



## **CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD**

### **AGENDA**

**November 16, 2020**

- ▶ **All documents for public review are on file in the Planning Department located in City Hall at 303 East “B” St., Ontario, CA 91764.**

#### **MEETING WILL BE HELD AT 1:30 PM VIA ZOOM**

Scott Ochoa, City Manager  
Scott Murphy, Executive Director, Community Development Agency  
John P. Andrews, Executive Director, Economic Development  
James Caro, Building Official  
Rudy Zeledon, Planning Director  
Khoi Do, City Engineer  
Chief Michael Lorenz, Police Department  
Fire Marshal Mike Gerken, Fire Department  
Scott Burton, Utilities General Manager  
Katryna Gonzalez, Housing Director

#### **PUBLIC COMMENTS**

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

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

#### **AGENDA ITEMS**

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

## **CONSENT CALENDAR ITEMS**

### **A. MINUTES APPROVAL**

Development Advisory Board Minutes of September 21, 2020, approved as written, approval was continued from the October 19, 2020 meeting due to lack of quorum.

### **B. MINUTES APPROVAL**

Development Advisory Board Minutes of October 19, 2020, approved as written.

## **PUBLIC HEARING ITEMS**

- C. ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT20-002 AND PDEV20-003**: A Tentative Tract Map (File No. PMTT20-002/TT 20335) to subdivide 7.32 acres of land into one lettered lot for condominium purposes in conjunction with a Development Plan (File No. PDEV20-003) to construct 92 detached single-family dwellings, located at 2862 South Campus Avenue, within the MDR-18 (Medium Density Residential - 11.1 to 18 du/ac) zoning district. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140), certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1051-531-05 & 1051-531-06) **submitted by MLC Holdings. Planning Commission action is required.**

#### **1. CEQA Determination**

Motion to recommend Approval/Denial of an Addendum to a previous EIR

#### **2. File No. PMTT20-002 (TT 20335)**

Motion to recommend Approval/Denial

#### **3. File No. PDEV20-003**

Motion to recommend Approval/Denial

If you wish to appeal a decision of the **Development Advisory Board**, you must do so within ten

(10) days of the **Development Advisory Board** action. Please contact the **Planning Department** for information regarding the appeal process.

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

The next **Development Advisory Board** meets on **December 7, 2020**.

I, Gwen Berendsen, Administrative Assistant of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **November 12, 2020**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.



Administrative Assistant

**CITY OF ONTARIO**

**Development Advisory Board**

**Minutes**

**September 21, 2020**

**BOARD MEMBERS PRESENT VIA ZOOM**

Rudy Zeledon, Chairman, Planning Department  
Kevin Shear, Building Department  
Charity Hernandez, Economic Development Agency  
Khoi Do, Engineering Department  
Paul Ehrman, Fire Department  
Ahmed Aly, Municipal Utilities Company  
Emily Hernandez, Police Department

**BOARD MEMBERS ABSENT**

Elda Zavala, Housing and Neighborhood Preservation

**STAFF MEMBERS PRESENT VIA ZOOM**

Jeanie Aguilo, Planning Department  
Gwen Berendsen, Planning Department  
Maureen Duran, Planning Department  
Miguel Sotomayor, Engineering Department  
Alexis Vaughn, Planning Department

**PUBLIC COMMENTS**

No one responded via telephone. Mr. Zeledon stated there were no public comments via telephone, email or written correspondence prior to the meeting.

**CONSENT CALENDAR ITEMS**

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the August 17, 2020, meeting of the Development Advisory Board was made by Mr. Aly; seconded by Mr. Ehrman; and approved unanimously by those present (5-0). Mr. Do and Ms. C. Hernandez recused themselves as they did not attend that meeting.

**PUBLIC HEARING ITEMS**

- B. ENVIRONMENTAL ASSESSMENT, TRACT MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT19-010 (TM 20285) AND PDEV19-030:** A Tentative Tract Map (File No. PMTT19-010, TT 20285) to subdivide 8.57 acres of land into 11 numbered lots and 6 lettered lots, in conjunction with a Development Plan (File No. PDEV19-030) to construct 126 multiple-family dwellings generally located at the northeast corner of Clifton and Eucalyptus Avenues, within the PA-4 land use district of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140), which was certified by the City Council on January 27, 2010. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-302-01) **submitted by Patrick McCabe, Christopher Development Group, Inc. Planning Commission action is required.**

Applicant Patrick McCabe of Christopher Development Group, Inc., was present via telephone. Mr. Zeledon asked if he had any questions regarding the conditions. Mr. McCabe stated he only had questions for Engineering but would work with them before the Planning Commission meeting. He agreed to the conditions of approval.

There were no phone calls, emails, or written correspondence regarding this project. Mr. Zeledon then entertained a motion.

Motion recommending approval of **File Nos. PMTT19-010 and PDEV19-030**, subject to conditions to the Planning Commission was made by Mr. Shear; seconded by Mr. Aly; and approved unanimously by those present (7-0).

- C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-006:** A Development Plan to construct 226 single-family dwellings on 53.79 acres of land generally located at the northwest corner of Haven and Bellegrave Avenues, within Planning Areas 28 (Conventional Medium Lot) and 29 (Conventional Medium Lot) of the Subarea 29 Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with an Addendum to the Subarea 29 Specific Plan Environmental Impact Report (File No. PSPA14-002, SCH #2004011009), certified by the City Council on April 21, 2015. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APNs: 0218-321-17 and 0218-321-30) **submitted by Lennar Homes of California, Inc. Planning Commission action is required.**

Applicant Blaine Humbles of Lennar Homes of California, Inc., was present via telephone. Mr. Zeledon asked if he had any questions or concerns regarding the conditions. Mr. Humbles stated he did not and said he was in agreement with the conditions of approval.

There were no phone calls, emails, or written correspondence regarding this project. Mr. Zeledon then entertained a motion.

Motion recommending approval of **File No. PDEV20-006**, subject to conditions to the Planning Commission was made by Mr. Shear; seconded by Mr. Aly; and approved unanimously by those present (7-0).

There being no further business, the meeting was adjourned.

Respectfully submitted,



Maureen Duran  
Recording Secretary

**CITY OF ONTARIO**

**Development Advisory Board**

**Minutes**

**October 19, 2020**

**BOARD MEMBERS PRESENT VIA ZOOM**

Rudy Zeledon, Planning Department  
Charity Hernandez, Economic Development Agency  
Mike Gerken, Fire Department  
Elda Zavala, Community Improvement  
Dennis Mejia, Municipal Utilities Company  
Jesus Plascencia, Engineering Department

**BOARD MEMBERS ABSENT**

Building Department  
Gabriel Gutierrez, Police Department

**STAFF MEMBERS PRESENT VIA ZOOM**

Alexis Vaughn, Planning Department  
Brian Lirley, Engineering Department  
Chuck Mercier, Planning Department  
Denny Chen, Planning Department  
Derrick Womble, Community Development  
Edmelyne Hutter, Planning Department  
Lorena Mejia, Planning Department  
Michael Bhatanawin, Engineering Department  
Miguel Sotomayor, Engineering Department

**PUBLIC COMMENTS**

Mr. Zeledon stated no public comment correspondence was received.

**CONSENT CALENDAR ITEMS**

- A. **APPROVAL OF MINUTES:** Motion to continue the minutes of the September 21, 2020 meeting of the Development Advisory Board, to the next regular meeting, due to lack of quorum of those who attended the meeting, was made by Mr. Plascencia; seconded by Ms. Zavala; and approved unanimously by those present (6-0).

**PUBLIC HEARING ITEMS**

- B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-051:** A Development Plan to construct one industrial building totaling 115,760 square feet on approximately 6.2 acres of land located at the southeast corner of Hellman Avenue and Eucalyptus Avenue, at 2440 East Eucalyptus Avenue, within the Business Park land use district of the West Ontario Commerce Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the West Ontario Commerce Center Specific Plan (File No. PSP16-002), for which an Environmental Impact Report (SCH# 2017041074) was certified by the City Council on July 3, 2018. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APNs: 0218-261-45 and 0218-261-46) **submitted by Ontario Land Ventures, LLC.**

Jeff Johnson, was present via teleconference and stated he agreed to the conditions of approval.

Mr. Zeledon stated no correspondence was received for this item.

Motion to approve **File No. PDEV19-051**, subject to conditions, was made by Ms. Zavala; seconded by Mr. Plascencia, and approved unanimously by those present (6-0).

- C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-052:** A Development Plan to raze an existing 2,800 square foot commercial building and construct a new 2,280 square foot drive-thru oil change building (Valvoline Oil Change) on 0.39-acre of land located on the northwest corner of Holt Boulevard and Mountain Ave, at 1102 West Holt Boulevard, within the CC (Community Commercial) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APN: 1010-522-10); **submitted by Henley Pacific SD LLC.**

Walter Jones, was present via teleconference and agreed to the conditions of approval.

Mr. Zeledon thanked the applicant for working with staff on the building and stated this is a nice project for the area.

Mr. Zeledon stated no correspondence was received for this item.

Motion to approve **File No. PDEV19-052**, subject to conditions, was made by Mr. Plascencia; seconded by Ms. Zavala, and approved unanimously by those present (6-0).

- D. ENVIRONMENTAL ASSESSMENT AND REVIEW FOR DEVELOPMENT PLAN FILE NO. PDEV20-015:** A Development Plan to construct a 217,308 square foot addition, for warehouse and office uses, for an approved Development Plan (File No. PDEV17-057) for the



construction of a 1,038,383 square feet industrial building (Total of 1,255,689 Sq. Ft.) on 64.1 acres of land, located on the southeast corner of Eucalyptus Avenue and Carpenter Avenue to the west, within the Planning Area 1 (Business Park) and Planning Area 2 (General Industrial) land use districts of the West Ontario Commerce Center Specific Plan. The environmental impacts of this project were analyzed in the West Ontario Commerce Center Specific Plan (File No. PSP16-002) EIR (SCH#2017041074), certified by the City Council on July 3, 2018. This application is consistent with the EIR and introduces no new significant environmental impacts. All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference. The project site is located within the Airport Influence Area of the Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT. The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics. (APNs: 0218-261-40, 0218-261-41, 0218-261-42, 0218-261-43, 0218-261-44 and 0218-261-47) **submitted by Real Estate Development Associates, LLC**

Jeff Johnson with Real Estate Development Associates, LLC, was present via teleconference and agreed to the conditions of approval and stated he appreciate all the work of the staff pushing forward to get the project to where it is.

Mr. Zeledon stated no correspondence was received for this item.

Motion to approve **File No. PDEV20-015**, subject to conditions was made by Mr. Plascencia; seconded by Ms. Zavala, and approved unanimously by those present (6-0).

- E. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT19-015:** A Tentative Tract Map to subdivide 10.49 acres of land into 106 numbered lots and 19 lettered lots, located at the northeast corner of La Avenida Drive and Manitoba Place, within the proposed Low-Medium Density land use district of The Avenue Specific Plan. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-652-27) **submitted by Ontario Schaefer Holdings, LLC. Planning Commission action is required.**

Jason Lee with Ontario Schaefer Holdings, LLC, was present via teleconference and agreed to the conditions of approval.

Mr. Zeledon stated no correspondence was received for this item.

Motion recommending approval of **File No. PMTT19-015**, subject to conditions, to the Planning Commission was made by Mr. Plascencia; seconded by Mr. Gerken, and approved unanimously by those present (6-0).

- F. **ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT18-011 (TPM 20016) AND PDEV18-036:** A Parcel Map (File No. PMTT18-011, TPM20016) to subdivide 85.6 acres of land into eight parcels to facilitate a Development Plan (File No. PDEV18-036) to construct three Industrial buildings totaling 1,447,123 square feet and five Business Park buildings totaling 105,624 square feet, located at the northeast corner of Merrill and Euclid Avenues, within the Industrial and Business Park land use districts of the Ontario Ranch Business Park Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Ontario Ranch Business Park Specific Plan, for which an Environmental Impact Report (SCH# 2019050018) was certified by the City Council on September 15, 2020. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APNs: 1054-011-01, 1054-011-02, 1054-011-04; 1054-021-01, 1054-021-02; 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02, and 1054-281-03) **submitted by Euclid Land Venture, LLC. Planning Commission action is required.**

Jeff Johnson, was present via teleconference and agreed to the conditions of approval and thanked the staff for working with them and looking forward to another great project.

Mr. Zeledon stated no correspondence was received for this item.

Motion recommending approval of **File Nos. PMTT18-011 (TPM 20016) and PDEV18-036**, subject to conditions, to the Planning Commission was made by Mr. Plascencia; seconded by Ms. Zavala, and approved unanimously by those present (6-0).

- G. **ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT19-018 AND PDEV19-059:** A Tentative Parcel Map (File No. PMTT19-018/TPM 20177) to subdivide approximately 20 acres of land into 7 numbered parcels in conjunction with a Development Plan (File No. PDEV19-059) to construct 3 industrial buildings totaling 295,991 square feet located on the northwest corner of Riverside Drive and Milliken Avenue within the proposed Community Commercial and Light Industrial zoning districts. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1083-361-01) **submitted by submitted by Toscana Square, LLC c/o Orbis Real Estate Partners. Planning Commission action is required.**

Jonathon Shardlow representing Toscana Square, was present via teleconference and agreed to the conditions of approval with a few clarifications they had been working on with Engineering. He stated the first change is in regards to the Engineering condition 2.17 C., regarding a raised landscape median is required on the south side, if these improvements cannot be constructed due to existing right-of-way and lane constraints, the applicant/developer can pay an in-lieu fee for their fair share of these improvements. This in-lieu fee will be based on an engineer's cost estimate that will be

reviewed and approved by the City and an interim signing and striping plan for Riverside Dr will be required.

Mr. Zeledon read the current condition as is for the record: A raised landscape median is required on the south side. Please note, if the existing Riverside Dr. pavement is not consistent with current pavement standards, it will be required to be removed and replaced to be brought up to current standards.

Mr. Bhatanawin stated he had no issue to changing the language to reflect what Mr. Shardlow stated and he wanted to clarify that the interim signing and striping plan is in the absence of the raised landscape median.

Mr. Zeledon wanted to make sure this language would be changed before Planning Commission.

Mr. Bhatanawin stated yes.

Mr. Shardlow wanted to also clarify item 2.43 b, regarding the design and construction of a 42 inch storm drain and would like a sentence added stating that the size of the line is subject to change depending on the hydrology study and drainage analysis for the project.

Mr. Zeledon referred to Mr. Bhatanawin if the 42 inch was required.

Mr. Bhatanawin stated the 42 inch is a worse case scenerio and he is ok with the language change and will add the additional language to the conditions, stating that the size of the line can change depending on the hydrology study and drainage analysis, after being reviewed and approved.

Mr. Zeledon asked the applicant if he was ok with the change.

Mr. Shardlow stated yes. He stated he wanted to also have additional language added to item 2.01, to read that grating and demolition permits can be pulled prior to recordation of the map.

Mr. Zeledon wanted to clarify if he was referring to rough or precise grating.

Mr. Shardlow stated he wasn't sure what had exactly had been discussed with Engineering.

Mr. Bhatanawin stated that typically they allow demo and rough grating prior to recordation of the map, however precise grating would not be allowed without recordation. He stated he would revise the language to clarify. He stated that rough grating plan release would be when the other associated requirements are met like water quality and storm drain.

Mr. Zeledon stated that Planning would require that any CCR's or reciprocal access and maintenance items be done before recordation of the map.

Mr. Shardlow stated that for Engineering items 2.17, 2.26, 2.29, 2.34, 2.37 and 2.43, which all relate to improvements to be constructed, he would like to phase these in depending on what goes in first and would like to have a sentence added to each condition stating that the city and applicant will enter into an agreement to address the timing and phasing of these improvements.

Mr. Bhatanawin stated that defering these to a later date would not be acceptable and Engineering would need more specifics of what would be phased and what milestones would need to be reached

and these need to be pinned down in the COAs. He stated if they are going to consider a phasing order then Engineering and OMUC would need time and opportunity to look over the applicant's recommendations and work on the phasing. He stated that these are a worst case scenerio and that Engineering will keep the conditions as is and will work with the applicant on the phasing and if there is a disagreement in the phasing then it would fall back to these COAs as shown.

Mr. Zeledon stated that typically we need a Development Agreement to phase the improvements, but he understands where the applicant is coming from and that we will keep conditions the way they are and be flexible with the applicant to do some of the phasing were possible. He reiterated that these are the worst case scenerio and includes everything accordingly. He suggested the applicant work on this item with Engineering and OMUC before Planning Commission.

Mr. Shardlow stated he was agreeable to that and he really didn't have enough time to work out the phasing.

Mr. Zeledon stated he understood and that we would be pretty flexible.

Mr. Shardlow stated that he would like the Industrial Development Plan COA 2.17 c updated to reflect that trucks will be allowed to enter and exit off Riverside Dr.

Mr. Zeledon wanted to clarify what condition he was referring to.

Ms. Mejia stated that he was referring to the Planning condition 2.17 c, regarding the Riverside Avenue driveways being accessible for trucks, but all truck traffic should be directed off and towards Hamner Ave., and are not able to access coming east or exit to the west towards Haven Ave.

Mr Zeledon clarified further that ingress and egress will be allowed on Street "A" from Riverside Dr. however truck traffic is not to exit westbound or enter from the east off Riverside Ave.

Mr. Shardlow stated he agreed and had no further clarifications.

Mr. Zeledon stated no correspondence was received for this item.

Motion recommending approval of **File Nos. PMTT19-018 (TPM 20177) and PDEV19-059**, subject to conditions with the inclusion of the revisions discussed, to the Planning Commission, was made by Ms. Zavala; seconded by Mr. Plascencia, and approved unanimously by those present (6-0).

- H. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW AND CONDITIONAL USE PERMIT FOR FILE NOS. PDEV20-012 AND PCUP20-009:** A Development Plan (File No. PDEV20-012) to construct a 3,062 square foot convenience store (7-Eleven), an ancillary drive-thru car wash and fueling station in conjunction with a Conditional Use Permit (File No. PCUP20-009) to establish alcoholic beverage sales for a Type 20 ABC license (Off-Sale Beer and Wine) on 1.25 acres of land, located on the northwest corner of Riverside Drive and Milliken Avenue within the proposed Community Commercial zoning district. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International

Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1083-361-01) **submitted by submitted by Toscana Square, LLC c/o Orbis Real Estate Partners. Planning Commission action is required.**

Jonathon Shardlow was present via teleconference, on behalf of Orbis Real Estate Partners, and agreed to the conditions of approval

Mr. Zeledon stated no correspondence was received for this item.

Motion recommending approval of **File Nos. PCUP20-009 and PDEV20-012**, subject to conditions, to the Planning Commission, was made by Mr. Plascencia; seconded by Ms. Zavala and approved unanimously by those present (6-0).

- I. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-013:** A Development Plan (File No. PDEV20-013) to construct a 2,490 square foot commercial building for a fast food restaurant (Starbucks) with a drive-thru facility on 1.21 acres of land, located on the northwest corner of Riverside Drive and Milliken Avenue within the proposed Community Commercial zoning district. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1083-361-01) **submitted by submitted by Toscana Square, LLC c/o Orbis Real Estate Partners. Planning Commission action is required.**

Jonathon Shardlow was present via teleconference and agreed to the conditions of approval

Mr. Zeledon stated no correspondence was received for this item.

Motion recommending approval of **File No. PDEV20-013**, subject to conditions, to the Planning Commission, was made by Mr. Plascencia; seconded by Ms. Zavala and approved unanimously by those present (6-0).

- J. ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT20-001 AND PDEV20-001:** A Tentative Parcel Map (File No. PMTT20-001/TPM 20187) to subdivide 15.74 acres of land into 4 numbered parcels in conjunction with a Development Plan (File No. PDEV20-001) to construct 4 industrial buildings totaling 355,254 square feet located on the southeast corner of Grove Avenue and Francis Street within the Business Park land use designation of the Grove Avenue Specific Plan. The environmental impacts of this project were previously analyzed with The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by the City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 113-451-14 & 113-

**451-27) submitted by EBS Realty Partners, LLC. Planning Commission action is required.**

Michael with EBS Realty Partners, was present via teleconference and agreed to the conditions of approval.

Mr. Zeledon stated no correspondence was received for this item.

Motion recommending approval of **File Nos. PMTT20-001 (TPM 20187) and PDEV20-001**, subject to conditions, to the Planning Commission, was made by Mr. Plascencia; seconded by Ms. Zavala and approved unanimously by those present (6-0).

There being no further business, the meeting was adjourned at 2:17 PM.

Respectfully submitted,



Gwen Berendsen  
Recording Secretary



# Development Advisory Board Decision

November 16, 2020

**DECISION NO.:** [insert #]

**FILE NOS.:** PMTT20-002 and PDEV20-003

**DESCRIPTION:** An Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by City Council on January 27, 2010, for a Tentative Tract Map (File No. PMTT20-002/TT 20335) to subdivide 7.32 acres of land into one lettered lot for condominium purposes in conjunction with a Development Plan (File No. PDEV20-003) to construct 92 detached single-family dwellings, located at 2862 South Campus Avenue, within the MDR-18 (Medium Density Residential - 11.1 to 18 du/ac) zoning district. APNs: 1051-531-05 & 1051-531-06; **submitted by MLC Holdings, Inc. Planning Commission action is required.**

## Part I—BACKGROUND & ANALYSIS

MLC HOLDINGS, INC, (herein after referred to as “Applicant”) has filed an application requesting approval for a Tentative Tract Map (File No. PMTT20-002) and a Development Plan (File No. PDEV20-003), as described in the Description of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of 7.32 acres of land located at 2862 South Campus Avenue. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>
<i>Site:</i>	Single Family Residential	Medium Density Residential	MDR-18 (Medium Density Residential)
<i>North:</i>	Single Family Residential	Medium Density Residential	MDR-18 (Medium Density Residential)
<i>South:</i>	Multiple Family Residential	Medium Density Residential	MDR-18 (Medium Density Residential)
<i>East:</i>	Single Family Residential	Low Density Residential	LDR-5 (Low Density Residential)
<i>West:</i>	Single Family Residential	Low Density Residential	LDR-5 (Low Density Residential)

(2) **Project Description:** The Project applications analyzed under the Addendum to The Ontario Plan Environmental Impact Report, State Clearinghouse No. 2008101140 (hereinafter referred to as “Certified EIR”), consists of a Tentative Tract Map (File No. PMTT20-002/TT 20335) to subdivide 7.32 acres of land into a single lot for condominium purposes, in conjunction with a Development Plan (File No. PDEV20-003) to construct 92 detached single-family dwellings.

The Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) and an Initial Study/Addendum has been prepared to determine possible environmental impacts. Although the proposed project could have a significant effect on the environment, because all potentially significant effects have been analyzed adequately in an earlier Certified EIR, and have been avoided or mitigated pursuant to that earlier Certified EIR, including revisions or mitigation

measures that are imposed on the proposed project, nothing further is required. The Project will introduce no new significant environmental impacts beyond those previously analyzed in the Certified EIR, and all mitigation measures previously adopted by the Environmental Impact Report, are a condition of project approval and are incorporated in the Initial Study/Addendum (see Attachment 1—Initial Study/Addendum, attached).

### **Part II—RECITALS**

WHEREAS, The Ontario Plan Environmental Impact Report Environmental Impact Report (State Clearinghouse No. 2008101140) was certified by City Council on January 27, 2010, in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario has prepared and approved for attachment to the certified Environmental Impact Report, an Addendum to the Certified EIR (hereinafter referred to as “EIR Addendum”) 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, the EIR Addendum concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, pursuant to State 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 Certified EIR was appropriate; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the Development Advisory Board (hereinafter referred to as “DAB”) is the recommending authority for the requested approval to construct and otherwise undertake the Project; and

WHEREAS, the DAB has reviewed and considered the EIR Addendum and related documents for the Project, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the EIR Addendum and related documents are on file in the City of Ontario Planning Department, located at 303 East B Street, Ontario, CA 91764, and 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, City of Ontario Development Code Table 2.02-1 (Review Matrix) grants the DAB the responsibility and authority to review and act, or make recommendation to the Planning Commission on the subject Application; and

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



WHEREAS, on November 16, 2020, the DAB of the City of Ontario conducted a hearing on the Project, and concluded said hearing on that date; and

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

### **Part III—THE DECISION**

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

**SECTION 1: *Environmental Determination and Findings.*** As the recommending body for the Project, the DAB has reviewed and considered the information contained in the 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 DAB, the DAB finds as follows:

(1) The environmental impacts of the Project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. SCH# 2008101140), certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001; and

(2) The EIR Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts; and

(4) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference; and

(5) The EIR Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and

(6) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts.

**SECTION 2: *Subsequent or Supplemental Environmental Review Not Required.*** Based on the EIR Addendum, all related information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

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

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

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

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

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

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

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

**SECTION 3: Development Advisory Board Action.** The DAB 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 does hereby recommend Planning Commission APPROVE the adoption of the EIR Addendum to the Certified EIR, included as Attachment 1 of this Decision.

**SECTION 4: Indemnification.** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

**SECTION 5: Custodian of Records.** The EIR Addendum and all other documents and materials that constitute the record of proceedings on which these findings have been based, are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

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APPROVED AND ADOPTED this 16th day of November 2020.

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Development Advisory Board Chairman

## **Attachment 1—Addendum to The Ontario Plan Environmental Impact Report**

*(EIR Addendum follows this page)*



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

## California Environmental Quality Act Addendum to The Ontario Plan Environmental Impact Report

**Project Title/File Nos.:** PMTT20-002 and PDEV20-003

**Lead Agency:** City of Ontario, 303 East "B" Street, Ontario, California 91764, (909) 395-2036

**Contact Person:** Diane Ayala, Senior Planner, (909) 395-2428

**Project Sponsor:** City of Ontario, 303 East B Street, Ontario, CA 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 3, below, the Project site is located at 2862 South Campus Avenue on Assessor Parcel Numbers (APN's): 1051-531-05 and 1051-531-06 which is comprised of 7.32 acres of land.

**Figure 1: REGIONAL LOCATION MAP**

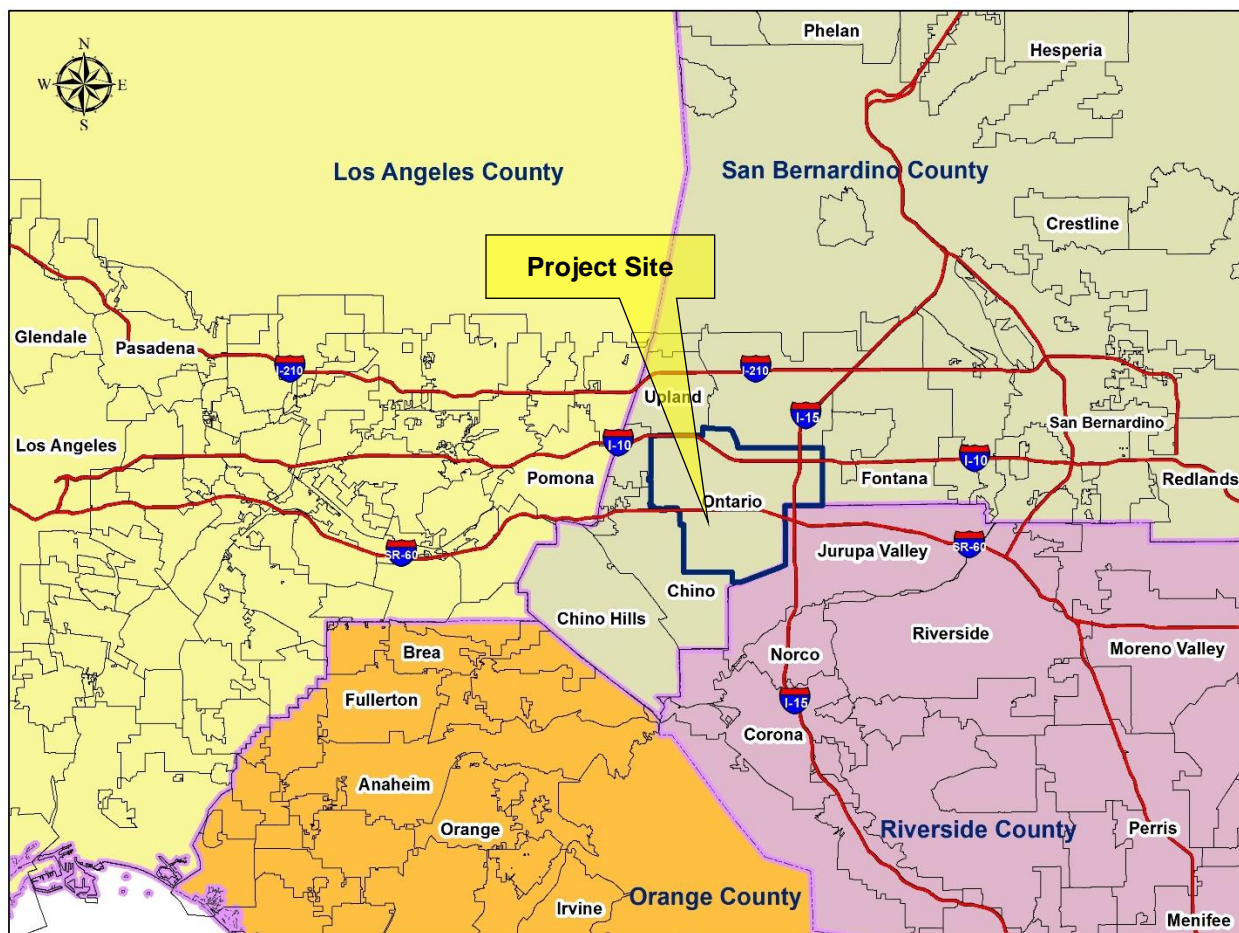




Figure 2: VICINITY MAP

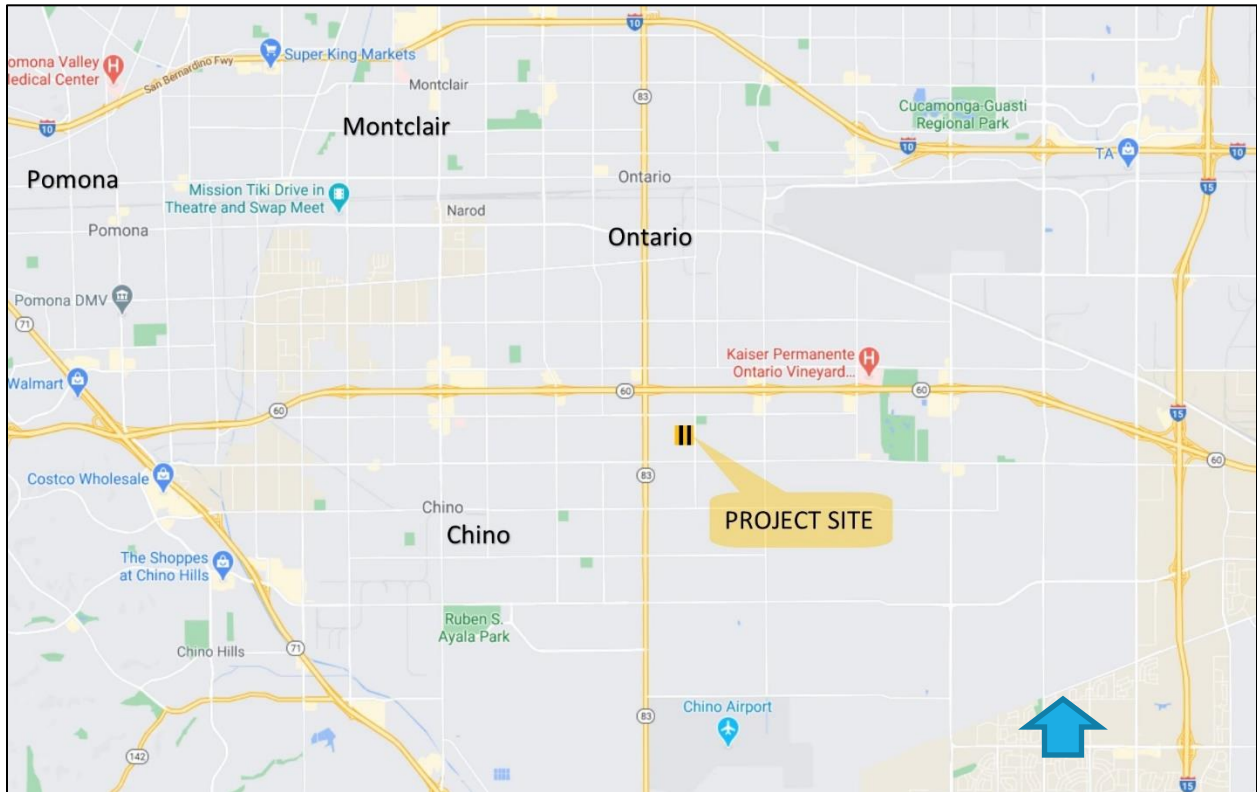


Figure 3: AERIAL PHOTOGRAPH



**General Plan Designation:** Medium Density Residential (11.1 – 25 du/ac)

**Zoning:** MDR-18 (Medium Density Residential)

**Description of Project:** A Tentative Tract Map (TT 20335) to subdivide 7.32 acres of land into one lettered lot for condominium purposes in conjunction with a Development Plan (File No. PDEV20-003) to construct 92 detached single-family dwellings on the above-described Project site.

**Project Setting:** The Project site is comprised of approximately 7.32 gross acres which lies within the MDR 18 (Medium Density Residential- 11.1 to 18 DUs/acre) zoning district. The property is relatively flat, a with a gentle 1 to 2 percent slope toward the southwest corner of the site. Surrounding land uses are characterized by residential land uses, including multiple and single family.

	<b>Existing Land Use</b>	<b>General Plan Designation</b>	<b>Zoning Designation</b>
<i>Site:</i>	Single Family Residential	Medium Density Residential	MDR-18 (Medium Density Residential)
<i>North:</i>	Single Family Residential	Low Density Residential	LDR-5 (Low Density Residential)
<i>South:</i>	Multiple Family Residential	Medium Density Residential	MDR-18 (Medium Density Residential)
<i>East:</i>	Single Family Residential	Low Density Residential	LDR-5 (Low Density Residential)
<i>West:</i>	Single Family Residential	Low Density Residential	LDR-5 (Low Density Residential)

**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 function. 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. The Certified 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.

**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 by the Project and Project implementation will not require revisions to the Certified TOP EIR. The Certified 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 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 not require major revisions to the Certified TOP EIR in that the proposed changes would be in keeping with the surrounding area. Therefore, no proposed changes or revisions to the EIR are required.

In addition, all previously adopted mitigation measures of the Certified TOP EIR 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 the Certified TOP EIR. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures of the Certified TOP EIR are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

**CEQA Requirements for an Addendum:** If changes to a Project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency may: (1) prepare a subsequent EIR if the criteria of State CEQA Guidelines Section 15162(a) are met, (2) prepare a subsequent negative declaration, (3) prepare an addendum, or (4) prepare no further documentation. (State CEQA Guidelines Section 15162(b)). When only minor technical changes or additions to the negative declaration are necessary and none of the conditions described in section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred, CEQA allows the lead agency to prepare and adopt an addendum. (State CEQA Guidelines Section 15164(b).)

Under Section 15162, a subsequent EIR or negative declaration is required only when:

1) Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the negative declaration due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the negative declaration was adopted, shows any of

the following:

- a) The project will have one or more significant effects not discussed in the previous negative declaration;
- b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Thus, if the Project does not result in any of the circumstances listed in Section 15162 (i.e., no new or substantially greater significant impacts), the City may properly adopt an addendum to the Certified 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 and in accordance with Section 15121(a) of the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). The Certified TOP EIR considered the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by the Ontario Plan. Subsequent activities within the TOP Program EIR have been evaluated to determine whether an additional CEQA documents needs to be prepared.

Accordingly, and based on the findings and information contained in the Certified TOP EIR, the analysis above, the attached Initial Study, and CEQA statute and State CEQA Guidelines, including Sections 15164 and 15162, the Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures; therefore, pursuant to State CEQA Guidelines Section 15164, the Ontario City Council hereby adopts this Addendum to the Certified EIR.

**Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement):** None

**Tribal Consultation:** Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?  Yes  No

If "yes," has consultation begun?  Yes  No  Completed

**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/Forestry 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"/> Mineral Resources           | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population / Housing      | <input type="checkbox"/> Public Services             | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation            | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Wildfire                    | <input type="checkbox"/> Energy                             |

**DETERMINATION** (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
Signature

October 27, 2020  
Date

Diane Ayala, Senior Planner  
Printed Name and Title

City of Ontario  
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>Impacts Previously Analyzed in TOP EIR</i>
<b>1. AESTHETICS.</b> Would the project:				
<b>a.</b> Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</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"/>
<b>c.</b> In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> 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"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
<p><b>2. AGRICULTURE AND FOREST RESOURCES.</b> 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:</p>				
<p><b>a.</b> 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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>b.</b> Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>c.</b> 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))?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>d.</b> Result in the loss of forest land or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>e.</b> 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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>3. AIR QUALITY.</b> 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:</p>				
<p><b>a.</b> Conflict with or obstruct implementation of the applicable air quality plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>b.</b> 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?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>c.</b> Expose sensitive receptors to substantial pollutant concentrations?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>d.</b> Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
<b>4. BIOLOGICAL RESOURCES.</b> Would the project:				
<b>a.</b> 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>b.</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"/>
<b>c.</b> Have a substantial adverse effect on state or federally protected wetlands (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"/>
<b>d.</b> 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"/>
<b>e.</b> 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"/>
<b>f.</b> 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"/>
<b>5. CULTURAL RESOURCES.</b> Would the project:				
<b>a.</b> Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</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"/>
<b>c.</b> Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>6. ENERGY.</b> Would the project:				
<b>a.</b> Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>7. GEOLOGY AND SOILS.</b> Would the project:				
<b>a.</b> Directly or indirectly cause 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"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
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, creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. 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"/>
<b>8. GREENHOUSE GAS EMISSIONS.</b> 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"/>
<b>9. HAZARDS AND HAZARDOUS MATERIALS.</b> 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"/>

<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>Impacts Previously Analyzed in TOP EIR</b>
<b>d.</b> 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"/>
<b>e.</b> For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>f.</b> 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"/>
<b>g.</b> Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>10. HYDROLOGY AND WATER QUALITY.</b> Would the project:				
<b>a.</b> Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>i.</b> result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>ii.</b> substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>iii.</b> create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>iv.</b> impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>e.</b> Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>11. LAND USE AND PLANNING.</b> Would the project:				
<b>a.</b> Physically divide an established community?	<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>Impacts Previously Analyzed in TOP EIR</i>
<b>b.</b> Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>12. MINERAL RESOURCES.</b> Would the project:				
<b>a.</b> 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>b.</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"/>
<b>13. NOISE.</b> Would the project result in:				
<b>a.</b> Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project 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>b.</b> Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, 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"/>
<b>14. POPULATION AND HOUSING.</b> Would the project:				
<b>a.</b> Induce substantial unplanned 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>b.</b> Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>15. PUBLIC SERVICES.</b> Would the project:				
<b>a.</b> 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:				
<b>i.</b> Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>ii.</b> Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>iii.</b> Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>iv.</b> Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>v.</b> Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
<b>16. RECREATION.</b> Would the project:				
<b>a.</b> 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>b.</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"/>
<b>17. TRANSPORTATION.</b> Would the project:				
<b>a.</b> Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> Substantially increase hazards due to a geometric 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"/>
<b>d.</b> Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>18. TRIBAL CULTURAL RESOURCES.</b> Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is				
<b>a.</b> Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>19. UTILITIES AND SERVICE SYSTEMS.</b> Would the project:				
<b>a.</b> Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>Impacts Previously Analyzed in TOP EIR</b>
<b>b.</b> Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> 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"/>
<b>d.</b> Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>e.</b> Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>20. WILDFIRES.</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
<b>a.</b> Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>21. MANDATORY FINDINGS OF SIGNIFICANCE.</b>				
<b>a.</b> Does the project have the potential to substantially 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>b.</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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
c. 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"/>
<p><u>Note:</u> Authority cited: Public Resources Code sections 21083, 21083.05, 21083.09.  <u>Reference:</u> Gov. Code section 65088.4; Public Resources Code sections 21073, 21074, 21080(c), 21080.1, 21080.3, 21080.3.1, 21080.3.2, 21082.3, 21083, 21083.3, 21083.5, 21084.2, 21084.3, 21093, 21094, 21095 and 21151; <i>Sundstrom v. County of Mendocino</i> (1988) 202 Cal.App.3d 296; <i>Leonoff v. Monterey Board of Supervisors</i> (1990) 222 Cal.App.3d 1337; <i>Eureka Citizens for Responsible Govt. v. City of Eureka</i> (2007) 147 Cal.App.4th 357; <i>Protect the Historic Amador Waterways v. Amador Water Agency</i> (2004) 116 Cal.App.4th 1099, 1109; <i>San Franciscans Upholding the Downtown Plan v. City and County of San Francisco</i> (2002) 102 Cal.App.4th 656.</p>				

**EXPLANATION OF ISSUES**

**1. AESTHETICS.** Would the project:

**a. Have a substantial adverse effect on a scenic vista?**

Discussion of Effects: The Policy Plan (General Plan) does not identify scenic vistas within the City. However, TOP Policy Plan (Policy CD1-5) requires all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountains. The Project site is located on Campus Avenue and is identified as a Minor Arterial Street in the Functional Roadway Classification Plan (Figure M-2) of the Mobility Element within the Policy Plan. The Project will not result in adverse environmental impacts with regard to views of the San Gabriel Mountains. Therefore, no adverse impacts are anticipated in relation to the Project.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway?**

Discussion of Effects: The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east–west direction. I-15 traverses the northeastern portion of the City in a north–south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. In addition, there are no historic buildings, or any scenic resources identified on or in the vicinity of the Project site. Therefore, it will not result in adverse environmental impacts.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**b. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?**

Discussion of Effects: The Project would not degrade the existing visual character or quality of the site or its surroundings. The Project site is in an area that is characterized by residential development and is surrounded by urban land uses. The proposed Project is consistent with the policies of the Community Design Element of the Policy Plan (General Plan) and zoning designation on the property as well as with the residential development in the surrounding area. Therefore, no adverse impacts are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**c. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?**

**Discussion of Effects:** The proposed land use change itself will not cause lighting to be installed in the Project. New lighting will be introduced to the site with the development of the Project. Pursuant to the requirements of the City's Development Code, on-site lighting will be shielded, diffused or indirect, to avoid glare to pedestrians or motorists. In addition, lighting fixtures will be selected and located to confine the area of illumination to within the Project site and minimize light spillage.

Site lighting plans will be subject to review by the Planning Department and Police Department prior to issuance of building permits (pursuant to the City's Building Security Ordinance). Therefore, no adverse impacts are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR 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:** As discussed in the Certified TOP EIR, a considerable portion of the Project site has been used for agricultural/dairy farming. The Project will convert this land, which is considered to be Urban and Built-Up Land pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. As a result, no adverse environmental impacts are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

**Discussion of Effects:** The Project site is not zoned for agricultural use. Furthermore, there are no Williamson Act contracts in effect on the subject site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with Williamson Act contracts.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified TOP EIR 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 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. The Project site is zoned for Medium Density Residential development. The proposed project is consistent with the Land Use Element (Figure LU-6) of the Policy Plan (General Plan) and the development standards and allowed land uses of the MDR-18 (Medium Density Residential) zone. Therefore, no impacts to forest or timberland are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified TOP EIR 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 TOP 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 additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**e. Involve other changes in the existing environment, which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

**Discussion of Effects:** The Project site is currently zoned MDR-18 (Medium Density Residential 11.1-18 du/ac) and is not designated as Farmland. The Project site is currently vacant and there are no agricultural uses occurring onsite. As a result, to the extent that the Project would result in changes to the existing environment those changes would not result in loss of Farmland to non-agriculture 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 TOP 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 additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR 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 Project will not conflict with or obstruct implementation of any air quality plan. As noted in The Ontario Plan FEIR (Section 5.3), pollutant levels in the Ontario area already exceed Federal and State standards. To reduce pollutant levels, the City of Ontario is actively participating in efforts to enhance air quality by implementing Control Measures in the Air Quality Management Plan for local jurisdictions within the South Coast Air Basin.

The proposed Project is consistent with The Ontario Plan, for which the EIR was prepared and impacts evaluated. Furthermore, the Project is consistent with the City's participation in the Air Quality Management Plan and will not conflict with or obstruct implementation of the plan. Mitigation (Mitigation Measure 5.3-2) has been adopted by the City that requires fugitive dust control measures pursuant to SCAQMD's Rule 403, use of Tier 3 construction equipment, proper service and maintenance of construction equipment, limiting nonessential idling of construction equipment, and use of Super-Compliant VOC paints for coating and architectural surfaces. As a condition of approval, the project will comply with Mitigation Measure 5.3-2. No new impacts beyond those identified in the Certified TOP EIR that would result from Project implementation.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**b. 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?**

**Discussion of Effects:** The Project will not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or state ambient air

quality because of the limited size and scope of the Project. Although no impacts are anticipated, the Project will still comply with the air quality standards of the TOP FEIR and the SCAQMD resulting in impacts that are less than significant [please refer to Sections 3(a) and 3(b)].

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**c. Expose sensitive receptors to substantial pollutant concentrations?**

Discussion of Effects: The subject site was previously analyzed by TOP EIR as Medium Density Residential (11.1 – 25 du/ac). As discussed in Section 5.3 of TOP EIR, the proposed Project is within a non-attainment region of the South Coast Air Basin (SCAB). The proposed Project is consistent with The Ontario Plan (TOP) land use designation of Medium Density Residential (11.1 – 25 du/ac). Although the Project site is located within ¼ mile of near a public school, which SCAMQD identifies as a sensitive receptor, residential land uses do not emit toxic air contaminants as identified in SCAQMD Rule 1401. As such, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

Discussion of Effects: The subject site was previously analyzed by TOP EIR as Medium Density Residential (11.1 – 25 du/ac). The residential use proposed on the subject site do not create objectionable odors. Further, the Project shall comply with the policies of the Ontario Municipal Code and the Policy Plan (General Plan). Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR 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 Wildlife or the U.S. Fish and Wildlife Service. In an abundance of caution, a Burrowing Owl Habitat Assessment was conducted on June 22, 2020 for the subject site by First Carbon Solution. The Assessment concluded that there were no burrowing owls present or had the potential to be present because the site is not suitable for nesting. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the TOP EIR. No changes or additions to the Certified TOP EIR 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 subject site was previously analyzed by the Certified TOP EIR as residential uses. 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:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**c. Have a substantial adverse effect on state or federally protected wetlands (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:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR 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 site is a vacant and was historically used as a dairy farm, but that use has ceased. The Project site is bounded on all four sides by residential development. As a result, there are no wildlife corridors connecting this site to other areas. Therefore, no adverse environmental impacts are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR 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 specific policies or ordinances protecting biological resources. Further, the Project area does not contain any mature trees necessitating the need for preservation. As a result, no adverse environmental impacts are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR 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:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

## **5. CULTURAL RESOURCES.** Would the project:

**a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?**

**Discussion of Effects:** Although the subject site was a part of a former dairy farm property, it does not contain any buildings, structures or landscapes found to be eligible for listing on a national, state or local register. A Historical Resource Evaluation Report was prepared by Galvin Preservation Associates on October 1, 2020 for the subject property and the property adjacent south. These 2 properties were previously used as a dairy farm and had ceased operations prior to 1959. The subject site is vacant and was most likely used to accommodate free-grazing cattle. The property to the south was determined to be eligible for listing on the local historic register as it is developed with the family homestead, barn and other farming support buildings and structures. Development of the Project site will not result in the loss or adverse impact of a historic resource. Therefore, no adverse impacts are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?**

**Discussion of Effects:** On July 20, 2020, a records search for the Project area (defined as the Project site plus a 0.5-mile radius beyond the Project boundaries) was conducted at the South-Central Coastal Information Center (SCCIC) located at California State University, Fullerton to identify any known historic properties or resources. The current inventories in the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the California Historic Landmarks (CHL) list, the California Points of Historical Interest (CPHI) list, and the California Historical Resources Inventory (HRI) were reviewed to determine the existence of previously documented local historical resources. Results from the SCCIC indicate that no resources were recorded within the Project boundaries or the 0.5-mile search radius; however, four area-specific survey reports are on file within the search radius. Of the four reports, one report (SB-00324) is entirely within the Project site, indicating that the Project site has previously been surveyed for cultural resources with negative results. On June 13, 2020, First Carbon Solutions, conducted a pedestrian level survey for unrecorded cultural resources. All areas of proposed development were closely inspected for culturally modified soils or other indicators of potential historic or prehistoric resources. No prehistoric resources or materials used in the production of said resources (e.g., obsidian, Franciscan chert) were observed during the course of the pedestrian survey. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions have been imposed on the Project that in the event of unanticipated archeological discoveries, construction activities will not continue or will be moved to other parts of the Project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**c. Disturb any human remains, including those interred outside of formal cemeteries?**

**Discussion of Effects:** The proposed Project is in an area that has been previously disturbed by human activity. No known religious or sacred sites exist within the Project area. Thus, human remains are not expected to be encountered during any construction activities. However, in the unlikely event that human remains are discovered, existing regulations, including the California Public Resources Code Section 5097.98, would afford protection for human remains discovered during development activities. Furthermore, standard conditions have been imposed on the Project that in the event of unanticipated discoveries of human remains are identified during excavation, construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed, if deemed applicable.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**6. ENERGY** Would the project:

**a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

**b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

**Discussion of Effects:** Energy was not analyzed in the Certified TOP EIR but has been included as part of the 2019 revisions to the State CEQA Guidelines. Implementation of the Project would not substantially increase the demand for electricity and natural gas at the Project site and gasoline consumption in the region during construction and operation. Implementation of the Project will require compliance with CALGreen Building Code (CCR Title 24, Part 11). Moreover, the Project includes a sample Greenhouse Gas Reduction Measure Screening Table for Residential and Commercial Development. The

Screening Table includes measures energy efficient development, indoor space efficiency measures, building efficiency measures, renewable energy measures, and water conservation measures. Measures that would reduce electricity consumption include, but are not limited to: greatly enhanced window insulation, an enhanced cool-roof, an improved efficiency heating, ventilation, and air conditioning (“HVAC”) system, blower doors HERS verified Envelope leakage or equivalent, enhanced duct insulation, Energy Star commercial appliances, water efficient landscaping and irrigation systems, and water-efficient toilets and faucets.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts. No changes or additions to the Certified TOP EIR analyses are necessary.

**7. GEOLOGY & SOILS.** Would the project:

**a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:**

**i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

Discussion of Effects: There are no active faults known on the site and the Project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Certified TOP EIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. Given that the closest fault zone is located more than ten miles from the Project site, fault rupture within the Project area is not likely. All development will comply with the Uniform Building Code seismic design standards to reduce geologic hazard susceptibility. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**ii. Strong seismic ground shaking?**

Discussion of Effects: There are no active faults known on the site and the Project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Certified TOP EIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The closest fault zone is located more than ten miles from the Project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All construction will comply with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**iii. Seismic-related ground failure, including liquefaction?**

Discussion of Effects: As identified in the Certified TOP EIR (Section 5.7), groundwater saturation of sediments is required for earthquake induced liquefaction. In general, groundwater depths shallower than 10 feet to the surface can cause the highest liquefaction susceptibility. Depth to ground water at the Project site during the winter months is estimated to be between 250 to 450 feet below ground surface. Therefore, the liquefaction potential within the Project area is minimal. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR 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. The allowed residential use will not create greater landslide potential impacts than were identified in the Certified TOP EIR. Implementation of TOP EIR strategies, Uniform Building Code and Ontario Municipal Code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**b. Result in substantial soil erosion or the loss of topsoil?**

Discussion of Effects: Implementation of the Project will not create greater erosion impacts than were identified in the Certified TOP EIR. Impacts will be less than significant with mitigation. The Project will not result in significant soil erosion or loss of topsoil because of the previously disturbed nature of the Project site and the limited size and scope of the Project. Grading increases the potential for erosion by removing protective vegetation, changing natural drainage patterns, and constructing slopes. However, compliance with the California Building Code and review of grading plans by the City Engineer will ensure no significant impacts will occur. In addition, the City requires an erosion/dust control plan for Projects located within this area. Implementation of a NPDES program, the Environmental Resource Element of the Policy Plan (General Plan) strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR 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: Implementation of Project will not create greater landslide potential impacts than were identified in the Certified TOP EIR. Therefore, no adverse impacts are anticipated. In addition, the associated Project would not result in the location of development on a geologic unit or soil that is unstable, or that would become unstable because as previously discussed, the potential for liquefaction and landslides associated with the Project is less than significant. Certified TOP EIR (Section 5.7) indicates that subsidence is generally associated with large decreases or withdrawals of water from the aquifer. The Project would not withdraw water from the existing aquifer. Further, implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR 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 and eolian soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR 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: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**f. 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 Certified TOP EIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. While no adverse impacts are anticipated, standard conditions have been imposed on the Project that in the event of unanticipated paleontological resources are identified during excavation, construction activities will not continue or will be moved to other parts of the Project site and a qualified paleontologist shall be contacted to determine significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR and TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**8. 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 subject site was previously analyzed by the Certified EIR as a medium density residential the impact of buildout of The Ontario Plan on the environment due to the emission of greenhouse gases ("GHGs") was analyzed in the Certified TOP EIR. According to the TOP EIR, this impact would be significant and unavoidable (Re-circulated Portions of the Ontario Plan Draft Environmental Impact Report, p. 2-118.) The TOP 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. Implementation of Project will not create significantly greater impacts than were identified in the Certified TOP EIR. The Project includes a sample GHG Reduction Measures Screening Threshold Table, which provides guidance in measuring the reduction of greenhouse gas ("GHG") emissions attributable to certain design and construction measures incorporated into development projects. The analysis, methodology, and significance determination (thresholds) are based upon the City's Climate Action Plan ("CAP"), which includes GHG emission inventories (2008 and 2020 forecasts), a year 2020 emission reduction target, the goals and policies to reach the target, together with the Addendum prepared for the CAP. The Screening Table assigns points for each option incorporated into a project as mitigation or a project design feature (collectively referred to as "feature"). The point values correspond to the minimum emissions reduction expected from each feature. The menu of features allows maximum flexibility and options for how development projects can implement the GHG reduction measures. The point levels are based upon improvements compared to 2008 emission levels of efficiency. Projects that garner at least 100 points will be consistent with the reduction quantities anticipated in the City's CAP. As such, those projects that garner a total of 100 points or greater would not require quantification of project specific GHG emissions. Consistent with CEQA Guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions. As shown in the Project GHG Reduction Measures Screening Table, the Project garners a total of 103 points, and is therefore consistent with the reduction quantities anticipated in the City's CAP. Therefore, quantification of Project-specific GHG emissions is not required.

Additionally, 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 Certified TOP EIR; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in the Certified EIR; (3) the proposed project is consistent with The Ontario Plan. The proposed impacts of the project were already analyzed in the Certified EIR and the project will be built to current energy efficient standards. Potential impacts of project implementation will be less than significant with mitigation already required under the Certified TOP EIR and, CAP Screening Tables, and current energy efficiency standards. No changes or additions to the Certified TOP EIR analyses are necessary.

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 EIR. No changes or additions to Certified TOP EIR analyses are necessary. The mitigation

measures adopted as part of Certified TOP EIR adequately address any potential significant impacts and there is no need for any additional mitigation measures. The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project: energy efficient design, efficient irrigation systems, and compliance with Title 24 of the California Code of Regulations.

**b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

Discussion of Effects: The subject site was previously analyzed by the Certified TOP EIR as a residential land use. 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 TOP EIR, which aims to reduce the City's contribution of greenhouse gas emissions at build-out by fifteen (15 percent), because the project is upholding the applicable City's adopted mitigation measures as represented in 6-1 through 6-6 and energy efficient design, efficient irrigation systems, electric vehicle charging stations, and compliance with Title 24 of the California Code of Regulations. The Project is consistent with the City's Climate Action Plan. Therefore, the proposed Project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

Mitigation Required: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**9. 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 subject site was previously analyzed by the TOP EIR for residential land uses. The Project is not anticipated to involve the transport, use or disposal of hazardous materials during either construction or project implementation. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR 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 subject site was previously analyzed by the Certified TOP EIR for residential uses. The proposed Project does not include the use of hazardous materials or volatile fuels. In addition, there are no known stationary commercial or industrial land uses within close proximity to the subject site, which use/store hazardous materials to the extent that they would pose a significant hazard to visitors/occupants to the subject site, in the event of an upset condition resulting in the release of a hazardous material.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR 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: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR 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: The proposed Project site is not listed on the hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the Project would not create a hazard to the public or the environment and no impact is anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR 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: The proposed Project was reviewed and found to be located within the Airport Influence Area of Ontario International Airport ("ONT") and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan ("ALUCP") for ONT. The subject site is required to file and record an Avigation Easement with the Ontario International Airport Authority prior to obtaining a Certificate of Occupancy. The site is located within the airport influence area but outside the airport safety zones. Therefore, any impacts would be reduced to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Discussion of Effects: The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from 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 the Project is required to comply with all applicable City codes, any impacts would be reduced to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

Discussion of Effects: The project site is not located in or near wildlands. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**10. HYDROLOGY & WATER QUALITY.** Would the project:

**a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

Discussion of Effects: The Project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. Discharge of storm water pollutants from areas of materials storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing, waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor Fand grease, organic compounds, pesticides, nutrients, heavy metals and bacteria pathogens in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide National Pollutant Discharge Elimination System ("NPDES") General Industrial

Activities Stormwater Permit, the San Bernardino County Area-Wide Urban Runoff Permit (MS4 permit) and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)). This would reduce any impacts to below a level of significance. Furthermore, the applicant for the subject site has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the subject sites' compliance with storm water discharge and water quality management requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment and evapotranspiration. The PWQMP proposes the use of an underground stormwater infiltration system for the subject sites. Any overflow drainage will be conveyed to the public street by way of parkway culverts.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

**Discussion of Effects:** The subject site was previously analyzed by the Certified TOP EIR for residential uses. The water use associated with the proposed use of the property will be negligible, 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 was included in the Certified TOP EIR analysis. The development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 230 to 250 feet below the ground surface. No adverse impacts are anticipated.

**Mitigation:** No additional mitigation required.

**c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:**

**i. Result in substantial erosion or siltation on- or off-site?**

**Discussion of Effects:** It is not anticipated that the Project would alter the drainage pattern of the site or area, in a manner that would result in erosion, siltation or flooding on-or-off site, nor will the proposed Project increase the erosion of the subject site or surrounding areas. The existing drainage pattern of the site will not be altered, and it will have no significant impact on downstream hydrology. Stormwater generated by the Project will be discharged in compliance with the statewide NPDES General Construction Activities Stormwater Permit and San Bernardino County MS4 permit requirements. With the full implementation of a Storm Water Pollution Prevention Plan developed in compliance with the General Construction Activities Permit requirements, the Best Management Practices included in the SWPPP, and a stormwater monitoring program would reduce any impacts to below a level of significance. No streams or streambeds are present on the site. No changes in erosion off-site are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**ii. Substantially increase the rate or amount of surface runoff water in a manner which would result in flooding on- or off-site?**

**Discussion of Effects:** The proposed Project is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

Discussion of Effects: It is not anticipated that the Project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. Pursuant to the requirements of The Ontario Plan, the City's Development Code, and the San Bernardino County MS4 Permit's "Water Quality Management Plan" ("WQMP"), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**iv. Impede or redirect flood flows?**

Discussion of Effects: Urbanization in the areas surrounding the Project site have resulted in increased responsiveness of the basin to rainfall. The increase in impervious surfaces such as roofs, roads, and parking lots has resulted in a decrease in groundwater infiltration and larger storm surges. The Project site is not impacted by offsite flows. The Project site is not located in a FEMA Firm Panel designated Flood Zone Risk, and according to the United States Fish and Wildlife Service National Wetlands Inventory ("NWI") no wetlands exist on the property. An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. However, the Project will be conditioned to design and construct a storm water detention facility on site so that the 100 year post-development peak flow does not exceed 80% of pre-development peak flows.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

Discussion of Effects: Impacts associated with flooding are primarily related to the construction or placement of structures in areas prone to flooding including within an unprotected 100-year flood zone, and in areas susceptible to high tides, tsunamis, seiches, mudflows or sea level rise. Specifically, structures placed in flood prone areas, if flooded, would be damaged, and could subject people to injury or death. The National Flood Insurance Act of 1968 requires the identification of floodplain areas and establishment of flood-risk zones within those areas. FEMA administers the programs and coordinates with communities to establish effective floodplain management standards. According to FEMA, the Project is not located in a known floodplain. Furthermore, this area is not known to flood and is not typically subjected to flooding. The Project site is not located in a floodplain as shown in Figure S-2 of TOP. The Project site is in an urbanized area that is developed residential dwelling units. No wetlands have been mapped on the Project site according to the NWI. According to the FEMA, the Project is not located in an area that is subject to flood hazard, tsunami, or seiche zones. The Project site is located over 60 miles east of the Pacific Ocean and is not located in a mapped tsunami zone. Therefore, the Project would not have a significant risk of flood hazard, tsunami, seiche zones, release of pollutants due to Project inundation.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

Discussion of Effects: The Regional Water Quality Control Board's Basin Plan is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the Basin Plan (i) designates beneficial uses for surface and ground waters, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's anti-degradation policy, and (iii) describes implementation programs to protect all waters in the region. The Project adheres to requirements of the water quality control plan, including all existing regulation

and permitting requirements. This includes the incorporation of best management practices (“BMPs”) to protect water quality during construction and operational periods. Development of the Project is subject to all existing water quality regulations and programs, as described in the regulatory section above, including all applicable construction permits. Existing General Plan policies related to water quality are also applicable to the Project. Implementation of these policies, in conjunction with compliance with existing regulatory programs, ensures that water quality impacts related to the Project are less than significant.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**11. LAND USE & PLANNING.** Would the project:

**a. Physically divide an established community?**

Discussion of Effects: The Project site is in an area that is developed with residential land uses. This Project will be of similar design and size to surrounding development. No adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

Discussion of Effects: The subject site was previously analyzed by the Certified TOP EIR residential land uses. Implementation of Project will not create greater impacts than were identified in the Certified TOP EIR. The proposed Project does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**12. MINERAL RESOURCES.** Would the project:

**a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

Discussion of Effects: The Project site is located within a developed area surrounded by residential uses. There are no known mineral resources in the area. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR 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: There are no known mineral resources in the area. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**13. NOISE.** Would the project result in:

**a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Discussion of Effects: The subject site was previously analyzed by the Certified TOP EIR for residential land uses. Pursuant to Exhibit S-3a (Future Roadway Noise Contour Map) of the Policy Plan Safety Element, the Project site is within the 65-70 dBA CNEL noise contour of Future Roadway Noise

Contours. As such, a Noise Impact Report was prepared by Vista Environmental on July 2, 2020 to assess future noise impacts to residential uses located along Campus Avenue. The analysis determined that noise levels for the first and second floors of the proposed homes would be within the City's residential interior noise standards of 45 dBA between 7 a.m. and 10 p.m. and 40 dBA between 10 a.m. and 7 a.m. The analysis determined that implementation of the Project would result in exterior private yard noise levels would not exceed the maximum of 65 dBA. Therefore, the Project would comply with the Ontario Municipal Code.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**b. Generation of excessive groundborne vibration or groundborne noise levels?**

Discussion of Effects: Implementation of the Project will not create greater impacts than were identified in the Certified TOP EIR. 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 additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**c. For a project located within the vicinity of a private airstrip or the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?**

Discussion of Effects: The Project was reviewed and found to be located within the Airport Influence Area of Ontario International Airport ("ONT") and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan ("ALUCP") for ONT. The Project site is located outside of the Safety, Noise Impact and Airspace Protection Zones. A portion of the Project site is located within the 65-70 dB CNEL Noise Impact Zones; however, the proposed zone change is a compatible land use. In addition, the Project site lies outside the boundaries of the Chino Airport Influence Area. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**14. POPULATION & HOUSING.** Would the project:

**a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?**

Discussion of Effects: The subject site was previously analyzed by the Certified TOP EIR for residential uses and is consistent with General Plan land use designations and would not induce significant population growth. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

Discussion of Effects: The Project site does not contain existing housing. Implementation of the Project will result in the addition of 92 residential dwelling units.

Mitigation: No additional mitigation required. No changes or additions to the Certified TOP EIR analyses are necessary.

**15. PUBLIC SERVICES.** Would the project:



**a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

**i. Fire protection?**

Discussion of Effects: The 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: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**ii. Police protection?**

Discussion of Effects: 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: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**iii. Schools?**

Discussion of Effects: Upon development, the Project proponent will be required to pay school fees as prescribed by state law prior to the issuance of building permits. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**iv. Parks?**

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**v. Other public facilities?**

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**16. 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: This Project is not proposing a significant number of new housing units that would result in the substantial physical deterioration of nearby existing parks. Implementation of the Project

would result in the construction of 15,000 square feet of private recreational amenities on-site to include a pool, pool house and children's play area as required by the Ontario Development Code for the development of 92 residential units. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR 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: This Project is not proposing a significant number of new housing units or large employment generator that would require the construction of neighborhood parks or other recreational facilities. Furthermore, Implementation of the Project includes construction of a recreational area and swimming pool for private use of the property owners. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**17. TRANSPORTATION.** Would the project:

**a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

Discussion of Effects: Implementation of the Project will not create greater impacts than were identified in the Certified TOP EIR. Implementation of the Project would result in public right-of-way improvements to include widening of traffic lanes from 3 to 4, parkway along the west side of Campus Avenue and installation of a sidewalk along Project frontage and beyond to connect existing sidewalks located on the north and south. Additionally, pedestrian enhancement(s) at the school crossing located at the intersection of Campus Avenue and St. Andrews Street will be installed as a condition of approval to the Project. The Project will not create a substantial increase in the number of vehicle trips, traffic volume or congestion at intersections beyond that was evaluated in the TOP EIR. Less than significant impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?**

Discussion of Effects: CEQA Guidelines Section 15064.3 subdivision (b) has been included in the 2018 CEQA Guidelines as part of the implementation of SB 743 which requires local jurisdictions to use Vehicle Miles Travelled (VMT) instead of Level of Service (LOS) methodologies for the purpose of determining the significance of traffic impacts under CEQA. Also, as part of the implementation of SB 743 local jurisdictions are required to develop and implement thresholds of significance criteria and methodologies for evaluating VMT. The City of Ontario has adopted and established a VMT analysis threshold or analysis methodology based on our Policy Plan (General Plan) baseline. However, the Project was submitted prior to the adoption of the threshold and therefore not subject to the adopted thresholds. Subsequently, The Ontario Plan EIR analyzed VMT, as part of the GHG analysis. The Ontario Plan (TOP) is consistent with the RTP/SCS for the Southern California region. The SBTAM model has incorporated TOP buildout which was then incorporated into the SCAG model in developing the RTP/SCS for the region. The thresholds used in these models can be found in the tool created for SBCTA that analyzes the various threshold options. TOP established VMT thresholds as such this option has already been found to be consistent with the RTP/SCS and these land use assumptions have been incorporated into the SBTAM and SCAG's regional models. The screening tool created for use in San Bernardino County can be utilized for locations within Ontario where additional analysis is not required, and the City thresholds be used for Projects to determine if additional analysis is required. If mitigation measures are included for the Project and the VMT brought down below the established threshold (City average), then the Project can be determined to have less than a significant impact on transportation (in terms of CEQA). Therefore, impacts with respect to CEQA Guidelines Section 15064.3(b) are less than significant.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**c. Substantially increase hazards due to a geometric 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 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 additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**d. Result in inadequate emergency access?**

Discussion of Effects: Development of the Project will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**e. Result in inadequate parking capacity?**

Discussion of Effects: The Project is 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 additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**18. TRIBAL CULTURAL RESOURCES.** Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

**a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?**

**b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

Discussion of Effects: The Certified TOP EIR (Section 4 Culture Resources, page III-4-6 &7) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. The NAHC Sacred Lands File search also failed to indicate archaeological resources or artifacts associated with Tribal Cultural Resources (TCRs) within the Project site. The Project site has been highly disturbed by modern human activities to with agricultural production since the early 1900s. However, in cooperation with Gabrieleno Band of Mission Indians-Kizh Nation, implementation of Project will include Native-American and Archaeological monitoring during ground disturbing activity. Therefore, it is concluded that the proposed Project will not impact Tribal Cultural Resources or Native America artifacts relating to TCRs and as such, no mitigation measures are recommended.

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 EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**19. UTILITIES AND SERVICE SYSTEMS.** Would the project:

**a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

Discussion of Effects: The proposed Project is served by City of Ontario water system and has an 8-inch water main available for connection in Campus Avenue adequate water supply for the Project. The proposed Project is served by the City of Ontario sewer system, which has a 27-inch trunk sewer line available for Campus Avenue which has found to be sufficient. The Project will therefore not require the construction of new water or wastewater treatment facilities, or the expansion of existing facilities. No impacts are anticipated.

As discussed in the energy section above, the Project will have no anticipated impacts with regards to electric power and natural gas. In addition, the Project will not have an impact on telecommunications facilities.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).**

Discussion of Effects: The Project site is served by the City of Ontario water system. There is currently sufficient water supply available to the City of Ontario to serve this Project as per the findings of the Certified TOP EIR. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**c. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

Discussion of Effects: The Project site is served by the City of Ontario water system. There is currently sufficient water supply available to the City of Ontario to serve this Project as per the findings of Certified TOP EIR. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

Discussion of Effects: City of Ontario serves the Project site. Currently, the City of Ontario contracts with a waste disposal company that transports trash to a landfill with sufficient capacity to handle the City's solid waste disposal needs. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to analyses are necessary.

**e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

Discussion of Effects: This Project complies with federal, state, and local statutes and regulations regarding solid waste. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**20. WILDFIRE.** If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

**a. Substantially impair an adopted emergency response plan or emergency evacuation plan?**

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. 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 EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. 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 EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. 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 EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. 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 EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**21. MANDATORY FINDINGS OF SIGNIFICANCE.**

**a. Does the project have the potential to substantially 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?**

Discussion of Effects: The proposed Project does not have the potential to reduce wildlife habitat and threaten a wildlife species; therefore, no environmental impacts resulting from the Project are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**b. 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:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**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.)**

**Discussion of Effects:** The Project does not have impacts that are cumulatively considerable.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

**d. 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:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

## **EARLIER ANALYSES**

*(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 Analyses Used.** Identify earlier analyses used and state where they are available for review.
  - a) The Ontario Plan Final EIR
  - b) The Ontario Plan (TOP)
  - c) City of Ontario Official Zoning Map
  - d) City of Ontario Development Code
  - e) Ontario International Airport Land Use Compatibility Plan
  - f) Ontario International Airport Land Use Compatibility Plan Negative Declaration (SCH 2011011081)

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

- 2) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards.

## **MITIGATION MEASURES**

*(For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.)*

The Mitigation Measures contained in the Certified TOP EIR adequately mitigate the impacts of the proposed Project. These mitigation measures are contained in the attached Mitigation Monitoring Program.

No additional mitigation beyond that previously imposed is required.

Attachment A— Traffic Signal Warrant Study and Pedestrian Warrant Study

Attachment B— Noise Study

Attachment C— Burrowing Owl Habitat Study

Attachment D— Historic Resources Evaluation Report

Attachment E— Tree Survey and Protection Plan





**EXHIBIT A**

***Mitigation Monitoring Program for  
TOP EIR***

***(To follow this page)***

<b>Mitigation Summary Matrix</b>	
<b>Mitigation Measures</b>	<b>Remarks</b>
<b>Aesthetics</b>	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.
<b>Agriculture and Forestry Resources</b>	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.
<b>Air Quality</b>	
<p><del>3-1 The City of Ontario Building Department shall require that all new construction projects incorporate feasible mitigation measures to reduce air quality emissions. Potential measures shall be incorporated as conditions of approval for a project and may include:</del></p> <ul style="list-style-type: none"> <li><del>▪ Requiring fugitive dust control measures that exceed South Coast Air Quality Management District's Rule 403, such as:</del> <ul style="list-style-type: none"> <li><del>• Requiring use of nontoxic soil stabilizers to reduce wind erosion.</del></li> <li><del>• Applying water every four hours to active soil disturbing activities.</del></li> <li><del>• Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials.</del></li> </ul> </li> <li><del>▪ Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 or higher exhaust emission limits.</del></li> <li><del>▪ Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards.</del></li> <li><del>▪ Limiting nonessential idling of construction equipment to no more than five consecutive minutes.</del></li> <li><del>▪ Using Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the South Coast Air Quality Management District's website at: <a href="http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf">http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf</a>.</del></li> </ul>	Not Applicable. This is a City staff directive to be implemented during the development approval process; not mitigation measures for the Modified Project. It is noted that the Modified Project would not result in air quality impacts not previously addressed in the Certified EIR.
<p><del>3-2 The City of Ontario shall evaluate new development proposals within the City and require all developments to include access or linkages to alternative modes of transportation, such as transit stops, bike paths, and/or</del></p>	Not Applicable. This is a City staff directive to be implemented during the development approval process; not mitigation measures for the Modified

<b>Mitigation Summary Matrix</b>	
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pedestrian paths (e.g., sidewalks).	Project. It is noted that the Modified Project would not result in air quality impacts not previously addressed in the Certified EIR.
<del>3-3 The City of Ontario shall evaluate new development proposals within the City for potential incompatibilities with regard to the California Air Resources Board's Air Quality and Land Use Handbook: A Community Health Perspective (April 2005). New development that is inconsistent with the recommended buffer distances shall only be approved if feasible mitigation measures, such as high efficiency Minimum Efficiency Reporting Value filters have been incorporated into the project design to protect future sensitive receptors from harmful concentrations of air pollutants as a result of proximity to existing air pollution sources.</del>	Not Applicable. This is a City staff directive to be implemented during the development approval process; not mitigation measures for the Modified Project. It is noted that the Modified Project would not result in air quality impacts not previously addressed in the Certified EIR.
<b>Biological Resources</b>	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.
<b>Cultural Resources</b>	
<del>5-1 Historic or potentially historic resources in the City shall be evaluated for historic significance through the City's tier system prior to the issuance of plan or development approvals.</del>	Not Applicable. No historic or potentially historic resources exist within the Modified Project site. It is noted that the Modified Project would not result in historic resources impacts not previously considered and addressed in the Certified EIR.
5-2 In areas of documented or inferred archaeological and/or paleontological resource presence, City staff shall require applicants for development permits to provide studies to document the presence/absence of such resources. On properties where resources are identified, such studies shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified cultural preservation expert. The mitigation plan shall include the following requirements: a) Archaeologists and/or paleontologist shall be retained for the project and will be on call during grading and other b) significant ground-disturbing activities. c) Should any cultural resources be discovered, no further grading shall occur in the area of the discovery until the Planning Director or designee is satisfied that adequate provisions are in place to protect these resources. Unanticipated discoveries shall be evaluated for significance by a San Bernardino County Certified Professional Archaeologist/Paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional	Applicable. This Measure shall be implemented by the Modified Project.

<b>Mitigation Summary Matrix</b>	
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identification, radiocarbon dates, and other special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including catalog with museum numbers.	
<del>5-3 Upon receipt of an application for a Specific Plan or a project that requires a General Plan amendment subject to CEQA and is within the City's jurisdiction, the City's representative shall consult with the relevant tribe(s)' representative(s) to determine if the proposed project is within a culturally sensitive area to the tribe. If sufficient evidence is provided to reasonably ascertain that the site is within a [tribal] culturally sensitive area, then a cultural resources assessment prepared by an archaeologist shall be required. The findings of the cultural resources assessment shall be incorporated into the CEQA documentation. A copy of the report shall be forwarded to the tribe(s). If mitigation is recommended in the CEQA document, the procedure described in Mitigation Measure 5-4 shall be followed.</del>	Not Applicable. The Modified Project does not require a General Plan Amendment and is not located within a Specific Plan area.
<del>5-4 Prior to the issuance of grading permits for a Specific Plan or project that requires a General Plan amendment for which the CEQA document defines cultural resource mitigation for potential tribal resources, the project applicant shall contact the designated tribe(s) to notify them of the grading, excavation, and monitoring program. The applicant shall coordinate with the City of Ontario and the tribal representative(s) to develop mitigation measures that address the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground-disturbing activities; scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The City of Ontario shall be the final arbiter of the conditions for projects within the City's jurisdiction</del>	Not Applicable. The Modified Project does not require a General Plan Amendment and is not located within a Specific Plan area. However, the Modified Project would implement tribal monitoring during all grading activities and require a handling plan, if subsurface discoveries are made.
<b>Energy</b>	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.
<b>Geology and Soils</b>	
Please refer to Certified EIR Mitigation Measure 5-2, presented previously	Applicable. This Measure shall be implemented by the Modified Project
<b>Greenhouse Gas Emissions</b>	
<del>6-1 The City of Ontario shall prepare a Climate Action Plan within 18 months after adopting The Ontario Plan. The goal of the Climate Action Plan shall be to reduce GHG emissions from all activities within the City boundaries to support the State's efforts under AB 32 and to mitigate the impact of climate change on the City, State, and world. Once completed, the City shall update The Ontario Plan and associated policies, as necessary, to be consistent with the Climate Action Plan and prepare a subsequent or</del>	Not Applicable. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in greenhouse gas (GHG) emission impacts or climate change impacts not previously considered and addressed in the Certified EIR. The Modified Project would implement

<b>Mitigation Summary Matrix</b>	
<b>Mitigation Measures</b>	<b>Remarks</b>
<p>supplemental Environmental Impact Report, if new significant impacts are identified. The Climate Action Plan shall include the following:</p> <ul style="list-style-type: none"> <li>• <del>Emission Inventories: The City shall establish GHG emissions inventories including emissions from all sectors within the City, using methods approved by, or consistent with guidance from, the CARB; the City shall update inventories every 3 years or as determined by state standards to incorporate improved methods, better data, and more accurate tools and methods, and to assess progress. If the City is not on schedule to achieve the GHG reduction targets, additional measured shall be implemented, as identified in the CAP.</del></li> </ul> <p>The City shall establish a baseline inventory of GHG emissions including municipal emissions, and emissions from all business sectors and the community.</p> <ul style="list-style-type: none"> <li>• <del>The City shall define a "business as usual" scenario of municipal, economic, and community activities,</del></li> <li>• <del>and prepare a projected inventory for 2020 based on that scenario.</del></li> <li>• <del>Emission Targets: The City will develop Plans to reduce or encourage reductions in GHG emissions from all sectors within the City:</del></li> <li>• <del>A Municipal Climate Action Plan which shall include measures to reduce GHG emissions from municipal activities by at least 30 percent by 2020 compared to the "business as usual" municipal emissions (including any reductions required by the California Air Resource Board under AB-32.</del></li> <li>• <del>A Business Climate Action Plan in collaboration with the business community, which shall include measures to reduce GHG emissions from business activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" business emissions.</del></li> <li>• <del>A Community Climate Action Plan in collaboration with the stakeholders from the community at large, which shall include measures reduce GHG emissions from community activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" community emissions.</del></li> </ul>	<p>applicable provisions of the Climate Action Plan, including GHG Screening Table.</p>

<b>Mitigation Summary Matrix</b>	
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<p><del>6-2 The Climate Action Plan shall include specific measures to achieve the GHG emissions reduction targets identified in Mitigation Measure 6-1. The Climate Action Plan shall quantify the approximate greenhouse gas emissions reductions of each measure and measures shall be enforceable. Measures listed below, along with others, shall be considered during the development of the Climate Action Plan (CAP):</del></p> <ul style="list-style-type: none"> <li><del>• Require all new or renovated municipal buildings to seek Silver or higher Leadership in Energy and Environmental Design (LEED) standard, or compliance with similar green building rating criteria.</del></li> <li><del>• Require all municipal fleet purchases to be fuel efficient vehicles for their intended use based on the fuel type, design, size, and cost efficiency.</del></li> <li><del>• Require that new development projects in Ontario that require demolition prepare a demolition plan to reduce waste by recycling and/or salvaging a nonhazardous construction and demolition debris.</del></li> <li><del>• Require that new developments design buildings to be energy efficient by siting buildings to take advantage of shade, prevailing winds, landscaping, and sun screening to reduce energy required for cooling.</del></li> <li><del>• Require that cool roofs for non-residential development and cool pavement to be incorporated into the site/building design for new development where appropriate.</del></li> <li><del>• Evaluate the feasibility of implementing a Public Transit Fee to support Omnitrans in developing additional transit service in the City.</del></li> <li><del>• Require diesel emission reduction strategies to eliminate and/or reduce idling at truck stops, warehouses, and distribution facilities throughout the City.</del></li> <li><del>• Install energy efficient lighting and lighting control systems in all municipal buildings.</del></li> <li><del>• Require all new traffic lights installed be energy efficient traffic signals. Require the use of reclaimed water for landscape irrigation in all new development and on public property where such connections are within the service boundaries of the City's reclaimed water system.</del></li> </ul>	<p>Not Applicable. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in greenhouse gas (GHG) emission impacts or climate change impacts not previously considered and addressed in the Certified EIR. The Modified Project would implement applicable provisions of the Climate Action Plan, including GHG Screening Table.</p>

<b>Mitigation Summary Matrix</b>	
<b>Mitigation Measures</b>	<b>Remarks</b>
<ul style="list-style-type: none"> <li>• <del>Require all new landscaping irrigation systems installed within the City to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors. Conduct energy efficiency audits of existing municipal buildings by checking, repairing, and readjusting heating, ventilation, and air conditioning systems, lighting, water heating equipment, insulation, and weatherization.</del></li> <li>• <del>Ensure that its local Climate Action, Land Use, Housing, and Transportation Plans are aligned with, support, and enhance any regional plans that have been developed consistent with state guidance to achieve reductions in GHG emissions.</del></li> <li>• <del>Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure.</del></li> <li>• <del>Reduce heat gain from pavement and other similar hardscaping.</del></li> <li>• <del>Work with appropriate agencies to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car sharing, bicycling and walking.</del></li> <li>• <del>Provide safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets.</del></li> <li>• <del>Facilitate employment opportunities that minimize the need for private vehicle trips, by:</del></li> <li>• <del>Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations.</del></li> <li>• <del>Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate.</del></li> <li>• <del>Establish policies and programs to reduce onsite parking demand and promote ridesharing and public transit at large events.</del></li> <li>• <del>Support and promote the use of low and zero-emission vehicles, by:</del></li> <li>• <del>Encouraging the necessary infrastructure to facilitate</del></li> </ul>	

<b>Mitigation Summary Matrix</b>	
<b>Mitigation Measures</b>	<b>Remarks</b>
<p><del>the use of zero emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations.</del></p> <p><del>Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV).</del></p> <ul style="list-style-type: none"> <li><del>• Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes.</del></li> <li><del>• Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas-electric hybrid vehicles.</del></li> <li><del>• Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use.</del></li> <li><del>• Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient green building practices where not prohibited by Airport Land Use Compatibility Plan (ALUCP)/Federal Aviation Administration (FAA).</del></li> <li><del>• Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques.</del></li> <li><del>• Support the use of green building practices by:</del> <ul style="list-style-type: none"> <li><del>• Providing information, marketing, training, and technical assistance about green building practices.</del></li> <li><del>• Adopting a Green Building ordinance with guidelines for green building practices in residential and commercial development.</del></li> <li><del>• Adopt energy efficiency performance standards for buildings designed to achieve a greater reduction in energy and water use than currently required by state law, including:</del> <ul style="list-style-type: none"> <li><del>• Standards for the installation of "cool roofs".</del></li> <li><del>• Standards for improved overall efficiency of lighting systems.</del></li> </ul> </li> </ul> </li> </ul>	



<b>Mitigation Summary Matrix</b>	
<b>Mitigation Measures</b>	<b>Remarks</b>
<ul style="list-style-type: none"> <li>• <del>Requirements for the use of Energy Star appliances and fixtures in discretionary new development.</del></li> <li>• <del>Encourage the performance of energy audits for residential and commercial buildings prior to completion of sale, and that audit results and information about opportunities for energy efficiency improvements be presented to the buyer.</del></li> <li>• <del>Establish policies and programs that facilitate the siting of new renewable energy generation.</del></li> <li>• <del>Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible.</del></li> <li>• <del>Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including Conducting energy audits.</del></li> <li>• <del>Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low emissive window glass.</del></li> <li>• <del>Implementing an energy tracking and management system for its municipal facilities.</del></li> <li>• <del>Installing energy efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations.</del></li> <li>• <del>Installing energy efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations.</del></li> <li>• <del>Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.).</del></li> <li>• <del>Installing Energy Star® appliances and energy efficient vending machines.</del></li> <li>• <del>Improving water use efficiency, including a schedule to replace or retrofit system components with high efficiency units (i.e., ultra-low flow toilets, fixtures, etc.).</del></li> <li>• <del>Installing irrigation control systems which maximize water use efficiency and minimize off-peak use.</del></li> <li>• <del>Adopting an accelerated replacement schedule for energy inefficient systems and components.</del></li> </ul>	

<b>Mitigation Summary Matrix</b>	
<b>Mitigation Measures</b>	<b>Remarks</b>
<ul style="list-style-type: none"> <li>• <del>Insure that staff receives appropriate training and support to implement objectives and policies to reduce GHG emissions, including:</del></li> <li>• <del>Providing energy efficiency training to design, engineering, building operations, and maintenance staff.</del></li> <li>• <del>Providing information on energy use and management, including data from the tracking and management system, to managers and others making decisions that influence energy use.</del></li> <li>• <del>Providing energy design review services to departments undertaking new construction or renovation projects, to facilitate compliance with LEED standards.</del></li> <li>• <del>Maximize efficiency at drinking water treatment, pumping, and distribution facilities, including development of off-peak demand schedules for heavy commercial and industrial users.</del></li> <li>• <del>Establish a replacement policy and schedule to replace fleet vehicles and equipment with the most fuel-efficient vehicles practical, including gasoline hybrid and alternative fuel or electric models.</del></li> <li>• <del>Require the installation of outdoor electrical outlets on buildings to support the use, where practical, of electric lawn and garden equipment, and other tools that would otherwise be run with small gas engines or portable generators.</del></li> <li>• <del>Implement measures to reduce employee vehicle trips and to mitigate emissions impacts from municipal travel.</del></li> <li>• <del>Conduct a comprehensive inventory and analysis of the urban forest, and coordinate tree maintenance responsibilities with all responsible departments, consistent with best management practices.</del></li> <li>• <del>Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and will install or replace vegetation with drought-tolerant, low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects.</del></li> <li>• <del>Implement enhanced programs to divert solid waste from landfill operations, by:</del></li> </ul>	

<b>Mitigation Summary Matrix</b>	
<b>Mitigation Measures</b>	<b>Remarks</b>
<ul style="list-style-type: none"> <li>• <del>Establishing a diversion target which meets or exceeds AB-939 requirements.</del></li> <li>• <del>Promoting and expanding recycling programs, purchasing policies, and employee education to reduce the amount of waste produced.</del></li> <li>• <del>Reduce per capita water consumption consistent with state law by 2020.</del></li> <li>• <del>Establish a water conservation plan that may include such policies and actions as: Maintaining and refining the City's tiered rate structure for water use.</del></li> <li>• <del>Establishing restrictions on time of use for landscape watering, or other demand management strategies.</del></li> <li>• <del>Establishing performance standards for irrigation equipment and water fixtures, consistent with state law.</del></li> <li>• <del>Establish programs and policies to increase the use of recycled water, including:</del></li> <li>• <del>Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation.</del></li> <li>• <del>Ensure that building standards and permit approval processes promote and support water conservation, by:</del></li> <li>• <del>Establishing building design guidelines and criteria to promote water efficient building design, including minimizing the amount of non-roof impervious surfaces around the building(s).</del></li> <li>• <del>Establishing menus and check-lists for developers and contractors to ensure water efficient infrastructure and technology are used in new construction, including low-flow toilets and shower heads, moisture-sensing irrigation, and other such advances.</del></li> </ul> <p><del>Organize workshops on waste reduction activities for the home or business, such as backyard composting, or office paper recycling and shall schedule recycling dropoff events and neighborhood chipping/mulching days.</del></p> <ul style="list-style-type: none"> <li>• <del>Organize workshops on steps to increase energy efficiency in the home or business, such as</del></li> </ul>	

<b>Mitigation Summary Matrix</b>	
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<p><del>weatherizing the home or building envelope, installing smart lighting systems, and how to conduct a self-audit for energy use and efficiency.</del></p> <p><del>6-3 The City of Ontario will amend the Municipal Code within 18 months after adopting The Ontario Plan, with provisions implementing the following GHG emission reduction concepts:</del></p> <ul style="list-style-type: none"> <li><del>• Increase densities in urban core areas to support public transit, by, among other means:</del></li> <li><del>• Removing barriers to the development of accessory dwelling units in existing residential neighborhoods.</del></li> <li><del>• Reduce required road width standards wherever feasible to calm traffic and encourage alternative modes of transportation.</del></li> <li><del>• Add bicycle facilities to city streets and public spaces, where feasible.</del></li> <li><del>• Promote infill, mixed use, and higher density development, and provide incentives to support the creation of affordable housing in mixed use zones.</del></li> <li><del>• Plan for and create incentives for mixed use development.</del></li> </ul> <p><del>Identify sites suitable for mixed use development and establish appropriate site specific standards to accommodate mixed uses which could include:</del></p> <ul style="list-style-type: none"> <li><del>• Increasing allowable building height or allow height limit bonuses, in appropriate areas and where safe to do so.</del></li> <li><del>• Allowing flexibility in applying development standards (such as FAR2 and lot coverage) based on the location, type, and size of the units, and the design of the development.</del></li> <li><del>• Allowing reduced and shared parking based on the use mix, and availability of and proximity to public transit stops.</del></li> <li><del>• Allowing for tandem parking, shared parking and off-site parking leases.</del></li> <li><del>• Enable prototype mixed use structures for use in neighborhood center zones that can be adapted to new uses over time with minimal internal remodeling.</del></li> <li><del>• Identify and facilitate the inclusion of complementary</del></li> </ul>	<p>Not Applicable. This is a City staff directive to amend the Municipal Code to reflect certain GHG emission reduction concepts. The Project would implement applicable Municipal Code GHG emission reduction concepts.</p>

<b>Mitigation Summary Matrix</b>	
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<p><del>land uses not already present in local zoning districts, such as supermarkets, parks and recreational fields, schools in neighborhoods, and residential uses in business districts, to reduce the vehicle miles traveled and promote bicycling and walking to these uses.</del></p> <ul style="list-style-type: none"> <li><del>• Revise zoning ordinance(s) to allow local-serving businesses, such as childcare centers, restaurants, banks, family medical offices, drug stores, and other similar services near employment centers to minimize midday vehicle use.</del></li> <li><del>• Develop form-based community design standards to be applied to development projects and land use plans, for areas designated mixed-use.</del></li> <li><del>• Implement a Housing Overlay Zone for residential properties at transit centers and along transit corridors. This may include average minimum residential densities of 25 units per acre within one quarter miles of transit centers; average minimum densities of 15 units per acre within one quarter mile of transit corridors; and minimum FAR of 0.5:1 for non-residential uses within a quarter mile of transit centers or corridors.</del></li> <li><del>• Identify transit centers appropriate for mixed-use development, and promote transit-oriented, mixed-use development within these targeted areas, by:</del> <ul style="list-style-type: none"> <li><del>• Providing maximum parking standards and flexible building height limitations.</del></li> <li><del>• Providing density bonus programs.</del></li> <li><del>• Establishing guidelines for private and public spaces for transit-oriented and mixed-use development.</del></li> <li><del>• Discouraging auto-oriented development.</del></li> <li><del>• Ensure new development is designed to make public transit a viable choice for residents, including: Locating medium to high density development near activity centers that can be served efficiently by public transit and alternative transportation modes.</del></li> <li><del>• Locating medium to high density development near streets served by public transit whenever feasible.</del></li> <li><del>• Linking neighborhoods to bus stops by continuous sidewalks or pedestrian paths.</del></li> <li><del>• Develop form-based community design standards to be applied to development projects and land use</del></li> </ul> </li> </ul>	

<b>Mitigation Summary Matrix</b>	
<b>Mitigation Measures</b>	<b>Remarks</b>
<p>plans, for areas designated mixed use.</p> <ul style="list-style-type: none"> <li>• <del>Create and preserve distinct, identifiable neighborhoods whose characteristics support pedestrian travel, especially within, but not limited to, mixed use and transit-oriented development areas, by:</del></li> <li>• <del>Designing or maintaining neighborhoods where the neighborhood amenities can be reached in approximately five minutes of walking.</del></li> <li>• <del>Encouraging pedestrian-only streets and/or plazas within developments, and destinations that may be reached conveniently by public transportation, walking, or bicycling.</del></li> <li>• <del>Allowing flexible parking strategies in neighborhood activity centers to foster a pedestrian-oriented streetscape.</del></li> <li>• <del>Providing continuous sidewalks with shade trees and landscape strips to separate pedestrians from traffic.</del></li> <li>• <del>Encouraging neighborhood parks and recreational centers near concentrations of residential areas (preferably within one quarter mile) and include pedestrian walkways and bicycle paths that encourage nonmotorized travel.</del></li> <li>• <del>Ensure pedestrian access to activities and services, especially within, but not limited to, mixed use and transit-oriented development areas, by:</del></li> <li>• <del>Ensuring new development that provides pedestrian connections in as many locations as possible to adjacent development, arterial streets, thoroughfares.</del></li> <li>• <del>Ensuring a balanced mix of housing, workplaces, shopping, recreational opportunities, and institutional uses, including mixed-use structures.</del></li> <li>• <del>Locating schools in neighborhoods, within safe and easy walking distances of residences served.</del></li> <li>• <del>Encouraging new development in which primary entrances are pedestrian entrances, with automobile entrances and parking located to the rear.</del></li> <li>• <del>Supporting development where automobile access to buildings does not impede pedestrian access, by consolidating driveways between buildings or developing alley access.</del></li> </ul>	

<b>Mitigation Summary Matrix</b>	
<b>Mitigation Measures</b>	<b>Remarks</b>
<p><del>Utilizing street parking as a buffer between sidewalk pedestrian traffic and the automobile portion of the roadway.</del></p> <ul style="list-style-type: none"> <li><del>• Prioritizing the physical development of pedestrian connectors for existing areas that do not meet established connectivity standards.</del></li> <li><del>• Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure.</del></li> <li><del>• Reduce heat gain from pavement and other similar hardscaping, by:</del> <ul style="list-style-type: none"> <li><del>• Including low-water landscaping in place of hardscaping around transportation infrastructure and in parking areas.</del></li> <li><del>• Establishing standards that provide for pervious pavement options.</del></li> <li><del>• Removing obstacles to natural, drought tolerant landscaping and low water landscaping.</del></li> <li><del>• Coordinate with appropriate agencies to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car sharing, bicycling and walking, including, but not limited to:</del> <ul style="list-style-type: none"> <li><del>• Providing safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets.</del></li> <li><del>• Upgrade and maintain the following transit system infrastructure to enhance public use, including:</del> <ul style="list-style-type: none"> <li><del>• Ensuring transit stops and bus lanes are safe, convenient, clean and efficient.</del></li> <li><del>• Ensuring transit stops have clearly marked street-level designation, and are accessible.</del></li> <li><del>• Ensuring transit stops are safe, sheltered, benches are clean, and lighting is adequate.</del></li> </ul> </li> <li><del>• Working with transit providers to place transit stations along transit corridors within mixed-use or transit-oriented development areas at intervals appropriate for the mode of transit.</del></li> </ul> </li> </ul> </li> </ul>	

<b>Mitigation Summary Matrix</b>	
<b>Mitigation Measures</b>	<b>Remarks</b>
<ul style="list-style-type: none"> <li>• <del>Facilitate employment opportunities that minimize the need for private vehicle trips, by:</del></li> <li>• <del>Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations.</del></li> <li>• <del>Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate.</del></li> <li>• <del>Establish standards for new development and redevelopment projects to support bicycle use, including:</del></li> <li>• <del>Amending the Development Code to include standards for pedestrian and bicyclist accommodations, including:</del>  <del>Providing access for pedestrians and bicyclist to public transportation through construction of dedicated paths, where feasible.</del></li> <li>• <del>Requiring new development and redevelopment projects to include bicycle facilities, as appropriate with the new land use, including:</del></li> <li>• <del>Where feasible, promote the construction of weatherproof bicycle facilities and at a minimum, provide bicycle racks or covered, secure parking near the building entrances.</del></li> <li>• <del>Establish a network of multi-use trails to facilitate direct off-street bicycle and pedestrian travel, and will provide bike racks along these trails at secure, lighted locations.</del></li> <li>• <del>Establish policies and programs to reduce onsite parking demand and promote and public transit at large events.</del></li> <li>• <del>Require new commercial and retail developments to provide prioritized parking for electric vehicles and vehicles using alternative fuels.</del></li> <li>• <del>Support and promote the use of low and zero-emission vehicles (NEV), by:</del></li> <li>• <del>Encouraging the necessary infrastructure to facilitate the use of zero emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations.</del></li> </ul>	



<b>Mitigation Summary Matrix</b>	
<b>Mitigation Measures</b>	<b>Remarks</b>
<p><del>Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug-in electric hybrids (PHEV).</del></p> <ul style="list-style-type: none"> <li><del>• Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes.</del></li> <li><del>• Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas-electric hybrid vehicles.</del></li> <li><del>• Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use.</del></li> <li><del>• Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient green building practices where not prohibited by ALUCP/FAA.</del></li> <li><del>• Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques.</del></li> <li><del>• Support the use of green building practices by:</del></li> <li><del>• Establishing guidelines for green building practices in residential and commercial development.</del></li> </ul> <p><del>Providing incentives, which may include reduction in development fees, administrative fees, and/or expedited permit processing for projects that use green building practices.</del></p> <ul style="list-style-type: none"> <li><del>• Adopt energy efficiency performance standards for buildings that achieve a greater reduction in energy and water use than otherwise required by current state law, including:</del></li> <li><del>• Standards for the installation of "cool roofs".</del></li> <li><del>• Standards for improved overall efficiency of lighting systems.</del></li> <li><del>• Requirements for the use of Energy Star appliances and fixtures in discretionary new development.</del></li> </ul>	

<b>Mitigation Summary Matrix</b>	
<b>Mitigation Measures</b>	<b>Remarks</b>
<ul style="list-style-type: none"> <li>• <del>Requirements for new residential lots and/or structures to be arranged and oriented to maximize effective use of passive solar energy.</del></li> <li>• <del>Require that affordable housing development incorporate energy efficient design and features to the maximum extent feasible.</del></li> <li>• <del>Identify possible sites for production of renewable energy (such as solar, wind, small hydro, and biogas).</del></li> <li>• <del>Identify and remove or otherwise address barriers to renewable energy production, including:</del> <ul style="list-style-type: none"> <li>• <del>Reviewing and revising building and development codes, design guidelines, and zoning ordinances to remove renewable energy</del></li> <li>• <del>production barriers.</del></li> <li>• <del>Working with related agencies, such as fire, water, health and others that may have policies or requirements that adversely impact the development or use of renewable energy technologies.</del></li> </ul> </li> <li>• <del>Developing protocols for safe storage of renewable and alternative energy products with the potential to leak, ignite or explode, such as biodiesel, hydrogen, and/or compressed air.</del></li> <li>• <del>Allow renewable energy projects in areas zoned for open space, where consistent with the Land Use element, and other uses and values.</del></li> <li>• <del>Promote and encourage renewable energy generation, and co-generation projects where feasible and appropriate.</del></li> <li>• <del>Require that, where feasible, all new buildings be constructed to allow for easy, cost effective installation of solar energy systems in the future, using such "solar ready" features as:</del> <ul style="list-style-type: none"> <li>• <del>Optimal roof orientation (between 20 to 55 degrees from the horizontal), with sufficient south-sloped roof surface, where such buildings architecture and construction are designed for sloped roofs.</del></li> <li>• <del>Clear access without obstructions (chimneys, heating and plumbing vents, etc.) on the south-sloped roof.</del></li> <li>• <del>Roof framing that will support the addition of solar panels</del></li> </ul> </li> </ul>	

<b>Mitigation Summary Matrix</b>	
<b>Mitigation Measures</b>	<b>Remarks</b>
<ul style="list-style-type: none"> <li>• <del>Installation of electrical conduit to accept solar electric system wiring.</del></li> <li>• <del>Installation of plumbing to support a solar hot water system and provision of space for a solar hot water storage tank.</del></li> <li>• <del>Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible.</del></li> <li>• <del>Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including:</del> <ul style="list-style-type: none"> <li>• <del>Conducting energy audits.</del></li> <li>• <del>Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low emissive window glass.</del></li> <li>• <del>Implementing an energy tracking and management system for its municipal facilities.</del></li> <li>• <del>Installing energy efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations.</del></li> <li>• <del>Installing energy efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations.</del></li> <li>• <del>Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.).</del></li> <li>• <del>Installing Energy Star® appliances and energy efficient vending machines.</del></li> <li>• <del>Improving water use efficiency, including a schedule to replace or retrofit system components with high efficiency units (i.e., ultra-low flow toilets, fixtures, etc.).</del></li> <li>• <del>Installing irrigation control systems maximizing water use efficiency and minimizing off-peak use.</del></li> <li>• <del>Adopting an accelerated replacement schedule for energy inefficient systems and components.</del></li> <li>• <del>Require that any newly constructed, purchased, or leased municipal space meet minimum standards,</del></li> </ul> </li> </ul>	

<b>Mitigation Summary Matrix</b>	
<b>Mitigation Measures</b>	<b>Remarks</b>
<p>such as:</p> <ul style="list-style-type: none"> <li>• <del>The Energy Star® New Homes Program established by U.S. EPA.</del></li> <li>• <del>The incorporation of passive solar design features in new buildings, including daylighting and passive solar heating.</del></li> <li>• <del>Reduce per capita water consumption consistent with state law by 2020.</del></li> <li>• <del>Establish a water conservation plan that may include such policies and actions as:</del> <ul style="list-style-type: none"> <li>• <del>Maintaining and refining the City's tiered rate structure for water use.</del></li> </ul> </li> <li>• <del>Establishing restrictions on time of use for landscape watering, or other demand management strategies.</del></li> <li>• <del>Establishing performance standards for irrigation equipment and water fixtures, consistent with State Law.</del></li> <li>• <del>The City will establish programs and policies to increase the use of recycled water, including:</del> <ul style="list-style-type: none"> <li>• <del>Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation.</del></li> </ul> </li> <li>• <del>Ensure that building standards and permit approval processes promote and support water conservation, by:</del> <ul style="list-style-type: none"> <li>• <del>Establishing building design guidelines and criteria to promote water efficient building design, including minimizing the amount of non-roof impervious surfaces around the building(s).</del></li> </ul> </li> <li>• <del>Establishing menus and check-lists for developers and contractors to ensure water efficient infrastructure and technology are used in new construction, including low-flow toilets and shower heads, moisture-sensing irrigation, and other such advances.</del></li> <li>• <del>Install water efficient landscapes and irrigation, including:</del> <ul style="list-style-type: none"> <li>• <del>Requiring planting drought tolerant and native species, and covering exposed dirt with moisture-retaining mulch or other materials such as</del></li> </ul> </li> </ul>	

<b>Mitigation Summary Matrix</b>	
<b>Mitigation Measures</b>	<b>Remarks</b>
<p><del>decomposed granite.</del></p> <ul style="list-style-type: none"> <li><del>• Requiring the installation of water efficient irrigation systems and devices, including advanced technology such as moisture sensing irrigation controls.</del></li> <li><del>• Promote the planting of shade trees and establish shade tree guidelines and specifications, including:</del></li> <li><del>• Establishing guidelines for tree planting based on the land use (residential, commercial, parking lots, etc.).</del></li> <li><del>• Establishing guidelines for tree types based on species size, branching patterns, whether deciduous or evergreen, whether roots are invasive, etc.</del></li> <li><del>• Establishing tree guidelines for placement, including distance from structures, density of planting, and orientation relative to structures and the sun.</del></li> <li><del>• Develop an Urban Forestry Program to consolidate policies and ordinances regarding tree planting, maintenance, and removal, including:</del></li> <li><del>• Establishing guidelines for tree planting, including criteria for selecting deciduous or evergreen trees low VOC producing trees, and emphasizing the use of drought tolerant native trees and vegetation.</del></li> </ul>	
<p><del>6-4 Measures listed in Mitigation Measure 6-2 and 6-3 shall be considered by the City while reviewing all new development, as appropriate, between the time of adoption of The Ontario Plan and adoption of the Climate Action Plan (CAP).</del></p>	<p>Not Applicable. This is a City staff directive to consider Mitigation Measure 6-2 and 6-3 while reviewing all new development, as appropriate, between the time of adoption of The Ontario Plan and adoption of the Climate Action Plan. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in GHG impacts not previously addressed as part of the Certified EIR analysis. The Modified Project would implement applicable provisions of the Climate Action Plan.</p>
<p><del>6-5 Pursuant to a goal of overall consistency with the Sustainable Communities Strategies, the City of Ontario shall evaluate new development for consistency with the development pattern set forth in the Sustainable Communities Strategies plan, upon adoption of the plan by the Southern California Association of Governments</del></p>	<p>Not Applicable. This is a City staff directive to evaluate new development for consistency with the development pattern set forth in the Sustainable Communities Strategies (SCS) plan. This is not a mitigation measure for the Modified Project. The Modified Project would not conflict with the SCS plan as implemented by the City.</p>
<p><del>6-6 The City of Ontario shall participate in the County of San Bernardino's Green Valley Initiative.</del></p>	<p>Not Applicable. This is a City staff directive to participate in the County of</p>

<b>Mitigation Summary Matrix</b>	
<b>Mitigation Measures</b>	<b>Remarks</b>
	San Bernardino's Green Valley Initiative. This is not a mitigation measure for the Modified Project. The Modified Project would not interfere with or conflict with City participation in the County of San Bernardino's Green Valley Initiative.
<b>Hazards and Hazardous Materials</b>	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.
<b>Hydrology and Water Quality</b>	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project
<b>Land Use and Planning</b>	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.
<b>Noise</b>	
<del>12-1 Prior to the issuance of building permits for any project that involves a noise sensitive use within the 65 dBA CNEL contour along major roadways, freeways, railroads, or the Los Angeles/Ontario International Airport, the project property owner/developers shall retain an acoustical engineer to conduct an acoustic analysis and identify, where appropriate, site design features (e.g., setbacks, berms, or sound walls) and/or required building acoustical improvements (e.g., sound transmission class rated windows, doors, and attic baffling), to ensure compliance with the City's Noise Compatibility Criteria and the California State Building Code and California Noise Insulation Standards (Title 24 and 21 of the California Code of Regulations).</del>	Not Applicable. This is a City staff directive requiring certain project applicants to retain an acoustical engineer to conduct acoustic analyses. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in noise impacts not previously considered and addressed in the Certified EIR.
<del>12-2 Individual projects that involve vibration intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, occurring near sensitive receptors shall be evaluated for potential vibration impacts. If construction related vibration is determined to be perceptible at vibration sensitive uses (i.e., exceed the Federal Transit Administration vibration annoyance criteria of 78 VdB during the daytime), additional requirements, such as use of less vibration intensive equipment or construction techniques, shall be implemented during construction (e.g., drilled piles to eliminate use of vibration-intensive pile driver).</del>	Not Applicable. This is a City staff directive to requiring certain project applicants to evaluate vibration impacts at potentially affected vibration-sensitive use. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in vibration impacts not previously considered and addressed in the Certified EIR.
<del>12-3 Prior to the issuance of building permits for any project that involves a vibration sensitive use directly adjacent to the Union Pacific Railroad or Southern California Regional Rail Authority main lines shall retain an acoustical engineer to evaluate potential for trains to create perceptible levels of vibration indoors. If vibration related impacts are found, mitigation measures, such as use of concrete, iron, or steel, or masonry materials to ensure that</del>	Not Applicable. This is a City staff directive requiring certain project applicants to evaluate railroad-source vibration impacts at potentially affected vibration-sensitive uses. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in vibration

<b>Mitigation Summary Matrix</b>	
<b>Mitigation Measures</b>	<b>Remarks</b>
<del>levels of vibration amplification are within acceptable limits to building occupants, shall be implemented. Pursuant to the Federal Transit Administration vibration annoyance criteria, these acceptable limits are 78 VdB during the daytime and 72 VdB during the nighttime for residential uses, 84 VdB for office uses, and 90 VdB for workshops.</del>	impacts not previously considered and addressed in the Certified EIR.
<del>12-4 Construction activities associated with new development that occurs near sensitive receptors shall be evaluated for potential noise impacts. Mitigation measures such as installation of temporary sound barriers for adjacent construction activities that occur adjacent to occupied noise sensitive structures, equipping construction equipment with mufflers, and reducing nonessential idling of construction equipment to no more than five minutes shall be incorporated into the construction operations to reduce construction-related noise to the extent feasible.</del>	Not Applicable. This is a City staff directive requiring certain project applicants to evaluate construction-source noise impacts at potentially affected sensitive uses. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in construction-source noise impacts not previously considered and addressed in the Certified EIR.
<b>Population and Housing</b>	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project
<b>Public Services</b>	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project
<b>Recreation</b>	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.
<b>Transportation</b>	
<del>16-1 The Mobility Element of the Ontario Plan shall be consistent with the traffic study prepared by Kimley-Horn and Associates. Table 5.16-6 shows the recommended lane geometry for the Proposed Land Use Plan.</del>	Not Applicable. This is a City staff directive to assure that the Mobility Element of the Ontario Plan is consistent with the recommendations of the associated traffic study. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in transportation impacts not previously considered and addressed in the Certified EIR.
<b>Tribal Cultural Resources</b>	
Please refer to Mitigation Measures 5-3 and 5-4, presented under Cultural Resources.	See earlier remarks.
<b>Utilities and Service Systems</b>	
<del>17-1 The City shall include a policy in the Policy Plan that requires water conservation measures for development projects to improve water use efficiency and reduce overall water demand. Reduce potable water demand, through conservation measures, including but not limited to:  a) Work cooperatively with all developers to</del>	Not Applicable. This is a City staff directive to assure that a water use efficiency policy is included in the Policy Plan. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in utilities or service systems impacts not previously considered and addressed in

<b>Mitigation Summary Matrix</b>	
<b>Mitigation Measures</b>	<b>Remarks</b>
<p><del>incorporate conservation measures into project designs (such as those recommended by the California Urban Water Conservation Council). Continue to develop and implement drought contingency plans to assist citizens and businesses reduce water use during water shortages and emergencies.</del></p> <p><del>c) Revise the City Code to include a Water-Efficient Landscape Ordinance to encourage or, as appropriate, require the use of water-efficient landscaping consistent with AB-325.</del></p>	<p>the Certified EIR</p>
<p><del>17-2 The City shall include a policy in the Policy Plan that maximizes the use of recycled water as an irrigation (nonpotable) source for landscaping, parks, and other irrigation opportunities in all areas of the City and requires use of recycled water in dual-system office and industrial uses in selected urban areas of the City, where available and feasible.</del></p>	<p>Not Applicable. This is a City staff directive to assure that a water use efficiency policy is included in the Policy Plan maximizing the use of recycled water. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in utilities or service systems impacts not previously considered and addressed in the Certified EIR.</p>
<p><del>17-3 The City shall include a policy in the Policy Plan that the City participate through the Chino Basin Water Master and the Inland Empire Utilities Agency in regional efforts to develop finding additional sources of water for groundwater recharge, such as capture of stormwater runoff, recycled water, or other sources to ensure that the Chino Basin stays in long term hydraulic balance and sustainability and that adequate additional local water sources would be available to increase the flexibility of the City's water supply.</del></p>	<p>Not Applicable. This is a City staff directive to assure that policy is included in the Policy Plan that requires the City to participate with regional water agency in the pursuit of additional water sources. This is not a mitigation measure for the Modified Project. It is noted that the Modified Project would not result in utilities or service systems impacts not previously considered and addressed in the Certified EIR.</p>
<p><b>Wildfire</b></p>	
<p>N/A</p>	<p>No mitigation was included within the Certified EIR; No mitigation is required of the Modified Project.</p>





# Development Advisory Board Decision

November 16, 2020

DECISION NO.: [insert #]

FILE NO.: PMTT20-002

**DESCRIPTION:** A Tentative Tract Map (TT 20335) to subdivide 7.32 acres of land into one lettered lot for condominium purposes located at 2862 South Campus Avenue, within the MDR-18 (Medium Density Residential - 11.1 to 18 du/ac) zoning district (APNs: 1051-531-05 & 1051-531-06); **submitted by MLC Holdings, Inc. Planning Commission action is required.**

## Part I—BACKGROUND & ANALYSIS

MLC HOLDINGS, INC., (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PDEV20-003, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 7.32 acres of land located at 2862 South Campus Avenue, and is depicted in Exhibit A—Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<b>Existing Land Use</b>	<b>General Plan Designation</b>	<b>Zoning Designation</b>
<b>Site:</b>	Single Family Residential	Medium Density Residential	MDR-18 (Medium Density Residential)
<b>North:</b>	Single Family Residential	Low Density Residential	LDR-5 (Low Density Residential)
<b>South:</b>	Multiple Family Residential	Medium Density Residential	MDR-18 (Medium Density Residential)
<b>East:</b>	Single Family Residential	Low Density Residential	LDR-5 (Low Density Residential)
<b>West:</b>	Single Family Residential	Low Density Residential	LDR-5 (Low Density Residential)

(2) **Project Description:**

(a) **Background** — In 2010, The Ontario Plan ("TOP") was adopted, which set forth the land use pattern for the City, to achieve its Vision. With the adoption of TOP, a Medium Density Residential land use was designated at the Project site. Subsequently, the Project site was zoned MDR-18 (Medium Density Residential- 11.1 to 18 du/acres) to conform with TOP land use designation.

On February 7, 2020, the Applicant submitted 2 applications to facilitate the development of the site, requesting approval of a Tentative Tract Map (File No. PMTT20-002/TT 20335) to subdivide 7.32 acres of land into one lettered lot for condominium purposes, in conjunction with a Development Plan (File No. PDEV20-003) to construct 92 detached single-family dwellings. In addition, a request for a lot line adjustment to the south and east property lines was received. The lot line adjustment will change the Project site from 9.46 acres of land to 7.32 acres of land.

(b) Tentative Parcel Map— The proposed Tentative Tract Map will subdivide the Project site into a single lot for condominium purposes, in conjunction with a Development Plan (File No. PDEV20-003) to construct 92 detached single-family dwellings and a private recreation area. The Project site is 7.32 acres (318,859 SF) in size, which exceeds the the minimum project area site Development Code requirement of 10,000 square feet.

(c) Site Access/Circulation — The proposed Tentative Tract Map (File No. PMTT20-002/TT 20335) will establish two points of site access from Campus Avenue and will facilitate the construction of internal 26-foot wide private drive aisles (“A”, “B”, “C”, and “D” Streets) and 20-foot wide private alleys. As a condition of Project approval, public right-of way improvements to the west side of Campus Avenue, along the Project frontage and adjoining property to the south, will be constructed. Improvements include pavement widening, adding an additional southbound lane, curb, gutter, sidewalk connecting the existing sidewalk to the north and south of the Project site, and a landscaped parkway.

(d) Utilities (drainage, sewer) — To serve the Project, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes both Projects’ compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of underground stormwater infiltration system located on the eastern portion of the site near Campus Avenue. Any overflow drainage will be conveyed to a storm drain connection located at the south end of the Project site.

#### **Part II—RECITALS**

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

WHEREAS, The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. 2008101140) was certified on January 27, 2010 (hereinafter referred to as “Certified EIR”), in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario prepared and approved for attachment to the certified Environmental Impact Report, an Addendum to the Certified EIR (hereinafter referred to as “EIR Addendum”) 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, the environmental impacts of this project were thoroughly analyzed in the EIR Addendum, which concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (hereinafter referred to as “DAB”) the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

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

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

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

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

WHEREAS, as the first action on the Project, on November 16, 2020, the DAB issued a Decision recommending the Planning Commission adopt the EIR Addendum, finding that the proposed Project introduces no new significant environmental impacts and applying all previously adopted mitigation measures to the Project, which were incorporated by reference; and

WHEREAS, on November 16, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

### ***Part III—THE DECISION***

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

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

**SECTION 2: *ALUCP Compliance.*** The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and

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

**SECTION 3: Concluding Facts and Reasons.** Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 and 2, above, the DAB hereby concludes as follows:

(1) **The proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.** The proposed Tentative Tract/Parcel Map is located within the Medium Density Residential land use district of the Policy Plan Land Use Map, and the MDR-18 (Medium Density Residential - 11.1 to 18 du/acres) zoning district. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). Furthermore, the project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 *Complete Community*).

(2) **The design or improvement of the proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.** The proposed Tentative Tract/Parcel Map is located within the Medium Density Residential land use district of the Policy Plan Land Use Map, and the MDR-18 (Medium Density Residential - 11.1 to 18 du/acres) zoning district. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct” (Goal CD2). Furthermore, the project will promote the City’s policy to “create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate;
- Landscaped parkways, with sidewalks separated from the curb.” (Policy CD2-2 *Neighborhood Design*); and
- Provide “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct (Goal CD2). Furthermore, the project will promote the City’s policy to “collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques” (Policy CD2-7 *Sustainability*).

(3) **The site is physically suitable for the type of development proposed.** The project site meets the minimum lot area and dimensions of the MDR-18 (Medium Density Residential - 11.1 to 18 du/acres) zoning district, and is physically suitable for the type of residential development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) **The site is physically suitable for the density/intensity of development proposed.** The project site is proposed for residential development at [a density of 13 DUs/acre. The project site meets the minimum lot area and dimensions of the MDR-18 (Medium Density Residential - 11.1 to 18 du/acres) zoning district and is physically suitable for this proposed density / intensity of development.

(5) **The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.** The project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.

(6) **The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.** The design of the proposed subdivision, and the street improvements existing or proposed on the project site, are not likely to cause serious public health problems, as The project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site.

(7) **The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

**SECTION 4: Development Advisory Board Action.** Based on the findings and conclusions set forth in Sections 1 through 3, above, the DAB hereby recommends the Planning Commission APPROVE the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

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

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APPROVED AND ADOPTED this 16th day of November 2020.

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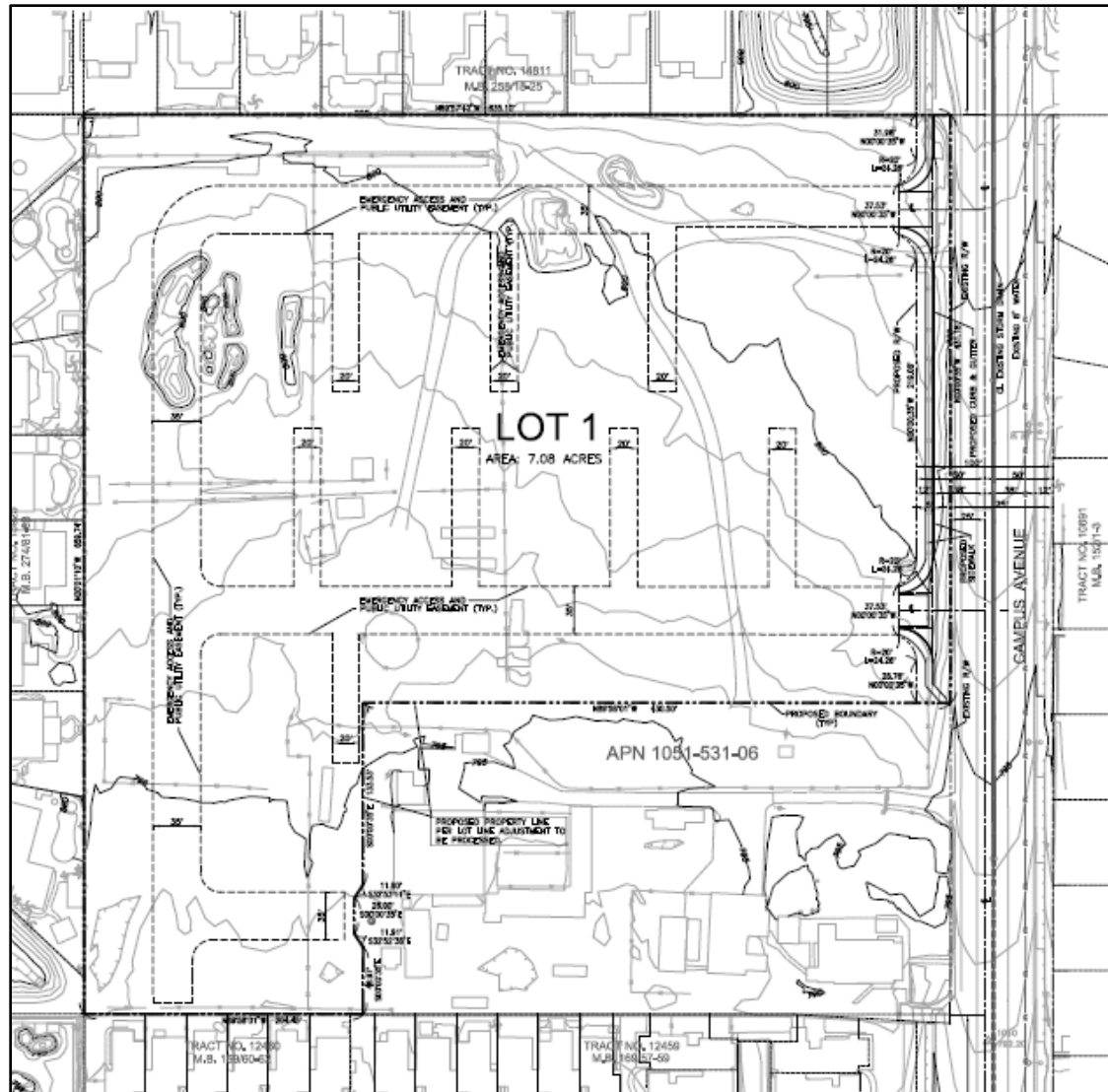
Development Advisory Board Chairman



Exhibit A—PROJECT LOCATION MAP

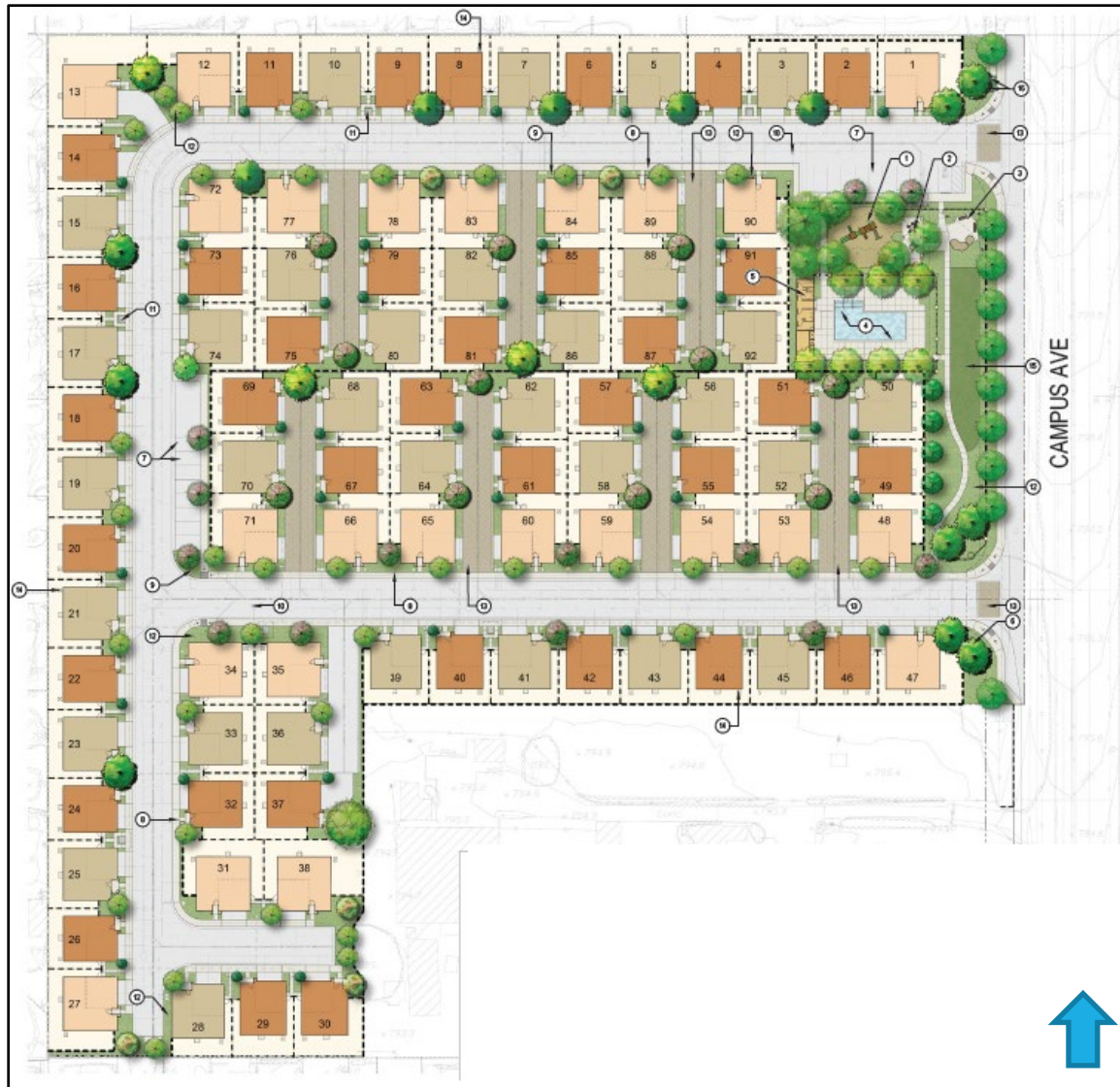


Exhibit B—TENATIVE TRACT MAP 20335





**Exhibit C—CONCEPTUAL SITE PLAN**



## **Attachment A—Departmental Conditions of Approval**

*(Departmental conditions of approval follow this page)*



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

## ***Planning Department Land Development Division Conditions of Approval***

**Meeting Date:** November 16, 2020

**File No:** PMTT20-002

**Related Files:** PDEV20-003

**Project Description:** A Tentative Tract Map (TT 20335) to subdivide 7.32 acres of land into one lettered lot for condominium purposes located at 2862 South Campus Avenue, within the MDR-18 (Medium Density Residential - 11.1 to 18 du/ac) zoning district (APNs: 1051-531-05 & 1051-531-06); **submitted by MLC Holding, Inc.**

**Prepared By:** Diane Ayala, Senior Planner  
Phone: 909.395.2428 (direct)  
Email: dayala@ontarioca.gov

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

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

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

**2.1** Time Limits.

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

**2.2** Subdivision Map.

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

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

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

**(d)** Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

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

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

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

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

**2.4** Landscaping.

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

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

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

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

**2.5** Walls and Fences.

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

**(b)** A 6-FT high decorative masonry block wall, with a decorative cap, shall be constructed along all street sides and interior side yard property lines that are visible to common areas, and wing walls between dwellings, with appropriate gates for rear yard access. All walls and fences that are visible from public view including private drives and alleys shall be decorative masonry.

**(c)** The wall along the project frontage on Campus Avenue shall be constructed with tubular steel and decorative masonry block pilasters with cap. Pilasters shall be spaced evenly no more than 50-FT a part.

**2.6** Covenants, Conditions and Restrictions (CC&Rs)/Mutual Access and Maintenance Agreements.

(a) CC&Rs shall be prepared for the Project and shall be recorded prior to the issuance of a building permit.

(b) The CC&Rs shall be in a form and contain provisions satisfactory to the City. The articles of incorporation for the property owners association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure reciprocal parking and access between parcels, and common maintenance of:

(i) Landscaping and irrigation systems within common areas;

(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

(d) CC&Rs shall include authorization for the City's local law enforcement officers to enforce City and State traffic and penal codes within the project area.

(e) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R provisions.

(f) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

**2.7** Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with an **Addendum to The Ontario Plan Environmental Impact Report**, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006). This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval, and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

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

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

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

**2.9** Additional Fees.

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

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

**2.10** Tribal Resources.

**(a)** The project developer shall retain a Native American Monitor approved Gabrieleno Band of Mission Indians-Kizh Nation prior to issuance of a grading permit or ground disturbing activity to be present during ground disturbing activity which may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area.

**(b)** Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 50 feet) until the find can be assessed. Upon discovery of human remains, the tribal and/or archaeological monitor/consultant/consultant will immediately divert work at minimum of 100 feet and place an exclusion zone around the discovery location. The monitor/consultant(s) will then notify the Tribe, the qualified lead archaeologist, and the construction manager who will call the coroner. If the Gabrieleno Band of Mission Indians – Kizh Nation is designated Most Likely Descendant (MLD), the Koo-nas-gna Burial Policy shall be implemented. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created.

**2.11** Additional Requirements.

**(a)** The two drive approaches (Campus Avenue) serving the Project shall be delineated with enhanced paving treatment, such as interlocking pavers, textured and color pigmented concrete, or stamped concrete. Such treatment shall extend from the back of the drive approach to the first intersecting drive aisle or parking space. On the north driveway, extend to edge of first parking space. On the south driveway, extend to where the curbs parallel.

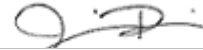
**(b)** All motor courts (alleys) shall incorporate enhanced paving treatments consisting of interlocking pavers, and textured and/or color pigmented concrete, to the satisfaction of the Planning Director.

**(c)** Prior to building permit issuance, the applicant shall submit plans for HOA parking and solid waste pick-up enforcement for Planning Department review and approval, which shall be included as provisions of the CC&R's required pursuant to condition no. 2.6, above.

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

**CONDITIONS OF APPROVAL**

**Sign Off**



Jamie Richardson, Sr. Landscape Planner

09/18/20

Date

Reviewer's Name:  
**Jamie Richardson, Sr. Landscape Planner**

Phone:  
**(909) 395-2615**

D.A.B. File No.:  
 PMTT20-002

Related Files:  
 PDEV20-003

Case Planner:  
 Diane Ayala

Project Name and Location:

MLC Holdings – 92 Single Family Dwellings  
 2862 South Campus

Applicant/Representative:

Qtative / Derek Barbour  
 100 Spectrum Drive, Suite 1400  
 Irvine, CA 92618



**A Tentative Tract Map (dated 09/02/20) has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**



**A Tentative Tract Map (dated) has not been approved. Corrections noted below are required prior to DAB approval.**

**CORRECTIONS REQUIRED**

1. A total of 213" of Heritage trunk replacement is required to be mitigated. Replacement and mitigation for removed trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as:
  - a. New 15 gallon trees min 1" diameter trunk, in addition to trees required (a total of 213-15 gallon trees).
  - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required (a total of 142-24" box trees).
  - c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size.
  - d. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal", approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking and irrigating 15 gallon trees, (100\$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items. Monetary value to be determined during plan check; not to exceed \$36,668.
2. Add notes for any tree removal to occur outside of typical nesting season (February 1 through August 31) or per the specific plan EIR mitigation Measures.

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV20-003 & PMTT20-002  
 Address: 2868 South Campus Avenue  
 APN: 1051-531-05  
 Existing Land Use: Single Family/Agricultural Dairy Farm  
 Proposed Land Use: Subdivide 9.62 ac into 92 lots 93 and construct 92 single-family homes  
 Site Acreage: 9.62 acres Proposed Structure Height: 27 ft  
 ONT-IAC Project Review: n/a  
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia  
 Contact Info: 909-395-2276  
 Project Planner: Diane Ayala  
 Date: 10/13/2020  
 CD No.: 2020-008  
 PALU No.: n/a

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

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

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

Real Estate Transaction Disclosure Required.

Airport Planner Signature: \_\_\_\_\_



# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT

CD No.: 2020-008  
PALU No.: \_\_\_\_\_

### PROJECT CONDITIONS

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

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



**ENGINEERING DEPARTMENT  
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input checked="" type="checkbox"/> TRACT MAP
<b>PROJECT FILE NO. TM-20335</b>  <b>RELATED FILE NO(S). PDEV20-003</b>		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

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

**CITY PROJECT PLANNER & PHONE NO:** Diane Ayala (909) 395-2428

**DAB MEETING DATE:** November 16, 2020

**PROJECT NAME / DESCRIPTION:** TM-20335, a Tentative Tract Map to subdivide 9.62 acres of land into 93 lots (92 numbered lots and 1 lettered lot) within the MDR-18 (Medium Density Residential 11.1 to 18.0 DUs/acre) zoning district.

**LOCATION:** 2862 South Campus Avenue

**APPLICANT:** MLC Holdings

**REVIEWED BY:** Raymond Lee      10/30/20  
 Raymond Lee, P.E.      Date  
 Assistant City Engineer

**APPROVED BY:** Khloi Do      11-2-20  
 Khoi Do, P.E.      Date  
 City Engineer



**THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.**

<b>1. PRIOR TO FINAL MAP APPROVAL, APPLICANT SHALL:</b>	<b>Check When Complete</b>
---	----------------------------

- |   |      |   |                          |
|---|------|---|--------------------------|
| <input checked="" type="checkbox"/>   | 1.01 | Dedicate to the City of Ontario, the right-of-way, described below: | <input type="checkbox"/> |
| <ul style="list-style-type: none"> <li>A. Campus Ave to the ultimate half street right-of-way width of 50 feet along the project frontage</li> <li>B. Developer/Applicant shall exercise reasonable effort to procure interim half street right-of-way of 32 feet of right-of-way on Campus Ave along the property frontage of the existing residence (APN: 1051-531-06) adjacent to the southerly project boundary. Right-of-way is required to construct street improvements required per COA 2.17, herein. Right-of-way shall be dedicated to the City from the property owner of the existing residence adjacent to the southerly project boundary.</li> <li>C. Property line corner 'cut-back' required at all street intersections within the project boundaries</li> </ul> |      |   |                          |
- |  |      |   |                          |
|--|------|---|--------------------------|
| <input checked="" type="checkbox"/>  | 1.02 | Dedicate to the City of Ontario, the following easement(s): | <input type="checkbox"/> |
| <ul style="list-style-type: none"> <li>A. 35 feet wide easement for emergency access and public utility purposes along all private drives. See COA 2.26 and 2.29.</li> <li>B. 20 feet wide easement for emergency access and public utility purposes along all private alleys. See COA 2.26 and 2.29.</li> </ul> |      |   |                          |
- |                          |      |   |                          |
|--------------------------|------|---|--------------------------|
| <input type="checkbox"/> | 1.03 | Restrict vehicular access to the site as follows: _____ | <input type="checkbox"/> |
|--------------------------|------|---|--------------------------|
- |  |      |  |                          |
|--|------|--|--------------------------|
| <input checked="" type="checkbox"/>  | 1.04 | Vacate the following street(s) and/or easement(s): | <input type="checkbox"/> |
| <ul style="list-style-type: none"> <li>A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.</li> </ul> |      |  |                          |
- |                                     |      |  |                          |
|-------------------------------------|------|--|--------------------------|
| <input checked="" type="checkbox"/> | 1.05 | Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles. | <input type="checkbox"/> |
|-------------------------------------|------|--|--------------------------|
- |                                     |      |   |                          |
|-------------------------------------|------|---|--------------------------|
| <input checked="" type="checkbox"/> | 1.06 | Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards. | <input type="checkbox"/> |
|-------------------------------------|------|---|--------------------------|



- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at [http://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=T10000004658](http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658).
  
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement. 
  - (1) \_\_\_\_\_
  - (2) \_\_\_\_\_
  
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
  
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: [www.ci.ontario.ca.us](http://www.ci.ontario.ca.us)) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
  
- 1.11 Provide a preliminary title report current to within 30 days.
  
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.
  
- 1.13 New Model Colony (NMC) Developments: 
  - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
  - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
  - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
  
- 1.14 Other conditions: 
  - A. Obtain all off-site rights-of-way/easements necessary to construct the required public improvements identified within Section 2 of these Conditions of Approval.
  - B. Provide private easements for utilities, cross lot drainage, blanket emergency access and reciprocal access across all parcels in favor of all parcels (as needed).
  - C. Apply for a lot line adjustment for the subject parcels (APN: 1051-531-05 & 06).



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

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

- 2.01 Record Tract Map No. 20335 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per \_\_\_\_\_
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of \_\_\_\_\_
- 2.05 Apply for a:  Certificate of Compliance with a Record of Survey;  Lot Line Adjustment   
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan ( WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at [http://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=T10000004658](http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658).
- 2.08 Submit a soils/geology report.
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies: 
  - State of California Department of Transportation (Caltrans)
  - San Bernardino County Road Department (SBCRD)
  - San Bernardino County Flood Control District (SBCFCD)
  - Federal Emergency Management Agency (FEMA)
  - Cucamonga Valley Water District (CVWD) for sewer/water service
  - United States Army Corps of Engineers (USACE)
  - California Department of Fish & Game
  - Inland Empire Utilities Agency (IEUA)
  - Other:
    - Southern California Edison (SCE) – for any improvements encroaching into their easements/property
- 2.10 Dedicate to the City of Ontario the right-of-way described below:   
 \_\_\_\_\_ feet on \_\_\_\_\_



Property line corner 'cut-back' required at the intersection of \_\_\_\_\_  
and \_\_\_\_\_.

- 2.11 Dedicate to the City of Ontario the following easement(s): \_\_\_\_\_
  
- 2.12 New Model Colony (NMC) Developments: 
  - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
  - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
  - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
  
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at \_\_\_\_\_% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
  
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
  
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Final fee shall be determined based on the approved site plan.**
  
- 2.16 Other conditions: \_\_\_\_\_





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

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

Improvement	Campus Avenue	All Interior Drives/Alleys (Private)	Street 3	Street 4
<b>Curb and Gutter</b>	<input checked="" type="checkbox"/> New; 38 ft. from C/L (A) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
<b>AC Pavement</b>	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 16 additional feet along frontage, including pavm't transitions (B)	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
<b>PCC Pavement (Truck Route Only)</b>	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
<b>Drive Approach</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Sidewalk</b>	<input checked="" type="checkbox"/> New (C) <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>ADA Access Ramp</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Parkway</b>	<input type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
<b>Raised Landscaped Median</b>	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Fire Hydrant</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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

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

- A. Curb & gutter 38 ft. from C/L is required along project frontage. An interim asphalt berm 27 ft. from C/L is required along the existing residence adjacent to the southerly project boundary.**
- B. 16 ft. additional widening is required along project frontage. 5 ft. additional widening is required along the existing residence adjacent to the southerly project boundary.**
- C. Sidewalk is required along project frontage and existing residence adjacent to the southerly project boundary.**





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

**C. SEWER**

- 2.23 A \_\_\_\_\_ inch sewer main is available for connection by this project in \_\_\_\_\_ (Ref: Sewer plan bar code: \_\_\_\_\_)
- 2.24 **Design and construct a sewer main extension on Campus Ave. A sewer main is not available for direct connection. The closest main is approximately 470 feet away at the intersection of Campus Ave & Merion St.**
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:** 
  - A. **Construct an 8 inch public sewer main in Campus Ave connecting from Merion Street to the north to service the proposed development.**
  - B. **Construct an 8 inch public sewer main in the interior drives (private).**
  - C. **Construct an 6 inch public sewer main in the interior alleys (private).**
  - D. **Provide a sewer lateral to service the proposed restrooms and the small kitchen adjacent to the swimming pool.**
  - E. **Sewer Sub-Area Master Plan (SSAMP): Based on the provided sewer study 8/11/2020, most of the proposed sewer mains do not meet city's requirements such as a minimum slope of 0.0057 for 8" sewer main with cleansing velocity of 2.0 fps and D/d must be 0.5 or less. Any deviation from design guidelines aforementioned shall require the SSAMP to be updated and resubmitted to OMUC for review and approval at the precise grading plan check submittal.**

**D. WATER**

- 2.27 **An 8 inch water main is available for connection by this project in Campus Ave. (Ref: Water plan bar code: W11557)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.29 **Other conditions:** 
  - A. **Provide domestic water service(s) and a separate irrigation along with their own backflow devices to service the proposed restrooms and the small kitchen adjacent to the swimming pool.**
  - B. **All water services and/or main must be 10' from sewer main and/or laterals and four feet from all storm drain, wall to wall.**



**C. Construct an 8 inch public water main in the interior drives (private).**

**E. RECYCLED WATER**

- 2.30 A \_\_\_\_\_ inch recycled water main is available for connection by this project in \_\_\_\_\_.   
 (Ref: Recycled Water plan bar code: \_\_\_\_\_)
  - 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
  - 2.32 **Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.**
  - 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions: \_\_\_\_\_

**F. TRAFFIC / TRANSPORTATION**

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer: 
  - 1. On-site and off-site circulation
  - 2. Traffic level of service (LOS) at 'build-out' and future years
  - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:** 
  - A. Design and construct a pedestrian hybrid beacon, new electrical service, and related signing and striping improvements at the intersection of Campus Ave and St. Andrews St for the existing marked crosswalk in accordance with all applicable standards and to the satisfaction of the City Engineer.**
  - B. Restrict parking a minimum of 20-feet on either side of the project driveways on Campus Ave. Parking shall be restricted on Campus Ave from St. Andrews St to the northerly project driveway. Parking shall be restricted along the narrowed section of Campus Avenue south of the southerly project driveway.**
  - C. Design and construct the pavement and striping transition from existing conditions to the widened portion. This includes, but is not limited to, removal of existing asphalt berm and repaving of Campus Ave north of the project site. Southbound Campus Ave signing and striping located north of St. Andrews St shall be modified as necessary to accommodate widening along project frontage.**
  - D. Design and construct in-fill public street lights and potential new service along the property frontage of Campus Avenue, in accordance with City of Ontario Traffic and Transportation Design Guidelines.**
  - E. Engineer-of-record shall meet with City Engineering staff prior to starting pedestrian hybrid beacon, signing/striping and street lighting design plans.**

**G. DRAINAGE / HYDROLOGY**

- 2.38 **A 27 inch storm drain main is available to accept flows from this project in Campus Ave.**   
 (Ref: Storm Drain plan bar code: D10392)



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

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

- 2.44 **401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.  
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.  
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.**
- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 **Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.**
- 2.47 **Other conditions:** \_\_\_\_\_



#### J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: \_\_\_\_\_

#### K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Limits of work are generally located along the project frontages of Campus Ave and all private drives.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

#### L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:  
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.53 Other conditions:
- A. Final Solid Waste Handling Plan (SWHP): Prior to approval of any building permits, a final SWHP shall be submitted with the Precise Grading Plan for review and approval of Ontario Municipal Utility Company

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

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.
- 3.02 Complete all requirements for recycled water usage.
- 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
- 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
- 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.



- 3.03** The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
- 3.04** NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05** Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06** Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).

#### **4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:**

- 4.01** Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02** Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03** The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04** Submit record drawings (mylar and PDF) for all public improvements identified within Section 2 of these Conditions of Approval.





## **EXHIBIT 'A'**

### **ENGINEERING DEPARTMENT First Plan Check Submittal Checklist**

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Project Number: PDEV20-003, and/or Tract Map No. 20335

**The following items are required to be included with the first plan check submittal:**

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



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



# Development Advisory Board Decision

November 16, 2020

DECISION NO.: [insert #]

FILE NO.: PDEV20-003

**DESCRIPTION:** A Development Plan to construct 92 single-family detached homes on 7.32 acres of land located at 2862 South Campus Avenue, within the MDR-18 (Medium Density Residential - 11.1 to 18 du/acres) zoning district; (APNs: 1051-531-05 & 1051-531-06); **submitted by MLC Holdings, Inc. Planning Commission action is required.**

## Part I—BACKGROUND & ANALYSIS

MLC HOLDINGS, INC., (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PDEV20-003, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 7.32 acres of land located at 2862 South Campus Avenue, and is depicted in Exhibit A—Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<b>Existing Land Use</b>	<b>General Plan Designation</b>	<b>Zoning Designation</b>
<b>Site:</b>	Single Family Residential	Medium Density Residential	MDR-18 (Medium Density Residential)
<b>North:</b>	Single Family Residential	Low Density Residential	LDR-5 (Low Density Residential)
<b>South:</b>	Multiple Family Residential	Medium Density Residential	MDR-18 (Medium Density Residential)
<b>East:</b>	Single Family Residential	Low Density Residential	LDR-5 (Low Density Residential)
<b>West:</b>	Single Family Residential	Low Density Residential	LDR-5 (Low Density Residential)

(2) **Project Description:**

(a) **Background** — In 2010, The Ontario Plan ("TOP") was adopted, which set forth the land use pattern for the City, to achieve its Vision. With the adoption of TOP, a Medium Density Residential land use was designated at the Project site. Subsequently, the Project site was zoned MDR-18 (Medium Density Residential- 11.1 to 18 du/acres) to conform with TOP land use designation.

On February 7, 2020, the Applicant submitted 2 applications to facilitate the development of the site requesting approval of a Tentative Tract Map (File No. PMTT20-002/TT 20335) to subdivide 7.32 acres of land into one lettered lot for condominium purposes, in conjunction with a Development Plan (File No. PDEV20-003) to construct 92 detached single-family dwellings.



(b) Site Design/Building Layout —The Project site, which is an L-shaped lot, will be developed with 92 detached single-family dwellings with units backing onto the north, west and south property lines adjacent existing single and multiple-family residential neighborhoods. At the center of the site are a series of 6-unit single-family home clusters that have vehicular access to garages and pedestrian access to the primary entrances through a private alley. All dwellings are conventionally lane or alley loaded, 2-story single-family homes. The private recreational area is situated at the eastern portion of the site near Campus Avenue and is depicted in Exhibit B – Site Plan.

(c) Site Access/Circulation — The Project street frontage improvements along Campus Avenue will be constructed as a condition of approval of Tentative Tract Map 20335 (File No. PMTT20-002). The Project includes 2 points of access from Campus Avenue. Primary site circulation is by way of a 26-foot wide private drive that loops through the Project and to 20-foot wide private alleys that provide access to multiple unit clusters. All private drives and alleys, including the 2 driveway entries, will be treated with decorative paving. Sidewalks for pedestrian circulation are provided on both sides of the private drive.

(d) Parking — As demonstrated in the Parking Summary Table below, the Project requires a total of 207 parking spaces, which have been provided. All homes will be constructed with an attached 2-car garage, meeting the Development Code requirement for single-family homes. An additional 23 uncovered parking spaces are located on the west side of the site and on the east side of the site, adjacent the recreational area, which are designated as guest parking at a ratio of 1 per 25 dwelling units, per the Development Code. A parking management plan is required as a condition approval and will be recorded in the Covenants, Conditions and Restrictions (“CC&Rs”) for the Project.

<b>Parking Summary Table</b>					
<b>Product</b>	<b>Number of Units</b>	<b>Required 2 Parking Spaces</b>	<b>Required Guest Parking (1 Parking Space for every 4 units)</b>	<b>Total Required</b>	<b>Total Provided</b>
SF Lane Loaded\Cluster	92	184	23	207	207
				2.25 spaces per unit	

(e) Architecture — The Project provides 4 different floor plans with 4 architectural styles per plan, including Farmhouse, Santa Barbara, Coastal, and Minimal Traditional styles, which are depicted in Exhibit C – Exterior Elevations, attached. Floor Plans 1 and 2 include 3 bedrooms, 2.5 bathrooms, and range from 1,465 to 1,684 square feet in size. Floor Plans 3 and 4 include 4 bedrooms, 3 bathrooms, a loft, and are 1,955 square feet in size. Each architectural style consists of the following:

- The Farmhouse architectural style features a side or front facing gable roof, flat concrete tile roof covering, vertical board and batten and stucco siding, shutters, and square posts accentuating the single door entries.
- The Santa Barbara architectural style features a hipped roof covered with concrete “S” tiles, smooth stucco finish, arched window and garage door trim, decorative vents, and an arched entryway.
- The Coastal architectural style features hipped roofs covered with concrete tile, brackets in the gable ends, shutters, horizontal lap siding, stucco and tapered square posts at the entry.
- The Minimal Traditional architectural style features side and front gable roofs covered in flat concrete tile, horizontal siding at the gable ends, shutters, stucco, brick veneer at the base, and double post framing building front entries.

(f) Landscaping/Open Space — The Project provides for a 15,158 square foot common recreation area, which includes a swimming pool, covered sitting area, and a children’s play area equipped with a play structure, as depicted in Exhibit D – Recreation Area, attached. Each unit will have a

private rear yard ranging in size from 410 to 612 square feet. Landscaped front and side yards throughout the site will be maintained by the Homeowner's Association.

(g) Utilities (drainage, sewer) —The Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of an underground stormwater infiltration system located on the eastern portion of the site, near Campus Avenue. Any overflow drainage will be conveyed to a storm drain connection located at the south end of the Project site.

(3) **Community Comments:** The Planning Department notified (via US Mail) property owners surrounding the Project site to solicit interest in a community meeting. The Planning Department received one petition with 81 signatures and 15 phone calls and/or emails from community members stating project opposition related to: building intensity, traffic congestion, parking, increase in crime, unsafe school crossing at Campus Avenue and St. Andrews Street.

Due to neighborhood concerns, the Planning Department held an in-person community meeting that was streamed live on Zoom on October 21, 2020. Fifteen community members and 3 applicant representatives attended the meeting and an additional 15 community members viewed the meeting online. During the first 30 minutes, staff presented the project and discussed the entitlement process. The last 60 minutes of the meeting were spent taking public comments in a question and answer format. Overall, attendees were in support of development, but had questions and concerns regarding the proposed project density, on-street parking, right-of-way improvements, and existing traffic issues that they believed may be exacerbated by the Project. Below is a summary of the most frequently asked questions and comments that were received, along with staff responses:

(a) Traffic — There are high volumes of traffic and many that exceed speed limits on Campus Avenue and St. Andrews Street. Residents requested a traffic signal at the St. Andrews Street and Campus Avenue intersection, and speed bumps on St. Andrews Street. The school crossing at the St. Andrews Street and Campus Avenue intersection (Woodcrest Junior High and Liberty Elementary School located at the north east corner of St. Andrews Street and Campus Avenue, near project site) is unsafe. Overall traffic congestion occurs on all nearby streets, particularly on Campus Avenue, during school pick up and drop off times.

**Response:** *A traffic study was prepared by the Applicant to determine if a traffic signal, all stop, pedestrian overhead beacon, and an in-roadway warning light system were warranted for the intersection at St. Andrew Street and Campus Avenue. The study revealed that the traffic volumes did not reach the threshold to require a traffic signal or an all stop. However, the pedestrian enhancements were being considered by the City as a condition of approval to the Project. The right-of-way improvements will result in an additional south bound lane, curb, gutter, and sidewalk along the Project frontage.*

*Independent of the Project, Traffic Engineering will continue to work with Chino Valley Unified School District on expanding crossing guard services to accommodate both school bell schedules and to consider additional signing/stripping at crosswalks. Traffic Police officers stated that they would patrol the location as part of their regular rotation of school sites. Traffic Engineering also agreed to study St. Andrews Street to ascertain if traffic calming measures were warranted.*

(b) Street Parking— Existing street parking on St. Andrews Street are near capacity because households have multiple cars. A resident requested permit parking restrictions be issued for residents on St. Andrews Street to ensure street parking. Additionally, street parking on Campus Avenue and Riverside Drive is at capacity on weekends because of the nearby Maclin Open Air Market. Lastly, the Project does not provide enough on-site parking to prevent overflow parking on nearby streets.

**Response:** *The project as proposed meets the on-site parking requirements as outlined in the Ontario Development Code. Each dwelling unit will have an attached 2-car garage and 23 guest parking spaces provided on-site. Additionally, as a condition of approval, a parking management plan will be prepared and require garages to be maintained for parking and to be inspected by the Homeowners Association. Traffic Engineering would not be able to support restricting permit parking on St. Andrews Street because St. Andrews Street is located adjacent to non-residential uses. Only in cases where a residential land use is being impacted by adjacent non-residential land uses, such as commercial, can the use of parking by permits be warranted on a public street.*

(c) Density— Overall, the Project has too many houses and the lots are too small for the area. A resident wanted to know when and why was the zoning changed to a medium density. Additionally, another resident wanted the Policy Plan (general plan) land use designation amended, and the zoning changed from Medium Density Residential (MDR 11.1 to 18 du/ac) to Low Density Residential (LDR 5 du/ac).

**Response:** *The current Policy Plan land use and zoning designations on the project site were designated in 2010. The properties south of the site are developed with medium density multiple-family residences and the properties to the east and north are developed with single-family residences. Current zoning allows for a minimum of 82 dwelling units and a maximum of 132 dwelling units. The Project is at the lower end of the allowable range. The request to change the Policy Plan land use designation and zoning can be made to the Planning Commission.*

## **Part II—RECITALS**

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

WHEREAS, The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was certified on January 27, 2010 (hereinafter referred to as "Certified EIR"), in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario prepared and approved for attachment to the certified Environmental Impact Report, an Addendum to the Certified EIR (hereinafter referred to as "EIR Addendum") 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, the environmental impacts of this Project were thoroughly analyzed in the EIR Addendum, which concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (hereinafter referred to as "DAB") the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

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

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

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

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

WHEREAS, as the first action on the Project, on November 16, 2020, the DAB issued a Decision recommending the Planning Commission adopt the EIR Addendum, finding that the proposed Project introduces no new significant environmental impacts and applying all previously adopted mitigation measures to the Project, which were incorporated by reference; and

WHEREAS, on November 16, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

### ***Part III—THE DECISION***

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

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

**SECTION 2: *ALUCP Compliance.*** The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and

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

**SECTION 3: Concluding Facts and Reasons.** Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 and 2, above, the DAB hereby concludes as follows:

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the Medium Density Residential land use district of the Policy Plan Land Use Map, and the MDR-18 (Medium Density Residential - 11.1 to 18 du/acres) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (general plan), and City Council Priorities components of The Ontario Plan; and

(2) **The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the MDR-18 (Medium Density Residential - 11.1 to 18 du/acres) zoning district, including standards relative to the particular land use proposed (Medium Density Residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) **The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

(4) **The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (Medium Density Residential). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Development Code.

**SECTION 4: Development Advisory Board Action.** Based on the findings and conclusions set forth in Sections 1 through 3, above, the DAB hereby recommends to the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

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

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APPROVED AND ADOPTED this 16th day of November 2020.

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Development Advisory Board Chairman



Exhibit A—PROJECT LOCATION MAP





**Exhibit B—SITE PLAN**





**Exhibit C—EXTERIOR ELEVATIONS**



COASTAL

FARMHOUSE

MINIMALIST TRADITIONAL

COASTAL

SANTA BARBARA

MINIMALIST TRADITIONAL

FARMHOUSE



COASTAL

SANTA BARBARA

FARMHOUSE

MINIMALIST TRADITIONAL

SANTA BARBARA

**Exhibit D—RECREATION AREA**



## **Attachment A—Departmental Conditions of Approval**

*(Departmental conditions of approval follow this page)*



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

## ***Planning Department Land Development Division Conditions of Approval***

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**Meeting Date:** November 16, 2020

**File No:** PDEV20-003

**Related Files:** PMTT20-002

**Project Description:** A Development Plan to construct 92 single-family detached homes on 7.32 acres of land located at located at 2862 South Campus Avenue, within the MDR-18 (Medium Density Residential - 11.1 to 18 du/acres) zoning district (APNs: 1051-531-05 & 1051-531-06); **submitted by MLC Holding, Inc.**

**Prepared By:** Diane Ayala, Senior Planner  
Phone: 909.395.2428 (direct)  
Email: dayala@ontarioca.gov

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

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

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

**2.1** Time Limits.

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

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

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

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



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

**2.3** Landscaping.

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

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

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

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

**2.4** Walls and Fences.

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

(b) A 6-FT high decorative masonry block wall, with a decorative cap, shall be constructed along all street sides and interior side yard property lines that are visible to common areas, and wing walls between dwellings, with appropriate gates for rear yard access. All walls and fences that are visible from public view including private drives and alleys shall be decorative masonry.

(c) The wall along the project frontage on Campus Avenue shall be constructed with tubular steel and decorative masonry block pilasters with cap. Pilasters shall be spaced evenly no more than 50-FT a part.

**2.5** Architecture.

(a) Exterior door trim shall be solid wood or fiber cement for maximum durability.

(b) Garage doors and windows shall be recessed and have varying design patterns to reflect the architectural style of the dwelling.

(c) Santa Barbara and Farmhouse style dwellings shall have a smooth stucco finish.

**2.6** Parking, Circulation and Access.

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

(b) The two drive approaches (Campus Avenue) serving the Project shall be delineated with enhanced paving treatment, such as interlocking pavers, textured and color pigmented concrete, or stamped concrete. Such treatment shall extend from the back of the drive approach to the first intersecting drive aisle or parking space. Within the north driveway, treatment shall extend to edge of first parking space. On the south driveway, treatment shall extend to where the curbs parallel.

(c) All motor courts (alleys) shall incorporate enhanced paving treatments consisting of interlocking pavers, and textured and/or color pigmented concrete.

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

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

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

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

#### **2.7** Outdoor Loading and Storage Areas.

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

#### **2.8** Site Lighting.

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

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

#### **2.9** Mechanical and Rooftop Equipment.

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

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

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

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

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

**2.13** Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with an **Addendum to The Ontario Plan Environmental Impact Report**, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006). This Application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

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

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

**2.14** Covenants, Conditions and Restrictions (CC&Rs)/Mutual Access and Maintenance Agreements. CC&Rs shall be prepared for the Project pursuant to Tentative Tract Map, File No. PMTT20-002 (TT20335) and shall be recorded prior to the issuance of a building permit.

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

**2.16** Additional Fees.

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

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

**2.17** Additional Requirements.

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

**(b)** Prior to building permit issuance, the applicant shall submit plans for HOA parking and solid waste pick-up enforcement for Planning Department review and approval, which shall be included as provisions of the CC&R's required pursuant to condition no. 2.14, above.

(c) The two drive approaches (Campus Avenue) serving the Project shall be delineated with enhanced paving treatment, such as interlocking pavers, textured and color pigmented concrete, or stamped concrete. Such treatment shall extend from the back of the drive approach to the first intersecting drive aisle or parking space. On the north driveway, extend to edge of first parking space. On the south driveway, extend to where the curbs parallel.

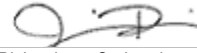
(d) All motor courts (alleys) shall incorporate enhanced paving treatments consisting of interlocking pavers, and textured and/or color pigmented concrete, to the satisfaction of the Planning Director.



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

**PRELIMINARY PLAN CORRECTIONS**

**Sign Off**



09/18/20

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

**Jamie Richardson, Sr. Landscape Planner**

Phone:

**(909) 395-2615**

D.A.B. File No.:

PDEV20-003

Case Planner:

Diane Ayala

Project Name and Location:

MLC Holdings – 92 Single Family Dwellings  
 2862 South Campus

Applicant/Representative:

Qtative / Derek Barbour  
 100 Spectrum Drive, Suite 1400  
 Irvine, CA 92618

<input checked="" type="checkbox"/>	<b>A Preliminary Landscape Plan (10/14/2020) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.</b>
<input type="checkbox"/>	<b>A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.</b>

**A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.**  
 Landscape construction plans with plan check number may be emailed to: [landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)  
**DIGITAL SUBMITTALS MUST BE 10MB OR LESS.**

**Civil/ Site Plans**

1. A total of 213" of Heritage trunk replacement is required to be mitigated. Replacement and mitigation for removed trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as:
  - a. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal", approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking and irrigating 15 gallon trees, (100\$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items. Monetary value to be determined during plan check; not to exceed \$36,668.
2. Add notes for any tree removal to occur outside of typical nesting season (February 1 through August 31) or per the specific plan EIR mitigation Measures.
3. Storm water infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division prior to permit issuance. Any storm water devices in parkway areas shall not displace street trees.
4. Note the depth of the chamber system; 5' deep is preferred for chambers under open space areas to allow for trees.

**Landscape Plans**

5. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
6. Use background trees to contrast with street trees and triangularly space between them.
7. Provide phasing map for multi-phase projects.
8. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:
 

Plan Check—5 or more acres.....	\$2,791.00
Inspection—Construction (up to 3 inspections per phase).....	\$600.00
Total.....	\$3,391.00

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

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV20-003 & PMTT20-002  
 Address: 2868 South Campus Avenue  
 APN: 1051-531-05  
 Existing Land Use: Single Family/Agricultural Dairy Farm  
 Proposed Land Use: Subdivide 9.62 ac into 92 lots 93 and construct 92 single-family homes  
 Site Acreage: 9.62 acres Proposed Structure Height: 27 ft  
 ONT-IAC Project Review: n/a  
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia  
 Contact Info: 909-395-2276  
 Project Planner: Diane Ayala  
 Date: 10/13/2020  
 CD No.: 2020-008  
 PALU No.: n/a

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

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

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

Real Estate Transaction Disclosure Required.

Airport Planner Signature: \_\_\_\_\_

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT

CD No.: 2020-008  
PALU No.: \_\_\_\_\_

### PROJECT CONDITIONS

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

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



**ENGINEERING DEPARTMENT  
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input checked="" type="checkbox"/> TRACT MAP
<b>PROJECT FILE NO. TM-20335</b>  <b>RELATED FILE NO(S). PDEV20-003</b>		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

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

**CITY PROJECT PLANNER & PHONE NO:** Diane Ayala (909) 395-2428

**DAB MEETING DATE:** November 16, 2020

**PROJECT NAME / DESCRIPTION:** TM-20335, a Tentative Tract Map to subdivide 9.62 acres of land into 93 lots (92 numbered lots and 1 lettered lot) within the MDR-18 (Medium Density Residential 11.1 to 18.0 DUs/acre) zoning district.

**LOCATION:** 2862 South Campus Avenue

**APPLICANT:** MLC Holdings

**REVIEWED BY:** Raymond Lee      10/30/20  
 Raymond Lee, P.E.      Date  
 Assistant City Engineer

**APPROVED BY:** [Signature]      11-2-20  
 Khoi Do, P.E.      Date  
 City Engineer



**THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.**

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

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below: 
  - A. Campus Ave to the ultimate half street right-of-way width of 50 feet along the project frontage
  - B. Developer/Applicant shall exercise reasonable effort to procure interim half street right-of-way of 32 feet of right-of-way on Campus Ave along the property frontage of the existing residence (APN: 1051-531-06) adjacent to the southerly project boundary. Right-of-way is required to construct street improvements required per COA 2.17, herein. Right-of-way shall be dedicated to the City from the property owner of the existing residence adjacent to the southerly project boundary.
  - C. Property line corner 'cut-back' required at all street intersections within the project boundaries
  
- 1.02 Dedicate to the City of Ontario, the following easement(s): 
  - A. 35 feet wide easement for emergency access and public utility purposes along all private drives. See COA 2.26 and 2.29.
  - B. 20 feet wide easement for emergency access and public utility purposes along all private alleys. See COA 2.26 and 2.29.
  
- 1.03 Restrict vehicular access to the site as follows: \_\_\_\_\_
  
- 1.04 Vacate the following street(s) and/or easement(s): 
  - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.
  
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
  
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.



- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at [http://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=T10000004658](http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658).
  
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement. 
  - (1) \_\_\_\_\_
  - (2) \_\_\_\_\_
  
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
  
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: [www.ci.ontario.ca.us](http://www.ci.ontario.ca.us)) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
  
- 1.11 Provide a preliminary title report current to within 30 days.
  
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.
  
- 1.13 New Model Colony (NMC) Developments: 
  - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
  - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
  - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
  
- 1.14 Other conditions: 
  - A. Obtain all off-site rights-of-way/easements necessary to construct the required public improvements identified within Section 2 of these Conditions of Approval.
  - B. Provide private easements for utilities, cross lot drainage, blanket emergency access and reciprocal access across all parcels in favor of all parcels (as needed).
  - C. Apply for a lot line adjustment for the subject parcels (APN: 1051-531-05 & 06).





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

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

- 2.01 Record Tract Map No. 20335 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per \_\_\_\_\_
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of \_\_\_\_\_
- 2.05 Apply for a:  Certificate of Compliance with a Record of Survey;  Lot Line Adjustment   
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan ( WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at [http://geotracker.waterboards.ca.gov/profile\\_report?global\\_id=T10000004658](http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658).
- 2.08 Submit a soils/geology report.
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies: 
  - State of California Department of Transportation (Caltrans)
  - San Bernardino County Road Department (SBCRD)
  - San Bernardino County Flood Control District (SBCFCD)
  - Federal Emergency Management Agency (FEMA)
  - Cucamonga Valley Water District (CVWD) for sewer/water service
  - United States Army Corps of Engineers (USACE)
  - California Department of Fish & Game
  - Inland Empire Utilities Agency (IEUA)
  - Other:
    - Southern California Edison (SCE) – for any improvements encroaching into their easements/property
- 2.10 Dedicate to the City of Ontario the right-of-way described below:   
 \_\_\_\_\_ feet on \_\_\_\_\_



Property line corner 'cut-back' required at the intersection of \_\_\_\_\_  
and \_\_\_\_\_.

- 2.11 Dedicate to the City of Ontario the following easement(s): \_\_\_\_\_
  
- 2.12 New Model Colony (NMC) Developments: 
  - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
  - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
  - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
  
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at \_\_\_\_\_% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
  
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
  
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Final fee shall be determined based on the approved site plan.**
  
- 2.16 Other conditions: \_\_\_\_\_





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

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

Improvement	Campus Avenue	All Interior Drives/Alleys (Private)	Street 3	Street 4
<b>Curb and Gutter</b>	<input checked="" type="checkbox"/> New; 38 ft. from C/L (A) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
<b>AC Pavement</b>	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 16 additional feet along frontage, including pavm't transitions (B)	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
<b>Drive Approach</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Sidewalk</b>	<input checked="" type="checkbox"/> New (C) <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>ADA Access Ramp</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Parkway</b>	<input type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Fire Hydrant</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



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

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

- A. Curb & gutter 38 ft. from C/L is required along project frontage. An interim asphalt berm 27 ft. from C/L is required along the existing residence adjacent to the southerly project boundary.**
- B. 16 ft. additional widening is required along project frontage. 5 ft. additional widening is required along the existing residence adjacent to the southerly project boundary.**
- C. Sidewalk is required along project frontage and existing residence adjacent to the southerly project boundary.**



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

**C. SEWER**

- 2.23 A \_\_\_\_\_ inch sewer main is available for connection by this project in \_\_\_\_\_ (Ref: Sewer plan bar code: \_\_\_\_\_)
- 2.24 **Design and construct a sewer main extension on Campus Ave. A sewer main is not available for direct connection. The closest main is approximately 470 feet away at the intersection of Campus Ave & Merion St.**
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:** 
  - A. **Construct an 8 inch public sewer main in Campus Ave connecting from Merion Street to the north to service the proposed development.**
  - B. **Construct an 8 inch public sewer main in the interior drives (private).**
  - C. **Construct an 6 inch public sewer main in the interior alleys (private).**
  - D. **Provide a sewer lateral to service the proposed restrooms and the small kitchen adjacent to the swimming pool.**
  - E. **Sewer Sub-Area Master Plan (SSAMP): Based on the provided sewer study 8/11/2020, most of the proposed sewer mains do not meet city's requirements such as a minimum slope of 0.0057 for 8" sewer main with cleansing velocity of 2.0 fps and D/d must be 0.5 or less. Any deviation from design guidelines aforementioned shall require the SSAMP to be updated and resubmitted to OMUC for review and approval at the precise grading plan check submittal.**

**D. WATER**

- 2.27 **An 8 inch water main is available for connection by this project in Campus Ave. (Ref: Water plan bar code: W11557)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.29 **Other conditions:** 
  - A. **Provide domestic water service(s) and a separate irrigation along with their own backflow devices to service the proposed restrooms and the small kitchen adjacent to the swimming pool.**
  - B. **All water services and/or main must be 10' from sewer main and/or laterals and four feet from all storm drain, wall to wall.**



**C. Construct an 8 inch public water main in the interior drives (private).**

**E. RECYCLED WATER**

- 2.30 A \_\_\_\_\_ inch recycled water main is available for connection by this project in \_\_\_\_\_.   
(Ref: Recycled Water plan bar code: \_\_\_\_\_)
  - 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
  - 2.32 **Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.**
  - 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions: \_\_\_\_\_

**F. TRAFFIC / TRANSPORTATION**

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer: 
  - 1. On-site and off-site circulation
  - 2. Traffic level of service (LOS) at 'build-out' and future years
  - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:** 
  - A. Design and construct a pedestrian hybrid beacon, new electrical service, and related signing and striping improvements at the intersection of Campus Ave and St. Andrews St for the existing marked crosswalk in accordance with all applicable standards and to the satisfaction of the City Engineer.**
  - B. Restrict parking a minimum of 20-feet on either side of the project driveways on Campus Ave. Parking shall be restricted on Campus Ave from St. Andrews St to the northerly project driveway. Parking shall be restricted along the narrowed section of Campus Avenue south of the southerly project driveway.**
  - C. Design and construct the pavement and striping transition from existing conditions to the widened portion. This includes, but is not limited to, removal of existing asphalt berm and repaving of Campus Ave north of the project site. Southbound Campus Ave signing and striping located north of St. Andrews St shall be modified as necessary to accommodate widening along project frontage.**
  - D. Design and construct in-fill public street lights and potential new service along the property frontage of Campus Avenue, in accordance with City of Ontario Traffic and Transportation Design Guidelines.**
  - E. Engineer-of-record shall meet with City Engineering staff prior to starting pedestrian hybrid beacon, signing/striping and street lighting design plans.**

**G. DRAINAGE / HYDROLOGY**

- 2.38 **A 27 inch storm drain main is available to accept flows from this project in Campus Ave.**   
(Ref: Storm Drain plan bar code: D10392)



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

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

- 2.44 **401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.  
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.  
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.**
- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 **Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.**
- 2.47 **Other conditions:** \_\_\_\_\_





### J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: \_\_\_\_\_

### K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Limits of work are generally located along the project frontages of Campus Ave and all private drives.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

### L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:  
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.53 Other conditions:
- A. Final Solid Waste Handling Plan (SWHP): Prior to approval of any building permits, a final SWHP shall be submitted with the Precise Grading Plan for review and approval of Ontario Municipal Utility Company

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

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.
- 3.02 Complete all requirements for recycled water usage.
- 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
- 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
- 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.



- 3.03** The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
- 3.04** NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05** Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06** Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).

#### **4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:**

- 4.01** Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02** Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03** The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04** Submit record drawings (mylar and PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



## **EXHIBIT 'A'**

### **ENGINEERING DEPARTMENT First Plan Check Submittal Checklist**

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Project Number: PDEV20-003, and/or Tract Map No. 20335

**The following items are required to be included with the first plan check submittal:**

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





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