

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

July 27, 2021

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

6:30 PM

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

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

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

ROLL CALL

Anderson __ Dean __ DeDiemar __ Gage __ Lampkin __ Ricci __ Willoughby __

PLEDGE OF ALLEGIANCE TO THE FLAG

SPECIAL CEREMONIES

- 1) Presentation to former Commissioner Robert Gregorek

ANNOUNCEMENTS

- 1) Agenda Items
- 2) Commissioner Items

PUBLIC COMMENTS

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

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

CONSENT CALENDAR ITEMS

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

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of June 22, 2021, approved as written.

PUBLIC HEARING ITEMS

For each of the items listed under PUBLIC HEARING ITEMS, the public will be provided an opportunity to speak. After a staff report is provided, the chairperson will open the public hearing. At that time the applicant will be allowed five (5) minutes to make a presentation on the case. Members of the public will then be allowed five (5) minutes each to speak, unless there are a number of person's wishing to speak and then the Chairperson will allow only three (3) minutes, to accommodate for more persons. The Planning/Historic Preservation Commission may ask the speakers questions relative to the case and the testimony provided. The question period will not count against your time limit. After all persons have spoken, the applicant will be allowed three minutes to summarize or rebut any public testimony. The chairperson will then close the public hearing portion of the hearing and deliberate the matter.

PLANNING COMMISSION ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND APPEAL OF CONDITIONAL USE PERMIT FOR FILE NO. PCUP21-002:** An appeal of the Zoning Administrator's approval of a Conditional Use Permit to establish and construct a second floor 574 square foot Accessory Dwelling Unit (ADU) above an existing covered patio exceeding 16 feet in height on 0.245-acre

of land located at 1515 South San Antonio Avenue, within the RE-2 (Rural Estate—0 to 2.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1050-031-44) **submitted by Won Jun Choi. The Zoning Administrator approved this item on May 17, 2021.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15301

2. File No. PCUP21-002 (Appeal – Conditional Use Permit)

Motion to Approve/Deny

C. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE PERMIT FOR FILE NOS. PDEV20-010 AND PCUP20-008: A

Development Plan (File No. PDEV20-010) to construct a 3,306 square foot convenience store, a 953 square foot carwash and fueling station in conjunction with a Conditional Use Permit (File No. PCUP20-008) to establish alcoholic beverage sales for a Type 21 ABC License (Off-Sale General) on 0.97 acres of land located on the southeast corner of Holt Boulevard and Grove Avenue, within the Business Park zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APNs: 0110-131-01 and 0110-131-19) **submitted by Mr. Amer Chris Sabbah.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. File No. PCUP20-008 (Conditional Use Permit)

Motion to Approve/Deny

3. File No. PDEV20-010 (Development Plan)

Motion to Approve/Deny

D. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV20-017 AND PCUP20-014: A

Development Plan (File No. PDEV20-017) and Conditional Use Permit (File No. PCUP20-014) to construct and establish a 60-foot tall stealth (AT&T) wireless telecommunications facility (mono-eucalyptus) with a 1,040 square foot equipment enclosure/lease area on 1.71 acres of land located on the east side of Oaks Avenue, approximately 500 feet south of Phillips Street, within the AR-2 (Residential-Agricultural – 0 to 2.0 DUs/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 3 (Class 15303, New Construction or Conversion of Small Structures) of the CEQA Guidelines. The proposed project is located within

the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1014-121-04) **submitted by AT&T.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15303

2. File No. PCUP20-014 (Conditional Use Permit)

Motion to Approve/Deny

3. File No. PDEV20-017 (Development Plan)

Motion to Approve/Deny

E. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW, AND CONDITIONAL USE PERMIT FOR FILE NOS. PDEV20-029 AND PCUP20-019: A Development Plan (File No. PDEV20-029) and Conditional Use Permit (File No. PCUP20-019) to construct and establish an outdoor trailer truck storage facility on 3.44 acres of land located at 5601 East Santa Ana Street, within the Utility Corridor (UC) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 238-081-64) **submitted by EPD Solutions.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. File No. PCUP20-019 (Conditional Use Permit)

Motion to Approve/Deny

3. File No. PDEV20-029 (Development Plan)

Motion to Approve/Deny

MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION

- 1) Old Business
 - Reports From Subcommittees
 - Historic Preservation (Standing): Did not meet this month.
- 2) New Business
- 3) Nominations for Special Recognition

DIRECTOR'S REPORT

1) Monthly Activity Report

If you wish to appeal any decision of the Planning/Historic Preservation Commission, you must do so within ten (10) days of the Commission action. Please contact the Planning Department for information regarding the appeal process.

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



I, Gwen Berendsen, Administrative Assistant, of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on **Friday, July 23, 2021**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.



Gwen Berendsen, Secretary Pro Tempore



Rudy Zeledon, Planning Director
Planning/Historic Preservation
Commission Secretary

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

MINUTES

June 22, 2021

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

MINUTES

June 22, 2021

REGULAR MEETING: City Hall, 303 East B Street
Called to order by Chairman Gage at 6:30 PM

COMMISSIONERS

Present: Chairman Gage, Dean, DeDiemar, Gregorek, Lampkin, and Ricci

Absent: Vice-Chairman Willoughby

OTHERS PRESENT: Planning Director Zeledon, City Attorney Otto, Senior Planner Batres, Senior Planner Hutter, Associate Planner Aguilo, Assistant Planner Vaughn, Traffic Manager Bautista, and Planning Secretary Berendsen

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Dean.

ANNOUNCEMENTS

Mr. Zeledon stated revised conditions for Items E & F and that Items C & D will be taken together and we received a letter from Supporters Alliance for Environmental Responsibilities (“SAFER”), withdrawing their appeals for this project. He also welcomed Commissioner Ken Dean and gave a little background regarding his experience and history within the city.

Mr. Lampkin arrived at 6:37 PM.

Mr. Gregorek stated this would be his last meeting as a Commissioner and he had served for 25 years.

Mr. Gage thanked Mr. Gregorek

Mr. Ricci stated he had attended the California Preservation Conference online and gave a briefing on sessions he attended regarding restoration of terra cotta buildings, stain glass restoration, and podcasting for Historic Preservation. He also stated concerts in the park is coming back to Town Square, for the summer.

PUBLIC COMMENTS

Ms. Rita Nelson, on the Parks and Receptions Commission, appeared and talked about Ken Dean, who is a friend and co-commissioner and expressed how he has meant so much to her and has a way of making everyone feel important and made everyone’s opinion feel like it mattered. She stated she was on Parks and Receptions Commission for about 27 years and has a property in Eastvale that she will be donating to the Wounded Warriors Project. She stated he has meant so much to us, such a good chairman and made us feel valued and she will miss him not being there, and that he is a man of detail and thinks things through, and he will do his due diligence in his role here. She wished Bob Gregorek well and thanked Chairman Gage.

Mr. Marselas McMillan wanted to thank the commission for the hard work that you do and people are taking note of the work that is being done. He stated he wanted to thank the Mayor or anyone who is responsible for D'Andre Lampkin being put in this position as he is the first African American to sit on this committee and this reflects the entire city. He stated he is grateful Mr. Lampkin is sitting on the commission as he is a very capable and well qualified individual and the entire community will stand behind him and with him.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of May 25, 2021, approved as written.

It was moved by Gregorek, seconded by Ricci, to approve the Planning Commission Minutes of May 25, 2021, as written. The motion was carried 6 to 0.

After the vote was completed it was noted that Commissioner Dean was not at the previous meeting and recused himself from the vote. The motion was carried with the remaining votes of 5 to 0.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-016:** A Development Plan to construct a 74-foot collocated monopine wireless communications facility (T-Mobile and Verizon) on 0.176-acre of land located at 617 East Park Street within the IL (Light Industrial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP) provided certain conditions are met; (APN: 1049-233-13) **submitted by Joel Taubman, Crown Castle Towers. This item was continued from the April 27, 2021 Planning Commission hearing.**

Assistant Planner Vaughn, presented the staff report. She described the location and surrounding area and the history of the location. She described the revised site plan and the conditions surrounding the project, access and drive isle location, fencing relocation, landscaping, and lease area. She described the Tier 3 review required and the design of the monopine, and the FAA additional conditions required. She showed the propagation maps and conceptual site lines from the public right of way. She stated that staff is recommending the Planning Commission approve File No. PDEV20-016, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

No one responded.

PUBLIC TESTIMONY

Ms. Rachel Davidson works with Jacobs presenting on behalf of Crown Castle spoke and stated she was available to answer additional questions.

Mr. Gregorek wanted to know if they can taper the branches longer towards the bottom, so it doesn't look like a bottle brush.

Ms. Davidson stated yes and she can talk to the designer.

Mr. Ricci wanted to know if this would have a co-location use.

Ms. Davidson stated yes there are two proposed and if another carrier wished to be added there is room below, but this is currently just for two but with room for more.

Mr. Gage asked if Ms. Davidson agreed with the Conditions of Approval.

Ms. Davidson stated yes.

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

Mr. Gregorek stated that the applicant can work with the staff to taper the branches.

Mr. Zeledon stated that in the Conditions of Approval, Item B page 29 of 24, covers the item regarding the tapering.

PLANNING COMMISSION ACTION

It was moved by Lampkin, seconded by Gregorek, to adopt a resolution to approve the Development Plan, File No., PDEV20-016, subject to conditions of approval. Roll call vote: AYES, Dean, DeDietmar, Gage, Gregorek, Lampkin, and Ricci; NOES, none; RECUSE, none; ABSENT, Willoughby. The motion was carried 6 to 0.

- C. **ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA20-003:** An Amendment to the California Commerce Center Specific Plan, changing the land use designation on 10.64 acres of land from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation, located at the northeast corner of Haven Avenue and Airport Drive, within the California Commerce Center Specific Plan. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140), certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts. 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: 0211-222-66) **submitted by Vogel Properties, Inc. This item was continued from the May 25, 2021 Planning commission meeting. City Council action is required.**
- D. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-008:** A Development Plan to construct a 200,291-square foot industrial building on 10.64 acres of land located at the northeast corner of Haven Avenue and Airport Drive, within the proposed Light Industrial land use district of the California Commerce Center Specific Plan. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140), certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts. 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: 0211-222-66) **submitted by Vogel Properties, Inc.**

Associate Planner Aguilo, presented the staff report. She described the location and the need for a Specific Plan Amendment and the current and surrounding zoning. She described the history of the property, the site plan, circulation, landscape, and elevations. She stated that staff is recommending the Planning Commission recommend approval for the Addendum and File No. PSPA20-003 and approve File No. PDEV20-008, pursuant to the facts and reasons contained in the staff report and attached

resolution, and subject to the conditions of approval.

Mr. Lampkin wanted to clarify if they are providing more than the 15% minimum landscape requirement.

Ms. Aguilo stated they are providing the required 15 %.

Ms. DeDiemar wanted to clarify that the present use as a parking lot and the capacity and percentage of utilization.

Mr. Zeledon stated they don't have that information but that the Park and Fly, ceased operation about a year ago and the business accommodated over 200 cars.

Ms. DeDiemar wanted to know if there is sufficient parking at the airport.

Mr. Zeledon stated that the Park and Fly business wasn't affiliated with the airport, as it was a private business and the airport has plenty of parking, to accommodate their current needs.

Mr. Lampkin stated that the maps don't accurately reflect what is at the north of the property and how well the hotels are doing.

Mr. Zeledon stated the current site is currently zoned industrial, to the north is the railroad track is the commercial Costco business and retail center and Mercedes Benz and two major hotels, which have access into those properties from the freeway and Haven Ave. He stated this site isn't easy for access, as there is no access from Haven Ave. and there is only right in and right out from Airport Drive which is why during the general plan update it went from commercial to industrial to be consistent.

PUBLIC TESTIMONY

Mr. Will Vogel the president of Vogel Properties appeared and stated the Park and Fly couldn't operate since COVID and the number of flights went down, and they have had other plans come forward, but nothing penciled out and that this is the best use for the land.

Mr. Lampkin wanted to clarify truck access would be from east Airport Drive.

Mr. Vogel stated that is correct.

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

Mr. Ricci stated with the lot being vacated it is consistent with what's in the area and is a good project for this area and he will be approving this project.

Mr. Lampkin stated this is consistent with what is around there and the hotels are successful and he likes the way the area is progressing and there is a good mixed use in the area.

PLANNING COMMISSION ACTION

It was moved by Ricci, seconded by Lampkin, to recommend adoption of resolutions approving the Addendum and the Specific Plan Amendment, File No. PSPA20-003. Roll call vote: AYES, Dean, DeDiemar, Gage, Gregorek, Lampkin, and Ricci; NOES, none; RECUSE, none; ABSENT, Willoughby. The motion was carried 6 to 0.

It was moved by Ricci, seconded by Lampkin, to adopt a resolution to approve the Development Plan, File No., PDEV20-008, subject to conditions of approval. Roll call

vote: AYES, Dean, DeDiemar, Gage, Gregorek, Lampkin, and Ricci; NOES, none; RECUSE, none; ABSENT, Willoughby. The motion was carried 6 to 0.

E. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-031: A Development Plan to construct a five-story, 49-unit apartment building (Magnolia Apartments) on 1.58 acres of land located at 890 South Magnolia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district. Staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project. 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: 1011-371-15 and 1011-371-16) **submitted by Pedro Maltos**

Senior Planner Batres, presented the staff report. He described the location, surrounding area and history of the area. He described the site plan, landscaping, including setbacks provided, the floors with their amenities, access and egress, parking, and private and common open space in the parking lot, floor plans, architectural design and the conceptual elevations. He stated that staff is recommending the Planning Commission approve the Mitigated Negative Declaration and File No. PDEV19-031, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Lampkin wanted to clarify the rendering of the playground and if there are any plans to include safety features.

Mr. Batres stated he had talked with the applicant and added conditions to the project that include speed bumps, to slow traffic and a decorative fence element in the parking lot area and security access structure during the plan check review process and to work with solid waste to relocate trash enclosures to open up the open space area.

Mr. Gage wanted to clarify that this project includes 1 and 2 bedroom apartments and wanted to know how many 1 bedroom apartments there would be.

Mr. Batres stated this is in the staff report, 12 one bedroom and 37 two bedroom apartments.

Mr. Gage wanted to know if there would be any tandem parking.

Mr. Batres stated there is no tandem parking in this project.

Mr. Ricci wanted to clarify the parking spaces are 108 and if they will be assigned to tenants and guests.

Mr. Batres stated there will be 13 guest parking spaces, and during the plan check review process they will designate where these will go and that the parking structure and outdoors spaces will be part of a parking plan for parking space allocation, and each unit gets so many spaces.

PUBLIC TESTIMONY

Mr. Chuck Steichen, the architect for the project, appeared and thanked staff and was available to answer questions.

Mr. Lampkin wanted to know how tall the towers would be and if there would be roof access.

Mr. Steichen stated there would be central penthouse stair access.

Mr. Lampkin wanted to know if there would be any amenities up there with the roof access.

Mr. Steichen stated no, there would be mostly solar and mechanical up there.

Mr. Ricci wanted to clarify the site plan access and egress of the parking structure, with Magnolia ingress only and exit out of the garage in the same area and is there any plans to mitigate any possibly collisions there like an entrance gate for the exit.

Mr. Steichen stated the drive isle is wide enough for two way traffic and there will be a sensor activated gate exiting the parking structure.

Mr. Ricci wanted to clarify they would have to go through the gate for exit only.

Mr. Steichen stated they would follow the traffic pattern.

Mr. Ricci wanted to know in the community area with the tot lot and the speed cars could go through, if they had looked at speed bumps or something to slow traffic.

Mr. Steichen stated they are going to work with staff regarding the speed bumps and a security gate around the common area.

Ms. DeDiemar wanted to know if there would be storage for the residents.

Mr. Steichen stated that there would be storage directly adjacent to each unit and outside the unit to meet the storage requirement.

Ms. DeDiemar wanted to clarify it would be within the building.

Mr. Steichen stated it would be within the building and on the same floor.

Mr. Lampkin wanted to know if there were residents on the property and if they have been notified and the applicant has had a discussion with them of when they would need to vacate the property.

Mr. Steichen stated the applicant owns the property and was leasing it to a landscape company and they are fully aware of this project.

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

Mr. Gregorek stated he likes the architecture, and this is a good project and work with staff to get the trash enclosures moved and to make the playground area safe and wanted to know if there would be a property management company.

Mr. Batres stated that with 40 units or more a property manager must live on site, to manage the property.

Mr. Gage thanked Mr. Batres who worked really hard and appreciates the applicant for working with staff.

Mr. Lampkin stated the Landmark project has already been built, for anyone who wanted to get an idea of what this project will look like, and commended staff for coming back 5 years later and how well it blends in with what already exists, and expressed that we are doing far better than other area cities.

Mr. Dean wanted to know if the trash enclosure is moved it would be nice to see a recycle container included in that.

Mr. Zeledon stated it typically is. He stated that this project is on our housing inventory list and regional needs assessment and getting the density and the units to fit and making the parking work, Mr. Batres did

an amazing job.

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by DeDiemar, to adopt a resolution approving the Mitigated Negative Declaration and the Development Plan, File No. PDEV19-031, subject to the amended Conditions of Approval. Roll call vote: AYES, Dean, DeDiemar, Gage, Gregorek, Lampkin, and Ricci; NOES, none; RECUSE, none; ABSENT, Willoughby. The motion was carried 6 to 0.

- F. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-010:** A Development Plan to construct a 1,400,000 square-foot industrial building on 70.44 acres of land (0.47 FAR) located at the southwest corner of Vineyard and Eucalyptus Avenue, within the Industrial and Business Park land use districts of the Merrill Commerce Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with PGPA18-003 and PSP18-001, for which an Environmental Impact Report (State Clearinghouse No. 2019049079) was certified by the City Council on February 2, 2021. 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 Areas of Ontario International Airport and Chino Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP) and the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics for Chino Airport; (APNs: 1054-171-01, 1054-171-02, 1054-171-03, 1054-171-04, 1054-181-01, 1054-181-02, 1054-191-01, 1054-191-02, 1054-361-01, 1054-361-02, 1054-161-02) **submitted by Prologis.**

Senior Planner Hutter, presented the staff report. She described the location and surrounding area, the Merrill Commerce Center specific plan and the uses. She described the background of the property and the site plan, including the building (5 floors) and office areas, parking, landscaping, access, circulation and truck access and egress on Baker, the architectural design and elevations. She stated that staff is recommending the Planning Commission approve File No. PDEV21-010, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Lampkin wanted to clarify the ongoing work with staff regarding the enhance the building to make it more appealing, if this include more glazing on the north and south ends at the top.

Mr. Zeledon stated that the conditions state we will work with them to make it more appropriate, and that the renderings don't show the texturing, which makes it a lot softer and we will work with them on key areas, with color blocking or different materials. He stated there is a lot of movement in the building with the textures and design, but we will look at the scale and masking and work to add some softness to it, since it is such a big building.

Mr. Lamkin wanted to know if the design of the windows will include a tint.

Mr. Zeledon stated that typically they will be tinted and reveal patterns and the color blocking and give an idea of the texture.

Mr. Lampkin wanted to clarify on Exhibit E of the conceptual landscape plan, the south east corner of property, where the egress for trucks is, there is a small shaded lot, if this means a different type of material is being used.

Ms. Hutter stated this is shaded because it will be concrete material, for truck trailer parking and beneath will be the storm drain retention compartments.

Mr. Lampkin wanted to clarify along Merrill Ave. if there would be a monument signs entering the property for employees and others to know they are entering Ontario from Chino.

Ms. Hutter stated the project is required to submit a master sign programs prior to development finishing, and that will be part of the conversation.

Mr. Dean wanted to clarify that the developer has a similar building in San Diego.

Ms. Hutter stated yes.

Mr. Dean wanted to know if the other building has the kind of green space area that is proposed here for employees.

Mr. Zeledon stated no, this is such a unique area and they are still working with landscaping to make sure that the grading is correct and to make it a more passive area and the safety for the employees to get to the area, and we also have the large setback area from the streets. He stated this area from Eucalyptus will soften the building and provide an amenity that is really unique and he commended the applicant for working with staff on this.

Mr. Dean stated he is excited to see that amenity.

Mr. Gage wanted to clarify there would be parking lot trees, to soften the look of the building and wanted to know if there are any specifics yet.

Ms. Hutter stated yes there will be parking lot trees about every 4 or 5 stalls throughout the parking lot.

Ms. DeDiemar wanted to clarify this is a 24 hour use and that the parking will be lit accordingly.

Ms. Hutter stated yes, the parking lot will have lighting and the Police Department will be part of the review during plan check, to make sure it meets the lighting requirements.

Mr. Lampkin wanted to know if the plan includes a call button in the south lot, to the Police Department, since it is such a big parking lot.

Mr. Zeledon stated it isn't a requirement, however the business would have on site security and referred the question to the applicant. He also stated Police will make sure it meets the requirements, with 1 foot candle to make sure it is well lit.

Mr. Gage wanted to know with the truck traffic coming and going and restrictions going through the residential areas.

Mr. Zeledon stated when the Specific Plan was done an EIR was completed and total build out was looked at as well as truck trips and where those will go, and the infrastructure needed for that. He stated that Archibald was widened to accommodate truck trips and the current truck routes are Merrill Ave., Ontario Ranch Rd., Edison, Euclid and Hamner Ave., and for this project the ingress/egress will be off of Merrill from either Euclid or Archibald and they will either go east and west on Merrill to Archibald or to Euclid to go north and south, as Grove and Vineyard are not truck routes.

Mr. Gage wanted to know if there would be signage to indicate where trucks are allowed.

Mr. Zeledon stated signage will mark where trucks are not allowed and in the southwest area as it develops the pattern will be Merrill, as it will be easier and Eucalyptus is not a truck route and we are not encouraging the use of it.

PUBLIC TESTIMONY

Mr. Tom Donahue with Prologis appeared and thanked the commission for listening to project Abbey, work in the best city Prologis is global and other jurisdictions and the project in Ontario run really smooth thanked specific staff in all the departments and it is a pleasure to work with the team in Ontario. He stated they are still working on the north portion of the project, which has gone very fast and hasn't given time to get construction drawings rolling and they are going to be sensitive to what on the north side of Eucalyptus and because of the buildings height and the building edge sitting back, with the appropriate planting in the green belt, you may not see the building, and that is very intentional. He stated they have gone through to make sure to respect what truck is a sensitive for them and have tried to keep it on east side of the building with a 14 foot screen wall and focus on being good stewards. Merrill Commerce Center has 19 other buildings coming and the market is on fire right now with people are excited to be in Ontario.

Mr. Lampkin stated it is nice to be in a city where you can say a name like Prologis and know that they are stakeholders in the city. He also wanted to know if there are any ideas to place monument signs on the south end, as Ontario is a city to live, work and play in, and the space you are creating is a place for the employees and you're not just thinking of them as coming to work, but also thinking about their mental health and creating a special space here in Ontario.

Mr. Donahue stated the design has been going on for three years and within the specific plan dictates the signage, and at the corner of Carpenter Ave. and Merrill Ave. there will be a large monument sign and special landscape treatment and planting that will make it pop and the signage will welcome them to Ontario and also at the corner of Grove and Merrill Ave.

Mr. Ricci wanted to know the number of employees.

Mr. Donahue stated that non season 500 – 1000 and seasonal about 1700 which is what the parking accommodates.

Mr. Ricci wanted to make sure the parking has a buffer for seasonal employees.

Mr. Gage the truck traffic direction to the trucks

Mr. Donahue stated they are working with Engineering on the signage and working with PD and keeping trucks off Grove Ave. and streets not work with tenant to make sure they know the truck route, and where they are filtering and this project has a huge queuing of three lanes which accommodates about 33 truck trailers queuing on site to get them off street and specifically designed the site for the truck flow and truck routes were taken into consideration with the design, right hand turns into the site.

Mr. Marselas McMillan wanted to know on Merrill as you exit into Eastvale is currently down to one lane and are there any plans to expand the lanes leaving the city, as you go into Eastvale.

Mr. Zeledon stated Merrill doesn't go into Eastvale, but asked if he is referring to Archibald.

Mr. McMillan stated yes it would be Archibald as it goes towards Eastvale from Merrill.

Mr. Zeledon stated that Archibald will be fully improved from Merrill to the city limits and the new development south of Limonite is going to be improved by Eastvale. He stated that eventually it will be three lines each way on Archibald.

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

Mr. Gage stated that the monument sign was addressed very well, and feels it is important for people to know they are in Ontario.

Mr. Lampkin stated he thinks this is definitely important and it's nice to make people feel like they are home, when they get off the freeway and welcome them to the city and taking pride in what we are doing.

PLANNING COMMISSION ACTION

It was moved by Lampkin, seconded by Gregorek, to adopt a resolution to approve the Development Plan, File No., PDEV21-010, subject to the amended Conditions of Approval. Roll call vote: AYES, Dean, DeDiemar, Gage, Gregorek, Lampkin, and Ricci; NOES, none; RECUSE, none; ABSENT, Willoughby. The motion was carried 6 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee didn't meet on the regular date; however, they are having a special meeting on June 24.

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

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

New Business

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Mr. Zeledon stated the Monthly Activity Reports would be included next month's packet and we will be acknowledging Mr. Gregorek's service on the Commission at the next Planning Commission meeting.

ADJOURNMENT

Ricci motioned to adjourn the meeting in honor of Mr. Gregorek's 25 years of service, seconded by Lampkin. The meeting was adjourned at 8:33 PM.

Secretary Pro Tempore

Chairman, Planning Commission

FILE NO.: PCUP21-002 - Appeal

SUBJECT: A Public Hearing to consider an appeal of the Zoning Administrator's decision to approve a Conditional Use Permit to establish and construct a 574-square-foot Accessory Dwelling Unit ("ADU") exceeding 16 feet in height, above an existing covered patio, on 0.245-acre of land located at 1515 South San Antonio Avenue, within the RE-2 (Rural Estate—0 to 2.0 DU/Acre) zoning district; (APN: 1050-031-44) **submitted by Won Jun Choi.**

PROPERTY OWNER: Won Jun Choi

RECOMMENDED ACTION: That the Planning Commission conduct a Public Hearing on the Appeal and, after receiving all public testimony, consider and uphold the Zoning Administrator's approval of File No. PCUP21-002.

PROJECT SETTING: The project site is comprised of 0.245-acre of land located at 1515 South San Antonio Avenue, within the RE-2 (Rural Estate—0 to 2.0 DU/Acre) zoning district, which is fully developed with a single-family dwelling and is depicted in Figure 1: Project Location. The existing surrounding land uses, zoning, general plan, and specific plan land use designations are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(1) Background — On February 2, 2021, the Applicant submitted a Conditional Use Permit ("CUP") application requesting approval to establish and construct a 574-square-foot Accessory Dwelling Unit ("ADU") that exceeds 16 feet in height. The proposed ADU will be ancillary to an existing single-family dwelling constructed in 2004 on a 0.245-acre lot located at 1515 South San Antonio Avenue. The ADU will be

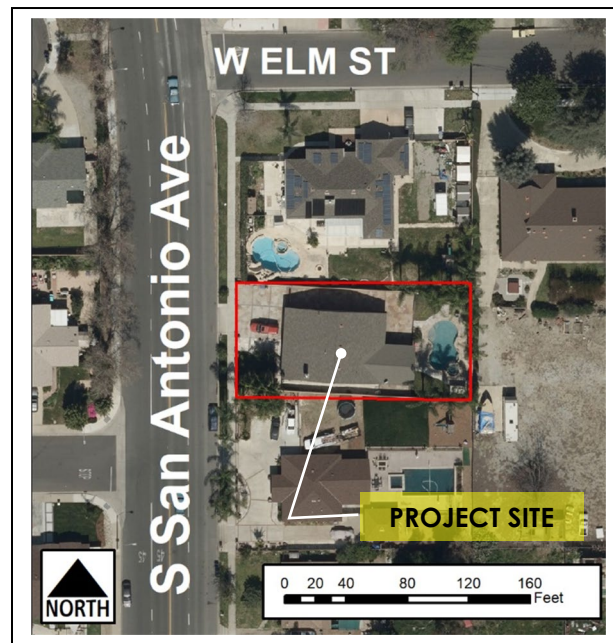



Figure 1: Project Location

Case Planner:	Larissa Lomen/ Lorena Mejia
Planning Director Approval:	
Submittal Date:	2/2/2021

Hearing Body	Date	Decision	Action
ZA	4/15/2021	Approve	Final
PC	7/27/2021		Final
CC			

attached to the rear of the existing dwelling, on the second floor, above an existing covered patio.

On April 9, 2021, the Planning Department sent project notices to all property owners within a minimum of 300 feet of the project site, that provided a detailed description of the project and invited recipients to the April 19, 2021 Zoning Administrator Meeting.

On April 16, 2021, staff received a call from Vincent Roldan voicing his concerns and opposition to the Project. On April 19, 2021, the Planning Department received an email correspondence from Wendy Roldan, also in opposition to the subject application.

On April 19, 2021, the Zoning Administrator conducted the duly noticed public hearing on the application. During the public hearing, Vincent Roldan and Aimee Roldan spoke in opposition to the proposed application and stated that there were existing privacy issues between their property and the project site. Mr. and Ms. Roldan stated that the proposed second-story addition would create shadows over their property and existing pool, would further intrude upon the family's privacy and reduce their ability to enjoy the pool, and block scenic views of the sky. The Zoning Administrator concluded the hearing and explained that he would take comments under consideration during the project deliberation process.

On May 17, 2021, the Zoning Administrator issued Decision No. ZA21-006, approving the proposed Project, subject to the departmental conditions of approval (included as Attachment B of this report).

(2) Appeal — On June 23, 2021, Vincent Roldan ("Appellant"), submitted an appeal of the Zoning Administrator's decision to approve File No. PCUP21-002. A copy of the Appeal application and Appellant statement is included as Attachment A of this report.

Pursuant to Development Code Section 2.04.010.B.2, an appeal of the Zoning Administrator's action is limited to those matters raised during the Public Hearing and contained in the appeal statement. In acting on the Appeal the Approving Authority (in this case, the Planning Commission) cannot consider any matter that was not raised during the public hearing and contained in the appeal statement. Staff has thoroughly reviewed the appeal and has provided the following responses to the appeal statements:

(a) **Appellant Issue No. 1: Privacy and loss of value.** *The addition of a second story unit will overlook the appellant's yard and cause privacy issues as well as a loss to their property value.*

Response: The proposed ADU will be located above the existing patio cover near the southeast corner of the project site, behind the existing single-family residence and was designed to mitigate any privacy concerns. Future residents of the ADU, may have limited eastern views of the northern property's lawn area and driveway while traveling up and down the staircase. Future ADU residents will not have views of the northern property's

single-family residence and pool area (located over 80 feet away from the ADU), since any views will be blocked by the existing residential structure. In addition, there is an existing five-foot-high block, wall located along the property line between the project site and the Appellant's property, that addresses privacy issues and concerns. Furthermore, the ADU will incorporate privacy glass along the east and north elevation windows, to obscure views of adjoining properties, consistent with the Development Code requirements.

The impact of the proposed ADU design and location on property values cannot be addressed. The proposed second story ADU design and location is consistent with State law, the City of Ontario Development Code, and the RE-2 (Rural Estate – 0 to 2.1 du/ac) zoning district, which allows single-story and two-story residences up to 35 feet in height. The proposed ADU will have an overall building height of 24.65 feet, which is 2 feet above the height of the existing residential structure, maintaining a single-story appearance from San Antonio Avenue.

(b) **Appellant Issue No. 2: Design Issues.** *The proposed ADU can be built to replace the existing covered patio. There is no reason to build the ADU above the covered patio.*

Response: The proposed ADU was designed above the existing patio cover to maintain access to rear yard from the existing residence and preserve open space. Presently, there are two bedrooms located along the east building elevation contains two sliding doors providing direct access to the rear yard area. By constructing the second-story ADU over the covered patio, the direct access to the rear yard can be maintained (see Exhibit C: Existing Residence Floor Plan, attached). Additionally, as set forth in the Development Code, ADUs can exceed 16 feet in height with the approval of a CUP. The applicant applied for a CUP and received Zoning Administrator approval subject to conditions, in order to mitigate any potential impacts, including privacy concerns. Furthermore, as stated above, the project site is located within the RE-2 (Rural Estate – 0 to 2.1 du/ac) zoning district, which allows single-story and two-story residences up to 35 feet in height.

(c) **Appellant Issue No. 3: Neighborhood Setting.** *The proposed second-story addition is not consistent with the look of the neighborhood, which is comprised of single-story houses.*

Response: The Project site is located within a neighborhood that consists of predominantly single-story homes with high pitched roofs. The proposed ADU is consistent with the Development Code and the RE-2 (Rural Estate- 0 to 2.1 du/ac) zoning district, which allows single-story and two-story residences up to 35 feet in height. The proposed ADU will be constructed above the existing patio cover and will have an overall height of 24.65 feet, which is 2 feet above the height of the existing residential structure, maintaining a single-story appearance, as viewed from San Antonio Avenue, and will, therefore, be in keeping with the existing neighborhood setting.

(3) Site Design/Building Layout — The proposed ADU will have an overall building height of 24.65 feet, and contain one bedroom, one bathroom, a kitchen, and a living room (see Exhibit C-1: Proposed ADU Floor Plan, attached). The existing patio cover/ADU will be set back 10 feet from the interior south property line, 35 feet from the interior north property line, and 39 feet from the east (rear) property line (see Exhibit B: Site Plan, attached).

(4) Site Access/Circulation — Access to the unit will be taken from a staircase planned on the north side of the proposed ADU (see Exhibit C-1: Proposed ADU Floor Plan, attached).

(5) Parking — The ADU is located within one-half mile walking distance of public transit and does not require an off-street parking space; however, the existing residence provides a two-car garage with a driveway that accommodates up to three vehicles.

(6) Architecture — The proposed ADU will be designed to complement the architectural style of the existing home (see Exhibit D: Elevations, attached) and will match the existing home's exterior colors, stucco finish, roof, window style, and trim. Privacy glass will be installed on the east and north elevations of the proposed ADU to comply with Development Code Section 5.0310, which requires windows and doors of an ADU to not have direct line-of-sight to an adjoining residential property.

(7) Conclusion — Staff recommends that the Planning Commission consider the Appeal application, including all written and oral evidence concerning the Appeal, and uphold the Zoning Administrator's Decision to approve the Conditional Use Permit, File No. PCUP21-002.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals, and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

(2) Vision.

Distinctive Development:

- Commercial and Residential Development

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

(3) Governance.

Decision Making:

▪ Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

➤ G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

(4) Policy Plan (General Plan)

Land Use Element:

▪ Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

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

Housing Element:

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

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

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

Community Economics Element:

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

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

Safety Element:

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

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

Community Design Element:

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

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

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. 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 ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines, which consists of additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; and

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
Site	Single Family Residential	Rural Residential (0 – 2.0 du/ac)	RE-2 (Rural Estate - 0 to 2.0 du/ac)	N/A
North	Single Family Residential	Rural Residential (0 – 2.0 du/ac)	AR-2 (Residential Agricultural - 0 to 2.0 du/ac)	N/A
South	Single Family Residential	Rural Residential (0 – 2.0 du/ac)	RE-2 (Rural Estate - 0 to 2.0 du/ac)	N/A
East	Single Family Residential	Rural Residential (0 – 2.0 du/acre)	AR-2 (Residential Agricultural - 0 to 2.0 du/ac)	N/A
West	Single Family Residential	Low Density Residential (2.1 – 5.0 du/ac)	LDR-5 (Low Density Residential - 2.1 to 5.0 du/ac)	N/A

General Site & Building Statistics:

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
Maximum project density (dwelling units/ac):	2	1	Y
Maximum coverage (in %):	40	32	Y
Minimum lot size (in SF):	10,000	10,683	Y
Minimum lot depth (in FT):	100	152.62	Y
Minimum lot width (in FT):	70	70	Y
Front yard setback (in FT):	30	32.5	Y
Side yard setback (in FT):	10	10	Y
Rear yard setback (in FT):	25	39	Y
Maximum height (in FT):	35	24' - 7 3/4"	Y

Exhibit A: AERIAL PHOTOGRAPH



Exhibit B: SITE PLAN

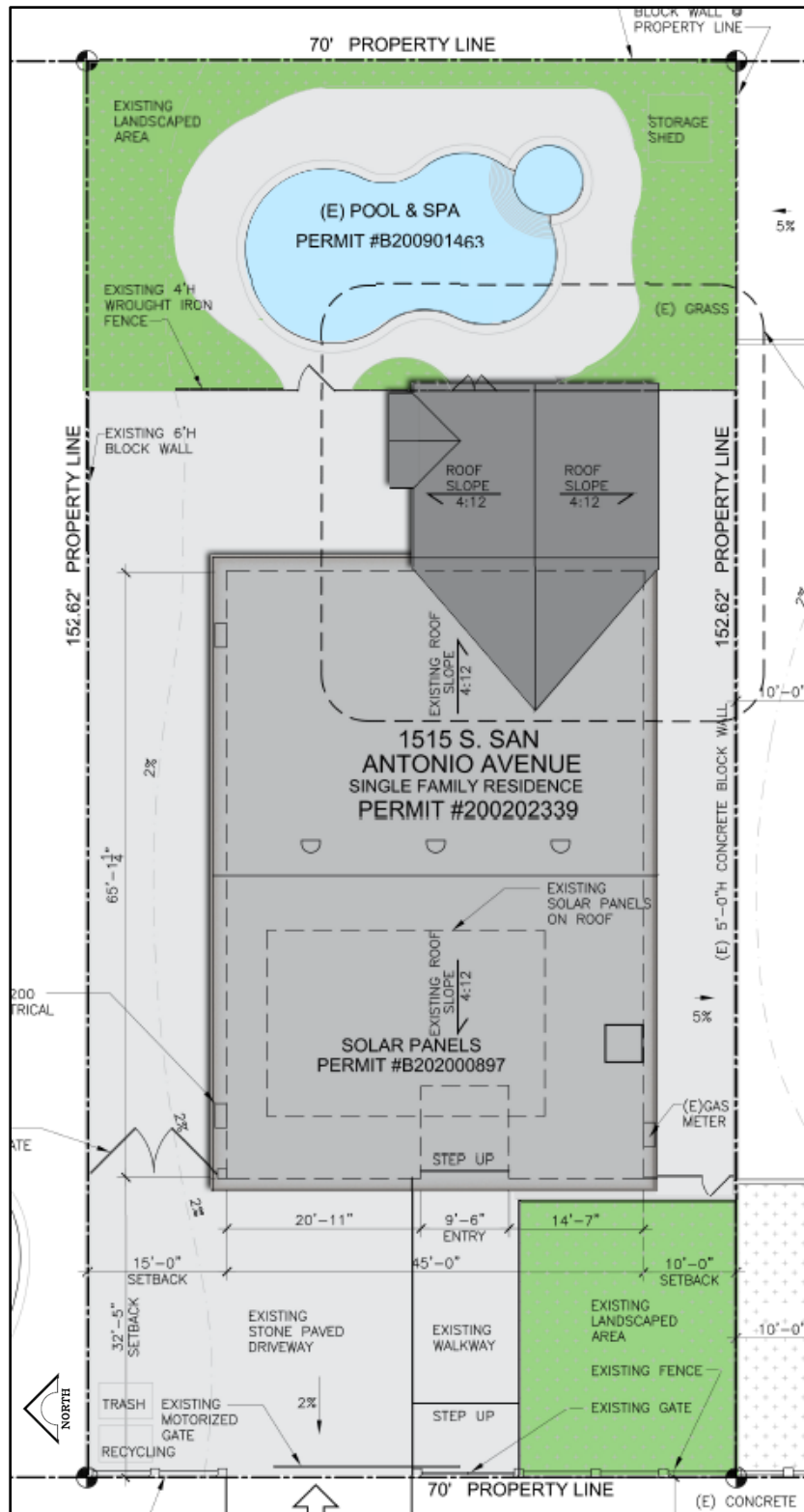


Exhibit C-1: PROPOSED ADU FLOOR PLAN

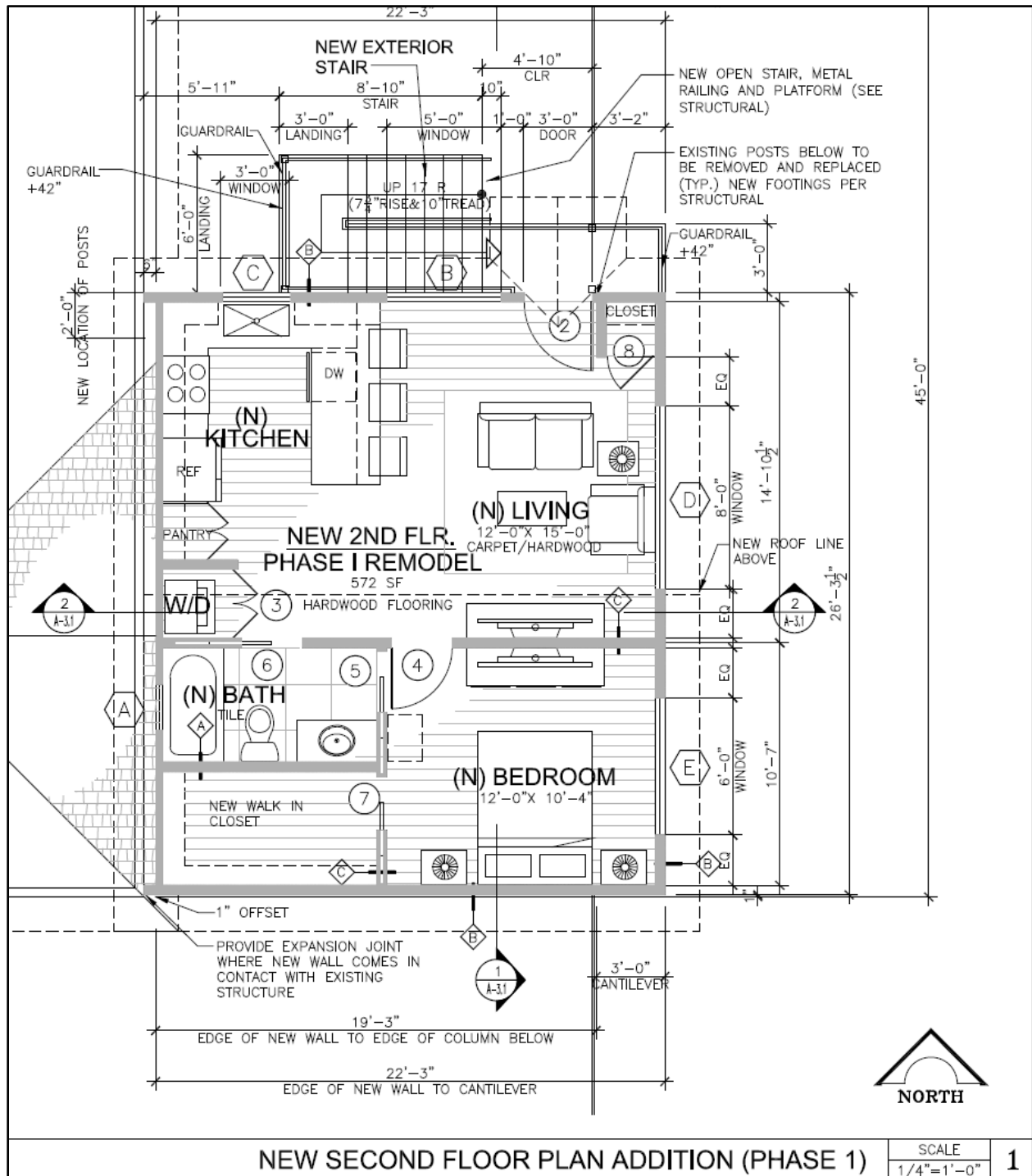
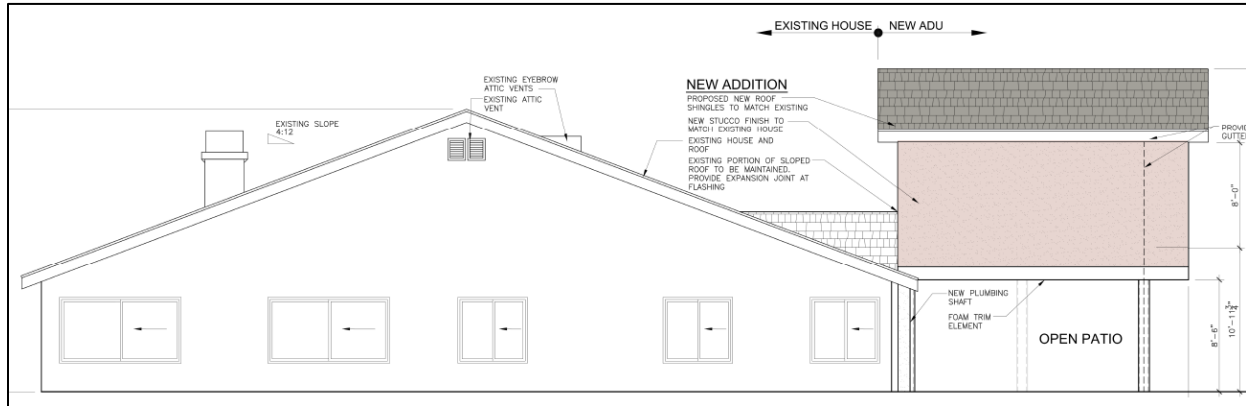
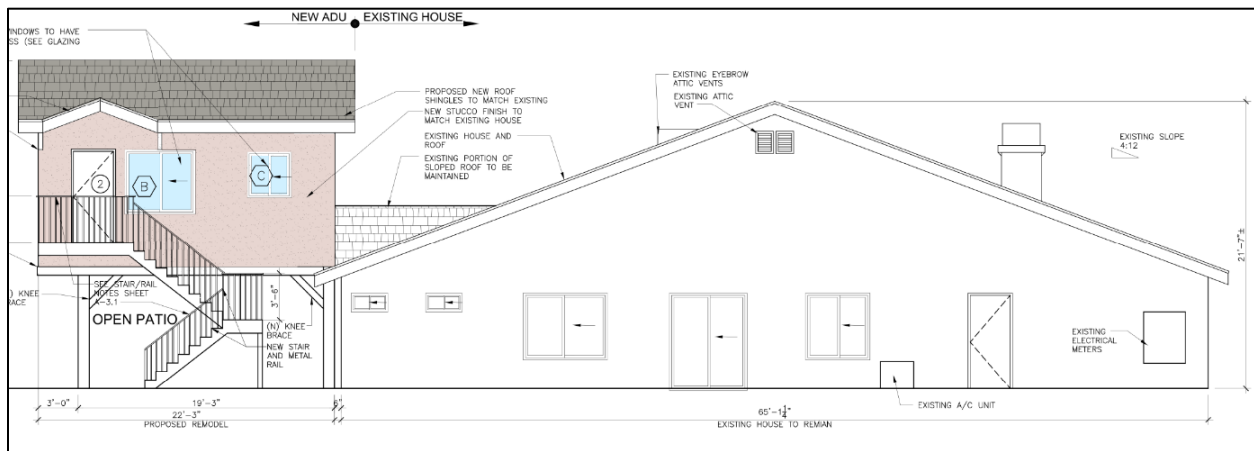


Exhibit D: ELEVATIONS (CONTINUED)



South Elevation



North Elevation

ATTACHMENT A

Rev. 10.01.2020



Appeal Application Form

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

Instructions:

1. Pursuant to Ontario Development Code Division 2.04 (Appeals), any person having legal standing may appeal and action or decision to the Appeal Authority, including but not limited to an applicant, resident, business owner, or any person owning real property within the City, that is aggrieved by an interpretation, action, or decision made by any City agency or department, or by an Approving Authority.
2. Within 10 days following the action or decision being appealed, an appeal request must be filed with the Planning Department on an Appeal Application Form, along with the required filing fees. The appeal request must include a statement identifying the specific action or decision that is being appealed, the specific grounds for the appeal, and the relief requested from the Appeal Authority.
3. An appeal of an action or decision made by an Approving Authority following a hearing, is limited to those matters raised during the hearing and contained in an appeal statement. The Appeal Authority cannot consider any matter that was not raised during the hearing before the Approving Authority and contained in the appeal statement.
4. The Appeal Authority that will hear the appeal request is limited to taking testimony and making its decision based solely on the specific grounds specified by the appellant in the Appeal Application Form, insofar as they make an adequate claim pursuant to Ontario Development Code Section 2.04.010. When the decision of an Approving Authority

GENERAL INFORMATION (PRINT OR TYPE)

Appellant: Vincent Roldan
Address: 555 W Elm St
Ontario, CA 91762
Phone: 909-262-2569
Email: vroidan909@gmail.com

Appellant's Representative: _____
Address: _____
Phone: _____
Email: _____

(For staff use only)

File No(s): PCUP21-002
Date: 6/23/2021
Rec'd by: LL
Fees Paid: 130.00
 Cash Check (# _____)
 Credit Card
Receipt No.: 316505

SUBJECT OF APPEAL

This application is hereby filed pursuant to Ontario Development Code Division 2.04 (Appeals), appealing a decision or action of the following Authority:

- | | | |
|-------------------------------------------------------------|-----------------------------------------------------------|----------------------------------------------------------|
| <input type="checkbox"/> Department/Agency Head | <input type="checkbox"/> Development Advisory Board | <input checked="" type="checkbox"/> Zoning Administrator |
| <input type="checkbox"/> Historic Preservation Subcommittee | <input type="checkbox"/> Historic Preservation Commission | <input type="checkbox"/> Planning Commission |

Appeal Application Form

Project File No(s): PCUP21-002 Date of Action/Decision: 6-14-2021

The application being appealed requests the following (attach additional sheets as necessary): _____

List the specific action(s) or decision(s) that is/are being appealed (attach additional sheets as necessary): _____

The approval of permits to add a second 2nd story dwelling above the current patio

APPEAL STATEMENT

Please check the box that best describes your reason(s) for the appeal:

- Abuse of discretion.
- Decision was not supported by the record.
- Abuse of discretion and decision was not supported by the record.

State the specific grounds for the appeal and the relief requested (please be specific and attach additional sheets if necessary):

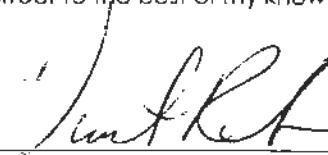
Adding a second story to the house over looking neighbor's yard, causing privacy issues and loss of value.
The addition could be accomplished by simply enclosing the current patio without going up.
There are no 2 story homes in this area and this was one on the main reasons to buy here.
As stated before the purposed 2nd story looks like one of the hotels that are on Holt Blvd and does
not belong in our residential area. As stated the additional square footage can be obtained by
enclosing the current patio, I'm not against the additional dwelling - just not an eye score looking into my bathroom.

Appeal Application Form

APPELLANT ACKNOWLEDGEMENT

I, the undersigned, hereby certify that the statements and information provided in this **Appeal Application Form**, and in any attached exhibits, present the data and information required for this application to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

Date: 6-22-2021

Signature: 

Name (print or type) Vincent Roldan

ATTACHMENT B



ZONING ADMINISTRATOR DECISION: CONDITIONAL USE PERMIT

April 19, 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

DECISION NO.: ZA21-006

FILE NO.: PCUP21-002

DESCRIPTION: A Conditional Use Permit to establish and construct a second floor 574 square foot Accessory Dwelling Unit (ADU) above an existing covered patio exceeding 16 feet in height on 0.245-acre of land located at 1515 South San Antonio Avenue, within the RE-2 (RE-2 Rural Estate – 0 to 2.0 du/ac) zoning district; (APN: 1050-031-44) **submitted by Won Jun Choi.**

PART 1: BACKGROUND & ANALYSIS

WON JUN CHOI, (herein after referred to as "Applicant") has filed an application requesting approval of a Conditional Use Permit, File No. PCUP21-022, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

PROJECT SETTING: The project site is comprised of 0.245-acre of land located at 1515 South San Antonio Avenue, and is depicted in Exhibit A: Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
Site:	Single Family Residential	Rural Residential (0 – 2.0 du/ac)	RE-2 (Rural Estate - 0 to 2.0 du/ac)	N/A
North:	Single Family Residential	Rural Residential (0 – 2.0 du/ac)	AR-2 (Residential Agricultural - 0 to 2.0 du/ac)	N/A
South:	Single Family Residential	Rural Residential (0 – 2.0 du/ac)	RE-2 (Rural Estate - 0 to 2.0 du/ac)	N/A
East:	Single Family Residential	Rural Residential (0 – 2.0 du/acre)	AR-2 (Residential Agricultural - 0 to 2.0 du/ac)	N/A
West:	Single Family Residential	Low Density Residential (2.1 – 5.0 du/ac)	LDR-5 (Low Density Residential - 2.1 to 5.0 du/ac)	N/A

PROJECT ANALYSIS:

(1) Background — The project site was developed in 2004, with a single-story, 2,800 square foot single-family home and a 552 square foot attached garage. The single family home consists of four bedrooms and three bathrooms and a rear attached patio cover located along the east elevation, which was built in 2004. The property also features a 605 square foot pool and spa located in the rear yard, which were built in 2009.

Prepared: LL/4.05.2021

Reviewed: CM/04.13.2021

Decision: RZ/5.17.2021

The Applicant is proposing to construct a second-story 572 square foot Accessory Dwelling Unit ("ADU") located above the existing rear patio cover (see Exhibit B: Site Plan, attached). The Development Code requires Conditional Use Permit ("CUP") for any ADU that exceeds 16 feet in height. On February 2, 2021, the applicant submitted a CUP application in fulfillment of this requirement.

(2) Proposed Use — The proposed ADU will have an overall building height of 24.65 feet, and contain one bedroom, one bathroom, a kitchen, and a living room (see Exhibit C: Floor Plan, attached). The existing patio cover/ADU will be set back 10 feet from the interior south property line, 35 feet from the interior north property line, and 39 feet from the east (rear) property line. Access to the unit will be taken from a staircase located on the north side of the proposed building. The ADU is located within one-half mile walking distance of public transit and does not require an off-street parking space; however, the existing residence provides a two-car garage with a driveway that accommodates up to three vehicles.

The proposed ADU will be designed to complement the architectural style of the existing home (See Exhibit D: Proposed Elevations, attached) and will match the existing home's exterior colors, stucco finish, roof, window style, and trim. Privacy glass will be installed on the east elevation of the proposed ADU to comply with development code section 5.0310, which requires windows and doors of an ADU to not have direct line of sight to an adjoining residential property. Additionally, staff has imposed a condition of approval that requires all new construction shall be built to match the existing home, including but not limited to, colors, exterior materials and finishes, trim, fascia, and roofing material.

(3) Land Use Compatibility — The Conditional Use Permit review is required to ensure that the proposed use will be operated in a manner consistent with all local regulations and to ensure that the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties, or improvements in the vicinity. The existing single-family residential home and proposed ADU are located within an established single-family neighborhood, surrounded by predominantly single-family residential uses. Although the project site is primarily surrounded by single-story residential homes, the proposed second floor ADU is setback 10 feet from the property line to the south and 35 feet from the property line to the north. The overall height of the structure is well below the Development Code allowance of 35 feet for the neighborhood. The proposed use is consistent with the surrounding residential uses; therefore, no significant negative impacts are anticipated.

(4) Recommendations — Staff believes that the recommended conditions of approval will sufficiently mitigate any potential impacts that may be associated with the proposed use. Additionally, the proposed use will not expose the surrounding residences to any impacts beyond those that would normally be associated with any other residential use similarly permitted within the RE-2 zoning district.

AIRPORT LAND USE COMPATIBILITY PLAN: This 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").

DEPARTMENTAL REVIEW: Each City department has been provided the opportunity to review and comment on the subject application and recommend conditions of approval to be imposed upon the application. At the time of the Decision preparation, recommended conditions of approval were provided and are attached to this report.

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

CORRESPONDENCE: The Planning Department received an e-mail correspondence from Wendy Roldan on April 19, 2021, in opposition the subject application. Mrs. Roldan comments and concerns are provided below.

"I am co-owner of the home listed as 555 W. Elm Street, Ontario Ca 91762. I am a California Licensed Realtor, and am unable to attend this meeting because I am presently in classes renewing my license of 12 years. My husband and I have lived in our home since 2003. We happily lived in the Walnut, California however wanted an open environment in which we would have open space to live. We chose THIS SPECIFIC AREA of Ontario because the homes were single story, were well-spaced, had large yards, and zoned agricultural. This was perfect for our family and aspirations as we needed a less crowded environment to live. Approximately one year after we moved here the builder built a large box/triangle style home directly in our line of sight cutting off the wonderful openness we had sought out the area for. Every day since, I have had to eat at my dining room table with nothing but a corner of sky visible, as all I can see is a large triangle with stucco, roof and windows. This sight is not pleasant, and is upsetting. To compound the closed in feeling this home gives, I always feel as if someone is watching me from the windows facing the most used portion of our yard and home. We have a pool and it is unnerving to use it for the very same reasons. There IS NOOOOOO PRIVACY any longer. The aforementioned subject home listed in the subject line of this email has matriculated through owners 4 times now, with the newest owner attempting to further cut off any open feeling my home and yard have. Additionally, any tiny bit of privacy is about to be taken away as depicted in the exhibits. The plans indicate they are going up because the area is clearly too small to do a normal style additional unit. Additionally, I do plan to eventually sell my home. Taking away what little privacy my yard has will significantly further reduce the number of buyers, as buyers who can afford the price range our home falls into will simply go elsewhere and buy a home that has the openness ours once did. In simple terms, this will significantly impact and reduce the value of MY HOME, so the city can increase population density. I find this ABSOLUTELY UNACCEPTABLE!"

PART 2: RECITALS

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

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

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, Ontario Development Code Table 2.01-1 (Review Matrix) establishes that the Zoning Administrator has the responsibility and authority to review and act upon Conditional Use Permits for existing structures; and

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

WHEREAS, 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, 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 April 19, 2021, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(1) Larissa Lomen, Planning Intern, presented the staff report on the proposed use, indicating the staff recommendation of approval. Ms. Lomen also informed the Zoning Administrator that staff received an e-mail in opposition of the Conditional Use Permit from Wendy Roldan a neighboring resident, located north of the project site. Ms. Roldan had concerns with privacy, aesthetic views, decrease in property values, and the overall height of the proposed addition. Following staff's presentation, the Zoning Administrator opened the public hearing.

(2) Tamara Soussan, representing the applicant, described the proposed second story Accessory Dwelling Unit and spoke in favor of the application.

(3) Vincent Roldan, a neighboring resident located north of the project site, spoke against the proposed project, and explained that there were existing privacy issues between his property and project site. Mr. Roldan, stated that the proposed second story addition would create shadows over his property and existing pool, would further intrude upon his family's privacy and reduce his ability to enjoy his pool and block scenic views of the sky.

(4) The Zoning Administrator asked Mr. Roldan to further explain the existing privacy issues and inquired if there was an existing fence or wall between the two properties. Mr. Roldan explained that there was an existing wall between the two properties however, the wall was not tall enough and one could easily look into his backyard. Mr. Zeledon inquired about the wall height and concluded that the wall was approximately 5-feet in height and explained that the wall height could be raised to 6-feet to alleviate existing privacy concerns.

(5) Tamara Soussan, representing the applicant, explained the proposed addition was located and designed to mitigate any privacy concerns. The proposed second floor ADU is setback 35 feet from the property line to the north and the overall height of the structure 24.65 feet, which is 2.5 feet taller than the existing building height and well below the 35-foot maximum allowable height within the residential zone. Ms. Soussan also explained that the privacy glass is also being proposed to mitigate privacy issues and the proposed addition is setback 35 from the northern property line and would not cast shadows onto the northern property or the existing pool.

(5) Aimee Roldan, a neighboring resident located north of the project site, spoke against the proposed project, and had concerns regarding privacy of the proposed addition.

(6) Tamara Soussan, representing the applicant, explained that privacy glass could be added to the north elevation facing windows and was willing to reduce the number of windows to address privacy concerns.

(7) There being no one else to offer testimony regarding the application, the Zoning Administrator closed the public hearing.

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

PART 3: THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND DECIDED by the Zoning Administrator of the City of Ontario as follows:

SECTION 1: Environmental Determination and Findings. As the decision-making body for the Project, the Zoning Administrator has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Zoning Administrator, the Zoning Administrator finds as follows:

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines, which consists of additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; and

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

(3) The determination of CEQA exemption reflects the independent judgment of the Zoning Administrator.

SECTION 2: Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport ("ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the Zoning Administrator 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 Zoning Administrator, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 3: Concluding Facts and Reasons. Based upon [1] the substantial evidence presented to the Zoning Administrator in the Background and Analysis of this Decision, [2] the oral information presented during the herein-referenced public hearing, and [3] the findings set forth in Sections 1 and 2, above, the Zoning Administrator hereby concludes as follows:

(a) *The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.* The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the RE-2 (Rural Estate – 0 to 2.1 du/ac) zoning district, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. The proposed ADU will be constructed above an existing patio cover with an overall height of 24.65 feet, which is 2 feet above the height of the existing structure and below the Development Code allowance of 35 feet in height. Furthermore, the proposed Residential land use will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the RE-2 (Rural Estate – 0 to 2.1 du/ac) zoning district; and

(b) *The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.* The proposed Residential land use will be located within the Rural Residential (0-2.1 du/ac) land use district of the Policy Plan Land Use Map, and the RE-2 (Rural Estate – 0 to 2.1 du/ac) zoning district. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan; and

(c) *The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.* The proposed ADU land use is located with the Rural Residential land use district, and the RE-2 (Rural Estate – 0 to 2.1 du/ac) zoning district, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code; and

(d) *The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.* The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located.

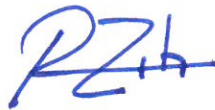
SECTION 4: Zoning Administrator Action. Based on the findings and conclusions set forth in Sections 1 through 3, above, the Zoning Administrator hereby APPROVES the Application subject to each and every condition set forth in the Department reports included as “Attachment A” of this Decision and incorporated herein by this reference. Furthermore, in response to the issues raised during the Public Hearing the Zoning Administrator makes the following findings:

- The proposed second story ADU is consistent with the City of Ontario Development Code and the RE-2 (Rural Estate – 0 to 2.1 du/ac) zoning district which allows single-story and two-story residences up to 35 feet in height. The proposed ADU will be constructed above an existing patio cover with an overall height of 24.65 feet, which is 2 feet above the height of the existing residential structure.
- The proposed ADU will be set back 35 feet from the north property line, and approximately 70 feet from the existing single-family residential structure to the north. The property located north of the project site has an existing pool located on the southwest corner of the parcel. The proposed addition will not cast any shadows onto the property to the north including the existing pool. The proposed ADU is located near southeast corner of the project site, behind the existing single-family residence and over 80 feet away from the pool of the neighboring structure. Furthermore, any views of the neighboring pool from the proposed ADU will be blocked by the existing residential structure. Also, there is an existing five-foot high block wall located along the property line between the project site and property to the north that address privacy issues and concerns.
- The proposed ADU was designed and located near the southeast corner of the property to mitigate any privacy concerns. Furthermore, the ADU will incorporate privacy glass along the east and north elevation windows to obscure views of adjoining properties consistent with the Development Code requirements.

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

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

APPROVED AND ADOPTED this 17th day of May 2021.



Rudy Zeledon
Zoning Administrator

Exhibit A: AERIAL PHOTOGRAPH



Exhibit B: SITE PLAN

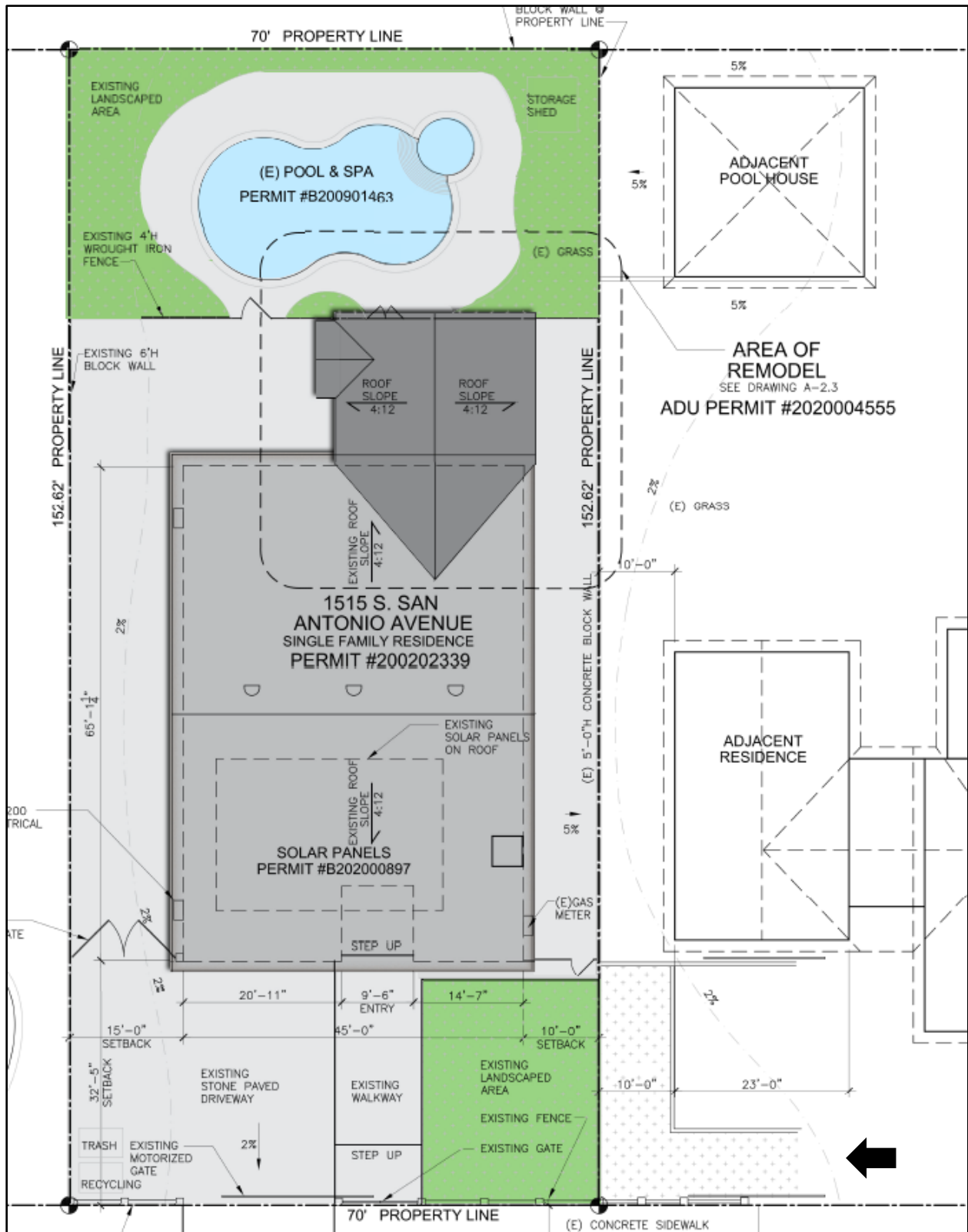


Exhibit D: ELEVATIONS

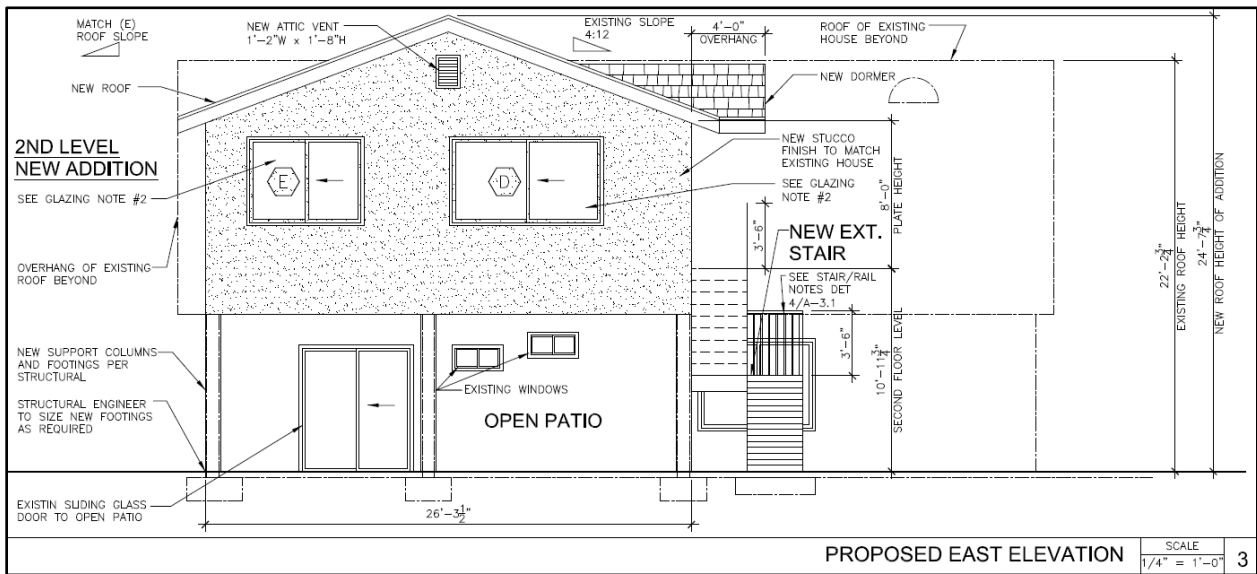
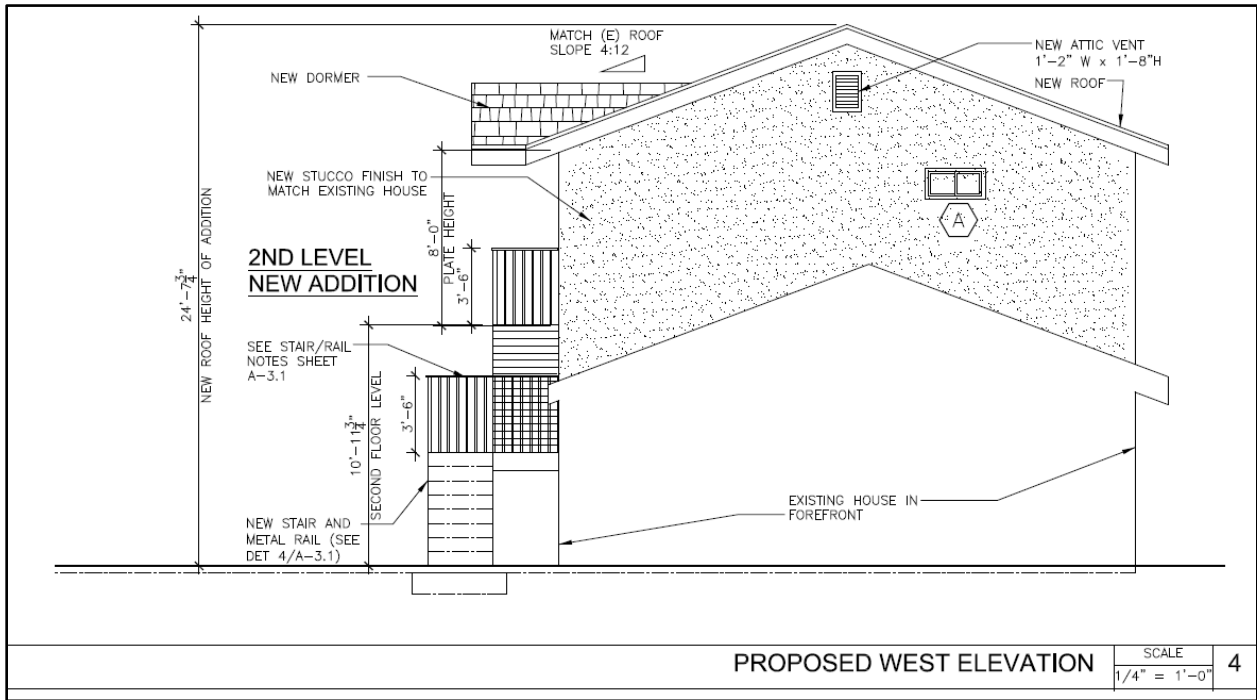


Exhibit D: ELEVATIONS

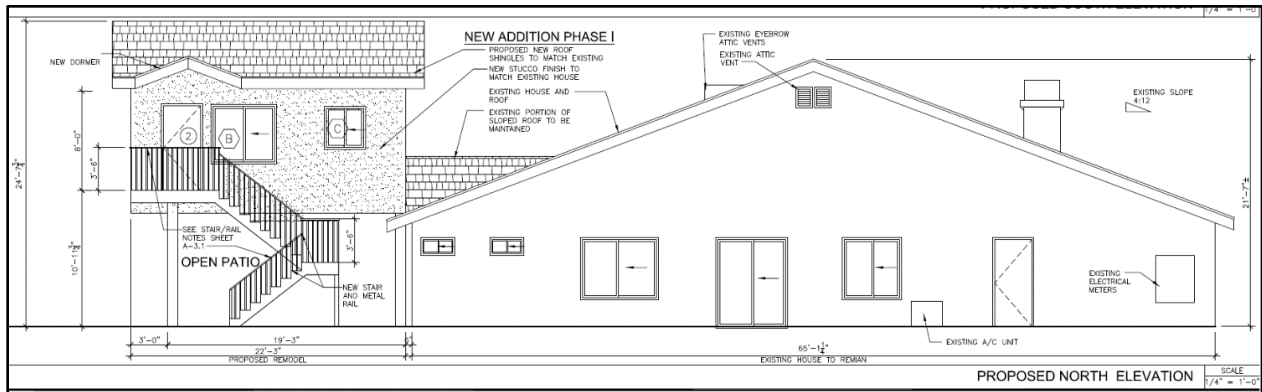
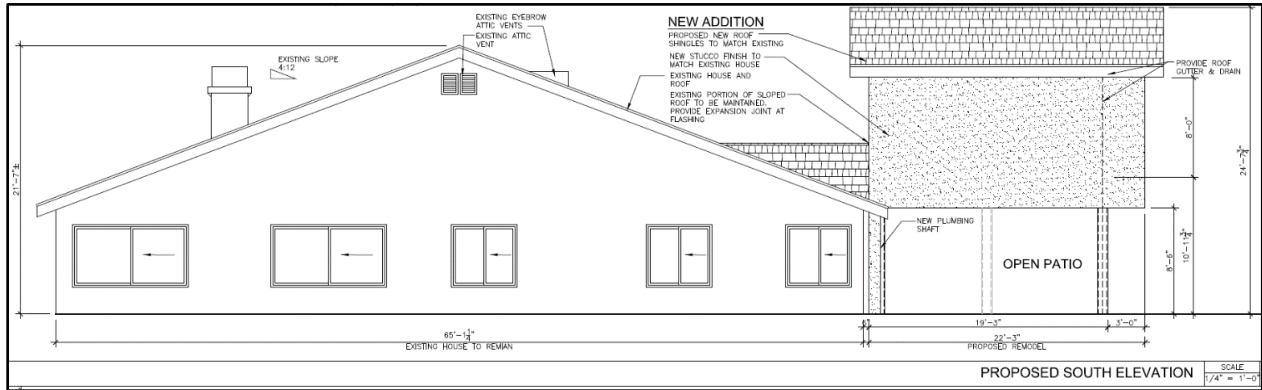


Exhibit E: SITE PHOTOS



Looking South towards open patio



Looking North at patio cover from adjoining property.

Exhibit E: SITE PHOTOS



Looking West at patio cover



Looking East from Patio

Attachment A: Department Reports (Conditions of Approval)

(Department Reports containing 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: April 19, 2021

File No: PCUP21-002

Related Files: B202004555

Project Description: A Conditional Use Permit to establish and construct a second floor 574 square foot Accessory Dwelling Unit (ADU) above an existing covered patio exceeding 16 feet in height on 0.245-acres of land, located at 1515 South San Antonio Avenue, within the RE-2 (RE-2 Rural Estate—0 to 2.0 DU/Acre) zoning district. (APN: 1050-031-44) **submitted by Won Jun Choi.**

Prepared By: Larissa Lomen, Planning Intern
Phone: (909) 395-2443 (direct)
Email: llomen@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 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:

1.1 Time Limits.

(a) Conditional Use Permit approval shall become null and void one year 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, except that a Variance approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

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

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

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

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

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

1.4 Environmental Review.

(a) The Project is categorically exempt from environmental review pursuant to **Section 15301 (Class 1, Existing Facilities)** of the CEQA Guidelines, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible (less than 10,000 square feet) or no expansion.

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

1.6 Additional Fees.

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

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

1.7 Additional Requirements.

(a) Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the office of the San Bernardino County Recorder and a recorded copy filed with the Planning Director of the City of Ontario, pursuant to the requirements of Development Code Section 5.03.010.E.7 (Deed Restriction). The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City. The deed restriction must be filled out and wet signed (notarized) by the property owner(s).

(b) Privacy glass/glazing shall be installed on east facing windows, which have direct line of sight to the adjoining property.



CITY OF ONTARIO

MEMORANDUM

TO: Larissa Lomen, Administrative Intern
Planning Department

FROM: Mike Gerken, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: February 16, 2021

SUBJECT: PCUP21-002 - A Conditional Use Permit to establish and construct a second floor 574 square foot ADU above an existing covered patio exceeding 16 feet in height (a 21'-7" building height is proposed) on 0.245-acre of land located at 1515 South San Antonio Avenue, within the RE2 (RE-2 Rural Estate—0 to 2.0 DU/Acre) zoning district (APN: 1050-031-44).

-
- The plan **does** adequately address Fire Department requirements at this time.
- No comments

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PCUP21-002

Address: 1515 South San Antonio Ave

APN: 1050-031-44

Existing Land Use: Single Family Residential

Proposed Land Use: CUP to establish and construct a second story ADU

Site Acreage: n/a Proposed Structure Height: 22 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Larissa Lomen

Date: 4/5/2021

CD No.: 2021-010

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 checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="checkbox"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>200 FT +</u>	
<input type="radio"/> Zone 5			

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Official
Khoi Do, City Engineer
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Gabriel Gutierrez, Police Department
Mike Gerken, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Robin Lucero, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Larissa Lomen, Administrative Intern

DATE: February 09, 2021

SUBJECT: FILE #: PCUP21-002 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

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

PROJECT DESCRIPTION: A Conditional Use Permit to establish and construct a second floor 574 square foot ADU above an existing covered patio exceeding 16 feet in height (a 21'-7" building height is proposed) on 0.245-acre of land located at 1515 South San Antonio Avenue, within the RE2 (RE-2 Rural Estate—0 to 2.0 DU/Acre) zoning district (APN: 1050-031-44).

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

Landscape Planning Division *Phil Moore* Associate Landscape Planner 2/23/21
Department Signature Title Date



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Official
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Jamie Richardson, Landscape Planning Division
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Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Robin Lucero, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

David

FROM: Larissa Lomen, Administrative Intern

DATE: February 09, 2021

SUBJECT: FILE #: PCUP21-002 Finance Acct#:

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

ENGINEERING-
LAND

Department


Signature

ENGINEERING ASSISTANT

Title

3.2.2021

Date

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, UPHOLDING THE ZONING ADMINISTRATOR'S DECISION TO APPROVE FILE NO. PCUP21-002, A CONDITIONAL USE PERMIT TO ESTABLISH AND CONSTRUCT A 574-SQUARE-FOOT ACCESSORY DWELLING UNIT ("ADU") EXCEEDING 16 FEET IN HEIGHT, ABOVE AN EXISTING COVERED PATIO ON 0.245-ACRE OF LAND LOCATED AT 1515 SOUTH SAN ANTONIO AVENUE, WITHIN THE RE-2 (RURAL ESTATE—0 TO 2.0 DU/ACRE) ZONING DISTRICT; AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1050-031-44.

WHEREAS, Won Jun Choi ("Applicant") has filed an Application for the approval of a Conditional Use Permit, File No. PCUP21-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.245-acre of land generally located at 1515 South San Antonio Avenue, within the RE-2 (Rural Estate—0 to 2.0 DU/Acre) zoning district, which is presently improved with a single-family dwelling; and

WHEREAS, the properties to the north, south and west of the Project site are within the AR-2 (Residential Agricultural - 0 to 2.0 du/ac) zoning district and are developed with a single-family dwellings; and

WHEREAS, on February 2, 2021, the Applicant submitted a Conditional Use Permit application requesting approval to establish and construct a 574-square-foot ADU exceeding 16 feet in height, above an existing covered patio. The ADU will have an overall building height of 24.65 feet, and contain one bedroom, one bathroom, a kitchen, and a living room; and

WHEREAS, the existing patio cover/ADU will be set back 10 feet from the (interior) south property line, 35 feet from the (interior) north property line, and 39 feet from the (rear) east property line; and

WHEREAS, access to the unit will be taken from a staircase located on the north side of the proposed building; and

WHEREAS, the ADU is located within one-half mile walking distance of public transit and does not require an off-street parking space; however, the existing residence provides a two-car garage accessed by a driveway that accommodates up to three vehicles; and

WHEREAS, the proposed ADU will be designed to complement the architectural style of the existing home and will match the existing home's exterior colors, stucco finish, roof, window style, and trim; and

WHEREAS, privacy glass will be installed on the east and north elevations of the proposed ADU to comply with Development Code Section 5.0310, which requires windows and doors of an ADU to not have direct line of sight to an adjoining residential property; and

WHEREAS, the Planning Department sent project notices to all property owners within a minimum of 300 feet of the Project site, which provided a detailed description of the project and invited recipients to the April 19, 2021 Zoning Administrator meeting; and

WHEREAS, on April 16, 2021, staff received a call from Vincent Roldan voicing his concerns and opposition to the Project. On April 19, 2021, the Planning Department received an e-mail correspondence from Wendy Roldan, also in opposition to the subject application; and

WHEREAS, on April 19, 2021, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application. During the public hearing, Vincent Roldan and Aimee Roldan spoke in opposition of the proposed application and stated that there were existing privacy issues between their property and the Project site. Mr. and Ms. Roldan stated that the proposed second story addition would create shadows over their property and existing pool, would further intrude upon the family's privacy, reduce their ability to enjoy the pool, and block scenic views of the sky. The Zoning Administrator concluded the hearing and explained that he would take comments under consideration during the project deliberation process; and

WHEREAS, on May 17, 2021, the Zoning Administrator issued Decision No. ZA21-006, approving File No. PCUP21-002; and

WHEREAS, on June 23, 2021, Vincent Roldan ("Appellant"), submitted an Appeal of the Zoning Administrator's decision to approve File No. PCUP21-002; and

WHEREAS, Pursuant to Development Code Section 2.04.010.B.2, an appeal of the Zoning Administrator's action is limited to those matters raised during the Public Hearing and contained in the appeal statement. In acting on the Appeal application, the Planning Commission cannot consider any matter that was not raised during the public hearing and contained in the appeal statement. Concerns raised by the Appellant and responses to those concerns are as follows:

(a) **Appellant Issue No. 1: Privacy and loss of value.** The addition of a second story unit will overlook the appellant's yard and cause privacy issues as well as a loss to their property value.

Staff Response: The proposed ADU will be located above the existing patio cover near the southeast corner of the project site, behind the existing single-family residence and was designed to mitigate any privacy concerns. Future residents of the ADU, may have limited eastern views of the northern property's lawn area and driveway while traveling up and down the staircase. Future ADU residents will not have views of the northern property's single-family residence and pool area (located over 80 feet away from the ADU), since any views will be blocked by the existing residential structure. In addition, there is an existing five-foot-high block wall located along the property line, between the project site and the Appellant's property, that addresses privacy issues and concerns. Furthermore, the ADU will incorporate privacy glass along the east and north elevation windows, to obscure views of adjoining properties, consistent with the Development Code requirements.

The impact of the proposed ADU design and location on property values cannot be addressed. The proposed second story ADU design and location is consistent with State law, the City of Ontario Development Code, and the RE-2 (Rural Estate – 0 to 2.1 du/ac) zoning district, which allows single-story and two-story residences up to 35 feet in height. The proposed ADU will have an overall building height of 24.65 feet, which is 2 feet above the height of the existing residential structure, maintaining a single-story appearance from San Antonio Avenue.

(b) **Appellant Issue No. 2: Design Issues.** The proposed ADU can be built to replace the existing covered patio. There is no reason to build the ADU above the covered patio.

Staff Response: The proposed ADU was designed above the existing patio cover to maintain access to the rear yard from the existing residence and preserve open space. Presently, there are two bedrooms located along the east building elevation contains two sliding doors providing direct access to the rear yard area. By constructing the second-story ADU over the covered patio, the direct access to the rear yard can be maintained (see Exhibit C: Existing Residence Floor Plan, attached). Additionally, as set forth in the Development Code, ADUs can exceed 16 feet in height with the approval of a CUP. The applicant applied for a CUP and received Zoning Administrator approval subject to conditions, in order to mitigate any potential impacts, including privacy concerns. Furthermore, as stated above, the project site is located within the RE-2 (Rural Estate – 0 to 2.1 du/ac) zoning district, which allows single-story and two-story residences up to 35 feet in height.

(c) **Appellant Issue No. 3: Neighborhood Setting.** The proposed second-story addition is not consistent with the look of the neighborhood, which is comprised of single-story houses.

Staff Response: The Project site is located within a neighborhood that consists of predominantly single-story homes with high pitched roofs. The proposed ADU is

consistent with the Development Code and the RE-2 (Rural Estate- 0 to 2.1 du/ac) zoning district, which allows single-story and two-story residences up to 35 feet in height. The proposed ADU will be constructed above the existing patio cover and will have an overall height of 24.65 feet, which is 2 feet above the height of the existing residential structure, maintaining a single-story appearance, as viewed from San Antonio Avenue, and will, therefore, be in keeping with the existing neighborhood setting.

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "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 July 27, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Appeal, and concluded said hearing on that date; and

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

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

SECTION 1: *Environmental Determination and Findings.* As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines, which consists of additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less; and

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

(4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 3: *Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of

Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.*** The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the RE-2 (Rural Estate – 0 to 2.1 du/ac) zoning district, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. The proposed ADU will be constructed above an existing patio cover with an overall height of 24.65 feet, well below the Development Code allowance of 35 feet in height. Furthermore, the proposed Residential land use will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the RE-2 (Rural Estate – 0 to 2.1 du/ac) zoning district; and

(2) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Residential land use will be located within the Rural Residential (0-2.1 du/ac) land use district of the Policy Plan Land Use Map, and the RE-2 (Rural Estate – 0 to 2.1 du/ac) zoning district. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan; and

(3) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.*** The proposed ADU land use is located with the Rural Residential land use district, and the RE-2 (Rural Estate – 0 to 2.1 du/ac) zoning district, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code; and

(4) ***The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located.

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

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 27th day of July, 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 27, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PCUP21-002
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: April 19, 2021

File No: PCUP21-002

Related Files: B202004555

Project Description: A Conditional Use Permit to establish and construct a second floor 574 square foot Accessory Dwelling Unit (ADU) above an existing covered patio exceeding 16 feet in height on 0.245-acres of land, located at 1515 South San Antonio Avenue, within the RE-2 (RE-2 Rural Estate—0 to 2.0 DU/Acre) zoning district. (APN: 1050-031-44) **submitted by Won Jun Choi.**

Prepared By: Larissa Lomen, Planning Intern
Phone: (909) 395-2443 (direct)
Email: llomen@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 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:

1.1 Time Limits.

(a) Conditional Use Permit approval shall become null and void one year 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, except that a Variance approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

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

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

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

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

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

1.4 Environmental Review.

(a) The Project is categorically exempt from environmental review pursuant to **Section 15301 (Class 1, Existing Facilities)** of the CEQA Guidelines, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible (less than 10,000 square feet) or no expansion.

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

1.6 Additional Fees.

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

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

1.7 Additional Requirements.

(a) Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the office of the San Bernardino County Recorder and a recorded copy filed with the Planning Director of the City of Ontario, pursuant to the requirements of Development Code Section 5.03.010.E.7 (Deed Restriction). The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City. The deed restriction must be filled out and wet signed (notarized) by the property owner(s).

(b) Privacy glass/glazing shall be installed on east facing windows, which have direct line of sight to the adjoining property.



CITY OF ONTARIO

MEMORANDUM

TO: Larissa Lomen, Administrative Intern
Planning Department

FROM: Mike Gerken, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: February 16, 2021

SUBJECT: PCUP21-002 - A Conditional Use Permit to establish and construct a second floor 574 square foot ADU above an existing covered patio exceeding 16 feet in height (a 21'-7" building height is proposed) on 0.245-acre of land located at 1515 South San Antonio Avenue, within the RE2 (RE-2 Rural Estate—0 to 2.0 DU/Acre) zoning district (APN: 1050-031-44).

-
- The plan **does** adequately address Fire Department requirements at this time.
- No comments

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PCUP21-002

Address: 1515 South San Antonio Ave

APN: 1050-031-44

Existing Land Use: Single Family Residential

Proposed Land Use: CUP to establish and construct a second story ADU

Site Acreage: n/a Proposed Structure Height: 22 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Larissa Lomen

Date: 4/5/2021

CD No.: 2021-010

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 checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="checkbox"/> Real Estate Transaction Disclosure
<input type="checkbox"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>200 FT +</u>	
<input type="radio"/> Zone 5			

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Official
Khoi Do, City Engineer
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Gabriel Gutierrez, Police Department
Mike Gerken, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Robin Lucero, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Larissa Lomen, Administrative Intern

DATE: February 09, 2021

SUBJECT: FILE #: PCUP21-002 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

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

PROJECT DESCRIPTION: A Conditional Use Permit to establish and construct a second floor 574 square foot ADU above an existing covered patio exceeding 16 feet in height (a 21'-7" building height is proposed) on 0.245-acre of land located at 1515 South San Antonio Avenue, within the RE2 (RE-2 Rural Estate—0 to 2.0 DU/Acre) zoning district (APN: 1050-031-44).

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

Landscape Planning Division
Department

Phil Moore
Signature

Associate Landscape Planner 2/23/21
Title Date



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Official
Khoi Do, City Engineer
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Gabriel Gutierrez, Police Department
Mike Gerken, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Robin Lucero, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

David

FROM: Larissa Lomen, Administrative Intern

DATE: February 09, 2021

SUBJECT: FILE #: PCUP21-002 Finance Acct#:

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 - Standard Conditions of Approval apply
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**ENGINEERING-
LAND**

Department

David

Signature

ENGINEERING ASSISTANT

Title

3.2.2021

Date

PROJECT ANALYSIS:

(1) Background—On April 16, 2020, the Applicant submitted a Development Plan (File No. PDEV20-010) to construct a 3,306-square-foot convenience store (Extra Mile), a 953-square-foot carwash, and fueling station (Chevron), in conjunction with a Conditional Use Permit (File No. PCUP20-008) to establish alcoholic beverage sales, including beer, wine and distilled spirits for consumption off the premises (Type 21 (Off-Sale General) ABC License) on 0.97-acre of land located at the southeast corner of Holt Boulevard and Grove Avenue.

On July 19, 2021, the Development Advisory Board reviewed the subject applications and recommended that the Planning Commission approve the proposed project, subject to the departmental conditions of approval included with this report.

(2) Site Design/Building Layout—The Project has been designed to accommodate the future San Bernardino County Transportation Agency West Valley Connector project, a regional Bus Rapid Transit ("BRT") system, consisting of 33.5 miles of dedicated bus travel lanes, zero-emission busses and stations that will connect the Cities from Pomona to Fontana. The West Valley Connector will travel through the City of Ontario, along Holt Boulevard, and require the construction of stations, dedicated bus lanes, street widening and intersection improvements, which includes the Holt Boulevard/Grove Avenue intersection adjacent to the Project site. The Holt Boulevard/Grove Avenue intersection improvements include street widening and a designated north-bound right turn-lane pocket from Grove Avenue onto Holt Boulevard. The West Valley Connector construction improvements within the City of Ontario are expected to commence within the next 3 to 7 years.

The proposed convenience store is centrally located on the Project site, with the store's front entrance facing north, towards Holt Boulevard (see Exhibit B—Site Plan, attached). The building is setback approximately 133 feet from the north (Holt Boulevard) property line, approximately 35 feet from the east (interior) property line, 10 feet from the west (Grove Avenue) property line, and approximately 145 feet from the south (rear) property line. Parking for employees and customers has been provided immediately north and east of the building. The proposed convenience store floor plan includes a food/retail sales area, cashier area, refrigerators, walk-in coolers, freezer, kitchen, two restrooms, and dry storage located above the cashier area (see Exhibit C—Floor Plan, attached).

The self-serve carwash is located south of the convenience store, with the entrance facing south and the exit tunnel facing north. The carwash will be located approximately 65 feet south of the convenience store, approximately 50 feet from the east (interior) property line, 10 feet from the west (Grove Avenue) property line, and approximately 40 feet from the south (rear) property line. An additional six parking spaces are provided east of the carwash building, which includes three vacuum stations and a covered canopy for carwash patrons.

A fuel canopy is located within the northerly portion of the site, covering six fuel dispensing islands and a total of twelve fuel dispensers. The overall canopy height is 23 feet, with a 15.5-foot interior clear height. A two-way drive aisle surrounding the fuel canopy has been designed to accommodate standard vehicles, trash trucks, and tractor/trailers delivering fuel. The fuel canopy will be located approximately 50 feet north of the convenience store, approximately 30 feet from the east (interior) property line, approximately 36 feet from the west (Grove Avenue) property line, and approximately 40 feet from the north (Holt Boulevard) property line. The project also includes a 6-foot-high decorative block wall along the east and south property lines, designed to complement the architectural style of the proposed building.

(3) Site Access/Circulation —The Project site will have access from Grove Avenue via a 26-foot-wide driveway centrally located along the east side of the Project site, and from Holt Boulevard via a 40-foot-wide driveway located at the northeast corner of the lot. Both driveways will be restricted to right-in and right-out access only. A 24-foot-wide drive aisle is proposed along the easterly property line to provide internal access to the fuel pumps, convenience store, carwash, and both driveways.

(4) Parking —The Project has provided the required number of off-street parking spaces pursuant to the “Self-Serve and Full Service Fueling” and “General Convenience Retail Store” parking standards specified in the Development Code. The Project requires a total of 18 off-street parking spaces and 27 spaces have been provided, exceeding the minimum requirements. The off-street parking calculations for the proposed uses are summarized in the table below.

Table A: Parking Summary				
Type of Use	Building Area (SF)	Parking Ratio	Spaces Required	Spaces Provided
Self-Serve and Full Service Fueling		3 spaces minimum; plus, parking requirements for combination uses (e.g., convenience store, food services, motor vehicle repair, etc.). Fueling stations operating in conjunction with other uses may be granted shared parking credit at the rate of one space for each fuel dispenser. <i>*Credit: 12 spaces (one per fuel dispenser)</i>	3	*12
Ancillary Carwash	953	1 per 500 SF (APA PAS Report 510/511 Parking Standards)	2	2
General Convenience Retail Store	3,306 SF	4 spaces per 1,000 SF (0.004/SF) of GFA	13	13
TOTAL	4,259 SF		18	27

(5) Architecture —The architectural style of the proposed convenience store consists of a modern Mediterranean design and incorporates a stone veneer (El Dorado Stone – Madrona cut coarse stone) that surrounds the base of both buildings, hipped/mansard roofs, a covered entryway for the convenience store, a combination of plain and arched

parapets with a decorative stucco cap, square towers with decorative wood corbels and recessed windows, and a high-profile concrete “S” tile roof with a brown and tan terracotta finish (see Exhibit D—Building Elevations and Exhibit F—Project Site Perspective). The mixture of building materials proposed includes a beige stucco finish, a light brown/beige stone veneer, blue tinted glazing with brown anodized mullions for the windows and storefronts, and metal trellises with vine pockets to provide additional landscaping to soften the building. The fuel canopy has been designed to complement the convenience store and carwash buildings, incorporating architectural enhancements at the lower one-half of the columns.

The mechanical equipment will be roof-mounted and obscured from public view by parapet walls and, if necessary, equipment screens, which will incorporate design features consistent with the building's architecture. Staff believes that the proposed Project illustrates the type of high-quality architecture promoted by the Development Code. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas;
- Articulation in the building parapet/roofline, which serves to accentuate the building's entries and breaks up large expanses of building wall;
- A mix of exterior materials, finishes and fixtures; and
- Incorporation of base and top treatments defined by changes in color, materials, and recessed wall areas, designed to ensure that the building massing and proportion, along with its colors and architectural detailing, are consistent on all building walls, giving a four-sided (360-degree) appearance.

(6) Landscaping —The Development Code requires that fueling stations provide a minimum 20 percent landscape coverage and 21 percent landscape coverage has been provided. A combination of 60-inch, 48-inch, 36-inch, and 24-inch box, and 15-gallon accent and shade trees (Sweet Acacia, Shamel Ash, Jacaranda, London Plane Tree, Blue Oak, Holly Oak and Water Gum) will be provided on the Project site. The landscape plan also includes a variety of ornamental shrubs, vines, and groundcovers that are low and moderate water usage, to be planted throughout the Project site. Moreover, the proposed on-site and off-site landscape improvements will assist towards creating a walkable safe area for pedestrians to access the Project site. The Project includes an interim and ultimate landscape plan for slope improvements along Grove Avenue. The interim improvements (groundcover and minimal tree/shrub plantings) will be completed by the Project applicant and ultimate right-of-way landscape improvements (street trees, existing tree removal, shrub/groundcover plantings) will be completed by as part of the West Valley Connector project (see Exhibit E—Conceptual Landscape Plan).

(7) Signage —The Project requires the submittal of a sign permit application prior to the installation of signage at the site. The conceptual sign locations and design have been included in the site plan for reference.

(8) 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, biotreatment, and evapotranspiration. The PWQMP proposes an underground infiltration chamber located within the southeast portion of the Project site that connects to a 12-inch storm drain line located along the southern property line and exits onto Grove Avenue for any overflow drainage.

(9) Conditional Use Permit

(a) Proposed Operations — The proposed CUP will allow for the sale of beer, wine, and distilled spirits for off-premises consumption. The store’s main entrance is centered along the north elevation and the alcohol sales display area will be located along the southern and eastern walls of the building (see Exhibit C—Floor Plan). The applicant is proposing to provide four coolers for beer and wine and eight linear feet of shelf space for distilled spirits, equal to 130 square feet of floor area, which occupies approximately four percent of the building’s gross floor area. The proposed convenience store floor plan includes a food/retail sales area, cashier area, refrigerators, walk-in coolers, freezer, kitchen, two restrooms and dry storage located above the cashier area. There will be approximately ten full-time employees, with two to four employees per shift.

The Applicant will adopt extra security measures to ensure customers do not drink on site and will install signs to enforce no consumption of alcoholic beverages on-site. Employees engaged in the sales of alcoholic beverages will be required to complete a training program approved by the California Department of Alcoholic Beverage Control (“ABC”) and the City of Ontario Police Department. Furthermore, the Police Department has conditioned the sale of alcoholic beverages to occur only between the hours 6:00 AM and 2:00 AM, daily, with coolers containing alcohol to be locked after 10:00 PM.

(b) ABC License Concentrations — ABC is the controlling State entity with authority to grant, renew, and revoke all ABC licenses. ABC determines how many on-sale and off-sale alcoholic beverage license types should be issued per Census Tract, based upon their populations. The Project site is located within Census Tract 16, which is over-concentrated with off-sale alcoholic beverage licenses. The department of Alcoholic Beverage Control allows for four off-sale alcohol licenses, and there are currently twelve active off-sale alcohol licenses within Census Tract 16; however, Development Code Section 5.03.025.F.4 provides that the Approving Authority may grant a determination of Public Convenience or Necessity (“PCN”), thereby allowing the issuance of additional ABC licenses within overconcentrated census tracts.

The PCN findings require that proposed retail alcohol licenses not be located within a high crime area, which is defined as an area characterized by a high ratio of Police

Department calls for alcohol-related incidences. The immediate area (one-half mile radius of Project site) shall not exceed 20 percent greater calls for service than when compared to Citywide incidents. The City of Ontario had a total of 339 calls for service related to alcohol-related reports Citywide, including, but not limited to, driving while intoxicated or under the influence, alcohol violations, and drunk in public within the last 12 months. Within a one-half mile radius of the Project site, there were a total of 11 alcohol-related incidences in the past year, which amounts to 3.2 percent of alcohol-related incidences, which does not exceed the maximum 20 percent allowed by the Development Code for alcohol-related incidences near the CUP location. Therefore, the Approving Authority (the Planning Commission in this case) may make a PCN determination and grant the requested CUP.

(c) Land Use Compatibility — A CUP is required for the retail sale of alcoholic beverages whether intended for consumption on or off the premises. A review is required to ensure the compatibility of adjacent uses by identifying potential nuisance activities and establishing measures for mitigation accordingly. The introduction of alcoholic beverage sales within the proposed Extra Mile convenience store, in conjunction with proposed fuel sales, will provide a further convenience to customers and will not intensify the land use. Therefore, staff believes that the recommended Conditions of Approval will sufficiently mitigate any potential impacts that may be associated with the proposed alcoholic beverage sales.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

(2) Vision.

Distinctive Development:

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

(3) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

- G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

(4) Policy Plan (General Plan).

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

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

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

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

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

Community Economics Element:

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

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

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for

Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. 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 ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

ENVIRONMENTAL REVIEW: The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and is categorically exempt from the requirements of the CEQA pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, which consists of projects characterized as infill development, and meets all of the following conditions:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site	Vacant Land	Business Park	BP (Business Park)	N/A
North	Capri Inn Motel	Mixed Use	MU-2 (East Holt Mixed Use)	N/A
South	Southern Pacific Railroad	Rail	RC (Rail Corridor)	N/A
East	Commercial Building & Used Automobile Dealership	Business Park	BP (Business Park)	N/A
West	Vacant Land	Business Park	IP (Industrial Park)	N/A

General Site & Building Statistics

Item	Proposed	Min./Max. Standard	Meets Y/N
Project Area:	0.97 acre	1 acre (Min.)	Y
Floor Area Ratio:	0.10 FAR	0.60 FAR (Max.)	Y
Building Height:	35 FT	45 FT (Max.)	Y

Off-Street Parking:

Type of Use	Building Area	Parking Ratio	Spaces Required	Spaces Provided
Self-Serve and Full Service Fueling		3 spaces minimum; plus, parking requirements for combination uses (e.g., convenience store, food services, motor vehicle repair, etc.). Fueling stations operating in conjunction with other uses may be granted shared parking credit at the rate of one space for each fuel dispenser. <i>*Credit: 12 spaces (one per fuel dispenser)</i>	3	3
Ancillary Carwash	953	1 per 500 SF (APA PAS Report 510/511 Parking Standards)	2	2
General Convenience Retail Store	3,306 SF	4 spaces per 1,000 SF (0.004/SF) of GFA	13	13
TOTAL	4,259 SF		18	27

Exhibit A— PROJECT SITE AERIAL



Exhibit C—FLOOR PLAN

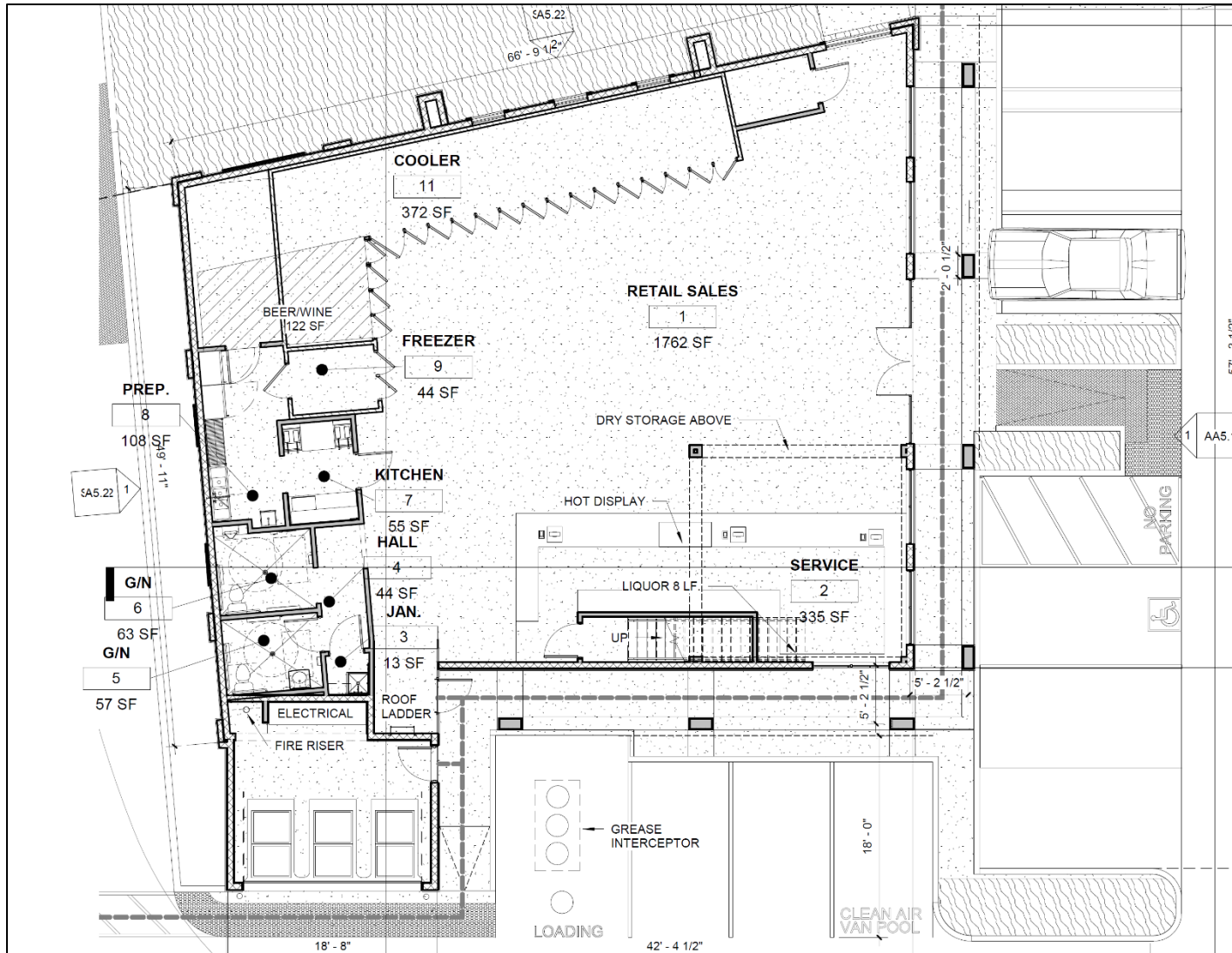


Exhibit D—ELEVATIONS

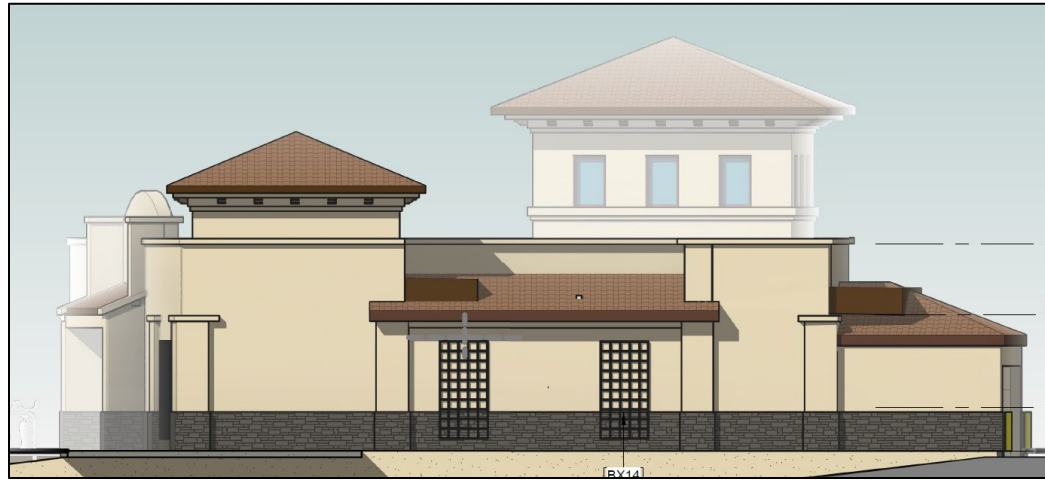


Convenience Store North Elevation (Facing Holt Boulevard)



Convenience Store East Elevation

Exhibit D—ELEVATIONS (CONTINUED)

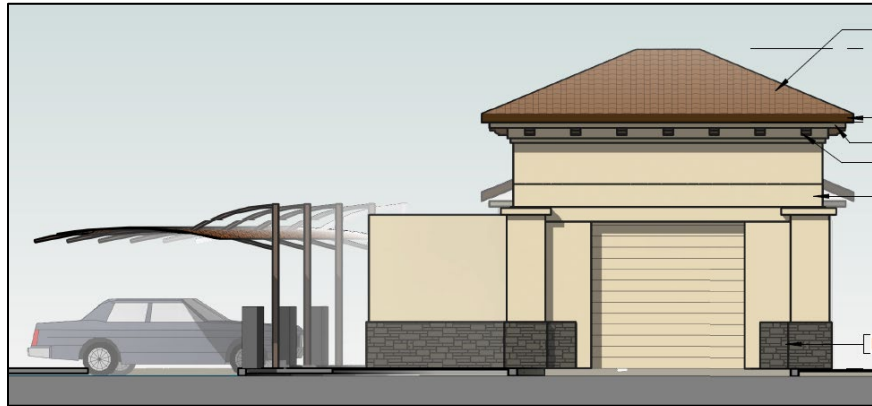


Convenience Store South Elevation

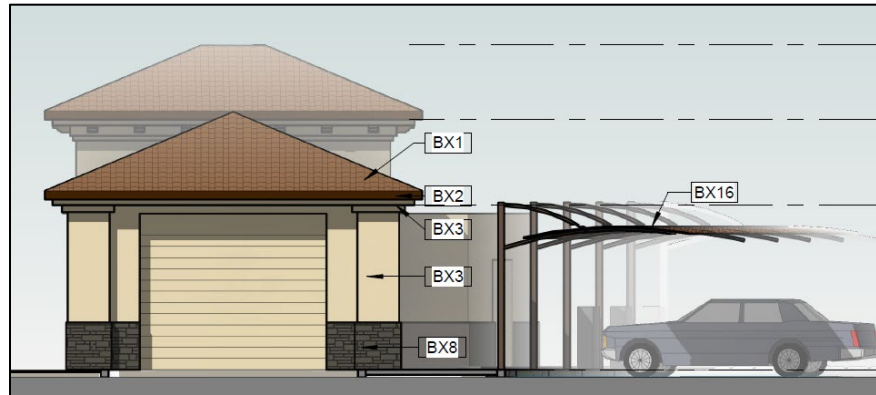


Convenience Store West Elevation (Facing Grove Avenue)

Exhibit D—ELEVATIONS (CONTINUED)



Self- Serve Carwash North Elevation

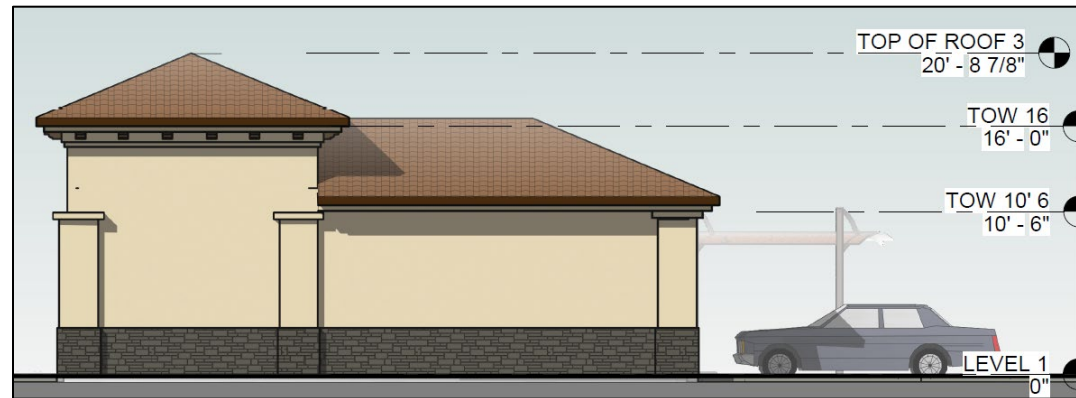


Self- Serve Carwash South Elevation

Exhibit D—ELEVATIONS (CONTINUED)

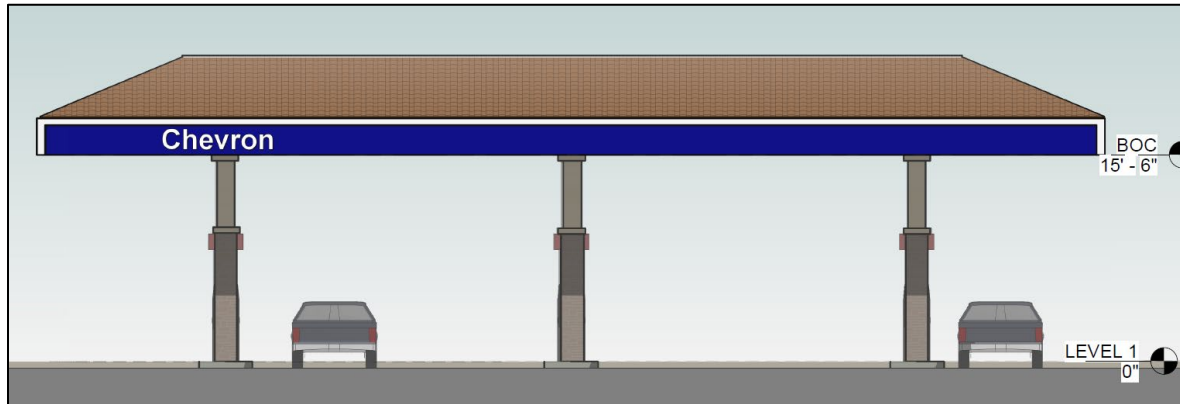


Self- Serve Carwash East Elevation

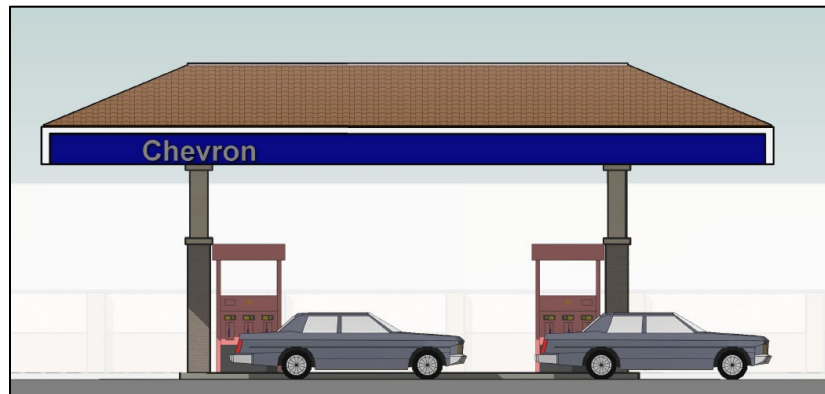


Self- Serve Carwash West Elevation

Exhibit D—ELEVATIONS (CONTINUED)

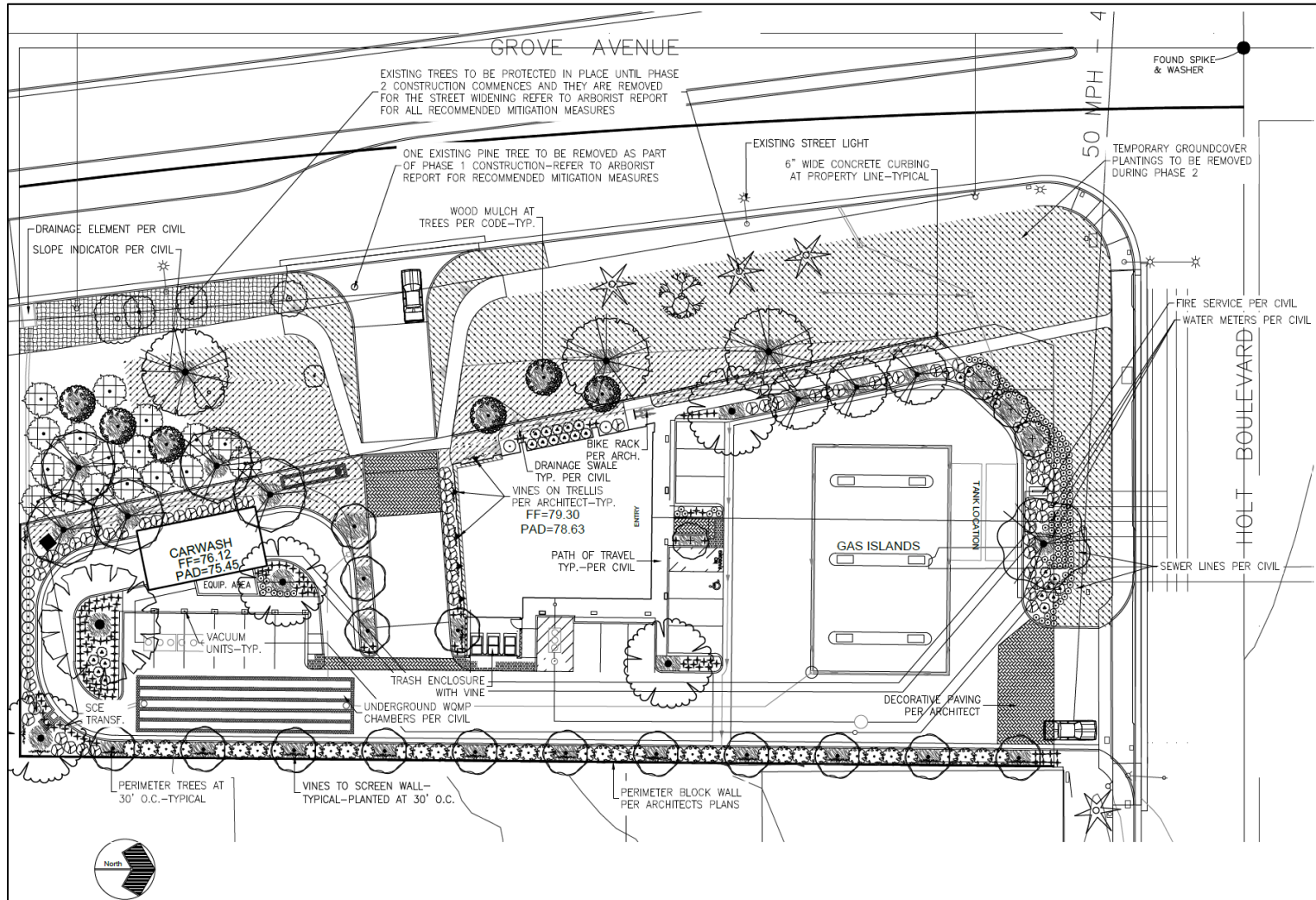


Fuel Canopy North/South Elevations



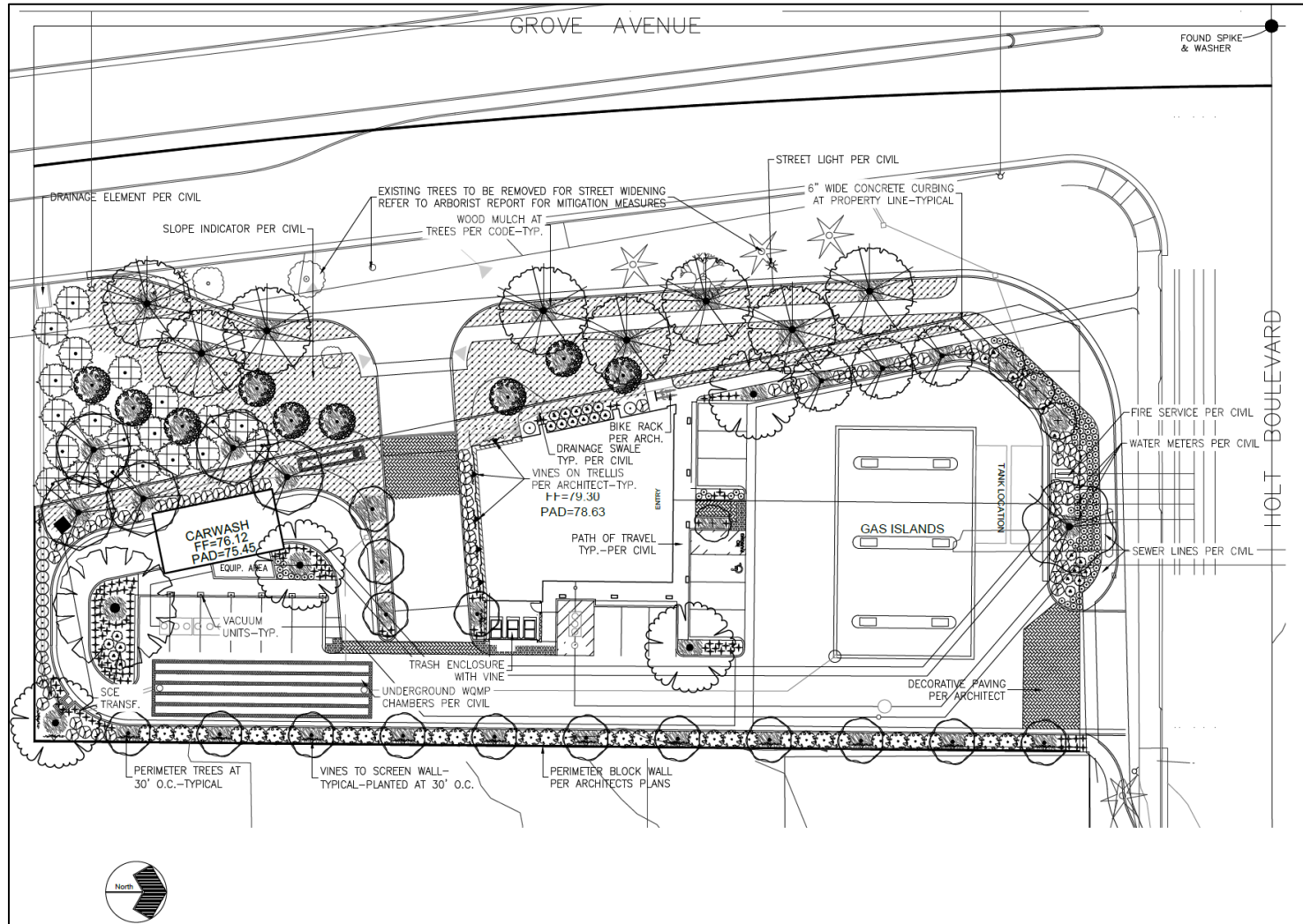
Fuel Canopy East/West Elevations

Exhibit E—CONCEPTUAL LANDSCAPE PLAN



Interim Landscape Plan (without Grove Avenue street widening improvements)

Exhibit E—CONCEPTUAL LANDSCAPE PLAN (CONTINUED)



Ultimate Landscape Plan (with Grove Avenue street widening improvements)

Exhibit F—PROJECT SITE PERSPECTIVE



Southwest Corner of Project Site looking Northeast

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCUP20-008, A CONDITIONAL USE PERMIT TO ESTABLISH ALCOHOLIC BEVERAGE SALES, INCLUDING BEER, WINE AND DISTILLED SPIRITS FOR CONSUMPTION OFF THE PREMISES (TYPE 21 (OFF-SALE GENERAL) ABC LICENSE), ON 0.97-ACRE OF LAND LOCATED AT THE SOUTHEAST CORNER OF HOLT BOULEVARD AND GROVE AVENUE, WITHIN THE BP (BUSINESS PARK) ZONING DISTRICT AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0110-131-01 AND 0110-131-19.

WHEREAS, AMER CHRIS SABBAAH ("Applicant") has filed an Application for the approval of a Conditional Use Permit ("CUP"), File No. PCUP20-008, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to a 0.97-acre of land located at the southeast corner of Holt Boulevard and Grove Avenue, within the BP (Business Park) zoning district; and

WHEREAS, the property to the north of the Project site is within the MU-2 (East Holt Mixed Use) zoning district and is developed with the Capri Inn Motel. The property to the east is within the BP (Business Park) zoning district and is developed with a commercial building and used automobile dealership. The property to the south is within the RC Rail Corridor) zoning district and is developed with a Southern Pacific Railroad rail line. The property to the west is within the IP (Industrial Park) zoning district and is currently undeveloped; and

WHEREAS, on April 16, 2020, the Applicant submitted a Development Plan (File No. PDEV20-010) to construct a 3,306-square-foot convenience store (Extra Mile), a 953-square-foot carwash, and fueling station (Chevron), in conjunction with a Conditional Use Permit (File No. PCUP20-008) to establish alcoholic beverage sales, including beer, wine and distilled spirits for consumption off the premises (Type 21 (Off-Sale General) ABC License) on 0.97-acre of land located at the southeast corner of Holt Boulevard and Grove Avenue; and

WHEREAS, the proposed CUP will allow for the sale of beer, wine, and distilled spirits for off-premises consumption. The store's main entrance is centered along the north elevation and the alcohol sales display area will be located along the southern and eastern walls of the building. The applicant is proposing to provide four coolers for beer and wine and eight linear feet of shelf space for distilled spirits, equal to 130 square feet of floor area, which occupies approximately four percent of the building's gross floor area; and

WHEREAS, the proposed convenience store floor plan includes a food/retail sales area, cashier area, refrigerators, walk-in coolers, freezer, kitchen, two restrooms and dry storage located above the cashier area. There will be approximately ten full-time employees, with two to four employees per shift; and

WHEREAS, employees engaged in the sales of alcoholic beverages will be required to complete a training program approved by the California Department of Alcoholic Beverage Control ("ABC") and the City of Ontario Police Department; and

WHEREAS, the Police Department has conditioned the sale of alcoholic beverages to occur only between the hours 6:00 AM and 2:00 AM, daily, with coolers containing alcohol to be locked after 10:00 PM; and

WHEREAS, the Project site is located within Census Tract 16, which is over-concentrated with off-sale alcoholic beverage licenses. The department of Alcoholic Beverage Control allows for four off-sale alcohol licenses, and there are currently twelve active off-sale alcohol licenses within Census Tract 16; however, Development Code Section 5.03.025.F.4 provides that the Approving Authority may grant a determination of Public Convenience or Necessity ("PCN"), thereby allowing the issuance of additional ABC licenses within overconcentrated census tracts; and

WHEREAS, the PCN findings require that proposed retail alcohol licenses not be located within a high crime area, which is defined as an area characterized by a high ratio of Police Department calls for alcohol-related incidences. The immediate area (one-half mile radius of Project site) shall not exceed 20 percent greater calls for service than when compared to Citywide incidents; and

WHEREAS, the City of Ontario had a total of 339 calls for service related to alcohol-related reports Citywide, including, but not limited to, driving while intoxicated or under the influence, alcohol violations, and drunk in public within the last 12 months. Within a one-half mile radius of the Project site, there were a total of 11 alcohol-related incidences in the past year, which amounts to 3.2 percent of alcohol-related incidences, which does not exceed the maximum 20 percent allowed by the Development Code for alcohol-related incidences near the CUP location; and

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

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on July 19, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB21-030, recommending that the Planning Commission approve the Application; and

WHEREAS, on July 27, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1: Environmental Determination and Findings. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral

evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Project is categorically exempt from environmental review pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, which consists of projects characterized as in-fill development, and meets the all of the following conditions:

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

(c) The project site has no value as habitat for endangered, rare or threatened species.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

(e) The site can be adequately served by all required utilities and public services; and

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

(4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 3: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.*** The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the BP (Business Park) zoning district, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed convenience store land use with an ancillary Type 21 ABC license will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the BP (Business Park) zoning district; and

(2) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed convenience store land use with an ancillary Type 21 ABC license will be located within the Business Park land use district of the Policy Plan Land Use Map, and the BP (Business Park) zoning district. The development standards and conditions of approval under which the proposed Project will

be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan; and

(3) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.*** The proposed convenience store land use with an ancillary Type 21 ABC license is located within the BP (Business Park) zoning district and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use, are consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and the BP (Business Park) zoning district; and

(4) ***The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.*** The Development Advisory Board has recommended that the Planning Commission require certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Business Park zoning district 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; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located.

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

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 27th day of July 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 27, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PCUP20-008
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: July 27, 2021

File No: PCUP20-008

Related Files: PDEV20-010

Project Description: A Conditional Use Permit (File No. PCUP20-008) to establish alcoholic beverage sales for a Type 21 ABC License (Off-Sale General) within a 3,306 square foot convenience store (Extra Mile) on 0.97 acre of land located on the southeast corner of Holt Boulevard and Grove Avenue, within the Business Park zoning district; (APNs: 0110-131-01 and 0110-131-19); **submitted by Mr. Amer Chris Sabbah**

Prepared By: Denny D. Chen, Associate Planner
Phone: 909.395.2424 (direct)
Email: dchen@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) Conditional Use Permit approval shall become null and void one year 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, except that a Conditional Use Permit approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. 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 Alcoholic Beverage Sales—General.

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

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

(c) Coinciding with the annual Police Department inspection, the Planning Department shall conduct a review of the approved use and shall prepare for Zoning Administrator consideration, a status report identifying impacts associated with the use and any non-compliance with the conditions of approval. In addition, such status report shall contain a police report regarding calls for service to the subject premises during the prior one-year period. Nothing herein shall modify or limit the City's ability to regulate the business or modify or revoke the permit upon the City's determination that the business is being operated in a manner adverse to the public health, safety, and welfare.

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

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

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

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

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

(i) Live entertainment shall be prohibited. Any future request for live entertainment shall require conditional use permit approval by the Zoning Administrator. Karaoke, DJs, live musical acts, and other similar forms of entertainment, are considered live entertainment.

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

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

2.4 Alcoholic Beverage Sales—Convenience Markets and Liquor Stores.

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

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

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

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

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

(iii) No sale of alcoholic beverages shall be made from a drive-thru window.

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

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

2.5 Environmental Review.

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

(i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

(ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

(iii) The project site has no value as habitat for endangered, rare, or threatened species;

(iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

(v) The Project site can be adequately served by all required utilities and public services.

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

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

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



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PDEV20-010</u> RELATED FILE NO(S). <u>PCUP20-008</u>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___	

CITY PROJECT ENGINEER & PHONE NO: Antonio Alejos (909) 395-2384 *A.A.*

CITY PROJECT PLANNER & PHONE NO: Denny Chen (909) 395-2424

DAB MEETING DATE: July 19th, 2021

PROJECT NAME / DESCRIPTION: PDEV20-010, a Development Plan to construct one commercial building (3,454 SF), carwash (959 SF) and gas station canopy (3,572 SF) totaling 7,985 square feet on 0.97 acres of land

LOCATION: 1224 & 1264 East Holt Boulevard

APPLICANT: Mr. Amer Chris Sabbah

REVIEWED BY: *Raymond Lee* 7/7/21
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: *[Signature]* 7-8-21
 Khoi Do, P.E. Date
 City Engineer



- 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) 395-2341 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____.
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 Apply for a:
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment to merge two parcels into one, APNs 0110-131-01 & 0110-131-09 (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department).;
 - Make a Dedication of Easement.



- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.

- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

- 2.08 **Submit a soils/geology report.**

- 2.09 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: Non-interference Letter required from each easement holder listed in the title report**

- 2.10 **Dedicate to the City of Ontario the right-of-way described below:**
 1. **Right-of-way necessary to accommodate the ultimate future intersection improvements at Holt Boulevard and Grove Avenue. The ultimate right of way shall be in accordance with the future Holt Boulevard & Grove Avenue intersection widening project designed by Parsons.**

 2. **Irrevocable offer of dedication, for a temporary construction easement as follows: from the resultant right-of-way line to a point 5 feet behind, along the entire project frontage in accordance with the approved site plan.**

 3. **Property line corner 'cut-back' required at the intersection of Grove Avenue and Holt Boulevard.**

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

- 2.12 **New Model Colony (NMC) Developments:**
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.

 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust



control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

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

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

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

- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$21,000, 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	Holt Bl	Grove Av	Street 3	Street 4
Curb and Gutter (see Sec. 2.F)	<input checked="" type="checkbox"/> Remove and replace <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged
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 (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New interim driveway approach <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 (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> Modify existing <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 (see Sec. 2.F)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant (see Sec. 2.D)	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> New lateral w/ clean-out & monitoring manhole	<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"/> New service for domestic use only w/ meter & backflow device <input checked="" type="checkbox"/> New service for irrigation use only w/ meter & backflow device <input checked="" type="checkbox"/> New service for fire use only w/ DCDA	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New	<input type="checkbox"/> 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 checked="" type="checkbox"/> Parkway drain <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements (see Sec. 2.F)	<input checked="" type="checkbox"/> Abandon existing utilities no longer to be used	_____ _____ _____	_____ _____ _____	_____ _____ _____
Other Improvements	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____



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

- a. Existing utility mains/services no longer to be used shall be abandoned or removed per the current City standards. All services/laterals shall be abandoned by shutting off the corporation stops at the existing main and removing the service pipe at the point of connection with the main.

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):
 - a. Holt Boulevard - Minimum limits of construction shall be along the entire property frontage, from street centerline to curb/gutter.
- 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 7-7.302e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 A 12-inch sewer main is available for connection by this project in Holt Boulevard. (Ref: Sewer plan bar code: S13120)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:
 - a. The applicant/developer shall install one (1) sewer lateral to the existing 12-inch sewer main in Holt Boulevard and equip lateral with a monitoring manhole and clean-outs behind the property line per the latest City Design Guidelines/Standard Drawings.
 - i. The proposed sewer lateral appears to be crossing over the existing domestic water main in Holt Boulevard, therefore a Division Drinking Water Waiver (DDW) application & plan are required to be filled out and submitted to the State & City to review and approve of the connection, unless it crosses under the water with a minimum of 1' clearance.
 - ii. This project site will be required to have an on-site dual pump (privately owned and maintained) to sewer and connect to the existing public sewer main in Holt Boulevard.
 - iii. Sewer lateral slope must be at 2% minimum.
 - b. The applicant/developer shall construct a monitoring manhole on-site and immediately behind the property line per City Standard Drawing Number 2201.
 - c. The applicant/developer shall construct a sand & oil separator with a sample box for the proposed carwash and connect it downstream of the domestic waste pipeline per the latest City Design Guidelines/Standard Drawings.



- d. The applicant/developer or occupant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply will all the requirements of the Wastewater Discharge Permit (<http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>).

Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as clarifiers. For wastewater permit application questions, please contact:

Michael Birmelin, Environmental Programs Manager
omucenvironmental@ontarioca.gov
Phone: (909) 395-2661

D. WATER

- 2.27 A 12-inch water main is available for connection by this project in Holt Boulevard. (Ref: Water Drawing Number: W11984)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions:
 - a. The applicant/developer shall install two (2) fire hydrants along Grove Avenue property frontage, one (1) at the BCR & one (1) at the southerly end of the project site, per City Standard Drawing Number 4101.
 - i. The proposed water services must be at minimum 10-ft away from all proposed sewer laterals.
 - b. The applicant/developer shall install one (1) domestic water service to the existing 12-inch domestic water main in Holt Boulevard and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
 - i. The proposed water services must be at minimum 10-ft away from all proposed sewer laterals.
 - c. The applicant/developer shall install one (1) separate water service (for irrigation purposes only) to the existing 12-inch domestic water main in Holt Boulevard and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
 - i. The proposed water service must be at minimum 10-ft away from all proposed sewer laterals.
 - d. The applicant/developer shall install one (1) fire service to the existing 12-inch domestic water main in Holt Boulevard and equip the service with a DCDA behind the property line per the latest City Design Guidelines/Standard Drawings.
 - i. The proposed water service must be at minimum 10-ft away from all proposed sewer laterals.
 - e. The applicant/developer shall submit an application with the Fire Prevention Bureau requesting a Fire Water Flow Test in order to verify the size and alignment of the proposed water system improvements for this project. The project is responsible for installing all water system improvements which may be necessary in order to meet Fire Flow.



E. RECYCLED WATER

- 2.30 A recycled water main is not available for connection by this project. (Ref: Recycled Water Drawing Number: None)
 - 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
 - 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
 - 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions:
 - a. **If at the time of construction of PDEV20-010, the Grove Avenue and Holt Boulevard Intersection Widening Improvements have not been constructed for the West Valley Connector Project by SBCTA, the applicant/developer shall be responsible to build interim frontage improvements along Grove Avenue and Holt Boulevard necessary to accommodate the project site.**
 - i. **The interim driveway approach shall be constructed per City Standard Drawing Number 1204.**
 - ii. **The proposed sidewalk behind the interim driveway approach shall be ADA complaint and connect to the existing sidewalk running north and south on Grove Avenue.**
 - b. **The applicant/developer shall be responsible to design & construct the drive aisle and driveway onto Grove Avenue in such a way that it will be compatible with the future ultimate widening along Grove Avenue and require no on-site regrading to accommodate the future widening. If, during the design of the project site improvements it is determined that the drive aisle and driveway are not compatible with the future widening, access onto Grove Avenue may be disallowed for the project.**
 - c. **The project site plans shall include labels identifying existing improvements and future widening improvements due to the Grove Avenue and Holt Boulevard Intersection Widening Improvement Project. The future widening improvements on the site plans shall be based on information provided by Parsons.**
 - d. **The applicant/developer shall construct a new commercial type driveway approach along Holt Boulevard property frontage per City Standard Drawing Number 1204.**
 - e. **The applicant/developer shall in-fill the existing driveway approach no longer to be used with full height curb/gutter, parkway landscaping and sidewalk per the latest City Design Guidelines/Standard Drawings.**
 - f. **The applicant/developer shall replace the existing type 'A' curb along Holt Boulevard property frontage with new curb and gutter per City Standard Drawing Number 1201.**



- g. The applicant/developer shall install parkway trees/landscaping along Holt Boulevard property frontage per the Landscape Planning Division Requirements.
- h. All landscaping, block walls and other obstructions in the parkway shall be compatible with the stopping sight distance requirements per City Standard Drawing Number 1309.
- i. The applicant/developer shall be responsible to design and construct in-fill public street lights along Holt Boulevard property frontage. Street lighting shall be LED-type and in accordance with City's Traffic and Transportation Design Guidelines.
- j. The applicant/developer shall remove all hardscape (concrete, rocks, etc.) from the within the parkway landscape area along the entire property frontage per Landscape Planning Division Requirements.

G. DRAINAGE / HYDROLOGY

- 2.38 A storm drain main is available for connection by this project in Holt Boulevard. (Ref: Storm Drain Drawing Number: D10619)
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100-year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions:
 - a. The applicant/developer shall install a parkway drain along Grove Avenue property frontage per the latest City Design Guidelines/Standard Drawings.

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:
 - a. The applicant/developer shall install a CDS unit for both inlets leading into the underground system per the latest City Design Guidelines/Standard Drawings.

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) 395-2341 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 along Holt Boulevard and Grove Avenue, the proposed fiber optic conduit system shall not conflict with the future Holt Boulevard & Grove Avenue intersection widening project designed by Parsons.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.

L. INTEGRATED WASTE

- 2.52 Onsite solid waste shall be designed in accordance with the City's Refuse & Recycling Planning Manual located at:

<https://www.ontarioca.gov/OMUC/IntegratedWaste>
- 2.53 Other conditions:
 - a. Prior to the issuance of a Building Permit, the applicant/developer shall comply with the following:
 - i. Submit a Solid Waste Handling Planning (SWHP) and Integrated Waste Management Report (IWMR) with the Precise Grading Plan for the Ontario Municipal Utilities Company (OMUC) to review and approve.
 - ii. Include on the SWHP how Organics separation and collections shall be handled in addition to refuse and recycling collections. This site shall comply with the Requirements of State Assembly Bill AM1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes.
 - iii. Size the trash enclosure for a minimum of three (3) 4CY bins (one 4CY bin for refuse, one 4CY bin for recycling, and one 4CY bin for organics).

For questions on the SWHP and IWMR submittal requirements, please contact:
Peter Tran, Associate Engineer
ptran@ontarioca.gov
Phone: (909) 395-2677



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 include a completed Acceptance and Bond Release Checklist, 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 (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: PDEV20-010

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

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



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



CITY OF ONTARIO

MEMORANDUM

“Excellence Through Teamwork”



TO: Denny Chen, Associate Planner

FROM: Rick Rees, Police Officer, CET

DATE: June 30, 2021

SUBJECT: PCUP20-008(ABC) – Extra Mile – 1222-1224 E Holt Boulevard

The Ontario Police Department has researched the request for an off-site type 21 (general) alcohol license for Extra Mile market, located at 1224-1264 East Holt Boulevard in the city of Ontario. The requested license is within census tract 16.00 which is over concentrated with off-sale alcohol licenses. The department of Alcohol Beverage Control authorizes four (4) off-sale alcohol licenses for this tract. There are currently twelve (12) active off-sale alcohol licenses within census tract 16.00. The Ontario Police Department does not approve or deny Conditional Use Permits or ABC licenses. Approval of PCUP20-008 is at the discretion of the City of Ontario Planning Department. However, due to the over-concentration factor, the Ontario Police Department recommends the applicant obtain a license approval from the State Department of ABC prior to moving forward.

If a Conditional Use Permit is granted, the location must follow all Department of Alcohol Beverage Control and Ontario Police Department rules and conditions. If approved, the following conditions of approval shall be imposed by the Ontario Police Department:

ABC CONDITIONS

1. Sales of alcohol will occur between the hours of 06:00 a.m. to 02:00 a.m. daily. After 10:00 p.m., coolers storing alcohol must be locked.
2. Applicant will follow all conditions per Business and Professions Code 23790.5(d) - Concurrent sales of alcohol and gasoline.
3. No sales or service to minors.
4. No sales or service to intoxicated patrons.
5. No open alcohol beverages in the establishment.

6. No alcohol sales through any pass-through type windows.
7. No drug paraphernalia will be sold at any time.
8. No smoking is permitted inside of the establishment including any type of electronic delivery device.
9. Single sale of beer, cans or bottles, will not be allowed.
10. Wine shall not be sold in containers less than 750ml.
11. Wine coolers must be sold in four packs.
12. Single sales of distilled spirits and liquor are not permitted. A “single sale” item is one that is intended for consumption in one use of the product.
13. All alcohol sales must be placed in a plastic or paper bag before leaving the store.
14. No more than four (4) doors on the walk-in cooler shall be designated for beer and wine. Additionally, no more than 33% of the sales floor/cooler shall be designated for alcohol sales.
15. Employees engaged in the sales of alcohol must be 18 years of age or older.
16. No more than 25% of advertisements are allowed on the windows of the business. The business must maintain clear visibility through the window into the exterior of the business. Further, the interior must also be clearly visible from the exterior of the business.
17. The cashier must be visible from the parking lot.
18. Clear visibility must be maintained through the windows between two feet and six feet height. (Advertisements, décor, tinting, etc. must be no higher than two feet at the bottom of the window and no lower than six feet at the top of the window.)
19. No loitering shall be permitted on any property adjacent to the licensed premise, which is under the control of the applicant, and signs must be posted.
20. Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee’s or management control so that it may be abated by the property owner and/or the City’s graffiti team.

21. The applicant will be responsible for keeping the grounds of the business clean from debris and litter.
22. Trash enclosures shall remain locked at all times to prevent abnormal use of the area. The enclosure may be left unlocked on trash pickup days only; but, must be locked as soon as practical after the trash has been removed.
23. The parking lot of the premises shall be equipped with a maintained lighting device capable of providing a minimum of one-foot candle of light at ground level.
24. LED lighting will be required for all lighting fixtures. Optimal lighting for visibility and video color rendering is approximately 3400 degrees Kelvin. The lighting should be as close to 3400 degrees Kelvin as possible.
25. Applicant shall not encourage or permit alcoholic beverages to be consumed on any property adjacent to the licensed premises under the control of the applicant, and signs must be posted.
26. The applicant shall modify or equip any public telephones inside or adjacent to the establishment to prevent incoming calls.
27. The applicant and all employees must attend an Alcohol Beverage Control (ABC) L.E.A.D.'s training class or a certified responsible beverage service class, which has been approved by ABC and Ontario Police Department, within six months of this dated conditional use permit. Proof of re-certification is required every 3 years. New employees must attend a training class within six months of their hire date.
28. The business shall maintain a security camera surveillance system in proper working order. A minimum of one camera will record the main entrance, to monitor patrons entering and exiting. A minimum of one camera will record the register. A minimum of one camera will record the parking lot. Each camera will record at least 720p recording resolution levels, and at least fifteen (15) frames per second. The field of view for each camera will be to maximize the coverage of patrons. Recorded video will be stored for a minimum of 30 days and made available to the police department upon request.

TOBACCO CONDITIONS

1. No tobacco sales to anyone under 21 years of age.
2. Retailers must post required Stop Tobacco Access to Kids Enforcement (STAKE) Act age of sale warning signs at each point of sale/register.
3. No self-service displays of tobacco products are allowed.
4. Tobacco products must be stored behind the counter.

5. Sales of individual cigarettes are prohibited.
6. Single cigarettes and roll-your-own tobacco in the packaging containing less than 0.6 ounces are prohibited.
7. The distribution of free or normal-cost tobacco products or coupons is prohibited.
8. Outdoor and storefront signs advertising tobacco may not exceed 14 square feet.

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

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

The Ontario Police Department and the Ontario Planning Department will conduct an inspection before the location will be allowed to sell alcoholic beverages with the conditional use permit.

The Police Department will conduct a review six months after the commencement of business, to determine whether additional conditions will be needed. These conditions are in addition to any conditions imposed by the Ontario Police Department, under this CUP or related file.

The Applicant is invited to contact Officer Rick Rees at (909) 408-1660 with any questions or concerns regarding these conditions.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: April 27, 2020
SUBJECT: PCUP20-008

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

KS:lr



CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Associate Planner
Planning Department

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

DATE: April 29, 2020

SUBJECT: PCUP20-008 – A Conditional Use Permit to establish alcoholic beverage sales, including beer and wine for off-premise consumption in conjunction with a proposed 3,454-square foot convenience market and gas station on 0.97 acres of land located at 1224 and 1264 East Holt Boulevard, within the BP (Business Park) zoning district (APN(s): 0110-131-01, -19). Related File: PDEV20-010.

-
- The plan **does** adequately address Fire Department requirements at this time.
- No comments.
-

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV20-010 & PCUP20-008
 Address: 1224 & 1264 East Holt Blvd
 APN: 0110-131-01 & 19
 Existing Land Use: Vacant
 Proposed Land Use: Construct a 3,454 convenience store, car wash and gas station and CUP to establish a Type 21 ABC license
 Site Acreage: 0.97 Proposed Structure Height: 35 FT
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Denny Chen
 Date: 12/23/2020
 CD No.: 2020-006
 PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input checked="" type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input checked="" type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>110 ft</u>	
<input type="radio"/> Zone 5			

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

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

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV20-010, A DEVELOPMENT PLAN TO CONSTRUCT A 3,306-SQUARE-FOOT CONVENIENCE STORE, A 953-SQUARE-FOOT CARWASH AND FUELING STATION ON 0.97 ACRE OF LAND LOCATED ON THE SOUTHEAST CORNER OF HOLT BOULEVARD AND GROVE AVENUE, WITHIN THE BP (BUSINESS PARK) ZONING DISTRICT AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0110-131-01 AND 0110-131-19.

WHEREAS, AMER CHRIS SABBAH ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV20-010, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to a 0.97-acre of land located on the southeast corner of Holt Boulevard and Grove Avenue, within the BP (Business Park) zoning district; and

WHEREAS, the property to the north of the Project site is within the MU-2 (East Holt Mixed Use) zoning district and is developed with the Capri Inn Motel. The property to the east is within the BP (Business Park) zoning district and is developed with a commercial building and used automobile dealership. The property to the south is within the RC (Rail Corridor) zoning district and is developed with a Southern Pacific Railroad rail line. The property to the west is within the IP (Industrial Park) zoning district and is currently undeveloped; and

WHEREAS, on April 16, 2020, the Applicant submitted a Development Plan (File No. PDEV20-010) to construct a 3,306-square-foot convenience store (Extra Mile), a 953-square-foot carwash, and fueling station (Chevron), in conjunction with a Conditional Use Permit (File No. PCUP20-008) to establish alcoholic beverage sales, including beer, wine and distilled spirits for consumption off the premises (Type 21 (Off-Sale General) ABC License), on 0.97-acre of land located at the southeast corner of Holt Boulevard and Grove Avenue; and

WHEREAS, the convenience store is centrally located on the Project site, with the store's front entrance facing north, towards Holt Boulevard. Parking for employees and customers has been provided immediately north and east of the building. The proposed convenience store floor plan includes a food/retail sales area, cashier area, refrigerators, walk-in coolers, freezer, kitchen, two restrooms, and dry storage located above the cashier area; and

WHEREAS, the self-serve carwash is located south of the convenience store, with the entrance facing south and the exit tunnel facing north. An additional six parking spaces are provided east of the carwash building, which includes three vacuum stations and a covered canopy for carwash patrons; and

WHEREAS, a fuel canopy is located within the northerly portion of the site, covering six fuel dispensing islands and a total of twelve fuel dispensers. The overall canopy height is 23 feet, with a 15.5-foot interior clear height. A two-way drive aisle surrounding the fuel canopy has been designed to accommodate standard vehicles, trash trucks, and truck-tractor trailers; and

WHEREAS, the Project site will have access from Grove Avenue via a 26-foot-wide driveway centrally located along the east side of the Project site, and from Holt Boulevard via a 40-foot-wide driveway located at the northeast corner of the lot. Both driveways will be restricted to right-in and right-out access only. A 24-foot-wide drive aisle is proposed along the easterly property line to provide internal access to the fuel pumps, convenience store, carwash, and both driveways; and

WHEREAS, the Project has provided the required number of off-street parking spaces pursuant to the “Self-Serve and Full Service Fueling” and “General Convenience Retail Store” parking standards specified in the Development Code. The Project requires a total of 18 off-street parking spaces and 27 spaces have been provided, exceeding the minimum requirements; and

WHEREAS, the proposed Project illustrates the type of high-quality architecture promoted by the Development Code. The architectural style of the proposed convenience store consists of a modern Mediterranean design and incorporates a stone veneer (El Dorado Stone – Madrona cut coarse stone) that surrounds the base of both buildings, hipped/mansard roofs, a covered entryway for the convenience store, a combination of plain and arched parapets with a decorative stucco cap, square towers with decorative wood corbels and recessed windows, and a high-profile concrete “S” tile roof with a brown and tan terracotta finish. The fuel canopy has been designed to complement the convenience store and carwash buildings, incorporating architectural enhancements at the lower one-half of the columns; and

WHEREAS, the Development Code requires that fueling stations provide a minimum 20 percent landscape coverage and 21 percent landscape coverage has been provided; and

WHEREAS, 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, biotreatment, and evapotranspiration. The PWQMP proposes an underground infiltration chamber located within the southeast portion of the Project site that connects to a 12-inch storm drain line located along the southern property line and exits onto Grove Avenue for any overflow drainage; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on July 19, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that

date, voting to issue Decision No. DAB21-031, recommending that the Planning Commission approve the Application; and

WHEREAS, on July 27, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1: Environmental Determination and Findings. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Project is categorically exempt from environmental review pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, which consists of projects characterized as in-fill development, and meets all of the following conditions:

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

(c) The project site has no value as habitat for endangered, rare or threatened species.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

(e) The site can be adequately served by all required utilities and public services; and

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

(4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 3: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed 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 Business Park land use district of the Policy Plan Land Use Map and the BP (Business Park) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained are 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 convenience store, self-serve carwash, and fueling station will provide the area with additional services, promoting a variety of land uses and building types in the area, per Policy Plan policy LU1-6 (Complete Community). Additionally, the Project will be well landscaped, and will contribute to the overall streetscape of Holt Boulevard and Grove Avenue, per Policy Plan policies CD2-9 (Landscape Design) and CD3-6 (Landscaping); 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 applicable requirements of the City of Ontario Development Code and the BP (Business Park) zoning district, including standards relative to the particular land use proposed (convenience store, self-serve carwash, and fueling station), 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. The Project site is bordered by mixed uses to the north, commercial use to the east, Southern Pacific Railroad to the south, and Industrial uses to the west; therefore, the proposed land use will not impose any privacy or view issues; 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 recommended the Planning Commission require certain safeguards, and imposed certain conditions of approval, which have been established to ensure that: [i] the purposes of the Business Park zoning district are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the

Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (convenience store, self-serve carwash and fueling station). As a result of this review, the Planning Commission has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Development Code.

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

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 27th day of July 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 27, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV20-010
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: July 27, 2021

File No: PDEV20-010

Related File: PCUP20-008

Project Description: A Development Plan (File No. PDEV20-010) to construct a 3,306 square foot convenience store (Extra Mile), a 953 square foot carwash and fueling station (Chevron) on 0.97 acre of land located on the southeast corner of Holt Boulevard and Grove Avenue, within the Business Park zoning district. (APNs: 0110-131-01 and 0110-131-09); **submitted by Mr. Amer Chris Sabbah**

Prepared By: Denny D. Chen, Associate Planner
Phone: 909.395.2424 (direct)
Email: dchen@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).

2.6 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking

areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

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

2.7 Mechanical and Rooftop Equipment.

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

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

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

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

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

2.11 Environmental Review.

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

(i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

(ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

(iii) The project site has no value as habitat for endangered, rare, or threatened species;

(iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

(v) The Project site can be adequately served by all required utilities and public services.

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

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

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

2.13 Additional Fees.

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

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



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PDEV20-010</u> RELATED FILE NO(S). <u>PCUP20-008</u>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Antonio Alejos (909) 395-2384 *A.A.*

CITY PROJECT PLANNER & PHONE NO: Denny Chen (909) 395-2424

DAB MEETING DATE: July 19th, 2021

PROJECT NAME / DESCRIPTION: PDEV20-010, a Development Plan to construct one commercial building (3,454 SF), carwash (959 SF) and gas station canopy (3,572 SF) totaling 7,985 square feet on 0.97 acres of land

LOCATION: 1224 & 1264 East Holt Boulevard

APPLICANT: Mr. Amer Chris Sabbah

REVIEWED BY: *Raymond Lee* 7/7/21
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: *Khoi Do* 7-8-21
 Khoi Do, P.E. Date
 City Engineer



- 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) 395-2341 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____.
- 2.04 **Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.**
- 2.05 **Apply for a:**
 - Certificate of Compliance with a Record of Survey;**
 - Lot Line Adjustment to merge two parcels into one, APNs 0110-131-01 & 0110-131-09 (Record a Conforming Deed with the County of San Bernardino within six months of the recordation of the Lot Line Adjustment to conform the new LLA legal description. Submit a copy of the recorded Conforming Deed to the Engineering Department).;**
 - Make a Dedication of Easement.



- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.

- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

- 2.08 **Submit a soils/geology report.**

- 2.09 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: Non-interference Letter required from each easement holder listed in the title report**

- 2.10 **Dedicate to the City of Ontario the right-of-way described below:**
 1. **Right-of-way necessary to accommodate the ultimate future intersection improvements at Holt Boulevard and Grove Avenue. The ultimate right of way shall be in accordance with the future Holt Boulevard & Grove Avenue intersection widening project designed by Parsons.**

 2. **Irrevocable offer of dedication, for a temporary construction easement as follows: from the resultant right-of-way line to a point 5 feet behind, along the entire project frontage in accordance with the approved site plan.**

 3. **Property line corner 'cut-back' required at the intersection of Grove Avenue and Holt Boulevard.**

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

- 2.12 New Model Colony (NMC) Developments:
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.

 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust



control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

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

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

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

- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$21,000, 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	Holt Bl	Grove Av	Street 3	Street 4
Curb and Gutter (see Sec. 2.F)	<input checked="" type="checkbox"/> Remove and replace <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged
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 (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New interim driveway approach <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 (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> Modify existing <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 (see Sec. 2.F)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant (see Sec. 2.D)	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> New lateral w/ clean-out & monitoring manhole	<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"/> New service for domestic use only w/ meter & backflow device <input checked="" type="checkbox"/> New service for irrigation use only w/ meter & backflow device <input checked="" type="checkbox"/> New service for fire use only w/ DCDA	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New	<input type="checkbox"/> 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 checked="" type="checkbox"/> Parkway drain <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements (see Sec. 2.F)	<input checked="" type="checkbox"/> Abandon existing utilities no longer to be used	_____ _____ _____	_____ _____ _____	_____ _____ _____
Other Improvements	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____



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

- a. Existing utility mains/services no longer to be used shall be abandoned or removed per the current City standards. All services/laterals shall be abandoned by shutting off the corporation stops at the existing main and removing the service pipe at the point of connection with the main.
- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):
 - a. Holt Boulevard - Minimum limits of construction shall be along the entire property frontage, from street centerline to curb/gutter.
- 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 7-7.302e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 A 12-inch sewer main is available for connection by this project in Holt Boulevard. (Ref: Sewer plan bar code: S13120)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:
 - a. The applicant/developer shall install one (1) sewer lateral to the existing 12-inch sewer main in Holt Boulevard and equip lateral with a monitoring manhole and clean-outs behind the property line per the latest City Design Guidelines/Standard Drawings.
 - i. The proposed sewer lateral appears to be crossing over the existing domestic water main in Holt Boulevard, therefore a Division Drinking Water Waiver (DDW) application & plan are required to be filled out and submitted to the State & City to review and approve of the connection, unless it crosses under the water with a minimum of 1' clearance.
 - ii. This project site will be required to have an on-site dual pump (privately owned and maintained) to sewer and connect to the existing public sewer main in Holt Boulevard.
 - iii. Sewer lateral slope must be at 2% minimum.
 - b. The applicant/developer shall construct a monitoring manhole on-site and immediately behind the property line per City Standard Drawing Number 2201.
 - c. The applicant/developer shall construct a sand & oil separator with a sample box for the proposed carwash and connect it downstream of the domestic waste pipeline per the latest City Design Guidelines/Standard Drawings.



- d. The applicant/developer or occupant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply will all the requirements of the Wastewater Discharge Permit (<http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>).

Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as clarifiers. For wastewater permit application questions, please contact:

Michael Birmelin, Environmental Programs Manager
omucenvironmental@ontarioca.gov
Phone: (909) 395-2661

D. WATER

- 2.27 A 12-inch water main is available for connection by this project in Holt Boulevard. (Ref: Water Drawing Number: W11984)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions:
 - a. The applicant/developer shall install two (2) fire hydrants along Grove Avenue property frontage, one (1) at the BCR & one (1) at the southerly end of the project site, per City Standard Drawing Number 4101.
 - i. The proposed water services must be at minimum 10-ft away from all proposed sewer laterals.
 - b. The applicant/developer shall install one (1) domestic water service to the existing 12-inch domestic water main in Holt Boulevard and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
 - i. The proposed water services must be at minimum 10-ft away from all proposed sewer laterals.
 - c. The applicant/developer shall install one (1) separate water service (for irrigation purposes only) to the existing 12-inch domestic water main in Holt Boulevard and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
 - i. The proposed water service must be at minimum 10-ft away from all proposed sewer laterals.
 - d. The applicant/developer shall install one (1) fire service to the existing 12-inch domestic water main in Holt Boulevard and equip the service with a DCDA behind the property line per the latest City Design Guidelines/Standard Drawings.
 - i. The proposed water service must be at minimum 10-ft away from all proposed sewer laterals.
 - e. The applicant/developer shall submit an application with the Fire Prevention Bureau requesting a Fire Water Flow Test in order to verify the size and alignment of the proposed water system improvements for this project. The project is responsible for installing all water system improvements which may be necessary in order to meet Fire Flow.



E. RECYCLED WATER

- 2.30 **A recycled water main is not available for connection by this project. (Ref: Recycled Water Drawing Number: None)**
 - 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
 - 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
 - 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 **Other conditions:**
 - a. **If at the time of construction of PDEV20-010, the Grove Avenue and Holt Boulevard Intersection Widening Improvements have not been constructed for the West Valley Connector Project by SBCTA, the applicant/developer shall be responsible to build interim frontage improvements along Grove Avenue and Holt Boulevard necessary to accommodate the project site.**
 - i. **The interim driveway approach shall be constructed per City Standard Drawing Number 1204.**
 - ii. **The proposed sidewalk behind the interim driveway approach shall be ADA complaint and connect to the existing sidewalk running north and south on Grove Avenue.**
 - b. **The applicant/developer shall be responsible to design & construct the drive aisle and driveway onto Grove Avenue in such a way that it will be compatible with the future ultimate widening along Grove Avenue and require no on-site regrading to accommodate the future widening. If, during the design of the project site improvements it is determined that the drive aisle and driveway are not compatible with the future widening, access onto Grove Avenue may be disallowed for the project.**
 - c. **The project site plans shall include labels identifying existing improvements and future widening improvements due to the Grove Avenue and Holt Boulevard Intersection Widening Improvement Project. The future widening improvements on the site plans shall be based on information provided by Parsons.**
 - d. **The applicant/developer shall construct a new commercial type driveway approach along Holt Boulevard property frontage per City Standard Drawing Number 1204.**
 - e. **The applicant/developer shall in-fill the existing driveway approach no longer to be used with full height curb/gutter, parkway landscaping and sidewalk per the latest City Design Guidelines/Standard Drawings.**
 - f. **The applicant/developer shall replace the existing type 'A' curb along Holt Boulevard property frontage with new curb and gutter per City Standard Drawing Number 1201.**



- g. The applicant/developer shall install parkway trees/landscaping along Holt Boulevard property frontage per the Landscape Planning Division Requirements.
- h. All landscaping, block walls and other obstructions in the parkway shall be compatible with the stopping sight distance requirements per City Standard Drawing Number 1309.
- i. The applicant/developer shall be responsible to design and construct in-fill public street lights along Holt Boulevard property frontage. Street lighting shall be LED-type and in accordance with City's Traffic and Transportation Design Guidelines.
- j. The applicant/developer shall remove all hardscape (concrete, rocks, etc.) from the within the parkway landscape area along the entire property frontage per Landscape Planning Division Requirements.

G. DRAINAGE / HYDROLOGY

- 2.38 A storm drain main is available for connection by this project in Holt Boulevard. (Ref: Storm Drain Drawing Number: D10619)
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100-year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions:
 - a. The applicant/developer shall install a parkway drain along Grove Avenue property frontage per the latest City Design Guidelines/Standard Drawings.

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:
 - a. The applicant/developer shall install a CDS unit for both inlets leading into the underground system per the latest City Design Guidelines/Standard Drawings.

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) 395-2341 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 along Holt Boulevard and Grove Avenue, the proposed fiber optic conduit system shall not conflict with the future Holt Boulevard & Grove Avenue intersection widening project designed by Parsons.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.

L. INTEGRATED WASTE

- 2.52 Onsite solid waste shall be designed in accordance with the City's Refuse & Recycling Planning Manual located at:

<https://www.ontarioca.gov/OMUC/IntegratedWaste>
- 2.53 Other conditions:
 - a. Prior to the issuance of a Building Permit, the applicant/developer shall comply with the following:
 - i. Submit a Solid Waste Handling Planning (SWHP) and Integrated Waste Management Report (IWMR) with the Precise Grading Plan for the Ontario Municipal Utilities Company (OMUC) to review and approve.
 - ii. Include on the SWHP how Organics separation and collections shall be handled in addition to refuse and recycling collections. This site shall comply with the Requirements of State Assembly Bill AM1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes.
 - iii. Size the trash enclosure for a minimum of three (3) 4CY bins (one 4CY bin for refuse, one 4CY bin for recycling, and one 4CY bin for organics).

For questions on the SWHP and IWMR submittal requirements, please contact:
Peter Tran, Associate Engineer
ptran@ontarioca.gov
Phone: (909) 395-2677



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 include a completed Acceptance and Bond Release Checklist, 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 (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: PDEV20-010

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

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



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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV20-010 & PCUP20-008
 Address: 1224 & 1264 East Holt Blvd
 APN: 0110-131-01 & 19
 Existing Land Use: Vacant
 Proposed Land Use: Construct a 3,454 convenience store, car wash and gas station and CUP to establish a Type 21 ABC license
 Site Acreage: 0.97 Proposed Structure Height: 35 FT
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Denny Chen
 Date: 12/23/2020
 CD No.: 2020-006
 PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input checked="" type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input checked="" type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>110 ft</u>	
<input type="radio"/> Zone 5			

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

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

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: April 27, 2020
SUBJECT: PDEV20-010

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

Conditions of Approval

1. The Address for the Project is 1210 E Holt Blvd.
2. Standard Conditions of Approval apply.

KS:lr



CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Associate Planner
Planning Department

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

DATE: April 29, 2020

SUBJECT: PDEV20-010 – A Development Plan to construct one commercial building (3,454 SF), carwash (959 SF) and gas station canopy (3,572 SF) totaling 7,985 square feet on .97 acres of land located at 1224 and 1264 East Holt Boulevard, within the BP (Business Park) zoning district (APN(s): 0110-131-01, -19). Related File(s): PCUP20-008.

-
- 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): Multiple Structures
- D. Number of Stories: 1
- E. Total Square Footage: 8,169 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): M

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.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily final) before the building is enclosed.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and Fire Department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.7 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.
- ☒ 4.8 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.

- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

6.0 OTHER SPECIAL USES

- ☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- ☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- ☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Associate Planner

FROM: Officer Emily Hernandez, Police Department

DATE: May 12, 2020

SUBJECT: PDEV20-010- A development plan to construct one commercial building, car wash and gas station totaling 7,985 square feet located at 1224-1264 East Holt Boulevard.

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 and other areas used by the public shall be provided. Minimum 0.5 foot-candle of light shall be maintained in all common areas including walkways, driveways, drive aisles and any areas used by the public. All parking lots shall be provided with minimum one foot-candle of light, measured on the parking surface. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.
- Rooftop addresses 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.
- Trash enclosure(s) shall always be locked and secured, to prevent transients from living in the enclosure and prevent the pilfering trash and recyclable items. On the days of trash pickup, the enclosure(s) shall be unlocked to facilitate the emptying of trash receptacles by the solid waste hauler and shall once again be locked.
- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, and all cash registers. Cameras shall be positioned so as to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 640x480 lines of resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.

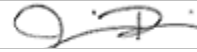
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.
- Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.

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

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

DAB CONDITIONS OF APPROVAL

Sign Off



5/6/2021

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV20-027

Case Planner:

Denny Chen

Project Name and Location:

Truck maintenance Industrial Bldgs
 2009 S Cucamonga

Applicant/Representative:

NFI Industries – Ware Malcomb/Noah Ramos nramos@waremalcomb.com
 TRIAD1828 CENTRE, 2 Cooper Street
 Camden, NJ 08102



Preliminary Plans (dated 3/22/2021) 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.



Preliminary Plans (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. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
2. Show backflow devices set back 4' from paving all sides. Locate on level grade
3. Locate utilities including light standards, fire hydrants, water, drain and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans.
4. Revise site plan to show the landscape calculation of 10% of the site *not* including right of way or paving.
5. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
6. 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.

Landscape Plans

7. Show backflow devices with 36" high strappy leaf shrub screening and trash enclosures and transformers, a 4'-5' high evergreen hedge screening. Do not encircle utility, show as masses and duplicate masses in other locations on regular intervals.
8. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
9. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
10. Street trees for this project are: Cercis reniformis 'Alba' per the Master Street Tree Plan. Use evergreen background trees to contrast with deciduous street trees and triangularly space between them.
11. Overhead spray systems shall be designed for plant material less than the height of the spray head.

12. Replace invasive, high water using, short lived, high maintenance or poor performing plants Phormium (poor performer; consider Dianella),
13. Note: 8' diameter of mulch only at new trees. Detail irrigation dripline outside of mulched root zone.
14. Designer or developer to provide agronomical soil testing and include report on landscape construction plans.
15. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis etc.) in appropriate locations.
16. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
17. 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.

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

FILE NOS: PDEV20-017 and PCUP20-014

SUBJECT: A Development Plan and Conditional Use Permit to construct and establish a 60-foot tall stealth (AT&T) wireless telecommunications facility on 1.77 acres of land, located on the east side of Oaks Avenue, approximately 500 feet south of Phillips Street, within the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district (APN: 1014-121-03 and 1014-121-04); **submitted by AT&T.**

PROPERTY OWNER: Southern California Edison

RECOMMENDED ACTION: That the Planning Commission consider and approve File Nos. PDEV20-017 and PCUP20-014, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is presently owned by Southern California Edison and is comprised of two vacant parcels totaling 1.77 acres of land located on the east side of Oaks Avenue, approximately 500 feet south of Phillips Street, within the AR-2 (Residential - Agricultural – 0 to 2.0 du/ac) zoning district and is depicted in Figure 1: Project Location Map. The property to the east and adjacent to the Project site is developed with the SCE Narod Substation. The SCE Substation is 3.2 acres in size and is presently developed with 33kV/92kV transmission lines and a 2,200-square-foot utility building.

The properties to the north, south, and west of the Project site are within the AR-2 (Residential - Agriculture– 0 to 2.0 du/ac) zoning district and are developed with single-family dwellings. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the

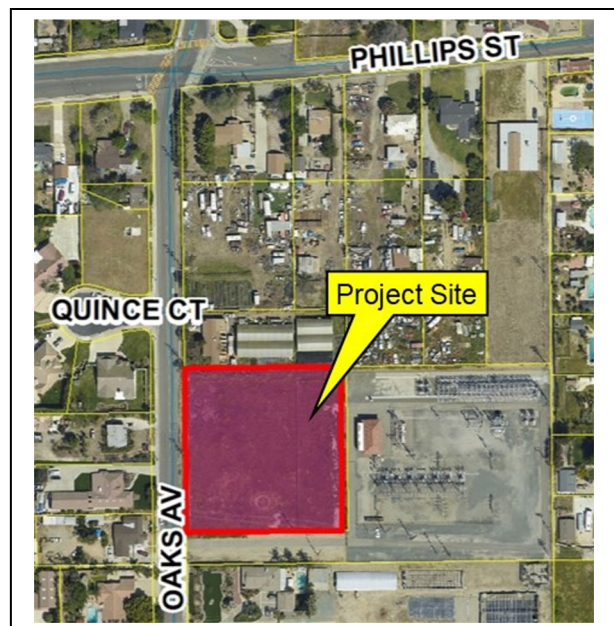



Figure 1: Project Location Map

Case Planner:	Jeanie Irene Aguilo
Planning Director Approval:	
Submittal Date:	07/27/20

Hearing Body	Date	Decision	Action
DAB	07/19/21	Approval	Recommend
PC	07/27/21		Final
CC			

“Surrounding Zoning & Land Uses” table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(1) Background — On July 27, 2020, the Applicant submitted a Conditional Use Permit (File No. PCUP20-014) application requesting to establish a wireless telecommunications facility on a residentially zoned property, in conjunction with a Development Plan (File No. PDEV20-017) application requesting to construct a stealth wireless telecommunications facility consisting of a 60-foot-tall stealth antenna (mono-eucalyptus) and a 1,040-square-foot equipment enclosure area.

On July 19, 2021, the Development Advisory Board reviewed the subject applications and recommended that the Planning Commission approve the proposed project, subject to the departmental conditions of approval included with this report.

(2) Site Design/Layout — The proposed wireless telecommunications facility is centrally located along the eastern property line, toward the rear of the property, to allow for future development of the site (see Exhibit B—Site Plan, attached). The equipment enclosure area contains the facility's operating equipment and will be set back approximately 220 feet from Oaks Avenue. The equipment enclosure area will be screened from public view by a decorative masonry block wall and landscaping (see Exhibit C—Enlarged Site Plan, attached). The stealth antenna will measure 53 feet to the top of the proposed antenna array and will measure 60 feet overall, to the top of the artificial foliage. The proposed facility will increase wireless coverage within the immediate vicinity of the project site, as illustrated in Exhibit E—Propagation Map (existing and proposed wireless coverage).

(3) Site Access/Parking — The wireless telecommunications facility will be accessed from Oaks Avenue via an existing 10-foot-wide dirt access road located along the southern property line that has been conditioned to be paved with asphalt or another type of all-weather surface material. The Development Code requires one off-street parking space to be provided for wireless carrier personnel to be able to access and maintain the site. The project has been conditioned to provide one off-street parking space adjacent to the proposed equipment enclosure meeting the minimum parking requirement.

(4) Wireless Facility Design — The applicant has proposed a mono-eucalyptus design for the wireless telecommunications antenna (see Exhibit D—Elevations). The mono-eucalyptus mimics the shape and appearance of a live eucalyptus tree and uses faux branches and foliage to screen the antenna from public view. The branches and artificial foliage will extend up to seven feet above the antenna and their mounting brackets to provide a natural appearance. Branches are also required to protrude horizontally beyond the radio units and mounting brackets, to screen the equipment. The radio units will be screened with “socks,” or pieces of foliage designed to mask the units and the trunk (pole) will be covered in faux bark.

(5) Community Outreach — On February 1, 2021, community notices were mailed to all property owners located within 500 feet of the project site. The intent of the notice was to inform the surrounding community of the proposed project and answer any questions. The Planning Department received two phone calls requesting more information of the project. Both residents had no further comment after explaining the proposed project and ultimately were in favor of the application.

(6) Landscaping — The Development Code requires wireless telecommunications facilities to be landscaped, and to be provided with appropriate screening trees and plantings. The applicant has proposed *Quercus agrifolia* (Coast Live Oak) as the screening tree, as they are compatible with the overall visual aesthetic of the surrounding area. Appropriate anchoring measures and irrigation details have also been included on the plans (see Exhibit F—Landscape Plan).

(7) Signage — Pursuant to Development Code requirements, an informational sign (measuring 2 feet x 2 feet), which includes the carrier's information and an emergency contact number, will be installed outside the facility enclosure.

(8) Conditional Use Permit — Pursuant to the City's Development Code, new antennas and wireless telecommunications facilities located within any residential zoning district, or within 500 feet or less from a residentially zoned property, requires Conditional Use Permit review and approval in conjunction with Development Plan approval. The intent of a CUP application and review is to ensure that the proposed use will be operated in a manner consistent with all local regulations, and to ensure the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity. Staff believes that the recommended Conditions of Approval will sufficiently mitigate any potential impacts associated with the proposed use.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

(2) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

- G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

(3) Policy Plan (General Plan)

Land Use Element:

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

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

Community Economics Element:

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

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

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

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

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

Community Design Element:

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

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

- CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create, and define public and private spaces, and provide shade and environmental benefits.
- CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.
 - Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.
- CD5-1 Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.
- CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. 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 ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 3 (Class 15303, New Construction or Conversion of Small Structures) of the CEQA Guidelines, which consists of the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion

of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	Rural Residential (0 – 2.0 du/ac)	AR-2 (Residential-Agricultural – 0 to 2.0 du/ac)	N/A
<i>North</i>	Single-Family Residential	Rural Residential (0 – 2.0 du/ac)	AR-2 (Residential-Agricultural – 0 to 2.0 du/ac)	N/A
<i>South</i>	Single-Family Residential	Rural Residential (0 – 2.0 du/ac)	AR-2 (Residential-Agricultural – 0 to 2.0 du/ac)	N/A
<i>East</i>	SCE Substation	Rural Residential (0 – 2.0 du/ac)	AR-2 (Residential-Agricultural – 0 to 2.0 du/ac)	N/A
<i>West</i>	Single-Family Residential	Rural Residential (0 – 2.0 du/ac)	AR-2 (Residential-Agricultural – 0 to 2.0 du/ac)	N/A

General Site & Building Statistics

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area:</i>	1,040 SF	N/A	Y
<i>Lot/Parcel Size:</i>	1.77 ac	N/A	Y
<i>Building Area:</i>	N/A	N/A	Y
<i>Floor Area Ratio:</i>	N/A	N/A	Y
<i>Structure Height:</i>	53 FT (top of antenna) / 60 FT (overall height – top of foliage)	65 FT (Max.)	Y

Off-Street Parking:

<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
Wireless telecom facility	N/A	One space per facility	1	1
TOTAL				1

Exhibit A—PROJECT LOCATION MAP

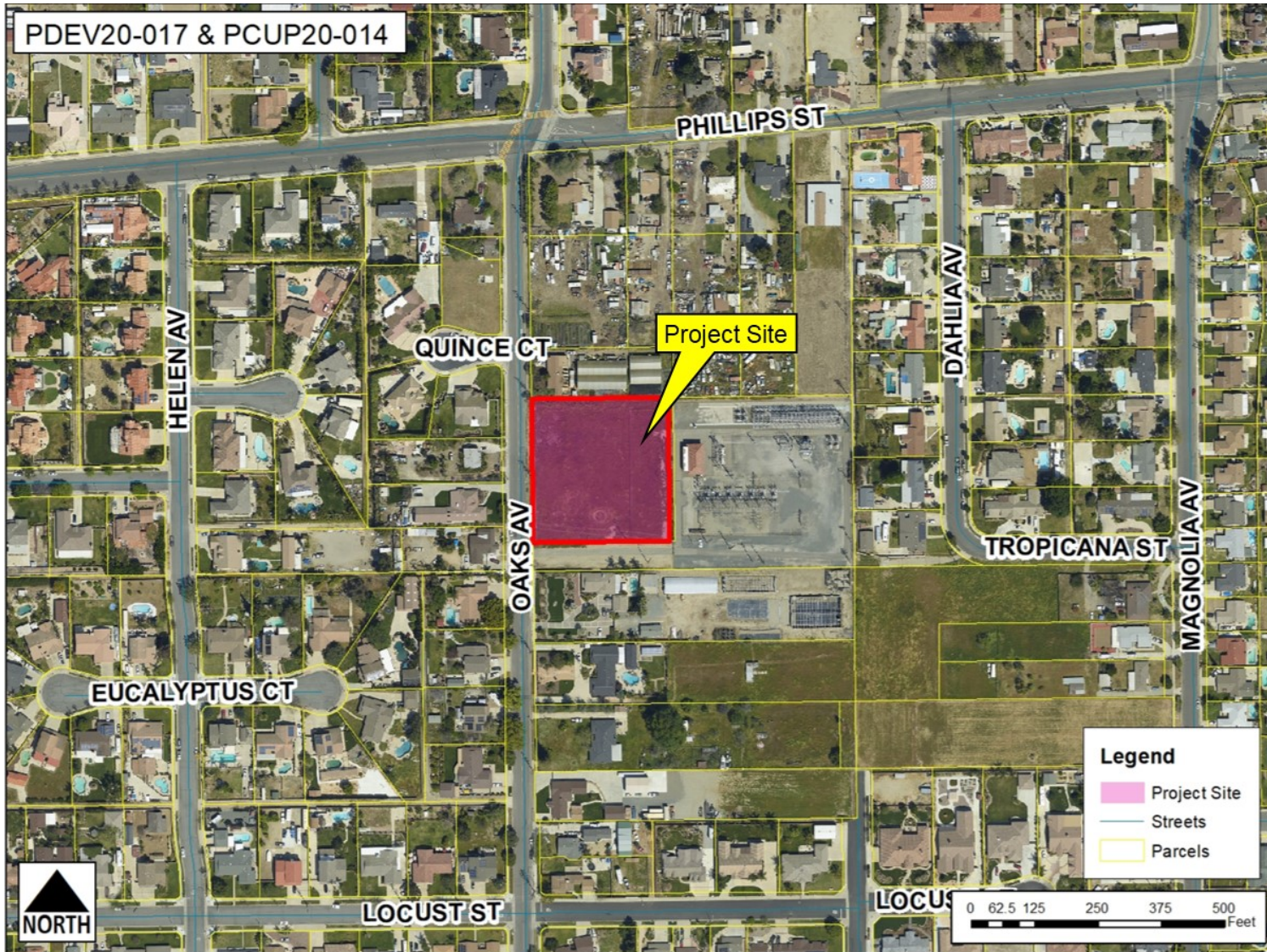


Exhibit B—SITE PLAN

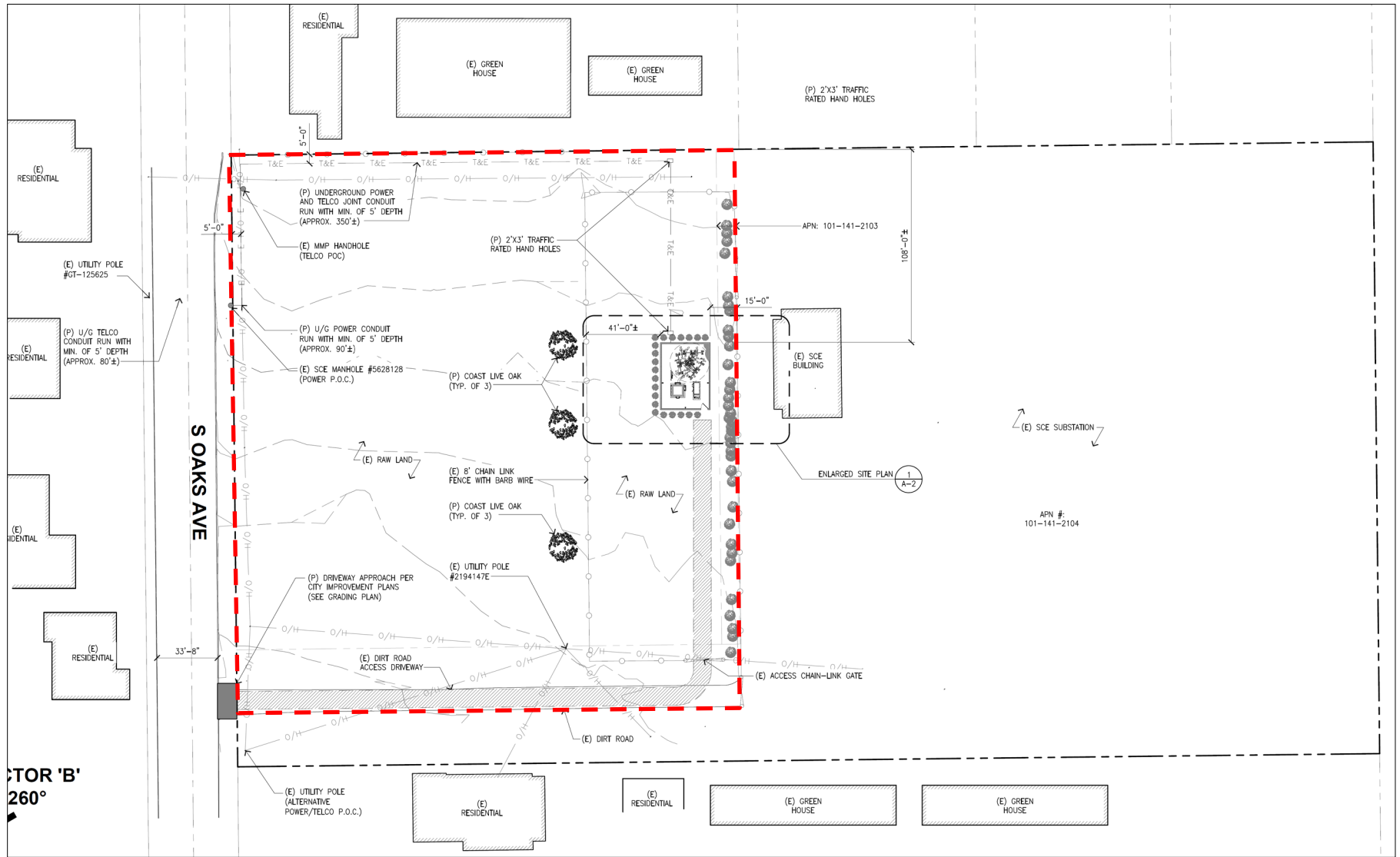


Exhibit C—ENLARGED SITE PLAN

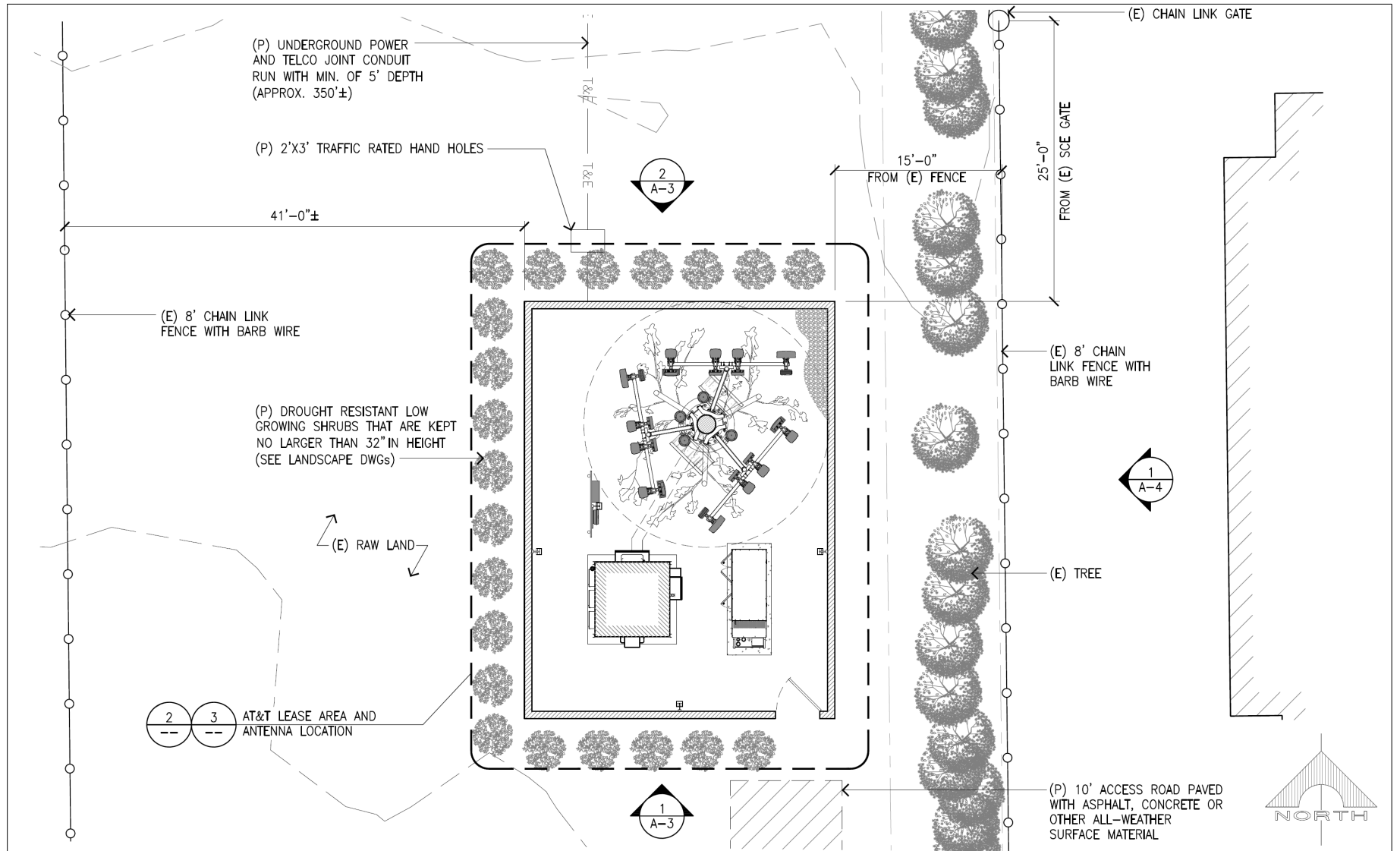


Exhibit D—ELEVATIONS

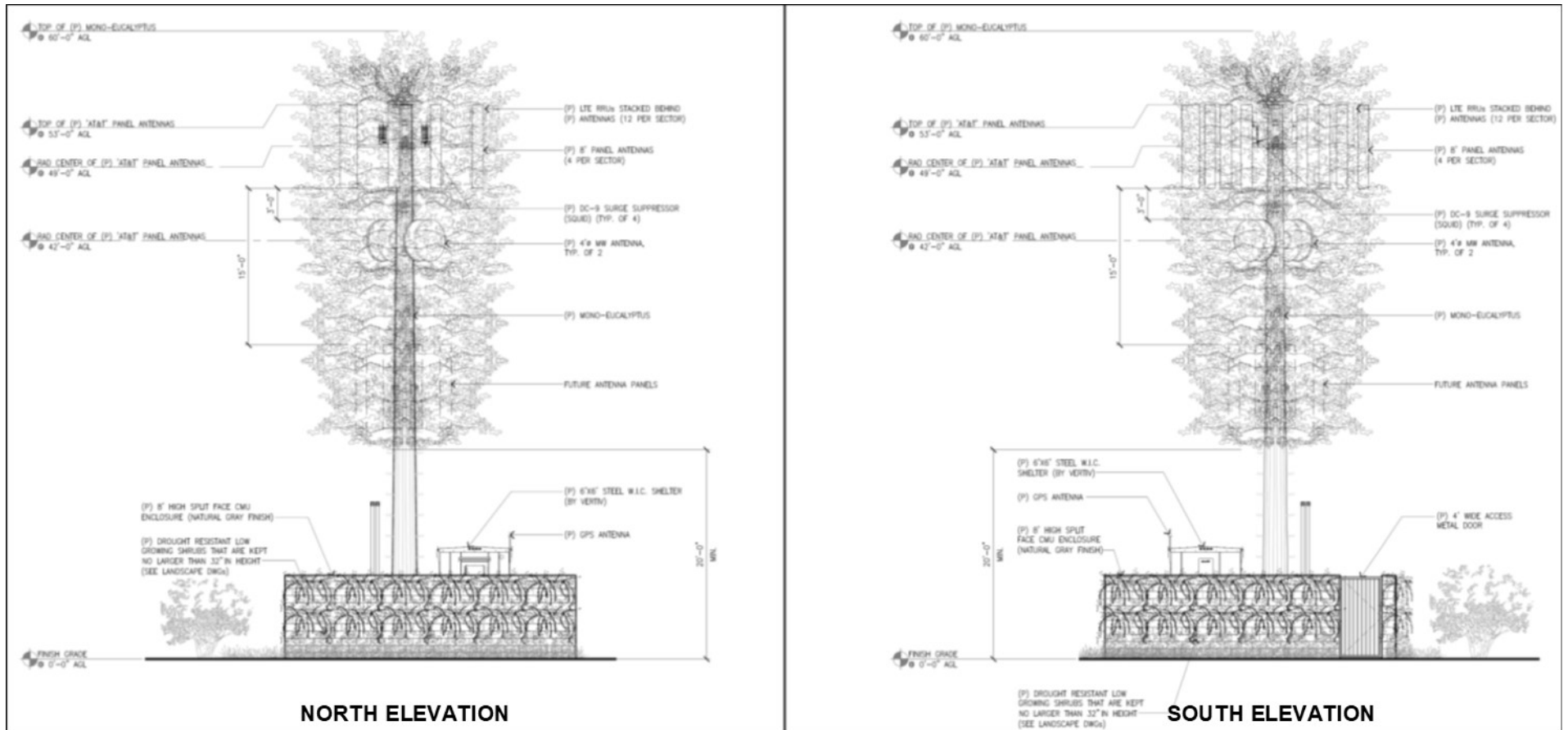


Exhibit D—ELEVATIONS CONTINUED

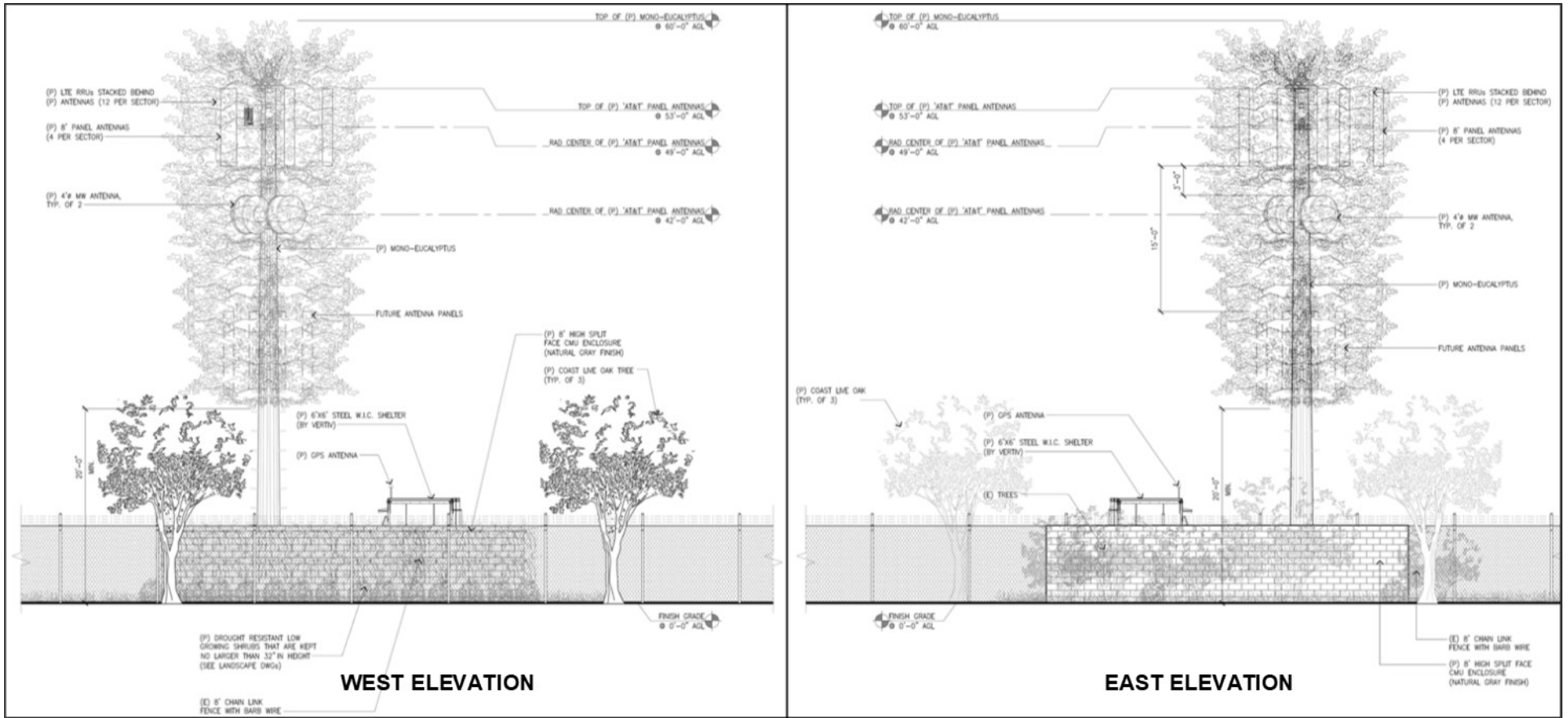
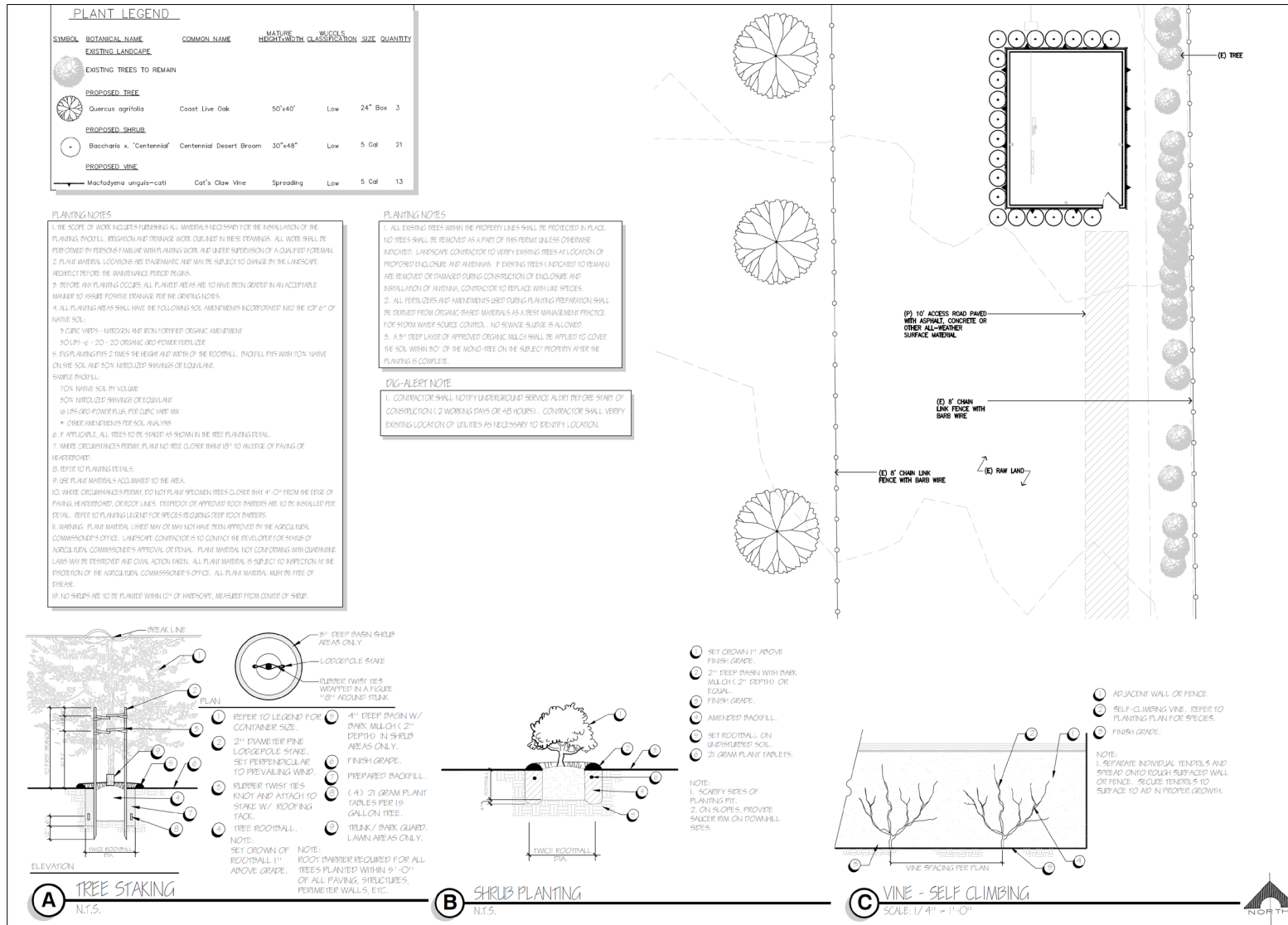


Exhibit F—LANDSCAPE PLAN



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCUP20-014, A CONDITIONAL USE PERMIT TO ESTABLISH A 60-FOOT-TALL STEALTH (AT&T) WIRELESS TELECOMMUNICATIONS FACILITY ON 1.77 ACRES OF LAND, LOCATED ON THE EAST SIDE OF OAKS AVENUE, APPROXIMATELY 500 FEET SOUTH OF PHILLIPS STREET, WITHIN THE AR-2 (RESIDENTIAL-AGRICULTURAL – 0 TO 2.0 DU/AC) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF— APN: 1014-121-03 AND 1014-121-04.

WHEREAS, AT&T ("Applicant") has filed an Application for the approval of a Conditional Use Permit, File No. PCUP20-014, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.77 acres of land generally located on the east side of Oaks Avenue, approximately 500 feet south of Phillips Street, within the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac), and is presently vacant; and

WHEREAS, the property to the north of the Project site is within the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district and is developed with a single-family residence. The property to the east is within the AR-2 (Residential-Agricultural zoning district and is developed with an SCE Substation that is 3.2 acres in size and is presently developed with 33kV/92kV transmission lines and a 2,200-square-foot utility building. The properties to the south and west are within the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district and are developed with single-family residences; and

WHEREAS, on July 27, 2020, the Applicant submitted an application requesting approval of a Conditional Use Permit (File No. PCUP20-014) to establish a wireless telecommunications facility on a residentially zoned property, in conjunction with a Development Plan (File No. PDEV20-017) to construct a 60-foot-tall stealth antenna and a 1,040-square-foot equipment enclosure area; and

WHEREAS, the proposed facility is centrally located along the eastern property line, toward the rear of the property, to allow for future development of the site. The equipment enclosure area contains the facility's stealth antenna and operating equipment, and will be set back approximately 220 feet from Oaks Avenue. The equipment enclosure area will be screened from public view by a decorative masonry block wall and landscaping; and

WHEREAS, the Applicant has proposed a mono-eucalyptus design for the wireless telecommunications facility antenna. The mono-eucalyptus mimics the shape and

appearance of a eucalyptus tree and uses faux branches and foliage to screen the equipment and facility from public view. The stealth antenna will measure 53 feet to the top of the antenna array, with branches extending seven feet above the antenna and their mounting brackets to provide a natural appearance. Branches are also required to protrude horizontally beyond the radio units and mounting brackets, to screen the equipment. The radio units will be screened with "socks," or pieces of foliage designed to mask the units and the trunk (pole) will be covered in faux bark; and

WHEREAS, on February 1, 2021, community notices were mailed to all property owners located within 500 feet of the project site. The Planning Department received two phone calls requesting more information of the project. Following staff's explanation of the Project, the residence stated their support for the project and had no further comment; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on July 19, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB21-032, recommending that the Planning Commission approve the Application; and

WHEREAS, on July 27, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1: Environmental Determination and Findings. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 3 (Class 15303, New Construction or Conversion of Small Structures) of the CEQA Guidelines, which consists of the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure; and

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

(4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 3: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.*** The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed mono-eucalyptus wireless telecommunications facility land use will be established and operated consistent with the objectives and purposes, and

development standards and guidelines, of the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district.

(2) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed mono-eucalyptus wireless telecommunications facility land use will be located within the RR (Rural Residential) land use district of the Policy Plan Land Use Map, and the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan.

(3) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.*** The proposed mono-eucalyptus wireless telecommunications facility land use is located with the RR (Rural Residential) land use district, and the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code.

(4) ***The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located.

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

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 27th day of July 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 27, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PCUP20-014
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: July 27, 2021

File No: PCUP20-014

Related Files: PDEV20-017

Project Description: A Conditional Use Permit (File No. PCUP20-014) to establish a 60-foot-tall stealth (AT&T) wireless telecommunications facility (mono-eucalyptus) with a 1,040 square foot equipment enclosure/lease area on 1.77 acres of land, located on the east side of Oaks Avenue, approximately 500 feet south of Phillips Street, within the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district; (APNs: 1014-121-03 and 1014-121-04) **submitted by AT&T.**

Prepared By: Jeanie Irene Aguilo, Associate Planner
Phone: 909.395.2418 (direct)
Email: jaguilo@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. Conditional Use Permit approval shall become null and void one year 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, except that a Variance approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. 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.

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).

2.6 Site Lighting.

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

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

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

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

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

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

2.11 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines, which consists of construction and location of limited numbers of new, small facilities or structures as well as the installation of small new equipment and facilities in small structures.

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

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

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

2.13 Additional Fees.

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

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



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Assistant Planner
Planning Department

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

DATE: August 26, 2020

SUBJECT: PCUP20-014 – A Conditional Use Permit to establish a 55-foot tall wireless telecommunications facility (mono eucalyptus) with an 880 square foot equipment shelter on 1.705 acres of land located on the east side of Oaks Avenue, approximately 500 feet south of Phillips Street, within the AR-2 (Residential-Agricultural – 0 to 2.0 DUs/Acre) zoning district (APN: 1014-121-04). Related File: PDEV20-017.

-
- The plan **does** adequately address Fire Department requirements at this time.
- No Comments.
-



CITY OF ONTARIO MEMORANDUM

TO: Scott Murphy, Development Director
 Cathy Wahlstrom, Planning Director (Copy of memo only)
 Diane Ayala, Advanced Planning Division (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Khoi Do, City Engineer
 Jamie Richardson, Landscape Planning Division
 Ahmed Aly, Municipal Utility Company
 Emily Hernandez, Police Department
 Paul Ehrman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, T. E., Traffic/Transportation Manager
 Lorena Mejia, Airport Planning
 Eric Woosley, Engineering/NPDES
 Joe De Sousa, Code Enforcement (Copy of memo only)
 Jimmy Chang, IT Department

FROM: Jeanie Irene Aguilo, Associate Planner

DATE: August 03, 2020

SUBJECT: FILE #: PCUP20-014 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

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

PROJECT DESCRIPTION: A Conditional Use Permit to establish a 55-foot tall mono eucalyptus wireless communications facility with a 880-square foot equipment shelter on 1.705 acres of land located on the east side of Oaks Avenue approximately 500 feet south of Phillips Street, within the AR-2 zoning district (APN(s): 1014-121-04). Related File(s): PDEV20-###.

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

Landscape Plannig Division
Department

Philip Marino
Signature

Associate Landscape Planner
Title

8/24/20
Date

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Jeanie Irene Aguilo
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: August 4, 2020
SUBJECT: PCUP20-014

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

KS:lr



CITY OF ONTARIO MEMORANDUM

TO: Scott Murphy, Development Director
 Cathy Wahlstrom, Planning Director (Copy of memo only)
 Diane Ayala, Advanced Planning Division (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Khoi Do, City Engineer
 Jamie Richardson, Landscape Planning Division
 Ahmed Aly, Municipal Utility Company
 Emily Hernandez, Police Department
 Paul Ehrman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, T. E., Traffic/Transportation Manager
 Lorena Mejia, Airport Planning
 Eric Woosley, Engineering/NPDES
 Joe De Sousa, Code Enforcement (Copy of memo only)
 Jimmy Chang, IT Department

FROM: Jeanie Irene Aguilo, Associate Planner

DATE: August 03, 2020

SUBJECT: FILE #: PCUP20-014 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

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

PROJECT DESCRIPTION: A Conditional Use Permit to establish a 55-foot tall mono eucalyptus wireless communications facility with a 880-square foot equipment shelter on 1.705 acres of land located on the east side of Oaks Avenue approximately 500 feet south of Phillips Street, within the AR-2 zoning district (APN(s): 1014-121-04). Related File(s): PDEV20-###.

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

POLICE
Department

E. HERNANDEZ
Signature

POLICE OFFICER
Title

8/31/2020
Date

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV20-017, A DEVELOPMENT PLAN TO CONSTRUCT A 60-FOOT-TALL STEALTH (AT&T) WIRELESS TELECOMMUNICATIONS FACILITY ON 1.77 ACRES OF LAND, LOCATED ON THE EAST SIDE OF OAKS AVENUE, APPROXIMATELY 500 FEET SOUTH OF PHILLIPS STREET, WITHIN THE AR-2 (RESIDENTIAL-AGRICULTURAL – 0 TO 2.0 DU/AC) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1014-121-03 AND 1014-121-04.

WHEREAS, AT&T ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV20-017, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.77 acres of land generally located on the east side of Oaks Avenue, approximately 500 feet south of Phillips Street, within the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac), and is presently vacant; and

WHEREAS, the property to the north of the Project site is within the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district and is developed with a single-family residence. The property to the east is within the AR-2 (Residential-Agricultural zoning district and is developed with an SCE Substation that is 3.2 acres in size and is presently developed with 33kV/92kV transmission lines and a 2,200-square-foot utility building. The properties to the south and west are within the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district and are developed with single-family residences; and

WHEREAS, on July 27, 2020, the Applicant submitted an application requesting approval of a Conditional Use Permit (File No. PCUP20-014) to establish a wireless telecommunications facility on a residentially zoned property, in conjunction with a Development Plan (File No. PDEV20-017) to construct a wireless telecommunications facility with 60-foot-tall stealth (mono-eucalyptus) antenna and a 1,040-square foot equipment enclosure area; and

WHEREAS, the proposed antenna and equipment enclosure are centrally located along the eastern property line and, toward the rear of the property, to allow for future development of the site. The equipment enclosure area contains the facility's stealth antenna and operating equipment, and will be set back approximately 220 feet from Oaks Avenue. The equipment enclosure area will be screened from public view by a decorative masonry block wall and landscaping. The stealth antenna will measure 53 feet to the top of the proposed antenna array and 60 feet to the top of the artificial foliage; and

WHEREAS, the wireless telecommunications facility will be accessed from Oaks Avenue via an existing 10-foot-wide dirt access road located along the southern property line that has been conditioned to be paved with asphalt or another type of all-weather surface material. The Development Code requires one off-street parking space to be provided for wireless carrier personnel to be able to access and maintain the site. The project has been conditioned to provide one off-street parking space adjacent to the proposed equipment enclosure meeting the minimum parking requirement; and

WHEREAS, the applicant has proposed a mono-eucalyptus design for the facility's stealth antenna, which mimics the shape and appearance of a eucalyptus tree using faux branches and foliage to screen the antenna from public view. The antenna array is proposed at 53 feet in height, with branches extending up to seven feet above the antenna array and their mounting brackets, to provide a natural appearance. Branches are also required to protrude horizontally beyond the radio units and mounting brackets to screen the equipment. The radio units will be screened with "socks," or pieces of foliage designed to mask the units and the trunk (pole) will be covered in faux bark; and

WHEREAS, on February 1, 2021, community notices were mailed to all property owners located within 500 feet of the project site. The intent of the notice was to inform the surrounding community of the proposed project and answer any questions. The Planning Department received two phone calls requesting more information of the project. Both residences had no further comment and ultimately were in favor of the application; and

WHEREAS, the Development Code requires wireless telecommunications facilities to be landscaped, and to be provided with appropriate screening trees and plantings. The applicant has proposed *Quercus agrifolia* (Coast Live Oak) as the screening tree, as they are compatible with the overall visual aesthetic of the surrounding area; and

WHEREAS, Pursuant to Development Code requirements, an informational sign (measuring 2 feet x 2 feet), which includes the carrier's information and an emergency contact number, will be installed outside the facility enclosure; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "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 July 19, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB21-033, recommending that the Planning Commission approve the Application; and

WHEREAS, on July 27, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1: Environmental Determination and Findings. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral

evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 3 (Class 15303, New Construction or Conversion of Small Structures) of the CEQA Guidelines, which consists of the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure; and

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

(4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 3: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria

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

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed 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 RR (Residential Rural) land use district of the Policy Plan Land Use Map, and the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district, including standards relative to the particular land use proposed (mono-eucalyptus wireless telecommunications facility), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

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

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

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

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 27th day of July 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Rick Gage
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 27, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV20-017
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: July 27, 2021

File No: PDEV20-017

Related Files: PCUP20-014

Project Description: A Development Plan (File No. PDEV20-017) to construct a 60-foot-tall stealth (AT&T) wireless telecommunications facility (mono-eucalyptus) with a 1,040 square foot equipment enclosure/lease area on 1.77 acres of land, located on the east side of Oaks Avenue, approximately 500 feet south of Phillips Street, within the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district; (APNs: 1014-121-03 and 1014-121-04) **submitted by AT&T.**

Prepared By: Jeanie Irene Aguilo, Associate Planner
Phone: 909.395.2418 (direct)
Email: jaguilo@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. 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.

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).

2.6 Site Lighting.

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

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

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

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

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

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

2.11 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines, which consists of construction and location of limited numbers of new, small facilities or structures as well as the installation of small new equipment and facilities in small structures.

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

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

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

2.13 Additional Fees.

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

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

2.14 Additional Requirements.

(a) Access road shall be paved with asphalt or another type of all-weather surface material per Planning Director approval.

(b) A Lot Line Adjustment shall be reviewed and approved by the City prior to the building permit issuance.

(c) Development Plan (File No. PDEV20-017) approval is contingent upon the Planning Commission approval of Conditional Use Permit (File No. PCUP20-014).



CITY OF ONTARIO MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

PROJECT ENGINEER: Eric Woosley, P.E., Environmental Engineer (909) 395-2314


PROJECT PLANNER: Jeanie Aguilo, Associate Planner (909) 395-2418


DAB MEETING DATE: July 19, 2021

PROJECT NAME/DESCRIPTION: PDEV20-017, a Development Plan to construct a 60-foot mono-eucalyptus wireless communications facility (AT&T) with an equipment shelter on 1.705 acres of land. (Related File: PCUP20-014)

LOCATION: s/o 1425 South Oaks Avenue (APN: 1014-121-04)

APPLICANT: AT&T

REVIEWED BY: 
Raymond Lee, P.E.
Assistant City Engineer

APPROVED BY: 
Khoi Do, P.E.
City Engineer

6/23/21
Date

6-28-21
Date

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 LISTED BELOW. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT. SEE ATTACHED EXHIBIT 'A' FOR PLAN CHECK SUBMITTAL REQUIREMENTS.

1. The Owner/Grantor shall dedicate to the City the following easement: A sidewalk easement for portions of the sidewalk behind the driveway approach encroaching onto private property. Note: The driveway will be constructed as part of the City's ATP Cycle 4 Project in accordance with the City of Ontario Standard Drawing No. 1204.
2. The applicant/developer shall apply and obtain an encroachment permit through the Engineering Department prior to commencing any work within the Right-Of-Way.

EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV20-017

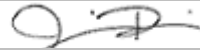
The following items are required to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking/Easement Review**
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 Domestic 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 Public Street Light improvement plan
9. Three (3) sets of Signing and Striping improvement plan
10. Two (2) sets of Site plans with proposed public street improvements
11. Two (2) sets of Delta Revision Plans to Record Street, Street Light, and/or Signing & Striping Drawings which reflect the proposed public street improvements.
12. Two (2) sets of Delta Revision Plans to Record Domestic Water, Recycled Water, and/or Sewer Drawings which reflect the installation of the proposed service laterals, and/or abandonment of unused existing service laterals.
13. Three (3) sets of Wet 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)
14. Two (2) 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 AutoCAD electronic submittal)
15. **One (1) set of documents for the public easement dedication for the portion of sidewalk behind the driveway approach encroaching onto the private property.**

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

CONDITIONS OF APPROVAL

Sign Off



5/6/21

Jamie Richardson, Associate Landscape Planner

Date

Reviewer's Name:

Jamie Richardson, Associate Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV20-017

Case Planner:

Jeanie Aguilo

Project Name and Location:

55 foot mono eucalyptus

Oaks Ave approximately 500' south of Phillips St. APN 1014-121-04

Applicant/Representative:

AT&T – Victor Flores vflores@j5ip.com

182 E Green St.

Claremont, CA 91711



A Preliminary Landscape Plan dated (4/2/2021) 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

Previous Comments 8/17/20

1. Note on plans for automatic irrigation with 4" pop up stream sprays, 4 at each tree such as RainBird 5FB with PC screens to reduce throw.
2. Call out tree sizes: 2-48" and 1 – 60" box. Add tree planting detail including root ball anchors such as Duckbill and guyed with nylon webbing.
3. Screen the 8' CMU enclosure wall; plant 15 gallon Parthenocissus tricuspidata maximum 12" from CMU enclosure spaced 10' on center on all sides; plant 15-gallon screening shrubs such as Prunus carolinana or Ligustrum japonicum 'Texanum' spaced 3' on-center on all sides. Note to provide irrigation; 2 rows on surface dripline (such as RainBird XFD-09-18 or equal, spaced 18" apart on either side of the plant rootball.
4. After a project's entitlement approval, the applicant shall pay all applicable fees.
5. For Plan Check; the plan shall contain:
 - Point of connection, size of water meter, one isolation valve before valve manifold, backflow and locking enclosure. Add note to pain backflow green.
 - Irrigation details.
 - Irrigation lateral lines shall be Sch 40 PVC and a minimum ¾" size. All pressure main line shall be Sch 40 PVC for sizes up to 1½" diameter. Class 315 PVC for lines 2" and larger.
 - Dripline layout, flush valves, and air relief valves.
 - Irrigation schedule.
 - Valve size, location, flow rate, plant type, and square footage.

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



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aquilo, Associate Planner
Planning Department

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

DATE: August 26, 2020

SUBJECT: PDEV20-017 – A Development Plan to construct a 55-foot tall wireless telecommunications facility (mono eucalyptus) with an 880 square foot equipment shelter on 1.705 acres of land located on the east side of Oaks Avenue, approximately 500 feet south of Phillips Street, within the AR-2 (Residential-Agricultural – 0 to 2.0 DUs/Acre) zoning district (APN: 1014-121-04). Related File: PCUP20-017.

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

CONDITIONS OF APPROVAL:

8. Hand-portable fire extinguishers are required to be installed PRIOR to occupancy. Contact the Bureau of Fire Prevention Bureau during the latter stages of construction to determine the exact number, type and placement required per Ontario Fire Department Standard #C-001. (Available upon request from the Fire Department or on the internet at <http://www.ci.ontario.ca.us/index.cfm/34762>)
9. "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 encroach on the 24-foot clear width requirement per Ontario Fire Department. Install per Ontario Fire Department Standards #B-001 and #B-004. (Available upon request from the Fire Department or on the internet at <http://www.ci.ontario.ca.us/index.cfm/34762>)
10. 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. Said numbers shall contrast with their background. (See Section

9-1 6.06 Street Naming and Street Address Numbering of the Ontario Municipal Code and Ontario Fire Department Standards #H-003 and #H-002.)

21. 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.
28. The developer shall transmit a copy of these requirements to his on-site contractor to foster a mutual understanding between on-site personnel and the Fire Marshal's office. It is highly recommended that the developer and fire protection designer obtain a copy of the Ontario Fire Department Fire Protection System Information Checklist to aid in system design. Development Advisory Board comments are to be included on the construction drawing.

ADDITIONAL COMMENTS:

If the equipment cabinets are to contain any stationary storage battery systems, said systems shall comply with section 608 of the 2016 California Fire Code

Standard cell tower, proposed access roadway needs to be increased from 10 to 20 feet for emergency access.

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

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Jeanie Irene Aguilo
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: August 4, 2020
SUBJECT: PDEV20-017

-
- 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



CITY OF ONTARIO MEMORANDUM

TO: Scott Murphy, Development Director
 Cathy Wahlstrom, Planning Director (Copy of memo only)
 Diane Ayala, Advanced Planning Division (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Khoi Do, City Engineer
 Jamie Richardson, Landscape Planning Division
 Ahmed Aly, Municipal Utility Company
 Emily Hernandez, Police Department
 Paul Ehrman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, T. E., Traffic/Transportation Manager
 Lorena Mejia, Airport Planning
 Eric Woosley, Engineering/NPDES
 Joe De Sousa, Code Enforcement (Copy of memo only)
 Jimmy Chang, IT Department

FROM: Jeanie Irene Aguilo, Associate Planner

DATE: August 03, 2020

SUBJECT: FILE #: PDEV20-017

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

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

PROJECT DESCRIPTION: A Development Plan to construct a 55-foot tall mono eucalyptus wireless communications facility with a 880-square foot equipment shelter on 1.705 acres of land located on the east side of Oaks Avenue approximately 500 feet south of Phillips Street, within the AR-2 zoning district (APN(s): 1014-121-04). Related File(s): PCUP20-017.

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

POLICE
Department

E. HERNANDEZ
Signature

POLICE OFFICER
Title

8/31/2020
Date

FILE NOS: PDEV20-029 & PCUP20-019

SUBJECT: A Development Plan (File No. PDEV20-029) and Conditional Use Permit (File No. PCUP20-019) to construct, establish, and operate an outdoor tractor/trailer and truck storage facility on 3.44 acres of land, located at 5601 East Santa Ana Street, within the Utilities Corridor (UC) zoning district; (APN: 238-081-64) **submitted by EPD Solutions.**

PROPERTY OWNER: Westates Holding, LLC

RECOMMENDED ACTION: That the Planning Commission consider and approve File Nos. PDEV20-029, and PCUP20-019, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.


PROJECT SETTING: The project site is comprised of a 3.44-acre portion of an existing 8.69 acres of land located at 5601 East Santa Ana Street, within the Utilities Corridor (UC) zoning district, and is depicted in Figure 1: Project Location Map. The subject site is surrounded by industrial uses and SCE utilities to the north and south. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

(1) Background — On December 16, 2020, the Applicant submitted Conditional Use Permit (File No. PCUP20-019) and Development Plan (File No. PDEV20-029) applications requesting approval to establish, construct, and operate a 3.44-acre tractor/trailer and truck storage facility composed of 92 parking spaces of varying sizes to accommodate trucks, trailers, and other similar vehicle types (see Exhibit B—Site Plan, attached). The Project is a commercial facility intended to provide



Figure 1: Project Location Map

Case Planner:	Robert Morales
Planning Director Approval:	
Submittal Date:	12/16/2020

Hearing Body	Date	Decision	Action
DAB	7/19/2021	Approval	Recommend
PC	7/27/2021		Final
CC			

overflow truck and trailer parking for industrial properties within the immediate area of the project. The Ontario Development Code requires Development Advisory Board recommendation and Planning Commission review and approval for Development Plans filed in conjunction with a Conditional Use Permit.

(a) Site Design/Parking — The Project site includes three internal drive aisles for vehicle circulation. The first internal drive aisle, located on the eastern portion of the site, accesses 19 angled parking spaces. The second internal drive aisle, within the central portion of the site, accesses both angled and perpendicular parking spaces to accommodate 23 trailers. The third internal drive aisle, on the westernmost portion of the site, provides access to 50 parking stalls. Parking stall sizes and the number of stalls provided are summarized below.

Table 1: Parking Stalls Proposed

Stall Size	Number of Stalls
12 feet x 36 feet	6
12 feet x 55 feet	86
No. Stalls Provided	92

Tractor/trailers parked on the Project site will be fully screened from street views by a 14-foot-tall decorative masonry screen wall, which incorporates view-obstructing gates to further limit views into the site.

(2) Site Access/Circulation — The project site has two points of vehicular access from Santa Ana Street by way of two 40-foot-wide driveways. Site ingress is provided via the west driveway and site egress is provided via the east driveway. The proposed internal circulation drives vary from 34 feet and 68 feet in width and are designed to provide optimal maneuverability of incoming and outgoing trucks and trailers. In addition, the proposed parking stalls are sized to accommodate various trailer lengths.

(3) Landscaping — The Project proposes 10 percent landscape coverage, which meets the minimum landscape coverage required by the Development Code for interior lots located within the IH (Heavy Industrial) zoning district. A substantial landscape area is proposed along the Santa Ana Street frontage, which will soften the appearance of the 14-foot tall screen wall. The Project's landscape pallet incorporates a mixture of 24-inch, 36-inch, and 48-inch box *Chilopsis Linearis*, commonly known as a Desert Willow, along with a variety of low-water-use shrubs and groundcover.

(4) Traffic — New traffic resulting from the Project site will not be significant. The Project is forecast to generate 633 daily Passenger Car Equivalent ("PCE") trips, including 45 PCE trips during the AM peak hour and 45 PCE trips during the PM peak hour. The surrounding circulation system and existing street network will adequately support the proposed use.

(5) Utilities (drainage, sewer) — All necessary public utilities are available to the Project site. Additionally, the applicant 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 PWQMP proposes 3 catch basins located at the southern end of each part of the project site to address water quality.

(6) Conditional Use Permit — On September 1995, the City Council approved Ordinance No. 2596, which codified vehicle parking as a conditionally permitted use within the SCE utility corridors (Non-Recreational Open Space zoning designation). Pursuant to the Ontario Development Code, outdoor motor vehicle storage yards are a permitted land use within the UC (Utilities Corridor) zoning district, subject to the approval of a Conditional Use Permit.

A Conditional Use Permit is required to adequately review the potential impacts the proposed use may have on surrounding properties and eliminate or mitigate those impacts. To mitigate the view impacts of the proposed truck and trailer parking, as previously described, a decorative screen wall is proposed, along with heavy landscaping planted throughout the Project's street frontage. Additionally, a 14-foot-tall tubular steel fence will be provided along the north, east, and west Project boundaries.

Project operations are proposed from 6:00 am and 8:00 pm daily but the applicant requests 24-hour flexibility to revise operation hours on an as-needed basis. The site will be secured through two electric gates. The business will not be staffed but will provide key fobs for customer ingress/egress. For security, the applicant will install CCTV cameras, which provide 24/7 security.

Staff recommends the imposition of the following operational conditions, which are also detailed in the attached conditions of approval. These conditions are intended to mitigate any potential adverse impacts associated with the proposed use:

1. Only trucks and trailers will be allowed to be stored. The storage of inoperable vehicles and other items such as equipment or materials is not permitted.
2. On-site security will be required during non-operational hours to reduce the potential for vehicle damage, theft, and graffiti.
3. Vehicle repair and maintenance is not a permitted land use on the Project site.
4. The site is not to be used as a tow yard or impound lot.

5. A caretaker's unit is not proposed under this Conditional Use Permit. Should a caretaker's unit become necessary, a Conditional Use Permit modification, subject to Planning Commission review and approval, will be required.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

(2) Vision.

Distinctive Development:

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

(3) Governance.

Decision Making:

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

(4) Policy Plan (General Plan)

Land Use Element:

- Goal LU2: Compatibility between a wide range of uses.
 - LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Economics Element:

- CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.
- CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional, and sustainable places that will compete well with their competition within the region.
- CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.
- CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Community Design Element:

- Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.
 - CD1-1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.
 - CD1-3 Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.
- Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional, and distinct.
 - CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping, and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.
 - CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding

physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

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

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

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

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

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

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

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

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

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

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

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

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

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. 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 ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

ENVIRONMENTAL REVIEW:

The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, and meets all of the following conditions:

- The Project is consistent with the applicable general plan designation and all applicable general plan policies, as-well-as with applicable zoning designation and regulations. The Project is located within the Open Space – Non-Recreation land use district of the Policy Plan (General Plan) Land Use Map, and the UC (Utilities Corridor) and IH (Heavy Industrial) zoning districts.
- The Proposed development occurs within city limits on a Project site of no more than five acres substantially surrounded by urban uses. The project site is proposed on 3.44 acres of land that is developed on two sides (east and west) by industrial land uses and on one side (north) by a Southern California Edison utility corridor.

Abutting the Project site to the south is a fully improved public street (Santa Ana Street).

- The Project site has no value as habitat for endangered, rare, or threatened species, as the site is previously disturbed and is regularly disked for weed abatement purposes.
- Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- The site can be adequately served by all required utilities and public services.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Manufacturing- Misc. Plastic/ Vacant Lot	Open Space-Non-Recreational and Industrial	UC (Utilities Corridor) and IH (Heavy Industrial)	N/A
<i>North:</i>	Service Warehousing/ Vacant Lot	Open Space-Non-Recreational and Industrial	UC (Utilities Corridor) and IH (Heavy Industrial)	N/A
<i>South:</i>	Electric Utility/ Vacant Lot	Open Space-Non-Recreational and Industrial	UC (Utilities Corridor) and IH (Heavy Industrial)	N/A
<i>East:</i>	Service Warehousing/ Vacant Lot	Industrial	IH (Heavy Industrial)	N/A
<i>West:</i>	Service Warehousing	Industrial	IH (Heavy Industrial)	N/A

General Site & Building Statistics

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area:</i>	3.44 acres	N/A	N/A
<i>Lot/Parcel Size:</i>	8.69 acres	N/A	N/A
<i>Building Area:</i>	N/A	N/A	N/A
<i>Floor Area Ratio:</i>	N/A	N/A	N/A
<i>Building Height:</i>	N/A	N/A	N/A

Off-Street Parking:

<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>Outdoor Vehicle Storage</i>	N/A	N/A	N/A	92
TOTAL				92

Exhibit A — Vicinity Map

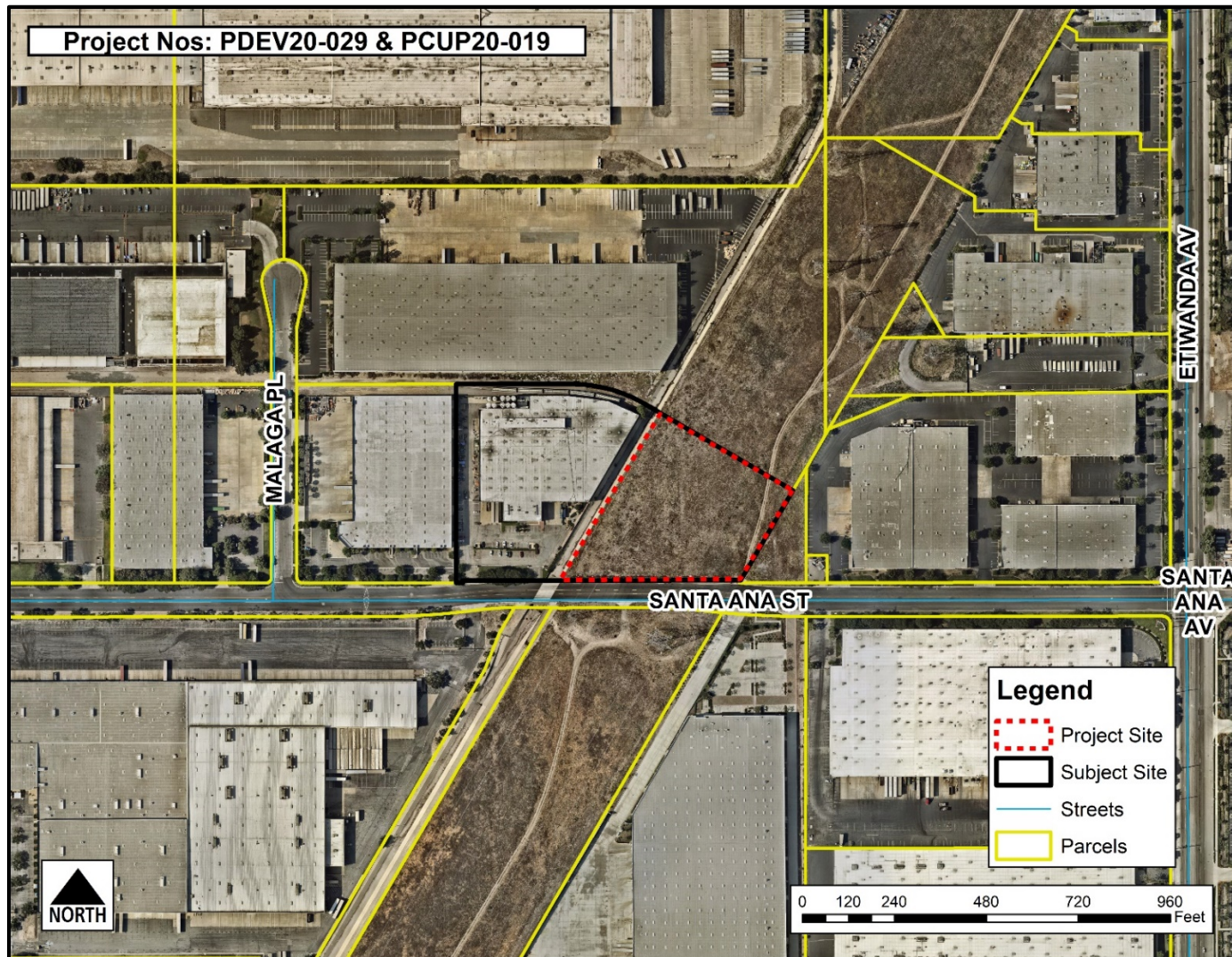


Exhibit B—SITE PLAN

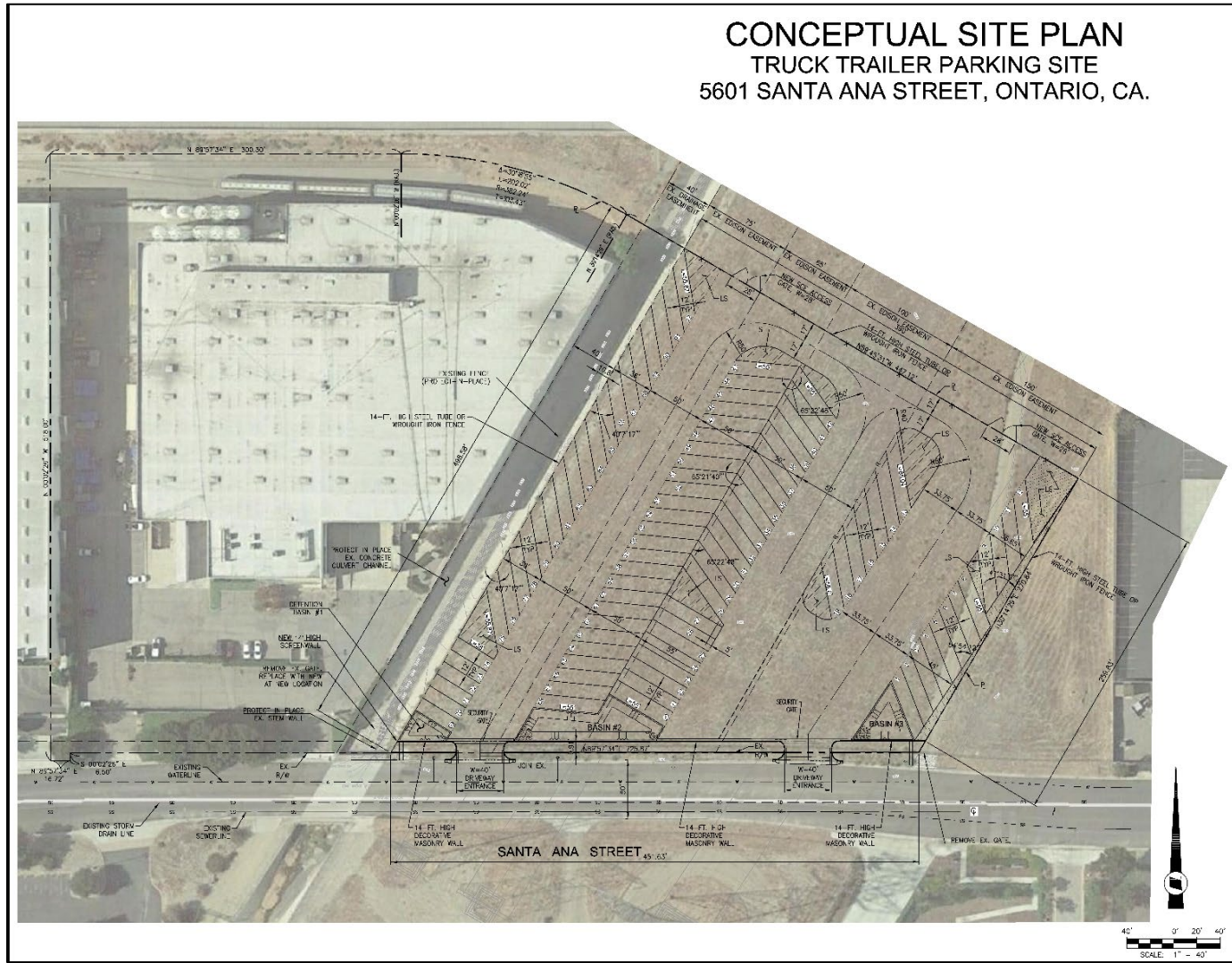


Exhibit C—ELEVATIONS



SOUTH SITE WALL ELEVATION



EAST SITE WALL ELEVATION



NORTH SITE WALL ELEVATION



WEST SITE WALL ELEVATION



ENLARGED TUBE STEEL FENCE, GATES, SPLIT-FACE BLOCK SCREEN WALL WITH PILASTERS



**CHEBEIR ONTARIO TRAILER PARKING SITE
 ONTARIO, CA**

06.22.2021
 H-A+D JOB NO: A13-0067.1

Exhibit E—SITE PHOTOS



Figure 2: Street View- West

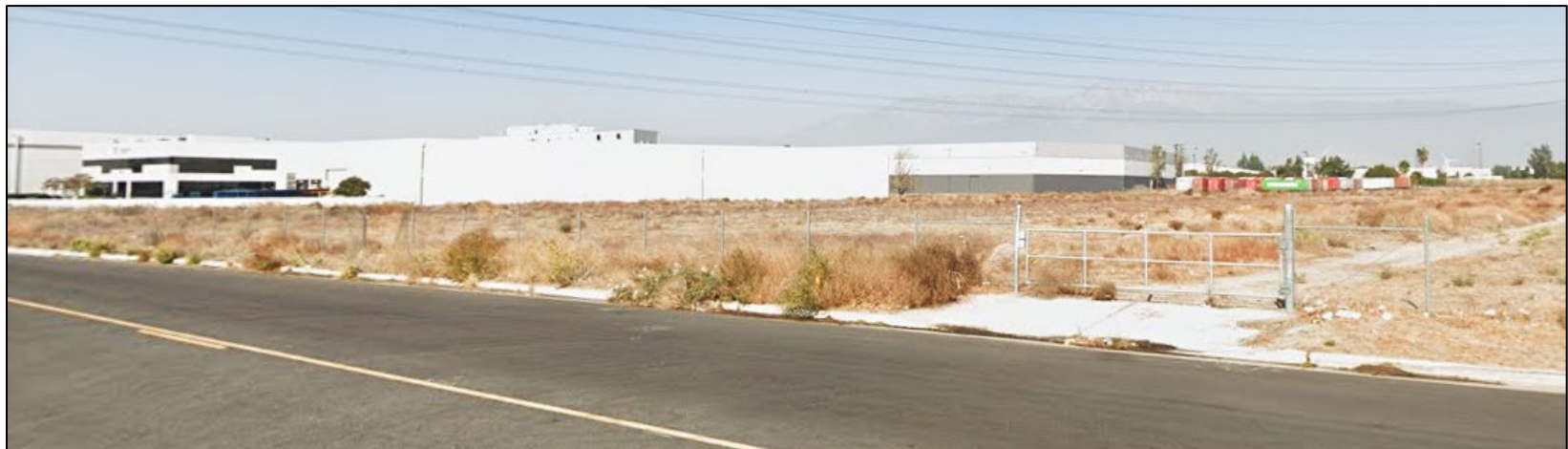


Figure 1: Street View- East

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCUP20-019, A CONDITIONAL USE PERMIT TO ESTABLISH AN OUTDOOR TRACTOR/TRAILER AND TRUCK STORAGE FACILITY ON 3.44 ACRES OF LAND, LOCATED AT 5601 EAST SANTA ANA STREET, WITHIN THE UTILITIES CORRIDOR (UC) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 238-081-64.

WHEREAS, EPD Solutions ("Applicant") has filed an Application for the approval of a Conditional Use Permit, File No. PCUP20-019, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 3.44 acres of land generally located north of Santa Street and west of Etiwanda Avenue, at 5601 East Santa Ana Street within the Utilities Corridor (UC) zoning district, and is presently vacant; and

WHEREAS, the property to the north of the Project site is within the Utilities Corridor (UC) and Heavy Industrial (IH) zoning district and is developed with Service Warehousing/Vacant Lot. The property to the east is within the Heavy Industrial (IH) zoning district and is developed with Service Warehousing/Vacant Lot. The property to the south is within the Utilities Corridor (UC) and Heavy Industrial (IH) zoning district and is developed with Electric Utility/Vacant Lot. The property to the west is within the Heavy Industrial (IH) zoning district and is developed with Service Warehousing; and

WHEREAS, the Conditional Use Permit proposes to establish an outdoor tractor/trailer storage facility; and

WHEREAS, the Conditional Use Permit was submitted in conjunction with a Development Plan (File No. PDEV20-029) to construct a 3.44 outdoor tractor/trailer and truck storage facility on the subject site; and

WHEREAS, the proposed facility is composed of 92 parking spaces of varying sizes to accommodate trucks, trailers, and other similar vehicle types; and

WHEREAS, the Project is a commercial facility intended to provide overflow truck and trailer parking for industrial properties within the immediate area of the subject site; and

WHEREAS, a 14-foot-tall decorative screen wall proposed along the Project's street frontage, in addition to heavy landscaping planted throughout the Project's front landscape setback area, will screen the proposed facility from street views. Additionally,

a 14-foot-tall tubular steel fence will be provided along the north, east, and west Project boundaries to contain the site; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on July 19, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB21-034, recommending that the Planning Commission approve the Application; and

WHEREAS, on July 27, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1: Environmental Determination and Findings. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Project is categorically exempt from environmental review pursuant to Section 15332 (Class 32, In-Fill Development) of the CEQA Guidelines, which meets all of the following conditions:

(a) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as-well-as with applicable zoning designation and regulations. The Project is located within the Open Space – Non-Recreation land use district of the Policy Plan (General Plan) Land Use Map, and the UC (Utilities Corridor) and IH (Heavy Industrial) zoning districts.

(b) The Proposed development occurs within city limits on a Project site of no more than five acres substantially surrounded by urban uses. The project site is proposed on 3.44 acres of land that is developed on two sides (east and west) by industrial land uses and on one side (north) by a Southern California Edison utility corridor. Abutting the Project site to the south is a fully improved public street (Santa Ana Street).

(c) The Project site has no value as habitat for endangered, rare, or threatened species, as the site is previously disturbed and is regularly disked for weed abatement purposes.

(d) Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

(e) The site can be adequately served by all required utilities and public services; and

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

(4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 3: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.*** The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the UC (Utilities Corridor) and IH (Heavy Industrial) zoning district, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed tractor/trailer storage facility land use meets the objectives of the City of Ontario's Development Code and Policy Plan (General Plan).

(2) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed tractor/trailer storage facility land use will be located within the Open Space-Non-Recreational and Industrial land use district of the Policy Plan Land Use Map, and the UC (Utilities Corridor) and IH (Heavy Industrial) zoning district. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan.

(3) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.*** The proposed tractor/trailer storage facility land use is located with the Open Space-Non-Recreational and Industrial land use district, and the UC (Utilities Corridor) and IH (Heavy Industrial) zoning district, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and Policy Plan (General Plan).

(4) ***The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located.

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

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 27th day of July 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard Gage
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 27, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PCUP20-019
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: July 27, 2021

File No: PCUP20-019

Project Description: A Conditional Use Permit (File No. PCUP20-019) to establish and operate a tractor/trailer outdoor storage facility on 3.44 acres of land located at 5601 East Santa Ana Street, within the UC (Utility Corridor) zoning district; (APN: 0238-081-64) **submitted by EPD Solutions.**

Prepared By: Robert Morales, Assistant Planner
Phone: 909.395.2432 (direct)
Email: Rmorales@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. Conditional Use Permit approval shall become null and void one-year 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, except that a Conditional Use Permit approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. 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).

2.6 Outdoor Tractor/Trailer Storage Area.

(a) The outdoor tractor/trailer storage facility shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

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

(c) The outdoor tractor/trailer storage facility shall be screened from public view pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) et seq.

(d) The outdoor tractor/trailer storage facility shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	Minimum Gate Height
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

2.7 Site Lighting.

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

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

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

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

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

2.11 Environmental Review.

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

I. The Project is consistent with the applicable general plan designation and all applicable general plan policies, as-well-as with applicable zoning designation and regulations. The Project is located within the Open Space – Non-Recreation land use district of the Policy Plan (General Plan) Land Use Map, and the UC (Utilities Corridor) and IH (Heavy Industrial) zoning districts.

II. The Proposed development occurs within city limits on a Project site of no more than five acres substantially surrounded by urban uses. The project site is proposed on 3.44 acres of land that is developed on two sides (east and west) by industrial land uses and on one side (north) by a Southern California Edison utility corridor. Abutting the Project site to the south is a fully improved public street (Santa Ana Street).

III. The Project site has no value as habitat for endangered, rare, or threatened species, as the site is previously disturbed and is regularly disked for weed abatement purposes.

IV. Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

V. The site can be adequately served by all required utilities and public services

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

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

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

2.13 Additional Fees.

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

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

3.0 Conditional Use Permit

3.1 Only trucks and trailers shall be allowed to be storage on the subject site. The storage of inoperable vehicles and other items such as equipment or materials shall not be permitted.

3.2 On-site security shall be required during non-operational hours to reduce the potential for vehicle damage, theft, and graffiti.

3.3 Vehicle repair and maintenance shall not be a permitted land use on the subject site.

3.4 The subject site shall not be used as a tow yard or impound lot.

3.5 A caretaker's unit is not proposed under this Conditional Use Permit. Should a caretaker's unit become necessary, a Conditional Use Permit Modification, subject to Planning Commission review and approval, shall be required.



CITY OF ONTARIO

MEMORANDUM

TO: Robert Morales, Assistant Planner
Planning Department

FROM: Mike Gerken, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: March 23, 2021

SUBJECT: PCUP20-019 - A Conditional Use Permit to allow for outdoor vehicle storage on the easterly 3.44-acre portion of a 4.49-acre site located at 5601 East Santa Ana Street, within the UC (Utility Corridor) and IH (Heavy Industrial) zoning districts (APN: 0238-081-64). Related File: PDEV20-029.

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply. See conditions under PDEV20-029.



CITY OF ONTARIO

MEMORANDUM

TO: Robert Morales, Assistant Planner

FROM: Officer Bill Lee, Police Department

DATE: February 15, 2021

SUBJECT: **PDEV20-029: A Development Plan to construct a site for outdoor vehicle storage for commercial building at 5601 E Santa Ana Street.**

PCUP20-019: A Conditional Use Permit to construct and operate a site for outdoor vehicle storage for commercial building at 5601 E Santa Ana Street.

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 listed below.

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor. LED lighting will be required for all lighting fixtures. Optimal lighting for visibility and video color rendering is approximately 3400 degrees Kelvin. The lighting shall be as close to 3400 degrees Kelvin as possible. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.
- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry/exits, including the rear access gates for Southern California Edison easement access, and each driveway aisle. Cameras shall be positioned so as to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 720p resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.
- Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal, or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee’s or management control so that it may be abated by the property owner and/or the City’s graffiti team.

- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Officer Bill Lee at (909) 408-1672 with any questions or concerns.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV20-029, A DEVELOPMENT PLAN TO CONSTRUCT AN OUTDOOR TRACTOR/TRAILER AND TRUCK STORAGE FACILITY ON 3.44 ACRES OF LAND, LOCATED AT 5601 EAST SANTA ANA STREET, WITHIN THE UTILITIES CORRIDOR (UC) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 238-081-64.

WHEREAS, EPD Solutions ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV20-029, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 3.44 acres of land generally located north of Santa Street and west of Etiwanda Avenue, at 5601 East Santa Ana Street within the Utilities Corridor (UC) zoning district, and is presently vacant; and

WHEREAS, the property to the north of the Project site is within the Utilities Corridor (UC) and Heavy Industrial (IH) zoning district and is developed with Service Warehousing/Vacant Lot. The property to the east is within the Heavy Industrial (IH) zoning district and is developed with Service Warehousing/Vacant Lot. The property to the south is within the Utilities Corridor (UC) and Heavy Industrial (IH) zoning district and is developed with Electric Utility/Vacant Lot. The property to the west is within the Heavy Industrial (IH) zoning district and is developed with Service Warehousing; and

WHEREAS, the Development proposes to construct an outdoor tractor/trailer storage facility; and

WHEREAS, the Development Plan was submitted in conjunction with a Conditional Use Permit (File No. PCUP20-019) to establish a 3.44 outdoor tractor/trailer and truck storage facility on the subject site; and

WHEREAS, the proposed facility is composed of 92 parking spaces of varying sizes to accommodate trucks, trailers, and other similar vehicle types; and

WHEREAS, the Project is a commercial facility intended to provide overflow truck and trailer parking for industrial properties within the immediate area of the subject site; and

WHEREAS, a 14-foot-tall decorative screen wall proposed along the Project's street frontage, in addition to heavy landscaping planted throughout the Project's front landscape setback area, will screen the proposed facility from street views. Additionally,

a 14-foot-tall tubular steel fence will be provided along the north, east, and west Project boundaries to contain the site; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

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

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

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

WHEREAS, on July 19, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB21-035, recommending that the Planning Commission approve the Application; and

WHEREAS, on July 27, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

SECTION 1: Environmental Determination and Findings. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Project is categorically exempt from environmental review pursuant to Section 15332 (Class 32, In-Fill Development) of the CEQA Guidelines, which meets all of the following conditions:

(a) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as-well-as with applicable zoning designation and regulations. The Project is located within the Open Space – Non-Recreation land use district of the Policy Plan (General Plan) Land Use Map, and the UC (Utilities Corridor) and IH (Heavy Industrial) zoning districts.

(b) The Proposed development occurs within city limits on a Project site of no more than five acres substantially surrounded by urban uses. The project site is proposed on 3.44 acres of land that is developed on two sides (east and west) by industrial land uses and on one side (north) by a Southern California Edison utility corridor. Abutting the Project site to the south is a fully improved public street (Santa Ana Street).

(c) The Project site has no value as habitat for endangered, rare, or threatened species, as the site is previously disturbed and is regularly disked for weed abatement purposes.

(d) Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

(e) The site can be adequately served by all required utilities and public services; and

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

(4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 3: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed 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 Open Space-Non-Recreational and Industrial land use district of the Policy Plan Land Use Map, and the Utilities Corridor (UC) and Heavy Industrial (IH) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Utilities Corridor (UC) and Heavy Industrial (IH) zoning district, including standards relative to the particular land use proposed outdoor tractor/trailer storage facility, as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

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

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

consistent with the development standards and guidelines described in the Development Code.

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

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

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

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

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 27th day of July 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard Gage
Planning Commission Chairman

ATTEST:

Rudy Zeledon
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 27, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV20-029
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)

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

CONDITIONS OF APPROVAL	
Sign Off	
	4/12/2021
Jamie Richardson, Sr. Landscape Planner	Date

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

D.A.B. File No.: PDEV20-029	Case Planner: Robert Morales
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Project Name and Location: Outdoor Vehicle Storage 5601 E Santa Ana
Applicant/Representative: EPD Solutions – Charlie Cisakowski 2 Park Plaza, Suite 1120 Irvine, CA 92614

<input checked="" type="checkbox"/>	Preliminary Plans (dated 4/12/2021) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	Preliminary Plans (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

- Storm water infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division prior to permit issuance. Any storm water devices in parkway areas shall not displace street trees.
- Slopes shall be a maximum of 3:1. Correct sections A and C.

Landscape Plans

- Show SCE approved trees and shrubs within the right of way and project perimeters for screening; east and west property lines.
- Show backflow devices with 36" high strappy leaf shrub screening and trash enclosures and transformers, a 4'-5' high evergreen hedge screening. Do not encircle utility, show as masses and duplicate masses in other locations on regular intervals.
- Call out all fences and walls, materials proposed and heights; provide details for material, color, etc.
- Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
- 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

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



CITY OF ONTARIO

MEMORANDUM

TO: Robert Morales, Assistant Planner
Planning Department

FROM: Mike Gerken, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: January 14, 2021

SUBJECT: PDEV20-029 - A Development Plan to improve the easterly vacant 3.44-acre portion of the existing 4.49-acre site for outdoor vehicle storage on property located at 5601 East Santa Ana Street, within the UC (Utility Corridor) and IH (Heavy Industrial) zoning districts (APNs: 238-081-64). Related Files: PCUP20-019.

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

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: N/A
- B. Type of Roof Materials: N/A
- C. Ground Floor Area(s): N/A
- D. Number of Stories: N/A
- E. Total Square Footage: 150,039 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): N/A

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/Fire/Prevention.
- ☒ 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.

3.0 WATER SUPPLY

- ☒ 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

- ☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.



CITY OF ONTARIO

MEMORANDUM

TO: Robert Morales, Assistant Planner

FROM: Officer Bill Lee, Police Department

DATE: February 15, 2021

SUBJECT: **PDEV20-029: A Development Plan to construct a site for outdoor vehicle storage for commercial building at 5601 E Santa Ana Street.**

PCUP20-019: A Conditional Use Permit to construct and operate a site for outdoor vehicle storage for commercial building at 5601 E Santa Ana Street.

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 listed below.

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor. LED lighting will be required for all lighting fixtures. Optimal lighting for visibility and video color rendering is approximately 3400 degrees Kelvin. The lighting shall be as close to 3400 degrees Kelvin as possible. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.
- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry/exits, including the rear access gates for Southern California Edison easement access, and each driveway aisle. Cameras shall be positioned so as to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 720p resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.
- Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal, or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee’s or management control so that it may be abated by the property owner and/or the City’s graffiti team.

- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Officer Bill Lee at (909) 408-1672 with any questions or concerns.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PDEV20-029</u> RELATED FILE NO(S). <u>PCUP20-019</u>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: David Zurita (909) 395-2155

CITY PROJECT PLANNER & PHONE NO: Robert Morales (909) 395-2432

DAB MEETING DATE: July 19, 2021

PROJECT NAME / DESCRIPTION: PDEV20-029 – A Development Plan to improve the easterly vacant 3.44-acre portion of the existing 4.49-acre site for outdoor vehicle storage on property located at 5601 E Santa Ana St. within the UC (Utility Corridor) and IH (Heavy Industrial) zoning districts.

LOCATION: 5601 Santa Ana Street

APPLICANT: Westates Holding, LLC

REVIEWED BY: 
 Raymond Lee, P.E.
 Assistant City Engineer

7/13/21
Date

APPROVED BY: 
 Khoi Do, P.E.
 City Engineer

7-13-21
Date



- 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) 395-2341 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 **The subject parcel is a recognized parcel in the City of Ontario per Parcel Map 6084 Parcel 7 recorded in the County of San Bernardino Parcel Map Book 76 Page 54.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____ .
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 - Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.



- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

- 2.08 Submit a soils/geology report.
- 2.09 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: Southern California Edison

- 2.10 Dedicate to the City of Ontario the right-of-way described below:

_____ feet on _____

Property line corner 'cut-back' required at the intersection of _____ and _____.
- 2.11 Dedicate to the City of Ontario the following easement(s): _____

- 2.12 New Model Colony (NMC) Developments:
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**



- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$77,021.60, 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	Santa Ana St	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 checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Abandon existing	<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 checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)



Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Upgrade existing	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Services: Irrigation and Fire	<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 checked="" 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	Construct under-parkway drains			
-----------------------	-----------------------------------------------	--	--	--

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 **A 15-inch sewer main is available for connection by this project in Santa Ana St. (Ref: Sewer plan bar code: S13208)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions: _____

D. WATER

- 2.27 **A 12-inch water main is available for connection by this project in Santa Ana St (Ref: Water plan bar code: W12488) Construct separate irrigation and fire services.**
- 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: _____

E. RECYCLED WATER

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



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

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions: Property frontage along Santa Ana Street shall be signed "No Parking Anytime".

G. DRAINAGE / HYDROLOGY

- 2.38 A 39-inch storm drain main is available to accept flows from this project in Santa Ana St. (Ref: Storm Drain plan bar code: D10049)
- 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:**
All Priority Land Use (PLU): Land use consisting of high-density residential, industrial, commercial, mixed urban, and public transportation station land uses shall comply with the statewide Trash Provisions adopted by the State Water Resources Control Board (SWRCB). Pretreatment leading into the proposed BMP must be selected from the following website
https://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/trash_implementation/certified_fcsdevicelist_16Feb2021.pdf

Activities resulting in land disturbance of one acre or more are required to obtain coverage under the Construction General Permit (CGP). The owner is the legally responsible person (LRP) of the site and shall have a Stormwater Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at

<https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml>

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) 395-2341 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. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.**

- 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: _____

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 20-029**
Related Project: **PCUP20-019**

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

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



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



CITY OF ONTARIO

MEMORANDUM

TO: David Zurita, ENGINEERING DEPARTMENT
FROM: Celia Corral
DATE: June 15 2021
SUBJECT: File No. PDEV20-029 PCUP20-019

The Site Plan for this project is approved for DAB based on the following conditions:

All Priority Land Use (PLU): Land use consisting of high-density residential, industrial, commercial, mixed urban, and public transportation station land uses shall comply with the statewide Trash Provisions adopted by the State Water Resources Control Board (SWRCB). Pretreatment leading into the proposed BMP must be selected from the following website

https://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/trash_implementation/certified_fcsdevicelist_16Feb2021.pdf

This project will be conditioned in the Engineering DAB Report to prepare a WQMP based on the approved PWQMP. The WQMP template is available at: <http://www.sbcounty.gov/dpw/land/npdes.asp> or on the City's website under Engineering/Environmental Services.

Activities resulting in land disturbance of one acre or more is required to obtain coverage under the Construction General Permit (CGP). The owner is the legally responsible person (LRP) of the site and shall have a Stormwater Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at <https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml>



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director
 Rudy Zeledon, Planning Director (Copy of memo only)
 Diane Ayala, Advanced Planning Division (Copy of memo only)
 Charity Hernandez, Economic Development
 Matt Montieth, Building Department
 Raymond Lee, Engineering Department
 Jamie Richardson, Landscape Planning Division
 Dennis Mejia, Municipal Utility Company
 Gabriel Gutierrez, Police Department
 Mike Gerken, Deputy Fire Chief/Fire Marshal
 Jay Bautista, T. E., Traffic/Transportation Manager
 Lorena Mejia, Airport Planning
 Eric Woosley, Engineering/NPDES
 Angela Magana, Community Improvement (Copy of memo only)
 Jimmy Chang, IPA Department

Nathan Kuan

Revision #1

FROM: Robert Morales, Assistant Planner

DATE: March 22, 2021

SUBJECT: FILE #: PDEV20-029 Finance Acct#:

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

PROJECT DESCRIPTION: A Development Plan to improve the easterly vacant 3.44-acre portion of the existing 4.49-acre site for outdoor vehicle storage on property located at 5601 East Santa Ana Street, within the UC (Utility Corridor) and IH (Heavy Industrial) zoning districts (APNs: 238-081-64). Related Files: PCUP20-019.

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

ENGINEERING/
TRAFFIC

ENGINEERING
ASSISTANT

4/7/21

Department

Signature

Title

Date



CITY OF ONTARIO

MEMORANDUM

TO:

Scott Murphy, Community Development Director
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Matt Montieth, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, Municipal Utility Company
Gabriel Gutierrez, Police Department
Mike Gerken, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department

Revision #1
Nathan K.

FROM: Robert Morales, Assistant Planner

DATE: March 23, 2021

SUBJECT: FILE #: PCUP20-019

Finance Acct#:

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

PROJECT DESCRIPTION: A Conditional Use Permit to allow for outdoor vehicle storage on the easterly 3.44-acre portion of a 4.49-acre site located at 5601 East Santa Ana Street, within the UC (Utility Corridor) and IH (Heavy Industrial) zoning districts (APN: 0238-081-64). Related File: PDEV20-029.

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

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

The plan does not adequately address the departmental concerns.

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

ENGINEERING/
TRAFFIC
Department

[Signature]
Signature

ENGINEERING
ASSISTANT
Title

4/7/21
Date



CITY OF ONTARIO MEMORANDUM

Development Plan Review

Project: PDEV20-029

Date: April 7th, 2021

Location: 5601 E. Santa Ana Street

By: Nathan Kuan

The Transportation Division recommends the following to be incorporated into the Project's Conditions-of-Approval:

Conditions:

1. Design and construct proposed driveways in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway.
2. Property frontage along Santa Ana Street shall be signed "No Parking Anytime".

nk;



CITY OF ONTARIO MEMORANDUM



DATE: June 16, 2021
TO: David Zurita, Engineering
CC: Robert Morales, Planning
FROM: Peter Tran, Utilities Engineering
SUBJECT: DPR #2 – Conditions of Approval - Utilities Comments (**#7537 and #7538, PJ#226**)
PDEV20-029, PCUP20-019 (A Development Plan to convert an empty lot into outdoor vehicle
PROJECT NO.: storage on property at 5601 E. Santa Ana Street)

BRIEF DESCRIPTION

A Development Plan to improve the easterly vacant 3.44-acre portion of the existing 4.49-acre site for outdoor vehicle storage on property located at 5601 East Santa Ana Street, within the UC (Utility Corridor) and IH (Heavy Industrial) zoning districts (APNs: 238-081-64). Related Files: PCUP20-019.

THIS SUBMITTAL IS COMPLETE AND RECOMMENDED FOR APPROVAL.

CONDITIONS OF APPROVAL: *The Ontario Municipal Utilities Company (OMUC) recommends this application for approval subject to the conditions outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards.*

General Conditions:

1. **Standard Conditions of Approval:** Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below.

Potable Water Conditions:

2. **Existing Fire Hydrants:** Upgrade the two existing fire hydrants along the property frontage to city's current standard with beak away check valve.
3. **Proposed Fire Hydrant:** Construct a new fire hydrant to city's current standard midway between the two exiting fire hydrants and in front of the proposed project site, vehicle storage.



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: July 27, 2021

File No: PDEV20-029

Project Description: A Development Plan (File No. PDEV20-029) to construct an outdoor tractor/trailer storage facility on 3.44 acres of land located at 5601 East Santa Ana Street, within the UC (Utility Corridor) zoning district; (APN: 0238-081-64) **submitted by EPD Solutions.**

Prepared By: Robert Morales, Assistant Planner
Phone: 909.395.2432 (direct)
Email: Rmorales@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. 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).

2.6 Outdoor Tractor/Trailer Storage Area.

(a) The outdoor tractor/trailer storage facility shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

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

(c) The outdoor tractor/trailer storage facility shall be screened from public view pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) et seq.

(d) The outdoor tractor/trailer storage facility shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

<i>Screen Wall Height</i>	<i>Minimum Gate Height</i>
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

2.7 Site Lighting.

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

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

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

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

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

2.11 Environmental Review.

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

I. the Project is consistent with the applicable general plan designation and all applicable general plan policies, as-well-as with applicable zoning designation and regulations. The Project

is located within the Open Space – Non-Recreation land use district of the Policy Plan (General Plan) Land Use Map, and the UC (Utilities Corridor) and IH (Heavy Industrial) zoning districts.

II. The Proposed development occurs within city limits on a Project site of no more than five acres substantially surrounded by urban uses. The project site is proposed on 3.44 acres of land that is developed on two sides (east and west) by industrial land uses and on one side (north) by a Southern California Edison utility corridor. Abutting the Project site to the south is a fully improved public street (Santa Ana Street).

III. The Project site has no value as habitat for endangered, rare, or threatened species, as the site is previously disturbed and is regularly disked for weed abatement purposes.

IV. Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

V. The site can be adequately served by all required utilities and public services

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

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

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

2.13 Additional Fees.

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

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



PLANNING DEPARTMENT ACTIVITY REPORT

Months of May 2021 and June 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

TO: Chairman and Members of the Planning Commission
FROM: Rudy Zeledon, Planning Director *RZ*
DATE: July 27, 2021

Attached, you will find the Planning Department Monthly Activity Report for the months of May 2021 and June 2021. The report describes all new applications received by the Planning Department and actions taken on applications during the month. Please contact me if you have any questions regarding this information.

The attached reports, along with reports from past months, may also be viewed on the City's web site at: <https://www.ontarioca.gov/Planning/Reports/MonthlyActivity>.



Monthly Activity Report: Actions

Month of May 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

DEVELOPMENT ADVISORY BOARD MEETING May 3, 2021

Meeting Cancelled

ZONING ADMINISTRATOR MEETING May 3, 2021

Meeting Cancelled

CITY COUNCIL/HOUSING AUTHORITY MEETING May 4, 2021

PROCLAMATION OF HISTORIC PRESERVATION MONTH MAY 2021

Action: The City Council proclaimed the month of May 2021 as Historic Preservation Month.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT AMENDMENT REVIEW FOR FILE NO.

PDA16-003: The First Amendment to the Development Agreement (File No. PDA16-003) to defer the commencement of certain street improvements and establish the terms and conditions for the development of Tentative Tract Map 20265 (File No. PMTT19-006), a 21.10 acre property located on the east side of Mill Creek Avenue, approximately 670 feet south of Ontario Ranch Road, within the Standalone Residential land use district of the Rich-Haven Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-004, the Rich-Haven Specific Plan, for which an Environmental Impact Report (State Clearinghouse No. 2006051081) was certified by the City Council on December 4, 2007. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-652-27) **submitted by GDCI-RCCD 2, LP. The Planning Commission recommend approval of this item on March 23, 2021, with a vote of 5 to 0.**

Action: The City Council adopted and waived further reading of an ordinance approving the First Amendment to the Development Agreement.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT REVIEW FOR FILE NO. PDA18-004:

A Development Agreement (File No. PDA18-004) between the City of Ontario and Merrill Commerce Center East LLC, to establish the terms and conditions for the development of Tentative Parcel Map 20273 (File No. PMTT20-010), a 366.65 acre property generally bordered by Eucalyptus Avenue to the north, Merrill Avenue to the south, Carpenter Avenue to the east, and Grove Avenue to the west, within the Business Park and Industrial land use districts of the Merrill Commerce Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Merrill Commerce Center Specific Plan (File No. PSP18-001), for



Monthly Activity Report: Actions

Month of May 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

which an Environmental Impact Report (State Clearinghouse No. 2019049079) was certified by the City Council on February 2, 2021. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APNs: 1054-111-01; 1054-111-02; 1054-121-01; 1054-121-02; 1054-131-01; 1054-131-02; 1054-141-01; 1054-141-02; 1054-151-01; 1054-151-02; 1054-161-01; 1054-161-02; 1054-161-03; 1054-171-01; 1054-171-02; 1054-171-03; 1054-171-04; 1054-181-01; 1054-181-02; 1054-191-01; 1054-191-02; 1054-201-01; 1054-201-02; 1054-211-01, 1054-211-02; 1054-221-01; 1054-221-02; 1054-331-01; 1054-331-02; 1054-341-01; 1054-341-02; 1054-351-01; 1054-351-02; 1054-361-01; 1054-361-02; 1073-111-01; 1073-111-02; 1073-111-03; 1073-111-04; 1073-111-05; 1073-111-06) **submitted by Merrill Commerce Center East LLC. The Planning Commission recommended approval of this item on March 23, 2021, with a vote of 6 to 0.**

Action: The City Council adopted and waived further reading of an ordinance approving the First Amendment to the Development Agreement.

DEVELOPMENT ADVISORY BOARD MEETING May 17, 2021

ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT20-012 (TM 20389): A Tentative Tract Map (TTM 20389) to subdivide 5.99 acres of land into one numbered lot and three lettered lots for condominium purposes, is bounded by Merrill Avenue to the north, Southern California Edison easement to the west, and the San Bernardino County Flood Control District and the City of Eastvale to the south. Staff has prepared an Addendum to the Subarea 29 Specific Plan (PSP03-003) EIR (State Clearinghouse No. 2004011009) certified by City Council on October 17, 2006. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APN: 0218-331-42) **submitted by SL Ontario Development Company, LLC. Planning Commission action is required.**

Action: The Development Advisory Board adopted decisions recommending the Planning Commission approve the use of an Addendum and approve the Tentative Tract Map, subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-008: A Development Plan to construct a 200,291-square foot industrial building on 10.64 acres of land located at the northeast corner of Haven Avenue and Airport Drive, within the proposed Light Industrial land use district of the California Commerce Center Specific Plan. Staff has prepared an



Monthly Activity Report: Actions

Month of May 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

Addendum to The Ontario Plan (File No. PGPA06-001) EIR (State Clearinghouse No. 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); (APN: 0211-222-66) **submitted by Vogel Properties, Inc. Planning Commission action is required.**

Action: The Development Advisory Board adopted decisions recommending the Planning Commission approve the use of an Addendum and approve the Development Plan, subject to conditions.

ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT21-004 AND PDEV21-008:

A Tentative Parcel Map (File No. PMTT21-004/TPM 20339) to consolidate 4 lots and the vacation of an adjoining section of Fern Avenue, for a total of 1.71 acres of land, in conjunction with a Development Plan (File No. PDEV21-008) to construct 50 multiple-family affordable dwelling units, generally located at the northwest and southwest corners of Emporia Street and Palm Avenue, within LUA2-N (Arts District- North) and LUA-3 (Holt Boulevard District) of the MU-1 (Downtown Mixed-Use) 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: 1049-054-02, 1049-054-03, 1049-054-04, 1049-054-06, 1049-059-06, and 1049-059-07) **submitted by The Related Companies of California, LLC. Planning Commission action is required.**

Action: The Development Advisory Board adopted decisions recommending the Planning Commission approve the use of an Addendum and approve the Tentative Parcel Map and Development Plan, subject to conditions.

ZONING ADMINISTRATOR MEETING May 17, 2021

Meeting Cancelled

CITY COUNCIL/HOUSING AUTHORITY MEETING May 18, 2021

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT REVIEW FOR FILE NO. PDA20-002: A Development Agreement (File No. PDA20-002) between the City of Ontario and Rich Haven Marketplace LLC, to establish the terms and conditions for the development of Planning Areas 7A & 7B pursuant to the proposed Rich-Haven Specific Plan Amendment (File No. PSPA19-006), an

81.1 acre property located at the northwest corner of Hamner Avenue and Ontario Ranch Road, within the proposed Light Industrial and Regional Commercial land use districts of the Rich-Haven Specific Plan. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-211-17, 0218-211-24, and 0218-211-27) **submitted by Rich Haven Marketplace, LLC. The Planning Commission recommended approval of this item on April 27, 2021 with a vote of 6-0.**

Action: The City Council introduced and waived further reading of an ordinance approving the Development Agreement.

ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT, AND SPECIFIC PLAN AMENDMENT REVIEW FOR FILE NOS. PGPA19-005 AND PSPA19-006: A request for approval of the following:

- [1] A General Plan Amendment (File No. PGPA19-005) to modify Policy Plan (general plan) Exhibit LU-01, Policy Plan Land Use Plan, changing the land use designation on 105.4 acres of Low Density Residential (2.1 – 5 du/ac), 66.01 acres of Mixed Use (9 – NMC East) and 10.36 acres of Open Space – Non Recreation designated property, to 23.41 acres of Low Density Residential (2.1 – 5 du/ac), 24.16 acres of Low-Medium Density Residential (5.1 – 11 du/ac), 57.83 acres of Medium Density Residential (11.1 – 25 du/ac), 20.46 acres of Mixed Use (9 – NMC East), 48.61 acres of Industrial, and 7.3 acres of Open Space – Non Recreation designated property; and modify Policy Plan (general plan) Exhibit LU-03, Future Buildout, to be consistent with the herein described land use changes; and
- [2] An amendment (File No. PSPA19-006) to the Rich Haven Specific Plan, which includes the following map and text revisions:
 - [A] Change the land use designation on 110.1 gross acres of land from Planning Area 1A – 1F (Residential - SFD), to 25.5 gross acres of Planning Area 1A (Residential - SFD), 24.5 gross acres of Planning Area 1B (Residential – SFD/SFA) and 60.6 gross acres of Planning Area 1C (Residential - SFD/SFA);
 - [B] Change the land use designation on 81.1 gross acres of land within Planning Area 7 (Stand-Alone Residential Overlay, Mixed-Use Overlay, Regional Commercial, and SCE Easement/Gas Easement) to, Planning Area 7A (49.4 gross acres of Light Industrial and 6.6 gross acres of Open Space – Non Recreation) and Planning Area 7B (25.1 gross acres of Regional Commercial);
 - [C] Change the land use designation on 4.13 acres of land within Planning Area 6A from Regional Commercial to Stand-Alone Residential Overlay;
 - [D] Change the land use designation on 4.13 acres of land within Planning Area 9A from Stand-Alone Residential Overlay to Regional Commercial; and
 - [E] Various changes to the Specific Plan development standards, exhibits, and text, to reflect the proposed land uses.

The Rich Haven Specific Plan is generally bounded by Riverside Drive, Colony High School and the SCE substation to the north, Hamner Avenue to the east, Old Edison Road to the south, and Hamner Avenue to the west. Staff has prepared an Addendum to The Ontario Plan Environmental

Impact Report (State Clearinghouse No. 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: 0218-161-04, 0218-161-05, 0218-161-10, 0218-161-11, 0218-211-17, 0218-211-24, 0218-211-27, 0218-211-01 and 0218-393-10) **submitted by Rich Haven Marketplace LLC and Brookcal Ontario, LLC. City Council action is required. The Planning Commission recommended approval of this item on April 27, 2021 with a vote of 6-0.**

Action: The City Council adopted resolutions approving the use of an Addendum to The Ontario Plan Environmental Impact Report, the General Plan Amendment, and the Amendment to the Rich-Haven Specific Plan.

ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT AND SPECIFIC PLAN AMENDMENT

REVIEW FOR FILE NOS. PGPA19-006 & PSPA19-008: A General Plan Amendment (File No. PGPA19-006) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01), changing the land use designation on 14.29 acres of land from Office Commercial to Industrial, and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes, in conjunction with a Specific Plan Amendment (File No. PSPA19-008) revising the Haven Gateway Centre Specific Plan, changing the land use designation on the project site from Commercial/Office to Industrial, generally located at the northeast corner of Haven Avenue and SR-60 Freeway. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 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); (APN:108-332-01) **submitted by Executive Development, LLC. The Planning Commission recommended approval of this item on March 23, 2021 with a vote of 6-0.**

Action: The City Council adopted resolutions approving the use of an Addendum to The Ontario Plan Environmental Impact Report, the General Plan Amendment, and the Amendment to the Haven Gateway Centre Specific Plan.

PLANNING/HISTORIC PRESERVATION COMMISSION MEETING May 25, 2021

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-005: A Development Plan to construct a 256,711 square foot industrial building on 11.3 acres of land located at 875 West State Street, within the IL (Light Industrial) zoning district. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) for this project. 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: 1011-161-04 and 1011-161-05)

submitted by Inland Harbor LLC. This item was continued from the April 27, 2021 Planning Commission meeting.

Action: The Planning Commission adopted a resolution approving the Development Plan, subject to conditions.

ENVIRONMENTAL ASSESSMENT AND PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW FOR FILE

NO. PUD21-001: An Amendment to the Emporia Family Housing Planned Unit Development to expand the project area from approximately 2.80 acres of land to 4.95 acres of land, establish minimum building setbacks from Palm Avenue and Transit Street rights-of-way, modify minimum parking requirements, allow on-street loading, and update the planting palette. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) for this project. 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: 1049-051-04, 1049-054-02, 1049-054-03, 1049-054-04, 1049-054-06, 1049-059-06, and 1049-059-07) **submitted by The Related Companies of California, LLC. City Council action is required.**

Action: The Planning Commission adopted resolutions recommending the City Council approve the use of an Addendum to The Ontario Plan Environmental Impact Report and approve the Amendment to the Emporia Family Housing Planned Unit Development. This action is related to File Nos. PHP21-003, PMTT21-004 and PDEV21-008, below.

ENVIRONMENTAL ASSESSMENT, CERTIFICATE OF APPROPRIATENESS, TENTATIVE PARCEL MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PHP21-003, PMTT21-004 AND PDEV21-008:

A Certificate of Appropriateness (File No. PHP21-003) to demolish 2 historic Tier III buildings located within the project site and a Tentative Parcel Map (File No. PMTT21-004/TPM 20339) to consolidate 4 lots and the vacation of an adjoining section of Fern Avenue, for a total of 2.15 acres of land, in conjunction with a Development Plan (File No. PDEV21-008) to construct 50 multiple-family affordable housing dwelling units, generally located at the northwest and southwest corners of Emporia Street and Palm Avenue, within LUA2-N (Arts District- North) and LUA-3 (Holt Boulevard District) of the MU-1 (Downtown Mixed-Use) zoning district. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) for this project. 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: 1049-054-02, 1049-054-03, 1049-054-04, 1049-054-06, 1049-059-06, and 1049-059-07) **submitted by The Related Companies of California, LLC.**

Action: The Planning Commission adopted resolutions approving the Certificate of Appropriateness, Tentative Parcel Map, and Development Plan, subject to conditions.

ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA20-003:

An Amendment to the California Commerce Center Specific Plan, changing the land use designation on 10.64 acres of land from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation, located at the northeast corner of Haven Avenue and Airport Drive, within the

California Commerce Center Specific Plan. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) for this project. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0211-222-66) **submitted by Vogel Properties, Inc. City Council action is required.**

Action: Continued to the 6/22/2021 Planning Commission meeting.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-008: A Development Plan to construct a 200,291-square foot industrial building on 10.64 acres of land located at the northeast corner of Haven Avenue and Airport Drive, within the proposed Light Industrial land use district of the California Commerce Center Specific Plan. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) for this project. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0211-222-66) **submitted by Vogel Properties, Inc.**

Action: Continued to the 6/22/2021 Planning Commission meeting.

ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA20-006: An Amendment to the Subarea 29 Specific Plan to increase the overall density within Planning Area 27 (Cluster Homes – 7-14 du/ac) from 4.8 to 4.9 dwelling units per gross acre and establish a new residential product type (Motorcourt Cluster D – 8-Plex). Planning Area 27 is bounded by Merrill Avenue to the north, Southern California Edison easement to the west, and the San Bernardino County Flood Control District and the City of Eastvale to the south. Staff has prepared an Addendum to the Subarea 29 Specific Plan Environmental Impact Report (State Clearinghouse No. 2004011009) for this project. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APN: 0218-331-42) **submitted by SL Ontario Development Company, LLC. City Council action is required.**

Action: The Planning Commission adopted resolutions recommending the City Council approve the use of an Addendum to the Subarea 29 Specific Plan Environmental Impact Report and approve the Amendment to the Subarea 29 Specific Plan. This action is related to File No. PMTT20-012, below.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT20-012 (TM 20389): A Tentative Tract Map (TTM 20389) to subdivide 5.99 acres of land into one numbered lot and three lettered lots for condominium purposes. The project is bounded by Merrill Avenue to the north, Southern California Edison easement to the west, and the San Bernardino County Flood



Monthly Activity Report: Actions

Month of May 2021

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Control District and the City of Eastvale to the south. Staff has prepared an Addendum to the Subarea 29 Specific Plan Environmental Impact Report (State Clearinghouse No. 2004011009) for this project. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APN: 0218-331-42) **submitted by SL Ontario Development Company, LLC.**

Action: The Planning Commission adopted a resolution approving the Tentative Parcel Map, subject to conditions.

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV18-022 AND PCUP18-021:

A Development Plan (File No. PDEV18-022) to construct a 6,870 square foot industrial building in conjunction with a Conditional Use Permit (File No. PCUP18-021) to establish and operate a towing service and short-term storage of automobiles, vans, light trucks, and tractor trucks on 3.1 acres of land located at 580 East Belmont Street, within the IL (Light Industrial) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1049-491-01, 1049-491-02 and 1049-491-03) **submitted by Four Sisters Enterprises LLC.**

Action: The Planning Commission adopted resolutions approving the Development Plan and Conditional Use Permit, subject to conditions.



Monthly Activity Report: New Applications

Month of May 2021

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PCUP21-007:

Submitted by Agromin

A Conditional Use Permit to establish a green material (residential landscape trimmings) processing (compost) and temporary storage yard on 18.5 acres of land located at 8292 Edison Avenue, within the AG (Agriculture) zoning overlay district (APNs: 0216-311-08 and 0216-311-09). Zoning Administrator action is required. **Zoning Administrator action is required.**

PDA-21-003:

Submitted by Chino Avenue, LLC

A Development Agreement with Chino Avenue, LLC, to establish the terms and conditions for the development of Tentative Tract Map No. 20281 on 4.79 acres of land generally located on the northside of Chino Avenue, west of Archibald Avenue, at 9510 East Chino Avenue, within the Countryside Specific Plan (APN: 0218-111-56). **City Council action is required.**

PDEV21-018:

Submitted by MIG

A Development Plan to construct two industrial buildings totaling 168,772 SF on 13.07 acres of land generally located at southeast corner of Jurupa Street and Milliken Avenue, within the Office/R-D and Warehouse/Distribution land use districts of the Toyota Business Park Specific Plan (APN: 0238-121-75). Related File: PMTT21-010. **Planning Commission action is required.**

PDEV21-019:

Submitted by Lennar Homes of California, Inc.

A Development Plan approval to construct 73 single-family cluster homes (Lennar Homes) on 5.99 acres of land, bounded by Merrill Avenue to the north, Southern California Edison easement to the west, and the San Bernardino County Flood Control District and the City of Eastvale to the south, within the PA 27 of the Subarea 29 Specific Plan (APN: 0218-331-42). Related Files: PSPA20-006 and PMTT20-012/TTM 20389. **Planning Commission action is required.**

PGPA21-001:

Submitted by Euclid Land Venture, LLC

An Amendment to the Land Use Element of the Policy Plan (General Plan) component of The Ontario Plan, changing the land use designation on the 71.68-acre project site from 18 acres of Business Park and 54 acres of Low-Medium Density Residential to 11.63 gross acres of Business Park and 60.06 gross acres of General Industrial, for land generally located south of Eucalyptus Avenue, north of Merrill Avenue, west of the future Campus Avenue, and east of the future Sultana Avenue. The General Plan Amendment is proposed in conjunction with a Specific Plan Amendment (File No. PSPA21-002) to incorporate land adjacent to the existing Ontario Ranch Business Park Specific Plan into the Plan area, and to modify Exhibit LU-03 (Future Buildout Table) to be consistent with the land use designation changes (APNs: 1054-041-01, 1054-041-01-02; 1054-031-01, 1054-031-02; 1054-261-01, 1054-261-02; 1054-291-01, and 1054-291-02). Related Files: PSPA21-002 and PSP18-002. **City Council action is required.**

PHP-21-009:

Submitted by Charles Kumlander

A plaque for the Dr. Jerome Titus House located at 128 East El Morado Court, a Contributor to the El Morado Court Historic District, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district (APN: 1048-242-03). **Staff action is required.**



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PHP-21-010:

Submitted by Mary Rivas

A Mills Act Contract for 1130 North Columbia Avenue, a Contributor to the Collage Park Historic District, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district (APN: 1047-543-03). **City Council action is required.**

PMTT21-010:

Submitted by MIG

A Parcel Map to subdivide 13.07 acres of land into three parcels generally located at southeast corner of Jurupa Street and Milliken Avenue, within the Office/R-D and Warehouse/Distribution land use districts of the Toyota Business Park Specific Plan (APN: 0238-121-75). Related File: PDEV21-018. **Planning Commission action is required.**

PPRE21-003:

Submitted by Richland Communities

A Preliminary Review of a Tentative Tract Map to subdivide 51.46 acres for the future development of 352 residential lots on property located within PA-30 and PA-31 of the Subarea 29 Specific Plan. **Staff action is required.**

PSGN21-040:

Submitted by Artsigns

A Sign Plan for the installation of one nonilluminated wall sign for YT LOGISTICS on an existing building located at 601 South Dupont Avenue, within the California Commerce Center Specific Plan (APN: 0211-222-32). **Staff action is required.**

PSGN21-041:

Submitted by Superior Electrical Adv., Inc.

A Sign Plan for the installation of to install two canopy signs and two blade signs for BREW HAVEN, located at 3430 East Ontario Ranch Road, within the Avenue Specific Plan (APN: 0218-402-47). **Staff action is required.**

PSGN21-042:

Submitted by Premier Sign Service Inc

A Sign Plan for the installation of one replacement wall sign (east building elevation) and the replacement of three sign panels on existing monument signs for KHOLS + SEPHORA, located at 1051 North Milliken Avenue, within the Ontario Center Specific Plan (APN: 0210-204-29). **Staff action is required.**

PSGN21-043:

Submitted by A & S Engineering

A Sign Plan for the installation of one wall-mounted sign for an existing convenience store, three signs on an existing fueling canopy, and one replacement on an existing monument sign for SPEEDWAY (Gas Station), located at 808 North Mountain Avenue, within the CN (Neighborhood Commercial) zoning district (APN: 1010-191-22). **Staff action is required.**

PSGN21-044:

Submitted by Tran's Signs

A Sign Plan for the installation of one illuminated wall sign for an existing building located at 1304 West Holt Boulevard, within the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) and the ICC (Interim Community Commercial) Overlay zoning districts (APN: 1010-543-30). **Staff action is required.**



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PSGN21-045:

Submitted by Graphics MFG

A Sign Plan to install one internally illuminated wall sign and one nonilluminated blade sign on an existing building located at 3480 East Ontario Ranch Road, Suite 4, within the Avenue Specific Plan (APN: 0218-402-44). **Staff action is required.**

PSGN21-046:

A Sign Plan for the installation of wall, canopy, and monument signage for a new 7-ELEVEN Store located at 4291 East Riverside Drive, within the CC (Community Commercial) zoning district. **Staff action is required.**

PSGN21-047:

A Sign Plan for the installation of one wall-mounted nonilluminated sign for SHIBAURA MACHINE, located at 1440 South Balboa Avenue, within the IG (General Industrial) zoning district (APN: 0113-394-10). **Staff action is required.**

PSGN21-048:

Submitted by Empire Sign and Crane Service

A Sign Plan for the installation of one nonilluminated wall sign for BEHAVIOR GENIUS, located at 1500 South Haven Avenue, within the Jurupa Haven Airport Centre Specific Plan (APN: 0211-263-41). **Staff action is required.**

PSGN21-049:

Submitted by Inland Signs Inc

A Sign Plan to install two nonilluminated wall signs for SHINERICH, located at 1800 South Archibald Avenue, within the IG (General Industrial) zoning district (APN: 0211-242-40). **Staff action is required.**

PSGN21-050:

Submitted by Inland Signs Inc

A Sign Plan to install one new monument sign for HEXAGON PURUS, located at 1220 East Acacia Street, within the BP (Business Park) zoning district (APN: 0113-671-01). **Staff action is required.**

PSGN21-051:

Submitted by Talent Human Resources

A Sign Plan to install a wall-mounted sign for THOR STAFFING, located at 1118 West Mission Boulevard, Unit B, within the CN (Neighborhood Commercial) zoning district (APN: 1011-181-11). **Staff action is required.**

PSGN21-052:

Submitted by Mall Signs and Service

A Sign Plan to install four non-illuminated wall signs and two nonilluminated canopy signs, and one monument sign for TACO BELL, located at 859 North Mountain Avenue, within the CN (Neighborhood Commercial) zoning district (APN: 1010-201-14). **Staff action is required.**

PSGN21-053:

Submitted by Caliber Signs & Imaging Inc

A Sign Plan to install one non-illuminated wall sign for PARTNER'S PERSONNEL, located at 1640 South Grove Avenue, Suite E, within the Grove Avenue Specific Plan (APN: 1050-171-29). **Staff action is required.**



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PSGN21-054:

Submitted by Roy Courtney

A Sign Plan to install one wall mounted sign, one blade sign, and two monument panels on existing monument signs for DENTIST OF ONTARIO RANCH, located at 3480 East Ontario Ranch Road, within the Avenue Specific Plan (0218-402-44). **Staff action is required.**

PSGN21-055:

Submitted by Mario Rodriguez

A Sign Plan for the replacement of three wall signs, panel signs on an existing monument sign, and panels on two existing freeway signs for Panda Express, located at 1160 East Philadelphia Street, within the CC (Community Commercial) zoning district (APN: 1051-151-09). **Staff action is required.**

PSGN21-056:

Submitted by First Sign

A Sign Permit to install one illuminated wall-mounted sign for CHAT TEA, located at 3045 South Archibald Avenue, Suite D, within the CN (Neighborhood Commercial) zoning district (APN: 0218-141-32). **Staff action is required.**

PSGN21-057:

Submitted by FILL LATER

A Sign Permit to install one illuminated wall sign for PHONE REPAIR, located at 1925 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-441-03). **Staff action is required.**

PSGN21-058:

Submitted by Dentist of Ontario Ranch

A Sign Permit to install a temporary banner sign for DENTIST OF ONTARIO RANCH grand opening (7/6/2021 to 8/5/2021) , located at 3480 East Ontario Ranch Road, within the Avenue Specific Plan (0218-402-44). **Staff action is required.**

PSGN21-059:

Submitted by Coast Sign, Inc.

A Sign Plan to install three wall signs for T-MOBILE (north, west, and south building elevations), located at 1865 East Fourth Street, Unit D, within the CN (Neighborhood Commercial) zoning district (APN: 0110-301-22). **Staff action is required.**

PSPA21-002:

Submitted by EUCLID LAND VENTURE LLC

An Amendment to the Ontario Ranch Business Park Specific Plan, annexing and changing the land use designation on 71.68 acres of land located adjacent to and outside of the existing Specific Plan area from the SP-AG (Specific Plan - Agricultural) Overlay zoning district, to 11.63 gross acres of Business Park and 60.06 gross acres of General Industrial designated land uses, for land generally located south of Eucalyptus Avenue, north of Merrill Avenue, west of future Campus Avenue, and east of future Sultana Avenue (APNs: 1054-041-01, 1054-041-01-02; 1054-031-01, 1054-031-02; 1054-261-01, 1054-261-02; 1054-291-01, and 1054-291-02). Related Files: PGPA21-001 and PSP18-002. **City Council action is required.**

PTUP21-022:

Submitted by Mt Zion Church South

A Special Event Permit for Mt. Zion Church South to conduct a "mini carnival game" event located at Creekside Park. Event to be held on 7/17/2021. **Staff action is required.**



Monthly Activity Report: New Applications

Month of May 2021

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PTUP21-023:

Submitted by Church in the Valley

A Special Event for Church in the Valley to conduct a sports camp located at Celebration Park. Event to be held on 6/21/2021 thru 6/25/2021. **Staff action is required.**

PTUP21-024:

Submitted by Sarai Guzman

A Temporary Use Permit to allow a temporary residence within a recreational vehicle trailer for a total period of six months on property located at 1742 South Fern Avenue, within the AR-2 (Residential – Agriculture) zoning district (APN: 1050-291-15). The property's existing single-family home was severely impacted by the March 15, 2021, fireworks explosion that occurred at 428 West Francis Street. Temporary Use Permit approval begins on 6/7/2021 and ends on 12/7/2021. **Zoning Administrator approval is required.**

PTUP21-025:

Submitted by Ontario Library

A Special Event Permit for a summer drive-thru event at the Ovitt Family Community Library, to include a walk-up tent outside of the Page One Cafe. Vehicles will enter the northern parking lot along D Street and will exit onto Plum Avenue. Event to be held on 6/5/2021. **Staff action is required.**

PTUP21-026:

Submitted by Adrian World Inc

A Special Event Permit to conduct an outdoor movie night at Westwind Park, 2455 East Riverside Drive), supporting families with special needs. Event to be held on 6/19/2021. **Staff action is required.**

PTUP21-027:

Submitted by City of Ontario

A Temporary Use Permit to conduct an outdoor grand opening event for Brew Haven, located at 3430 East Ontario Ranch Road, within the Avenue Specific Plan (APN: 0218-402-47). Event to be held on 7/9/2021. **Staff action is required.**

PTUP21-028:

Submitted by Woodside Homes

A Temporary Use Permit for model homes with new home sales office for Woodside Homes, located on lots 37 thru 41 of Tract 20298 (File No. PMTT19-015). **Staff action is required.**

PVAR21-003:

Submitted by Magdy Armonuos

A Variance for a reduction in front yard setbacks related to a proposed Accessory Dwelling Unit on property located at 950 East G Street, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district (APN: 1048-421-20). **Zoning Administrator action is required.**

PVER21-024:

Submitted by Rexford Industrial Realty, L.P.

A Zoning Verification for property located at 5772 East Jurupa Street, within the IH (Heavy Industrial) zoning district (APN: 0238-133-12). **Staff action is required.**

PVER21-025:

Submitted by Aland LP

A Zoning Verification for property located at 1885 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0110-301-08). **Staff action is required.**



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Month of May 2021

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PVER21-026:

Submitted by Toni Watts

A Zoning Verification for property located at 1260 South Vintage Avenue, within the IH (Heavy Industrial) zoning district (APN: 0238-101-75). **Staff action is required.**

PVER21-027:

Submitted by Taryn Johnson

A Zoning Verification for property located at 1304 Mildred Avenue, within the IG (General Industrial) zoning district (APN: 0113-351-10). **Staff action is required.**

PVER21-028:

Submitted by Global Zoning

A Zoning Verification for property located at 760 and 780 East Francis Street, within the IL (Light Industrial) and IG (General Industrial) zoning districts, respectively (APNs: 1050-431-16 and 1050-431-17). **Staff action is required.**



Monthly Activity Report: Actions

Month of June 2021

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

CITY COUNCIL/HOUSING AUTHORITY MEETING June 1, 2021

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT REVIEW FOR FILE NO. PDA20-002: A Development Agreement between the City of Ontario and Rich Haven Marketplace LLC, to establish the terms and conditions for the development of Planning Areas 7A & 7B pursuant to the proposed Rich-Haven Specific Plan Amendment (File No. PSPA19-006), an 81.1 acre property located at the northwest corner of Hamner Avenue and Ontario Ranch Road, within the proposed Light Industrial and Regional Commercial land use districts of the Rich-Haven Specific Plan. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-211-17, 0218-211-24, and 0218-211-27) **submitted by Rich Haven Marketplace, LLC. The Planning Commission recommended approval of this item on April 27, 2021 with a vote of 6-0.**

Action: The City Council adopted and waived further reading of an ordinance approving the Development Agreement between the City of Ontario and Rich Haven Marketplace, LLC.

DEVELOPMENT ADVISORY BOARD MEETING June 7, 2021

Meeting Cancelled

ZONING ADMINISTRATOR MEETING June 7, 2021

Meeting Cancelled

CITY COUNCIL/HOUSING AUTHORITY MEETING June 15, 2021

TWENTY-FIRST ANNUAL MODEL COLONY AWARDS FILE NO. PHP21-008: A request for the Historic Preservation Commission to accept the nominations for the Twenty-first Annual Model Colony Awards; **submitted by City of Ontario.**

Action: The City Council presented the 2021 "Model Colony" Awards for Historic Preservation.



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Month of June 2021

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ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA20-006: An Amendment to the Subarea 29 Specific Plan to increase the overall density within Planning Area 27 (Cluster Homes – 7-14 du/ac) from 4.8 to 4.9 dwelling units per gross acre and establish a new residential product type (Motorcourt Cluster D – 8-Plex). Planning Area 27 is bounded by Merrill Avenue to the north, Southern California Edison easement to the west, and the San Bernardino County Flood Control District and the City of Eastvale to the south. Staff has prepared an Addendum to the Subarea 29 Specific Plan Environmental Impact Report (State Clearinghouse No. 2004011009). This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APN: 0218-331-42) **submitted by SL Ontario Development Company, LLC. The Planning Commission recommended approval of this item on May 25, 2021 with a vote of 6-0.**

Action: The City Council adopted resolutions approving the use of an Addendum to the Subarea 29 Specific Plan Environmental Impact Report (State Clearinghouse No. 2004011009) and approving the Amendment to the Subarea 29 Specific Plan.

ENVIRONMENTAL ASSESSMENT AND PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW FOR FILE NO. PUD21-001: An Amendment to the Emporia Family Housing Planned Unit Development to expand the project boundary area from approximately 2.80 acres of land to 4.95 acres of land, establish minimum building setbacks, modify minimum parking requirements, allow on-street loading, and update the planting palette. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) and 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: 1049-051-04, 1049-054-02, 1049-054-03, 1049-054-04, 1049-054-06, 1049-059-06, and 1049-059-07) **submitted by The Related Companies of California, LLC.**

Action: The City Council adopted a resolution approving the use of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) and introduced and waived further reading of an ordinance approving the Amendment to the Emporia Family Housing Planned Unit Development.

DEVELOPMENT ADVISORY BOARD MEETING June 21, 2021

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-031: A Development Plan to construct a five-story, 49-unit apartment building (Magnolia Apartments) on 1.58 acres of land located at 890 South Magnolia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district. Staff is recommending the adoption of a Mitigated



Monthly Activity Report: Actions

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Negative Declaration of environmental effects for the project. 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: 1011-371-15 and 1011-371-16) **submitted by Pedro Maltos.**

Action: The Development Advisory Board adopted decisions recommending the Planning Commission approve the Mitigated Negative Declaration and approve the Development Plan subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-010: A Development Plan to construct a 1,400,000-square-foot industrial building on 70.44 acres of land (0.47 FAR) located at the southwest corner of Vineyard and Eucalyptus Avenue, within the Industrial and Business Park land use districts of the Merrill Commerce Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File Nos. PGPA18-003 and PSP18-001, for which an Environmental Impact Report (State Clearinghouse No. 2019049079) was prepared and this application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Areas of Ontario International Airport and Chino Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP) and the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics for Chino Airport; (APNs: 1054-171-01, 1054-171-02, 1054-171-03, 1054-171-04, 1054-181-01, 1054-181-02, 1054-191-01, 1054-191-02, 1054-361-01, 1054-361-02, 1054-161-02) **submitted by Prologis.**

Action: The Development Advisory Board adopted decisions recommending the Planning Commission approve the use of the previous Environmental Impact Report (State Clearinghouse No. 2019049079) and approve the Development Plan, subject to conditions.

ZONING ADMINISTRATOR MEETING June 21, 2021

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP21-006: A Conditional Use Permit to establish a bank (Cathay Bank) on 1.16 acres of land located at 2195 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines. 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: 0113-641-15) **submitted by Cathay Bank.**

Action: The Zoning Administrator adopted a decision approving the Conditional Use Permit, subject to conditions.



Monthly Activity Report: Actions

Month of June 2021

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PLANNING/HISTORIC PRESERVATION COMMISSION MEETING June 22, 2021

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-016: A Development Plan to construct a 74-foot collocated monopine wireless communications facility (T-Mobile and Verizon) on 0.176-acre of land located at 617 East Park Street within the IL (Light Industrial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP) provided certain conditions are met; (APN: 1049-233-13) **submitted by Joel Taubman, Crown Castle Towers. This item was continued from the April 27, 2021 Planning Commission hearing.**

Action: The Planning Commission adopted a resolution approving the Development Plan, subject to conditions.

ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA20-003: An Amendment to the California Commerce Center Specific Plan, changing the land use designation on 10.64 acres of land from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation, located at the northeast corner of Haven Avenue and Airport Drive, within the California Commerce Center Specific Plan. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) and this application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0211-222-66) **submitted by Vogel Properties, Inc. This item was continued from the May 25, 2021 Planning commission meeting. City Council action is required.**

Action: The Planning Commission adopted resolutions recommending the City Council approve the use of an Addendum to The Ontario Plan Environmental Impact Report and approve the Amendment to the California Commerce Center Specific Plan. This action is related to File No. PDEV20-008, below.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-008: A Development Plan to construct a 200,291-square-foot industrial building on 10.64 acres of land located at the northeast corner of Haven Avenue and Airport Drive, within the proposed Light Industrial land use district of the California Commerce Center Specific Plan. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) and this application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0211-222-66) **submitted by Vogel Properties, Inc.**

Action: The Planning Commission adopted a resolution approving the Development Plan, subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-031: A Development Plan to construct a five-story, 49-unit apartment building (Magnolia Apartments) on 1.58 acres of land located at 890 South Magnolia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district. Staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project. 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: 1011-371-15 and 1011-371-16) **submitted by Pedro Maltos**

Action: The Planning Commission adopted a resolution approving the Development Plan, subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-010: A Development Plan to construct a 1,400,000-square-foot industrial building on 70.44 acres of land (0.47 FAR) located at the southwest corner of Vineyard and Eucalyptus Avenue, within the Industrial and Business Park land use districts of the Merrill Commerce Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File Nos. PGPA18-003 and PSP18-001, for which an Environmental Impact Report (State Clearinghouse No. 2019049079) was prepared and this application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Areas of Ontario International Airport and Chino Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP) and the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics for Chino Airport; (APNs: 1054-171-01, 1054-171-02, 1054-171-03, 1054-171-04, 1054-181-01, 1054-181-02, 1054-191-01, 1054-191-02, 1054-361-01, 1054-361-02, 1054-161-02) **submitted by Prologis.**

Action: The Planning Commission adopted a resolution approving the use of the previous Environmental Impact Report (State Clearinghouse No. 2019049079) and approving the Development Plan, subject to conditions.



Monthly Activity Report: New Applications

Month of June 2021

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PCUP21-008:

Submitted by Casa Sanchez

A Conditional Use Permit to upgrade a type 41 (on-sale beer and wine – eating place) ABC license to a type 47 (on-sale general – eating place) ABC license in conjunction with a full-service restaurant (Casa Sanchez) on a 2.112 acres parcel located at 2264 South Mountain Avenue, within the CN (Neighborhood Commercial) zoning district (APN:1015-131-24). **Zoning Administrator action is required.**

PCUP21-009:

Submitted by MileStoine Management

A Conditional Use Permit to establish and operate a 57,060-square-foot, 4-story, 138-room hotel on 1.837 acres of land located at 5060 East Fourth Street, within the Freeway Commercial land use district of The Exchange Specific Plan (APN: 0238-012-30). Related Files: PDEV21-021 and PVAR21-004. **Planning Commission action is required.**

PCUP21-010:

Submitted by Gabriela Camposeco

A Conditional Use Permit to establish and operate a 6,180-square-foot banquet facility on 11.59 acres of land located at 735 North Milliken Avenue, within the Urban Commercial land use district of the Ontario Center Specific Plan (APN: 210-211-43). Related File: PDET21-001. **Zoning Administrator action is required.**

PCUP21-011:

Submitted by Raul Perez Sosa

A Conditional Use Permit to establish a 474-square-foot small collection facility on 0.929-acre of land located at 1701 South Mountain Avenue, within the CN (Neighborhood Commercial) zoning district (APN(s): 1014-191-53). **Zoning Administrator action is required.**

PDA-21-004:

Submitted by LHC Ontario Holdings

A Development Agreement with LHC Ontario Holdings, LCC, to establish the terms and conditions for development of 11.05 acres of land for Tentative Tract Map 18916 (File No. PMTT12-011), located at the southwest corner of Chino and Archibald Avenues, within the Countryside Specific Plan (APN: 0218-131-34). **City Council action is required.**

PDA-21-005:

Submitted by Grove Land Venture, LLC

A Development Agreement with Grove Land Venture, LLC, associated with the development Parcel Map 20161, bordered by Eucalyptus Avenue to the north, Merrill Avenue to the south, Grove Avenue to the east, and Bon View Avenue to the west, within the South Ontario Logistics Business Center Specific Plan. **City Council action is required.**

PDEV21-020:

Submitted by HK Ventures Inc

A Development Plan to construct two industrial buildings totaling 50,121 square feet on 2.02 acres of land located at 1044 and 1050 East Holt Boulevard, within the IP (Industrial Park) zoning district (APN: 1049-131-15 and 1049-131-016). **Planning Commission action is required.**

PDEV21-021:

Submitted by MileStoine Management

A Development Plan to construct a 57,060-square-foot, 4-Story, 138-room hotel on 1.83 acres of land located at 5060 East Fourth Street, within the Freeway Commercial land use district of The



Monthly Activity Report: New Applications

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Exchange Specific Plan (APN: 0238-012-30). Related Files: PCUP21-009 and PVAR21-004. **Planning Commission action is required.**

PDEV21-022:

Submitted by Sean Ji

A Development Plan to construct 11 residential condominium units on 0.485-acre of land located at 962 East Sixth Street, within the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district (APN: 1047-424-02). **Planning Commission action is required.**

PDF21-001:

Submitted by Euclid Land Venture LLC

A DIF Credit Agreement with Euclid Land Venture, LLC, associated with the development of Parcel Map 20016, bordered by Eucalyptus Avenue to the north, Merrill Avenue to the south, Sultana Avenue to the east, and Euclid Avenue to the west, within the Ontario Ranch Business Park Specific Plan. **City Council action is required.**

PHP-21-011:

Submitted by Zhenwei Xu

A Mills Act contract for a single-family residence located at 1112 North Euclid Avenue, a Contributor to the Euclid Avenue Historic District (APN: 1047-542-04). **City Council action is required.**

PHP-21-012:

Submitted by Luke and Jessica Bideaux

A Mills Act contract for the Homer Berger House, a single-family residence located at 1108 North Euclid Avenue and a Contributor to the Euclid Avenue Historic District (APN: 1047-542-03). **City Council action is required.**

PHP-21-013:

Submitted by David Flores

A request for a plaque for the William W. Majors House, a Contributor to the College Park Historic District, located at 418 East Fourth Street (APN: 1048-063-10). **Staff action is required.**

PMTT21-011:

Submitted by LHC Ontario Holdings

A Tentative Tract Map (TTM 18916) to subdivide 11.05 acres of land into 36 residential lots located at the southwest corner of Archibald and Chino Avenues within the Low Density Residential land use district of the Countryside Specific Plan (APN: 0218-131-34). **Planning Commission action is required.**

PMTT21-012:

Submitted by United Construction Company

A Parcel Map to subdivide 0.31-acre of land into two parcels located at the southwest corner of Maitland Street and Euclid Avenue, at 1004 South Euclid Avenue, within the LDR-5 (Low Density Residential-2.1 to 5.0 du/ac) and EA (Euclid Avenue Overlay) zoning districts (APN: 1049-563-10). **Planning Commission action is required.**

PMTT21-013:

Submitted by Cirrito Fine Homes

A Tentative Tract Map (TTM 20416) for common interest subdivision purposes, subdividing 3.5 acres of land into common and private areas for the construction of 88 townhome units, located at 1402 North Virginia Avenue, within the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) zoning



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district [APNs: 1047-432-22 and 1047-443-01]. Related Files: PDEV21-023 and PDEV18-006. **Planning Commission action is required.**

PSGN21-060:

Submitted by All PRO Signs, Inc

A Sign Plan to install two wall signs for BRECKPOINT PROFESSIONAL DEVELOPMENT CENTER, located at 1481 South Balboa Avenue, within the IG (General Industrial) zoning district (APN: 0113-394-12). **Staff action is required.**

PSGN21-061:

Submitted by A+ Sign Shops, Inc

A Sign Plan to install one non-illuminated wall sign for ITOH DENKI, located at 2831 East Philadelphia Street, within the California Commerce Center South Specific Plan (APN: 0211-275-25). **Staff action is required.**

PSGN21-062:

Submitted by Williams Sign Co

A Sign Plan to replace three existing illuminated wall signs for COMFORT SUITES, located at 1811 East Holt Boulevard, within the CCS (Convention Center Support Commercial) zoning district (APN: 0110-092-15). **Staff action is required.**

PSGN21-063:

Submitted by Billie Jo Williams

A Sign Plan to install one non-illuminated wall sign for SIDE ACTION APPAREL, located at 3550 East Philadelphia Street, within the Haven Gateway Centre Specific Plan (APN: 1083-321-10). **Staff action is required.**

PSGN21-064:

Submitted by Success Sign Group

A Sign Plan to install three wall-mounted signs for IY INTERNATIONAL, located at 2151 South Haven Avenue, within the Haven Gateway Centre Specific Plan (APN: 0211-301-03). **Staff action is required.**

PSGN21-065:

Submitted by Brookfield Residential

A Sign Plan for a temporary banner (7/9/2021 to 7/19/2021) for RODEO X, located at 3430 East Ontario Ranch Road (New Haven Marketplace), within the Avenue Specific Plan (APN: 0218-151-11). **Staff action is required.**

PSGN21-066:

Submitted by Jhare Associates

A Sign Plan to install one monument sign tract identification sign for Tract No. 18026, located at the northwest corner of Haven and Chino Avenues, within the Rich-Haven Specific Plan (APN: 0218-393-10). **Staff action is required.**

PSGN21-067:

Submitted by Certified Sign

A Sign Plan to install two descriptor wall signs for PETSMART, located at 4120-B East Fourth Street, within the Piemonte Overlay of The Ontario Centre Specific Plan (APN: 0210-204-24). **Staff action is required.**



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PSGN21-068:

Submitted by Inland Signs Inc

A Sign Plan to install one non-illuminated wall sign for TK AMERICA, located at 4225 East Airport Drive, within the California Commerce Center Specific Plan (APN: 0211-222-05). **Staff action is required.**

PSGN21-069:

Submitted by Inland Signs Inc

A Sign Plan to install one wall sign for LEGACY FIRST ESCROW, INC., located at 1520-C North Mountain Avenue, Suite 117, within the Mountain Village Specific Plan (APN: 1008-272-02). **Staff action is required.**

PSGN21-070:

Submitted by Inland Signs

A Sign Plan to install two illuminated wall signs for GREEN CRUSH, located at 2550 South Vineyard Avenue, within the CC (Community Commercial) zoning district (APN: 0216-401-62). **Staff action is required.**

PSGN21-071:

Submitted by Mestiza Cakehouse and Cafe

A Sign Plan to install a temporary banner (6/26/2021 to 8/20/2021) for MESTIZA CAKEHOUSE AND CAFÉ, located at 200 South Euclid Avenue, Suite A, within the MU-1 (Downtown Mixed Use) zoning district (APN: 1049-058-03). **Staff action is required.**

PSGN21-072:

Submitted by Bender Sign Company

A Sign Plan to install two illuminated wall signs for PEREZ LAW, located at 822 North Euclid Avenue, within the OL (Low-Intensity Office) zoning district (APN:1048-252-01). **Staff action is required.**

PSPA21-003:

Submitted by Richland Communities

An Amendment to the Subarea 29 Specific Plan to: [1] modify the overall density from 4.5 dwelling units per gross acre to 4.7 dwelling units per gross acre, increasing the number of units allowed within Planning Area 30 from 110 to 176 dwelling units, and increase the number of units allowed within Planning Area 31, from 87 to 176 dwelling units, increasing the total number of allowed dwelling units from 2,418 to 2,573 dwelling units; and [2] provide an additional housing typology for Row Townhomes for Planning Area 30 (Conventional Medium Lot, Cluster Homes, and Attached Homes) and Planning Area 31 (Cluster Homes and Attached Homes), on 47.16 acres of land located at the southwest corner of Haven Avenue and Eucalyptus Avenue, within PA 30 and 31 of the Subarea 29 Specific Plan (APNs: 0218-331-31 and 0218-331-52). **City Council action is required.**

PTUP21-029:

Submitted by Community Life and Culture Agency

A Special Event Permit submitted by the City of Ontario Community Life and Culture Agency, in partnership with the Ontario Municipal School District, for an event at Town Square for students that participated in the OMSD Summer Programming. Event to be held on 6/26/2021 and 7/31/2021. **Staff action is required.**



Monthly Activity Report: New Applications

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PTUP21-030: Submitted by **Community Life and Culture Agency**

A Special Event Permit submitted by the City of Ontario Recreation and Community Services Department for an 8-week summer concert series at Jay Littleton Ball Park/John Galvin Park. Event to be held 7/7/2021 thru 8/25/2021, 5:00PM to 10:00PM. **Staff action is required.**

PTUP21-031: Submitted by **American Legion Post 112**

A Temporary Use Permit for a 4th of July outdoor event at American Legion Post 112, located at 310 West Emporia Street, within the MU-1 (Downtown Mixed Use) zoning district. Event to be held on 7/4/2021, from 9:00AM to 6:00PM. **Staff action is required.**

PTUP21-032: Submitted by **New Life Christian Fellowship IE**

A Special Event for New Life Christian Fellowship to hold an outdoor church service at John Galvin Park. Event to be held on 7/11/2021, from 10:00AM to 4:00PM (setup at 8:00AM). **Staff action is required.**

PTUP21-033: Submitted by **Ontario Police Department (Crime Prevention)**

A Special Event Permit submitted by Ontario Police Department (Crime Prevention) for Ontario National Night Out 2021, to be held at Dorothy Quesada Community Center on 8/3/2021. **Staff action is required.**

PTUP21-034: Submitted by **Circo Caballero**

A Temporary Use Permit for Circo Caballero, for a temporary outdoor circus in the Ontario Mills parking lot, located at 1 Mills Circle. Event to be held on 7/15/2021 to 7/26/2021. **Staff action is required.**

PTUP21-035: Submitted by **Ontario City Library, Library Director**

A Special Event Permit submitted by Ontario Community Library (Ovitt Family Community Library) for Job and Resource Fair for veterans, to be held outdoors between Ovitt Family Community Library and Ontario Senior Center, on 10/22/2021. **Staff action is required.**

PTUP21-036: Submitted by **Church in the Valley**

A Special Event Permit for Church in the Valley to have outdoor church services at Celebration Park North. Event to be held on 8/8/2021 to 9/26/2021 (Sundays only), from 10:00AM to 12:30PM (Setup at 8:00AM). **Staff action is required.**

PVAR21-004: Submitted by **MileStoine Management**

A Variance to deviate from the minimum Specific Plan standard for landscape setback, from 5 feet to 0 feet, in conjunction with the construction of a 57,060-square-foot 4-story 138-room hotel on 1.837 acres of land located at 5060 East Fourth Street, within the Freeway Commercial land use district of The Exchange Specific Plan (APN: 0238-012-30). Related File(s): PDEV21-021 and PVAR21-004. **Planning Commission action is required.**



Monthly Activity Report: New Applications

Month of June 2021

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PVER21-029: **Submitted by Global Zoning**

A Zoning Verification for property located at 2950 East Philadelphia Street, within the California Commerce Center South Specific Plan (APN: 1083-071-24). **Staff action is required.**

PVER21-030: **Submitted by Key Zoning**

A Zoning Verification for property located at 565 East California Street, within the IL (Light Industrial) zoning district (APN: 1049-221-04). **Staff action is required.**

PVER21-031: **Submitted by Key Zoning**

A Zoning Verification for property located at 630 East California Street, within the IL (Light Industrial) zoning district (APN: 1049-352-01). **Staff action is required.**

PVER21-032: **Submitted by Vivian Ventura**

A Zoning Verification for property located at 107 South Malcolm Avenue, within the CN (Neighborhood Commercial) zoning district (APN: 1049-094-13). **Staff action is required.**

PVER21-033: **Submitted by JH Real Estate Partners**

A Zoning Verification for a property located at 4400-4510 East Ontario Mills Parkway, within the Ontario Mills Specific Plan (APN: 0238-041-29, 0238-041-30, 0238-041-31, 0238-041-32, 0238-041-33, and 0238-041-34). **Staff action is required.**

PVER21-034: **Submitted by Erick Arreola**

A Zoning Verification for property located at 1804 East Locust Street, within the IG (General Industrial) zoning district (APN: 0113-414-04). **Staff action is required.**

PVER21-035: **Submitted by Doris Shih**

A Zoning Verification for property located at 4601 East Guasti Road, within the IG (General Industrial) zoning district (APN: 0238-042-18). **Staff action is required.**

PVER21-036: **Submitted by Jordan Bartell**

A Zoning Verification for property located at 1555 South Cucamonga Avenue, within the IG (General Industrial) zoning district (APN: 1050-161-01). **Staff action is required.**