

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

MINUTES

April 26, 2022

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

MINUTES

April 26, 2022

REGULAR MEETING: City Hall, 303 East B Street
Called to order by Chairman Willoughby at 6:34 PM

COMMISSIONERS

Present: Chairman Willoughby, Vice-Chairman DeDiemar, Anderson, Dean, Lampkin and Ricci

Absent: Gage

OTHERS PRESENT: Planning Director Zeledon, City Attorney Guiboa, Principal Planner Mercier, Principal Planner Ruddins, Senior Planner Mejia, Associate Planner Antuna, Community Development Administrative Office Womble, Assistant City Engineer Lee, and Planning Secretary Berendsen

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Dean.

ANNOUNCEMENTS

Mr. Zeledon stated that there are revised Engineering conditions for Item D and that C & D will be taken together as one presentation.

Mr. Lampkin talked about the Seeds of Joy community garden Earth Day event.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of March 22, 2022, approved as written.

A-02. GENERAL PLAN CONSISTENCY FINDING PURSUANT TO GOVERNMENT CODE SECTION 65402: A request for a determination of General Plan consistency pursuant to Government Code Section 65402, to determine that the sale of approximately 2.13 acres of land, between the City of Ontario and Ontario D Block, LLC, for properties located at 404, 416 and 414 North Euclid Avenue and 401 and 418 North Lemon Avenue, is consistent with The Ontario Plan Policy Plan (General Plan); (APNS: 1048-363-02, 1048-363-03, 1048-363-04, and 1048-363-05). **City Initiated**

PLANNING COMMISSION ACTION

It was moved by DeDiemar, seconded by Anderson, to approve the consent calendar.

Item A-01, Planning Commission Minutes from March 22, 2022. Roll call vote: AYES, Anderson, Dean, DeDiemar, and Willoughby; NOES, none; RECUSE, Lampkin and Ricci; ABSENT, Gage. The motion was carried 4 to 0.

Item A-02, General Plan Consistency. Roll call vote: AYES, Anderson, Dean, DeDiemar, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.

PUBLIC HEARING ITEMS

- B. TWENTY-SECOND ANNUAL MODEL COLONY AWARDS FILE NO. PHP22-008:** A request for the Historic Preservation Commission to accept the nominations for the Twenty-second Annual Model Colony Awards; **submitted by City of Ontario. City Council presentation of Awards. City Council action is required.**

Associate Planner Antuna presented the staff report

No one responded.

PUBLIC TESTIMONY

No one responded.

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

Mr. Lampkin spoke positively about Logan's Candies.

Ms. DeDiemar commended the Planning staff regarding Historic Preservation.

Mr. Willoughby echoed the comments of Ms. DeDiemar.

PLANNING COMMISSION ACTION

It was moved by Lampkin, seconded by Ricci, to Approve the Model Colony Awards, File No. PHP22-008 for City Council Presentation. Roll call vote: AYES, Anderson, Dean, DeDiemar, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.

- C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT REVIEW FOR FILE NO. PDA21-014:** A public hearing to consider a Development Agreement between the City of Ontario and BrookCal Ontario, LLC, to establish the terms and conditions associated with the development of Tentative Tract Map No. 20449 (File No. PMTT21-014), a 35.65 gross acre property located at the southeast corner of Haven Avenue and Ontario Ranch Road, within Planning Area 9A (Residential & Commercial) land use district of the Rich Haven Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to the Rich Haven Specific Plan Environmental Impact Report (State Clearinghouse No. 2006051081) and an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140). This application is consistent with the previously adopted environmental impact reports and introduces no new significant environmental impacts. The proposed project is located

within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 218-211-01) **submitted by BrookCal Ontario LLC. City Council action is required.**

- D. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT21-014:** A public hearing to consider Tentative Tract Map No. 20449, subdividing 35.65 gross acres of land into 92 numbered lots and 55 lettered lots for residential and commercial uses, public/private streets, landscape neighborhood edges and common open space purposes for a property located on southeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed-Use District Planning Area 9A (Regional Commercial and Stand-Alone Residential Overlay) of the Rich Haven Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to the Rich Haven Specific Plan Environmental Impact Report (State Clearinghouse No. 2006051081) and an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140). This application is consistent with the previously adopted Environmental Impact Reports and introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 218-211-01) **submitted by BrookCal Ontario LLC.**

Senior Planner Mejia, presented the staff report. She stated that staff is recommending the Planning Commission recommend approval to City Council for File No. PDA21-014, and approve File No. PMTT21-014, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

Mr. Lampkin wanted clarification on the future park arrow on Exhibit C.

Ms. Mejia responded that this is a conceptual idea and this would be commercial with an open space going there.

Mr. Zeledon responded that the idea would be to integrate the commercial, with the community for events, like it is at Haven Marketplace.

Mr. Lampkin wanted to clarify who would be responsible for finishing the southern boarder once Edison is closed off.

Ms. Mejia stated they are paying in-leu fees, so when the developer to the south comes in they would use the in-leu fees to complete those improvements.

Mr. Willoughby wanted to know the size of the Haven Marketplace area.

Mr. Zeledon stated it's about 10 acres.

PUBLIC TESTIMONY

Meagan Knecht with Brookfield was present and spoke in favor of the project.

Mr. Willoughby asked if she accepted the conditions as written.

Ms. Knecht stated yes.

Mr. Lampkin wanted to know the developers vision for the south boarder.

Ms. Knecht stated a solid block wall was proposed on the south boarder.

Mr. Lampkin asked regarding consideration of a see through wall for visibility and PD safety.

Ms. Knecht stated she would be open to work with staff and PD for the security and safety of the community.

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

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Lampkin, seconded by Dean, to approve a resolution for File No. PMTT21-014, subject to conditions of approval. Roll call vote: AYES, Anderson, Dean, DeDiemar, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.

It was moved by Ricci, seconded by Anderson, to recommend adoption of a resolution to approve the Development Agreement, File No., PDA21-014, subject to conditions of approval. Roll call vote: AYES, Anderson, Dean, DeDiemar, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.

E. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA22-003:** A public hearing to consider certain clarifications and revisions to the City of Ontario Development Code, addressing the following:

- Time extension limits for discretionary projects (Development Code Section 2.02.025.B.2.c).
- Public notification requirements for Minor Variances (Development Code Section 2.03.010).
- Administrative exception provisions (Development Code Sections 4.02.020 and 4.03.050, and Tables 2.02-1 and 2.03-1).
- Specific plan minor amendments provisions (Development Code Section 4.02.080).
- Housing and reasonable accommodations provisions (Development Code Sections 4.02.035 and 4.03.055, and Tables 2.02-1 and 2.03-1).
- Accessory dwelling units (ADUs), adding the requirements of Assembly Bill 345 related to the separate conveyance of ADUs (Development Code Section 5.03.010).
- Minimum useable rear yard area for single-family dwellings (Development Code Section 5.03.011).
- Banquet facilities in conjunction with commercial structures on historic properties (Development Code Section 5.03.067).
- Retail sales events and other similar business events (Development Code Section 5.03.395 and Table 8.01-1).
- Conversion of garages to accommodate accessory dwelling units (Development Code section 6.01.010).
- Definition for “garage” (Development Code Section 9.01.010.G).
- Single-family two-unit projects and urban lot splits, rescinding Urgency Ordinance No. 3200 and adopting permanent standards (Development Code Sections 5.03.403 and 6.08.060, and Tables 2.02-1 and 2.03-1).
- Certain allowed land use descriptions (Development Code Table 5.02-1).

The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (“CEQA”) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines. The proposed Development Code Amendment affects properties located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; **City Initiated. City Council action is required.**

Principal Planner Mercier, presented the staff report. He stated that staff is recommending the Planning Commission recommend approval to City Council for File No. PDCA22-003, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

Mr. Lampkin wanted to know if the Development Code differentiates between a carport versus garage.

Mr. Mercier stated yes it does.

Mr. Lampkin wanted clarification on the definition of a carport.

Mr. Mercier stated a carport doesn’t have to be enclosed on any sides.

Mr. Lampkin gave a scenario of someone converting a garage to an ADU and then having a carport for parking.

Mr. Mercier stated yes is was correct.

Ms. DeDiemar wanted clarification on #6.

Mr. Mercier stated it applies to the sale of an ADU, separate from the primary dwelling.

Ms. DeDiemar wanted to know what the benefit of this is.

Mr. Mercier stated none to the city, but the idea is to provide affordable housing and it is a state mandate.

Ms. DeDiemar wanted to know if there were any of these in the city or any proposed.

Mr. Mercier stated none that he is aware of.

Ms. DeDiemar wanted clarification on #10 and if this would mean zero parking spaces provided.

Mr. Mercier stated there would most likely be parking on the driveway or property, but this is a state mandate.

Mr. Zeledon clarified the state mandate.

Mr. Willoughby gave a scenario that would skirt the issue.

Mr. Zeledon stated no, we would still regulate parking, because with ADUs there is a covenant that runs with the land and has restrictions.

Mr. Willoughby wanted to know if we have a code to deal with that.

Mr. Zeledon yes, but it is getting less and less as we get more regulation from the State and even the State code allows to convert the front lawn to parking.

Mr. Willoughby wanted to clarify if they are selling the ADU separately, that there will still be setbacks.

Mr. Zeledon stated that is correct.

Mr. Willoughby clarified that if they sell the ADU and then have the neighbors complain, this protects us.

Mr. Mercier stated yes.

Mr. Ricci wanted clarification regarding on #9 sales on holidays, and if someone could do one 8 week event.

Mr. Mercier stated yes, they can do them all together.

Mr. Zeledon stated that they would still have to get a TUP (Temporary Use Permit) which is regulated by us.

Mr. Ricci wanted to know if this was brought forward because of COVID and doing more things outside.

Mr. Zeledon stated that with COVID we are trying to provide businesses more flexibility, but we will still regulate them.

Mr. Lampkin wanted to know if that would effect parking on future development of commercial.

Mr. Mercier stated no, this is not changing parking requirements.

Mr. Lampkin further clarified Senate Bill 9 and parking in the future.

Mr. Mercier stated that is correct.

Mr. Willoughby spoke in favor of Item #9, as being business friendly.

PUBLIC TESTIMONY

No one responded.

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

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Lampkin, seconded by Ricci, to recommend adoption of a resolution to approve the Development Code Amendment, File No., PDCA22-003, subject to conditions of approval. Roll call vote: AYES, Anderson, Dean, DeDiemar, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Gage. The motion was carried 6 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee did not meet.

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

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

New Business

Mr. Willoughby stated the Subcommittee appoints have been assigned and all the commissioners were given a new chart of appointments.

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.


DIRECTOR'S REPORT

Mr. Zeledon stated the Monthly Activity Reports were in their packets and that many of the Subcommittees would be meeting soon.

ADJOURNMENT

Ricci motioned to adjourn, all were in favor. The meeting was adjourned at 7:46 PM, to the next meeting on May 24, 2022.


Secretary Pro Tempore


Chairman, Planning Commission