



CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD

AGENDA

July 17, 2023

- ▶ **All documents for public review are on file in the Planning Department located in City Hall at 303 East “B” St., Ontario, CA 91764 and on the city’s website at ontarioca.gov/Agendas/DAB**

**MEETING WILL BE HELD AT 1:30 PM IN ONTARIO CITY COUNCIL CHAMBERS
LOCATED AT 303 East “B” St.**

Scott Ochoa, City Manager
Scott Murphy, Executive Director, Community Development Agency
Jennifer McLain Hiramoto, Economic Development Director
James Caro, Building Official
Rudy Zeledon, Planning Director
Khoi Do, City Engineer
Chief Michael Lorenz, Police Department
Fire Marshal Paul Ehrman, Fire Department
Scott Burton, Utilities General Manager
Angela Magana, Community Improvement Manager

PUBLIC COMMENTS

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

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

AGENDA ITEMS

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

CONSENT CALENDAR ITEMS

A. MINUTES APPROVAL

Development Advisory Board Minutes of June 19, 2023, approved as written.

PUBLIC HEARING ITEMS

B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-048: A hearing to consider a Development Plan to construct a 2,304 square foot commercial building for a fast-food restaurant (Del Taco) with a drive-thru facility on 0.67 acres of land, located at 2938 South Milliken Avenue within the Community Commercial zoning district. The environmental impacts of this project were previously reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) for File Nos. PGPA19-007, PSPA19-010 and PZC19-002. 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; (APN: 1083-361-22) **submitted by Del Taco, LLC.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PDEV21-048 (Development Plan)

Motion to Approve / Deny

C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-034: A hearing to consider a Development Plan to construct a 33,363 square foot industrial building on 1.4 acres of land located at 621 South Mountain Avenue, 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; (APNs: 1011-182-10 and 1011-182-15) **submitted by Golden Opportunity Zone Fund, LLC. Planning Commission action is required.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. File No. PDEV21-034 (Development Plan)

Motion to recommend Approval/Denial

D. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE

NO. PDEV22-053: A hearing to consider a Development Plan to construct 88 single-family residential units and 210 multiple-family residential units on 23.58 acres of land located on the southeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed-Use District Planning Area 4B (Stand-Alone Residential Overlay) of the Rich Haven Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Rich Haven Specific Plan Amendment (File No. PSPA22-001), for which an Environmental Impact Report (State Clearinghouse No. 2022100425) was certified by the City Council on June 20, 2023. 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; (APN: 218-211-01) **submitted by Brookfield Residential. Planning Commission action is required.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PDEV22-053 (Development Plan)

Motion to recommend Approval/Denial

If you wish to appeal a decision of the **Development Advisory Board**, you must do so within ten (10) days of the **Development Advisory Board** action. Please contact the **Planning Department** for information regarding the appeal process.

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

The next **Development Advisory Board** meets on **August 7, 2023**.

I, Gwen Berendsen, Administrative Assistant of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **July 13, 2023**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East “B” Street, Ontario.



Administrative Assistant

CITY OF ONTARIO

Development Advisory Board

Minutes

June 19, 2023

BOARD MEMBERS PRESENT

Rudy Zeledon, Chairman, Planning Department
James Caro, Building Department
Elda Zavala, Community Improvement
Charity Hernandez, Economic Development Agency (Arrived 1:34)
Khoi Do, Engineering Department
Paul Ehrman, Fire Department
Christy Stevens, Municipal Utilities Company
Heather Lugo, Police Department (Arrived 1:34)

BOARD MEMBERS ABSENT

STAFF MEMBERS PRESENT

| | |
|----------------------------------------|---------------------------------------|
| Antonio Alejos, Engineering Department | Tom Grahn, Planning Department |
| Gwen Berendsen, Planning Department | Luis Batres, Planning Department |
| Lorena Mejia, Planning Department | Trevor Rivero, Engineering Department |
| Diane Ayala, Planning Department | Fred Addison, Engineering Department |

PUBLIC COMMENTS

No person from the public wished to speak.

CONSENT CALENDAR ITEMS

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the June 5, 2023 meeting of the Development Advisory Board was made by Mr. Caro; seconded by Mr. Ehrman; and approved unanimously by those present (6-0).

Ms. Hernandez and Ms. Lugo arrived at 1:34 PM

PUBLIC HEARING ITEMS

- B. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT21-017:** A public hearing to consider a Tentative Tract Map (TTM 20452) to subdivide 19.1 acres of land into 145 lots, located approximately 1,300 feet south of the intersection of Riverside Drive and Haven Avenue, within the Planning Area 3 of the West Haven Specific Plan. An Addendum to West Haven Specific Plan Environmental Impact Report (State Clearinghouse No. 200471095), which was certified by the City Council on July 7, 2007, was prepared. 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; (APNs: 0218-151-10) **submitted by HCW Lathrop Investors, LLC & JH Bray, LLC. Planning Commission action is required. This Item was continued from the June 5, 2023 Development Advisory Board meeting.**

Mr. Zeledon opened the public hearing.

Derek Barbour with Richland Communities was present.

Mr. Zeledon asked if Mr. Barbour had reviewed all the Conditions of Approval and the revisions and if he had any questions.

Mr. Barbour stated he had reviewed and was good with the Conditions of Approval as stated.

As there was no one wishing to speak on this item, Mr. Zeledon closed the public hearing.

Motion to approve **File No. PMTT21-017**, subject to the revised conditions, was made by Mr. Ehrman; seconded by Ms. Zavala; and approved unanimously by those present (8-0).

- C. **ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT22-014 AND PDEV22-023:** A public hearing to consider Tentative Tract Map No. 20534 (File No. PMTT22-014), consolidating 2 lots into one lot for condominium purposes, in conjunction with a Development Plan (File No. PDEV22-023) to construct 28 townhome units on approximately 0.79 acres of land located at the northeast corner of Laurel Avenue and D Street within the LUA-1 (Euclid Avenue Entertainment District) land use district of the MU-1 (Downtown Mixed-use) 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; (APNs: 1048-354-12 and 1048-354-13); **submitted by Tipping Development. This Item was continued from the June 5, 2023 Development Advisory Board meeting. Planning Commission action is required.**

Mr. Zeledon opened the public hearing.

The applicant was not present.

Mr. Zeledon stated they had talked with the project planner and agreed with the Conditions of Approval.

As there was no one else wishing to speak on this item, Mr. Zeledon closed the public hearing.

Motion to recommend approval of **File Nos. PMTT22-014 (TTM 20534) and PDEV22-023**, subject to conditions, to the Planning Commission was made by Mr. Caro; seconded by Ms. Stevens; and recommended unanimously by those present (8-0).

- D. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV22-012:** A hearing to consider a Development Plan to construct 2 commercial buildings totaling 7,225 square feet on 0.98 acres of land located west of and adjacent to Archibald Avenue approximately 300 feet south of Philadelphia Street, within the Support Commercial zoning district of the Archibald Center Specific Plan. 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; (APN: 1083-011-18) **submitted by Frank Coda**

Mr. Zeledon opened the public hearing.

Frank Coda, the applicant was present.

Mr. Zeledon asked if he had reviewed all the Conditions of Approval and if he had any questions.

Mr. Coda stated he had reviewed them and had no questions with the Conditions of Approval.

As there was no one else wishing to speak on this item, Mr. Zeledon closed the public hearing.

Motion to approve of **File No. PDEV22-012**, subject to conditions, was made by Ms. Zavala; seconded by Ms. Stevens; and recommended unanimously by those present (8-0).

E. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-035: A public hearing to consider a Development Plan to construct a 59,984 square foot industrial building on 3.15 gross acres of land located at the southeast corner of Sultana Avenue and Belmont 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). (APN(s): 1049-491-01, 1049-491-02 and 1049-491-03) **submitted by Chartwell Real Estate Development. Planning Commission action is required.**

Mr. Zeledon opened the public hearing.

Christine Adler, representative for the applicant was present.

Mr. Zeledon asked if she had reviewed all the Conditions of Approval, including the revisions and if she had any questions.

Ms. Adler stated she had reviewed and had no questions with the Conditions of Approval.

As there was no one else wishing to speak on this item, Mr. Zeledon closed the public hearing.

Motion to recommend approval of **File No. PDEV21-035**, subject to the revised conditions, to the Planning Commission was made by Mr. Ehrman; seconded by Mr. Caro; and recommended unanimously by those present (8-0).

F. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PCUP22-023 AND PDEV22-052: A hearing to consider a Conditional Use Permit (File No. PCUP22-023) to establish a self-storage facility in conjunction with a Development Plan (File No. PDEV22-052) to construct a self-storage use consisting of three buildings totaling 63,994 square feet on 1.55 acres of land, located at 5056 East Fourth Street,

within the Freeway Commercial land use district of the Exchange Specific Plan. 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; (APN: 0238-012-31) **submitted by West Coast Self Storage. Planning Commission action is required.**

Mr. Zeledon opened the public hearing.

Steve Tangney, the applicant was present.

Mr. Zeledon asked if he had reviewed all the Conditions of Approval and if he had any questions.

Mr. Tangney stated he had reviewed and had no questions with the Conditions of Approval.

As there was no one else wishing to speak on this item, Mr. Zeledon closed the public hearing.

Motion to recommend approval of **File Nos. PCUP22-023 and PDEV22-052**, subject to conditions, to the Planning Commission was made by Ms. Lugo; seconded by Mr. Caro; and recommended unanimously by those present (8-0).

G. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV22-055: A hearing to consider a Development Plan to construct one industrial building totaling 86,548 square feet on 3.78 acres of land located at 2049 East Francis Street, within the IG (General 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; (APNs: 0113-394-40 and 0113-394-41) **submitted by Scannell Properties. Planning Commission action is required.**

Mr. Zeledon opened the public hearing.

Jay Tantuan, was present.

Mr. Zeledon asked if he had reviewed all the Conditions of Approval and if he had any questions.

Mr. Tantuan stated he had reviewed and had no questions with the Conditions of Approval.

As there was no one else wishing to speak on this item, Mr. Zeledon closed the public hearing.

Motion to recommend approval of **File No. PDEV22-055**, subject to conditions, to the Planning Commission was made by Ms. Stevens; seconded by Mr. Caro; and recommended unanimously by those present (8-0).

Development Advisory Board Minutes
June 19, 2023

There being no further business, the meeting was adjourned to the next meeting on July 3, 2023.

Respectfully submitted,



Gwen Berendsen
Recording Secretary



DEVELOPMENT ADVISORY BOARD DECISION

July 17, 2023

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

DECISION NO.: [insert #]

FILE NO.: PDEV21-048

DESCRIPTION: A hearing to consider a Development Plan to construct a 2,304 square foot commercial building for a fast-food restaurant (Del Taco) with a 266-square-foot outdoor patio and drive-thru facility on 0.67 acre of land, located at 2938 South Milliken Avenue within the Community Commercial zoning district. (APN: 1083-361-22) **submitted by Del Taco, LLC.**

PART 1: BACKGROUND & ANALYSIS

DEL TACO, LLC, (herein after referred to as "Applicant") has filed an application requesting approval of a Development Plan, File No. PDEV21-048, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

PROJECT SETTING: The Project site is comprised of 0.67 acre of land located at 2938 South Milliken Avenue, and is depicted in Exhibit A: Project Location Map, attached. Existing land uses, Policy Plan (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>Policy Plan Land Use Designation</i> | <i>Zoning Designation</i> | <i>Specific Plan Land Use Designation</i> |
|--------|---------------------------------------|-----------------------------------------|---------------------------|-------------------------------------------|
| Site: | Vacant | General Commercial | CC (Community Commercial) | N/A |
| North: | Commercial (Starbucks Restaurant) | General Commercial | CC (Community Commercial) | N/A |
| South: | Vacant | General Commercial | CC (Community Commercial) | N/A |
| East: | City of Eastvale Business Park | Business Park | IL (Industrial Park) | N/A |
| West: | Light Industrial (Under Construction) | Industrial | IL (Light Industrial) | N/A |

PROJECT ANALYSIS:

(1) Background — On November 17, 2020, the City Council approved a General Plan Amendment (File No. PGPA19-007) to change the land use designation on the subject

site, from Mixed Use to Industrial, and a Zone Change (File No. PZC19-002), changing the zoning designation on the subject site from SP (Specific Plan) to IL (Light Industrial), in conjunction with the adoption of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by City Council on January 27, 2010, in conjunction with File No. PGPA06-00.

On October 27, 2020, the Planning Commission approved Tentative Parcel Map No. 20177 (File No. PMTT19-018) in conjunction with three Development Plans including: 1) File No. PDEV19-059, to construct 3 industrial buildings totaling 295,991 square feet; 2) File No. PDEV20-012 to construct a 3,062 square foot convenience store (7-Eleven) with fuel sales and an ancillary drive-thru car wash; and 3) File No. PDEV20-013 to construct a 2,490 square foot commercial building for a fast food restaurant (Starbucks) with a drive-thru facility. The Tentative Parcel Map established the alignment of internal public and private streets (Stefano Court and Maddalena Privado, respectively) to serve the immediate area, including the Project site.

On December 23, 2021, the Applicant submitted a Development Plan application (File No. PDEV21-048) to construct a 2,304 square foot commercial building for a fast-food restaurant (Del Taco) with a 266-square-foot outdoor patio and drive-thru facility on 0.67-acre Project Site.

(2) Site Design/Building Layout — The Project occupies Parcel 6 of Parcel Map No. 20177 and will be built-out to a FAR of 0.08. The fast-food restaurant building is located on the southeast quadrant of the property, oriented in an east-west configuration, with the front entrance facing north toward the parking lot and the drive-thru pick-up window facing south (see Exhibit B — Site Plan, attached).

The building is setback approximately 20 feet from the south property line, approximately 50 feet from the east (Milliken Avenue) property line, approximately 100 feet from the west property line, and approximately 75 feet from the north property line. Parking for employees and customers has been provided immediately to the north of the building.

The entrance to the drive-thru is located at the southeast corner of the Project site and will circulate from west to east, turning toward a north direction and terminating along the eastern building elevation. The Project provides drive-thru lane stacking for 12 vehicles.

The building's main entrance is located on the northeast corner of the building, with doors facing north, towards the parking lot and a second entrance, facing north, located near the northwest corner of the building. Walkways will be located along the west, north, east portions of the building, providing pedestrian connections to the main entrance. The drive-thru order menu boards are located to the west of the building and the pick-up window is located on the southeast corner of the building facing east. The floor plan has been designed with the dining area and bathroom occupying the northern half of the building and the kitchen/employee/bathroom occupying the southern half of the

building (see Exhibit C — Floor Plan, attached). An outdoor patio (266 square feet) has also been provided on the north side of the building, facing the parking lot.

(3) Site Access/Circulation — The Project site is located within a mixed-use commercial/industrial development located on the northwest corner of Riverside Drive and Milliken Avenue that is currently under construction. Parcel Map No. 20177 facilitated the construction of internal private streets, common drive aisles and street improvements along Milliken Avenue and Riverside Drive. The Parcel Map included the construction of a 26-foot-wide common drive-aisle that runs north-south between the commercial and industrial land uses connecting Riverside Drive (south) to Maddalena Privado (north). The 26-foot-wide common drive aisle provides primary access to the commercial portion (Parcels 4 thru 7) of the mixed-use development, including the Project site (Parcel 6) (see Exhibit D— PM 20177, attached).

(4) Parking — The Project is required to provide 19 off-street parking spaces pursuant to the Fast-Food Restaurants parking standards specified in the Development Code. The Project site can only accommodate 18 parking spaces however the adjacent commercial fast-food restaurant (Starbucks) has a surplus of 9 parking spaces. The Project has been conditioned to enter into a shared parking agreement with Starbucks to meet the minimum off-street parking requirements for the Project (see Exhibit E — Overall Commercial Site Plan, attached). The off-street parking calculations for the Project are summarized in the table below:

Parking Summary

| <i>Type of Use</i> | <i>Building Area (in SF)</i> | <i>Parking Ratio</i> | <i>Spaces Required</i> | <i>Spaces Provided</i> |
|------------------------------|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------------------------------------------|
| <i>Fast Food Restaurants</i> | 2,304 SF 290 LF of drive-thru lane | 13.3 spaces per 1,000 SF of GFA. Restaurants with drive-thru may be credited one space for each 24 lineal feet of drive-thru lane behind the pickup window (12 drive-thru spaces credit) | 19 | 18 (on-site) (1 surplus space from Starbucks) |
| TOTAL | | | 19 | 19 |

(5) Architecture — The proposed Del Taco will be designed in Modern Tuscan architectural style. The architectural features of the design includes a gable tower element with a metal roof, the use of a stone veneer to treat the tower elements, base of the building and columns, flat roofs with parapet detailing, metal canopies, and color blocking. The mixture of building materials proposed includes smooth stucco finishes with a brown, off-white, and avocado green color palette, light blue tinted glazing for windows and storefronts (see Exhibits G — Elevations, attached). The drive-thru canopy, located along the east elevation and patio canopy along the north elevation, have been designed to complement the architectural style of the building and includes columns with a stone veneer and a metal trellis with an avocado green finish.

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/roof line, 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. Additionally, the building has been designed to ensure that its 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 a minimum 13 percent landscape coverage and 27.9 percent landscape coverage has been provided for the Project (see Exhibit F — Conceptual Landscape Plan, attached). A combination of 48-inch, 36-inch, and 24-inch box accent and shade trees will be provided on the Project site. The landscape plan also includes a variety of shrubs, and groundcovers that are low water usage and drought tolerant, to be planted throughout the Project site. Moreover, the proposed on-site landscape improvements will assist towards creating a walkable safe area for pedestrians to access the Project site.

(7) Signage — All project signage is required to comply with sign regulations provided in Ontario Development Code Division 8.1. Prior to the issuance of a Building Permit for the installation of any new on-site signage, the Applicant is required to submit Sign Plans for Planning Department review and approval. The Project also requires the existing Sign Program be amended to include the Project site.

(8) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of underground chambers. Any overflow drainage will be conveyed to the public street by way of parkway drains and culverts.

PUBLIC NOTIFICATION: The subject application was advertised as a hearing in at least one newspaper of general circulation in the City of Ontario (the Inland Valley Daily Bulletin newspaper).

CORRESPONDENCE: As of the preparation of this Decision, Planning Department staff has not received any written or verbal communications from the owners of properties surrounding the Project site or from the public in general, regarding the subject application.

AGENCY/DEPARTMENT REVIEWS: Each City agency/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 included with this Decision.

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 ONT 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. As the decision-making body for the Project, the Development Advisory Board has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the Development Advisory Board, 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 ONT ALUCP.

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
- Pursue City's Goals and Objectives by Working with Other Governmental Agencies
 - Focus Resources in Ontario's Commercial and Residential Neighborhoods
 - Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
 - Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities
 - Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

(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.
 - G 1-2. 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 LU-1 Balance: 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.
 - LU-1.1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, foster the development of transit, and support the expansion of the active and multimodal transportation networks throughout the City.
 - LU-1.6 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.

- Goal LU-2 Compatibility: Compatibility between a wide range of uses and a resultant urban patterns and forms.

- LU-2.6 Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Economics Element:

- Goal CE-1 Complete Community: A complete community that provides for all incomes and stages of life.

- Goal CE-2 Placemaking: A City of distinctive neighborhoods, districts, corridors, and centers where people choose to be.

- CE-2.1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

- CE-2.2 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.

- CE-2.4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

- CE-2.5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

- Goal S-1 Seismic & Geologic Hazards: Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by earthquake-induced and other geologic hazards.

- S-1.1 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 CD-1 Image & Identity: A dynamic, progressive city containing distinct and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses.

- CD-1.1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing, enhancing, and preserving the character of our existing viable neighborhoods.

- CD-1.2 Place Types. We establish Place Types in urban, mixed use, and transit-oriented areas to foster the City's identity as a premier community and require new development within each Place Type to incorporate prescribed urban patterns, forms, and placemaking priorities.

- Goal CD-2 Design Quality: A high level of design quality resulting in neighborhoods, public spaces, parks, and streetscapes that are attractive, safe, functional, human-scale, and distinct.

- CD-2.1 Quality Building Design and Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide context-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 articulated, high quality, durable, and appropriate for the architectural style.

- CD-2.7 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.

- CD-2.8 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, maintaining visibility and accessibility, and using lighting.

- CD-2.9 Landscape Design. We encourage durable, sustainable, and drought-tolerant landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD-2.10 Parking Areas. We require all development, including single-family residential, to minimize the visual impact of surface, structured, and garage parking areas visible from the public realm in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include:

- Surface parking: Shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field;
- Structured parking: facade articulation, screening, appropriate lighting, and landscaping; and
- Garage parking: providing access to single-family residential garages through alley access, recessing garages from the frontage to emphasize front doors or active living spaces.

➤ CD-2.11 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.

➤ CD-2.12 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.

➤ CD-2.13 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 CD-3 Urban, Mixed Use, and Transit-Oriented Place Types: 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.

➤ CD-3.2 Comfortable, Human-Scale Public Realm. We require that public spaces, including streets, parks, and plazas on both public and private property be designed to maximize safety, comfort and aesthetics and connect to the citywide pedestrian, vehicular, and bicycle networks.

➤ CD-3.3 Complete and Connected Network. We require that pedestrian, vehicular, and bicycle circulation on both public and private property be coordinated to provide connections internally and externally to adjacent neighborhoods and properties (existing and planned) through a system of local roads and trails that promote walking and biking to nearby destinations (including existing and planned parks, commercial areas, and transit stops) and are designed to maximize safety, comfort, and aesthetics.

➤ CD-3.4 Context-Aware and Appropriate Design. We require appropriate building and site design that complements existing development, respects the intent and identity of the Place Type, and provides appropriate transitions and connections between adjacent uses to ensure compatibility of scale, maintain an appropriate level of privacy for each use, and minimize potential conflicts.

➤ CD-3.5 Active Frontages. We create lively pedestrian streetscapes by requiring primary building, business, and residential entrances, outdoor dining, and storefronts be located on ground floors adjacent to sidewalks or public spaces and designed to maximize safety, comfort, aesthetics, and the intended functionality (as defined by the Place Type).

➤ CD-3.6 Managed Infrastructure. We collaborate with developers and property owners to facilitate development that realizes the envisioned character and functionality of the Place Type through the use of green and shared infrastructure within each Place Type.

▪ Goal CD-5 Protection of Investment: A sustained level of maintenance and improvement of properties, buildings, and infrastructure that protects the property values and encourages additional public and private investments.

➤ CD-5.1 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.

➤ CD-5.2 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 Housing Element Sites contained in Tables B-1 and B-2 (Housing Element Sites Inventory) of the Housing Element Technical Report.

PART 2: RECITALS

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

WHEREAS, an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was approved by the City Council on November 17, 2020, in conjunction with File Nos. PGPA19-007 and PZC19-002, in which the development and use of the Project site was discussed; and

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

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

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

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ONT 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 17, 2023, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

PART 3: THE DECISION

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

SECTION 1: Environmental Determination and Findings. As the decision-making body for the Project, the DAB has reviewed and considered the information contained in the previous Addendum to the Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Addendum to the Certified EIR and supporting documentation, the DAB finds as follows:

- (1) The environmental impacts of this Project were previously reviewed in conjunction with File Nos. PGPA19-007 and PZC19-002, a General Plan Amendment and Zone Change for which an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was approved by the City Council on November 17, 2020.
- (2) The previous Addendum to the Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- (3) The previous Addendum to the Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and
- (4) The previous Addendum to the Certified EIR reflects the independent judgment of the Planning Commission; and
- (5) The proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Addendum to the Certified EIR, and all mitigation measures previously adopted with the Addendum to the Certified EIR, are incorporated herein by this reference.

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

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

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

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

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

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

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

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

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Housing Element Sites contained in Tables B-1 and B-2 (Housing Element Sites Inventory) of the Housing Element Technical Report.

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 and 3, above, the DAB hereby concludes as follows:

(1) *The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.* The proposed Project is located within the General Commercial land use district of the Policy Plan Land Use Map, and the CC (Community Commercial) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

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

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

(4) *The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.* The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (fast-food restaurant). 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: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby APPROVES the Application subject to each and every condition set forth in the Conditions of Approval included as Attachment A of this Decision 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. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 17th day of July 2023.

Development Advisory Board Chairman

Exhibit A: PROJECT LOCATION MAP



Exhibit B: SITE PLAN

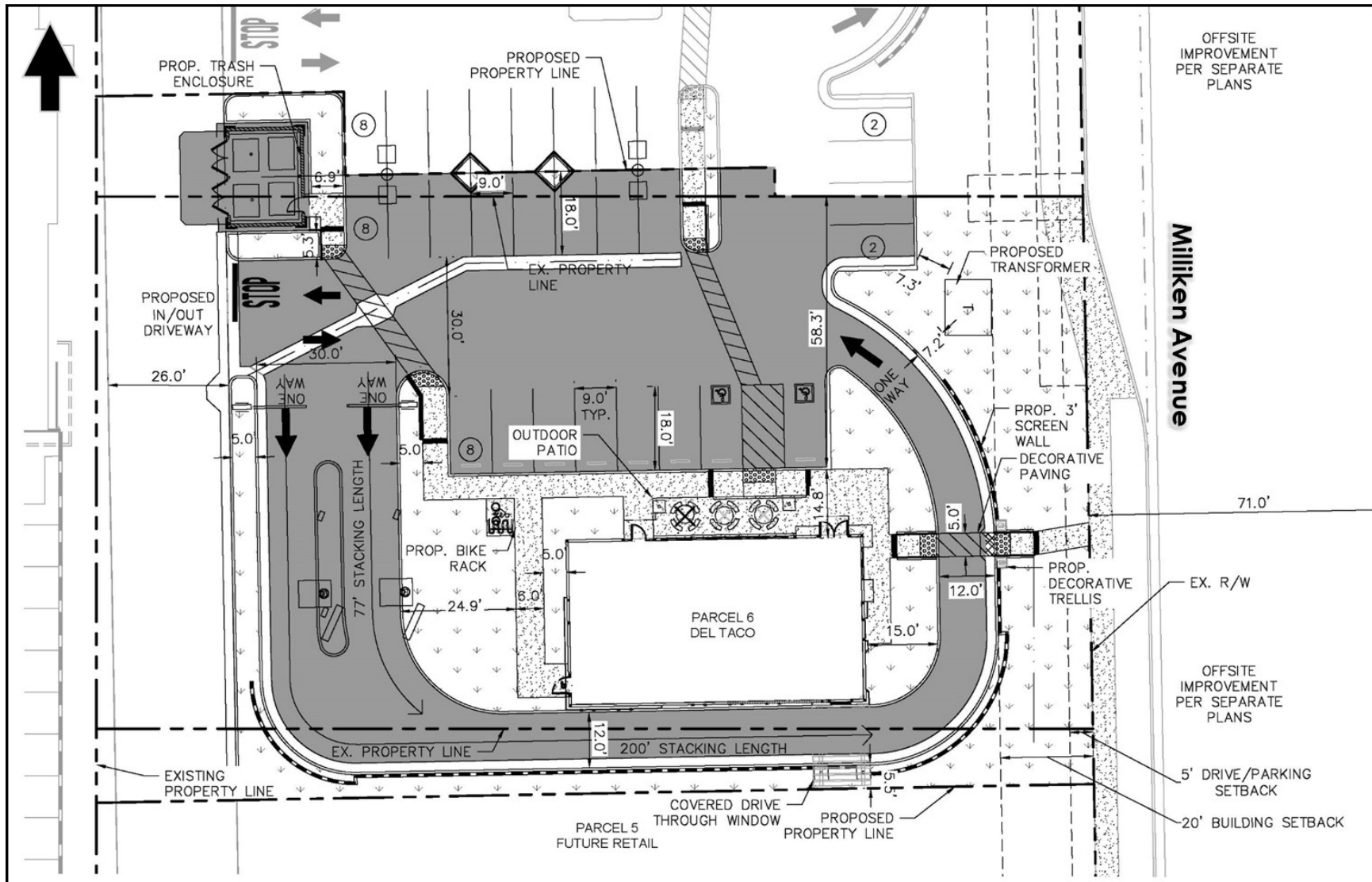


Exhibit C: FLOOR PLAN

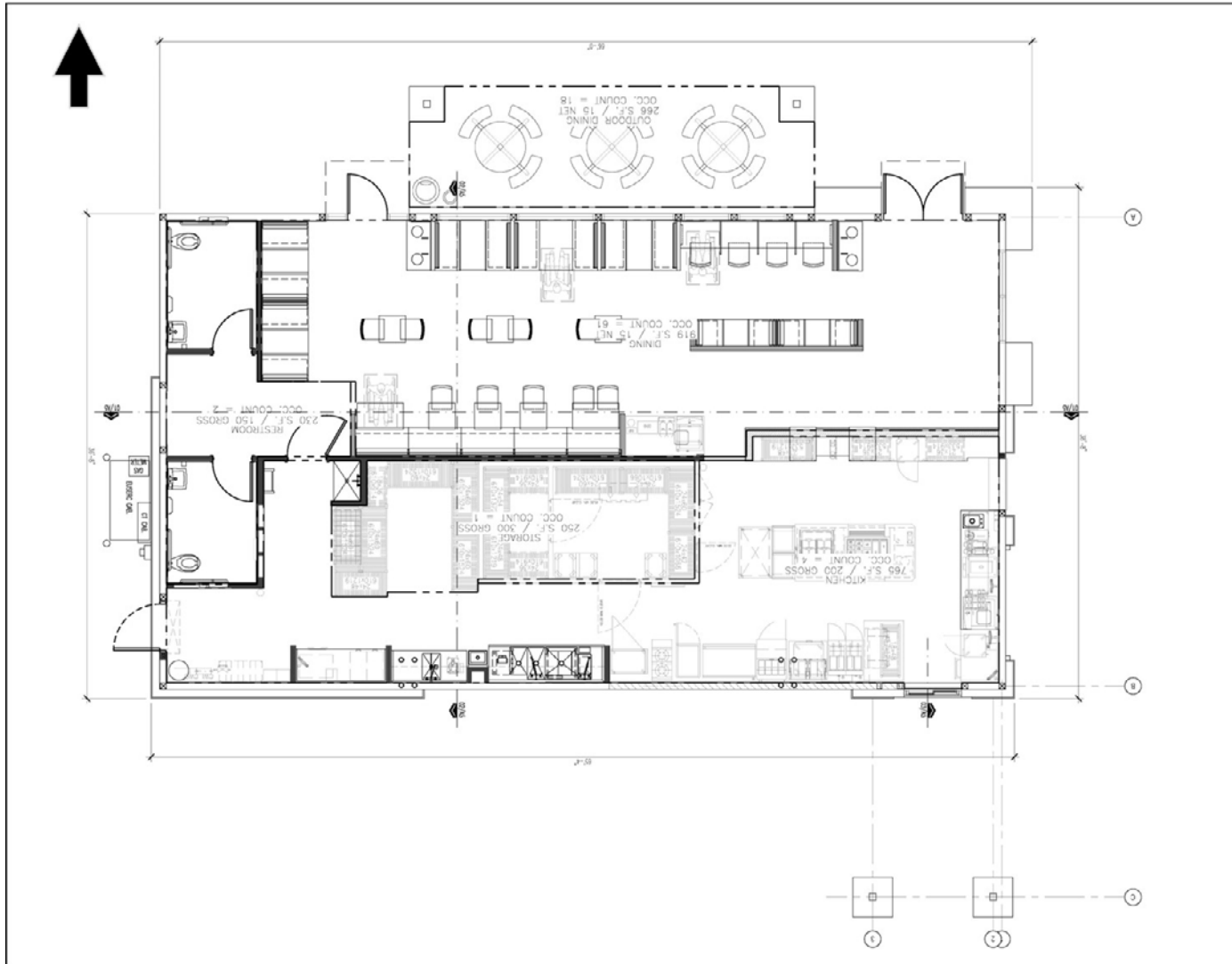


Exhibit D: PARCEL MAP 20177

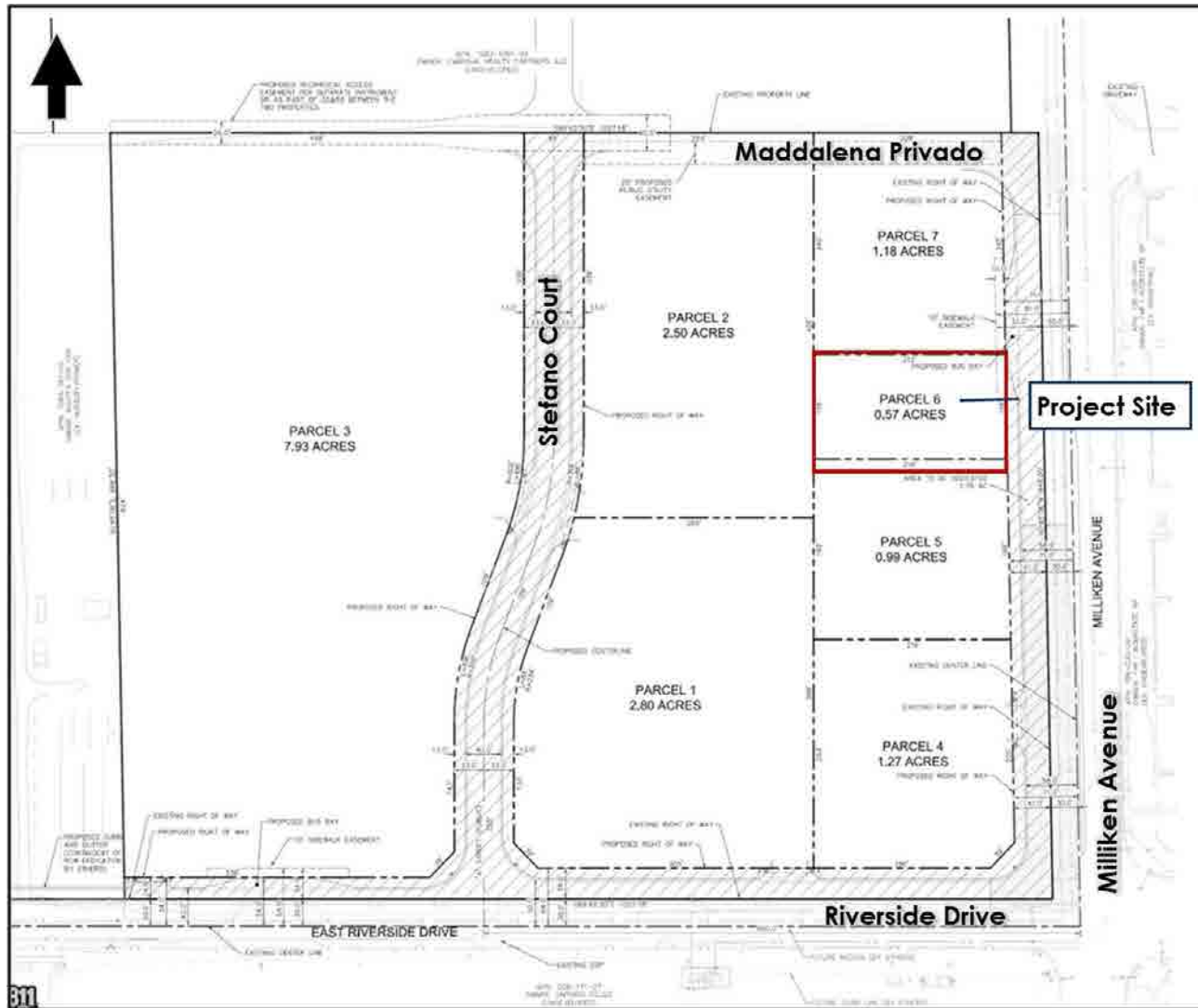


Exhibit E: OVERALL COMMERCIAL SITE PLAN

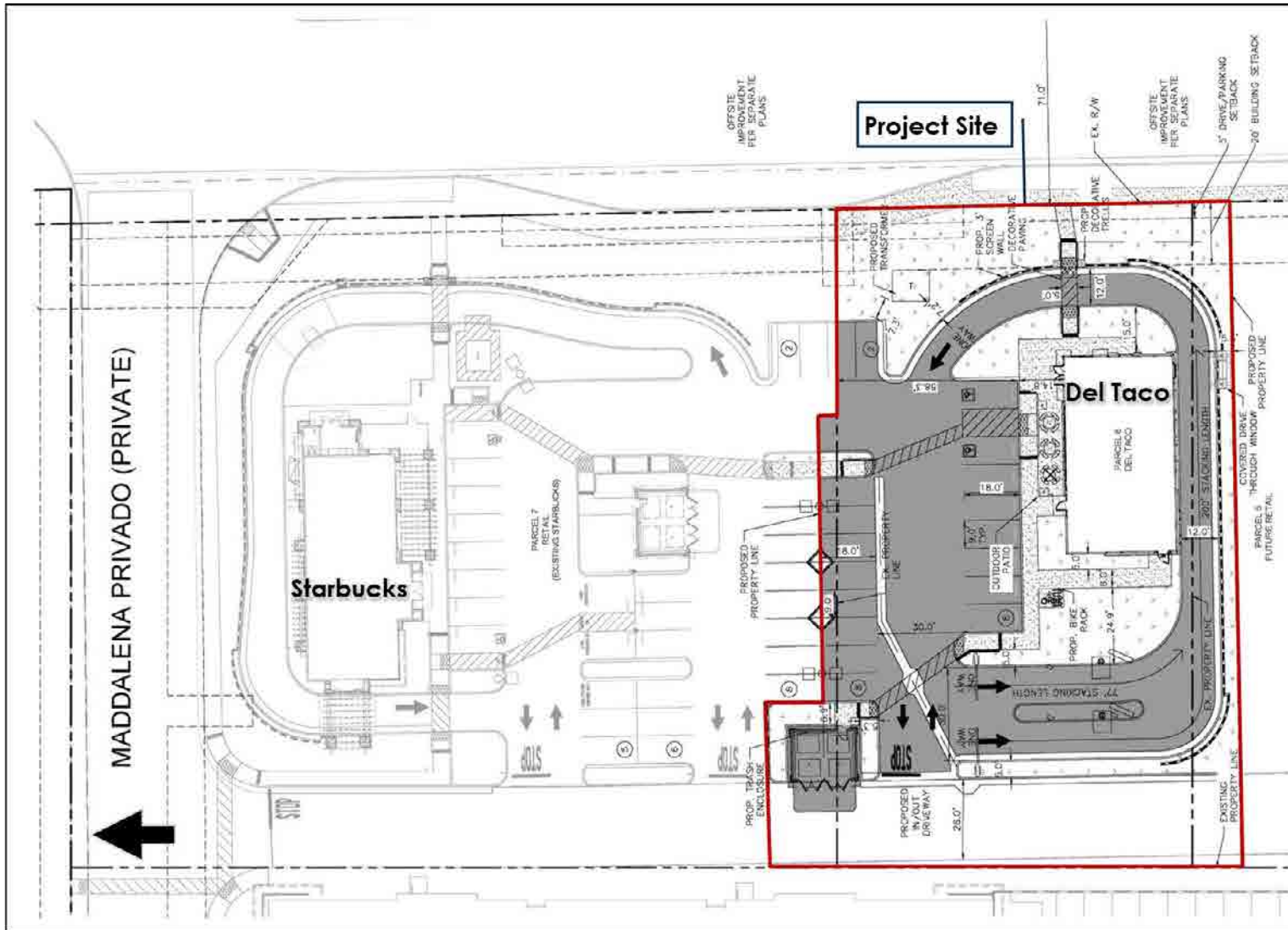


Exhibit F: LANDSCAPE PLAN (OVERALL PROJECT SITE)

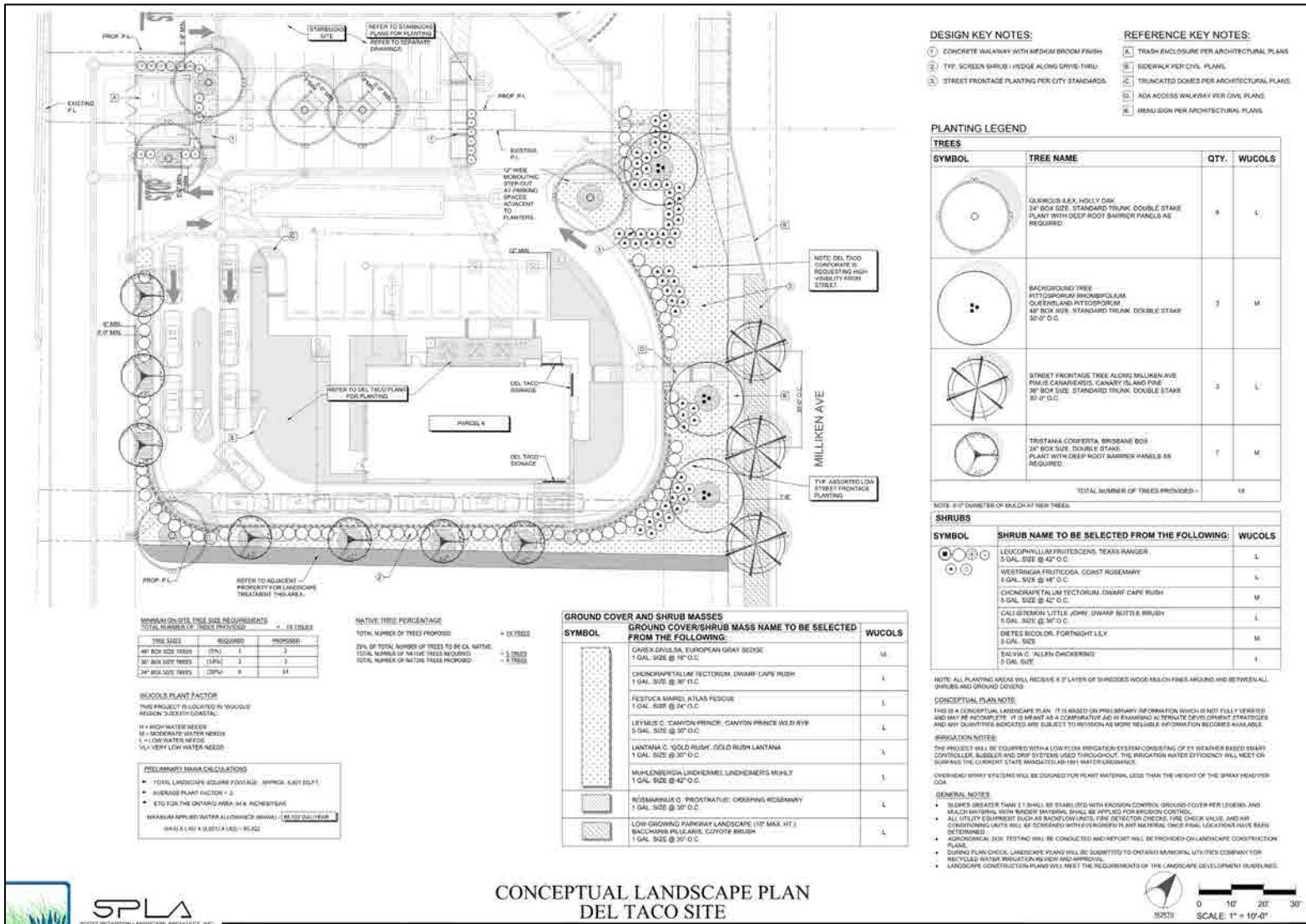


Exhibit F: LANDSCAPE PLAN (BUILDING ADJACENT PLANTERS)

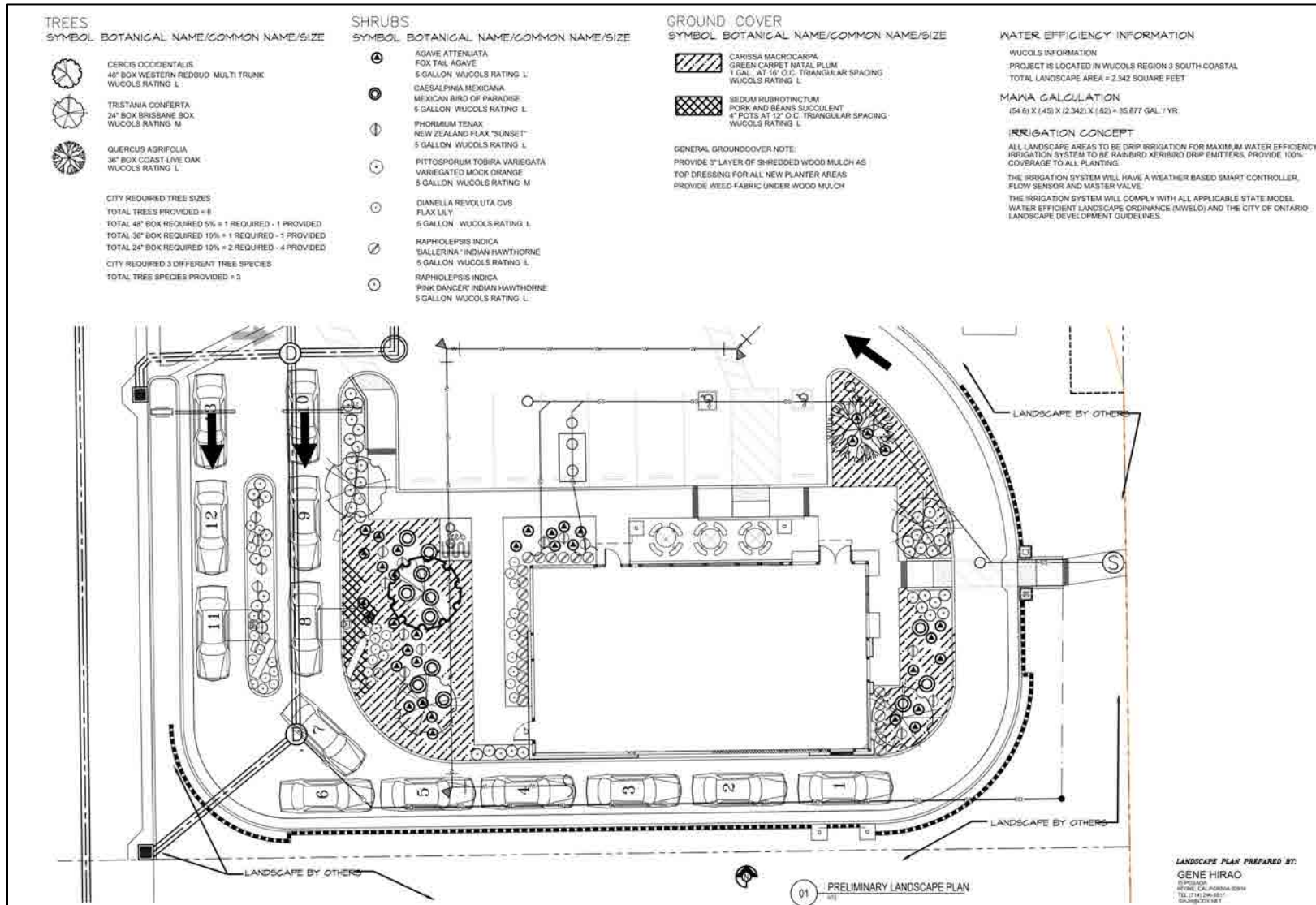
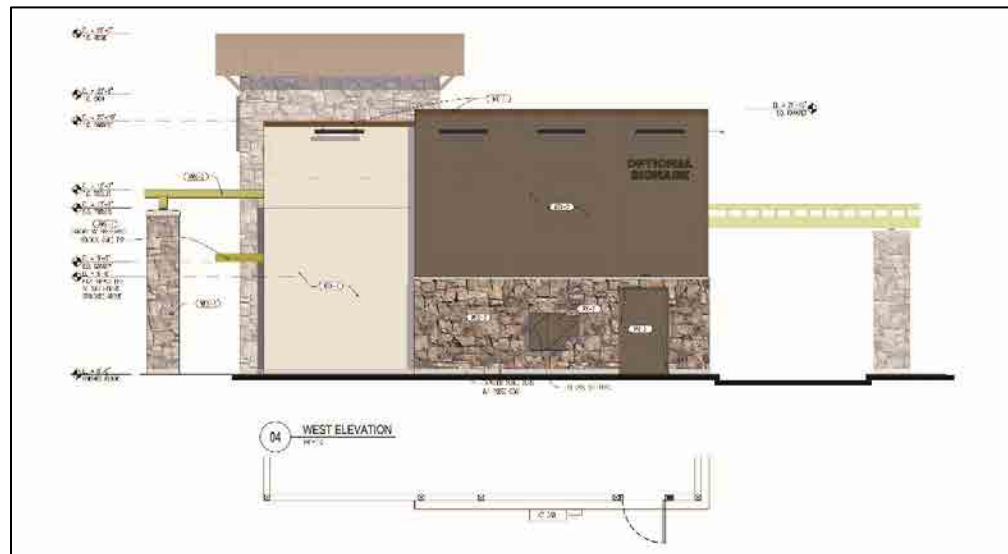
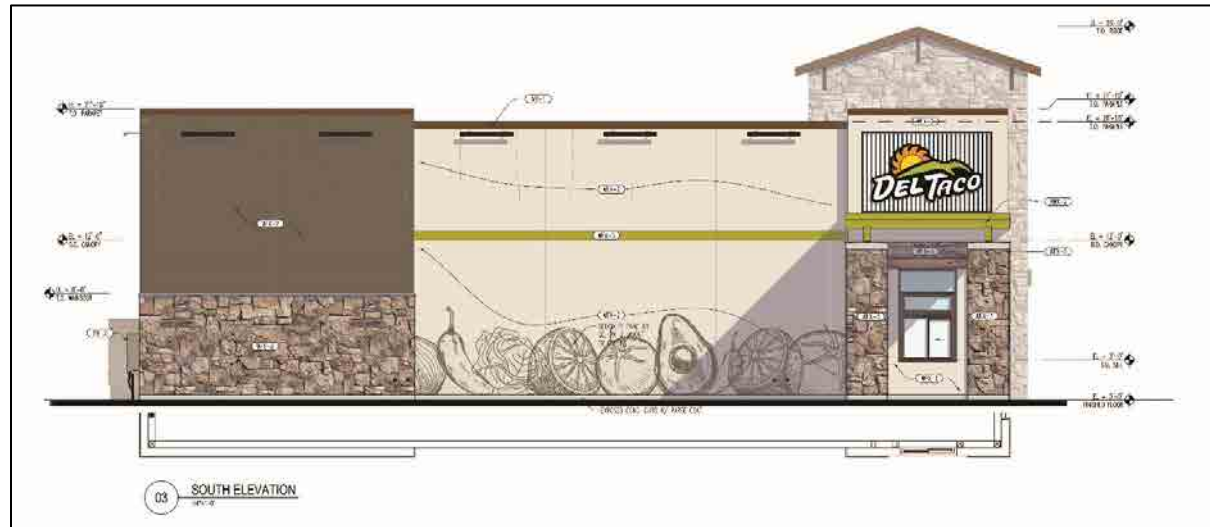


Exhibit G: ELEVATIONS



Exhibit G: ELEVATIONS



Attachment A: Conditions of Approval

(Conditions of Approval follow this page)



LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

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

Date Prepared: 7/17/2023

File No: PDEV21-048

Related Files: PMTT19-018 and PDEV19-059

Project Description: A Development Plan to construct a 2,304 square foot commercial building for a fast-food restaurant (Del Taco) with a 266-square-foot outdoor patio and drive-thru facility on 0.67 acre of land, located at 2938 South Milliken Avenue within the Community Commercial zoning district. (APN: 1083-361-22) **submitted by Del Taco, LLC.**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@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). Final design and placement of bicycle parking facilities shall be subject to Planning Department review and approval.

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.

(a) All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations). The existing Sign Program File No. PSGP21-001, shall be amended to include the Project site.

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

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

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

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

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

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

(i) Landscaping and irrigation systems within common areas;

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

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

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

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

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

2.12 Environmental Requirements.

(a) 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).

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

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

2.14 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (“NOD”) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the “Clerk of the Board of Supervisors”, which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (“CEQA”). Failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

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

2.15 Final Occupancy. The Project Architect of record will certify that construction of each building site and the exterior elevations of each structure shall be completed in compliance with the approved plans. Any deviation to approved plans shall require a resubmittal to the Planning Department for review and approval prior to construction. The Occupancy Release Request Form/Architect Certificate of Compliance shall be provided prior to final occupancy. After the receipt of this Certification, the Planning Department will conduct a final site and exterior elevations inspection. The Owner’s Representative and Contractor shall be present.

2.16 Additional Requirements.

(a) All applicable conditions of approval of Tentative Tract Map No. 20177 (File No. PMTT19-018) shall apply to this project.

(b) The applicant shall enter into a shared parking agreement with the property to the north prior to building permit issuance.

(c) The art graphic on the east elevation shall be removed and replaced with the stone veneer, as shown below.





CITY OF ONTARIO MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

PROJECT ENGINEER: Jeffrey Tang, P.E. (909) 395-2128

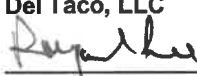
PROJECT PLANNER: Lorena Mejia, Senior Planner (909) 395-2416


DAB MEETING DATE: July 17, 2023

PROJECT NAME/DESCRIPTION: PDEV21-048
A Development Plan to construct one 2,304 square foot commercial building on 0.56 acres of land, located at 2958 South Milliken Avenue within the Community Commercial Zoning District.
(APN: 1083-361-01)

LOCATION: Northwest corner of Milliken Avenue and Riverside Drive

APPLICANT: Del Taco, LLC

REVIEWED BY: 
Raymond Lee, P.E.
Assistant City Engineer
7/11/23
Date

APPROVED BY: 
Khoi Do, P.E.
City Engineer
7-11-23
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 Applicant/Developer shall comply with the Conditions of Approval for PM-20177 (PMTT19-018).
2. The Applicant/Developer shall apply for a Lot Line Adjustment prior to issuance of any permits (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.)
3. The Applicant/Developer shall submit a copy of a recorded reciprocal use agreement or easement prior to issuance of any permits. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
4. The Applicant/Developer shall 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 prior to issuance of any permits. 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.

Project File No. PDEV21-048
Project Engineer: Jeffrey Tang, P.E.
DAB Date: July 17, 2023

5. The Applicant/Developer shall pay all Development Impact Fees (DIF) to the Building Department prior to issuance of any permits. Storm Drain Development Impact Fee, approximately \$9,665, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan and the DIF rate at the time of payment.

EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV 21-048

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. 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)
9. 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)
10. Four (4) sets of Public Sewer improvement plan
11. Five (5) sets of Public Storm Drain improvement plan
12. Three (3) sets of Public Street Light improvement plan
13. Three (3) sets of Signing and Striping improvement plan
14. Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)
15. Three (3) sets of HOA Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
16. Five (5) sets of CFD Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
17. 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)
18. 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.
19. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
20. One (1) copy of Hydrology/Drainage study
21. One (1) copy of Soils/Geology report

- 22. Payment for Final Map/Parcel Map processing fee
- 23. Three (3) copies of Final Map/Parcel Map
- 24. One (1) copy of approved Tentative Map
- 25. One (1) copy of Preliminary Title Report (current within 30 days)
- 26. One (1) copy of Traverse Closure Calculations
- 27. **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.**
- 28. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 29. Other: _____



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, Municipal Utility Company
Heather Lugo, Police Department
Paul Erhman, Deputy Fire Chief/Fire Marshal
Jay Bautista, Traffic/Transportation Manager *Diego Tapia*
Lorena Mejia, Airport Planning
Jeff Tang, Engineering/NPDES
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Blaine Ishii, Integrated Waste

FROM: Lorena Mejia, Senior Planner

DATE: February 08, 2023

SUBJECT: FILE #: PDEV21-048

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 construct one 2,304-square-foot commercial building on 0.56-acre of land located at 2958 South Milliken Avenue within the Community Commercial Zoning District (APN: 1083-361-01).

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.

ENG/ TRAF.
Department

[Signature]
Signature

ENG ASST.
Title

2-8-2023
Date



CITY OF ONTARIO MEMORANDUM

Development Plan Review Engineering Department: Transportation Section

Project: PDEV21-048

Date: February 8, 2023

Location: 2958 Milliken Avenue (Del Taco)

By: Diego Tapia 

The Transportation Division recommends the following to be incorporated into the Project's Conditions-of-Approval:

Conditions:

1. The Applicant/Developer shall comply with the Conditions of Approval for PMTT19-018 and TM 20177. Please verify that the site map and the tentative tract map are consistent.
2. The Applicant/Developer shall provide reciprocal access with the between the project site and all other adjacent properties.

dt;



CITY OF ONTARIO

MEMORANDUM

TO: Jeff Tang, ENGINEERING DEPARTMENT
FROM: Nathan S. Pino, Engineering Assistant
DATE: February 6, 2023
SUBJECT: File No. PDEV21-048

The Site Plan for this project is approved for DAB based on the following condition:

- 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:
<https://www.ontarioca.gov/Engineering/DesignGuidelines>

Note: Activities resulting in one acre or more land disturbance 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>.

Jeffrey Tang

From: Eric Woosley
Sent: Friday, February 10, 2023 4:05 PM
To: Jeffrey Tang; Lorena Mejia
Cc: Carolina Rodriguez; Heather A. Young; Christy L. Stevens; Dennis Mejia
Subject: PDEV21-048 - DPR2 - 2958 Milliken Avenue (#8980)

Jeff & Lorena,

Regarding: PDEV21-048 – DPR2 – 2958 Milliken Avenue - Utilities Engineering Response (#8980)

I have completed my review of the referenced project and concluded it can be conditioned, as water, sewer, and the fire hydrant along the frontage were conditioned part of the PM-20177 project; and previous comments were addressed. Since others have comments that will result in a resubmittal, please include the Utilities Engineering in the resubmittal for review and conditions to be applied.

Please let me know if you have any questions. Thanks

Regards,

ERIC WOOSLEY, PE, QSD, QSP

SENIOR ASSOCIATE ENGINEER
CITY OF ONTARIO | UTILITIES ENGINEERING
1425 S. BON VIEW AVENUE | ONTARIO, CA 91761
☎ 909.395.2782 | ✉ EWOOOLEY@ONTARIOCA.GOV



We are what we repeatedly do. Excellence then, is not an act, but a habit. - Aristotle



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
Rudy Zeledon, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, Municipal Utility Company
Heather Lugo, Police Department
Paul Erhman, Deputy Fire Chief/Fire Marshal
Jay Bautista, Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Jeff Tang, Engineering/NPDES
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Blaine Ishii, Integrated Waste

Revision #2

FROM: Lorena Mejia, Senior Planner

DATE: May 04, 2023

SUBJECT: FILE #: PDEV21-048

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 construct one 2,304-square-foot commercial building on 0.56-acre of land located at 2958 South Milliken Avenue within the Community Commercial Zoning District (APN: 1083-361-01).

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.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV21-048
 Address: 2958 Milliken Avenue
 APN: 1083-361-01
 Existing Land Use: Vacant
 Proposed Land Use: A Development Plan to construct a 2,304 SF drive-thru restaurant (Del Taco)
 Site Acreage: 0.56 Proposed Structure Height: 28 FT
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Lorena Mejia
 Date: 1/25/2023
 CD No.: 2021-073
 PALU No.: N/A

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

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

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

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

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: January 12, 2022

SUBJECT: PDEV21-048 - A Development Plan to construct one 2,304-square-foot commercial building on 0.56-acre of land located at 2958 South Milliken Avenue within the Community Commercial Zoning District (APN: 1083-361-01).

-
- 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: Type V-B
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 2,304 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 2,304 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): B/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.
- ☒ 2.7 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 2019 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.
- ☒ 4.5 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.

- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.



CITY OF ONTARIO MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
 Rudy Zeledon, Planning Director (Copy of memo only)
 Diane Ayala, Advanced Planning Division (Copy of memo only)
 Charity Hernandez, Economic Development
 James Caro, Building Department
 Raymond Lee, Engineering Department
 Jamie Richardson, Landscape Planning Division
 Dennis Mejia, Municipal Utility Company
~~Gabriel Gutierrez, Police Department~~ *Jeremy Phillips*
 Paul Erhman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, Traffic/Transportation Manager
 Lorena Mejia, Airport Planning
 Eric Woosley, Engineering/NPDES
 Angela Magana, Community Improvement (Copy of memo only)
 Jimmy Chang, IPA Department
 Ben Mayorga, Integrated Waste

FROM: Lorena Mejia, Senior Planner

DATE: January 04, 2022

SUBJECT: FILE #: PDEV21-048 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 one commercial building totaling 2,304 square feet on 0.56 acres of land located 2958 Milliken Avenue within the Commercial land use district of the Tuscana Village Specific Plan (APN(s): 1083-361-01-0000).

- 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.

ONTARIO POLICE
Department

ANTONIO GALBAN
Signature

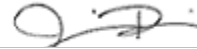
POLICE OFFICER
Title

1/10/22
Date

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

CONDITIONS OF APPROVAL

Sign Off



07/10/2023

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV21-048

Case Planner:

Lorena Mejia

Project Name and Location:

Commercial Building, TM20177
 2958 S. Milliken Ave (Del Taco)

Applicant/Representative:

Kimley Horn; Brian Gillis (714) 939-1030 brian.gillis@kimley-horn.com, Jonathan.Shardlow@GreshamSavage.com
 1100 Town and Country Rd., Suite 700
 Orange, CA 92868



Preliminary Plans (dated 06/16/2023) meet the Standard Conditions for New Development and have been approved considering that the following conditions below be met upon submittal of the landscape construction documents.



Preliminary Plans () have not been approved. Corrections noted below are required before 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

Civil/ Site Plan Conditions of Approval

1. Adjust/Reconfigure the SD line and chamber system out of the landscape planters.
2. Show transformers set back 5' from paving on all sides. Transformer is located on the curve of the drive-thru. Relocate to provide a minimum of 5' from the paving to avoid bollards.
3. Show backflow devices set back 4' from paving on all sides and located on level grade.
4. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.
5. Provide details for site furniture.

Landscape Plans Del Taco Conditions of Approval

6. During plan check, coordinate with Ontario Municipal Utilities Company (OMUC) to submit irrigation plans for recycled water systems to omucwaterquality@ontarioca.gov. OMUC shall review and approve irrigation systems utilizing recycled water before final landscape approval. Submit an electronic approval letter or memo from OMUC with the resubmittal of the landscape package.
 Adjust tree and tree diamond (in the most northern parking spaces, easternmost diamond) to minimum set back to light standard to provide space between tree plantings.
7. Trees shall be planted: 25' from the beginning of curb returns at street intersections; 15' from light standards; 10' from power poles and buildings; 7' from water and sewer lines; and 5' from sidewalks, driveways, and fire hydrants. Coordinate civil plans with landscape plans.
8. Show trees along the Milliken Ave setback; show signage and adjust the tree for visibility.
9. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
10. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Landscape construction plans with building permit number for plan check may be emailed to:
landscapeplancheck@ontarioca.gov



DEVELOPMENT ADVISORY BOARD DECISION

July 17, 2023

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

DECISION NO.: [insert #]

FILE NO.: PDEV21-034

DESCRIPTION: A hearing to consider a Development Plan to construct a 33,363 square foot industrial building on 1.4 acres of land located at 621 South Mountain Avenue, within the IL (Light Industrial) zoning district. (APNs: 1011-182-10 and 1011-182-15) **submitted by Golden Opportunity Zone Fund, LLC. Planning Commission action is required.**

PART 1: BACKGROUND & ANALYSIS

GOLDEN OPPORTUNITY ZONE FUND, LLC, (herein after referred to as "Applicant") has filed an application requesting approval of a Development Plan, File No. PDEV21-034, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

PROJECT SETTING: The Project site is comprised of 1.4 acres of land located at 621 South Mountain Avenue, which is depicted in Exhibit A: Project Location Map, attached. An existing access easement between the Project site and property to the east has been conditioned to be modified and provide the neighboring parcel access to Mountain Access Road. Land uses surrounding the Project site include a self-storage facility to the north and west, outdoor storage, and construction yard to the east and a refrigeration repair business to the south. Existing land uses, Policy Plan (general plan) and zoning designations, and specific plan land designations on and surrounding the project site are as follows:

| | <i>Existing Land Use</i> | <i>Policy Plan Land Use Designation</i> | <i>Zoning Designation</i> | <i>Specific Plan Land Use Designation</i> |
|--------|-------------------------------------------------------|-----------------------------------------|---------------------------|-------------------------------------------|
| Site: | Vacant | BP – Business Park (0.60 FAR) | IL – Light Industrial | N/A |
| North: | Self-Storage | BP – Business Park (0.60 FAR) | IL – Light Industrial | N/A |
| South: | Refrigeration Repair (Ontario Refrigeration Services) | BP – Business Park (0.60 FAR) | IL – Light Industrial | N/A |
| East: | Outdoor Storage and Construction Yard | BP – Business Park (0.60 FAR) | IL – Light Industrial | N/A |
| West: | Self-Storage | BP – Business Park (0.60 FAR) | IL – Light Industrial | N/A |

(1) **Background** — On September 17, 2021, the Applicant submitted a Development Plan to construct one industrial building totaling 33,363 square feet on the Project site.

(2) **Site Design/Building Layout** — Proposed, is the construction of a 33,363-square foot industrial building, located on the southeast corner of Mountain Avenue and Mountain Access Road having a floor area ratio (“FAR”) of 0.54 (see Exhibit B—Site Plan, attached). The square-shaped building occupies the northwest portion of the site, with the office entry located at the northeast corner of the building facing east towards the parking lot. The building is setback 12 feet from the north property line (Mountain Access Road), varies approximately 10 to 16 feet from the west property line (Mountain Avenue), approximately 34 feet from the south property line, and approximately 68 feet from the east property line. The primary off-street parking area is located on the east side of the proposed building to serve office employees and visitors, with a smaller parking area located within the yard area to serve employees.

A small yard area, designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging, is located on the east side of the proposed building. The yard area will be screened from public view by a 14-foot-high concrete tilt-up wall that will match the architecture of the building.

(3) **Site Access/Circulation** — There are two points of access to the Project site, one access point via a 49-foot-wide driveway from Mountain Avenue located at the southwest corner of the site and a second access point via a 26-foot-wide driveway located at the northeast corner of the site. Both access points will provide truck and passenger vehicle access to the parking areas and truck yard. The two driveways are connected by an internal 20-wide drive aisle that is located south and east of the proposed building.

(4) **Parking** — The Project has provided off-street parking pursuant to the Warehouse and Distribution parking standards specified in the Development Code. The number of off-street parking spaces provided meets the minimum parking requirement for the Project. The off-street parking calculations for the Project are summarized in the table below:

| Parking Summary | | | | | |
|--------------------------|---------------|-----------------|----------|----------------|-----------|
| Type of Use | Building Area | Trailer Parking | | Vehicle Spaces | |
| | | Required | Provided | Required | Provided |
| Warehouse / Distribution | 33,363 SF | 1 | 1 | 26 | 26 |
| TOTAL: | | | | 26 | 26 |

(5) **Architecture** — The proposed building is of concrete tilt-up construction and integrates a contemporary architectural design theme, incorporating enhanced elements and treatments at office entries and along street facing elevations (see Exhibit C — Elevations, attached). Architectural elements for all buildings include smooth-painted concrete in white and grey tones, dry stacked stone veneer, horizontal and vertical reveals, metal wall panels, storefronts with clear anodized aluminum mullions and

blue glazing, metal canopies, and recessed panel sections with contrasting colors. The mechanical equipment will be roof-mounted and obscured from public view by the parapet walls. 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/roof line, which serves to accentuate the building's entries and breaks up large expanses of building wall; and
- Variations in building massing.

(6) Landscaping — The Project provides landscaping along Mountain Access Road, Mountain Avenue, and throughout the off-street parking areas. The Development Code requires that the Project provide a minimum 15 percent landscape coverage, and 15.3 percent has been provided, exceeding the minimum requirements. Moreover, a combination of 15-gallon, 24-inch, 36-inch, and 48-inch box accent and shade trees will be provided throughout the Project site, in addition to a variety of shrubs and groundcovers that are low water usage and drought tolerant. The proposed on-site and off-site landscape improvements will assist in creating a walkable, safe area for pedestrians to access the Project site (see Exhibit D—Landscape Plan, attached). Also, the Project will incorporate an employee break area, with benches, tables, and shade trees.

(7) Signage — All Project signage is required to comply with sign regulations provided in Ontario Development Code Division 8.1. Prior to the issuance of a Building Permit for the installation of any new on-site signage, the Applicant is required to submit Sign Plans for Planning Department review and approval.

(8) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of an underground infiltration system. Any overflow drainage will be conveyed to the public street by way of parkway drains and culverts.

PUBLIC NOTIFICATION: Public notification is not required, as the Development Advisory Board is acting in its capacity as an advisory body to the Planning Commission. Public notification is required prior to the Planning Commission hearing on the Project.

CORRESPONDENCE: As of the preparation of this Decision, Planning Department staff has not received any written or verbal communications from the owners of properties surrounding the Project site or from the public in general, regarding the subject application.

AGENCY/DEPARTMENT REVIEWS: Each City agency/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 included with this Decision.

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 ONT 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. As the recommending body for the Project, the Development Advisory Board has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the Development Advisory Board, therefore, finds and determines that the Project, is consistent with the policies and criteria set forth within the ONT ALUCP.

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
- Pursue City's Goals and Objectives by Working with Other Governmental Agencies
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
- Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities

- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

(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.
 - G 1-2. 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 LU-1 Balance: 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.
 - LU-1.6 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.
- Goal LU-2 Compatibility: Compatibility between a wide range of uses and a resultant urban patterns and forms.
 - LU-2.6 Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Economics Element:

- Goal CE-2 Placemaking: A City of distinctive neighborhoods, districts, corridors, and centers where people choose to be.
 - CE-2.1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.
 - CE-2.2 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.

➤ CE-2.4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ CE-2.5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

▪ Goal S-1 Seismic & Geologic Hazards: Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by earthquake-induced and other geologic hazards.

➤ S-1.1 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 CD-1 Image & Identity: A dynamic, progressive city containing distinct and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses.

➤ CD-1.1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing, enhancing, and preserving the character of our existing viable neighborhoods.

➤ CD-1.3 Existing Neighborhoods. We require the existing character of viable residential and non-residential neighborhoods be preserved, protected, and enhanced.

▪ Goal CD-2 Design Quality: A high level of design quality resulting in neighborhoods, public spaces, parks, and streetscapes that are attractive, safe, functional, human-scale, and distinct.

➤ CD-2.1 Quality Building Design and Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide context-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 articulated, high quality, durable, and appropriate for the architectural style.

➤ CD-2.7 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.

➤ CD-2.8 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, maintaining visibility and accessibility, and using lighting.

➤ CD-2.9 Landscape Design. We encourage durable, sustainable, and drought-tolerant landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD-2.10 Parking Areas. We require all development, including single-family residential, to minimize the visual impact of surface, structured, and garage parking areas visible from the public realm in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include:

- Surface parking: Shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field;
- Structured parking: facade articulation, screening, appropriate lighting, and landscaping; and
- Garage parking: providing access to single-family residential garages through alley access, recessing garages from the frontage to emphasize front doors or active living spaces.

➤ CD-2.13 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.

➤ CD-3.4 Context-Aware and Appropriate Design. We require appropriate building and site design that complements existing development, respects the intent and identity of the Place Type, and provides appropriate transitions and connections between adjacent uses to ensure compatibility of scale, maintain an appropriate level of privacy for each use, and minimize potential conflicts.

➤ CD-3.5 Active Frontages. We create lively pedestrian streetscapes by requiring primary building, business, and residential entrances, outdoor dining, and storefronts be located on ground floors adjacent to sidewalks or public spaces and designed to maximize safety, comfort, aesthetics, and the intended functionality (as defined by the Place Type).

➤ CD-3.6 Managed Infrastructure. We collaborate with developers and property owners to facilitate development that realizes the envisioned character and functionality of the Place Type through the use of green and shared infrastructure within each Place Type.

▪ Goal CD-5 Protection of Investment: A sustained level of maintenance and improvement of properties, buildings, and infrastructure that protects the property values and encourages additional public and private investments.

➤ CD-5.1 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.

➤ CD-5.2 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 Housing Element Sites contained in Tables B-1 and B-2 (Housing Element Sites Inventory) of the Housing Element Technical Report.

PART 2: RECITALS

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

WHEREAS, the 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 Development Advisory Board (hereinafter referred to as "DAB") the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

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

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration

of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ONT 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 17, 2023, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

PART 3: THE DECISION

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

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the DAB has reviewed and considered the information contained in the administrative record for the Project, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) 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, which consists of:

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 proposed Project is located within the Industrial land use designation of the Policy Plan (general plan) Land Use Map, and the IL (Light Industrial) zoning district. The proposed Project is consistent with all applicable Policy Plan policies, as well as with the requirements of the IL (Light Industrial) zoning district.

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 is proposed within the established boundaries of the City of Ontario, on a Project site totaling 1.4-acres of land, which is surrounded by established development on all sides and consists of a mix of industrial and self-storage land uses.

c) *The Project site has no value as habitat for endangered, rare, or threatened species.* The site is located in an urbanized area and is currently vacant and has regularly been cleared and grubbed, and as such not suitable habitat for any 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.* The proposed industrial development is similar to, and of no greater impact than other allowed uses and development projects within the IL (Light Industrial) zoning district. The Project would not result in any significant impacts through implementation of required state, regional, and local development, performance standards and the Preliminary Water Quality Management Plan ("PWQMP") prepared for the Project.

e) *The site can be adequately served by all required utilities and public services.* All necessary wet and dry utilities exist or will be constructed within the public street and will be readily available for connection; 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 DAB.

SECTION 2: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Housing Element Sites contained in Tables B-1 and B-2 (Housing Element Sites Inventory) of the Housing Element Technical Report.

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

(1) *The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.* The proposed Project is located within the BP (Business Park) land use district of the Policy Plan Land Use Map, and the IL (Light Industrial) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

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

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

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

SECTION 4: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 3, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set

forth in the Conditions of Approval included as Attachment A of this Decision, and incorporated herein by this reference.

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

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

APPROVED AND ADOPTED this 17th day of July 2023.

Development Advisory Board Chairman

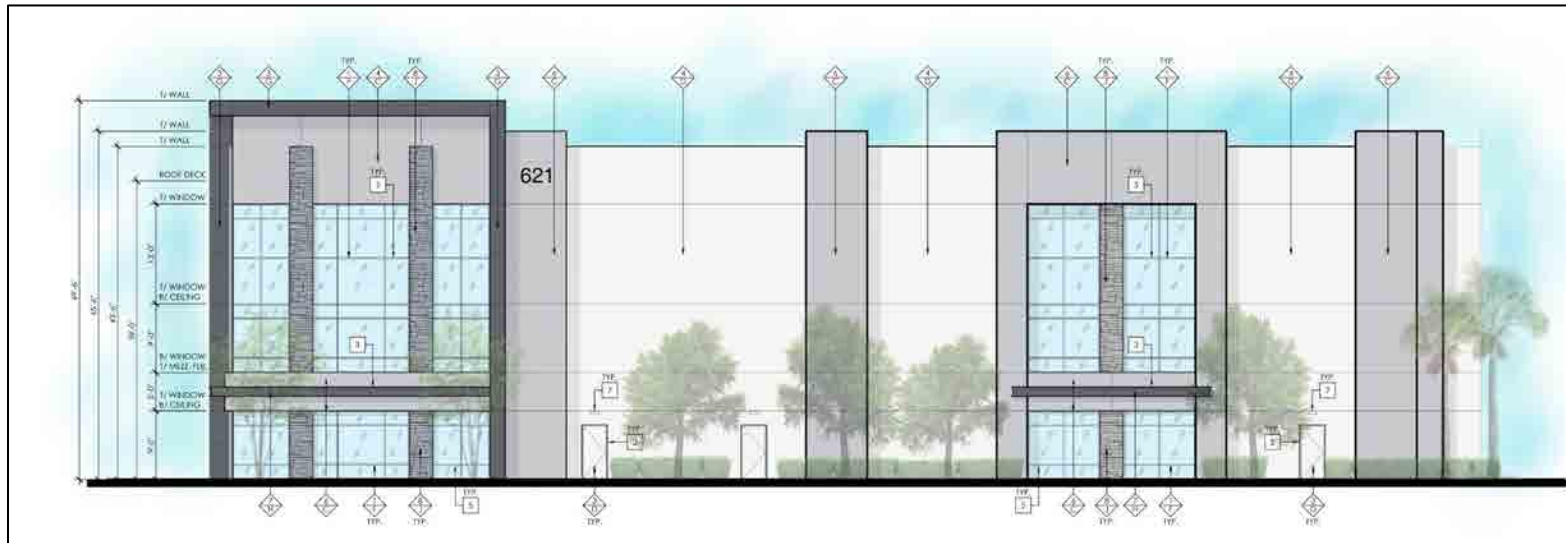
Exhibit A: PROJECT LOCATION MAP



Exhibit B: SITE PLAN



Exhibit C: ELEVATIONS

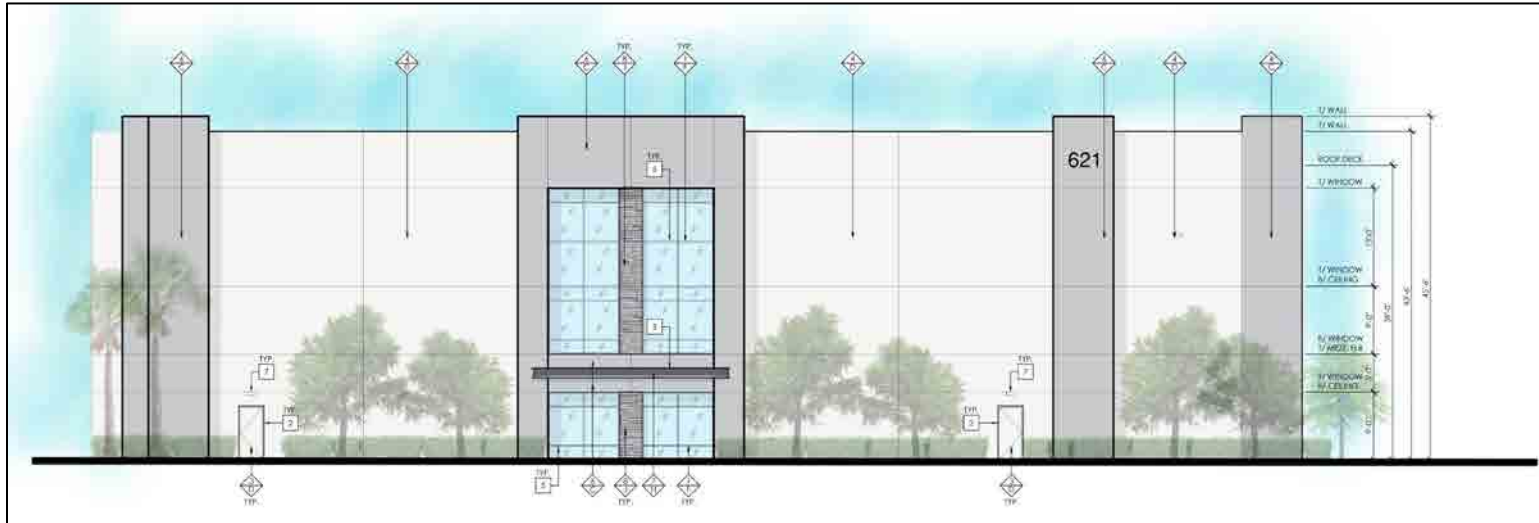


North Elevation

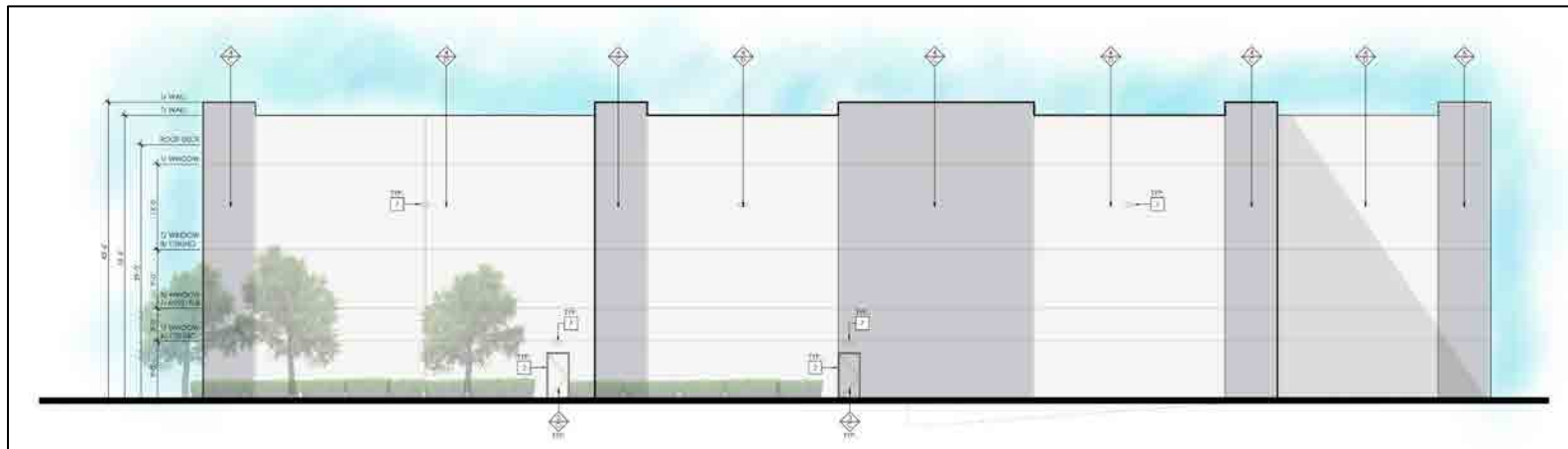


Northwest Corner Elevation

Exhibit C: ELEVATIONS

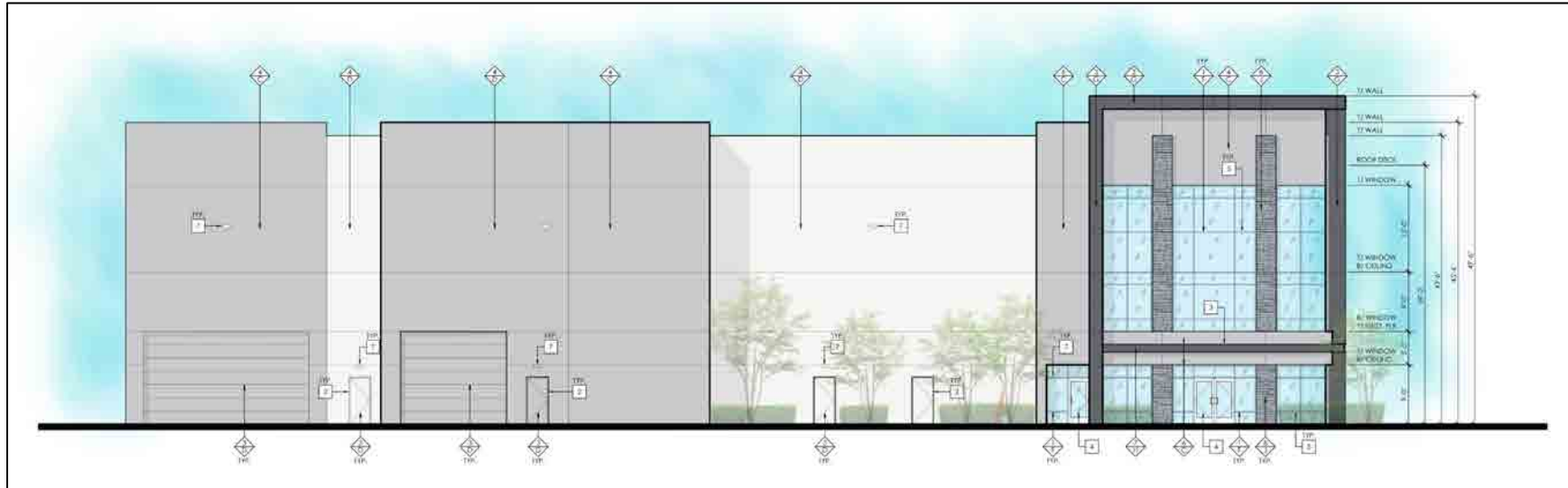


West Elevation



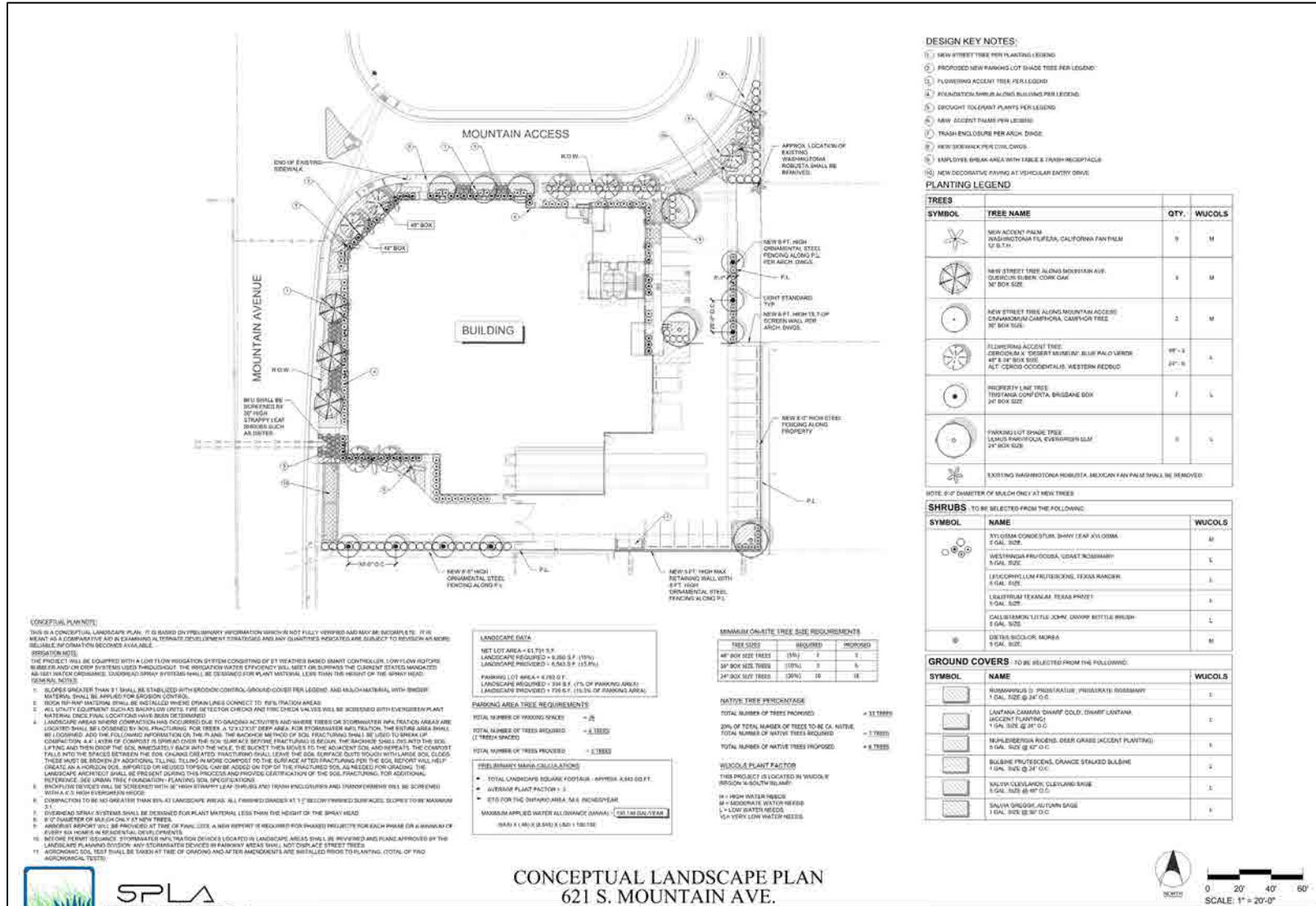
South Elevation

Exhibit C: ELEVATIONS



East Elevation

Exhibit D: LANDSCAPE PLAN



Attachment A: Conditions of Approval

(Conditions of Approval follow this page)



LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

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

Date Prepared: 7/17/2023

File No: PDEV21-034

Related Files: N/A

Project Description: A Development Plan to construct a 33,363 square foot industrial building on 1.4 acres of land located at 621 South Mountain Avenue, within the IL (Light Industrial) zoning district. (APNs: 1011-182-10 and 1011-182-15) **submitted by Golden Opportunity Zone Fund, LLC.**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@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). Final design and placement of bicycle parking facilities shall be subject to Planning Department review and approval.

2.6 Outdoor Loading and Storage Areas.

(a) Loading facilities 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) Outdoor loading and storage areas, and loading doors, 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) Outdoor loading and storage areas 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 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.

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

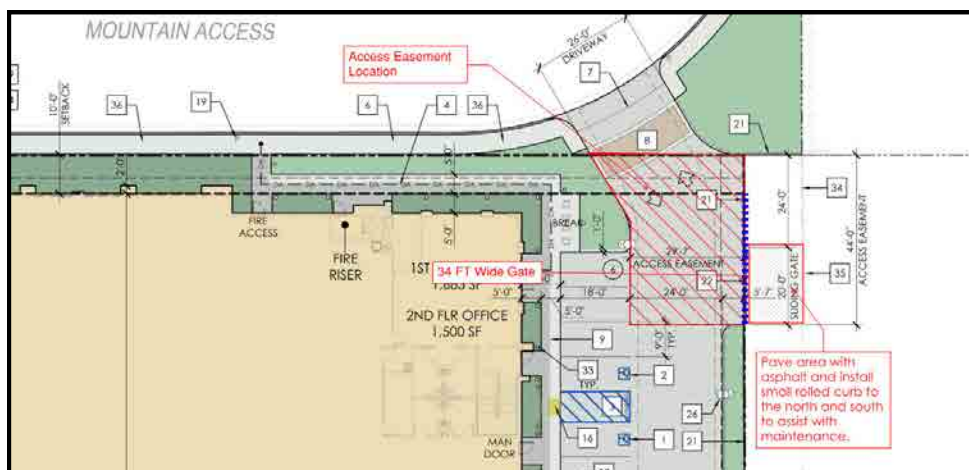
2.10 Signs.

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

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

2.12 Mutual Access Agreement.

(a) The applicant shall prepare and record an access agreement to provide access to Mountain Access Road prior to the issuance of a building permit between APN No. 1011-182-10 and the property owner of APN No. 1011-182-01 located east of the Project Site. The applicant shall also install an 8-foot high, 34-foot-wide steel tubular gate along the east property line. The area east of the gate leading to the existing gate shall be paved. The figure below outlines the location of the easement, gate, and paving improvements.



2.13 Environmental Requirements.

(a) 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).

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

2.14 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.

2.15 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”). The filing of a NOE is voluntary; however, failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

(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**

(Land Development Division, 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>PDEV21-034</u> RELATED FILE NO(S). _____ | |
| <input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/ | |

CITY PROJECT ENGINEER & PHONE NO: Frederick Addison (909) 395-2125

CITY PROJECT PLANNER & PHONE NO: Lorena Meija (909) 395-2276

DAB MEETING DATE: 07/17/23

PROJECT NAME / DESCRIPTION: PDEV21-034, A Development Plan to construct one industrial building totaling 32,000 square feet on 1.4 acres of land located at 621 South Mountain Avenue, within the IL (Light Industrial) zoning district (APNs: 1011-182-10 and 1011-182-15).

LOCATION: 621 South Mountain Avenue

APPLICANT: Golden Opportunity Zone Fund, LLC

REVIEWED BY: Miguel Sotomayor 7/7/23
 Miguel Sotomayor, P.E. Date
 Sr. Associate Civil Engineer

APPROVED BY: for Khoi Do 7/7/23
 Khoi Do, P.E. Date
 City Engineer



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

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

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
_____ feet on _____
Property line corner 'cut-back' required at the intersection of _____
and _____.
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s):
 - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.
 - (1) _____
 - (2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ontarioca.gov) 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 Ontario Ranch 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 Parcel Map No. 7506, Book 76, Pages 34-35.**
- 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 (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: _____

- 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 **Vacate the following street(s) and/or easement(s):**
 - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.**
 - B. 6-foot public utility easement (O.R. 5650-730) on eastern side of project. To be vacated after project installs new relocated sewer main.**
 - C. 6-foot public utility easement (INST. NO 565) on northern side of project. To be vacated after project installs new relocated sewer main.**

- 2.13 Ontario Ranch 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).

- 2.14** **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.**

- 2.15** **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.**

- 2.16** **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$33,429.73 shall be paid to the Building Department. Final fee shall be determined based on the approved site plan and the DIF rate at the time of payment.**

- 2.17** **Other conditions:**
 - a. Provide an access and maintenance easement to the property owner of APN: 1011-821-01 for access to the property (APN: 1011-182-10) and provide a copy of the recorded access and maintenance easement to the city**



B. PUBLIC IMPROVEMENTS

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

- 2.18 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 | Mountain Ave | Mountain Access Road | Street 3 | Street 4 |
|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| Curb and Gutter | <input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New; ___ ft. from C/L <input checked="" 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^(see 2.15) | <input type="checkbox"/> Replacement <input checked="" type="checkbox"/> 2' Grind and overlay | <input type="checkbox"/> Replacement <input checked="" type="checkbox"/> 2' Grind and overlay | <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 type="checkbox"/> Remove and replace | <input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace |
| Sidewalk | <input type="checkbox"/> New <input checked="" type="checkbox"/> Remove damaged | <input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace |
| ADA Access Ramp | <input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace | <input type="checkbox"/> New <input type="checkbox"/> Remove and replace |
| Parkway | <input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation) | <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) |
| 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 |



| | Mountain Ave | Mountain Access Road | Street 3 | Street 4 |
|---------------------------------------------|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| Fire Hydrant | <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 |
| Sewer (see Sec. 2.C) | <input checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral | <input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral | <input type="checkbox"/> Main <input type="checkbox"/> Lateral | <input type="checkbox"/> Main <input type="checkbox"/> Lateral |
| Water (see Sec. 2.D) | <input type="checkbox"/> Main <input checked="" type="checkbox"/> Service | <input type="checkbox"/> Main <input type="checkbox"/> Service | <input type="checkbox"/> Main <input type="checkbox"/> Service | <input type="checkbox"/> Main <input type="checkbox"/> Service |
| Recycled Water (see Sec. 2.E) | <input type="checkbox"/> Main <input type="checkbox"/> Service | <input type="checkbox"/> Main <input type="checkbox"/> Service | <input type="checkbox"/> Main <input type="checkbox"/> Service | <input type="checkbox"/> Main <input type="checkbox"/> Service |
| Traffic Signal System (see Sec. 2.F) | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing |
| Traffic Signing and Striping (see Sec. 2.F) | <input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing | <input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing |
| Street Light (see Sec. 2.F) | <input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation | <input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation | <input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation | <input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation |
| Bus Stop Pad or Turn-out (see Sec. 2.F) | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing | <input type="checkbox"/> New <input type="checkbox"/> Modify existing |
| Storm Drain (see Sec. 2.G) | <input type="checkbox"/> Main <input type="checkbox"/> Lateral | <input type="checkbox"/> Main <input type="checkbox"/> Lateral | <input type="checkbox"/> Main <input type="checkbox"/> Lateral | <input type="checkbox"/> Main <input type="checkbox"/> Lateral |
| Fiber Optics (see Sec. 2K) | <input checked="" type="checkbox"/> Conduit / Appurtenances | <input checked="" type="checkbox"/> Conduit / Appurtenances | <input type="checkbox"/> Conduit / Appurtenances | <input type="checkbox"/> Conduit / Appurtenances |
| Overhead Utilities | <input type="checkbox"/> Underground <input type="checkbox"/> Relocate | <input type="checkbox"/> Underground <input type="checkbox"/> Relocate | <input type="checkbox"/> Underground <input type="checkbox"/> Relocate | <input type="checkbox"/> Underground <input type="checkbox"/> Relocate |
| Removal of Improvements | _____ | _____ | _____ | _____ |
| Other Improvements | _____ | _____ | _____ | _____ |



Specific notes for improvements listed in item no. 2.18, above: _____

- 2.19 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):**
 - a. **Mountain Ave along property frontage from curb to center median.**
 - b. **Mountain Access Road along property frontage from curb to centerline including pavement improvements due to the porkchop.**
- 2.20 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.**
- 2.21 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.**
- 2.22 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 7-7.302.e of the City's Municipal Code.**
- 2.23 Other conditions:** _____

C. SEWER

- 2.24 A 8-inch sewer main is available for connection by this project in South Mountain Ave. (Ref: Sewer Drawing Number: S11418)**
- 2.25 Design and construct a sewer main extension off of existing sewer main in South Mountain Ave.**
- 2.26 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.**
- 2.27 Other conditions:**
 - 1. **See attached Exhibit B for additional Sewer Conditions of Approval from OMUC.**

D. WATER

- 2.28 A 8-inch water main is available for connection by this project in South Mountain Avenue. (Ref: Water Drawing Number: W11779)**
- 2.29 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.**
- 2.30 Other conditions:**
 - 1. **See attached Exhibit B for additional Water Conditions of Approval from OMUC.**

E. RECYCLED WATER

- 2.31 A _____ inch recycled water main is available for connection by this project in _____ (Ref: Recycled Water Drawing Number: _____)**
- 2.32 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.**



- 2.33 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.

- 2.34 Submit one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water to OMUC's Water Quality Programs at OMUCWQPlanCheck@ontarioca.gov for review and subsequent submittal to the California State Water Board (Division of Drinking Water) for final approval.

Note: Review and approval process may take up to three (3) months. Contact the OMUC's Water Quality Programs at (909) 395-2678 or email OMUCWQPlanCheck@ontarioca.gov regarding this requirement.

- 2.35 Submit one (1) electronic copy, in PDF format, of the Landscape Plans (on-site & off-site) to OMUC's Water Quality Programs at OMUCWQPlanCheck@ontarioca.gov for review and approval.

- 2.36 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.37 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

- 2.38 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.

- 2.39 **Other conditions:**
 - 1. **1. The Applicant/Developer shall be responsible to design and construct street improvements along property frontage in accordance with conditions issued by City's Land Development Division. These, and all other street improvements required herein, shall include, but not be limited to, concrete curb and gutter, sidewalk, signing and striping, and parkway landscaping.**

 - 2. **The Applicant/Developer shall construct an accessible path of travel, including ADA ramps, northbound along South Mountain Avenue at Mountain Access. Accessibility will require modifying the pork chop and providing additional striping to provide a pedestrian refuge island at the right-turn slip lane. Landscaping shall be restricted within the pork chop median to ensure required sight distance for pedestrians.**

 - 3. **Design and construct proposed driveways in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway along Mountain Avenue and Mountain Access. Revise site plan to depict "radius" style and radius width.**

 - 4. **Property frontage along Mountain Avenue shall be signed "No Stopping Anytime".**

 - 5. **The Mountain Avenue driveway shall be restricted to right in / right out access only. Please note this segment of Mountain Avenue has a raised median.**

G. DRAINAGE / HYDROLOGY

- 2.40 A _____ inch storm drain main is available to accept flows from this project in _____.
(Ref: Storm Drain Drawing Number: _____)



- 2.41 **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.**
- 2.42 **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.**
- 2.43 **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.**
- 2.44 **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.**
- 2.45 **Other conditions:** _____
 1. **The applicant/developer shall pay a Storm Drain In-Lieu Fee, \$86,674.25, for the future installation of a public storm drain main in South Mountain Avenue along the project frontage.**

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

- 2.46 **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.**
- 2.47 **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>.**
- 2.48 **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.**
- 2.49 **Other conditions:** _____



J. SPECIAL DISTRICTS

- 2.50 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.
- 2.51 Other conditions: _____

K. FIBER OPTIC

- 2.52 A _____ fiber optic line is available for connection by this project in _____. (Ref: Fiber Optic Drawing Number: _____)
- 2.53 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.
- 2.54 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.

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 Ontario Ranch 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: PDEV-21-034

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 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. **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)**
9. **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)**
10. **Four (4) sets of Public Sewer improvement plan**
11. **Five (5) sets of Public Storm Drain improvement plan**
12. **Three (3) sets of Public Street Light improvement plan**
13. **Three (3) sets of Signing and Striping improvement plan**
14. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
15. **Three (3) sets of HOA Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.**
16. **Five (5) sets of CFD Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.**
17. **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)**
18. **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.**
19. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
20. **One (1) copy of Hydrology/Drainage study**



21. **One (1) copy of Soils/Geology report**
22. Payment for Final Map/Parcel Map processing fee
23. Three (3) copies of Final Map/Parcel Map
24. One (1) copy of approved Tentative Map
25. **One (1) copy of Preliminary Title Report (current within 30 days)**
26. One (1) copy of Traverse Closure Calculations
27. **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.**
28. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
29. **Other:** _____
 - **Three (3) copies of the LLA form (include all the items in the LLA application checklist)**
 - **One (1) copy of recorded access easement**



CITY OF ONTARIO MEMORANDUM



DATE: June 29, 2023
TO: Frederick Addison, Engineering Department
 Angela Truong, Engineering Department
CC: Lorena Mejia, Planning Department
FROM: Heather Young, Utilities Engineering Division
 (QCR) Christy Stevens, Utilities Engineering Division
SUBJECT: DPR#4 UPT#2 - Utilities Conditions of Approval (COA) (#9315)
PROJECT NO.: PDEV21-034

BRIEF DESCRIPTION:

A Development Plan to construct one industrial building totaling 32,000 square feet on 1.4 acres of land located at 621 South Mountain Avenue, within the IL (Light Industrial) zoning district (APNs: 1011-182-10 and 1011-182-15).

OMUC UTILITIES ENGINEERING DIVISION CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL: *The Ontario Municipal Utilities Company (OMUC) Utilities Engineering Division recommends this application for approval subject to the Conditions of Approval outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards. The Applicant shall be responsible for the compliance with and the completion of all the following applicable Conditions of Approval prior to the following milestones and subject to compliance with City's Design Development Guidelines, Specifications Design Criteria, and City Standards:*

General Conditions:

1. Standard Conditions of Approval: Project shall comply with the requirements 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, or as amended or superseded by Council Resolution; as well as project-specific conditions/requirements as outlined below.

Prior to Issuance of Any Permits (Grading, Building, Demolition and Encroachment), unless other timeline milestones are specified by individual conditions below, the Applicant Shall:

General Conditions (Section 2.A, Other conditions): *The Applicant shall comply with the following:*

2. Final Utilities Systems Map (USM): Submit a Final Utilities Systems Map (USM) as part of the precise grading plan submittal that meets all the City's USM requirements. These requirements include to show and label all existing and proposed utilities (including all appurtenances such as backflow devices, DCDAs, etc.), sizes, points of connection, and any easements. The final utility design shall comply with all Division of Drinking Water (CCR §64572) Separation Requirements. See Utility Systems Map (USM) Requirements document for details.
3. Design Utilities to Comply with Division of Drinking Water (DDW) Separation Requirements and California Code of Regulations (CCR) § 64572: All DDW Separation Requirements under CCR § 64572 must be met. In order to assure compliance with CCR § 64572, label the separation dimensions, measure from outside wall of the conveyances [CCR §64572(g)], between potable water to any other non-potable conveyance (sewer, storm drain, storm water, storm water infiltration, recycled water, recycled water irrigation, high pressure gas/petroleum, etc.) publicly or privately maintained. Provide one label per sheet per conveyance and additional labels where separation dimensions and alignments change. For any facilities not currently meeting the following separation requirements, revise plans so that the facilities meet the following separations requirements:

- a. Minimum Separations (and Alignment Requirements) for Conveyances running Parallel to Potable Water Mains, Services, Laterals, and Conveyances (services, meters, fire hydrants, blowoff, air vacs, etc.):
 - i. At least 10 feet horizontally from and one foot vertically above, any parallel pipeline conveying Sewer or Fluid Fuels. [CCR §64572(a)]
 - ii. At least 4 feet horizontally from, and one foot vertically above, any parallel pipeline conveying Recycled Water, Storm Drainage, or Raw Ground Water. [CCR §64572(b) & CCR §64572(c)]
 - b. Minimum Separations (and Alignment Requirements) for Conveyances Crossing Potable Water Mains, Services, Laterals and Conveyances: [CCR §64572(d)]
 - i. Potable Water Conveyances shall cross no less than 45-degrees to and at least one foot above any pipeline conveying Sewer, Fluid Fuels, Recycled Water, Storm Drainage, Raw Ground Water, or Private Water.
 - ii. No connection joints shall be made in the Potable Water Conveyance within eight horizontal feet of crossing the non-potable conveyance.
 - c. Other Minimum Separations for Potable Water Mains, Services, Laterals and Conveyances [CCR §64572(f)]:
 - i. 100 horizontal feet of the nearest edge of any sanitary landfill, wastewater disposal pond, or hazardous waste disposal site.
 - ii. 25 horizontal feet of the nearest edge of any cesspool, septic tank, sewage leach field, or seepage pit.
 - iii. 25 horizontal feet of the nearest edge of any underground hazardous material storage tank.
 - iv. 25 horizontal feet of the nearest edge of any facilities for storm water retention, storm water infiltration, bioswale, or groundwater recharge site.
4. Note the following definitions and concepts for Public Utility Improvements and Private Utility Improvements: Public Improvements shall be designed per City Public Design Guidelines and City Standards and constructed through a City Encroachment Permit; and Private Onsite Improvements shall be designed per Building Code and Plumbing Code and constructed through a City Building Permit.
- a. Public Utility Improvements include the following: water main pipelines and sewer main pipelines; sewer laterals connecting to a Public Sewer Main up to the Cleanout (or Manhole) at PL/RoW; water services and connected appurtenances (Meters/Meter Boxes, Fire Hydrants, Airvacs, Blowoffs, etc.) connecting to a Public Water Main per City Standards; and Fire Services connecting to a Public Water Main from the Main up to the DCDA. Public Water Improvements and Public Sewer Improvements are required to be designed and constructed through Public Improvement Plans with Plan View and Profile View per City Standards, Guidelines, and Requirements.
 - b. Private Utility Improvements include the following: onsite water plumbing lines after a Public Meter, or after the Fire DCDA and including the DCDA; Backflow Devices and other Cross-Connection Prevention; onsite sewer upstream of the Public Sewer Lateral, including the Cleanout (or Manhole) at PL/RoW/PUE Edge; Monitoring Manholes and other Wastewater Pretreatment Facilities. Private Onsite Utility Improvements are required to be designed and constructed per Building and Plumbing Plans with: the Backflows, DCDAs, Cleanout (or Manhole) at PL/RoW/PUE Edge, and Monitoring Manholes being designed and constructed through a Precise Grading Plan; and, the other Pretreatment Devices (Grease Interceptor, Sand, Oil Interceptors, etc.) and the connections to the buildings and structures through a building Plumbing Plan.
5. Public Utilities and Public Right-of-Way including Public Utility Easements (PUE): All City of Ontario Public Utilities shall be installed within a Public Right-of-Way (RoW), or within a Public Utility Easements (PUE), or within a combination of RoW and PUE. In this case, Public Utilities is referring to the mains and connected appurtenances of the following City of Ontario/OMUC Utilities: Public Potable Water; Public Recycled Water; and Public Sanitary Sewer. Public Utilities shall be subject to the Minimum RoW/PUE Area Requirements and PUE Restrictions:
- a. Minimum RoW Area Requirements: Public Utilities shall be installed within in existing RoW/PUE in alignments/locations that meet the following minimum RoW/PUE areas surrounding the Public Utilities, and/or additional RoW/PUE shall be dedicated/granted to the City to provide the following minimum RoW/PUE areas surrounding the Public Utilities:
 - i. For each main, the RoW/PUE Area shall be a minimum of 20 feet wide, centered on the utility main with a minimum of 10 feet of RoW/PUE on each side of the main and this minimum area shall extend a minimum for 10 feet past the end of a main;
 - ii. For each Service/Lateral, the RoW/PUE Area shall be a minimum of 10 feet wide, centered on the service/lateral with a minimum of 5 feet of PRow on each side of each service/lateral;

- iii. For each water meter box, the RoW/PUE Area shall be a minimum of 5 feet behind and 5 feet on each side of a water meter box;
 - iv. For each water appurtenances (fire hydrants, blowoffs, airvacs, etc), the RoW/PUE Area shall be a minimum of 5 feet on each side surrounding the water appurtenances (fire hydrants, blowoffs, airvacs, etc);
 - v. The RoW/PUE minimum areas for separate Public Utilities may overlap, provide that all minimum separations and PUE Restrictions are met.
- b. **PUE Restrictions:** The Minimum PUE Area required surrounding Public Utilities shall be subject to the following restrictions:
- i. The Minimum PUE Area required surrounding Public Utilities shall not contain:
 - A. Any storm water quality improvements (infiltration, detention, retention, bioswale, etc);
 - B. Landscaping with thick or intrusive root structures,
 - C. Any trees;
 - D. Any private utilities, plumbing lines, private fire system, or irrigation lines; or,
 - E. Any permanent structures or overhangs of permanent structures.
 - ii. The PUE surface shall be designed to allow vehicle access over and along the full length of the utility main by any City maintenance vehicle.
 - iii. **Minimum Separations:** Within a PUE, all Department of Drinking Water (DDW) Water Main Separations per California Code of Regulations (CCR) §64572 shall be met for all Public Potable Water Mains and Services between: all Public City Utilities; Non-City Utilities; and Private Utilities. Additionally, the following Minimum Separations shall be met:
 - A. At minimum there shall be a 4 feet horizontal separation between each utility as measured between the outside walls of the utility pipelines, or in the case of a Joint Utility Trench, between the outside edge of the Joint Utility Trench and the outside wall of the Utility Pipeline.
 - B. Public Utility mains shall not be located behind curb or under curb & gutter and shall be located at minimum of 5 feet from curbface.
6. **Unused Service Abandonment:** All adjacent water services (along with connected apparatuses) and sewer laterals along the frontages of the project site not used to provide service to this Development Project shall be abandoned back to the main in accordance with City Standards and Practices.
7. **Abandon Septic Tank and Cesspool:** Any septic tank and cesspool on the Project site shall be abandoned per County standards.

Sanitary Sewer Conditions (Section 2.C): The Applicant shall comply with the following:

8. **Sanitary Sewer Infrastructure:**
- a. **Replacement Public Sewer Main:** Install a new replacement public sewer main from existing manhole at the intersection of Mountain Avenue and Mountain Access extending into Mountain Access. The new replacement sewer main shall be extended to provide sewer service for the existing active sewer lateral in Mountain Access. Public sewer shall be located within the public ROW or within PUE that meets the requirements above.
 - i. **Rechannel Manhole at the Intersection:** Flows from north of the manhole at the intersection of Mountain Avenue and Mountain Access shall remain in service until the rechanneling the manhole is completed and placed back into service.
 - ii. **Existing Sewer Laterals:** All existing active sewer laterals connected to the existing sewer main on the Project site shall be connected to the replacement public sewer main. Existing active sewer laterals shall remain in service and active until the relocation of the sewer main is installed, activate, and placed into service. All existing dry (not active) sewer laterals shall be abandoned by capping at both ends of the lateral.
 - b. **Abandon Existing Sewer Main:** The existing public sewer main along the northerly Project site and conflicting with the Project's proposed building shall be abandoned back to the manhole at the intersection of Mountain Avenue and Mountain Access. The existing public sewer main shall be abandoned after the new replacement public sewer main is constructed. The existing public sewer shall be abandoned by cutting and capping both ends and the existing manhole cover, cone, and rings located on the Project site shall be removed and its base filled, as required by current City Standards and Practices.

9. **Sanitary Sewer Service:** Each building and its onsite private sewer system shall discharge wastewater to the Public Sanitary Sewer System through a Public Sewer Lateral per Standard #2003. The quantity of Public Sewer Laterals for each building shall be limit to the minimum necessary to meet all of the conditions of approved and as limited by the City.
- a. **Public Sewer Lateral Service** to an existing sewer main: the existing sewer main being connected to shall be CCTV Inspected between the upstream and downstream manholes of the connection once before and once after the Sewer Lateral connections is made and any damage to the sewer main resulting from the installation of the Sewer Lateral shall be repaired to meet City Standards and Requirements prior to placing the Sewer Lateral in service.
10. For Wastewater Sewer Discharge, the project site shall meet the following requirements: The Occupant/Applicant shall individually apply for a Wastewater Discharge Permit for their Establishment, and shall comply will all the requirements of the Wastewater Discharge Permit (https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/industrial_wastewater_permit_application.pdf). Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as grease interceptors or clarifiers.
- For wastewater permit application questions, please contact:
Michael Birmelin, Environmental Programs Manager
omucenvironmental@ontarioca.gov

Potable Water Conditions (Section 2.D): The Applicant shall comply with the following:

11. **Potable Water Service:**
- a. **Backflow Prevention:** Each Meter connected to the Public Potable Water System that serves any use that is more than one (1) single family residential unit or any non-residential use requires a backflow prevention device.
 - b. **Domestic Service:** The Building shall have a its own domestic water service and meter connected to the Public Potable Water System.
 - c. **Irrigation Service:** For landscape irrigation uses that are not served by Recycled Water, the landscape irrigation uses shall have a separate irrigation water service and meter with backflow prevention device connected to the Public Potable Water System separate from the domestic water uses and the onsite plumbing systems shall be also separate from each other.
 - d. **Fire Water Service:** If an onsite private fire system is required, then a separate Fire Service with Double Check Detector Assembly (DCDA) per City Standard No. 4208 connected to the Public Potable Water System is required, to serve the onsite private fire system. The onsite fire system and onsite domestic water plumbing system shall be separate.
 - e. **Unused Service Abandonment:** All adjacent water services (along with connected apparatuses) along the frontages of the project site not used to provide service to this Development Project shall be abandoned back to the main in accordance with City Standards and Practices.
 - i. This includes, but is not limited to, the existing service at the Project's southernly boundary.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV21-034

Address: 621 South Mountain Avenue

APN: 1011-182-10 & 1011-185-15

Existing Land Use: Industrial Building

Proposed Land Use: Development Plan to construct 1 Industrial building totaling 32,000SF

Site Acreage: 1.4 Proposed Structure Height: 46 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia

Date: 12/23/2021

CD No.: 2021-052

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: Lorena Mejia, Senior Planner

FROM: Officer Tony Galban, Police Department

DATE: October 7, 2021

SUBJECT: PDEV21-034 - A DEVELOPMENT PLAN TO CONSTRUCT ONE INDUSTRIAL BUILDING TOTALING 32,000 SQUARE FEET, LOCATED 621 SOUTH MOUNTAIN AVENUE.

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 all walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 6 feet tall and 2 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street. Associated letters shall also be included.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.
- Trash enclosure shall be fully secured by locks and screens/grates in order to reduce crime and encampment opportunities for homeless persons.

The Applicant is invited to contact Officer Tony Galban at (909) 408-1006 with any questions or concerns regarding these conditions.



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: October 25, 2021

SUBJECT: PDEV21-034 - A Development Plan to construct one industrial building totaling 32,000 square feet on 1.4 acres of land located at 621 South Mountain Avenue, within the IL (Light Industrial) zoning district (APNs: 1011-182-10 and 1011-182-15).

-
- 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: IIIB
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 30,683 Sq. Ft.
- D. Number of Stories: 1 Story w/ Mezzanine
- E. Total Square Footage: 32,217 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): S-1

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.
- ☒ 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 2019 California Fire Code, Appendix B, is 2000 gallons per minute (g.p.m.) for 3 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

- ☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and location(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.
- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.5 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.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 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.

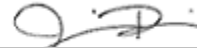
6.0 OTHER SPECIAL USES

- ☒ 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.

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

CONDITIONS OF APPROVAL

Sign Off



6/19/2023

Jamie Richardson, Sr. Landscape Planner

Date

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

| | |
|--------------------------------|-------------------------------|
| D.A.B. File No.: PDEV21-034 | Case Planner: Lorena Mejia |
|--------------------------------|-------------------------------|

Project Name and Location:
 Industrial Building
 621 South Mountain Avenue

Applicant/Representative:
 Golden Opportunity Zone Fund, LLC – Lindsey Mansker lmansker@bradcm.com
 4400 MacArthur Blvd, Suite 900
 Newport Beach, CA 92663

- | | |
|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | Preliminary Plans (dated 6/8/2023) meet the Standard Conditions for New Development and have been approved considering that the following conditions below are met upon the landscape construction documents submittal. |
| <input type="checkbox"/> | Preliminary Plans (dated) have not been approved. Corrections noted below are required before 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

Civil/ Site Plans

1. Provide an arborist report and tree inventory for existing trees, including genus, species, trunk diameter, canopy width, and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings, or on-site tree planting. Add tree protection notes on construction and demo plans to protect trees to remain.
2. Before permit issuance, stormwater infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division. Any stormwater devices in parkway areas shall not displace street trees.
3. Show transformers set back 5' from paving all sides. Transformers shall be dimensioned on the plans 5' from any paving to allow for screening and avoid bollards. Coordinate with landscape plans.
4. Show and dimension all backflow devices set back 4' from paving all sides. Locate on level grade
5. 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.
6. Dimension all planters to have a minimum 5' wide inside dimension. Align the end parking lot planter with the foundation planter at the northeast entry. Adjust parking spaces to increase the parking lot end planter near the employee break area to allow for a tree and count towards the landscape percentage.
7. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.

Landscape Plans

8. Provide an arborist report and tree inventory, as noted in #1.
9. Show backflow devices with 36" high strappy leaf shrub screening, trash enclosures and transformers, and a 4'-5' high evergreen hedge screening. Do not encircle utility; show as masses and duplicate masses in other locations at regular intervals.
10. Locate light standards, fire hydrants, water, and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
11. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
12. Show all easements and identify them.
13. Dimension all planters to have a minimum 5' wide inside dimension with 6" curbs and 12" wide curbs where parking spaces are adjacent to planters. See #6.
14. Overhead spray systems shall be designed for plant material less than the height of the spray head.
15. Limit Muhlenbergia (accent planting only; avoid using in masses) and Lantana (limit to accent areas and in planter spaces 8' wide and larger).
16. Show 6' diameter of mulch only at new trees—detail irrigation dripline outside of mulched root zone.
17. Designer or developer to provide agronomical soil testing and include a report on landscape construction plans.
18. Show outdoor employee break area with a table or bench and shade trees on the south and west sides.
19. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
20. 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: landscapeplancheck@ontarioca.gov



DEVELOPMENT ADVISORY BOARD DECISION

July 17, 2023

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

DECISION NO.: [insert #]

FILE NO.: PDEV22-053

DESCRIPTION: A hearing to consider a Development Plan to construct 88 single-family residential units and 210 multiple-family residential units on 23.58 acres of land located on the southeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed-Use District Planning Area 4B (Stand-Alone Residential Overlay) of the Rich Haven Specific Plan; (APN: 218-211-01); **submitted by Brookfield Residential. Planning Commission action is required.**

PART 1: BACKGROUND & ANALYSIS

BROOKFIELD RESIDENTIAL, (herein after referred to as "Applicant") has filed an application requesting approval of a Development Plan, File No. PDEV22-053, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

PROJECT SETTING: The Project site is comprised of 23.58 acres of land located at southeast corner of Ontario Ranch Road and Haven Avenue and is depicted in Exhibit A: Project Location Map, attached. Existing land uses, Policy Plan (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>Policy Plan Land Use Designation</i> | <i>Zoning Designation</i> | <i>Specific Plan Land Use Designation</i> |
|--------|--------------------------|--------------------------------------------------|------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| Site: | Vacant and SCE Easement | MU-Mixed Use | Rich Haven Specific Plan | Mixed Use District Planning Area 4B (Stand-Alone Residential Overlay and Open Space – Non-Recreation) |
| North: | Vacant | MU-Mixed Use | Rich Haven Specific Plan | Mixed Use District Planning Area 4B (Regional Commercial and Stand-Alone Residential Overlay) |
| South: | Agriculture – Dairy Farm | MDR (Medium Density Residential 11.1 – 25 du/ac) | SP/AG (Specific Plan and Agricultural Overlay) | N/A |

| | Existing Land Use | Policy Plan Land Use Designation | Zoning Designation | Specific Plan Land Use Designation |
|-------|--------------------------------------------------------|------------------------------------------------------------------------------|---------------------------|--------------------------------------------------------------------------------------------|
| East: | Vacant | MU-Mixed Use | Rich Haven Specific Plan | Mixed Use District PA 5B (Stand-Alone Residential Overlay and Open Space – Non-Recreation) |
| West: | Commercial Shopping Center and Residential Subdivision | NC (Neighborhood Commercial) and LDR (Low Density Residential 2.1 – 5 du/ac) | The Avenue Specific Plan | Retail Commercial and Low Density Residential |

PROJECT ANALYSIS:

(1) Background — On December 4, 2007, the City Council certified the Rich Haven Specific Plan Environmental Impact Report in conjunction with File No. PGPA07-001. The related Rich Haven Specific Plan, File No. PSP05-004, was approved by the City Council on December 18, 2007. The Specific Plan established the land use designations, development standards, and design guidelines for approximately 512 acres of land, which included the potential development of 4,256 residential units and 889,200 square feet of commercial/office land uses.

On February 20, 2018, the City Council approved an Amendment to the Rich Haven Specific Plan (File No. PSPA16-005) for the annexation of 72.3 acres of land located at the southeast corner of Haven Avenue and Ontario Ranch Road, into the Mixed-Use district of the Rich Haven Specific Plan.

On June 20, 2023, the City Council certified the Rich Haven Specific Plan Amendment and Environmental Impact Report (State Clearinghouse No. 2022100425) in conjunction with File No. PSPA22-001. The amendment included land use changes to bring the Rich Haven Specific Plan into compliance with The Ontario Plan Policy Plan (General Plan) that also included updates to the residential, commercial, and industrial development standards, exhibits, and text changes.

On April 26, 2022, the Planning Commission approved Tentative Tract Map No. 20449 (File No. PMTT21-014) to subdivide the Project site into 92 numbered lots and 55 lettered lots for residential and commercial uses, public/private streets, landscape neighborhood edges, and common open space purposes.

On November 8, 2022, the applicant submitted a Development Plan (File No. PDEV22-053) to construct 88 detached single-family residential units and 210 multiple-family residential units.

(2) Site Design/Building Layout — The proposed Development Plan is to allow for the construction of 6 and 8-Pack Clusters and the 14-Plex Courtyard Townhome product types (see Exhibit B—Site Plan, attached) and are described below:

(a) **6-Pack and 8-Pack Cluster** – The 6-Pack and 8-Pack Cluster products comprise the easterly half of the Project site and include lots 1 thru 88 (Tract Map No. 20449) totaling 5.78 acres, for a total of 88 single-family residential units. Each cluster pack is divided into six or eight lots, which range from 2,574 to 4,262 square feet in area. The 6/8-Pack Cluster product is characterized by a private lane constructed with decorative pavers that provides both garage and front entry access to each unit. There are three distinct floor plans proposed for each cluster, with three elevations per plan and each unit incorporates an 18-foot minimum driveway in addition to the required 2-car garage, providing a total of four parking spaces for each unit. The varied entryways in combination with the various architectural styles create an attractive diverse streetscape along both the private lane and the public street. Enhanced architectural treatment was required for properties located on corner lots and for units adjacent to public streets. All three plans have an open concept, with the main living and kitchen areas oriented towards the rear yards, providing opportunities to extend the living areas into outdoor patio rooms. The proposed floor plans are further described below:

- Plan 1 (Center Lots): 1,936 square feet, 3 bedrooms, 1 loft, 2.5 baths, and two-car garage;
- Plan 2 (Front Street Facing Lots): 2,177 square feet, 3 bedrooms (optional 4th bedroom/den), 2.5 baths, and two-car garage; and
- Plan 3 (Rear Lots): 2,391 square feet, 4 bedrooms, 1 loft, 3 baths, and two-car garage.

(b) **Courtyard Townhomes** – The 14-unit Courtyard Townhomes comprise the westerly half of the Project site and includes lots 89 thru 91 (Tract Map No. 20449) totaling 8.16 acres, for a total of 210 multiple-family residential units. There are fifteen 14-unit complexes within the proposed project, which includes six floor plans and two architectural styles. The proposed Courtyard Townhome product has garage access from an autocourt, with main entrances of units fronting the street or a paseo. The primary access into each unit will be from a paseo landscaped with accent trees and landscape planters to provide visual interest and promote pedestrian mobility. All plans incorporate various design features such as horizontal and vertical building articulation, varied entry designs, private patios, second floor laundry facilities, and second floor decks/balconies. All homes will have a two-car garage, with the exception of Plan 1, which will have a one-car garage. The proposed floor plans are further described below:

- Plan 1: 993 square feet, 1 bedroom, 1.5 bath, and one-car garage.
- Plan 2: 1,154 square feet, 2 bedrooms, 2.5 baths, and two-car tandem garage.
- Plan 3: 1,472 square feet, 3 bedrooms, 3 baths, and two-car tandem garage.
- Plan 4: 1,692 square feet, 3 bedrooms, 2.5 baths, and two-car garage.
- Plan 5: 1,743 square feet, 3 bedrooms, 2.5 baths, and two-car garage.
- Plan 6: 1,865 square feet, 3 bedrooms, 2.5 baths, and two-car garage

(3) Site Access/Circulation — The Project site will have one access point from Haven Avenue, which runs north and south along the westerly Project boundary, and one access point from Ontario Ranch Road, which runs east and west along the overall northerly Project boundary. Tract Map No. 20449 facilitated the construction of backbone streets, internal public/private streets, and primary access points into Planning Area 4B of the Rich Haven Specific Plan, from Ontario Ranch Road and Haven Avenue.

(4) Parking — The Project has provided off-street parking pursuant to the single family and multiple family resident parking standards specified in the Rich Haven Specific Plan. The number of off-street parking spaces provided exceeds the minimum parking requirement for the Project. The off-street parking calculations for each product type are summarized in the tables below:

| 6/8-Pack Cluster Parking Summary | | | | | | |
|-----------------------------------------|------------------------------|---------------------------|---------------------------|------------------------------|--------------------------------|-----------------------|
| Product Type (No. of Units) | Req. Parking Per Unit | Req. Guest Parking | Total Req. Parking | Garage Space Provided | Driveway Parking Spaces | Total Provided |
| Cluster (88 Units) | 2-car garage (176 spaces) | N/A | 176 | 176 | 176 | 352 |
| Totals (88 units) | 176 spaces | N/A | 176 | 176 | 176 | 352 |
| | | | | | 4 spaces per unit | |

| Courtyard Townhomes Parking Summary | | | | | | |
|------------------------------------------------------|-------------------------------------------|---------------------------|---------------------------|------------------------------|----------------------------------------------|-----------------------|
| Product Type (No. of Units) | Req. Parking Per Unit | Req. Guest Parking | Total Req. Parking | Garage Space Provided | On-Street/ Drive-Aisle Parking Spaces | Total Provided |
| Courtyard Townhome - 1 Bedroom (30 Units) | 1.75 – Including 1-car garage (53 spaces) | 7.5 | 60 | 1-car garage (30 spaces) | 223 | 253 |
| Courtyard Townhome - 2 Bedrooms (30 Units) | 2 – Including 2-car garage (60 spaces) | 7.5 | 67.5 | 2-car garage (60 spaces) | N/A | 60 |
| Courtyard Townhome - 3-4 Bedrooms (150 Units) | 2.5 – Including 2-car garage (375 spaces) | 26 | 401 | 2-car garage (300 spaces) | N/A | 300 |
| Totals (210 units) | 488 spaces | 41 | 529 | 390 | 223 | 613 |
| | | | | | 2.9 spaces per unit | |

(5) Architecture — There are three transitional architectural styles proposed for the 6/8-Pack Cluster homes, including Spanish, Farmhouse, and Cottage which incorporate the following design features/elements (Exhibit C—Elevations, attached):

- **Spanish:** Varying shed roofs with “S” concrete roof tiles; first and second story pop-out features; smooth stucco exterior; square and arched entry openings;

decorative gable ends; square window openings with stucco trim; decorative windowsills; horizontal siding, recessed windows, and corbels.

- **Farmhouse:** Varying gable and shed roofs with flat concrete roof tile; a moderate roof overhang; first and second story pop-out features; stucco exterior; square entry openings; enhanced gable ends; vertical siding; decorative windowsills; and vertical siding.
- **Cottage:** Varying high-pitched gable roofs with concrete flat tiles; first and second story pop-out features; horizontal siding, stucco exterior; shed front entries; and multi-paned windows with decorative shutters and windowsills.

There are two transitional architectural styles proposed for the Courtyard Townhomes including Spanish and Farmhouse, and incorporate the following design features/elements (Exhibit C—Elevations, attached):

- **Spanish:** Varying gable roofs with "S" concrete roof tiles; smooth stucco exterior; arched entry openings; square window openings with stucco trim; horizontal siding, recessed multi-paned windows, enhanced decorative gable ends and wood railings.
- **Farmhouse:** Varying gable roofs with flat concrete roof tile; first and second story pop-out features; stucco exterior; square entry openings with a trim surround; enhanced gable ends; multi-paned windows with trim surround; recessed window; and horizontal siding.

(6) Open Space — TOP Policy PR1-1 requires new developments to provide a minimum of 2 acres of Private Park per 1,000 residents. The approved Tract Map (TM No. 20345) facilitated the construction of a neighborhood park, sidewalks, parkways, and open space areas within the tract (Exhibit E — Typical Landscape Plan, attached). The Tract Map was required to provide 2.09 acres of parkland to meet the minimum TOP private park requirement and 2.44 acres of parkland were provided exceeding the minimum requirement. The approved Tract Map included the construction of a 1.13-acre neighborhood park centrally located along the northern portion of the Project site and three pocket parks totaling 0.58-acres ranging from ¼-acre or smaller in size and a 0.73-acre SCE trail further described below (Exhibit D — Overall Park Site Plan, attached):

- **Neighborhood Park.** The 1.13-acre neighborhood park will feature a pool, a large group spa nook with lounge seating, poolside cabanas, a large trellis structure with lounge seating, a restroom building with shower areas and storage, designated picnic areas with BBQ's, flexible lawn space with shade areas, playground equipment with shade sails, and perimeter landscaping.
- **Pocket Parks.** The two pocket parks are both passive open space areas with flexible lawn spaces. The pocket park located on the northern boundary of

Project site will also include the community's mailbox area and Holiday tree with electrical outlets for seasonal lighting.

- **SCE Edison Trail.** The 0.73-acre SCE trail is located along the southerly Project boundary and will connect to the SCE Edison trail located at the southeast corner of the Project site, which runs diagonally in a northeast-southwest direction. The Applicant will be responsible for coordinating with adjacent property owners to construct and landscape an 8-foot-wide multi-purpose trail within the SCE easement.

(7) Landscaping — The courtyard townhomes will feature landscaped parkways and interior landscaped paseos, which include accent trees and 3.5-foot-high decorative patio walls with entry gate designs that will complement the architectural style of each corresponding unit. The private lanes and auto courts are designed with finger planters to soften the massing of the garages. The landscape installation will be the responsibility of the builder and maintenance will be the responsibility of the homeowner's association. The cluster product will be provided with front yard/private lane courtyard landscaping (lawn, shrubs, and trees) and an automatic irrigation system to be installed by the developer. The homeowners will be responsible for all rear yard landscape improvements (Exhibit E — Typical Landscape Plan, attached).

(8) Utilities (drainage, sewer) — To serve the proposed residential development, the Project will be required to adhere to the improvements outlined in the related Development Agreement (File No. PDA21-014), to include additional internal tract infrastructure (private streets, sewer, water, storm drain, etc.). Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes 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.

PUBLIC NOTIFICATION: Public notification is not required, as the Development Advisory Board is acting in its capacity as an advisory body to the Planning Commission. Public notification is required prior to the Planning Commission hearing on the Project.

CORRESPONDENCE: As of the preparation of this Decision, Planning Department staff has not received any written or verbal communications from the owners of properties surrounding the Project site or from the public in general, regarding the subject application.

AGENCY/DEPARTMENT REVIEWS: Each City agency/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 included with this Decision.

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 ONT 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. As the recommending body for the Project, the Development Advisory Board has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the Development Advisory Board, 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 ONT ALUCP.

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
- Pursue City's Goals and Objectives by Working with Other Governmental Agencies
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
 - Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities
 - Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

(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.

- G 1-2. 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 LU-1 Balance: 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.

- LU-1.1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, foster the development of transit, and support the expansion of the active and multimodal transportation networks throughout the City.

- LU-1.6 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.

- Goal LU-2 Compatibility: Compatibility between a wide range of uses and a resultant urban patterns and forms.

- LU-2.6 Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

- Goal H-2 Housing Supply & Diversity: 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.

➤ H-2.4 Ontario Ranch. We support a premier lifestyle community in the Ontario Ranch, distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.

➤ H-2.5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices, and other best practices.

▪ Goal H-5 Special Needs: 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.

➤ H-5.2 Family Housing. We support the development of larger rental apartments that are appropriate for families with children, including, as feasible, the provision of services, recreation, and other amenities.

Community Economics Element:

▪ Goal CE-1 Complete Community: A complete community that provides for all incomes and stages of life.

➤ CE-1.6 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 encourage the development of housing supportive of our efforts to attract business in growing sectors of the community while being respectful of existing viable uses.

▪ Goal CE-2 Placemaking: A City of distinctive neighborhoods, districts, corridors, and centers where people choose to be.

➤ CE-2.1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

➤ CE-2.2 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.

➤ CE-2.4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ CE-2.5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

- Goal S-1 Seismic & Geologic Hazards: Minimized risk of injury, loss of life, property damage, and economic and social disruption caused by earthquake-induced and other geologic hazards.

- S-1.1 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 CD-1 Image & Identity: A dynamic, progressive city containing distinct and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses.

- CD-1.1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing, enhancing, and preserving the character of our existing viable neighborhoods.

- CD-1.2 Place Types. We establish Place Types in urban, mixed use, and transit-oriented areas to foster the City's identity as a premier community and require new development within each Place Type to incorporate prescribed urban patterns, forms, and placemaking priorities.

- Goal CD-2 Design Quality: A high level of design quality resulting in neighborhoods, public spaces, parks, and streetscapes that are attractive, safe, functional, human-scale, and distinct.

- CD-2.1 Quality Building Design and Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide context-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 articulated, high quality, durable, and appropriate for the architectural style.

- CD-2.2 Neighborhood Design. We create distinct residential neighborhoods that promote a sense of community and identity by emphasizing access, connectivity, livability, and social interaction through such elements as:

- A pattern of smaller, walkable blocks that promote activity, safety, and access to nearby amenities and services;

- Varied parcel sizes and lot configurations to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable traffic flows and emergency evacuation access;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the "outdoor living room"), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb and designed to maximize safety, comfort, and aesthetics for all users.

➤ CD-2.7 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.

➤ CD-2.8 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, maintaining visibility and accessibility, and using lighting.

➤ CD-2.9 Landscape Design. We encourage durable, sustainable, and drought-tolerant landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD-2.10 Parking Areas. We require all development, including single-family residential, to minimize the visual impact of surface, structured, and garage parking areas visible from the public realm in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include:

- Surface parking: Shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field;
- Structured parking: facade articulation, screening, appropriate lighting, and landscaping; and
- Garage parking: providing access to single-family residential garages through alley access, recessing garages from the frontage to emphasize front doors or active living spaces.

➤ CD-2.11 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.

➤ CD-2.12 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.

➤ CD-2.13 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 CD-3 Urban, Mixed Use, and Transit-Oriented Place Types: 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.

➤ CD-3.2 Comfortable, Human-Scale Public Realm. We require that public spaces, including streets, parks, and plazas on both public and private property be designed to maximize safety, comfort and aesthetics and connect to the citywide pedestrian, vehicular, and bicycle networks.

➤ CD-3.3 Complete and Connected Network. We require that pedestrian, vehicular, and bicycle circulation on both public and private property be coordinated to provide connections internally and externally to adjacent neighborhoods and properties (existing and planned) through a system of local roads and trails that promote walking and biking to nearby destinations (including existing and planned parks, commercial areas, and transit stops) and are designed to maximize safety, comfort, and aesthetics.

➤ CD-3.4 Context-Aware and Appropriate Design. We require appropriate building and site design that complements existing development, respects the intent and identity of the Place Type, and provides appropriate transitions and connections between adjacent uses to ensure compatibility of scale, maintain an appropriate level of privacy for each use, and minimize potential conflicts.

➤ CD-3.5 Active Frontages. We create lively pedestrian streetscapes by requiring primary building, business, and residential entrances, outdoor dining, and storefronts be located on ground floors adjacent to sidewalks or public spaces and designed to maximize safety, comfort, aesthetics, and the intended functionality (as defined by the Place Type).

➤ CD-3.6 Managed Infrastructure. We collaborate with developers and property owners to facilitate development that realizes the envisioned character and functionality of the Place Type through the use of green and shared infrastructure within each Place Type.

- Goal CD-5 Protection of Investment: A sustained level of maintenance and improvement of properties, buildings, and infrastructure that protects the property values and encourages additional public and private investments.
 - CD-5.1 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.
 - CD-5.2 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 Housing Element Sites contained in Tables B-1 and B-2 (Housing Element Sites Inventory) of the Housing Element Technical Report.

PART 2: RECITALS

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

WHEREAS, the Rich Haven Specific Plan Amendment Environmental Impact Report (State Clearinghouse No. 2022100425) was certified on June 20, 2023 (hereinafter referred to as "Certified EIR"), in which development and use of the Project site was discussed; and

WHEREAS, the Rich Haven Specific Plan Amendment Environmental Impact Report (State Clearinghouse No. 2022100425) was certified by the City Council on June 20, 2023 ("Certified EIR") in conjunction with File No. PSPA22-001, in which development and use of the Project site was discussed; and

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

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

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

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ONT 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 17, 2023, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

PART 3: THE DECISION

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

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the DAB has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this Project were previously reviewed in conjunction with File No. PSPA22-001, the Rich Haven Specific Plan Amendment for which an Environmental Impact Report (State Clearinghouse No. 2022100425) was adopted by the City Council on June 20, 2023; and

- (2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- (3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and
- (4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and
- (5) The proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

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

- (1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- (2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and
- (3) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and
- (4) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:
 - (a) The Project will have one or more significant effects not discussed in the Certified EIR; or
 - (b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

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

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

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Housing Element Sites contained in Tables B-1 and B-2 (Housing Element Sites Inventory) of the Housing Element Technical Report.

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 and 3, above, the DAB hereby concludes as follows:

(1) *The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.* The proposed Project is located within the Mixed-Use land use district of the Policy Plan Land Use Map, and the Mixed Use District Planning Area 4B (Stand-Alone Residential Overlay and Open Space – Non-Recreation) of the Rich Haven Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) *The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.* The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Mixed Use District Planning Area 4B (Stand-Alone Residential Overlay and Open Space – Non-Recreation) of the Rich Haven Specific Plan, including standards relative to the particular land use proposed (single family and multiple family residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) *The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the Project and the minimum safeguards necessary*

to protect the public health, safety and general welfare have been required of the proposed Project. The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Rich Haven Specific Plan are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Rich Haven Specific 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 Rich Haven Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (single family and multiple family residential). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Rich Haven Specific Plan.

SECTION 5: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Conditions of Approval included as Attachment A of this Decision, 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. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 17th day of July 2023.

Development Advisory Board Chairman

Exhibit A: PROJECT LOCATION MAP



Exhibit B: SITE PLAN

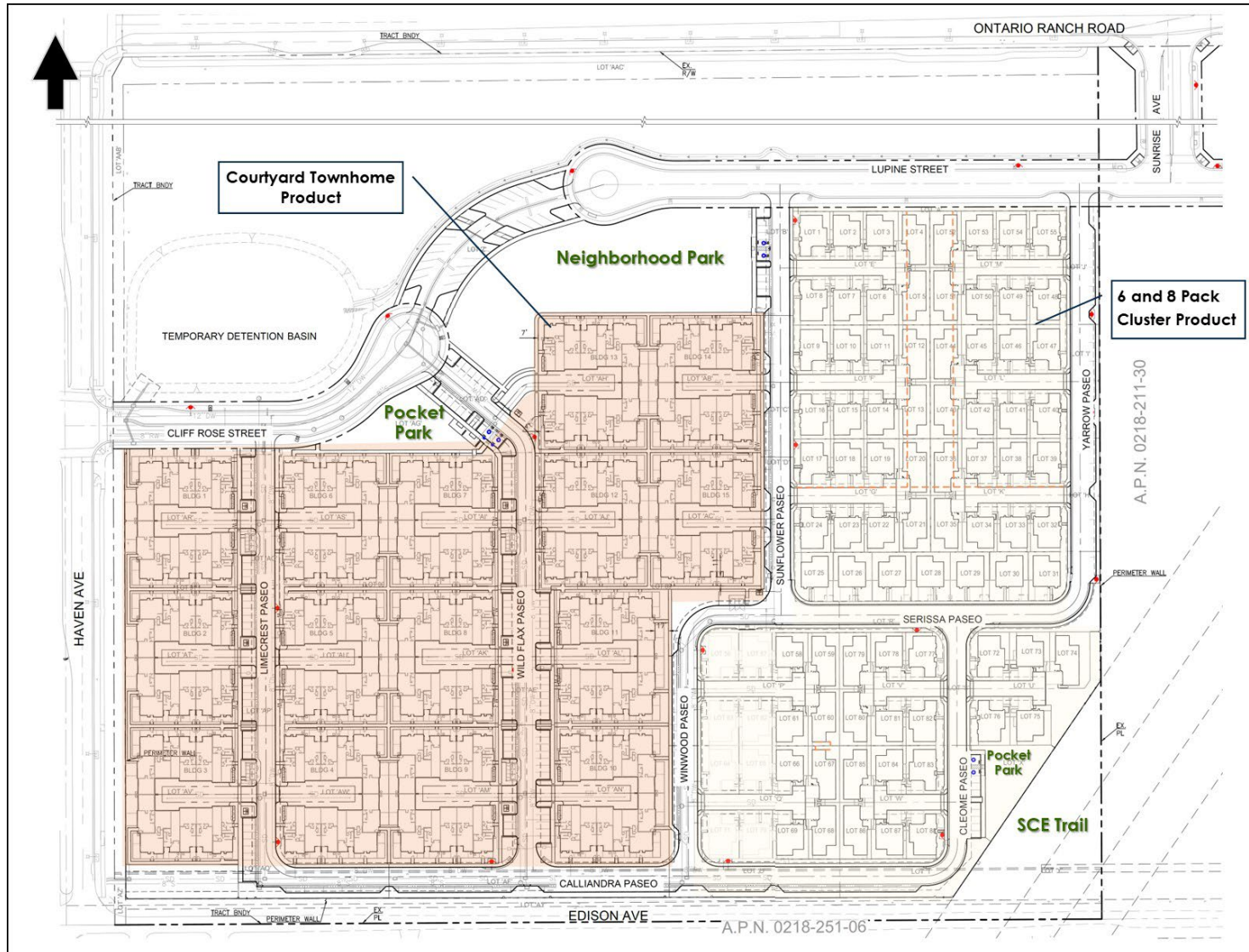


Exhibit B1: TYPICAL 8-PACK CLUSTER LAYOUT

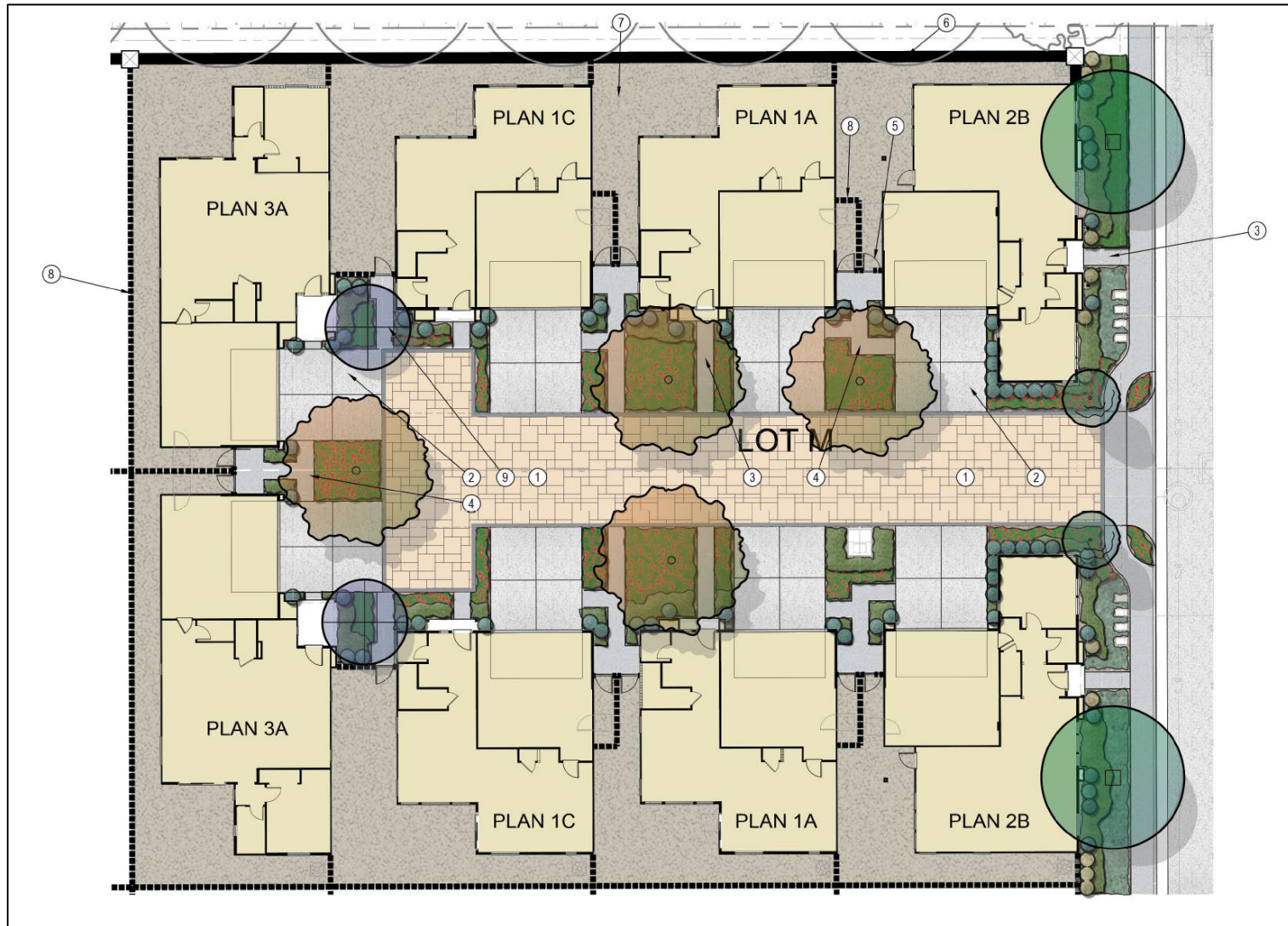


Exhibit B1: TYPICAL COURTYARD TOWNHOME LAYOUT

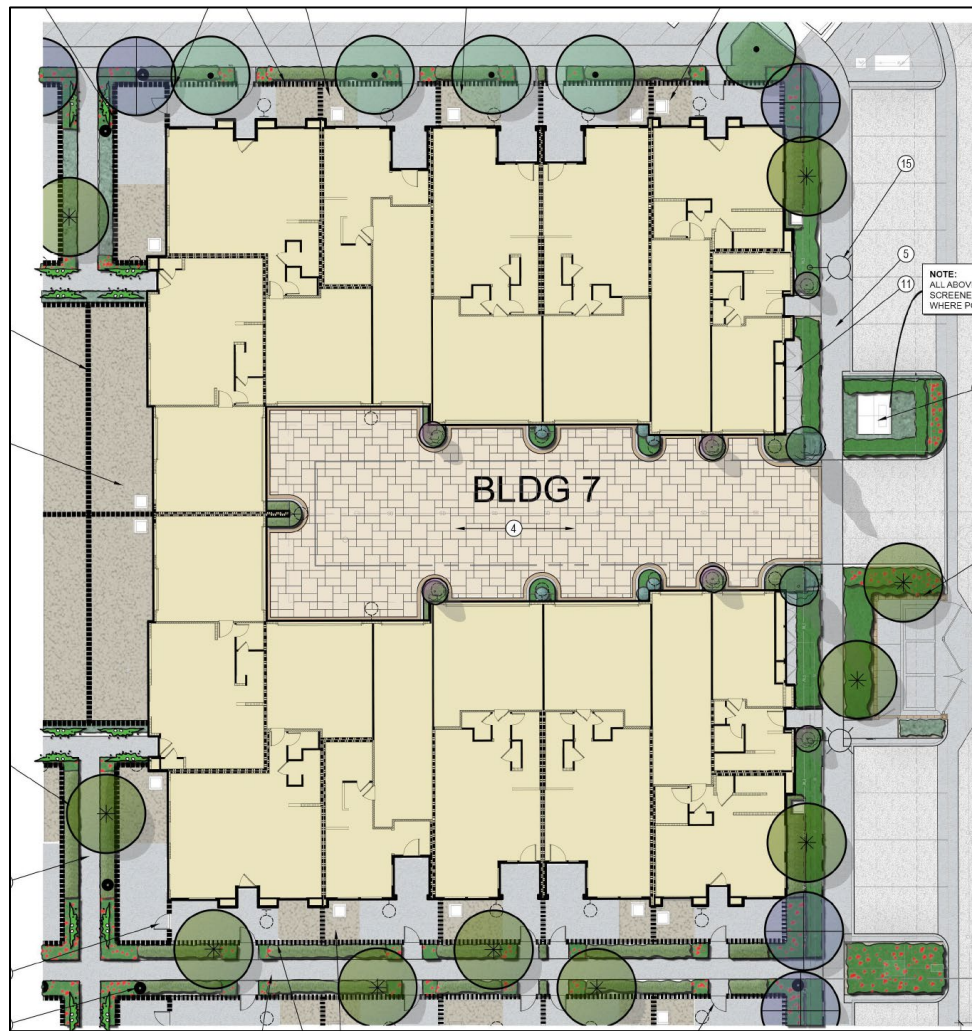


Exhibit C: ELEVATIONS (CLUSTER PLAN 1 – SPANISH – CENTER UNIT)



Exhibit C: ELEVATIONS (CLUSTER PLAN 1 – FARMHOUSE – CENTER UNIT)



Exhibit C: ELEVATIONS (CLUSTER PLAN 1 – COTTAGE – CENTER UNIT)

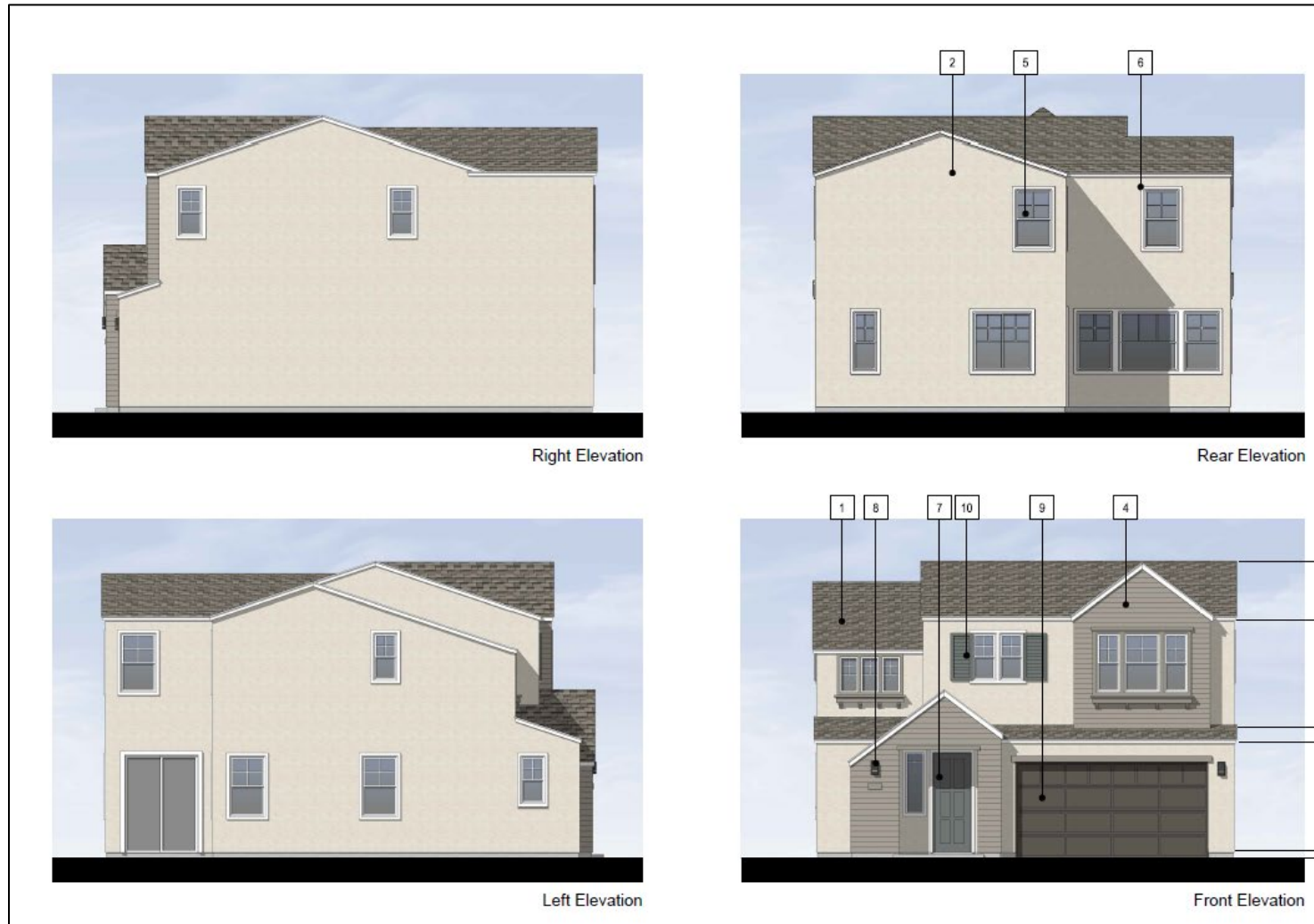


Exhibit C: ELEVATIONS (CLUSTER PLAN 2 – SPANISH – FRONT UNIT)



Exhibit C: ELEVATIONS (CLUSTER PLAN 2 – FARMHOUSE – FRONT UNIT)



Exhibit C: ELEVATIONS (CLUSTER PLAN 2 – COTTAGE – FRONT UNIT)



Exhibit C: ELEVATIONS (CLUSTER PLAN 3 – SPANISH – REAR UNIT)



Exhibit C: ELEVATIONS (CLUSTER PLAN 3 – FARMHOUSE – REAR UNIT)



Exhibit C: ELEVATIONS (CLUSTER PLAN 3 – COTTAGE – REAR UNIT)



Exhibit C: ELEVATIONS (14-PLEX COURTYARD TOWNHOME – SPANISH)



REAR ELEVATION



FRONT ELEVATION

Exhibit C: ELEVATIONS (14-PLEX COURTYARD TOWNHOME – SPANISH)



RIGHT ELEVATION (LEFT SIMILAR)

Exhibit C: ELEVATIONS (14-PLEX COURTYARD TOWNHOME – FARMHOUSE)



REAR ELEVATION



FRONT ELEVATION

Exhibit C: ELEVATIONS (14-PLEX COURTYARD TOWNHOME – FARMHOUSE)



RIGHT ELEVATION (LEFT SIMILAR)

Exhibit D: OVERALL PARK SITE PLAN (NEW HAVEN PARKS)

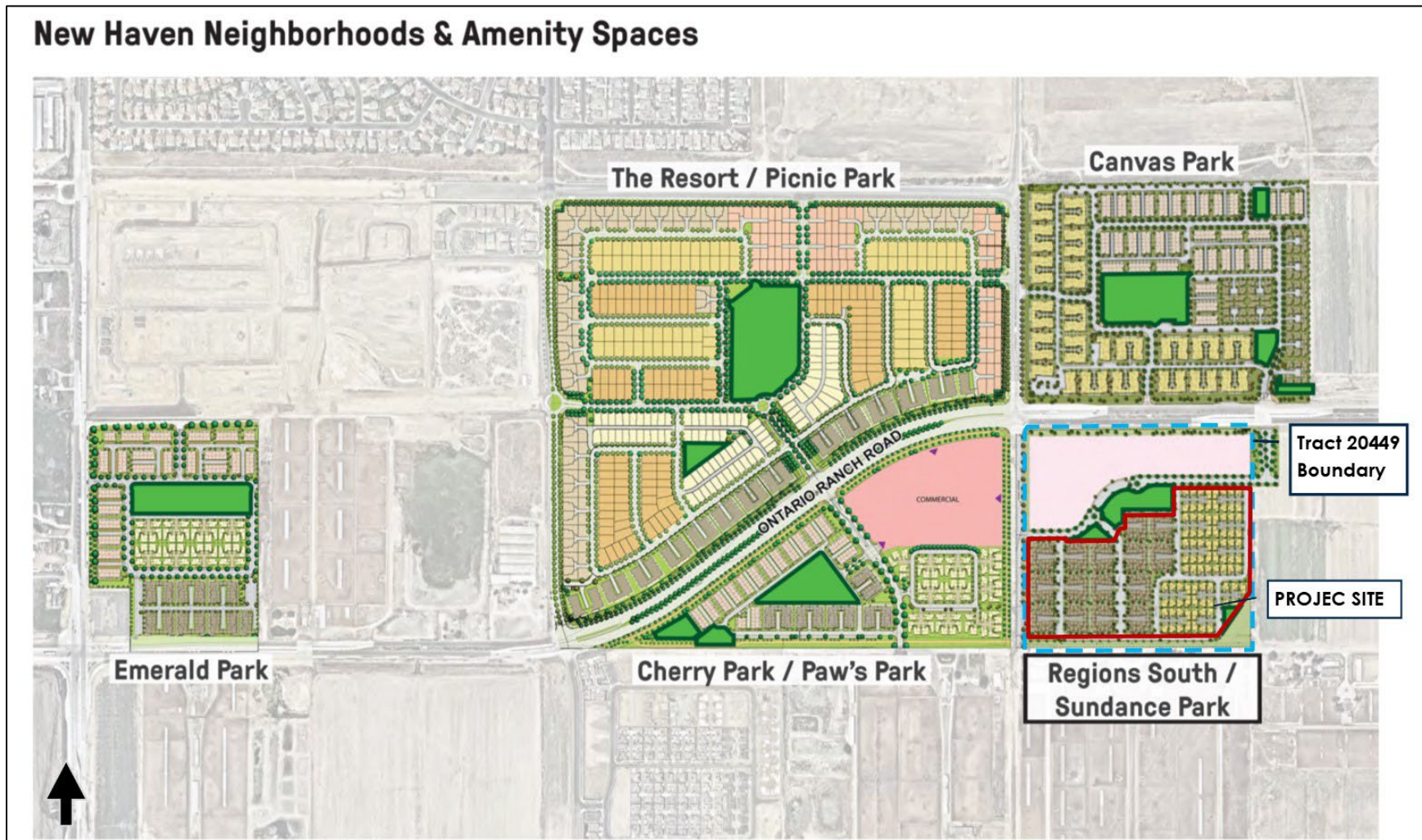


Exhibit D: OVERALL PARK SITE PLAN (NEIGHBORHOOD PARK & NORTH POCKET PARK)

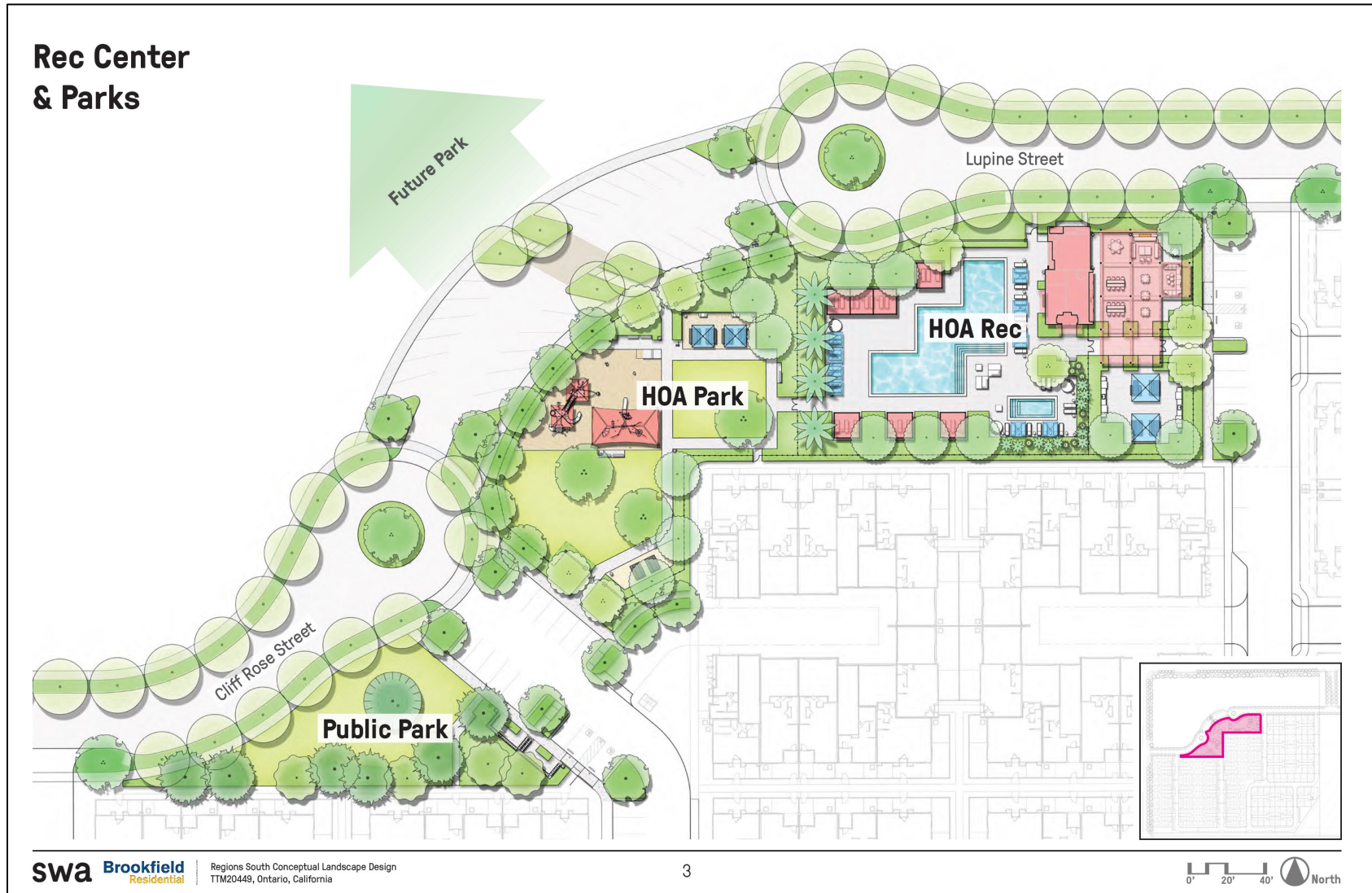


Exhibit E: LANDSCAPE PLAN (CLUSTER)

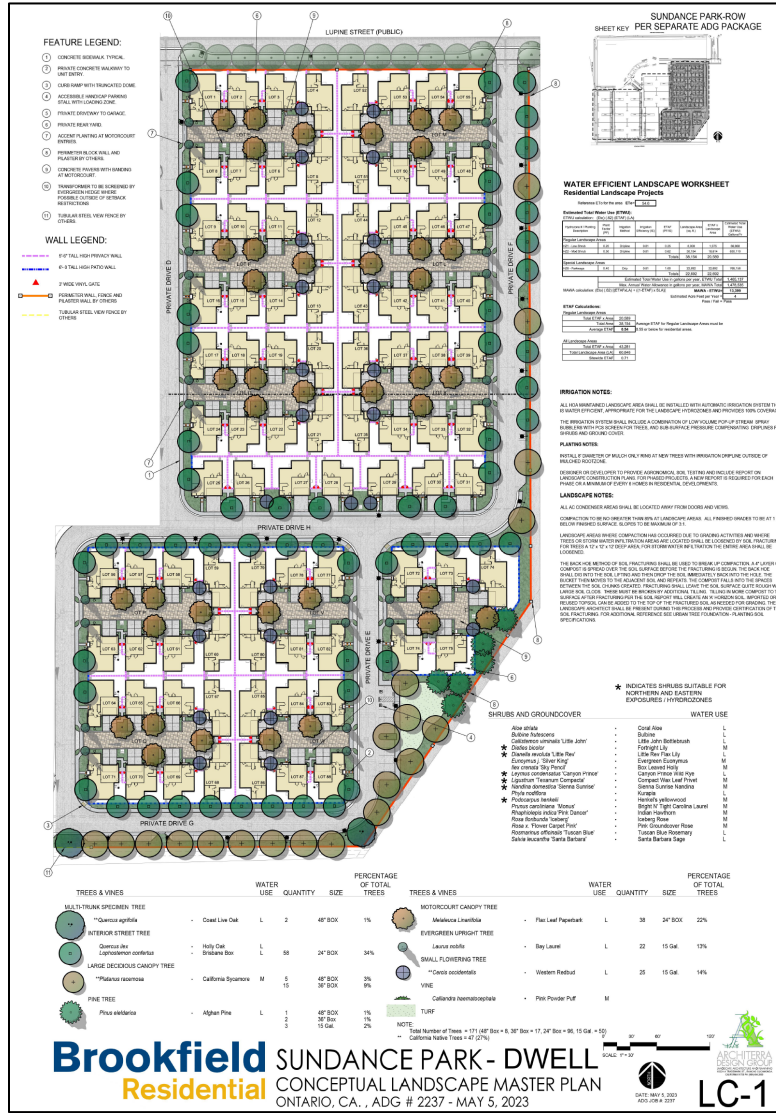


Exhibit E: LANDSCAPE PLAN (COURTYARD TOWNHOMES)



Attachment A: Conditions of Approval

(Conditions of Approval follow this page)

Date Prepared: 7/17/2023

File No: PDEV22-053

Related Files: PMTT21-014

Project Description: A hearing to consider a Development Plan to construct 88 single-family residential units and 210 multiple-family residential units on 23.58 acres of land located on the southeast corner of Ontario Ranch Road and Haven Avenue, within the Mixed-Use District Planning Area 4B (Stand-Alone Residential Overlay) of the Rich Haven Specific Plan; (APN: 218-211-01); **submitted by Brookfield Residential.**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@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). Final design and placement of bicycle parking facilities shall be subject to Planning Department review and approval.

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.

(a) 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 noise levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.11 Disclosure Statements.

(a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be

provided to each prospective buyer of the residential units and shall include a statement to the effect that:

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

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

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

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

2.12 Environmental Requirements.

(a) 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).

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

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

2.14 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination ("NOD") filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act ("CEQA"). Failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

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

2.15 Final Occupancy. The Project Architect of record will certify that construction of each building site and the exterior elevations of each structure shall be completed in compliance

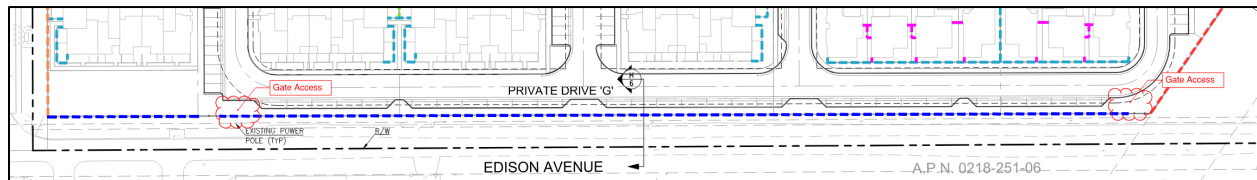
with the approved plans. Any deviation to approved plans shall require a resubmittal to the Planning Department for review and approval prior to construction. The Occupancy Release Request Form/Architect Certificate of Compliance shall be provided prior to final occupancy. After the receipt of this Certification, the Planning Department will conduct a final site and exterior elevations inspection. The Owner's Representative and Contractor shall be present.

2.16 Additional Requirements.

(a) All applicable conditions of approval of Development Agreement (File No. PDA21-014) and Tentative Tract Map No. 20449 (File No. PMTT21-014) shall apply to this tract.

(b) All applicable conditions of approval of the Rich Haven Specific Plan shall apply to this tract.

(c) The southern wall shall be designed to accommodate a future gate to access the SCE trail to the south to include key fob access. The gate access areas shall be designed with a walkway to lead to the future gate and avoid placing any plant material or trees that would conflict with access to the future gate. The exhibit below shows the approximate locations of where the gates shall be located.



(d) The City Council has authorized the Baldy View Chapter of the Building Industry Association to manage a standardized off-site directional sign program on a non-profit basis. The program uses uniform sign structures and individual identification and directional signs for residential development. **No other off-site signing is authorized.** (For additional information, contact the Baldy View Chapter BIA at (909) 945-1884.



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: Angela Truong, Assistant Engineer (909) 395-2134
PROJECT PLANNER: Lorena Mejia, Senior Planner (909) 395-2276
DAB MEETING DATE: July 17th, 2023

PROJECT NAME/DESCRIPTION: PDEV22-053, a Development Plan approval to construct 298 dwellings consisting of 88 single-family detached dwellings and 210 multi-family attached dwellings on approximately 35.65 acres of land, within the Planning Area 9A (Stand Alone Residential Overlay) land use district of the Rich Haven Specific Plan. Related Files: PMTT21-014, TM-20449

LOCATION: Northeast corner of Haven Avenue & Edison Avenue


APPLICANT: BrookCal Ontario LLC

REVIEWED BY:


for Raymond Lee, P.E.
Assistant City Engineer

7/13/23
Date

APPROVED BY:


Khoi Do, P.E.
City Engineer

7-13-23
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 project shall comply with the Conditions of Approval for Tract Map No. 20449, approved at the DAB meeting of April 18, 2022, attached herewith for reference, and in accordance with the Rich Haven Specific Plan, File No. PSP05-004, adopted December 4, 2007, as amended.
2. The applicant/developer shall comply with the Development Agreement (DA), File No. PDA21-014, by and between the City of Ontario and BrookCal Ontario LLC, recorded with the San Bernardino County Recorder's Office on June 9, 2022, as Doc# 2022-0209369.
3. The applicant/developer shall be responsible to:
 - a. Design and construct the ultimate signing and striping improvements on Ontario Ranch Road and Sunrise Avenue beyond the project frontage as necessary to accommodate Sunrise Avenue at the traffic signal, including the westbound section of Ontario Ranch Road west of Haven Avenue.
 - b. Install CCTV camera system at the existing traffic signal at Haven Avenue and Ontario Ranch Road.

Project File No. PDEV22-053 (Related to PMTT21-014, TM-20449)

Project Engineer: Angela Truong

DAB Date: 7/17/2023

- c. Any required video detection zone changes at the traffic signals on Haven Avenue necessary to accommodate the ultimate striping along the property frontage of Haven Ave including the northbound section of Haven Avenue north of Schaefer Ave to Aspen/Nelson to install the required 2 northbound thru lanes with a trap right turn lane at the intersection of Aspen/Nelson.
- d. Design and construct in-fill public street lights and a potential new service as needed along its project frontages and in-tract public streets. Street lighting shall be LED-type and in accordance with City's Approved Material List LED Luminaires. Install smart nodes on all new street light fixtures.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV22-053

Address: SEC of Ontario Ranch Road & Haven Avenue

APN: 0218-211-01

Existing Land Use: Vacant/Mass Graded

Proposed Land Use: Development Plan to construct 88 single-family residential units and 210 multiple-family residential units

Site Acreage: 23.58 Proposed Structure Height: N/A

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia

Date: 7/6/2022

CD No.: 2022-080

PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

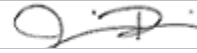
Real Estate Transaction Disclosure Required

Airport Planner Signature: _____

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

CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Architect

06/14/2023

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Architect

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV22-053

Case Planner:

Lorena Mejia

Project Name and Location:

Rich Haven – Regions South – Sundance
 TM20449

Applicant/Representative:

BrookCal Ontario LLC derek.spalding@brookfieldrp.com
 3200 Park Center Drive, Suite 1000
 Costa Mesa, CA 92626



Preliminary Plans (dated 5/22/2023) meet the Standard Conditions for New Development and have been approved considering that the following conditions below be met upon submittal of the landscape construction documents.



Preliminary Plans (dated) have not been approved. Corrections noted below are required before 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

Civil/ Site Plans

1. Coordinate walls along the southern perimeter with the project planner to determine any future access points; coordinate with the landscape architect. Call out on plans, do not plant trees in front of these future access areas.
2. New residential projects shall use recycled water for HOA-maintained property (parks, parkways, neighborhood edges, common areas). Potable water with a backflow shall only be used on single-family detached properties, even if HOA is maintained.
3. Landscape areas will be HOA maintained, with the exception of private backyards and patios.
4. Before permit issuance, the Landscape Planning Division shall review stormwater infiltration devices located in landscape areas and approve plans. Any stormwater devices in parkway areas shall not displace street trees.
5. Show transformers set back 5' from paving all sides to avoid bollards. Coordinate with landscape plans.
6. Show backflow devices set back 4' from paving on all sides. Locate on level grade
7. 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.
8. Finished grade shall be no more than 8" from the stucco/plaster face of the wall.
9. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.

Landscape Plans

10. See #1.
11. During plan check, coordinate with Ontario Municipal Utilities Company (OMUC) to submit irrigation plans for recycled water systems to omucwaterquality@ontarioca.gov. OMUC shall review and approve irrigation systems utilizing recycled water before final landscape

approval. Submit an electronic approval letter or memo from OMUC with the resubmittal of the landscape package.

12. During plan check; provide an overall exhibit showing water meter locations, to include POC and controllers.
13. During plan check, submit an overall tree exhibit showing HOA parkways and common area trees and typical front yard tree locations to avoid conflicts.
14. 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 at regular intervals.
15. Locate light standards, fire hydrants, water, and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
16. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
17. Provide phasing map for multi-phase projects.
18. 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: landscapeplancheck@ontarioca.gov



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: December 8, 2022

SUBJECT: PDEV22-053 – A Development Plan approval to construct 298 dwellings consisting of 88 single-family detached dwellings and 210 multi-family attached dwellings on approximately 35.65 acres of land located at the northeast corner of Haven Avenue and Edison Avenue, within the Planning Area 9A (Stand Alone Residential Overlay) land use district] land use district of the Rich-Haven Specific Plan Specific Plan (APN(s): 218-211-01). Related File(s): PMTT21-014.

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- 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: Type V-B
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies
- D. Number of Stories: 2
- E. Total Square Footage: Varies
- F. 2019 CBC Occupancy Classification(s): R2/R3

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.
- ☒ 2.7 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 2019 California Fire Code, Appendix B, is 2000 gallons per minute (g.p.m.) for 4 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

- ☒ 4.1 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.
- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.
- ☒ 4.5 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.

5.0 BUILDING CONSTRUCTION FEATURES

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

- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003.
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.