

**CITY OF ONTARIO
CITY COUNCIL AND HOUSING AUTHORITY
AGENDA
MARCH 7, 2017**

Paul S. Leon
Mayor

Debra Dorst-Porada
Mayor pro Tem

Alan D. Wapner
Council Member

Jim W. Bowman
Council Member

Ruben Valencia
Council Member



Al C. Boling
City Manager

John E. Brown
City Attorney

Sheila Mautz
City Clerk

James R. Milhiser
Treasurer

WELCOME to a meeting of the Ontario City Council.

- All documents for public review are on file with the Records Management/City Clerk's Department located at 303 East B Street, Ontario, CA 91764.
- Anyone wishing to speak during public comment or on a particular item will be required to fill out a blue slip. Blue slips must be turned in prior to public comment beginning or before an agenda item is taken up. The Clerk will not accept blue slips after that time.
- Comments will be limited to 3 minutes. Speakers will be alerted when they have 1 minute remaining and 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 Council's jurisdiction. Remarks on other agenda items will be limited to those items.
- Remarks from those seated or standing in the back of chambers will not be permitted. All those wishing to speak including Council and Staff need to be recognized by the Chair before speaking.

ORDER OF BUSINESS The regular City Council and Housing Authority meeting begins with Public Comment at 6:30 p.m. immediately followed by the Regular Meeting and Public Hearings. No agenda item will be introduced for consideration after 10:00 p.m. except by majority vote of the City Council.

(EQUIPMENT FOR THE HEARING IMPAIRED AVAILABLE IN THE RECORDS MANAGEMENT OFFICE)

CALL TO ORDER (*OPEN SESSION*)

6:30 p.m.

ROLL CALL

Dorst-Porada, Wapner, Bowman, Valencia, Mayor/Chairman Leon

PLEDGE OF ALLEGIANCE

Mayor pro Tem Dorst-Porada

INVOCATION

Chairman Richard Andre, Baha'i Faith

PUBLIC COMMENTS

6:30 p.m.

The Public Comment portion of the Council/Housing Authority meeting is limited to 30 minutes with each speaker given a maximum of 3 minutes. An opportunity for further Public Comment may be given at the end of the meeting. Under provisions of the Brown Act, Council is prohibited from taking action on oral requests.

As previously noted -- if you wish to address the Council, fill out one of the blue slips at the rear of the chambers and give it to the City Clerk.

AGENDA REVIEW/ANNOUNCEMENTS The City Manager will go over all updated materials and correspondence received after the Agenda was distributed to ensure Council Members have received them. He will also make any necessary recommendations regarding Agenda modifications or announcements regarding Agenda items to be considered.

CONSENT CALENDAR

All matters listed under CONSENT CALENDAR will be enacted by one motion in the form listed below – there will be no separate discussion on these items prior to the time Council votes on them, unless a member of the Council requests a specific item be removed from the Consent Calendar for a separate vote.

Each member of the public wishing to address the City Council on items listed on the Consent Calendar will be given a total of 3 minutes.

1. APPROVAL OF MINUTES

Minutes for the regular meeting of the City Council and Housing Authority of February 7, 2017, approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

Bills January 22, 2017 through February 4, 2017 and **Payroll** January 22, 2017 through February 4, 2017, when audited by the Finance Committee.

3. AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 3002 LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES PHASE I)

That the City Council adopt an ordinance amending and restating Ordinance No. 3002 levying special taxes within City of Ontario Community Facilities District No. 24 (Park Place Facilities Phase I).

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING AND RESTATING ORDINANCE NO. 3002, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES PHASE I).

4. A CITY INITIATED REQUEST TO CHANGE THE ZONING DESIGNATIONS (FILE NO. PZC16-005) ON 51 PROPERTIES AS FOLLOWS: 1) 34 PROPERTIES FROM MDR-18 (MEDIUM DENSITY RESIDENTIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL), 2) 16 PROPERTIES FROM MDR-25 (MEDIUM-HIGH DENSITY RESIDENTIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL), AND 3) ONE PROPERTY FROM CN (NEIGHBORHOOD COMMERCIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL WITH ICC (INTERIM COMMUNITY COMMERCIAL OVERLAY), FOR PROPERTIES GENERALLY LOCATED SOUTH OF D STREET, WEST OF VINE AVENUE, NORTH OF VESTA STREET AND EAST OF SAN ANTONIO AVENUE, IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN LAND USE DESIGNATIONS OF THE PROPERTIES

That City Council consider and adopt an ordinance approving a Zone Change (File No. PZC16-005) to create consistency between the zoning and the General Plan land use designations of the subject properties.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PZC16-005, A CITY INITIATED REQUEST TO CHANGE THE ZONING DESIGNATIONS (FILE NO. PZC16-005) ON 51 PROPERTIES AS FOLLOWS: 1) 34 PROPERTIES FROM MDR-18 (MEDIUM DENSITY RESIDENTIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL), 2) 16 PROPERTIES FROM MDR-25 (MEDIUM-HIGH DENSITY RESIDENTIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL), AND 3) ONE PROPERTY FROM CN (NEIGHBORHOOD COMMERCIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL) WITH ICC (INTERIM COMMUNITY COMMERCIAL OVERLAY), FOR PROPERTIES GENERALLY LOCATED SOUTH OF D STREET, WEST OF VINE AVENUE, NORTH OF VESTA STREET AND EAST OF SAN ANTONIO AVENUE, IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN LAND USE DESIGNATIONS OF THE PROPERTIES, AND MAKING FINDINGS IN SUPPORT THEREOF – APNS: AS SHOWN IN EXHIBIT A (ATTACHED).

PUBLIC HEARINGS

Pursuant to Government Code Section 65009, if you challenge the City’s zoning, planning or any other decision 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 City Council at, or prior to the public hearing.

5. A PUBLIC HEARING TO CONSIDER A GENERAL PLAN AMENDMENT (FILE NO. PGPA16-006) 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 VARIOUS PARCELS LOCATED THROUGHOUT THE CITY, INCLUDING: A) THE AREA GENERALLY LOCATED FROM EUCLID TO BON VIEW AVENUES BETWEEN STATE AND PHILADELPHIA STREETS, B) THE AREA SOUTH OF THE I-10 FREEWAY, GENERALLY LOCATED NEAR FOURTH STREET AND GROVE AVENUE, C) THE PROPERTIES ON THE WEST SIDE OF VINEYARD AVENUE BETWEEN PHILADELPHIA STREET AND SR-60 FREEWAY, AND D) THE ELIMINATION OF THE SOCALF OVERLAY WITHIN THE ONTARIO RANCH AREA; (2) MODIFY THE TEXT IN THE LAND USE DESIGNATION SUMMARY TABLE (EXHIBIT LU-02) TO ELIMINATE THE SOCALF OVERLAY AND ALLOW THE COMMERCIAL TRANSITIONAL OVERLAY IN NON-RESIDENTIAL LOCATIONS; (3) MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES; (4) AND MODIFY THE ENVIRONMENTAL RESOURCES ELEMENT TEXT IN SECTION ER5, BIOLOGICAL, MINERAL & AGRICULTURAL RESOURCES TO ELIMINATE ALL REFERENCES TO SOCALF

That City Council adopt a Resolution approving an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010, and adopt a Resolution approving General Plan Amendment File No. PGPA16-006 to change the land use designation of certain properties and modify certain text of The Ontario Plan (Amending Exhibits LU-01, LU-02 & LU-03 and Section ER5).

Notice of public hearing has been duly given and affidavits of compliance are on file in the Records Management Department.

Written communication.

Oral presentation.

Public hearing closed.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING 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. PGPA16-006.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA16-006, 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 VARIOUS PARCELS LOCATED THROUGHOUT THE CITY, INCLUDING: A) THE AREA GENERALLY LOCATED FROM EUCLID TO BON VIEW AVENUES BETWEEN STATE AND PHILADELPHIA STREETS, B) THE AREA SOUTH OF THE I-10 FREEWAY, GENERALLY LOCATED NEAR FOURTH STREET AND GROVE AVENUE, C) THE PROPERTIES ON THE WEST SIDE OF VINEYARD AVENUE BETWEEN PHILADELPHIA STREET AND SR-60 FREEWAY, AND D) THE ELIMINATION OF THE SOCALF OVERLAY WITHIN THE ONTARIO RANCH AREA; (2) MODIFY THE TEXT IN THE LAND USE DESIGNATION SUMMARY TABLE (EXHIBIT LU-02) TO ELIMINATE THE SOCALF OVERLAY AND ALLOW THE COMMERCIAL TRANSITIONAL OVERLAY IN NON-RESIDENTIAL LOCATIONS; (3) MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES; AND (4) MODIFY THE ENVIRONMENTAL RESOURCES ELEMENT TEXT IN SECTION ER5, BIOLOGICAL, MINERAL & AGRICULTURAL RESOURCES TO ELIMINATE ALL REFERENCES TO SOCALF AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: AS SHOWN IN EXHIBIT A (ATTACHED) (LAND USE ELEMENT CYCLE 1 FOR THE 2017 CALENDAR YEAR AND ENVIRONMENTAL RESOURCES ELEMENT CYCLE 1 FOR THE 2017 CALENDAR YEAR).

6. A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO CHANGE THE ZONING DESIGNATIONS (FILE NO. PZC16-004) ON VARIOUS PROPERTIES GENERALLY LOCATED TO THE EAST OF EUCLID AVENUE BETWEEN STATE AND PHILADELPHIA STREETS AND NEAR FOURTH STREET AND GROVE AVENUE IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN (TOP) LAND USE DESIGNATIONS OF THE PROPERTIES

That City Council introduce and waive further reading of an ordinance approving a Zone Change (File No. PZC16-004) to create consistency between the zoning and the General Plan land use designations of the subject properties.

Notice of public hearing has been duly given and affidavits of compliance are on file in the Records Management Department.

Written communication.

Oral presentation.

Public hearing closed.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PZC16-004, A CITY INITIATED REQUEST TO CHANGE THE ZONING DESIGNATIONS ON VARIOUS PROPERTIES GENERALLY LOCATED TO THE EAST OF EUCLID AVENUE BETWEEN STATE AND PHILADELPHIA STREETS AND NEAR FOURTH STREET AND GROVE AVENUE 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).

STAFF MATTERS

City Manager Boling

COUNCIL MATTERS

Mayor Leon
Mayor pro Tem Dorst-Porada
Council Member Wapner
Council Member Bowman
Council Member Valencia

ADJOURNMENT

CITY OF ONTARIO

Agenda Report
March 7, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 3002 LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES PHASE I)

RECOMMENDATION: That the City Council adopt an ordinance amending and restating Ordinance No. 3002 levying special taxes within City of Ontario Community Facilities District No. 24 (Park Place Facilities Phase I).

COUNCIL GOALS: Focus Resources in Ontario's Commercial and Residential Neighborhoods Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

FISCAL IMPACT: Amending and restating Ordinance No. 3002 will reduce some of the special tax rates levied for the financing of facilities in the residential development of the Park Place Facilities Phase I project. Since the special taxes assessed for debt service on Mello-Roos bonds are not a direct obligation of the City, and are paid from special taxes levied on each taxable parcel in the district, there is no General Fund impact from amending and restating the ordinance.

BACKGROUND: At the public hearing conducted by the City Council on February 21, 2017, the Council introduced and waived further reading of an ordinance amending and restating Ordinance No. 3002 levying special taxes within City of Ontario Community Facilities District No. 24 (Park Place Facilities Phase I). Adoption of the proposed ordinance will reduce some of the special tax rates levied for the financing of facilities in the residential development of the Park Place Facilities Phase I project.

Pursuant to the provisions of the Initial Rate and Method of Apportionment (the Initial RMA), an updated price point study was prepared at least 30 days prior to the issuance of bonds for the district. The study disclosed that the total tax burden applicable to some units within the district did then exceed 1.95% of the minimum sales prices in effect at that time. As such, the assigned special tax for such units, as well as the back-up tax, need to be reduced in order to comply with the Initial RMA. Goodwin Consulting Group, the CFD Administrator for the district, has completed a Certificate of Modification of

STAFF MEMBER PRESENTING: Grant D. Yee, Administrative Services/Finance Director

Prepared by: Bob Chandler
Department: Management Services

City Manager
Approval: 

Submitted to Council/O.H.A. 03/07/2017
Approved: _____
Continued to: _____
Denied: _____

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Special Tax, the form of which was attached to the Initial RMA, to reflect the reduced assigned special tax and back-up special tax as required.

To complete the process of reducing the special tax rates in the district to comply with the Initial RMA, it is recommended that the City Council adopt the amending and restating Ordinance No. 3002 for the levying of special taxes within City of Ontario Community Facilities District No. 24 (Park Place Facilities Phase I). The reduced tax rates authorized by the approval of the ordinance will be reflected in an amended notice of special tax lien which the district will cause to be recorded by execution of the Certificate of Modification of Special Tax, as called for by the Initial RMA. The provisions of the amended and restated ordinance authorizing the revised levying of special taxes have been discussed with the developer of the Park Place Facilities Phase I project, SL Ontario Development Company, LLC.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, AMENDING AND RESTATING ORDINANCE NO. 3002, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, LEVYING SPECIAL TAXES WITHIN THE CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES PHASE I).

WHEREAS, the City Council (the "City Council") of the City of Ontario (the "City"), pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), established City of Ontario Community Facilities District No. 24 (Park Place Facilities Phase I) (the "Community Facilities District") to finance certain public facilities (the "Facilities") and services (the "Services"); and

WHEREAS, pursuant to the Act, the qualified electors of the Community Facilities District authorized the levy of special taxes (the "Special Taxes") within the Community Facilities District to finance the Facilities and Services; and

WHEREAS, pursuant to Section 53340 of the Act, the City Council, on December 2, 2014, adopted Ordinance No. 3002, entitled "An Ordinance of the City Council of the City of Ontario, California Levying Special Taxes Within the City of Ontario Community Facilities District No. 24 (Park Place Facilities Phase I)" (the "Levy Ordinance"), levying the Special Taxes at the rates and in accordance with the method of apportionment attached thereto and incorporated therein (the "Initial Rate and Method") (capitalized undefined terms used herein have the meanings ascribed thereto in the Initial Rate and Method); and

WHEREAS, the Initial Rate and Method provides that at least 30 days prior to the issuance of the Community Facilities District Bonds, the Assigned Special Tax on Developed Property (set forth in Table 1 to the Rate and Method) is to be analyzed in accordance with and subject to the conditions set forth therein, that at such time, the Community Facilities District is to select and engage a Price Point Consultant and the CFD Administrator is to request the Price Point Consultant to prepare a Price Point Study setting forth the Minimum Sale Price of Units within each Land Use Class, that if, based upon such Price Point Study, the CFD Administrator calculates that the Total Tax Burden applicable to Units within one or more Land Use Classes of Residential Property to be constructed within the Community Facilities District exceeds 1.95% of the Minimum Sale Price of such Units, the Assigned Special Tax is to be reduced to the extent necessary to cause the Total Tax Burden that shall apply to Units within such Land Use Class(es) not to exceed 1.95% of the Minimum Sale Price of such Units, that each Assigned Special Tax reduction for a Land Use Class is to be calculated by the CFD Administrator separately, and such reduction is not required to be proportionate among Land Use Classes, that in connection with any reduction in the Assigned Special Tax, the CFD Administrator is to also reduce the Backup Special Tax based on the percentage reduction in the Maximum Special Tax revenues within the Tentative Tract Map area(s) where the Assigned Special Tax reductions occurred, and that the Special

Tax reductions so required are to be reflected in an amended notice of Special Tax lien which the Community Facilities District is to cause to be recorded by executing a Certificate of Modification of Special Tax in substantially the form attached therein as Exhibit A.

WHEREAS, such Price Point Study has been prepared, the CFD Administrator has calculated that the Total Tax Burden applicable to Units within one or more Land Use Classes of Residential Property to be constructed within the Community Facilities District exceeds 1.95% of the Minimum Sale Price of such Units, the CFD Administrator has reduced the Assigned Special Tax for such Land Use Classes in accordance with the Initial Rate and Method, the CFD Administrator has reduced the Backup Special Tax in accordance with the Initial Rate and Method, the CFD Administrator has completed a Certificate of Modification of Special Tax, the form of which is attached to the Initial Rate and Method as Exhibit A, to reflect the Assigned Special Tax and the Backup Special Tax as so modified and the Community Facilities District has executed the same (such Certificate of Modification of Special Tax, as so completed and executed, the "Amendment Certificate"); and

WHEREAS, the City Council desires to amend and restate the Levy Ordinance in order to reflect the amendments to the Initial Rate and Method made thereto pursuant to the Amendment Certificate.

THE CITY COUNCIL OF THE CITY OF ONTARIO DOES ORDAIN AS FOLLOWS:

SECTION 1. The Levy Ordinance is hereby amended and restated to read in full as set forth herein.

SECTION 2. The City Council hereby authorizes and levies Special Taxes within the Community Facilities District pursuant to Sections 53328 and 53340 of the Act, at the rates and in accordance with the method of apportionment set forth in the Initial Rate and Method, as amended by the Amendment Certificate (as so amended, the "Rate and Method"), a copy of which is attached hereto as Exhibit A. The Special Taxes are hereby levied commencing in Fiscal Year 2014-15 and in each fiscal year thereafter until the last fiscal year in which such Special Taxes are authorized to be levied pursuant to the Rate and Method.

SECTION 3. The City Council may, in accordance with subdivision (b) of Section 53340 of the Act, provide, by resolution, for the levy of the Special Tax in future tax years at the same rate or at a lower rate than the rate provided by this Ordinance. In no event shall the Special Tax be levied on any parcel within the Community Facilities District in excess of the maximum tax specified therefor in the Rate and Method.

SECTION 4. The Special Tax shall be levied on all of the parcels in the Community Facilities District, unless exempted by law or by the Rate and Method.

SECTION 5. The proceeds of the Special Tax shall only be used to pay, in whole or in part, the cost of providing the Facilities and Services and incidental expenses pursuant to the Act.

SECTION 6. The Special Tax shall be collected in the same manner as ordinary *ad valorem* property taxes are collected and shall be subject to the same penalties and the same procedure, sale and lien priority in the case of delinquency as is provided for *ad valorem* taxes, unless another procedure is adopted by the City Council.

SECTION 7. If for any reason any portion of this Ordinance is found to be invalid, or if the Special Tax is found inapplicable to any particular parcel within the Community Facilities District, by a court of competent jurisdiction, the balance of this Ordinance and the application of the Special Tax to the remaining parcels within the Community Facilities District shall not be affected.

SECTION 8. This Ordinance shall take effect and shall be in force 30 days after the date of its adoption.

SECTION 9. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 7th day of March 2017.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. 3068 was duly introduced at a regular meeting of the City Council of the City of Ontario held February 21, 2017 and adopted at the regular meeting held March 7, 2017 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 3068 duly passed and adopted by the Ontario City Council at their regular meeting held March 7, 2017 and that Summaries of the Ordinance were published on February 28, 2017 and March 14, 2017, in the Inland Valley Daily Bulletin newspaper.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A

CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES PHASE 1)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax shall be levied on all Assessor's Parcels in the City of Ontario Community Facilities District No. 24 (Park Place Facilities Phase 1) ("CFD No. 24") and collected each Fiscal Year, commencing in Fiscal Year 2014-15, in an amount determined by the City Council of the City of Ontario through the application of the Rate and Method of Apportionment, as described below. All of the real property in CFD No. 24, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable Final Subdivision Map, parcel map, condominium plan, or other recorded County map.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Division 2 of Title 5 of the California Government Code.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the administration of CFD No. 24: the costs of computing the Special Taxes and preparing the annual Special Tax collection schedules (whether by the City or CFD No. 24 or both); the costs of collecting the Special Taxes (whether by the County or otherwise); the costs of remitting the Special Taxes to the Trustee; the costs of the Trustee (including its legal counsel) in the discharge of the duties required of it under the Indenture; the costs to the City or CFD No. 24 of complying with arbitrage rebate requirements; the costs to the City or CFD No. 24 of complying with City, CFD No. 24, or obligated persons disclosure requirements associated with applicable federal and state securities laws and of the Act; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; the costs of the City or CFD No. 24 related to the analysis and reduction, if any, of the Special Tax on Residential Property in accordance with Section C.1 herein; the costs of the City or CFD No. 24 related to an appeal of the Special Tax; the costs associated with the release of funds from any escrow account; the City's administration fees and third party expenses; the costs of City staff time and reasonable overhead relating to CFD No. 24; and amounts estimated or advanced by the City or CFD No. 24 for any other administrative purposes

of the CFD, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

"Assessor's Parcel" means a lot or parcel shown in an Assessor's Parcel Map with an assigned Assessor's Parcel Number.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel Number.

"Assessor's Parcel Number" means, with respect to an Assessor's Parcel, that number assigned to such Assessor's Parcel by the County for purposes of identification.

"Assigned Special Tax" means the Special Tax for each Land Use Class of Developed Property, as determined in accordance with Section C.1.a.2 below.

"Backup Special Tax" means the Special Tax for each Land Use Class of Developed Property, as determined in accordance with Section C.1.a.3 below.

"Bonds" means any bonds or other debt (as defined in Section 53317(d) of the Act) issued by CFD No. 24 under the Act and payable from Special Taxes.

"Buildable Lot" means an individual lot, within a Final Subdivision Map or an area expected by CFD No. 24 to become Final Mapped Property, such as the area within a Tentative Tract Map, for which a building permit may be issued without further subdivision of such lot.

"CFD Administrator" means an official of the City responsible for determining the Special Tax Requirement, providing for the levy and collection of the Special Taxes, and performing the other duties provided for herein.

"CFD No. 24" means City of Ontario Community Facilities District No. 24 (Park Place Facilities Phase 1).

"City" means the City of Ontario, California.

"City Council" means the City Council of the City, acting as the legislative body of CFD No. 24.

"County" means the County of San Bernardino.

"Designated Buildable Lot" means a Buildable Lot for which a building permit has not been issued by the City as of the date of calculation of the Backup Special Tax.

"Developed Property" means for each Fiscal Year, all Taxable Property, exclusive of Final Mapped Property, Taxable Property Owner Association Property, and Taxable Public Property, for which a building permit or other applicable permit for new construction was issued after January 1, 2014, and before May 1 of the prior Fiscal Year.

“Expected Residential Lot Count” means 432 Buildable Lots of Residential Property or, as determined by the CFD Administrator, the number of Buildable Lots of Residential Property based on the most recent Tentative Tract Map(s) or most recently recorded Final Subdivision Map(s) or modified Final Subdivision Map(s).

“Facilities” means the public facilities authorized to be financed, in whole or in part, by CFD No. 24.

“Final Mapped Property” means, for each Fiscal Year, all Taxable Property, exclusive of Developed Property, Taxable Property Owner Association Property, and Taxable Public Property, which as of January 1 of the previous Fiscal Year was located within a Final Subdivision Map. The term Final Mapped Property shall include any parcel map or Final Subdivision Map, or portion thereof, that creates individual lots for which a building permit may be issued, including Parcels that are designated as a remainder Parcel (i.e., one where the size, location, etc., precludes any further subdivision or taxable use).

“Final Subdivision Map” means a final tract map, parcel map, or lot line adjustment approved by the City pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or a condominium plan recorded pursuant to California Civil Code 1352 that, in either case, creates individual lots for which building permits may be issued without further subdivision.

“Fiscal Year” means the period starting July 1 and ending on the following June 30.

“Indenture” means the indenture, fiscal agent agreement, resolution, or other instrument pursuant to which Bonds are issued, as modified, amended, and/or supplemented from time to time.

“Land Use Class” means any of the classes listed in Table 1 below.

“Maximum Special Tax” means, with respect to an Assessor’s Parcel of Taxable Property, the Maximum Special Tax determined in accordance with Section C.1 below that can be levied in any Fiscal Year on such Assessor’s Parcel of Taxable Property.

“Minimum Sale Price” means the minimum price at which Units of a given Land Use Class have sold or are expected to be sold in a normal marketing environment and shall not include prices for such Units that are sold at a discount to expected sales prices for the purpose of stimulating the initial sales activity with respect to such Land Use Class.

“Non-Residential Property” means all Assessor’s Parcels of Developed Property for which a building permit was issued by the City permitting the construction of one or more non-residential structures or facilities.

“Outstanding Bonds” means all Bonds which are outstanding under and in accordance with the provisions of the Indenture.

“Price Point Consultant” means any consultant or firm of such consultants selected by CFD No. 24 that (a) has substantial experience in performing price point studies for residential units within community facilities districts established under the Act or otherwise estimating or confirming pricing for residential units in such community facilities districts, (b) has recognized expertise in analyzing economic and real estate data that relates to the pricing of residential units in such community facilities districts, (c) is in fact independent and not under the control of CFD No. 24 or the City, (d) does not have any substantial interest, direct or indirect, with or in (i) CFD No. 24, (ii) the City, (iii) any owner of real property in CFD No. 24, or (iv) any real property in CFD No. 24, and (e) is not connected with CFD No. 24 or the City as an officer or employee thereof, but who may be regularly retained to make reports to CFD No. 24 or the City.

“Price Point Study” means a price point study or a letter updating a previous price point study prepared by the Price Point Consultant pursuant to Section C herein.

“Property Owner Association Property” means, for each Fiscal Year, any property within the boundaries of CFD No. 24 that was owned by a property owner association, including any master or sub-association, as of January 1 of the prior Fiscal Year.

“Proportionately” means (a) for Developed Property in the first step of Section D below, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Developed Property; however, for Developed Property in the fourth step of Section D below, Proportionately means that the amount of the increase above the Assigned Special Tax, if necessary, is equal for all Assessor’s Parcels of Developed Property, except that if the Backup Special Tax limits the increase on any Assessor’s Parcel(s), then the amount of the increase shall be equal for the remaining Assessor’s Parcels; (b) for Final Mapped Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Final Mapped Property; (c) for Undeveloped Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Undeveloped Property; (d) for Taxable Property Owner Association Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Taxable Property Owner Association Property; and (e) for Taxable Public Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Taxable Public Property.

“Public Property” means, for each Fiscal Year, property within the boundaries of CFD No. 24 that is (a) owned by, irrevocably offered to, or dedicated to the federal government, the State, the County, the City, or any local government or other public agency or (b) encumbered by an easement for purposes of public right-of-way that makes impractical its use for any purpose other than that set forth in such easement, provided that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act shall be taxed and classified according to its use.

“Rate and Method of Apportionment” means this Rate and Method of Apportionment of Special Tax.

“Residential Floor Area” means all of the Square Footage of living area within the perimeter of a residential Unit, not including any carport, walkway, garage, overhang, patio, enclosed patio, or similar area. The determination of Residential Floor Area shall be as set forth in the building permit(s) issued for such Assessor’s Parcel, or as set forth in other official records maintained by the City’s Building Department or other appropriate means selected by CFD No. 24. The actual Square Footage shall be rounded up to the next whole square foot. Once such determination has been made for an Assessor’s Parcel, it shall remain fixed in all future Fiscal Years unless an appeal pursuant to Section F below is approved that results in a change in the actual Square Footage.

“Residential Property” means all Assessor’s Parcels of Taxable Property for which a building permit may be issued for purposes of constructing one or more Units.

“Services” means the services authorized to be financed, in whole or in part, by CFD No. 24.

“Special Tax” means the special tax authorized by the qualified electors of CFD No. 24 to be levied within the boundaries of CFD No. 24.

“Special Tax Requirement” means for any Fiscal Year that amount required, after taking into account available amounts held in the funds and accounts established under the Indenture, for CFD No. 24 to: (i) pay debt service on all Outstanding Bonds which is due in the calendar year that commences in such Fiscal Year; (ii) pay periodic costs on the Bonds, including, but not limited to, credit enhancement and rebate payments on the Bonds; (iii) pay Administrative Expenses; (iv) provide any amounts required to establish or replenish any reserve fund for the Bonds; (v) pay directly for acquisition or construction of Facilities, or the cost of Services, to the extent that the inclusion of such amounts does not increase the Special Tax levy on Final Mapped Property or Undeveloped Property; (vi) provide an amount equal to Special Tax delinquencies based on the historical delinquency rate for the Special Tax as determined by the CFD Administrator.

“Square Footage” or **“Sq. Ft.”** means the floor area square footage reflected on the original construction building permit, or as set forth in other official records maintained by the City’s Building Department or other appropriate means selected by CFD No. 24, issued for construction of Residential Property or Non-Residential Property, plus any square footage subsequently added to a building of Non-Residential Property after issuance of a building permit for expansion or renovation of such building.

“State” means the State of California.

“Taxable Property” means, for each Fiscal Year, all of the Assessor’s Parcels within the boundaries of CFD No. 24 that are not exempt from the Special Tax pursuant to law or Section E below.

“Taxable Property Owner Association Property” means, for each Fiscal Year, all Assessor’s Parcels of Property Owner Association Property that are not exempt from the Special Tax pursuant to Section E below.

“Taxable Public Property” means, for each Fiscal Year, all Assessor’s Parcels of Public Property that are not exempt from the Special Tax pursuant to law or Section E below.

“Tentative Tract Map” means a map: (i) showing a proposed subdivision of an Assessor’s Parcel(s) and the conditions pertaining thereto; (ii) that may or may not be based on a detailed survey; and (iii) that is not recorded by the County to create legal lots.

“Total Tax Burden” means for any Unit, the annual Special Tax, together with *ad valorem* property taxes, special assessments, special taxes for any overlapping community facilities district, and any other taxes, fees, and charges which are levied and imposed on such Unit and the real property on which it is located and collected by the County on *ad valorem* tax bills and which are secured by such Unit and the real property on which it is located, assuming such Unit had been completed, sold, and subject to such levies and impositions, excluding service charges such as those related to sewer and trash.

“Trustee” means the trustee or fiscal agent under the Indenture.

“TTM 18075” means Tentative Tract Map No. 18075, the area of which is located within CFD No. 24 and is commonly referred to as planning area 12 (or PA 12).

“TTM 18076” means Tentative Tract Map No. 18076, the area of which is located within CFD No. 24 and is commonly referred to as planning area 8 (or PA 8).

“TTM 18077” means Tentative Tract Map No. 18077, the area of which is located within CFD No. 24 and is commonly referred to as planning area 7 (or PA 7).

“TTM 18078” means Tentative Tract Map No. 18078, the area of which is located within CFD No. 24 and is commonly referred to as planning area 6 (or PA 6).

“TTM 18079” means Tentative Tract Map No. 18079, the area of which is located within CFD No. 24 and is commonly referred to as planning area 9 (or PA 9).

“TTM 18080” means Tentative Tract Map No. 18080, the area of which is located within CFD No. 24 and is commonly referred to as planning area 10 (or PA 10).

“TTM 18913-1” means Tentative Tract Map No. 18913-1, the area of which is located within CFD No. 24, is commonly referred to as planning area 15 (or PA 15), and is the proposed location of the recreation center.

“TTM 18945” means Tentative Tract Map No. 18945, the area of which is located within CFD No. 24 and is commonly referred to as planning area 13 (or PA 13).

“Undeveloped Property” means, for each Fiscal Year, all Taxable Property not classified as Developed Property, Final Mapped Property, Taxable Public Property, or Taxable Property Owner Association Property.

“Unit” means an individual single-family detached home, townhome, condominium, apartment, or other residential dwelling unit, including each separate living area within a half-plex, duplex, triplex, fourplex, or other residential structure.

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year, beginning with Fiscal Year 2014-15, all Taxable Property within CFD No. 24 shall be classified as Developed Property, Final Mapped Property, Taxable Public Property, Taxable Property Owner Association Property, or Undeveloped Property and shall be subject to Special Taxes in accordance with the Rate and Method of Apportionment as determined pursuant to Sections C and D below. Assessor’s Parcels of Residential Property shall be assigned to Land Use Classes 1 through 26 as listed in Table 1 below based on the Residential Floor Area of the Units on such Assessor’s Parcels. Non-Residential Property shall be assigned to Land Use Classes 27 through 34.

C. MAXIMUM SPECIAL TAX

1. Special Tax

At least 30 days prior to the issuance of Bonds, the Assigned Special Tax on Developed Property (set forth in Table 1 below) shall be analyzed in accordance with and subject to the conditions set forth in this Section C. At such time, CFD No. 24 shall select and engage a Price Point Consultant and the CFD Administrator shall request the Price Point Consultant to prepare a Price Point Study setting forth the Minimum Sale Price of Units within each Land Use Class. If based upon such Price Point Study the CFD Administrator calculates that the Total Tax Burden applicable to Units within one or more Land Use Classes of Residential Property to be constructed within CFD No. 24 shall exceed 1.95% of the Minimum Sale Price of such Units, the Assigned Special Tax shall be reduced to the extent necessary to cause the Total Tax Burden that shall apply to Units within such Land Use Class(es) not to exceed 1.95% of the Minimum Sale Price of such Units. Each Assigned Special Tax reduction for a Land Use Class shall be calculated by the CFD Administrator separately, and it shall not be required that such reduction be proportionate among Land Use Classes. In connection with any reduction in the Assigned Special Tax, the Backup Special Tax shall also be reduced by the CFD Administrator based on the percentage reduction in Maximum Special Tax revenues within the Tentative Tract Map area(s) where the Assigned Special Tax reductions occurred. The Special Tax reductions required pursuant to this paragraph shall be reflected in an amended notice of Special Tax lien which CFD No. 24 shall cause to be recorded by executing a certificate in substantially the form attached herein as Exhibit A.

a. *Developed Property*

1) *Maximum Special Tax*

The Maximum Special Tax that may be levied in any Fiscal Year for each Assessor's Parcel classified as Developed Property shall be the greater of (i) the amount derived by application of the Assigned Special Tax or (ii) the amount derived by application of the Backup Special Tax. The Maximum Special Tax shall not increase in future years, other than as calculated pursuant to Section C.1.a.3 below.

2) *Assigned Special Tax*

The Assigned Special Tax that may be levied in any Fiscal Year for each Land Use Class is shown below in Table 1.

TABLE 1
ASSIGNED SPECIAL TAX – DEVELOPED PROPERTY

Land Use Class	Description	Residential Floor Area (Square Footage)	Assigned Special Tax
1	Residential Property	< 1,601	\$1,752 per Unit
2	Residential Property	1,601 – 1,700	\$1,868 per Unit
3	Residential Property	1,701 – 1,800	\$1,975 per Unit
4	Residential Property	1,801 – 1,900	\$2,070 per Unit
5	Residential Property	1,901 – 2,000	\$2,182 per Unit
6	Residential Property	2,001 – 2,100	\$2,199 per Unit
7	Residential Property	2,101 – 2,200	\$2,349 per Unit
8	Residential Property	2,201 – 2,300	\$2,491 per Unit
9	Residential Property	2,301 – 2,400	\$2,576 per Unit
10	Residential Property	2,401 – 2,500	\$2,688 per Unit
11	Residential Property	2,501 – 2,600	\$2,791 per Unit
12	Residential Property	2,601 – 2,700	\$2,898 per Unit
13	Residential Property	2,701 – 2,800	\$2,950 per Unit
14	Residential Property	2,801 – 2,900	\$3,010 per Unit
15	Residential Property	2,901 – 3,000	\$3,117 per Unit
16	Residential Property	3,001 – 3,100	\$3,272 per Unit
17	Residential Property	3,101 – 3,200	\$3,435 per Unit
18	Residential Property	3,201 – 3,300	\$3,499 per Unit
19	Residential Property	3,301 – 3,400	\$3,547 per Unit
20	Residential Property	3,401 – 3,500	\$3,603 per Unit
21	Residential Property	3,501 – 3,600	\$3,710 per Unit

22	Residential Property	3,601 – 3,700	\$3,795 per Unit
23	Residential Property	3,701 – 3,800	\$3,880 per Unit
24	Residential Property	3,801 – 3,900	\$3,965 per Unit
25	Residential Property	3,901 – 4,000	\$4,050 per Unit
26	Residential Property	> 4,000	\$4,135 per Unit
	Non-Residential Property		
27	TTM 18075		\$32,771 per Acre
28	TTM 18076		\$31,193 per Acre
29	TTM 18077		\$24,756 per Acre
30	TTM 18078		\$28,780 per Acre
31	TTM 18079		\$32,255 per Acre
32	TTM 18080		\$33,625 per Acre
33	TTM 18913-1		\$36,156 per Acre
34	TTM 18945		\$36,156 per Acre

3) *Backup Special Tax*

The Backup Special Tax shall be \$3,083 per Unit for Residential Property in TTM 18075, \$3,131 per Unit for Residential Property in TTM 18076, \$3,716 per Unit for Residential Property in TTM 18077, \$3,483 per Unit for Residential Property in TTM 18078, \$2,541 per Unit for Residential Property in TTM 18079, \$2,777 per Unit for Residential Property in TTM 18080, \$3,716 per Unit for Residential Property in TTM 18913-1, and \$2,087 per Unit for Residential Property in TTM 18945. However, if the Expected Residential Lot Count does not equal 53 for TTM 18075, 46 for TTM 18076, 65 for TTM 18077, 67 for TTM 18078, 69 for TTM 18079, 57 for TTM 18080, or 75 for TTM 18945, and the City has not issued Bonds, then the Backup Special Tax for Designated Buildable Lots of Residential Property shall be calculated separately for each Tentative Tract Map area according to the following formula:

Backup Special Tax = \$32,771 for TTM 18075 or
\$31,193 for TTM 18076 or
\$24,756 for TTM 18077 or
\$28,780 for TTM 18078 or
\$32,255 for TTM 18079 or
\$33,625 for TTM 19080 or
\$36,156 for TTM 18945

× Acreage of Designated Buildable Lots
of Residential Property within the
applicable Tentative Tract Map

÷ number of Designated Buildable Lots of Residential Property within the applicable Tentative Tract Map

If any portion of a Final Subdivision Map, or any area expected by CFD No. 24 to become Final Mapped Property, such as the area within a Tentative Tract Map, changes any time after the City has issued Bonds, causing an adjustment to the number of Designated Buildable Lots, then the Backup Special Tax for all Designated Buildable Lots in the specific area where the change occurred shall be calculated according to the following steps:

Step 1: Determine the total Backup Special Taxes that could have been collected from Designated Buildable Lots prior to the Final Subdivision Map or expected Final Mapped Property area change.

Step 2: Divide the amount determined in Step 1 by the number of Designated Buildable Lots that exists after the Final Subdivision Map or expected Final Mapped Property area change.

Step 3: Apply the amount determined in Step 2 as the Backup Special Tax per Unit for each Assessor's Parcel of Designated Buildable Lots in the area where the Final Subdivision Map or expected Final Mapped Property area change occurred.

The Backup Special Tax for an Assessor's Parcel shall not change once an Assessor's Parcel is classified as Developed Property.

b. *Final Mapped Property, Taxable Public Property, Taxable Property Owner Association Property, and Undeveloped Property*

The Maximum Special Tax for Final Mapped Property, Taxable Public Property, Taxable Property Owner Association Property, and Undeveloped Property shall be \$32,771 per Acre for such property in TTM 18075, \$31,193 per Acre for such property in TTM 18076, \$24,756 per Acre for such property in TTM 18077, \$28,780 per Acre for such property in TTM 18078, \$32,255 per Acre for such property in TTM 18079, \$33,625 per Acre for such property in TTM 18080, and \$36,156 per Acre for such property in TTM 18945, and shall not be subject to increase or reduction and, therefore, shall remain the same in every Fiscal Year.

2. Multiple Land Use Classes on an Assessor's Parcel

In some instances an Assessor's Parcel of Developed Property may contain more than one Land Use Class. The Maximum Special Tax levied on such Assessor's Parcel shall be the sum of the Maximum Special Tax for all Units of Residential Property and Acres of Non-Residential Property (based on the applicable Final Subdivision Map, parcel map, condominium plan, or other recorded County map) located on that Assessor's Parcel.

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Each Fiscal Year, beginning with Fiscal Year 2014-15, the CFD Administrator shall determine the Special Tax Requirement for such Fiscal Year. The Special Tax shall then be levied as follows:

First: If needed to satisfy the Special Tax Requirement, the Special Tax shall be levied Proportionately on each Assessor's Parcel of Developed Property up to 100% of the applicable Assigned Special Tax; .

Second: If additional monies are needed to satisfy the Special Tax Requirement after the first step has been completed, then the Special Tax shall be levied Proportionately on each Assessor's Parcel of Final Mapped Property up to 100% of the Maximum Special Tax for Final Mapped Property;

Third: If additional monies are needed to satisfy the Special Tax Requirement after the first two steps have been completed, then the Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to 100% of the Maximum Special Tax for Undeveloped Property;

Fourth: If additional monies are needed to satisfy the Special Tax Requirement after the first three steps have been completed, then the levy of the Special Tax on each Assessor's Parcel of Developed Property whose Maximum Special Tax is determined through the application of the Backup Special Tax shall be increased Proportionately from the Assigned Special Tax up to the Maximum Special Tax for each such Assessor's Parcel;

Fifth: If additional monies are needed to satisfy the Special Tax Requirement after the first four steps have been completed, then the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Property Owner Association Property up to the Maximum Special Tax for Taxable Property Owner Association Property;

Sixth: If additional monies are needed to satisfy the Special Tax Requirement after the first five steps have been completed, then the Special Tax shall be levied Proportionately on each Assessor's Parcel of Taxable Public Property up to the Maximum Special Tax for Taxable Public Property.

Notwithstanding the above, under no circumstances shall the Special Tax levied in any Fiscal Year on any Assessor's Parcel of Residential Property for which an occupancy permit for private residential use has been issued be increased as a result of delinquency

or default by the owner or owners of any other Assessor's Parcel or Assessor's Parcels within CFD No. 24 by more than ten percent above the amount that would have been levied in that Fiscal Year had there never been any such delinquencies or defaults.

E. EXEMPTIONS

No Special Tax shall be levied on up to 17.03 Acres of Public Property and up to 6.13 Acres of Property Owner Association Property, not including Assessor's Parcel Numbers 0218-022-13 and 0218-083-28, as described further in this paragraph. Tax-exempt status will be assigned by the CFD Administrator in the chronological order in which property becomes Public Property or Property Owner Association Property. In addition, the sites designated as PA 15 within TTM 18913-1 (Assessor's Parcel Number 0218-022-13) and Lot A within TTM 18077 (Assessor's Parcel Number 0218-083-28) shall be exempt from the Special Tax unless and until the site becomes Developed Property.

Property Owner Association Property or Public Property that is not exempt from the Special Tax under this section shall be subject to the levy of the Special Tax and shall be taxed Proportionately as part of the fifth or sixth step, respectively, in Section D above, up to 100% of the applicable Maximum Special Tax for Taxable Property Owner Association Property and Taxable Public Property. No Special Tax shall be levied in any Fiscal Year on Assessor's Parcels that have fully prepaid the Special Tax obligation pursuant to the formula set forth in Section H.

F. APPEALS

Any property owner may file a written appeal of the Special Tax with CFD No. 24 claiming that the amount or application of the Special Tax is not correct. The appeal must be filed not later than one calendar year after having paid the Special Tax that is disputed, and the appellant must be current in all payments of Special Taxes. In addition, during the term of the appeal process, all Special Taxes levied must be paid on or before the payment date established when the levy was made.

The appeal must specify the reasons why the appellant claims the Special Tax is in error. The CFD Administrator shall review the appeal, meet with the appellant if the CFD Administrator deems necessary, and advise the appellant of its determination.

If the property owner disagrees with the CFD Administrator's decision relative to the appeal, the owner may then file a written appeal with the City Council whose subsequent decision shall be final and binding on all interested parties. If the decision of the CFD Administrator or subsequent decision by the City Council requires the Special Tax to be modified or changed in favor of the property owner, then the CFD Administrator shall determine if sufficient Special Tax revenue is available to make a cash refund. If a cash refund cannot be made, then an adjustment shall be made to credit future Special Tax levy(ies).

This procedure shall be exclusive and its exhaustion by any property owner shall be a condition precedent to filing any legal action by such owner.

G. MANNER OF COLLECTION

The Special Tax shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that the Special Taxes may be collected in such other manner as the City Council shall determine, including direct billing of affected property owners.

H. PREPAYMENT OF SPECIAL TAX

The following definitions apply to this Section H:

“CFD Public Facilities” means \$15,900,000 for each Prepayment Period, or such lower number as determined by the City Council to be sufficient to fund the Facilities and Services to be provided by CFD No. 24.

“Expenditures Fund” means funds or accounts, regardless of their names, that are established to hold moneys that are available to acquire or construct Facilities and to fund Services.

“Future Facilities Costs” means the CFD Public Facilities minus (i) Facilities and Services costs previously paid from the Expenditures Fund during the Prepayment Period in which the prepayment is being made, (ii) moneys currently on deposit in the Expenditures Fund from deposits made during the Prepayment Period in which the prepayment is being made, and (iii) moneys currently on deposit in an escrow fund that are expected to be available to finance Facilities costs. In no event shall the amount of Future Facilities Costs be less than zero.

“Prepayment Period” means one of three periods of time during which a Special Tax prepayment may be made.

“Prepayment Period 1” means July 1, 2014, through June 30, 2048.

“Prepayment Period 2” means July 1, 2048, through June 30, 2081.

“Prepayment Period 3” means July 1, 2081, through June 30, 2115.

1. Prepayment in Full

The obligation of an Assessor's Parcel to pay the Special Tax may be prepaid as described herein, provided that a prepayment may be made only for Assessor's Parcels for which a building permit for new construction was issued after January 1, 2014, and only if there are no delinquent Special Taxes with respect to such Assessor's Parcel at the time of prepayment. An owner of an Assessor's Parcel intending to prepay the Special Tax obligation shall provide the CFD Administrator with written notice of intent to prepay. Within 30 days of receipt of such written notice, the CFD Administrator shall notify such owner of the prepayment amount for such Assessor's Parcel. The CFD Administrator may charge a fee for providing this service. Prepayment in any six month period must

be made not less than 45 days prior to the next occurring date that notice of redemption of Bonds from the proceeds of such prepayment may be given to the Trustee pursuant to the Indenture.

The Special Tax Prepayment Amount (defined below) shall be calculated as summarized below (capitalized terms as defined below):

	Bond Redemption Amount
plus	Redemption Premium
plus	Future Facilities Amount
plus	Defeasance Amount
plus	Administrative Fees and Expenses
less	Reserve Fund Credit
Total	Prepayment Amount

As of the proposed date of prepayment, the Special Tax Prepayment Amount (defined below) shall be calculated by the CFD Administrator as follows:

Paragraph No.

1. Confirm that no Special Tax delinquencies apply to such Assessor's Parcel, and determine the Prepayment Period for the proposed prepayment.
2. Compute the Assigned Special Tax and Backup Special Tax for the Assessor's Parcel to be prepaid based on the Developed Property Special Tax which is, or could be, charged in the current Fiscal Year. For Assessor's Parcels of Final Mapped Property (for which a building permit has been issued but which is not yet classified as Developed Property) to be prepaid, compute the Assigned Special Tax and Backup Special Tax for that Assessor's Parcel as though it was already designated as Developed Property, based upon the building permit which has already been issued for that Assessor's Parcel.
3. (a) Divide the Assigned Special Tax computed pursuant to Paragraph 2 by the total estimated Assigned Special Tax for CFD No. 24 based on the Developed Property Special Tax which could be charged in the current Fiscal Year on all expected development through buildout of CFD No. 24, excluding any Assessor's Parcels which have been prepaid, and

(b) Divide the Backup Special Tax computed pursuant to Paragraph 2 by the estimated total Backup Special Tax at buildout of CFD No. 24, excluding any Assessor's Parcels which have been prepaid.
4. Multiply the larger quotient computed pursuant to Paragraph 3(a) or 3(b) by the Outstanding Bonds to compute the amount of Outstanding Bonds to be retired and prepaid (the "Bond Redemption Amount").

5. Multiply the Bond Redemption Amount computed pursuant to Paragraph 4 by the applicable redemption premium (e.g., the redemption price minus 100%), if any, on the Outstanding Bonds to be redeemed (the "Redemption Premium").
6. Compute the current Future Facilities Costs.
7. Multiply the larger quotient computed pursuant to Paragraph 3(a) or 3(b) by the amount determined pursuant to Paragraph 6 to compute the amount of Future Facilities Costs to be prepaid (the "Future Facilities Amount").
8. Compute the amount needed to pay interest on the Bond Redemption Amount from the first bond interest and/or principal payment date following the current Fiscal Year until the earliest redemption date for the Outstanding Bonds.
9. Determine the Special Tax levied on the Assessor's Parcel in the current Fiscal Year which has not yet been paid.
10. Add the amounts computed pursuant to Paragraphs 8 and 9 to determine the "Defeasance Amount".
11. Verify the administrative fees and expenses of CFD No. 24, including the costs to compute the prepayment, the costs to invest the prepayment proceeds, the costs to redeem Bonds, and the costs to record any notices to evidence the prepayment and the redemption (the "Administrative Fees and Expenses").
12. If reserve funds for the Outstanding Bonds, if any, are at or above 100% of the reserve requirement (as defined in the Indenture) on the prepayment date, a reserve fund credit shall be calculated as a reduction in the applicable reserve fund for the Outstanding Bonds to be redeemed pursuant to the prepayment (the "Reserve Fund Credit"). No Reserve Fund Credit shall be granted if reserve funds are below 100% of the reserve requirement on the prepayment date or the redemption date.
13. The Special Tax prepayment is equal to the sum of the amounts computed pursuant to Paragraphs 4, 5, 7, 10, and 11, less the amount computed pursuant to Paragraph 12 (the "Prepayment Amount").
14. From the Prepayment Amount, the amounts computed pursuant to Paragraphs 4, 5, 10, and 12 shall be deposited into the appropriate fund as established under the Indenture and be used to retire Outstanding Bonds or make debt service payments. The amount computed pursuant to Paragraph 7 shall be deposited into the Expenditures Fund. The amount computed pursuant to Paragraph 11 shall be retained by CFD No. 24.

The Special Tax Prepayment Amount may be sufficient to redeem other than a \$5,000 increment of Bonds. In such cases, the increment above \$5,000, or integral multiple

thereof, will be retained in the appropriate fund established under the Indenture to be used with the next prepayment of Bonds or to make debt service payments.

As a result of the payment of the current Fiscal Year's Special Tax levy as determined under Paragraph 9 (above), the CFD Administrator shall remove the current Fiscal Year's Special Tax levy for such Assessor's Parcel from the County tax rolls. With respect to any Assessor's Parcel that is prepaid during Prepayment Period 3, the CFD Administrator shall cause a suitable notice to be recorded in compliance with the Act to indicate that the Special Tax has been prepaid and that the obligation of such Assessor's Parcel to pay the Special Tax shall cease.

With respect to the Special Tax for any Assessor's Parcel that is prepaid during Prepayment Period 1 or Prepayment Period 2, the obligation of such Assessor's Parcel to pay the Special Tax shall be tolled, or suspended, through the end of such Prepayment Period, but shall resume in the first Fiscal Year of the subsequent Prepayment Period. The CFD Administrator shall cause a suitable notice to be recorded in compliance with the Act to indicate that the Special Tax has been satisfied for the remainder of the applicable Prepayment Period but has not been permanently satisfied and the obligation to pay the Special Tax will resume in the first Fiscal Year of the Prepayment Period following the Prepayment Period in which the prepayment was made. Once the obligation of an Assessor's Parcel to pay the Special Tax resumes, the Special Tax for the then applicable Prepayment Period may be prepaid.

Notwithstanding the foregoing, no Special Tax prepayment shall be allowed unless the amount of Maximum Special Tax that may be levied on Taxable Property within CFD No. 24 (after excluding 17.03 Acres of Public Property and 6.13 acres of Property Owner Association Property, not including Assessor's Parcel Numbers 0218-022-13 and 0218-083-28, as set forth in Section E) both prior to and after the proposed prepayment is at least 1.1 times the maximum annual debt service on all Outstanding Bonds.

2. Prepayment in Part

The Special Tax on an Assessor's Parcel for which a building permit for new construction was issued after January 1, 2014, may be partially prepaid. The amount of the prepayment shall be calculated as in Section H.1, except that a partial prepayment shall be calculated by the CFD Administrator according to the following formula:

$$PP = PF \times \%$$

The terms above have the following meaning:

PP = the partial prepayment

PF = the Prepayment Amount (full prepayment) for the Special Tax calculated according to Section H.1

% = the percentage by which the owner of the Assessor's Parcel(s) is partially prepaying the Special Tax

The Special Tax partial prepayment amount must be sufficient to redeem at least a \$5,000 increment of Bonds.

The owner of any Assessor's Parcel who desires such prepayment shall notify the CFD Administrator of such owner's intent to partially prepay the Special Tax and the percentage by which the Special Tax shall be prepaid. The CFD Administrator shall provide the owner with a statement of the amount required for the partial prepayment of the Special Tax for an Assessor's Parcel within thirty (30) days of the request and may charge a fee for providing this service. With respect to any Assessor's Parcel that is partially prepaid, the CFD Administrator shall (i) distribute the remitted prepayment funds according to Section H.1, and (ii) indicate in the records of CFD No. 24 that there has been a partial prepayment of the Special Tax and that a portion of the Special Tax with respect to such Assessor's Parcel, equal to the outstanding percentage (100% - "%", as defined above) of the Maximum Special Tax, shall continue to be levied on such Assessor's Parcel pursuant to Section D during the Prepayment Period in which the partial prepayment is made.

For partial prepayments made during Prepayment Period 1 or Prepayment Period 2, the full amount of the Special Tax shall resume in the first Fiscal Year of the Prepayment Period following the Prepayment Period in which the partial prepayment was made. Once the obligation of an Assessor's Parcel to pay the Special Tax resumes, the Special Tax for the then applicable Prepayment Period may be prepaid.

I. TERM OF SPECIAL TAX

The Fiscal Year after which no further Special Tax shall be levied or collected is Fiscal Year 2114-2115, except that the Special Tax that was lawfully levied in or before such Fiscal Year and that remains delinquent may be collected in subsequent years.

EXHIBIT A

**CERTIFICATE OF MODIFICATION OF SPECIAL TAX
(PAGE 1 OF 3)**

CITY OF ONTARIO AND CFD NO. 24 CERTIFICATE

1. Pursuant to Section C.1 of the Rate and Method of Apportionment of Special Tax for City of Ontario Community Facilities District No. 24 (Park Place Facilities Phase 1) (“CFD No. 24”), the Assigned Special Tax and the Backup Special Tax for Developed Property within CFD No. 24 has been modified.
- a. The information in Table 1 relating to the Assigned Special Tax for Developed Property within CFD No. 24, as stated in Section C.1.a.2 of the Rate and Method of Apportionment, has been modified as follows:

**TABLE 1
ASSIGNED SPECIAL TAX – DEVELOPED PROPERTY**

Land Use Class	Description	Residential Floor Area (Square Footage)	Assigned Special Tax
1	Residential Property	< 1,601	\$1,713 per Unit
2	Residential Property	1,601 – 1,700	\$1,817 per Unit
3	Residential Property	1,701 – 1,800	\$1,904 per Unit
4	Residential Property	1,801 – 1,900	\$1,986 per Unit
5	Residential Property	1,901 – 2,000	\$2,099 per Unit
6	Residential Property	2,001 – 2,100	\$2,107 per Unit
7	Residential Property	2,101 – 2,200	\$2,209 per Unit
8	Residential Property	2,201 – 2,300	\$2,277 per Unit
9	Residential Property	2,301 – 2,400	\$2,386 per Unit
10	Residential Property	2,401 – 2,500	\$2,460 per Unit
11	Residential Property	2,501 – 2,600	\$2,571 per Unit
12	Residential Property	2,601 – 2,700	\$2,681 per Unit
13	Residential Property	2,701 – 2,800	\$2,729 per Unit
14	Residential Property	2,801 – 2,900	\$2,783 per Unit
15	Residential Property	2,901 – 3,000	\$2,875 per Unit
16	Residential Property	3,001 – 3,100	\$3,003 per Unit
17	Residential Property	3,101 – 3,200	\$3,112 per Unit
18	Residential Property	3,201 – 3,300	\$3,124 per Unit

EXHIBIT A

CERTIFICATE OF MODIFICATION OF SPECIAL TAX

(PAGE 2 OF 3)

19	Residential Property	3,301 – 3,400	\$3,205 per Unit
20	Residential Property	3,401 – 3,500	\$3,301 per Unit
21	Residential Property	3,501 – 3,600	\$3,425 per Unit
22	Residential Property	3,601 – 3,700	\$3,458 per Unit
23	Residential Property	3,701 – 3,800	\$3,542 per Unit
24	Residential Property	3,801 – 3,900	\$3,627 per Unit
25	Residential Property	3,901 – 4,000	\$3,781 per Unit
26	Residential Property	> 4,000	\$3,795 per Unit
	Non-Residential Property		
27	TTM 18075		\$30,244 per Acre
28	TTM 18076		\$28,397 per Acre
29	TTM 18077		\$22,874 per Acre
30	TTM 18078		\$26,147 per Acre
31	TTM 18079		\$29,831 per Acre
32	TTM 18080		\$30,820 per Acre
33	TTM 18913-1		\$34,640 per Acre
34	TTM 18945		\$34,640 per Acre

- b. The Backup Special Tax for Developed Property, as stated in Section C.1.a.3, shall be modified as follows:

The Backup Special Tax shall be \$2,845 per Unit for Residential Property in TTM 18075, \$2,850 per Unit for Residential Property in TTM 18076, \$3,433 per Unit for Residential Property in TTM 18077, \$3,165 per Unit for Residential Property in TTM 18078, \$2,350 per Unit for Residential Property in TTM 18079, \$2,545 per Unit for Residential Property in TTM 18080, and \$1,999 per Unit for Residential Property in TTM 18945. However, if the Expected Residential Lot Count does not equal 53 for TTM 18075, 46 for TTM 18076, 65 for TTM 18077, 67 for TTM 18078, 69 for TTM 18079, 57 for TTM 18080, or 75 for TTM 18945, and the City has not issued Bonds, then the Backup Special Tax for Designated Buildable Lots of Residential Property shall be calculated according to the formula on the follow page:

EXHIBIT A

CERTIFICATE OF MODIFICATION OF SPECIAL TAX
(PAGE 3 OF 3)

Backup Special Tax = \$30,244 for TTM 18075 or
\$28,397 for TTM 18076 or
\$22,874 for TTM 18077 or
\$26,147 for TTM 18078 or
\$29,831 for TTM 18079 or
\$30,820 for TTM 19080 or
\$34,640 for TTM 18945

- × Acreage of Designated Buildable Lots of Residential Property within the applicable Tentative Tract Map
- ÷ number of Designated Buildable Lots of Residential Property within the applicable Tentative Tract Map

2. The Special Tax for Developed Property may only be modified prior to the first issuance of CFD No. 24 Bonds.
3. Upon execution of this certificate by CFD No. 24, CFD No. 24 shall cause an amended notice of Special Tax lien for CFD No. 24 to be recorded reflecting the modifications set forth herein.

By execution hereof, the undersigned acknowledge, on behalf of the City and CFD No. 24, receipt of this certificate and modification of the Rate and Method of Apportionment as set forth in this certificate.

CITY OF ONTARIO COMMUNITY FACILITIES DISTRICT NO. 24 (PARK PLACE FACILITIES PHASE 1)

By:  _____

Date: 11/6/2017

CITY OF ONTARIO

Agenda Report
March 7, 2017

SECTION:
CONSENT CALENDAR

SUBJECT: A CITY INITIATED REQUEST TO CHANGE THE ZONING DESIGNATIONS (FILE NO. PZC16-005) ON 51 PROPERTIES AS FOLLOWS: 1) 34 PROPERTIES FROM MDR-18 (MEDIUM DENSITY RESIDENTIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL), 2) 16 PROPERTIES FROM MDR-25 (MEDIUM-HIGH DENSITY RESIDENTIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL), AND 3) ONE PROPERTY FROM CN (NEIGHBORHOOD COMMERCIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL WITH ICC (INTERIM COMMUNITY COMMERCIAL OVERLAY), FOR PROPERTIES GENERALLY LOCATED SOUTH OF D STREET, WEST OF VINE AVENUE, NORTH OF VESTA STREET AND EAST OF SAN ANTONIO AVENUE, IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN LAND USE DESIGNATIONS OF THE PROPERTIES

RECOMMENDATION: That City Council consider and adopt an ordinance approving a Zone Change (File No. PZC16-005) to create consistency between the zoning and the General Plan land use designations of the subject properties.

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

FISCAL IMPACT: The potential fiscal impacts of the project were analyzed as part of The Ontario Plan ("TOP") adopted in January 2010. The proposed Zone Change will not introduce any fiscal impacts that were not previously analyzed as part of TOP.

STAFF MEMBER PRESENTING: Scott Murphy, Planning Director

Prepared by: Henry K. Noh
Department: Planning

City Manager
Approval: 

Submitted to Council/O.H.A. 03/07/2017
Approved: _____
Continued to: _____
Denied: _____

4

BACKGROUND: On February 21, 2017, the City Council introduced an Ordinance approving the Zone Change. In January 2010, the City Council approved TOP, which lays out the long-term land use pattern for the City. Since that time, the City has undertaken an effort to ensure that the zoning and TOP land use designations are consistent for all properties in the City.

This proposed zone change is part of the TOP-Zoning Consistency Project, which proposes to change the zoning for 51 properties that are generally located south of D Street, west of Vine Avenue, north of Vesta Street and east of San Antonio Avenue. The proposed Zone Change maps are contained on the attached Exhibit "A". The proposed Zone Changes are needed in order to:

1. Provide zoning consistency with TOP land use designations of subject properties;
2. Provide incentives and assist in the future redevelopment of the area;
3. Change the TOP land use designations and zoning to be consistent with the majority of existing development density; and
4. Allow the ongoing use of commercial properties by applying the Interim Community Commercial Overlay (ICC).

A community open house for the zone change was held on December 14, 2016. All property owners affected by the zone change and those property owners within 300 feet of the zone change area were notified of the meeting. A total of four people attended the open house and all were in favor of the proposed zone change. No written comments were received at the meeting.

On January 24, 2017, the Planning Commission conducted a public hearing and voted unanimously, 7 to 0, to recommend City Council approval of the proposed zone change.

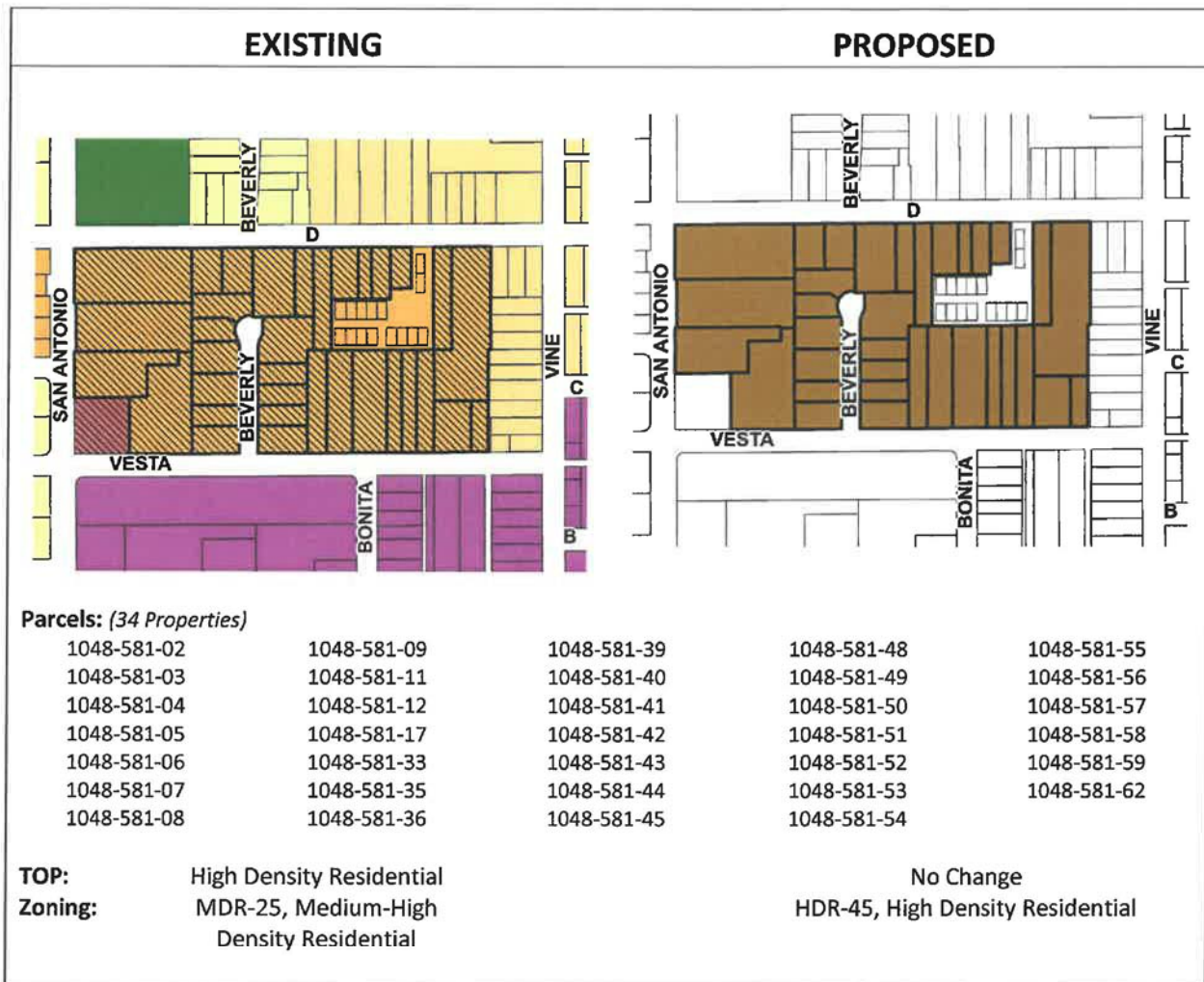
AIRPORT LAND USE COMPATIBILITY: The Proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) Ontario.

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. 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 Zone Changes

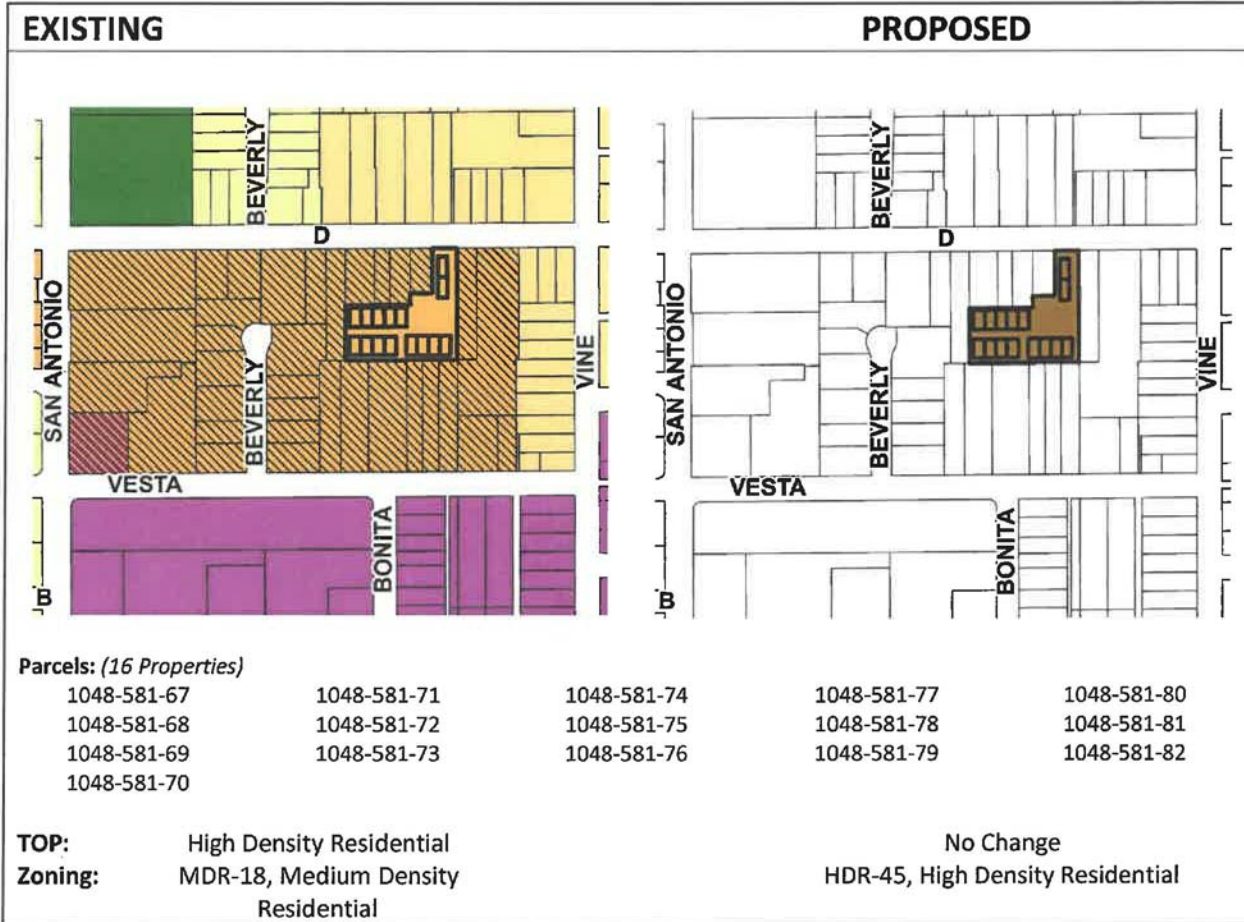
ZONING Legend:

	LDR-5, Low Density Residential		MDR-25, Medium-High Density Residential		MU, Mixed Use 1 - Downtown, 2-East Holt, 11-Francis&Euclid		OS-R, Open Space - Recreation
	MDR-11, Low-Medium Density Residential		HDR-45, High Density Residential		CN, Neighborhood Commercial		ICC, Interim Community Commercial Overlay
	MDR-18, Medium Density Residential						

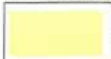




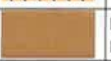





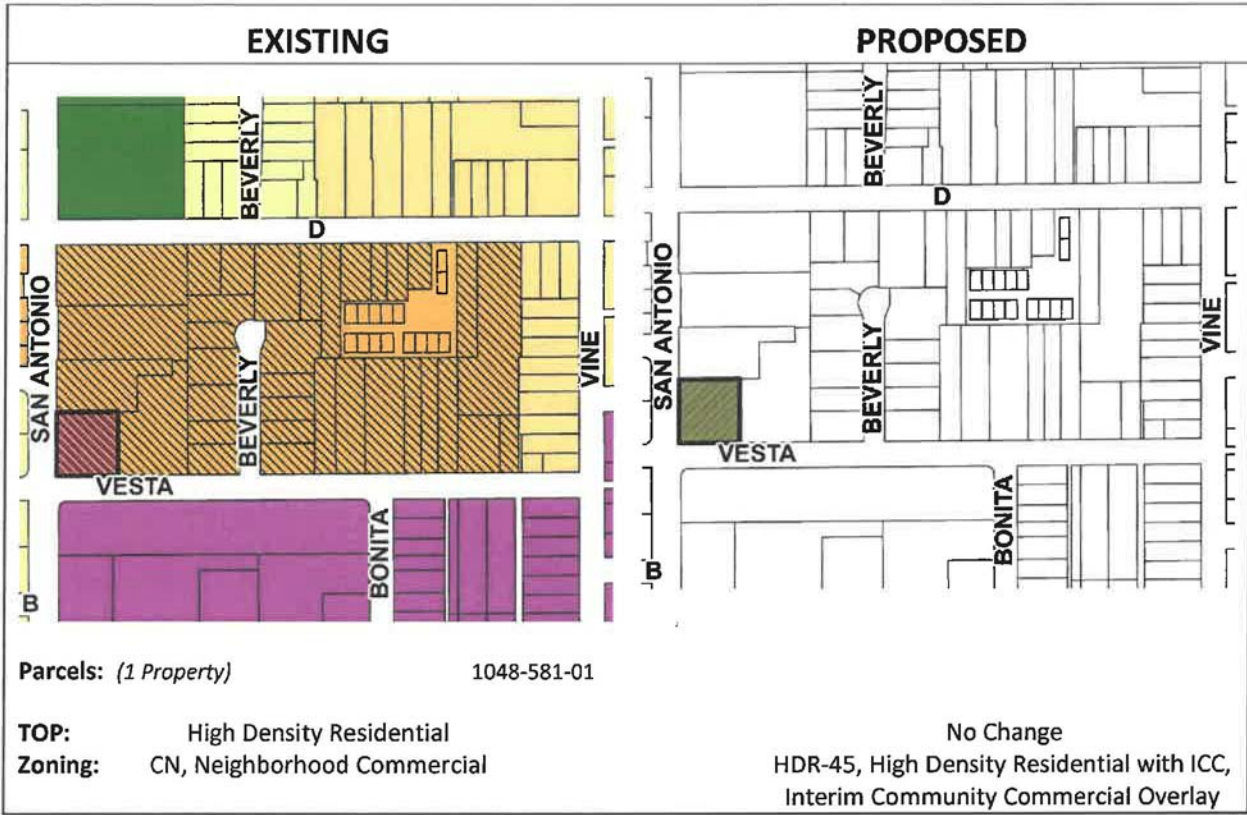
ZONING Legend:

	LDR-5, Low Density Residential		MDR-25, Medium-High Density Residential		MU, Mixed Use 1 - Downtown, 2-East Holt, 11-Francis&Euclid		OS-R, Open Space - Recreation
	MDR-11, Low-Medium Density Residential		HDR-45, High Density Residential		CN, Neighborhood Commercial		ICC, Interim Community Commercial Overlay
	MDR-18, Medium Density Residential						



ZONING Legend:

	LDR-5, Low Density Residential		MDR-25, Medium-High Density Residential		MU, Mixed Use 1 - Downtown, 2-East Holt, 11-Francis&Euclid		OS-R, Open Space Recreation
	MDR-11, Low-Medium Density Residential		HDR-45, High Density Residential		CN, Neighborhood Commercial		ICC, Interim Community Commercial Overlay
	MDR-18, Medium Density Residential						





PLANNING COMMISSION STAFF REPORT

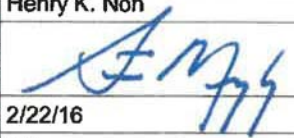
January 24, 2017

SUBJECT: A City initiated request to change the zoning designations (File No. PZC16-005) on 51 properties from: 1) MDR-18 (Medium Density Residential) to HDR-45 (High Density Residential), 2) MDR-25 (Medium-High Density Residential) to HDR-45 (High Density Residential), and 3) CN (Neighborhood Commercial) to HDR-45 (High Density Residential with ICC (Interim Community Commercial Overlay) in order to make the zoning consistent with The Ontario Plan land use designations of the properties. The properties are generally located south of D Street, west of Vine Avenue, north of Vesta Street and east of San Antonio Avenue. (APNs: 1048-581-01 thru 09, 11-12, 17, 33, 35-36, 39-45, 48-59, 62, and 67-82); **submitted by: City of Ontario. City Council action is required.**

PROPERTY OWNER: Various

RECOMMENDED ACTION: That the Planning Commission recommend City Council approval of File No. PZC16-005, pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT SETTING: The properties are generally located south of D Street, west of Vine Avenue, north of Vesta Street and east of San Antonio Avenue. The majority of properties are developed with multi-family residential uses, one property has an existing office use and one property is vacant, the properties are depicted in Figure 1: Project Location, below.

<i>Case Planner:</i>	Henry K. Noh	<i>Hearing Body</i>	<i>Date</i>	<i>Decision</i>	<i>Action</i>
<i>Planning Director Approval:</i>		DAB			
<i>Submittal Date:</i>	2/22/16	ZA			
<i>Hearing Deadline:</i>	N/A	PC	1/24/17	Approved	Recommend
		CC	2/21/17		Final

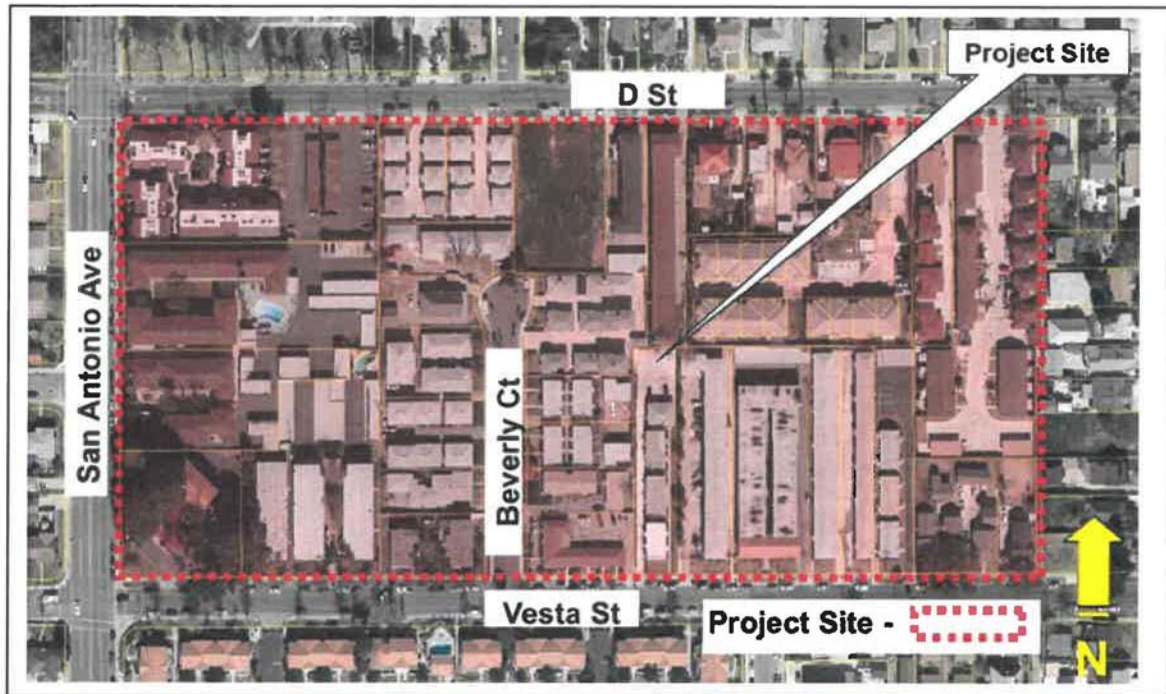


Figure 1: Project Location

PROJECT ANALYSIS:

[1] Background — In 2010, The Ontario Plan (“TOP”) was adopted that contains the Policy Plan (General Plan) which sets forth the land use pattern for the City to achieve its Vision. After the adoption of TOP, staff embarked on an effort to ensure that the zoning and TOP land use designations are consistent for all properties in the City. This application is part of TOP and Zoning consistency effort.

On February 22, 2016, the property owner for 607 West D Street submitted a Development Plan application (File No. PDEV16-005) requesting approval to construct a 14-unit multi-family apartment development. The Development Plan required that the zoning for the property be changed from Medium–High Density Residential (MDR-25) to High Density Residential (HDR-45) to be consistent with TOP. Therefore, the City initiated the zone change for the entire block to make all properties zoning designations consistent with TOP.

[2] Community Open House – A Community Open House for a zone change (File No.: PZC16-005) was held on December 14, 2016. Subject property owners and property owners within 300 feet were notified of the meetings and 4 people attended. The property owners who attended the open house reside along Bonita Court, Vine Avenue and Beverly Court and were all in favor of the proposed zone changes. No written comments were received at meeting. The following are the public comments received for the property owners and residents, who attended the meeting:

- 1) There are existing street parking impacts created by the apartments located south of Vesta Street and between San Antonio Avenue and Bonita Court;
- 2) There are a number of homeless in the area;
- 3) Safety issues regarding the need for additional stop signs along Vesta Street; and
- 4) The status of the recently closed James R. Bryant Park that is located at the northeast corner of San Antonio Avenue and D Street.

Staff shared the public comments with the appropriate City departments for following up.

[3] Proposed Changes – The proposed zone change is for 51 properties and would change the zoning designations from (**see Figures 2, 3 and 4**):

A. Change Zoning from Medium-High Density Residential (MDR-25) to High Density Residential (HDR-45).

Purpose:

- To change TOP Land Use and Zoning designations consistent with the majority of existing development density.
- To provide incentives and assist in the future redevelopment of the area.
- To provide zoning consistency with TOP land use designations of the subject properties.

Current Zoning



Zones

- AR-2, Residential-Agriculture
 - RE-2, Rural Estate
 - RE-4, Residential Estate
 - LDR-5, Low Density Residential
 - MDR-11, Low_Medium Density Residential
 - MDR-18, Medium Density Residential
 - MDR-25, Medium-High Residential
 - HDR-45, High Density Residential
 - PUD, Planned Unit Residential
 - MHP, Mobile Home Park
 - MLJ 1-Downtown Mixed Use 2-High Blvd 11-Excell & Frances
 - CS, Corner Store
 - CN, Neighborhood Commercial
 - CC, Community Commercial
 - CCS, Convention Center Support
 - CL, Low Intensity Office
 - CH, High Intensity Office
 - BR, Business Park
 - IP, Industrial Park
 - IL, Light Industrial
 - IG, General Industrial
 - IH, Heavy Industrial
 - ONT, Ontario Intl Airport (Former M3)
 - CIV, Civic
 - OS-R, Open Space-Recreation
 - OS-C, Open Space-Cemetery
 - UC, Utilities Corridor
 - SP, Specific Plan
 - SP(AG), Specific Plan (Agriculture Overlay)
 - RC, Rail Corridor
 - P1, Off-Street Parking (To be eliminated)
- Overlays**
- MTC, Multimodal Transit Center
 - ES, Emergency Shelter
 - ICC, Interim Community Commercial
- PZC16-005 Zone Change Property

Zoning After Proposed Zone Changes

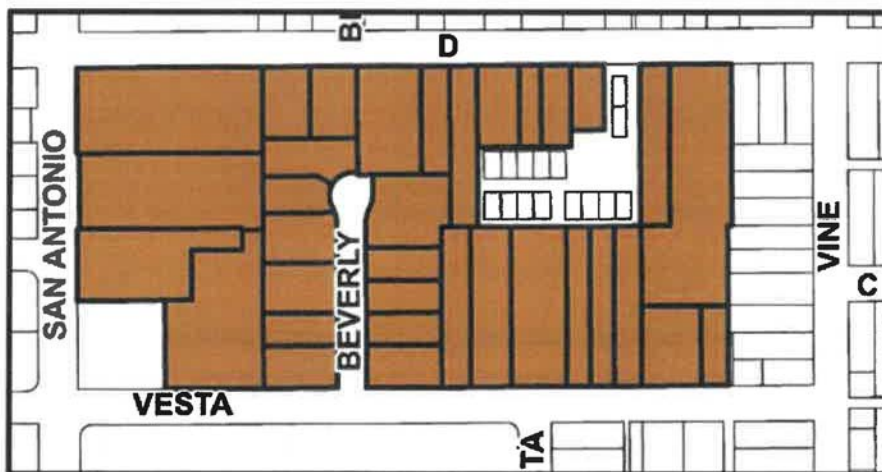


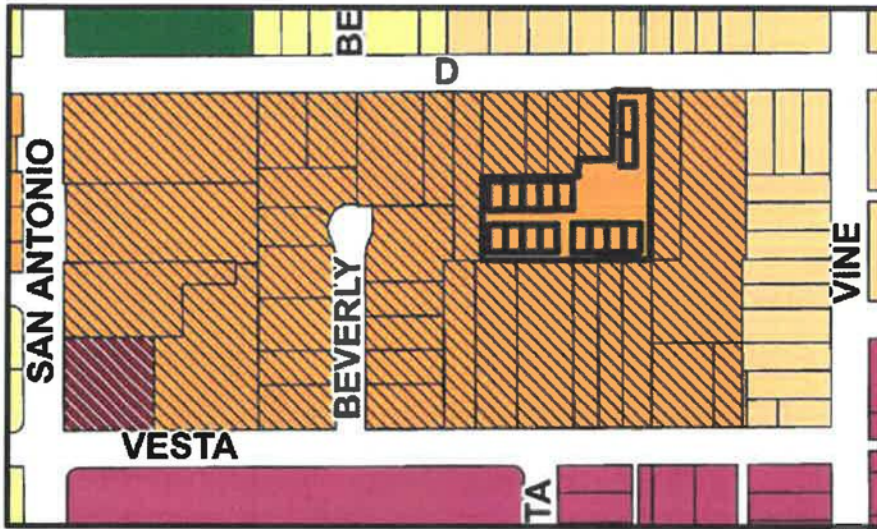
Figure 2: MDR-25 to HDR-45

B. Change Zoning from Medium Density Residential (MDR-18) to High Density Residential (HDR-45).

Purpose:

- To change TOP Land Use and Zoning designations consistent with the majority of existing development density.
- To provide incentives and assist in the future redevelopment of the area.
- To provide zoning consistency with TOP land use designations of the subject properties.

Current Zoning



Zones

- AR-2, Residential-Agriculture
 - RE-2, Rural Estate
 - RE-4, Residential Estate
 - LDR-5, Low Density Residential
 - MDR-11, Low, Medium Density Residential
 - MDR-18, Medium Density Residential
 - MDR-25, Medium-High Residential
 - HDR-45, High Density Residential
 - PUD, Planned Unit Residential
 - MHP, Mobile Home Park
 - MLJ 1-Overstreet Mixed Use 2-Unit 8'x12' 11-Unit 8'x12'
 - CS, Corner Stone
 - CN, Neighborhood Commercial
 - CC, Community Commercial
 - CCS, Convention Center Support
 - OL, Low Intensity Office
 - OH, High Intensity Office
 - BP, Business Park
 - IP, Industrial Park
 - IL, Light Industrial
 - IG, General Industrial
 - IH, Heavy Industrial
 - ONT, Ontario Int'l Airport (Former M3)
 - CIV, Civic
 - OS-R, Open Space-Recreation
 - OS-C, Open Space-Cemetery
 - UC, Utilities Corridor
 - SP, Specific Plan
 - SP(AG), Specific Plan (Agriculture Overlay)
 - RC, Rail Corridor
 - P1, Off-Street Parking (To be eliminated)
- Overlays**
- MTC, Multimodal Transit Center
 - ES, Emergency Shelter
 - ICC, Interim Community Commercial
- PZC16-005 Zone Change Property

Zoning After Proposed Zone Changes

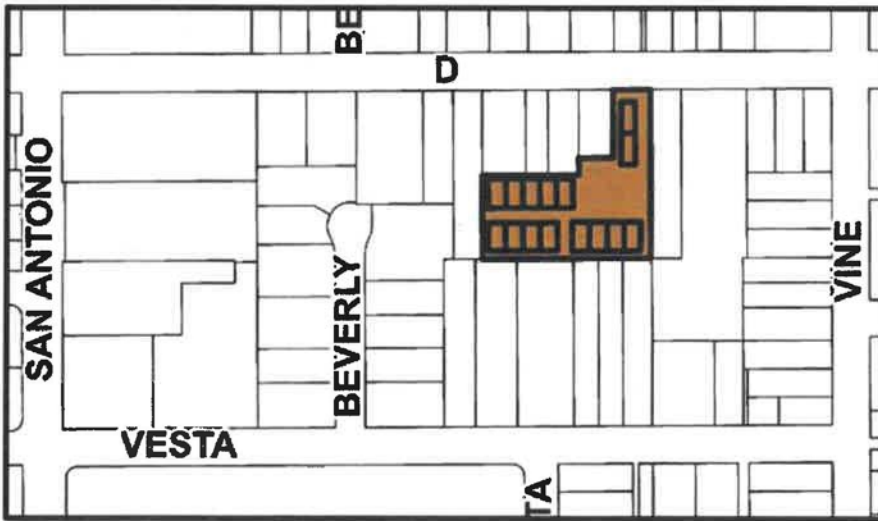


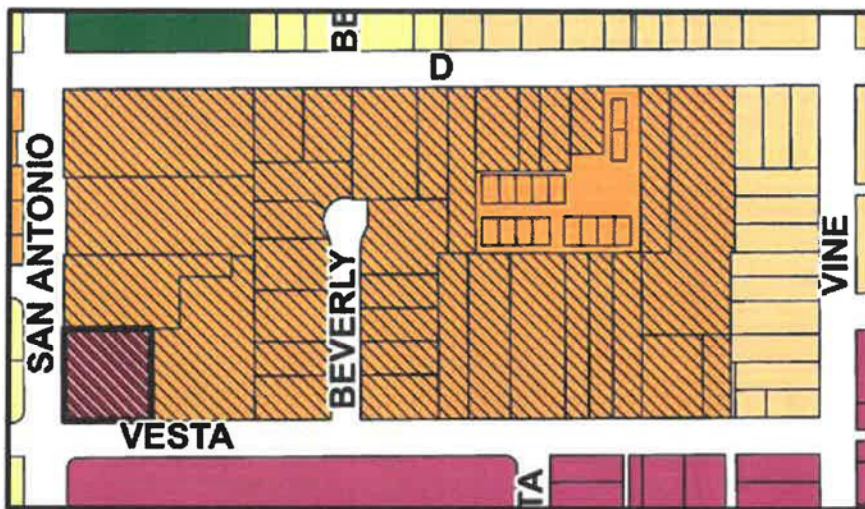
Figure 3: MDR-18 to HDR-45

C. Change Zoning from Neighborhood Commercial (CN) to High Density Residential (HDR-45) w/ Interim Community Commercial Overlay (ICC).

Purpose:

- To allow the ongoing use of commercial properties by applying the Interim Community Commercial Overlay (ICC).
- To change TOP Land Use and Zoning designations consistent with the majority of existing development density.
- To provide incentives and assist in the future redevelopment of the area.
- To provide zoning consistency with TOP land use designations of the subject properties.

Current Zoning



Zones

- AR-2, Residential-Agriculture
 - RE-2, Rural Estate
 - RE-4, Residential Estate
 - LDR-5, Low Density Residential
 - MDR-11, Low_Medium Density Residential
 - MDR-18, Medium Density Residential
 - MDR-25, Medium-High Residential
 - HDR-45, High Density Residential
 - PUD, Planned Unit Residential
 - MHP, Mobile Home Park
 - MU 1 (Direction Based Use 2-Hall Blvd 11-Field & Phases)
 - CS, Corner Store
 - CN, Neighborhood Commercial
 - CC, Community Commercial
 - CCS, Convention Center Support
 - OL, Low Intensity Office
 - OH, High Intensity Office
 - BP, Business Park
 - IP, Industrial Park
 - IL, Light Industrial
 - IG, General Industrial
 - IH, Heavy Industrial
 - CNT, Ontario Intl Airport (Former M3)
 - CIV, Civic
 - OS-R, Open Space-Recreation
 - OS-C, Open Space-Cemetery
 - UC, Utilities Corridor
 - SP, Specific Plan
 - SP(AG), Specific Plan (Agriculture Overlay)
 - RC, Rail Corridor
 - P1, Off-Street Parking (To be eliminated)
- Overlays**
- MTC, Multimodal Transit Center
 - ES, Emergency Shelter
 - ICC, Interim Community Commercial
- PZC16-005 Zone Change Property**

Zoning After Proposed Zone Changes

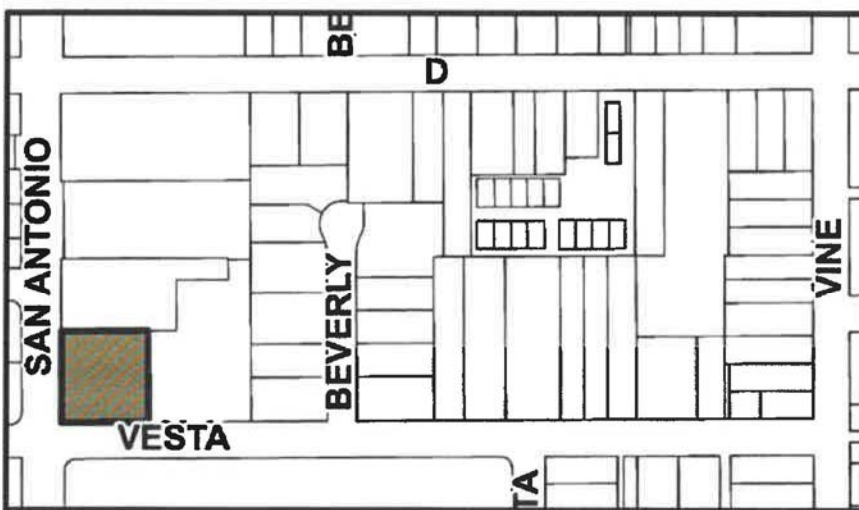


Figure 4: CN to HDR-45 (ICC Overlay)

Staff is recommending approval of this zone changes affecting 51 properties in an on-going 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

Primary Goal: Regain Local Control of the Ontario International Airport

Supporting 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.

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 Element:

- **Goal H1:** Stable neighborhoods of quality housing, ample community services and public facilities, well-maintained infrastructure, and public safety that foster a positive sense of identity

➤ **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 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 proposed zone changes are consistent with the adopted Airport Land Use Compatibility Plan for Ontario Airport and will not allow the addition of new units in noise sensitive locations near the airports.

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 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 the adoption of The Ontario Plan (File No. PGPA06-001), for which an EIR (SCH#: 2008101140) was adopted by the City Council on January 27, 2010. 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.

RESOLUTION NO. PC17-006

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PZC16-005, A CITY INITIATED REQUEST TO CHANGE THE ZONING DESIGNATIONS ON 51 PROPERTIES FROM: 1) MDR-18 (MEDIUM DENSITY RESIDENTIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL), 2) MDR-25 (MEDIUM-HIGH DENSITY RESIDENTIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL), AND 3) CN (NEIGHBORHOOD COMMERCIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL WITH ICC (INTERIM COMMUNITY COMMERCIAL OVERLAY) IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN LAND USE DESIGNATIONS FOR PROPERTIES GENERALLY LOCATED SOUTH OF D STREET, WEST OF VINE AVENUE, NORTH OF VESTA STREET AND EAST OF SAN ANTONIO AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: AS SHOWN IN EXHIBIT A (ATTACHED).

WHEREAS, City of Ontario ("Applicant") has filed an Application for the approval of a Zone Change, File No. PZC16-005, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 51 properties totaling approximately 16 acres of land generally located south of D Street, west of Vine Avenue, north of Vesta Street and east of San Antonio Avenue; 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; and

WHEREAS, the Project was filed in conjunction with a Development Plan (File No. PDEV16-005) to construct a 14-unit apartment project on a vacant 0.54 acre parcel of land, located at 607 West "D" Street; and

WHEREAS, the City of Ontario held a Community Open House on December 14, 2016, to gain input from impacted property owners and property owners within a 300 foot radius; and

WHEREAS, no written public responses were received regarding the proposed zone changes at the Community Open House and the four residents who attended were in favor of the proposed zone changes; and

WHEREAS, 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.

WHEREAS, 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; 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 adoption of The Ontario Plan (File No. PGPA06-001), for which an EIR (SCH#: 2008101140) was adopted by the City Council on January 27, 2010. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are to be a condition of project approval and are incorporated herein by reference; 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, on January 24, 2017, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the previously adopted TOP EIR (SCH#: 2008101140) and supporting documentation. Based upon the facts and information contained in the TOP EIR (SCH#: 2008101140) and supporting documentation, the Planning Commission finds as follows:

a. The previous TOP EIR (SCH#: 2008101140) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

b. The previous TOP EIR (SCH#: 2008101140) was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

c. The previous TOP EIR (SCH#: 2008101140) reflects the independent judgment of the Planning Commission; and

d. All previously adopted mitigation measures, which are applicable to the Project, shall be a condition of Project approval and are incorporated herein by reference.

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

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:

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.

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.

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.

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 Ontario Airport and will 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. The proposed Zone Change will not be detrimental to the public interest, health, safety, convenience or general welfare, as the Zone Change is required to make the zoning designations consistent with TOP and will not change the existing built environment. Additionally, the proposed Zone Change will provide incentives and assist in the future redevelopment of the area that will be required to meet the High Density Residential (HDR-45) development standards.

c. The proposed Zone Change will not adversely affect the harmonious relationship with adjacent properties and land uses. The proposed Zone Change will not adversely affect the harmonious relationship with adjacent properties and land uses, as the Zone Change is required to make the zoning designations consistent with TOP and will not change the existing built environment. Additionally, the proposed Zone Change will provide incentives and assist in the future redevelopment of the area that will be required to meet the High Density Residential (HDR-45) development standards.

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. The proposed Zone Change will not affect the existing built environment and the future redevelopment of these properties will be required to meet the High Density Residential (HDR-45) development standards.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission hereby RECOMMENDS APPROVAL to the City Council of the herein described.


SECTION 4. 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. 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. The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of January 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.



Jim Willoughby
Planning Commission Chairman

ATTEST:



Scott Murphy
Planning Director/Secretary of Planning
Commission

Planning Commission Resolution
File No. PZC16-005
January 24, 2017
Page 6

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-006 was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on January 24, 2017, by the following roll call vote, to wit:

AYES: DeDiemar, Delman, Downs, Gage, Gregorek, Ricci, Willoughby

NOES: None

ABSENT: None

ABSTAIN: None

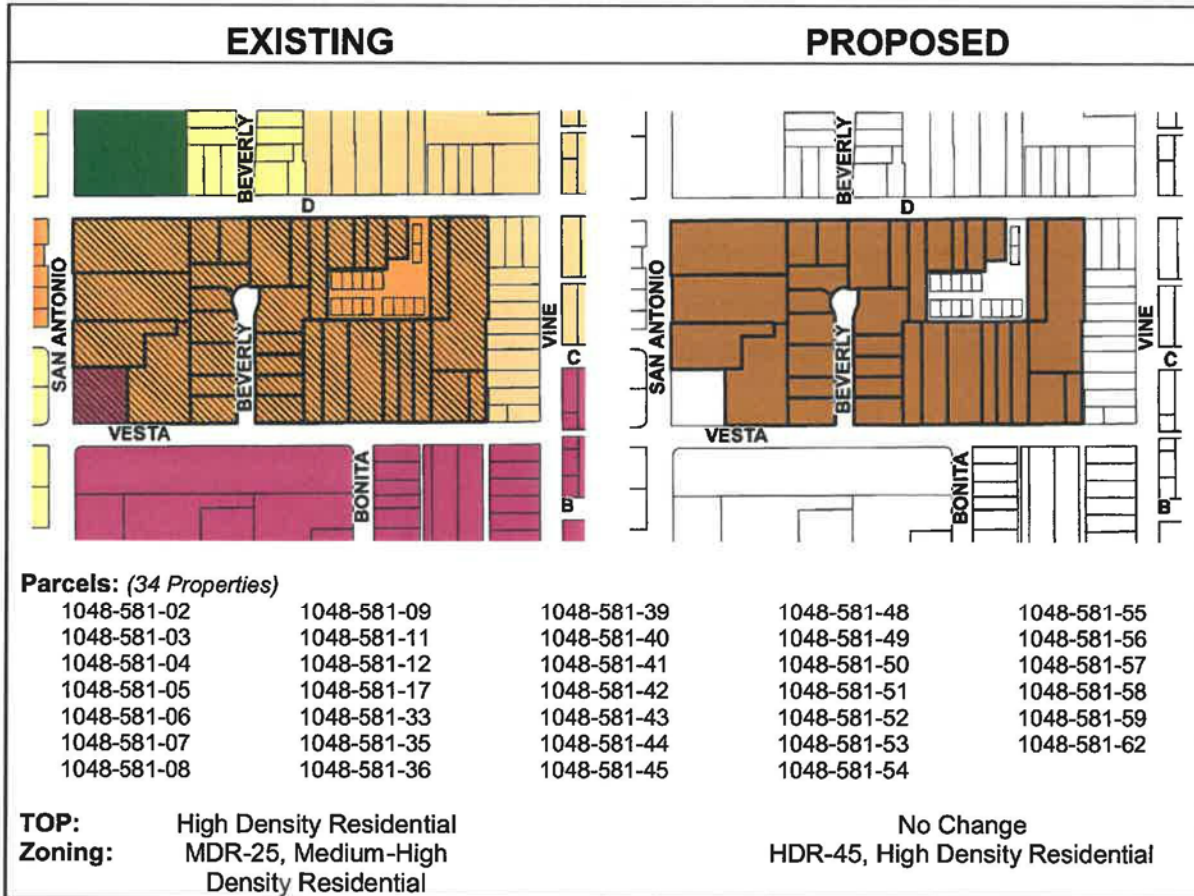


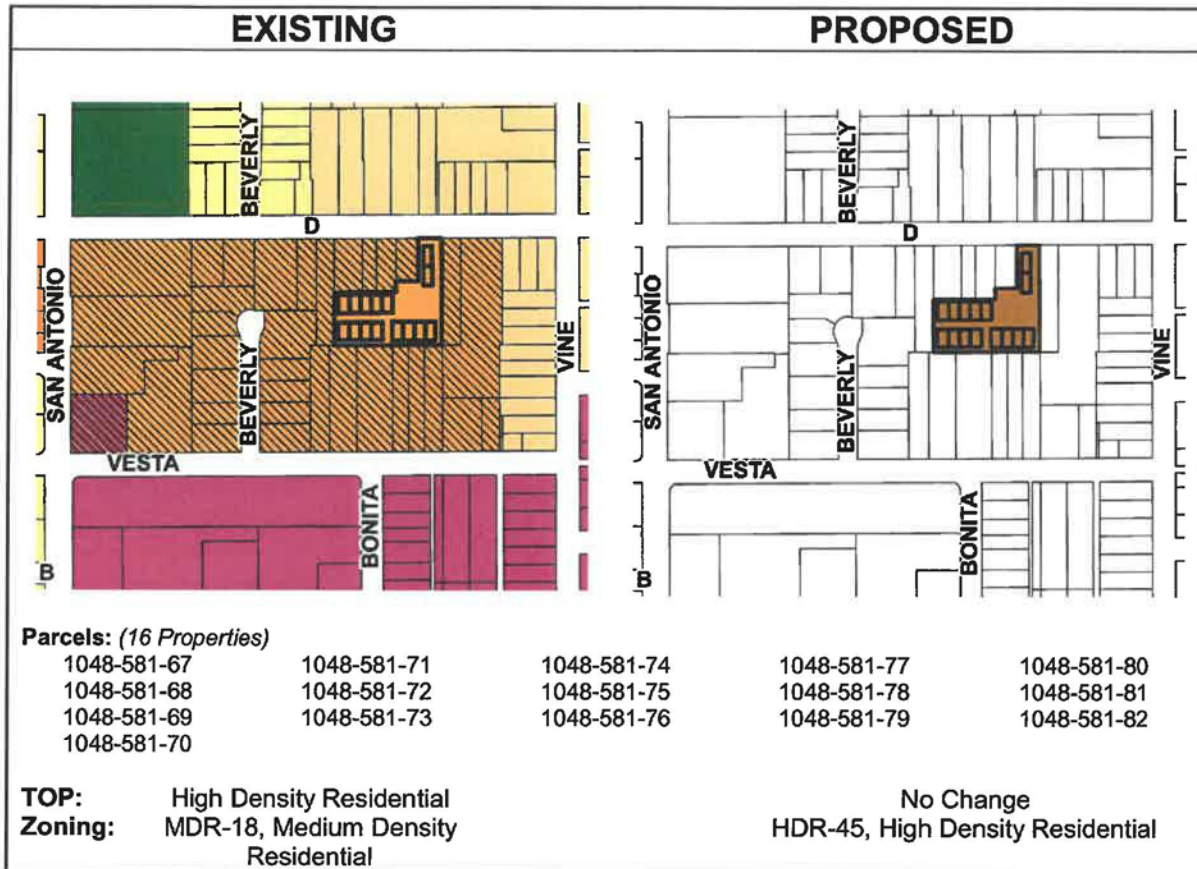
Marci Callejo
Secretary Pro Tempore

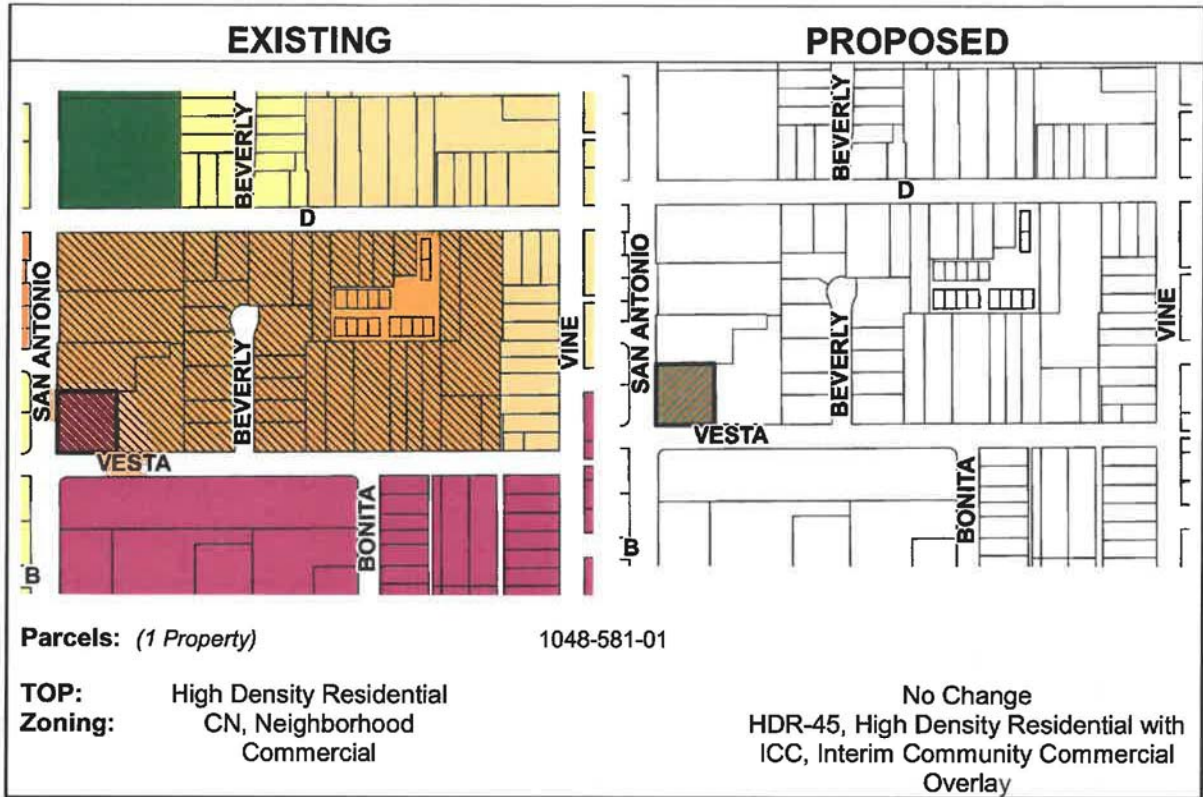
Exhibit A PZC16-005

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 Hoyt, 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						







ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PZC16-005, A CITY INITIATED REQUEST TO CHANGE THE ZONING DESIGNATIONS (FILE NO. PZC16-005) ON 51 PROPERTIES AS FOLLOWS: 1) 34 PROPERTIES FROM MDR-18 (MEDIUM DENSITY RESIDENTIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL), 2) 16 PROPERTIES FROM MDR-25 (MEDIUM-HIGH DENSITY RESIDENTIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL), AND 3) ONE PROPERTY FROM CN (NEIGHBORHOOD COMMERCIAL) TO HDR-45 (HIGH DENSITY RESIDENTIAL) WITH ICC (INTERIM COMMUNITY COMMERCIAL OVERLAY), FOR PROPERTIES GENERALLY LOCATED SOUTH OF D STREET, WEST OF VINE AVENUE, NORTH OF VESTA STREET AND EAST OF SAN ANTONIO AVENUE, IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN LAND USE DESIGNATIONS OF THE PROPERTIES, AND MAKING FINDINGS IN SUPPORT THEREOF – APNS: AS SHOWN IN EXHIBIT A (ATTACHED).

WHEREAS, City of Ontario ("Applicant") has filed an Application for the approval of a zone change, File No. PZC16-005, as described in the title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 51 properties totaling approximately 16 acres of land generally located south of D Street, west of Vine Avenue, north of Vesta Street and east of San Antonio Avenue; 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; and

WHEREAS, the City of Ontario held a community open house on December 14, 2016, to gain input from impacted property owners and property owners within a 300 foot radius; and

WHEREAS, no written public responses were received regarding the proposed zone change at the community open house and the four residents who attended were in favor of the proposed zone change; and

WHEREAS, 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; and

WHEREAS, 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; 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 adoption of The Ontario Plan (File No. PGPA06-001), for which an EIR (SCH#: 2008101140) was adopted by the City Council on January 27, 2010. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are to be a condition of project approval and are incorporated herein by reference; 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, on January 24, 2017, the Planning Commission of the City of Ontario conducted a duly noticed public hearing and issued Resolution No. PC17-006, recommending the City Council approve the application; and

WHEREAS, on February 21, 2017, the City Council 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 Ordinance have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND ORDAINED by the City Council of the City of Ontario, as follows:

SECTION 1. As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the previously adopted TOP Environmental Impact Report (SCH # 2008101140) and supporting documentation. Based upon the facts and information contained in the TOP Environmental Impact Report (SCH # 2008101140) and supporting documentation, the City Council finds as follows:

a. The previous TOP Environmental Impact Report (SCH # 2008101140) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

b. The previous TOP Environmental Impact Report (SCH # 2008101140) was completed in compliance with CEQA and the Guidelines promulgated thereunder; and.

c. The previous TOP Environmental Impact Report (SCH # 2008101140) reflects the independent judgement of the City Council; and

d. All previously adopted mitigation measures, which are applicable to the Project, shall be a condition of Project approval and are incorporated herein by reference.

SECTION 2. Based upon the substantial evidence presented to the City Council during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the City Council 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:

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.

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.

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.

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 Ontario Airport and will 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. The proposed Zone Change will not be detrimental to the public interest, health, safety, convenience or general welfare, as the Zone Change is required to make the zoning designations consistent with TOP and will not change the existing built environment. Additionally, the proposed Zone Change will provide incentives and assist in the future redevelopment of the area that will be required to meet the High Density Residential (HDR-45) development standards.

c. The proposed Zone Change will not adversely affect the harmonious relationship with adjacent properties and land uses. The proposed Zone Change will not adversely affect the harmonious relationship with adjacent properties and land uses, as the Zone Change is required to make the zoning designations consistent with TOP and will not change the existing built environment. Additionally, the proposed Zone Change will provide incentives and assist in the future redevelopment of the area that will be required to meet the High Density Residential (HDR-45) development standards.

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. The proposed Zone Change will not affect the existing built environment and the future redevelopment of these properties will be required to meet the High Density Residential (HDR-45) development standards.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the City Council hereby approves the Project.

SECTION 4. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, unconstitutional or otherwise struck-down by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more portions of this Ordinance might be declared invalid.

SECTION 5. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

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

SECTION 7. Severability. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 8. Effective Date. This Ordinance shall become effective 30 days following its adoption.

SECTION 9. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 7th day of March 2017.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. 3069 was duly introduced at a regular meeting of the City Council of the City of Ontario held February 21, 2017, and adopted at the regular meeting held March 7, 2017 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

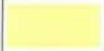








I hereby certify that the foregoing is the original of Ordinance No. 3069 duly passed and adopted by the Ontario City Council at their regular meeting held March 7, 2017 and that Summaries of the Ordinance were published on February 28, 2017 and March 14, 2017, in the Inland Valley Daily Bulletin newspaper.

SHEILA MAUTZ, CITY CLERK

(SEAL)










Exhibit "A" File No. PZC16-005

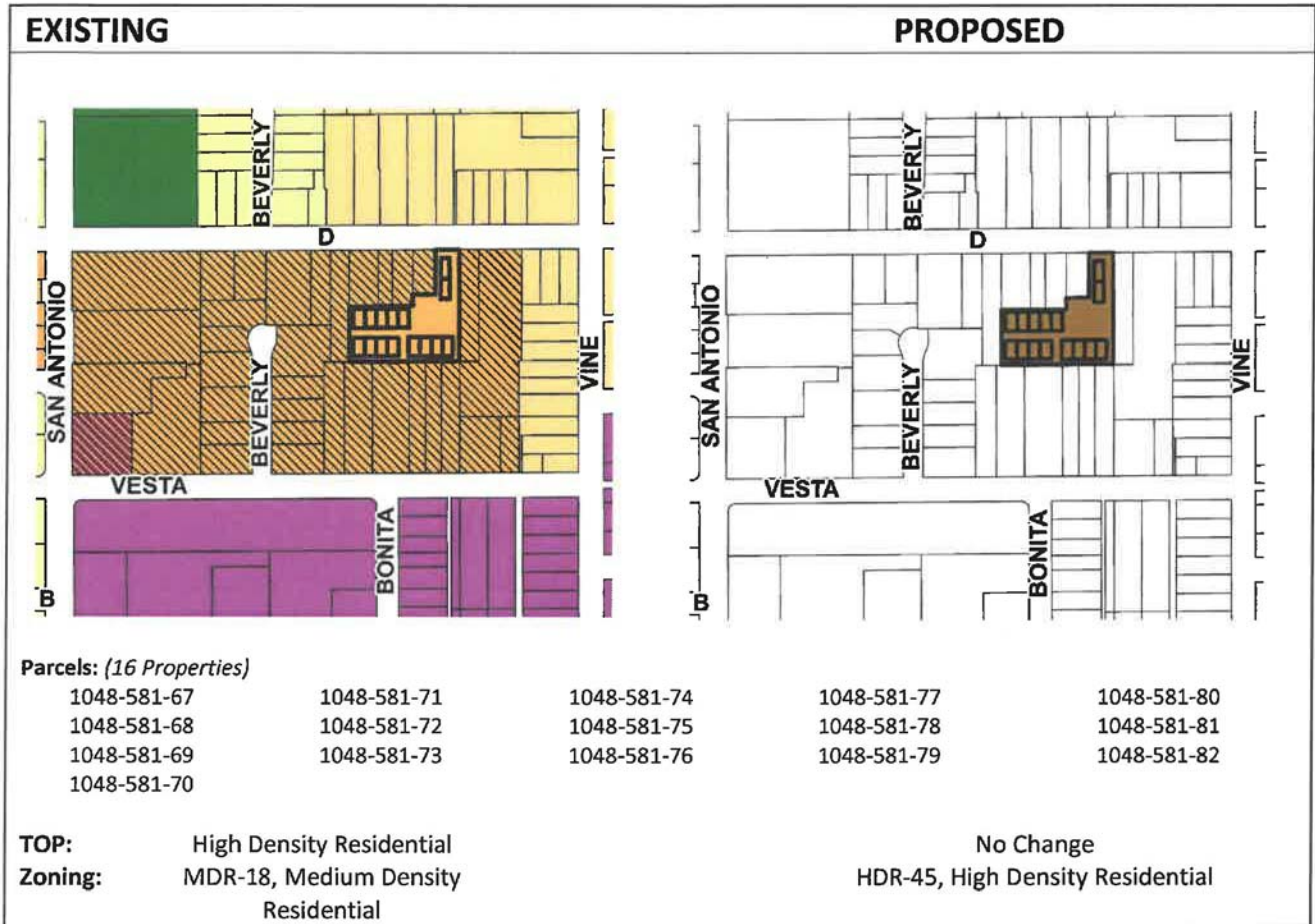
ZONING Legend:

	LDR-5, Low Density Residential		MDR-25, Medium-High Density Residential		MU, Mixed Use 1 - Downtown, 2-East Holt, 11-Francis&Euclid		OS-R, Open Space - Recreation
	MDR-11, Low-Medium Density Residential		HDR-45, High Density Residential		CN, Neighborhood Commercial		ICC, Interim Community Commercial Overlay
	MDR-18, Medium Density Residential						

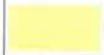










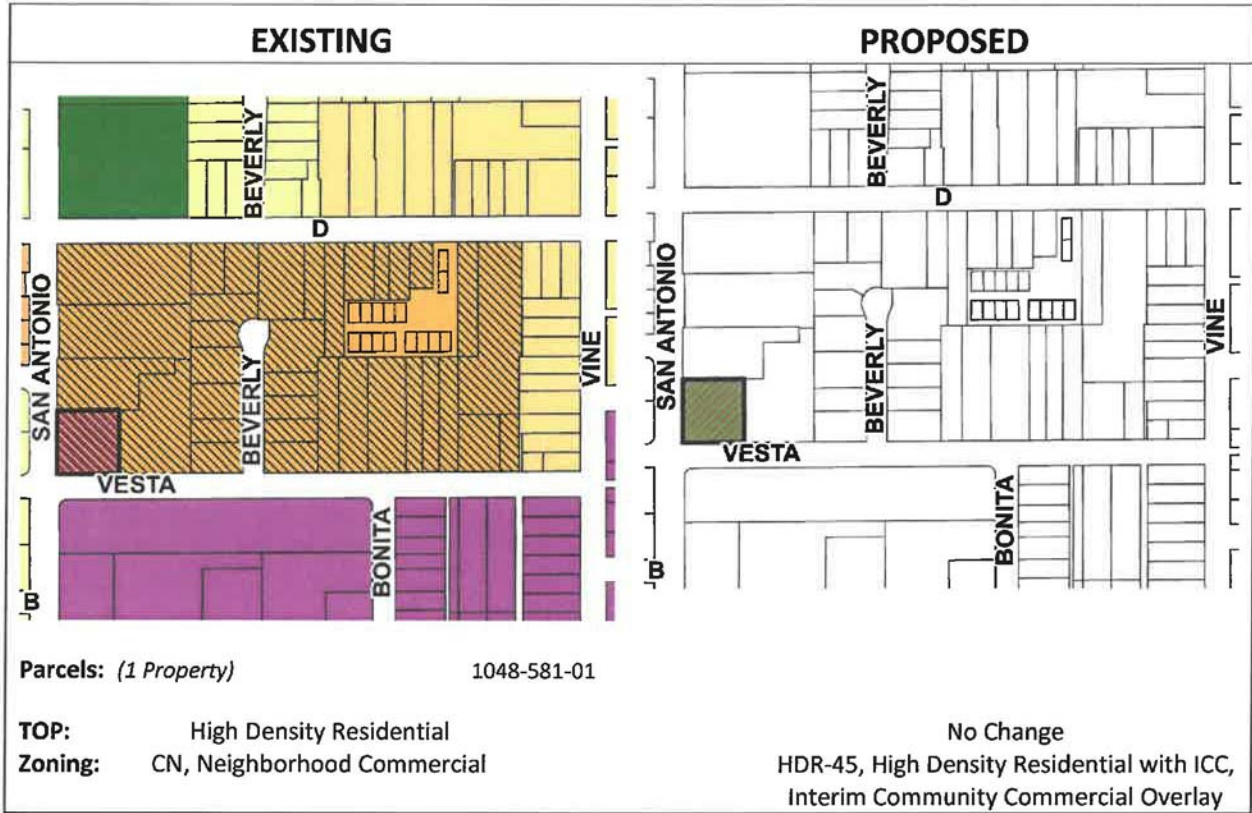
ZONING Legend:

	LDR-5, Low Density Residential		MDR-25, Medium-High Density Residential		MU, Mixed Use 1 – Downtown, 2-East Holt, 11-Francis&Euclid		OS-R, Open Space - Recreation
	MDR-11, Low-Medium Density Residential		HDR-45, High Density Residential		CN, Neighborhood Commercial		ICC, Interim Community Commercial Overlay
	MDR-18, Medium Density Residential						



ZONING Legend:

	LDR-5, Low Density Residential		MDR-25, Medium-High Density Residential		MU, Mixed Use 1 – Downtown, 2-East Holt, 11-Francis&Euclid		OS-R, Open Space - Recreation
	MDR-11, Low-Medium Density Residential		HDR-45, High Density Residential		CN, Neighborhood Commercial		ICC, Interim Community Commercial Overlay
	MDR-18, Medium Density Residential						



CITY OF ONTARIO

Agenda Report
March 7, 2017

SECTION:
PUBLIC HEARINGS

SUBJECT: A PUBLIC HEARING TO CONSIDER A GENERAL PLAN AMENDMENT (FILE NO. PGPA16-006) 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 VARIOUS PARCELS LOCATED THROUGHOUT THE CITY, INCLUDING: A) THE AREA GENERALLY LOCATED FROM EUCLID TO BON VIEW AVENUES BETWEEN STATE AND PHILADELPHIA STREETS, B) THE AREA SOUTH OF THE I-10 FREEWAY, GENERALLY LOCATED NEAR FOURTH STREET AND GROVE AVENUE, C) THE PROPERTIES ON THE WEST SIDE OF VINEYARD AVENUE BETWEEN PHILADELPHIA STREET AND SR-60 FREEWAY, AND D) THE ELIMINATION OF THE SOCALF OVERLAY WITHIN THE ONTARIO RANCH AREA; (2) MODIFY THE TEXT IN THE LAND USE DESIGNATION SUMMARY TABLE (EXHIBIT LU-02) TO ELIMINATE THE SOCALF OVERLAY AND ALLOW THE COMMERCIAL TRANSITIONAL OVERLAY IN NON-RESIDENTIAL LOCATIONS; (3) MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES; (4) AND MODIFY THE ENVIRONMENTAL RESOURCES ELEMENT TEXT IN SECTION ER5, BIOLOGICAL, MINERAL & AGRICULTURAL RESOURCES TO ELIMINATE ALL REFERENCES TO SOCALF

RECOMMENDATION: That City Council adopt a Resolution approving an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010, and adopt a Resolution approving General Plan Amendment File No. PGPA16-006 to change the land use designation of certain properties and modify certain text of The Ontario Plan (Amending Exhibits LU-01, LU-02 & LU-03 and Section ER5).

STAFF MEMBER PRESENTING: Scott Murphy, Planning Director

Prepared by: Clarice Burden
Department: Planning

City Manager
Approval: 

Submitted to Council/O.H.A. 03/07/2017

Approved: _____

Continued to: _____

Denied: _____

5

**COUNCIL GOALS: Operate in a Businesslike Manner,
Invest in the Growth and Evolution of the City's Economy**

FISCAL IMPACT: No fiscal impacts are anticipated because the proposed General Plan Amendment is in alignment with the existing uses of the properties.

BACKGROUND: In January 2010, The Ontario Plan (“TOP”) was adopted, which sets forth the land use pattern for the City to achieve its Vision. Since that time, staff has been working to ensure that the zoning for all properties in the City are consistent with the land use designations established in The Ontario Plan. The proposed General Plan Amendment is designed to support the zone changes being processed concurrently (File No. PZC16-004) for properties predominantly located to the east of Euclid Avenue between State and Philadelphia Streets with additional areas including the area around Fourth Street and Grove Avenue, the industrial buildings near SR60 and Vineyard Avenue, and the removal of the SoCalf Overlay within the Ontario Ranch area. The proposed changes would align with the type and intensity of existing development and/or would closely coordinate with the surrounding areas.

The changes proposed by the General Plan Amendment include proposed changes to: the Land Use Plan (Exhibit LU-01), the Land Use Designations Table (Exhibit LU-02), the Future Buildout Table (Exhibit LU-03) and text changes to the Environmental Resources Element, Section ER5, to remove references to the SoCalf Overlay as shown in Exhibits A, B, C, and D of the attached resolution.

Input was sought from subject and surrounding property owners at community open houses held on November 29, and 30, 2016. No opposition to the General Plan Amendment was expressed at the open house meetings.

Prior to the Planning Commission hearing, four letters were received that were not in support of a proposed change to 3 parcels (under single ownership) totaling about 0.85 acres near Fifth Street and I-10 Freeway, which staff recommended changing from medium density residential to low density residential. In these letters and in their public comments during the Planning Commission hearing, the property owners expressed their desire to retain a medium density residential land use designation in order to have an opportunity to develop the properties with more units. Staff explained that the land use designation for this area was changed during the adoption of The Ontario Plan when the opportunity to utilize Redevelopment funds for lot consolidations was available. However, with the elimination of Redevelopment, it is unlikely that this neighborhood would convert to medium density projects. Since this area is characterized by single family homes, changing the land use designation to low density will help to stabilize the neighborhood and reduce the intrusion of small multi-family developments on small sites. The 3 parcels have a single access point through the surrounding single family neighborhood, which makes a low density residential designation appropriate at this time. However, if the property owner were to bring forward a medium density or low-medium density development proposal in the future, it could be re-evaluated at that time based upon a viable project being proposed.

The Planning Commission reviewed the proposed General Plan Amendment on January 24, 2017, including the written and oral arguments presented at the public hearing. The Planning Commission voted unanimously, 7 to 0, to recommend that City Council approve the project as presented.

AIRPORT LAND USE COMPATIBILITY: 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) Ontario.

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 and an Addendum prepared for File No. PGPA16-006. 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.

CITY OF ONTARIO

ADDENDUM TO THE CERTIFIED ENVIRONMENTAL IMPACT REPORT FOR THE ONTARIO PLAN RE: GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATIONS ON VARIOUS PARCELS LOCATED THROUGHOUT THE CITY AND MODIFY THE FUTURE BUILDOUT TABLE AND LAND USE PLAN TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES AND TEXT CHANGES TO THE LAND USE DESIGNATION TABLE AND THE ENVIRONMENTAL RESOURCES SECTION ER5, BIOLOGICAL, MINERAL & AGRICULTURAL RESOURCES TO MODIFY THE COMMERCIAL TRANSITIONAL OVERLAY AND ELIMINATE THE SOCALF OVERLAY PURSUANT TO THE ONTARIO PLAN

A. PROJECT INFORMATION

- 1. Project Title:** General Plan Amendment (**File No. PGPA16-006**) 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 various parcels located throughout the City, including: a) the area generally located from Euclid to Bon View Avenues between State and Philadelphia Streets, b) the area south of the I-10 Freeway, generally located near Fourth Street and Grove Avenue, c) the properties on the west side of Vineyard Avenue between Philadelphia Street and SR-60 Freeway, and d) the elimination of the SoCalf Overlay within the Ontario Ranch area;
 - 2) Modify the text in the Land Use Designation Summary Table (Exhibit LU-02) to eliminate the SoCalf Overlay and allow the Commercial Transitional Overlay in non-residential locations;
 - 3) Modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and
 - 4) Modify the Environmental Resources Element text in Section ER5, Biological, Mineral & Agricultural Resources to eliminate all references to SoCalf.

- 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:** Various parcels located throughout the City, mainly concentrated in the mostly residential area to the east of Euclid Avenue between State and Philadelphia Streets with additional areas including the commercial and residential area around Fourth Street and Grove Avenue, the industrial buildings on the west side of Vineyard Avenue between Philadelphia Street and SR-60 Freeway, and the removal of the SoCalf Overlay within the Ontario Ranch area

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 various parcels located throughout the City, mainly concentrated in the mostly residential area to the east of Euclid Avenue between State and Philadelphia Streets with additional areas including the commercial and residential area around Fourth Street and Grove Avenue, the industrial buildings on the west side of Vineyard Avenue between Philadelphia Street and SR-60 Freeway, and the removal of the SoCalf Overlay within the Ontario Ranch area and text changes to the Land Use Designation Table and the Environmental Resources section ER5, Biological, Mineral & Agricultural Resources to modify the Commercial Transitional Overlay and eliminate the SoCalf Overlay.

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 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	101,352	350,715	246,264,204	311,836

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. 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.: PGPA16-006

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 various parcels located throughout the City as shown in Exhibit A.

Figure 1: Regional Location Map

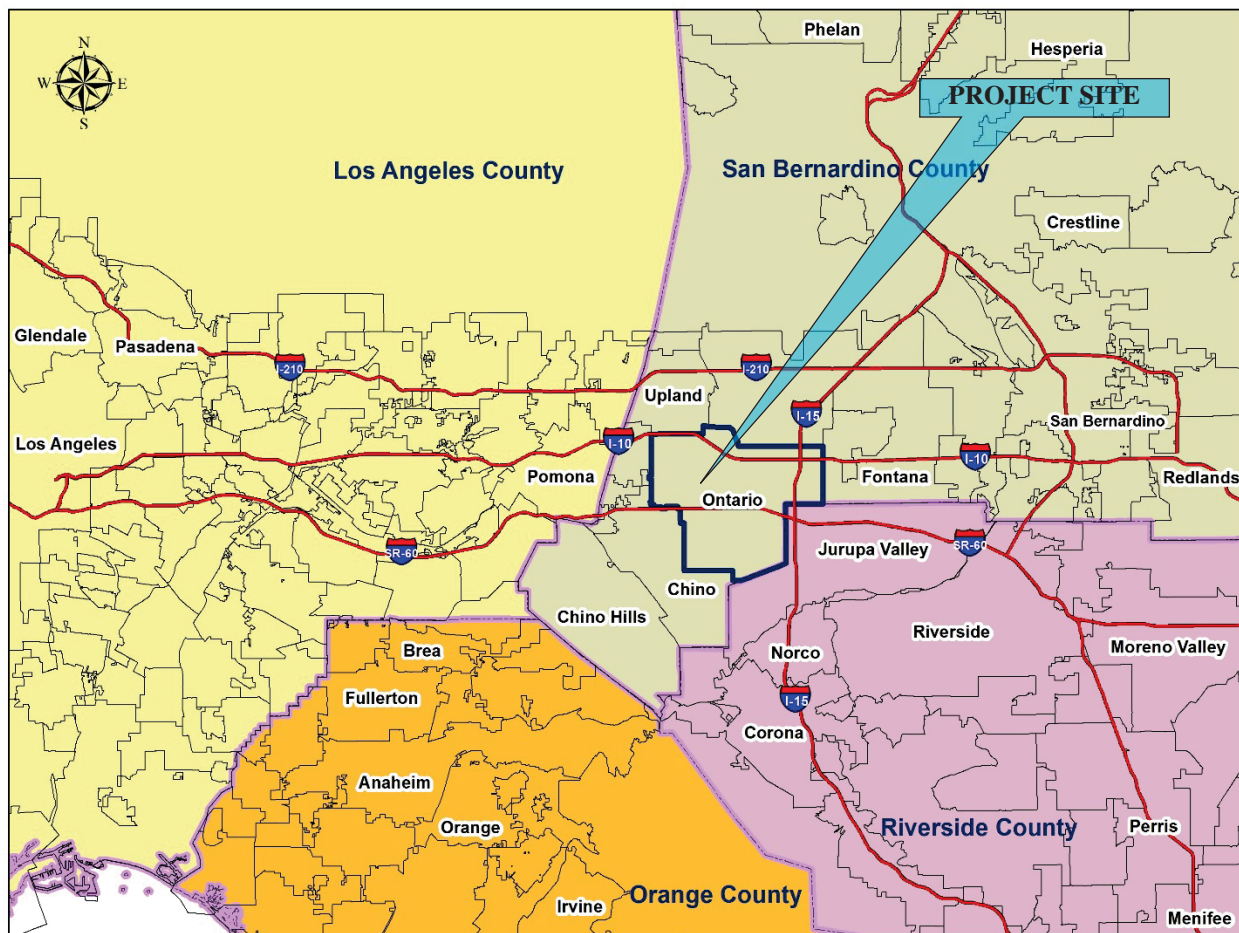


Figure 2—Vicinity Maps

Figure 3—Proposed General Plan Amendment

See Exhibits A, B, C & D

Figure 4—Airport Land Use Compatibility Review

See Exhibit E attached

General Plan Designation: Proposal to change the General Plan land use designations on various parcels 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 various parcels located throughout the City, including: a) the area generally located from Euclid to Bon View Avenues between State and Philadelphia Streets, b) the area south of the I-10 Freeway, generally located near Fourth Street and Grove Avenue, c) the properties on the west side of Vineyard Avenue between Philadelphia Street and SR-60 Freeway, and d) the elimination of the SoCalf Overlay within the Ontario Ranch area;
- 2) Modify the text in the Land Use Designation Summary Table (Exhibit LU-02) to eliminate the SoCalf Overlay and allow the Commercial Transitional Overlay in non-residential locations;
- 3) Modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and
- 4) Modify the Environmental Resources Element text in Section ER5, Biological, Mineral & Agricultural Resources to eliminate all references to SoCalf.

Project Setting: The project is comprised of various parcels 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 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

December 21, 2016
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"/>
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"/>

<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>
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"/>
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"/>

<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>
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"/>
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"/>

<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 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"/>
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"/>

<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) 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"/>
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"/>

<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>
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"/>
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 various parcels 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, 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. 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. None of the various properties are listed on the Ontario Register (List of Historic Resources). 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 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 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 with the exception of the properties in the Ontario Ranch area, the development of which was previously analyzed. 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 with the exception of the properties in the Ontario Ranch area, the development of which was previously analyzed. The project proposes to change the General Plan land use designations for various 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 new adverse environmental impacts to agricultural uses are anticipated, nor will there be any conflict with any 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. The project will not result in new adverse environmental impacts in regards to 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 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 designations on various parcels 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 various parcels 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 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 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 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 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 approve 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 designations 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 various parcels 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 various 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 proposed changes in land use designations 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 designations 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 designations various parcels 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 various parcels 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 E depicts the specific location of each of the proposed changes. The parcels are located throughout the City within the ONT ALUCP Airport Influence Area and forty-four (44) parcels lie within Safety Zone 4. The remaining parcels are located outside of the safety zones for ONT and Chino Airports. 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 designations on various parcels 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 designations on various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 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 designations on various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 E depicts the specific location of each of the proposed changes. The parcels are located throughout the City within the ONT ALUCP Airport Influence Area and a portion of those parcels lie within the Noise Impact Zones. The project proposes to change the General Plan land use designation of one hundred thirty-two (132) parcels located within the 60-65 dB CNEL Noise Impact Zone to residential land uses to be consistent with the existing land uses and density. Residential land uses are an acceptable land use within the 60-65 dB CNEL Noise Impact Zone and consistent with the ONT ALUCP. The project also proposes to change the General Plan land use designation of two hundred eighty-eight (288) parcels located within the 65-70 dB CNEL Noise Impact Zone to a combination of residential and commercial uses to be consistent with the existing land uses and density. 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 various parcels 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: Changing the General Plan land use designations on various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 designations on various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 various parcels 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 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 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.

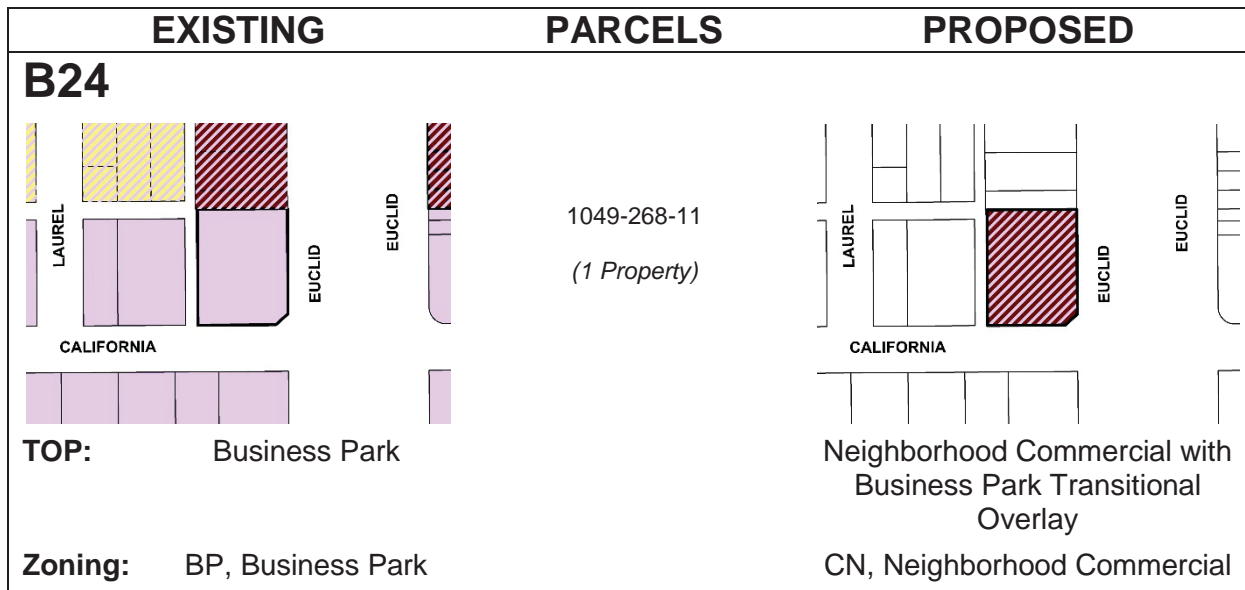
Comments III.A and C were addressed in The Ontario Plan FEIR and considered a significant adverse effect that could not be mitigated. A statement of overriding considerations was adopted for The Ontario Plan FEIR.

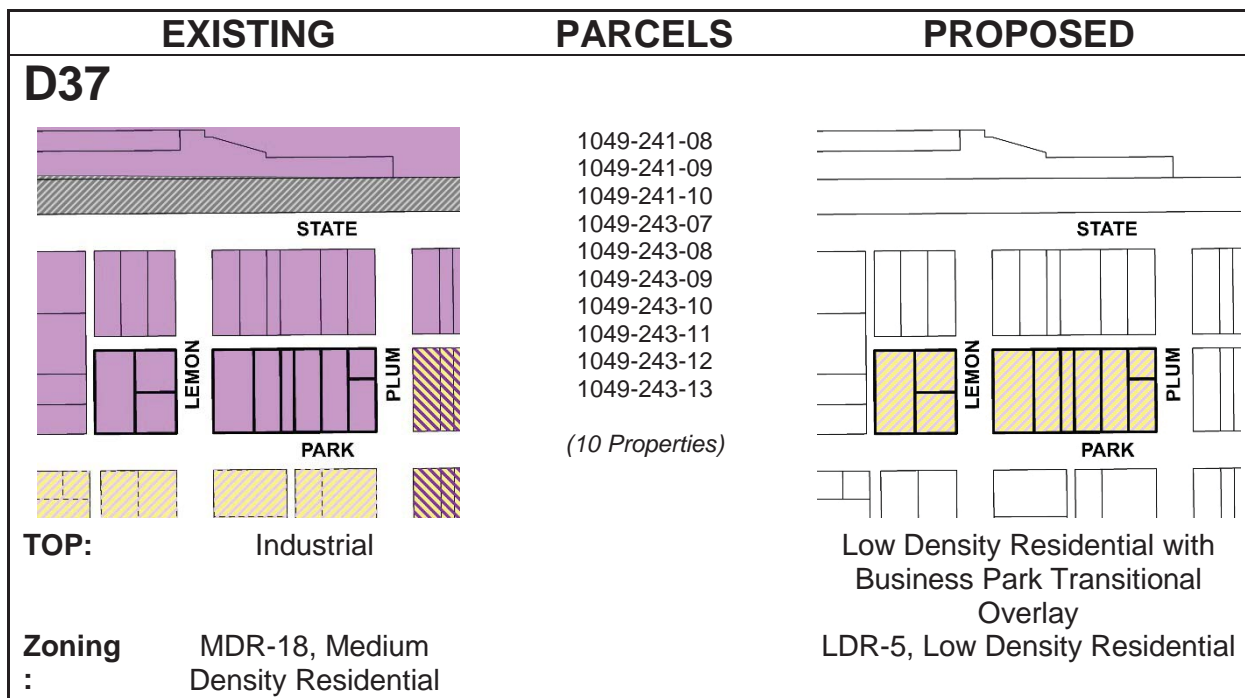
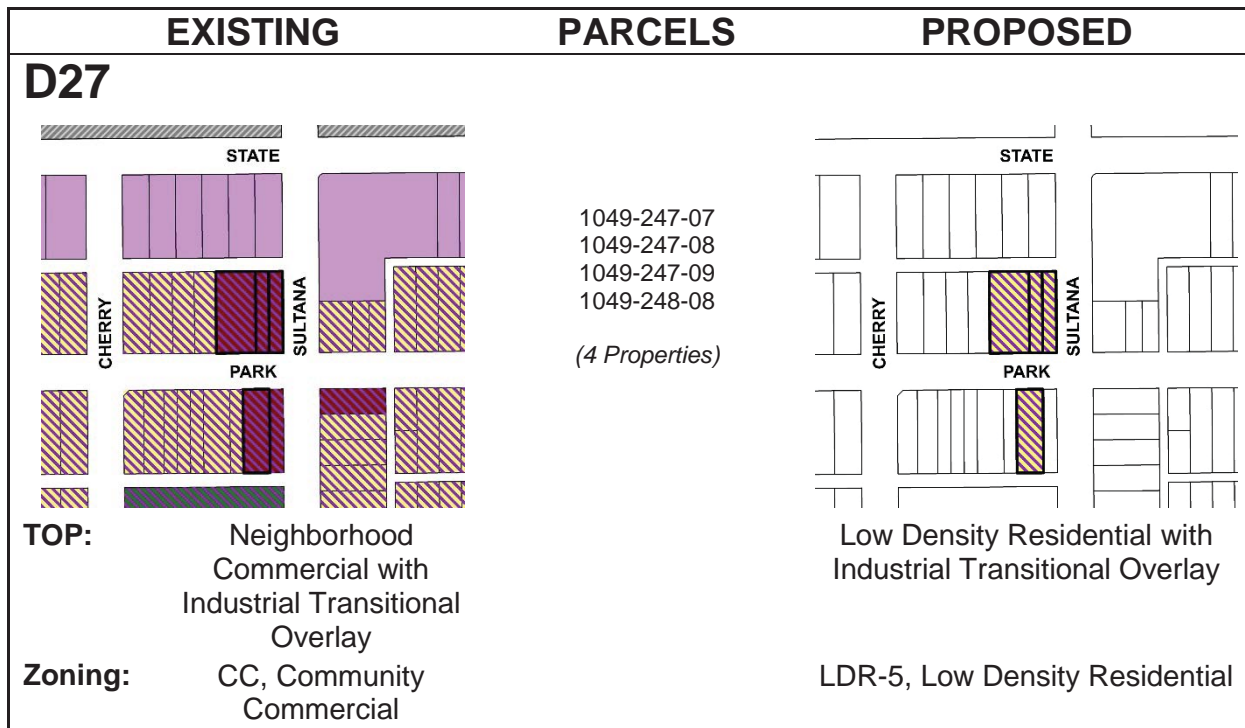
MITIGATION MEASURES

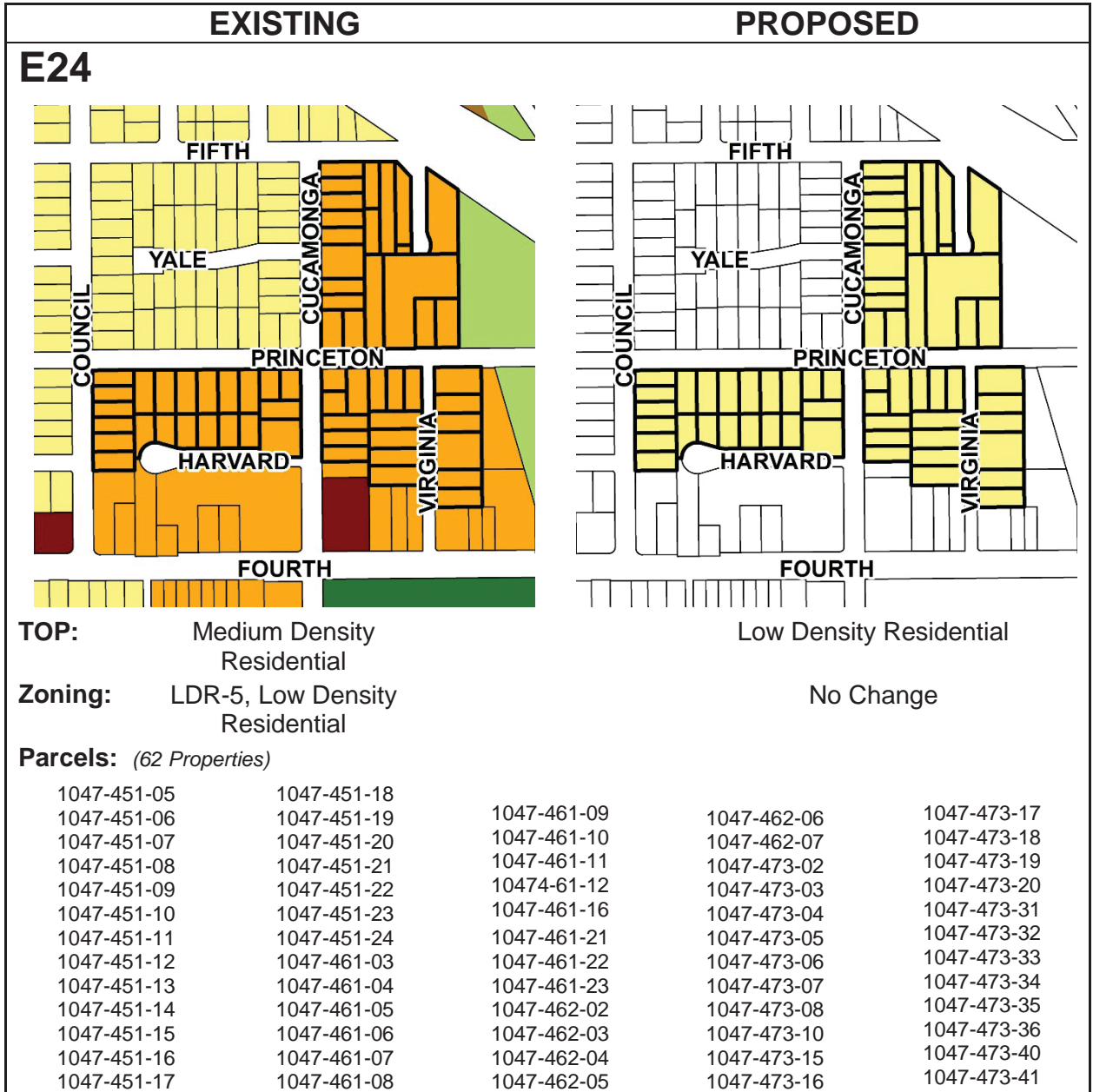
The Mitigation Measures contained in the Certified TOP Environmental Impact Report adequately mitigate the impacts of the proposed project. These mitigation measures are contained in the Mitigation Monitoring Program.

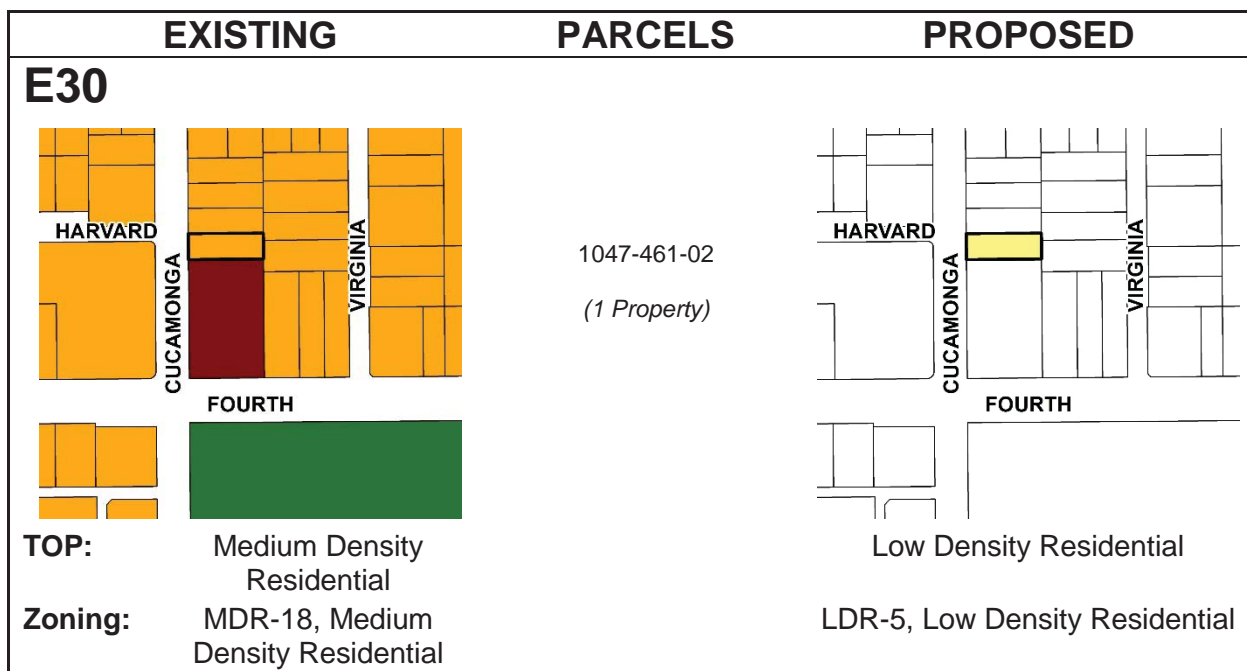
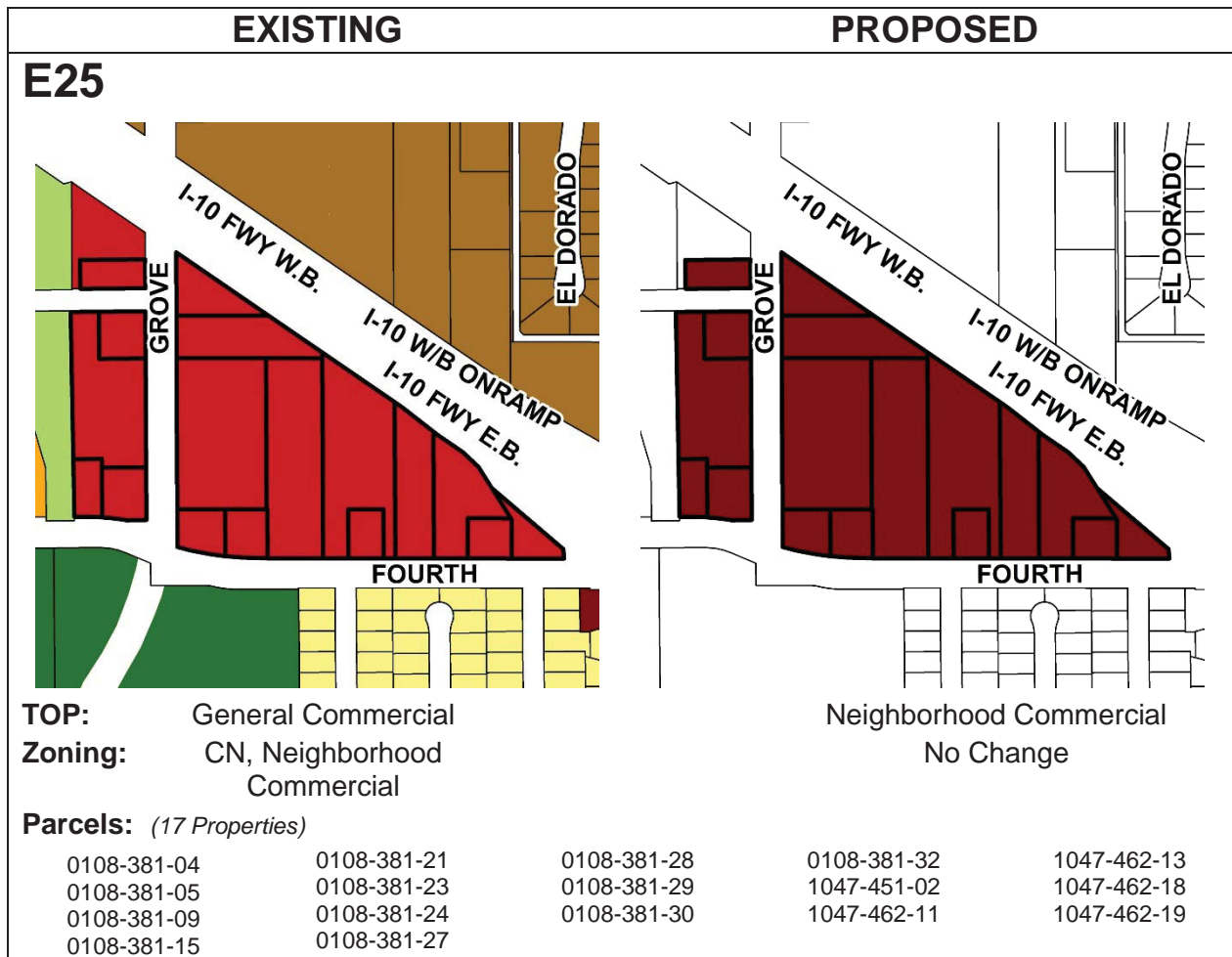
Exhibit A PGPA16-006 LU-01 Land Use Plan Proposed Changes

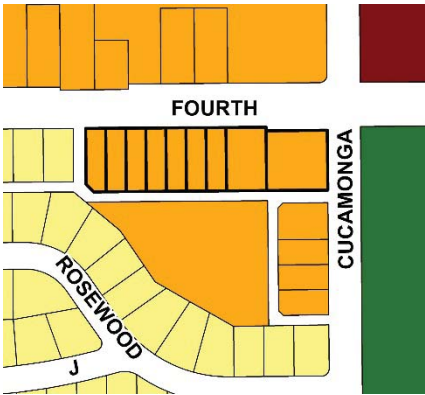
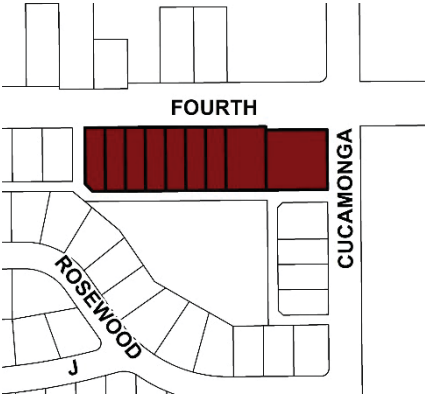
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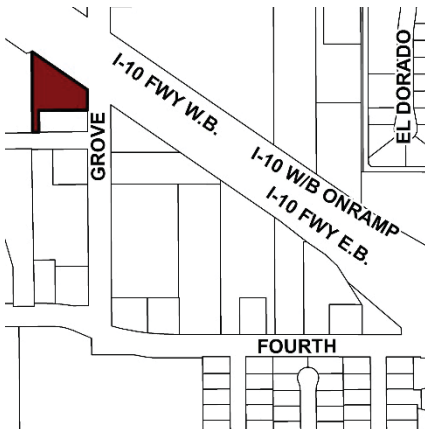


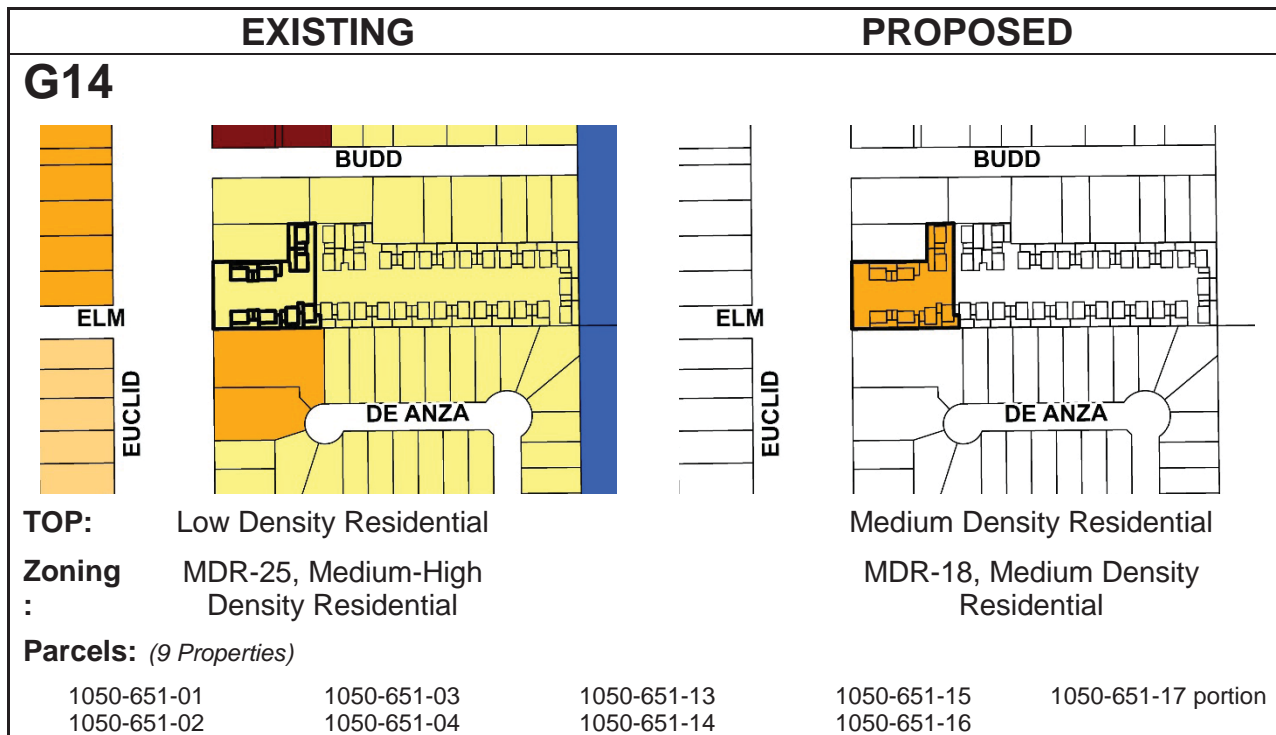






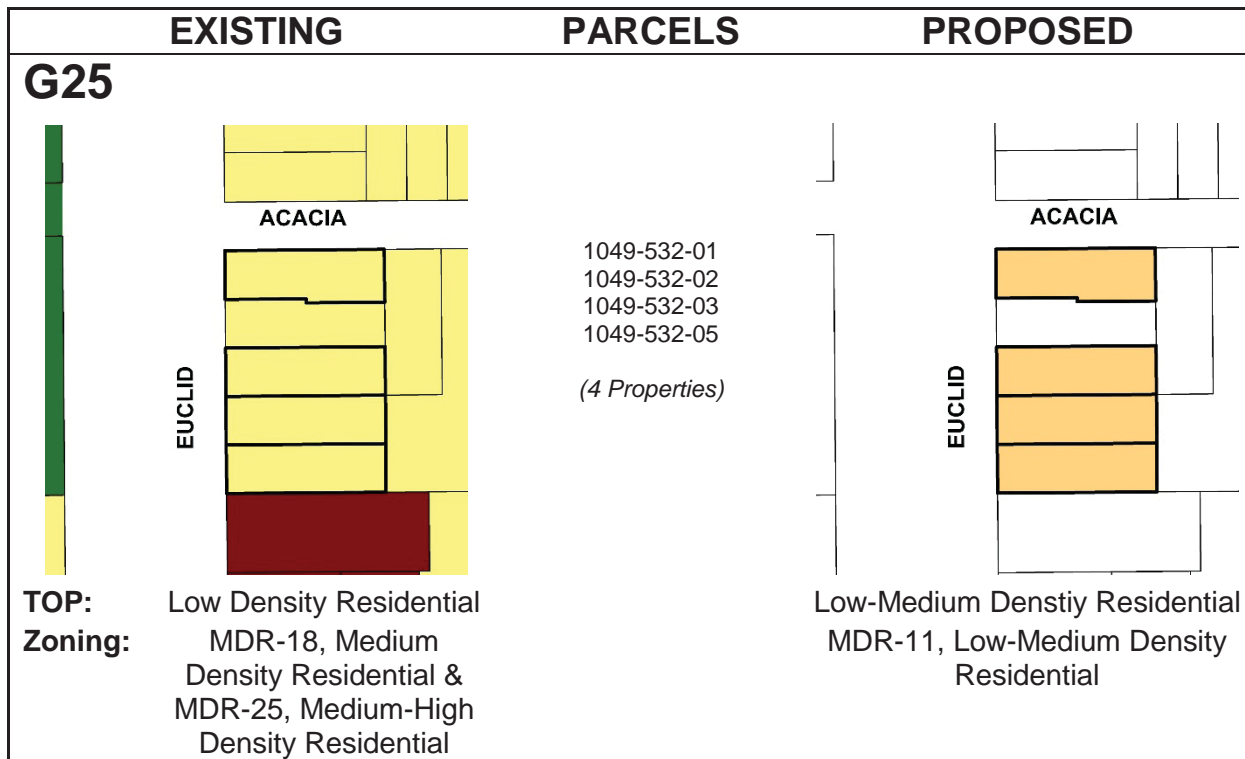
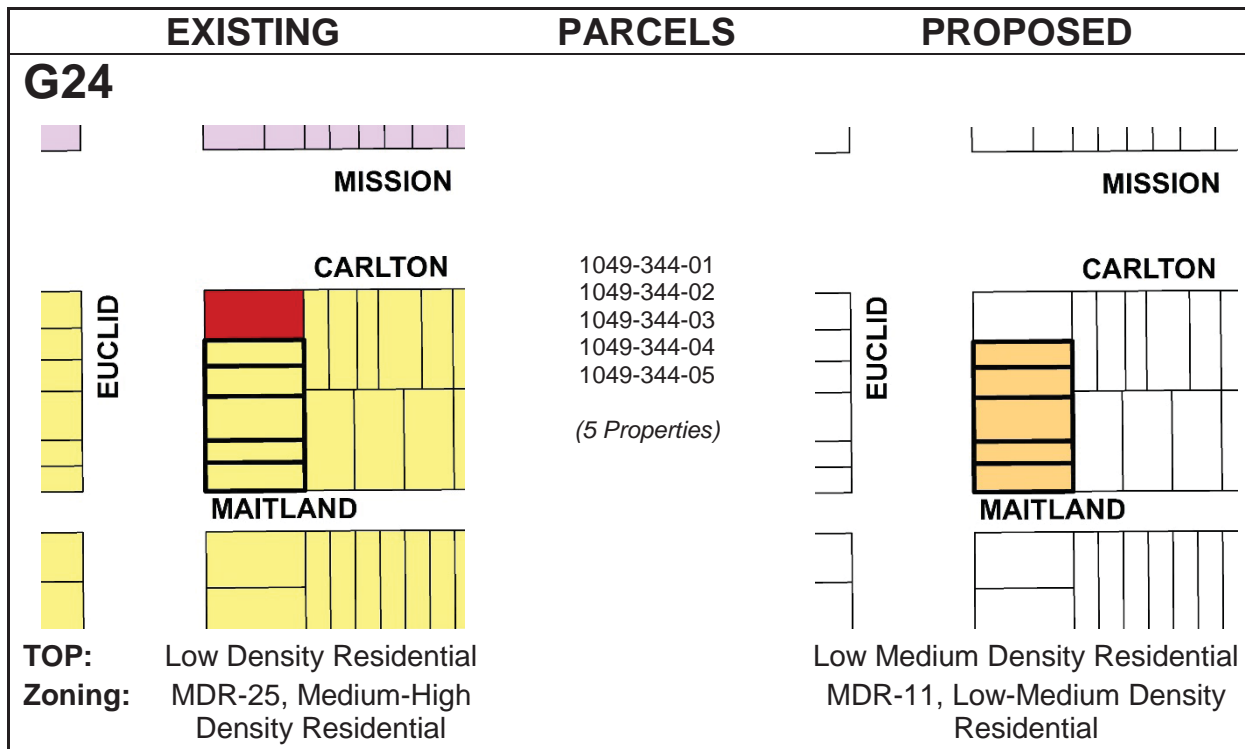
EXISTING	PARCELS	PROPOSED
<p>E31</p>  <p>TOP: Medium Density Residential</p> <p>Zoning: CN, Neighborhood Commercial</p>	<p>1048-131-15 1048-131-16 1048-131-17 1048-131-20 1048-131-21 1048-131-22 1048-131-23 1048-131-24 10481-31-53</p> <p>(9 Properties)</p>	 <p>TOP: Neighborhood Commercial</p> <p>Zoning: No Change</p>

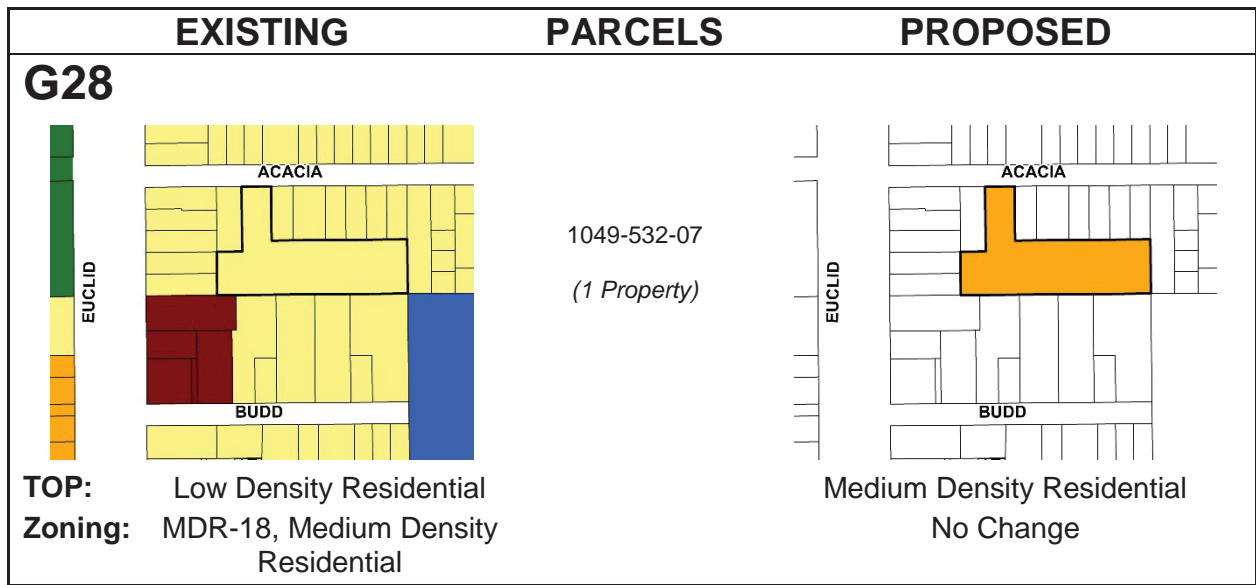
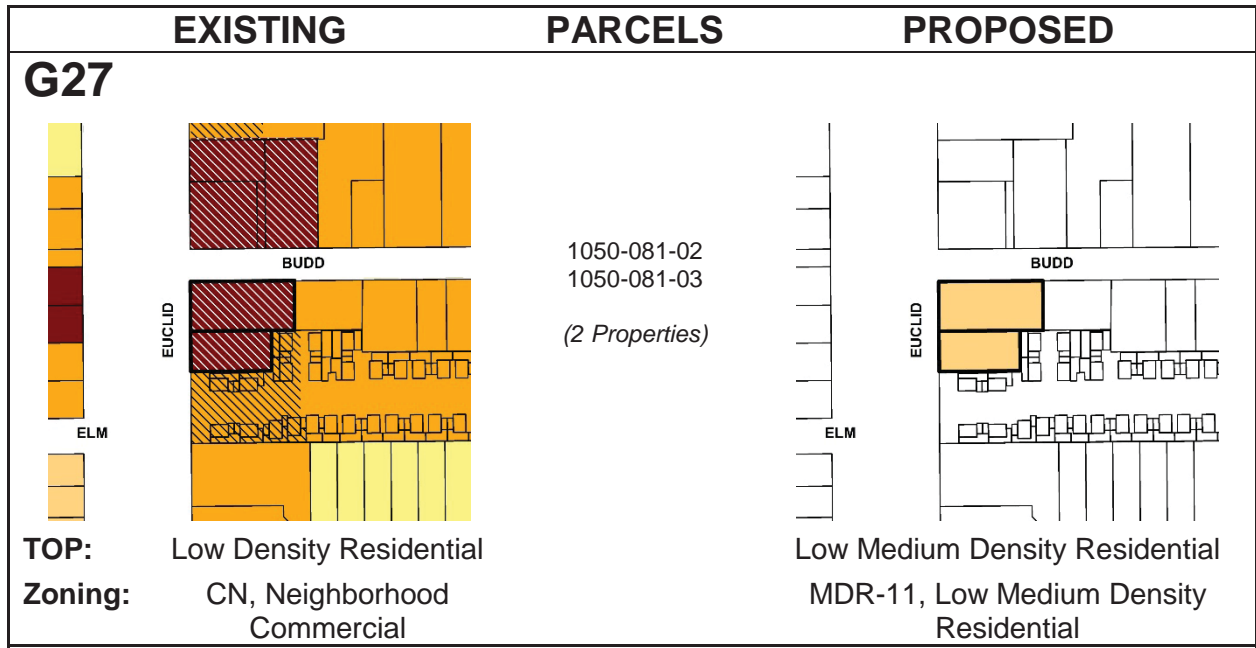
EXISTING	PARCELS	PROPOSED
<p>E32</p>  <p>TOP: General Commercial</p> <p>Zoning: CC, Community Commercial</p>	<p>1047-451-25</p> <p>(1 Property)</p>	 <p>TOP: Neighborhood Commercial</p> <p>Zoning: CN, Neighborhood Commercial</p>

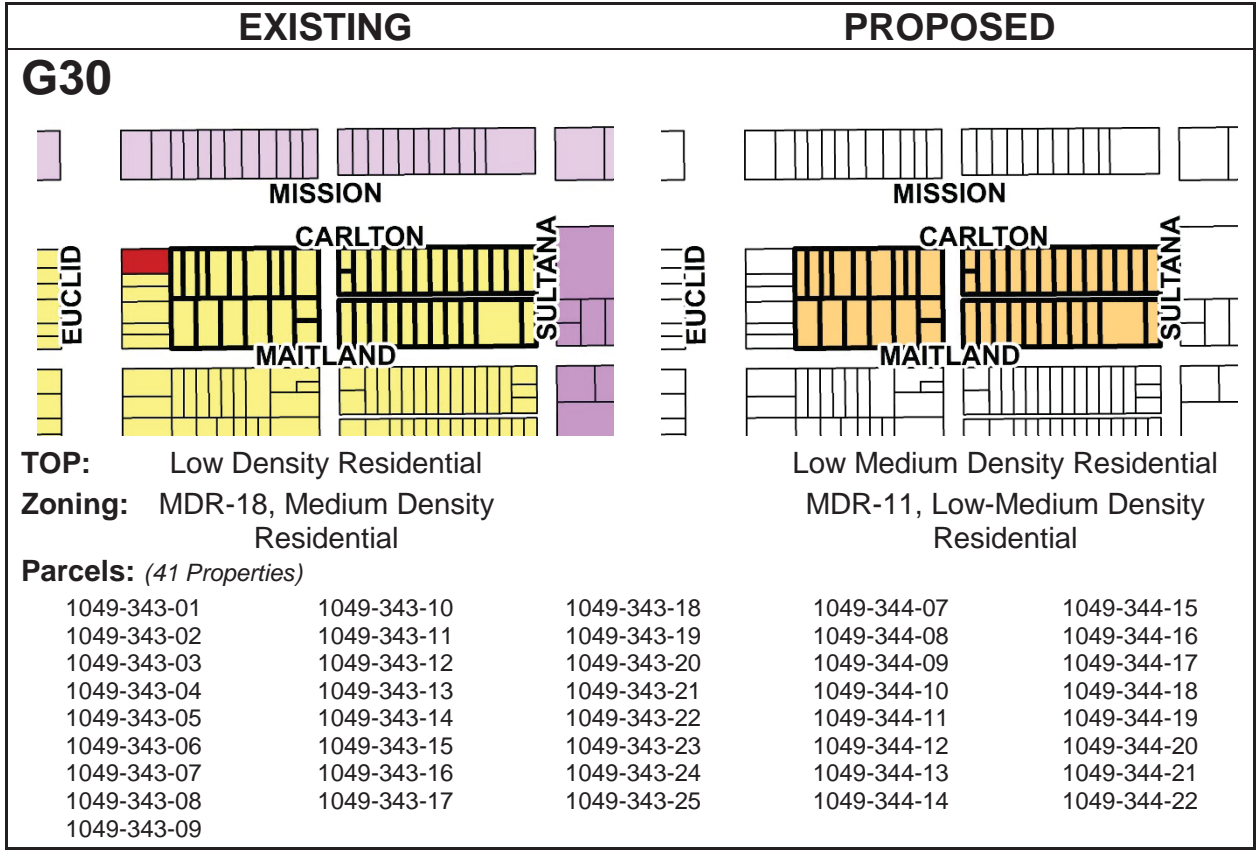
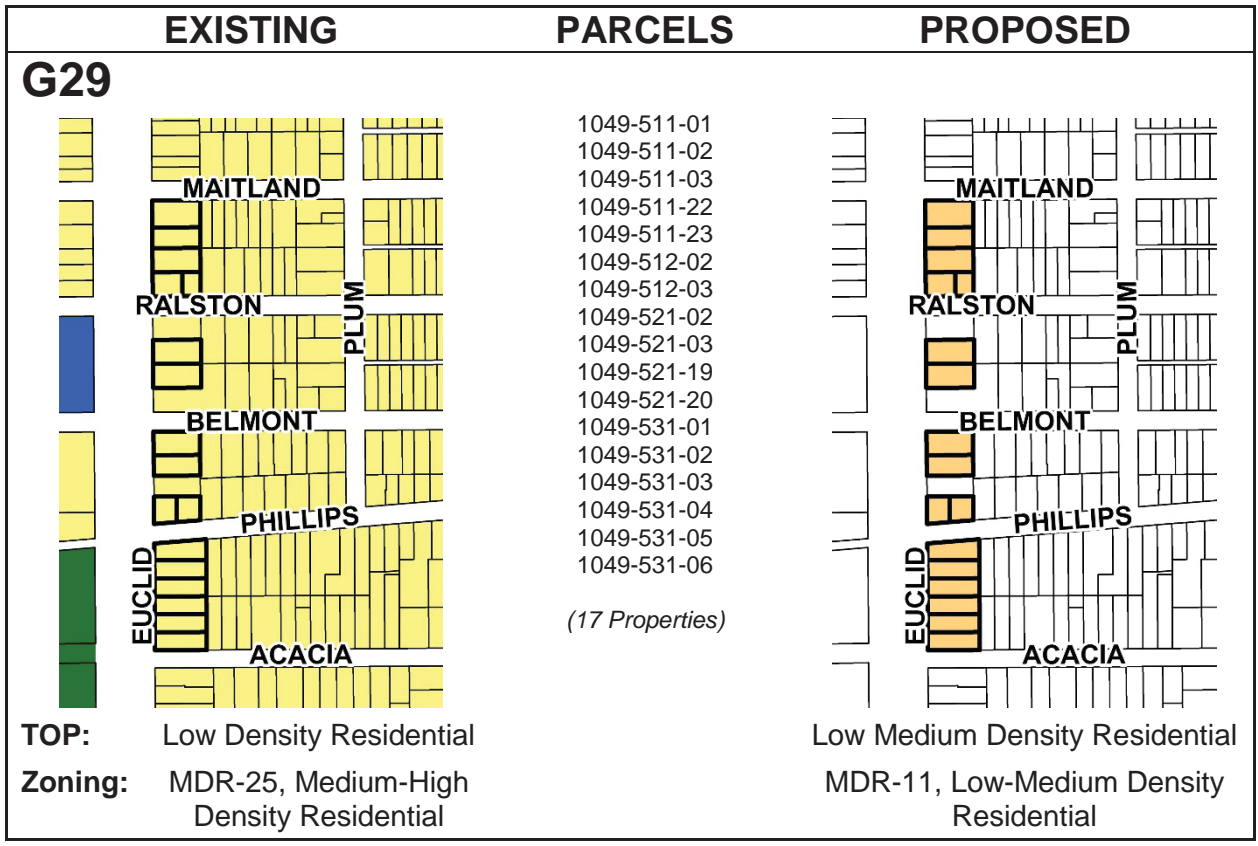


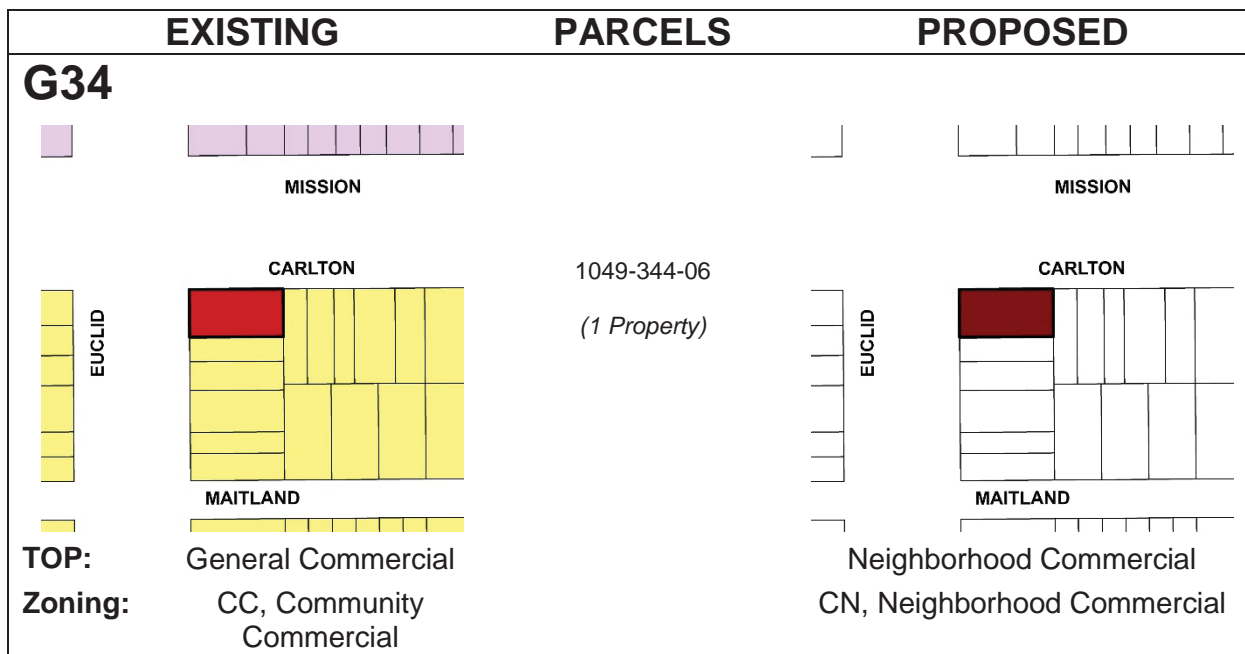
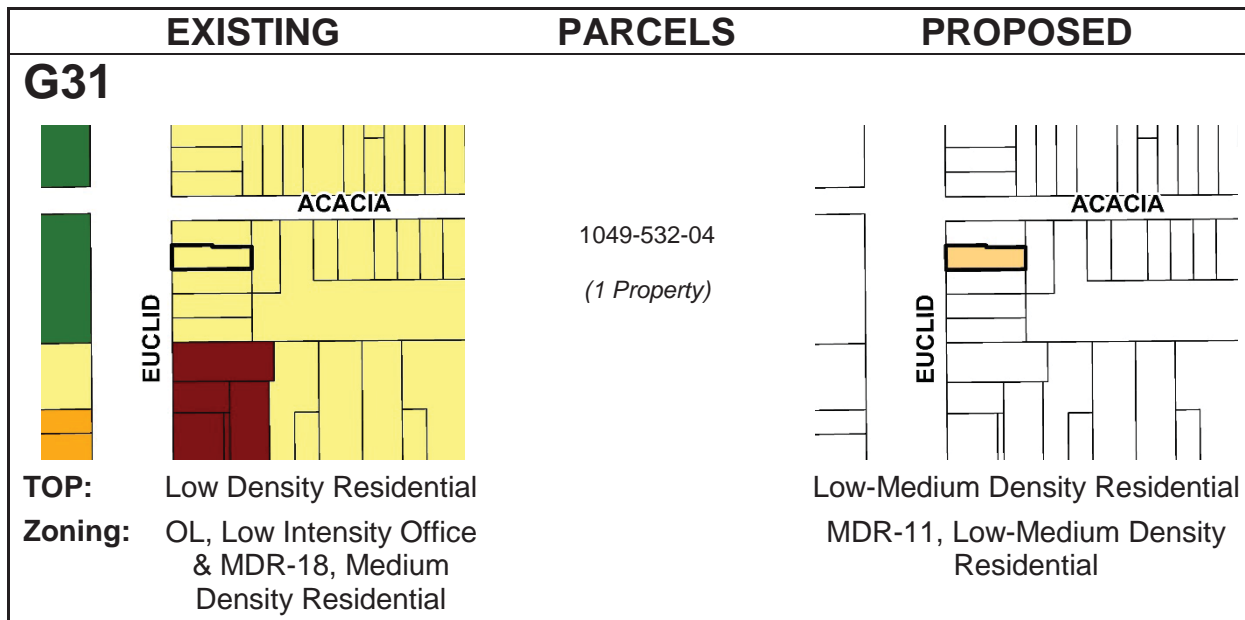
	EXISTING	PARCELS	PROPOSED
G20		<p>1050-081-21 <i>(1 Property)</i></p>	
TOP:	Neighborhood Commercial		Medium Density Residential
Zoning :	MDR-25, Medium-High Density Residential & MDR-18, Medium Density Residential		MDR-18, Medium Density Residential

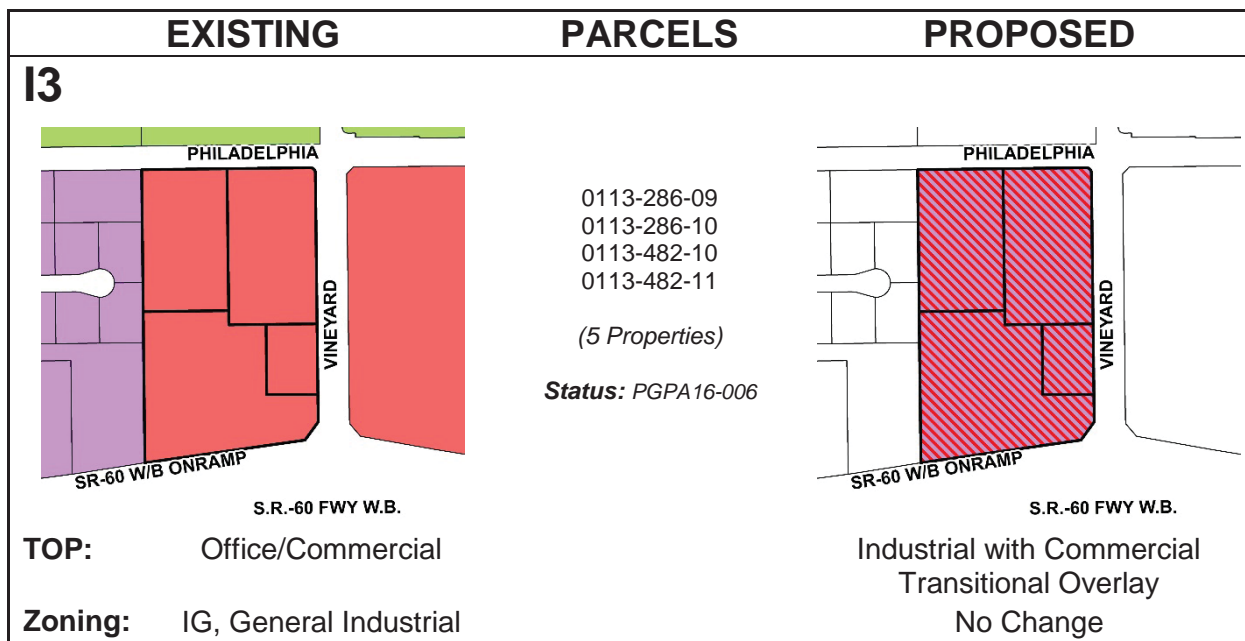
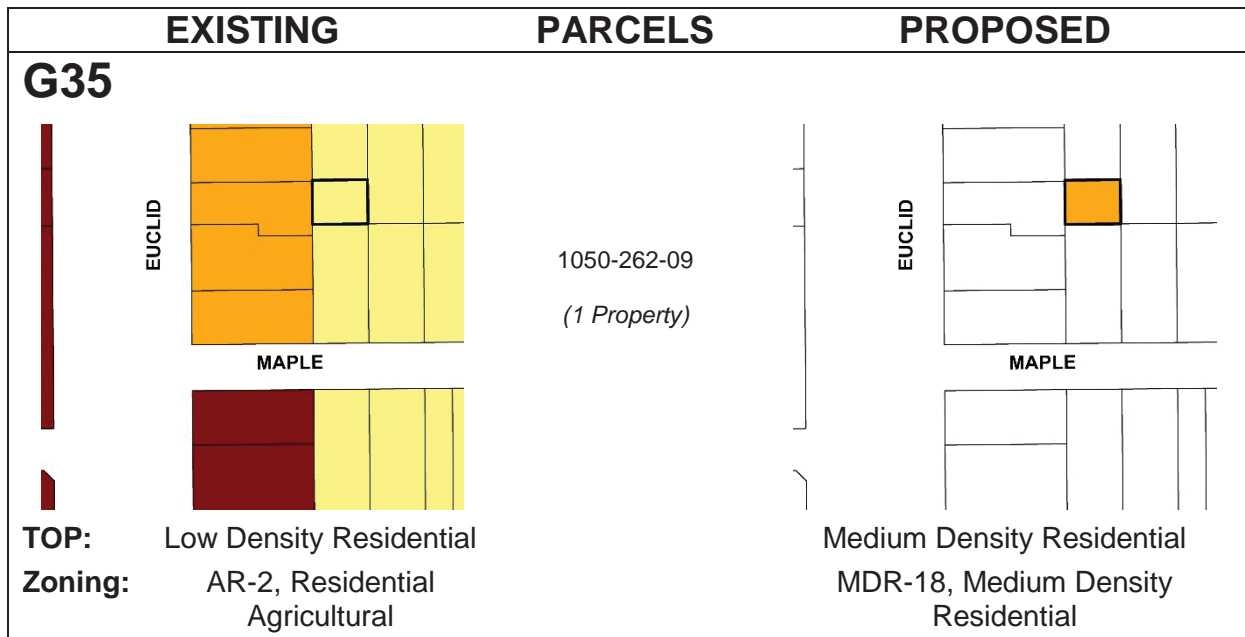
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<p>G23</p>																																																																																																																																																																																																																										
<p>TOP: Low Density Residential</p> <p>Zoning: MDR-18, Medium Density Residential</p>	<p>Low-Medium Density Residential</p> <p>MDR-11, Low-Medium Density Residential</p>																																																																																																																																																																																																																									
<p>Parcels: (215 Properties)</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td>1049-511-04</td> <td>1049-512-17</td> <td>1049-513-30</td> <td>1049-514-29</td> <td>1049-522-11</td> <td>1049-531-26</td> <td>1049-532-08</td> </tr> <tr> <td>1049-511-05</td> <td>1049-512-18</td> <td>1049-513-31</td> <td>1049-514-30</td> <td>1049-522-12</td> <td>1049-531-27</td> <td>1049-532-09</td> </tr> <tr> <td>1049-511-06</td> <td>1049-512-19</td> <td>1049-513-32</td> <td>1049-514-31</td> <td>1049-522-13</td> <td>1049-531-28</td> <td>1049-532-10</td> </tr> <tr> <td>1049-511-07</td> <td>1049-512-20</td> <td>1049-513-33</td> <td>1049-514-32</td> <td>1049-522-14</td> <td>1049-531-29</td> <td>1049-532-11</td> </tr> <tr> <td>1049-511-08</td> <td>1049-513-03</td> <td>1049-514-01</td> <td>1049-514-33</td> <td>1049-522-15</td> <td>1049-531-30</td> <td>1049-532-12</td> </tr> <tr> <td>1049-511-09</td> <td>1049-513-04</td> <td>1049-514-02</td> <td>1049-521-01</td> <td>1049-522-16</td> 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EXISTING	PARCELS	PROPOSED
J8		
	<p>1052-151-02 1052-151-05 1052-151-09 1052-151-10 1052-151-11</p> <p>(5 Properties)</p>	
<p>TOP: Low Density Residential with SoCalf Overlay</p> <p>Zoning: SP(AG)</p>		<p>Low Density Residential</p> <p>No Change</p>

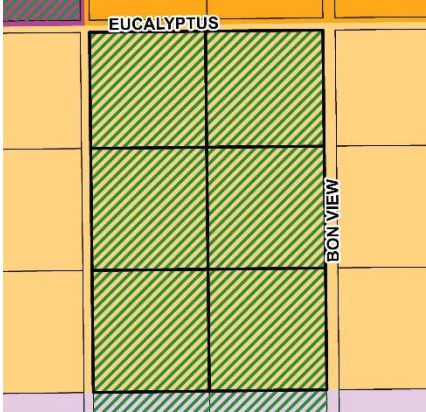
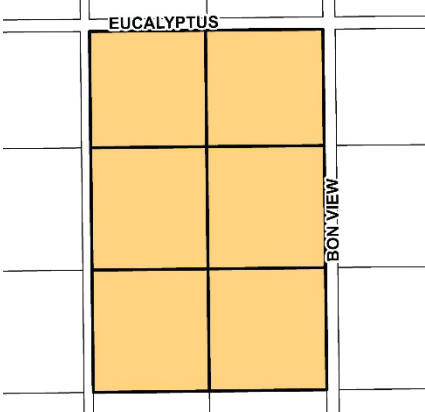
EXISTING	PARCELS	PROPOSED
J9		
	<p>1052-151-03</p> <p>(1 Property)</p>	
<p>TOP: Low Density Residential with SoCalf Overlay & Open Space – Non- Recreation</p> <p>Zoning: SP(AG)</p>		<p>Low Density Residential & Open Space – Non-Recreation</p> <p>No Change</p>

EXISTING	PARCELS	PROPOSED
J10		
	<p>1053-131-01 1053-131-02 1053-141-01 1053-141-02</p> <p>(4 Properties)</p>	
<p>TOP: Low Density Residential with SoCalf Overlay</p> <p>Zoning: SP(AG)</p>		<p>Low Density Residential</p> <p>No Change</p>

EXISTING	PARCELS	PROPOSED
J11		
	<p>1053-181-01 1053-181-02</p> <p>(2 Properties)</p>	
<p>TOP: Low Density Residential with SoCalf Overlay & Open Space - Non- Recreation with SoCalf Overlay</p> <p>Zoning: SP(AG)</p>		<p>Low Density Residential & Open Space – Non-Recreation</p> <p>No Change</p>

EXISTING	PARCELS	PROPOSED
J12		
	<p>1053-311-01 1053-311-02 (2 Properties)</p>	
<p>TOP: Medium Density Residential with SoCalf Overlay & Open Space - Non-Recreation with SoCalf Overlay</p>		<p>Medium Density Residential & Open Space – Non-Recreation</p>
<p>Zoning: SP(AG)</p>		<p>No Change</p>

EXISTING	PARCELS	PROPOSED
J13		
	<p>1053-521-01 1053-521-02 1053-591-01 1053-591-02 (4 Properties)</p>	
<p>TOP: Mixed Use-NMC West with SoCalf Overlay</p>		<p>Mixed Use-NMC-West</p>
<p>Zoning: SP(AG)</p>		<p>No Change</p>

EXISTING	PARCELS	PROPOSED
J14		
	<p>1054-051-01 1054-051-02 1054-061-01 1054-061-02 1054-251-01 1054-251-02</p> <p>(6 Properties)</p>	
<p>TOP: Low Medium Density Residential with SoCalf Overlay</p> <p>Zoning: SP(AG)</p>		<p>Low Medium Density Residential</p> <p>No Change</p>

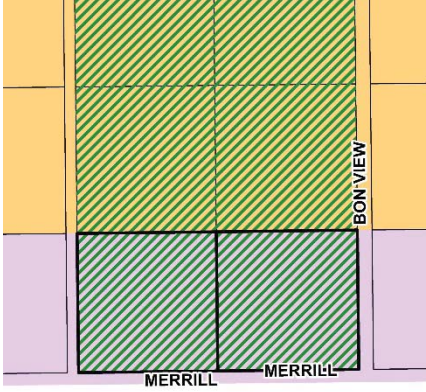
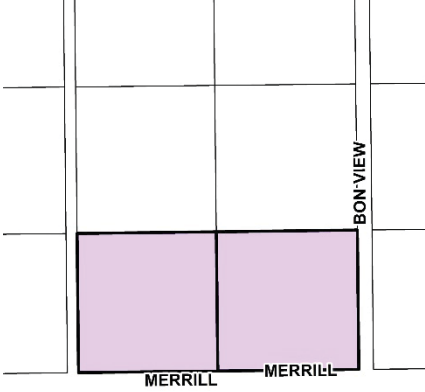
EXISTING	PARCELS	PROPOSED
J15		
	<p>1054-301-01 1054-301-02</p> <p>(2 Properties)</p>	
<p>TOP: Business Park with SoCalf Overlay</p> <p>Zoning: SP(AG)</p>		<p>Business Park</p> <p>No Change</p>

Exhibit B

LU-02 Land Use Designations Table Proposed Changes

LU-02 Land Use Designations Summary Table



Land Use Designations	Residential Density & Non-Residential Intensity	Intention
	<ul style="list-style-type: none"> Subject to Specific Plan or other implementing mechanism 	residents.
Overlays - An overlay is intended to reflect a particular characteristic of an area and is applied "over" an underlying land use designation to provide guidance above and beyond the underlying land use designation.		
Business Park Transitional Areas	Per the underlying designation unless a non-residential use is developed in which case the density and use requirements of the Business Park land use designations shall apply.	This area is within existing and future noise and safety impact zones of LA/Ontario International Airport. This overlay allows residential uses to transition to a Business Park land use if an entire block can be recycled to a Business Park use and the block is contiguous to another non-residential block. In these cases, the City shall be responsible for the necessary amendments to the Policy Plan Map and Development Code.
Industrial Transitional Areas	Per the underlying designation unless a non-residential use is developed in which case the density and use requirements of the Industrial land use designations shall apply.	This area is within existing and future noise and safety impact zones of LA/Ontario International Airport. This overlay allows residential uses to transition to an industrial land use if an entire block can be recycled to an Industrial use and the block is contiguous to another non-residential block. In these cases, the City shall be responsible for the necessary amendments to the Policy Plan Map and Development Code.
Commercial Transitional Areas	Per the underlying designation unless a commercial use is developed in which case the density and use requirements of the General Commercial land use designations shall apply.	The City seeks viable commercial sites. This overlay allows residential various uses to transition to a commercial land use if the project abuts an existing/approved commercial use and if the transition does not result in "remnant" parcels of residential other uses. In these cases, the City shall be responsible for the necessary amendments to the Policy Plan Map and Development Code.
ONT Airport Influence Area	Varies	An area in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restriction on those uses. Refer to the Airport Land Use Compatibility Plan for LA/Ontario International Airport Adopted April 2011.
Chino Airport Overlay	Varies	<p>An area within which area plans and specific plans, which are required prior to development in the New Model Colony, will be required to be coordinated with the airport authority for the Chino Airport to determine appropriate land uses, maximum population density, maximum site coverage, height restrictions, and required notification/disclosure areas based upon the noise contours and runway protection, approach, and Part 77 zones of the adopted Chino Airport Master Plan.</p> <p>This overlay is intended as an interim solution and upon adoption of a Chino Airport Land Use Compatibility Plan (ALUCP) that is based on the adopted Airport Master Plan and accepted by Ontario, we will evaluate the continued need for this overlay.</p>
Lake/Amenity	NA	Denotes an area where a lake and/or amenity acceptable to the City are required as the focal point of future development. For buildout purposes, the area of the lake/amenity is not assumed to generate any units.
SoCalf Preserve	Per underlying designation	Denotes areas where SoCalf owns and operates agricultural preserves within the New Model Colony. Development to the underlying designations is desired if the preserves can be relocated.
I-10-Grove Interchange Area	Per underlying designation	This area will be impacted by the future I-10-Grove Avenue interchange, which may require future revisions to the Land Use Plan and Zoning Map. It is anticipated that the new interchange will result in new multi-family residential and commercial development opportunities that are created through lot consolidation and City and private reinvestment. These opportunities will result in safer, functional and aesthetically pleasing developments that provide needed housing and viable commercial choices while addressing the changes in property access anticipated with the I-10/Grove Avenue interchange redesign.

Exhibit C LU-03 Future Buildout Table Proposed Changes



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	7,344 7,294	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,940 30,739	123,669 122,865		
Low-Medium ⁶ Density	910 966	8.5 du/ac	7,736 8,210	30,922 32,814		
Medium Density	1,898 1,894	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,218 38,143	133,858 133,572		
High Density	234	35.0 du/ac	8,178	27,373		
<i>Subtotal</i>	10,869 10,870		86,038 86,236	319,680 320,482		
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 Tuscan 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
<i>Subtotal</i>	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	245 280	0.30 FAR			3,206,495 3,658,256	7,759 8,852
General Commercial	615 601	0.30 FAR			8,035,644 7,850,209	7,465 7,293
Office/ Commercial	526 512	0.75 FAR			17,181,480 16,728,347	38,102 37,097
Hospitality	145	1.00 FAR			6,312,715	7,237
<i>Subtotal</i>	4,533 1,538				34,762,209 34,549,527	60,587 60,479
Employment						
Business Park	1,568 1,550	0.40 FAR			27,317,347 27,000,753	47,928 47,372
Industrial	6,240 6,253	0.55 FAR			149,502,472 149,799,312	131,356 131,617
<i>Subtotal</i>	7,808 7,802				176,819,819 176,800,065	179,284 178,989
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	Not applicable				
<i>Subtotal</i>	9,907					
Total	31,784		101,155 101,352	349,912 350,715	246,496,640 246,264,204	312,239 311,836

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.

Exhibit D

ER5. Biological, Mineral & Agricultural Resources Proposed Changes

ER5. BIOLOGICAL, MINERAL & AGRICULTURAL RESOURCES

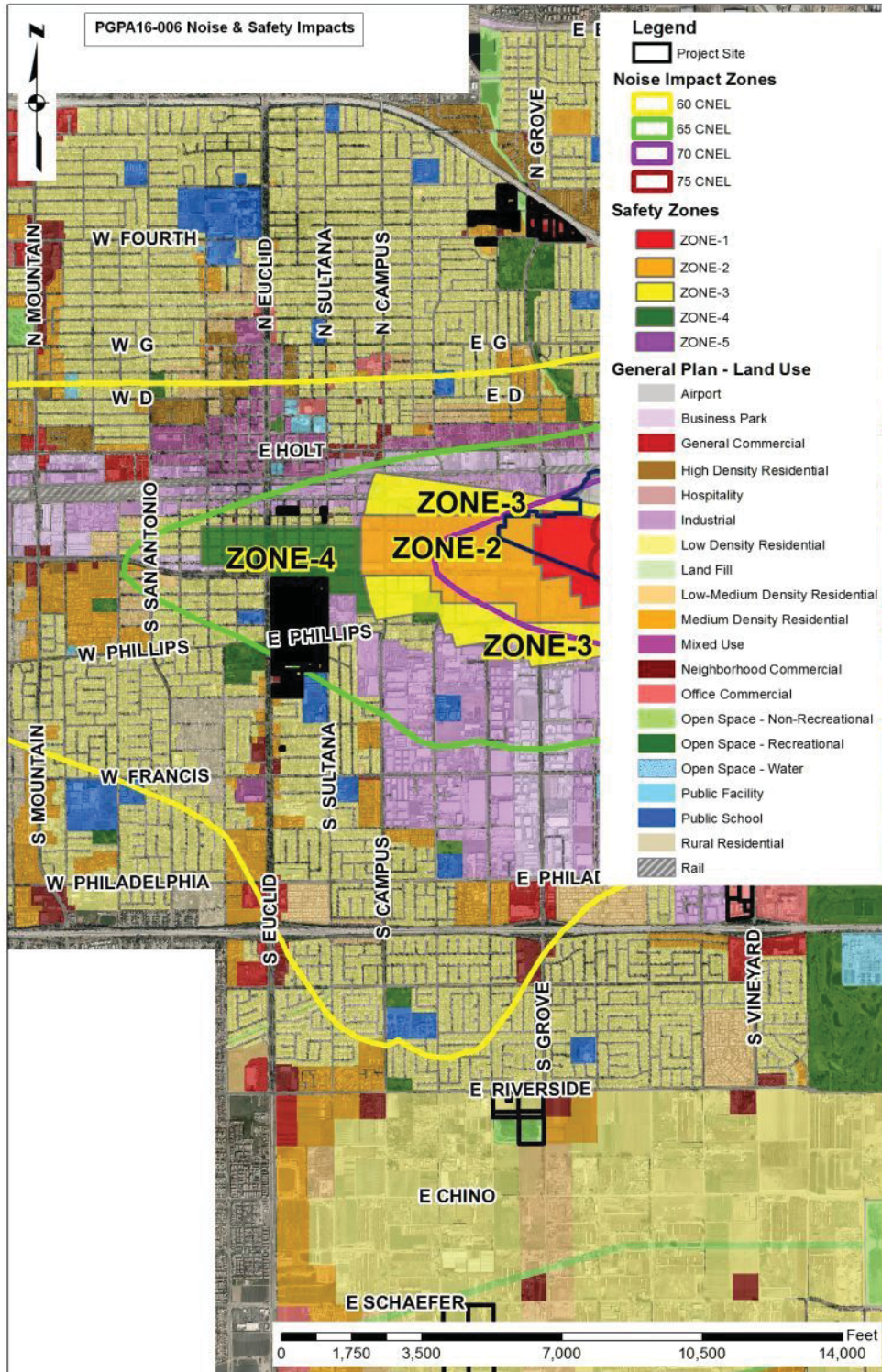
Developed as the "Model Irrigation Colony," Ontario has a rich agricultural heritage. The northern portion of the City was farmed with grapes, citrus, olives and other fruit tree crops. The southern portion of the City, the New Model Colony (NMC), has been used predominantly for dairy farms for over half a century. Other types of agricultural uses include cultivated crops, fallow fields, and plant nurseries. Until the mid-1990s, the NMC was part of the San Bernardino County Dairy Preserve. Some of the City's dairy preserve properties are still under Williamson Act contracts. The City of Ontario adopted a right to farm ordinance which recognizes the right of agricultural operations to continue. However, increased environmental regulations are causing existing dairies to relocate out of the region, resulting in a continued decline in the long term viability of agricultural operations in the NMC.

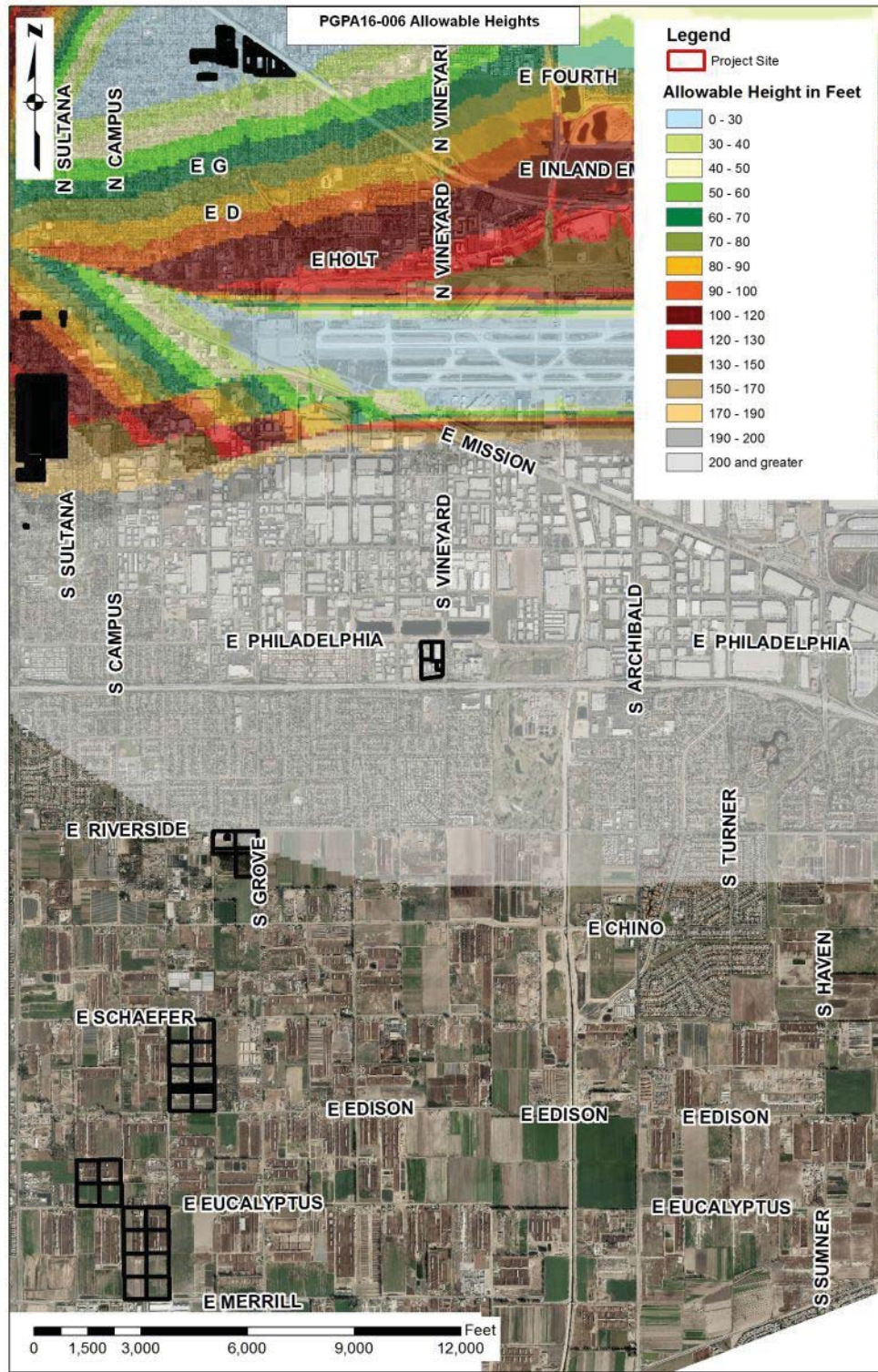
~~The County of San Bernardino owns and manages approximately 200 acres of land within the NMC, which was previously operated by Southern California Agricultural Land Foundation (SoCALF). The majority of the 200 acres is prime agricultural land as identified by the Department of Conservation. The use of 1988 Park Bond Act funds for the acquisition and maintenance of these properties insures that the property will be used for agricultural and/or open space.~~

Rare and/or endangered species that have the potential to occur in Ontario include Delhi Sands Flower Loving Fly and San Bernardino Kangaroo Rat. Habitat for these species is of poor quality and/or is limited to isolated pockets. As the City further develops, there may be opportunities to integrate suitable habitat for sensitive species into new developments and/or participate in regional efforts in conservation of high quality habitat, thereby expanding and creating new habitat corridors.

There are currently no permitted mining operations in the City. According to the Department of Conservation, significant mineral resources within Ontario are limited to construction aggregate. These areas have been developed with urban uses and are not suitable for mineral resource extraction.

Exhibit E Airport Land Use Compatibility Review





RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING 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. PGPA16-006.

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. PGPA16-006 (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. PGPA16-006 analyzed under the Initial Study/Environmental Impact Report Addendum, consists of a General Plan Amendment to change the land use designations of various properties located throughout the City including the area generally located to the east of Euclid Avenue between State and Philadelphia Streets, the area south of the I10 freeway, generally located near Fourth Street and Grove Avenue, the properties on the west side of Vineyard Avenue between Philadelphia Street and SR60, and the removal of the SoCalf Overlay within the Ontario Ranch area, 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 Project also includes text changes to the Land Use Designation Table (amending Exhibit LU-02) and the Environmental Resources section ER5, Biological, Mineral & Agricultural Resources to modify the Commercial Transitional Overlay and eliminate the SoCalf Overlay; 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 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 City Council is the approving authority for the Addendum, initial study, and the Project; and

WHEREAS, on January 24, 2017, the Planning Commission of the City of Ontario conducted a hearing to consider the Addendum to a previous Environmental Impact Report, the initial study, and the Project, and unanimously adopted Resolution No. PC17-003 recommending City Council approval of the Addendum; and

WHEREAS, the City Council 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 or 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 City Council of the City of Ontario, as follows:

SECTION 1. As the approving body for the Project, the City Council has reviewed and considered the information contained in the Initial Study/Environmental Impact Report Addendum and the administrative record for the Project, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the Initial Study/Environmental Impact Report Addendum and the administrative record, including all written and oral evidence presented to the City Council, the City Council finds as follows:

(1) The City Council has independently reviewed and analyzed the Initial Study/Environmental Impact Report Addendum and other information in the record, and has considered the information contained therein, prior to acting upon or approving the Project;

(2) The Initial Study/Environmental Impact Report Addendum prepared for the Project has been completed in compliance with CEQA and is consistent with State and local guidelines implementing CEQA; and

(3) The Initial Study/Environmental Impact Report Addendum represents the independent judgment and analysis of the City of Ontario, as lead agency for the Project. The City Council designates the Planning Department, located at 303 East B Street, Ontario, CA 91764, as the custodian of documents and records of proceedings on which this decision is based.

SECTION 2. Based upon the Addendum and all related information presented to the City Council, the City Council finds that the preparation of a subsequent or supplemental EIR is not required for the Project, as the Project:

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

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

c. Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified, that shows any of the following:

1. The project will have one or more significant effects not discussed in the certified EIR; or

2. Significant effects previously examined will be substantially more severe than shown in the certified EIR; or

3. 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

4. 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. The City Council does hereby 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 hereby APPROVES the Addendum to the certified EIR.

SECTION 4. 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. The Initial Study/Environmental Impact Report Addendum, and all other documents and materials that constitute the record of proceedings on which these findings have been based, are on file at the City of Ontario City Hall, 303 East B Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

SECTION 6. The City Clerk shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 7th day of March 2017.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held March 7, 2017 by the following roll call vote, to wit:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held March 7, 2017.

SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA16-006, 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 VARIOUS PARCELS LOCATED THROUGHOUT THE CITY, INCLUDING: A) THE AREA GENERALLY LOCATED FROM EUCLID TO BON VIEW AVENUES BETWEEN STATE AND PHILADELPHIA STREETS, B) THE AREA SOUTH OF THE I-10 FREEWAY, GENERALLY LOCATED NEAR FOURTH STREET AND GROVE AVENUE, C) THE PROPERTIES ON THE WEST SIDE OF VINEYARD AVENUE BETWEEN PHILADELPHIA STREET AND SR-60 FREEWAY, AND D) THE ELIMINATION OF THE SOCALF OVERLAY WITHIN THE ONTARIO RANCH AREA; (2) MODIFY THE TEXT IN THE LAND USE DESIGNATION SUMMARY TABLE (EXHIBIT LU-02) TO ELIMINATE THE SOCALF OVERLAY AND ALLOW THE COMMERCIAL TRANSITIONAL OVERLAY IN NON-RESIDENTIAL LOCATIONS; (3) MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES; AND (4) MODIFY THE ENVIRONMENTAL RESOURCES ELEMENT TEXT IN SECTION ER5, BIOLOGICAL, MINERAL & AGRICULTURAL RESOURCES TO ELIMINATE ALL REFERENCES TO SOCALF AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: AS SHOWN IN EXHIBIT A (ATTACHED) (LAND USE ELEMENT CYCLE 1 FOR THE 2017 CALENDAR YEAR AND ENVIRONMENTAL RESOURCES ELEMENT CYCLE 1 FOR THE 2017 CALENDAR YEAR).

WHEREAS, City of Ontario ("Applicant") has initiated an Application for the approval of a General Plan Amendment, File No. PGPA16-006, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to various parcels located throughout the City, including: a) the area generally located from Euclid to Bon View Avenues between State and Philadelphia Streets, b) the area south of the I-10 freeway, generally located near Fourth Street and Grove Avenue, c) the properties on the west side of Vineyard Avenue between Philadelphia Street and SR-60 freeway, and d) the elimination of the SoCalf Overlay within the Ontario Ranch area; and

WHEREAS, the proposed changes to The Ontario Plan (TOP) Exhibit LU-01 Official Land Use Plan include changes to land use designations of certain properties 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 uses; and

WHEREAS, the proposed modifications to the text in the Land Use Designation Summary Table (TOP Exhibit LU-02) as shown in Exhibit B (attached) will eliminate the SoCalf Overlay and allow the Commercial Transitional Overlay in non-residential locations; and

WHEREAS, TOP Exhibit LU-03 Future Buildout specifies the likely buildout for Ontario with the adopted land use designations. The proposed changes to TOP Exhibit LU-01 Official Land Use Plan will require TOP Exhibit LU-03 Future Buildout to be modified, as shown in Exhibit C (attached), to be consistent; and

WHEREAS, the proposed modifications to the Environmental Resources Element text in TOP Section ER5, Biological, Mineral & Agricultural Resources as shown in Exhibit D (attached) will eliminate all references to SoCalf; and

WHEREAS, the City of Ontario held community open houses on November 29, and November 30, 2016, to gain input from impacted property owners and property owners within a 300 foot radius; and

WHEREAS, no written public comments were received at the community open houses; and

WHEREAS, 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 of the Housing Element Technical Report; and

WHEREAS, 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; 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, on January 24, 2017, the Planning Commission of the City of Ontario conducted a hearing to consider the Addendum to a previous Environmental Impact Report (State Clearinghouse No. 2008101140), the initial study, and the Project, and

WHEREAS, four letters that were not in support of a proposed change to relative to three parcels, totaling about 0.85 acres (under single ownership) near the terminus of Fifth Street, south of Interstate 10, were presented to Planning Commission at the public hearing, as well as oral public comments regarding these properties; and

WHEREAS, The Planning Commission unanimously adopted Resolution No. PC17-004 recommending City Council approval of the Project as presented; and

WHEREAS, as the first action on the Project, on March 7, 2017, the City Council approved a resolution adopting an Addendum to a previous Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001, 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 March 7, 2017, the City Council 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 City Council of the City of Ontario, as follows:

SECTION 1. As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Addendum, the initial study, and the administrative record for the Project, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the Addendum, the initial study, and the administrative record, including all written and oral evidence presented to the City Council, the City Council finds as follows:

a. 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

b. The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the City Council; and

c. There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

d. The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the Environmental Impact Report, and all mitigation measures previously adopted by the Environmental Impact Report, are incorporated herein by this reference.

SECTION 2. Based upon the substantial evidence presented to the City Council during the above-referenced hearing and upon the specific findings set forth in Section 1, above, the City Council hereby concludes 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 limit 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 of 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 and Environmental Resources Elements are mandatory elements 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 and Environmental Resources Elements within the current 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.

e. 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 of the Housing Element Technical Report.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2, above, the City Council hereby APPROVES the Project.

SECTION 4. 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. 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. The Secretary shall certify to the adoption of the Resolution.

PASSED, APPROVED, AND ADOPTED this 7th day of March 2017.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2017- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held March 7, 2017 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

























The foregoing is the original of Resolution No. 2017- duly passed and adopted by the Ontario City Council at their regular meeting held March 7, 2017.

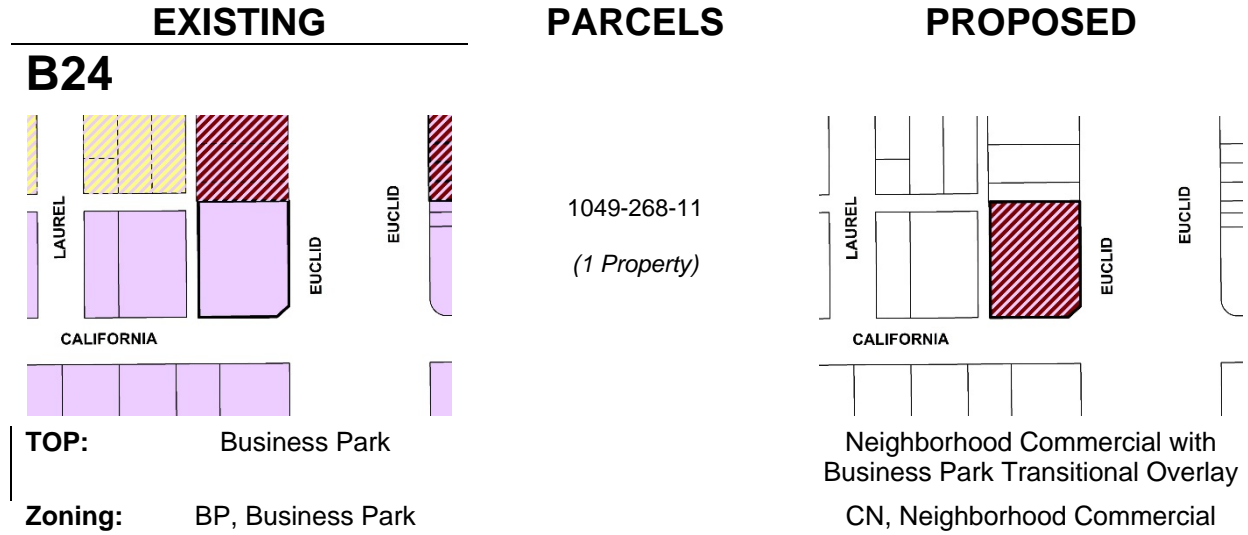
SHEILA MAUTZ, CITY CLERK

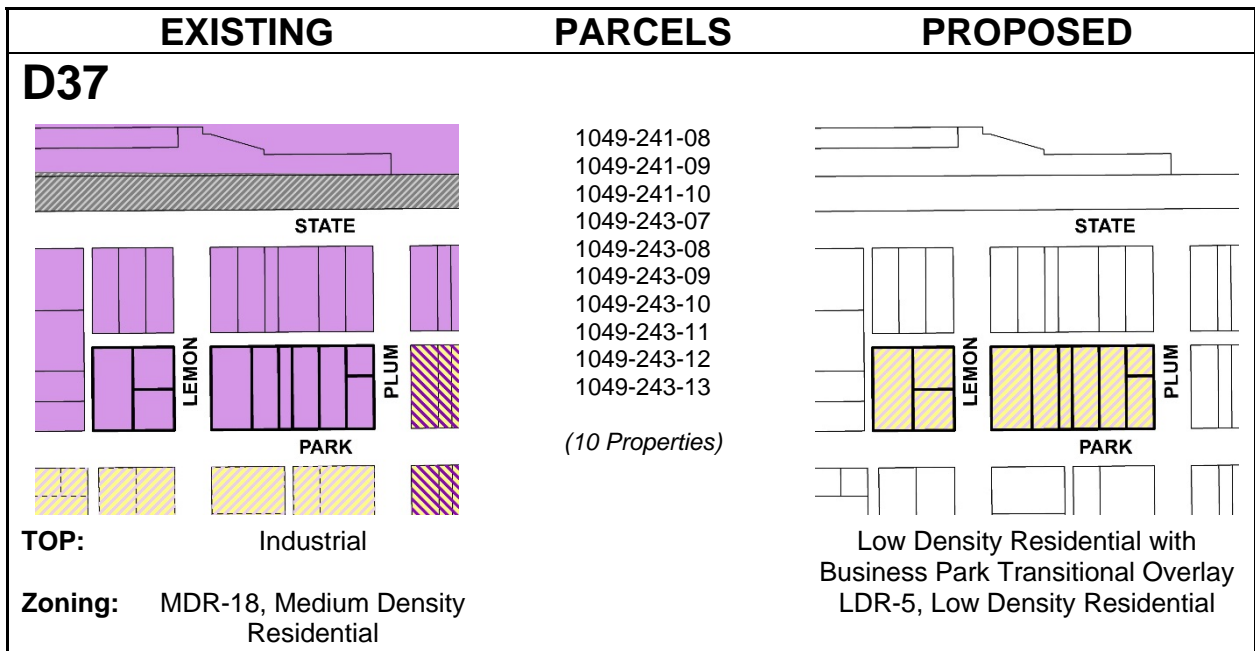
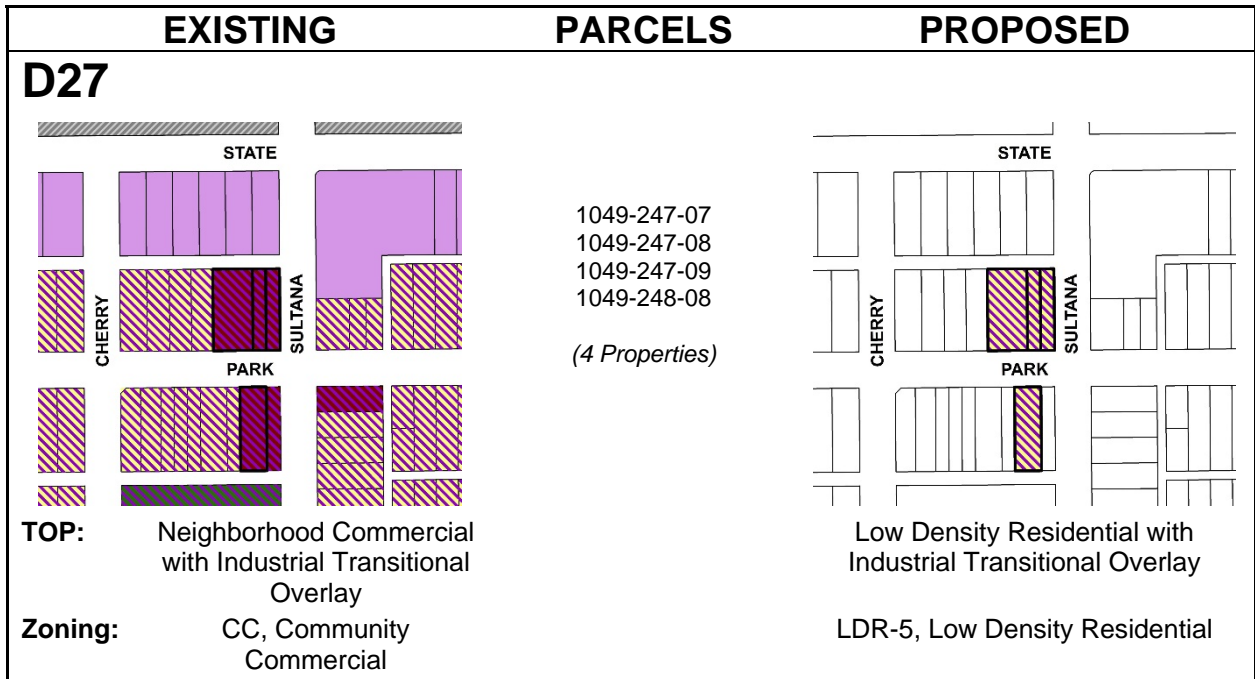
(SEAL)

Exhibit A PGPA16-006 LU-01 Land Use Plan Proposed Changes

TOP Legend:

	Rural Residential		Neighborhood Commercial		Airport		Public Facility
	Low Density Residential		General Commercial		Land Fill		Public School
	Low-Medium Density Residential		Office Commercial		Open Space - Recreation		COM Overlay
	Medium Density Residential		Hospitality		Open Space - Water		BP Overlay
	High Density Residential		Business Park		Open Space - Non Recreation		IND Overlay
	Mixed Use		Industrial		Rail		SoCal Overlay

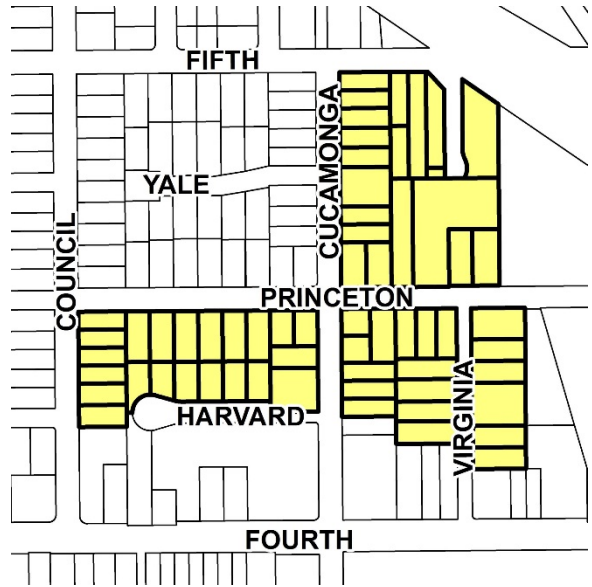
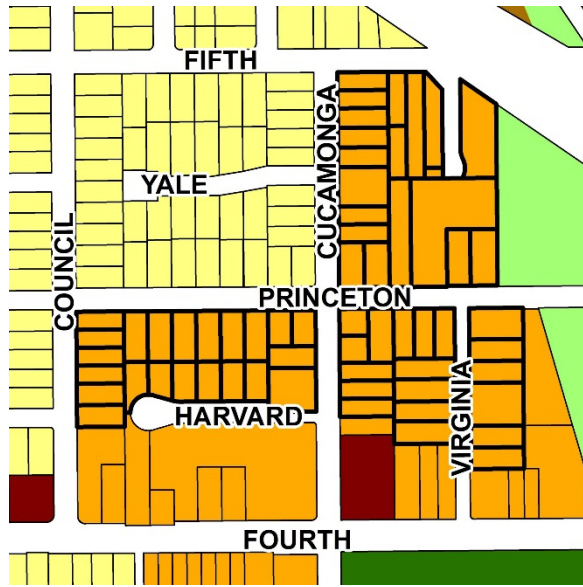




EXISTING

PROPOSED

E24

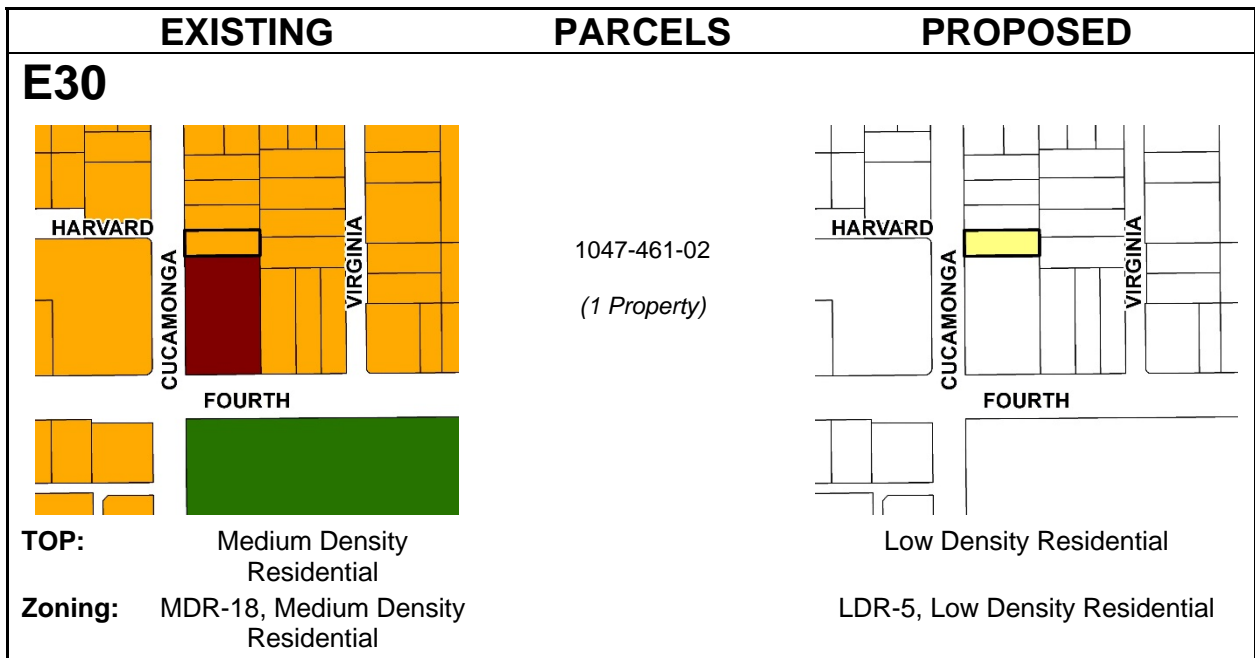
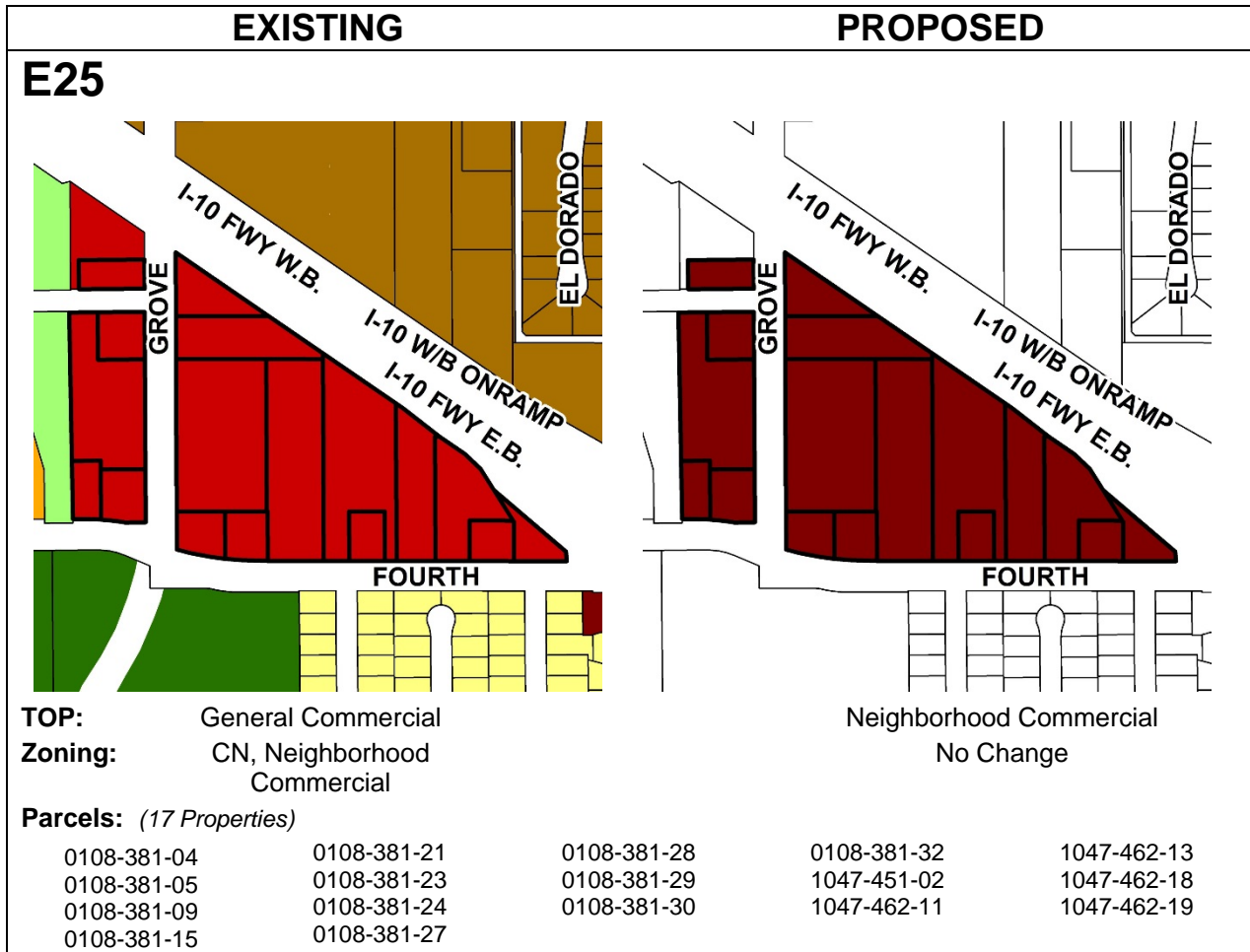


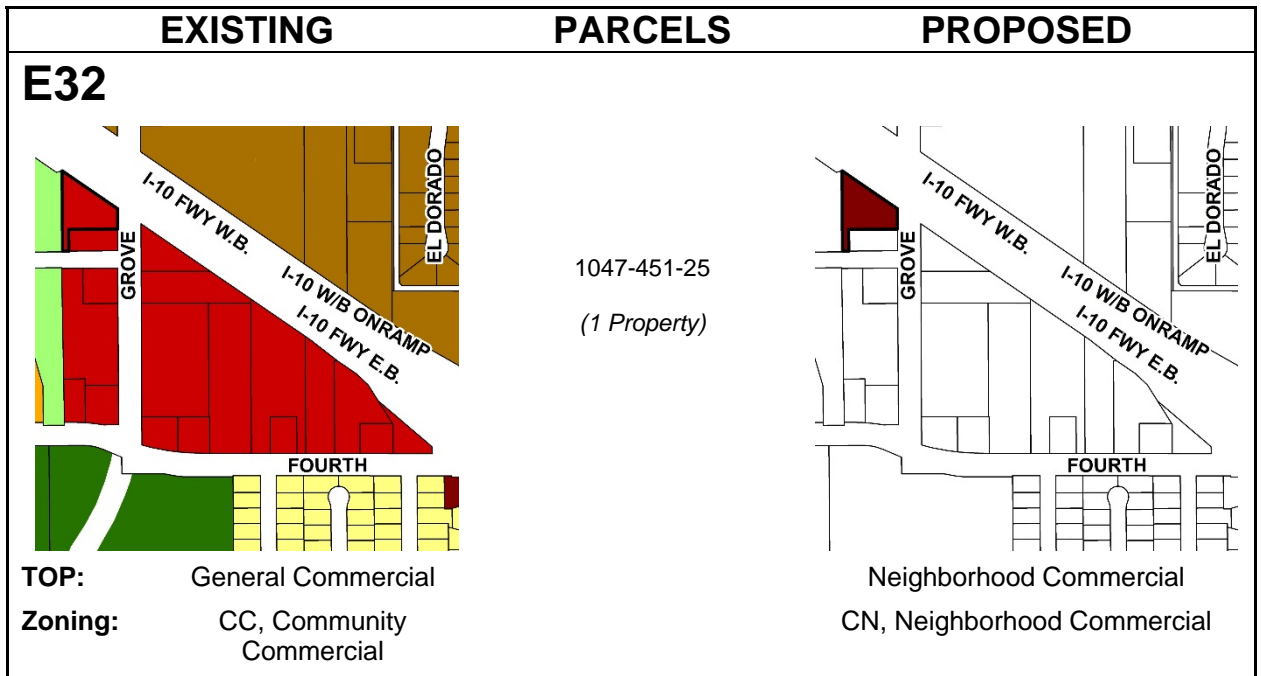
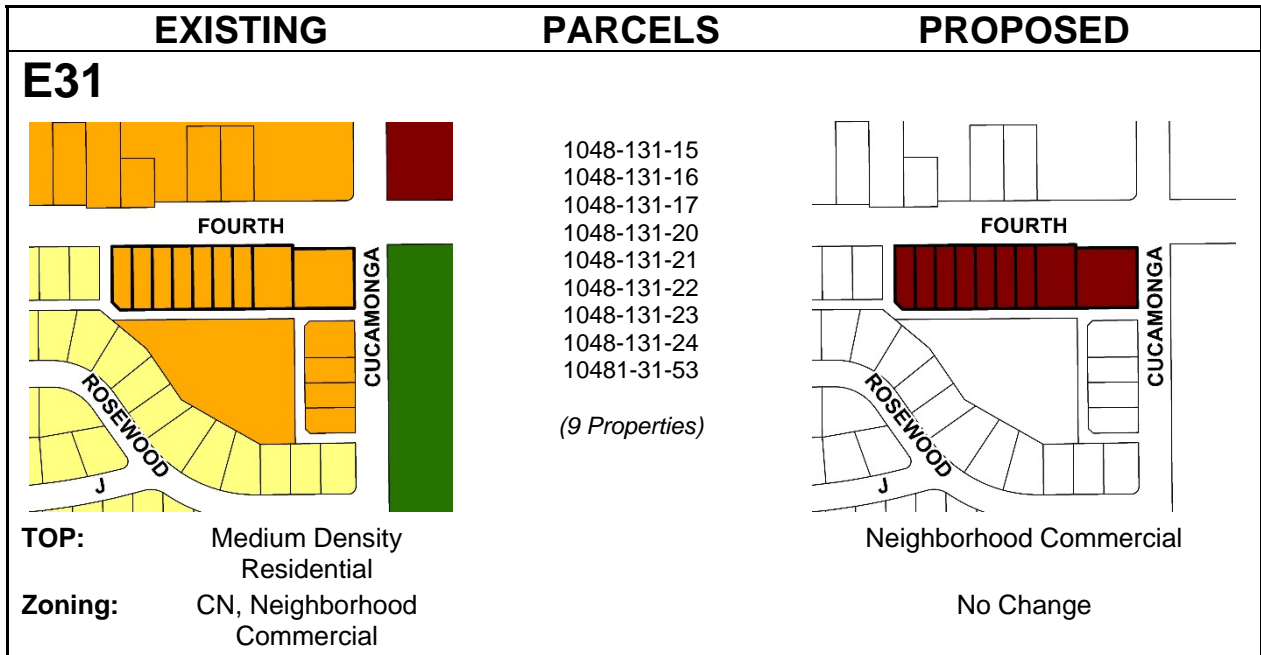
TOP: Medium Density Residential
Zoning: LDR-5, Low Density Residential

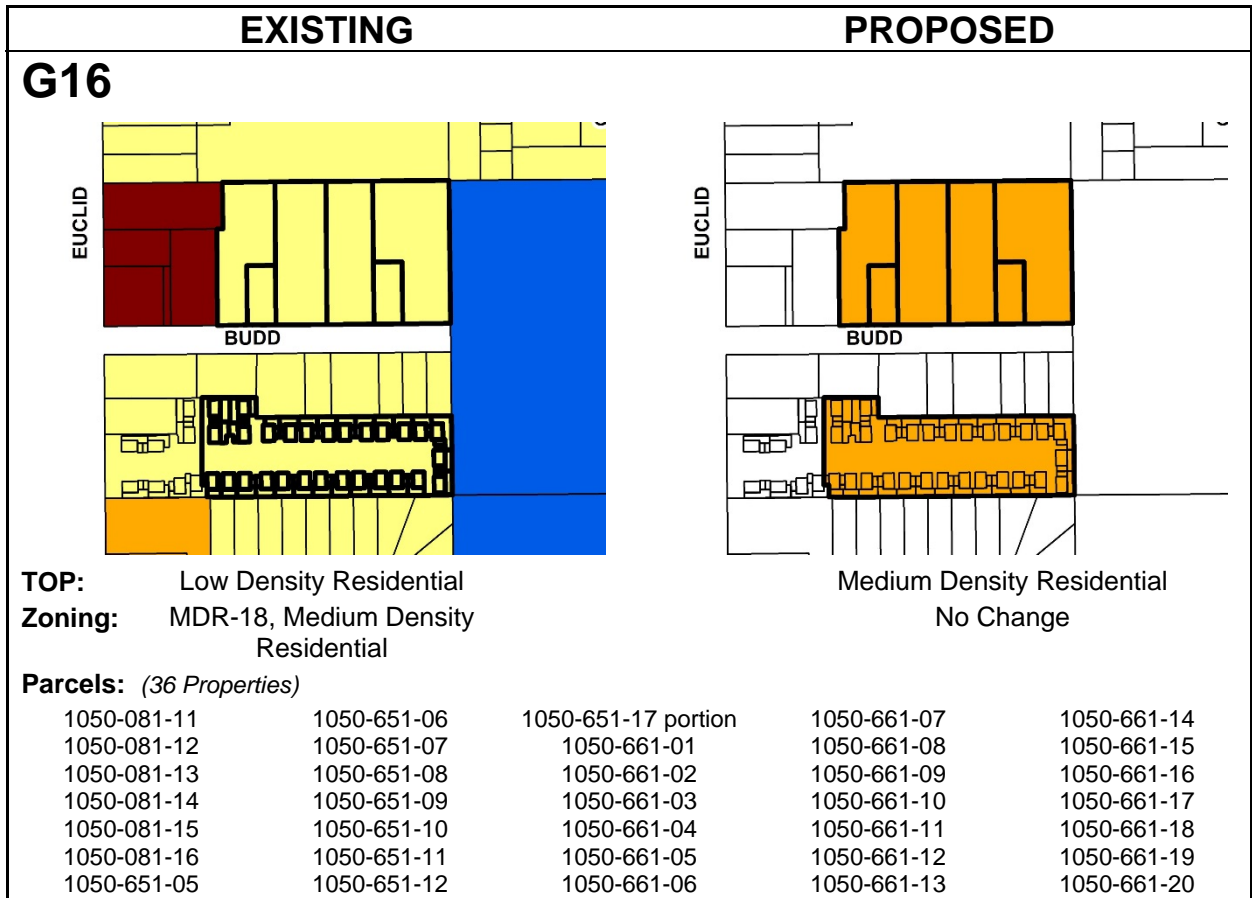
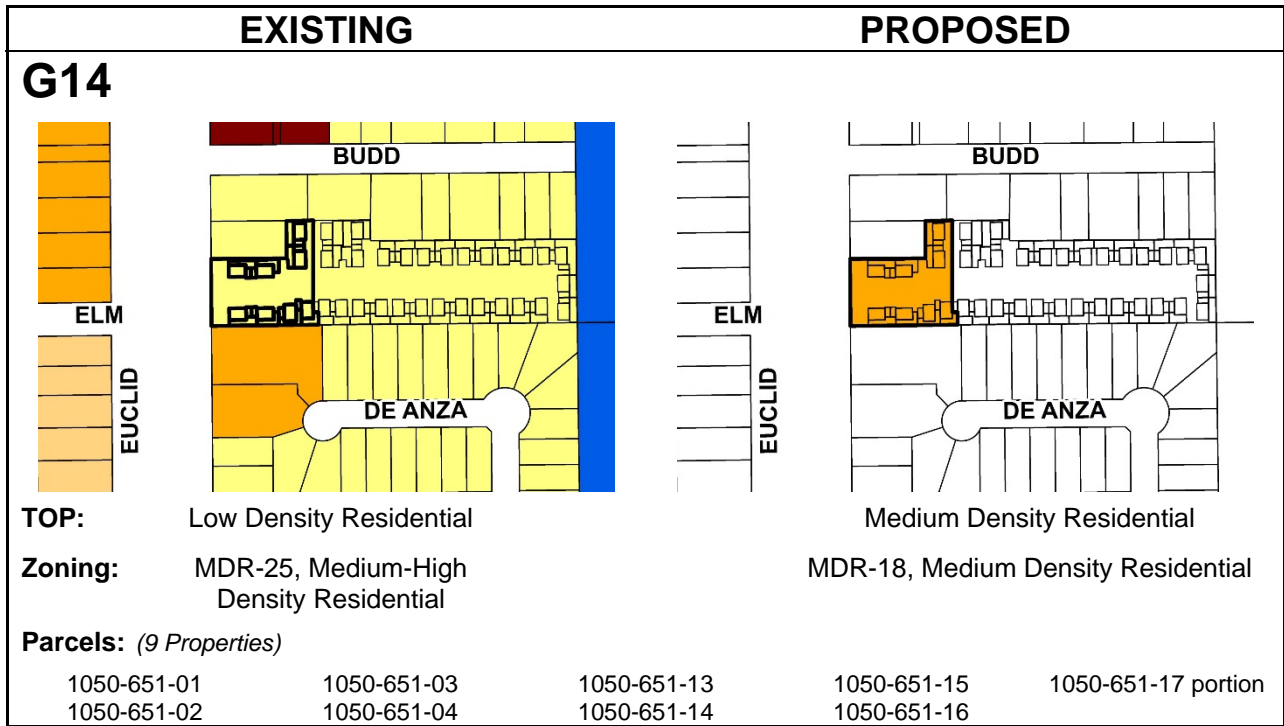
Low Density Residential
No Change

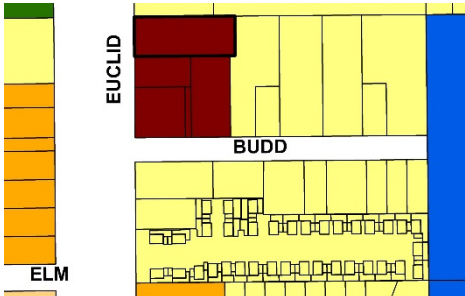
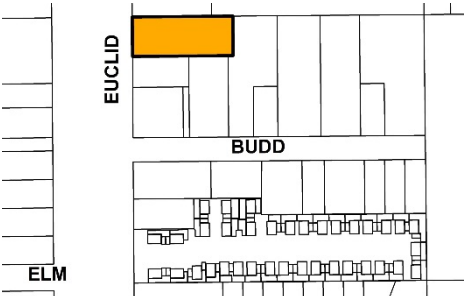
Parcels: (62 Properties)

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1047-451-08	1047-451-21	10474-61-12	1047-473-03	1047-473-20
1047-451-09	1047-451-22	1047-461-16	1047-473-04	1047-473-31
1047-451-10	1047-451-23	1047-461-21	1047-473-05	1047-473-32
1047-451-11	1047-451-24	1047-461-22	1047-473-06	1047-473-33
1047-451-12	1047-461-03	1047-461-23	1047-473-07	1047-473-34
1047-451-13	1047-461-04	1047-462-02	1047-473-08	1047-473-35
1047-451-14	1047-461-05	1047-462-03	1047-473-10	1047-473-36
1047-451-15	1047-461-06	1047-462-04	1047-473-15	1047-473-40
1047-451-16	1047-461-07	1047-462-05	1047-473-16	1047-473-41
1047-451-17	1047-461-08			







EXISTING		PARCELS	PROPOSED
G20			
 <p>EUCLID</p> <p>BUDD</p> <p>ELM</p>	<p>1050-081-21</p> <p>(1 Property)</p>	 <p>EUCLID</p> <p>BUDD</p> <p>ELM</p>	
TOP:	Neighborhood Commercial		Medium Density Residential
Zoning:	MDR-25, Medium-High Density Residential & MDR-18, Medium Density Residential		MDR-18, Medium Density Residential

EXISTING

PROPOSED

G23



TOP: Low Density Residential

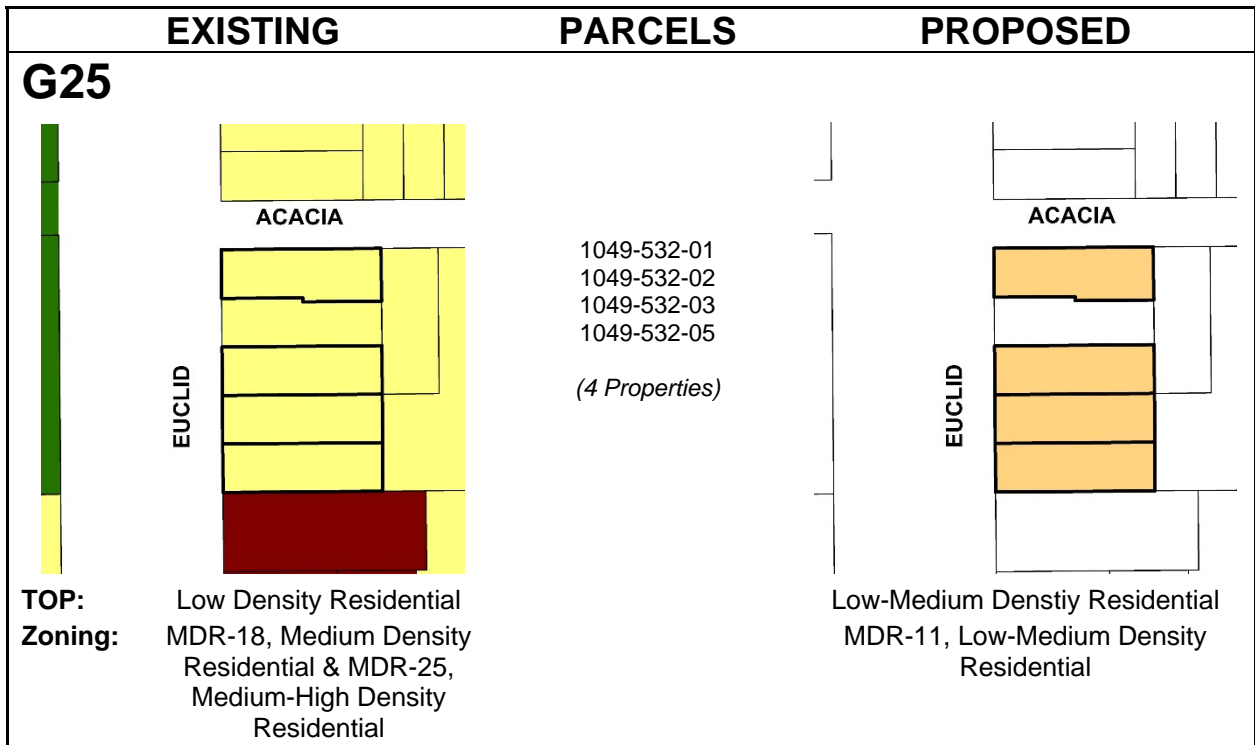
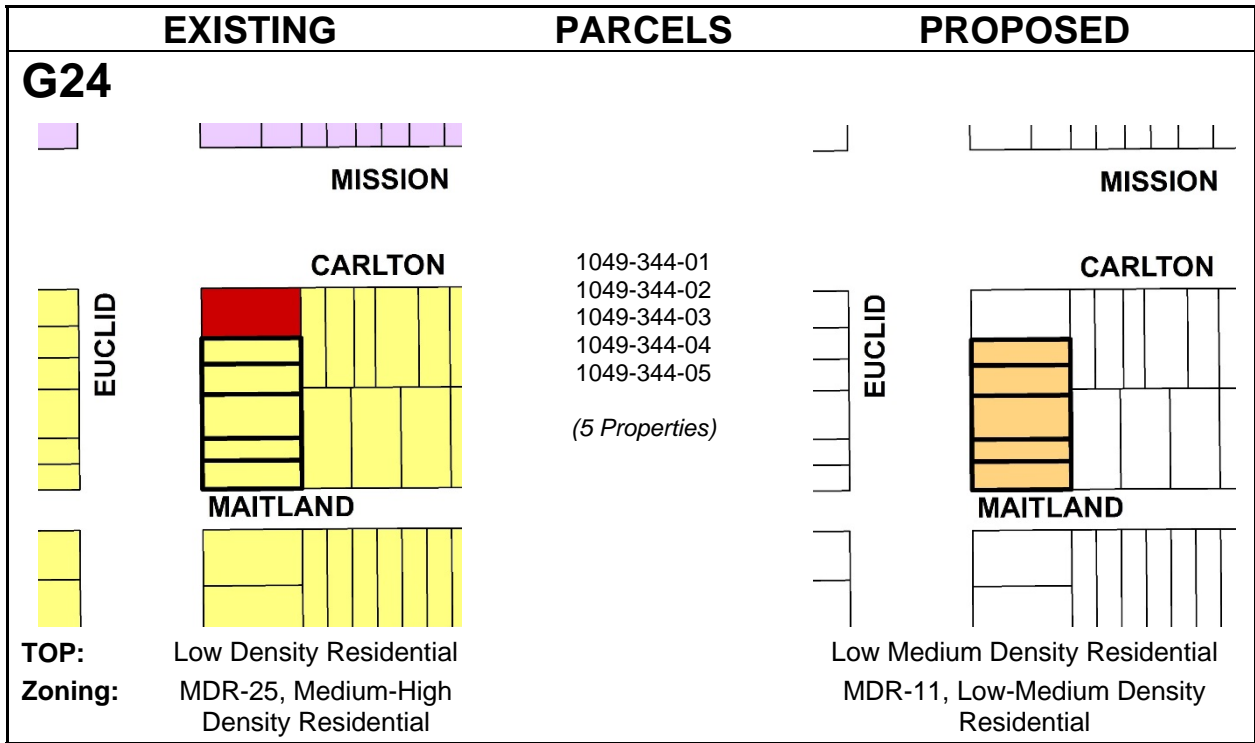
TOP: Low-Medium Density Residential

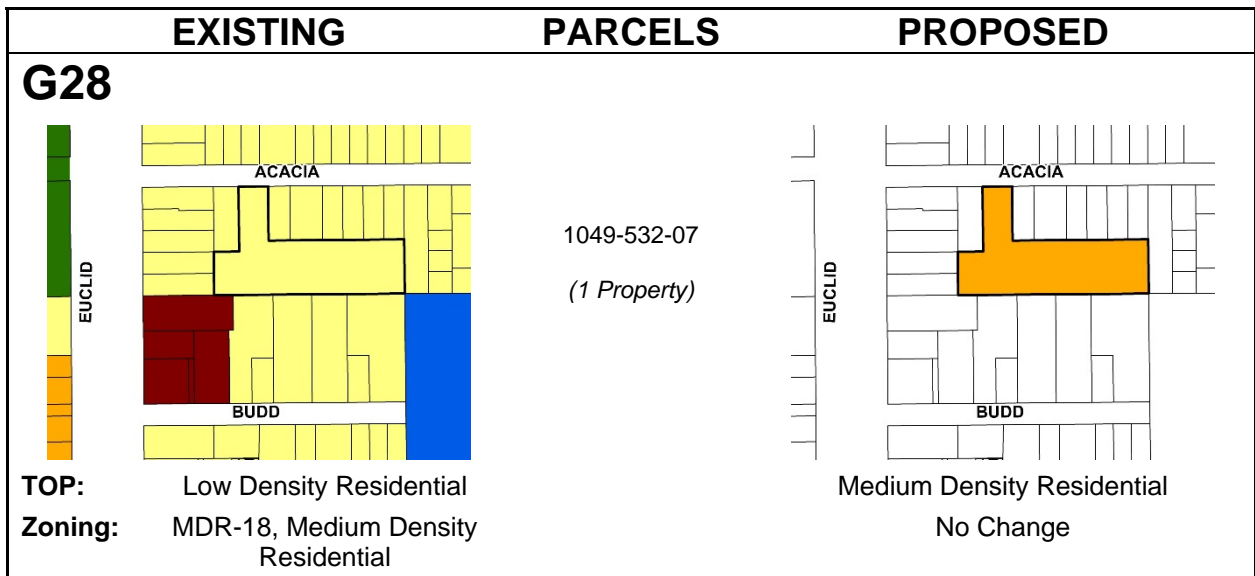
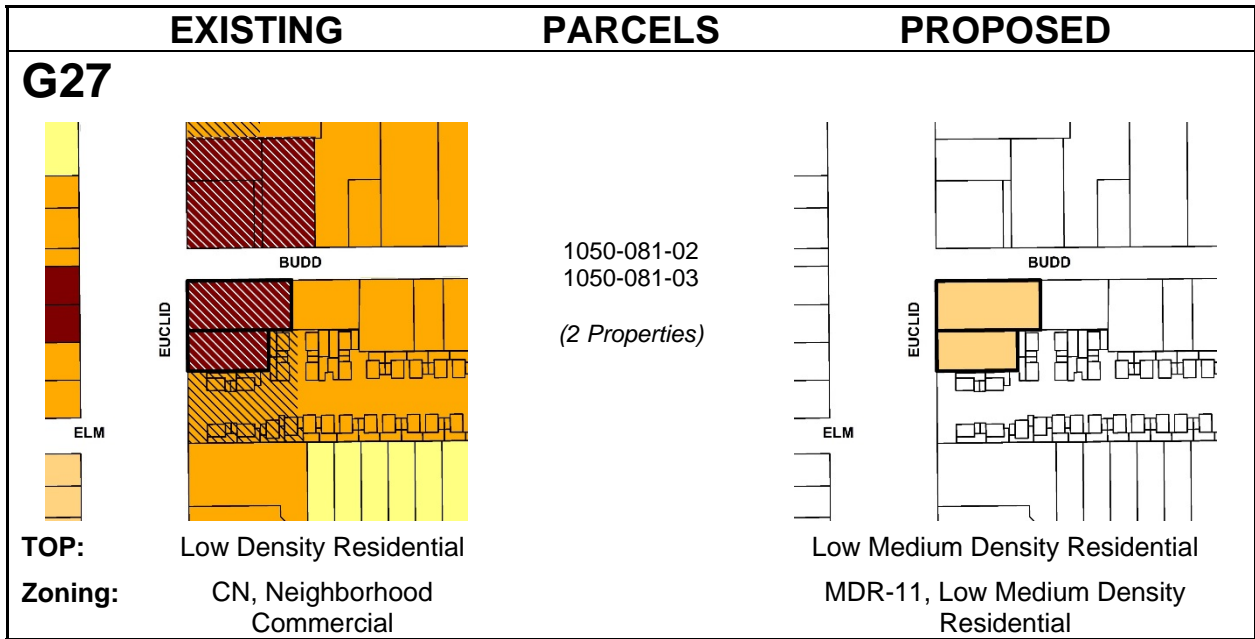
Zoning: MDR-18, Medium Density Residential

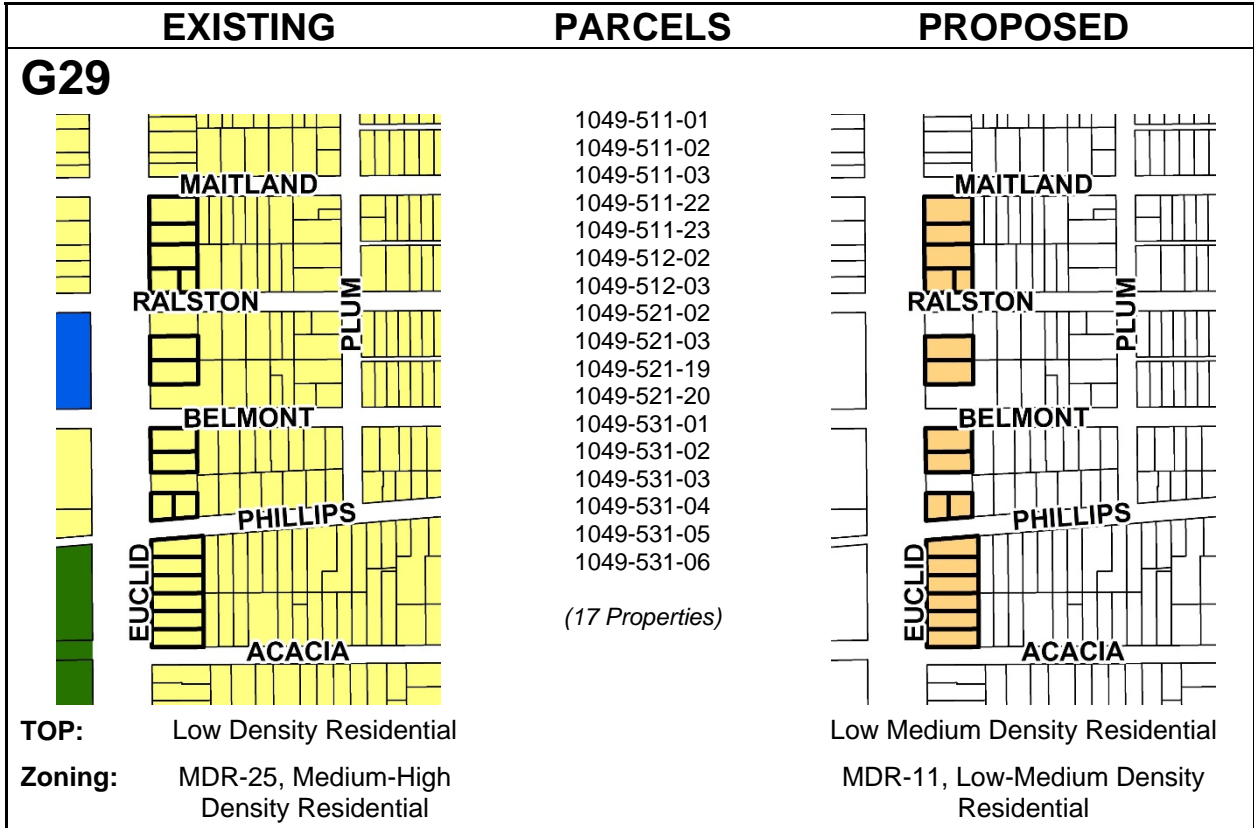
Zoning: MDR-11, Low-Medium Density Residential

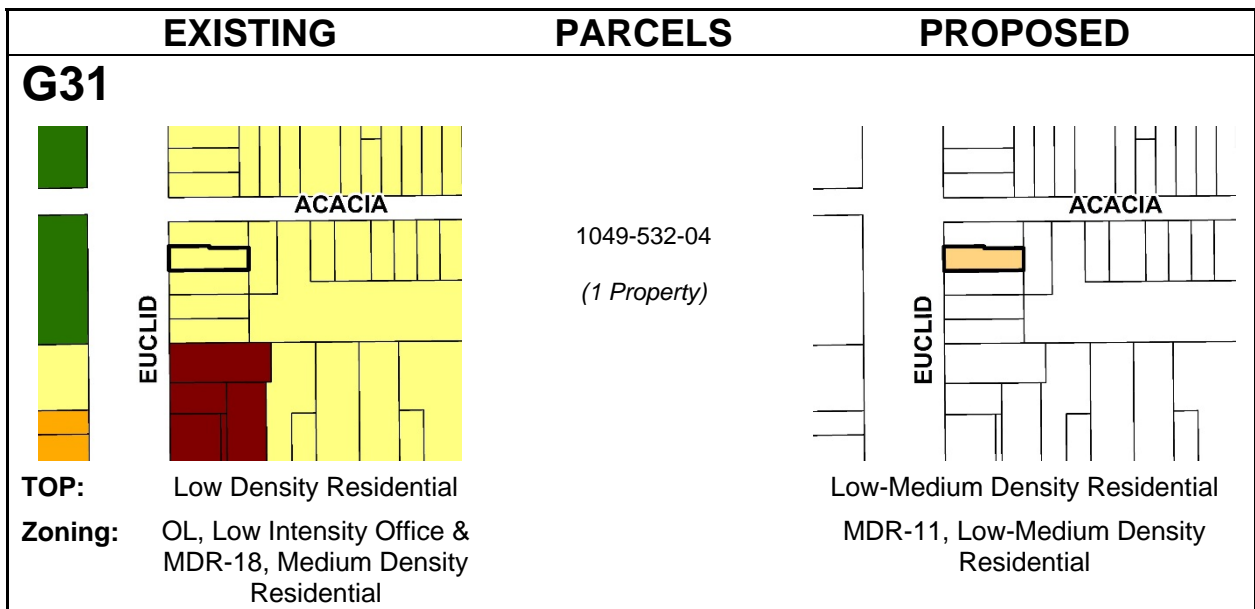
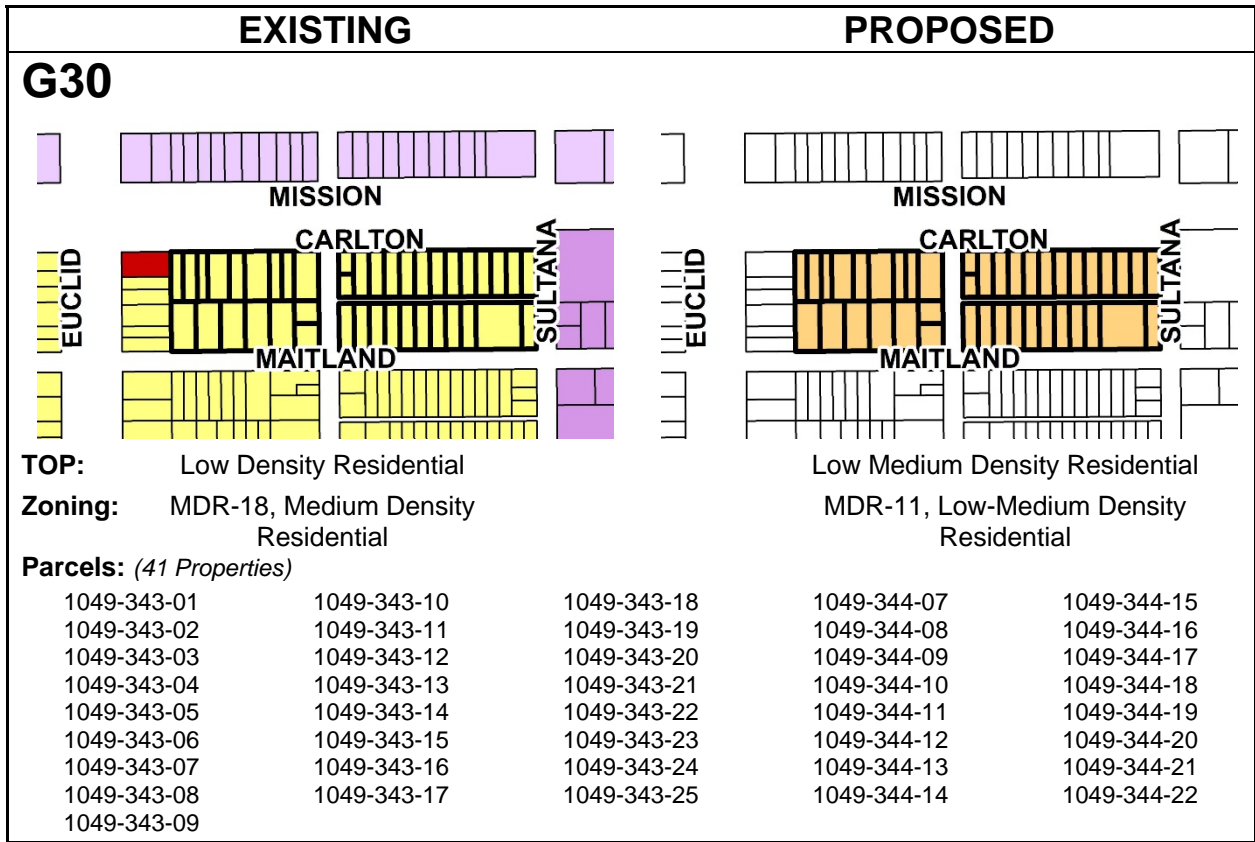
Parcels: (215 Properties)

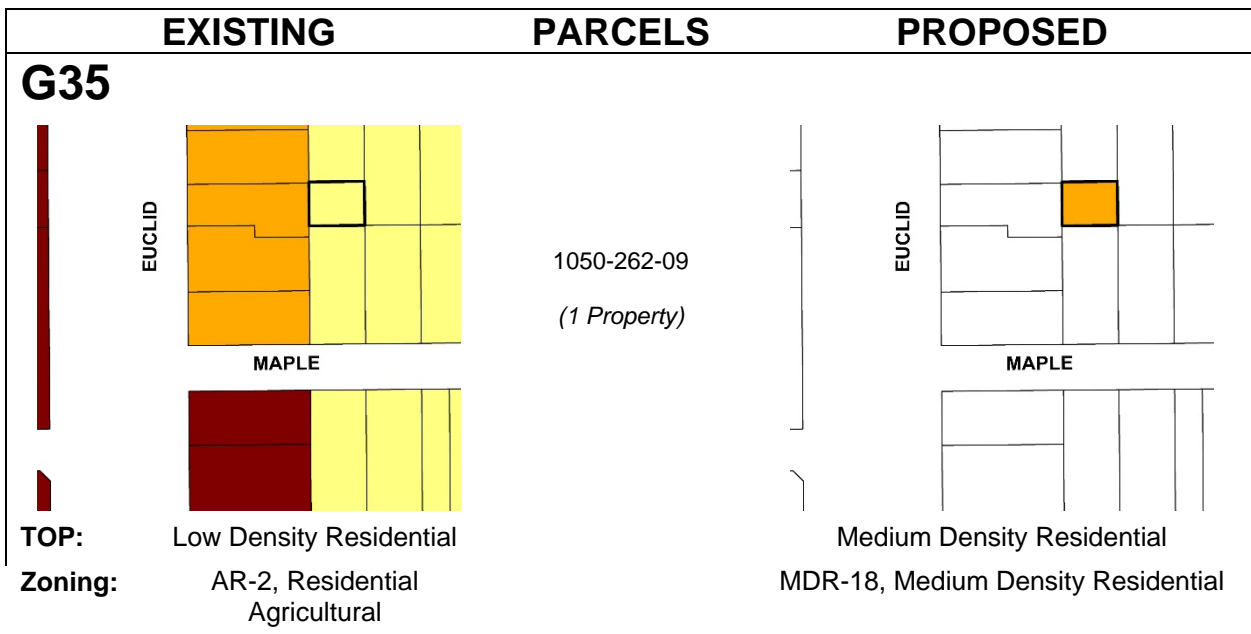
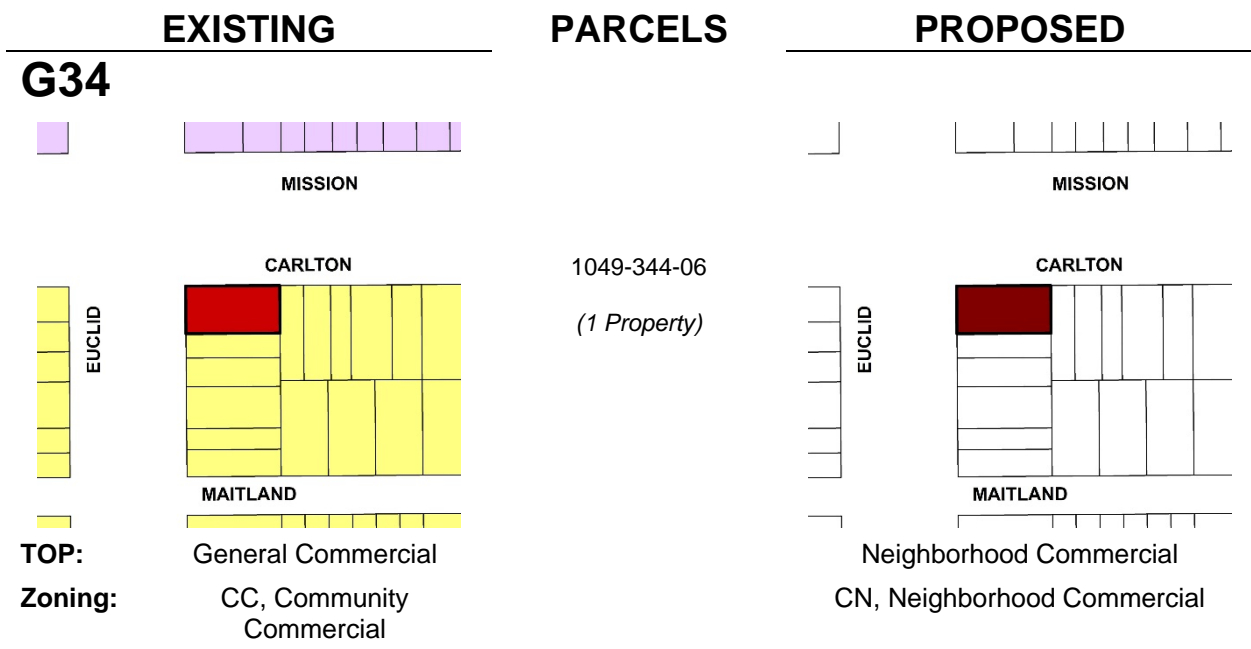
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1049-511-08	1049-513-03	1049-514-01	1049-514-33	1049-522-15	1049-531-30	1049-532-12
1049-511-09	1049-513-04	1049-514-02	1049-521-01	1049-522-16	1049-531-31	1049-532-13
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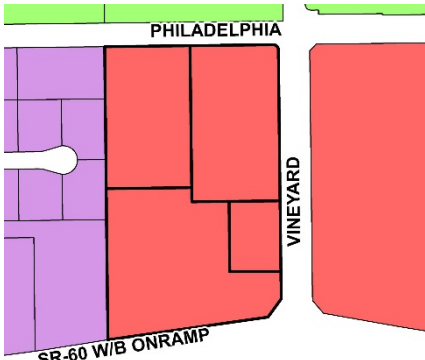
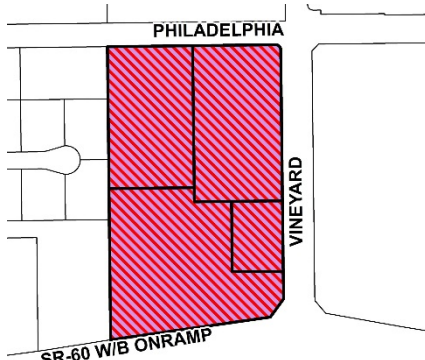


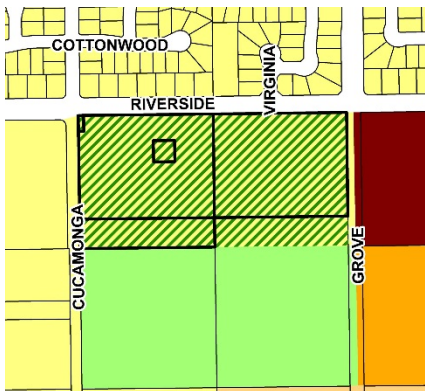
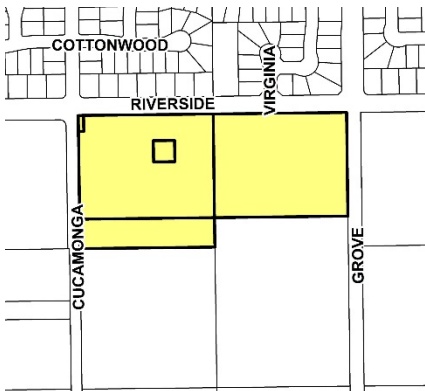






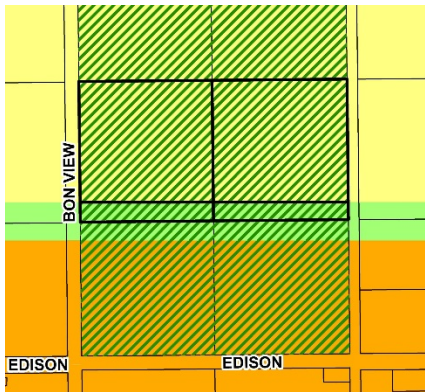





EXISTING	PARCELS	PROPOSED
<p>I3</p>  <p>PHILADELPHIA</p> <p>VINEYARD</p> <p>SR-60 W/B ONRAMP</p> <p>S.R.-60 FWY W.B.</p> <p>TOP: Office/Commercial</p> <p>Zoning: IG, General Industrial</p>	<p>0113-286-09 0113-286-10 0113-482-10 0113-482-11</p> <p>(5 Properties)</p> <p>Status: PGPA16-006</p>	 <p>PHILADELPHIA</p> <p>VINEYARD</p> <p>SR-60 W/B ONRAMP</p> <p>S.R.-60 FWY W.B.</p> <p>Industrial with Commercial Transitional Overlay</p> <p>No Change</p>

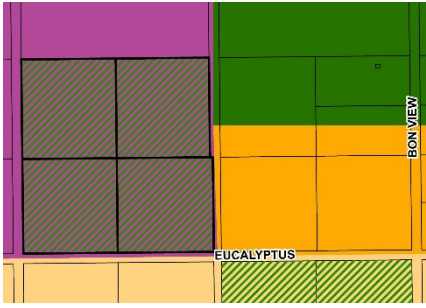
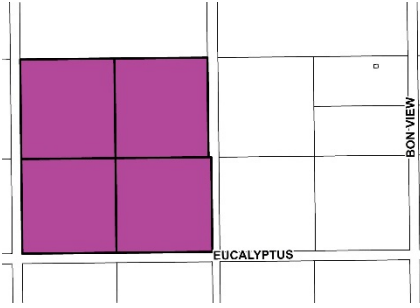
EXISTING	PARCELS	PROPOSED
<p>J8</p>  <p>COTTONWOOD</p> <p>RIVERSIDE</p> <p>VIRGINIA</p> <p>CUCAMONGA</p> <p>GROVE</p> <p>TOP: Low Density Residential with SoCalf Overlay</p> <p>Zoning: SP(AG)</p>	<p>1052-151-02 1052-151-05 1052-151-09 1052-151-10 1052-151-11</p> <p>(5 Properties)</p>	 <p>COTTONWOOD</p> <p>RIVERSIDE</p> <p>VIRGINIA</p> <p>CUCAMONGA</p> <p>GROVE</p> <p>Low Density Residential</p> <p>No Change</p>

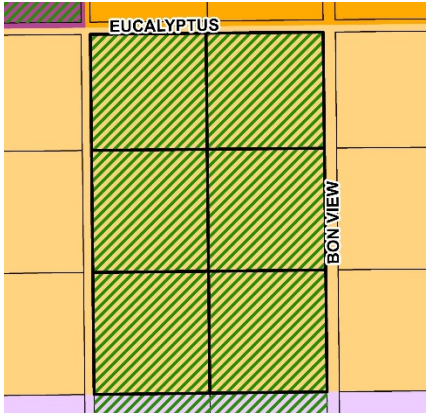
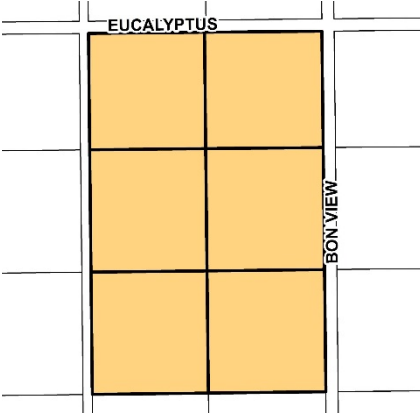
EXISTING	PARCELS	PROPOSED
J9		
	<p>1052-151-03 <i>(1 Property)</i></p>	
<p>TOP: Low Density Residential with SoCalf Overlay & Open Space – Non-Recreation</p> <p>Zoning: SP(AG)</p>		<p>Low Density Residential & Open Space – Non-Recreation</p> <p>No Change</p>

EXISTING	PARCELS	PROPOSED
J10		
	<p>1053-131-01 1053-131-02 1053-141-01 1053-141-02 <i>(4 Properties)</i></p>	
<p>TOP: Low Density Residential with SoCalf Overlay</p> <p>Zoning: SP(AG)</p>		<p>Low Density Residential</p> <p>No Change</p>

EXISTING	PARCELS	PROPOSED
J11		
	<p data-bbox="747 420 893 525">1053-181-01 1053-181-02 (2 Properties)</p>	
<p data-bbox="203 714 641 861">TOP: Low Density Residential with SoCalf Overlay & Open Space – Non-Recreation with SoCalf Overlay</p> <p data-bbox="203 871 641 903">Zoning: SP(AG)</p>		<p data-bbox="1006 714 1396 766">Low Density Residential & Open Space – Non-Recreation</p> <p data-bbox="1128 871 1274 903">No Change</p>

EXISTING	PARCELS	PROPOSED
J12		
	<p data-bbox="747 1197 893 1302">1053-311-01 1053-311-02 (2 Properties)</p>	
<p data-bbox="203 1491 641 1638">TOP: Medium Density Residential with SoCalf Overlay & Open Space - Non-Recreation with SoCalf Overlay</p> <p data-bbox="203 1648 641 1680">Zoning: SP(AG)</p>		<p data-bbox="990 1491 1412 1543">Medium Density Residential & Open Space – Non-Recreation</p> <p data-bbox="1128 1648 1274 1680">No Change</p>

EXISTING	PARCELS	PROPOSED
J13		
	<p>1053-521-01 1053-521-02 1053-591-01 1053-591-02</p> <p>(4 Properties)</p>	
<p>TOP: Mixed Use-NMC West with SoCalf Overlay</p> <p>Zoning: SP(AG)</p>		<p>Mixed Use-NMC-West</p> <p>No Change</p>

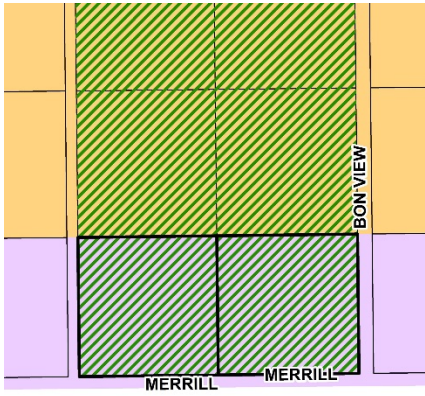
EXISTING	PARCELS	PROPOSED
J14		
	<p>1054-051-01 1054-051-02 1054-061-01 1054-061-02 1054-251-01 1054-251-02</p> <p>(6 Properties)</p>	
<p>TOP: Low Medium Density Residential with SoCalf Overlay</p> <p>Zoning: SP(AG)</p>		<p>Low Medium Density Residential</p> <p>No Change</p>

EXISTING

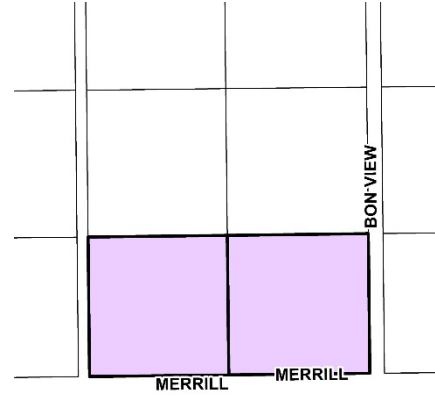
PARCELS

PROPOSED

J15



1054-301-01
1054-301-02
(2 Properties)



TOP: Business Park with SoCalf
Overlay
Zoning: SP(AG)

Business Park
No Change

Exhibit B

LU-02 Land Use Designations Table Proposed Changes

LU-02 Land Use Designations Summary Table



Land Use Designations	Residential Density & Non-Residential Intensity	Intention
	<ul style="list-style-type: none"> Subject to Specific Plan or other implementing mechanism 	residents.
Overlays - An overlay is intended to reflect a particular characteristic of an area and is applied "over" an underlying land use designation to provide guidance above and beyond the underlying land use designation.		
Business Park Transitional Areas	Per the underlying designation unless a non-residential use is developed in which case the density and use requirements of the Business Park land use designations shall apply.	This area is within existing and future noise and safety impact zones of LA/Ontario International Airport. This overlay allows residential uses to transition to a Business Park land use if an entire block can be recycled to a Business Park use and the block is contiguous to another non-residential block. In these cases, the City shall be responsible for the necessary amendments to the Policy Plan Map and Development Code.
Industrial Transitional Areas	Per the underlying designation unless a non-residential use is developed in which case the density and use requirements of the Industrial land use designations shall apply.	This area is within existing and future noise and safety impact zones of LA/Ontario International Airport. This overlay allows residential uses to transition to an industrial land use if an entire block can be recycled to an Industrial use and the block is contiguous to another non-residential block. In these cases, the City shall be responsible for the necessary amendments to the Policy Plan Map and Development Code.
Commercial Transitional Areas	Per the underlying designation unless a commercial use is developed in which case the density and use requirements of the General Commercial land use designations shall apply.	The City seeks viable commercial sites. This overlay allows residential various uses to transition to a commercial land use if the project abuts an existing/approved commercial use and if the transition does not result in "remnant" parcels of residential other uses. In these cases, the City shall be responsible for the necessary amendments to the Policy Plan Map and Development Code.
ONT Airport Influence Area	Varies	An area in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restriction on those uses. Refer to the Airport Land Use Compatibility Plan for LA/Ontario International Airport Adopted April 2011.
Chino Airport Overlay	Varies	<p>An area within which area plans and specific plans, which are required prior to development in the New Model Colony, will be required to be coordinated with the airport authority for the Chino Airport to determine appropriate land uses, maximum population density, maximum site coverage, height restrictions, and required notification/disclosure areas based upon the noise contours and runway protection, approach, and Part 77 zones of the adopted Chino Airport Master Plan.</p> <p>This overlay is intended as an interim solution and upon adoption of a Chino Airport Land Use Compatibility Plan (ALUCP) that is based on the adopted Airport Master Plan and accepted by Ontario, we will evaluate the continued need for this overlay.</p>
Lake/Amenity	NA	Denotes an area where a lake and/or amenity acceptable to the City are required as the focal point of future development. For buildout purposes, the area of the lake/amenity is not assumed to generate any units.
SoCalf Preserve	Per underlying designation	Denotes areas where SoCalf owns and operates agricultural preserves within the New Model Colony. Development to the underlying designations is desired if the preserves can be relocated
I-10-Grove Interchange Area	Per underlying designation	This area will be impacted by the future I-10-Grove Avenue interchange, which may require future revisions to the Land Use Plan and Zoning Map. It is anticipated that the new interchange will result in new multi-family residential and commercial development opportunities that are created through lot consolidation and City and private reinvestment. These opportunities will result in safer, functional and aesthetically pleasing developments that provide needed housing and viable commercial choices while addressing the changes in property access anticipated with the I-10/Grove Avenue interchange redesign.

Exhibit C LU-03 Future Buildout Proposed Changes



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	7,344	4.0 du/ac (OMC)	30,940	123,669		
	7,294	4.5 du/ac (NMC)	30,739	122,865		
Low-Medium ⁶ Density	910	8.5 du/ac	7,736	30,922		
	966		8,210	32,814		
Medium Density	1,898	18.0 du/ac (OMC)	38,218	133,858		
	1,894	22.0 du/ac (NMC)	38,143	133,572		
High Density	234	35.0 du/ac	8,178	27,373		
<i>Subtotal</i>	<i>10,869</i>		<i>86,038</i>	<i>319,680</i>		
	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
<i>Subtotal</i>	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	245	0.30 FAR			3,206,495	7,759
Commercial	280				3,658,256	8,852
General Commercial	615	0.30 FAR			8,035,644	7,465
Office/Commercial	601				7,850,209	7,293
Office/Commercial	526	0.75 FAR			17,181,480	38,102
Hospitality	512				16,728,347	37,097
Hospitality	145	1.00 FAR			6,312,715	7,237
<i>Subtotal</i>	1,533 1,538				34,762,209 34,549,527	60,587 60,479
Employment						
Business Park	1,568	0.40 FAR			27,317,347	47,928
	1,550				27,000,753	47,372
Industrial	6,240	0.55 FAR			149,502,472	131,356
	6,253				149,799,312	131,617
<i>Subtotal</i>	7,808 7,802				176,819,819 176,800,065	179,284 178,989
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	Not applicable				
<i>Subtotal</i>	9,907					
Total	31,784		101,155 101,352	349,912 350,715	246,496,640 246,264,204	312,239 311,836

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.

Exhibit D

ER5. Biological, Mineral & Agricultural Resources Proposed Changes

ER5. BIOLOGICAL, MINERAL & AGRICULTURAL RESOURCES

Developed as the “Model Irrigation Colony,” Ontario has a rich agricultural heritage. The northern portion of the City was farmed with grapes, citrus, olives and other fruit tree crops. The southern portion of the City, the New Model Colony (NMC), has been used predominantly for dairy farms for over half a century. Other types of agricultural uses include cultivated crops, fallow fields, and plant nurseries. Until the mid-1990s, the NMC was part of the San Bernardino County Dairy Preserve. Some of the City’s dairy preserve properties are still under Williamson Act contracts. The City of Ontario adopted a right to farm ordinance which recognizes the right of agricultural operations to continue. However, increased environmental regulations are causing existing dairies to relocate out of the region, resulting in a continued decline in the long term viability of agricultural operations in the NMC.

~~The County of San Bernardino owns and manages approximately 200 acres of land within the NMC, which was previously operated by Southern California Agricultural Land Foundation (SoCALF). The majority of the 200 acres is prime agricultural land as identified by the Department of Conservation. The use of 1988 Park Bond Act funds for the acquisition and maintenance of these properties insures that the property will be used for agricultural and/or open space.~~

Rare and/or endangered species that have the potential to occur in Ontario include Delhi Sands Flower Loving Fly and San Bernardino Kangaroo Rat. Habitat for these species is of poor quality and/or is limited to isolated pockets. As the City further develops, there may be opportunities to integrate suitable habitat for sensitive species into new developments and/or participate in regional efforts in conservation of high quality habitat, thereby expanding and creating new habitat corridors.

There are currently no permitted mining operations in the City. According to the Department of Conservation, significant mineral resources within Ontario are limited to construction aggregate. These areas have been developed with urban uses and are not suitable for mineral resource extraction.

CITY OF ONTARIO

Agenda Report
March 7, 2017

SECTION:
PUBLIC HEARINGS

SUBJECT: A PUBLIC HEARING TO CONSIDER AN ORDINANCE TO CHANGE THE ZONING DESIGNATIONS (FILE NO. PZC16-004) ON VARIOUS PROPERTIES GENERALLY LOCATED TO THE EAST OF EUCLID AVENUE BETWEEN STATE AND PHILADELPHIA STREETS AND NEAR FOURTH STREET AND GROVE AVENUE IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN (TOP) LAND USE DESIGNATIONS OF THE PROPERTIES

RECOMMENDATION: That City Council introduce and waive further reading of an ordinance approving a Zone Change (File No. PZC16-004) to create consistency between the zoning and the General Plan land use designations of the subject properties.

**COUNCIL GOALS: Operate in a Businesslike Manner
Invest in the Growth and Evolution of the City's Economy**

FISCAL IMPACT: The potential fiscal impacts of the project were analyzed as part of The Ontario Plan ("TOP") adopted in January 2010. The proposed Zone Change will not introduce any fiscal impacts that were not previously analyzed as part of TOP.

BACKGROUND: In January 2010, the City Council approved TOP, which lays out the long term land use pattern for the City. Since that time, the City has undertaken an effort to ensure that the zoning and TOP land use designations are consistent for all properties in the City. In addition, a comprehensive update to the Ontario Development Code to implement TOP was adopted and went into effect on January 1, 2016 which established zones in alignment with TOP land use designations. This Zone Change, which proposes changes to 632 properties generally located to the east of Euclid Avenue between State and Philadelphia Streets and near Fourth Street and Grove Avenue, is part of the TOP-Zoning Consistency Project.

STAFF MEMBER PRESENTING: Scott Murphy, Planning Director

Prepared by: Clarice Burden
Department: Planning

City Manager
Approval: 

Submitted to Council/O.H.A. 03/07/2017

Approved: _____

Continued to: _____

Denied: _____

6

The proposed changes are shown in Exhibit A of the ordinance and the area maps contain in the Planning Commission staff report. The changes are proposed in order to:

- Provide consistency with TOP land use designation of properties
- Eliminate split zoning of properties
- Limit additional density in certain areas per the requirements of the Airport Land Use Compatibility Plan
- Eliminate the potential impacts on water and sewer infrastructure that could occur if additional density were allowed within certain areas
- Reflect the existing residential density of the majority of the properties in certain areas
- Allow residential zoning that is suitable to the parcel size
- Provide residential zoning for properties that contain single family residential homes
- Help to stabilize the single family residential neighborhood north of Fourth Street as single family residential since Redevelopment Agency assistance is no longer available as a tool to help the area transition to medium density as originally envisioned
- Convert an enclave of AR-2 (Agricultural Residential) properties, which have no rural support facilities in the area (such as horse trails or Homer Briggs Park), to single family residential zoning like the surrounding area
- Change the zoning of commercial properties from CC (Community Commercial) to CN (Neighborhood Commercial) or CS (Corner Store), which is more in keeping with the location, size, and uses of the various sites
- Encourage the transition of marginal, mid-block commercial uses along the north side of Fourth Street, west of the flood control channel, to medium density residential uses and to concentrate commercial uses on more viable sites
- More accurately reflect the industrial uses of a property with conflicting zoning
- Place flood control channels in the UC, Utilities Corridor zone

Input was sought from subject property owners and surrounding property owners within 300 feet at community open houses held on November 29 and 30, 2016, regarding this Zone Change (File No. PZC16-004) and the associated General Plan Amendment (File No. PGPA16-006). About 70 people attended. The majority of attendees were seeking information about the proposed changes and did not voice any opposition to the project. Thirty-nine people provided written comments and 13 of these responses did not support the proposed changes. In addition, two letters which were not in support of the zone changes were received and transmitted to the Planning Commission. On January 24, 2017, the Planning Commission conducted a public hearing regarding the Zone Change and General Plan Amendment which was attended by about 40 people. Five people spoke regarding the proposed Zone Change. Concerns expressed included:

Large Animal Keeping: Requests were made to maintain the current agricultural residential zoning on properties located to the east of Euclid Avenue because they believe that “horse property” is more valuable than low density residential and would better protect their animal keeping rights. Staff explained that this area is surrounded by low density residential and the TOP land use designation is low density residential. The area does not have rural support facilities such as horse trails or Homer Briggs Park and any existing legal animal keeping on these properties would be allowed to continue as a nonconforming use, while allowing the neighborhood to transition over time to uses more in keeping with the location.

Industrial Zoning for a Single Family Residence: A representative of a property owner on Woodlawn requested that the zoning of the property remain industrial instead of being rezoned to low density residential. Staff explained that the property contains a single family home which makes residential zoning appropriate and residential zoning would conform to the TOP land use designation of low density residential with an industrial transitional overlay. The overlay would allow the property to transition to industrial zoning and land uses in the future if the single family residence were removed and the entire block were to go to industrial use.

Commercial Zoning for a Single Family Residence: A property owner of an auto repair shop and an adjacent single family residence on Euclid Avenue requested that the single family residence be rezoned to commercial so that the two sites together could accommodate a gas station with an AM/PM and that the zoning of both properties be CC (Community Commercial) so that he could have a tire shop, as an option. Staff explained that with no proposed development, it would not be appropriate to rezone a single family home to commercial at this time and that the location, immediately adjacent to single family homes, would not be appropriate for a tire shop due to potential noise impacts of pneumatic tools. However, if the property owner were to bring forward a proposal in the future to utilize both sites for a use appropriate to the location, then the zoning could be considered at that time.

The Planning Commission voted unanimously, 7 to 0, to recommend that City Council approve the Zone Change as presented.

AIRPORT LAND USE COMPATIBILITY: 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) Ontario.

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.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PZC16-004, A CITY INITIATED REQUEST TO CHANGE THE ZONING DESIGNATIONS ON VARIOUS PROPERTIES GENERALLY LOCATED TO THE EAST OF EUCLID AVENUE BETWEEN STATE AND PHILADELPHIA STREETS AND NEAR FOURTH STREET AND GROVE AVENUE 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. PZC16-004, as described in the title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 632 properties totaling about 161 acres mainly concentrated in the mostly residential area to the east of Euclid Avenue between State and Philadelphia Streets with additional areas including the commercial and residential area around Fourth Street and Grove Avenue; 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 the TOP land use designations of the properties as shown in Exhibit A; and

WHEREAS, the City of Ontario held community open houses on November 29, and November 30, 2016, to gain input from impacted property owners and property owners within a 300 foot radius; and

WHEREAS, Thirty-six written public responses were received regarding the proposed zone changes at the community open houses. Of the written comments 10 were in support of the changes, 13 were not in support, six provided written comments but did not indicate if they were in support or not, and seven provided no specific written comments; and

WHEREAS, two letters that were not in support were received and provided to Planning Commission; and

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

WHEREAS, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as none of the project sites are properties in the Available Land Inventory contained in the Housing Element Technical Report.

WHEREAS, 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; and

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan (TOP) (File No. PGPA06-001), for which an Environmental Impact Report (SCH # 2008101140) was adopted by the City Council on January 27, 2010, 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, on January 24, 2017, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date. After receiving all public testimony, the Planning Commission voted unanimously to recommend approval of the Zone Change to the City Council; and

WHEREAS, on March 7, 2017, the City Council 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 Ordinance have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND ORDAINED by the City Council of the City of Ontario, as follows:

SECTION 1. As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the previously adopted Environmental Impact Report (SCH # 2008101140) and supporting documentation. Based upon the facts and information contained in the Environmental Impact Report (SCH # 2008101140) and supporting documentation, the Planning Commission finds as follows:

a. The previous Environment Impact Report contains a complete and accurate reporting of the environmental impacts associated with the Project; and

b. The previous Environment Impact Report was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

c. The previous Environment Impact Report reflects the independent judgement of the City Council; and

d. All previously adopted mitigation measures, which are applicable to the Project, shall be a condition of Project approval and are incorporated herein by reference.

SECTION 2. Based upon the substantial evidence presented to the City Council during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the City Council 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. Eliminating rural residential uses (including large animal keeping) east of Euclid Avenue eliminates the conflict between the animal keeping activities and nearby suburban residential uses and allows for the concentration of animal keeping uses west of Euclid Avenue where support service (such as horse trails) exist.

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 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the City Council hereby APPROVES the Project.

SECTION 4. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is for any reason held to be invalid, unconstitutional or otherwise struck-down by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more portions of this ordinance might be declared invalid.

SECTION 5. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

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

SECTION 7. Severability. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 8. Effective Date. This Ordinance shall become effective 30 days following its adoption.

SECTION 9. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within fifteen (15) days of the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this _____ day of _____ 2017.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. _____ was duly introduced at a regular meeting of the City Council of the City of Ontario held March 7, 2017, and adopted at the regular meeting held _____, 2017, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)


































I hereby certify that the foregoing is the original of Ordinance No. _____ duly passed and adopted by the Ontario City Council at their regular meeting held March 7, 2017 and that Summaries of the Ordinance were published on _____ and _____, in the Inland Valley Daily Bulletin newspaper.

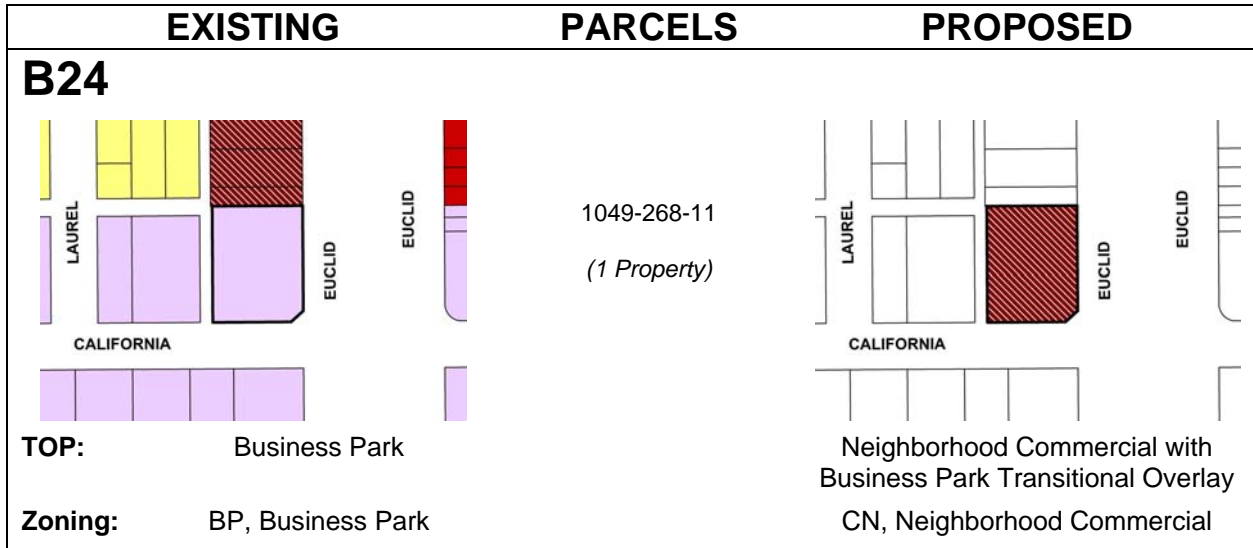
SHEILA MAUTZ, CITY CLERK

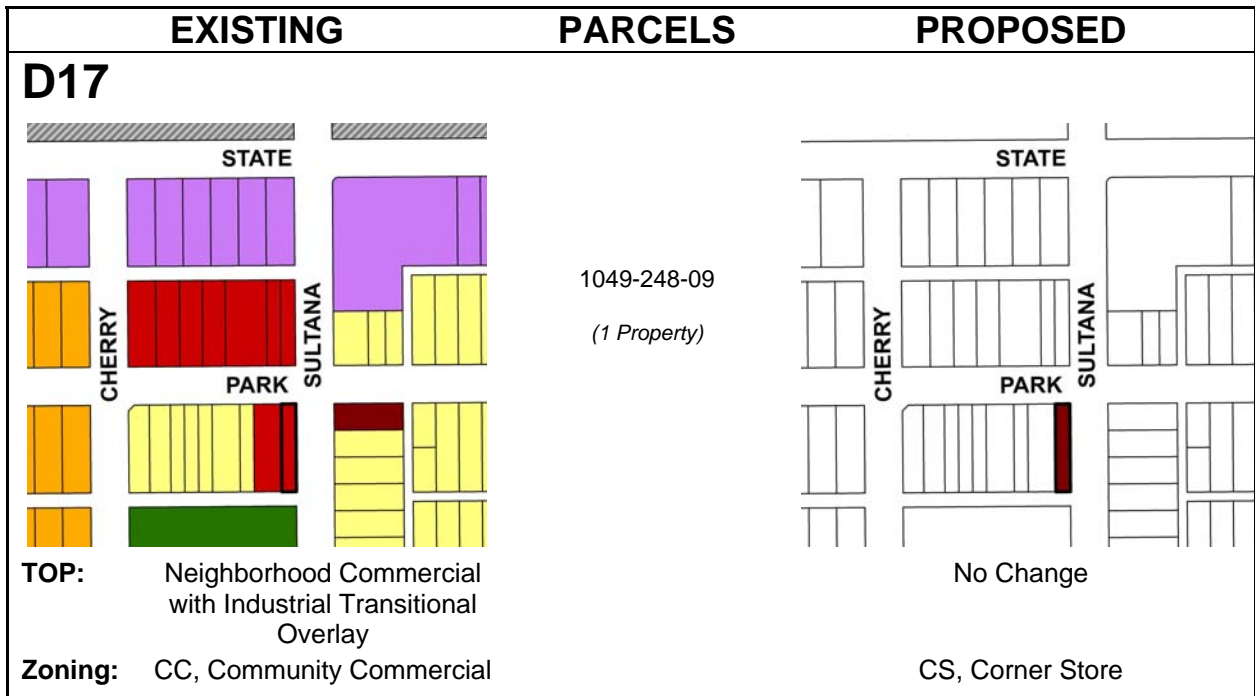
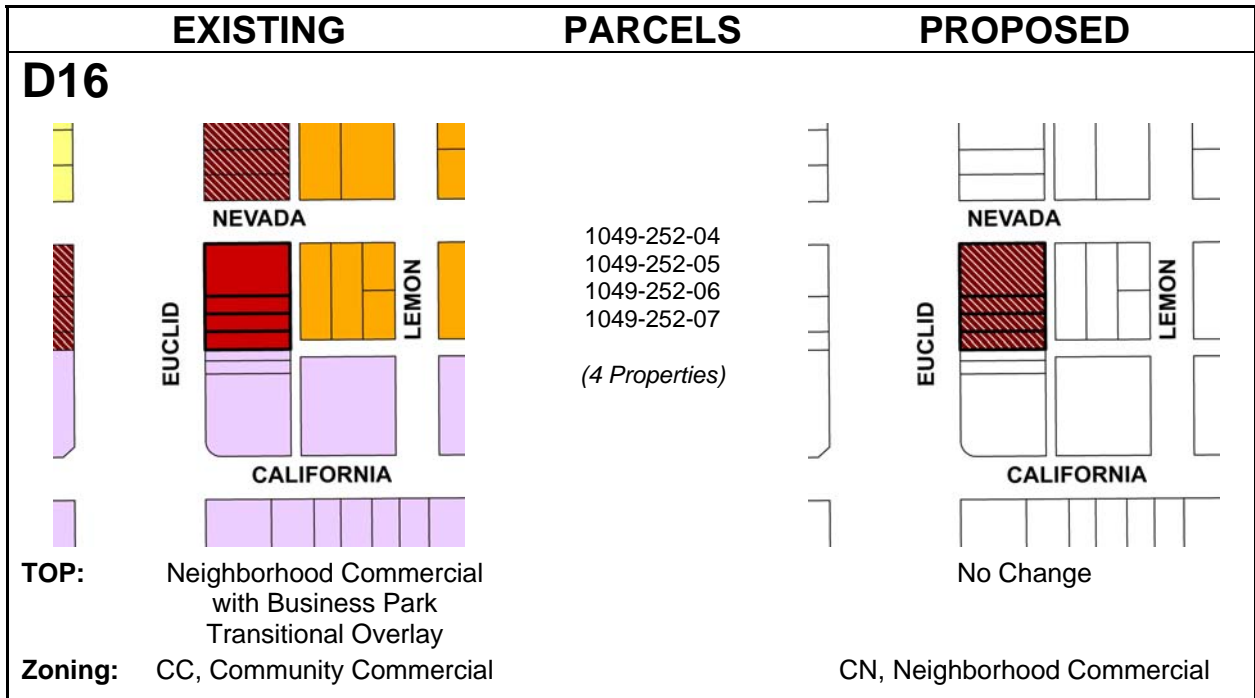
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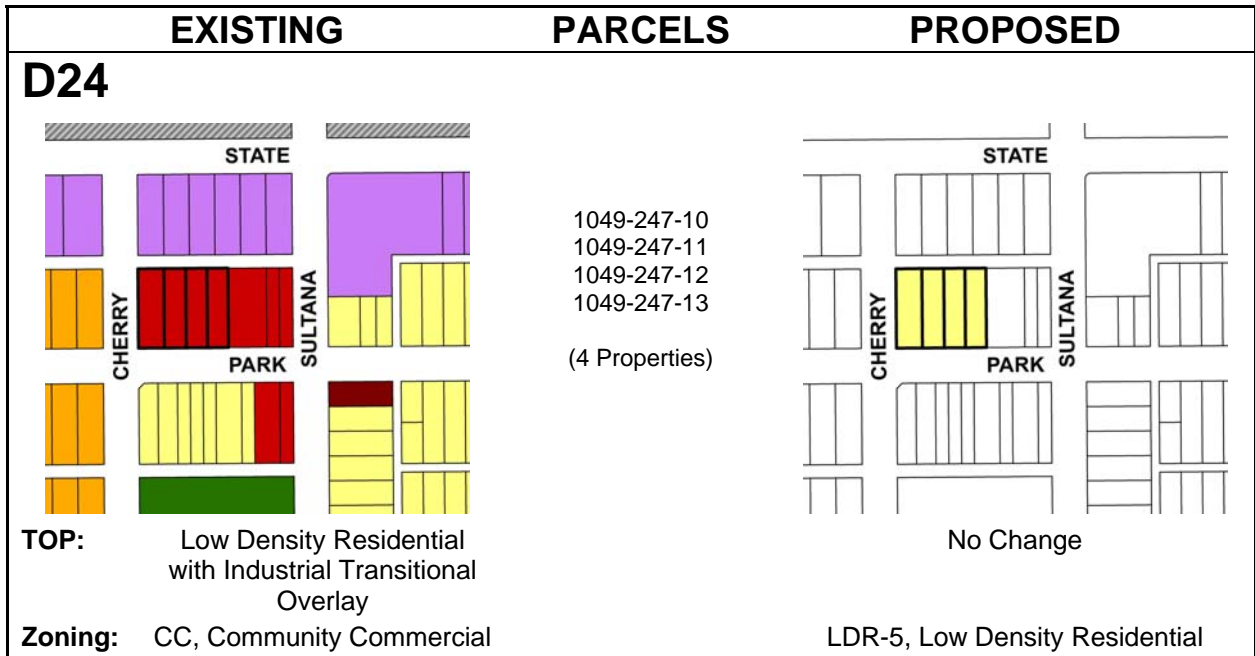
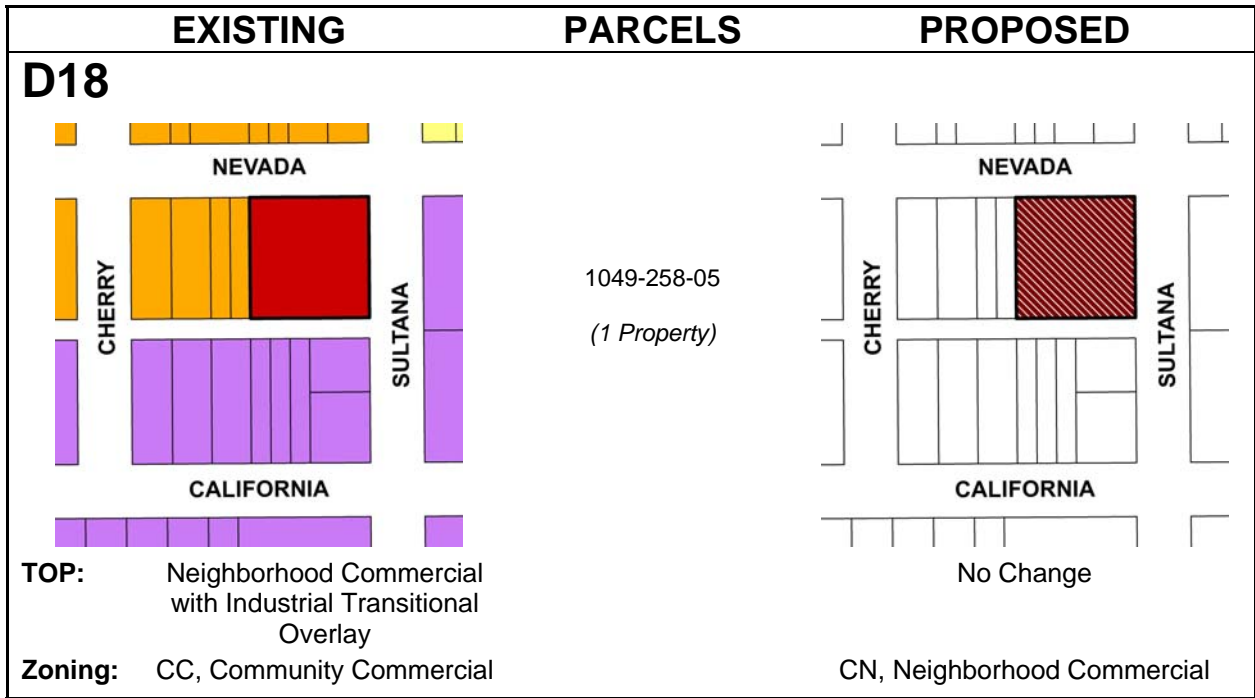
Exhibit A PZC16-004

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						



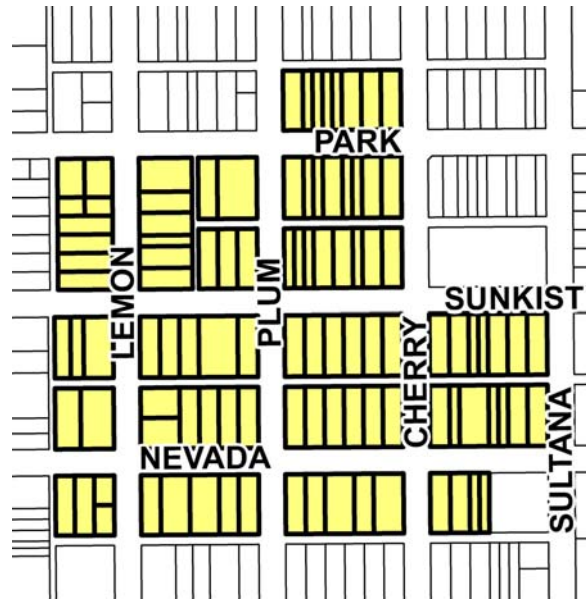
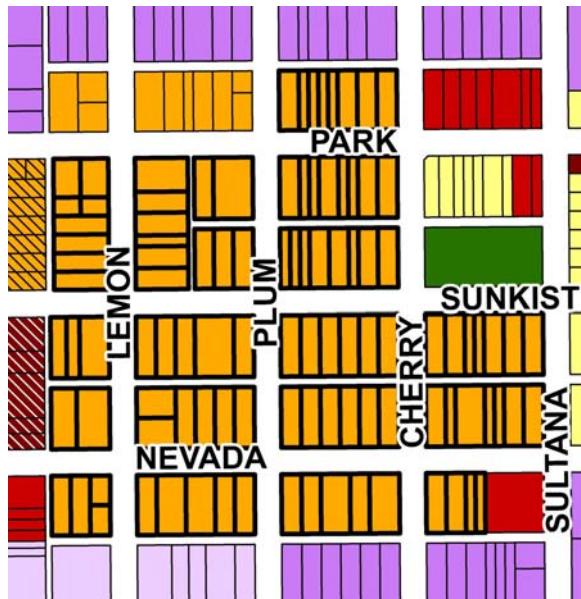




EXISTING

PROPOSED

D25



Parcels: (103 Properties)

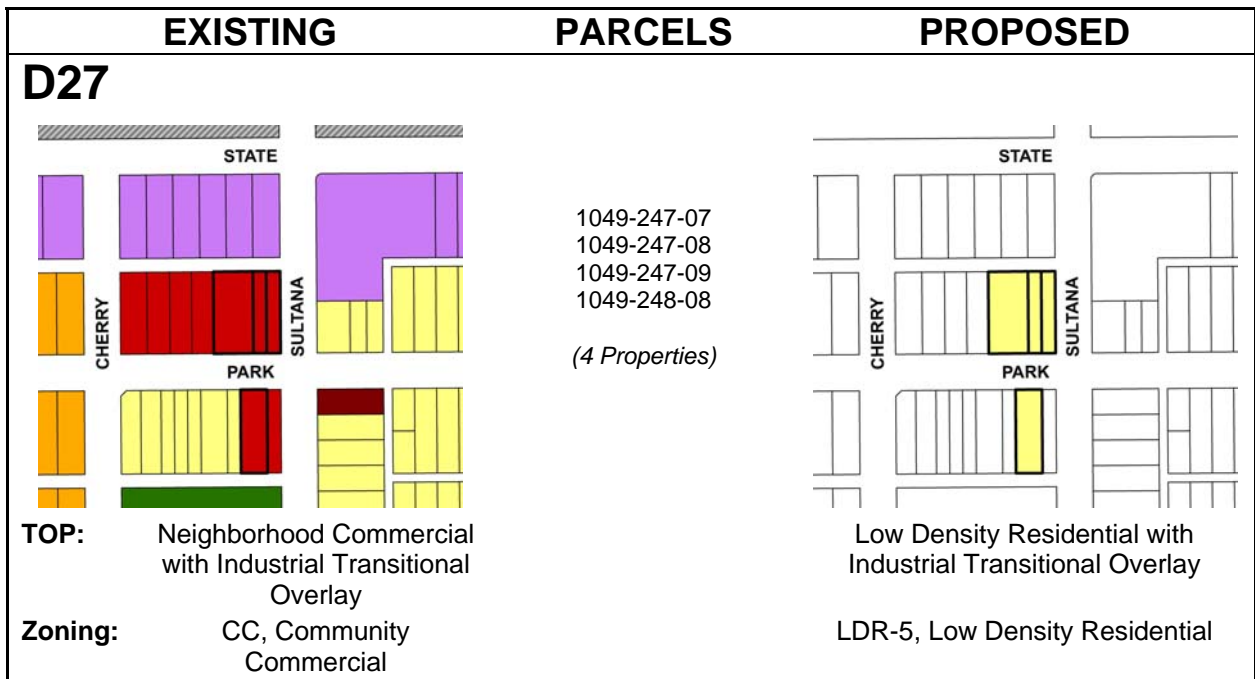
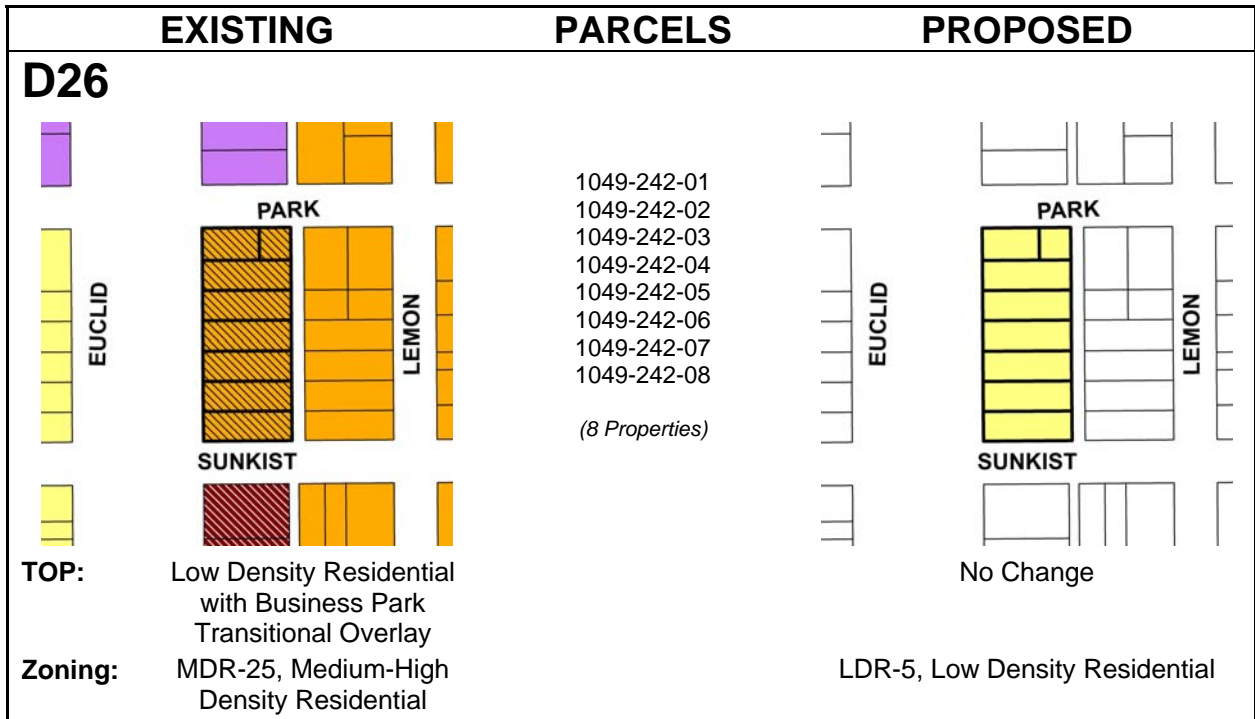
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1049-242-11	1049-245-11	1049-251-07	1046-254-03	1049-257-01
1049-242-12	1049-245-12	1049-251-08	1046-254-04	1049-257-02
1049-242-13	1049-245-13	1049-251-09	1049-254-05	1049-257-03
1049-242-14	1049-245-16	1049-241-10	1049-255-01	1049-257-04
1049-242-15	1049-246-01	1049-252-08	1049-255-02	1049-257-05
1049-242-16	1049-246-02	1049-252-09	1049-255-03	1049-257-06
1049-244-01	1049-246-03	1049-252-10	1049-255-04	1049-257-07
1049-244-02	1049-246-04	1049-252-11	1049-255-05	1049-257-08
1049-244-04	1049-246-05	1049-253-01	1049-255-06	1049-257-09
1049-244-05	1049-246-06	1049-253-02	1049-255-07	1049-257-10
1049-244-06	1049-246-07	1049-253-03	1049-255-08	1049-257-11
1049-244-07	1049-246-08	1049-253-04	1049-255-09	1049-257-14
1049-244-08	1049-246-09	1049-253-05	1049-255-10	1049-257-15
1049-244-09	1049-246-10	1049-253-06	1049-255-11	1049-257-16
1049-244-10	1049-246-11	1049-253-07	1049-255-12	1049-258-01
1049-244-11	1049-246-12	1049-253-08	1049-256-01	1049-258-02
1049-244-12	1049-246-13	1049-253-09	1049-256-02	1049-258-03
1049-245-07	1049-246-14	1049-253-10	1049-256-03	1049-258-04
1049-245-08	1049-246-15	1049-253-11		

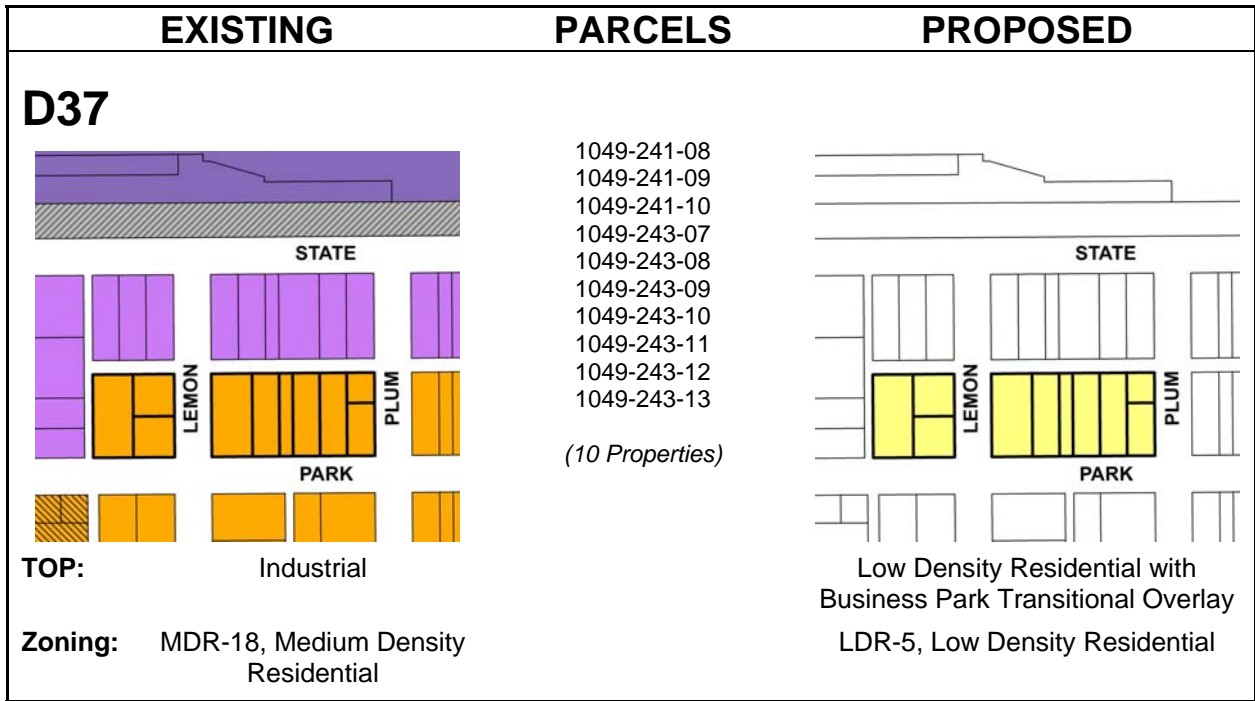
TOP: Low Density Residential with Business Park or Industrial Transitional Overlay

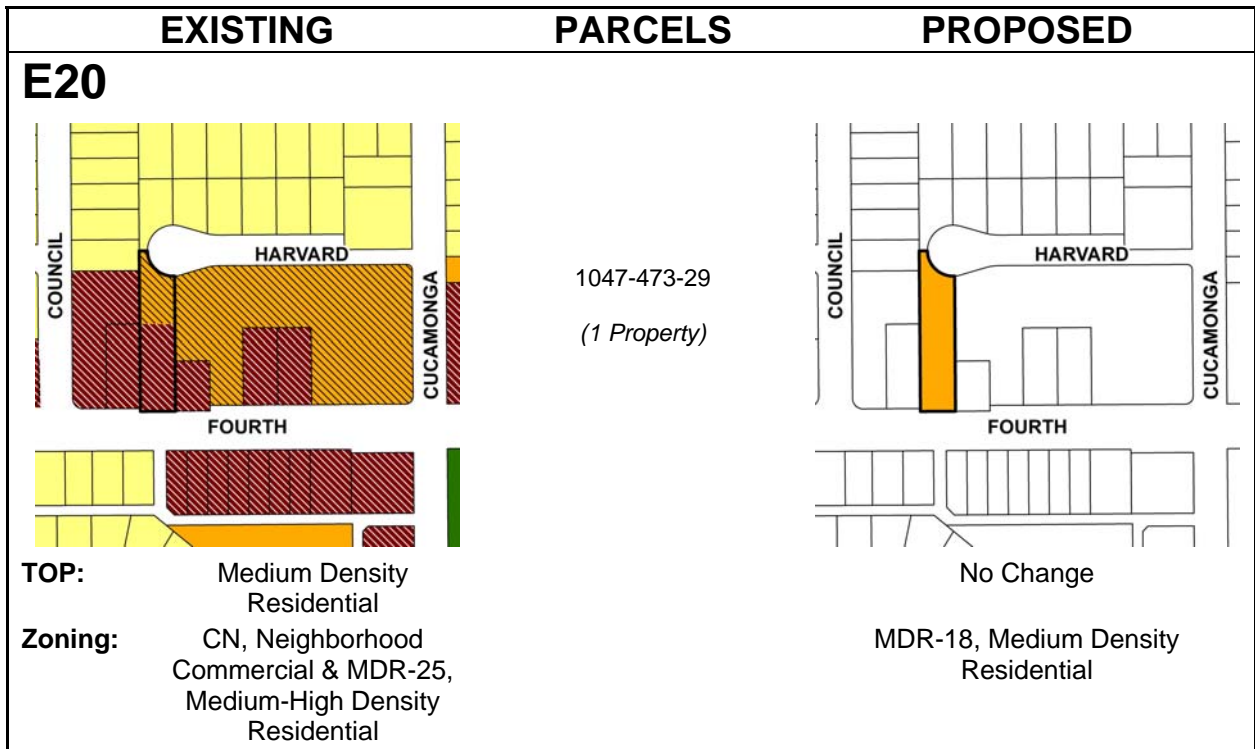
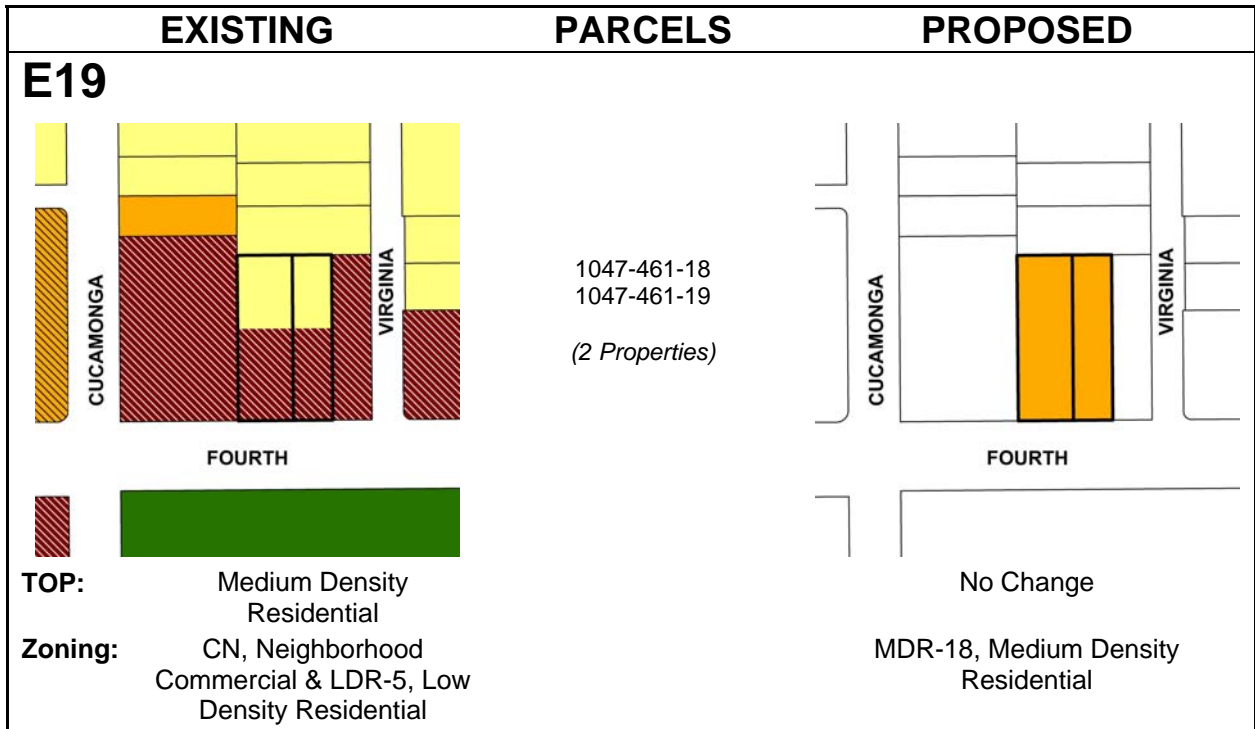
No Change

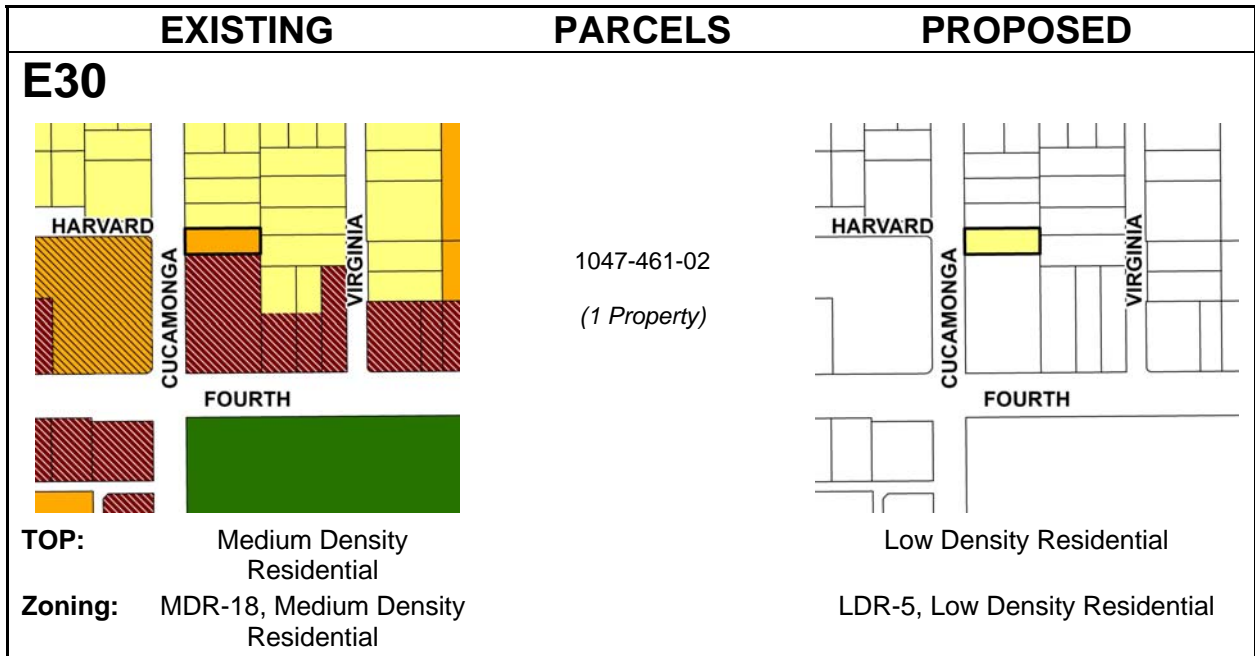
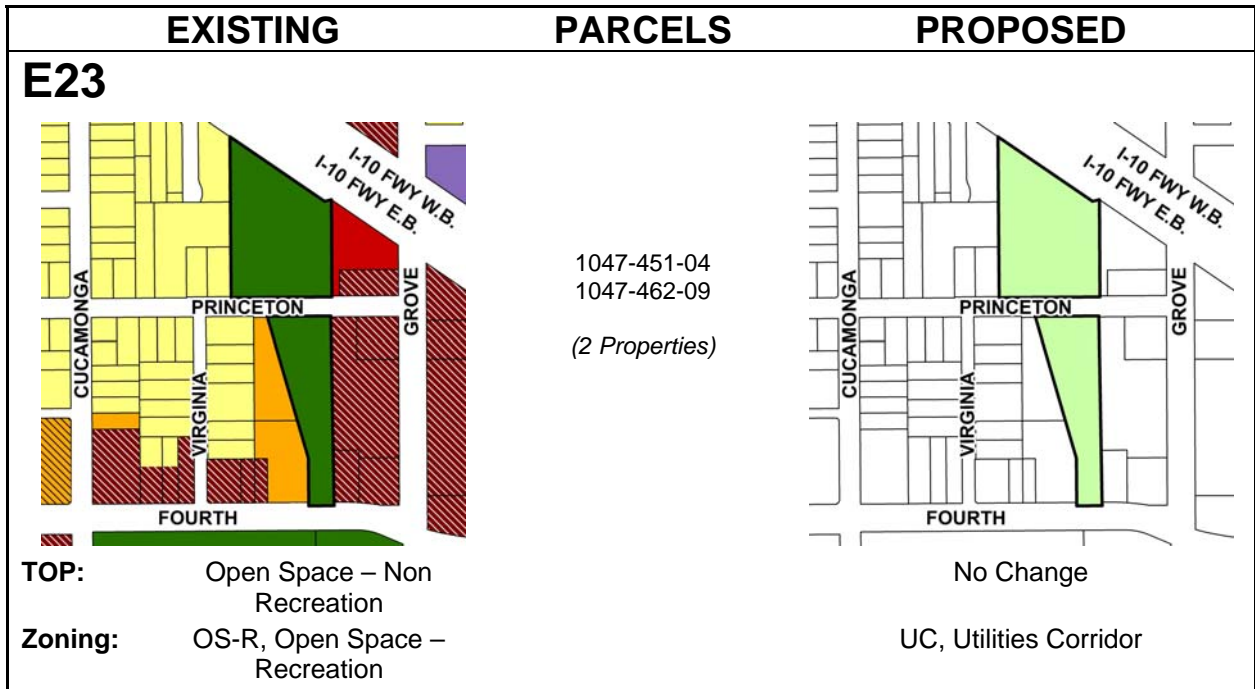
Zoning: MDR-18, Medium Density Residential

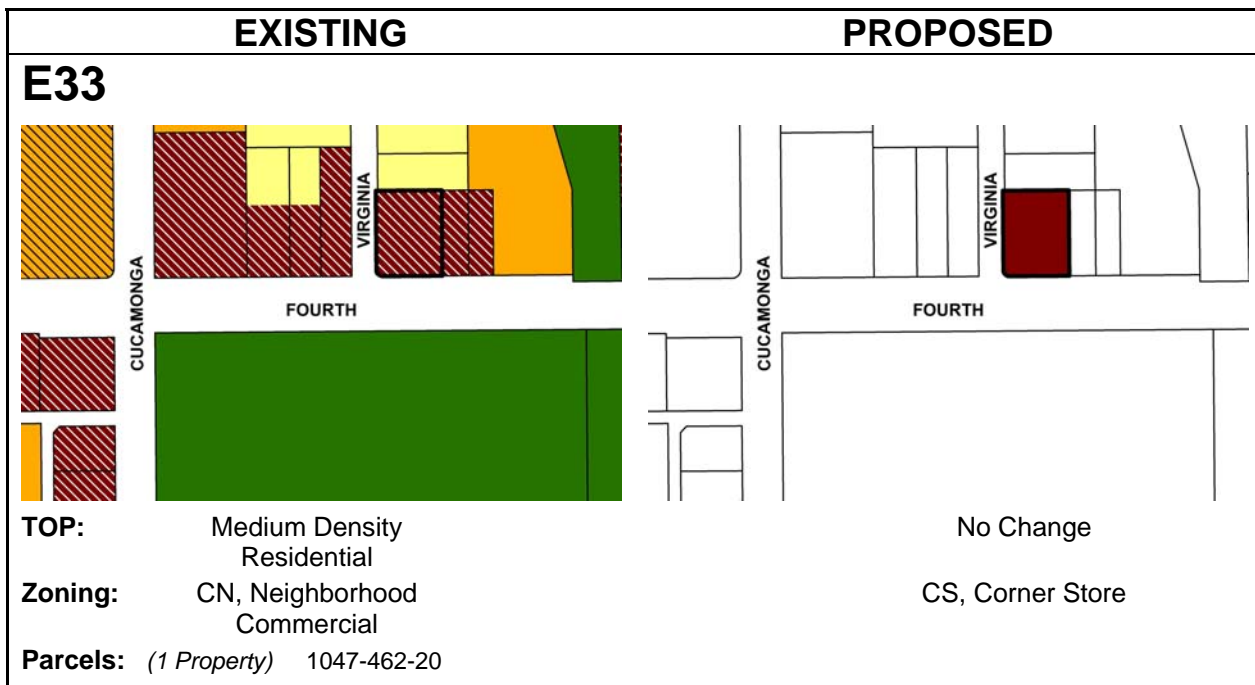
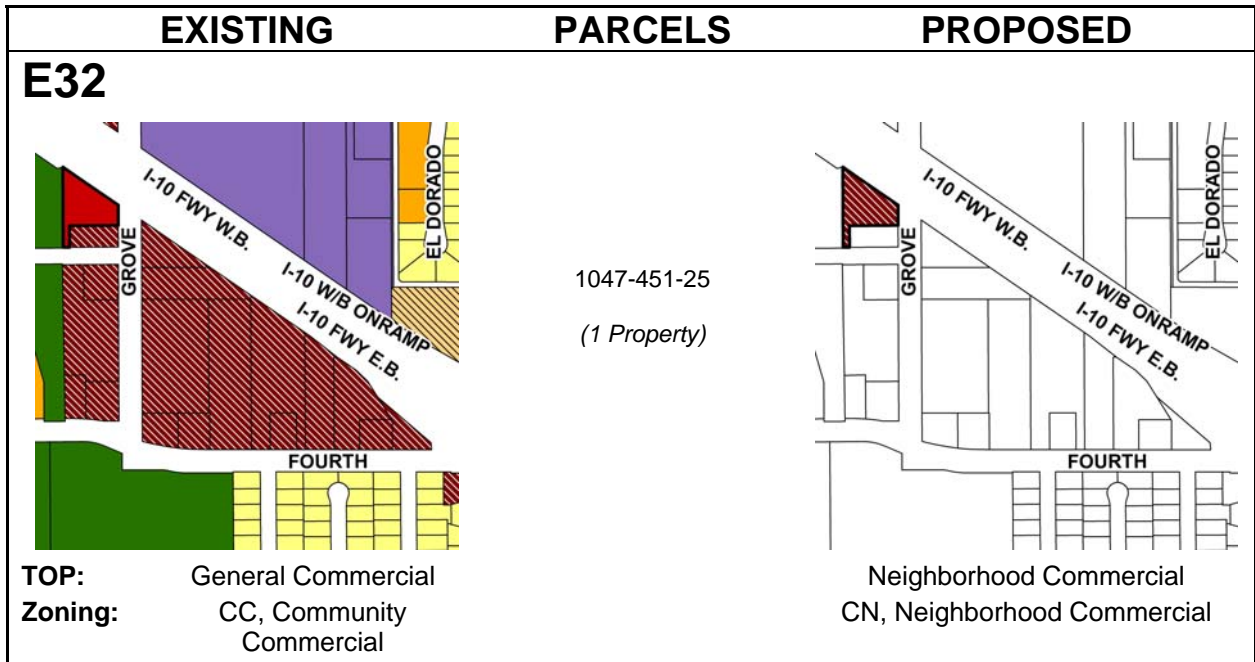
LDR-5, Low Density Residential

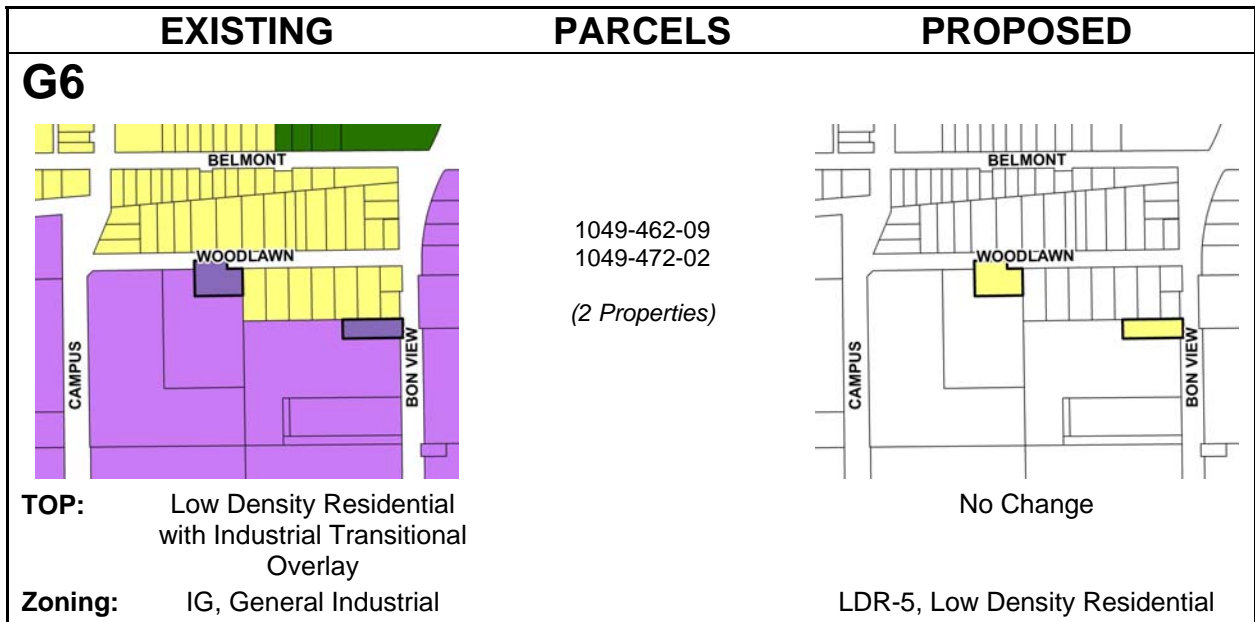
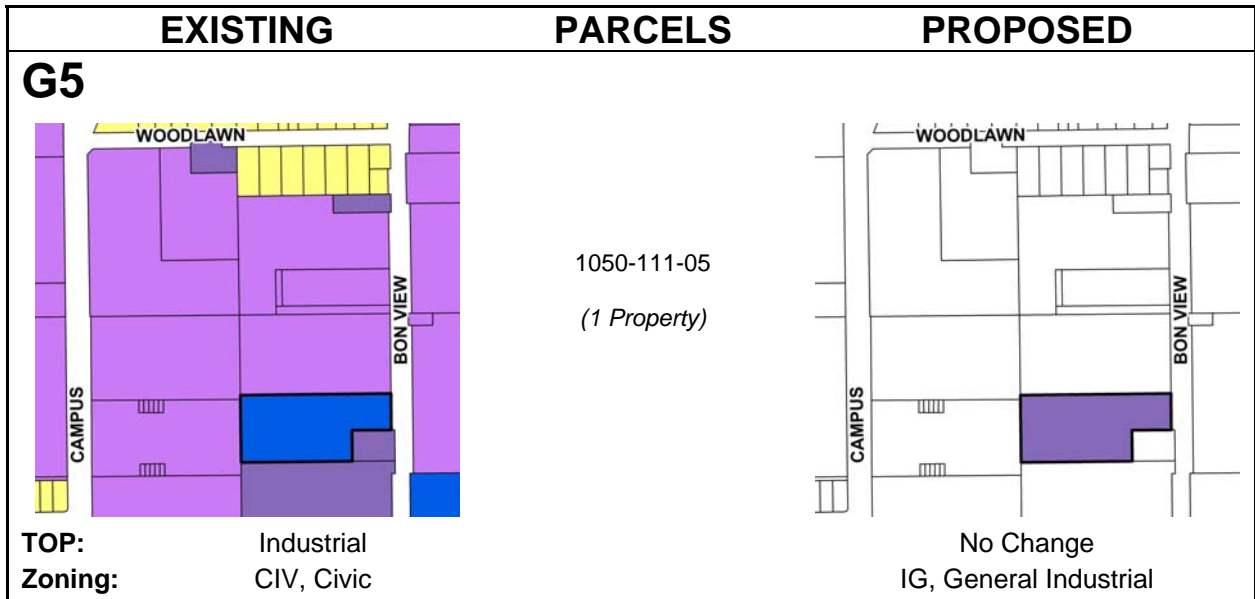












EXISTING

PROPOSED

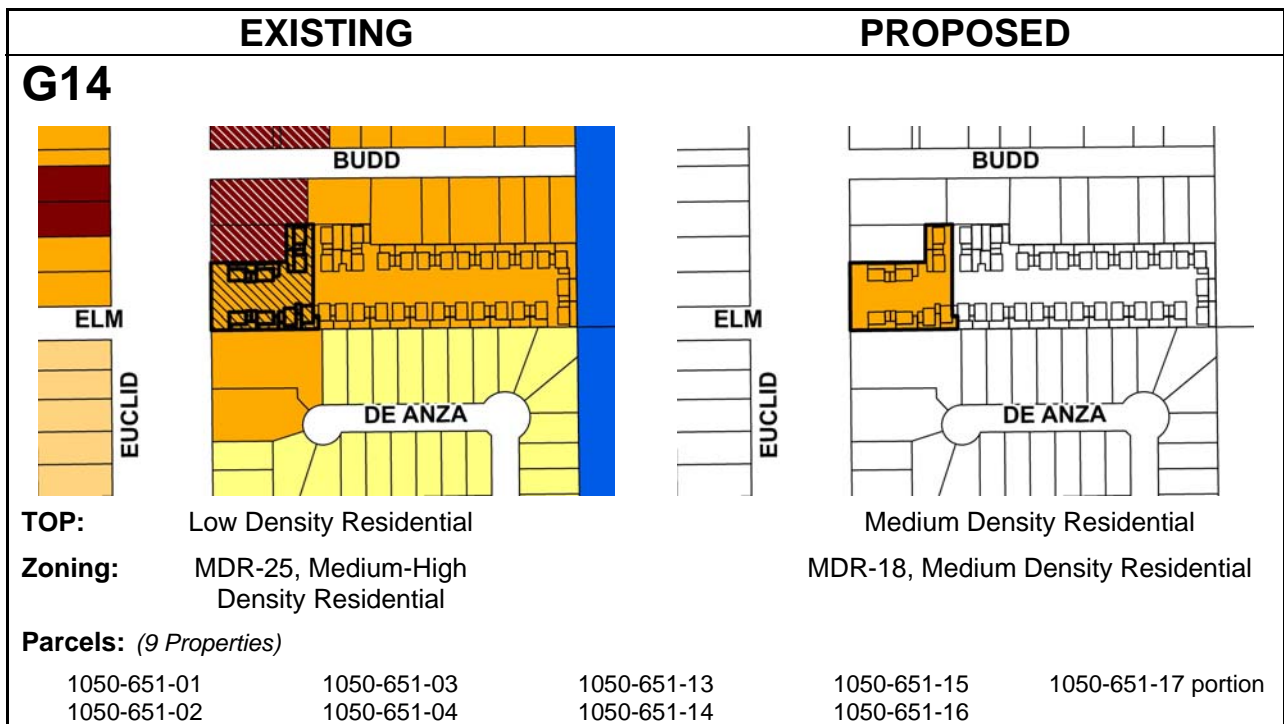
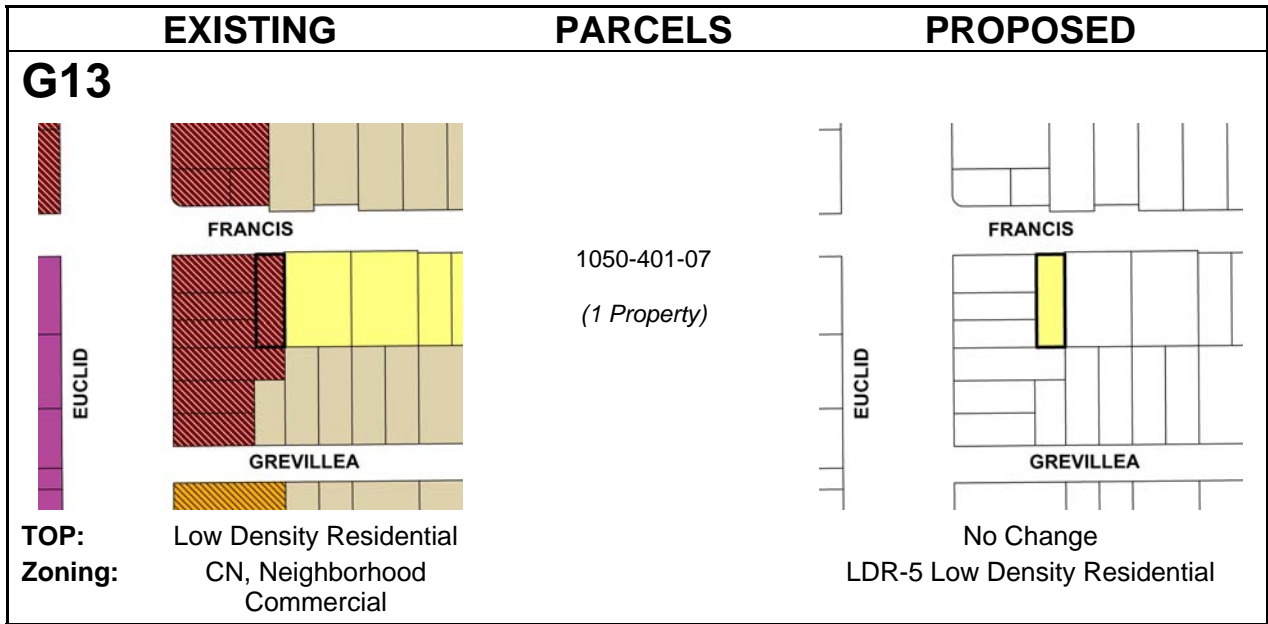
G12

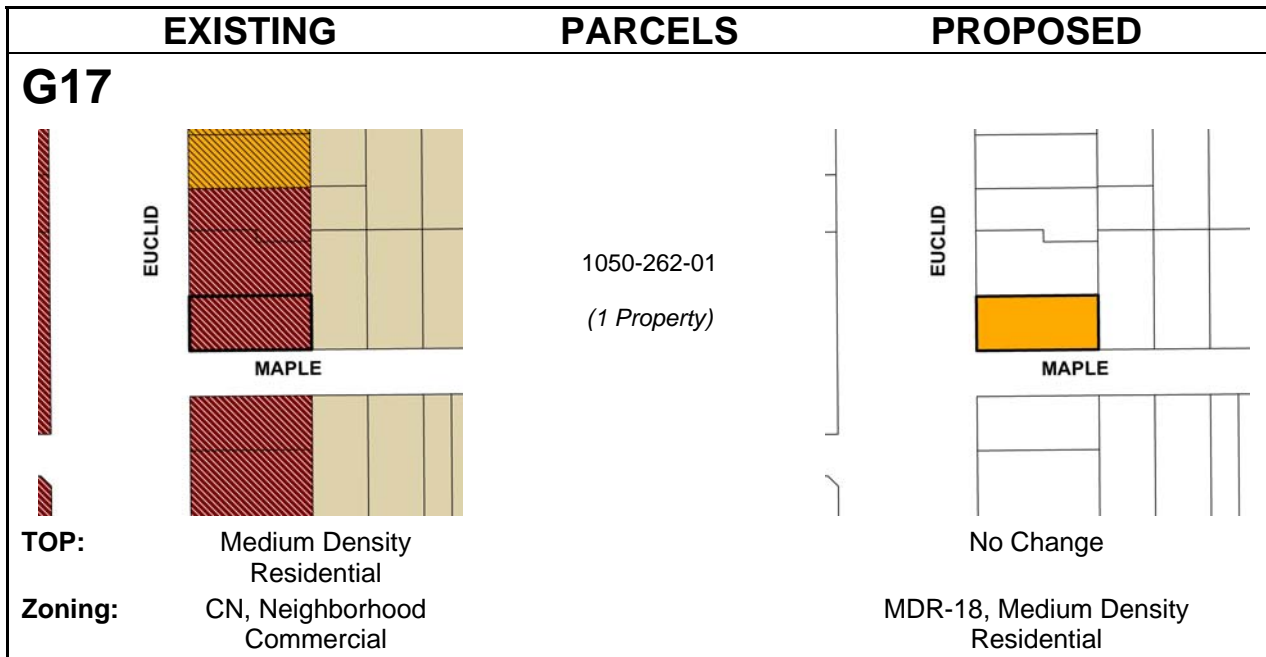
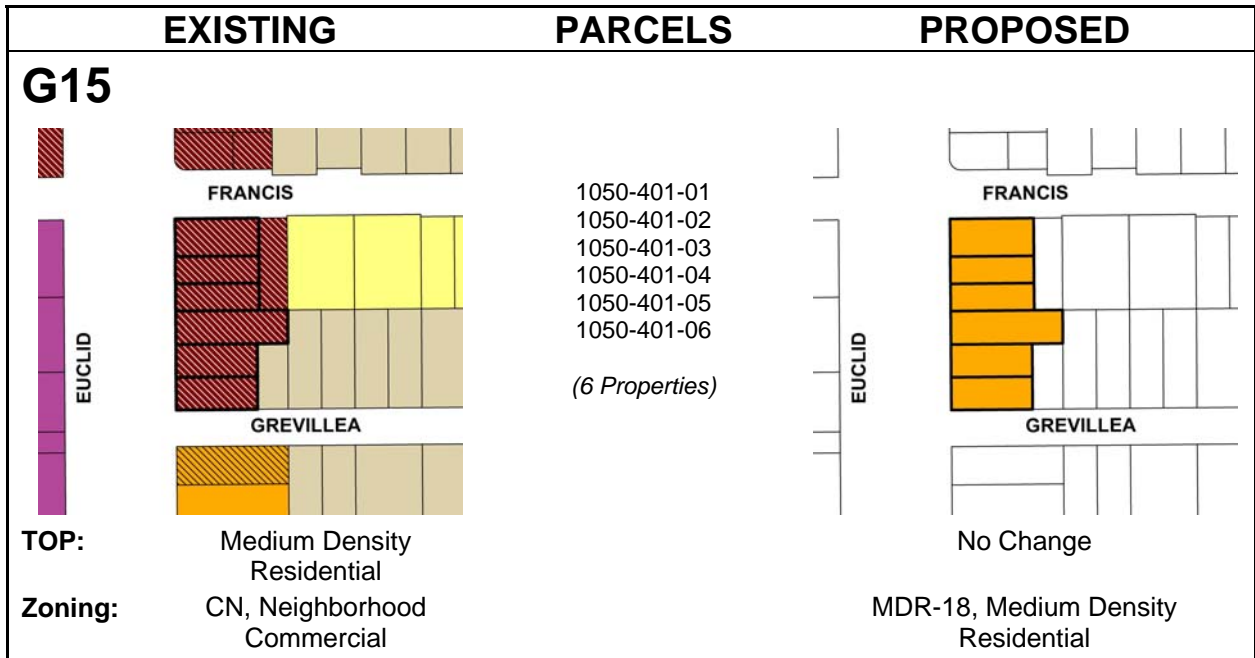


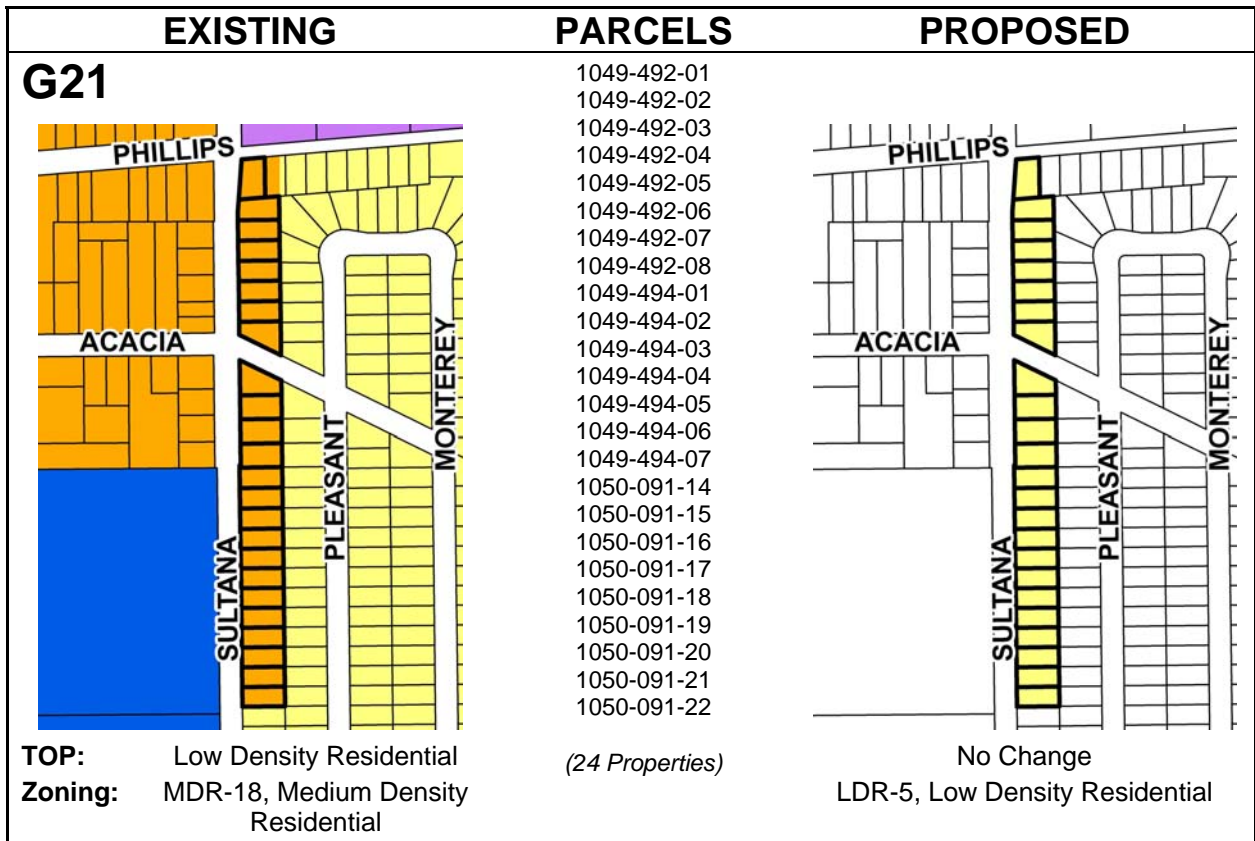
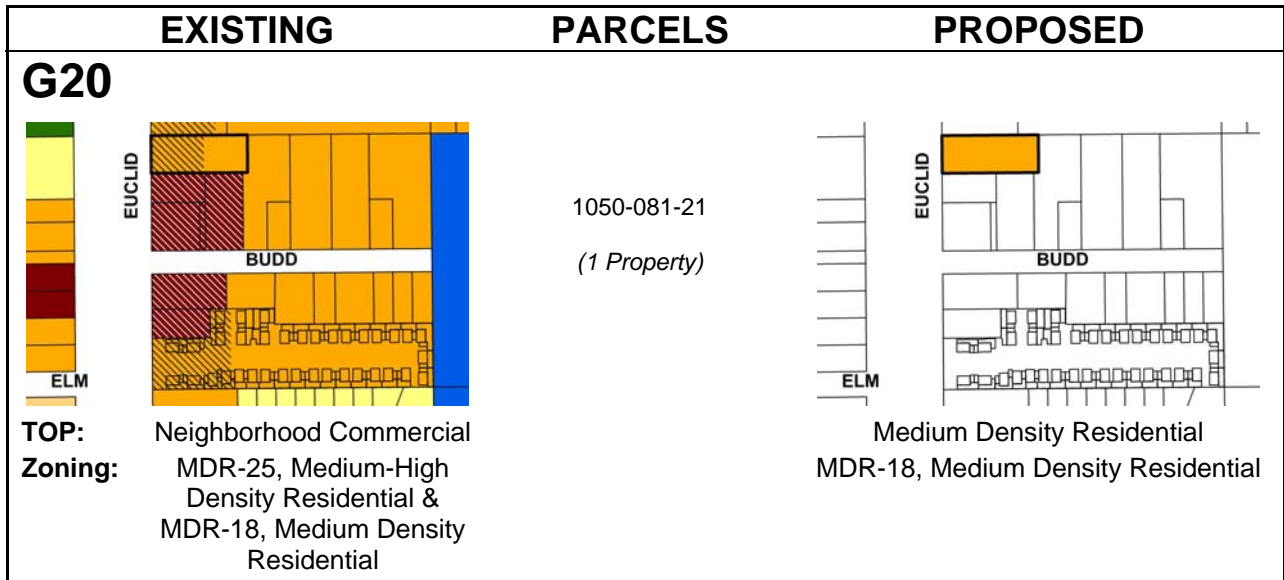
TOP: Low Density Residential
Zoning: AR-2, Residential-Agricultural
Parcels: (122 Properties)

No Change
LDR-5, Low Density Residential

1050-251-02	1050-251-29	1050-261-16	1050-262-30	1050-401-24	1050-402-12
1050-251-03	1050-251-30	1050-261-17	1050-262-31	1050-401-25	1050-402-13
1050-251-04	1050-251-31	1050-262-08	1050-262-32	1050-401-26	1050-402-14
1050-251-05	1050-251-32	1050-262-10	1050-262-33	1050-401-27	1050-402-15
1050-251-06	1050-251-33	1050-262-11	1050-262-34	1050-401-28	1050-411-03
1050-251-07	1050-251-34	1050-262-12	1050-262-35	1050-401-29	1050-411-04
1050-251-08	1050-251-35	1050-262-13	1050-262-36	1050-401-30	1050-411-05
1050-251-09	1050-251-36	1050-262-14	1050-262-37	1050-401-31	1050-411-39
1050-251-10	1050-261-03	1050-262-15	1050-262-38	1050-401-32	1050-411-40
1050-251-11	1050-261-04	1050-262-16	1050-262-39	1050-401-33	1050-411-41
1050-251-12	1050-261-05	1050-262-17	1050-262-40	1050-401-34	1050-531-05
1050-251-13	1050-261-06	1050-262-18	1050-262-41	1050-401-35	1050-531-08
1050-251-14	1050-261-07	1050-262-19	1050-391-03	1050-402-04	1050-531-09
1050-251-15	1050-261-08	1050-262-20	1050-391-04	1050-402-05	1050-531-10
1050-251-16	1050-261-09	1050-262-21	1050-391-07	1050-402-06	1050-531-11
1050-251-17	1050-261-10	1050-262-22	1050-391-08	1050-402-07	1050-531-13
1050-251-24	1050-261-11	1050-262-23	1050-391-09	1050-402-08	1050-531-17
1050-251-25	1050-261-12	1050-262-27	1050-391-22	1050-402-09	1050-531-18
1050-251-26	1050-261-13	1050-262-28	1050-391-25	1050-402-10	1050-531-19
1050-251-27	1050-261-14	1050-262-29	1050-401-23	1050-402-11	1050-531-60
1050-251-28	1050-261-15				





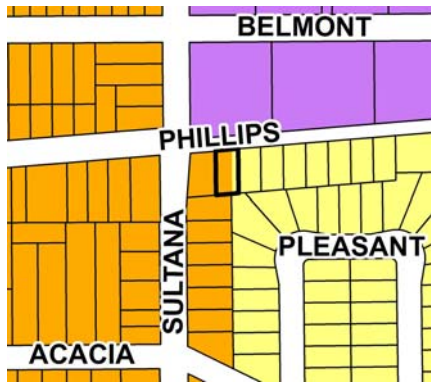


EXISTING

PARCELS

PROPOSED

G22



1049-492-09
(1 Property)



TOP: Low Density Residential
Zoning: LDR-5, Low Density Residential & MDR-18, Medium Density Residential

No Change
LDR-5, Low Density Residential

EXISTING

PROPOSED

G23



TOP: Low Density Residential

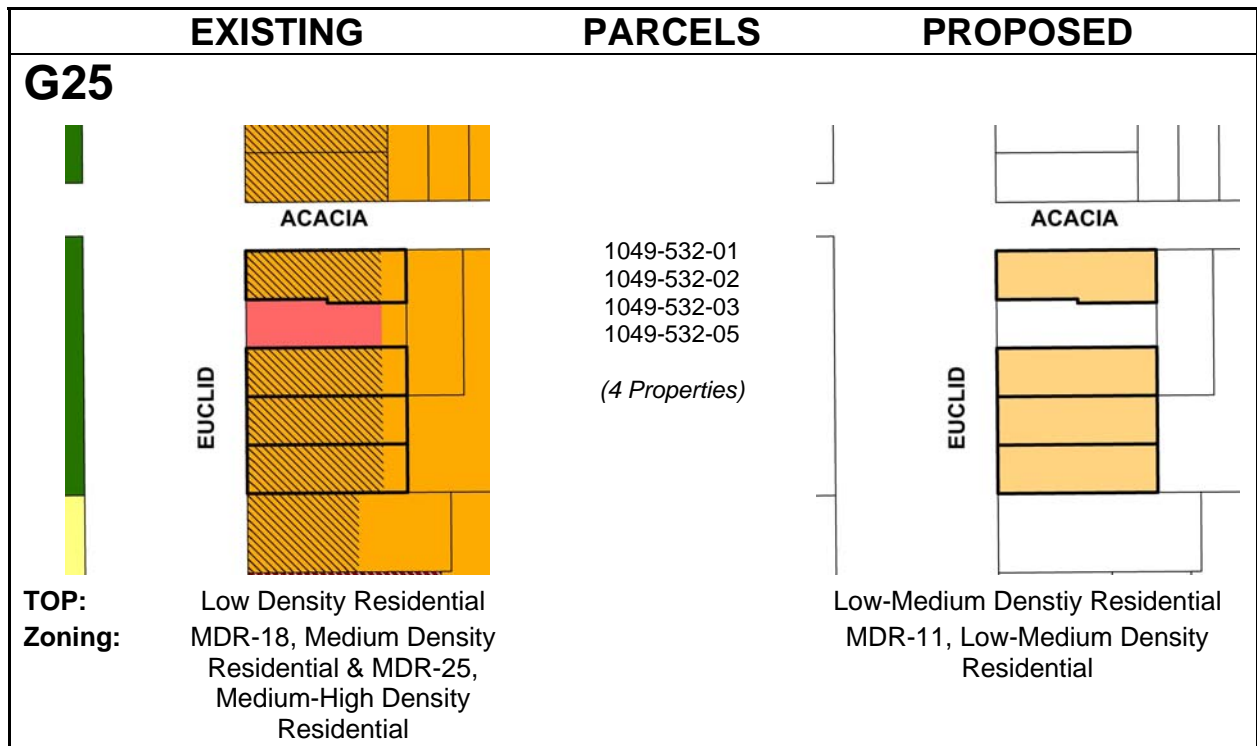
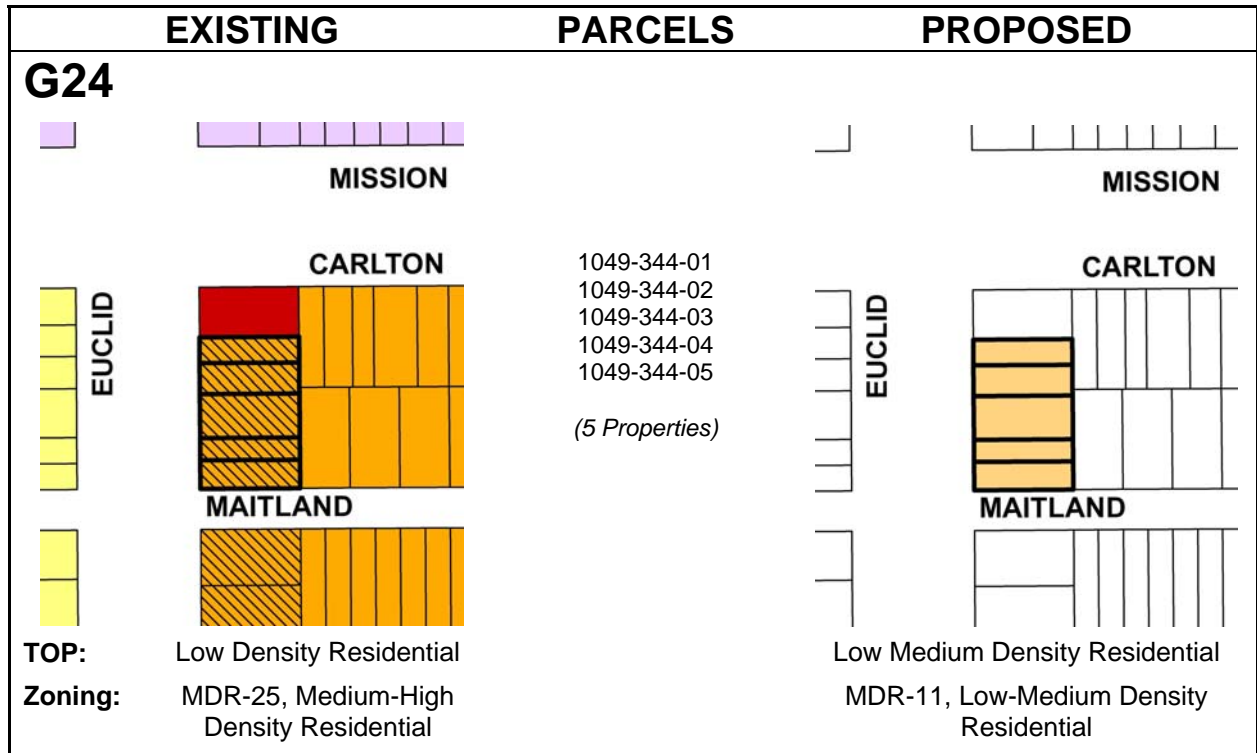
Low-Medium Density Residential

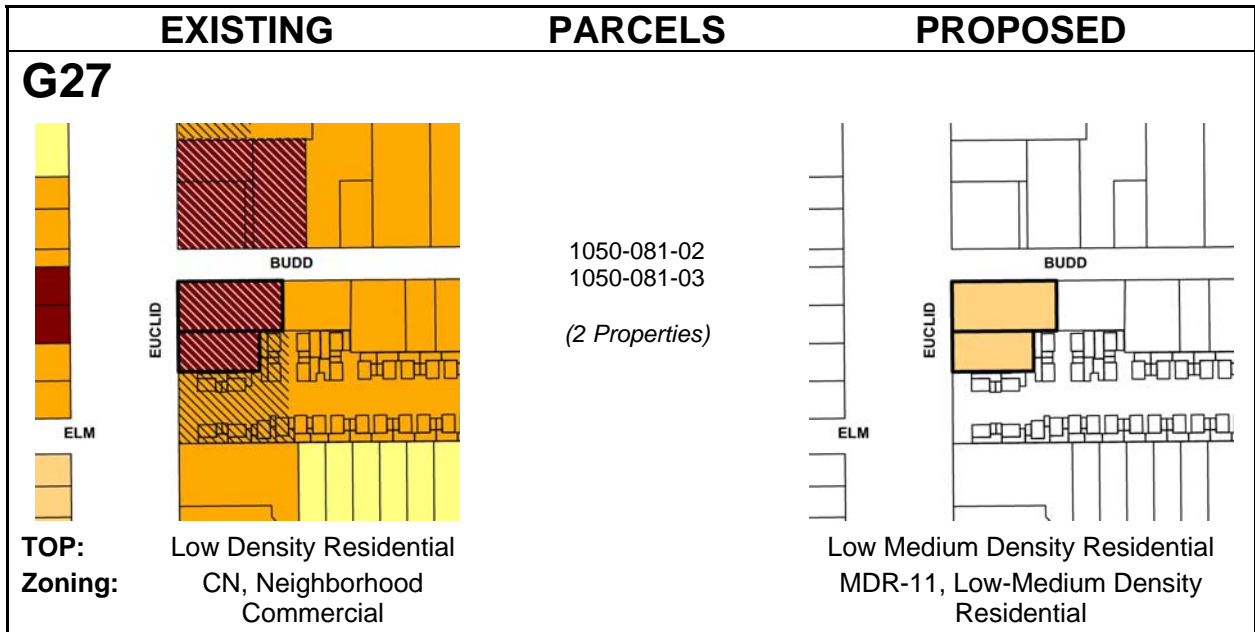
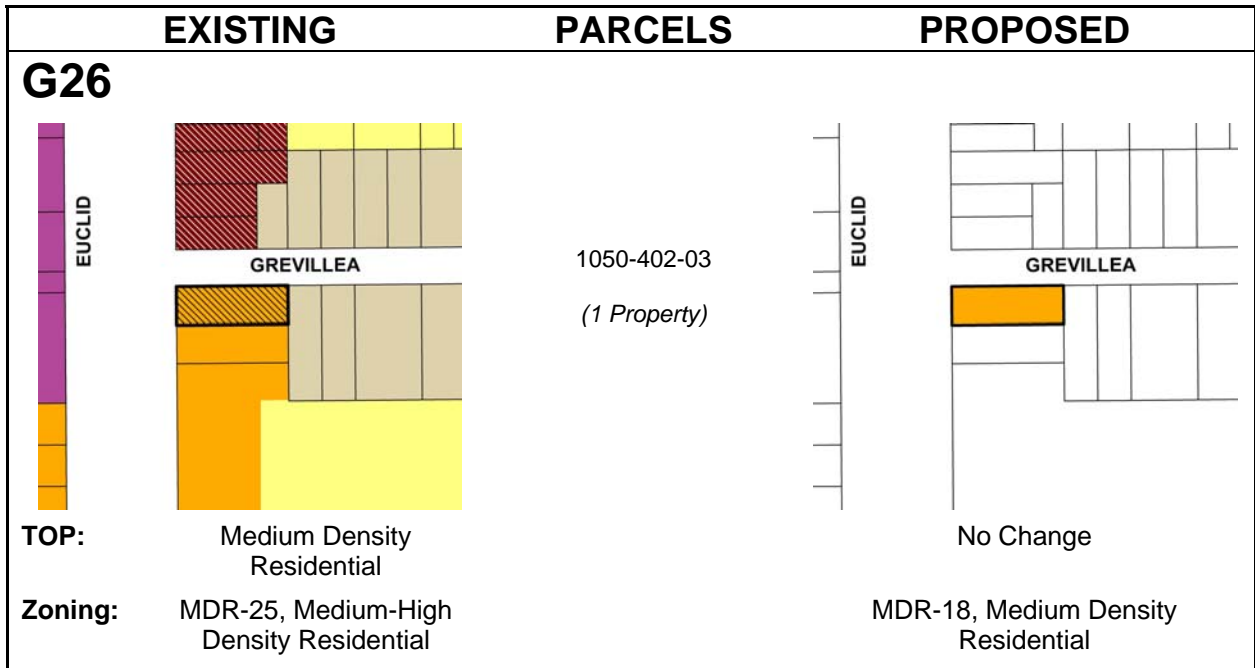
Zoning: MDR-18, Medium Density Residential

MDR-11, Low-Medium Density Residential

Parcels: (215 Properties)

1049-511-04	1049-512-17	1049-513-30	1049-514-29	1049-522-11	1049-531-26	1049-532-08
1049-511-05	1049-512-18	1049-513-31	1049-514-30	1049-522-12	1049-531-27	1049-532-09
1049-511-06	1049-512-19	1049-513-32	1049-514-31	1049-522-13	1049-531-28	1049-532-10
1049-511-07	1049-512-20	1049-513-33	1049-514-32	1049-522-14	1049-531-29	1049-532-11
1049-511-08	1049-513-03	1049-514-01	1049-514-33	1049-522-15	1049-531-30	1049-532-12
1049-511-09	1049-513-04	1049-514-02	1049-521-01	1049-522-16	1049-531-31	1049-532-13
1049-511-10	1049-513-05	1049-514-03	1049-521-04	1049-522-17	1049-531-32	1049-532-14
1049-511-11	1049-513-06	1049-514-04	1049-521-05	1049-522-18	1049-531-33	1049-532-15
1049-511-12	1049-513-07	1049-514-05	1049-521-06	1049-522-19	1049-531-34	1049-532-16
1049-511-13	1049-513-08	1049-514-06	1049-521-07	1049-522-20	1049-531-35	1049-532-17
1049-511-14	1049-513-09	1049-514-07	1049-521-08	1049-522-21	1049-531-36	1049-532-18
1049-511-15	1049-513-10	1049-514-08	1049-521-09	1049-522-22	1049-531-37	1049-532-19
1049-511-16	1049-513-11	1049-514-09	1049-521-10	1049-522-23	1049-531-38	1049-532-20
1049-511-17	1049-513-12	1049-514-10	1049-521-11	1049-531-07	1049-531-39	1049-532-21
1049-511-18	1049-513-13	1049-514-11	1049-521-12	1049-531-08	1049-531-40	1049-532-22
1049-511-19	1049-513-14	1049-514-12	1049-521-13	1049-531-09	1049-531-42	1049-532-23
1049-511-20	1049-513-15	1049-514-13	1049-521-14	1049-531-10	1049-531-43	1049-532-24
1049-511-21	1049-513-16	1049-514-14	1049-521-15	1049-531-11	1049-531-44	1049-532-26
1049-512-01	1049-513-17	1049-514-15	1049-521-16	1049-531-12	1049-531-45	1049-532-27
1049-512-04	1049-513-18	1049-514-16	1049-521-17	1049-531-13	1049-531-46	1049-532-28
1049-512-05	1049-513-19	1049-514-17	1049-521-18	1049-531-14	1049-531-47	1049-532-29
1049-512-06	1049-513-20	1049-514-18	1049-522-01	1049-531-15	1049-531-48	1049-532-30
1049-512-07	1049-513-21	1049-514-19	1049-522-02	1049-531-16	1049-531-49	1049-532-31
1049-512-08	1049-513-22	1049-514-20	1049-522-03	1049-531-17	1049-531-50	1050-081-04
1049-512-09	1049-513-23	1049-514-21	1049-522-04	1049-531-18	1049-531-51	1050-081-05
1049-512-11	1049-513-24	1049-514-23	1049-522-05	1049-531-19	1049-531-52	1050-081-06
1049-512-12	1049-513-25	1049-514-24	1049-522-06	1049-531-21	1049-531-53	1050-081-07
1049-512-13	1049-513-26	1049-514-25	1049-522-07	1049-531-22	1049-531-54	1050-081-08
1049-512-14	1049-513-27	1049-514-26	1049-522-08	1049-531-23	1049-531-55	1050-081-09
1049-512-15	1049-513-28	1049-514-27	1049-522-09	1049-531-24	1049--532-06	1050-081-10
1049-512-16	1049-513-29	1049-514-28	1049-522-10	1049-531-25		



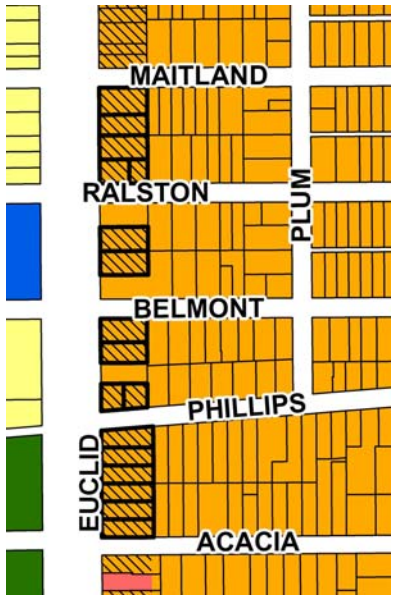


EXISTING

PARCELS

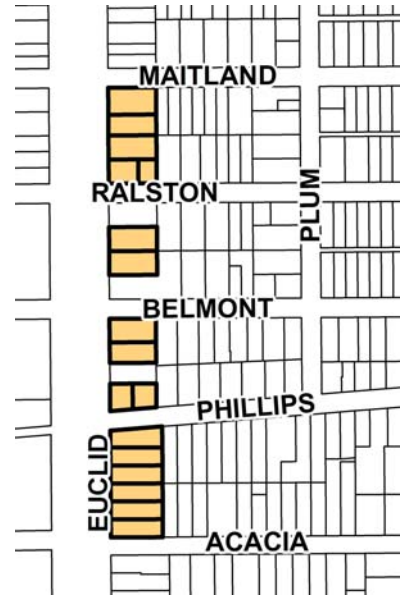
PROPOSED

G29



- 1049-511-01
- 1049-511-02
- 1049-511-03
- 1049-511-22
- 1049-511-23
- 1049-512-02
- 1049-512-03
- 1049-521-02
- 1049-521-03
- 1049-521-19
- 1049-521-20
- 1049-531-01
- 1049-531-02
- 1049-531-03
- 1049-531-04
- 1049-531-05
- 1049-531-06

(17 Properties)



TOP: Low Density Residential
Zoning: MDR-25, Medium-High Density Residential

Low Medium Density Residential
 MDR-11, Low-Medium Density Residential

