before the issuance of the first building permits for the project.</p>
<p>GOAL LU5: Integrated airport facilities that minimize negative impacts and maximize economic benefits.</p>	
<p>LUF5-2 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</p>	<p>The Specific Plan will comply with the ALUCP requirements for Ontario Airport (ONT) and Chino Airport as outlined in Rich Haven Specific Plan Section 3-4.</p>
<p>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.</p>	<p>The Specific Plan will comply with the ALUCP requirements for Ontario Airport (ONT) and Chino Airport as outlined in Rich Haven Specific Plan Section 3-4.</p>

COMMUNITY DESIGN ELEMENT	
GOAL CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.	
CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.	The Specific Plan includes design guidelines to guide the physical character of all future residential development and all community and neighborhood features, including the overall landscape treatment within the project. The proposed community character establishes a unified aesthetic treatment and design theme. The community vision for Rich Haven is based upon the architectural and landscape influences found in Ontario and throughout Southern California. The architectural styles and landscape concept chosen for the community have been selected in order to be reflective of older neighborhoods of historic Ontario as well as to accommodate innovative transitional influences. Together, the architectural styles and landscape concept are designed to create a neighborhood character for Rich Haven that will be sustainable over time.
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.	The major north south streets in Rich Haven are designed to frame the views of the San Gabriel Mountains. The Specific Plan requires the construction of extensive landscaping on both sides of each street and in the median of each street. All new utility lines will be placed underground.

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>GOAL CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and district.</p>	
<p>CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:</p> <ul style="list-style-type: none"> • 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. 	<p>The Specific Plan includes design guidelines to guide the construction of the project by requiring building massing to address the street and the pedestrian experience, the use of selected architectural styles to be implemented in a comprehensive manner throughout each neighborhood around all building elevations, and the use of building materials and architectural features and elements which are true to each selected style.</p>

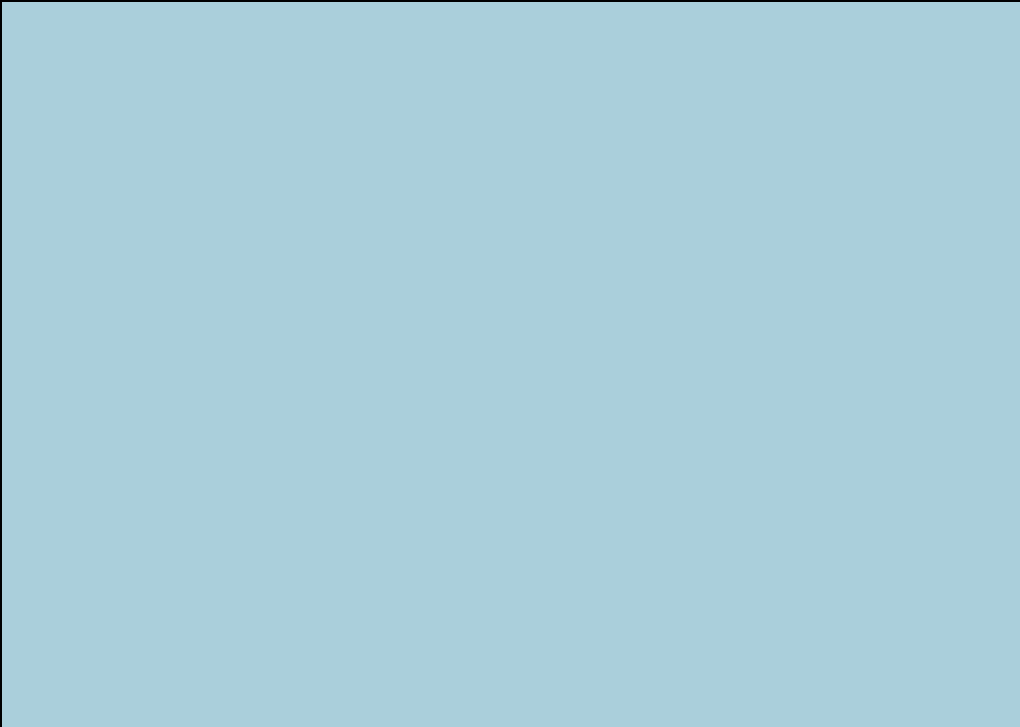
PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>CD2-2 Neighborhood Design. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as: a pattern of smaller, walk-able blocks that promote access, activity and safety;</p> <ul style="list-style-type: none"> • 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. 	<p>The Rich Haven Specific Plan is designed as a walk-able community of traditional residential neighborhoods organized around a simple grid street system offering a variety of home types within an open space setting. Residents can walk or bike to parks and schools via an interconnected network of sidewalks and trails throughout the community.</p> <p>Traditional site planning elements, varied residential product design and architecture, well-landscaped streets and enhanced entries combine to create welcoming neighborhoods within the community with aesthetic and functional harmony. Streets are linked together in a grid pattern with sidewalks separated from the street by landscaped parkways providing a simple and understandable system for pedestrian and vehicular travel connecting neighborhoods, open space amenities, public facilities, and recreational areas. A variety of housing types, including detached single-family homes, attached single-family homes, and multifamily homes are planned for Rich Haven, all of which are located close to schools, parks, and open space amenities. Residential development standards and design guidelines contained in the Specific Plan ensure that homes are designed at a human scale emphasizing architecture fronting the street. Residential</p>

	development standards are designed to minimize views of garage doors through use of alternating garage configurations. Traffic calming features incorporated into neighborhood streets include a traditional grid pattern with sidewalks separated by landscaping on either side of the street, and the use of intersection chokers and roundabouts where appropriate.
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PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>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.</p>	<p>The Specific Plan is designed with a comprehensive street system to accommodate the safe and efficient movement of automobiles as well as bike trails and a multi-purpose trail to accommodate bicycle and pedestrian mobility and connectivity throughout the community. Streets are designed as a grid system of short blocks allowing for various access points and travel routes. Streets are designed with sidewalks separated from the street to create an inviting environment for walking. Streets connect neighborhoods, parks and schools through a variety of travel paths. Bicycle accessibility is provided throughout the community through a network of off-street multi-purpose trails within Vineyard Avenue and Riverside Avenue which connect to a Class II bike path and Multipurpose Trail. Connectivity to this network of off street bike trails from all</p>

	<p>residential Planning Areas is provided through the local street system.</p>
<p>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:</p> <ul style="list-style-type: none"> • 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. 	<p>Off-street pedestrian circulation is available throughout Rich Haven by means of the interconnected, paved sidewalk system within the roadway right-of-way, separated from travel lanes by a landscaped parkway and within off-street Multipurpose Trails. The Rich Haven pedestrian system provides connectivity among residential neighborhoods to pocket parks and the elementary school within Rich Haven. Streets are designed in a simple grid system with short blocks promoting a sense of small neighborhoods.</p>

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>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.</p>	<p>Sustainable Community/Smart Growth principles are incorporated into the Rich Haven Land Use Plan. The sustainable goals for the project as stated in the Specific Plan include the following:</p> <ol style="list-style-type: none"> 1. Encourage walking and other non-vehicular modes of travel. 2. Provide pedestrian connectivity throughout the project. 3. Provide shaded outdoor 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, low water plumbing features, and energy efficient appliances. 7. Encourage the use of drought tolerant landscaping and water efficient irrigation methods. <p>Pedestrian and bicycle connectivity is provided among residential planning areas, schools, and parks helping to reduce vehicle trips and miles traveled. The design</p>



of residential areas incorporates tree-lined parkways providing shade for pedestrians and parked cars. Safe and efficient pedestrian and bicycle connectivity is provided throughout the project through a network of off-street bicycle trails, multi-use trails, and sidewalks.

The Rich Haven architectural design guidelines allow for a variety of styles that respond to local climate conditions. Some styles allow the incorporation of flat roofs that facilitate the use of solar collectors. All new construction will utilize design features, fixtures, appliances, and heating and cooling controls to conserve energy and water. The landscape concept for Rich Haven incorporates a drought tolerant plant palette and requires planting and irrigation systems designed to conserve water. Park and recreation areas will include shaded areas, bicycle racks, and other amenity features to encourage pedestrian and other non-vehicular activities.

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>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.</p>	<p>Residential development standards and design guidelines contained within the Specific Plan require home designs with fronts of homes, not garages, oriented toward the street to ensure that “eyes are on the street” in each neighborhood. Residences are oriented around open space, parks, and trails. Parking areas and garages are located to the rear of residences to avoid dominance of the streetscape by automobiles and to enhance a pedestrian environment on all streets.</p>
<p>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.</p>	<p>The landscape concept for Rich Haven incorporates the use of durable landscaping materials, a drought tolerant plant palette, and a planting and irrigation system designed to conserve water. Park and recreation 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.</p>
<p>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.</p>	<p>Signage and landscaping will be provided at neighborhood entries within Rich Haven. Community and neighborhood entry monumentation is required by the Specific Plan and is designed to</p>

	<p>establish a hierarchy for each Planning Area of the community. At key entries a monumentation program will be utilized to help identify the community as well as convey a sense of arrival and a welcoming feel for both vehicular and pedestrian traffic. These monuments and “gateways” are to be designed with durable, lasting materials approved by the City of Ontario. The “gateways” leading into the community of Rich Haven will be elegant in appearance, classic in form, evoking the sense of arrival.</p>
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PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>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.</p>	<p>The Specific Plan requires the developer of Rich Haven to obtain approval by the City of a Master Sign Program to address project entries, neighborhood identification and way finding signage within the project.</p>
<p>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.</p>	
<p>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.</p>	<p>The Specific Plan is designed for bicycle and pedestrian accessibility throughout the community through a network of off-street bike and pedestrian</p>

	<p>trails within Vineyard and Riverside Avenues. Connectivity to this network of off street trails from all residential Planning Areas is provided through the local street system.</p>
<p>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.</p>	<p>The Specific Plan includes landscape design guidelines to enrich the community landscape and architectural style for Rich Haven. The design guidelines are organized to define the basic landscape design principles for the project, to guide the implementation of the “design vision,” and to ensure the design integrity of the project. All landscape plans, streetscape plans, and graphic designs with regard to community identity, neighborhood identity, or entry monumentation within the project are required to conform to the landscape design guidelines as set forth in the Specific Plan and are subject to review and approval by the City of Ontario. The landscaping proposed for Vineyard, Riverside, Chino, and Hellman Avenues shall be designed in accordance with the City’s New Model Colony Streetscape Master Plan.</p>

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces</p>	<p>The Specific Plan includes architectural design guidelines, which promote street facing front entries and architectural elements visible from adjacent streets, sidewalks, and parks within the project.</p>
<p>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.</p>	<p>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 City Planning Department and Public Works Department.</p>
<p>GOAL CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages public and private investments.</p>	
<p>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.</p>	<p>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, parks, yards, walls and monuments, traffic signals, infrastructure, and utilities within the project.</p>
<p>CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.</p>	<p>The Specific Plan includes a Maintenance Responsibility Matrix defining the responsible entities for continual maintenance of roadways, sidewalks,</p>

	traffic signals, off site and on site public water, sewer, and storm drain infrastructure facilities.
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COMMUNITY ECONOMICS ELEMENT	
GOAL CE1: A complete community that provides for all incomes and stages of life.	
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.	N/A
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. (Refer to Mobility Public Transit)	
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. (Refer to Community Design Element)	
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.	

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
MOBILITY ELEMENT	
GOAL M1: A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.	
<p>M1-1 Roadway Design and Maintenance. We require our roadways to:</p> <ul style="list-style-type: none"> • 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. 	<p>The Specific Plan requires the construction of a network of Master Plan Roadways designed consistent with the requirements of the City’s Functional Roadway Classification Plan and the New Model Colony 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, and treatment BMP’s for the project are required to be submitted by the developer for approval by the City prior to issuance of permits for the project.</p>
GOAL M2: A system of trails and corridors that facilitate and encourage	

<p>bicycling and walking.</p>	
<p>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.</p>	<p>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. The Rich Haven pedestrian system provides connectivity among residential neighborhoods to the pocket parks and the elementary school within Rich Haven.</p>
<p>GOAL M3: A public transit system that is a viable alternative to automobile travel and meets the basic transportation needs of the transit dependent.</p>	
<p>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.</p>	<p>The Specific Plan requires the developer of the project to coordinate with the local mass transit provider, Omnitrans, to accommodate adequate area for any bus turnouts within the Master Plan Roadways as required by Omnitrans.</p>

HOUSING ELEMENT	
GOAL H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.	
H2-4 New Model Colony. We support a premier lifestyle community in the New Model Colony distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.	The Specific Plan allows for the development of up to 893 residential dwelling units comprised of a variety of single-family detached homes. Residential land use areas are linked by a network of street- separated sidewalks and bicycle trails connecting all neighborhoods to parks and schools. Residential development is designed to address a variety of lifestyles and economic segments of the marketplace, such as singles, families, executives and “empty nesters.”
H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.	The Specific Plan includes architectural design guidelines to encourage development of diverse neighborhoods with the use of varied architectural styles articulated with elements true to the architectural characteristics of each style
GOAL H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age, or other status.	
H5-2 Family Housing. We support the development of larger rental apartments that are appropriate for families with children, including, as	The Specific Plan allows for the development of condominium and multi-family home types designed to

feasible, the provision of services, recreation and other amenities.

accommodate families with children. The Specific Plan requires that all condominium and multi-family developments within the project provide private recreational areas and/or pocket parks for residents of the development.

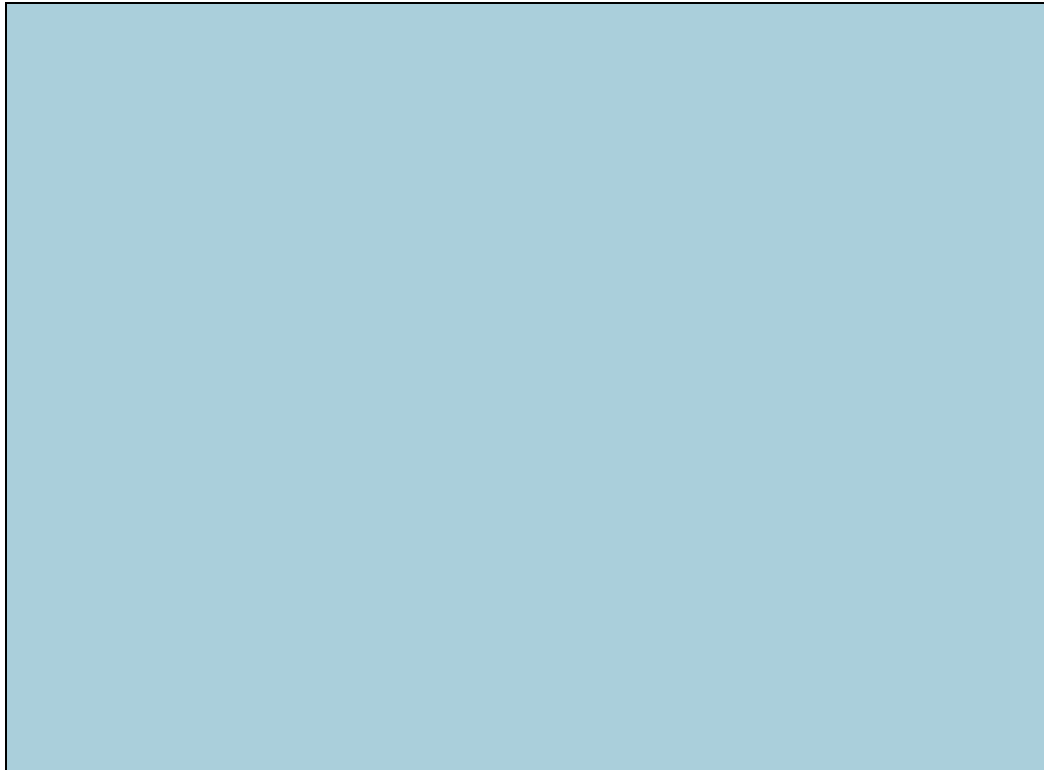
ENVIRONMENTAL RESOURCES ELEMENT	
GOAL ER1: A reliable and cost effective system that permits the City to manage its diverse water resources and needs.	
ER1-3 Conservation. We require conservation strategies that reduce water usage.	<p>The Specific Plan requires all public and common area landscaping 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.</p> <ul style="list-style-type: none"> • 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 irrigation is not permitted within LMD landscape areas. • Spray systems shall have low volume matched-precipitation heads. • All LMD areas are to be controlled with central control irrigation systems, and all trees are to be irrigated utilizing a flush grade bubbler system on a separate valve. All LMD areas shall be designed to

	City Standard Specifications.
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PLAN POLICY

SPECIFIC PLAN CONSISTENCY

<p>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.</p>	<p>The Specific Plan requires that the developer obtain approval of a Storm Water 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 Storm Water 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.</p> <p>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.</p>
<p>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.</p>	<p>The Specific Plan requires that grading and drainage for the project be designed to retain, infiltrate, and/or biotreat surface runoff to the maximum extent practicable, in order to comply with the requirements of the current San Bernardino County NPDES</p>



Stormwater Program’s MS4 Permit and Water Quality Management Plan (WQMP) for priority development projects. These effects shall be minimized through the implementation of on-site and off-site Low Impact Development (LID) Site Design Best Management Practices (BMPs) that reduce runoff and pollutant transport by minimizing impervious surfaces, maximizing on-site infiltration, and specifically retain/infiltrate or biotreat the 85th percentile storm event. In addition, non-structural and structural Source Control Best Management Practices (BMPs), shall also be implemented and documented in the project’s 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 is regulated by the requirements of the San Bernardino County MS4 Urban Runoff Permit and the SB County Water Quality Management Plan Technical Guidance Document.

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>ER1-7 Urban Run-off Quality. We require the control and management of urban run-off, consistent with Regional Water Quality Control Board regulations.</p>	<p>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.</p>
<p>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.</p>	<p>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.</p>
<p>GOAL ER3: Cost-effective and reliable energy, derived primarily from renewable sources that help to reduce the region’s carbon footprint.</p>	
<p>ER3-1 Conservation Strategy. We require conservation as the first strategy to be employed to meet applicable energy-saving standards.</p>	<p>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</p>

	<p>common areas of the project. The Specific Plan includes architectural styles that respond to local climate conditions and allow for the incorporation of flat roofs that facilitate the use of solar collectors. All new construction will utilize fixtures, appliances, and heating and cooling controls to conserve water and energy.</p>
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PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>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.</p>	<p>The Specific Plan includes architectural guidelines, which allow for a variety of styles that respond to local climate conditions. Some styles allow the incorporation of flat roofs that facilitate the use of solar collectors. All new construction will utilize design features, fixtures, appliances, and heating and cooling controls to conserve energy and water. The landscape concept for Rich Haven incorporates a plant palette and a planting and irrigation system designed to conserve water. Park and recreation areas will include shaded areas, bicycle racks, and other amenity features to encourage pedestrian and other non-vehicular activities.</p>
<p>R3-3 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.</p>	<p>The Specific Plan includes architectural design guidelines, which allow for styles that respond to local climate conditions. Some styles allow for flat roofs that facilitate the use of solar collectors.</p>

<p>GOAL ER4: Improved indoor and outdoor air quality and reduced locally generated pollutant emissions.</p>	
<p>ER4-4 Indoor Air Quality. We will comply with State Green Building Codes relative to indoor air quality.</p>	<p>All development within the Specific Plan will be required to comply with the State Green Building Code as implemented by the City.</p>
<p>GOAL ER5: Protected high value habitat and farming and mineral resource extraction activities that are compatible with adjacent development.</p>	
<p>ER5-2 Entitlement and Permitting Process. We comply with state and federal regulations regarding protected species.</p>	<p>The project will comply with all mitigation measures identified in the project EIR with regard to biological resources.</p>
<p>ER5-3 Right to Farm. We support the right of existing farms to continue their operations within the New Model Colony.</p>	<p>The Specific Plan requires a minimum 100-foot wide agricultural buffer be provided by the development between any new residential structure and any existing animal feed trough, corral/pen or an existing dairy/feed lot.</p>

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>ER5-4 Transition of Farms. We protect both existing farms and sensitive uses around them as agricultural areas transition to urban uses.</p>	<p>The Specific Plan requires a minimum 100-foot wide agricultural buffer be provided by the development between any new residential structure and any existing animal feed trough, corral/pen or an existing dairy/feed lot.</p>
<p>SAFETY ELEMENT</p>	
<p>Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.</p>	
<p>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.</p>	<p>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.</p>
<p>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.</p>	
<p>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.</p>	<p>The Specific Plan requires new development to be reviewed and approved pursuant to the City’s Subdivision Ordinance and Development Plan Review process, allowing for the Fire Department review, and requiring the incorporation of any required fire</p>

	prevention design elements in streetscapes, open spaces and buildings.
Goal S4: An environment where noise does not adversely affect the public’s health, safety, and welfare.	
S4-1 Noise Mitigation. We utilize the City’s Noise Ordinance, building codes and subdivision and development code regulations to mitigate noise impacts.	

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
Goal S5: Reduced risk of injury, property damage and economic loss resulting from windstorms and wind-related hazards.	
S5-2 Dust Control Measures. We require the implementation of Best Management Practices for dust control at all excavation and grading projects.	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.
Goal S6: Reduced potential for hazardous materials exposure and contamination.	
S6-9 Remediation of Methane. We require development to assess and mitigate the presence of methane, per regulatory standards and guidelines.	The project will comply with all mitigation measures identified as part of the project EIR for soil remediation and proper venting to address the potential existence of methane gases within the project.

S7-4 We require new development to incorporate CPTED in the design of streetscapes, sites, open spaces and buildings.

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.

PARKS AND RECREATION ELEMENT

Goal PR1: A system of safe and accessible parks that meets the needs of the community.

PR1-5 Acreage Standard. We strive to provide 5 acres of parkland (public and private) per 1,000 residents.

The project will comply with the City requirement for the payment of an in-lieu fee in amount equivalent to three acres of parkland per 1,000 residents to fund the development of public parks and the requirement that each new development provide park acreage on-site equivalent to 2 acres per 1,000 residents. The Specific Plan includes the provision of private pocket parks in each Planning Area.

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>PR1-6 Private Parks. We expect development to provide a minimum of 2 acres of developed private park space per 1,000 residents.</p>	<p>The Specific Plan includes the provision of private pocket parks in each Planning Area with a total acreage provided equivalent to 2 acres of developed private park per 1,000 residents.</p>
<p>PR1-9 Phased Development. We require parks be built in new communities before a significant proportion of residents move in.</p>	<p>Development within the Specific Plan is required to be reviewed and approved pursuant to the City’s Subdivision Ordinance, which requires the approval of tentative and final subdivision maps for the project. Conditions of approval associated with the City’s approval of tentative subdivision maps will provide for the timing of construction of parks as part of the development.</p>
<p>PR1-11 Environmental Function of Parks. We require new parks to meet environmental management objectives.</p>	<p>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 incorporate environmental management objectives into the design of parks.</p>
<p>PR1-12 Trails. We promote connections between parks and local trails including those managed by other public agencies.</p>	<p>The Specific Plan is designed for bicycle and pedestrian accessibility provided throughout the community through a network of off-street bike and pedestrian trails within Vineyard and Riverside Avenues. These trails are connected to a Class I bike</p>

	<p>path system located within Archibald Avenue, Ontario Ranch Road, and Haven Avenue. Connectivity to this network of off-street trails from all residential Planning Areas is provided through the local street system.</p>
<p>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.</p>	<p>The Specific Plan requires that all condominium and multi-family developments within the project provide private recreational areas and/or pocket parks for residents of the development in addition to the payment by the developer of adopted impact fees.</p>

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
SOCIAL RESOURCES ELEMENT	
<p>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.</p>	
<p>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.</p>	

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.	The Specific Plan allows for the development of up to 1,833 residential dwelling units comprised of a variety of single-family detached homes. A network of street-separated sidewalks and Multipurpose Trails connecting all neighborhoods to parks and schools links residential land use areas. Residential development is designed to address a variety of lifestyles and economic segments of the marketplace, such as singles, families, executives and “empty nesters.”
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.	The Specific Plan includes architectural and landscape design guidelines.

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>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.</p>	<p>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.</p>
<p>CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.</p>	<p>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.</p>
<p>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.</p>	<p>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.</p>

9.2 The Ontario Plan Consistency tables

9.2.1 RESIDENTIAL

TOP Land Use Designation	Specific Plan – Land Use/Planning Area	TOP Adjusted Acreage	Gross Acreage	Residential Units (Minimum)	Residential Units (Maximum)	Specific Plan Units Proposed	Specific Plan Proposed Density (du/ac)
Low Density Residential (2.1 - 5.0 du/ac)	1A – Single Family Residential	11.19	12.8	23	56	58	5.2
Low Density Residential (2.1 - 5.0 du/ac)	1B – Single Family Residential	12.08	12.7	25	60	57	4.7
Low Density Residential (2.1 - 5.0 du/ac)	1C – Single Family Residential	14.89	14.9	31	74	68	4.6
Low Density Residential (2.1 - 5.0 du/ac)	1D – Single Family Residential	19.41	20.5	41	97	91	4.7
Low Density Residential (2.1 - 5.0 du/ac)	1E – Single Family Residential	24.79	23.4	52	124	109	4.4
Low Density Residential (2.1 - 5.0 du/ac)	1F – Single Family Residential	23.8	26.3	50	119	120	5.0
Total		106.16	110.6	223	531	503	4.7

TOP Land Use Designation	Specific Plan – Land Use/Planning Area	TOP Adjusted Acreage	Gross Acreage	Residential Units (Minimum)	Residential Units (Maximum)	Specific Plan Units Proposed	Specific Plan Proposed Density (du/ac)
OS-NR (Open Space Non-Recreational)	Edison Parcel	18.01	20				
OS-R (Open Space Recreational)	Park	25.71	27				
Total		43.72	47				

TOP Land Use Designation	Specific Plan – Land Use/Planning Area	TOP Adjusted Acreage	Gross Acreage	Residential Units (Minimum)	Residential Units (Maximum)	Specific Plan Units Proposed	Specific Plan Proposed Density (du/ac)
Low Medium Density Residential (5.0 - 11.0 du/ac)	4A - Small Lot Single Family Residential	14.14	14	71	156	58	4.1
Low Medium Density Residential (5.0 - 11.0 du/ac)	4B - Small Lot Single Family Residential	10.01	9.2	50	110	57	5.7
Low Medium Density Residential (5.0 - 11.0 du/ac)	4C - Small Lot Single Family Residential	9.26	9.8	46	102	68	7.3
Total		33.41	33	167	368	183	5.5

TOP Land Use Designation	Specific Plan – Land Use/Planning Area	TOP Adjusted Acreage	Gross Acreage	Residential Units (Minimum)	Residential Units (Maximum)	Specific Plan Units Proposed	Specific Plan Proposed Density (du/ac)
Medium Density Residential (11.1 - 25.0 du/ac)	5A - Small Lot Single Family Residential	9.14	9.1	101	229	109	11.9
Medium Density Residential (11.1 - 25.0 du/ac)	5B - Small Lot Single Family Residential	14.48	14.2	161	362	165	11.4
Medium Density Residential (11.1 - 25.0 du/ac)	5C - Small Lot Single Family Residential	18.1	27	201	453	332	18.3
Medium Density Residential (11.1 - 25.0 du/ac)	5D - Small Lot Single Family Residential	20.34	30.3	226	509	361	17.7
OS-NR (Open Space Non-Recreational)	5E – Edison Easement	17.76	17.76				
Total		79.82	98.36	689	1,552	967	15.6

TOP Land Use Designation	Specific Plan – Land Use/Planning Area	TOP Adjusted Acreage	Gross Acreage	Residential Units (Minimum)	Residential Units (Maximum)	Specific Plan Units Proposed	Specific Plan Proposed Density (du/ac)
Low Density Residential (2.1 – 5.0 du/ac)	1A-1F Single Family Residential	106.16	110.6	223	531	503	4.7
Low Medium Density Residential (5.1 – 11.0 du/ac)	4A-4C Small Lot Single Family Residential	33.41	33	167	368	183	5.5
Medium Density Residential (11.1 – 25.0 du/ac)	5A-5D Small Lot Single Family Residential	62.06	80.6	689	1,552	967	15.6
RESIDENTIAL TOTAL		201.63	224.2	1,079	2,451	1,653	8.2

9.2.2 MIXED-USE

TOP Land Use Designation	Rich Haven Specific Plan PA 6A – Land Uses	TOP Acreage	Gross Acreage	Residential Units 14 du/ac (Minimum)	Residential Units 50 du/ac (Maximum)	Rich Haven SP Proposed Residential Units	Rich Haven SP Proposed Residential Density (du/ac)	Commercial Acreage (0.7 FAR Max. SF)	Rich Haven SP Proposed Commercial SF Maximum
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Regional Commercial (0.7 Max FAR Allowed)	5.25						160,083	see totals for 6A + 9A below
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Stand Alone Residential Overlay (14 - 50 du/ac for residential or Max 0.7 FAR for Commercial)	38.39		537	1,920	480	see totals for 6A + 9A below	1,170,588	see totals for 6A + 9A below
Total		43.64	49.90					1,330,671	see totals for 6A + 9A below

TOP Land Use Designation	Rich Haven Specific Plan PA 6B – Land Uses	TOP Acreage	Gross Acreage	Residential Units 14 du/ac (Minimum)	Residential Units 50 du/ac (Maximum)	Rich Haven SP Proposed Residential Units	Rich Haven SP Proposed Residential Density (du/ac)	Commercial Acreage (0.7 FAR Max. SF)	Rich Haven SP Proposed Commercial SF Maximum
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Stand Alone Residential Overlay (14 - 50 du/ac for residential or Max 0.7 FAR for Commercial)	17.26		242	863		see totals for 6B + 9B below	526,292	see totals for 6B + 9B below
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Mixed Use (14 - 50 du/ac for residential or Max 0.7 FAR for Commercial)	4.39		61	220			133,860	see totals for 6B + 9B below
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Open Space	1.58							see totals for 6B + 9B below
Open Space Non-Recreational (SCE Corridor)/neighborhood edge	Edison Easement	3.54							see totals for 6B + 9B below
Total		26.77	28.60					526,292	see totals for 6B + 9B below

TOP Land Use Designation	Rich Haven Specific Plan PA 7 – Land Uses	TOP Acreage	Gross Acreage	Residential Units 14 du/ac (Minimum)	Residential Units 50 du/ac (Maximum)	Rich Haven SP Proposed Residential Units	Rich Haven SP Proposed Residential Density (du/ac)	Commercial Acreage (0.7 FAR Max. SF)	Rich Haven SP Proposed Commercial SF Maximum
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Stand Alone Residential Overlay (14 - 50 du/ac for residential or Max 0.7 FAR for Commercial)	10.82						329,923	
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Mixed Use (14 - 50 du/ac for residential or Max 0.7 FAR for Commercial)	35.00		490	1,750	725	21		
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Mixed Use	16.16		226	808			492,751	
Open Space Non-Recreational (SCE Corridor)/neighborhood edge	Fire Station	1.27							
Open Space Non-Recreational (SCE Corridor)/neighborhood edge	Edison Easement	8.48							
Total		71.73	81.10					822,674	440,800

TOP Land Use Designation	Rich Haven Specific Plan PA 8A – Land Uses	TOP Acreage	Gross Acreage	Residential Units 14 du/ac (Minimum)	Residential Units 50 du/ac (Maximum)	Rich Haven SP Proposed Residential Units	Rich Haven SP Proposed Residential Density (du/ac)	Commercial Acreage (0.7 FAR Max. SF)	Rich Haven SP Proposed Commercial SF Maximum
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Regional Commercial (0.7 Max FAR Allowed)	11.75						358,281	
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Stand Alone Residential Overlay (14 - 50 du/ac for residential or Max 0.7 FAR for Commercial)	21.86		306	1,093	852	39	666,555	
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Mixed Use (14 - 50 du/ac for residential or Max 0.7 FAR for Commercial)	19.05		267	953			580,873	
Open Space Non-Recreational (SCE Corridor)/neighborhood edge	Edison Easement	1.70							
Total		54.60	61.40			852			325,000

TOP Land Use Designation	Rich Haven Specific Plan PA 8B – Land Uses	TOP Acreage	Gross Acreage	Residential Units 14 du/ac (Minimum)	Residential Units 50 du/ac (Maximum)	Rich Haven SP Proposed Residential Units	Rich Haven SP Proposed Residential Density (du/ac)	Commercial Acreage (0.7 FAR Max. SF)	Rich Haven SP Proposed Commercial SF Maximum
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Regional Commercial (0.7 Max FAR Allowed)	3.75						114,345	
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Stand Alone Residential Overlay (14 - 50 du/ac for residential or Max 0.7 FAR for Commercial)	15.57		218	779	200	13	474,760	
Total		19.32	19.70			200			123,400

TOP Land Use Designation	Rich Haven Specific Plan PA 9A – Land Uses	TOP Acreage	Gross Acreage	Residential Units 14 du/ac (Minimum)	Residential Units 50 du/ac (Maximum)	Rich Haven SP Proposed Residential Units	Rich Haven SP Proposed Residential Density (du/ac)	Commercial Acreage (0.7 FAR Max. SF)	Rich Haven SP Proposed Commercial SF Maximum
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Regional Commercial (0.7 Max FAR Allowed)	7.30					222,592		
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Stand Alone Residential Overlay (14 - 50 du/ac for residential or Max 0.7 FAR for Commercial)	27.97		392	1,399		852,861		
Open Space Non-Recreational (SCE Corridor)/neighborhood edge	Edison Easement	0.70							
Total		35.97	35.27						see totals for 6A + 9A below

TOP Land Use Designation	Rich Haven Specific Plan PA 9B – Land Uses	TOP Acreage	Gross Acreage	Residential Units 14 du/ac (Minimum)	Residential Units 50 du/ac (Maximum)	Rich Haven SP Proposed Residential Units	Rich Haven SP Proposed Residential Density (du/ac)	Commercial Acreage (0.7 FAR Max. SF)	Rich Haven SP Proposed Commercial SF Maximum
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Regional Commercial (0.7 Max FAR Allowed)	4.55						138,739	
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Stand Alone Residential Overlay (14 - 50 du/ac for residential or Max 0.7 FAR for Commercial)	23.63		331	1,182		see totals for 6B + 9B below	720,526	
Open Space Non-Recreational (SCE Corridor)/neighborhood edge	Edison Easement	8.24							
Total		36.42							see totals for 6B + 9B below

TOP Land Use Designation	Rich Haven Specific Plan PA 6A + 9A – Land Uses	TOP Acreage	Gross Acreage	Residential Units 14 du/ac (Minimum)	Residential Units 50 du/ac (Maximum)	Rich Haven SP Proposed Residential Units	Rich Haven SP Proposed Residential Density (du/ac)	Commercial Acreage (0.7 FAR Max. SF)	Rich Haven SP Proposed Commercial SF Maximum
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Regional Commercial (0.7 Max FAR Allowed)	12.55						382,675	166,182
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Stand Alone Residential Overlay (14 - 50 du/ac for residential or Max 0.7 FAR for Commercial)	66.36		929	3,319	2,178	33	2,023,449	
Open Space Non-Recreational (SCE Corridor)/neighborhood edge	Edison Easement	0.70							
Total		79.61	85.17			2,178			166,182

TOP Land Use Designation	Rich Haven Specific Plan PA 6B + 9B – Land Uses	TOP Acreage	Gross Acreage	Residential Units 14 du/ac (Minimum)	Residential Units 50 du/ac (Maximum)	Rich Haven SP Proposed Residential Units	Rich Haven SP Proposed Residential Density (du/ac)	Commercial Acreage (0.7 FAR Max. SF)	Rich Haven SP Proposed Commercial SF Maximum
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Regional Commercial (0.7 Max FAR Allowed)	4.55						138,739	
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Stand Alone Residential Overlay (14 - 50 du/ac for residential or Max 0.7 FAR for Commercial)	40.89		573	2,045	1,406	34	1,246,818	
NMC East Mixed Use Area (14 - 50 du/ac) 0.7 Commercial FAR	Mixed Use (14 - 50 du/ac for residential or Max 0.7 FAR for Commercial)	4.39		61	220			133,860	
Open Space Non-Recreational (SCE Corridor)/neighborhood edge	Edison Easement/Neighborhood Edge	13.36							
Total		63.19	65.10			1,406			76,320



PLANNING COMMISSION STAFF REPORT

January 23, 2018

SUBJECT: A Development Agreement Amendment (First Amendment – File No PDA18-001) between the City of Ontario and TNHYIF REIV INDIA, LLC, a Delaware limited liability company, to extend the term of the development agreement allowing for the construction of up to 870,000 square feet of class “A” mixed use office park and the required infrastructure, on approximately 24.8 acres of land within the Guasti Specific Plan, for property located north of Guasti Road and south of the I-10 Freeway, between Turner Avenue and Archibald Avenue (APN: 0210-192-13 through 24); **submitted by True North Management Group. City Council action is required.**

PROPERTY OWNER: TNHYIF REIV INDIA, LLC

RECOMMENDED ACTION: That the Planning Commission recommend the City Council adopt an ordinance approving the First Amendment to the Development Agreement (File No. PDA08-001) between TNHYIF REIV INDIA, LLC, and the City of Ontario.

PROJECT SETTING: The project site is comprised of approximately 24.7 acres of land generally located north of Guasti Road, south of Interstate 10, Freeway, east of Archibald Avenue, and west of Turner Avenue, within the Office/Commercial designation of the Guasti Specific Plan and is depicted in **Figure 1: Project Location**, below.

PROJECT ANALYSIS:

Background — In September 2008, the City Council approved the Development Agreement for the Ontario Airport Towers (File No. PDA08-001). The original Development Plan application provided for the construct of up to 870,000 square feet of Class “A” mixed use office space. The conditions of approval for the project required the construction of a substantial amount of infrastructure early in the project. To assist with the financing of these improvements, a Mello-Roos Community Facilities District was established which levies assessments against the various properties within the project. In order to provide assurances regarding the financing of the project, the property owner requested approval of a Development Agreement. In addition, City staff desire to restrict the development of limited service hotels in the Guasti area and the owner has agreed to accept this restriction in exchange for the Development Agreement.

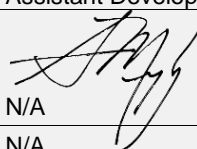
Case Planner:	Scott Murphy Assistant Development Director	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	N/A	N/A	N/A
Submittal Date:	N/A	PC	01/23/2018		Recommend
Hearing Deadline:	N/A	CC			Final



Figure 1: Project Location

Staff Analysis — The Development Agreement was initially approved for a ten year period. At the time, it was believed that ten years would have been sufficient to develop the site in accordance with the approved master plan. In fact, two buildings were constructed, including a six-story office building and a single story commercial building. The length and severity of the recession, however, dramatically impacted construction activity, especially in office development.

The applicant is now seeing increased activity in the office market and is experiencing renewed interest in development of the site. The project site, at the entry to Ontario International Airport, is a site viewed as a desirable location for Class “A” office and hotel development. To that end, staff and the applicant believe that extending the term of the Development Agreement will help the marketing of the property and encourage the type of development desired by the City.

The term of the Development Agreement is proposed to be extended five years to 2023. Additionally, the City Manager would have the ability to extend the agreement for an additional five years if reasonable cause is provided. The main points of the agreement remain unchanged (see attached Development Agreement).

Staff finds that the First Amendment 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 for the First Amendment to the Planning Commission. If the Commission finds the Amendment 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
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

[2] Vision.

Distinctive Development:

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

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

[3] Policy Plan (General Plan)

Land Use Element:

- LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.
- LU1-3 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. (Refer to Complete Community Section of Community Economics Element).

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

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

Community Economics Element:

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

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

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

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

- 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.

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

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

➤ CD3-6 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.

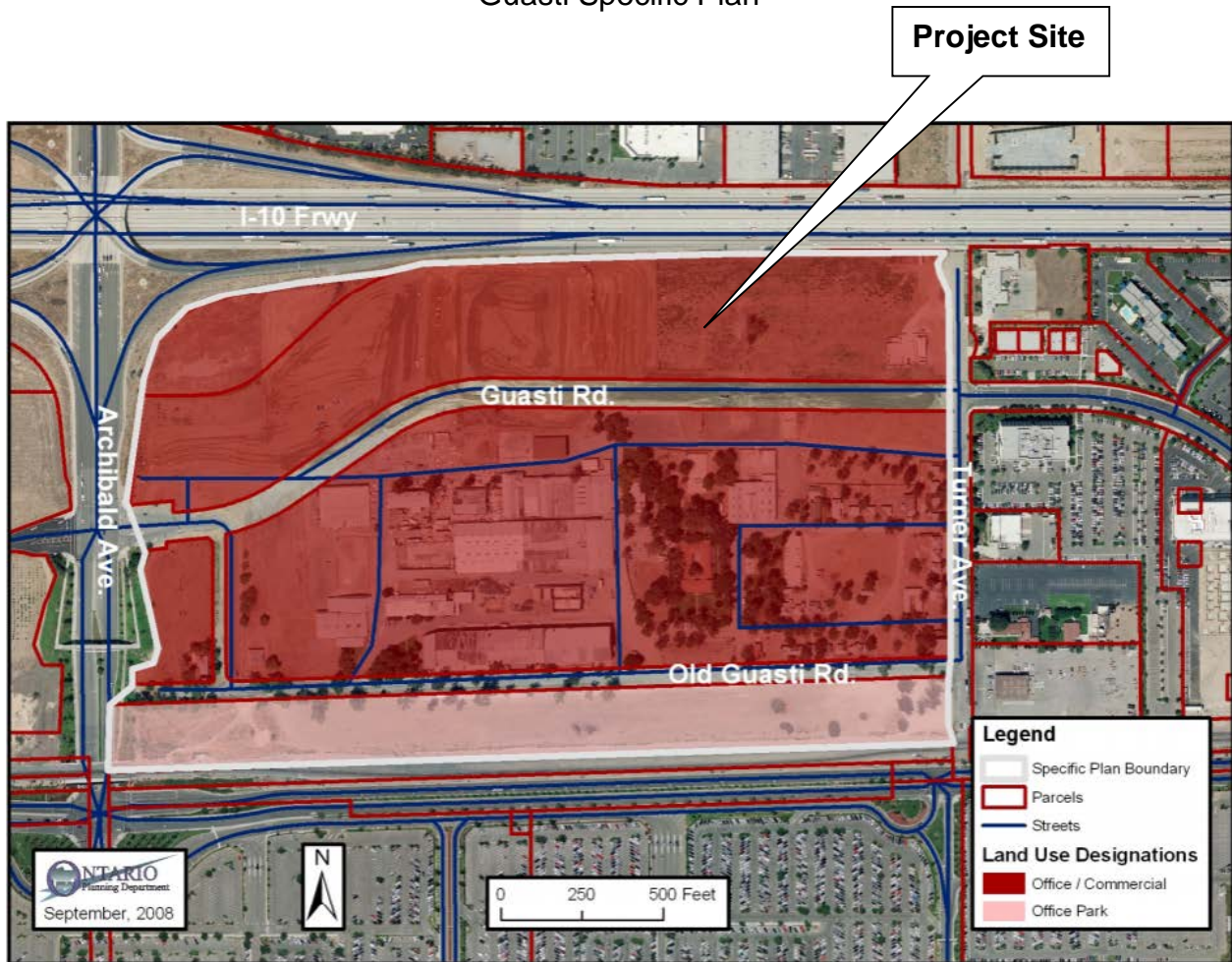
➤ CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

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.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with File Nos. PSPA06-002, PDEV06-001, and PMTT06-019, for which a Negative Declaration was adopted by the City Council on June 6, 2006. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are incorporated herein by reference. All previously adopted mitigation measures are to be a condition of project approval and are incorporated herein by reference.

EXHIBIT "A"
Guasti Specific Plan





LARRY WALKER
Auditor/Controller – Recorder

12/09/2008
12:17 PM
LM

631 City of Ontario

Doc#: 2008 – 0544740



Titles:	1	Pages:	45
Fees			0.00
Taxes			0.00
Other			0.00
PAID			\$0.00

**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

By and Between

CITY OF ONTARIO

a California municipal corporation,

and

ONTARIO AIRPORT CENTER, LLC

a Delaware limited liability company

September 16, 2008

San Bernardino County, California

DEVELOPMENT AGREEMENT NO. PDA08-001

This Development Agreement (hereinafter "**Agreement**") is entered into effective as of the 16th day of September, 2008 (hereinafter the "**Effective Date**") by and among the City of Ontario, a California municipal corporation (hereinafter "**CITY**"), and ONTARIO AIRPORT CENTER, a Delaware limited liability company (hereinafter collectively, "**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

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, the City Council has determined that the Final Environmental Impact Report (EIR) prepared for the Guasti Plaza Specific Plan (State Clearinghouse Number 91122009) and certified by the City Council on August 20, 1996, and the mitigated negative declaration (MND) for the Ontario Airport Towers Project which was adopted by the City of Ontario Planning Commission on May 23, 2006 and by the City Council on June 6, 2006, adequately considered the Project (as defined herein) and this Agreement in accordance with the California Environmental Quality Act; and

WHEREAS, this Agreement and the Project are consistent with the CITY's Comprehensive General Plan and the 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.

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 "**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 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.

1.1.4 "**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;
- (d) conditional use permits (including model home use permits), public use permits and plot plans;
- (e) zoning; and

- (f) grading and building permits.

1.1.5 "**Development Plan**" means the Existing Development Approvals and the Existing Land Use Regulations applicable to development of the Property.

1.1.6 "**Effective Date**" means the date of the second reading of the ordinance approving this Agreement.

1.1.7 "**Existing Development Approvals**" means all Development Approvals approved or issued prior to the Effective Date. Existing Development Approvals includes the Development Approvals incorporated herein as **Exhibit "C"** and all other Development Approvals which are a matter of public record on the Effective Date.

1.1.8 "**Existing Land Use Regulations**" means all Land Use Regulations in effect on the Effective Date. Existing Land Use Regulations includes the Land Use Regulations incorporated herein as Exhibit "D" and all other Land Use Regulations that are in effect and a matter of public record on the Effective Date.

1.1.9 "**Full Service Hotel**" means a hotel which meets all of the following minimum requirements:

- (1) The rooms and/or suites have access from internal corridors;
- (2) The hotel contains an on-site, first class, full service, three-meal dining restaurant which operates at a rating of three-diamonds if rated by AAA and lounge; and
- (3) The hotel provides all of the following:
 - (i) in-room food service;
 - (ii) a gift/sundries shop;
 - (iii) at least one swimming pool;
 - (iv) concierge service for at least the first twelve (12) months following opening of the hotel to the general public;
 - (v) an exercise room/fitness center;
 - (vi) at least ten (10) square feet of meeting room space per room; and
 - (vii) business center.

1.1.10 "**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; and
- (e) the exercise of the power of eminent domain.

1.1.11 "**Limited Service Hotel**" means a hotel that is not a Full Service Hotel.

1.1.12 "**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.

1.1.13 "**Motel**" means any business open to the general public that provides lodging for motorists and/or others that is not a Full Service Hotel, and any building or facility containing such a business. For purposes of this Agreement, the term "Motel" includes, but shall not be limited to, any type of hotel facility where the lodging rooms are not entered from a common entrance lobby and/or where the lodging room door gives out onto a parking lot.

1.1.14 "**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.

1.1.15 "**Owner Participation Agreement**" means that certain agreement between the OWNER and the Redevelopment Agency of the City of Ontario dated September 4, 2007.

1.1.16 "**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.

1.1.17 "**Property**" means the real property described on Exhibit "A" and shown on Exhibit "B" to this Agreement.

1.1.18 "**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.

1.1.19 "**Specific Plan**" means that certain specific plan adopted by the City Council, and entitled "The Guasti Plaza Specific Plan (State Clearinghouse Number 91122009)" certified by the City Council on August 20, 1996.

1.1.20 "**Subsequent Development Approvals**" means all Development Approvals required subsequent to the Effective Date in connection with development of the Property.

1.1.21 "**Subsequent Land Use Regulations**" means any Land Use Regulations adopted and effective after the Effective Date of this Agreement.

1.1.22 "**Vested Right Period**" means the time period commencing on the Effective Date of this Agreement and continuing until the Phase 3 Outside Completion Date as defined in the Schedule of Performance of the Owner Participation 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" — Declaration of Covenants, Conditions and Restrictions.

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.

2.3 Term. The term of this Agreement shall commence on the Effective Date and shall continue for a period of ten (10) years unless this Agreement is earlier terminated, modified or extended pursuant to the provisions 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, 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 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.

(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; and (2) the payment of the applicable processing charge to cover the CITY's review and consideration of such sale, transfer or assignment.

(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.

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 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 agreement 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 to secure performance of its obligations hereunder.

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 Partial Release of Purchaser, Transferee or Assignee of Commercial Lot. A purchaser, transferee or assignee of a lot, which has been finally subdivided as provided for in the Development Plan and for which a commercial plot plan for development of the lot has been finally approved pursuant to the Development Plan, may submit a request, in writing, to CITY to release said lot from the obligations under this Agreement relating to all other portions of the Property. Within thirty (30) days of such request, CITY shall review, and if the above conditions are satisfied shall approve the request for release and notify the purchaser, transferee or assignee in writing thereof. No such release approved pursuant to this Subsection 2.4.4 shall cause, or otherwise affect, a release of OWNER from its duties and obligations under this Agreement.

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.

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:

Gregory C. Devereaux, City Manager
City of Ontario
303 East "B" Street
Ontario California, California 91764

with a copy to:

John Brown, City Attorney
Best Best & Krieger
3750 University Ave.
Riverside, California 92501

If to OWNER:

Ontario Airport Center, LLC
21068 Bake Parkway, Suite 200
Lake Forest, California 92630
Attention: J. R. Wetzels and Peter Vanderburg

and

with a copy to:

Allen, Matkins, Leck, Gamble,
Mallory & Natsis LLP
1900 Main Street, Fifth Floor
Irvine, California 92614
Attention: R. Michael Joyce

(c) 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. Notwithstanding any provision in this Agreement to the contrary, CITY may impose and require payment by OWNER of development impact fees in such amounts as are in effect at the time of approval by CITY of specific applications pertaining to the Project, as such development impact fees are established by CITY from time to time; provided that such development impact fees are not applicable solely to the Property and that they are imposed on the development of other properties and the Property generally in a non-discriminatory fashion.

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. CITY shall accept for processing, review and action all applications for Subsequent Development Approvals, and such applications shall be processed in the normal manner for processing such matters.

3.3 Timing of Development. The parties hereto 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, subject only to any timing or phasing requirements set forth in the Development Plan or the Phasing Plan set forth in Section 3.4.

3.4 Phasing Plan. Development of the Property shall be subject to all timing and phasing requirements established by the Development Plan.

3.5 Changes and Amendments. The parties hereto acknowledge that refinement and further development of the Project will require Subsequent Development Approvals and may demonstrate that changes are appropriate and mutually desirable in the Existing Development Approvals. In the event OWNER finds that a change in the Existing Development Approvals is necessary or appropriate, OWNER shall apply for a Subsequent Development Approval to effectuate such change and CITY shall process and act on such application in accordance with the Existing Land Use Regulations, except as otherwise provided by this Agreement including the Reservations of Authority. If approved, any such change in the Existing Development Approvals shall be incorporated herein as an addendum to Exhibit "C", and may be further changed from time to time as provided in this Section. Unless otherwise required by law, as determined in CITY's reasonable discretion, a change to the Existing Development Approvals shall be deemed "minor" and not require an amendment to this Agreement provided such change does not:

- (a) Alter the permitted uses of the Property as a whole; or,
- (b) Increase the density or intensity of use of the Property as a whole; or,
- (c) Increase the maximum height and size of permitted buildings; or,
- (d) Delete a requirement for the reservation or dedication of land for public purposes within the Property as a whole; or,
- (e) Constitute a project requiring a subsequent or supplemental environmental impact report pursuant to Section 21166 of the Public Resources Code.

3.6 Reservations of Authority.

3.6.1 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;

(d) Regulations that may conflict with this Agreement and the Development Plan but that are reasonably necessary to protect 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

(f) Regulations that may conflict but to which the OWNER consents.

3.6.2 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, 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.

3.6.3 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).

3.6.4 Intent. The parties hereto 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.

3.7 Public Works; Utilities. If OWNER is required by this Agreement 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, sewer, gas, electric, and other utility service to the Project. As a further condition of development approval, OWNER shall 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.

3.8 Provision of Real Property Interests by CITY. In any instance where OWNER is required to construct any public improvement on land not owned by OWNER, OWNER shall at its sole cost and expense provide or cause to be provided, the real property interests necessary for the construction of such public improvements. In the event OWNER is unable, after exercising reasonable efforts, including, but not limited to, the rights under Sections 1001 and 1002 of the Civil Code, to acquire the real property interests necessary for the construction of such public improvements, and if so instructed by OWNER and upon OWNER'S provision of adequate security for costs CITY may reasonably incur, CITY shall negotiate the purchase of the necessary real property interests to allow OWNER to construct the public improvements as required by this Agreement and, if necessary, in accordance with the procedures established by law, use its power of eminent domain to acquire such required real property interests. OWNER shall pay all costs associated with such acquisition or condemnation proceedings. This Section 3.8 is not intended by the parties hereto 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.

3.9 Regulation by Other Public Agencies. It is acknowledged by the parties hereto 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 out of pocket 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.

3.10 Tentative Tract Map Extension. Notwithstanding the provisions of Section 66452.6 of the Government Code, no tentative subdivision map or tentative parcel map, heretofore or hereafter approved in connection with development of the Property, shall be granted an extension of time except in accordance with the Existing Land Use Regulations.

3.11 Vesting Tentative Maps. If any tentative or final subdivision map, or tentative or final parcel map, heretofore or hereafter approved in connection with development of the Property, is a vesting map under the Subdivision Map Act (Government Code section 66410 et seq.) and if this Agreement is determined by a final judgment to be invalid or unenforceable insofar as it grants a vested right to develop to OWNER, then and to that extent the rights and protections afforded OWNER under the laws and ordinances applicable to vesting maps shall supersede the provisions of this Agreement. Except as set forth immediately above, development

of the Property shall occur only as provided in this Agreement, and the provisions in this Agreement shall be controlling over any conflicting provision of law or ordinance concerning vesting maps.

3.12 Development Processing. CITY shall employ all lawful actions capable of being undertaken by CITY to promptly (i) accept all complete applications for Subsequent Development Approvals (collectively, "**Applications**") and (ii) process and take action upon the Applications in accordance with applicable law with a goal of completing the first review or plan check within four weeks and the second and third review or plan check within two weeks; provided however, that CITY shall not be deemed in default under this Agreement should such time frame(s) not be met. To the extent that OWNER desires that the CITY plan check or process an Application on an expedited basis and to the extent that it requires an additional expense beyond the customary expense applicable to the general public, CITY shall inform OWNER of such additional expense, including the cost of overtime and private consultants and other third-parties. If acceptable to OWNER, OWNER shall pay the additional cost and CITY shall use best efforts to undertake the most accelerated processing time as lawfully possible utilizing overtime and the services of private consultants and third parties to the extent available.

3.13 Prohibited Use. Recordation of Declaration of CC&Rs. On behalf of itself, its successors and assigns to all or any portion of the Property, OWNER covenants and agrees that no part or portion of the Project or Property shall be held, used, leased, sold, rented, assigned, transferred, or otherwise alienated to, for, or by the construction, development and operation of a Motel or Limited Service Hotel. The OWNER shall cause the recordation of the Declaration of Covenants, Conditions and Restrictions (in the form attached hereto as Exhibit "E") against the Property within thirty (30) days from the Effective Date, thereby prohibiting the construction and development of any Motel or Limited Service Hotel on any portion of the Property. The parties hereto agree that the Property shall be subject to such Declaration of Covenants, Conditions and Restrictions notwithstanding OWNER's failure to cause recordation of the same. The parties further agree that the obligations of OWNER under this Section 3.13 shall survive any termination or expiration of this Agreement. Notwithstanding the foregoing, CITY may, in its sole and absolute discretion, consent to the amendment or termination of the Declaration of Covenants and Restrictions, in writing and pursuant to Section 1.11 of the Declarations.

4. REVIEW FOR COMPLIANCE.

4.1 Periodic and Special Reviews.

4.1.1 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 4.1.2 through 4.1.6. Issuance of a notice of continuing compliance may be issued by the City Manager or his designee.

4.1.2 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:

- (1) Recommendation of the Planning staff;
- (2) Affirmative vote of at least four (4) members of the Planning Commission; or
- (3) Affirmative vote of at least three (3) members of the City Council.

4.1.3 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.

4.1.4 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.

4.1.5 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.

4.1.6 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.

4.2 Proceedings Upon Modification or Termination. If, upon a finding under Section 4.1.6(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.

4.3 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 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.

4.4 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.

5. DEFAULT AND REMEDIES.

5.1 Remedies in General. It is acknowledged by the parties hereto 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.

5.2 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 5.1 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.

5.3 Release. 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.

5.4 Termination or Modification of Agreement for Default of OWNER. Subject to the provisions contained in Subsection 4.3 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.

5.5 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.

6. THIRD PARTY LITIGATION.

6.1 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.

6.2 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.

6.3 Indemnity. In addition to the provisions of 6.2 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, 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.

6.4 Environment Assurances. OWNER shall indemnify and hold CITY, its officers, agents, and employees free and harmless from any liability, 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, including, but not limited to, soil and groundwater conditions, 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.

6.5 Reservation of Rights. With respect to Sections 6.2, 6.3 and 6.4 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.

6.6 Survival. The provisions of Sections 6.1 through 6.6, inclusive, shall survive the termination of this Agreement.

7. 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.

8. MISCELLANEOUS PROVISIONS.

8.1 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.

8.2 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.

8.3 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.

8.4 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.

8.5 Section Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

8.6 Singular and Plural. As used herein, the singular of any word includes the plural.

8.7 Several Obligations. Without limiting the provisions of 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 deemed several and independent such that the default by any owner shall not be deemed to constitute a default by any other owner.

8.8 Time of Essence. Time is of the essence in the performance of the provisions of this Agreement as to which time is an element.

8.9 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.

8.10 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.

8.11 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.

8.12 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.

8.13 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.

8.14 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.

8.15 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.

8.16 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.

8.17 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.

8.18 Eminent Domain. No provision of this Agreement shall be construed to limit or restrict the exercise by CITY of its power of eminent domain.

8.19 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).

8.20 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 under this Section 8.20 prior to CITY's issuance of such certificates.

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.

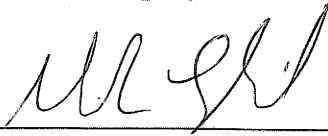
IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year set forth below.

[SIGNATURES CONTAINED ON FOLLOWING PAGE]

**SIGNATURE PAGE
TO DEVELOPMENT AGREEMENT**


"OWNER"

ONTARIO AIRPORT CENTER, a Delaware
limited liability company

By: 
Name: Mark English
Title: Vice President
Date: Aug. 8, 2008

"CITY"

CITY OF ONTARIO, a California municipal
corporation

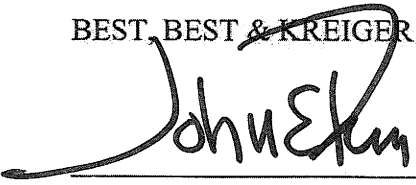
By: 
Gregory O. Devereaux
City Manager
Date: 10/3/08

ATTEST:


City Clerk, Ontario

APPROVED AS TO FORM:

BEST, BEST & KREIGER LLP


City Attorney

ACKNOWLEDGMENT

State of California
County of San Francisco)

On August 8, 2008 before me, Dominique M. Halliburton, Notary Public,
(insert name and title of the officer)

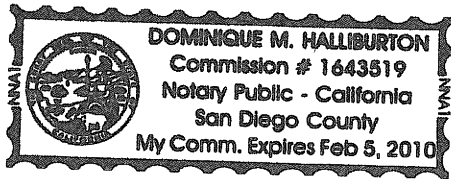
Notary Public, personally appeared Mark English

_____,
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 Dominique M. Halliburton (Seal)



ACKNOWLEDGMENT

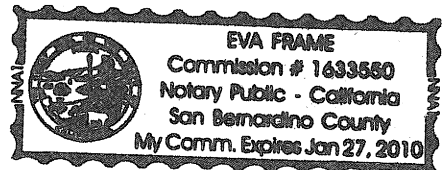
State of California)
County of San Bernardino)

On October 3, 2008 before me, Eva Frame,
(insert name and title of the officer)

Notary Public, personally appeared Gregory C. Devereaux,
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 Eva Frame (Seal)

EXHIBIT "A"
TO DEVELOPMENT AGREEMENT

Legal Description of Property

[to be inserted/attached]

LEGAL DESCRIPTION OF PROPERTY

PARCEL A:

PARCEL NO. 1 OF PARCEL MAP NO. 8144, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11 PAGES 61 TO 65 INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THAT PORTION CONDEMNED BY THE STATE OF CALIFORNIA BY DOCUMENT RECORDED JULY 6, 1995 AS INSTRUMENT NO. 95-231611, OFFICIAL RECORDS.

ALSO EXCEPT THAT PORTION CONVEYED TO THE STATE OF CALIFORNIA BY DOCUMENT RECORDED FEBRUARY 21, 1997 AS INSTRUMENT NO. 97-61515, OFFICIAL RECORDS

PARCEL B:

INTENTIONALLY DELETED

PARCEL C:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY, TOGETHER WITH THAT PORTION OF LOT 5, BLOCK 23, TRACT NO. 2244 AS SHOWN BY MAP ON FILE IN BOOK 35 OF MAPS, PAGES 50 TO 56 INCLUSIVE, RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF THAT PARCEL OF LAND DESCRIBED IN A DEED TO THE STATE OF CALIFORNIA. RECORDED APRIL 22, 1966 IN BOOK 6612, PAGE 917 OF OFFICIAL RECORDS OF SAID COUNTY, SAID POINT BEING AT THE WEST TERMINUS OF THAT CERTAIN COURSE DESCRIBED IN SAID DEED AS "THENCE SOUTH 89° 35' 08" WEST 178.32 FEET";

THENCE EASTERLY ALONG SAID SOUTHERLY LINE AND THE NORTHERLY LINE OF PARCEL 1 OF PARCEL MAP NO. 8144 RECORDED IN BOOK 111 OF PARCEL MAPS, PAGES 61 TO 65 INCLUSIVE, RECORDS OF SAID COUNTY, NORTH 89° 37' 08" EAST 178.32 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 304.98 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY LINE AND SAID CURVE THROUGH A CENTRAL ANGLE OF 42° 19' 30", AN ARC LENGTH OF 225.29 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY LINE NORTH 47° 18' 29" EAST, 261.09 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 594.97 FEET;

THENCE CONTINUING ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 23° 51' 17", AN ARC LENGTH OF 247.71 FEET;

THENCE LEAVING SAID NORTHERLY LINE SOUTH 83° 11' 42" WEST, 412.91 FEET;

THENCE SOUTH 74° 31' 38" WEST, 160.20 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 299.98 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68° 35' 23", AN ARC LENGTH OF 359.11 FEET;

THENCE SOUTH 05° 56' 11" WEST, 35.23 FEET TO THE POINT OF BEGINNING.

Exhibit A

EXHIBIT "B"
TO DEVELOPMENT AGREEMENT

Map showing Property and its location

[to be inserted/attached]

EXHIBIT "B"

-1-

EXHIBIT "B"
TO DEVELOPMENT AGREEMENT

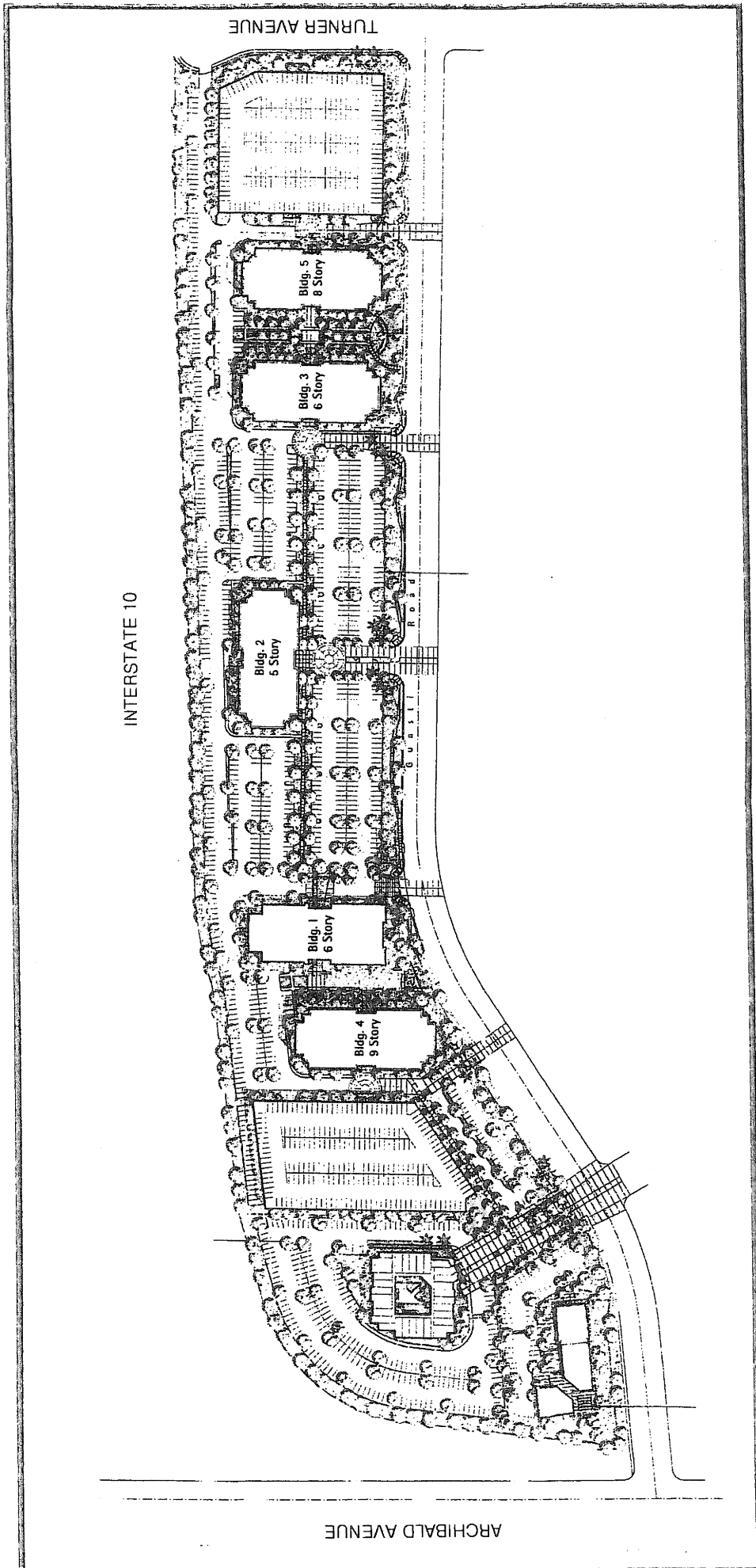


EXHIBIT "C"
TO DEVELOPMENT AGREEMENT

Existing Development Approvals

[to be inserted/attached]

EXHIBIT "C"

-1-

EXHIBIT "C"
TO DEVELOPMENT AGREEMENT

EXISTING DEVELOPMENT APPROVALS

On May 23, 2006, the Planning Commission:

- a) Adopted Resolution No. PC06-041 recommending approval of an amendment to the Guasti Specific Plan, File No. PSPA06-002.
- b) Adopted Resolution No. PC06-042 approving a Development Plan Review, File No. PDEV06-001.
- c) Adopted Resolution No. PC06-043 approving Tentative Parcel Map No. 18020, File No. PMTT06-019

On June 6, 2006, the City Council:

- a) Adopted Resolution No. 2006-027 approving an amendment to the Guasti Specific Plan, File No. PSPA06-002.

On November 28, 2008, the Planning Commission:

- a) Adopted Resolution No. PC06-157 approving a modification to Tentative Parcel Map No. 18020, File No. PMTT06-057.

On July 22, 2008, the Planning Commission:

- a) Adopted Resolution No. PC08-049 recommending City Council approval of Development Agreement PDA08-001.

On September 16, 2008, the City Council:

- a) Adopted Ordinance No. 2895 approving the PGP Development Agreement PDA08-001 and held it over for second reading on September 16, 2008.

EXHIBIT "D"
TO DEVELOPMENT AGREEMENT

Existing Land Use Regulations

[to be inserted/attached]

**EXHIBIT “D”
TO DEVELOPMENT AGREEMENT**

Existing Land Use Regulations

These documents are attached by reference only:

1. The City of Ontario General Plan as of the effective date of this Agreement.
2. The Guasti Plaza Specific Plan, as amended by the Ontario City Council on June 6, 2006.
3. City of Ontario Municipal Code, Titles:
 - a) Six – Sanitation & Health
 - b) Seven – Public Works
 - c) Eight – Building Regulations
 - d) Nine – Development Code
 - e) Ten – Parks & Recreation
4. The Redevelopment Plan for the Guasti Redevelopment Project Area, adopted by Ordinance 2742 on July 17, 2001.

EXHIBIT "E"
TO DEVELOPMENT AGREEMENT

Declaration of Covenants, Conditions and Restrictions

[attached behind this page]

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

City of Ontario
303 East "B" Street
Ontario California, California 91764
Attn: City Clerk

Space Above for Use by Recorder Only

Exempt from Recording Fees Per Gov't Code §27383

**THE CITY OF ONTARIO
AND
THE REDEVELOPMENT AGENCY OF THE CITY OF ONTARIO**

**DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS**

THIS DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS (this "**Declaration**") is dated as of _____, and entered into by and among ONTARIO AIRPORT CENTER, a Delaware limited liability company, ("**Developer**"), the CITY OF ONTARIO, a California municipal corporation ("**City**") and the REDEVELOPMENT AGENCY OF THE CITY OF ONTARIO, a public body corporate and politic ("**Agency**"), with reference to the following recited facts (each, a "**Recital**"):

RECITALS

A. The city council of the City ("**City Council**") approved and adopted the redevelopment plan ("**Redevelopment Plan**") for the redevelopment project area known as the Guasti Redevelopment Project Area ("**Project Area**").

B. The governing board of the Agency ("**Governing Board**") has adopted an implementation plan ("**Implementation Plan**") for the Redevelopment Plan and is engaged in activities necessary to execute and implement the Redevelopment Plan pursuant to California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) ("**CRL**").

C. The Developer owns certain real property within the boundaries of the City and within the Project Area that is vacant ("**Property**") as more particularly described in Exhibit "A-1" and shown on Exhibit "B-1" attached to this Declaration and incorporated into this Agreement by this reference.

D. The Developer, the City and the Agency agree that the Property shall be restricted as specifically provided in this Declaration for the benefit of the Project Area.

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION AND THE COVENANTS, CONDITIONS AND RESTRICTIONS SET FORTH IN THIS

DECLARATION, THE DEVELOPER, THE CITY AND THE AGENCY AGREE, AS FOLLOWS:

COVENANTS

1.1 Covenants to Run with the Land. The Developer, the City and the Agency declare their mutual, specific intent that this Declaration furthers the development of the Project Area. The Developer, the City and the Agency also declare their mutual, specific intent that each and every one of the provisions of this Declaration touch and concern the Property and shall be covenants running with the land of the Property that shall pass to and be binding upon the Property and each successive owner of the Property for the benefit of the City and the Agency regardless of whether the City or Agency own or continue to own any property in the Project Area. The Developer expressly assumes the duty and obligation to perform each of the covenants and to honor each of the agreements, reservations, restrictions and conditions set forth in this Declaration. If Developer transfers the Property, then Developer shall thereby be released from any further obligations hereunder arising from and after the date of transfer, provided that the transferee either agrees in writing to be bound, or is otherwise legally obligated to be so bound, by the obligations of "Developer" hereunder arising from and after the transfer date.

1.2 Conditions, Restrictions and Requirements re: Construction and Operation of Motels and Limited Service Hotels. Developer covenants and agrees for itself, its successors and assigns that the no portion of the Property shall be improved and developed for the construction, development and operation of a Motel or Limited Service Hotel. For purposes of this Declaration, a Motel means and refers to any business open to the general public that provides lodging for motorists and/or others that is not a Full Service Hotel, and any building or facility containing such a business. The term "Motel" includes, but shall not be limited to, any type of hotel facility where the lodging rooms are not entered from a common entrance lobby and/or where the lodging room door gives out onto a parking lot. For purposes of this Declaration, a Limited Service Hotel is a hotel that is not a Full Service Hotel. A "Full Service Hotel" means a hotel which meets all of the following minimum requirements: (1) The rooms and/or suites have access from internal corridors; (2) The hotel contains an on-site, first class, full service, three-meal dining restaurant which operates at a rating of three-diamonds if rated by AAA and lounge; and (3) The hotel provides all of the following: (a) in-room food service; (b) a gift/sundries shop; (c) at least one swimming pool; (d) concierge service for at least the first twelve (12) months following opening of the hotel to the general public; (e) an exercise room/fitness center; (f) at least ten (10) square feet of meeting room space per room; and (g) business center.

1.3 Recordation of Declaration. The Developer shall record or shall cause the recordation of this Declaration against the Property, which will be senior to all non-statutory liens and encumbrances against the Property. Each and every contract, deed or other instrument executed regarding the Property or any interest in the Property, following the date of recordation of this Declaration in the official records of the Recorder of the County of San Bernardino, California, shall conclusively be deemed to have been executed, delivered and accepted subject to this Declaration, regardless of whether this Declaration is set forth in or referenced in such contract, deed or other instrument.

1.3.1 The parties hereto agree that this Declaration shall not prevent or limit Developer, in any manner, at Developer'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 and Agency acknowledge that the lenders providing such financing may require certain Declaration interpretations and modifications and agrees upon request, from time to time, to meet with Developer and representatives of such lenders to negotiate in good faith any such request for interpretation or modification. City and Agency will not unreasonably withhold their consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Declaration. Any mortgagee of a mortgage, beneficiary under a deed of trust or under any security-device lender and/or their respective successors and assigns (collectively "**Mortgagee**") of the Property shall be entitled to the following rights and privileges:

1.3.2 Neither entering into this Declaration nor a breach of this Declaration 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.

1.3.3 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 and Agency in the manner specified herein for giving notices, shall be entitled to receive written notification from City and Agency of any default by Developer in the performance of Developer's obligations under this Declaration.

1.3.4 If City and Agency timely receive a request from a Mortgagee requesting a copy of any notice of default given to Developer under the terms of this Declaration, City and Agency shall provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of default to Developer. The Mortgagee shall have the right, but not the obligation, to cure the default during the remaining cure period allowed such party under this Declaration.

1.3.5 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 Declaration. Notwithstanding any other provision of this Declaration to the contrary, no Mortgagee shall have an obligation or duty under this Declaration to perform any of Developer's obligations or other affirmative covenants of Developer hereunder, or to guarantee such performance; provided, however, that to the extent that any covenant to be performed by Developer is a condition precedent to the performance of a covenant by City and Agency, the performance thereof shall continue to be a condition precedent to City's and Agency'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 that certain Development Agreement by and between the City and Developer pertaining to the Property.

1.4 Incorporation of Recitals. The Recitals of fact preceding this Declaration are true and correct and are incorporated into this Declaration in their entirety by this reference.

1.5 Notices, Demands and Communications Between the Parties.

1.5.1 Any and all notices, demands or communications submitted by any party to another party pursuant to or as required by this Declaration shall be proper, if in writing and dispatched by messenger for immediate personal delivery, by a nationally recognized overnight delivery service or by registered or certified United States Mail, postage prepaid, return receipt requested, to the address of the Developer, the City or the Agency, as applicable, as designated in Section 1.5.2. Such written notices, demands or communications may be sent in the same manner to such other addresses as any party may from time to time designate. Any such notice, demand or communication shall be deemed to be received by the addressee, regardless of whether or when any return receipt is received by the sender or the date set forth on such return receipt, on the day that it is delivered by personal delivery, on the date of delivery by a nationally recognized overnight delivery service or four (4) business days after it is placed in the United States Mail, as provided in this Section 1.5.1.

1.5.2 The following are the authorized addresses for the submission of notices, demands or communications to the Parties:

To Developer: Ontario Airport Center
21068 Bake Parkway, Suite 200
Lake Forest, California 92630
Attention: J. R. Wetzels and Peter Vanderburg

To City: Gregory C. Devereaux, City Manager
City of Ontario
303 East "B" Street
Ontario California, California 91764

To Agency: The Redevelopment Agency of
The City of Ontario
303 East "B" Street
Ontario California, California 91764213
Attention: Executive Director

1.6 No Intended Third Party Beneficiaries. The Parties do not intended to create any rights for, in favor of or on behalf of any person or entity by entering into this Declaration, other than the parties themselves.

1.7 Conflict of Interest. No member, official or employee of the Agency having any conflict of interest, direct or indirect, related to this Declaration shall participate in any decision relating to this Declaration. The parties represent and warrant that they do not have knowledge of any such conflict of interest, as of the date of this Declaration.

1.8 Warranty Against Payment of Consideration for Declaration. The Developer warrants that it has not paid or given, and will not pay or give, any third party any money or other consideration for obtaining this Declaration. Third parties, for the purposes of this Section 1.8, shall not include persons to whom fees are paid for professional services, if rendered

by attorneys, financial consultants, accountants, engineers, architects and the like when such fees are considered necessary by the Developer.

1.9 Governing Law. This Declaration shall be governed by the laws of the State of California applicable to contracts made by residents of the State of California and to be performed in the State of California, without application of such laws' conflicts of laws principles. The parties acknowledge and agree that this Declaration has been entered into in the City of Ontario, County of San Bernardino, State of California, is to be performed in such city and relates to real property located in such city.

1.10 Binding on Successors and Assigns. This Declaration shall be binding upon and shall inure to the benefit of the parties and their respective successors and assigns.

1.11 Termination and Amendments to Declaration. This Declaration may be terminated or amended only by a written instrument executed by the parties hereto or their successors in title, and only with the consent of the City and Agency, and duly recorded in the real property records of the County of San Bernardino. Any waiver of, or consent to, any condition under this Declaration must be expressly made in writing.

1.12 Partial Invalidity; Severability. If all or any portion of any term or provision of this Declaration or the application of all or any portion of any term or provision of this Declaration to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Declaration, or the application of all or any portion of such term or provision to persons or circumstances, other than those as to which it is held invalid or unenforceable, shall not be affected, and each such term and provision of this Declaration shall be valid and enforced to the fullest extent permitted by law.

1.13 Entire Agreement. This Declaration shall be executed in three (3) counterpart originals, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument. This Declaration integrates all of the terms and conditions mentioned in this Declaration or incidental to this Declaration, and supersedes all negotiations or previous agreements between the parties with respect to the Property and the other subjects addressed in this Declaration. None of the terms, covenants, agreements or conditions set forth in this Declaration shall be deemed to be merged with any deed conveying title to the Property, and this Declaration shall continue in full force and effect before and after any such conveyances. All waivers of the provisions of this Declaration and all amendments to this Declaration which materially affect a party's rights or benefits must be in writing and signed by the party waiving or amending any right or benefit it has under this Declaration.

1.14 Time of the Essence. For each provision of this Declaration that states a specific amount of time within which the requirements of such provision are to be satisfied, time shall be deemed to be of the essence.

THIS DECLARATION is executed by the Developer, the City and the Agency on the dates indicated next to the signature(s) of each of them or their authorized representative(s), below:

DEVELOPER:

Date: _____ By: _____

Date: _____ By: _____

CITY:

Date: _____ By: _____

AGENCY:

Date: _____ By: _____

[ALL SIGNATURES MUST BE NOTARY ACKNOWLEDGED]

EXHIBIT A-1
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

(Legal Description of Property)

EXHIBIT A-1
TO DECLARATION

-1-

LEGAL DESCRIPTION OF PROPERTY

PARCEL A:

PARCEL NO. 1 OF PARCEL MAP NO. 8144, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11 PAGES 61 TO 65 INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THAT PORTION CONDEMNED BY THE STATE OF CALIFORNIA BY DOCUMENT RECORDED JULY 6, 1995 AS INSTRUMENT NO. 95-231611, OFFICIAL RECORDS.

ALSO EXCEPT THAT PORTION CONVEYED TO THE STATE OF CALIFORNIA BY DOCUMENT RECORDED FEBRUARY 21, 1997 AS INSTRUMENT NO. 97-61515, OFFICIAL RECORDS

PARCEL B:

INTENTIONALLY DELETED

PARCEL C:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY, TOGETHER WITH THAT PORTION OF LOT 5, BLOCK 23, TRACT NO. 2244 AS SHOWN BY M.A.P ON FILE IN BOOK 35 OF MAPB, PAGES 50 TO 56 INCLUSIVE, RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF THAT PARCEL OF LAND DESCRIBED IN A DEED TO THE STATE OF CALIFORNIA. RECORDED APRIL 22, 1966 IN BOOK 6612, PAGE 917 OF OFFICIAL RECORDS OF SAID COUNTY, SAID POINT BEING AT THE WEST TERMINUS OF THAT CERTAIN COURSE DESCRIBED IN SAID DEED AS "THENCE SOUTH 89° 35' 08" WEST 178.32. FEET";

THENCE EASTERLY ALONG SAID SOUTHERLY LINE AND THE NORTHERLY LINE OF PARCEL 1 OF PARCEL MAP NO. 8144 RECORDED IN BOOK 111 OF PARCEL MAPS, PAGES 61 TO 65 INCLUSIVE, RECORDS OF SAID COUNTY, NORTH 89° 37' 08" EAST 178.32 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 304.98 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY LINE AND SAID CURVE THROUGH A CENTRAL ANGLE OF 42° 19' 30", AN ARC LENGTH OF 225.29 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY LINE NORTH 47° 18' 29" EAST, 261.09 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 594.97 FEET;

THENCE CONTINUING ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 23° 51' 17", AN ARC LENGTH OF 247.71 FEET;

THENCE LEAVING SAID NORTHERLY LINE SOUTH 83° 11' 42" WEST, 412.91 FEET;

THENCE SOUTH 74° 31' 38" WEST, 160.20 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 299.98 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68° 35' 23", AN ARC LENGTH OF 359.11 FEET;

THENCE SOUTH 05° 56' 11" WEST, 35.23 FEET TO THE POINT OF BEGINNING.

**Exhibit A-1
To Declaration**

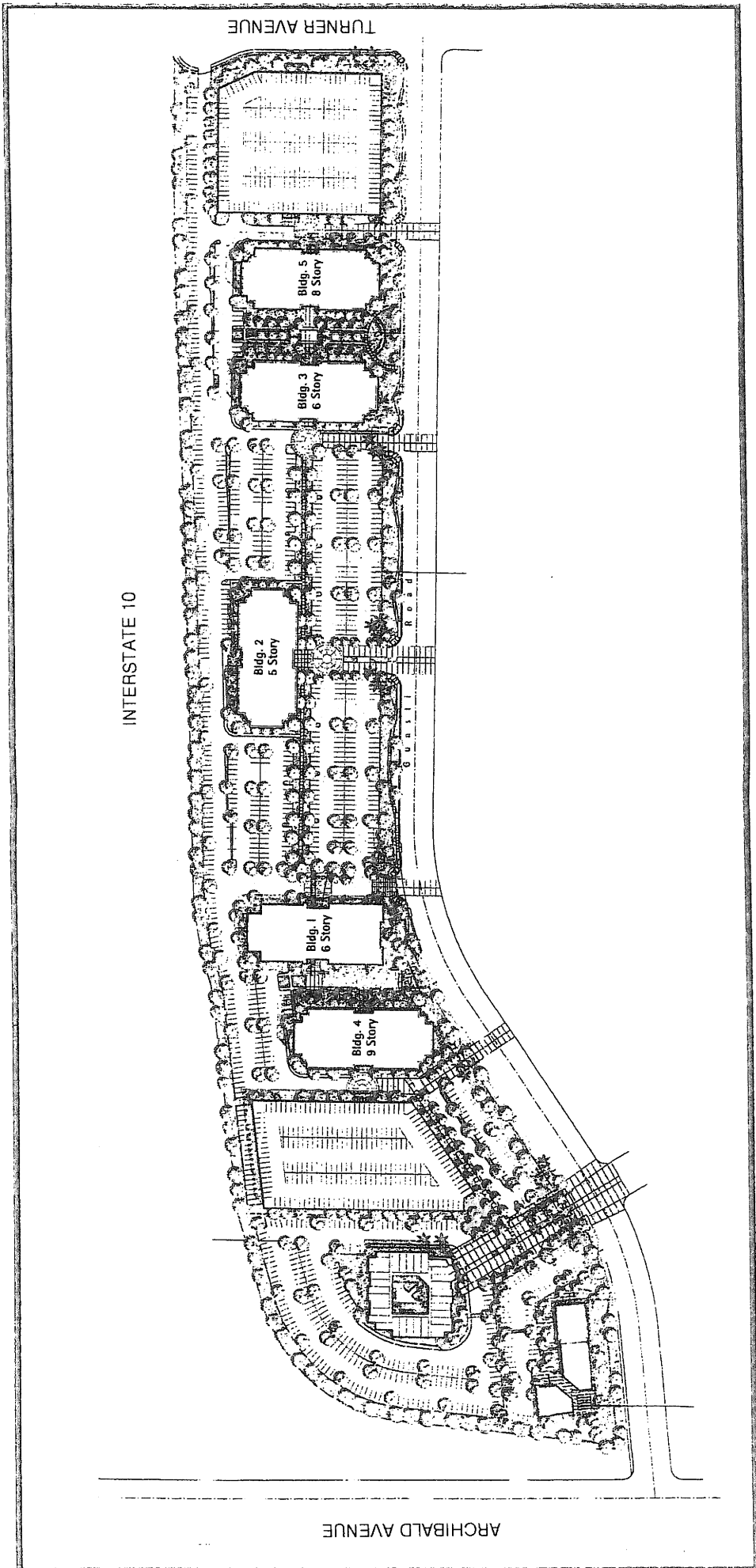
EXHIBIT B-1
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

(Map of Property)

EXHIBIT B-1 TO
DECLARATION

-1-

EXHIBIT "B"
TO DEVELOPMENT AGREEMENT



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT, FILE NO. PDA08-001, BETWEEN THE CITY OF ONTARIO AND TNHYIF REIV INDIA, LLC, A DELAWARE LIMITED LIABILITY COMPANY TO EXTEND THE TERM OF THE DEVELOPMENT AGREEMENT ALLOWING FOR THE CONSTRUCTION OF UP TO 870,000 SQUARE FEET OF CLASS "A" MIXED USE OFFICE PARK AND THE REQUIRED INFRASTRUCTURE, ON APPROXIMATELY 24.8 ACRES OF LAND WITHIN THE GUASTI SPECIFIC PLAN, FOR PROPERTY LOCATED NORTH OF GUASTI ROAD AND SOUTH OF THE I-10 FREEWAY, BETWEEN TURNER AVENUE AND ARCHIBALD AVENUE (APN: 0210-192-13, 0210-192-14, 0210-192-15, 0210-192-16, 0210-192-17, 0210-192-18, 0210-192-19, 0210-192-20, 0210-192-21, 0210-192-22, 0210-192-23, AND 0210-192-24).

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, on September 16, 2008, the City Council of the City of Ontario, adopted Ordinance No. 2895, approving a Development Agreement between Ontario Airport Center, LLC and the City; and

WHEREAS, attached to this resolution, marked Exhibit “A” and incorporated herein by this reference, is the proposed First Amendment to the Development Agreement between TNHYIF REIV INDIA, LLC, (the successor to Ontario Airport Center, LLC) and the City of Ontario, File No. PDA08-001. Hereinafter in this Resolution, the Development Agreement is referred to as the “Development Agreement”; and

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File Nos. PSPA06-002, PDEV06-001, and PMTT06-019, for which a Negative Declaration was adopted by the City Council on June 6, 2006. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are incorporated herein by reference. All previously adopted mitigation measures are be a condition of project approval and are incorporated herein by reference; and

WHEREAS, on January 23, 2018, 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 previous Negative Declaration and supporting documentation. Based upon the facts and information contained in the previous Negative Declaration and supporting

documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with a Negative Declaration, previously adopted by the City of Ontario City Council on June 6, 2006, in conjunction with File Nos. PSPA06-002, PDEV06-001, and PMTT06-019.

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

(3) The previous Negative Declaration was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous Negative Declaration 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 Negative Declaration, and all mitigation measures previously adopted with the Negative Declaration, 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 Negative Declaration is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Negative Declaration that will require major revisions to the Negative Declaration 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 Negative Declaration was prepared, that will require major revisions to the Negative Declaration 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 Negative Declaration was certified/adopted, that shows any of the following:

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

(b) Significant effects previously examined will be substantially more severe than shown in the Negative Declaration; 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 Negative Declaration 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 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. 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 maximum number of dwelling units and density specified within the Subarea 29 Specific Plan. Per the Available Land Inventory, the Subarea 29 Specific Plan is required to provide 2,291 dwelling units with an overall density of 5 DU/AC.

SECTION 4: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the 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 substantial evidence presented to the Planning Commission during the above-referenced hearing on January 23, 2018, including written and oral staff reports, together with public testimony, the Planning Commission hereby specifically finds as follows:

a. The Development Agreement applies to approximately 24.7 acres of land generally located north of Guasti Road, south of Interstate 10, Freeway, east of Archibald Avenue, and west of Turner Avenue within the Office/Commercial designation of the Guasti Specific Plan; and

b. The property to the north is the Interstate 10 Freeway. The properties to the south of the project site are developed with a historic winery and single family residences. The properties to the east are within the Centrelake Specific Plan and are developed with office buildings. The properties to the west are within the mixed use land use designation and are vacant and contain a warehouse facility; and

c. 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 previously adopted addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015, and supporting documentation. This application introduces no new significant environmental impacts; and

d. All adopted mitigation measures of the related Negative Declaration 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 through 5 above, the Planning Commission hereby RECOMMENDS APPROVAL of the First Amendment of the Development Agreement, File No. PDA08-001, to the City Council.

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 23rd day of January 2018, 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, AICP
Assistant Development 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. was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on January 23, 2018 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

Exhibit “A” Development Agreement

**FIRST AMENDMENT
TO
DEVELOPMENT AGREEMENT
(ONTARIO AIRPORT TOWERS)**

THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT (Ontario Airport Towers) ("**First Amendment**") is dated effective as of _____, 2018, ("**Effective Date**"), and is entered into by and between THE CITY OF ONTARIO, a California municipal corporation ("**City**"), and TNHYIF REIV INDIA, LLC, a Delaware limited liability company, as successor to Ontario Airport Center, LLC, a Delaware limited liability company ("**Owner**"). The City and the Owner are sometimes referred to in this First Amendment, each individually as a "**Party**," or collectively, as the "**Parties**." The City and Owner enter into this Agreement with reference to the following recited facts (each a "**Recital**"):

RECITALS

A. The City and Ontario Airport Center, LLC, a Delaware limited liability company, the predecessor in interest to Owner entered into that certain Development Agreement dated as of September 16, 2008, and recorded in the Official Records of County of San Bernardino (the "**Official Records**") as Document No. 2008-0544740 (the "**Agreement**"), which Agreement contains certain rights, duties and obligations relating to the development of the Development. Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to such terms in the Agreement.

B. Owner has assigned rights under the Agreement to various parties pursuant to that certain recorded Partial Assignment and Assumption of Development Agreement. Pursuant to those assignments, Owner is authorized to extend the Term of this Agreement as to the entire Development for a period of up to ten (10) years.

C. The purpose of this First Amendment is to amend and modify the Agreement to confirm the term of the Agreement and extend the term of the Agreement.

NOW, THEREFORE, in consideration of the above Recitals and the material covenants set forth herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Extension.** City and Owner hereby confirm and acknowledge that the "Effective Date" of the Agreement is currently September 16, 2008. Section 2.3 of the Agreement is hereby amended and modified to extend the term of the Agreement for a period of five (5) years until September 16, 2023, unless the Agreement is earlier terminated, modified or extended pursuant to the terms of the Agreement. Prior to the expiration of the Development Agreement, Owner may request to extend the term of the Agreement for an additional five year. The request shall be submitted to the City 60 days prior to the expiration of the Agreement and shall be reviewed by the City. Upon showing of reasonable cause, the City Manager shall be authorized to extend the Agreement to September 16, 2028.

2. Miscellaneous.

2.1 Conflict. In the event of any conflict or inconsistency between the provisions of this First Amendment and the provisions of the Agreement or any other documents, the provisions of this First Amendment shall govern and prevail.

2.2 Recordation. The parties hereby authorize this First Amendment to be recorded in the Official Records.

2.3 Successors and Assigns. This First Amendment shall be binding upon and inure to the benefit of the respective successors, assigns, personal representations, heirs and legatees of City and Owner.

[Signatures on the following page)

**SIGNATURE PAGE
TO
FIRST AMENDMENT
TO
DEVELOPMENT AGREEMENT
(ONTARIO AIRPORT TOWERS)**

IN WITNESS WHEREOF, the City and Owner have executed this First Amendment to Development Agreement (Ontario Airport Towers) by and through the signatures of their duly authorized representative(s) set forth below:

"CITY"

CITY OF ONTARIO, a California municipal corporation

By: _____

Name: Scott Ochoa

Its: City Manager

Dated: _____, 2018

ATTEST:

By: _____
Assistant City Clerk

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP

By: _____
City Attorney

“OWNER”

TNHYIF REIV INDIA, LLC,
a Delaware Limited Liability Company

By: _____

Name: _____

It's: _____

ACKNOWLEDGMENT

State of California)
County of _____)

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

On _____ 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)

ACKNOWLEDGMENT

State of California)
County of _____)

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

On _____ 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)

ACKNOWLEDGMENT

State of California)
County of _____)

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

On _____ 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)



CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Scott Murphy, AICP, Assistant Development Director *SM*

DATE: January 23, 2018

SUBJECT: MONTHLY PLANNING DEPARTMENT ACTIVITY REPORT; MONTH OF DECEMBER 2017

Attached, you will find the Planning Department Monthly Activity Report for the month of December 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>.

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of December 2017

DEVELOPMENT ADVISORY BOARD

December 4, 2017

Meeting Cancelled

ZONING ADMINISTRATOR

December 4, 2017

Meeting Cancelled

CITY COUNCIL

December 5, 2017

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FOR FILE NO. PDA15-003: A Development Agreement between the City of Ontario and Brookcal Ontario, LLC, for the development of up to 48 single family and 217 multi-family residential units (File No. PMTT17-002/TT18937) on 23.66 acres of land for property generally located at the northeast corner of Archibald Avenue and Ontario Ranch Road, within the Low Medium Density Residential (LMDR) district of Planning Area 7 of The Avenue Specific Plan. 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: 0218-201-18) **submitted by Brookcal Ontario, LLC.**

Action: The City Council approved and waived further reading of the ordinance.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FOR FILE NO. PDA17-001: A Development Agreement between the City of Ontario and Loyola Properties 1, LP, for the potential development of up to 587 residential units (File No. PMTT16-021/TPM 19787) on 76.68 acres of land within High Density Residential (HDR) district of Planning Areas 7 and 8 of the Grand Park Specific Plan, located at the southeast corner of Ontario Ranch Road and Archibald Avenue. The environmental impacts of this project were previously analyzed in the Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) that was adopted by 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); (APN: 218-241-32) **submitted by Loyola Properties 1, LP.**

Action: The City Council approved and waived further reading of the ordinance.

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of December 2017

ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN REVIEW FOR FILE NO. PSP15-002: A public hearing to consider certification of the Environmental Impact Report, including the adoption of a Statement of Overriding Considerations and a Mitigation Monitoring Program, for File No. PSP15-002, a Specific Plan (Armstrong Ranch) request to establish land use designations, development standards, and design guidelines for 189.8 acres, which includes the potential development of 891 dwelling units and a 10-acre elementary school site. The project site is bounded by Riverside Drive to the north, Chino Avenue to the south, Cucamonga Creek Channel to the east, and Vineyard Avenue to the west. 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:0218-101-01, 0218-101-02, 0218-101-03, 0218-101-04, 0218-101-05, 0218-101-06, 0218-101-07, 0218-101-08, 0218-102-10, 0218-102-11, 0218-111-04, 0218-111-05, 0218-111-06, 0218-111-08, 0218-111-09, 0218-111-11, 0218-111-12, 0218-111-45 0218-111-49 and 0218-111-50) **submitted by CVRC Ontario Investments, LLC.**

Action: The City Council approved and waived further reading of the ordinance.

DEVELOPMENT ADVISORY BOARD

December 18, 2017

ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NO'S. PMTT17-006 (PM 19832) AND PDEV17-020: A Tentative Parcel Map (File No. PMTT-17-006 (PM 19832) to subdivide a 2.7 acre site for common lot condominium purposes in conjunction with a Development Plan (File No. PDEV17-020) to construct a two-story retail and medical office building totaling 37,074 square feet located on the northeast corner of Euclid Avenue and Riverside Drive, within the CN (Neighborhood Commercial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1051-614-08) **submitted by Creative Design Associates.** Planning Commission action is required.

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-029: A Development Plan to construct a 121,878 square foot addition to an existing 138,638-square foot industrial building, for a total of 260,516 square feet on 11.76 acres of land located at 905 North Wineville Avenue, within the Light Industrial land use district of the Crossroads Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with a Mitigated Negative Declaration prepared for the Crossroads Specific Plan (File No. 4043 SP), adopted by the City Council on July 3, 1990, and subsequent Negative Declarations prepared in

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conjunction with amendments to the Crossroads Specific Plan, including File No. 4998-SPA, adopted by the City Council on November 4, 1997, and File No. PSPA02-005, adopted by the City Council on February 19, 2008. This Application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0238-021-66) **submitted by Eric Cohen**. Planning Commission action is required.

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-032:

A Development Plan (File No. PDEV17-032) to construct an unmanned telecommunications facility (monoecalyptus) totaling 946 square feet (22' x 43') of proposed lease area on 124.18 acres of developed land located at 13568 S. Hamner Avenue, within the SP (AG) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP), with conditions; (APNs: 0218-171-10, 0218-171-17) **submitted by AT&T Mobility, Donna Rosa**. Planning Commission action is required.

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-048:

A Development Plan (File No. PDEV17-048) to construct a 42,060 square foot aircraft hangar, office, shop and ancillary uses on 5.0 acres of land located at the northwest corner of Vineyard Avenue and Avion Street, within the ONT (Ontario International Airport) zoning district. The environmental impacts of this project were reviewed and found to be categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines by the Ontario International Airport Authority. 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: 113-251-11 and 113-251-10) **submitted by JRMA**.

Action: The Development Advisory Board approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-053:

A Development Plan (File No. PDEV17-053) to construct 82 conventional single-family homes on 12.67 acres of land located within the Conventional Small Lot Residential district of Planning Area

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23 of the Subarea 29 Specific Plan, located at the northeast corner of Celebration Avenue and Parkview Street. The environmental impacts of this project were previously reviewed in conjunction with 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); (APNs: 0218-014-06 and 0218-014-07) **submitted by Tri Pointe Homes**. Planning Commission action is required.

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ZONING ADMINISTRATOR

December 18, 2017

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP17-030: A Conditional Use Permit (File No. PCUP17-030) to modify an existing Conditional Use Permit (File No. PCUP14-018) for a Type 47 license, to allow for the sale and service of alcoholic beverages within the auditoriums of an existing 131,384 square-foot AMC Movie Theater, on 14.68 acres of land located at 4549 Mills Circle, within the Regional Commercial land use district of the Ontario Mills 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 (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP); (APN: 0238-014-19) **submitted by American Multi-Cinema, Inc.**

Action: The Zoning Administrator approved the project subject to conditions.

PLANNING COMMISSION

December 18, 2017

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-029:

A Development Plan to construct a 121,878 square foot addition to an existing 138,638-square foot industrial building, for a total of 260,516 square feet on 11.76 acres of land located at 905 North Wineville Avenue, within the Light Industrial land use district of the Crossroads Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with a Mitigated Negative Declaration prepared for the Crossroads Specific Plan (File No. 4043 SP), adopted by the City Council on July 3, 1990, and subsequent Negative Declarations prepared in conjunction with amendments to the Crossroads Specific Plan, including File No. 4998-SPA, adopted by the City Council on November 4, 1997, and File No. PSPA02-005, adopted by the City Council on February 19, 2008. This Application introduces no new significant environmental

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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: 0238-021-66) **submitted by Eric Cohen.**

Action: The Planning Commission approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-053:

A Development Plan (File No. PDEV17-053) to construct 82 conventional single-family homes on 12.67 acres of land located within the Conventional Small Lot Residential district of Planning Area 23 of the Subarea 29 Specific Plan, located at the northeast corner of Celebration Avenue and Parkview Street. The environmental impacts of this project were previously reviewed in conjunction with 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); (APNs: 0218-014-06 and 0218-014-07) **submitted by Tri Pointe Homes.**

Action: The Planning Commission approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT REVIEW FOR FILE NO.

PSPA17-004: An Amendment to the Ontario Center Specific Plan to allow “Short-Term Sleeping Accommodations” as a conditionally permitted land use within the Garden Commercial land use district. The project is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder pursuant to Section 15061(b)(3) of the CEQA Guidelines, which is the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed project affects properties 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); **submitted by Nap-To-Go, LLC. City Council action is required. Continued from 11/28/2017 PC meeting.**

Action: The Planning Commission recommended the City Council deny the application.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-032:

A Development Plan (File No. PDEV17-032) to construct an unmanned telecommunications facility (monoecalyptus) totaling 946 square feet (22' x 43') of proposed lease area on 124.18 acres of developed land located at 13568 S. Hamner Avenue, within the SP (AG) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario

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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), with conditions; (APNs: 0218-171-10 and 0218-171-17); **submitted by AT&T Mobility.**

Action: The Planning Commission approved the project subject to conditions.

CITY COUNCIL

December 19, 2017

No Planning Department Items Scheduled

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PALU17-004:

Submitted by City of Rancho Cucamonga

An Airport Land Use Compatibility Plan consistency review of a proposal to amend the city of Rancho Cucamonga's Development Code Table 17.36.040-1 to permit the maximum allowable building height (70 feet) within Industrial Districts, measured at the front setback line, in conjunction with a development project consisting of two hotels with heights of 67 feet and 69 feet, located at the northeast corner of Haven Avenue and Fourth Street.

PCUP17-031:

Submitted by Mariscos Sinaloa Style, Inc.

A modification to a previously approved Conditional Use Permit (File No.PCUP11-015), to change from a Type 41 (Beer and Wine for on-site consumption), to a Type 47 (Beer, Wine and Distilled Spirits for on-site consumption) ABC license, in conjunction with Mariscos Sinaloa Restaurant, located at 2250 South Euclid Avenue, Unit E, within the CC (Community Commercial) zoning district (APN: 1051-051-72).

PDEV17-059:

Submitted by The Leae Group

A Development Plan to construct an industrial building totaling 26,168 square feet on 1.65 acres of land located at the southeast corner of Taylor Avenue and Sunkist Street, within the IG (General Industrial) zoning district. (APNs: 1049-212-05, 1049-212-06, 1049-212-07, 1049-212-08, 1049-212-09, 1049-212-10, 1049-212-11, and 1049-212-12).

PDEV17-060:

Submitted by Brookfield Waverly LLC

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

PDEV17-061:

Submitted by T-Mobile

A Development Plan to construct a wireless telecommunications facility (65 feet high), attached to an existing SCE tower, and equipment enclosure totaling 484 square feet on 10.17 acres of land located at 13434 South Ontario Avenue, within the SP (AG) zoning district (APN: 0218-122-06).

PHP-17-036:

Submitted by CDA

A Certificate of Appropriateness for the construction of a 37,074-square foot retail and medical office center on 2.7 acres of land, generally located at the northeast corner of Euclid Avenue and Riverside Drive, within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay District (APN: 1051-614-08). Related Files: PDEV17-020 and PMTT17-006.

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PLDG17-004: **Submitted by Evangeline Aniceto**

A Lodging House Permit issued to 1774 East Granada Court, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district.

PSGN17-124: **Submitted by Alcon Signs**

A Sign Plan for the installation of a wall sign (14 SF) for REVIVE YOUR PHONE, located at 941 West Mission Boulevard, Suite L, within the CN (Neighborhood Commercial) zoning district.

PSGN17-125: **Submitted by Gus Signs**

A Sign Plan for the installation of three wall signs and the reface of an existing pole sign for YUM YUM DONUTS, located at 1431 East Fourth Street, within the CN (Neighborhood Commercial) zoning district.

PSGN17-126: **Submitted by AB Star Construction Inc.**

A Sign Plan for the installation of a wall sign for ETERNITY, located at 1118 West Mission Boulevard, within the CN (Neighborhood Commercial) zoning district.

PSGN17-127: Submitted by Regal Entertainment Group Ontario Mountain Village 14

A Sign Plan for the installation of a temporary banner (75 SF) for EDWARDS THEATER, located at 1575 North Mountain Avenue, within the CN (Neighborhood Commercial) zoning district. 12/14/2017 through 1/14/2018.

PSGN17-128: **Submitted by New Signs Printing**

A Sign Plan for the installation of a wall sign (17 SF) for XBN E-COMMERCE, located at 4050 East Greystone Drive, within the Milliken Industrial Specific Plan.

PSGN17-129: **Submitted by MegaHertz**

A Sign Plan for the reface of monument and walls signs for HOME DEPOT, located at 2980 South Euclid Avenue, within the Borba Village Specific Plan.

PSGN17-130: **Submitted by Ruth Hernandez**

A Sign Plan for the installation of a wall sign (18 SF) for CLINICA MEDICA, located at 517 East Holt Boulevard, within the CC (Community Commercial) zoning district.

PSGN17-131: **Submitted by Sign Industries**

A Sign Plan for the installation of two wall signs (south and east elevations) for FCA (FIAT CHRYSLER AUTOMOBILES), located at 2970 East Inland Empire Boulevard.

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PTUP17-074: **Submitted by Damien Pichardo**

A Temporary Use Permit to install a temporary wireless facility (T-Mobile) consisting of two trailers and supporting equipment and generators, located at 4323 East Mills Circle, within the Ontario Mills Specific Plan. Equipment will be in place from 11/30/2017 through 2/28/2018.

PTUP17-075: **Submitted by Connected Warriors**

A Temporary Use Permit for the Inland Empire Pizza and Beer Festival - Food and Beverage tasting event, located at 800 North Archibald Avenue (Guasti Regional Park), within the OS-R (Open Space – Recreation) zoning district. Event to be held on 1/13/2018.

PTUP17-076: **Submitted by Ritmo Latino Wireless**

A Temporary Use Permit for a parking lot sales event and demonstration for T-Mobile, located at 2254 South Euclid Avenue, within the CC (Community Commercial) zoning district (APN: 1051-051-71). Event to be held on 12/22/2017.

PTUP17-077: **Submitted by Tharbor Venture LLC**

A Temporary Use Permit for a model home complex sales center, located at 275 West Via Presidio. Event will begin on 3/31/2018. Related files: PDEV14-017, PMTT14-009, and PRD14-002.

PTUP17-078: **Submitted by American Career College**

A Temporary Use Permit for an American Career College Anniversary Celebration, located at 3130 East Sedona Court. Event to be held 1/10/2018, from 9:00AM to 7:30PM.

PTUP17-079: **Submitted by The Christian Okoye Foundation**

A Temporary Use Permit for 5K and 10K races to be held around the Ontario Mills Mall, located 1 East Mills Circle, within the Ontario Mills Specific Plan. Event to be held on 1/20/2018.

PTUP17-080: **Submitted by M-K Associates**

A Temporary Use Permit for temporary vehicle storage (excluding tractor/trailer storage) on approximately 20 acres of land located on the north side of Guasti Road, between the Cucamonga Channel and Archibald Avenue (APN: 0110-322-08, 21, 29, 30 and portions of 22 and 31).

PUD-17-004: **Submitted by Robertson Design Group**

A Planned Unit Development establishing land use designations, and development standards and guidelines, which will govern the development of 0.293 acres of land located at 214 North Vine and 422 West B Street, within the MU-1 (Downtown Mixed Use) zoning district (APNs: 1048-572-13 and 1048-572-11). Related File: PDEV17-011.

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PVER17-075:

Submitted by Rexford Industrial

Zoning Verification for 4355 East Brickell Street and 302 South Rockefeller Avenue (APNs 0238-185-08 and 0238-185-44).

PVER17-076:

Submitted by Rob Maucere

Zoning Verification for 3940 and 3980 East Earlstone Street (APNs: 1083-321-06 and 1083-321-05).

PVER17-077:

Submitted by Rexford Industrial

Zoning Verification for 1910 through 1920 South Archibald Avenue (APNs: 0211-242-29 and 0211-242-30).

PWIL17-009:

Submitted by LLC Farm Fresh Commodities

Williamson Act Contract #43-406 Cancellation for 16 acres of land consisting of non-operational dairy uses, located at the southwest corner of Eucalyptus Avenue and Carpenter Avenue, within West Ontario Commerce Center Specific Plan (APN: 0218-261-23).