



CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD

AGENDA

July 15, 2024

- ▶ **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, Executive Director, Economic Development
James Caro, Building Official
Henry Noh, 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 three 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. The chairperson will open the public hearing. At that time the applicant will be allowed three (3) minutes to make a presentation on the case. Members of the public will then be allowed three (3) 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 July 1, 2024, approved as written.

PUBLIC HEARING ITEMS

B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE

NO. PDEV22-039: A public hearing to consider a Development Plan to construct one (1) industrial warehouse building totaling 108,674 square feet on 5.8 acres of land located at 1580 East Eucalyptus Avenue, within the PA-3A (Business Park) land use district of the Merrill Commerce Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Merrill Commerce Center Specific Plan (File Nos. PGPA18-003 and PSP18-001), for which an Environmental Impact Report (State Clearinghouse No. 2019049079) was certified by the City Council on February 2, 2021. This application introduces no new significant environmental impacts. 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. The project site is also located within the Airport Influence area of Chino Airport and was evaluated and found to be consistent with the policies and criteria of the Chino Airport Land Use Compatibility Plan; (APN:1054-161-05) **submitted by Prologis. L.P.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PDEV22-039 (Development Plan)

Motion to Approve / Deny

C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE

NO. PDEV23-008: A public hearing to consider a Development Plan to construct a 55-foot-tall stealth monopine wireless telecommunications facility on 4.07-acres of land, on property located at 2500 South Archibald Avenue, within the CC (Community Commercial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 1083-011-09) **submitted by New Cingular Wireless PCS, LLC dbd AT&T Mobility.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15303

2. **File No. PDEV23-008** (Development Plan)

Motion to Approve / Deny

- D. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV24-010**: A public hearing to consider a Development Plan to construct an approximate 2-acre Public Plaza located adjacent to the east of the Toyota Arena within the Mixed-Use land use district of the Piemonte Overlay of the Ontario Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with an Amendment to the Piemonte Overlay of the Ontario Center Specific Plan, for which an Addendum to the Ontario Center Specific Plan Environmental Impact Report (State Clearinghouse No. 198941009) was adopted by the Planning Commission on April 19, 2022. This application introduces no new significant environmental impacts. The previously adopted mitigation measures shall be a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 0210-205-01) **City initiated.**

1. **CEQA Determination**

No action necessary – Use of previous Addendum to an EIR

2. **File No. PDEV24-010** (Development Plan)

Motion to Approve / Deny

- E. **ENVIRONMENTAL ASSESSMENT, TENTATIVE TRACT MAP, AND DEVELOPMENT PLAN REVIEW FOR FILES NO. PMTT23-008 AND PDEV23-037**: A public hearing to consider Tentative Tract Map No. 20659 (File No. PMTT23-008), subdividing 3.1 acres of land into one parcel for condominium purposes, in conjunction with a Development Plan (File No. PDEV23-037) to construct 70 multiple-family residential condominium units on the project site, including 7 moderate affordable dwellings, located at 1355 West 5th Street, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) 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; (APN: 1008-551-12) **submitted by Warmington Residential, LLC. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. **File Nos. PMTT23-008 (TTM 20659) and PDEV23-037** (Tentative Tract Map and 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 5, 2024**.

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 11, 2024**, 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

July 1, 2024

BOARD MEMBERS PRESENT

Khoi Do, Chairman, Engineering Department
Kim Ruddins, Planning Department
James Caro, Building Department
Elda Zavala, Community Improvement
Charity Hernandez, Economic Development Agency
Paul Ehrman, Fire Department
Eric Woosley, Municipal Utilities Company
Heather Lugo, Police Department

BOARD MEMBERS ABSENT

None

STAFF MEMBERS PRESENT

Gwen Berendsen, Planning Department	David Eoff IV, Planning Department
Elly Antuna, Planning Department	Edmelynne Hutter, Planning Department
Raymond Lee, Engineering Department	Karen Khukoyan, Economic Development
Pablo De Lara, Community Development	Jeff Tang, Engineering Department
Leonard Lui, Engineering Department	Brittany Bartter, Engineering Department
Andrew Garland, Engineering Department	Angela Truong, Engineering Department
Brenda Fregoso, 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 17, 2024, meeting of the Development Advisory Board was made by Mr. Caro; seconded by Mr. Ehrman; and approved unanimously by those present (8-0).

PUBLIC HEARING ITEMS

- B. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV23-032**: A hearing to consider a Development Plan to construct a 2,274 square foot commercial building on 0.4-acre of land located at the northwest corner of Vine Avenue and Brooks Street, within the LUA-3 (Holt Boulevard) 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.; (APN: 1049-021-19) **City initiated.**

Mr. Noh opened the public hearing.

No applicant came forward, as this is a City initiated project.

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

Motion to approve **File No. PDEV23-032**, subject to the conditions of approval, was made by Ms. Lugo; seconded by Ms. Zavala; and approved unanimously by those present (8-0).

- C. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP AND DEVELOPMENT REVIEW FOR FILE NO. PMTT23-005 AND PDEV23-011:** A public hearing to consider tentative Parcel Map 20714 to subdivide approximately 60 acres of land into 13 numbered lots and 2 lettered lots and a Development Plan to construct 12 business park industrial buildings totaling 882,538 square feet on approximately 43 acres of land generally located east of Euclid Avenue, south of Schaefer Avenue, west of Sultana Avenue and north of Edison Avenue within a proposed Euclid Mixed Use Specific Plan (File No. PSP22-001). The environmental impacts of this project were reviewed in conjunction with the Euclid Mixed Use Specific Plan (File No. PSP22-001), for which an Environmental Impact Report (State Clearinghouse No. 2023020281) was prepared. The Environmental Impact Report determined that the proposed project, with mitigations, will not result in any 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. The project site is also located within the Airport Influence area of Chino Airport and was evaluated and found to be consistent with the policies and criteria of the Chino Airport Land Use Compatibility Plan; (APNs: 1053-071-01; 1053-071-02; 1053-071-03; 1053-071-04; 1053-211-01; 1053-211-02; 1053-281-08; 1053-081-01; 1053-081-02; 1053-081-03; 1053-081-04) **submitted by Euclid Land Investment LLC. Planning Commission action is required.**

Mr. Noh opened the public hearing and stated there were revised conditions of approval for this item.

Jason Lee with Euclid Land Investment LLC came forward and stated he had reviewed the revised conditions of approval and agreed with them.

Zach Strasters with CARE CA, spoke in favor of the project.

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

Motion to recommend approval of the EIR, and **File Nos. PMTT23-005 and PDEV23-011**, subject to the revised conditions of approval, was made by Mr. Woosley; seconded by Mr. Caro; and approved unanimously by those present (8-0).

Development Advisory Board Minutes
July 1, 2024

There being no further business, the meeting was adjourned to the next meeting on July 15, 2024.

Respectfully submitted,



Gwen Berendsen
Recording Secretary



DEVELOPMENT ADVISORY BOARD AGENDA REPORT

July 15, 2024

303 East B Street, Ontario, California 91764 / Phone: 909.395.2036 / Email: PlanningDirector@OntarioCA.gov

FILE NO: PDEV22-039

SUBJECT: A public hearing to consider a Development Plan to construct one (1) industrial warehouse building totaling 108,674 square feet on 5.8 acres of land located at 1580 East Eucalyptus Avenue, within the PA-3A (Business Park) land use district of the Merrill Commerce Center Specific Plan. (APN: 1054-161-05); **submitted by Prologis, L.P.**

PROPERTY OWNER: Prologis, L.P.

RECOMMENDED ACTION: That the Development Advisory Board approve File No. PDEV22-039, pursuant to the facts and reasons contained in the Agenda Report, the Decision, and subject to the conditions of approval appended to the Decision, as "Attachment A."

BACKGROUND: On February 2, 2021, the City Council approved the introduction (first reading) of Ordinance No. 3178 for the Merrill Commerce Center Specific Plan ("MCCSP"), adopted Resolution No. R2021-011, certifying the MCCSP Final Environmental Impact Report ("Certified EIR"; State Clearinghouse No. 2019049047), and adopted Resolution No. R2021-012, approving the associated General Plan Amendment (File No. PGPA18-003) establishing the Business Park (0.6 FAR) and Industrial (0.55 FAR) land uses on the Project site. On February 16, 2021, the City Council adopted (second reading) Ordinance No. 3178, approving the MCCSP (File No. PSP18-001).

On March 23, 2021, the Planning Commission approved Tentative Parcel Map No. 20273, subdividing the Merrill Commerce Center Specific Plan into 22 numbered lots, 22 lettered lots and public streets to facilitate the future development of industrial and business park projects. On November 16, 2021, the City Council approved Parcel Map No. 20273.

On August 23, 2022, the Applicant submitted an application for a Development Plan (File No. PDEV22-039) to construct one (1) industrial warehouse building and associated site improvements.

PROJECT SETTING: The Project site is comprised of 5.8 acres of land located at 1580 East Eucalyptus Avenue and is depicted in Exhibit A: Project Location Map. The Project site is presently vacant and surrounded by industrial uses to the south, dairy farms to the north and vacant land to the east and west. The existing surrounding land uses, zoning, and Policy Plan (general plan) and specific plan land use designations are summarized in Table 1: Surrounding Zoning & Land Uses (see Technical Appendix).

PROJECT ANALYSIS:

(1) Development Plan

(a) Site Design/Building Layout — The proposed Project includes the construction of a 108,674 square-foot industrial warehouse building that also includes 4,000 square feet of ground floor office and a 4,000 square feet mezzanine area, resulting in a 0.43 floor area ratio (“FAR”) (see Exhibit B – Site Plan, attached). The proposed warehouse building is rectangular in shape, has frontage from Eucalyptus Avenue, with the two office areas located at the northeast and northwest corners of the building. The building is centrally located on the Project site and is setback approximately 76 feet from the north property line (Eucalyptus Avenue) and 80 feet from the east property line (Walker Avenue). Parking for employees and visitors is located along the entire north, east, west perimeters, and portions of the south perimeter.

A yard area, designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging, is centrally located to the south of the proposed building between the two parking areas. 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.

(b) Site Access/Circulation — The Project site will have one access point from Eucalyptus Avenue and one access point from Walker Avenue. Access from Eucalyptus Avenue is via a 40-foot-wide shared driveway located on the northeast corner of the site that will serve the Project site and the property to the east. Access from Walker Avenue is via a 35-foot-wide driveway located on the southwest corner of the Project site. Both driveways have been designed to accommodate passenger vehicles and trucks.

Internal circulation is provided by a 26-foot-wide drive aisle that surrounds the building connecting the two driveways and the tractor-trailer yard area. The internal drive-aisles all meet the minimum 26-foot-wide fire emergency access lane requirement, providing adequate maneuvering and access for emergency vehicles throughout the Project site.

(c) Parking — The Project requires 65 off-street vehicle parking spaces and 4 trailer parking spaces as specified in the Merrill Commerce Center (MCC) Specific Plan. The Project will provide 127 off-street parking spaces and 4 trailer parking spaces, which complies with the minimum parking requirements for the Project. The off-street parking calculations for the Project are summarized in Table 3: Parking Summary.

(d) Architecture — The proposed building will utilize concrete tilt-up construction with a contemporary architectural design theme. The proposed architectural design will incorporate enhanced elements and treatments at office entries and along street facing elevations (see Exhibit C — Elevations, attached). Examples of various architectural elements that complete the overall design theme include smooth-painted concrete using a white, grey and green color palette, wood siding, horizontal fiber cement, horizontal and vertical reveals, blue glazing storefronts with black anodized aluminum mullions, metal canopies, 2nd story windows, and recessed panel sections with

contrasting colors. The mechanical equipment will be roof-mounted and architecturally screened from public view by the parapet walls.

(e) Landscaping — The Project provides landscaping along Eucalyptus Avenue, Walker Avenue, and throughout the off-street parking areas. The MCC Specific Plan requires a minimum of 10 percent landscape coverage within each project site. The project will provide 17.8 percent, which exceeds the minimum requirements. The proposed plant palette consists of a combination of trees, shrubs, accent plants, and ground cover (see Exhibit D – Landscaping Plans, attached). The proposed trees include Western Red Bud (24" box and 36" box), Chinese Flame tree (24" box), Chinese Pistache (24" box), Water Gum (15 gallon), Olive tree (48" box), California Sycamore (36" box), African Fern Pine (24" box), and Coast Live Oak (24" and 48" box). The Project will also incorporate an employee break area, with benches, tables, and a shade tree.

The Project includes right-of-way improvements (street, curb, gutter, sidewalk, and parkway) along Walker Avenue and Eucalyptus Avenue. The proposed on-site and off-site landscape improvements will assist in creating a safe and walkable environment to and around the Project site. Additionally, the project will provide an 8-foot-wide multipurpose trail along Walker Avenue and Eucalyptus Avenue within the neighborhood edge. The multipurpose trail is required by the MCC Specific Plan and is intended to promote pedestrian and bicycle connectivity between planning areas and adjacent land uses.

(f) Signage — All future signage will be subject to review and approval of a comprehensive sign program for the Specific Plan area. 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.

(g) Utilities (drainage, sewer) — The Project will be required to construct infrastructure improvements per the Development Agreement (File No. PDA18-004) and requirements of the Merrill Commerce Center Specific Plan. 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 storm water retention chambers to receive, retain, and treat storm water runoff. 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 Agenda Report, Planning Department staff has not received any written or verbal communications from the owners or occupants 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 appended to the attached Decision as "Attachment A."

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.

On August 2, 2022, the City Council of the City of Ontario approved and adopted a Development Code Amendment to establish the Chino Airport ("CNO") Overlay Zoning District ("OZD") and Reference I, Chino Airport Land Use Compatibility Plan ("CNO ALUCP"). The CNO OZD and CNO ALUCP established the Airport Influence Area for Chino Airport, solely within the City of Ontario, and limits future land uses and development within the Airport Influence Area, as they relate to safety, airspace protection, and overflight impacts of current and future airport activity. The CNO ALUCP is consistent with policies and criteria set forth within the Caltrans 2011 California Airport Land Use Planning Handbook. The proposed Project is located within the Airport Influence Area of Chino Airport and was evaluated and found to be consistent with the California Airport Land Use Planning Handbook and the CNO ALUCP. 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

CNO ALUCP compatibility factors, including Safety, Airspace Protection, Overflight. 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 California Airport Land Use Planning Handbook and the Chino 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
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
 - 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-1.3 Adequate Capacity.** We require adequate infrastructure and services for all development.
 - **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 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-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-2.8 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;

- 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.

- 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.

ENVIRONMENTAL REVIEW: The environmental impacts of this Project were previously reviewed in conjunction with File Nos. PGPA18-003 and PSP18-001, a General Plan Amendment and Specific Plan for which an Environmental Impact Report (State Clearinghouse No. 2019049079) ("Certified EIR") was adopted by the City Council on February 2, 2021. This application introduces no new significant environmental impacts, and all previously adopted mitigation measures are a condition of project approval.

TECHNICAL APPENDIX:

Table 1: Surrounding Zoning and Land Uses

	<i>Existing Land Use</i>	<i>Policy Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
Site:	Vacant	Business Park (0.6 FAR)	Merrill Commerce Center Specific Plan	Business Park / Airport Overlay District (City of Chino)
North:	Dairy Farm	Mixed Use – Eucalyptus / Chino Airport Overlay (MU-EU 25.0 to 45.0 du/ac; 2.0 FAR Mixed Use; 0.60 FAR Business Park)	Specific Plan, Agricultural Overlay, and Airport Overlay District (City of Chino)	N/A
South:	Warehouse	Industrial (0.55 FAR)	Merrill Commerce Center Specific Plan Industrial / Airport Overlay District (City of Chino)	Industrial / Airport Overlay District (City of Chino)
East:	Vacant	Business Park (0.6 FAR)	Merrill Commerce Center Specific Plan Business Park	Business Park
West:	Vacant	Business Park (0.6 FAR)	Merrill Commerce Center Specific Plan Business Park	Business Park

Table 2: General Site & Building Statistics

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Minimum lot/parcel size (in SF):</i>	43,560 SF	251,318 SF	Y
<i>Building Area:</i>		108,674 SF	Y
<i>Floor Area Ratio:</i>	0.60 Max	0.43	Y

Table 3: Parking Summary

<i>Type of Use</i>	<i>Building Area</i>	<i>Trailer Parking</i>		<i>Vehicle Spaces</i>	
		<i>Required</i>	<i>Provided</i>	<i>Required</i>	<i>Provided</i>
Warehouse	108,674 SF	4	4	65	127
TOTAL:				65	127

Exhibit A: PROJECT LOCATION MAP



Exhibit B: SITE PLAN

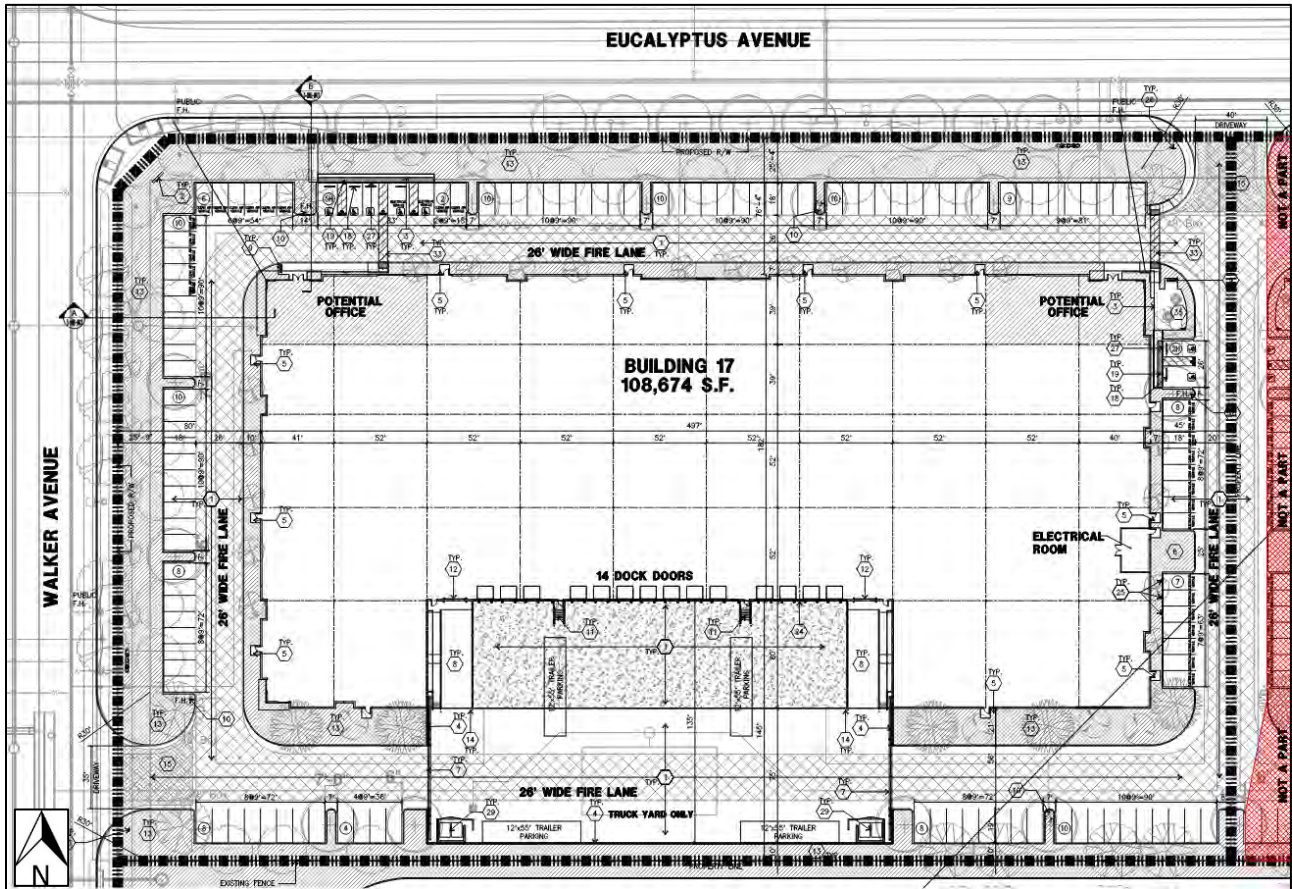


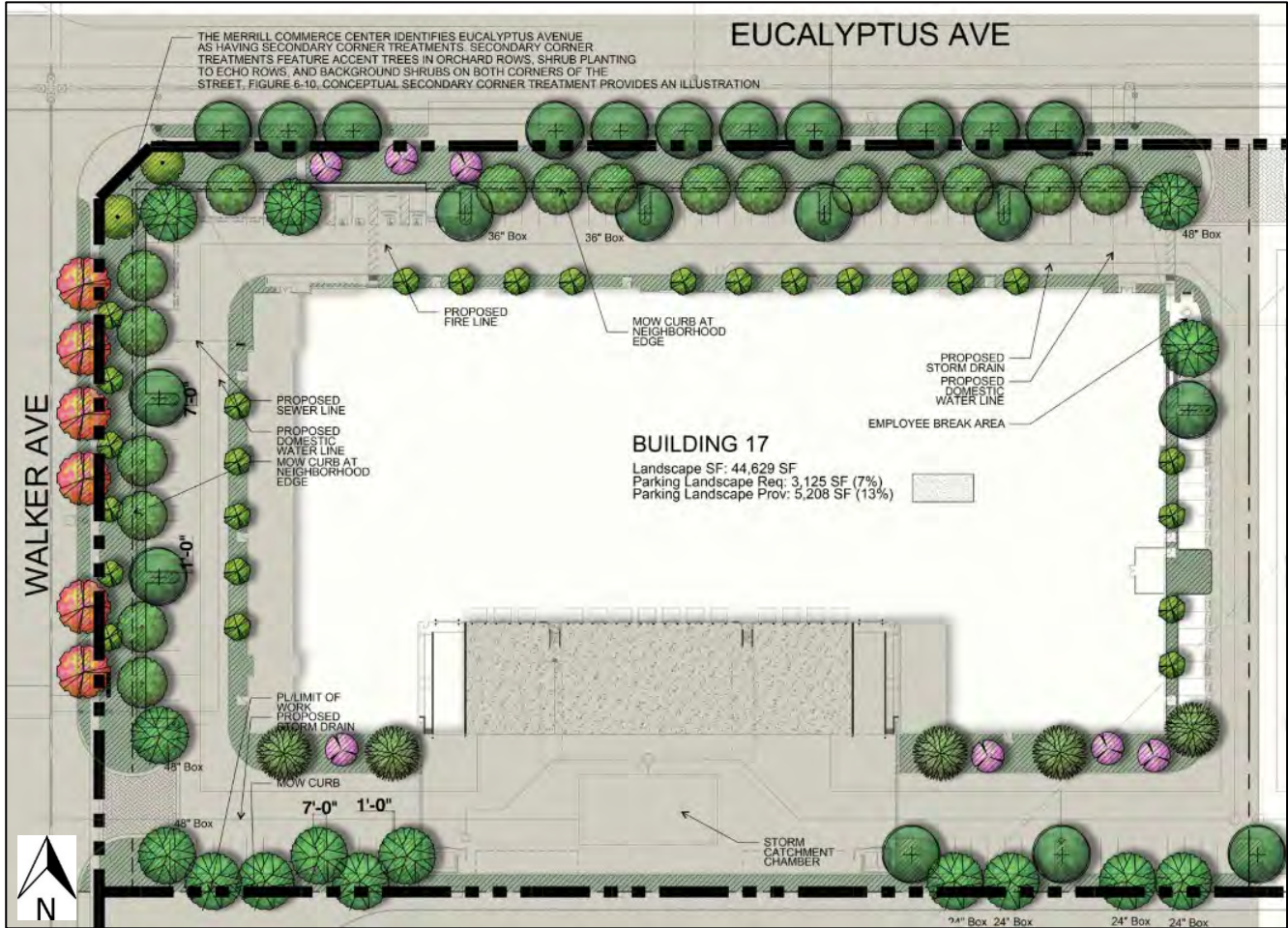
Exhibit C: EXTERIOR ELEVATIONS



Exhibit C: RENDERINGS FROM EUCALYPTUS AVENUE



Exhibit D: LANDSCAPING PLAN



DECISION NO.: [insert #]

FILE NO.: PDEV22-039

DAB Hearing Date: July 15, 2024

SUBJECT: A Development Plan to construct one industrial warehouse building totaling 108,674 square feet on 5.8 acres of land located at 1580 East Eucalyptus Avenue, within the PA-3A (Business Park) land use district of the Merrill Commerce Center Specific Plan. (APN: 1054-161-05)

PART 1: RECITALS

WHEREAS, Prologis, L.P. (hereinafter referred to as "Applicant") filed an Application requesting approval of Development Plan, File No. PDEV22-039, as described in the Subject of this Decision (herein after referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 5.8 acres of land generally located on the southeast corner of Eucalyptus Avenue and Walker Avenue and is presently vacant; and

WHEREAS, the Project site is located within the Business Park land use district of the Merrill Commerce Center Specific Plan, and Chino Airport (CNO) Overlay; and

WHEREAS, the proposed Project includes the construction of a 108,674 square-foot industrial warehouse building and associated site improvements, resulting in a floor area ratio (FAR) of 0.43; and

WHEREAS, the Project site will have one access point from Eucalyptus Avenue and one access point from Walker Avenue; and

WHEREAS, the Project requires 65 off-street vehicle parking spaces and 4 trailer parking spaces, and will provide 127 off-street parking spaces and 4 trailer parking spaces; and

WHEREAS, 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; and

WHEREAS, the Merrill Commerce Center Specific Plan requires a minimum of 10 percent landscape coverage, and 17.8 percent has been provided; and

WHEREAS, the Project includes right-of-way improvements (street, curb, gutter, sidewalk, 8-foot-wide multi-purpose trail, and parkway) along Walker Avenue and Eucalyptus Avenue; and

WHEREAS, the Project will be required to construct infrastructure improvements per the Development Agreement (File No. PDA18-004) and requirements of the Merrill Commerce Center Specific Plan; and

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

WHEREAS, the Merrill Commerce Center Environmental Impact Report (State Clearinghouse No. 2019049079) was certified by the City Council on February 2, 2021 ("Certified EIR") in conjunction with File Nos. PGPA18-003 and PSP18-001, in which development and use of the Project site was discussed; 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, the Project is also located within the Chino Airport Overlay Zoning District (hereinafter referred to as "CNO OZD" and Reference I, Chino Airport Land Use Compatibility Plan (hereinafter referred to as CNO ALUCP) established in the City of Ontario Development Code. As the decision-making body for the Subdivision, the DAB has considered and reviewed the facts and information contained in the Application and supporting documentation against the ONT ALUCP and CNO ALUCP compatibility

factors, including safety, Airspace Protection, Overflight. As a result, the DAB therefore finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ONT ALUCP and the CNO ALUCP; 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 15, 2024, 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 2: 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 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 Nos. PGPA18-003 and PSP18-001, a General Plan Amendment and Specific Plan for which an Environmental Impact Report (State Clearinghouse No. 2019049079) ("Certified EIR") was adopted by the City Council on February 2, 2021; and
- (2) The Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- (3) 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 proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the Certified EIR, and all mitigation measures proposed in 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 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 prepared, 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 decision-making 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: 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.

(1) 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.

(2) On August 22, 2022, the City Council of the City of Ontario approved and adopted a Development Code Amendment to establish the Chino Airport (“CNO”) Overla Zoning (“OZD”) and Reference I, Chino Airport Land Use Compatibility Plan (“CNO ALUCP”). The CNO OZD and CNO ALUCP established the Airport Influence Area for Chino Airport, solely within the City of Ontario, and limits future and uses and development within the Airport Influence Area, as they relate to safety, airspace protection, and overflight impacts of current and future airport activity. The CNO ALUCP is consistent with policies and criteria set forth within the Caltrans 2011 California Airport Influence Area of Chino Airport and was evaluated and found to be consistent with the California Airport Land Use Planning Handbook and the CNO ALUCP. As the decision-making body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the CNO ALUCP compatibility factors, including Safety, Airspace Protection, Overflight. As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set

SECTION 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I and II, above, and the determinations set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Business Park land use district of the Policy Plan Land Use Map, and the Business Park land use designation of the Merrill Commerce Center Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (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 Merrill Commerce Center Specific Plan, 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 Merrill Commerce Center Specific Plan are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Merrill Commerce Center 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 Merrill Commerce Center Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (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 Merrill Commerce Center Specific Plan.

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

SECTION 8: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the

Development Advisory Board Decision

File No. PDEV22-039

July 15, 2024

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 15th day of July 2024.

Development Advisory Board Chairman

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: 6/24/2024

File No: PDEV22-039

Related Files: PMTT20-010

Project Description: A Development Plan to construct one industrial warehouse building totaling 108,674 square feet on 5.8 acres of land located at 1580 East Eucalyptus Avenue, within the PA-3A (Business Park) land use district of the Merrill Commerce Center Specific Plan; (APN: 1054-161-05); **submitted by Prologis, L.P.**

Prepared By: Jocelyn Torres, Associate Planner
Phone: 909.395.2424 (direct)
Email: jocelyntorres@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) The Project shall provide outdoor amenities such as employee break areas and include tables, seating and shade opportunities, subject to Planning Department review and approval.

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

(d) 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.

(e) 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 Refuse Storage (Trash Enclosures).

(a) All refuse shall be stored in an appropriate container. Furthermore, all refuse containers shall be stored within a City-approved enclosure, which shall be designed so as to be consistent with the building architecture on the project site.

(b) The number of enclosures, and their precise locations, dimensions, and design shall be provided consistent with the Solid Waste Department Refuse and Recycling Planning Manual (the manual may be obtain online at http://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-UtilitiesCompany/planning_manual-2016_update.pdf).

(c) Signs clearly identifying all recycling and refuse collection areas, and the materials accepted for recycling shall be posted adjacent to all points of access to each trash enclosure.

2.6 Parking, Circulation and Access.

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

(b) 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) The use of compact parking spaces is not permitted.

(g) Wheel stops shall be provided where necessary, to protect structures and parked vehicles.

(h) Striping of parking spaces, aisles, and driveways conforming to the provisions of Development Code Division 6.03 (Off-Street Parking and Loading), and directional signs conforming to the provisions of Development Code Division 8.01 (Sign Regulations), shall be provided.

(i) 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.

2.7 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

2.8 Site Lighting.

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

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

(c) Site lighting shall be reviewed and approved by the Planning and Police Departments prior to the issuance of building permits.

2.9 Mechanical and Rooftop Equipment.

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

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

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

2.11 Signs.

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

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

2.13 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.

2.14 Environmental Requirements.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP18-001, a Specific Plan for which the Merrill Commerce Center Specific Plan Environmental Impact Report (State Clearinghouse No. 2019049079) was previously adopted by the City Council on February 2, 2021. This application introduces no new significant

environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act ("CEQA")" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by this reference.

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

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

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

2.16 Additional Fees.

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

2.17 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.

2.18 Additional Requirements.

(a) All tower elements on the building(s) shall be fully walled and finished on all sides and include detailing appropriate to the architectural style proposed, so as to be a fully

three-dimensional, four-sided element of the building, to the satisfaction of the Planning Director. The term "tower elements" means architectural elements of the building that are that are substantially taller than the adjacent parapet wall or roof, as determined by the Planning Director.

(b) At building corners, where conditions exist that would allow the public to view the back (interior) side of parapet walls resulting from changes in parapet heights, the raised parapet area shall be constructed so as to be a fully three-dimensional, four-sided element of the building, to the satisfaction of the Planning Director.

(c) The Project shall comply with the multipurpose trail and neighborhood edge requirements outlined within the Merrill Commerce Center Specific Plan.

(d) All applicable conditions of approval of the Development Agreement (File No. PDA18-004) shall apply to this Development Plan.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
Henry Noh, 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 Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Nathan Pino, Engineering
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IT Department
Blaine Ishii, Integrated Waste

FROM: Jocelyn Torres, Associate Planner

DATE: April 24, 2024

SUBJECT: FILE #: PDEV22-039 **Rev. #4** 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 (1) industrial warehouse building totaling 108,674 square feet on 5.8 acres of land located at 1580 E. Eucalyptus Ave, within the PA-3A (Business Park) land use district of the Merrill Commerce Center Specific Plan (APN: 1054-161-05).

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.

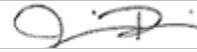
Landscape Planning Division *Jamie Richardson*

Sr. Landscape Architect 05/02/2024

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

CONDITIONS OF APPROVAL

Sign Off



05/02/2024

Jamie Richardson, Sr. Landscape Architect

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Architect

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV22-039

Case Planner:

Jocelyn Torres

Project Name and Location:

Industrial Bldg
 1580 E Eucalyptus Ave

Applicant/Representative:

HPA, Inc.
 18831 Bardeen Avenue, Suite 100
 Irvine, CA 92612



Preliminary Plans (dated 04/24/2024) 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.



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. Corners; verify dimension and grade for required monumentation; show any conceptual monumentation.
2. Coordinate any monumentation with Engineering for any required easements for maintenance.
3. DG trails and parkways at corners (Walker Ave.) shall have the trail curve into the sidewalk rather than out to the corner ramp; OK to end the parkway landscape before corner utilities.
4. 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.
5. Show and dimension transformers set back 5' from paving all sides. Coordinate with landscape plans.
6. Show the dimension for 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. Show corner ramp and sidewalk per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind corners.
9. Note for compaction to be no greater than 85% in landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
10. 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.
11. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or stormwater infiltration areas are located

shall be loosened by soil fracturing. For trees, a 12'x12'x18" deep area; for stormwater infiltration, the entire area shall be loosened. Add the following information on the plans: The backhoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The backhoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference, see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

12. 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.
13. Locate light standards, fire hydrants, water, and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans.
14. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
15. Show corner ramp and sidewalk per city standard drawing 1213.
16. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
17. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV22-039

Address: 1580 & 1660 East Eucalyptus Avenue

APN: 1054-161-03 & 1054-161-01

Existing Land Use: Vacant

Proposed Land Use: Development Plan to construct 2 industrial buildings totaling 217,348 SF

Site Acreage: 11.53 Proposed Structure Height: 46 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT and Chino

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jocelyn Torres

Date: 3/27/2023

CD No.: 2022-068

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 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: <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: 115 - 130 FT

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.

The project is located within Safety Zones 4 & 6 of the Chino Airport Influence Area, the project shall include an exhibit showing how open land requirements are being met (see Attached criteria and example). Also, please see the additional attached comments.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2022-068
PALU No.: _____

PROJECT CONDITIONS

1. Provide an exhibit that includes an acreage breakdown showing the amount of land located in each Safety Zone (4 and 6). Airport Planning Staff will work with you to create an exhibit that shows how Open Land Criteria is being met for the project within each Safety Zone. See the attached example.
2. Open Land must have a minimum dimensions of (75 feet by 300 feet). Open Land area must be free of structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires. Streets are acceptable locations to meet open land requirements. Interior truck yards are also an acceptable location for meeting the open land requirements. The area within the truck yard designated for open land shall be free of permanent structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires.
4. The project site is located within an area where 115 foot building heights are allowed. Allowable building heights gradually decrease from the southeast to the northwest corner of the project site from 130 FT to 115 FT. However, given its close proximity to Chino the applicant has been required to file for an Obstruction Evaluation with the FAA and receive a Determination of No Hazard for any cranes or construction equipment that may exceed 100 FT in height.
5. The proposed building uses shall meet the Site-wide Average and Single-Acre Intensity Calculations, please coordinate with the Airport Planning Division at 909-395-2276 or lmejia@ontarioca.gov. Provide a site plan that provides building square footages, floor plans with uses and Safety Zone information on a separate exhibit to analyze intensity calculations (See attached example).

Chino Airport Safety Zones

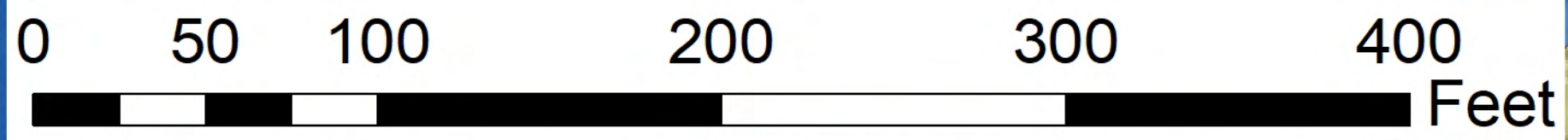
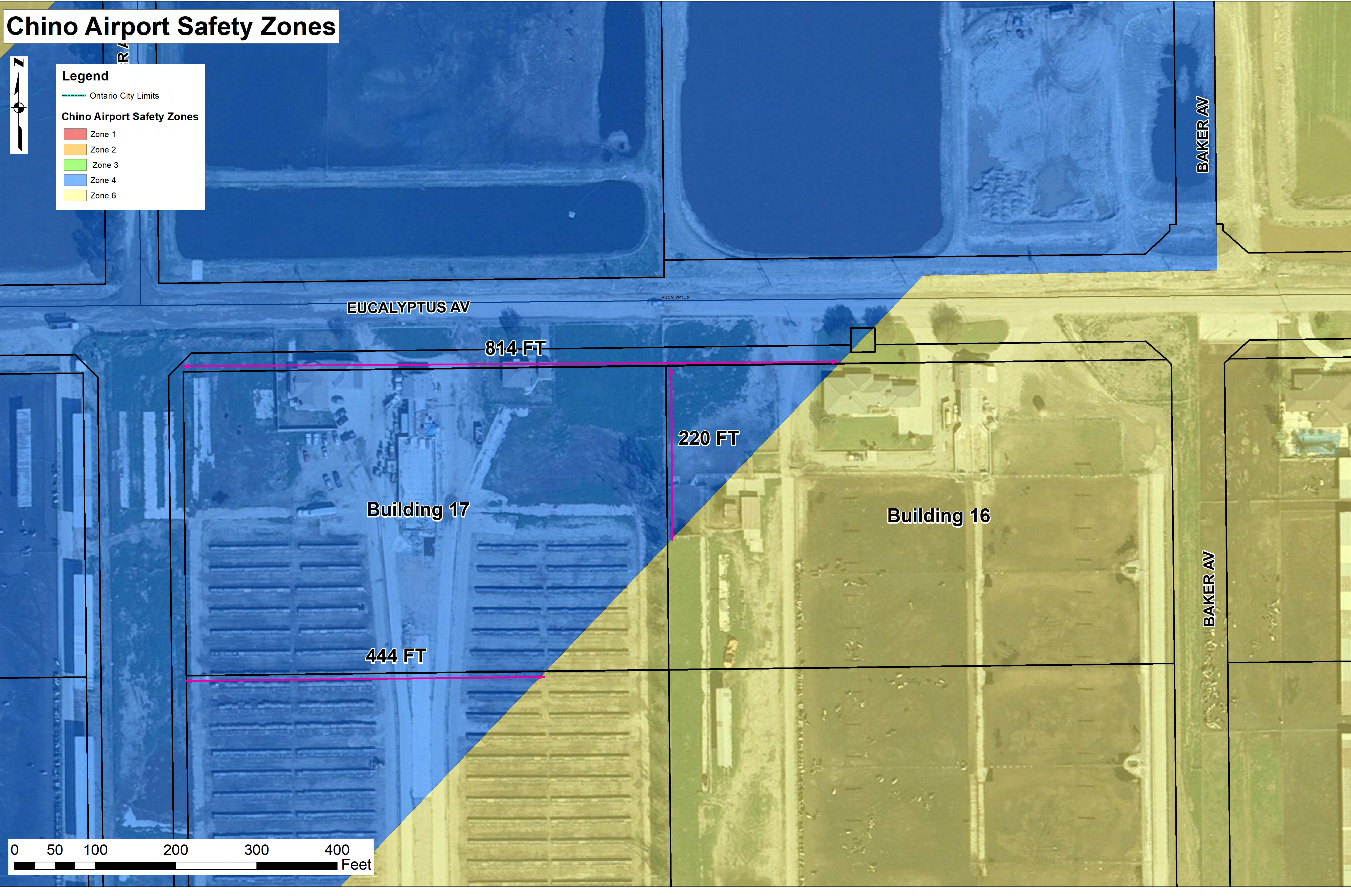


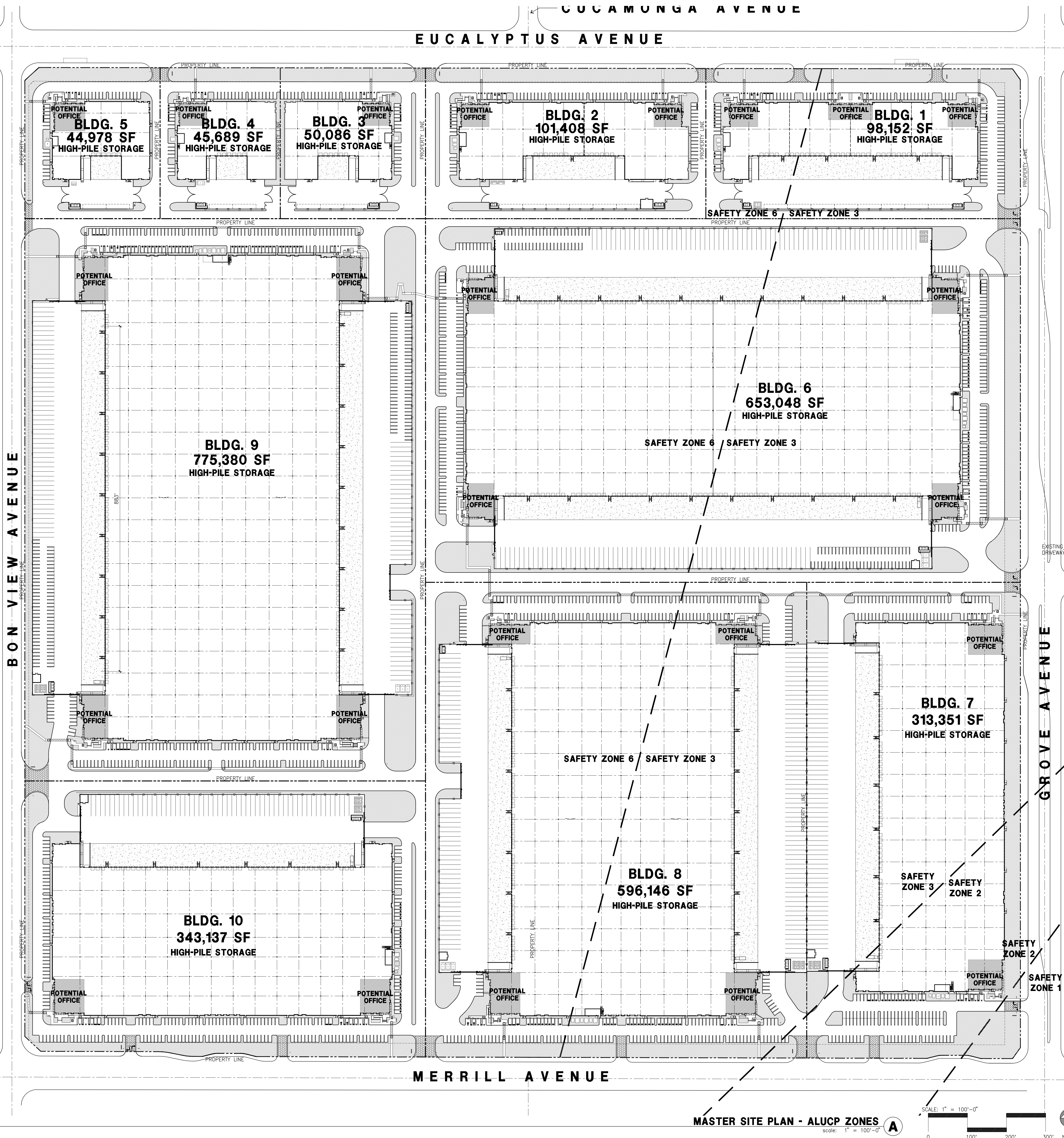
Legend

— Ontario City Limits

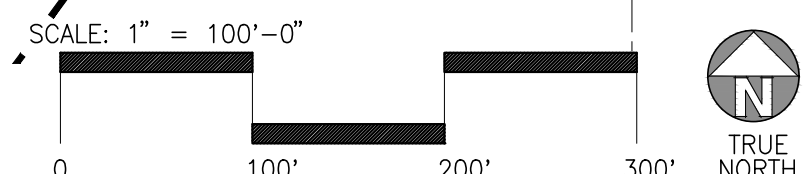
Chino Airport Safety Zones

- Zone 1
- Zone 2
- Zone 3
- Zone 4
- Zone 6





MASTER SITE PLAN - ALUCP ZONES



ALUCP ZONE CALCULATIONS

Building No.	Overall Site Acres	Safety Zone				
		1	2	3	6	Outside
Building 1	7.06	0.00	0.00	4.89	2.17	0.00
Building 2	6.33	0.00	0.00	0.00	6.33	0.00
Building 3	3.29	0.00	0.00	0.00	3.29	0.00
Building 4	2.71	0.00	0.00	0.00	2.71	0.00
Building 5	3.06	0.00	0.00	0.00	3.06	0.00
Building 6	32.49	0.00	0.00	15.05	16.84	0.00
Building 7	15.25	0.35	4.32	10.58	0.00	0.00
Building 8	27.20	0.00	0.14	12.99	14.07	0.00
Building 9	33.84	0.00	0.00	0.00	33.84	0.00
Building 10	16.46	0.00	0.00	0.00	16.46	0.00
TOTAL	147.67	0.35	4.46	44.11	98.75	0.00

Building No.	Building Overall S.F.	Warehouse S.F.					Office S.F.					Total
		Zone 1	Zone 2	Zone 3	Zone 6	Outside	Zone 1	Zone 2	Zone 3	Zone 6	Outside	
Building 1	98,152	0	0	58,468	30,684	0	0	0	6,000	3,000	0	98,152
Building 2	101,408	0	0	0	92,408	0	0	0	0	9,000	0	101,408
Building 3	50,086	0	0	0	45,086	0	0	0	0	5,000	0	50,086
Building 4	45,689	0	0	0	41,189	0	0	0	0	4,500	0	45,689
Building 5	44,978	0	0	0	40,578	0	0	0	0	4,400	0	44,978
Building 6	653,048	0	0	286,252	340,796	0	0	0	13,000	13,000	0	653,048
Building 7	313,351	0	84,885	212,366	0	0	0	8,000	8,000	0	0	313,351
Building 8	596,146	0	0	284,944	285,202	0	0	0	13,000	13,000	0	596,146
Building 9	775,380	0	0	0	749,380	0	0	0	0	26,000	0	775,380
Building 10	343,137	0	0	0	327,137	0	0	0	0	16,000	0	343,137
TOTAL	3,021,375	0	84,885	842,030	1,952,460	0	0	8,000	40,000	93,900	0	3,021,375

LEGEND

--- SAFETY ZONE BOUNDARY LINE



hpa, inc.
18831 bardeen avenue - ste. #100
irvine, ca
92612
tel: 949-863-1770
fax: 949-863-0851
email: hpa@hparchs.com



Owner:



Address: 4450 MacArthur Blvd #100,
Newport Beach, CA 92660
Phone: (949) 216-7300

Project:

SOUTH ONTARIO
LOGISTICS CENTER

ONTARIO, CALIFORNIA

Consultants:

CIVIL Thienes Engineering
STRUCTURAL
MECHANICAL
PLUMBING
ELECTRICAL Hunter Landscape
LANDSCAPE
FIRE PROTECTION
SOILS ENGINEER

Title: ALUCP SITE PLAN

Project Number: 18533

Drawn by: X.L.

Date: 07/19/22

Revision:

Sheet:

DAB-A1.0A

Primary Open Land Area
Eucalyptus Avenue (Half Street Credit)
42 FT x 2,500 FT = 105,000 SF
2.4 Acres

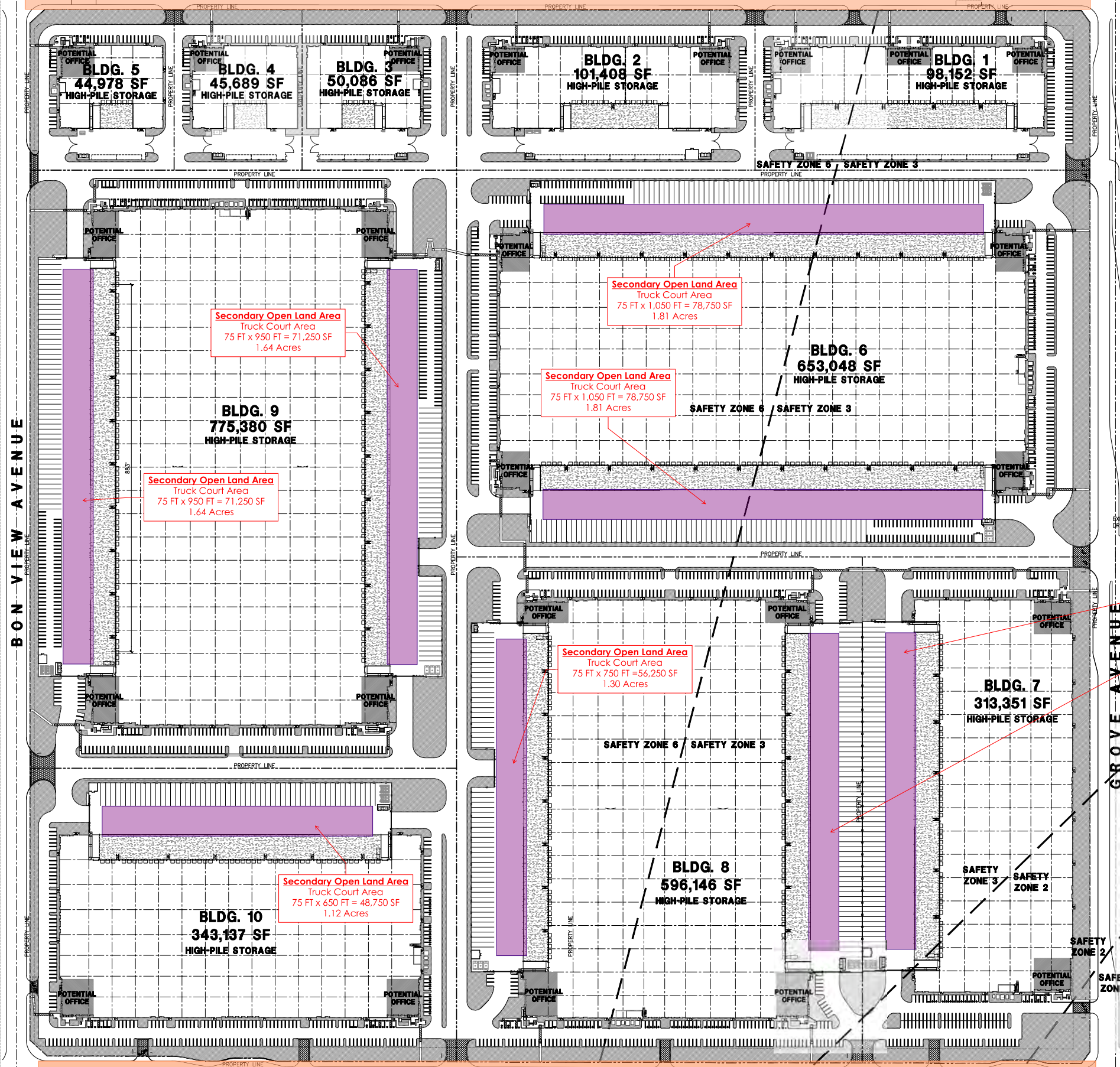
Safety Zone Open Land Calculations
Project Site within Safety Zone 1 = 0.35 acres
100% Open Land required = 0.35 acres

Project Site within Safety Zone 2 = 4.46 acres
25% Open Land required = 1.12 acres

Project Site within Safety Zone 3 = 44.11 acres
15% Open Land required = 6.62 acres

Project Site within Safety Zone 6 = 98.75 acres
10% Open Land required = 9.88 acres

Total Open Land Required = 17.97 acres
Total Open Land Provided = 18.62 acres



Secondary Open Land Area
Truck Court Area
75 FT x 1,050 FT = 78,750 SF
1.81 Acres

Secondary Open Land Area
Truck Court Area
75 FT x 1,050 FT = 78,750 SF
1.81 Acres

Secondary Open Land Area
Truck Court Area
75 FT x 950 FT = 71,250 SF
1.64 Acres

Secondary Open Land Area
Truck Court Area
75 FT x 950 FT = 71,250 SF
1.64 Acres

Secondary Open Land Area
Truck Court Area
75 FT x 750 FT = 56,250 SF
1.30 Acres

Secondary Open Land Area
Truck Court Area
75 FT x 750 FT = 56,250 SF
1.30 Acres

Secondary Open Land Area
Truck Court Area
75 FT x 750 FT = 56,250 SF
1.30 Acres

Secondary Open Land Area
Truck Court Area
75 FT x 650 FT = 48,750 SF
1.12 Acres

ALUCP ZONE CALCULATIONS

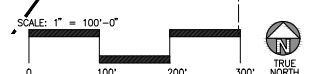
Building No.	Overall Site Acres	Safety Zone				
		1	2	3	6	Outside
Building 1	7.06	0.90	0.00	4.89	2.17	0.00
Building 2	6.33	0.90	0.00	0.00	6.33	0.00
Building 3	3.29	0.90	0.00	0.00	3.29	0.00
Building 4	2.71	0.90	0.00	0.00	2.71	0.00
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Building 8	27.20	0.90	0.14	12.99	14.07	0.00
Building 9	33.84	0.90	0.00	0.00	33.84	0.00
Building 10	16.46	0.90	0.00	0.00	16.46	0.00
TOTAL	147.87	0.25	4.46	44.11	98.75	0.00

Building No.	Building Overall S.F.	Warehouse S.F.					Office S.F.					Total
		Zone 1	Zone 2	Zone 3	Zone 6	Outside	Zone 1	Zone 2	Zone 3	Zone 6	Outside	
Building 1	98,152	0	0	58,468	30,684	0	0	0	6,000	3,000	0	98,152
Building 2	101,408	0	0	0	92,408	0	0	0	9,000	0	0	101,408
Building 3	50,086	0	0	0	45,086	0	0	0	5,000	0	0	50,086
Building 4	45,689	0	0	0	41,199	0	0	0	4,500	0	0	45,689
Building 5	44,978	0	0	0	40,578	0	0	0	4,400	0	0	44,978
Building 6	653,048	0	0	286,252	340,796	0	0	0	13,000	13,800	0	653,048
Building 7	313,351	0	84,985	212,366	0	0	0	8,000	8,000	0	0	313,351
Building 8	596,146	0	0	284,944	285,202	0	0	13,000	13,800	0	0	596,146
Building 9	775,380	0	0	0	749,380	0	0	0	26,000	0	0	775,380
Building 10	343,137	0	0	0	327,137	0	0	0	16,800	0	0	343,137
TOTAL	3,021,375	0	84,985	842,030	1,952,480	0	0	8,000	40,000	93,800	0	3,021,375

LEGEND

--- SAFETY ZONE BOUNDARY LINE

Primary Open Land Area
Merrill Avenue
75 FT x 2,500 FT = 187,500 SF
4.3 Acres



hpa, inc.
18831 barden avenue, - ste. #100
irvine, ca 92612
tel: 949-863-1770
fax: 949-863-0851
email: hpa@hparchs.com



Owner:



Address: 4150 MacArthur Blvd #100,
Newport Beach, CA 92660
Phone: (949) 216-7300

Project:

SOUTH ONTARIO LOGISTICS CENTER

ONTARIO, CALIFORNIA

Consultants:

- CIVIL STRUCTURAL MECHANICAL PLUMBING ELECTRICAL LANDSCAPE FIRE PROTECTION SOILS ENGINEER
- Thienes Engineering
- Hunter Landscape

Title: ALUCP SITE PLAN

Project Number: 18533
Drawn by: X.L.
Date: 07/19/22
Revision:

Sheet:

DAB-A1.0A



CITY OF ONTARIO MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Land Development Division, Environmental Section, Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

PROJECT ENGINEER: Miguel Sotomayor, P.E., Senior Associate Engineer *MS*
(909) 395-2108

PROJECT PLANNER: Jocelyn Torres, Associate Planner - (909) 395-2424

DAB MEETING DATE: July 15th, 2024

PROJECT NAME/DESCRIPTION: PDEV22-039 A Development Plan to construct one industrial building totaling 108,674 square feet on 5.8 acres of land located within the Industrial land use district of the Merrill Commerce Center Specific Plan

LOCATION: SEC Walker Avenue and Eucalyptus Avenue

APPLICANT: Prologis, L.P.

REVIEWED BY: *Raymond Lee*
Raymond Lee, P.E.
Assistant City Engineer
6/24/24
Date

APPROVED BY: *Khoi Do*
Khoi Do, P.E.
City Engineer
6-24-24
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.

1. The applicant/developer shall comply with the requirements specified in the Merrill Commerce Center Specific Plan, the Development Agreement (PDA18-004), and the Conditions of Approval for TPM-20273.
2. The applicant/developer shall be responsible to pay all applicable Development Impact Fees (DIF) to the Building Department prior to Building Permit issuance. Storm Drain Development Impact Fee shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.
3. 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>.

4. The applicant/developer shall be responsible to design and construct the necessary pavement and striping transitions from existing roadway conditions to the widened roadway portions along all project frontages. Striping improvements shall include the removal existing interim signing and striping beyond the project frontage limits and the installation of ultimate signing and striping necessary to accommodate fully widened street improvements. Provide conceptual layouts with lane widths for the signalized intersections to determine lane alignment between widened and existing roadways.
5. Design and construct proposed driveways in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway.
6. Baker Avenue, Eucalyptus Avenue and Walker Avenue shall be signed “No Parking or No Stopping Anytime” along the property frontage.
7. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.
8. The applicant/developer’s engineer-of-record shall meet with City Engineering staff prior to designing and submitting for plan check the signing/striping, street lighting and traffic signal design plans to define limits of improvements.
9. The applicant/developer shall provide a reciprocal access and drainage easement for the benefit of building 17 and future building 16.
10. Please see attached OMUC Conditions of Approval.



CITY OF ONTARIO MEMORANDUM



DATE: May 22, 2024
TO: Miguel Sotomayor, Engineering Department
CC: Jocelyn Torres, Planning Department
FROM: Eric Woosley, Utilities Engineering
QC: CS
SUBJECT: DPR #5 - Utilities Engineering Conditions of Approval (#10160)
PROJECT NO.: PDEV22-039

BRIEF DESCRIPTION

A Development Plan to construct one (1) industrial warehouse building totaling 108,674 square feet on 5.8 acres of land located at 1580 E. Eucalyptus Avenue, within the PA-3A (Business Park) land use zoning district of the Merrill Commerce Center Specific Plan (MCC SP) (APN: 1054-161-05).

UTILITIES ENGINEERING DIVISION CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL: *The Ontario Municipal Utilities Company (OMUC) recommends this application for approval subject to the conditions outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards.*

1. **Standard Conditions of Approval:** Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below.

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. **Inherited Requirements:** This project is subject to all the requirements set forth in the Conditions of Approval of Parcel Map 20273 and the requirements approved in the Development Agreement (PDA18-004) and shall be shown on the Utilities Systems Map. Any conflict in Conditions of Approval, the Conditions for this Project will supersede.
3. **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.
 - a. The proposed utilities, utility alignments, and Public Rights-of-Way (ROW)/Public Utility Easements (PUE) shown on the Conceptual Utilities Systems Map (CUSM) and other Entitlement documents are not considered final and shall be revised during Final Design to meet all City Design Guidelines, Standards, City Requirements, and all the Conditions of Approval contained in this document.
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 ROW 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. Existing Groundwater Wells: Existing groundwater wells shall be abandoned per County of San Bernardino and State of California Requirements prior to grading.

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

Sewer Improvements: Changes have been made to the required public sewer infrastructure. Sewer infrastructure conditions superseding pervious conditions inherited by this project are as follows:

- a. A 20-inch sewer main on Walker Avenue between Eucalyptus Avenue and Merrill Avenue.
- b. An 18-inch sewer main on Merrill Avenue between Baker Avenue and Walker Avenue.

7. Sewer Laterals: Per City of Ontario Standard Drawing No. 2003:
 - a. Install a sewer lateral connected to the new 20-inch sewer main in Walker Avenue.
8. On-Site Sewer System: The building shall have an onsite monitoring manhole prior to the point of connection with the Public Sewer System designed and constructed per City of Ontario Standard Drawing Nos. 2201 & 2203.

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

9. Public Water Improvements: Changes have been made to the required public potable water infrastructure. Potable water infrastructure conditions superseding previous conditions inherited by this project are as follows:
 - a. N/A
10. Fire Hydrants: Install fire hydrants along all frontages connected to the new respective potable water main per City of Ontario Standards. Fire hydrants connected to potable water mains shall be spaced a maximum of 300 feet apart or per Fire Department Standards/Requirements.
11. Fire Service with Fire System Double Check Detector Assembly (DCDA): Per City of Ontario Standard Drawing No. 4208:
 - a. Install two (2) fire services each equipped with a DCDA. Install one (1) connected to the new 24-inch water main in Eucalyptus Avenue, and one (1) connected to the new 12-inch water main in Walker Avenue. The on-site fire system downstream of the DCDA's shall be designed as a looped fire system.
12. Water Service with Meter and Backflow Prevention Assembly Reduced Pressure Device: Install a water service and meter connected to the respective potable water main per City of Ontario Standards. The water service shall be equipped with a backflow prevention device. The water meter shall be located within the ROW:
 - a. Connect to the new 24-inch potable water main in Eucalyptus Avenue and as required to the new 12-inch potable water main in Walker Avenue.
13. Phase 2 Water Improvements: Phase 2 Water Improvement payments shall be made by the Owner as described in the Development Agreement (DA18-004).

Recycled Water Conditions (Section 2.E): The Applicant shall comply with the following:

14. Public Recycled Water Improvements: Changes have been made to the required public recycled water infrastructure. Recycled water infrastructure conditions superseding previous conditions inherited by this project are as follows:
 - a. An 8-inch recycled water main on Eucalyptus Avenue between Vineyard Avenue and Grove Avenue.
 - b. An 8-inch recycled water main on Merrill Avenue between Vineyard Avenue and Walker Avenue.
 - c. A 12-inch recycled water main on Merrill Avenue between Carpenter Avenue and Vineyard Avenue; connected to the existing 12-inch recycled water main in Merrill Avenue west of Carpenter Avenue.
15. City Ordinance 2689: This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscaping irrigation. This includes:
 - a. Separate recycled water irrigation service and meter for each building's private landscape areas.
 - b. Separate recycled water irrigation services for the City maintained neighborhood edges and medians.
16. Recycled Water Irrigation Service and Meter: Install a separate recycled water irrigation service with a meter for each building connected to the respective recycled water main per City of Ontario Standards. The irrigation meter shall be located within the ROW:
 - a. Connect to the new 8-inch recycled water main in Walker Avenue.
17. Engineering Report: Submit one (1) electronic copy, in PDF format, of the Supplemental 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: The Division of Drinking Water review and approval process may take up to four (4) months. Contact the OMUC's Water Quality Programs at (909) 395-2678 or email OMUCWQPlanCheck@ontarioca.gov regarding this requirement. Failure to obtain an approval letter from the Division of Drinking Water authorizing the use of recycled water will delay meter installation and if applicable, occupancy release for new developments.

Recycled Water Conditions (Section 3): The Applicant shall comply with the following:

18. Recycled Water Requirements: Complete all requirements for recycled water usage.
 - a. Procure from OMUC a copy of the letter of confirmation from the California State Water Board (Division of Drinking Water) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - b. 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.
 - c. Complete Site Supervisor training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.



UTILITIES SYSTEMS MAP (USM) REQUIREMENTS:

The USM shall meet, at a minimum, the following requirements:

1. **USM Content and Format:** The Utilities Systems Maps shall show all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems. This plan should include:
 - a. **Format:** The Utilities Systems plan at a minimum 1:100 scale (or large engineering scale as appropriate to show needed details) that clearly shows each existing and proposed utility and its relative location. This includes property lines, right-of-way, public utility easements, but should not include underlying existing topography, just proposed general grades. Use appropriate colors for each Utility type: blue for Potable Water; purple for Recycled Water; green for Sanitary Sewer; yellow-brown for storm Drain.
 - b. **Services and Laterals:** All Proposed Utility Service laterals for each parcel (potable water domestic, recycled water irrigation, potable/recycled water for process water, and sewer) and any associated appurtenances.
 - i. **Meter and Backflow Device Locations:** Show all proposed meters and required backflow devices located per City Standards (Water Services and Meters; Backflow Devices). Meters should be located in public rights-of-way or PUEs; either at the R/W (or PUE) line for curb adjacent sidewalks or at back of curb for all other cases. All water connections that serve more than one residential unit are required to have a backflow device installed behind the meter.
 - c. **Cross Sections (if applicable, for project construction new public mains):** Scaled cross sections showing the utility layout on the Utility Systems Map (Utility Plan) for each public street, private street and Public Utility Easement (PUE). The cross sections shall show the location and size of each utility and annotate the property/ROW lines, the type of finished surface material, the distance of each utility from centerline, the depth from finished surface to top of pipe, and the distance between utilities (outside wall to outside wall).
 - d. **Points of Connections:** The locations of the points of connections to the existing utility systems, which can include breaks between the map area and the connection points with descriptions of the pipe size, type, use (pressure zone for water), and distance. An inset map can be used in addition to this to help provide clarity.
 - e. **Water Demand Table (if applicable, for projects within Ontario Ranch/NMC):** Add a Water Demand Table to the Utility Systems Map (Utility Plan) that calculates the project's domestic water use based on land use category (residential, commercial, and OS-R/Parks) and the number of units. The table shall state demand in terms of Average Daily Demand (ADD from Table 4-8 of the Water Master Plan) and Water Demand Equivalent (WDE / Net MDD from Exhibit C-2R of the NMC Construction Agreement; WDEs only if NMC). It should also identify the quantity of units in each category and the specific lots that are included in that category. Please Note that master planned lines are designed using gross acreage densities for all projected water use from residential categories.
 - i. See Attached Sheet for WDT Example.
 - f. **Phasing Plan (if applicable):** As separate exhibits, provide a proposed phasing plan showing the phasing of the infrastructure and the number and type (TOP land use category) of units in each phase.
 - i. All phases must have: a connection to public sewer; a two separate looped connections to the potable water system, where no one closing of a main segment results in any part of any of any phase being without potable water.



- ii. For public water mains in all phases, dead-end water lines (temporary or permanent) are limited to serving 28 dwelling units or a maximum of 600 linear feet, whichever comes first. Otherwise a looped water system with at least two (2) points of connection to the primary public system is required.
- g. **Private Onsite Systems versus Public Systems within PUEs for Residential Tract Map Project****(if applicable)**; the following requirements apply when to delineating between Private and Public Systems:
- i. Current Standard Drawing No. 1304 remains applicable and minimum health separation must be met.
 - ii. Public water mains will be accepted in longer alleys when it serves more than 6 meters.
 - iii. Public sewer mains will be accepted in alleys where the water is public.
 - iv. Public dead-end water mains will require a blow-off at the end and the alley should be designed to accommodate runoff from required water main flushing operations.
 - v. Public sewer mains in alleys will require a manhole at both ends of the main.
 - vi. Public meters serving more than one single family residential unit are considered as multifamily service with master meter and require: a backflow device after the meter, private HOA sub-metering for each unit, and a separate Fire Service with DCDA to provide private onsite fire service.



CITY OF ONTARIO

MEMORANDUM

TO: Jocelyn Torres, Associate Planner
Planning Department

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

DATE: May 6, 2024

SUBJECT: PDEV22-039 - A Development Plan to construct one (1) industrial warehouse building totaling 108,674 square feet on 5.8 acres of land located at 1580 E. Eucalyptus Ave, within the PA-3A (Business Park) land use district of the Merrill Commerce Center Specific Plan (APN: 1054-161-05). (Rev. 4)

-
- The plan **does** adequately address Fire Department requirements at this time.
- See previous conditions.
-



CITY OF ONTARIO

MEMORANDUM

TO: Jocelyn Torres, Associate Planner
Planning Department

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

DATE: September 29, 2022

SUBJECT: PDEV22-039 - A Development Plan to construct two (2) industrial buildings totaling 217,348 square feet on 11.53 acres of land located at 1580 and 1660 E Eucalyptus Ave, within PA-1 (Business Park) land use district of the Ontario Ranch Business Park Specific Plan (APN(s): 1054-161-03 & 1054-161-01).

-
- 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 III-B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 2 Buildings, 108,674 Sq. Ft. Each
- D. Number of Stories: 1 with Mezzanine
- E. Total Square Footage: 108,674 Sq. Ft. x 2
- F. 2019 CBC Occupancy Classification(s): S

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 4000 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.
- ☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- ☒ 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.
- ☒ 4.5 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.
- ☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



CITY OF ONTARIO

MEMORANDUM

TO: Jocelyn Torres, Associate Planner

FROM: Heather Lugo, MA, Police Department

DATE: April 24, 2024 – Rev #4

SUBJECT: PDEV22-039 - A Development Plan to construct one (1) industrial warehouse building totaling 108,674 square feet on 5.8 acres of land located at 1580 E. Eucalyptus Ave, within the PA-3A (Business Park) land use district of the Merrill Commerce Center Specific Plan (APN: 1054-161-05).

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.



DEVELOPMENT ADVISORY BOARD AGENDA REPORT

July 15, 2024

303 East B Street, Ontario, California 91764 / Phone: 909.395.2036 / Email: PlanningDirector@OntarioCA.gov

FILE NO: PDEV23-008

SUBJECT: A hearing to consider a Development Plan to construct a 55-foot-tall stealth mono-eucalyptus wireless telecommunications facility with a 562 square foot equipment enclosure on 4.07-acres for property located at 2534 South Archibald Avenue, within the CC (Community Commercial) zoning district (APN:1083-011-09); **submitted by New Cingular Wireless PCS, LLC dbd AT&T Mobility.**

PROPERTY OWNER: City of Ontario

RECOMMENDED ACTION: That the Development Advisory Board consider and approve File No. PDEV23-008, pursuant to the facts and reasons contained in the staff report and attached Decision, and subject to the conditions of approval appended to the attached Decision as "Attachment A."

BACKGROUND: On April 6, 2023, the Applicant submitted a Development Plan (File No PDEV23-008) application to construct a 55-foot-tall stealth Mono-Eucalyptus wireless telecommunications facility with a 562 square foot equipment enclosure on the project site.

PROJECT SETTING: The project site is comprised of 4.07 acres of land within an existing commercial shopping center located at 2534 South Archibald Avenue within the CC (Community Commercial) zoning district. The proposed wireless facility and equipment enclosure will be located in an underutilized area of the shopping center to avoid impacts to any existing or future commercial uses. The overall project site is generally surrounded by other commercial uses which is depicted in Exhibit A: Project Location Map, attached. The existing land uses, Policy Plan (general plan) and zoning designations, and specific plan land designations are provided in Table 1 of the Technical Appendix, on and surrounding the project site are as follows:

PROJECT ANALYSIS:

(1) Development Plan

(a) Wireless Facility — The Applicant proposes to construct a 55-foot-tall mono-eucalyptus stealth wireless facility on a 4.07-acres project site (see Exhibit A: Project Location Map, attached). The proposed wireless telecommunications facility will be located along the northwest corner of an existing parking lot located at 2534 South Archibald Avenue. The subject parking lot is City owned and operates to serve an existing

commercial shopping center that includes the Ontario Police Station, 24-Hour Fitness, Arby's restaurant, KFC restaurant, among others. (see Exhibit B: Site Plan, attached).

The stealth wireless antenna will measure 55-feet to the top of the antenna array and 60-feet in total height. The stealth design will mimic the shape and appearance of a live Eucalyptus tree by incorporating faux branches and foliage to screen the antennas from public views. The branches and artificial foliage will extend up to seven feet above the antennas and their mounting brackets, to provide a natural appearance to the facility. The trunk of the Eucalyptus tree (pole) will also be covered in faux bark to maintain the appearance of a real tree (see Exhibits D & E: Elevations, attached).

The proposed wireless facility will include a 562 square foot equipment enclosure to be constructed of split-face concrete block. The equipment enclosure area will house the facility's operating equipment, which will be setback approximately 25-feet from the 60-freeway off ramp located to the north of the subject property. The enclosure will screen the equipment from public views with an 8-foot-tall decorative masonry block wall. An 8-foot metal gate will be located on the east side of the enclosure to access the equipment for inspection and repairs. The proposed facility will increase wireless coverage within the immediate vicinity, as demonstrated on Exhibit F: Propagation Map, attached.

(b) Site Access/Circulation — The wireless telecommunications facility will be accessed from Archibald Avenue, via an existing driveway that provides access to the commercial shopping center and police station where the facility is located (see Exhibit B: Site Plan, attached).

(c) Parking — In accordance with the Wireless Telecommunications Facility parking standards specified in the Ontario Development Code, the project requires one off-street parking space to be provided onsite for wireless carrier personnel to access and maintain the site. One designated parking space for the wireless facility has been provided adjacent to the proposed equipment enclosure.

(d) Landscaping — The Development Code requires wireless telecommunications facilities to be landscaped and to be blended with groupings of real trees to give them a more natural appearance. The proposed project will provide 36-inch box Carrotwood, London Plane, and Coast Live Oak Trees, as the live landscaping for the proposed wireless facility. The selected tree species are compatible with existing trees in the surrounding area (see Exhibit C: Landscape Plan, attached).

(e) 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.

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 Agenda Report, Planning Department staff has not received any written or verbal communications from the owners or occupants 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 appended to the attached Decision as "Attachment A."

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
 - Focus Resources in Ontario's Commercial and Residential Neighborhoods
- (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:

- LU-1.3 Adequate Capacity. We require adequate infrastructure and services for all development.

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

Community Economics Element:

- 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:

➤ 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-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.

ENVIRONMENTAL REVIEW: The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines which consists of: (a) Construction and location of limited numbers of new, small facilities or structures. (b) Installation of small new equipment and facilities in small structures. (c) Conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

TECHNICAL APPENDIX:

Table 1: Surrounding Zoning and Land Uses

	<i>Existing Land Use</i>	<i>Policy Plan Land Use Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use Designation</i>
Site:	Parking lot and Commercial Shopping Center	General Commercial (GC)	Community Commercial (CC)	N/A
North:	60 Freeway	N/A	N/A	N/A
South:	Shopping Center and 24-Hour Fitness	General Commercial (GC)	Community Commercial (CC)	N/A
East:	Retail Uses (Arby's, KFC)	General Commercial (GC)	Community Commercial (CC)	N/A
West:	Ontario Police Station	General Commercial (GC)	Community Commercial (CC)	N/A

Exhibit A: PROJECT LOCATION MAP



Exhibit B: SITE PLAN

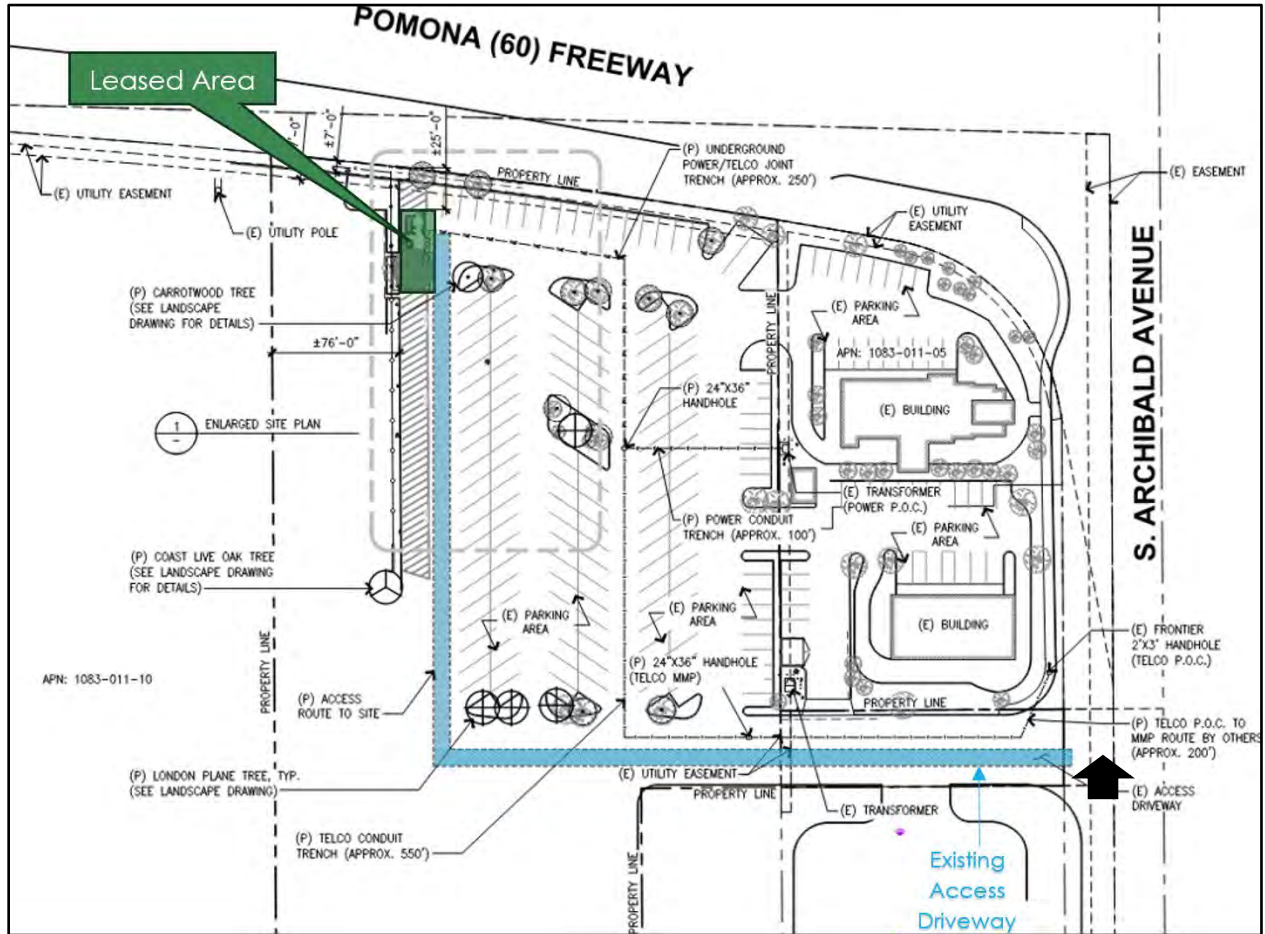


Exhibit C: LANDSCAPE PLAN

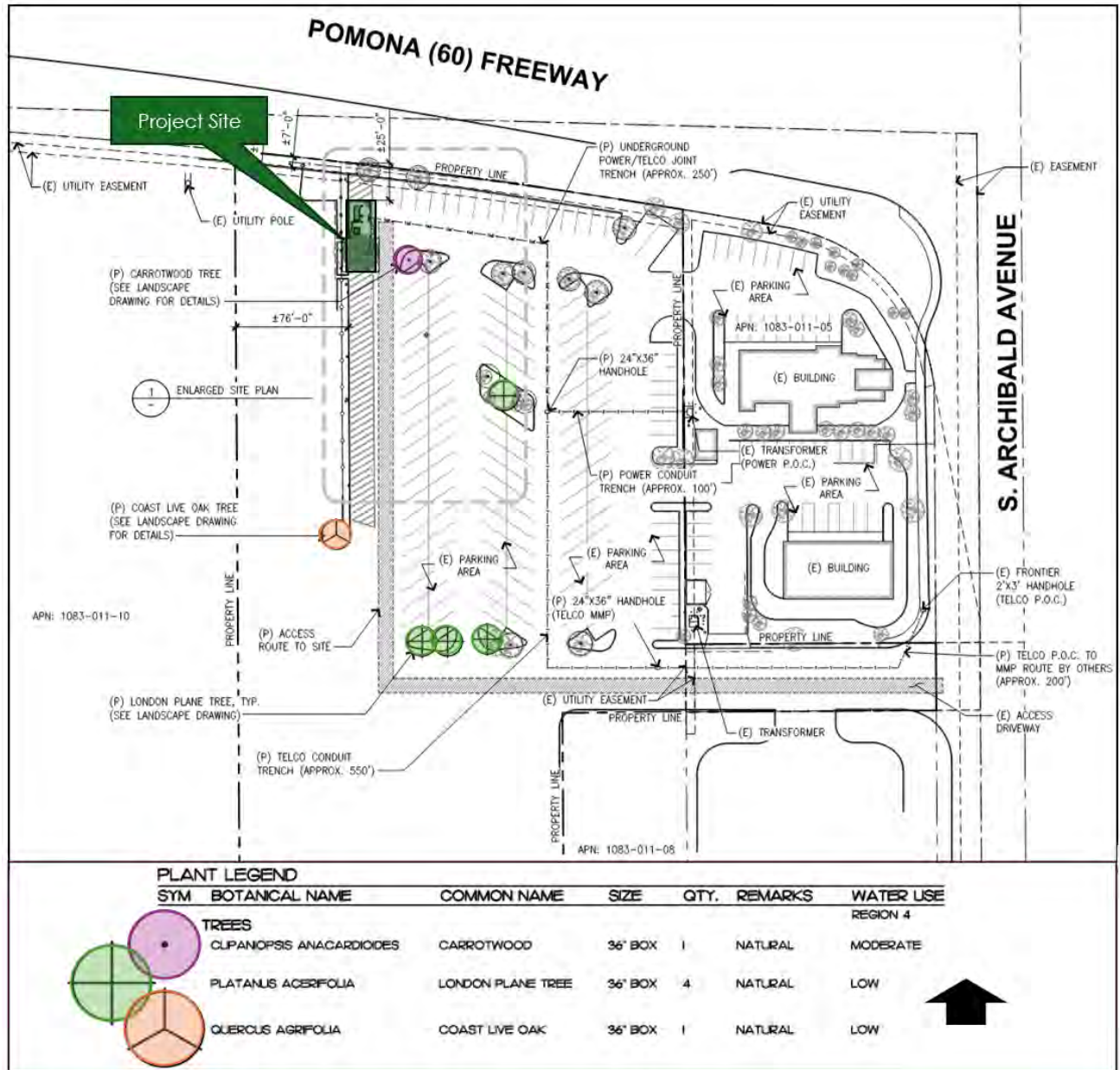


Exhibit D: ELEVATIONS

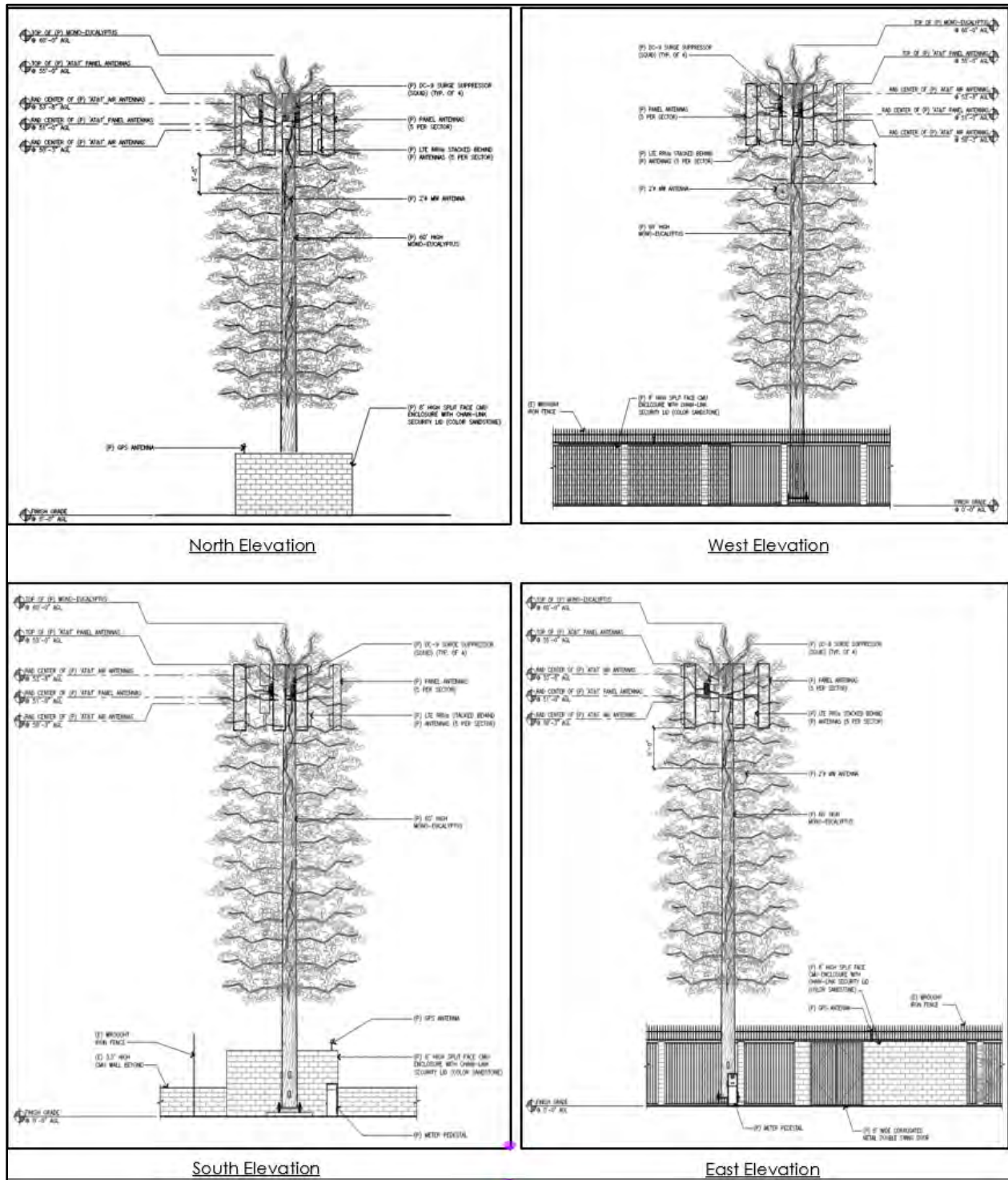


Exhibit D: ELEVATIONS

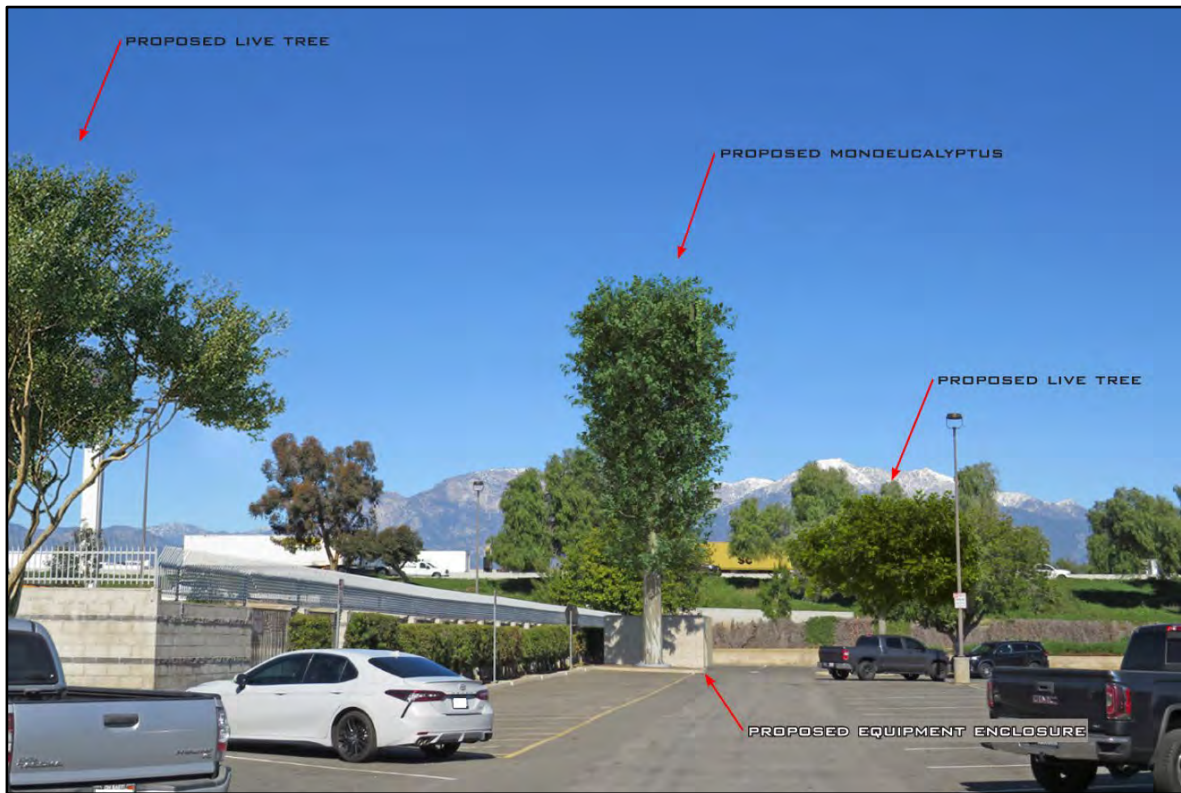
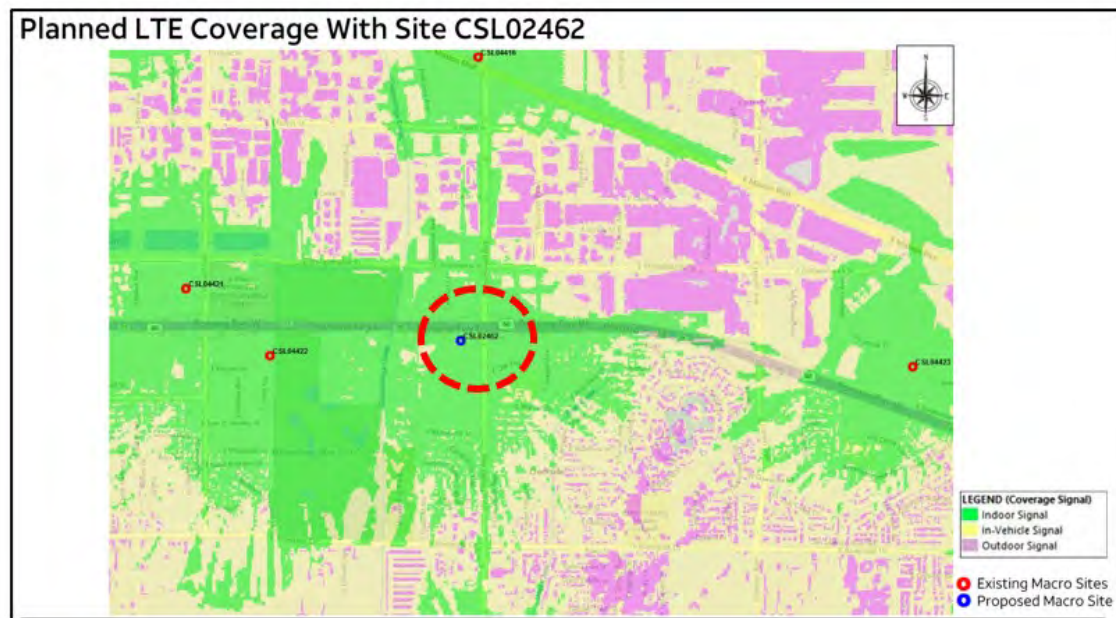
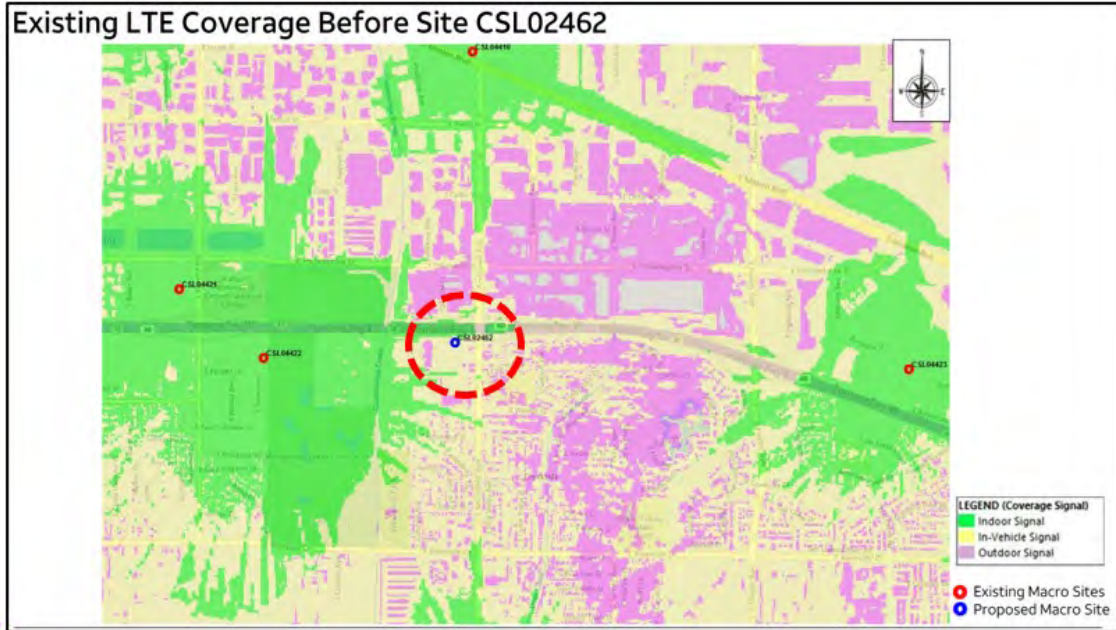


Exhibit E: PROPAGATION MAP



DECISION NO.: [insert #]

FILE NO.: PDEV23-008

DAB Hearing Date: July 15, 2024

SUBJECT: A Development Plan to construct a 55-foot-tall stealth mono-eucalyptus wireless telecommunications facility with a 562 square foot equipment enclosure on 4.07-acres for property located at 2534 South Archibald Avenue, within the CC (Community Commercial) zoning district (APN:1083-011-09)

PART 1: RECITALS

WHEREAS, New Cingular Wireless PCS, LLC dba AT&T Mobility (hereinafter referred to "Applicant") filed an Application requesting approval of Development Plan, File No. PDEV23-008, as described in the Subject of this Decision (herein after referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 4.07-acres of land for property generally located along the southwest corner of Archibald Avenue and 60-freeway; and

WHEREAS, the Project site is located within the CC (Community Commercial) zoning district which allows for the proposed land use; and

WHEREAS, the Applicant filed the Development Plan (File No. PDEV23-008) application to construct a 55-foot-tall stealth mono-eucalyptus wireless telecommunications facility with a 562 square foot equipment enclosure on the property located at 2534 South Archibald Avenue; and

WHEREAS, the proposed wireless telecommunications facility will be located along the northwest corner of an existing parking lot located at 2534 South Archibald Avenue. The subject parking lot is City owned and operates to serve an existing commercial shopping center that includes the Ontario Police Station; and

WHEREAS, the stealth wireless antenna will measure 55-feet to the top of the antenna array and 60-feet in total height; and

WHEREAS, the stealth design will mimic the shape and appearance of a live Eucalyptus tree by incorporating faux branches and foliage to screen the antennas from public views, while the pole will be covered in faux bark to maintain the appearance of a real tree; and

WHEREAS, the proposed wireless facility will include a 562 square foot equipment enclosure to be constructed of split-face concrete block to house the facility's operating equipment, while an 8-foot block wall will screen the equipment from public views; and

WHEREAS, the wireless telecommunications facility will be accessed from Archibald Avenue, via an existing driveway that provides access to the commercial shopping center and police station where the facility is located; and

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

WHEREAS, the 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, the Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines; 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 approve 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 15, 2024, 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 2: 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 considered the background information related to the proposed Development Plan and supporting documentation and finds as follows: The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines, which consists of: (a) Construction and location of limited numbers of new, small facilities or structures. (b) Installation of small new equipment and facilities in small structures. (c) Conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

SECTION 2: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making 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: 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.

(1) 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.

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 through 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 (GC) land use district of the Policy Plan Land Use Map, and the Community Commercial (CC) 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. Furthermore, the Project will promote the City's policy to take actions that are consistent with the City being a leading urban center in Southern California, while recognizing the diverse character of our existing viable neighborhoods (Policy CD1-1); 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 Community Commercial (CC) zoning district, including standards relative to the particular land use proposed (55-foot tall stealth wireless telecommunication facility), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; 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 imposed 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 the General Commercial (GC) land use district; 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 intensity, setbacks, height, amount of off-street parking and loading spaces, landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (55-foot-tall wireless stealth telecommunication facility). 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 15th day of July 2024.

Development Advisory Board Chairman

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: 6/26/2024

File No: PDEV23-008

Project Description: A hearing to consider a Development Plan to construct a 55-foot-tall stealth mono-eucalyptus wireless telecommunications facility with a 562 square foot equipment enclosure on property located at 2534 South Archibald Avenue, within the CC (Community Commercial) zoning district (APN:1083-011-09); **submitted by New Cingular Wireless PCS, LLC dbd AT&T Mobility.**

Prepared By: Dora Harville, Administrative Intern
Phone: 909.395.2426 (direct)
Email: dharville@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) 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).

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

2.8 Signs.

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

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

2.10 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.

2.11 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.

2.12 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.

2.13 Additional Requirements.

(a) The branch count shall be a minimum of 3 branches per lineal FT of trunk height. Branches shall be randomly dispersed and of differing lengths to provide a natural appearance.

(b) Simulated bark shall extend the entire length of the pole (trunk)..

(c) Branches and foliage shall extend beyond an antenna array a minimum of 3 FT horizontally and 7 FT vertically, in order to adequately camouflage the array, antennas and bracketry. In addition, antennas and supporting bracketry shall be wrapped in artificial eucalyptus foliage.

(d) The size and spread of antenna arrays shall be the minimum necessary to ensure that they are adequately camouflaged and screened.

(e) A minimum of 2 live eucalyptus trees shall be planted for the proposed mono-eucalyptus, which shall have the same growth habit as the pine tree being simulated by the mono-eucalyptus and shall be in scale with the height of the mono-eucalyptus. The pine trees may be planted adjacent to the proposed mono-eucalyptus, or elsewhere on the site as deemed appropriate.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
Henry Noh, 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
Nathan Pino, Engineering
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Blaine Ishii, Integrated Waste

FROM: Dora Harville, Administrative Intern

DATE: April 02, 2024

SUBJECT: FILE #: PDEV23-008

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 a 55-foot-tall stealth monopine wireless telecommunications facility with 562 square foot equipment enclosure on property located at 2500 South Archibald Avenue, within the CC (Community Commercial) zoning district (APN(s): 1083-011-09).

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.

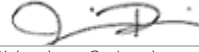
Landscape Planning Division *Jamie Richardson*

Sr. Landscape Architect 04/25/2024

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

CONDITIONS OF APPROVAL

Sign Off



04/25/2024

Jamie Richardson, Sr. Landscape Architect

Date

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

D.A.B. File No.: PDEV23-008	Case Planner: Dora Harville
--------------------------------	--------------------------------

Project Name and Location:
 Wireless Facility and Enclosure
 2500 South Archibald Avenue

Applicant/Representative:
 Cingular Wireless
 32224 Zion Way
 Winchester, CA 92596

- | | |
|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | A Preliminary Plan (dated 04/02/2024) meets the Standard Conditions for New Development. Plans are approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents. |
| <input type="checkbox"/> | A Preliminary Plan (dated) has 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

1. Add tree protection notes to demo and construction plans (see attached).
2. Provide landscape and irrigation plans showing the required screening trees. Show screening shrubs, vines, and groundcover around the enclosure.
3. Plant Legend: Replace Cupaniopsis (brittle with wind), show Platanus acerfolia in landscape islands to match project site.
4. Eliminate the new tree shown between existing 7 & 8 tree (not enough space). Show the new tree in the landscape island finger adjacent to tree # 10. See redlines.
5. Replace dead or missing groundcover damaged by construction or neglect.
6. Note on plans for automatic irrigation with new 5' pop-up stream sprays, 4 at each tree. Existing irrigation shall be repaired or replaced where damaged or missing for 100% coverage with no overspray or runoff. Repair or replace the existing irrigation controller and components to meet current standards for landscape.
7. After a project's entitlement approval, the applicant shall pay all applicable fees at a rate established by the resolution of the City Council.

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



SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT

620 South "E" Street • San Bernardino, CA 92415-0153 • (909) 386-8401 • Fax (909) 386-8460

Office of the Fire Marshal
Hazardous Materials Section
sbcfire.org

Daniel R. Munsey
Fire Chief/Fire Warden

Monica S. Ronchetti
Interim Fire Marshal

DATE: April 18, 2023

PHONE: 909.386.8401

FROM: **Alyssa Parsons**, Hazardous Materials Specialist
San Bernardino County Fire Protection District
620 South E Street San Bernardino, CA 92415

TO: **Luis Batres**, Senior Planner
City of Ontario Planning Department
303 East B Street Ontario, CA 91764

SUBJECT: **PDEV23-008, APN: 108301109, New Cingular Wireless PCS dbd AT&T Mobility**

San Bernardino County Fire Protection District, Office of the Fire Marshal, Hazardous Materials Section has the following conditions for this project:

- 1. Prior to occupancy, a business or facility that handles hazardous materials in quantities at or exceeding 55 gallons, 500 pounds, or 200 cubic feet (compressed gas) at any one time or generates any amount of hazardous waste shall obtain hazardous material permits from this department. Prior to occupancy, the business operator shall apply for permits (Hazardous Material Handler Permit, Hazardous Waste Generator Permit, Aboveground Petroleum Storage Tank Permit, Underground Storage Tank Permit, or other applicable permits) or apply for exemption from permitting requirements.*
- 2. Prior to occupancy, an application for one or more of these permits shall be obtained by submitting a complete hazardous materials business plan using the California Environmental Reporting System (CERS) at <http://cers.calepa.ca.gov/>*

***"Hazardous Material"** means any material that because of its quantity, concentration, physical characteristics or chemical characteristics poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace. Hazardous Materials include but are not limited to, hazardous substances, hazardous waste, or any material which the administering agency has a reasonable basis for believing would be injurious to human health or the environment.*

Additional information can be found at <https://sbcfire.org/hazmatcupa/> or you may contact the Office of the Fire Marshal, Hazardous Materials Section at (909) 386-8401.



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
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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

FROM: Dora Harville, Administrative Intern

DATE: April 06, 2023

SUBJECT: FILE #: PDEV23-008

Finance Acct#:

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

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

PROJECT DESCRIPTION: A Development Plan to construct a 55-foot-tall stealth monopine wireless telecommunications facility with 562 square foot equipment enclosure on property located at 2500 South Archibald Avenue, within the CC (Community Commercial) zoning district (APN(s): 1083-011-09).

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.

ENG. Land Development
Department

Trevor Rivero
Signature

Administrative Intern - Engineering
Title

04/10/2023
Date



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)
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Blaine Ishii, Integrated Waste

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 - 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.

Nathan Pino

Department

Signature

Title

Date
Item C - 27 of 29



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
Rudy Zeledon, Planning Director (Copy of memo only)
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Jeff Tang, Engineering/NPDES
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Blaine Ishii, Integrated Waste

FROM: Dora Harville, Administrative Intern

DATE: April 06, 2023

SUBJECT: FILE #: PDEV23-008 Finance Acct#:

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CITY OF ONTARIO

MEMORANDUM

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Heather Lugo, Police Department
Paul Erhman, Deputy Fire Chief/Fire Marshal
Jay Bautista, Traffic/Transportation Manager - IDEGO 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: Dora Harville, Administrative Intern

DATE: April 06, 2023

SUBJECT: FILE #: PDEV23-008 Finance Acct#:

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

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

PROJECT DESCRIPTION: A Development Plan to construct a 55-foot-tall stealth monopine wireless telecommunications facility with 562 square foot equipment enclosure on property located at 2500 South Archibald Avenue, within the CC (Community Commercial) zoning district (APN(s): 1083-011-09).

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.

ENG/TRAFF
Department

Signature

ENG ASST
Title

4-25-2023
Date



DEVELOPMENT ADVISORY BOARD AGENDA REPORT

July 15, 2024

303 East B Street, Ontario, California 91764 / Phone: 909.395.2036 / Email: PlanningDirector@OntarioCA.gov

FILE NO: PDEV24-010

SUBJECT: A public hearing to consider a Development Plan to construct an approximate 2-acre Public Plaza adjacent to the east of the Toyota Arena within the Mixed-Use land use district of the Piemonte Overlay of the Ontario Center Specific Plan. (APN: 0210-205-01); **submitted by City of Ontario.**

PROPERTY OWNER: City of Ontario

RECOMMENDED ACTION: That the Development Advisory Board (DAB) consider and approve File No. PDEV24-010, pursuant to the facts and reasons contained in the staff report and related Decision and subject to the conditions of approval appended to the Decision as "Attachment A."

BACKGROUND: The Project site is located within the Piemonte Overlay of the Ontario Center Specific Plan ("Piemonte Overlay"), within the Urban Commercial land use district, which establishes a master plan for the development of approximately 1.5 million square feet of retail, office, hotel and entertainment uses, and more than 1,482 multiple-family dwelling units on the 109-acre overlay site (See Exhibit A- Piemonte Overlay- Land Use Plan). The Piemonte Overlay is located and bounded by Fourth Street to the north, Concourses Street to the south, Haven Avenue to the east and Milliken Avenue on the west (See Exhibit B – Regional Location and Exhibit C – Vicinity Map/Proposed Arena Plaza Location).

In June 2022, the City approved a Development Plan to construct four mixed-use buildings totaling 63,655 commercial square feet and 694 dwelling units on 13.3 acres of land within the Mixed-Use land use district of the Piemonte Overlay. The overall concept encourages entertainment, retail, dining, pedestrian activities, and a variety of uses in proximity to each other. The main elements of the mixed-use development incorporate ground floor restaurants and retail, with four levels of residential apartments, common open space, and residential amenities above. The ground level will also be used for residential parking.

The focal feature of this mixed-use development is the proposed 2-acre public Arena Plaza ("Plaza") located between the Toyota Arena on the west and the mixed-use buildings to the east and southeast (Bldg. A and Bldg. B, respectively). The Plaza will provide pedestrian connectivity through the area, facilitate access to commercial uses within the residential buildings and the Plaza, and serve as a critical component to the vision of the Piemonte Overlay.

In August 2023, the City of Ontario prepared a Request for Proposals for Architecture, Landscape Architecture and Engineering services for the design and preparation of construction plans for the Ontario Arena Plaza. Three qualified responses from leading firms were rated by a panel of staff from various City departments and external stakeholders. These three firms were asked to prepare and present ideas for the Ontario Arena Plaza.

In February 2024, the City Council authorized the execution of a Professional Services Agreement with SWA Group of Laguna Beach to prepare the design and construction documents for the Ontario Arena Plaza.

In collaboration with the ASM Global (Toyota Arena) and Adept (developer for the mixed-use projects), a conceptual design for the Arena Plaza has been prepared and when finalized will be used for the preparation of construction plans to implement the design (See Exhibit D – Arena Plaza Preliminary Conceptual Design).

PROJECT SETTING: The project site is comprised of approximately 2 acres of land located south of the intersection of Ontario Center Parkway and Via Piemonte, along the east side of the Toyota Arena as depicted in Exhibit C: Vicinity Map/Proposed Arena Plaza Location.

PROJECT ANALYSIS: The vision for the Plaza is to create an engaging space for activities and leisure. The Plaza will serve as the “living room” for the Entertainment District (District), where people can gather for special events, entertainment and social interaction. In addition, the Plaza will serve as an economic catalyst for visitors attending an event at the Toyota Arena and attracting visitors and new businesses to the restaurant/retail areas.

(1) Site Design/Building Layout — The adjacent mixed-use development will include two buildings – Bldg. A and Bldg. B located south of Ontario Center Parkway and east of the Arena building. The other two buildings (Buildings C and D) are located south of Via Villagio, north of the existing office and hotel buildings on Via Piemonte. (See Exhibit E – Building Location Map).

The plaza is proposed east of Toyota Arena, west of Building A and north of Building B. The Plaza will provide pedestrian connections and gathering spaces between the Arena and the ground-floor commercial spaces within Building A and Building B, which will be oriented towards the proposed plaza areas. The new plaza will be approximately 90,000 square feet in total area and is designed in a north/south direction. The Plaza is primarily an open area that will create engaging spaces for activities and leisure to complement the surrounding developments. The Plaza will also incorporate commercial/retail kiosk structures in varying sizes and in strategic locations. The kiosks will offer additional amenities and services that align with the expectations and vision of the Plaza.

(2) Site Access/Circulation — The Plaza is oriented in a north/south direction. Direct access from the north will be available at Ontario Center Parkway and from the south near the future Building B. The Plaza will also include secondary access points from

Concours Street, potentially through Building A, and from the west near the Arena. The Plaza is designed in a way to facilitate pedestrian circulation efficiently and in consideration of the various spaces and amenities that will be provided.

At a larger scale, the Plaza will ultimately be accessible from the north at Fourth Street and the south at Concours Street using private streets and sidewalks (Via Piemonte, Via Villagio, Via Asti and Via Alba) as part of the overall internal circulation for the mixed-use district. Via Piemonte will act as the main spine of the mixed-use area, which terminates at Ontario Center Parkway, directly north of one of the Plaza entrances.

(3) Parking — Primary access is proposed at the north and the south of the plaza from the existing parking lots to the west and tertiary access from the east at Concours Street. There is a valet or rideshare drop-off lane proposed on Ontario Center Parkway as part of the adjacent development, near the Via Piemonte intersection, to bring visitors and patrons within easy walking distance to the proposed buildings, arena and plaza.

The vision for the District proposes connections to future City parking lots in the form of two parking garages located north of Lot D and on the northwest corner of Concours Street and Ontario Center Parkway. These structures will provide approximately 5,000 spaces once built. The associated developments within the District are required and will provide parking as identified within the Piemonte Overlay. Additionally, a parking study for the District is currently being conducted.

(4) Architecture — The amenities and elements proposed within the Plaza are intended to enhance and complement the architecture and design of the adjacent mixed-use buildings. Within the Plaza several Kiosks are located that vary in size and type. These Kiosks will serve as food, beverage, retail and spaces for displays, art and promotion (See Exhibit E – Kiosk Diagram). The kiosks will also be designed to complement the contemporary architectural style of the adjacent buildings and help further blend the Plaza with the overall theme of the Piemonte district.

(5) Landscaping — The landscape design for the Plaza intends to draw people in and make them feel safe, comfortable and content and will take into consideration Ontario's climate. The landscape design will accentuate the Plaza and the architectural design of the Toyota Arena and surrounding buildings through trees and colorful plant/shrub palettes that enhance the Plaza and building details. Captivating water features and areas for public art are also proposed. Consideration will be given to water conservation, energy and proper irrigation and drainage. Materials will be selected and constructed for long-term durability to ensure the longevity and integrity of the Plaza.

(6) Signage — A Master Sign Plan has been submitted as part for the overall District and wayfinding is currently being explored.

(7) Utilities (drainage, sewer) — The Project will be required to construct infrastructure improvements per the requirements of the Piemonte Overlay at the Ontario Center Specific Plan. The site design will ensure to 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. Underground storm water retention chambers will be installed to receive, retain and treat storm water runoff.

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 Agenda Report, Planning Department staff has not received any written or verbal communications from the owners or occupants 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 appended to the attached Decision as "Attachment A."

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

(2) Vision.

Distinctive Development:

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

(3) Governance.

Decision Making:

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

- LU-1.3 Adequate Capacity. We require adequate infrastructure and services for all development.
- 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 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.

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.
- 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-2.8 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.

- 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.

ENVIRONMENTAL REVIEW: The environmental review for the Project was analyzed under the Addendum to Ontario Center Specific Plan Environmental Impact Report (State Clearinghouse No. 1989041009) which was certified on March 19, 1991, (hereinafter referred to as "Certified EIR") and prepared in conjunction with the following related applications:

- 1) A Mitigated Negative Declaration was subsequently adopted on May 16, 2017, (hereinafter referred to as "MND"), in which development and use of the Project site was discussed in association with an Amendment to the Ontario Center Specific Plan (File No. PSPA16-003; and

- 2) The EIR Addendum was adopted by the City Council on April 19, 2022, in conjunction with File No. PSPA21-001, a Specific Plan Amendment to establish the Piemonte Overlay at the Ontario Center Specific Plan, in which development and use of the Project site was discussed.

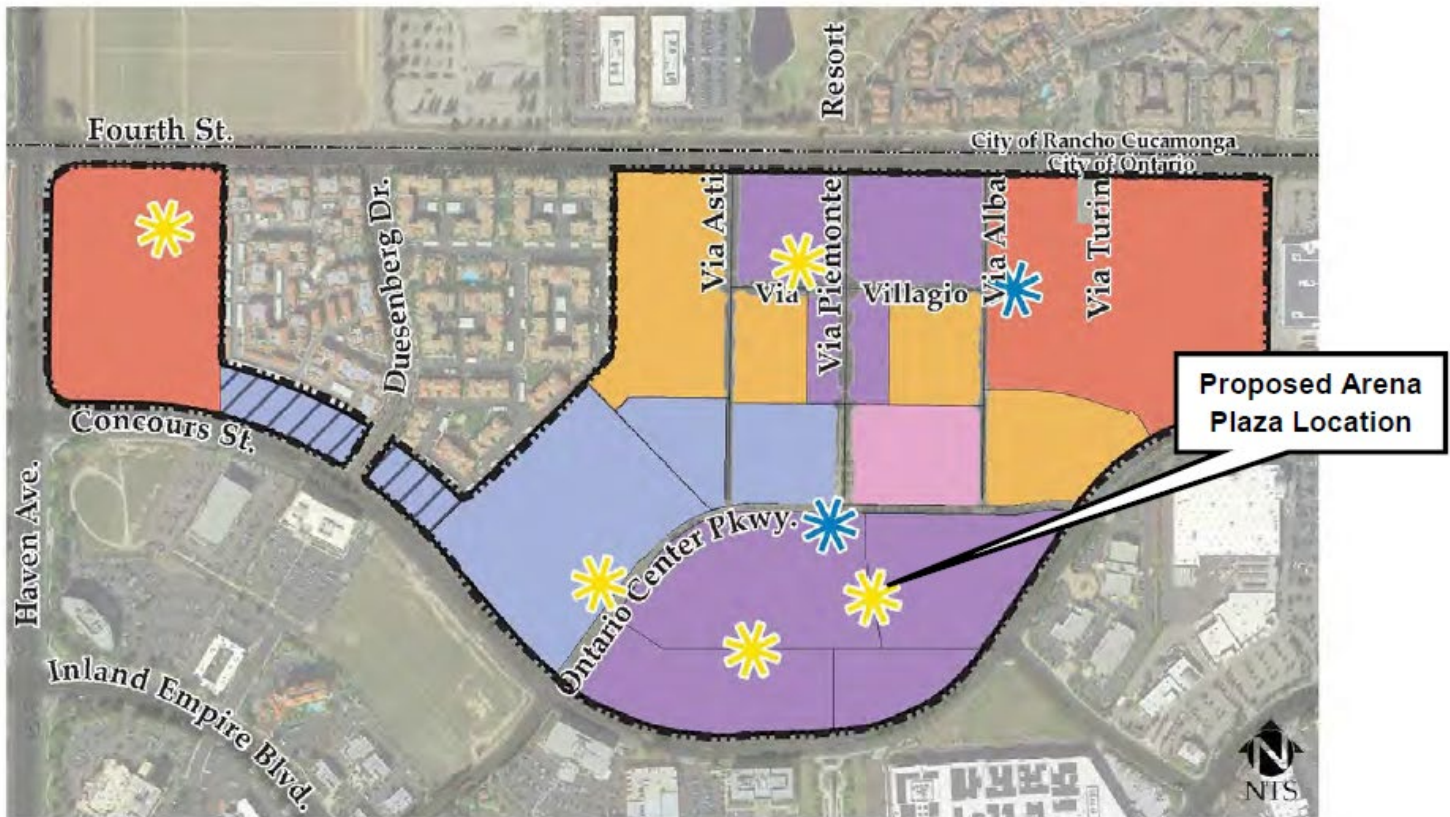
The environmental impacts of this Project were thoroughly analyzed in the Certified EIR and EIR Addendum, which concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant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

TECHNICAL APPENDIX:

Table 1: Surrounding Zoning and Land Uses

	Existing Land Use	Policy Plan Land Use Designation	Zoning Designation	Specific Plan Land Use Designation
Site:	Parking Lot / Vacant	Mixed-Use (Ontario Center)	Piemonte Overlay at The Ontario Center Specific Plan	Mixed Use
North:	Hotel / Vacant	Mixed-Use (Ontario Center)	Piemonte Overlay at The Ontario Center Specific Plan	Special Use / Mixed Use
South:	Office, Retail / Office, Hotel	Mixed-Use (Ontario Center)	Ontario Center Specific Plan / Piemonte Overlay	Urban Commercial / Office, Special Use
East:	Office, Retail / Residential	Mixed-Use (Ontario Center)	Ontario Center Specific Plan / Piemonte Overlay	Urban Commercial / Residential
West:	Arena / Vacant	Mixed-Use (Ontario Center)	Piemonte Overlay at The Ontario Center Specific Plan	Mixed Use / Residential

Exhibit A: ONTARIO CENTER SP PIEMONTE OVERLAY-LAND USE PLAN



Legend




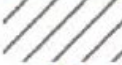





	Piemonte Overlay area		Residential
	Commercial		Residential Development Allowed
	Mixed-use		Constructed Plaza
	Office		Proposed Plaza
	Special Use		

Exhibit B: REGIONAL LOCATION



Exhibit C: VICINITY MAP



Exhibit D: ARENA PLAZA PRELIMINARY CONCEPTUAL DESIGN

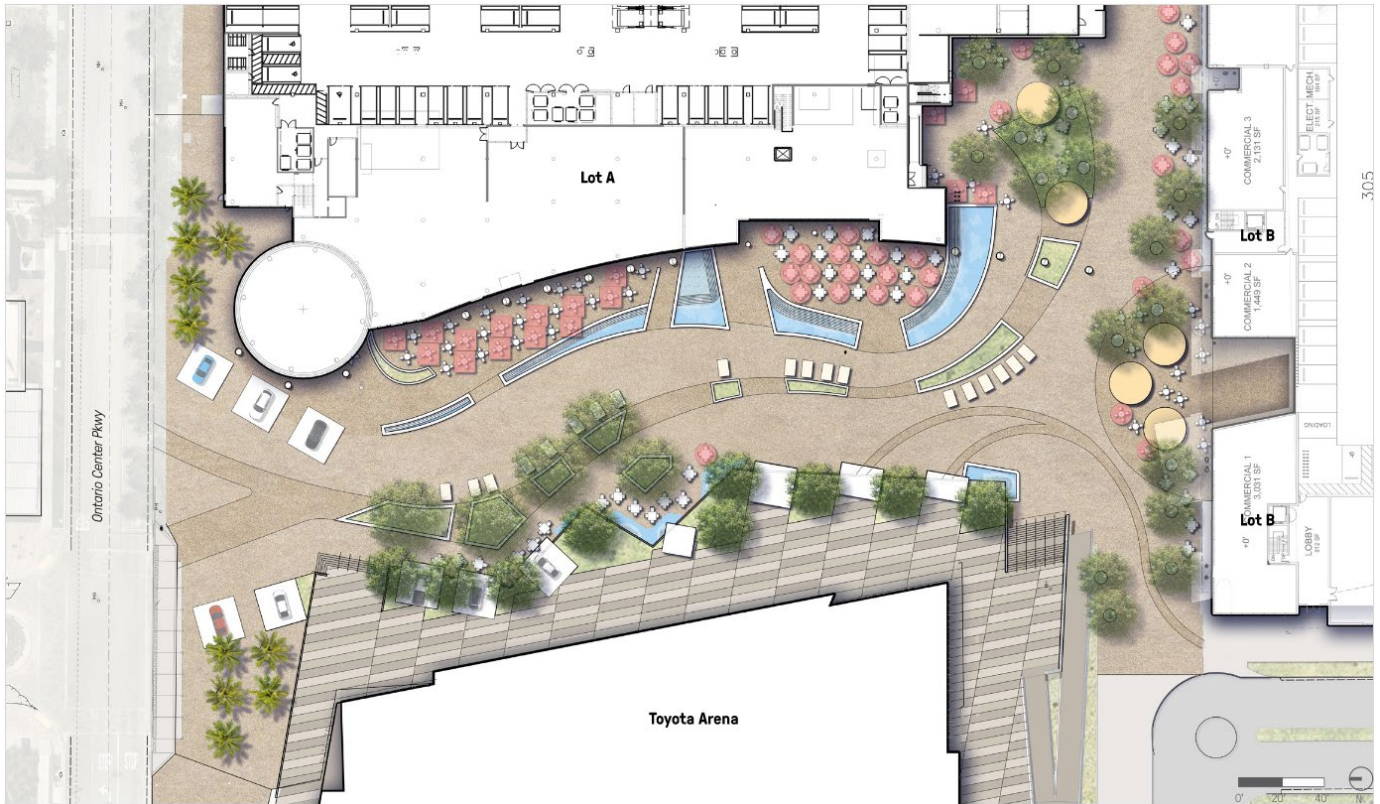
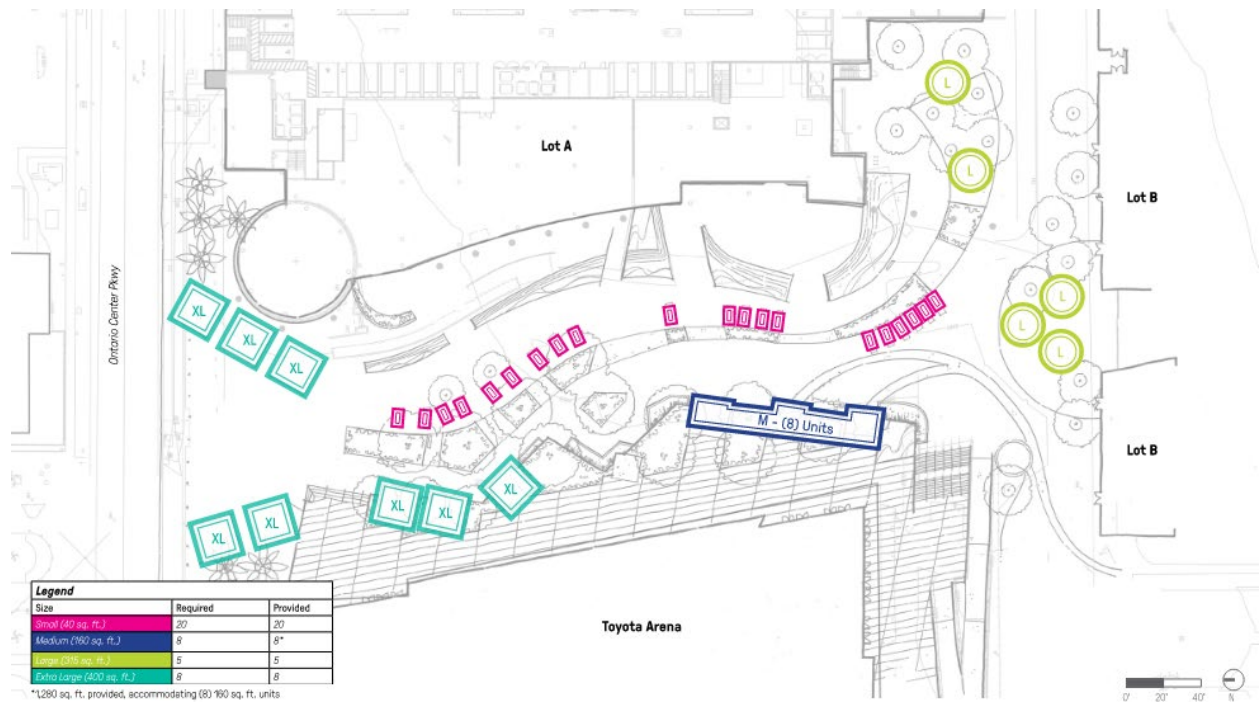


Exhibit E: DISTRICT BUILDING LOCATION MAP



Exhibit E: KIOSK DIAGRAM



DECISION NO.: [insert #]

FILE NO.: PDEV24-010

DAB Hearing Date: July 15, 2024

SUBJECT: A public hearing to consider a Development Plan to construct an approximate 2-acre Public Plaza located adjacent to the east of the Toyota Arena within the Mixed-Use land use district of the Piemonte Overlay of the Ontario Center Specific Plan. (APN: 0210-205-01); **submitted by City of Ontario.**

PART 1: RECITALS

WHEREAS, the City of Ontario (hereinafter referred to as "Applicant") filed an Application requesting approval of PDEV24-010, as described in the Subject of this Decision (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the project site is approximately 2 acres of land located within the Ontario Center Specific Plan ("Piemonte Overlay"), within the Mixed-Use land use district; and

WHEREAS, the project site is located within the Piemonte Overlay and bounded by Fourth Street to the north, Concours Street to the south, Haven Avenue to the east and Milliken Avenue on the west; and

WHEREAS, the Addendum to Ontario Center Specific Plan Environmental Impact Report (State Clearinghouse No. 1989041009) was certified on March 19, 1991, (hereinafter referred to as "Certified EIR"), and

WHEREAS, a Mitigated Negative Declaration was subsequently adopted on May 16, 2017, (hereinafter referred to as "MND"), in which development and use of the Project site was discussed in association with an Amendment to the Ontario Center Specific Plan (File No. PSPA16-003); and

WHEREAS, an EIR Addendum was adopted by the City Council on April 19, 2022, in conjunction with File No. PSPA21-001, a Specific Plan Amendment to the Piemonte Overlay at the Ontario Center Specific Plan, in which development and use of the Project site and project 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, 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, on July 15, 2024, 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 2: 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 Certified EIR, the Addendum to the Certified EIR, and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and the Addendum to the EIR and supporting documentation, the DAB finds as follows:

(1) The Ontario Center Specific Plan Environmental Impact Report (State Clearinghouse No. 1989041009) was certified on March 19, 1991, (hereinafter referred to as "Certified EIR"), prepared in conjunction with the following related applications; and

- (2) A Mitigated Negative Declaration was subsequently adopted on May 16, 2017, (hereinafter referred to as "MND"), in which development and use of the Project site was discussed in association with an Amendment to the Ontario Center Specific Plan (File No. PSPA16-003; and
- (3) An EIR Addendum was adopted by the City Council on April 19, 2022, in conjunction with File No. PSPA21-001, a Specific Plan Amendment to the Piemonte Overlay at the Ontario Center Specific Plan, in which development and use of the Project site was discussed; and
- (4) The environmental impacts of this Project were thoroughly analyzed in the EIR Addendum, which concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and
- (5) The EIR Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- (6) The EIR Addendum was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and
- (7) The EIR Addendum reflects the independent judgment of the City Council; and
- (8) The proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR and EIR Addendum, and all mitigation measures previously adopted with the Certified EIR and EIR Addendum, 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 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 decision-making 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: 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.

SECTION 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Part I, above, and the determinations set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The Project site is located within the Overlay of the Ontario Center Specific Plan ("Piemonte Overlay"), within the Urban Commercial land use 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 Mixed-Use land use district of the Piemonte Overlay of the Ontario Center Specific Plan. The proposed Plaza will provide a public open space that will include gathering places, passive and active areas, and commercial/retail components that will support the current and future surrounding developments, while also furthering the vision of the Piemonte Overlay; 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 imposed certain conditions of approval, which have been established to ensure that: [i] the purposes of the Ontario Center Specific Plan are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Ontario Center 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 Piemonte Overlay of the Ontario Center Specific Plan that are applicable to the proposed Project, including design and landscaping, on-site landscaping, fences and walls, pedestrian and vehicle circulation, parking and loading spaces, as-well-as those development standards and guidelines specifically related to the particular land use being proposed. 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 Ontario Center Specific Plan.

SECTION 6: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby 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 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 15th day of July 2024.

Development Advisory Board Chairman

Attachment A: Conditions of Approval

(Conditions of Approval follow this page)

Date Prepared: 7/11/2024

File No: PDEV24-010

Related Files: PDEV22-014

Project Description: A public hearing to consider a Development Plan to construct an approximate 2-acre Public Plaza adjacent to the east of the Toyota Arena within the Mixed-Use land use district of the Piemonte Overlay of the Ontario Center Specific Plan.; (APN(s): 0210-205-01); **submitted by City of Ontario.**

Prepared By: Jamie Richardson, Sr. Landscape Architect
Phone: 909.395.2615 (direct)
Email: jrichardson@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 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.

2.5 Signs.

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

2.6 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.

2.7 Public Art. The Project is subject to the requirements of the City's Public Art Ordinance (Ontario Municipal Code Section 5-33.05. Private Art for Public Enjoyment in Commercial and Industrial Development Projects).



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
Henry Noh, 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
Nathan Pino, Engineering
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Blaine Ishii, Integrated Waste

FROM: Jamie Richardson, Senior Landscape Architect

DATE: June 11, 2024

SUBJECT: FILE #: PDEV24-010 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 for the Ontario Arena Plaza, an approximate 2-acre Public Plaza located adjacent to the east of the Toyota Arena within the Mixed-Use land use district of the Piemonte Overlay of the Ontario Center Specific Plan.

- The plan does adequately address the departmental concerns at this time.
 - No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply

- The plan does not adequately address the departmental concerns.
 - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Landscape Planning Division

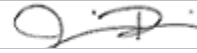
Jamie Richardson

Sr. Landscape Architect 07/08/2024

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

CONDITIONS OF APPROVAL

Sign Off



07/08/2024

Jamie Richardson, Sr. Landscape Architect

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Architect

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV24-010

Case Planner:

Jamie Richardson

Project Name and Location:

Ontario Arena Plaza
 East of the Toyota Arena

Applicant/Representative:

City of Ontario – Planning Department
 303 E B Street
 Ontario, CA 91764



Preliminary Plans (dated 06/11/2024) 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.

DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. 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.
2. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
3. Show backflow devices set back 4' from paving on all sides. Locate on level grade.
4. 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.
5. Note for compaction to be no greater than 85% in landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
6. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or stormwater infiltration areas are located shall be loosened by soil fracturing. For trees, a 12'x12'x18" deep area; for stormwater infiltration, the entire area shall be loosened. Add the following information on the plans: The backhoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The backhoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference, see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

7. Show backflow devices with 36" high strappy leaf shrub screening and transformers with a 4'-5' high evergreen hedge screening. Do not encircle utility; show as masses and duplicate masses in other locations at regular intervals.
8. Locate light standards, fire hydrants, water, and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
9. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
10. Show all easements and identify.
11. Note on landscape plans: Compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
12. Provide a planting list of proposed water-efficient plants.
13. Show 6' diameter of mulch only at new trees. Detail irrigation dripline outside of mulched root zone.
14. Proposed water use must meet the water budget.
15. Overhead spray systems shall be designed for plant material less than the height of the spray head.
16. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <https://www.ontarioca.gov/Planning/Landscape>

PROJECT REVIEW BOARD COMMENTS
***** BUILDING DEPARTMENT *****

Planning Case File No(s): PDEV24-010

Case Planner: Jamie Richardson

Applicant: City of Ontario

Location: Toyota Arena

Project: A Development Plan for the Ontario Arena Plaza, an approximate 2-acre Public Plaza located adjacent to the east of the Toyota Arena within the Mixed-Use land use district of the Piemonte Overlay of the Ontario Center Specific Plan.

APN(s): 210-205-01

Reviewed By: Jesse Sanchez

Date: 6/25/2024

Following Standard Building Department Conditions of Approval
Are Applicable to This Project:

See checked boxes below

Specific Conditions:

A)

Specific Comments (NOTE: THESE COMMENTS ARE NOT CONDITIONS!):

A) Condition 12 applicable to prefabricated structures only.

(NOTE: Standard Conditions of Approval are attached.)

BUILDING DEPARTMENT**GENERAL CONDITIONS**

- 1. Shall comply with the latest adopted edition of the following codes as applicable:
 - A. California Building Code
 - B. California Residential Code
 - C. California Existing Building Code
 - D. California Electrical Code
 - E. California Mechanical Code
 - F. California Plumbing Code
 - G. California Energy Code.
 - H. California Fire Code
 - I. California Green Building Standards Code.
- 2. The property owner/business operator shall comply with all applicable City of Ontario Municipal Codes and Ordinances.
- 3. The requirements of the Department of Environmental Health Services and the Air Quality Management District shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.
- 4. Pursuant to the California Business and Professions Code Section 6737, most projects are required to be designed by a California Licensed Architect or Engineer. The project owner or developer should review the section of the California Codes and comply with the regulation
- 5. All perimeter / boundary walls shall be designed and constructed so that the outer/exterior face of the wall is as close as possible to the lot line. In any case, the outer/exterior face of the wall shall be within two (2) inches of the lot line. Distances greater than two (2) inches may be approved prior to construction by the Building Official on a case-by-case basis for extenuating circumstances.
- 6. All lot lines, easement lines, etc. shall be located and/or relocated in such a manner as to not cause any existing structure to become non-conforming with the requirements of the latest adopted edition of the Building Code, or any other applicable law, ordinance, or code.
- 7. The Developer/Owner is responsible for the coordination of the final occupancy. The Developer/Owner shall obtain clearances from each department and division prior to requesting a final building inspection from the Building Department. Each department shall sign the Building Department Job Card
- 8. All signs shall be Underwriters Laboratories, or equal, approved.

9. Permits are required prior to the removal and/or demolition of structures.
10. In addition to approval from Building Department, approval is required from the County of San Bernardino, Department of Public Health and the California Regional Water Quality Control Board, Santa Ana Region for the Private Sewage Disposal System.
11. The existing private sewage system will have to be modified as required to accommodate the new use. Plans and/or supporting data will have to be submitted to, and approved by, the Building Department regarding the new use and necessary modifications. Additionally, approval from the Regional Water Quality Control Board, Santa Ana Region, is required for the new use.
12. The coach shall bear a State of California, Department of Housing and Community Development (HCD) insignia indicating the occupancy group and design loads that the coach conforms to, and other relevant information regarding exiting, fire safety, electrical, plumbing and mechanical. The foundation system, porch and awning shall comply with plans that bear the HCD "Standard Plan Approval" stamp. The coach, foundation system, porch and awning shall comply with the City of Ontario's design loads and site-specific conditions.
13. The conversion of the existing single-family dwelling(s) into a commercial use changes the occupancy group classification, and therefore the existing buildings must be made to comply with the requirements of all applicable codes for the new occupancy classification. Complete plans, calculations and other specifications shall be submitted to the Building Department for review, approval and subsequent permit issuance. The plans, calculations and other specifications shall be prepared by an Architect or Registered Civil/Structural Engineer licensed by the State of California who is qualified to perform said work.
14. The site, or a portion of the site, is in a flood hazard area. Justification that the proposed development does not adversely affect the location or carrying capacity of the floodway, nor does it adversely affect upstream or downstream sites shall be provided to Building Department. Additionally, all provisions must be taken to protect the site from flood damage.
15. All exterior lighting shall be orientated, directed, and/or shielded as much as possible so that direct illumination does not infringe onto adjoining properties.
16. Site facilities such as parking open or covered, recreation facilities, and trash dumpster areas, and common use areas shall be accessible per the CBC, Chapter 11.
17. Trash Enclosure shall be covered, and the interior clearances shall be designed to accommodate the following:
- 4' min. side access entrance

- 3' min. wide clear pathway along rear of enclosure between trash bins and back wall.
- Trash bins must be oriented sideways to allow access from the narrow dimension.
- Use of curbs or wheel stops shall be provided within the enclosure to maintain access clearances and bin orientations.

18. The applicant/developer shall include the conditions of approval of this resolution on the construction plans.
19. Site development and grading shall be designed to provide access to all entrances and exterior ground floors exits and access to normal paths of travel, and where necessary to provide access. Paths of travel shall incorporate (but not limited to) exterior stairs, landings, walks and sidewalks, pedestrian ramps, curb ramps, warning curbs, detectable warning, signage, gates, lifts and walking surface materials. The accessible route(s) of travel shall be the most practical direct route between accessible building entrances, site facilities, accessible parking, public sidewalks, and the accessible entrance(s) to the site, California Building Code, (CBC) Chapter 11, Sec, 11A and 11B.
20. Commercial/Industrial gated site must have at least one pedestrian emergency gate, 3'-0' x 6'-8" min. gate size, equipped with panel hardware on the inside, and gate must swing out. Pedestrian emergency gates can be installed integrated with vehicular gates.
21. New residential single-family dwelling (SFD's):
- The side yard gate must swing out toward the street.
 - The gas meter shall not obstruct side yard access gates.
 - Air Conditioning unit located at side yard shall maintain 3' min. clearance from property line wall to AC unit.
 - Provide a continuous concrete walk between garage side door to driveway or sidewalk.
22. New development projects located in the Ontario Ranch specific plan are required to submit a **methane assessment report**. This report shall be submitted to the Building Department for review and approval at grading plan submittal.
23. If hazardous substances are used and/or stored, a technical opinion and report, identifying and developing methods of protection from the hazards presented by the hazardous materials may be required. This report shall be prepared by a qualified person, firm, or corporation and submitted to Building Department. This report shall also explain the proposed facility's intended methods of operation and list all of the proposed materials, their quantities, classifications, and the effects of any chemical (material) intermixing in the event of an accident or spill.
24. The property owner/business operator shall provide a grease interceptor at a location where it shall be easily accessible for inspection, cleaning, and removal of accumulated grease. The sizing and installation shall conform to the current California Plumbing Code. The grease interceptor shall be constructed in accordance with plans approved by the Director of Public

Works and the Building Official. The property owner/business operator shall contract with a maintenance company for maintenance and cleaning of the grease interceptor.

SITE CONSTRUCTION REQUIREMENTS

- 25. All construction sites must be protected by a security fence and screening. The fencing and screening shall always maintained to protect pedestrians
- 26. Temporary toilet facilities shall be provided for construction workers. The toilet facilities shall be maintained in a sanitary condition. Construction toilet facilities of the non-sewer type shall conform to ANSI ZA.3
- 27. Construction projects which require temporary electrical power shall obtain an Electrical Permit from Building Department. No temporary electrical power will be granted to a project unless one of the following items is in place and approved by Building Department and the Planning Department.
 - (A) Installation of a construction trailer, or
 - (B) Security fenced area where the electrical power will be located
- 28. Installation of construction/sales trailers must be located on private property. No trailers can be in the public street right of way
- 29. Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall comply with City Code.
- 30. Prior to issuance of a Building Permit all of the following must be in place: portable toilet with hand wash station, all BMP's, fencing and signage on each adjacent street saying "If there is any dust or debris coming from this site please contact (superintendent number here) or the AQMD if the problem is not being resolved" or something similar to this.

PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS

- 31. The following grading items shall be completed and/or submitted – as applicable – prior to the issuance of building permits for this project:
 - A. Precise grading plans shall be approved
 - B. Rough grading completed
 - C. Compaction certification completed
 - D. Pad elevation certification completed
 - E. Rough grade inspection signed off by a City's Building Inspector
- 32. Prior to the issuance of a Building Permit, the applicant shall pay all Development

Improvement Fees to the City. Copies of receipts shall be provided to the Building Department prior to permit issuance.

- 33. The Tract or Parcel map shall record prior to the issuance of any permits.
- 34. The existing parcels shall be combined into a single parcel, or a lot line adjustment shall be done so that the proposed structure(s) does not cross any lot line and complies with all requirements of the California Building Code, prior to any building permits being issued.
- 35. Fire sprinklers, fire alarm systems and fire hydrant plans shall be submitted for plan review concurrently with building plans and shall be approved prior to permit issuance
- 36. Prior to issuance of Building Permits, school fees need to be paid to school district where project is located



CITY OF ONTARIO

MEMORANDUM

TO: Jamie Richardson, Senior Landscape Architect
Planning Department

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

DATE: June 11, 2024

SUBJECT: PDEV24-010 - A Development Plan for the Ontario Arena Plaza, an approximate 2-acre Public Plaza located adjacent to the east of the Toyota Arena within the Mixed-Use land use district of the Piemonte Overlay of the Ontario Center Specific Plan.

-
- 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: Open Plaza
- B. Type of Roof Materials: N/A
- C. Ground Floor Area(s): Approx. 2 Acres
- D. Number of Stories: 1
- E. Total Square Footage: Approx. 2 Acres
- F. 2019 CBC Occupancy Classification(s): Open Plaza

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 one hundred and fifty feet (150’) 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 feet (24’) wide circulating all weather access roads shall be provided to within one hundred and fifty feet (150’) 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.
- 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a maximum spacing of three hundred feet (300') apart, on alternating sides of the street. Streets with a center median shall require public hydrants spaced five hundred feet (500') apart, on the same side of the street.
- 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.

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.

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.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
Henry Noh, 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
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Paul Erhman, Deputy Fire Chief/Fire Marshal
Jay Bautista, Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Nathan Pino, Engineering
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Blaine Ishii, Integrated Waste

FROM: Jamie Richardson, Senior Landscape Architect

DATE: June 11, 2024

SUBJECT: FILE #: PDEV24-010 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 for the Ontario Arena Plaza, an approximate 2-acre Public Plaza located adjacent to the east of the Toyota Arena within the Mixed-Use land use district of the Piemonte Overlay of the Ontario Center Specific Plan.

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.

Broadband Operations
Department


Signature

Title

07/10/2024
Date

Item D - 37 of 37



DEVELOPMENT ADVISORY BOARD AGENDA REPORT

July 15, 2024

303 East B Street, Ontario, California 91764 / Phone: 909.395.2036 / Email: PlanningDirector@OntarioCA.gov

FILE NOS: PMTT23-008 (TTM 20659) and PDEV23-037

SUBJECT: A public hearing to consider Tentative Tract Map No. 20659 (File No. PMTT23-008), subdividing 3.1 acres of land into one parcel for condominium purposes, in conjunction with a Development Plan (File No. PDEV23-037) to construct 70 multiple-family residential condominium units on the project site, including 7 moderate affordable dwellings, located at 1355 West 5th Street, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district. APN: 1008-551-12; **submitted by Warmington Residential, LLC. Planning Commission action is required.**

PROPERTY OWNER: Sunrise Church

RECOMMENDED ACTION: That the Development Advisory Board (DAB) consider and recommend the Planning Commission adopt Resolutions approving File Nos. PMTT23-008 and PDEV23-037, pursuant to the facts and reasons contained in the staff report and attached Decisions, and subject to the conditions of approval appended to the attached Decisions as "Attachment A."

BACKGROUND: The Applicant submitted Tentative Tract Map No. 20659 (File No. PMTT23-008) and a Development Plan (File No. PDEV23-037) on October 2, 2023, for the development of a 70 unit multiple-family residential condominium project consistent with The Ontario Plan ("TOP") 2050 (August 2022) MDR (Medium Density Residential) land use designation. Although the current TOP 2050 land use designation for the Project site is LDR (Low Density Residential), the Applicant designed the Project consistent with the MDR (Medium Density Residential) land use designation. The following summary provides an explanation of why the MDR designation is applicable to the Project site.

- As part of TOP 2050 Policy Plan (general plan) update the Land Use Plan (Exhibit LU-01) land use designation for the Project site and adjacent church properties were changed from LDR (Low Density Residential) to MDR (Medium Density Residential). The TOP 2050 land use designation change became effective upon adoption of TOP 2050 on August 22, 2022.
- Following the TOP 2050, the City initiated a City-wide zoning consistency program (File No. PZC22-001) to update the Zoning Map consistent with the land use designation changes of TOP 2050. On March 28, 2023, the Planning Commission recommended approval of the zone consistency program to change the zoning designation on the Project site from LDR-5 (Low Density Residential - 2.1 to 5.0 DU/Acre) to MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre). On April 18, 2023, the City Council approved the zoning consistency program, but

excluded the Project site and adjacent church properties, requiring a General Plan Amendment to change back the TOP 2050 land use designation for the Project site and adjacent church properties from MDR (Medium Density Residential) back to LDR (Low Density Residential).

- On June 2, 2023, Warmington Residential submitted a Preliminary Review application (File No. PPRE23-002) that included plans, a project description, and the State of California's Senate Bill (SB 330) Preliminary Application form for a proposed 70 unit multiple-family condominium development on the Project site. The City reviewed that submittal for consistency with Government Code Section 65941.1 and on June 30, 2023, communicated to Warmington Residential that information was missing from their submittal.
- On October 2, 2023, Warmington Residential submitted Tentative Tract Map No. 20659 (File No. PMTT23-008) and a Development Plan (File No. PDEV23-037), deeming the submittal complete, thereby vesting their Preliminary Application (File No. PPRE23-002) and memorializing the ordinances, policies, and standards that apply to the Project.
- On October 23, 2023, the Planning Commission recommended approval of a General Plan Amendment (File No. PGPA23-001) to change the TOP 2050 land use designation for the Project site and adjacent church properties from MDR (Medium Density Residential) back to LDR (Low Density Residential). On November 21, 2023, the City Council approved PGPA23-001.

Senate Bill 330, the Housing Crisis Act of 2019, and specifically The Housing Accountability Act ("HAA") prohibits a local agency from disapproving, or conditioning approval in a manner that renders infeasible, a housing development project for very low, low-, or moderate-income households unless the local agency makes specified written findings based on a preponderance of the evidence in the record. The Project, which consists of residential units only, is a "housing development project" entitled to protection under the HAA. The HAA protects housing development projects that are consistent with applicable, objective, general plan, zoning and subdivision standards and criteria from denial or being conditioned on a lower density. Further, under the HAA, in the event of an inconsistency between a general plan and zoning district land uses with submittal of the Preliminary Application, and if a local agency has complied with certain timing requirements, it can still require a project to comply with the objective standards and criteria of another zoning district that would be consistent with the general plan. Here, the inconsistency existed, because at the time the Project Applicant vested the Preliminary Application, TOP 2050 Land Use Plan designated the Project site as MDR (Medium Density Residential) and the Zoning Map identified the site as LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district.

In addition, the City cannot find the Project inconsistent with the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district standards and criteria and cannot require a rezoning, where the Project is consistent with applicable, objective General Plan

standards and criteria. The TOP 2050 MDR land use designation allows for a density of 11.1 to 25.0 dwelling units per acre for multiple-family development and the Zoning Map identified the site as LDR-5 zoning district, which only provides for single-family homes on individual lots. There are two (2) zoning districts (i.e., MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) and MDR-25 (Medium Density Residential – 18.1 to 25.0 DU/Acre) that could be applicable to the site; however, neither are applied to the Project site. Because the TOP 2050 MDR (Medium Density Residential) land use designation applies, the most appropriate development standards would be under the MDR-25 (Medium Density Residential 18.1 to 25.0 DU/Acre) zoning district based on the proposed Project density of 22.6 dwelling units per acre.

PROJECT SETTING: The Project site is comprised of 3.1 acres of land located at 1355 West 5th Street, (see Exhibit A: Project Location Map). The Project site contains the existing Sunrise Church building, parking and landscape improvements. The site is one of 3 churches located on the south side of West 5th Street, which includes the First Church of the Nazarene to the east and The Church of God to the west. Existing land uses, Policy Plan (general plan) and zoning designations, and specific plan land designations on and surrounding the project site are provided in the Technical Appendix Table 1: Surrounding Zoning and Land Uses.

PROJECT ANALYSIS:

(1) Tentative Tract Map No. 20659 (File No. PMTT23-008) — The proposed Tentative Tract Map will subdivide the Project site into one numbered lot for condominium purposes, to facilitate the construction of 70 multiple-family dwellings, along with associated recreation, landscape, and common interest amenities and facilities. The Tentative Tract Map is consistent with the project area requirements of the MDR-25 (Medium Density Residential — 18.1 to 25.0 DUs/Acre) zoning district. (see Exhibit B: Tentative Tract Map).

Covenants, Conditions and Restrictions ("CC&Rs") are required for the proposed subdivision as a condition of project approval. The CC&Rs must be submitted, reviewed, and approved by the City, and will be recorded with the final map to ensure ongoing maintenance of the driveway, reciprocal access, parking lot maintenance, common landscaping areas, amenities, and common drainage/easement areas.

(2) Development Plan (File No. PDEV23-037) —

(a) Density Bonus — As part of the Development Plan application, the Applicant is requesting a density bonus for the Project. Pursuant to the Ontario Development Code Section 6.01.010 H (Residential Zoning Districts, Density Bonus and Other Incentives) and California Government Code Section 65915 (Density Bonuses and Other Incentives), applicants can request additional density beyond what the local General Plan and Development Code permits. The State Density Bonus Law ("SDBL") applies to multiple-family projects that provide on-site affordable housing and provides for: increased residential density over the maximum density that otherwise would be

allowed under local law; incentives, concessions, and waivers; and certain specified maximum vehicular parking ratios.

The Project site is 3.1 acres and is currently developed with a church and ancillary buildings and improvements. The Applicant proposes to demolish these existing improvements and develop 70 residential units, together with associated parking and open space. Seven of the units (i.e., 10% of the total 70 units) are proposed to be offered for sale at levels affordable to moderate income households (i.e., households earning 80% to 120% of the area median family income). The Project's provision of 70 units, which results in a density of 22.6 dwelling units per acre, is consistent with the MDR (Medium Density Residential) Land use designation of TOP and is consistent with the MDR-25 (Medium Density Residential 18.1 to 25.0 DU/Acre) zoning district.

Although a density bonus is not needed, or proposed, to accommodate the proposed number of units, the Project's provision of 10% of the total units at levels affordable to moderate income households would entitle it to one incentive or concession (Gov. Code Section 65915 (d)(2)(A)), an unlimited number of waivers (Gov. Code Section 65915(e)(1)), and a reduced parking ratios (Gov. Code Section 65915(p)).

An incentive or concession is a reduction in development standards or modifications of zoning or architectural requirements, or any other regulatory incentive or concession proposed by the applicant, that results in identifiable and actual cost reductions to provide for affordable housing costs. The Applicant has not identified or proposed any incentives or concessions, although they have reserved the right to do so during the development review process.

In addition to any incentives or concessions, an applicant may request a waiver of any development standard that would have the effect of physically precluding the construction of a development at the density, or with the incentives or concessions, permitted by the SDBL (Gov. Code Section 65915(e)(1)). A development standard includes any site or construction condition including, but not limited to, a height limitation, a setback requirement, a floor area ratio, an onsite open-space requirement, a minimum lot area per unit requirement, or a parking ratio that applies to a residential development pursuant to any ordinance, general plan element, specific plan, charter, or other local condition, law, policy, resolution, or regulation (Gov. Code Section 65915(o)(2)).

The City can deny a waiver only in certain limited circumstances. The only reasons to deny a waiver are: (i) the waiver would have a specific, adverse impact on health or safety and there is no feasible way to mitigate or avoid the specific adverse impact; (ii) the waiver would have an adverse impact on any real property listed in the California Register of Historical Resources; or (iii) the waiver would be contrary to state or federal law (Gov Code Section 65915(e)(1)). Based on applicable State law, the Applicant is proposing the following waivers from the development standards of the MDR-25 (Medium Density Residential – 18.1 to 25.0 DU/Acre) zoning district:

- Reduce the minimum street setback from 20 feet to 10 feet.

- Absent this waiver the Project unit count would be reduced by 8 units.
- Reduce the minimum front to front and minimum side to side building separation requirements from 30 feet and 15 feet to 19.5 and 10 feet, respectively.
 - Absent this waiver the Project unit count would be reduced by 12 units.
- Reduce the minimum private open space requirement from 150 square feet to 134 square feet per unit.
 - Absent this waiver the Project unit count would be reduced by 8 units.
- Reduce the minimum common open space requirement from 250 square feet to 170 square feet per unit.
 - Absent this waiver the Project unit count would be reduced by 8 units.
- Reduce the major recreation facility requirements for recreation buildings, swimming pools, water play fountains, tennis courts, and childcare facilities and instead provide a barbeque seating area and activity lawn.
 - Absent this waiver the Project unit count would be reduced by 16 units.
- Reduce the parking requirement from 192 to 131 parking spaces.
 - Absent this waiver the Project unit count would be reduced by 16 units.

Additionally, approval of the requested density bonus will require the Applicant to enter into an Affordable Housing Regulatory Agreement with the City. Conditions of Approval require the Applicant to enter into an Affordable Housing Agreement with the City for 7 Moderate Affordable Units prior to the issuance of building permits.

(b) Site Design/Building Layout — The Project proposes the construction of 12 detached buildings consisting of: 4-, 5-, 6-, and 8-Plex buildings. Building B400 (Building Nos. 1, 5, 8, & 12) have 4 units each, Building B500 (Building Nos. 2 & 11) have 5 units each, Building B600 (Building Nos. 4 & 9) have 6 units each, Building B800 (Building Nos. 3 & 10) have 8 units each, and Building B810 (Building Nos. 6 & 7) have 8 units each for a total of 70 units at a density of 22.6 dwelling units per acre. The site design and building locations are depicted in Exhibit C: Site Plan. The proposed walk-up row town style buildings all have 3-story units with an overall height of 39 feet. The buildings are arranged with private garages oriented towards a 24-foot-wide drive aisle that circulates throughout the site. The buildings are oriented with front entries facing West 5th Street Avenue, a common walkway or an amenity.

The buildings facing West 5th Street are set back 10 feet from the street right-of-way on either side of the central driveway to the Project site. All other buildings are oriented either north/south or east/west and are equally divided on the site by a 2-way 24-foot drive aisle. The centrally located recreation area is situated between 2 8-Plex buildings, with guest parking located at both ends. Buildings that are adjacent to the side property lines are setback 10 to 13 feet from the property line. Buildings that are adjacent to the rear property line are setback approximately 15 feet from the property line. Building entries that front onto the recreation area are setback a minimum of 10 feet and building separation is a minimum of 15 feet. Where front to front building orientation is provided, units are set back approximately 20 feet, and where side to side building orientation is provided, units are setback approximately 10 feet.

The units will provide 3- and 4-bedroom units with 2.5, 3, and 4 bathrooms, as depicted in Exhibit F: Floorplans. All units will have private balconies, approximately 50 square feet in area and a main level private open space area that is approximately 60 square feet in size. Private garages are located at the rear of the units on the ground floor and will have direct access to the unit. The primary living space is located on the second floor and are equipped with kitchen, dining and living areas. Bedrooms are located on the upper floors.

(c) Site Access/Circulation — Project vehicular access is provided by a 24-foot-wide driveway located off West 5th Street. The driveway access leads to a central 24-foot-wide two-way private drive aisle connecting to garages and off-street parking. Pedestrian access to the site is taken from West 5th Street via a 5-foot-wide sidewalk adjacent to the northwest corner of the Project boundary. Additionally, units fronting onto West 5 Street have direct sidewalk access to their individual units. The proposed on-site and public right-of-way improvements will assist towards creating walkable and safe areas for pedestrians to access the Project site.

(d) Parking — The Project has provided off-street parking pursuant to the parking standards specified in the SDBL (Gov. Code Section 65915(p)(1)). The SDBL identifies that parking requirements cannot exceed 1.5 parking spaces for 2- and 3-bedroom units and 2.5 parking spaces for 4 and more bedroom units. The number of off-street parking spaces provided exceeds the minimum parking requirement for the Project as 131 parking spaces are required, and 163 parking spaces are provided. Each unit is provided a 2-car garage, including 42 units with side-by-side parking and 28 units with tandem parking. The off-street parking calculations for the Project are summarized in the Technical Appendix, Table 3: SDBL Parking Requirement Summary.

(e) Architecture — The architectural style proposed is a contemporary traditional design with gabled roofs. The three-story buildings feature a stucco exterior finish with brick veneer accent material at select locations on the ground level. Two color schemes utilizing three colors are proposed to provide variety. The Project illustrates the type of high-quality residential architecture promoted by the City's Development Code (see Exhibit C: Building Elevations). Project architecture is exemplified through the use of:

- Articulation in the building's roof line;
- Stucco with a light sand finish;
- Contrasting stucco color along the building base;
- Stucco foam trim;
- Accent fiber cement siding;
- Asphalt shingle roof;
- Metal and railings at all balconies along the second floor;
- Decorative exterior lighting;
- Vinyl ground level privacy fencing;
- Decorative trims around doors and windows; and
- Incorporation of a color pallet appropriate to the proposed architecture.

(f) Landscaping — Pursuant to Ontario Development Code Sections 6.01.010 and 6.05, all areas of a multiple-family development project not covered by structures, drive aisles, off-street parking facilities, or hardscape shall be fully landscaped and provided with a permanent automatic irrigation system prior to Certificate of Occupancy issuance. Landscaping is provided for these unpaved areas, including the full length of the Project street frontages, along pedestrian walkways and recreation areas, and throughout the parking lot, for a total of 18,880 square feet (14.0 percent) of landscape coverage for the Project site. A variety of accent and shade trees in 15-gallon, 24-inch, 36-inch, and 48-inch box sizes, as well as 1-gallon, 5-gallon and 15-gallon size shrubs, groundcovers, and vines, will be planted throughout the site. Decorative paving and lighting will be provided at entries, pedestrian walkways, and other key locations throughout the Project site (see Exhibit G: Landscape Plan).

(g) Open Space/Amenities — The Development Code requires a total of 17,500 square feet of common open space (250 square feet per unit) and 10,500 square feet of private open space (150 square feet per unit) for a total open space requirement of 28,000 square feet (400 square feet per unit). The Applicant is requesting a waiver to reduce the total common open space to 11,900 square feet (170 square feet per unit) and private open space to 9,380 square feet (134 square feet per unit) for a total of 21,280 square feet of open space (304 square feet per unit) and is being provided in the form of:

- Barbeque seating area centrally located;
- Activity lawn centrally located;
- Requested waiver as any major amenity will result in a loss of affordable housing units.

(h) 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.

(i) 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 storm water retention chambers to receive, retain, and treat storm water runoff. 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 Agenda Report, Planning Department staff has not received any written or verbal communications from the owners or occupants 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 appended to the attached Decision as "Attachment A."

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.

- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

(2) Vision.

Distinctive Development:

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

(3) Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - 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-1.3 Adequate Capacity. We require adequate infrastructure and services for all development.
 - 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 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-2.5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices, and other best practices.

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-1.3 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-2.8 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; 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.

▪ 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.

ENVIRONMENTAL REVIEW: 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, and meets all of the following conditions:

(a) *The proposed 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 LDR (Low Density Residential) land use designation of the Policy Plan (general plan) Land Use Map; however, pursuant to SB 330 and Government Code Section 65941.1, the Project vested under the MDR-25 (Medium Density Residential—18.1 to 25.0 DUs/Acre) zoning district.

The proposed Project is consistent with all applicable Policy Plan policies, as well as with the requirements of the MDR-25 (Medium Density Residential—18.1 to 25.0 DUs/Acre) 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 3.1-acres of land, which is surrounded by established development on all sides and consists of a mix of multiple-family and single-family residential 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, is developed with an existing church, related parking, and ornamental landscaping. The entire Project site has been disturbed by previous development and does not contain any sensitive habitat, endangered, rare, or threatened species or habitat that could support sensitive species.

(d) *Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality.* The residential development is similar to, and of no greater impact than other allowed uses and development projects within the MDR-25 (Medium Density Residential—18.1 to 25.0 DUs/Acre) zoning district. The Project would not result in any significant impacts through implementation of required state, regional, and local development and performance standards, and as demonstrated in the Air Quality, GHG, Noise, Trip Generation and vehicle miles traveled ("VMT") analysis, and the Preliminary Water Quality Management Plan ("PWQMP") prepared for the Project.

(e) *The site is adequately served by all required utilities and public services.* All necessary wet and dry utilities are within the public street and are readily available for connection.

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

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

TECHNICAL APPENDIX:

Table 1: Surrounding Zoning and Land Uses

	Existing Land Use	Policy Plan Designation	Zoning Designation
Site	Church	Low Density Residential	LDR-5 (Low Density Residential — 2.1 to 5.0 Dus/Acre)
North	Single Family Multiple Family Residential	Low Density Residential and Medium Density Residential	LDR-5 (Low Density Residential — 2.1 to 5.0 Dus/Acre and MDR-25 (Medium Density Residential — 18.1 to 25.0 DUs/Acre)
South	Single Family Residential	Low Density Residential	LDR-5 (Low Density Residential — 2.1 to 5.0 Dus/Acre)
East	Church	Low Density Residential	LDR-5 (Low Density Residential — 2.1 to 5.0 Dus/Acre)
West	Church	Low Density Residential	LDR-5 (Low Density Residential — 2.1 to 5.0 Dus/Acre)

Table 2: General Site & Building Statistics

Item	Required Min./Max.	Provided (Ranges)	Meets Y/N
Project area (in acres):	--	3.1	N/A
Open space – common and Private (in SF):	28,000 SF	21,280 SF	Y*
Project area (in acres):	1.0	3.1	N/A
Maximum project density (dwelling units/ac):	18.1 to 25.0 DU/AC	22.6 DU/AC	Y**
Maximum height (in FT):	60 FT	39 FT	Y
Open space – private:	150 sq ft	134 sq ft	Y*
Total no. of dwelling units:	57 to 78	70	Y
* Identified waiver			
** Based on SDBL			

Table 3: SDBL Parking Requirement Summary

Type of Use	Units	Parking Ratio	SDBL Spaces Required	Spaces Provided
2 to 3 Bedroom Units	44	1.5 spaces / dwelling	66	88
4 and more Bedroom Units	26	2.5 spaces / dwelling	65	52
Guest	N/A	N/A	0	23
TOTAL			131	163

Table 4: Dwelling Unit Statistics:

Unit Type	Number of Units	Unit Size (in SF)	No. Bedrooms	No. Bathrooms	No. Stories
Plan 1	8	1,378	3	2.5	3
Plan 2	8	1,390	3	2.5	3
Plan 3	28	1,465	3	3	3
Plan 4	26	1,617	4	4	3
Total	70				

Exhibit A: PROJECT LOCATION MAP

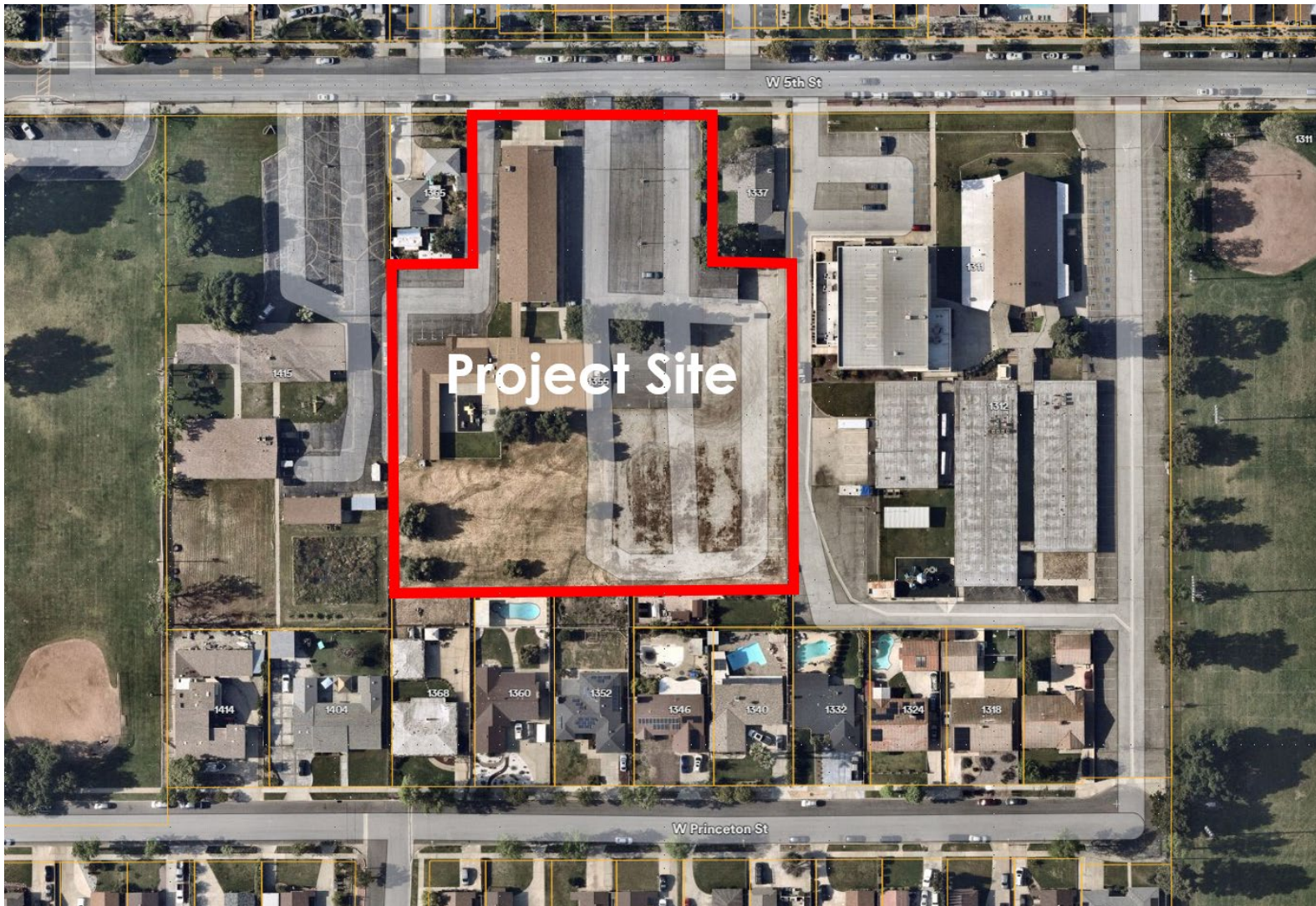


Exhibit B: TENTATIVE TRACT MAP

TENTATIVE TRACT MAP NO. 20659
LOT 1 FOR CONDOMINIUM PURPOSES
IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO
STATE OF CALIFORNIA

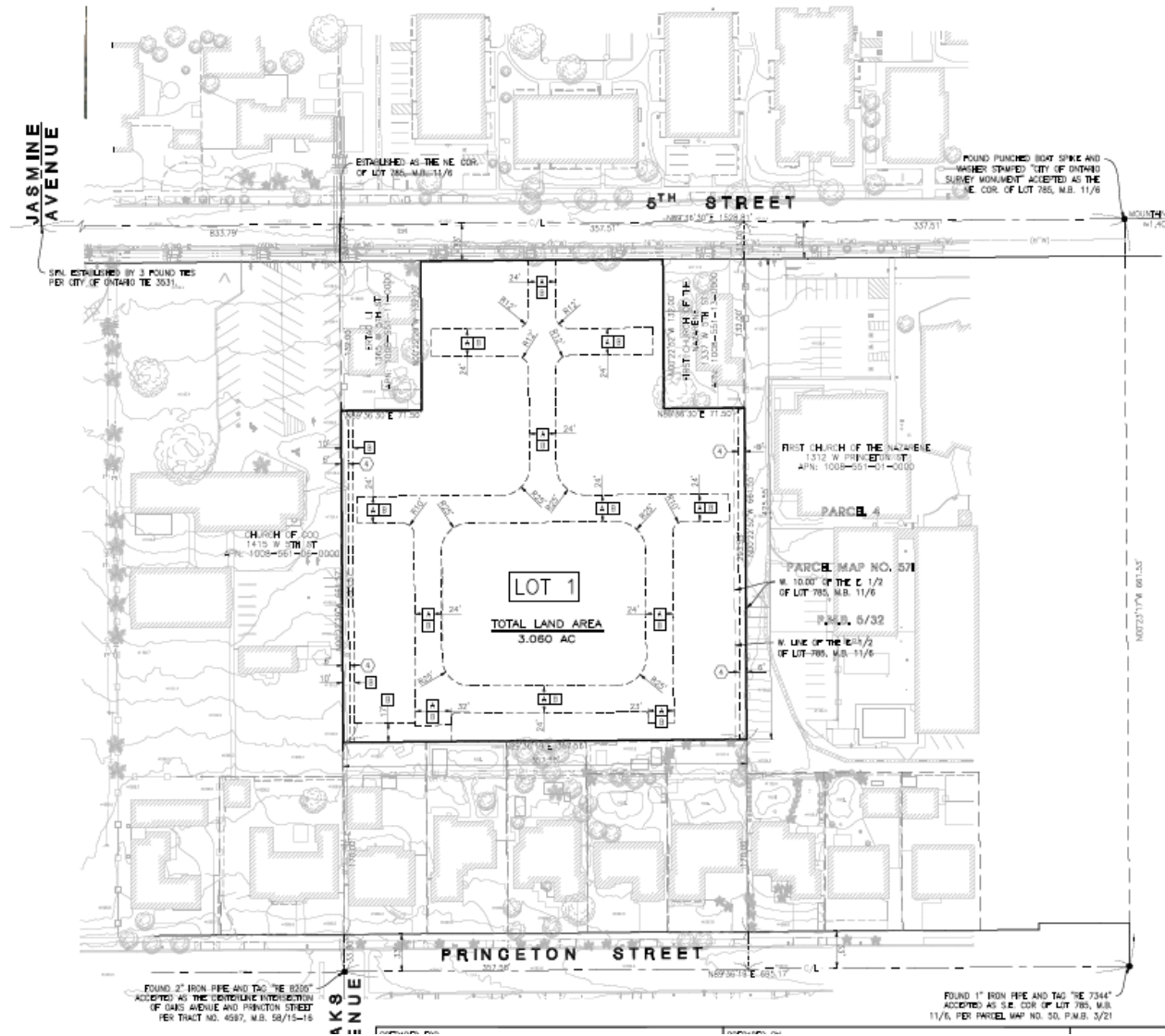


Exhibit C: SITE PLAN

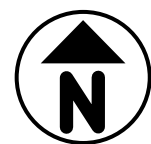
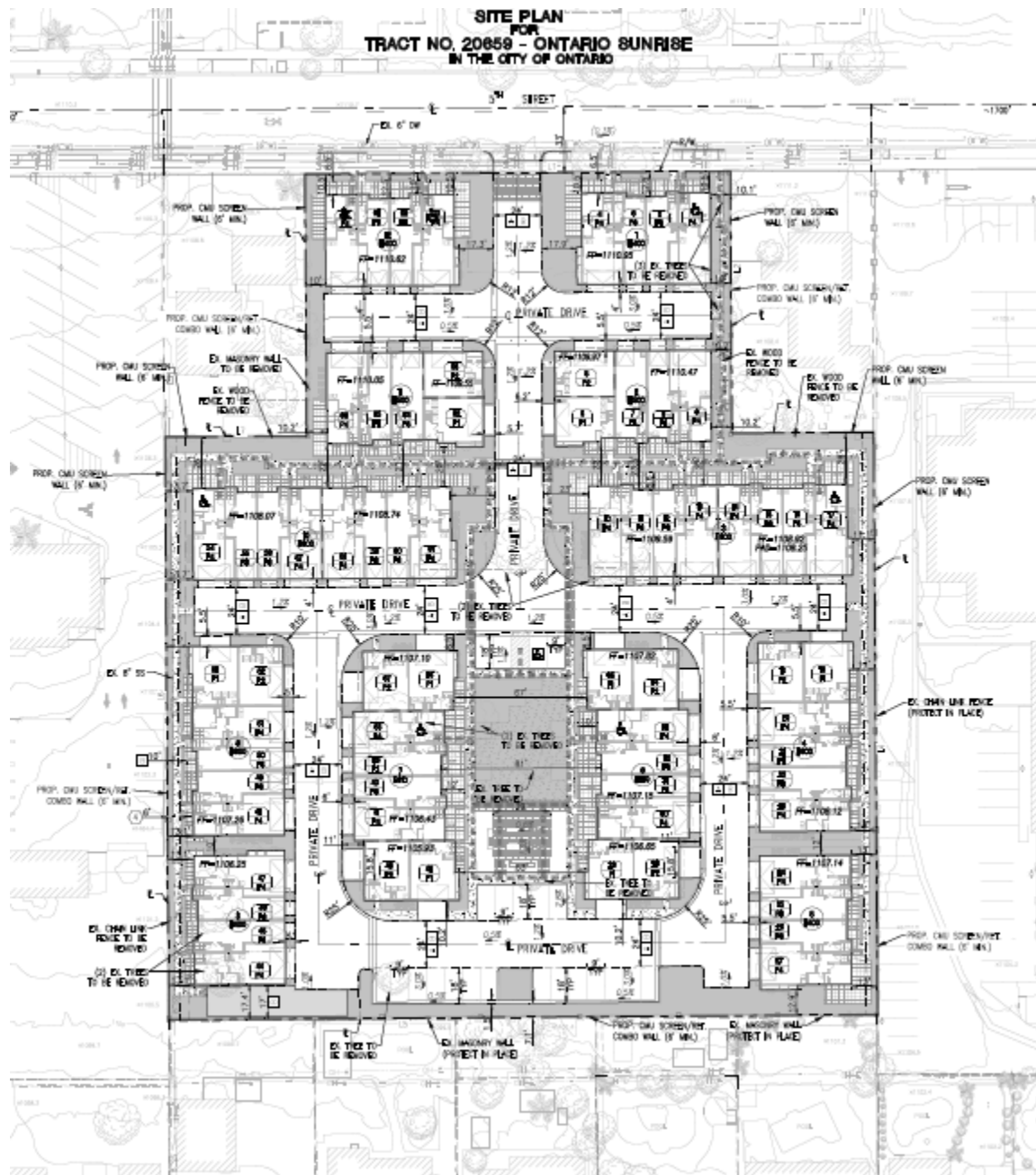


Exhibit D: ELEVATIONS
Building B400, 4-Plex



Exhibit D: ELEVATIONS
 Building B400, 4-Plex



RIGHT-2



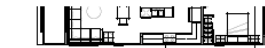
FRONT-1



3RD FLOOR



3RD FLOOR



2ND FLOOR



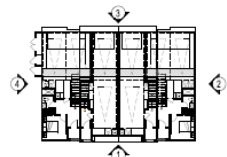
2ND FLOOR



1ST FLOOR



1ST FLOOR



KEY PLAN - SCALE: 1/16"=1'-0"

NOTE: COLOR SCHEME 1 SHOWN
 NOTE: BUILDING 12 DEMONSTRATED IN ELEVATIONS ABOVE
 NOTE: GUTTERS AND DOWNSPOUTS TO BE PAINTED TO MATCH ELEVATIONS

MATERIAL LEGEND

- | | |
|------------------------------|---------------------------------------------|
| 1. STUCCO, LIGHT SAND FINISH | 10. DECORATIVE EXT. LIGHTING & ADDRESS SIGN |
| 2. FIBER CEMENT SIDING | 11. METAL SECTIONAL GARAGE DOOR |
| 3. ASPHALT SHINGLE ROOF | 12. HORIZONTAL WOOD RAILING |
| 4. VINYL WINDOWS | 13. HORIZONTAL METAL RAILING |
| 5. STUCCO RECESS | 14. VINYL PRIVACY FENCE |
| 6. STUCCO O/F FOAM TRIM | 15. UTILITY CLOSET |
| 7. SCREED LINE | 16. DOWNSPOUTS |
| 8. FIBERGLASS ENTRY DOOR | |
| 9. FIBER CEMENT TRIM | |



LEFT-4



REAR-3



3RD FLOOR



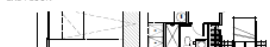
3RD FLOOR



2ND FLOOR



2ND FLOOR



1ST FLOOR



1ST FLOOR



KEY PLAN - SCALE: 1/16"=1'-0"

NOTE: COLOR SCHEME 1 SHOWN
 NOTE: BUILDING 12 DEMONSTRATED IN ELEVATIONS ABOVE
 NOTE: GUTTERS AND DOWNSPOUTS TO BE PAINTED TO MATCH ELEVATIONS

MATERIAL LEGEND

- | | |
|------------------------------|---------------------------------------------|
| 1. STUCCO, LIGHT SAND FINISH | 10. DECORATIVE EXT. LIGHTING & ADDRESS SIGN |
| 2. FIBER CEMENT SIDING | 11. METAL SECTIONAL GARAGE DOOR |
| 3. ASPHALT SHINGLE ROOF | 12. HORIZONTAL WOOD RAILING |
| 4. VINYL WINDOWS | 13. HORIZONTAL METAL RAILING |
| 5. STUCCO RECESS | 14. VINYL PRIVACY FENCE |
| 6. STUCCO O/F FOAM TRIM | 15. UTILITY CLOSET |
| 7. SCREED LINE | 16. DOWNSPOUTS |
| 8. FIBERGLASS ENTRY DOOR | |
| 9. FIBER CEMENT TRIM | |

Exhibit D: ELEVATIONS
 Building B400, 4-Plex



RIGHT - 2



FRONT - 1



3RD FLOOR



3RD FLOOR



2ND FLOOR



2ND FLOOR



1ST FLOOR



1ST FLOOR



KEY PLAN - SCALE: 1/16"=1'-0"

NOTE: COLOR SCHEME 2 SHOWN
 NOTE: BUILDING # DEMONSTRATED IN ELEVATIONS ABOVE
 NOTE: GUTTERS AND DOWNSPOUTS TO BE PAINTED TO MATCH ELEVATIONS

MATERIAL LEGEND

- | | |
|------------------------------|---------------------------------------------|
| 1. STUCCO, LIGHT SAND FINISH | 10. DECORATIVE EXT. LIGHTING & ADDRESS SIGN |
| 2. FIBER CEMENT SIDING | 11. METAL SECTIONAL GARAGE DOOR |
| 3. ASPHALT SHINGLE ROOF | 12. HORIZONTAL WOOD RAILING |
| 4. VINYL WINDOWS | 13. HORIZONTAL METAL RAILING |
| 5. STUCCO RECESS | 14. VINYL PRIVACY FENCE |
| 6. STUCCO OF FOAM TRIM | 15. UTILITY CLOSET |
| 7. SCREED LINE | 16. DOWNSPOUTS |
| 8. FIBERGLASS ENTRY DOOR | |
| 9. FIBER CEMENT TRIM | |



LEFT - 4



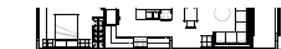
REAR - 3



3RD FLOOR



3RD FLOOR



2ND FLOOR



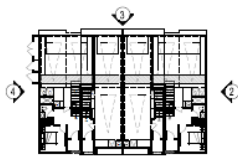
2ND FLOOR



1ST FLOOR



1ST FLOOR



KEY PLAN - SCALE: 1/16"=1'-0"

NOTE: COLOR SCHEME 2 SHOWN
 NOTE: BUILDING # DEMONSTRATED IN ELEVATIONS ABOVE
 NOTE: GUTTERS AND DOWNSPOUTS TO BE PAINTED TO MATCH ELEVATIONS

MATERIAL LEGEND

- | | |
|------------------------------|---------------------------------------------|
| 1. STUCCO, LIGHT SAND FINISH | 10. DECORATIVE EXT. LIGHTING & ADDRESS SIGN |
| 2. FIBER CEMENT SIDING | 11. METAL SECTIONAL GARAGE DOOR |
| 3. ASPHALT SHINGLE ROOF | 12. HORIZONTAL WOOD RAILING |
| 4. VINYL WINDOWS | 13. HORIZONTAL METAL RAILING |
| 5. STUCCO RECESS | 14. VINYL PRIVACY FENCE |
| 6. STUCCO OF FOAM TRIM | 15. UTILITY CLOSET |
| 7. SCREED LINE | 16. DOWNSPOUTS |
| 8. FIBERGLASS ENTRY DOOR | |
| 9. FIBER CEMENT TRIM | |

Exhibit D: ELEVATIONS
Building B500, 5-Plex



FRONT PERSPECTIVE

BLDG 11



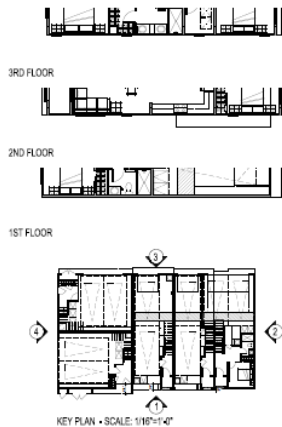
REAR PERSPECTIVE

NOTE: COLOR SCHEME 2 SHOWN

Exhibit D: ELEVATIONS
 Building B500, 5-Plex



RIGHT - 2



FRONT - 1



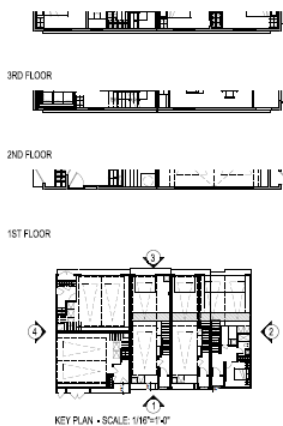
NOTE: COLOR SCHEME 2 SHOWN
 NOTE: BUILDING 11 DEMONSTRATED IN ELEVATIONS ABOVE
 NOTE: GUTTERS AND DOWNSPOUTS TO BE PAINTED TO MATCH ELEVATIONS

MATERIAL LEGEND

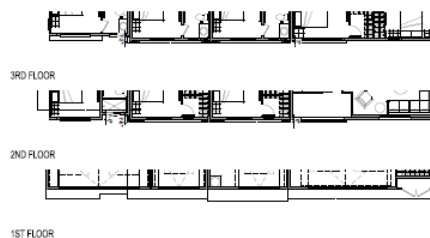
- | | |
|------------------------------|---------------------------------------------|
| 1. STUCCO, LIGHT SAND FINISH | 10. DECORATIVE EXT. LIGHTING & ADDRESS SIGN |
| 2. FIBER CEMENT SIDING | 11. METAL SECTIONAL GARAGE DOOR |
| 3. ASPHALT SHINGLE ROOF | 12. HORIZONTAL WOOD RAILING |
| 4. VINYL WINDOWS | 13. HORIZONTAL METAL RAILING |
| 5. STUCCO RECESS | 14. VINYL PRIVACY FENCE |
| 6. STUCCO OF FOAM TRIM | 15. UTILITY CLOSET |
| 7. SCREED LINE | 16. DOWNSPOUTS |
| 8. FIBERGLASS ENTRY DOOR | |
| 9. FIBER CEMENT TRIM | |



LEFT - 4



REAR - 3



NOTE: COLOR SCHEME 2 SHOWN
 NOTE: BUILDING 11 DEMONSTRATED IN ELEVATIONS ABOVE
 NOTE: GUTTERS AND DOWNSPOUTS TO BE PAINTED TO MATCH ELEVATIONS

MATERIAL LEGEND

- | | |
|------------------------------|---------------------------------------------|
| 1. STUCCO, LIGHT SAND FINISH | 10. DECORATIVE EXT. LIGHTING & ADDRESS SIGN |
| 2. FIBER CEMENT SIDING | 11. METAL SECTIONAL GARAGE DOOR |
| 3. ASPHALT SHINGLE ROOF | 12. HORIZONTAL WOOD RAILING |
| 4. VINYL WINDOWS | 13. HORIZONTAL METAL RAILING |
| 5. STUCCO RECESS | 14. VINYL PRIVACY FENCE |
| 6. STUCCO OF FOAM TRIM | 15. UTILITY CLOSET |
| 7. SCREED LINE | 16. DOWNSPOUTS |
| 8. FIBERGLASS ENTRY DOOR | |
| 9. FIBER CEMENT TRIM | |

Exhibit D: ELEVATIONS
Building B600, 6-Plex



FRONT PERSPECTIVE

BLDG 9



REAR PERSPECTIVE

NOTE: COLOR SCHEME 1 SHOWN

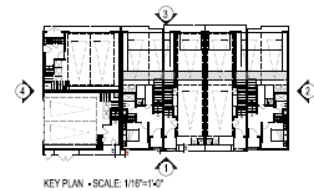
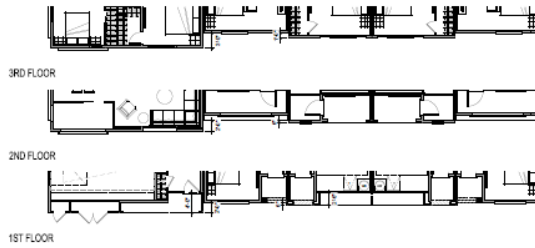
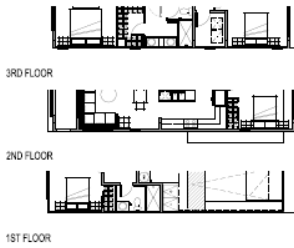
Exhibit D: ELEVATIONS
 Building B600, 6-Plex



RIGHT - 2



FRONT - 1



NOTE: COLOR SCHEME 1 SHOWN
 NOTE: BUILDING 9 DEMONSTRATED IN ELEVATIONS ABOVE
 NOTE: GUTTERS AND DOWNSPOUTS TO BE PAINTED TO MATCH ELEVATIONS

MATERIAL LEGEND

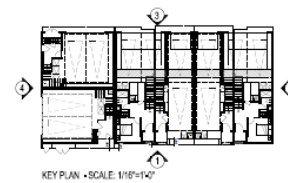
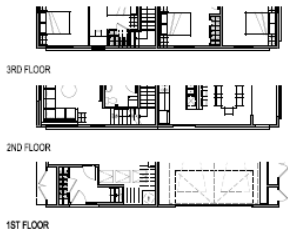
- | | |
|------------------------------|---------------------------------------------|
| 1. STUCCO, LIGHT SAND FINISH | 10. DECORATIVE EXT. LIGHTING & ADDRESS SKIN |
| 2. FIBER CEMENT SIDING | 11. METAL SECTIONAL GARAGE DOOR |
| 3. ASPHALT SHINGLE ROOF | 12. HORIZONTAL WOOD RAILING |
| 4. VINYL WINDOWS | 13. HORIZONTAL METAL RAILING |
| 5. STUCCO RECESS | 14. VINYL PRIVACY FENCE |
| 6. STUCCO O/ FOAM TRIM | 15. UTILITY CLOSET |
| 7. SCREED LINE | 16. DOWNSPOUTS |
| 8. FIBERGLASS ENTRY DOOR | |
| 9. FIBER CEMENT TRIM | |



LEFT - 4



REAR - 3



NOTE: COLOR SCHEME 1 SHOWN
 NOTE: BUILDING 9 DEMONSTRATED IN ELEVATIONS ABOVE
 NOTE: GUTTERS AND DOWNSPOUTS TO BE PAINTED TO MATCH ELEVATIONS

MATERIAL LEGEND

- | | |
|------------------------------|---------------------------------------------|
| 1. STUCCO, LIGHT SAND FINISH | 10. DECORATIVE EXT. LIGHTING & ADDRESS SKIN |
| 2. FIBER CEMENT SIDING | 11. METAL SECTIONAL GARAGE DOOR |
| 3. ASPHALT SHINGLE ROOF | 12. HORIZONTAL WOOD RAILING |
| 4. VINYL WINDOWS | 13. HORIZONTAL METAL RAILING |
| 5. STUCCO RECESS | 14. VINYL PRIVACY FENCE |
| 6. STUCCO O/ FOAM TRIM | 15. UTILITY CLOSET |
| 7. SCREED LINE | 16. DOWNSPOUTS |
| 8. FIBERGLASS ENTRY DOOR | |
| 9. FIBER CEMENT TRIM | |

Exhibit D: ELEVATIONS
Building B800, 8-Plex



FRONT PERSPECTIVE

BLDG 10



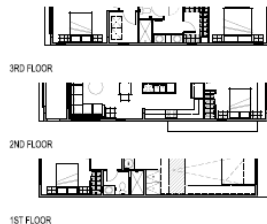
REAR PERSPECTIVE

NOTE: COLOR SCHEME 1 SHOWN

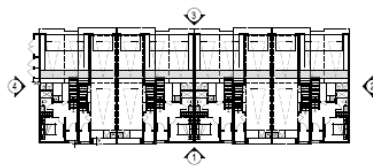
Exhibit D: ELEVATIONS
 Building B800, 8-Plex



RIGHT - 2



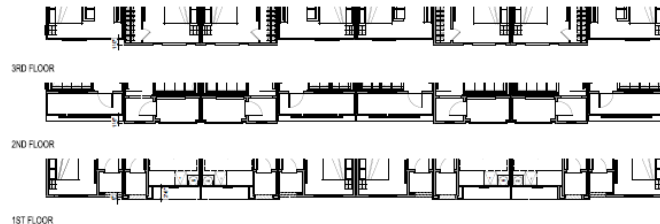
1ST FLOOR



KEY PLAN - SCALE: 1/16"=1'-0"



FRONT - 1



1ST FLOOR

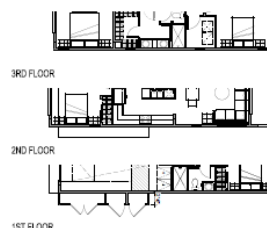
NOTE: COLOR SCHEME 1 SHOWN
 NOTE: BUILDING 10 DEMONSTRATED IN ELEVATIONS ABOVE
 NOTE: GUTTERS & DOWNSPOUTS TO BE PAINTED TO MATCH ELEVATION

MATERIAL LEGEND

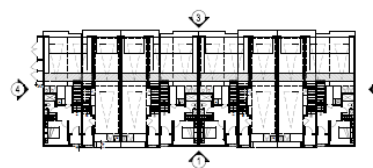
- | | |
|------------------------------|---------------------------------------------|
| 1, STUCCO, LIGHT SAND FINISH | 10, DECORATIVE EXT. LIGHTING & ADDRESS SIGN |
| 2, FIBER CEMENT SIDING | 11, METAL SECTIONAL GARAGE DOOR |
| 3, ASPHALT SHINGLE ROOF | 12, HORIZONTAL WOOD RAILING |
| 4, VINYL WINDOWS | 13, HORIZONTAL METAL RAILING |
| 5, STUCCO RECESS | 14, VINYL PRIVACY FENCE |
| 6, STUCCO OF FOAM TRIM | 15, UTILITY CLOSET |
| 7, SCORED LINE | 16, DOWNSPOUTS |
| 8, FIBERGLASS ENTRY DOOR | |
| 9, FIBER CEMENT TRIM | |



LEFT - 4



1ST FLOOR



KEY PLAN - SCALE: 1/16"=1'-0"



REAR - 3



1ST FLOOR

NOTE: COLOR SCHEME 1 SHOWN
 NOTE: BUILDING 10 DEMONSTRATED IN ELEVATIONS ABOVE
 NOTE: GUTTERS & DOWNSPOUTS TO BE PAINTED TO MATCH ELEVATION

MATERIAL LEGEND

- | | |
|------------------------------|---------------------------------------------|
| 1, STUCCO, LIGHT SAND FINISH | 10, DECORATIVE EXT. LIGHTING & ADDRESS SIGN |
| 2, FIBER CEMENT SIDING | 11, METAL SECTIONAL GARAGE DOOR |
| 3, ASPHALT SHINGLE ROOF | 12, HORIZONTAL WOOD RAILING |
| 4, VINYL WINDOWS | 13, HORIZONTAL METAL RAILING |
| 5, STUCCO RECESS | 14, VINYL PRIVACY FENCE |
| 6, STUCCO OF FOAM TRIM | 15, UTILITY CLOSET |
| 7, SCORED LINE | 16, DOWNSPOUTS |
| 8, FIBERGLASS ENTRY DOOR | |
| 9, FIBER CEMENT TRIM | |

Exhibit D: ELEVATIONS
Building B810, 8-Plex



FRONT PERSPECTIVE

BLDG 7



REAR PERSPECTIVE

NOTE: COLOR SCHEME 2 SHOWN

Exhibit D: ELEVATIONS

Building B810, 8-Plex



RIGHT - 2



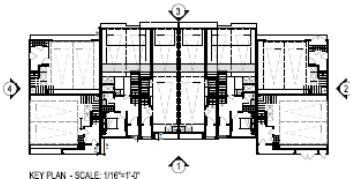
3RD FLOOR



2ND FLOOR



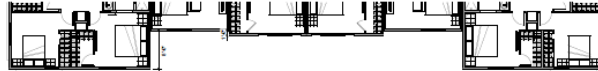
1ST FLOOR



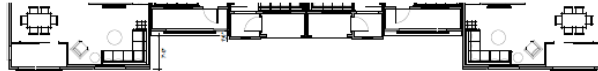
KEY PLAN - SCALE: 1/16"=1'-0"



FRONT - 1



3RD FLOOR



2ND FLOOR



1ST FLOOR

NOTE: COLOR SCHEME 2 SHOWN
 NOTE: BUILDING 7 DEMONSTRATED IN ELEVATIONS ABOVE

MATERIAL LEGEND

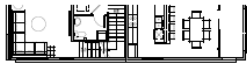
- | | |
|------------------------------|---------------------------------------------|
| 1. STUCCO, LIGHT SAND FINISH | 10. DECORATIVE EXT. LIGHTING & ADDRESS SIGN |
| 2. FIBER CEMENT SIDING | 11. METAL SECTIONAL GARAGE DOOR |
| 3. ASPHALT SHINGLE ROOF | 12. HORIZONTAL WOOD RAILING |
| 4. VINYL WINDOWS | 13. HORIZONTAL METAL RAILING |
| 5. STUCCO RECESS | 14. VINYL PRIVACY FENCE |
| 6. STUCCO OF FOAM TRIM | 15. UTILITY CLOSET |
| 7. SCREED LINE | 16. DOWNSPOUTS |
| 8. FIBERGLASS ENTRY DOOR | |
| 9. FIBER CEMENT TRIM | |



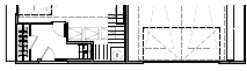
LEFT - 4



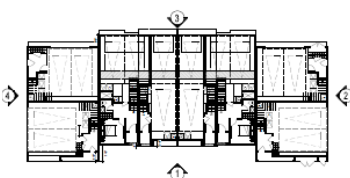
3RD FLOOR



2ND FLOOR



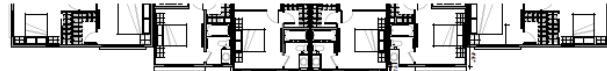
1ST FLOOR



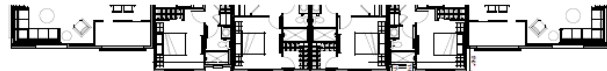
KEY PLAN - SCALE: 1/16"=1'-0"



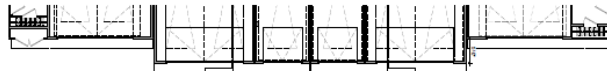
REAR - 3



3RD FLOOR



2ND FLOOR



1ST FLOOR

NOTE: COLOR SCHEME 2 SHOWN
 NOTE: BUILDING 7 DEMONSTRATED IN ELEVATIONS ABOVE
 NOTE: GUTTERS AND DOWNSPOUTS TO BE PAINTED TO MATCH ELEVATIONS

MATERIAL LEGEND

- | | |
|------------------------------|---------------------------------------------|
| 1. STUCCO, LIGHT SAND FINISH | 10. DECORATIVE EXT. LIGHTING & ADDRESS SIGN |
| 2. FIBER CEMENT SIDING | 11. METAL SECTIONAL GARAGE DOOR |
| 3. ASPHALT SHINGLE ROOF | 12. HORIZONTAL WOOD RAILING |
| 4. VINYL WINDOWS | 13. HORIZONTAL METAL RAILING |
| 5. STUCCO RECESS | 14. VINYL PRIVACY FENCE |
| 6. STUCCO OF FOAM TRIM | 15. UTILITY CLOSET |
| 7. SCREED LINE | 16. DOWNSPOUTS |
| 8. FIBERGLASS ENTRY DOOR | |
| 9. FIBER CEMENT TRIM | |

Exhibit E: COLOR BOARD

COLOR SCHEME 1



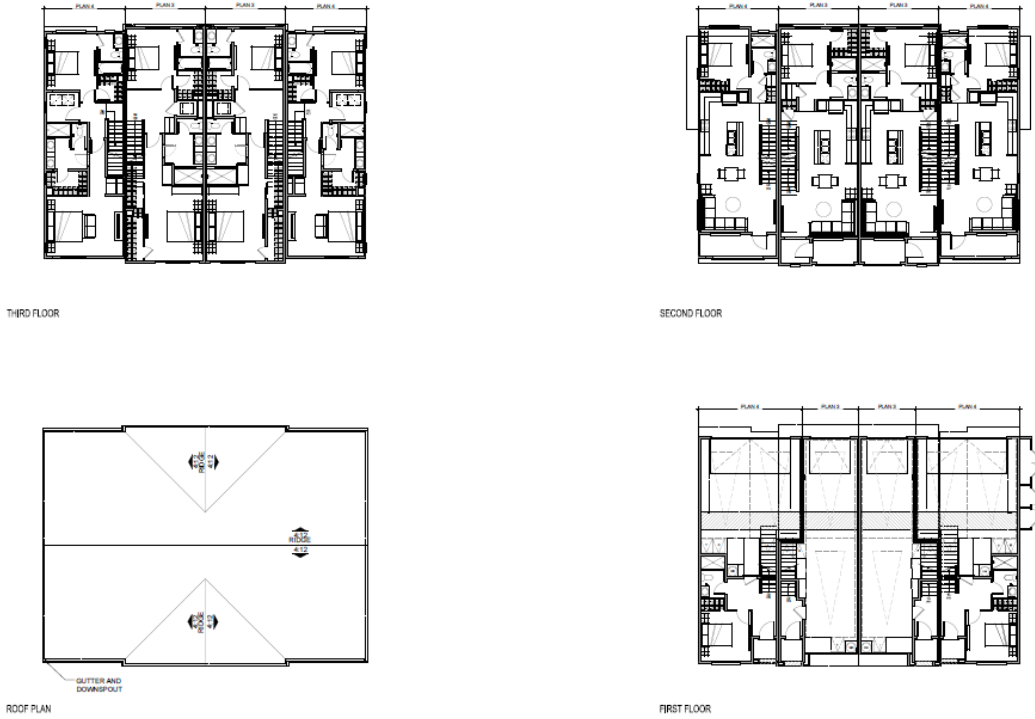
COLOR SCHEME 1

COLOR SCHEME 2



COLOR SCHEME 2

Exhibit F: FLOOR PLAN
Building B400, 4-Plex



Building B500, 5-Plex

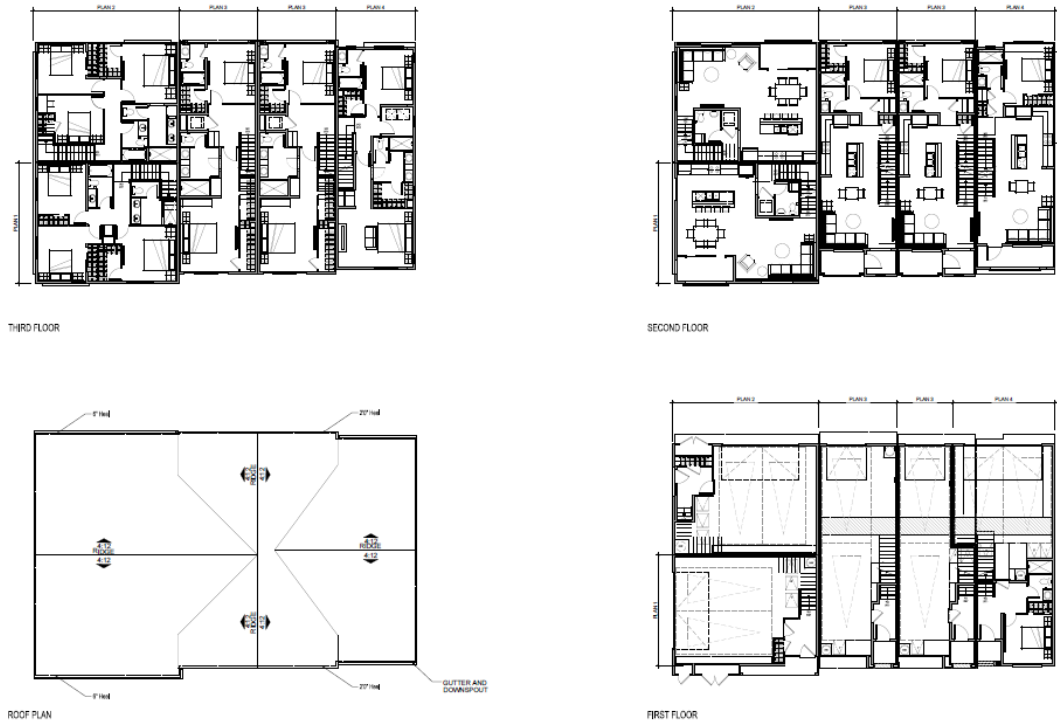
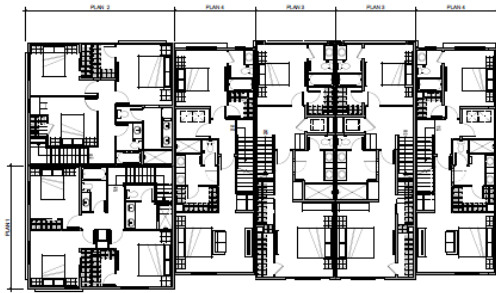
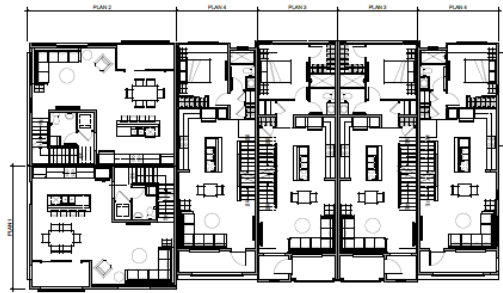


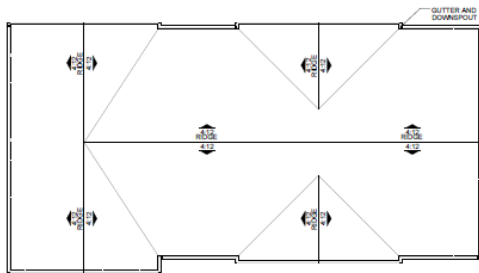
Exhibit F: FLOOR PLAN
Building B600, 6-Plex



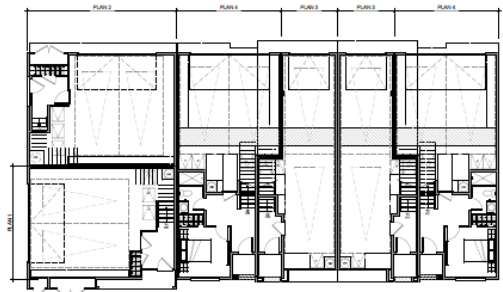
THIRD FLOOR



SECOND FLOOR

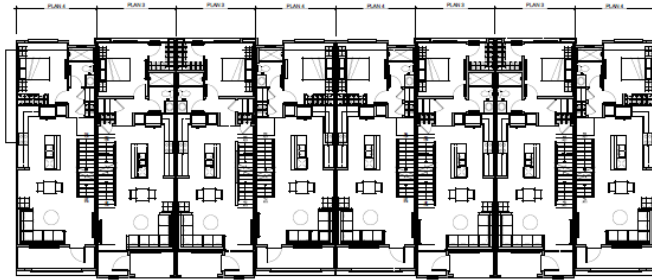


ROOF PLAN

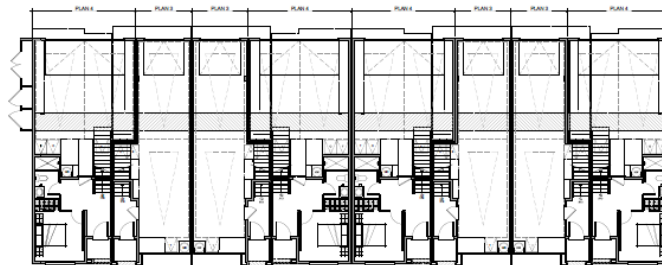


FIRST FLOOR

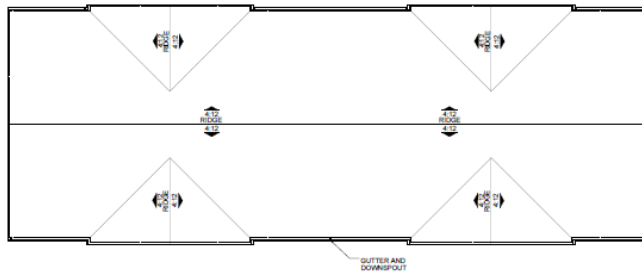
Exhibit F: FLOOR PLAN
Building B800, 8-Plex



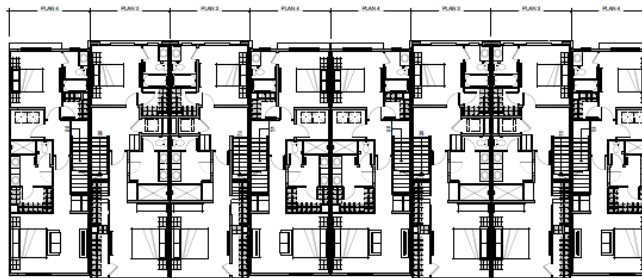
SECOND FLOOR



FIRST FLOOR

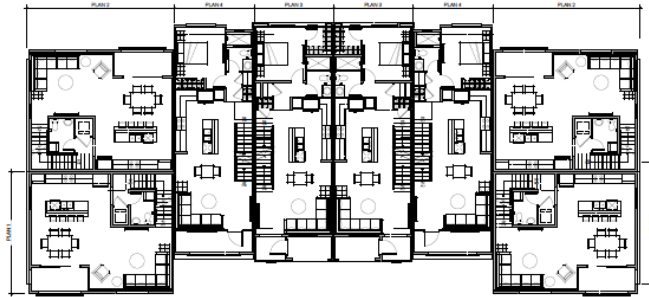


ROOF PLAN

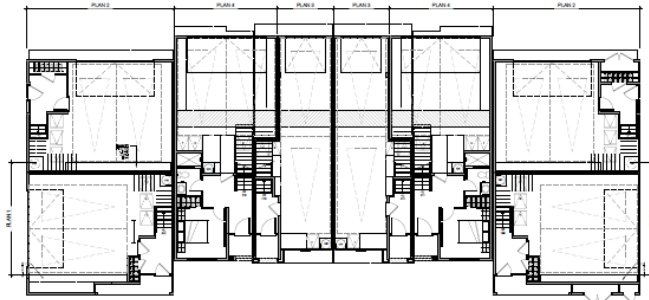


THIRD FLOOR

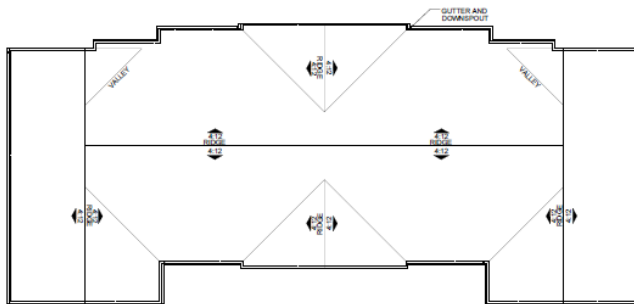
Exhibit F: FLOOR PLAN
Building B810, 8-Plex



SECOND FLOOR



FIRST FLOOR



ROOF PLAN



THIRD FLOOR

Exhibit F: FLOOR PLAN



THIRD FLOOR

SECOND FLOOR

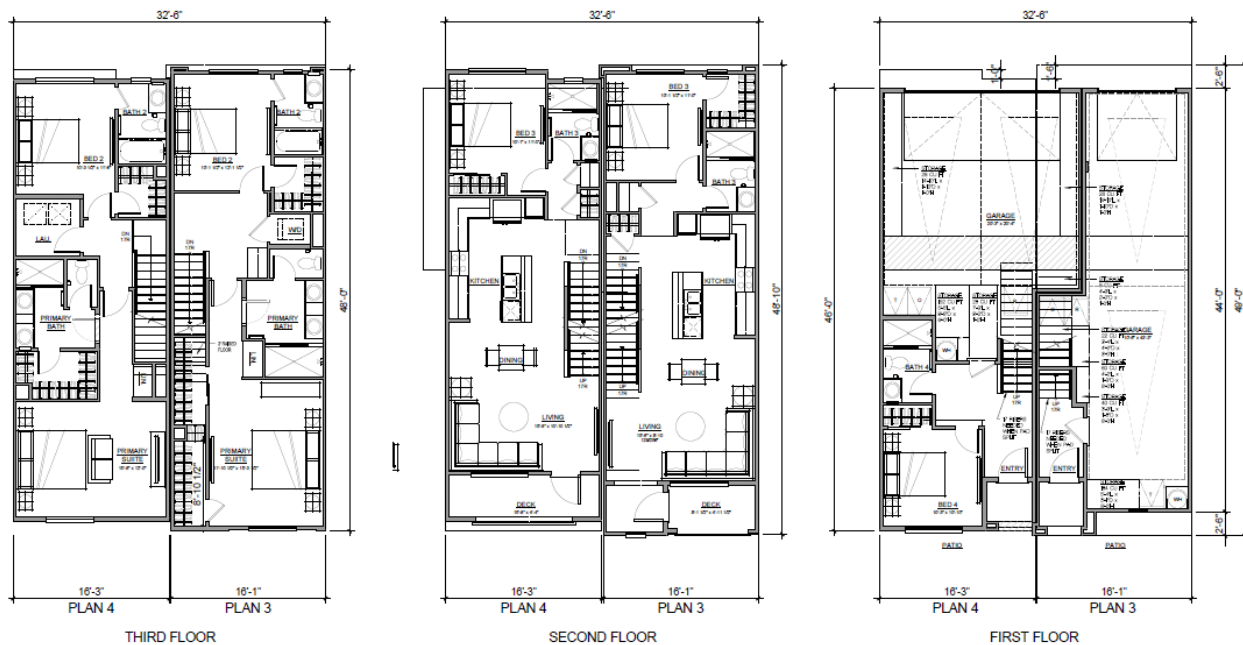
FIRST FLOOR

3 BED / 2.5 BATHS

PLAN 1 SQUARE FOOTAGE	
	NET
1ST FLOOR	177 SQ. FT.
2ND FLOOR	225 SQ. FT.
3RD FLOOR	388 SQ. FT.
TOTAL LIVING	1390 SQ. FT.
GARAGE	360 SQ. FT.
DECK	88 SQ. FT.
PATIO	167 SQ. FT. PLAN

3 BED / 2.5 BATHS

PLAN 2 SQUARE FOOTAGE	
	NET
1ST FLOOR	129 SQ. FT.
2ND FLOOR	49 SQ. FT.
3RD FLOOR	364 SQ. FT.
TOTAL LIVING	1362 SQ. FT.
GARAGE	360 SQ. FT.
DECK	88 SQ. FT.
PATIO	NA



THIRD FLOOR

SECOND FLOOR

FIRST FLOOR

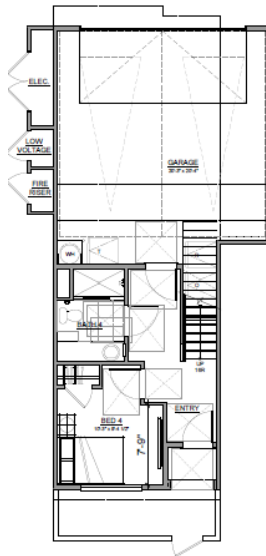
3 BED / 3 BATHS

PLAN 3 SQUARE FOOTAGE	
	NET
1ST FLOOR	487 SQ. FT.
2ND FLOOR	487 SQ. FT.
3RD FLOOR	364 SQ. FT.
TOTAL LIVING	1338 SQ. FT.
GARAGE	360 SQ. FT.
DECK	88 SQ. FT.
PATIO	167 SQ. FT. PLAN

4 BED / 4 BATHS

PLAN 4 SQUARE FOOTAGE	
	NET
1ST FLOOR	248 SQ. FT.
2ND FLOOR	487 SQ. FT.
3RD FLOOR	364 SQ. FT.
TOTAL LIVING	1099 SQ. FT.
GARAGE	360 SQ. FT.
DECK	88 SQ. FT.
PATIO	167 SQ. FT. PLAN

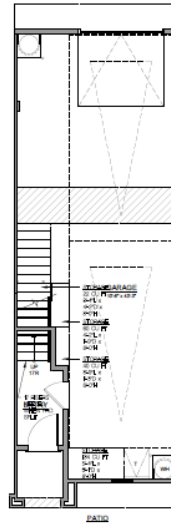
Exhibit F: FLOOR PLAN



PLAN 4 - FIRST FLOOR
ACCESSIBLE

4 BED / 4 BATHS

PLAN 4 ACCESSIBLE	
SQUARE FOOTAGE	
1ST FLOOR	114 SQ. FT.
2ND FLOOR	857 SQ. FT.
3RD FLOOR	854 SQ. FT.
TOTAL LIVING	1825 SQ. FT.
GARAGE	57 SQ. FT.
DECK	88 SQ. FT.
PATIO	REF. SITE PLAN

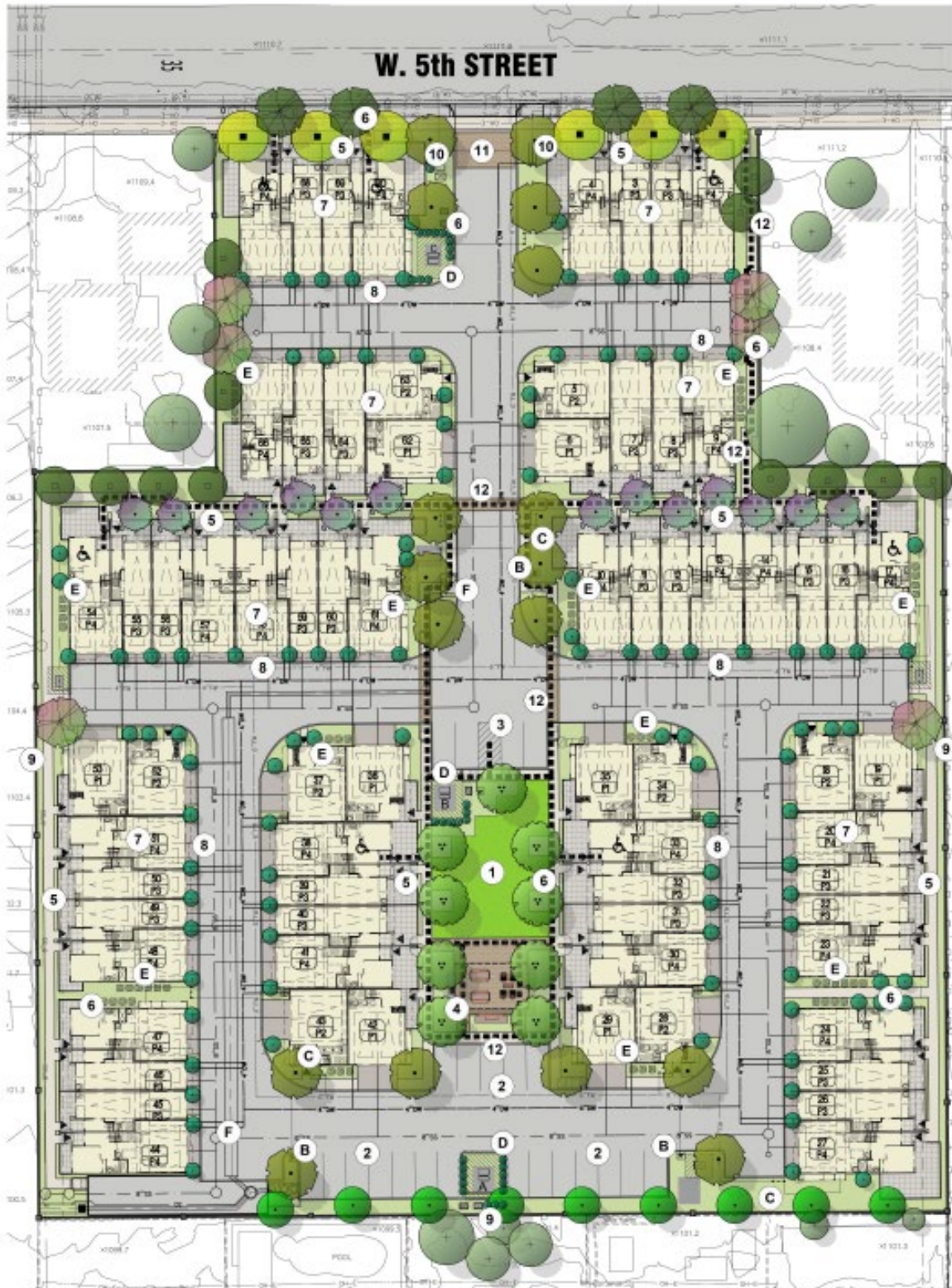


PLAN 3 - FIRST FLOOR
ALT

3 BED / 3 BATHS

PLAN 3 ACCESSIBLE	
SQUARE FOOTAGE	
1ST FLOOR	114 SQ. FT.
2ND FLOOR	857 SQ. FT.
3RD FLOOR	854 SQ. FT.
TOTAL LIVING	1825 SQ. FT.
GARAGE	57 SQ. FT.
DECK	88 SQ. FT.
PATIO	REF. SITE PLAN

Exhibit G: LANDSCAPE PLAN



DECISION NO.: [insert #]

FILE NO.: PMTT23-008

DAB Hearing Date: July 15, 2024

SUBJECT: A public hearing to consider Tentative Tract Map No. 20659 (File No. PMTT23-008), subdividing 3.1 acres of land into one parcel for condominium purposes, in conjunction with a Development Plan (File No. PDEV23-037) to construct 70 multiple-family residential condominium units on the project site, including 7 moderate affordable dwellings, located at 1355 West 5th Street, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district. APN: 1008-551-12; **submitted by Warmington Residential, LLC. Planning Commission action is required.**

PART 1: RECITALS

WHEREAS, Warmington Residential, LLC (hereinafter referred to "Applicant") filed an Application requesting approval of Tentative Tract Map No. 20659 (File No. PMTT23-008) as described in the Subject of this Decision (herein after referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 3.1 acres of land generally located at 1355 West 5th Street, that is presently occupied by existing Sunrise Church and is located within the LDR-5 (Low Density Residential — 2.1 to 5.0 Dus/Acre) zoning district; and

WHEREAS, the properties to the north of the Project site are within the LDR-5 (Low Density Residential — 2.1 to 5.0 Dus/Acre) and MDR-25 (Medium Density Residential — 18.1 to 25.0 DUs/Acre) zoning districts and contain existing multiple-family and single-family land uses. The properties to the east and west are within the LDR-5 (Low Density Residential — 2.1 to 5.0 Dus/Acre) and contain existing churches land uses. The property to the south is within the LDR-5 (Low Density Residential — 2.1 to 5.0 Dus/Acre) and contain existing single-family land uses; and

WHEREAS, on June 2, 2023, the Applicant submitted a Preliminary Review application (File No. PPRE23-002) that included plans, a project description, and the State of California's Senate Bill (SB 330) Preliminary Application form for a proposed 70 unit multiple-family condominium development on the Project site. The City reviewed that submittal for consistency with Government Code Section 65941.1 and on June 30, 2023, communicated to the Applicant information that was missing from their submittal. On October 2, 2023, the Applicant submitted Tentative Tract Map No. 20659 (File No. PMTT23-008) and a Development Plan (File No. PDEV23-037), thereby vesting their Preliminary Application and the ordinances, policies, and standards that apply to the Project; and

WHEREAS, the Project proposes the development of 70 multiple-family condominium units, including 7 moderate affordable dwellings and associated site improvements including parking, landscape, infrastructure, among others, on approximately 3.1 acres of land within the Project Site; and

WHEREAS, Tentative Tract Map No. 20659 will subdivide the 3.1-acre Project site into one parcel for condominium purposes; and

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

WHEREAS, the Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines; and

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 15, 2024, 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 2: 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, and meets all of the following conditions:

(a) *The proposed 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 LDR (Low Density Residential) land use designation of the Policy Plan (general plan) Land Use Map; however, pursuant to SB 330 and Government Code Section 65941.1, the Project vested under the MDR-25 (Medium Density Residential—18.1 to 25.0 DUs/Acre) zoning district. The proposed Project is consistent with all applicable Policy Plan policies, as well as with the requirements of the MDR-25 (Medium Density Residential—18.1 to 25.0 DUs/Acre) zoning district; and

(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 3.1-acres of land, which is surrounded by established development on all sides and consists of a mix of multiple-family, single-family, and church land uses; and

(c) *The Project site has no value as habitat for endangered, rare, or threatened species.* The site is located in an urbanized area, is developed with an existing church, related parking, and ornamental landscaping. The entire Project site has been disturbed by previous development and does not contain any sensitive habitat, endangered, rare, or threatened species or habitat that could support sensitive species; and

(d) *Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality.* The residential development is similar to, and of no greater impact than other allowed uses and development projects within the MDR-25 (Medium Density Residential—18.1 to 25.0 DUs/Acre) zoning district. The Project would not result in any significant impacts through implementation of required state, regional, and local development and performance standards, and as demonstrated in the Air Quality, GHG, Noise, Trip Generation and vehicle miles traveled ("VMT") analysis, and the Preliminary Water Quality Management Plan ("PWQMP") prepared for the Project; and

(e) *The site is adequately served by all required utilities and public services.* All necessary wet and dry utilities are within the public street and are 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: 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.

(1) 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.

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 through 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 LDR (Low Density Residential) land use designation of the Policy Plan (general plan) Land Use Map; however, pursuant to SB 330 and Government Code Section 65941.1, the Project vested under the MDR (Medium Density Residential) land use designation and proposes to utilize development standards applicable to the MDR-25 (Medium Density Residential—18.1 to 25.0 DUs/Acre) zoning district. The proposed Project is consistent with all applicable Policy Plan policies, as well as with the requirements of the MDR-25 (Medium Density Residential—18.1 to 25.0 DUs/Acre) 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 Pla; 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, including standards relative to the particular land use proposed, building and parking setbacks, building height, number of off-street parking spaces, on-site and off-site landscaping, and fences and walls, among others; 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 imposed 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 the Development Code; 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 residential land use. As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Development Code.

SECTION 5: 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 Applications 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 15th day of July 2024.

Development Advisory Board Chairman

Attachment A: Conditions of Approval

(Conditions of Approval follow this page)

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

Date Prepared: 7/15/2024

File No: PMTT23-008 & PDEV23-037

Project Description: A public hearing to consider Tentative Tract Map No. 20659 (File No. PMTT23-008), subdividing 3.1 acres of land into one parcel for condominium purposes, in conjunction with a Development Plan (File No. PDEV23-037) to construct 70 multiple-family residential condominium units on the project site, including 7 moderate affordable dwellings, located at 1355 West 5th Street, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district; (APN(s): 1008-551-12); **submitted by Warmington Residential, LLC.**

Prepared By: Thomas Grahn, Senior Planner
Phone: 909.395.2413 (direct)
Email: tgrahn@ontarioca.gov

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

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

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

2.1 Time Limits.

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

(b) 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 Subdivision Map.

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

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

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

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

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

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

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

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

2.4 Landscaping.

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

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

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

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

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

2.6 Parking, Circulation and Access.

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

(b) 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.

2.7 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:

Screen Wall Height	Minimum Gate Height
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

2.8 Site Lighting.

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

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

2.9 Mechanical and Rooftop Equipment.

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

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

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

2.11 Signs.

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

(b) On-site posting of public noticing shall be provided pursuant to Code Section 2.03.010.C.4, which consists of one, 6-foot-tall, freestanding public notification signs. The sign face shall measure 4 feet tall by 8 feet wide, in a format approved by the Planning Director. The sign shall be posted no later than ten calendar days prior to the Planning Commission hearing date and removed no later than fourteen calendar days following the Planning Commission hearing date, unless otherwise required by the Planning Director. The format is available on the City's website.

2.12 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).

2.13 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.

2.14 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.

2.15 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.

2.16 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.

2.17 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.

2.18 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.

2.19 Additional Requirements.

(a) The Applicant shall enter into an Affordable Housing Agreement with the City for 7 Moderate Affordable Units prior to the issuance of building permits.

(b) All guest parking shall be clearly labeled as "guest parking" spaces.

(c) All downspouts shall be strategically located to minimize their look along the side of the structures. They shall also be painted to match the adjacent wall color(s) in which they are located. Construction plans shall include such a note.

(d) All new walls shall be constructed of split face block, slump stone, or plastered, textured, and painted to match the main structures.

(e) Prior to occupancy, a Parking Management Plan shall be submitted and approved by the Planning Department. The Plan shall illustrate what parking space (excluding enclosed garages) are assigned to each unit, if applicable.

(f) Once the construction plans have been approved by the City and permits have been issued, the Applicant/Developer shall submit two reduced copies (11" x 17") of the approved plans to the Planning Department

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT23-008 and PDEV23-037

Address: Northeast corner of Guasti Road and Haven Avenue

APN: 0210-212-60

Existing Land Use: Religious Assembly

Proposed Land Use: Subdivide 3.1 acres of land into one parcel for condominium purposes and construct 70 multiple-family units

Site Acreage: 3.1 Proposed Structure Height: 41 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Thomas Grahn

Date: 7/9/2024

CD No.: 2023-019

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 for Airport in Vicinity

Airport Planner Signature: _____



CITY OF ONTARIO

MEMORANDUM

TO: Thomas Grahn, Senior Planner
Planning Department

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

DATE: October 17, 2023

SUBJECT: PDEV23-037 - A Development Plan approval to construct 70 multiple-family dwellings, including 7 moderate affordable dwellings, on approximately 3.1 acres of land located at 1355 West 5th Street, within the LDR-5 (Low Density Residential) zoning district (APN: 1008-551-12). Related File(s): PMTT23-008.

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

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: V-B
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies, 12 Buildings
- D. Number of Stories: 2
- E. Total Square Footage: Largest is 12,236 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): R2

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 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.
- ☒ 3.2 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.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.

5.0 BUILDING CONSTRUCTION FEATURES

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

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



CITY OF ONTARIO

MEMORANDUM

TO: Thomas Grahn, Senior Planner

FROM: Heather Lugo, MA, Police Department

DATE: October 16, 2023

SUBJECT: PDEV23-037 - A Development Plan approval to construct 70 multiple-family dwellings, including 7 moderate affordable dwellings, on approximately 3.1 acres of land located at 1355 West 5th Street, within the LDR-5 (Low Density Residential) zoning district (APN: 1008-551-12). Related File(s): PMTT23-008.

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.

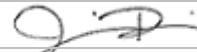
- Required lighting for all walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures 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.
- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, all cash registers, and at least one camera shall capture any vehicle utilizing the drive-thru. Cameras shall be positioned to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 640x480 lines of resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.
- All exterior electrical outlets shall be secured and locked.
- All exterior water spigots / water supply sources shall be secured and locked.

The Applicant is invited to contact Heather Lugo at (909) 408-1074 with any questions or concerns regarding these conditions.

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

CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Architect

3/27/2024

Date

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

D.A.B. File No.: PDEV23-037 & PMTT23-008 Case Planner: Thomas Grahn

Project Name and Location:
 Ontario Sunrise – 70 Multiple-Family Dwellings
 1355 W 5th Street

Applicant/Representative:
 Warmington Residential – moses.kim@warmingtongroup.com
 3090 Pullman Street
 Costa Mesa, CA 92326

- Preliminary Plans (dated 3/11/2024) 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.

Civil/Site Plans

1. Replacement and mitigation for removed trees shall equal the trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020. A total of 200 inches of trunk replacement is required; see #2 for mitigation options.
2. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as:
 - a. New 15 gallon trees min 1" diameter trunk, in addition to trees required. *200 trees in addition to required trees.*
 - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required. *133 trees in addition to required trees.*
 - c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size. *Provide a matrix with upsizing information.*
 - d. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal," approved certified arborist plant appraiser, may be equal to the value of the installation cost of planting, fertilizing, staking, and irrigating 15-gallon trees (100\$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items. *Monetary value is \$20,000.*
3. Locate modular wetlands/biofiltration unit out of the landscape areas; these systems are not maintained properly when located within the open/common landscape spaces.
4. Reduce drive aisles to 24'. All planters must have a minimum 5' wide inside dimension to be counted towards the overall landscape open/common space percentage. Landscape planters shall have a minimum width of 3' otherwise.
5. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
6. Show all backflow devices set back 4' from paving on all sides. Locate on level grade.
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. 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.
9. Locate light standards, fire hydrants, water, and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans..
10. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
11. Show parkway landscape max 18" high: such as Baccharis, Lonicera, Kurapia, etc., and street trees spaced 30' apart.
12. Show 6' diameter of mulch only at new trees. Detail irrigation dripline outside of mulched root zone.
13. Designer or developer to provide agronomical soil testing and include a report on landscape construction plans.
14. Show minimum on-site tree sizes per the Landscape Development standards; see the Landscape Planning website. 5% 48" box, 10% 36 box, 30% 24" box, 55% 15 gallon.
15. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis, etc.) in appropriate locations.
16. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
17. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council.



**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 checked="" type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input checked="" type="checkbox"/> TRACT MAP
PROJECT FILE NO. <u>TM-20659</u>		
RELATED FILE NO(S). <u>PDEV23-037; PMTT23-008</u>		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u> / / </u>		

CITY PROJECT ENGINEER & PHONE NO: Henry Pham (909) 395-2141


CITY PROJECT PLANNER & PHONE NO: ^{HP} Thomas Grahn (909) 395-2413

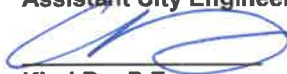
DAB MEETING DATE: July 15th, 2024

PROJECT NAME / DESCRIPTION: A tentative tract map for condominium purposes and a development plan to construct 70 multiple-family dwellings on approximately 3.1 acres of land.

LOCATION: 1355 West 5th Street

APPLICANT: Warmington Residential California, Inc.
Bret Llich – (877) 708-3454

REVIEWED BY:  7/2/24
Raymond Lee, P.E. Date
Assistant City Engineer

APPROVED BY:  7-3-24
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 PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO TRACT MAP APPROVAL, APPLICANT SHALL:		Check When Complete
<input type="checkbox"/>	1.01 Dedicate to the City of Ontario, the right-of-way, described below: Property line corner 'cut-back' required at the intersection of:	<input type="checkbox"/>
<input checked="" type="checkbox"/>	1.02 Dedicate to the City of Ontario, the following easement(s): a. For public sewer purposes along the west property line: 10-foot-wide easement b. For public utility, emergency vehicle, and solid waste collection access purposes within the private drive: 26-foot-wide easement	<input type="checkbox"/>
<input type="checkbox"/>	1.03 Restrict vehicular access to the site as follows:	<input type="checkbox"/>
<input type="checkbox"/>	1.04 Vacate the following street(s) and/or easement(s):	<input type="checkbox"/>
<input checked="" type="checkbox"/>	1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.	<input type="checkbox"/>
<input checked="" type="checkbox"/>	1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.	<input type="checkbox"/>
<input type="checkbox"/>	1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at http://tceplumecleanup.com/), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658 .	<input type="checkbox"/>
<input type="checkbox"/>	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) _____	<input type="checkbox"/>
<input checked="" type="checkbox"/>	1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.	<input type="checkbox"/>
<input checked="" type="checkbox"/>	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.	<input type="checkbox"/>



- 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 Tract Map No. 20659 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 Apply for a:
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment (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:
- 2.11 Dedicate to the City of Ontario the following easement(s):
- 2.12 Vacate the following street(s) and/or easement(s):
- 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 _____% 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 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:



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	5 th St.	Private Drive		
Curb and Gutter¹	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement (see Sec. 2.19)	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Widen _____ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen _____ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen _____ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen _____ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input 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
Sidewalk¹	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Replace damaged	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway¹	<input type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> Upgrade² <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
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 type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input 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	Construct RRFB at 5 th Street and Elderberry Avenue crosswalk. (See attached Traffic Conditions)	_____	_____	_____

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

¹Remove existing driveway approaches and replace with curb, gutter, sidewalk, and parkway landscape.

²Upgrade existing fire hydrant along 5th Street.

- 2.19 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):
- a. 5th Street along project frontage from the edge of gutter to centerline of street.



- 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 to the site. 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 An 8-inch sewer main is available for connection by this project along the westerly property line. (Ref: Sewer facility id number: S12610)
- 2.25 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 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: See attached OMUC Utilities Engineering Development conditions of approval.

D. WATER

- 2.28 A 6-inch water main is available for connection by this project in 5th Street. (Ref: Water facility id number: W11080)
- 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: See attached OMUC Utilities Engineering Development conditions of approval.

E. RECYCLED WATER

- 2.31 A _____-inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
- 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 in Sultana Avenue. 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: See attached Traffic Engineering conditions of approval.

G. DRAINAGE / HYDROLOGY

- 2.40 A ____ storm drain main is available to accept flows from this project in _____.
- 2.40 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.
- 2.41 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.
- 2.42 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.
- 2.43 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.
- 2.44 Other conditions:

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.
- 2.53 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.
- 2.54 Other conditions: See attached Broadband Operations conditions of approval.

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 OMUC a copy of the letter of confirmation from the California State Water Board (Division of Drinking Water) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete Site Supervisor 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: PDEV23-037, PMTT23-008, and Tract Map No. 20659

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. **Digital copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **Digital copy of project Conditions of Approval**
5. **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. **Digital copy of Potable 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. Digital copy of Public Street improvement plan with street cross-sections.
8. Digital copy 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. Digital copy 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. Digital copy of Public Sewer improvement plan
11. Digital copy of Public Storm Drain improvement plan
12. **Digital copy of Public Street Light improvement plan**
13. Digital copy of Signing and Striping improvement plan
14. **Digital copy of Fiber Optic plan (include Auto CAD electronic submittal)**
15. **Digital copy of HOA Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.**
16. Digital copy of CFD Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
17. **Digital copy 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. **Digital copy of Rectangular Rapid Flashing Beacon (RRFB) improvement plan. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.**
19. **Digital copy of Water Quality Management Plan (WQMP)**
20. **Digital copy of Hydrology/Drainage study**
21. **Digital copy of Soils/Geology report**



21. **Digital copy of Soils/Geology report**
22. **Payment for Final Map/Parcel Map processing fee**
23. **Digital copy of Final Map/Parcel Map**
24. **Digital copy of approved Tentative Map**
25. **Digital copy of Preliminary Title Report (current within 30 days)**
26. **Digital copy of Traverse Closure Calculations**
27. **Digital copy of 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. Digital copy of Engineering Report for recycled water use
29. Other:



CITY OF ONTARIO

MEMORANDUM

Development Plan Review

Engineering Department:
Transportation Section

Project: PDEV23-037/PMTT23-008
(70-Multi Family Dwellings)

Date: April 9, 2024

Location: 1355 West 5th Street

By: Diego Tapia
Nathan Kuan

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

Conditions:

1. The Applicant/Developer shall be responsible to install a rectangular rapid flashing beacon (RRFB) at Fifth Street and Elderberry Avenue crosswalk per the California MUTCD guidelines and to the satisfaction of the City Engineer. These, and all other street improvements herein required for the installation of the RRFB, shall include, but not be limited to, intersection lighting, signing and striping, and ADA improvements.
2. The Applicant/Developer shall be responsible to design and construct in-fill public street lights and a potential new service along its project frontage on 5th Street. Street lighting shall be LED-type and in accordance with City's Approved Material List LED Luminaires. The Applicant/Developer shall also install smart nodes on all new street light fixtures.
3. The Applicant/Developer shall replace the existing street light located along the project frontage with the current standard pole height in accordance with City of Ontario Standard Drawing No. 5101.
4. Where a driveway closure is being proposed, the Applicant/Developer shall backfill the existing driveway curb-cuts with full-height curb and gutter, sidewalk, and landscaped parkway in accordance with all City standards and to the satisfaction of the City Engineer.
5. Design and construct proposed driveway in accordance with City of Ontario Standard Drawing No. 1205 for Residential Driveway Approach II.
6. Parking shall be restricted at proposed driveway for visibility along project frontage on 5th Street.

7. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.
8. The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to designing and submitting for plan check the street lighting design plans to define limits of improvements.

dt, nk;



CITY OF ONTARIO MEMORANDUM

DEVELOPMENT PLAN REVIEW CONDITIONS OF APPROVAL Broadband Operations Section

DATE: 06-25-24

PROJECT: PDEV23-037

LOCATION: 5th st and Mountain

PROJECT ENGINEER: Henry Pham

BROADBAND PLAN CHECKER: Cameron Chadwick - CChadwick@ontarioca.gov

The following Conditions of Approval requirements must be incorporated prior to the Development Advisory Board and/or Zoning Administrator Hearing.

1. Project shall be designed and constructed 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 in the Right-of-Way (ROW) and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.
2. Contractor is responsible for locating and connecting conduit to existing OntarioNet hand holes on adjacent properties within a reasonable distance. There should be no "Gaps" in conduit between the contractor's development and the adjacent property. OntarioNet hand holes are typically located in the ROW at the extreme edge of a property.
3. Where a joint telecom or street light street crossing is required, include (2) 2" HDPE SDR-11 conduits or (1) 4" schedule 80 conduit sleeve. Terminate the street crossing conduit(s) in a new HH-3/22 OntarioNet hand hole in the right of way
4. The City requires a public utility easement for fiber optics on all private aisles/alley ways.
5. Hand holes - Design and install OntarioNet fiber optic hand hole HH-FP (10x00x10), HH-1 (13x24x18), HH-2 (17x30x24), HH-2A (24x36x30), HH-3 (30x48x36) and/or HH-4 (36x60x36) as needed. Respectively, Newbasis Part # PLA100010T-00002, PCA132418-00006, PCA-173024-90116, PCA-243630-90064, PCA-304836-90244 and PCA-366036-90146 or equivalent as specified per City Standard 1316. Conduits sweeping into hand holes shall enter in flush with the cut-out mouse holes aligned parallel to the bottom of the box and come in perpendicular to the wall of the box. Conduits shall not enter at any angle other than parallel. Provide 5-foot minimum clearance from existing/proposed utilities. All hand holes will have ¼-inch galvanized wire between the hand holes and the gravel it is placed on.
6. ROW Conduit – Design and install fiber optic conduit at a minimum depth of 36-inch. Trenching shall be per City Standard 1306. Install (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct and (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange with Black Stripe) duct. Conduit(s) between ROW hand holes and hand holes on private property shall be 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct.
7. Building Entrance (Single Family) – Design and install 0.75-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct from hand holes on property or hand holes in the ROW. Consult City's Fiber Team for design assistance.
8. Building Entrance (Multi-family and Commercial) - From the nearest handhole to the building entrance, design and install fiber optic conduit at a minimum depth of 36-inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install

locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct

9. Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"
10. A minimum 13/16 millimeter microduct joint use telecommunications conduit with pull-rope from the single-family, multi-family or commercial building communal telecom/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City's website for additional details.
11. Warning Tape - Contractor shall supply and install an approved non-detectable warning tape 18-inch above the uppermost conduit when backfilling trenches, pits or excavations greater than 10' in length. Warning Tape shall be non-detectable, Orange in color, 4-inch minimum width, 4 mil, 500% minimum elongation, with bold printed black letters "CAUTION - BURIED FIBER OPTIC CABLE BELOW" printed in bold black lettering no less than 2-inch high.
12. All hand holes, conduits, conduit banks, materials and installations are per the City's Fiber Optic Master Plan and City Fiber Optic Cable and Duct Standards. All hand holes, conduits and ducts shall be placed in the public right of way.
13. All unused conduits/ducts/microducts shall be protected with duct plugs that provide a positive seal. Ducts that are occupied shall be protected with industry accepted duct seal compound.
14. Locate/Tracer Wire - Conduit bank requires (1) 12AWG high strength (minimum break load 452#) copper-clad steel with 30mil HDPE orange insulation for locate/tracer wire. Contact City's Fiber Team for tracer wire specifications and see note 8.
15. Multi-family dwellings are considered commercial property.
16. Refer to the In-tract Fiber Network Design guideline on the City's website for additional in-tract conduit guidelines.



CITY OF ONTARIO MEMORANDUM



DATE: June 27, 2024
TO: Henry Pham, Engineering Department
CC: Tom Grahn, Planning Department
FROM: Eric Woosley, Utilities Engineering (QC: JFK)
SUBJECT: DPR #3 - Utilities Engineering Conditions of Approval (#10044 & #10045)
PROJECT NO.: TM-20659 (PMTT23-008)/PDEV23-037

BRIEF DESCRIPTION

A Tentative Tract Map for Condominium purposes, and a Development Plan to construct 70 multiple-family dwellings, including 7 moderate affordable dwellings on approximately 3.1 acres of land located at 1355 West 5th Street, within the LDR-5 (Low Density Residential) zoning district. (APNs: 1088-551-12).

UTILITIES ENGINEERING CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL: *The Ontario Municipal Utilities Company (OMUC) recommends this application for approval subject to the conditions outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards.*

1. **Standard Conditions of Approval:** Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below.

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 showing and labeling 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.
 - a. The proposed utilities, utility alignments, and Public Rights-of-Way (ROW)/Public Utility Easements (PUE) shown on the Conceptual Utilities Systems Map (CUSM) and other Entitlement documents are not considered final and shall be revised during Final Design to meet all City Design Guidelines, Standards, City Requirements, and all the Conditions of Approval contained in this document.
3. **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.

4. **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, except for the existing sewer within the existing 6-foot wide easement;
 - 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 ROW 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 a minimum of 5 feet from curbface.

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

5. **Public Sewer Improvements:** Design and construct the following required public sewer mains in accordance with City of Ontario Standards and Design Guidelines and Specifications:
- a. Per City of Ontario Standard Drawing No. 2001:
 - i. Install a public sewer manhole approximately 25-feet south of the existing sewer manhole, measured on-center, within the existing PUE along the westerly property limit. The location of the proposed sewer manhole shall be inline with the proposed private drive aisle to provide maintenance vehicle access.
 - ii. Install a public sewer manhole at the most downstream point of the existing public sewer main within the existing PUE along the westerly property limit. The location of the proposed sewer manhole shall

have a direct path of travel to provide maintenance vehicle access. The access path shall be drivable and have a 14-foot minimum width with 28-foot and 42-foot inner and outer turning radii, respectively.

- iii. Submit calculations by a licensed professional engineer to demonstrate the structural integrity of the public sewer main is not compromised at the location(s) the proposed perimeter wall and pilaster(s) are proposed over the sewer main.

6. Sewer Laterals: Per City of Ontario Standard Drawing No. 2003:

- a. Install a sewer lateral connected to the existing public sewer main (S12610) in the existing PUE along the westerly property limit.
- b. No storm water quality improvements (infiltration, detention, retention, bioswale, etc.) shall be installed above or within 5 feet of any Public Sewer Lateral.

7. Existing Sewer Laterals:

- a. Abandon all existing unused sewer lateral connections to the sewer main.

8. Private Onsite Sewer System and Plumbing: The Onsite Sewer System shall be privately maintained by the property owner.

- a. No storm water quality improvements (infiltration, detention, retention, bioswale, etc.) shall be installed above or within 5 feet of any Private Onsite Sewer pipes.

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

9. Public Water Improvements: Design and construct the following required public water mains in accordance with City of Ontario Standards and Design Guidelines and Specifications:

- a. N/A

10. Fire Hydrants: Per City of Ontario Standard Drawing No. 4101. Fire hydrants connected to potable water mains shall be spaced a maximum of 300 feet apart or per Fire Department Standards/Requirements:

- a. Install one (1) fire hydrant along the frontage of Fifth Street to replace the existing fire hydrant to be abandoned.

11. Existing Fire Hydrants: Abandon the fire hydrant located along the frontage of Fifth Street to the connection of the water main (W11080).

12. Fire Service with Fire System Double Check Detector Assembly (DCDA): Per City of Ontario Standard Drawing No. 4208:

- a. If an onsite private fire system is required, then a separate Fire Service equipped with a DCDA connected to the Public Potable Water System is required, to serve the onsite private fire system. The onsite fire system shall be separate from the onsite domestic water plumbing system and the onsite landscape irrigation system.

13. Water Service with Master Meter and Backflow Prevention Assembly Reduced Pressure Device:

- a. Install a water service and master meter connected to the existing potable water main (W11080) in Fifth Street per City of Ontario Standards. The water service shall be equipped with a backflow prevention device. The water master meter shall be located within the ROW.

14. Irrigation Water Service with Meter and Backflow Prevention Assembly Reduced Pressure Device:

- a. Install a water service and meter for irrigation purposes connected to the existing potable water main (W11080) in Fifth Street per City of Ontario Standards. The irrigation water service shall be equipped with a backflow prevention device. The irrigation water meter shall be located within the ROW.

15. Existing Water Services:

- a. Abandon all existing unused water service connections to the water main.

Recycled Water Conditions (Section 2.E): The Applicant shall comply with the following:

16. N/A

DECISION NO.: [insert #]

FILE NO.: PDEV23-037

DAB Hearing Date: July 15, 2024

SUBJECT: A public hearing to consider Tentative Tract Map No. 20659 (File No. PMTT23-008), subdividing 3.1 acres of land into one parcel for condominium purposes, in conjunction with a Development Plan (File No. PDEV23-037) to construct 70 multiple-family residential condominium units on the project site, including 7 moderate affordable dwellings, located at 1355 West 5th Street, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district. APN: 1008-551-12; **submitted by Warmington Residential, LLC. Planning Commission action is required.**

PART 1: RECITALS

WHEREAS, Warmington Residential, LLC (hereinafter referred to "Applicant") filed an Application to requesting approval of a Development Plan (File No. PDEV23-037), as described in the Subject of this Decision (herein after referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 3.1 acres of land generally located at 1355 West 5th Street, that is presently occupied by existing Sunrise Church and is located within the LDR-5 (Low Density Residential — 2.1 to 5.0 Dus/Acre) zoning district; and

WHEREAS, the properties to the north of the Project site are within the LDR-5 (Low Density Residential — 2.1 to 5.0 Dus/Acre) and MDR-25 (Medium Density Residential — 18.1 to 25.0 DUs/Acre) zoning districts and contain existing multiple-family and single-family land uses. The properties to the east and west are within the LDR-5 (Low Density Residential — 2.1 to 5.0 Dus/Acre) and contain existing churches land uses. The property to the south are within the LDR-5 (Low Density Residential — 2.1 to 5.0 Dus/Acre) and contain existing single-family land uses; and

WHEREAS, on June 2, 2023, the Applicant submitted a Preliminary Review application (File No. PPRE23-002) that included plans, a project description, and the State of California's Senate Bill (SB 330) Preliminary Application form for a proposed 70 unit multiple-family condominium development on the Project site. The City reviewed that submittal for consistency with Government Code Section 65941.1 and on June 30, 2023, communicated to the Applicant information that was missing from their submittal. On October 2, 2023, the Applicant submitted Tentative Tract Map No. 20659 (File No. PMTT23-008) and a Development Plan (File No. PDEV23-037), thereby vesting their Preliminary Application and the ordinances, policies, and standards that apply to the Project; and

WHEREAS, the Project proposes the development of 70 multiple-family condominium units, including 7 moderate affordable dwellings and associated site improvements including parking, landscape, infrastructure, among others, on approximately 3.1 acres of land within the Project Site; and

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

WHEREAS, the Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines; and

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 15, 2024, 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 2: 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, and meets all of the following conditions:

(a) *The proposed 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 LDR (Low Density Residential) land use designation of the Policy Plan (general plan) Land Use Map; however, pursuant to SB 330 and Government Code Section 65941.1, the Project vested under the MDR-25 (Medium Density Residential—18.1 to 25.0 DUs/Acre) zoning district. The proposed Project is consistent with all applicable Policy Plan policies, as well as with the requirements of the MDR-25 (Medium Density Residential—18.1 to 25.0 DUs/Acre) zoning district; and

(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 3.1-acres of land, which is surrounded by established development on all sides and consists of a mix of multiple-family, single-family, and church land uses; and

(c) *The Project site has no value as habitat for endangered, rare, or threatened species.* The site is located in an urbanized area, is developed with an existing church, related parking, and ornamental landscaping. The entire Project site has been disturbed by previous development and does not contain any sensitive habitat, endangered, rare, or threatened species or habitat that could support sensitive species; and

(d) *Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality.* The residential development is similar to, and of

no greater impact than other allowed uses and development projects within the MDR-25 (Medium Density Residential—18.1 to 25.0 DUs/Acre) zoning district. The Project would not result in any significant impacts through implementation of required state, regional, and local development and performance standards, and as demonstrated in the Air Quality, GHG, Noise, Trip Generation and vehicle miles traveled ("VMT") analysis, and the Preliminary Water Quality Management Plan ("PWQMP") prepared for the Project; and

(e) *The site is adequately served by all required utilities and public services. All necessary wet and dry utilities are within the public street and are 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: 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.

(1) 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.

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 through 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 LDR (Low Density Residential) land use designation of the Policy Plan (general plan) Land Use Map; however, pursuant to SB 330 and Government Code Section 65941.1, the Project vested under the MDR (Medium Density Residential) land use designation and proposes to utilize development standards applicable to the MDR-25 (Medium Density Residential—18.1 to 25.0 DUs/Acre) zoning district. The proposed Project is consistent with all applicable Policy Plan policies, as well as with the requirements of the MDR-25 (Medium Density Residential—18.1 to 25.0 DUs/Acre) 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 Pla; 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, including standards relative to the particular land use proposed, building and parking setbacks, building height, number of off-street parking spaces, on-site and off-site landscaping, and fences and walls, among others; 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 imposed 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 the Development Code; 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 residential land use. As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Development Code.

SECTION 5: 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 Applications 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 15th day of July 2024.

Development Advisory Board Chairman

Attachment A: Conditions of Approval

(Conditions of Approval follow this page)

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

Date Prepared: 7/15/2024

File No: PMTT23-008 & PDEV23-037

Project Description: A public hearing to consider Tentative Tract Map No. 20659 (File No. PMTT23-008), subdividing 3.1 acres of land into one parcel for condominium purposes, in conjunction with a Development Plan (File No. PDEV23-037) to construct 70 multiple-family residential condominium units on the project site, including 7 moderate affordable dwellings, located at 1355 West 5th Street, within the LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) zoning district; (APN(s): 1008-551-12); **submitted by Warmington Residential, LLC.**

Prepared By: Thomas Grahn, Senior Planner
Phone: 909.395.2413 (direct)
Email: tgrahn@ontarioca.gov

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

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

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

2.1 Time Limits.

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

(b) 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 Subdivision Map.

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

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

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

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

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

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

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

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

2.4 Landscaping.

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

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

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

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

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

2.6 Parking, Circulation and Access.

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

(b) 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.

2.7 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:

Screen Wall Height	Minimum Gate Height
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

2.8 Site Lighting.

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

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

2.9 Mechanical and Rooftop Equipment.

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

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

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

2.11 Signs.

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

(b) On-site posting of public noticing shall be provided pursuant to Code Section 2.03.010.C.4, which consists of one, 6-foot-tall, freestanding public notification signs. The sign face shall measure 4 feet tall by 8 feet wide, in a format approved by the Planning Director. The sign shall be posted no later than ten calendar days prior to the Planning Commission hearing date and removed no later than fourteen calendar days following the Planning Commission hearing date, unless otherwise required by the Planning Director. The format is available on the City's website.

2.12 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).

2.13 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.

2.14 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.

2.15 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.

2.16 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.

2.17 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.

2.18 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.

2.19 Additional Requirements.

(a) The Applicant shall enter into an Affordable Housing Agreement with the City for 7 Moderate Affordable Units prior to the issuance of building permits.

(b) All guest parking shall be clearly labeled as "guest parking" spaces.

(c) All downspouts shall be strategically located to minimize their look along the side of the structures. They shall also be painted to match the adjacent wall color(s) in which they are located. Construction plans shall include such a note.

(d) All new walls shall be constructed of split face block, slump stone, or plastered, textured, and painted to match the main structures.

(e) Prior to occupancy, a Parking Management Plan shall be submitted and approved by the Planning Department. The Plan shall illustrate what parking space (excluding enclosed garages) are assigned to each unit, if applicable.

(f) Once the construction plans have been approved by the City and permits have been issued, the Applicant/Developer shall submit two reduced copies (11" x 17") of the approved plans to the Planning Department

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT23-008 and PDEV23-037

Address: Northeast corner of Guasti Road and Haven Avenue

APN: 0210-212-60

Existing Land Use: Religious Assembly

Proposed Land Use: Subdivide 3.1 acres of land into one parcel for condominium purposes and construct 70 multiple-family units

Site Acreage: 3.1 Proposed Structure Height: 41 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Thomas Grahn

Date: 7/9/2024

CD No.: 2023-019

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 for Airport in Vicinity

Airport Planner Signature: _____



CITY OF ONTARIO

MEMORANDUM

TO: Thomas Grahn, Senior Planner
Planning Department

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

DATE: October 17, 2023

SUBJECT: PDEV23-037 - A Development Plan approval to construct 70 multiple-family dwellings, including 7 moderate affordable dwellings, on approximately 3.1 acres of land located at 1355 West 5th Street, within the LDR-5 (Low Density Residential) zoning district (APN: 1008-551-12). Related File(s): PMTT23-008.

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

SITE AND BUILDING FEATURES:

- A. 2019 CBC Type of Construction: V-B
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies, 12 Buildings
- D. Number of Stories: 2
- E. Total Square Footage: Largest is 12,236 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): R2

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 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.
- ☒ 3.2 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.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.

5.0 BUILDING CONSTRUCTION FEATURES

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

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



CITY OF ONTARIO

MEMORANDUM

TO: Thomas Grahn, Senior Planner

FROM: Heather Lugo, MA, Police Department

DATE: October 16, 2023

SUBJECT: PDEV23-037 - A Development Plan approval to construct 70 multiple-family dwellings, including 7 moderate affordable dwellings, on approximately 3.1 acres of land located at 1355 West 5th Street, within the LDR-5 (Low Density Residential) zoning district (APN: 1008-551-12). Related File(s): PMTT23-008.

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.

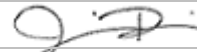
- Required lighting for all walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures 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.
- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, all cash registers, and at least one camera shall capture any vehicle utilizing the drive-thru. Cameras shall be positioned to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 640x480 lines of resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.
- All exterior electrical outlets shall be secured and locked.
- All exterior water spigots / water supply sources shall be secured and locked.

The Applicant is invited to contact Heather Lugo at (909) 408-1074 with any questions or concerns regarding these conditions.

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

CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Architect

3/27/2024

Date

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

D.A.B. File No.: PDEV23-037 & PMTT23-008 Case Planner: Thomas Grahn

Project Name and Location: Ontario Sunrise – 70 Multiple-Family Dwellings
 1355 W 5th Street

Applicant/Representative: Warmington Residential – moses.kim@warmingtongroup.com
 3090 Pullman Street
 Costa Mesa, CA 92326

- Preliminary Plans (dated 3/11/2024) 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.

Civil/Site Plans

1. Replacement and mitigation for removed trees shall equal the trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020. A total of 200 inches of trunk replacement is required; see #2 for mitigation options.
2. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as:
 - a. New 15 gallon trees min 1" diameter trunk, in addition to trees required. *200 trees in addition to required trees.*
 - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required. *133 trees in addition to required trees.*
 - c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size. *Provide a matrix with upsizing information.*
 - d. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal," approved certified arborist plant appraiser, may be equal to the value of the installation cost of planting, fertilizing, staking, and irrigating 15-gallon trees (100\$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items. *Monetary value is \$20,000.*
3. Locate modular wetlands/biofiltration unit out of the landscape areas; these systems are not maintained properly when located within the open/common landscape spaces.
4. Reduce drive aisles to 24'. All planters must have a minimum 5' wide inside dimension to be counted towards the overall landscape open/common space percentage. Landscape planters shall have a minimum width of 3' otherwise.
5. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
6. Show all backflow devices set back 4' from paving on all sides. Locate on level grade.
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. 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.
9. Locate light standards, fire hydrants, water, and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans..
10. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
11. Show parkway landscape max 18" high: such as Baccharis, Lonicera, Kurapia, etc., and street trees spaced 30' apart.
12. Show 6' diameter of mulch only at new trees. Detail irrigation dripline outside of mulched root zone.
13. Designer or developer to provide agronomical soil testing and include a report on landscape construction plans.
14. Show minimum on-site tree sizes per the Landscape Development standards; see the Landscape Planning website. 5% 48" box, 10% 36 box, 30% 24" box, 55% 15 gallon.
15. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis, etc.) in appropriate locations.
16. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
17. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council.



**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 checked="" type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input checked="" type="checkbox"/> TRACT MAP
PROJECT FILE NO. <u>TM-20659</u>		
RELATED FILE NO(S). <u>PDEV23-037; PMTT23-008</u>		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u> / / </u>		

CITY PROJECT ENGINEER & PHONE NO: Henry Pham (909) 395-2141

CITY PROJECT PLANNER & PHONE NO: ^{HP} Thomas Grahn (909) 395-2413

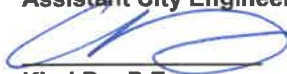
DAB MEETING DATE: July 15th, 2024

PROJECT NAME / DESCRIPTION: A tentative tract map for condominium purposes and a development plan to construct 70 multiple-family dwellings on approximately 3.1 acres of land.

LOCATION: 1355 West 5th Street

APPLICANT: Warmington Residential California, Inc.
Bret Llich – (877) 708-3454

REVIEWED BY:  7/2/24
Raymond Lee, P.E. Date
Assistant City Engineer

APPROVED BY:  7-3-24
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 PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO TRACT MAP APPROVAL, APPLICANT SHALL:		Check When Complete
<input type="checkbox"/>	1.01 Dedicate to the City of Ontario, the right-of-way, described below: Property line corner 'cut-back' required at the intersection of:	<input type="checkbox"/>
<input checked="" type="checkbox"/>	1.02 Dedicate to the City of Ontario, the following easement(s): a. For public sewer purposes along the west property line: 10-foot-wide easement b. For public utility, emergency vehicle, and solid waste collection access purposes within the private drive: 26-foot-wide easement	<input type="checkbox"/>
<input type="checkbox"/>	1.03 Restrict vehicular access to the site as follows:	<input type="checkbox"/>
<input type="checkbox"/>	1.04 Vacate the following street(s) and/or easement(s):	<input type="checkbox"/>
<input checked="" type="checkbox"/>	1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.	<input type="checkbox"/>
<input checked="" type="checkbox"/>	1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.	<input type="checkbox"/>
<input type="checkbox"/>	1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at http://tceplumecleanup.com/), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658 .	<input type="checkbox"/>
<input type="checkbox"/>	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) _____	<input type="checkbox"/>
<input checked="" type="checkbox"/>	1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.	<input type="checkbox"/>
<input checked="" type="checkbox"/>	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.	<input type="checkbox"/>



- 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 Tract Map No. 20659 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4, 1972.
- 2.05 Apply for a:
 - Certificate of Compliance with a Record of Survey;
 - Lot Line Adjustment (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:
- 2.11 Dedicate to the City of Ontario the following easement(s):
- 2.12 Vacate the following street(s) and/or easement(s):
- 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 _____% 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 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:



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	5 th St.	Private Drive		
Curb and Gutter¹	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement (see Sec. 2.19)	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input 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
Sidewalk¹	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Replace damaged	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway¹	<input type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> Upgrade ² <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
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 type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input 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	Construct RRFB at 5 th Street and Elderberry Avenue crosswalk. (See attached Traffic Conditions)	_____	_____	_____

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

¹Remove existing driveway approaches and replace with curb, gutter, sidewalk, and parkway landscape.

²Upgrade existing fire hydrant along 5th Street.

- 2.19 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s):
- a. 5th Street along project frontage from the edge of gutter to centerline of street.



- 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 to the site. 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 An 8-inch sewer main is available for connection by this project along the westerly property line. (Ref: Sewer facility id number: S12610)
- 2.25 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 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: See attached OMUC Utilities Engineering Development conditions of approval.

D. WATER

- 2.28 A 6-inch water main is available for connection by this project in 5th Street. (Ref: Water facility id number: W11080)
- 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: See attached OMUC Utilities Engineering Development conditions of approval.

E. RECYCLED WATER

- 2.31 A _____-inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
- 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 in Sultana Avenue. 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: See attached Traffic Engineering conditions of approval.

G. DRAINAGE / HYDROLOGY

- 2.40 A ____ storm drain main is available to accept flows from this project in _____.
- 2.40 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.
- 2.41 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.
- 2.42 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.
- 2.43 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.
- 2.44 Other conditions:

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.
- 2.53 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.
- 2.54 Other conditions: See attached Broadband Operations conditions of approval.

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 OMUC a copy of the letter of confirmation from the California State Water Board (Division of Drinking Water) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete Site Supervisor 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: PDEV23-037, PMTT23-008, and Tract Map No. 20659

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. **Digital copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **Digital copy of project Conditions of Approval**
5. **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. **Digital copy of Potable 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. Digital copy of Public Street improvement plan with street cross-sections.
8. Digital copy 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. Digital copy 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. Digital copy of Public Sewer improvement plan
11. Digital copy of Public Storm Drain improvement plan
12. **Digital copy of Public Street Light improvement plan**
13. Digital copy of Signing and Striping improvement plan
14. **Digital copy of Fiber Optic plan (include Auto CAD electronic submittal)**
15. **Digital copy of HOA Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.**
16. Digital copy of CFD Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
17. **Digital copy 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. **Digital copy of Rectangular Rapid Flashing Beacon (RRFB) improvement plan. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.**
19. **Digital copy of Water Quality Management Plan (WQMP)**
20. **Digital copy of Hydrology/Drainage study**
21. **Digital copy of Soils/Geology report**



21. **Digital copy of Soils/Geology report**
22. **Payment for Final Map/Parcel Map processing fee**
23. **Digital copy of Final Map/Parcel Map**
24. **Digital copy of approved Tentative Map**
25. **Digital copy of Preliminary Title Report (current within 30 days)**
26. **Digital copy of Traverse Closure Calculations**
27. **Digital copy of 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. Digital copy of Engineering Report for recycled water use
29. Other:



CITY OF ONTARIO

MEMORANDUM

Development Plan Review

Engineering Department:
Transportation Section

Project: PDEV23-037/PMTT23-008
(70-Multi Family Dwellings)

Date: April 9, 2024

Location: 1355 West 5th Street

By: Diego Tapia
Nathan Kuan

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

Conditions:

1. The Applicant/Developer shall be responsible to install a rectangular rapid flashing beacon (RRFB) at Fifth Street and Elderberry Avenue crosswalk per the California MUTCD guidelines and to the satisfaction of the City Engineer. These, and all other street improvements herein required for the installation of the RRFB, shall include, but not be limited to, intersection lighting, signing and striping, and ADA improvements.
2. The Applicant/Developer shall be responsible to design and construct in-fill public street lights and a potential new service along its project frontage on 5th Street. Street lighting shall be LED-type and in accordance with City's Approved Material List LED Luminaires. The Applicant/Developer shall also install smart nodes on all new street light fixtures.
3. The Applicant/Developer shall replace the existing street light located along the project frontage with the current standard pole height in accordance with City of Ontario Standard Drawing No. 5101.
4. Where a driveway closure is being proposed, the Applicant/Developer shall backfill the existing driveway curb-cuts with full-height curb and gutter, sidewalk, and landscaped parkway in accordance with all City standards and to the satisfaction of the City Engineer.
5. Design and construct proposed driveway in accordance with City of Ontario Standard Drawing No. 1205 for Residential Driveway Approach II.
6. Parking shall be restricted at proposed driveway for visibility along project frontage on 5th Street.

7. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.
8. The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to designing and submitting for plan check the street lighting design plans to define limits of improvements.

dt, nk;



CITY OF ONTARIO MEMORANDUM

DEVELOPMENT PLAN REVIEW CONDITIONS OF APPROVAL Broadband Operations Section

DATE: 06-25-24

PROJECT: PDEV23-037

LOCATION: 5th st and Mountain

PROJECT ENGINEER: Henry Pham

BROADBAND PLAN CHECKER: Cameron Chadwick - CChadwick@ontarioca.gov

The following Conditions of Approval requirements must be incorporated prior to the Development Advisory Board and/or Zoning Administrator Hearing.

1. Project shall be designed and constructed 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 in the Right-of-Way (ROW) and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.
2. Contractor is responsible for locating and connecting conduit to existing OntarioNet hand holes on adjacent properties within a reasonable distance. There should be no "Gaps" in conduit between the contractor's development and the adjacent property. OntarioNet hand holes are typically located in the ROW at the extreme edge of a property.
3. Where a joint telecom or street light street crossing is required, include (2) 2" HDPE SDR-11 conduits or (1) 4" schedule 80 conduit sleeve. Terminate the street crossing conduit(s) in a new HH-3/22 OntarioNet hand hole in the right of way
4. The City requires a public utility easement for fiber optics on all private aisles/alley ways.
5. Hand holes - Design and install OntarioNet fiber optic hand hole HH-FP (10x00x10), HH-1 (13x24x18), HH-2 (17x30x24), HH-2A (24x36x30), HH-3 (30x48x36) and/or HH-4 (36x60x36) as needed. Respectively, Newbasis Part # PLA100010T-00002, PCA132418-00006, PCA-173024-90116, PCA-243630-90064, PCA-304836-90244 and PCA-366036-90146 or equivalent as specified per City Standard 1316. Conduits sweeping into hand holes shall enter in flush with the cut-out mouse holes aligned parallel to the bottom of the box and come in perpendicular to the wall of the box. Conduits shall not enter at any angle other than parallel. Provide 5-foot minimum clearance from existing/proposed utilities. All hand holes will have ¼-inch galvanized wire between the hand holes and the gravel it is placed on.
6. ROW Conduit – Design and install fiber optic conduit at a minimum depth of 36-inch. Trenching shall be per City Standard 1306. Install (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct and (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange with Black Stripe) duct. Conduit(s) between ROW hand holes and hand holes on private property shall be 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct.
7. Building Entrance (Single Family) – Design and install 0.75-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct from hand holes on property or hand holes in the ROW. Consult City's Fiber Team for design assistance.
8. Building Entrance (Multi-family and Commercial) - From the nearest handhole to the building entrance, design and install fiber optic conduit at a minimum depth of 36-inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install

locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct

9. Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"
10. A minimum 13/16 millimeter microduct joint use telecommunications conduit with pull-rope from the single-family, multi-family or commercial building communal telecom/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City's website for additional details.
11. Warning Tape - Contractor shall supply and install an approved non-detectable warning tape 18-inch above the uppermost conduit when backfilling trenches, pits or excavations greater than 10' in length. Warning Tape shall be non-detectable, Orange in color, 4-inch minimum width, 4 mil, 500% minimum elongation, with bold printed black letters "CAUTION - BURIED FIBER OPTIC CABLE BELOW" printed in bold black lettering no less than 2-inch high.
12. All hand holes, conduits, conduit banks, materials and installations are per the City's Fiber Optic Master Plan and City Fiber Optic Cable and Duct Standards. All hand holes, conduits and ducts shall be placed in the public right of way.
13. All unused conduits/ducts/microducts shall be protected with duct plugs that provide a positive seal. Ducts that are occupied shall be protected with industry accepted duct seal compound.
14. Locate/Tracer Wire - Conduit bank requires (1) 12AWG high strength (minimum break load 452#) copper-clad steel with 30mil HDPE orange insulation for locate/tracer wire. Contact City's Fiber Team for tracer wire specifications and see note 8.
15. Multi-family dwellings are considered commercial property.
16. Refer to the In-tract Fiber Network Design guideline on the City's website for additional in-tract conduit guidelines.



CITY OF ONTARIO MEMORANDUM



DATE: June 27, 2024
TO: Henry Pham, Engineering Department
CC: Tom Grahn, Planning Department
FROM: Eric Woosley, Utilities Engineering (QC: JFK)
SUBJECT: DPR #3 - Utilities Engineering Conditions of Approval (#10044 & #10045)
PROJECT NO.: TM-20659 (PMTT23-008)/PDEV23-037

BRIEF DESCRIPTION

A Tentative Tract Map for Condominium purposes, and a Development Plan to construct 70 multiple-family dwellings, including 7 moderate affordable dwellings on approximately 3.1 acres of land located at 1355 West 5th Street, within the LDR-5 (Low Density Residential) zoning district. (APNs: 1088-551-12).

UTILITIES ENGINEERING CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL: *The Ontario Municipal Utilities Company (OMUC) recommends this application for approval subject to the conditions outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards.*

1. **Standard Conditions of Approval:** Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below.

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 showing and labeling all existing and proposed utilities (including all appurtenances such as backflow devices, DCDA's, 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.
 - a. The proposed utilities, utility alignments, and Public Rights-of-Way (ROW)/Public Utility Easements (PUE) shown on the Conceptual Utilities Systems Map (CUSM) and other Entitlement documents are not considered final and shall be revised during Final Design to meet all City Design Guidelines, Standards, City Requirements, and all the Conditions of Approval contained in this document.
3. **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.

4. 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, except for the existing sewer within the existing 6-foot wide easement;
 - 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 ROW 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 a minimum of 5 feet from curbface.

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

5. Public Sewer Improvements: Design and construct the following required public sewer mains in accordance with City of Ontario Standards and Design Guidelines and Specifications:
- a. Per City of Ontario Standard Drawing No. 2001:
 - i. Install a public sewer manhole approximately 25-feet south of the existing sewer manhole, measured on-center, within the existing PUE along the westerly property limit. The location of the proposed sewer manhole shall be inline with the proposed private drive aisle to provide maintenance vehicle access.
 - ii. Install a public sewer manhole at the most downstream point of the existing public sewer main within the existing PUE along the westerly property limit. The location of the proposed sewer manhole shall

have a direct path of travel to provide maintenance vehicle access. The access path shall be drivable and have a 14-foot minimum width with 28-foot and 42-foot inner and outer turning radii, respectively.

- iii. Submit calculations by a licensed professional engineer to demonstrate the structural integrity of the public sewer main is not compromised at the location(s) the proposed perimeter wall and pilaster(s) are proposed over the sewer main.

6. Sewer Laterals: Per City of Ontario Standard Drawing No. 2003:

- a. Install a sewer lateral connected to the existing public sewer main (S12610) in the existing PUE along the westerly property limit.
- b. No storm water quality improvements (infiltration, detention, retention, bioswale, etc.) shall be installed above or within 5 feet of any Public Sewer Lateral.

7. Existing Sewer Laterals:

- a. Abandon all existing unused sewer lateral connections to the sewer main.

8. Private Onsite Sewer System and Plumbing: The Onsite Sewer System shall be privately maintained by the property owner.

- a. No storm water quality improvements (infiltration, detention, retention, bioswale, etc.) shall be installed above or within 5 feet of any Private Onsite Sewer pipes.

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

9. Public Water Improvements: Design and construct the following required public water mains in accordance with City of Ontario Standards and Design Guidelines and Specifications:

- a. N/A

10. Fire Hydrants: Per City of Ontario Standard Drawing No. 4101. Fire hydrants connected to potable water mains shall be spaced a maximum of 300 feet apart or per Fire Department Standards/Requirements:

- a. Install one (1) fire hydrant along the frontage of Fifth Street to replace the existing fire hydrant to be abandoned.

11. Existing Fire Hydrants: Abandon the fire hydrant located along the frontage of Fifth Street to the connection of the water main (W11080).

12. Fire Service with Fire System Double Check Detector Assembly (DCDA): Per City of Ontario Standard Drawing No. 4208:

- a. If an onsite private fire system is required, then a separate Fire Service equipped with a DCDA connected to the Public Potable Water System is required, to serve the onsite private fire system. The onsite fire system shall be separate from the onsite domestic water plumbing system and the onsite landscape irrigation system.

13. Water Service with Master Meter and Backflow Prevention Assembly Reduced Pressure Device:

- a. Install a water service and master meter connected to the existing potable water main (W11080) in Fifth Street per City of Ontario Standards. The water service shall be equipped with a backflow prevention device. The water master meter shall be located within the ROW.

14. Irrigation Water Service with Meter and Backflow Prevention Assembly Reduced Pressure Device:

- a. Install a water service and meter for irrigation purposes connected to the existing potable water main (W11080) in Fifth Street per City of Ontario Standards. The irrigation water service shall be equipped with a backflow prevention device. The irrigation water meter shall be located within the ROW.

15. Existing Water Services:

- a. Abandon all existing unused water service connections to the water main.

Recycled Water Conditions (Section 2.E): The Applicant shall comply with the following:

16. N/A