



**CITY OF ONTARIO
DEVELOPMENT ADVISORY BOARD**

AGENDA

December 7, 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

**SPECIAL AND URGENT NOTICE ELIMINATING IN-PERSON PUBLIC
PARTICIPATION AT CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD
MEETINGS**

In accordance with the Governor’s Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20) and the Governor’s Stay at Home Order (Executive Order N-33-20), the Ontario DEVELOPMENT ADVISORY BOARD Meetings are being conducted via Zoom Conference and there will be no members of the public in attendance at the upcoming meeting of the City of Ontario Development Advisory Board. In place of in-person attendance, members of the public can observe and offer comment at this meeting remotely in the following ways:

TO VIEW THE MEETING:

- VISIT THE CITY'S WEBSITE AT THE FOLLOWING ADDRESS:
ontarioca.gov/agendas/dab
- THE LINK FOR THE ZOOM CONFERENCE MEETING WILL BE LISTED AT THE WEBSITE ADDRESS ABOVE AT LEAST 72 HOURS BEFORE THE MEETING

TO PROVIDE PUBLIC COMMENT:

1. **PROVIDE PUBLIC TESTIMONY DURING THE MEETING:** Submit your request to speak no later than 12:00 PM the day of the meeting by either (1) emailing your name, telephone number, agenda item you are commenting on, and your comment to planningdirector@ontarioca.gov or (2) by completing the Comment Form on the City's website at: ontarioca.gov/agendas/dab.
Comments will be limited to 5 minutes. If a large number of individuals wish to speak on an item, the Development Advisory Board Chairman may limit the time for individuals wishing to speak to 3 minutes in order to provide an opportunity for more people to be heard. Speakers will be alerted when their time is up, and no further comments will be permitted.
2. **COMMENT BY E-MAIL:** Submit your comments by email no later than 12:00 PM on the day of the meeting by emailing your name, agenda item you are commenting on, and your comment to planningdirector@ontarioca.gov . All comments received by the deadline will be forwarded to the Development Advisory Board for consideration before action is taken on the matter.
3. **COMMENT BY TELEPHONE:** Submit your comments by telephone no later than 12:00 PM on the day of the meeting by providing your name, agenda item you are commenting on, and your comment by calling (909) 395-2036. All comments received by the deadline will be provided to the Development Advisory Board for consideration before action is taken on the matter.
4. **COMMENT BY MAIL:** To submit your comments by mail, provide your name, agenda item you are commenting on, and your comment by mailing to Planning Department, Ontario City Hall, 303 East "B" Street, Ontario, CA 91764. Comments by mail must be actually received by the Planning Department no later than 12:00 PM on the day of the meeting. Postmarks are not accepted. All comments received by the deadline will be provided to the Development Advisory Board for consideration before action is taken on the matter.

LOCATION WHERE DOCUMENTS MAY BE VIEWED: All documents for public review are on file in the Planning Department located at 303 E. B Street, Ontario, CA 91764.

The City of Ontario will gladly accommodate disabled persons wishing to communicate at a public meeting. Should you need any type of special equipment or assistance in order to communicate at a public meeting, please inform the Planning Department at (909) 395-2036, a minimum of 72 hours prior to the scheduled meeting.

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 November 16, 2020, approved as written.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT19-019 (TT 20303) AND PDEV19-061:** A Tentative Tract Map (File No. PMTT19-019/TT 20303) to subdivide 4.63 gross acres of land into a single lot for condominium purposes, in conjunction with a Development Plan (File No. PDEV19-061) to construct 110 multiple-family residential units (townhomes), located at the northeast corner of Ontario Center Parkway and Via Alba, within the Residential land use district (Subarea 15) of the Piemonte Overlay district of the Ontario Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA16-003, for which a Mitigated Negative Declaration was adopted by the City Council on May 16, 2017. 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: 0210-204-26) **submitted by LCD Residential at Ontario, LLC. Planning Commission action is required.**

1. CEQA Determination

No action necessary – Use of a previous Mitigated Negative Declaration

2. File No. PMTT19-019 (TT 20303) (Tentative Tract Map)

Motion to recommend Approval/Denial

3. **File No. PDEV19-061** (Development Plan)

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 21, 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 December 3, 2020, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.



CITY OF ONTARIO

Development Advisory Board

Minutes

November 16, 2020

BOARD MEMBERS PRESENT VIA ZOOM

Rudy Zeledon - Chairman, Planning Department
Charity Hernandez, Economic Development Agency
Mike Gerken, Fire Department
Ahmed Aly, Municipal Utilities Company
Khoi Do, Engineering Department

BOARD MEMBERS ABSENT

James Caro, Building Department
Gabriel Gutierrez, Police Department
Elda Zavala, Community Improvement

STAFF MEMBERS PRESENT VIA ZOOM

Mike Bhatanawin, Engineering Department
Gwen Berendsen, Planning Department
Diane Ayala, Planning Department
Jesus Plascencia, Engineering Department
Chuck Mercier, Planning Department
Edmelyne Hutter, Planning Department

PUBLIC COMMENTS

Mr. Zeledon stated no public comment correspondence were received.

CONSENT CALENDAR ITEMS

- A. APPROVAL OF MINUTES:** This item was continued from the October 19, 2020 meeting, due to lack of quorum from those who attended the meeting. Motion to approve the minutes of the September 21, 2020 meeting of the Development Advisory Board was made by Mr. Aly, seconded by Ms. Hernandez; and approved unanimously by those present via teleconference (4-0). Mr. Gerken recused himself from this item as he was not at this meeting.
- B. APPROVAL OF MINUTES:** Motion to approve the minutes of the October 19, 2020 meeting of the Development Advisory Board was made by Mr. Plascencia, seconded by Ms. Hernandez; and approved unanimously by those present (4-0). Mr. Aly and Mr. Do recused themselves from this item as they were not at this meeting.

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.**

Senior Planner Ayala stated there were a few clarifications and corrections in the report and an addition on the conditions of approval. She stated within the report for the Addendum (Pg. 1 of 131) it stated the property to the north was MDR-18 (Medium Density Residential), but it should show LDR-5 (Low Density Residential) and within the Development Plan report (Pg. 99 of 131) states the requirement for guest parking at a ratio of 1 per 25 dwelling units and it should be 1 per 4 dwelling units. She stated this was a type-o and that the parking calculations on the summary table are correct. She stated that under the Development Plan Conditions of Approval (Pg. 111 of 131) item 2.5 Architecture (c) – will have added language so it will state: Santa Barbara and Farmhouse Style dwellings shall have a smooth stucco finish, which can be achieved by using 20/30- Fine Sand Float. A 16/20 Medium Sand Float or a 20/30- fine Sand Float finish may be used on the Coastal or Minimal Traditional architectural styles. All stucco trim around doors and windows shall have a smooth trowel finish.

Steven Cook with MLC Holdings, was present via Zoom and thanked the staff for all their help to get the project to the point and stated he had a clarification on the Engineering Conditions of Approval, Item 1.12. He wanted to know if a CFD is required for this project.

Mr. Do stated there are two types of CFDs, the one that applies to projects in Ontario Ranch and the other which is a developers choice for facilities/infrastructure funding. He referred to Mike Bhatanawin regarding if there was a CFD for the area.

Mr. Bhatanawin stated he wasn't aware of any CFDs in the area, and that the CFD team requested he check this standard condition and they would work with the developer to see if it was needed. He stated that basically this is a placeholder if a CFD is necessary.

Mr. Cook stated those were the only questions he had.

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

Motion recommending approval of **File Nos. PMTT20-002 and PDEV20-003**, subject to conditions to the Planning Commission was made by Mr. Gerken, seconded by Mr. Zeledon, and approved unanimously by those present (5-0).

There being no further business, the meeting was adjourned. The next meeting is scheduled for December 7, 2020.

Respectfully submitted,



Gwen Berendsen
Recording Secretary



Development Advisory Board Decision

December 7, 2020

DECISION NO.: [insert #]

FILE NO.: PMTT19-019 (TT 20303)

DESCRIPTION: A Tentative Tract Map to subdivide 4.63 gross acres of land into a single lot for condominium purposes, in conjunction with a Development Plan (File No. PDEV19-061) to construct 110 multiple-family residential units (townhomes), located at the northeast corner of Ontario Center Parkway and Via Alba, within the Residential land use district (Subarea 15) of the Piemonte Overlay district of the Ontario Center Specific Plan. (APN: 0210-204-26); **submitted by LCD Residential at Ontario, LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

LCD RESIDENTIAL AT ONTARIO, LLC., (herein after referred to as "Applicant") has filed an application requesting Tentative Tract Map approval, File No. PMTT19-019/TT 20303, 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 4.63 gross acres of land located at the northeast corner of Ontario Center Parkway and Via Alba, within the Residential land use district (Subarea 15) of the Piemonte Overlay district of the Ontario Center Specific Plan, and is depicted in Exhibit A—Aerial Photograph, attached. The applicant is proposing to subdivide 4.63 gross acres of land into one lot for condominium purposes, to facilitate the development of 110 multiple-family residential units (townhomes). The project site is irregular in shape, with a lot depth of approximately 620 feet and a lot width of 429 feet. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

| | Existing Land Use | General Plan Designation | Zoning Designation | Specific Plan Land Use |
|--------------|---|-----------------------------------|---------------------------|--|
| <i>Site</i> | Vacant | Ontario Center Mixed Use District | SP (Specific Plan) | Residential (Piemonte Overlay - Ontario Center Specific Plan) |
| <i>North</i> | Commercial Center (Big Al's, Pets Mart, Target) | Ontario Center Mixed Use District | SP (Specific Plan) | Commercial (Piemonte Overlay - Ontario Center Specific Plan) |
| <i>South</i> | Toyota Parking Lot | Ontario Center Mixed Use District | SP (Specific Plan) | Urban Commercial (Piemonte Overlay - Ontario Center Specific Plan) |
| <i>East</i> | Retail (Sam's Club) | Ontario Center Mixed Use District | SP (Specific Plan) | Commercial (Piemonte Overlay - Ontario Center Specific Plan) |
| <i>West</i> | The Element Hotel & Office | Ontario Center Mixed Use District | SP (Specific Plan) | Special Use & Garden Commercial |

| | Existing Land Use | General Plan Designation | Zoning Designation | Specific Plan Land Use |
|--|--------------------------|---------------------------------|---------------------------|---|
| | | | | (Piemonte Overlay - Ontario Center Specific Plan) |

(2) **Project Description:** On October 16, 2019, the Applicant submitted a Tentative Tract Map (File No. PMTT19-019/TT 20303) to subdivide the 4.63 gross acre Project site into a single lot for condominium purposes (see Exhibit B: Tentative Tract Map, attached), in conjunction with a Development Plan (File No. PDEV19-061) to construct 110 multiple-family residential units (townhomes) on the Project site. The proposed subdivision complies with the development intensity of 138 residential units established for the Residential land use district (Subarea 15) of the Piemonte Overlay district of the Ontario Center Specific Plan. The Piemonte Overlay district does not have a minimum parcel size requirement for the Residential land use district (Subarea 15). Instead, the Piemonte Overlay district relies on a maximum development intensity of 138 units at a max density of 32 dwelling units per acre. The Project proposes 110 units, based on 4.31 net acres at a density of 25.5 dwellings per acre, consistent with the requirements of the Piemonte Overlay district.

Covenants, Conditions and Restrictions (CC&Rs) are required for the proposed subdivision as a condition of Project approval. The CC&Rs are required to be submitted, reviewed, and approved by the City, and will be recorded with the final map to ensure ongoing maintenance of private roads, common landscape areas, amenities, and common drainage/easement areas.

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 environmental impacts of this project were thoroughly analyzed in the previous Mitigated Negative Declaration, which concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, the 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 ("DAB") the responsibility and authority to review and make a 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, on December 7, 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: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the previous Mitigated Negative Declaration (MND) and supporting documentation. Based upon the facts and information contained in the previous MND and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this Project were previously reviewed in conjunction with File No. PSPA16-003, for which a Mitigated Negative Declaration ("MND") was adopted by the City Council on May 16, 2017; and

(2) The previous MND contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous MND was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previous MND reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous MND, and all mitigation measures previously adopted with the MND are incorporated herein by this reference.

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

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

(2) Does not constitute substantial changes with respect to the circumstances under which the MND was prepared, that will require major revisions to the MND due to the involvement of new significant

environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

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

(a) The project will have one or more significant effects not discussed in the MND; or

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

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

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

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the 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 4: 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 5: 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 through 4, above, the DAB hereby concludes as follows:

(1) ***The proposed Tentative Tract 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 is located within the Mixed-Use land use district of the Policy Plan Land Use Map, and the

Residential District of the Piemonte Overlay district of the Ontario Center Specific Plan. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, 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 of 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*); and

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

- A pattern of smaller, walkable blocks that promote access, activity and safety
- Variable setbacks and parcel sizes to accommodate a diversity of housing types
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and Landscaped parkways, with sidewalks separated from the curb.” (Policy CD2-2 *Neighborhood Design*); and

(3) ***The site is physically suitable for the type of development proposed.*** The project site meets the minimum lot area and dimensions of the Residential land use designation of the Piemonte Overlay-Ontario Center Specific Plan as no minimum parcel size is required. In addition, the proposed subdivision 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; and

(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 25.5 DUs/acre. The proposed subdivision and development intensity of 25.5 units per acres, meets the minimum lot area, development intensity and dimensions of the Residential District; and

(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; and

(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 110 multiple-family residential units (townhomes) proposed for the project site, are not likely to cause serious public health problems. 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 at the project site; and

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

SECTION 6: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends 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 7: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

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

APPROVED AND ADOPTED this 7th day of December 2020.

Development Advisory Board Chairman

Exhibit A—AERIAL PHOTOGRAPH

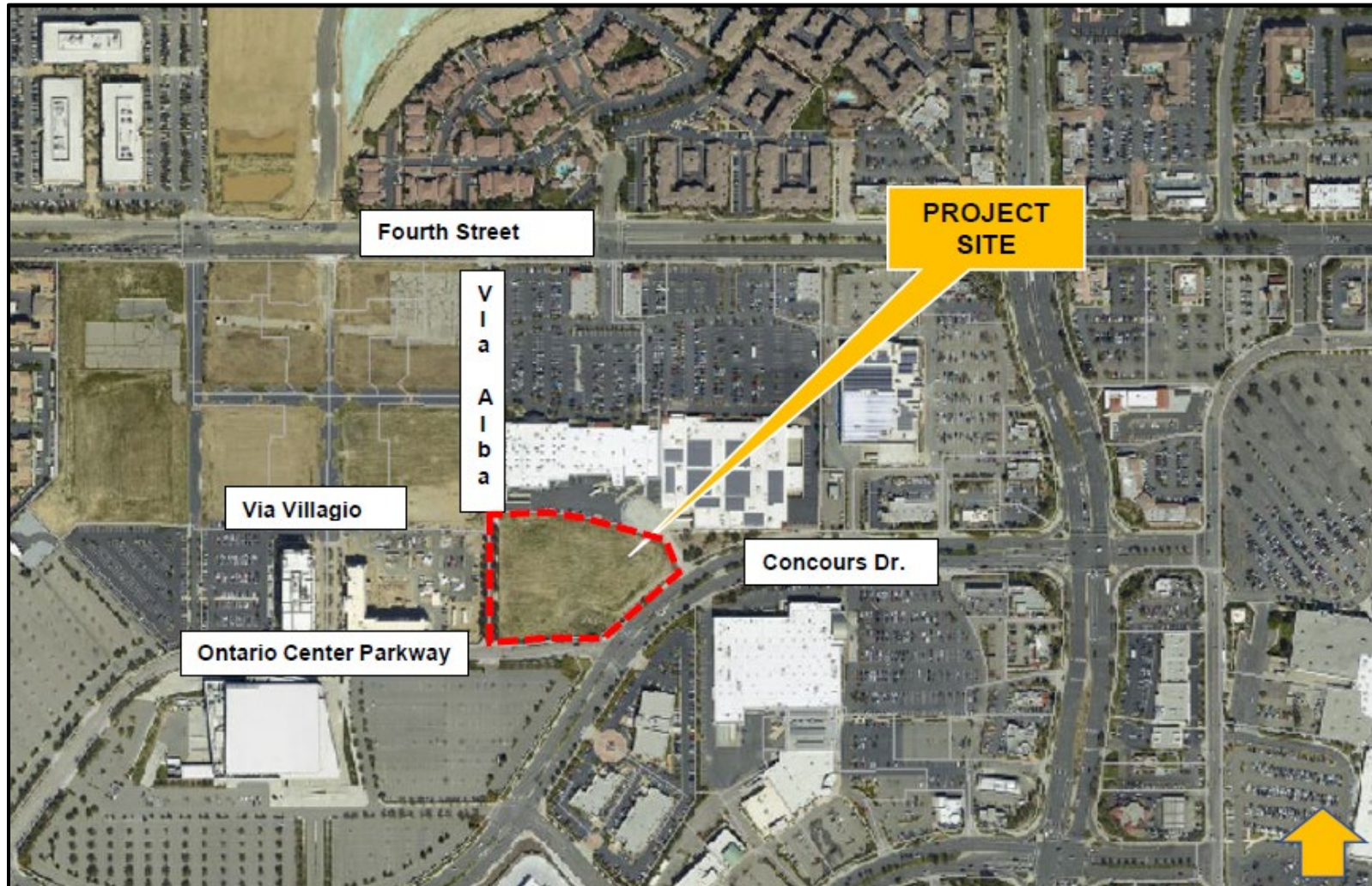


Exhibit B—TENTATIVE TRACT MAP (TT 20303)

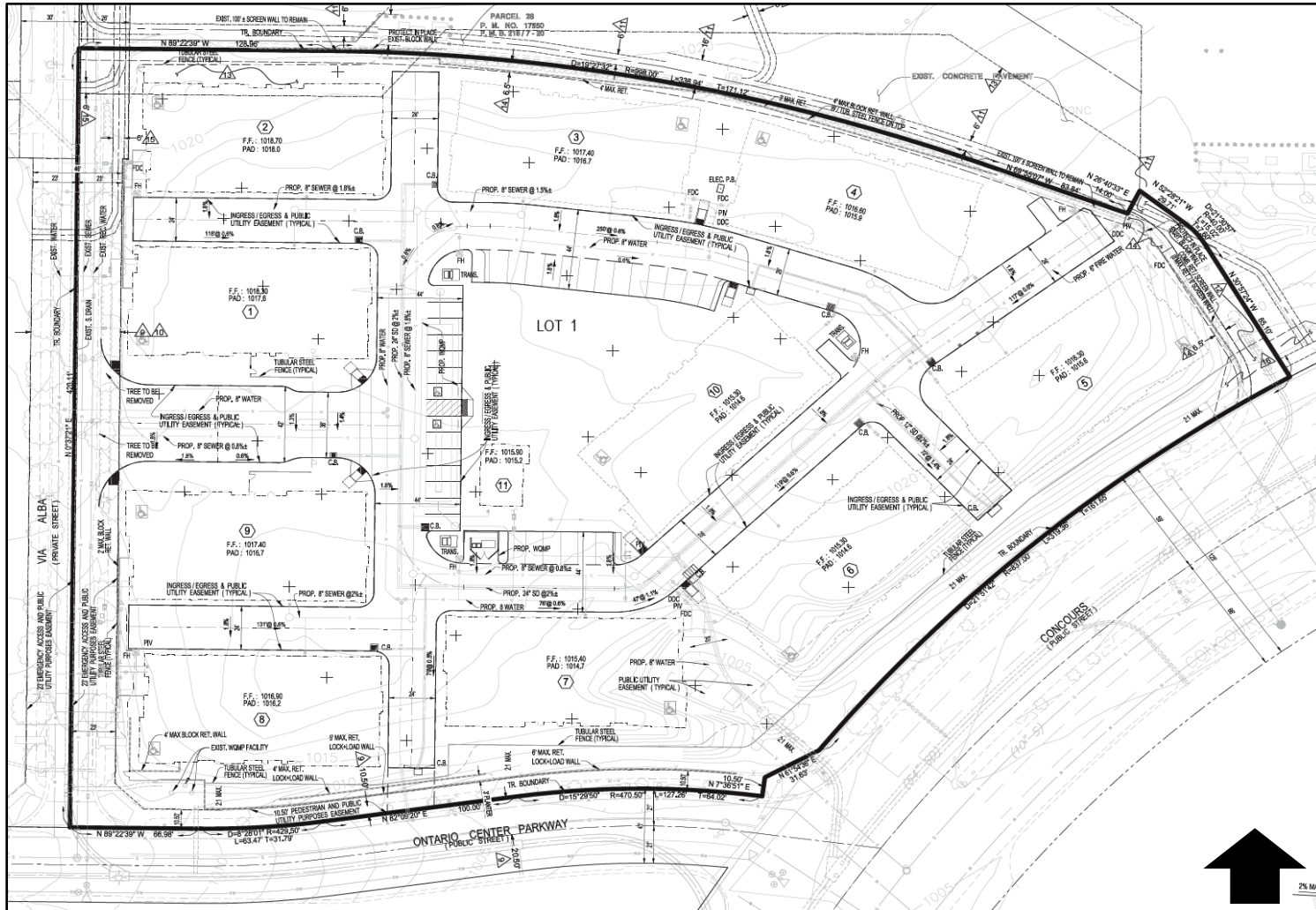


Exhibit C—MAIN ENTRY PERSPECTIVE



Exhibit M—LANDSCAPE 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: December 7, 2020
File No: PMTT19-019/ TT 20303
Related Files: PDEV19-061

Project Description: A Tentative Tract Map (File No. PMTT19-019/TT 20303) to subdivide 4.63 acres of land into a single lot for condominium purposes, in conjunction with a Development Plan (File No. PDEV19-061) to construct 110 multiple-family residential units (townhomes), located at the northeast corner of Ontario Center Parkway and Via Alba, within the Residential land use district of the Piemonte Overlay district of the Ontario Center Specific Plan. (APN: 0210-204-26); **submitted by LCD Residential at Ontario, LLC.**

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

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

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 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/Parcel Map shall be in conformance with the approved Tentative Tract/Parcel Map on file with the City. Variations from the approved Tentative Tract/Parcel Map may be reviewed and approved by the Planning Department. A substantial variation from the approved Tentative Tract/Parcel Map may require review and approval by the Planning Commission, as determined by the Planning Director.

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

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

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

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

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

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

2.4 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 owner's association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure reciprocal parking and access between parcels.

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

(i) Landscaping and irrigation systems within common areas;

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

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

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

(f) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R

provisions.

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

2.5 Disclosure Statements.

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

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

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

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

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

2.6 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA16-003, a Specific Plan Amendment to the Piemonte Overlay of the Ontario Center Specific Plan for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by this reference.

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

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

2.7 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul 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.

2.8 Applicant shall submit to this department/office an electronic copy of the final approved map.

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT19-019 & PDEV19-061
 Address: NWC of Ontario Center Pkwy & Concourses Street
 APN: 0210-204-26
 Existing Land Use: Vacant
 Proposed Land Use: A Tentative Tract Map for condominium purposes and Development Plan to construct 110 multi-family residential units
 Site Acreage: 4.63 Proposed Structure Height: N/A
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Luis Batres
 Date: 12/17/19
 CD No.: 2019-081
 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="checkbox"/> High Terrain Zone | <input type="checkbox"/> Avigation Easement Dedication |
| <input type="radio"/> Zone 1A | <input type="radio"/> 70 - 75 dB CNEL | <input checked="" type="checkbox"/> FAA Notification Surfaces | <input type="checkbox"/> Recorded Overflight Notification |
| <input type="checkbox"/> Zone 2 | <input type="checkbox"/> 65 - 70 dB CNEL | <input checked="" type="checkbox"/> Airspace Obstruction Surfaces | <input checked="" type="checkbox"/> Real Estate Transaction Disclosure |
| <input type="checkbox"/> Zone 3 | <input type="checkbox"/> 60 - 65 dB CNEL | <input type="checkbox"/> Airspace Avigation Easement Area | |
| <input type="checkbox"/> Zone 4 | | Allowable Height: 75 FT | |
| <input type="radio"/> Zone 5 | | | |

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

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

CONSISTENCY DETERMINATION

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

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) 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.: 2019-081

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 checked="" type="checkbox"/> TRACT MAP |
| <input checked="" type="checkbox"/> FOR CONDOMINIUM PURPOSES | | |
| PROJECT FILE NO. TM-20303 | | |
| RELATED FILE NO(S). PMTT19-019; PDEV19-061 | | |
| <input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___ | | |

CITY PROJECT ENGINEER & PHONE NO: Bryan Lirley, P.E., Principal Engineer *BL*
(909) 395-2137

CITY PROJECT PLANNER & PHONE NO: Luis Batres, Senior Planner
(909) 395-2431

DAB MEETING DATE: December 7, 2020

PROJECT NAME / DESCRIPTION: TM-20303, a Tentative Tract Map for condominium purposes, on 4.63 acres of land within the Ontario Center-Piemonte Overlay Specific Plan area

LOCATION: Northeast corner of Ontario Center Parkway and Via Alba

APPLICANT: LCD Residential at Ontario LLC.

REVIEWED BY: *Raymond Lee* *11/25/20*
Raymond Lee, P.E. Date
Assistant City Engineer

APPROVED BY: *[Signature]* *11-25-20*
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:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____
- 1.02 **Dedicate to the City of Ontario, the following easement(s): Curb-to-curb public utility easements for the public domestic water mains and public sewer mains proposed within the private interior streets/drives of the proposed tract.**
- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s): _____
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 **Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping Improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.**
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the 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) 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:
 - 1) Developer/applicant shall ensure that the project is developed in accordance with all requirements of the underlying Parcel Map No.17550 and the Ontario Center Specific Plan.
 - 2) Developer/applicant shall ensure that the tentative tract map and development plan conforms to the final Utility Systems Map, based on the conceptual map, dated 8/4/2020. The final Utility Systems Map shall be submitted for review and approval with the precise grading plan.

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

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

- 2.01 Record Parcel Map/Tract Map No. 20303 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 Parcel 23 of Parcel Map No. 17550 as recorded in Book 216 of Parcel Maps, pages 7-20, inclusive in the Office of the County Recorder, County of San Bernardino, California.
- 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://iceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 **Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: _____
- 2.10 Dedicate to the City of Ontario the right-of-way described below:
_____ feet on _____
Property line corner 'cut-back' required at the intersection of _____
and _____
- 2.11 Dedicate to the City of Ontario the following easement(s): _____

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



any applicable fees as set forth by said agreement.

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

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

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

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

- 2.16 Other conditions: _____



B. PUBLIC IMPROVEMENTS

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

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

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



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

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

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum



- limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **An 8-inch sewer main is available for connection by this project within a public utility easement in Via Alba, private street. (Ref: Sewer plan bar code: S13828)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
- 1) **Sewer mains within this development shall be designed to meet the requirements of Section 4-8 of the City's Master Plan of Sewer.**
 - 2) **The on-site sewer mains and manholes within this development shall be public, within a public utility easement and as such, shall be publicly maintained.**
 - 3) **The Tract Map sewer mains design shall follow the TTM20203 SSAMP, dated 06/18/2020, and any deviation from this design shall require the SSAMP to be updated and resubmitted to OMUC for review and approval. In accordance with the SSAMP sewer system design and velocities, submit a Utility Variance Request for the deviation from standard depths and minimum velocity criterion with the submittal of the sewer improvement plans.**

D. WATER

- 2.27 **A 12-inch water main is available for connection by this project within a public utility easement in Via Alba, private street and Ontario Center Parkway. (Ref: Water plan bar codes: W13050 and W13055)**
- 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:**
- 1) **Developer/applicant shall submit an application for a Fire Flow Test to the Ontario Fire Department.**
 - 2) **Each individual building (1, 2, 3, 4, 5, 6, 7, 8) shall be served by its own separate potable water service with a master meter & backflow preventer and submetering for each residential unit.**
 - 3) **The on-site potable water mains within this development shall be public, within a public utility easement and as such, shall be publicly maintained. All public potable water lines shall be ductile iron or CML&C.**



E. RECYCLED WATER

- 2.30 An 8-inch recycled water main is available for connection by this project within a public utility easement in Via Alba, private street. (Ref: Recycled Water plan bar code: P10078)
- 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:
 - 1) The Applicant/Developer shall be responsible to replace any existing street light fixtures along the property frontage on Ontario Center Parkway and Concours Street with the current City-approved LED equivalent fixture. Please refer to the Traffic and Transportation Design Guidelines Section 1.4 - Street Light Plans.
 - 2) Existing parking restrictions along Ontario Center Parkway and Concours Street are to remain in place upon development of the project site.

G. DRAINAGE / HYDROLOGY

- 2.38 A 48 inch storm drain lateral is available to accept flows from this project in Concours Street (Ref: Storm Drain plan bar code: D11440). All onsite storm drain shall be considered private and thereby privately maintained.
- 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: _____

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. Generally located _____, see Fiber Optic Exhibit herein.

- 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:

- 1) **Integrated Waste and Organics Recycling:** This site shall comply with the requirements of State Assembly Bill AB 1826 and AB 341, the Integrated Waste Department, and the Refuse & Recycling Planning Manual which can be found at <https://www.ontarioca.gov/omuc/integrated-waste>. The City of Ontario is dedicated to meeting its diversion goals, please contact the Integrated Waste Department at (909) 395-2050 to start.
 - a. Each residential unit shall be provided with two (2) 96-gallon automated cans (refuse and recycling) and corresponding storage and staging space.
 - b. The project site shall be provided one (1) 4-cubic yard bin (organics) for community organic waste collection within a trash enclosure.
 - c. **Park/Recreation Space:** If there are going to be structures or amenities that generate solid waste (BBQs, picnic tables, refuse receptacles, etc.) in the park or recreation areas, then a trash enclosure for 96-gallon automated cans shall be provided by the project for storage of solid waste generated by these uses and for collection by the City.
2. **Solid Waste Collections:** The Developer shall provide all buyers an informational disclosure with map exhibit showing the designated can placement locations for collections for their units. This informational disclosure with map exhibit shall be submitted with Precise Grading Plan for review and approval of Ontario Municipal Utility Company.
3. **Final Solid Waste Handling Plan (SWHP):** The TTM-20303 Solid Waste Handling Plan, dated 06/04/2020, shall be updated to meet all conditions and revised into a Final SWHP. A Final SWHP shall be submitted for review and approval with the Precise Grading Plan. The SWHP shall demonstrate compliance with the "Solid Waste Handling Plan Requirements".
4. **Final Integrated Waste Management Report (IWMR):** The TTM-20303 Integrated Waste Management Report, dated 06/04/2020, shall be updated to meet all other conditions and revised into a Final IWMR. A Final IWMR shall be submitted for review and approval with the Precise Grading Plan. The IWMR shall demonstrate compliance with the "Integrated Waste Management Report Requirements".



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

Project Number: PDEV 19-061 , and/or Tract Map No. 20303

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 processing fee**
22. **Three (3) copies of Final 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:** _____



Development Advisory Board Decision

December 7, 2020

DECISION NO.: [insert #]

FILE NO.: PDEV19-061

DESCRIPTION: A Development Plan to construct 110 multiple-family residential units (townhomes) on 4.63 gross acres of land located at the northeast corner of Ontario Center Parkway and Via Alba, within the Residential land use district (Subarea 15) of the Piemonte Overlay district of the Ontario Center Specific Plan (APN: 0210-204-26); **submitted by LCD Residential at Ontario, LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

LCD RESIDENTIAL AT ONTARIO, LLC., (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV19-061, 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 4.63 gross acres of land located at the northeast corner of Ontario Center Parkway and Via Alba, within the Residential land use district (Subarea 15) of the Piemonte Overlay district of the Ontario Center Specific Plan, and is depicted in Exhibit A—Aerial Photograph, attached. The site is irregular in shape with a lot depth of approximately 620 feet and a lot width of 429 feet. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

| | <i>Existing Land Use</i> | <i>General Plan Designation</i> | <i>Zoning Designation</i> | <i>Specific Plan Land Use</i> |
|--------------|---|-----------------------------------|---------------------------|---|
| <i>Site</i> | Vacant | Ontario Center Mixed Use District | SP (Specific Plan) | Residential (Piemonte Overlay - Ontario Center Specific Plan) |
| <i>North</i> | Commercial Center (Big Al's, Pets Mart, Target) | Ontario Center Mixed Use District | SP (Specific Plan) | Commercial (Piemonte Overlay - Ontario Center Specific Plan) |
| <i>South</i> | Toyota Parking Lot | Ontario Center Mixed Use District | SP (Specific Plan) | Urban Commercial (Piemonte Overlay - Ontario Center Specific Plan) |
| <i>East</i> | Retail (Sam's Club) | Ontario Center Mixed Use District | SP (Specific Plan) | Commercial (Piemonte Overlay - Ontario Center Specific Plan) |
| <i>West</i> | Element Hotel & Office | Ontario Center Mixed Use District | SP (Specific Plan) | Special Use & Garden Commercial (Piemonte Overlay - Ontario Center Specific Plan) |

(2) **Project Description:**

(a) **Background** — On October 16, 2019, the Applicant submitted a Development Plan (File No. PDEV19-061) to construct 110 multiple-family residential units (townhomes), in conjunction with a Tentative Tract Map (File No. PMTT19-019/TT 20303) to subdivide the 4.63 gross acres Project site into a single lot for condominium purposes, located at the northeast corner of Ontario Center Parkway and Via Alba, within the Residential land use district (Subarea 15) of the Piemonte Overlay district of the Ontario Center Specific Plan.

(b) **Site Design/Building Layout** —The proposed development is composed of ten buildings containing a total of 110 townhouse units at a density of 25.5 dwellings per acre based on 4.31 net acres, consistent with the requirements of the Piemonte Overlay district. Buildings 1 through 10 each contain eleven dwelling units. Building 11, consist of the community’s public restrooms for the pool and recreation area and is located near the center of the site.

The irregular-shaped Project site borders two public streets, Ontario Center Parkway and Conours Street, to the south and southeast, respectively, and a private street, Via Alba, to the west. An existing shopping center (Target Center) borders the Project to the north and northwest. The site is designed with seven buildings (Buildings 1, 2, 5, 6, 7, 8, and 9) that side or front on to a street. Two buildings (Buildings 3 and 4) front on to the north property line and one building (Building 10) is located at the center of the Project site, fronting on to the common recreation area. All residential buildings are proposed at three stories, with an overall height of approximately 40 feet. The community structure (pool restrooms) is proposed at one-story, with an overall height of approximately 14 feet.

Five different floor plans are proposed, which range from 654 to 1,555 square feet in area. The dwelling unit characteristics are summarized in the table below:

Table 1: Townhome Floor Plan Summary

| Plan No. | Area (in SF) | No. Bedrooms | No. Bathrooms |
|---------------------|---------------------|---------------------|----------------------|
| 1 | 654 | 1 | 1 |
| 2 | 956 | 2 | 2 |
| 3 (Accessible Unit) | 1393 | 2 | 2 |
| 4 | 1457 | 3 | 2 |
| 5 | 1555 | 3 | 2 |

Additionally, each dwelling is provided with ample storage space. Separate storage closets, which range from 329 to 577 cubic feet in size, are provided for each unit, along with a 160 cubic foot storage space provided above each car space, within the garages. Furthermore, each building is provided with a bike storage room on the first floor, adjacent to the building’s entry lobby.

(c) **Site Access/Circulation** — The proposed gated community has one primary point of vehicular access, located along Via Alba. The gated entry (with a Knox lock for emergency vehicle access) includes a 6-foot wide landscaped median that divides vehicle lanes of site ingress and egress. Once inside the Project, a looping drive aisle facilitates vehicle access through the site. Pedestrian access into the Project site is provided by a gate located on each side of the vehicle access gates.

(d) **Parking** —Off-street parking in the form of enclosed garage spaces and uncovered surface parking is distributed throughout the project site. A total of 210 off-street parking spaces are required for the project, which includes 22 guest parking spaces. The project will provide 246 parking

spaces; therefore, exceeding the minimum number of parking spaces required. Consistent with a recently approved Amendment to the Piemonte Overlay-Ontario Center Specific Plan (File No. PSPA19-009), which modified the Minimum Parking Requirements allowing tandem parking up to a maximum of 50 percent of the required parking, the Applicant is proposing a total of 140 tandem parking spaces (70-units). All ten townhome buildings will have tandem parking. The tandem garage spaces (one space in front of the other), will measure 10-feet wide by 40-feet deep and will be able to accommodate two vehicles. The table below provides a breakdown of the proposed parking spaces:

Table 2: Type of Parking Provided

| Type of Parking | Total Number Spaces Provided |
|--|------------------------------|
| Tandem (one space in front of other) Garage (70-Units) | 140 |
| 2-Car Standard (side-by-side) Garage (30-Units) | 60 |
| 1-Car Garage (10-Units) | 10 |
| Regular Surface Parking | 36 |
| Total | 246 |

(e) Architecture — The project proposes a contemporary architectural design, exemplifying the type of high-quality architecture promoted by the Piemonte Overlay district of the Ontario Center Specific Plan (see Exhibits: C through L—Building Elevations & Perspectives, attached). The mass and scale of the buildings are proportionate to the site area, open space, and scale of the neighborhood. Special attention was given to the colors, materials, massing, building form, and architectural details. This is exemplified through the use of:

- Articulation in the building's roof lines;
- Incorporation of flat parapet and side gable roof lines;
- Cantilevered architectural elements;
- Dimensional composite roof shingles;
- Smooth stucco finish;
- Exterior wall pop-outs and recesses;
- Exposed metal reglets at key locations of the buildings;
- Horizontal cement lap siding;
- Sconce lighting fixtures at key locations;
- Decorative metal guardrails at balconies;
- Decorative awnings at key locations of the buildings; and
- Incorporation of color blocking to accentuate certain architectural elements.

(f) Landscaping —The project exceeds the minimum landscape requirements established by the Piemonte Overlay district of the Ontario Center Specific Plan. The project will provide a 6-foot average landscape setback along the front of the project (Via Alba), a 13-foot average landscape setback along the south property line (Ontario Center Parkway), a 11-foot average landscape setback along the southeast property line (Concours Street), a 12.5-foot average landscape setback along the north property line, and a 9.5-foot average landscape setback along the northeast property line.

The project will also provide an average of 129 square feet of private open space per unit (50 square foot minimum), in the form of a porch and a second story balcony. In addition, the project will provide approximately 360 square feet of common open space for each unit, exceeding the minimum 215 square foot requirement. The common open space includes a community recreation area with a resort style pool (3'6"-5'-depth) and spa. Other amenities include day beds, shade umbrellas and cabana's with lounge

furniture. In addition, a pocket park area is provided between Buildings 6 and 7. The pocket park will feature natural turf lawn, shade trees, a single BBQ, iron dining tables, shade umbrellas, outdoor chairs, and decorative paving at key areas (see Exhibits M through P—Landscape Plans, attached).

The proposed plant pallet consists of a mixture of shade trees, date palms, Mexican blue palms, Mediterranean fan palms, ground cover, and shrubs. At key areas of the project, accent planting is featured, including Purple Orchid trees, Desert Museum Palo Verde trees, Coast Live Oak trees and Interior Live Oak trees.

(g) Signage — The development is proposing a low-profile monument sign that will be located in the center of the landscaped median at the development entrance. The monument sign will feature a decorative burnished block base, horizontal IPE wood slats, metal pin letters and a laser cut metal panel with a logo (see Exhibit Q—Monument Sign Perspective, attached).

(h) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the project. Additionally, 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, bio treatment, and evapotranspiration. The project is proposing an underground retention infiltration system. The system will be located just west of the pool recreation area.

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 environmental impacts of this project were thoroughly analyzed in the previous Mitigated Negative Declaration, which concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, the 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 a 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, on December 7, 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: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the previous Mitigated Negative Declaration ("MND") and supporting documentation. Based upon the facts and information contained in the previous MND and supporting documentation, the DAB finds as follows:

- (1) The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA16-003, for which an MND was adopted by the City Council on May 16, 2017.
- (2) The previous MND contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- (3) The previous MND was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and
- (4) The previous MND reflects the independent judgment of the Planning Commission; and
- (5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous MND, and all mitigation measures previously adopted with the MND, are incorporated herein by this reference.

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

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

environmental effects or a substantial increase in the severity of the previously identified significant effects;
and

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

(a) The project will have one or more significant effects not discussed in the MND; or

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

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

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

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the 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 4: 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 5: 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 through 4, 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 Mixed-Use land use district of the Policy Plan (General Plan) Land Use Map, and the Residential land use district (Subarea 15) of the

Piemonte Overlay (Ontario Center Specific Plan). The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan, and City Council Priorities components of The Ontario Plan. In addition, it meets goal LU1-6: Complete Community where we incorporate a variety of land uses and buildings types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers, and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario; 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 Residential land use district (Subarea 15) of the Piemonte Overlay district of the Ontario Center Specific Plan, including standards relative to the particular land use proposed (110 multiple-family residential units), 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. Approval of the project will result in the development of 110 multiple-family residential units (townhomes) on 4.63 gross acres. In addition, the project will include full on-site and off-site improvements that will also improve the immediate area; 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 Piemonte Overlay-Ontario Center Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Residential land use district (Subarea 15) of Piemonte Overlay district of the Ontario Center Specific Plan. In addition, the project will provide much needed housing which will also allow the City to comply with our Housing Element and regional housing needs; 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 Residential District of the Piemonte Overlay district (Subarea 15) of the Ontario Center Specific Plan, that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (110 multiple-family residential units). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval is consistent with the development standards and guidelines described in the Residential land use district (Subarea 15) of the Piemonte Overlay district of the Ontario Center Specific Plan.

SECTION 6: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends 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 7: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this

approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

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

APPROVED AND ADOPTED this 7th day of December 2020.

Development Advisory Board Chairman

Exhibit A—AERIAL PHOTOGRAPH

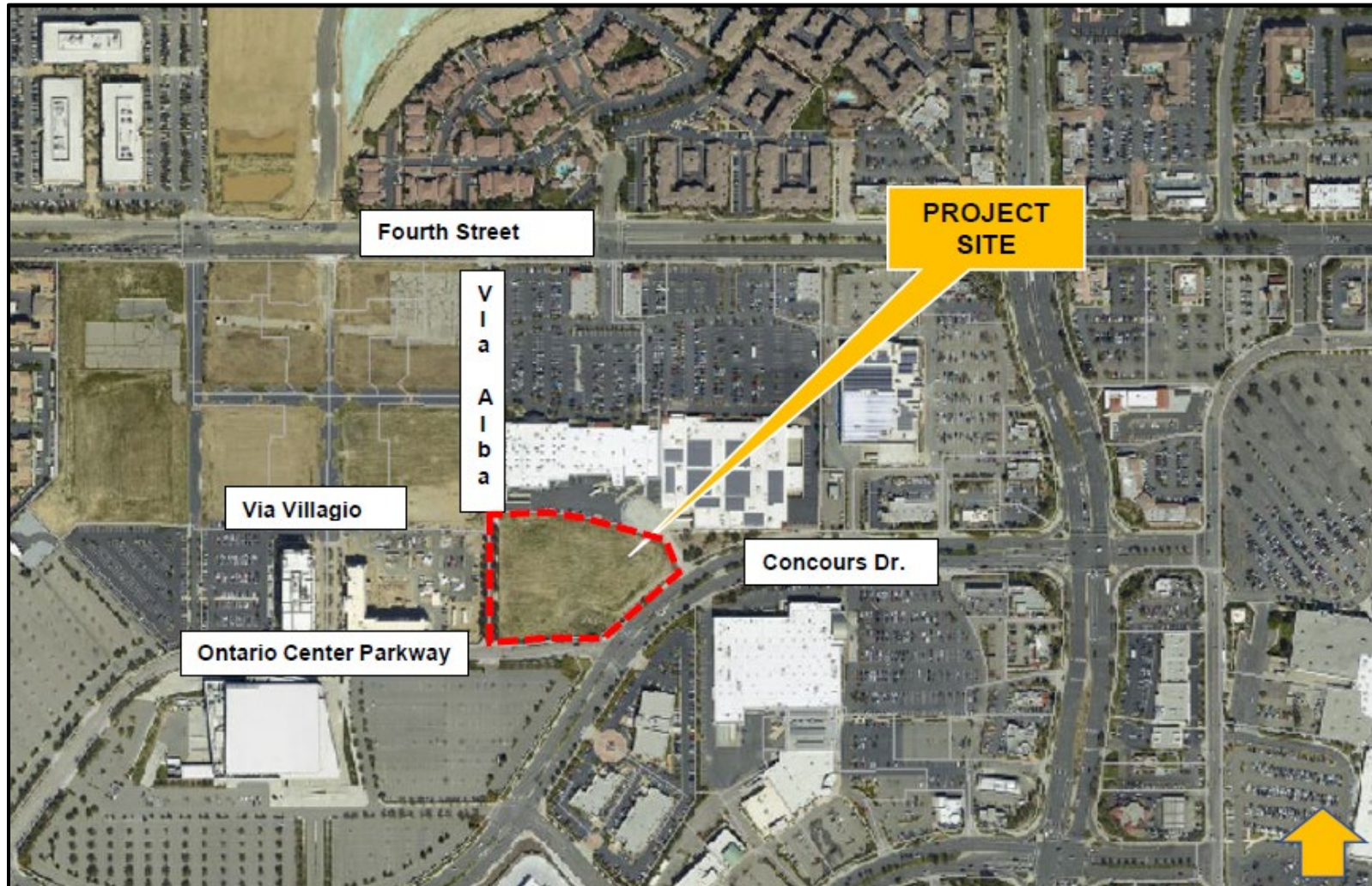


Exhibit B—SITE PLAN



Exhibit C—MAIN ENTRY PERSPECTIVE



Exhibit D—RECREATIONAL AREA PERSPECTIVE



Exhibit E—FRONT ELEVATION (Buildings 2,3, 5,7,9, and 10)



Exhibit F—SIDE ELEVATION (Buildings 2,3, 5,7,9, and 10)



Exhibit G—REAR ELEVATION (Building 2,3, 5,7,9, and 10)



Exhibit H—RIGHT & REAR ELEVATIONS (Building 10)



RIGHT SIDE



REAR SIDE

Exhibit I—FRONT ELEVATION (Buildings 1, 4, 6, 8)



Exhibit J—SIDE ELEVATIONS (Buildings 1, 4, 6, 8)



LEFT

LEFT SIDE



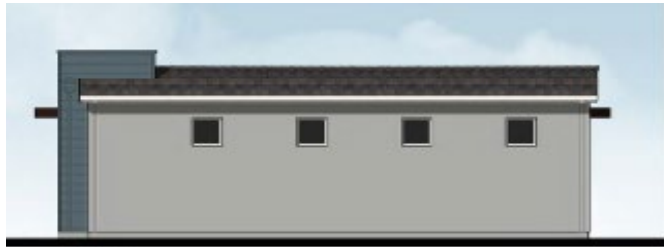
RIGHT

RIGHT SIDE

Exhibit K—REAR ELEVATION “B” (Buildings 1, 4, 6, 8)



Exhibit L— POOL & RESTROOM BUILDING ELEVATION (Building 11)



LEFT



RIGHT



FRONT



REAR

Exhibit M— LANDSCAPE PLAN



Exhibit N— RECREATION COURTYARD

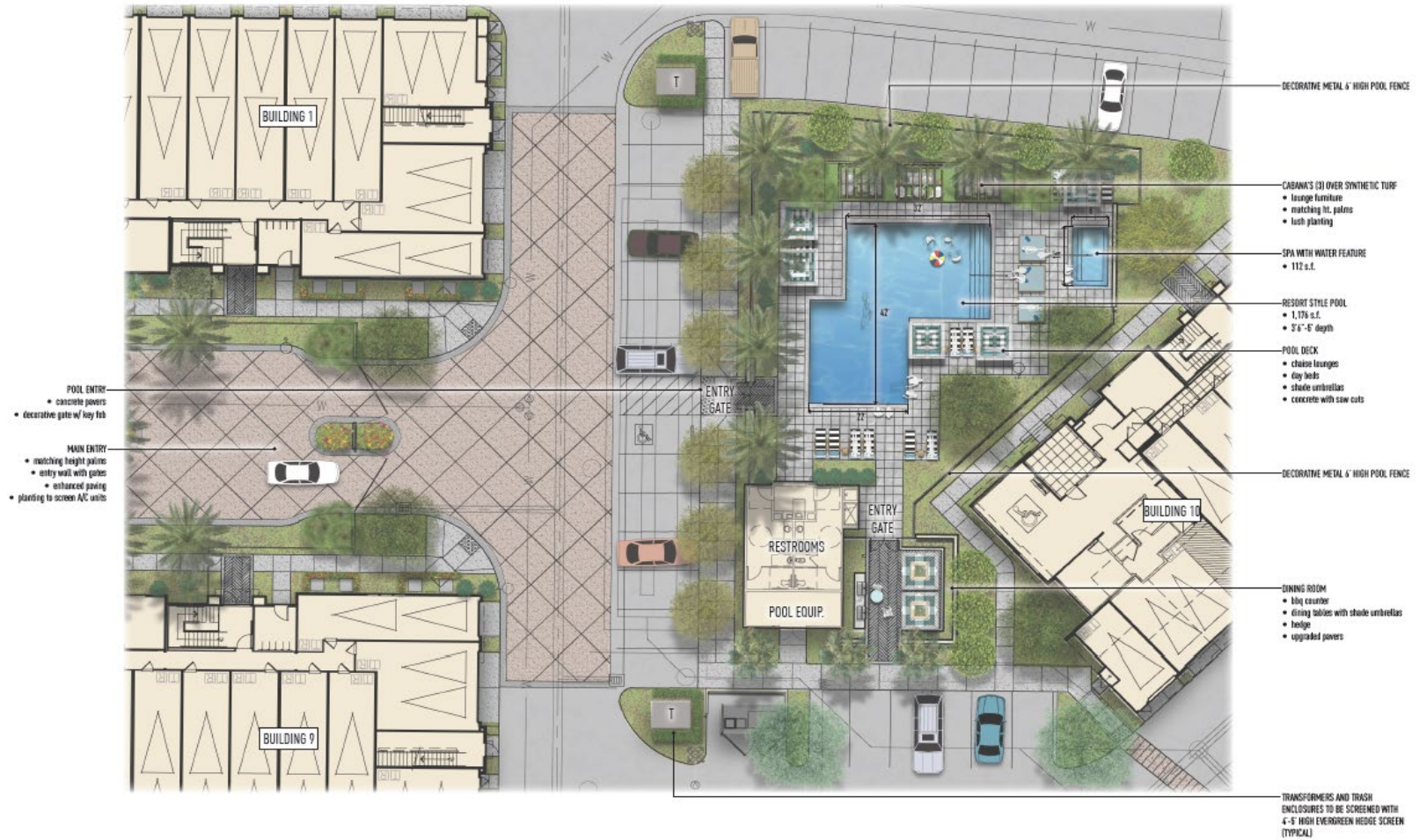


Exhibit O— RECREATION COMMUNITY LAWN AREA



Exhibit P— GREEN PASEO



Exhibit Q— MONUMENT SIGN PERSPECTIVE



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: December 7, 2020
File No: PDEV19-061
Related Files: PMTT19-019 (TT 20303)

Project Description: A Development Plan (File No. PDEV19-061) to construct 110 multiple-family residential units (townhomes) on 4.63 acres of land, in conjunction with a Tentative Tract Map (File No. PMTT19-019/TT 20303) to subdivide 4.63 acres of land into a single lot for condominium purposes for property located at the northeast corner of Ontario Center Parkway and Via Alba, within the Residential land use district of the Piemonte Overlay district of the Ontario Center Specific Plan (APN: 0210-204-26); **submitted by LCD Residential at Ontario, LLC.**

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

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

2.5 Parking, Circulation and Access.

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

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

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

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

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

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

(g) 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.

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

2.6 Mechanical and Rooftop Equipment.

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

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

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

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

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

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

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

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

(c) CC&Rs shall ensure reciprocal parking and access between parcels.

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

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

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

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

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

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

2.11 Disclosure Statements.

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

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

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

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

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

2.12 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA16-003, a Specific Plan Amendment to the Piemonte Overlay of the Ontario Center Specific Plan for which a Mitigated Negative Declaration was previously adopted by the City Council on May 16, 2017. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by this reference.

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

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

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

2.14 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the

requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

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

2.15 Additional Requirements.

(a) Consistent with the approved Amendment to the Piemonte Overlay-Ontario Center Specific Plan (File No. PSPA19-009), the Project shall be developed with tandem parking at a maximum rate of 50% of what is required for parking.

(b) The project shall feature a smooth exterior stucco and or smooth plaster finish.

(c) All proposed building decorative awnings shall be constructed of metal/steel.

(d) Applicant shall work with staff during the plan check process to add more recreational amenities for children within the larger lawn common open space areas (paseos).

(e) At the time of a Planning final if the back side of the architectural buildings towers are visible from public views, the applicant shall work with staff so that the towers are returned more (extended) and or they shall be finished on all sides (4-sides).

(f) All tubular steel/wrought iron shall be powder coated to prevent rust.

(g) All required 22-guest parking spaces shall be labeled as "Guest Parking".

(h) The CC&R's for the project shall include language that restricts the use of enclosed parking spaces for parking only.



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: November 7, 2019

SUBJECT: PDEV19-061 – A Development Plan to construct 110 residential condominium units on 4.63 acres of land located at the northeast corner of Ontario Center Parkway and Via Alba, within the Residential land use district of the Piemonte Overlay of the Ontario Center Specific Plan (APN: 0210-204-26). Related Files: PMTT19-019 & PSPA19-009.

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies
- D. Number of Stories: 2
- E. Total Square Footage: Varies, 654 Sq. Ft. to 1,555 Sq. Ft per unit
Approximately 20,000 Sq. Ft. per building
- F. 2016 CBC Occupancy Classification(s): R-2

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department ("Fire Department") requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards ("Standards.") It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on "Fire Department" and then on "Standards and Forms."
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 2000 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES


- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.

- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003. .
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.

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

DAB CONDITIONS OF APPROVAL

Sign Off


 Jamie Richardson, Sr. Landscape Planner

11/2/2020
 Date

Reviewer's Name: **Jamie Richardson, Sr. Landscape Planner** Phone: **(909) 395-2615**

D.A.B. File No.: **PDEV19-061** Case Planner: **Luis Batres**

Project Name and Location:
William Lyons - Piemonte
 Tentative Tract No. **20303**
 Applicant/Representative:
Lewis Management Corp.
1156 N. Mountain Ave.
Upland, CA 91786

A Preliminary Landscape Plan (dated 10/23/2020) 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.

A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

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
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. Provide an arborist report and tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting. Add tree protection notes on construction and demo plans to protect trees to remain. 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.
2. Provide details for the CMU retaining wall; section E-E is showing a 5' retaining wall (the plan notes 6') with a 3' planter at the top and an additional 4' retaining wall. The landscape plans note "CMU retaining wall height and material per Civil Engineer." During plan check provide details for the "Lock and Load" planted wall.
3. Tree wells (pool parking) for trees shall be a minimum of 5'x5'.
4. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1 (change and note maximum landscape slopes to 3:1).
5. Add Note to Grading Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces

between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

- 6. Provide an arborist report and tree inventory as noted in #1. Show any trees proposed to be protected or removed.
- 7. Tree wells (pool parking) for trees shall be a minimum of 5'x5'.
- 8. Provide broad canopy trees in larger planter spaces; consider Quercus viginiana, suber or agrifolia, Fraxinus uhdei, or Pistacia chinensis.
- 9. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
- 10. 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—less than 5 acres\$1,561.00
 - Inspection—Construction (up to 3 inspections per phase).....\$600.00
 - Total.....\$2,16100

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



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner

FROM: Emily Hernandez, Police Department

DATE: November 13, 2019

SUBJECT: PDEV19-061 – A DEVELOPMENT PLAN TO CONSTRUCT CONDOMINIUM RESIDENTIAL UNITS LOCATED ON THE NORTHEAST CORNER OF ONTARIO CENTER PARKWAY AND VIA ALBA, WITHIN THE ONTARIO CENTER-PIEMONTE OVERLAY.

The “Standard Conditions of Approval” contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below.

- Required lighting for walkways, driveways, doorways, parking lots, hallways, stairwells, and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses and building letters/numbers shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.
- First floor stairwells shall be constructed so as to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells.
- Bike storage room shall remain illuminated 24 hours a day and shall have convex mirrors or similar installed to allow for visibility inside the room and behind the doors. Additionally, the bike storage room shall remain locked and require either key or key fob access for entry.
- The development shall participate in the Crime-Free Multi Housing program offered by the Ontario Police Department COPS Division.

The Applicant is invited to contact Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Luis Batres
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: October 23, 2019
SUBJECT: PDEV19-061

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr



**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 checked="" type="checkbox"/> TRACT MAP <input checked="" type="checkbox"/> FOR CONDOMINIUM PURPOSES |
| PROJECT FILE NO. TM-20303 RELATED FILE NO(S). PMTT19-019; PDEV19-061 | | |
| <input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___ | | |

CITY PROJECT ENGINEER & PHONE NO: Bryan Lirley, P.E., Principal Engineer (909) 395-2137 *BL*

CITY PROJECT PLANNER & PHONE NO: Luis Batres, Senior Planner (909) 395-2431

DAB MEETING DATE: December 7, 2020

PROJECT NAME / DESCRIPTION: TM-20303, a Tentative Tract Map for condominium purposes, on 4.63 acres of land within the Ontario Center-Piemonte Overlay Specific Plan area

LOCATION: Northeast corner of Ontario Center Parkway and Via Alba

APPLICANT: LCD Residential at Ontario LLC.

REVIEWED BY: *Raymond Lee* *11-25-20*
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: *[Signature]* *11-25-20*
 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:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____.
- 1.02 **Dedicate to the City of Ontario, the following easement(s): Curb-to-curb public utility easements for the public domestic water mains and public sewer mains proposed within the private interior streets/drives of the proposed tract.**
- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s): _____
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 **Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.**
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the 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) 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:
 - 1) Developer/applicant shall ensure that the project is developed in accordance with all requirements of the underlying Parcel Map No.17550 and the Ontario Center Specific Plan.
 - 2) Developer/applicant shall ensure that the tentative tract map and development plan conforms to the final Utility Systems Map, based on the conceptual map, dated 8/4/2020. The final Utility Systems Map shall be submitted for review and approval with the precise grading plan.

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

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

- 2.01 Record Parcel Map/Tract Map No. 20303 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 Parcel 23 of Parcel Map No. 17550 as recorded in Book 216 of Parcel Maps, pages 7-20, inclusive in the Office of the County Recorder, County of San Bernardino, California.
- 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://aceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 **Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
- State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: _____
- 2.10 Dedicate to the City of Ontario the right-of-way described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____
- 2.11 Dedicate to the City of Ontario the following easement(s): _____

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



any applicable fees as set forth by said agreement.

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

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

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

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

- 2.16 Other conditions: _____



B. PUBLIC IMPROVEMENTS

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

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

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



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

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

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 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



- 2.20 limits of reconstruction shall be along property frontage, from street centerline to curb/gutter. Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **An 8-inch sewer main is available for connection by this project within a public utility easement in Via Alba, private street. (Ref: Sewer plan bar code: S13828)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
- 1) **Sewer mains within this development shall be designed to meet the requirements of Section 4-8 of the City's Master Plan of Sewer.**
 - 2) **The on-site sewer mains and manholes within this development shall be public, within a public utility easement and as such, shall be publicly maintained.**
 - 3) **The Tract Map sewer mains design shall follow the TTM20203 SSAMP, dated 06/18/2020, and any deviation from this design shall require the SSAMP to be updated and resubmitted to OMUC for review and approval. In accordance with the SSAMP sewer system design and velocities, submit a Utility Variance Request for the deviation from standard depths and minimum velocity criterion with the submittal of the sewer improvement plans.**

D. WATER

- 2.27 **A 12-inch water main is available for connection by this project within a public utility easement in Via Alba, private street and Ontario Center Parkway. (Ref: Water plan bar codes: W13050 and W13055)**
- 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:**
- 1) **Developer/applicant shall submit an application for a Fire Flow Test to the Ontario Fire Department.**
 - 2) **Each individual building (1, 2, 3, 4, 5, 6, 7, 8) shall be served by its own separate potable water service with a master meter & backflow preventer and submetering for each residential unit.**
 - 3) **The on-site potable water mains within this development shall be public, within a public utility easement and as such, shall be publicly maintained. All public potable water lines shall be ductile iron or CML&C.**



E. RECYCLED WATER

- 2.30 An 8-inch recycled water main is available for connection by this project within a public utility easement in Via Alba, private street. (Ref: Recycled Water plan bar code: P10078)
 - 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:
 - 1) The Applicant/Developer shall be responsible to replace any existing street light fixtures along the property frontage on Ontario Center Parkway and Concours Street with the current City-approved LED equivalent fixture. Please refer to the Traffic and Transportation Design Guidelines Section 1.4 - Street Light Plans.
 - 2) Existing parking restrictions along Ontario Center Parkway and Concours Street are to remain in place upon development of the project site.

G. DRAINAGE / HYDROLOGY

- 2.38 A 48 inch storm drain lateral is available to accept flows from this project in Concours Street (Ref: Storm Drain plan bar code: D11440). All onsite storm drain shall be considered private and thereby privately maintained.
- 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: _____

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. Generally located _____, see Fiber Optic Exhibit herein.

- 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:

- 1) **Integrated Waste and Organics Recycling:** This site shall comply with the requirements of State Assembly Bill AB 1826 and AB 341, the Integrated Waste Department, and the Refuse & Recycling Planning Manual which can be found at <https://www.ontarioca.gov/omuc/integrated-waste>. The City of Ontario is dedicated to meeting its diversion goals, please contact the Integrated Waste Department at (909) 395-2050 to start.
 - a. Each residential unit shall be provided with two (2) 96-gallon automated cans (refuse and recycling) and corresponding storage and staging space.
 - b. The project site shall be provided one (1) 4-cubic yard bin (organics) for community organic waste collection within a trash enclosure.
 - c. **Park/Recreation Space:** If there are going to be structures or amenities that generate solid waste (BBQs, picnic tables, refuse receptacles, etc.) in the park or recreation areas, then a trash enclosure for 96-gallon automated cans shall be provided by the project for storage of solid waste generated by these uses and for collection by the City.
2. **Solid Waste Collections:** The Developer shall provide all buyers an informational disclosure with map exhibit showing the designated can placement locations for collections for their units. This informational disclosure with map exhibit shall be submitted with Precise Grading Plan for review and approval of Ontario Municipal Utility Company.
3. **Final Solid Waste Handling Plan (SWHP):** The TTM-20303 Solid Waste Handling Plan, dated 06/04/2020, shall be updated to meet all conditions and revised into a Final SWHP. A Final SWHP shall be submitted for review and approval with the Precise Grading Plan. The SWHP shall demonstrate compliance with the "Solid Waste Handling Plan Requirements".
4. **Final Integrated Waste Management Report (IWMR):** The TTM-20303 Integrated Waste Management Report, dated 06/04/2020, shall be updated to meet all other conditions and revised into a Final IWMR. A Final IWMR shall be submitted for review and approval with the Precise Grading Plan. The IWMR shall demonstrate compliance with the "Integrated Waste Management Report Requirements".



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**

Project Number: PDEV 19-061 , and/or Tract Map No. 20303

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 processing fee**
- 22. **Three (3) copies of Final 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:** _____