



Final Environmental Impact Report Package

Diamante Terrace Condominium Project



Prepared by



City of Ontario
303 East B Street, Ontario, CA 91764
March 28, 2006



Prepared by



PLANNING COMMISSION STAFF REPORT



DATE: March 28, 2006

FILE NOS.: PDEV04-059 & PHP05-001

SUBJECT: Certification of the Environmental Impact Report prepared for the proposed Diamante Terrace Condominium Project.

LOCATION: 607 West “D” Street (APN No: 1048-581-07).

APPLICANT: L.C. Diamond LLC

PROPERTY OWNERS: Michelle Mimi Lee

I. RECOMMENDATION:

That the Planning Commission approve and certify the Environmental Impact Report, including the adoption of a Statement of Overriding Considerations.

II. SITE CHARACTERISTICS:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning</i>
<i>Site</i>	<i>Low Density Residential</i>	<i>High Density Residential</i>	<i>R3</i>
<i>North</i>	<i>Low Density Residential</i>	<i>Low Density Residential</i>	<i>R1</i>
<i>South</i>	<i>High Density Residential</i>	<i>High Density Residential</i>	<i>R3</i>
<i>East</i>	<i>High Density Residential</i>	<i>High Density Residential</i>	<i>R3</i>
<i>West</i>	<i>Low-Medium Density Residential</i>	<i>High Density Residential</i>	<i>R3</i>

Case Planner: Cathy Wahlstrom, Principal Planner	Hearing Body	Date	Decision	Action
Planning Director Approval:	HPSC	12/8/05		Recommend
Submittal Date: N/A	PC	1/24/06	Certificate of Appropriateness	Approval
Hearing Deadline: N/A	PC	3/28/06	Certify EIR	Final
	CC			

III. PROJECT BACKGROUND:

The subject property contains a 1900s Victorian farmhouse on a ½ acre portion of an original farmstead. The property was identified as eligible for local listing in the cultural resource survey completed in 1985 and subsequently nominated as a local landmark.

At its regular meeting on December 20, 2004, the Planning Commission reviewed and approved File No. PHP04-035, which evaluated the significance of 607 W. D Street and gave the property a Tier II designation in accordance with the Historic Preservation Mitigation Fee Program for the demolition of historic properties adopted in November 2003.

On December 8, 2005, the Historic Preservation Subcommittee reviewed and recommended approval of File No. PHP05-001, a request to demolish the existing building and to replace it with a 10-unit condominium project, subject to findings of a focused Cultural EIR.

On January 24, 2006, the Planning Commission voted unanimously to approve PDEV04-059, PHP05-001 and PMTT04-030 for the development of a ten unit condominium project and recommended to the City Council certification of the EIR (the staff report is attached for your information).

It should be noted that after consultation with the City Attorney, it was determined that the approving body, in this case the Planning Commission, is the appropriate entity to approve and certify the subject EIR and adopt the Statement of Overriding Considerations.

VI. ENVIRONMENTAL REVIEW:

An EIR was prepared to examine the potentially significant environmental impacts associated with the project and to identify mitigation measures and analyze the feasibility of project alternatives that could avoid or reduce impacts. As required by CEQA, mitigation measures have been included to avoid or reduce potentially significant impacts.

The only unavoidable significant impact of the proposed project is the demolition of the Dorr B. Lee Citrus Ranch Farmhouse, which is considered a historic resource. The Dorr B. Lee Citrus Ranch Farmhouse is a designated Tier II local historic resource per Ontario's Historic Preservation Ordinance. In addition, the Dorr B. Lee Citrus Ranch Farmhouse appears eligible for listing on the California Register of Historical Resources, therefore, mitigation measures will include photographic, architectural and structural documentation, the payment of a mitigation fee and salvaging of features consistent with the City's Historic Preservation Ordinance. Under CEQA, the demolition of an historic resource cannot be mitigated to a level of less than significant, which triggers the need for a Statement of Overriding Consideration.

A Statement of Overriding Consideration has been prepared for the proposed development, which list the benefits of the project that outweigh the impacts that cannot be mitigated to a level of less than significant.

Therefore, it is recommended that the Planning Commission certify the EIR and that a Statement of Overriding Considerations be adopted for the project.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE PROPOSED DIAMANTE TERRACE CONDOMINIUM PROJECT AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, STATEMENT OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the Diamante Terrace Condominium Project (“Project”) proposes and encompasses the following actions: (1) approval of a Tentative Tract Map for Diamante Terrace, a 10-unit condominium complex; (2) issuance of a Certificate of Appropriateness for demolition of the Lee Family farmstead, a “Tier II” historic resource; and (3) Site Plan Review; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”) (Public Res. Code, § 21000 et seq.), the State CEQA Guidelines (14 CCR § 15000 et seq.) and the City’s Local CEQA Guidelines, the City of Ontario (“City”) is the lead agency for the Project, as the public agency with principle responsibility for approving the Project; and

WHEREAS, pursuant to State CEQA Guidelines section 15063, the City of Ontario prepared an Initial Study to determine whether the project may cause, either individually or cumulatively, a significant effect on the environment; and

WHEREAS, the Initial Study concluded that the Project would have not any potentially adverse environmental impacts, except for potentially significant impacts to cultural resources; and

WHEREAS, given the history of the Project area and the cultural resources known to exist on the Project site, the City prepared an Environmental Impact Report (“EIR”) and provided full disclosure of the potential environmental effects on Cultural Resources of the Project as defined; and

WHEREAS, the City issued a Notice of Preparation (“NOP”) of a Draft EIR on May 23, 2005, with the State Clearinghouse and circulated the NOP for a period of 30 days, from June 16, 2005 to July 17, 2005, pursuant to State CEQA Guidelines, sections 15082[a], 15103 and 15375; and

WHEREAS, written statements from the City of Upland and the Native American Heritage Commission were received by the City in response to the NOP, which assisted the City in narrowing the issues and alternatives for analysis in the Draft EIR; and

WHEREAS, in addition to distributing the NOP pursuant to State CEQA Guidelines section 15082, the City specifically contacted agencies, organizations, and persons that were believed to have an interest in this Project during preparation of the EIR, and information, data, and observations from these contacts were included in the EIR; and

WHEREAS, a Draft EIR was completed and released for public review on November 14, 2005, and the City initiated a 30-day public comment period by filing a Notice of Completion and Availability with the State Office of Planning and Research; and

WHEREAS, pursuant to Public Resources Code, section 21092, the City also provided a Notice of Completion and Availability to all organizations and individuals who had previously requested such notice, and published the Notice of Completion on or about November 14, 2005, in the Inland Valley Daily Bulletin, a newspaper of general circulation in the Project area. Pursuant to City of Ontario Local CEQA Guidelines, the Notice of Completion was mailed to all residents and property owners within 300 feet of the Project. Copies of the Draft EIR were provided to approximately 8 public agencies, organizations and individuals. In addition, the City placed copies of the Draft EIR at the City of Ontario Planning Department Public Counter and the City of Ontario Public Library; and

WHEREAS, as explained on page 1-4 of the EIR, the only resource category discussed in the Environmental Impact Analysis chapter of the Draft EIR is Cultural Resources because the Initial Study concluded that the Project does not have the potential to result in significant environmental impacts to any other resources, and, pursuant to State CEQA Guidelines section 15128, the statement of reasons that possible significant effects of the Project to all other resource categories were determined to not be significant and therefore were not discussed in detail in the Draft EIR is contained in the Initial Study that was included as an Appendix in the Draft EIR; and

WHEREAS, during the 30-day comment period on the Draft EIR, the City consulted with and requested comments from all trustee agencies, other regulatory agencies and others pursuant to State CEQA Guidelines, section 15086; and

WHEREAS, the City received no written comments on the Draft EIR during or after the 30-day review period provided for in State CEQA Guidelines section 15087; and

WHEREAS, the City prepared the Final EIR and, pursuant to Public Resources Code, section 21092.5, the City provided copies of the Final EIR to all commenting agencies; and

WHEREAS, the City prepared the Final EIR and, pursuant to Public Resources Code, section 21092.5, prior to the City of Ontario Planning Commission hearing on the Project, the City provided a Notice of Public Hearing and/or Intent to Certify an Environmental Impact Report to all organizations and individuals who had previously requested such notice, and published the Notice of Public Hearing on or about January 4, 2006, in the Inland Valley Daily Bulletin, a newspaper of general circulation in the Project area; and

WHEREAS, all potentially significant adverse environmental impacts were sufficiently analyzed in the Draft EIR; and

WHEREAS, the City of Ontario Planning Commission, at its public meeting on January 24, 2006, reviewed the Draft EIR; and

WHEREAS, prior to the City of Ontario Planning Commission hearing on the Project, the City provided a Notice of Public Hearing and/or Intent to Certify an Environmental Impact Report to all organizations and individuals who had previously requested such notice, and published the Notice of Public Hearing on or about March 14, 2006, in the Inland Valley Daily Bulletin, a newspaper of general circulation in the Project area; and

WHEREAS, as contained herein, the City has endeavored in good faith to set forth the basis for its decision on the Project; and

WHEREAS, all the requirements of CEQA, the State CEQA Guidelines, and the City's Local Guidelines have been satisfied by the City in the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the Project have been adequately evaluated; and

WHEREAS, the EIR prepared in connection with the Project sufficiently analyzes both the feasible mitigation measures necessary to avoid or substantially lessen the Project's potential environmental impacts and a reasonable range of alternatives capable of eliminating or reducing these effects in accordance with CEQA, the State CEQA Guidelines and the City's Local Guidelines; and

WHEREAS, all of the findings and conclusions made by the Planning Commission pursuant to this Resolution are based upon substantial evidence in the entire record before the Planning Commission, including the record before the Planning Commission in its determination, and are not based solely on the information provided in this Resolution; and

WHEREAS, environmental impacts identified in the Final EIR which the City finds are less than significant and do not require mitigation are described in **Section VI** hereof; and

WHEREAS, environmental impacts identified in the Final EIR as potentially significant but which the City finds can be mitigated to a level of less than significant, through the imposition of feasible mitigation measures identified in the Final EIR and set forth herein, are described in **Section VII** hereof; and

WHEREAS, environmental impacts identified in the Final EIR as potentially significant but which the City finds cannot be fully mitigated to a level of less than significant, despite the imposition of all feasible mitigation measures identified in the Final EIR and set forth herein, are described in **Section VIII** hereof; and

WHEREAS, alternatives to the Project that might eliminate or reduce significant environmental impacts are described in **Section X** hereof; and

WHEREAS, prior to taking action, the Planning Commission has heard, been presented with, reviewed and considered all of the information and data in the administrative record, including the Final EIR, and all oral and written evidence presented to it during all meetings and hearings; and

WHEREAS, the Final EIR reflects the independent judgment of the Planning Commission and is deemed adequate for purposes of making decisions on the merits of the Project; and

WHEREAS, no comments made in the public hearings conducted by the City or any additional information submitted to the City have produced substantial new information requiring recirculation or additional environmental review under State CEQA Guidelines, section 15088.5; and

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

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF ONTARIO RESOLVES AS FOLLOWS:

SECTION I

FINDINGS

At a regular session assembled on March 28, 2006, the Planning Commission determined that based on all of the evidence presented, including, but not limited to, the Final EIR, written and oral testimony given at meetings and hearings, and submission of testimony from the public, organizations and regulatory agencies, the following environmental impacts associated with the Project are: 1) less than significant and do not require mitigation; or 2) potentially significant and each of these impacts will be avoided or reduced to a level of insignificance through the identified mitigation measures; or 3) significant and cannot be fully mitigated to a level of less than significant but will be substantially lessened to the extent feasible by the identified mitigation measures.

SECTION II

FINDINGS REQUIRED BY CEQA

Public Resources Code section 21002 states that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” Section 21002 further states that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.”

Agencies demonstrate compliance with section 21002’s mandate by adopting findings before approving projects for which EIRs are required. (See Pub. Resources Code, § 21081, subd. (a); State CEQA Guidelines, § 15091, subd. (a).) The approving agency must make written findings for each significant environmental effect identified in an EIR for a proposed project and must reach at least one of three permissible conclusions. The first possible finding is that “[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.” (State CEQA Guidelines, § 15091, subd. (a)(1).) The second permissible finding is that “[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding” and that “[s]uch changes have been adopted by such other agency or can and should be adopted by such other agency.” (State CEQA Guidelines, § 15091, subd. (a)(2).) The third potential conclusion is that “[s]pecific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.” (State CEQA Guidelines, § 15091, subd. (a)(3).)

As noted above, agencies must not adopt a project with significant environmental impacts if feasible alternatives or mitigation measures would substantially lessen the significant impacts. Public Resources Code section 21061.1 defines “feasible” to mean “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.” State CEQA Guidelines section 15364 adds “legal” considerations as another indicia of feasibility. (See also *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 565.) Project objectives also inform the determination of “feasibility.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417.) Further, “‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Id.*; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.)

Notably, section 21002 requires an agency to “substantially lessen or avoid” significant adverse environmental impacts. Thus, mitigation measures that “substantially lessen” significant environmental impacts, even if not completely avoided, satisfy section 21002’s mandate. (*Laurel Hills Homeowners Association v. City Council* (1978) 83 Cal.App.3d 515, 521 (“CEQA does not mandate the choice of the environmentally best feasible project if through the imposition of feasible mitigation measures alone the appropriate public agency has reduced environmental damage from a project to an acceptable level”); *Las Virgenes Homeowners Federation, Inc. v. County of Los Angeles* (1986) 177 Cal. App. 3d 300, 309 (“[t]here is no requirement that adverse impacts of a project be avoided completely or reduced to a level of insignificance . . . if such would render the project unfeasible”).)

CEQA requires that lead agencies adopt feasible mitigation measures or alternatives to substantially lessen or avoid significant environmental impacts. An agency need not, however, adopt *infeasible* mitigation measures or alternatives. (State CEQA Guidelines, § 15091, subd. (a), (b).) Further, environmental impacts that are less than significant do not require the imposition of mitigation measures. (*Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1337, 1347.)

An agency may, after making appropriate findings and adopting a statement of overriding considerations, adopt a project for which significant environmental impacts are not avoided or substantially lessened. The statement of overriding considerations must set for the specific reasons that an agency finds a project’s benefits render the project “acceptable” despite its “unavoidable adverse environmental effects.” (State CEQA Guidelines, §§ 15093, 15043; see also Pub. Resources Code, § 21081, subd. (b).)_

SECTION III

TIERING

As noted in the Initial Study, circulated with the EIR as an appendix, environmental review for the Project relied in part on the City of Ontario General Plan EIR/Master Environmental Assessment. (EIR, Appendix A at p. 30.) CEQA encourages lead agencies to tier environmental analyses in order to eliminate repetitive analysis “and focus the later EIR ... on the actual issues ripe for decision at each level of environmental review”. (State CEQA Guidelines, § 15152, subd. (b).) Tiering is particularly appropriate where, as here, “the sequence of analysis is from an EIR prepared for a general plan ... to a site-specific EIR[.]” (*Ibid.*) Tiering is also appropriate in this instance since the Project is consistent with the City’s General Plan. (EIR, at p.5-3, Appendix A, at p. 22; see also State CEQA Guidelines, § 15152, subd. (e).) As required by CEQA, the Initial Study also identified where the General Plan EIR could be publicly viewed. (*Ibid*; see also State CEQA Guidelines, § 15152, subd. (g).)

SECTION IV

DESCRIPTION OF THE PROJECT AND PROJECT OBJECTIVES

The Project, located at 607 West “D” Street (APN 1048-581-07-0000) in the downtown area of the City of Ontario in San Bernardino County, California, consists of developing a 10-unit condominium complex on a site currently occupied by the Dorr B. Lee Citrus Ranch Farmhouse. (EIR, at p. 2-1.) The Project site lies within the R-3 (High Density Residential 16.1-25 dwelling units per acre) zone of the City of Ontario, and is within a residential block of the downtown portion of the City bounded by Vine Street to the east, West “D” Street to the north, San Antonio Avenue to the west, and Vesta Street to the south. (EIR, at pp. 2-1, 2-4.) The site is a flat urban lot with no distinguishing topographic features that slopes gently to the southeast. (EIR, at p. 2-1.)

The proposed condominium development consists of:

- Four (4) 2-unit condominium structures;
- Two (2) 1-unit condominium structures;
- A common basement/parking facility;
- 7,317 square feet of common open space; and

- Associated driveways, pathways, landscaping, and utility infrastructure.

(EIR, at p. 2-5.) The condominium units will be three stories in height (including a partially subterranean parking facility) and range in size from 1,950 square feet to 2,226 square feet. Average lot size will be 2,372.60 square feet with a minimum lot area of 2,178 square feet. (EIR, at 2-8.)

The existing Dorr B. Lee Citrus Ranch Farmhouse, a local historic resource, will be removed as part of the Project. (EIR, at p. 3.1-28.)

The Project objectives include:

- Develop the Project site in a manner that is consistent with the City of Ontario General Plan and the Zoning District in which it is located.
- Make a reasonable return on investment.
- Develop an underutilized site to its highest and best use within a low/moderate income census tract.
- Provide a means of investment and a catalyst for reinvestment within a neighborhood in need of revitalization.

In addition to the Project objectives identified above, the City of Ontario has established the following citywide goals and policies in the City's General Plan that apply to the Project:

GOAL 1.0: Ensure that the rate of growth and the provision of quality public services and facilities are compatible. Develop and maintain a balance of residential, commercial, industrial, open space and recreational land uses which will encourage a healthy variety of economic, social and cultural opportunities.

Policy 1.2: Encourage a variety of residential uses, types and densities to meet varied housing needs.

Policy 1.5: Require new development to pay its fair share, in conformance with State law, of the costs of public facilities and infrastructure needed to serve those developments.

GOAL 6.0: Conserve Ontario's historic buildings and districts.

Policy 6.1: Review 1985 survey of historic resources. Update and amend for comprehensiveness and completeness as necessary.

SECTION V

RECORD OF PROCEEDINGS

The record of proceedings for the Planning Commission's decision on the Project consists of at least the following documents:

- The Notice of Preparation and all other public notices issued by the City in connection with the Project;
- The Draft Environmental Impact Report for the Diamante Terrace Condominium Project, including all appendices (November 2005);
- All comments submitted by agencies or the public during the comment period on the Draft EIR;
- All comments and correspondence submitted to the City regarding the Project;
- The Final Environmental Impact Report for the Diamante Terrace Condominium Project (March 21, 2006);
- The Mitigation Monitoring and Reporting Program for the Project;
- All findings and resolutions adopted by the Planning Commission in connection with the Diamante Terrace Condominium Project, and all documents cited or referred to therein;
- All reports, studies, memoranda, maps, staff reports, or any other planning documents related to the Project, prepared by the City or consultants to the City with respect to the City's compliance with CEQA and with respect to its action on the Project;
- All documents submitted to the City by agencies or the public regarding the Project up through the close of the public hearing on March 21, 2006;

- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the Project, and any documentary or other evidence submitted to the City at such meetings;
- The City of Ontario General Plan EIR/Master Environmental Assessment (1992);
- The City of Ontario General Plan (1992);
- The City of Ontario Zoning Ordinance;
- The Institute of Transportation Engineers (ITE) Trip Generation Handbook, 7th Edition (ITE, 2003);
- The Santa Ana Regional Water Quality Control Board Order No. R-8-2002-0012;
- The Uniform Building Code;
- The South Coast Air Quality Management District CEQA Handbook (1993);
- The South Coast Air Quality Management District Air Quality Management Plan (2003);
- The South Coast Air Quality Management District, Rule 403;
- The San Bernardino County Important Farmland Map (May 2002);
- Matters of common knowledge to the City, including, but not limited to, Federal, State, and local laws and regulations; and
- Any other materials appropriate for inclusion in the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

The official custodian of record is designated in Section XIV of these findings.

SECTION VI

RESOLUTION REGARDING ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Planning Commission hereby finds that the following potential environmental impacts of the Project are less than significant and therefore do not require the imposition of mitigation measures:

- A. Aesthetics - The Project area does not contain any scenic vistas nor is it located adjacent to a scenic highway. The existing structure at the Project site is currently in a deteriorated condition, and is therefore not considered a scenic resource within the surrounding neighborhood. Since the Project will be professionally designed with architectural and landscape details, the Project will improve the visual quality of the area. Further, the Project will incorporate lighting that is shielded, diffused, or indirect to avoid glare to pedestrians and motorists and the selection of lighting fixtures will minimize light spillage and confine illumination to the Project area. (EIR, Appendix A, at pp. 10-11.) Thus, no significant aesthetic impacts are expected to occur as a result of the Project.
- B. Agricultural Resources – The Project site is not located on land identified as prime, unique or statewide important farmland; rather, the site is classified in the San Bernardino County Important Farmland Map (May 2002) as “urban and built-up land.” The Project will not conflict with existing agricultural uses or zoning because the Project site and surrounding areas are zoned R-3 (high density residential). (EIR, Appendix A, at p. 11.) Thus, no significant impacts to agricultural resources are expected to occur as a result of the Project.
- C. Air Quality – The Project is consistent with the City’s General Plan and will therefore not interfere with or obstruct implementation of the South Coast Air Quality Management District’s (“SCAQMD”) Air Quality Management Plan. Further, according to the SCAQMD CEQA Handbook, as a ten-unit, multifamily development, the Project is not of a sufficient size to contribute substantially to an existing or projected air quality violation. In addition, the Project will use low emission fuel and low VOC architectural coating during Project construction as recommended by SCAQMD’s air quality monitoring program, and will comply with SCAQMD’s construction rules, including Rule 403. There are no known pollutant concentrations or objectionable odors in the area, so the Project will not expose sensitive receptors such pollutants. (EIR, Appendix A, at pp. 12-13.) Thus, no significant air quality impacts are expected to occur as a result of the Project.

- D. Biological Resources – The Project area has not been identified as containing any candidate, sensitive or special status species, riparian or wetland habitat, or wildlife corridors; rather, it is in an urbanized area within the City of Ontario. Similarly, the site is not part of any Habitat Conservation Plan or Natural Community Conservation Plan, nor is it subject to any local policies or ordinances designed to protect biological resources. (EIR, Appendix A, at pp. 13-14.) Thus, no significant impacts to biological resources are expected to occur as a result of the Project.
- E. Geology & Soils – Fault rupture and liquefaction within the Project area are unlikely since the nearest fault zone is ten miles away and groundwater is approximately 230-250 feet below the surface; however, the Project would comply with all Uniform Building Code seismic design standards. Further, because the Project site is already disturbed and is not within the soil erosion control area identified in the General Plan, the risk of the loss of topsoil is low. The Project site is also not in an area that is susceptible to landslides, lateral spreading, subsidence, or expansive soils. Finally, the Project will connect to the City's sewer system, so septic systems will not be used. (EIR, Appendix A, at pp. 15-17.) Thus, the Project is not expected to result in any significant impacts related to Geology and Soils.
- F. Hazards and Hazardous Materials – The Project will not involve the transport, use or disposal of hazardous materials or volatile fuels, and the General Plan identified strategies to decrease impacts resulting from accidents involving hazardous materials. In addition, no commercial or industrial sites that use or store hazardous materials in quantities that would pose a risk of harm to the Project residents. The Project site is not listed on as a hazardous materials site pursuant to Government Code section 65962.5, is not within an airport land use plan area or private airstrip, is not adjacent to any emergency evacuation routes, and is not located in an area subject to wildland fires. (EIR, Appendix A, at pp. 17-18.) Thus, the Project is not expected to result in any significant impacts related to Hazards or Hazardous Materials.
- G. Hydrology & Water Quality – The Project is subject to the countywide Municipal Separate Storm Sewer System Permit requirement of demonstrating compliance with the Water Quality Management Plan (“WQMP”). Compliance with the WQMP ensures that the Project will not create or contribute to runoff water that would violate any water quality standards or waste discharge requirements. The Project would also implement a storm water pollution prevention program pursuant to the MS4 permit. The Project would not involve delivery, material storage, vehicle maintenance, waste handling or delivery, or outdoor work areas, so the Project does not involve substantial sources of polluted runoff. The Project site does not contribute noticeably to groundwater recharge, and so will

not interfere with such recharge elsewhere or otherwise affect groundwater quality. As noted above, the Project is not subject to a substantial risk of topsoil erosion. The Project is not expected to increase runoff from the site; rather, the Project will include a drainage system to manage storm water flows. The Project site is not within the 100-year floodplain, so it would not subject people or structures to a significant flood-risk. Finally, the Project site is not located in an area subject to inundation by seiche, tsunami, or mudflow. (EIR, Appendix A, at pp. 19-22.) Thus, the Project is not expected to result in any significant impacts related to Hydrology or Water Quality.

- H. Land Use and Planning - The Project would be developed consistent with the City of Ontario General Plan. The Project site has a General Plan designation of High Density Residential Density (16.1 – 25 Du/Ac). The Project will integrate with the established surrounding residential uses. The Project site is not part of any habitat conservation plan or natural communities conservation plan. (EIR, Appendix A, at p. 22.) Thus, the Project is not expected to result in any significant impacts related to Land Use and Planning.
- I. Mineral Resources - The Project is not identified as a mineral resource site on any plans. In addition, the Project site is not known to contain any mineral resources. (EIR, Appendix A, at pp. 22-23.) Thus, the Project is not expected to result in any significant impacts to Mineral Resources.
- J. Noise – The Project site is outside of the 60 dB CNEL noise contour and is not itself anticipated to be a significant source of noise, nor, due to its size, would the Project noticeably raise the ambient noise level. Further, since the Project is a residential use, it would not result in excessive ground borne vibration. Construction would be limited to daytime hours on weekdays pursuant to the Ontario City Code. Finally, the Project is not located within an airport land use plan or adjacent to a private airstrip. (EIR, Appendix A, at pp. 23-24.) Thus, the Project is not expected to result in any significant Noise impacts.
- K. Population and Housing - The Project will provide multi-family residential housing consistent with the vision of the General Plan; however, due to its limited size, the Project will not induce significant population growth. Moreover, since the Project site currently contains only one single-family residence, the Project will not displace substantial numbers of people. Moreover, the Project will contribute to a jobs/housing balance for the community. (EIR, Appendix A, at p. 24.) Thus, the Project is not expected to result in any significant impacts related to Population and Housing.
- L. Public Services – The Project site is located within a fully developed area within the City of Ontario, and will be served by existing fire and police services as well

as existing parks and schools. Due to its limited size, the Project will not create a need for construction of any new facilities. (EIR, Appendix A, at p. 25.) Thus, the Project is not expected to result in any significant impacts related to Public Services.

- M. Recreation – Due to its limited size, the Project will not substantially increase the use of neighborhood parks or other recreational facilities; nonetheless, the Project will contribute its share of Quimby Act fees to offset any incremental increase in park demand resulting from the Project. (EIR, Appendix A, at p. 26.) Thus, the Project is not expected to result in any significant Recreation impacts..
- N. Transportation/Traffic – The Project site is in an area with existing street improvements, and the Project will not generate a substantial number of vehicle trips, traffic volumes, or congestion at intersections. The Project's design will incorporate sufficient emergency access and will provide sufficient parking pursuant to the City's Development Code. The Project will not conflict with any transportation policies, plans or programs. (EIR, Appendix A, at pp. 26-27.) Thus, the Project is not expected to result in any significant Traffic impacts.
- O. Utilities and Service Systems – The Project will be served by existing water, wastewater and storm water facilities. Due to its limited size, the Project will not cause the wastewater treatment provider to exceed its capacity. Moreover, the City has sufficient water supplies to serve the Project. The Project is also within the City's permitted capacity for the region's landfills. (EIR, Appendix A, at pp. 27-28.) Thus, the Project is not expected to result in any significant impacts related to Utilities and Service Systems..

SECTION VII

MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT

The Planning Commission hereby finds that the following potentially significant environmental impact to Cultural Resources can be mitigated to a less than significant level through implementation of the following mitigation measure:

Impact 3.1.2:

Substantial Adverse Change in the Significance of an Archaeological Resource: Although unlikely, the Project has the potential to encounter previously undiscovered archaeological resources during construction.

Finding:

Changes or alterations have been required in, or incorporated into, the Project that avoid the potentially significant environmental effect as identified in the Final EIR.

Explanation:

An archaeological records review and field survey were performed for the Project. The review and survey indicate that the site does not contain prehistoric or historic archaeological resources. Since the Project involves excavation on-site for site preparation and installation of a partially subterranean parking structure and underground utilities, previously undiscovered archeological resources could unexpectedly be uncovered. Under such circumstances, the County of San Bernardino Archaeological Information Center recommends halting work in the vicinity of the find. Additionally, Mitigation Measure 3.1.6 requires that if such potential resources are discovered during construction, the potential resource shall be evaluated as described in the State CEQA Guidelines. Specifically, State CEQA Guidelines section 15064.5, subdivision (f), states that potential archeological resources should include “an immediate evaluation of the find by a qualified archeologist.” Further, “[i]f the find is determined to be an historical resource or unique archeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation should be available.” If human remains are discovered, Mitigation Measure 3.1.6 requires that the County Coroner be contacted, and no further disturbance would be permitted until the Coroner has made the necessary findings as required pursuant to Public Resources Code section 5097.98. (EIR, at pp. 3.1-28, 3.1-38.) Thus, by requiring that any accidental find be evaluated and appropriately avoided or mitigated, Mitigation Measure 3.1.6 ensures that the Project would not significantly impact archaeological resources.

Mitigation Measure 3.1.6: If significant subsurface prehistoric archaeological resources are encountered during construction, the evaluation of any such resources shall proceed in accordance with CEQA guidelines. In the event that buried cultural materials are unearthed during the course of construction, all work must be halted in the vicinity of the find until a qualified archaeologist can assess its significance. Construction of the project can continue outside of the vicinity of the find, so long as such activities would not physically damage any discovered cultural resources or reduce the data recovery potential of the find. If human remains are unearthed during construction, State Health and Safety Code Section 7050.5 states that, “no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98.”

SECTION VIII

RESOLUTION REGARDING ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT

The Planning Commission hereby finds that, while the incorporation of mitigation measures outlined in the Final EIR will substantially lessen the significant impact to Cultural Resources described below, that impact cannot be mitigated to a less than significant level. Therefore, the Planning Commission adopts the Statement of Overriding Considerations included herein in Section XI:

Impact 3.1.1:

Substantial Adverse Change in the Significance of a Historic Resource:

The project will result in the demolition and/or removal of the Dorr B. Lee Citrus Ranch Farmhouse. The Project site is a Tier II Historical Resource per City's Historic Preservation Ordinance, and appears to be eligible for listing on the California Register of Historical Resources. Further, the site has been identified as a potentially significant historic resource in relation to California Register of Historical Resources guidelines Criterion 1 and Criterion 3. Demolition and/or removal of the Dorr B. Lee Citrus Ranch Farmhouse would, therefore, cause a substantial adverse change in the significance of a historic resource and, thus, the proposed project would significantly impact a historic resource.

Finding:

Changes or alterations have been required in, or incorporated into, the Project that substantially lessen the potentially significant environmental effect as identified in the Final EIR. These changes, however, will not reduce the impact to Cultural Resources to a less than significant degree. No additional feasible measures would mitigate these impacts to a less than significant degree. The City Council finds that this significant environmental impact is acceptable in light of the overriding considerations discussed in Section XI below.

Explanation:

As further explained in Section 3.1.4 of the EIR, the Project site contains an existing single family residence. The house sits on a raised and partially dressed River-rock foundation. A cross-axial gabled roof caps the structure. The main

entry is raised and offset. A variety of window types are utilized including sash, fixed, and casement.

Despite some alterations, the Dorr B. Lee Citrus Ranch Farmhouse retains a relatively high degree of architectural integrity (approximately 80%). The residence is a Vernacular example of a Farmhouse with applied Victorian/Queen Anne decorative detailing. It is also a “transitional” example of design, as builders, architects, and owners sought to incorporate increasingly popular Colonial Revival design elements rather than more “old-fashioned” Victorian or Queen Anne detailing. The architecture of the residence is, however, primarily interesting not for an overall quality of decorative detail or design, but rather due to the fact that it is a remarkably asymmetrical building (fenestration, entry areas, etc.). In brief, this was not a simple plan book design, and likely reflects the personality and design needs (as first built and historically altered) of Dorr B. Lee and his family. (EIR, at pp. 3.1-17 to 3.1-19.)

Because the existing structure embodies the distinctive characteristics of a type, period, region or method of construction, these features of the property described above appear to qualify it as eligible for listing in the California Register of Historical Resources. Only a limited number of turn-of-the-century farmhouses survive in the City of Ontario, and despite the fact that the Dorr B. Lee Citrus Ranch Farmhouse represents a minimal or vernacular example of the style, it remains as the embodiment of the distinctive characteristics of a type, period, region, and method of construction. (EIR, at p. 3.1-25.)

The Project site might also be eligible for listing in the California Register of Historical Resource as being associated with the lives of persons important to local, California or national history. Several points of historical significance are made in association with Dorr B. Lee. Specifically, Lee was regarded and regaled in his obituary notice as an Ontario “pioneer” when he died in 1944. He is intimately associated with the growth and development of the citrus industry, and apart from owning his own small citrus “ranch,” he is also credited with laying-out many of Ontario’s orange groves. Finally, at the time of his death he was regarded as a “civic leader,” as illustrated in part by the fact that he was a former director of the San Antonio Water Company. This company did, in fact, play a critical role in the foundation of and continued development of Ontario. Clearly, the Dorr B. Lee Citrus Ranch Farmhouse is associated with the life of an individual important to local, California, or national history. (EIR, at p. 3.1-25.)

Additionally, due to its architecture and history, the City designated the Project site as a Tier II Historical Resource per the City’s Historic Preservation Ordinance. (EIR, at p. 3.1-26.)

The Project will result in the demolition and/or removal of the Dorr B. Lee Citrus Ranch Farmhouse. Demolition and/or removal of the Dorr B. Lee Citrus Ranch Farmhouse would cause a substantial adverse change in the significance of a historic resource, and thus, the proposed project would significantly impact a historic resource. (EIR, at p. 3.1-28.)

Several mitigation measures have been incorporated into the Project in order to substantially lessen its impact to historic resources. Mitigation Measures 3.1.1 and 3.1.2 are designed to reduce the project's impacts to historic resources with regard to architecture. Specifically, these mitigation measures require preparation of a *Historic Resource Mitigation Documentation Report*. The Report would include, among other items, photographs of the farmhouse taken from various interior and exterior vantage points. The Report would also be kept in the City of Ontario Public Library Model Colony Room (or other suitable repository). (EIR, at pp. 3.1-29 to 3.1-39.) By creating a record of the structure's significant architectural details, this example of the City's architectural past will be maintained among the City's other historical and archival records.

Similarly, Mitigation Measures 3.1.1 – 3.1.5 are designed to reduce the project's impacts to historic resources with regard to the farmhouse's historical elements. The *Historic Resource Mitigation Documentation Report* will, among other goals, collect a documentary history of the Dorr B. Lee family and their contribution to the City's development and heritage. In addition to preparation of the Report, the Project will require payment of a Demolition Mitigation Fee, pursuant to Section 9-1.2633 of the City's Development Code. The purpose of the mitigation fee program is to provide a source of funds for the conservation, preservation, restoration, and rehabilitation of other historic resources within the City. The Project will also contribute separate funding to fully develop the Historical Context previously established by City for "The Ontario Irrigation Colony, which includes the Chaffey Brothers, the Ontario Land and Improvement Company and the Citrus Industry." (EIR, at pp. 3.1-29 to 3.1-39.) By supplementing the City's knowledge of the particular historic resource at the Project site, as well as the City's capacity to enhance its other existing historic resources, these mitigation measures will substantially lessen the impact of removing and/or demolishing the Dorr B. Lee farmhouse.

Even with the incorporation of these mitigation measures, however, the Project would result in a significant impact to historic resources. As explained in greater detail in Section XI below, the Planning Commission finds that this significant environmental impact is acceptable in light of specific economic, legal, social, technological, or other benefits of the Project.

Mitigation Measure 3.1.1: The project proponent shall be responsible for the

preparation of a *Historic Resource Mitigation Documentation Report* as outlined in Section 3.1.7.1 of the Diamante Terrace Condominium Project EIR. Said *Historic Resource Mitigation Documentation Report* shall be prepared by a qualified consultant and submitted for review to the Planning Director of the City of Ontario, and an approved original deposited in the City of Ontario Public Library Model Colony Room (or other suitable repository) prior to issuance of a demolition permit for the subject property.

Mitigation Measure 3.1.2: The following site-specific conditions and recommendations shall apply to the *Historic Resource Mitigation Documentation Report* outline required by Mitigation Measure 3.1.1.

1. Additional research shall be conducted to more completely develop the Lee Family history. Minimally, this research shall be conducted at the Ontario Model Colony Room, the Ontario Museum of History and Art, and the San Bernardino County Archives. This research should focus on Dorr B. Lee, the original owner and builder of the farmhouse. For example, when Mr. Lee was appointed as Director of the San Antonio Water Company (date unknown at present), a newspaper article almost certainly appeared detailing his life and career, and it is suggested that this and other articles regarding Mr. Lee be located and copied. Both of his sons, Verne W. Lee and Ernest O. Lee, were also residents of the Dorr B. Lee Citrus Ranch Farmhouse, and it is suggested that their biographies be more fully developed. Additional research questions should also be investigated such as was Dorr Lee ever a part of the feed store operated by his brother (see 1898 reference to Lee Bros), and was Dorr Lee ever employed as an attorney (see 1901 deed referencing him as "Esq.")?
2. An effort should be made to copy all relevant Dorr B. Lee and Dorr B. Lee Citrus Ranch Farmhouse Public Records. For example, Lee is known to have purchased several properties in San Bernardino County during the period extending from 1893 to 1901, and copies should be made of these deeds, and any others subsequent to this date extending to his death in 1944.
3. Property owner Dorr B. Lee has been linked to the growth and development of the citrus industry in the City of Ontario. His obituary notes, for example, that "Many of Ontario's present-day orange groves were set out by Mr. Lee." The true extent and nature of his contributions to the Orange Industry in Ontario is unknown at present, in-depth research shall be conducted to fully develop his connection. For example, did Dorr B. Lee lay out groves for his sons, brother, and father? It is known that Mr.

Lee purchased three properties in the 1890s. Were these also planted as groves?

4. As research is completed, archival photocopies shall be made of each original. This does not imply that archival copies must be made at each research location. Rather, archival copies shall eventually be made of all primary records copied during the research process.
5. Minimally, the following photographs shall be taken in accordance with the *Historic Resource Mitigation Documentation Report* as outlined previously.
 - 2 Streetscapes
 - 4 Exterior Elevations
 - 4 Exterior Details
 - 4 Interiors (Minimum Recommended)
 - 5 Demolition Details (Minimum Recommended)

All detail photographs, utilized in the place of drawings, shall use a photographers' and/or surveyor's scale. This will provide a sufficient level of detail to justify the quicker and more cost-effective means of photo recordation rather than the production of hand drawings.

Note: The preparation of architectural drawings is not recommended here. There are no unusual or unique construction features represented, and the architectural detailing is a relatively unimportant aspect of the overall design qualities represented by the Dorr B. Lee Citrus Ranch Farmhouse.

Mitigation Measure 3.1.3 - Demolition Mitigation Fee: Prior to obtaining a demolition permit for the demolition of the Dorr B. Lee Citrus Ranch Farmhouse, the project proponent shall pay a demolition mitigation fee to the City of Ontario Historic Preservation Trust Fund per Section 9-1.2633 of the Ontario Development Code. Section 9-1.2632(G)(2) of the Ontario Development Code states that the demolition mitigation fee for Tier I and Tier II structures shall be determined through the EIR process and adopted by the Planning Commission through the certification of the EIR. Demolition mitigation fees for Tier III structures have been established by the City Council per City of Ontario Resolution No. 2003-073. The demolition mitigation fee for a Tier III residential structure is \$7.00 per square foot, up to a maximum of \$17,500.00. The demolition mitigation fee for the demolition of Tier II structures shall be two times the demolition mitigation fee established for Tier III structures. Therefore, the demolition mitigation fee for the Dorr B. Lee Citrus Ranch Farmhouse shall be \$14.00 per square foot, up to a maximum of \$35,000.00.

Mitigation Measure 3.1.4 - Preparation of an Historical Context: The project proponent shall provide funding for a consultant specializing in historical and architectural studies, surveys, and recordation to fully develop the Historical Context previously established by City of Ontario for “The Ontario Irrigation Colony, which includes the Chaffey Brothers, the Ontario Land and Improvement Company and the Citrus Industry.”

Mitigation Measure 3.1.5 - Certificate of Appropriateness: Prior to obtaining a demolition permit, the project proponent shall obtain a Certificate of Appropriateness. Section 9-1.2632 of the Ontario Development Code requires a Certificate of Appropriateness for the demolition of a historic structure in whole or in part: The Certificate of Appropriateness requires standard mitigation measures, including resource documentation, payment of mitigation fees, approval of replacement structure(s), and salvaging of features and artifacts.

SECTION IX

RESOLUTION REGARDING GROWTH-INDUCING IMPACTS

Section 15126.2(d) of the State CEQA Guidelines requires EIRs to examine the “growth-inducing impact of the proposed project.” In particular, this section requires the EIR to “discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly in the surrounding environment.” (State CEQA Guidelines § 15126.2, subd. (d). Growth-inducing impacts are caused by projects that foster or encourage population and/or economic growth. Such growth could be encouraged by adding residential units, expanding infrastructure, and/or generating employment opportunities.

An EIR need only consider such potential impacts for projects involving, among others, the “adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency[.]” (State CEQA Guidelines, § 15127.) Such discussion should not be required in this case, since the Project approvals include only: (1) approval of a Tentative Tract Map for Diamante Terrace, a 10-unit condominium complex; (2) issuance of a Certificate of Appropriateness for demolition of the Lee Family farmstead, a “Tier II” historic resource; and (3) Site Plan Review. Nevertheless, the City provides the following observations regarding potentially growth-inducing impacts discussed in the EIR:

- Addition of Residential Units - The Project would add 10 residential units to, and remove one residential unit from, the City's housing stock. The proposed project's addition of 10 residential units represents less than one (1) percent of the 2,401 residential units needed in the City of Ontario according to the Southern California Association of Governments (SCAG) Regional Housing Needs Assessment (RHNA) for the 2000-2005 planning period. The City's Regional Housing Need Allocation was addressed in the City of Ontario General Plan 2000-2005 Housing Element (adopted by City Council Resolution 2001-113 in 2001). Thus, growth of this size is planned for by both the City of Ontario and the Southern California Association of Governments. (EIR, at p. 5-2.) Therefore, the residential growth attributable to the Project is not a significant impact.

Expansion of Infrastructure - The Project includes the expansion of infrastructure needed to serve the Project, such as connections to electricity, telephone, and cable services, existing water and wastewater infrastructure, upgrading the sewer line in Beverly Court to support the Project, and on-site drainage improvements. These proposed improvements are sized to serve the planned development, and are not oversized in a way that would encourage off-site development. None of the new utility facilities would extend into or through any undeveloped land. (EIR, at pp. 5-2 to 5-3.) Therefore, these improvements are not considered growth inducing.

SECTION X

RESOLUTION REGARDING ALTERNATIVES

The Planning Commission hereby declares that it has considered the alternatives identified in the EIR and described below. CEQA requires that an EIR evaluate a reasonable range of alternatives to a Project, or to the location of the Project, which: (1) offer substantial environmental advantages over the Project proposal, and (2) may be feasibly accomplished in a successful manner within a reasonable period of time considering the economic, environmental, social and technological factors involved. An EIR only need evaluate reasonable alternatives to a Project that could feasibly attain most of the Project objectives, and evaluate the comparative merits of the alternatives. In all cases, consideration of alternatives is to be judged against a rule of reason. The lead agency is not required to choose the environmentally superior alternative identified in the EIR if the alternative does not provide substantial advantages over the proposed Project and, (1) through the imposition of mitigation measures the environmental effects of a Project can be reduced to an acceptable level, or (2) there are social, economic, technological or other considerations which make the alternative infeasible.

The Draft EIR identified the City of Ontario's objectives for the Project, which are:

- The project would implement the designated land use for the site as envisioned in the City of Ontario General Plan.
- The project would develop an underutilized site to its highest and best use within a low-moderate income census tract.
- The project would provide a means of investment and a catalyst for reinvestment within a neighborhood in need of revitalization.
- Approval of the project would provide housing in support of general population growth anticipated in the Southern California region.
- The project would aid the City of Ontario in meeting its regional housing needs by providing 10 dwelling units.

The EIR excluded several alternatives from detailed discussion, including alternative locations, office development, commercial development, mixed-use development, industrial development, and dedicated open space.

Alternative project locations for the proposed project were dismissed because the project proponent does not own or control any comparable sites; because there are no comparable underutilized properties in the project vicinity or surrounding neighborhood; and an alternative location would not attain the basic project objectives of developing the Project site consistent with the City of Ontario General Plan and Zoning and 2) developing an underutilized site to its highest and best use within a low-moderate income census tract. (EIR, at p. 4-4.) Moreover, as explained by the California Supreme Court, when a General Plan has designated a particular use for a particular site, the local agency is not required to revisit the wisdom of that decision in a project-level EIR for development of one of that site. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 572-73 (“ad hoc reconsideration of basic planning policy [is] not only unnecessary, but [would be] in contravention of the legislative goal of long-term, *comprehensive* planning”) (emphasis in original).)

Office development, commercial development, mixed-use development, and industrial development alternatives were also dismissed because those land uses would not meet the objective of developing the site consistent with existing land-use designations or the City's General Plan. (EIR, at pp. 4-4 to 4-5.) Dedicated open space alternatives were also rejected for inconsistency with the General Plan and zoning designations for the project site. In addition, dedicating the site as open space would not attain the objectives of developing an underutilized site to its highest and best use within a low-moderate income census tract and providing a means of investment and a catalyst for reinvestment within a neighborhood in need of revitalization. (EIR, at p. 4-5.)

The EIR identified and analyzed five alternatives to the Project, including a "No Project Alternative." (EIR, at pp. 4-5 to 4-11.) The alternatives selected for consideration are potentially feasible, would reduce the Project's significant impact on Historic Resources to some degree, and would achieve most of the Project's objectives. To facilitate consideration of each alternative, the EIR described its potential beneficial and adverse impacts, factors affecting its feasibility (State CEQA Guidelines section 15364), and its ability to achieve the Project objectives. For the reasons described below, the Planning Commission rejects these alternatives as infeasible.

A. Alternative 1 --"No Project Alternative" (e.g. existing conditions)

1. Description – the "No Project" alternative represents the status quo, or maintaining the Dorr B. Lee Citrus Ranch Farmhouse as a single-tenant occupied residence. Current zoning for the Project site is R-3 (High Density Residential). This zoning designation accommodates a dwelling unit density of 16.1-25 dwelling units per acre. The residence has been determined to be "Legal Non-Conforming", as it was originally designed and built for single-family occupancy. (EIR, at p. 4-5.)

2. Environmental Impacts - This alternative would result in no impacts to historic resources. Specifically, the status quo would be maintained by not demolishing the Dorr B. Lee Citrus Ranch Farmhouse. The "No Project" Alternative is not expected to result in any other significant environmental impacts. There are no likely short-term consequences to the "No Project" alternative, but long-term consequences might involve maintenance problems. Moreover, as this portion of the City builds out, the existing structure would become out of scale with the surrounding development resulting in land use impacts. (EIR, at p. 4-5.)

3. Findings - As noted above, both the City's General Plan and Zoning Code designate the Project as high density residential. (EIR, at p. 4-5.) Adopting the No Project Alternative would, therefore, prevent development of the Project site in a manner consistent with the General Plan and Zoning, and would not contribute to the General Plan's policy of encouraging residential uses, types, and densities to meet varied housing needs. (EIR, at pp. 4-2 to 4-3.) In addition, this alternative would not

add to the City's housing supply or contribute to satisfaction of the City's Regional Housing Needs Allocation. Further, this alternative would not be economically feasible. (EIR, at pp. 4-5 to 4-6.) The Planning Commission, therefore, finds the "No Project" Alternative to be infeasible because it fails to attain the basic project objectives. (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 ("feasibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors").)

B. Alternative 2 --"Site Preservation and Restoration of the Dorr B. Lee Citrus Ranch Farmhouse as a Single-Family Residence"

1. Description – This alternative would involve the preservation and restoration of the Dorr B. Lee Citrus Ranch Farmhouse as a single-family residence. This alternative would incorporate and utilize *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

2. Environmental Impacts - This alternative would result in beneficial impacts to historic resources, through the preservation and restoration of the Dorr B. Lee Citrus Ranch Farmhouse. The "Site Preservation and Restoration" Alternative would not result in any other significant environmental impacts.

3. Findings – As discussed above, this alternative would involve restoration of the farmhouse as a single-family residence. (EIR, at pp. 4-6 to 4-7.) This alternative would fail to meet the objective of General Plan and Zoning code consistency for the site. In addition, the applicant has indicated that this alternative would not be economically feasible. (EIR, Appendix C.) Moreover, if this alternative is economic infeasible for this applicant, implementation of the restoration alternative would be speculative. Thus, the Planning Commission finds Alternative 2 "Site Preservation and Restoration " to be infeasible. (*City of Del Mar, supra*, 133 Cal.App.3d at 417; State CEQA Guidelines, § 15364.)

C. Alternative 3 --"Preservation, Restoration, and Adaptive Reuse of the Dorr B. Lee Citrus Ranch Farmhouse as part of the Proposed Condominium Development"

1. Description – This alternative consists of the partial preservation and restoration of the Dorr B. Lee Citrus Ranch Farmhouse. This alternative would be implemented jointly with the implementation of the proposed condominium project, and would involve converting the residence into a multi-family structure. This alternative

would incorporate and utilize *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

2. Environmental Impacts - This alternative would result in both beneficial and negative impacts to historic resources. Specifically, the preservation and restoration of even a portion of the Dorr B. Lee Citrus Ranch Farmhouse would be a beneficial impact. However, the incorporation of the farmhouse into the overall condominium design would require substantial alteration to the original residence and result in an overall negative impact. All the mitigation measures identified in the document can be incorporated into this alternative. With the incorporation of these mitigation measures, Alternative 3 would have less than significant impacts to historic resources. The "Preservation, Restoration, and Adaptive Reuse of the Dorr B. Lee Citrus Ranch Farmhouse as part of the Proposed Condominium Development" Alternative would not result in any other significant environmental impacts.

3. Findings – This alternative would involve incorporating restoration elements into the multifamily condominium design. (EIR, at pp. 4-7 to 4-8.) The applicant has studied the feasibility of this option, and concluded that it would be both economically and technologically infeasible. (EIR, Appendix C.) Further, since the applicant finds this alternative infeasible, implementation of this alternative would be speculative. Thus, the Planning Commission finds Alternative 3 "Preservation, Restoration, and Adaptive Reuse of the Dorr B. Lee Citrus Ranch Farmhouse as part of the Proposed Condominium Development" to be infeasible. (*City of Del Mar, supra*, 133 Cal.App.3d at 417; State CEQA Guidelines, § 15364.)

D. Alternative 4 --"Preservation of the Façade of the Dorr B. Lee Citrus Ranch Farmhouse"

1. Description – This alternative would involve the preservation of a portion of the façade of the Dorr B. Lee Citrus Ranch Farmhouse. This alternative would be implemented jointly with the implementation of the proposed condominium project, and would involve applying the existing façade to a streetscape portion of the proposed project. This alternative would incorporate and utilize portions of *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

2. Environmental Impacts - This alternative would have a significant impact on historic resources as it would first involve the demolition of a major portion of the Dorr B. Lee Citrus Ranch Farmhouse. Even with mitigation measures, impacts to historic resources remain significant, as this alternative would deviate from the Secretary of the Interior's standards and would not maintain the historic integrity of the property as a citrus ranch farmhouse. The "Preservation of the Façade of the Dorr B. Lee Citrus

Ranch Farmhouse” Alternative would not result in any other significant environmental impacts.

3. Findings – Similar to Alternative 3 discussed above, Alternative 4 would involve incorporating restoration elements into the multifamily condominium design. (EIR, at pp. 4-8 to 4-9.) The applicant has studied the feasibility of this option, and concluded that it would be economically infeasible. (EIR, Appendix C.) Further, since the applicant finds this alternative infeasible, implementation of this alternative would be speculative. In addition, Alternative 4 would not avoid or lessen any of the project’s significant impacts to a less than significant level. Thus, the Planning Commission finds that Alternative 4 “Preservation of the Façade of the Dorr B. Lee Citrus Ranch Farmhouse” to be infeasible. (*City of Del Mar, supra*, 133 Cal.App.3d at 417; State CEQA Guidelines, § 15364.)

E. Alternative 5 --“ Moving the Dorr B. Lee Citrus Ranch Farmhouse”

1. Description – This alternative would involve moving the Dorr B. Lee Citrus Ranch Farmhouse to an alternate and as yet unknown location; and developing the site as currently proposed.

2. Environmental Impacts - This alternative would have a significant impact on historic resources as it would involve the removal of the Dorr B. Lee Citrus Ranch Farmhouse from its original location. Even with mitigation measures, impacts to historic resources remain significant, since removing the farmhouse from the site would eliminate the historic context of the structure and site as a farmhouse on one of the City’s early citrus ranches. The “Moving the Dorr B. Lee Citrus Ranch Farmhouse” alternative could have additional environmental impacts not discussed within this EIR. Specifically, this alternative would physically change the relocation site. Since a relocation site has not yet been identified, the environmental impacts to the relocation site cannot be identified at this time.

3. Findings – This alternative would involve relocating the existing farmhouse to an undetermined location, and developing the remainder of the Project as proposed. (EIR, at pp. 4-9 to 4-11.) The applicant has studied the feasibility of this option, and concluded that it would be both economically and technologically infeasible. (EIR, Appendix C.) Further, since the applicant finds this alternative infeasible, implementation of this alternative would be speculative. In addition, Alternative 4 would not avoid or lessen any of the project’s significant impacts to a less than significant level. Thus, the Planning Commission finds that Alternative 5 “Moving the Dorr B. Lee Citrus Ranch Farmhouse” to be infeasible.

SECTION XI

RESOLUTION ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS

As discussed in Section VIII above, approval of the Project will result in a significant environmental effect that cannot be completely avoided even with the adoption of all feasible mitigation measures. The following statement of overriding considerations states the Planning Commission's reasons for adopting the Project despite its significant and unavoidable impact. The Planning Commission declares that any one of the reasons provided below would be sufficient to justify approval of the Project. The substantial evidence demonstrating the benefits of the Project are found in these findings, and in the documents found in the record of proceedings, discussed in Section V above.

The Planning Commission hereby declares that, pursuant to State CEQA Guidelines, section 15093, the Planning Commission has balanced the benefits of the Project against its unavoidable environmental impact in determining whether to approve the Project. The Planning Commission chooses to approve the Project despite its significant and unavoidable environmental effect because, in its view, the Planning Commission finds that the benefits of the Project outweigh its unavoidable adverse environmental impact, and thereby make that impact "acceptable."

The Planning Commission has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project, and hereby binds itself to adopt the mitigation measures set out in the Mitigation Monitoring Program included herein as Exhibit A.

The Planning Commission hereby declares that to the extent any mitigation measures recommended in the EIR and/or proposed Project could not be incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this Planning Commission finds outweigh the unmitigated impacts. The Planning Commission further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of Project objectives and/or of specific economic, social and other benefits that this Planning Commission finds outweigh any environmental benefits of the alternatives.

The Planning Commission hereby declares that, having reduced the adverse significant environmental effects of the Project to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on

the Project, and having weighed the benefits of the Project against its unavoidable adverse impacts after mitigation, the Planning Commission has determined that the following social, economic, and environmental benefits of the Project outweigh the potential unavoidable adverse impacts and render those potential adverse environmental impacts acceptable based upon the following overriding considerations:

- The project will implement the designated land use for the site as envisioned in the City of Ontario General Plan. (EIR, at p. 5-3, Appendix A, at p. 22.)
- The project will develop an underutilized site to its highest and best use within a low-moderate income census tract. (EIR, at p. 5-2, Appendix A at p. 10.)
- The project will provide a means of investment and a catalyst for reinvestment within a neighborhood in need of revitalization. (EIR, at p. 5-2, Appendix A at p. 10.)
- Approval of the project will provide housing in support of general population growth anticipated in the Southern California region. (EIR, at p. 5-2.)
- The project will aid the City of Ontario in meeting its regional housing needs by providing 10 dwelling units. (EIR, at p. 5-2.)

The Planning Commission hereby declares that the foregoing benefits provided to the public through approval and implementation of the Diamante Terrace Condominium Development outweigh any significant adverse environmental impacts of the Project and that each of the Project benefits outweighs the adverse environmental effect identified in the EIR and therefore finds those impacts to be acceptable.

SECTION XII

RESOLUTION REGARDING CERTIFICATION OF EIR

The Planning Commission finds that it has reviewed and considered the Final EIR in evaluating the proposed project, that the Final EIR is an accurate and objective statement that fully complies with CEQA, State CEQA Guidelines and the City's local CEQA Guidelines and that the Final EIR reflects the independent judgment of the Planning Commission .

The Planning Commission declares that no new information regarding significant impacts as defined by State CEQA Guidelines, section 15088.5 has been received by the City after circulation of the Draft EIR that would require recirculation.

The Planning Commission certifies the Environmental Impact Report based on the following findings and conclusions:

A. Findings

The following significant environmental impact has been identified in the EIR and will require mitigation as set forth in Section VIII of this Resolution but cannot be mitigated to a level of insignificance: cultural resources (substantial adverse change in the significance of a historic resource).

B. Conclusions

1. Except as to impact to cultural resources (substantial adverse change in the significance of a historic resource), all significant environmental impacts from the implementation of the proposed Project have been identified in the EIR and, with implementation of the mitigation measures identified, will be mitigated to a level of insignificance.

2. Other alternatives to the Project, which could feasibly achieve the basic objectives of the proposed project, have been considered and rejected in favor of the proposed Project.

3. Environmental, economic, social and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed project or further mitigation measures beyond those incorporated into the proposed Project.

SECTION XIII

RESOLUTION ADOPTING A MITIGATION MONITORING PROGRAM

Pursuant to Public Resources Code, section 21081.6, the Planning Commission hereby adopts the Mitigation Monitoring and Reporting Plan attached to this Resolution as Exhibit A. In the event of any inconsistencies between the mitigation measures as set forth herein and the Mitigation Monitoring Program, the Mitigation Monitoring Program shall control.

SECTION XIV

RESOLUTION REGARDING CUSTODIAN OF RECORD

The documents and materials that constitute the record of proceedings, discussed in Section V above, on which these Findings have been based are located at the City of Ontario, 303 East "B" Street, Ontario, California. The custodian for these records is the Planning Director. This information is provided in compliance with Public Resources Code, section 21081.6.

SECTION XV

RESOLUTION REGARDING STAFF DIRECTION

A Notice of Determination shall be filed with the County of San Bernardino within five (5) working days of final Project approval.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Ontario approves the certification of the Environmental Impact Report for File Nos. PDEV04-059 and PHP05-001 and approves the Statement of Overriding Considerations and associated Mitigation Monitoring Program.

APPROVED AND ADOPTED by the members of the Planning Commission of the City of Ontario this 28th day of March 2006, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gabriel Chavez, Chairman
Planning Commission, City of Ontario

I, Jerry L. Blum, Secretary of the Planning Commission of the City of Ontario, do hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a meeting thereof held on the 28th day of March 2006, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jerry L. Blum, Secretary
Planning Commission, City of Ontario

Diamante Terrace Condominium Project

Final Environmental Impact Report



Prepared for:
The City of Ontario
303 East B Street
Ontario, California 91764

Prepared by:
Willdan
13191 Crossroads Parkway North
Suite 405
Industry, California 91746-3479

March 28, 2006

TABLE OF CONTENTS

	<u>Page</u>
<i>Introduction to the Final EIR</i>	v-1
Executive Summary	ES-1
1.0 Introduction 1-1	
1.1 Purpose of the EIR.....	1-1
1.2 Definition of a Project EIR	1-3
1.3 Scope of the EIR	1-3
1.4 Environmental Review Process.....	1-4
1.5 Intended Use of the EIR.....	1-5
1.6 Required Approvals.....	1-5
1.7 Lead Agency Approvals	1-5
2.0 Project Description	2-1
2.1 Project Location	2-1
2.2 Site Characteristics	2-1
2.3 Project Objectives	2-4
2.4 Description of the Proposed Project.....	2-5
2.5 Cumulative Scenario	2-8
2.6 Intended Uses of the EIR	2-12
3.0 Environmental Impact Analysis.....	3-1
3.0.1 Introduction	3-1
3.0.2 Cultural Resource Setting	3-1
3.0.3 Regulatory Framework.....	3-1
3.0.4 Determination of Historical, Architectural, and Archaeological Significance.....	3-1
3.0.5 Thresholds of Significance	3-1
3.0.6 Project Impacts	3-2
3.0.7 Mitigation Measures	3-2
3.0.8 Level of Significance After Mitigation	3-2
3.1 Environmental Impact Analysis.....	3.1-1
3.1.1 Introduction	3.1-1
3.1.2 Cultural Resource Setting	3.1-2
3.1.3 Regulatory Framework.....	3.1-20
3.1.4 Determination of Historical, Architectural, and Archaeological Significance.....	3.1-24
3.1.5 Thresholds of Significance	3.1-27
3.1.6 Project Impacts	3.1-28
3.1.7 Mitigation Measures	3.1-29
3.1.8 Level of Significance After Mitigation	3.1-39

TABLE OF CONTENTS (continued)

		<u>Page</u>
4.0	Alternatives.....	4-1
4.1	Introduction	4-1
4.2	Alternatives Dismissed from Consideration.....	4-4
4.3	Alternatives to be Considered	4-5
	4.3.1 Alternative 1: No Project/No Change Alternative	4-5
	4.3.2 Alternative 2: Site Preservation and Restoration of the Dorr. B. Lee Citrus Ranch Farmhouse as a Single-Family Residence.....	4-6
	4.3.3 Alternative 3: Preservation, Restoration, and Adaptive Reuse of the Dorr B. Lee Citrus Ranch Farmhouse as Part of the Proposed Condominium Development.....	4-7
	4.3.4 Alternative 4: Preservation of the Façade of the Dorr B. Lee Citrus Ranch Farmhouse.....	4-8
	4.3.5 Alternative 5: Moving the Dorr B. Lee Citrus Ranch Farmhouse.....	4-9
4.4	Summary of Project Alternatives	4-11
4.5	Environmentally Superior Alternative	4-11
5.0	Impact Overview.....	5-1
	5.1 Significant, Unavoidable Environmental Effects	5-1
	5.2 Significant Irreversible Environmental Changes.....	5-1
	5.3 Growth-Inducing Impacts	5-2
	5.4 Summary of Cumulative Impacts	5-3
6.0	Reports, Authors, and Consultants; People and Organizations Consulted.....	6-1
7.0	Bibliography.....	7-1
8.0	Mitigation Monitoring Program.....	8-1

TABLE OF CONTENTS (continued)

	<u>Page</u>
LIST OF FIGURES	
Figure 2.1	Regional Location Map..... 2-2
Figure 2.2	Project Location Map..... 2-3
Figure 2.3	Project Site Plan/Landscape Schematic..... 2-6
Figure 2.4	Proposed Tentative Tract Map 2-7
LIST OF TABLES	
Table ES-1	Summary of Impacts, Mitigation Measures and Significance After Mitigation ES-3
Table 2.1	Cumulative Development Projects in the Vicinity of the Project Site..... 2-10
Table 4.1	Alternative Comparison Matrix..... 4-12
APPENDICES	
A:	Initial Study/Notice of Preparation (NOP) and Responses to NOP
B:	Historic Resources Inventory Forms
C:	Alternatives Feasibility Analyses

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<u>ABBREVIATION</u>	<u>EXPLANATION</u>
CEQA	California Environmental Quality Act
CRHR	California Register of Historical Resources
DPR	Department of Parks and Recreation (California)
DU	Dwelling Unit
DU/AC	Dwelling Units Per Acre
EIR	Environmental Impact Report
FAR	Floor Area Ratio
HABS/HAER	Historic American Buildings Survey/Historic American Engineering Record
OHP	Office of Historic Preservation (California)
SCAG	Southern California Association Of Governments
SHPO	State Historic Preservation Officer
SHRC	State Historical Resources Commission

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INTRODUCTION TO THE FINAL EIR

PURPOSE OF THE FINAL EIR

This Final Environmental Impact Report (EIR) has been prepared for the City of Ontario's use in determining whether or not to grant the following discretionary approvals, thereby entitling the proposed Diamante Terrace Condominium Project:

- Development Plan;
- Tentative Tract Map;
- Certificate of Appropriateness; and
- Demolition Permit for a Tier II Historic Resource.

This Final EIR has been prepared to meet all of the substantive and procedural requirements of the California Environmental Quality Act (CEQA) of 1970 (California Public Resources Code Section 21000 et seq.), the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.), and the rules, regulations, and procedures for implementation of CEQA as adopted by the City of Ontario. The City of Ontario is the Lead Agency for this project, taking primary responsibility for conducting the environmental review and approving or denying the proposed project under consideration.

CONTENTS OF THE FINAL EIR

Sections 15089 and 15132 of the State CEQA Guidelines identify the requirements for the contents of a Final EIR. Section 15132 states that the Final EIR shall include "the draft EIR or a revision of the draft". The Lead Agency has made no revisions to the Draft EIR. Therefore, the Executive Summary and Chapters 1-7 of the Draft EIR, in verbatim, are hereby incorporated as the Executive Summary and Chapters 1-7 of the Final EIR.

Section 15132 also states that the Final EIR shall include "responses of the Lead Agency to significant environmental points raised in the review and consultation process." Section 15088 describes the requirements for responding to comments received on the Draft EIR, and for completion of a Final EIR. The Lead Agency has received no comments on the Draft EIR; and therefore, responding to comments is not applicable to this Final EIR.

Section 21081.6 of CEQA requires the public agency to adopt a monitoring program of mitigations to ensure the enforceability of the mitigations identified in the CEQA document. Chapter 8 of this document includes the project's Mitigation Monitoring Program. This Mitigation Monitoring Program has been prepared in accordance with Section 21081.6 of CEQA and Section 15097 of the State CEQA Guidelines, and identifies all required mitigation measures, the party responsible for implementing the mitigation, the timing and method of monitoring, and the format for recording compliance.

This document, combined with the Draft EIR that was circulated for public review on November 14, 2005, constitutes a Final EIR.

PUBLIC REVIEW PROCESS

Sections 15085, 15086, and 15087 of the State CEQA Guidelines describe the requirements for circulation of the Draft EIR for public review. In accordance with these sections, the City of Ontario published a Notice of Completion/Notice of Availability (NOC/NOA) of a Draft Environmental Impact Report for the project, and posted this notice at the San Bernardino County Clerk of the Board. The publication of the NOC/NOA began a 30-day review period for the Draft EIR, which commenced on November 14, 2005 and ended on December 14, 2005. During this review period, the Draft EIR was available for review at the City of Ontario Planning Department, City Hall, 303 East B Street, Ontario, CA 91764. In addition, copies of the Draft EIR were directly sent to those parties who had formally requested copies and to a variety of potentially interested public agencies, as well as to various state agencies through the State Clearinghouse.

EXECUTIVE SUMMARY

This Environmental Impact Report (EIR) evaluates the potential for the Diamante Terrace Condominium Project to result in the environmental impacts. This EIR is focused on the discussion of impacts to cultural resources, the only potentially significant impact of the project.

PROJECT LOCATION

The project site is located at 607 West “D” Street (APN 1048-581-07-0000) in the downtown area of the City of Ontario in San Bernardino County, California. The project site consists of one assessed parcel that is variously referred to herein as 607 West “D” Street and/or the Dorr B. Lee Citrus Ranch Farmhouse. The project site is a rectangular lot, 23,726 square feet (ft²) (0.545 acres) in size, with approximately 119 feet of frontage on the south side of “D” Street.

DESCRIPTION OF PROPOSED PROJECT

The proposed project consists of removing the Dorr B. Lee Citrus Ranch Farmhouse and developing a 10-unit condominium complex onsite. The proposed condominium development consists of:

- Four (4) 2-unit condominium structures;
- Two (2) 1-unit condominium structures;
- A common basement/parking facility;
- Approximately 7,317 square feet of common open space; and
- Associated driveways, pathways, landscaping, and utility infrastructure.

The proposed condominium units are three stories in height (including a partially subterranean parking facility) and range in size from 1,950 square feet to 2,226 square feet. The average lot size will be 2,372.60 square feet with a minimum lot area of 2,178 square feet.

ENVIRONMENTAL SUMMARY

The City of Ontario has directed the preparation of this EIR to examine the potentially significant environmental impacts associated with the project and to identify mitigation measures and alternatives capable of avoiding or substantially lessening those impacts. A summary of the project’s potentially significant environmental impacts and mitigation measures is presented in Table ES-1.

The analysis in this EIR contains the words “significant” and “less than significant” in the discussion of impacts. These words specifically define the degree of impact and coincide with language used in the California Environmental Quality Act (CEQA) and CEQA Guidelines. As required by CEQA, mitigation measures have been included to avoid or reduce potentially significant impacts. Where mitigation would require project redesign, alternatives have been provided which would lessen impacts. Impacts that cannot be completely mitigated, even with the inclusion of all mitigation measures are identified by CEQA as “unavoidable significant impacts.” The only unavoidable significant impact of the proposed project is the substantial adverse change in the significance of a historic resource – the Dorr B. Lee Citrus Ranch Farmhouse. The Dorr B. Lee Citrus Ranch Farmhouse is a designated local historical resource, more specifically, a Tier II Historical Resource per Ontario’s Historic Preservation Ordinance. In addition, as described in Section 3.1.4 of this document, the Dorr B. Lee Citrus Ranch Farmhouse appears to qualify as eligible for listing on the California Register of Historical Resources.

ALTERNATIVES TO THE PROJECT

Section 4.0 of this EIR evaluates six alternatives to the proposed project. These alternatives are:

- Alternative 1: No Project/No Development Alternative
- Alternative 2: Preservation and Restoration of the Dorr B. Lee Citrus Ranch Farmhouse as a Single-Family Residence
- Alternative 3: Preservation, Restoration, and Adaptive Reuse of the Dorr B. Lee Citrus Ranch Farmhouse as Part of the Proposed Condominium Development
- Alternative 4: Preservation of the Façade of the Dorr B. Lee Citrus Ranch Farmhouse
- Alternative 5: Moving the Dorr B. Lee Citrus Ranch Farmhouse

**TABLE ES-1
SUMMARY OF IMPACTS, MITIGATION MEASURES AND SIGNIFICANCE AFTER MITIGATION**

RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURE	RESIDUAL IMPACT	ALTERNATIVES THAT COULD REDUCE IMPACT
Cultural Resources	<p><u>Impact 3.1.1 – Substantial Adverse Change in the Significance of a Historic Resource:</u> The project would result in a substantial adverse change in the significance of a historic resource – the Dorr B. Lee Citrus Ranch Farmhouse.</p>	<p>Mitigation Measure 3.1.1: The project proponent shall be responsible for the preparation of a <i>Historic Resource Mitigation Documentation Report</i> as outlined in Section 3.1.7.1 of this document. Said <i>Historic Resource Mitigation Documentation Report</i> shall be prepared by a qualified consultant and submitted for review to the Planning Director of the City of Ontario, and an approved original deposited in the City of Ontario Public Library Model Colony Room (or other suitable repository) prior to issuance of a demolition permit for the subject property.</p> <p>Mitigation Measure 3.1.2: The following site-specific conditions and recommendations shall apply to the <i>Historic Resource Mitigation Documentation Report</i> outline required by Mitigation Measure 3.1.1.</p> <p>a. Additional research shall be conducted to more completely develop the Lee Family history. Minimally, this research shall be conducted at the Ontario Model Colony Room, the Ontario Museum of History and Art, and the San Bernardino County Archives. This research should focus on Dorr B. Lee, the original owner and builder of the farmhouse. For example, when Mr. Lee was appointed as Director of the San Antonio Water Company (date unknown at present), a newspaper article almost certainly appeared detailing his life and career, and it is suggested that this and other articles regarding Mr. Lee be located and copied. Both of his sons, Verne W. Lee and Ernest O. Lee, were also residents of the Dorr B. Lee Citrus Ranch Farmhouse, and it is suggested that their biographies be more fully developed. Additional research questions should also be investigated such as was Dorr Lee ever a part of the feed store operated by his brother (see 1898 reference to Lee Bros), and was Dorr Lee ever employed as an attorney (see 1901 deed referencing him as "Esq.")?</p>	Significant Unavoidable Impact	All of the alternatives would have less historic resource impacts than the proposed project. Alternatives 1, 2, and 3 are the only alternatives that would not result in significant impacts to historic resources. Of the alternatives that provide implementation of the proposed project, Alternative 3 is the only alternative that would not result in significant impacts to historic resources (after mitigation).

**TABLE ES-1
SUMMARY OF IMPACTS, MITIGATION MEASURES AND SIGNIFICANCE AFTER MITIGATION**

RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURE	RESIDUAL IMPACT	ALTERNATIVES THAT COULD REDUCE IMPACT
		<p>b. An effort should be made to copy all relevant Dorr B. Lee and Dorr B. Lee Citrus Ranch Farmhouse Public Records. For example, Lee is known to have purchased several properties in San Bernardino County during the period extending from 1893 to 1901, and copies should be made of these deeds, and any others subsequent to this date extending to his death in 1944.</p> <p>c. Property owner Dorr B. Lee has been linked to the growth and development of the citrus industry in the City of Ontario. His obituary notes, for example, that "Many of Ontario's present-day orange groves were set out by Mr. Lee." The true extent and nature of his contributions to the Orange Industry in Ontario is unknown at present, in-depth research shall be conducted to fully develop his connection. For example, did Dorr B. Lee lay out groves for his sons, brother, and father? It is known that Mr. Lee purchased three properties in the 1890s. Were these also planted as groves?</p> <p>d. As research is completed, archival photocopies shall be made of each original. This does not imply that archival copies must be made at each research location. Rather, that archival copies shall eventually be made of all primary records copied during the research process.</p> <p>e. Minimally, the following photographs shall be taken in accordance with the <i>Historic Resource Mitigation Documentation Report</i> as outlined previously.</p> <ul style="list-style-type: none"> • 2 Streetscapes • 4 Exterior Elevations • 4 Exterior Details • 4 Interiors (Minimum Recommended) • 5 Demolition Details (Minimum Recommended) 		

**TABLE ES-1
SUMMARY OF IMPACTS, MITIGATION MEASURES AND SIGNIFICANCE AFTER MITIGATION**

RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURE	RESIDUAL IMPACT	ALTERNATIVES THAT COULD REDUCE IMPACT
		<p>All detail photographs, utilized in the place of drawings, shall use a photographers' and/or surveyor's scale. This will provide a sufficient level of detail to justify the quicker and more cost-effective means of photo recordation rather than the production of hand drawings.</p> <p>Note: The preparation of architectural drawings is not recommended here. There are no unusual or unique construction features represented, and the architectural detailing is a relatively unimportant aspect of the overall design qualities represented by the Dorr B. Lee Citrus Ranch Farmhouse.</p> <p>Mitigation Measure 3.1.3: Demolition Mitigation Fee: Prior to obtaining a demolition permit for the demolition of the Dorr B. Lee Citrus Ranch Farmhouse, the project proponent shall pay a demolition mitigation fee to the City of Ontario Historic Preservation Trust Fund per Section 9-1.2633 of the Ontario Development Code. Section 9-1.2632(G)(2) of the Ontario Development Code states that the demolition mitigation fee for Tier I and Tier II structures shall be determined through the EIR process and adopted by the City Council through the certification of the EIR. Demolition mitigation fees for Tier III structures have been established by the City Council per City of Ontario Resolution No. 2003-073. The demolition mitigation fee for a Tier III residential structure is \$7.00 per square foot, up to a maximum of \$17,500.00. The demolition mitigation fee for the demolition of Tier II structures shall be two times the demolition mitigation fee established for Tier III structures. Therefore, the demolition mitigation fee for the Dorr B. Lee Citrus Ranch Farmhouse shall be \$14.00 per square foot, up to a maximum of \$35,000.00.</p>		

**TABLE ES-1
SUMMARY OF IMPACTS, MITIGATION MEASURES AND SIGNIFICANCE AFTER MITIGATION**

RESOURCE	IMPACT DESCRIPTION	RECOMMENDED MITIGATION MEASURE	RESIDUAL IMPACT	ALTERNATIVES THAT COULD REDUCE IMPACT
		<p>Mitigation Measure 3.1.4: <u>Preparation of an Historical Context:</u> The project proponent shall provide funding for a consultant specializing in historical and architectural studies, surveys, and recordation to fully develop the Historical Context previously established by City of Ontario for "The Ontario Irrigation Colony, which includes the Chaffey Brothers, the Ontario Land and Improvement Company and the Citrus Industry."</p> <p>Mitigation Measure 3.1.5: <u>Certificate of Appropriateness:</u> Prior to obtaining a demolition permit, the project proponent shall obtain a Certificate of Appropriateness. Section 9-1.2632 of the Ontario Development Code requires a Certificate of Appropriateness for the demolition of a historic structure in whole or in part: The Certificate of Appropriateness requires standard mitigation measures, including resource documentation, payment of mitigation fees, approval of replacement structure(s), and salvaging of features and artifacts.</p>		
	<p><u>Impact 3.1.2 –Substantial Adverse Change in the Significance of an Archaeological Resource:</u> Although unlikely, the project has the potential to encounter previously undiscovered archaeological resources during construction.</p>	<p>Mitigation Measure 3.1.6: If significant subsurface prehistoric archaeological resources are encountered during construction, the evaluation of any such resources shall proceed in accordance with CEQA guidelines. In the event that buried cultural materials are unearthed during the course of construction, all work must be halted in the vicinity of the find until a qualified archaeologist can assess its significance. Construction of the project can continue outside of the vicinity of the find, so long as such activities would not physically damage any discovered cultural resources or reduce the data recovery potential of the find. If human remains are unearthed during construction, State Health and Safety Code Section 7050.5 states that, "no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98."</p>	<p>Less than Significant Impact</p>	<p>Equal Impacts with all Alternatives</p>

ENVIRONMENTALLY SUPERIOR ALTERNATIVE

All of the alternatives are environmentally superior to the proposed project, with the exception of Alternative 5, which the impacts are unknown, and would result in the demolition of the Dorr B. Lee Citrus Ranch Farmhouse, a historic resource. Considering all the project alternatives, Alternative 2, which involves preservation and restoration of the structure as a single-family residence, is the environmentally superior alternative. However, Alternative 2 does not allow implementation of the proposed project, as it consists of preservation and restoration of the structure as a single-family residence.

Considering only the alternatives that provide for implementation of the proposed condominium project, Alternative 3 is the environmentally superior alternative because it would result in a less than significant impact to historic resources after mitigation. Although Alternative 3 is the environmentally superior alternative, it is not feasible for financial, architectural, and building code reasons.

AREAS OF CONTROVERSEY AND ISSUES TO BE RESOLVED

The following issues were raised during the preparation of the EIR for the Diamante Terrace Condominium Project.

Issues Raised by Agencies and the Public

- In response the project's NOP, the Native American Heritage Commission (NAHC) expressed general concerns for Native American archaeological resources. Archaeological resources are addressed in the Cultural Resources section of the EIR (Chapter 3.1).

Other Items That May Raise Controversy

- The proposed project would result in an unavoidable significant impact to a historic resource – the Dorr B. Lee Citrus Ranch Farmhouse. The Dorr B. Lee Citrus Ranch Farmhouse is listed as an eligible property on the City's list of historic resources, more specifically, a Tier II Historical Resource per the City's Historic Preservation Ordinance. In addition, as described in Section 3.1.4 of this document, the Dorr B. Lee Citrus Ranch Farmhouse appears to qualify as eligible for listing on the California Register of Historical Resources.

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1.0. INTRODUCTION

1.1. PURPOSE OF THE EIR

This Environmental Impact Report (EIR) has been prepared to meet all of the substantive and procedural requirements of the California Environmental Quality Act (CEQA) of 1970 (California Public Resources Code Division 13 “Environmental Quality” Sections 21000-21178), the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq., as amended through January 1, 2005) and the rules, regulations, and procedures for implementation of CEQA as adopted by the City of Ontario. The City of Ontario is the Lead Agency for this project, taking primary responsibility for conducting the environmental review and approving or denying the proposed Tentative Tract Map and Certificate of Appropriateness.

Before beginning the preparation of an EIR, the Lead Agency must decide which specific issues should be evaluated in the document. The State CEQA Guidelines mandate various steps that lead agencies must take to define the scope and content of an EIR, and also give lead agencies discretion to use additional “scoping” methods. For this project, the primary tool used to determine the scope of the EIR was the Initial Study.

As allowed by Section 15063 of the State CEQA Guidelines, the Initial Study may be used to simplify preparation of an EIR by narrowing the scope of the issues evaluated. Therefore, the Initial Study may be used to:

- Focus the Draft EIR on environmental effects determined to be significant;
- Identify effects that are not significant;
- Explain why potentially significant effects were determined not to be significant; and
- Identify what type of EIR or other process can be used for the environmental analysis.

By statute, EIRs should focus their discussion on potentially significant impacts, and may limit discussion of other impacts to a brief explanation of why the impacts are not potentially significant. Under the Guidelines, environmental effects that were discussed in an Initial Study need not be discussed in the EIR unless the lead agency later receives information that is inconsistent with the findings of the Initial Study. This process results in a focused, or limited-topic EIR.

This EIR has been prepared to identify any potential significant environmental impacts associated with the implementation of the proposed project, as well as appropriate and feasible mitigation measures or project alternatives that would minimize or eliminate these impacts. According to PRC Section 21081, the lead agency must make specific

Findings of Fact (“Findings”) before approving the Final EIR, when the Draft EIR identifies significant environmental impacts that may result from a project.

The purpose of the Findings is to establish the link between the contents of the EIR and the action of the lead agency with regards to approval or rejection of the project. Prior to approval of a project, one of three findings must be made:

1. Changes or alterations have been required, or incorporated into the project, which avoid or substantially lessen the significant environmental effect as identified in the EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other consideration, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

Additionally, according to PRC Section 21081.6, for projects in which significant impacts will be avoided by mitigation measures, the lead agency must include in its Findings a Mitigation Monitoring Program (MMP). The purpose of the MMP is to ensure compliance with required mitigation measures during implementation of the project.

However, environmental impacts may not always be mitigated to a level considered less than significant – such impacts are considered significant and unavoidable. If a public agency approves a project that would result in significant and unavoidable environmental impacts, the agency shall state in writing the specific reasons for approving the project, based on information contained within the EIR, as well as any other information in the public record. The resulting document is called a Statement of Overriding Considerations, and serves to clearly state the proposed project’s benefits when weighed against its unavoidable environmental risks. The public agency prepares the Statement of Overriding Considerations, if required, after completion of the Final EIR, but before project approval according to State CEQA Guidelines Section 15091 and 15093. As further guidance, in *Citizens of Goleta Valley v. Board of Supervisors of Santa Barbara County* (1990, 52 Cal.3d 553), the California Supreme Court stated that:

The wisdom of approving any development project, a delicate task that requires a balancing of interests, is necessarily left to the sound discretion of the local officials and their constituents who are responsible for such decisions. The law as we interpret and apply it simply requires that those decisions be informed, and therefore balanced.

Therefore, this document is intended to serve as an informational document, as stated in Section 15121(a) of the State CEQA Guidelines:

An EIR is an informational document, which will inform public agency decision makers, and the public generally of the significant environmental effect of a project, identifies possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information, which may be presented to the agency.

Furthermore, this EIR will constitute the primary source of environmental information for the lead agency to consider when exercising its permitting authority or approval power directly related to implementation of the proposed project.

1.2. DEFINITION OF A PROJECT EIR

A Project EIR, as defined within Section 15161 of the State CEQA Guidelines, is an EIR which:

Focuses primarily on the changes in the environment that would result from the development of the project. The EIR shall examine all phases of the project including planning, construction, and operation.

Where an agency has prepared a Project EIR, typically no further environmental review is necessary to carry out the project for which the document has been prepared. A subsequent EIR or supplemental EIR, however, may be required in certain circumstances outlined in California Public Resources Code Section 21166 and State CEQA Guidelines Section 15162 and 15163.

1.3. SCOPE OF THE EIR

This EIR addresses the potential environmental effects of the proposed project. The scope of the Draft EIR includes issues identified by the City of Ontario in the project's Initial Study (IS) and Notice of Preparation (NOP), along with issues identified in comment letters received during the IS/NOP review period. The IS/NOP and comment letters received during the NOP review period are included in Appendix A of this EIR, or Appendices A and B if each is presented separately. Based on this information, the Lead Agency has determined that implementation of the proposed project may result in potentially significant impacts. Chapter 3.0 discusses the following environmental issues:

- Cultural Resources

In accordance with Section 15063(c)(3)(B) of the State CEQA Guidelines, the IS/NOP (Appendix A) assists in the preparation of an EIR by identifying effects determined not

to be significant, as determined by a brief environmental analysis, supported by evidence. The IS/NOP determined that the following effects are not significant and this EIR does not discuss them further:

- Aesthetics
- Agriculture Resources
- Air Quality
- Biological Resources
- Geology and Soils
- Hazards & Hazardous Materials
- Hydrology & Water Quality
- Land Use
- Mineral Resources
- Noise and Vibrations
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities and Service Systems

1.4. ENVIRONMENTAL REVIEW PROCESS

As a first step in complying with the procedural requirements of CEQA, the City of Ontario prepared an IS to determine whether any aspect of the project, either individually or cumulatively, may cause a significant effect on the environment and, if so, to narrow the focus (or scope) of the environmental analysis. For this project, the IS indicated that an EIR would be the appropriate type of environmental document to address potential environmental impacts resulting from project planning, implementation, and operation.

After completing the IS, the City filed an NOP with the California Governor's Office of Planning and Research to state that the EIR would be prepared for the proposed project. In turn, the IS/NOP was distributed for a 30-day public review period, which began on June 16, 2005, and ended July 17, 2005. The purpose of the public review period was to solicit comments on the scope and content of the environmental analysis to be included in the EIR. The City of Ontario received comment letters on the IS/NOP from the following agencies:

- City of Upland
- Native American Heritage Commission

The IS/NOP and their respective comment letters are included in Appendix A of this EIR.

During the preparation of the EIR, agencies, organizations, and persons who the City of Ontario believes may have an interest in this project were specifically contacted. Information, data, and observations from these contacts are included in the EIR. Agencies or interested persons also had an opportunity to comment during the public review of the Draft EIR, as well as at subsequent hearings on the project.

1.5. INTENDED USE OF THE EIR

As previously mentioned, this EIR is intended to provide the Lead Agency, interested public agencies, and the public with information which enables them to intelligently consider the environmental consequences of the proposed action. EIRs not only identify significant or potentially significant environmental effects, but also identify ways in which those impacts can be reduced to less-than-significant levels, whether through the imposition of mitigation measures or through the implementation of specific alternatives to the project. In a practical sense, EIRs function as a technique for fact-finding, allowing an applicant, concerned citizens, and agency staff an opportunity to collectively review and evaluate baseline conditions and project impacts through a process of full disclosure.

To gain the most value from this report, certain key points should be kept in mind:

- This report should be used as a tool to give the reader an overview of the possible ramifications of the proposed project. It is designed to be an “early warning system” with regard to potential environmental impacts.
- A specific environmental impact is not necessarily irreversible or permanent. Most impacts can be wholly or partially mitigated, by incorporating changes recommended in this report during the design and construction phases of the project development.

1.6. REQUIRED APPROVALS

This EIR will be used in connection with permits and other discretionary approvals necessary for implementation of the proposed project.

1.7. LEAD AGENCY APPROVALS

The proposed project will require the following discretionary approvals by the City of Ontario:

- Tentative Tract Map for Diamante Terrace, a 10-unit condominium complex.
- Certificate of Appropriateness for demolition of the Lee Family farmstead, a “Tier II” historic resource
- Site Plan Review

1.7.1. OTHER AGENCIES WHOSE APPROVAL IS REQUIRED

In addition to the Lead Agency, local, state, and federal agencies occasionally have discretionary or appellate authority over projects that require an EIR. Such agencies are responsible agencies as defined by Section 21069 of the State CEQA Guidelines. Responsible agencies rely on EIRs when acting on those aspects of the project that require their approval.

In this case, there are no agencies, other than the City of Ontario, that have discretionary or appellate authority over project.

2.0. PROJECT DESCRIPTION

2.1. PROJECT LOCATION

The project site is located at 607 West “D” Street in the downtown area of the City of Ontario in San Bernardino County, California (see Figures 2.1 and 2.2). The City of Ontario is nearly 50 square miles in area and has a population of 162,332 (Department of Finance, 2001), making it one of the largest cities in southern California’s Inland Empire. The San Bernardino Freeway (I-10), the Pomona Freeway (SR-60), and the Ontario Freeway (I-15) traverse the City of Ontario and provide access to Los Angeles and Orange Counties to the west and south and to Riverside County to the east. Euclid Avenue, running north/south, is the backbone of the downtown area of the City of Ontario. Holt Boulevard, which intersects with Euclid Avenue, is the primary east-west commercial corridor in Downtown Ontario.

Land uses in the City of Ontario include rural residential, single-family residential, multi-family residential, commercial, and industrial. Two regionally significant land uses in the City are the Ontario International Airport and the Ontario Mills shopping center.

As shown on Figure 2.1.2, the project site is Assessor Parcel Number (APN) 1048-581-07, a mid-block lot fronting on the south side of West “D” Street. The project site can also be found on the Ontario, CA U.S.G.S. 7.5 Minute Topographic Quadrangle and on Page 602 of the 2005 San Bernardino County Thomas Guide.

2.2. SITE CHARACTERISTICS

The project site consists of one assessed parcel that is variously referred to herein as 607 West “D” Street and/or the Dorr B. Lee Citrus Ranch Farmhouse. The project site is a rectangular lot, 23,726 square feet (ft²) (0.545 acres) in size, with approximately 119 feet of frontage on the south side of “D” Street. The project site is bounded by Vine Street to the east, West “D” Street to the north, San Antonio Avenue to the west, and Vesta Street to the south. The site is a flat urban lot with no distinguishing topographic features that slopes gently to the southeast.

2.2.1. SITE COVER AND ON-SITE LAND USES

The project site is developed with a tenant occupied residence comprised of a two-story, generally rectangular shaped building (in plan) resting on a raised rock foundation. The residence may further be described as a Vernacular farmhouse with minimal applied Victorian/Queen Anne architectural detailing. Vegetation on site is limited to non-native grasses and includes several trees, shrubs, and what appears to be the remains of a small garden. Access to the project site is gained via a partially improved driveway from West “D” Street to the interior of the lot.

FIGURE 2.1: REGIONAL LOCATION MAP

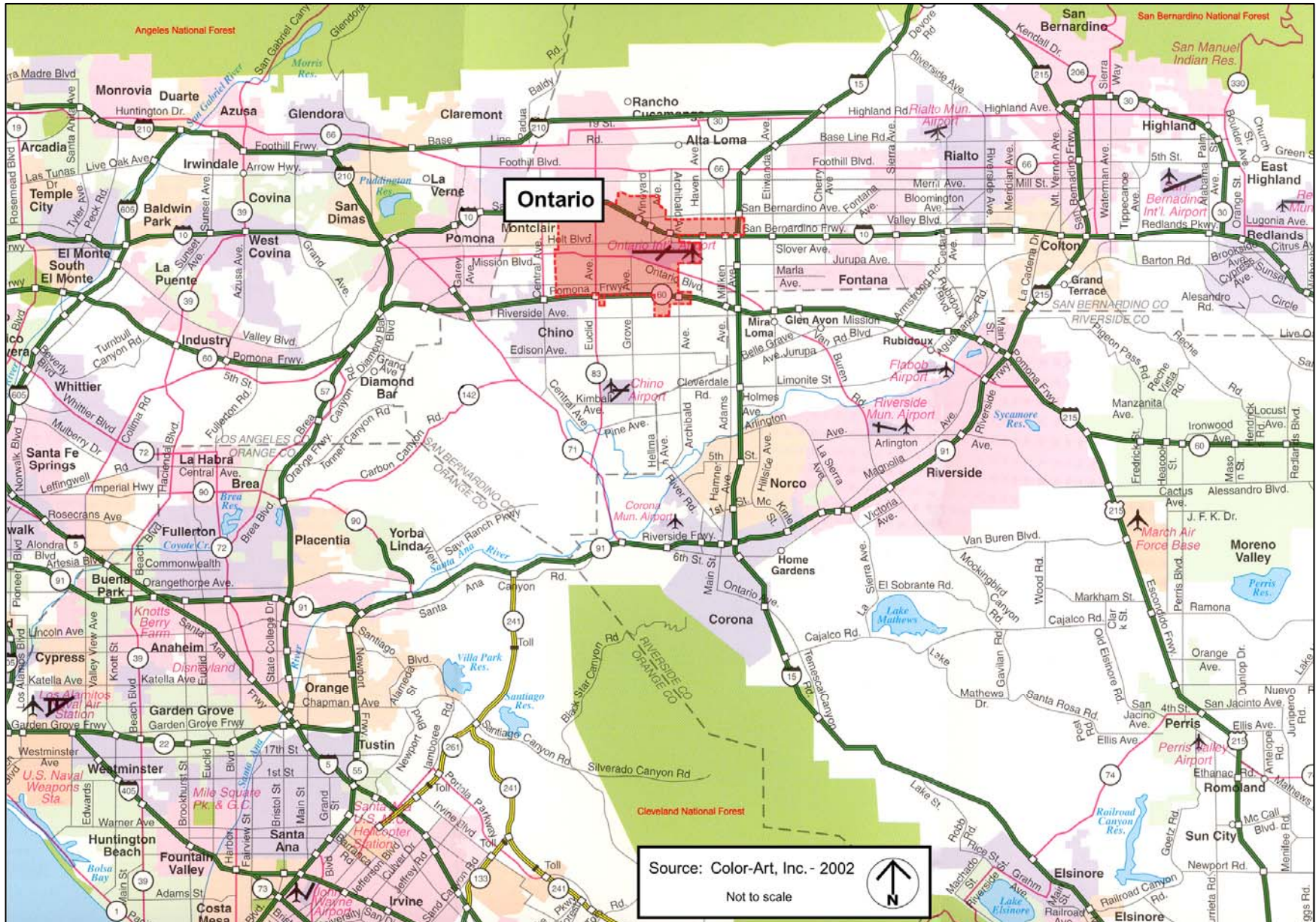
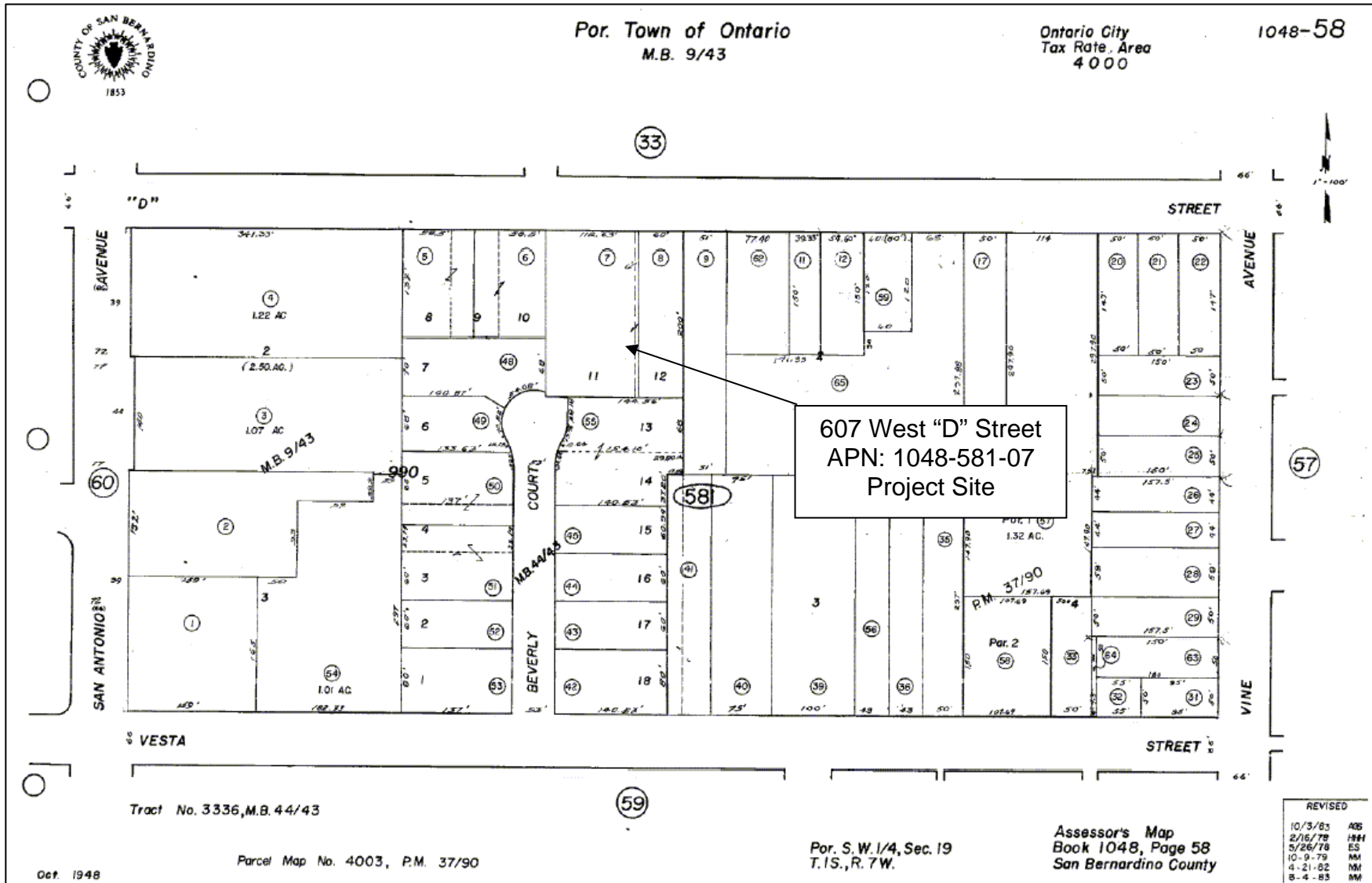


FIGURE 2.2: PROJECT LOCATION MAP



2.2.2. SURROUNDING LAND USES

The project site lies within the R-3 (High Density Residential 16.1-25 dwelling units per acre) Zone of the City of Ontario. The surrounding area to the east, west, and south generally shares this zoning designation, while the area to the north of West “D” Street is zoned R-1 (One Family Residential 1-5 dwelling units per acre) and R1.5 (Low Density Residential 5.1-11 dwelling units per acre). Land uses in the project vicinity are largely consistent with these zoning designations and vary from single-family residential to high-density residential. Previously developed high-density residential dwelling units immediately surround the project site on three sides, with an apartment building to the east, and multi-family housing courts to the west and south. The only other notable land use in the project vicinity is San Antonio Park, an active and passive use City park located west of the project site in the northeast quadrant of the West “D” Street/San Antonio Avenue intersection.

2.2.3. LAND USE DESIGNATIONS

The project site is zoned R-3 (High Density Residential) and has a General Plan designation of High Density Residential (16.1-25 du/ac).

2.3. PROJECT OBJECTIVES

The objectives for the Diamante Terrace Condominium project are:

1. Develop the project site in a manner that is consistent with the City of Ontario General Plan and the Zoning District in which it is located.
2. Make a reasonable return on investment.
3. Develop an underutilized site to its highest and best use within a low-moderate income census tract.
4. Provide a means of investment and a catalyst for reinvestment within a neighborhood in need of revitalization.

In addition to the project-specific objectives, the City of Ontario has established citywide goals and policies in the City’s General Plan. The City’s goals and policies that apply to the proposed project are:

GOAL 1.0: Ensure that the rate of growth and the provision of quality public services and facilities are compatible. Develop and maintain a balance of residential, commercial, industrial, open space and recreational land uses which will encourage a healthy variety of economic, social and cultural opportunities.

Policy 1.2: Encourage a variety of residential uses, types and densities to meet varied housing needs.

Policy 1.5: Require new development to pay its fair share, in conformance with State law, of the costs of public facilities and infrastructure needed to serve those developments.

GOAL 6.0: Conserve Ontario's historic buildings and districts.

Policy 6.1: Review 1985 survey of historic resources. Update and amend for comprehensiveness and completeness as necessary.

2.4. DESCRIPTION OF PROPOSED PROJECT

2.4.1 PROJECT CHARACTERISTICS

The proposed project consists of removing the Dorr B. Lee Citrus Ranch Farmhouse and developing a 10-unit condominium complex on-site. The proposed condominium development consists of:

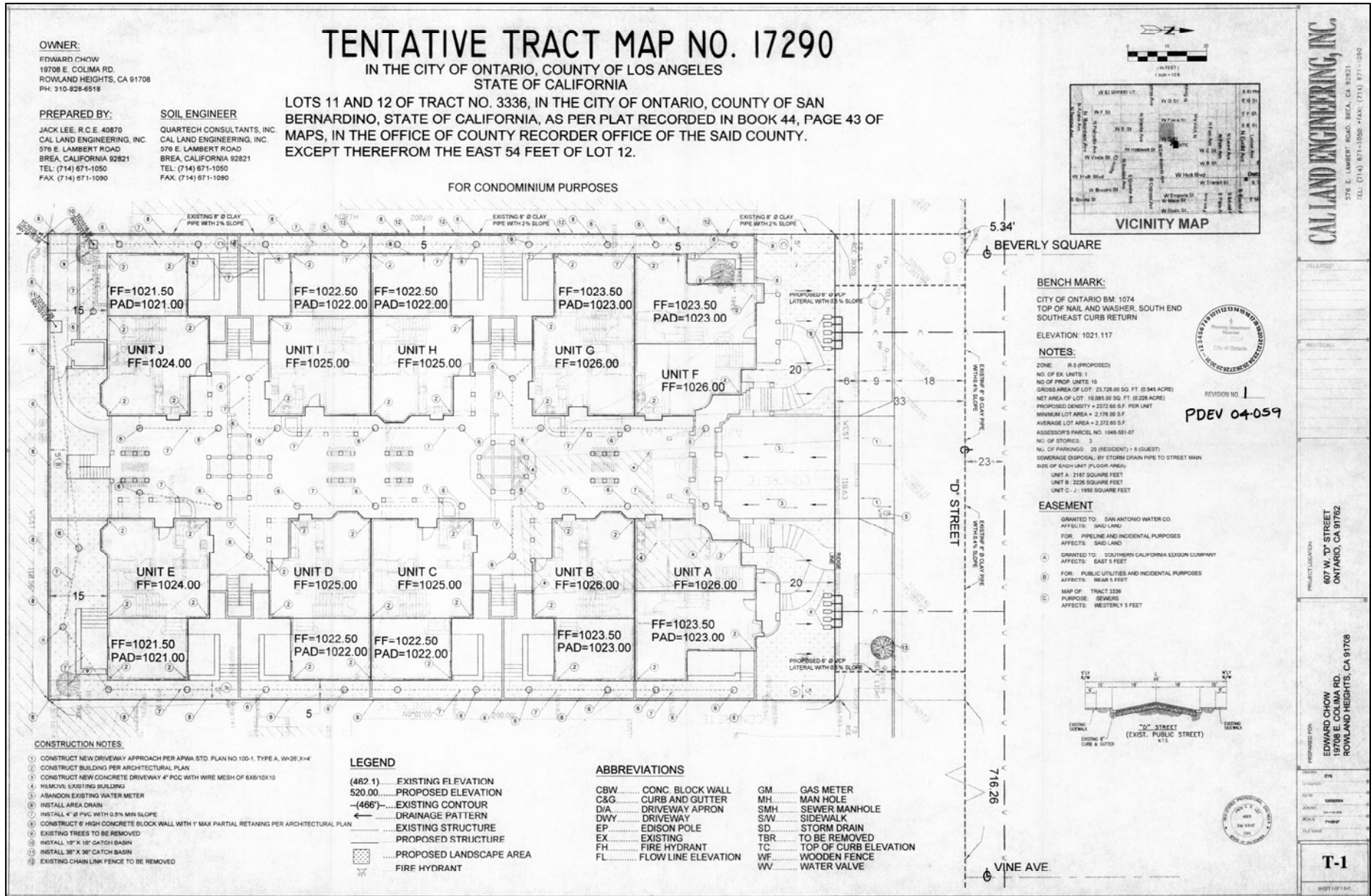
- Four (4) 2-unit condominium structures;
- Two (2) 1-unit condominium structures;
- A common basement/parking facility;
- Approximately 7,317 square feet of common open space; and
- Associated driveways, pathways, landscaping, and utility infrastructure.

The schematic details of the above listed features and proposed development are further described below, and the project's site plans are shown as Figures 2.3 and 2.4.

FIGURE 2.3: PROJECT SITE PLAN/LANDSCAPE SCHEMATIC



FIGURE 2.4: PROPOSED TENTATIVE TRACT MAP



Proposed Condominiums

The proposed development consists of 10-condominium units, three stories in height (including the partially subterranean parking facility), and ranging in size from approximately 1,950 square feet to 2,226 square feet. The average lot size will be approximately 2,372.60 square feet with a minimum lot area of approximately 2,178 square feet.

Parking and Vehicle Circulation

The site will be accessed via a driveway located on West “D” Street. A partially subterranean parking garage will provide on-site parking for both residents and guests (20 resident parking spaces and 8 guest parking spaces).

Open Space and Landscaping

Approximately 7,317 square feet of common open space will be provided on-site.

Drainage and Utilities

The proposed project includes utility and storm drainage connections to existing adjacent facilities. As a condition of approval the project proponent will be required to upgrade the existing sewer and water system located in Beverly Court, the cul-de-sac directly south of the project site.

Grading and Site Preparation

Grading of the site will be minimal due to the relatively flat topography of the project site. The project includes a minor amount of excavation to form a partially subterranean parking garage.

2.5. CUMULATIVE SCENARIO

As stated in Section 15130(b) of the CEQA Guidelines, the following elements are necessary for an adequate discussion of significant cumulative impacts:

- A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency; or
- A summary of projections contained in an adopted General Plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact.

The cumulative context for the proposed project includes the existing, previously approved, and reasonably foreseeable future projects within the geographical area. Table 2.1 lists the cumulative development projects in the project vicinity. However, none of these projects involve demolition of a designated or eligible historic resource. Further, since adoption of the City's Historic Preservation Ordinance, no eligible or designated Tier II Historical Resources within the City have been demolished or proposed for demolition. There are also no other original farmhouses in the City proposed for demolition.

TABLE 2.1: CUMULATIVE DEVELOPMENT PROJECTS IN THE VICINITY OF THE PROJECT SITE

PROJECT	DESCRIPTION	STATUS	DISTANCE FROM PROJECT SITE
Recent Approvals			
15 Unit Condominium – TTM 531 and 535 West “D” Street	A Site Plan and Tentative Tract Map to construct a 15 unit condominium residential development on 1.27 acres of land in the R-2 District, located at 531 and 535 West “D” Street.	Approved	0.12 miles
Centex Homes – 49 condominiums Southwest Corner of East “D” Street and Corona Avenue	A Site Plan to construct 49 detached condominium units on 5.02 acres of land in the R-1.5 zoning district, located at the southwest corner of “D” Street and Corona Avenue.	Approved	3.11 miles
Centex Homes – 60 condominiums West side of Corona Avenue, Between Flora and “D” Streets	A Development Plan for the construction of 60 single-family detached condominium units on 6.35 acres, located at the southwest corner of “D” Street and Corona Avenue.	Approved	3.26 miles
El Camino Computer School – CUP 123 West “E” Street 1048-354-02	A Conditional Use Permit to establish a computer training school within an existing 6,600 square foot office building in the C-2 District, located at 123 West “E” Street.	Approved	0.53 miles
Mr. Sabino Duenas – CUP 523 East Holt Boulevard 1048-522-09	A Conditional Use Permit to establish a 1,100 square foot re-upholstery shop within an existing commercial building in the C-3, (Commercial Service Zone), located at 523 East Holt Boulevard.	Approved	0.47 miles
Duong T. Phung – CUP 1048-575-09	A Conditional Use Permit application to establish a medical office within the Town Center General Plan designation.	Approved	0.47 miles
Rosario Retino M.D., INC. – CUP 320 West “G” Street 1048-271-49	A Conditional Use Permit to establish a medical office within an existing commercial building in the C-1, (Shopping Center), zoning district, located at 320 West “G” Street.	Approved	0.54 miles
Paul Dubeck – CUP 1048-252-42	A Conditional Use Permit request for a Type 41 (On-Sale Beer and Wine for a Bona Fide Public Eating Place) Alcoholic Beverage License for the on-site consumption of beer and wine for an existing 2,600 square foot restaurant within the AP (Administrative-Professional Office) District	Approved	1.3 miles

Jerry Rosenblum – DP 1048-563-07	A Development Plan to construct a 2,750 square foot retail commercial building on a 0.19-acre parcel in the C-2 District, located at the north side of Holt Boulevard, west of Laurel Street.	Approved	0.63 miles
In Progress			
Jose G. Carrillo – DP 222 West “B” Street 1048-562-04	A Development Plan to construct an approximate 2,444 square foot addition to an existing building to be utilized as a church located at 222 W. “B” Street in the C-2 (Central Business District) Zone.	In Review	0.53 miles
Bilingual Family Counseling – CUP 311,313,317 West F Street 1048-345-02	A Conditional Use Permit to establish counseling offices providing a variety of services including individual, family and group counseling and drug and alcohol counseling (outpatient) to be located at 317, 313, and 311 West “F” Street	In Review	0.47 miles

Source: City of Ontario Planning Department

2.6. INTENDED USES OF THE EIR

This Environmental Impact Report will be used by the following jurisdictions and agencies when deciding whether to grant the following discretionary actions:

City of Ontario:

- Development Plan
- Tentative Tract Map
- Certificate of Appropriateness
- Demolition Permit for a Tier II Historic Resource

3.0. ENVIRONMENTAL IMPACT ANALYSIS

This chapter describes the existing environmental resources at the project site and adjacent locations, analyzes the project's potential impacts to those resources, and identifies mitigation measures to avoid or reduce the magnitude of any significant impacts. The evaluation of effects is presented on a resource-by-resource basis. In this case, the only resource discussed in this chapter is Cultural Resources, since the proposed project does not have the potential to result in significant environmental impacts under any other topics (see the project's Initial Study contained in Appendix A). The Cultural Resources section is divided into eight subsections: Introduction; Cultural Resource Setting; Regulatory Framework; Determination of Historical, Architectural, and Archaeological Significance; Threshold of Significance; Project Impacts; Mitigation Measures; and Level of Impact After Mitigation. Each of these subsections is described below.

3.0.1 INTRODUCTION

The introduction provides an overview of the analysis within the section.

3.0.2 CULTURAL RESOURCE SETTING

This subsection describes the physical environmental conditions in the vicinity of the project (as they existed at the time the Notice of Preparation was published) that are relevant to present cultural resources. These conditions provide a baseline against which to compare the effects of the proposed project.

3.0.3 REGULATORY FRAMEWORK

A summary of relevant local and regional plans and policies is provided in this subsection.

3.0.4 DETERMINATION OF HISTORICAL, ARCHITECTURAL, AND ARCHAEOLOGICAL SIGNIFICANCE

This subsection identifies the cultural resource significance of the existing project site.

3.0.5 THRESHOLDS OF SIGNIFICANCE

This subsection defines the type, amount, or extent of impact that is considered a significant adverse change in the environment. Some thresholds are quantitative while others are qualitative. The thresholds are intended to assist the reader in understanding why the EIR reaches a conclusion that an impact is significant or less than significant.

3.0.6 PROJECT IMPACTS

This subsection describes the potential environmental impact(s) of the project (listed separately) and, based upon the Thresholds of Significance, concludes whether the project impact would be significant or less than significant. When a conclusion of a significant impact is reached, this subsection may include feasible mitigation measures that could reduce the impact of the project to a less than significant level. If mitigation measures are included, the subsection concludes with a statement regarding whether the impact, following implementation of the mitigation measure(s), would remain significant, or would be reduced to a less than significant level.

3.0.7 MITIGATION MEASURES

This subsection describes feasible mitigation measures that would substantially reduce an identified impact, as described above under impacts.

3.0.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

This subsection identifies the level of significance for potential project impacts following the application of the identified mitigation measures (i.e., residual impact).

3.1. CULTURAL RESOURCES

3.1.1. INTRODUCTION

This section examines the project's potential to impact Cultural Resources. As identified in the project's Initial Study (Appendix A), the proposed project does not have the potential to significantly impact paleontological resources or human remains. Thus, these topics are not discussed in this Environmental Impact Report (EIR). However, the project's Initial Study does identify the potential for the project to significantly impact a historic resource – namely the Dorr B. Lee Citrus Ranch Farmhouse, which the City of Ontario has designated a Tier II Historical Resource per City's Historic Preservation Ordinance. The project's Initial Study also explains that, although archaeological resources are not anticipated to exist onsite, further investigation would be required to clarify the project's potential to impact archaeological resources.

To clarify the historical value of the Dorr B. Lee Citrus Ranch Farmhouse, identify the potential for archaeological resources to exist onsite, and analyze the project's impacts to historic and archaeological resources, the EIR work program included the following cultural resource investigations¹:

Field Investigations

Field studies were conducted beginning in May 2005. All significant/known cultural features within the project area were photographed and field notes were taken for use in review and/or the preparation of written descriptions and forms.

Archival Research

Archival research was conducted to determine a history of the property under investigation. The archival portion of the research process consisted of the consultation of a number of sources and repositories of information (See Chapter 7.0, Bibliography).

These included but were not limited to the following:

1. San Bernardino County Archaeological Information Center
2. Various Libraries/Museums/Archives
3. Historic Maps
4. Interviews and Respondents
5. Internet

¹ Cultural resource investigations were part of a fully coordinated, step-by-step effort, designed to maximize the level of information gathered. Principals, specialists, and/or professionals were utilized throughout. Roger G. Hatheway (Hatheway & Associates) served as the principal investigator, and was assisted by a qualified research associate. The investigations were designed to comply with CEQA guidelines, the requirements of the City of Ontario, and standard recommendations set forth by the County of San Bernardino Archaeological Information Center.

The following San Bernardino County public records were consulted:

1. Surveyors Office Historic Maps, Tract Maps, Etc.

Respondents included:

1. Robin Laska, San Bernardino County Archaeological Information Center
2. Israel Garcia, San Bernardino County Archives
3. Sherry Martinez, Ontario Model Colony Room
4. Cathy Wahlstrom, City of Ontario, Planning Department

Records Check: San Bernardino County Archaeological Information Center

The records search was prepared by Roger Hatheway, Hatheway & Associates, at the Archaeological Information Center, San Bernardino County Museum, Redlands, California.

Archaeological Field Survey

The archaeological field survey was conducted in late June 2005.

3.1.2. CULTURAL RESOURCE SETTING

3.1.2.1. GENERAL HISTORICAL BACKGROUND OF THE CITY OF ONTARIO AND A DETAILED HISTORY OF THE DORR B. LEE CITRUS RANCH FARMHOUSE

Note: The history of the Dorr B. Lee Citrus Ranch Farmhouse is documented sufficiently well to place it within an historical context. Planned and built during the period extending from 1901 to early 1902, the residence most properly fits into the Ontario Irrigation Colony historical context as set forth on the City of Ontario website. It is not associated with the Model Colony period of development. Rather, it belongs to the Ontario Colony period following the 1891 incorporation of the City of Ontario. In addition, the original property owner, Dorr B. Lee, was closely tied to the historic development of the Citrus Industry, and to the all-important San Antonio Water Company.

The intention of the following historical background is not to present a detailed history of the growth and development of the City of Ontario. Rather, the purpose here is to place the construction and occupation of the Dorr B. Lee Citrus Ranch Farmhouse within a greater City of Ontario historical framework for determining historical significance. As a result, commonly available and previously well-accepted histories are quoted freely here, as are official websites and newspaper articles.

GENERAL HISTORICAL BACKGROUND OF THE CITY OF ONTARIO

Prehistoric Occupation in Vicinity of Project Site

In late prehistoric times, the area was occupied by either the Gabrielino or Serrano Indian peoples. It is also possible that the general region was jointly occupied by both groups.

The Serrano and Gabrielino jointly interacted with each other, and with other such groups as the Luiseno, Cahuilla, and the Chemehuevi (Kroeber 1925: 617, and Strong 1929: 8). The Serranos were exogamous, patrilineal village dwellers, occupying locations throughout the San Bernardino area. Ethnographic descriptions of the Gabrielino appear in numerous volumes. Some of the most widely regarded are those by Kroeber (1925), Bean and Smith (1978).

The Gabrielino appear to have entered the Los Angeles Basin around 500 B.C. They eventually occupied many of the Channel Islands, and the watersheds of the Los Angeles, San Gabriel, and Santa Ana Rivers. They were hunters and gatherers who spoke the Cupan language. The social system was probably organized as a moiety system, and may have consisted of elite, middle, and common classes. Their seasonal rounds would have taken them to marine and terrestrial resource areas, with primary and secondary villages located near water sources.

European contact occurred as early as 1542, when Juan Rodriguez Cabrillo landed at Santa Catalina Island. Spanish colonization began in earnest in the late 1700's with the establishment of Mission San Gabriel in 1771. The aboriginal lifestyle rapidly deteriorated. By 1900, as a result of introduced disease, relocation, and general hardship, the aboriginal way of life had virtually disappeared.

Summary Statement

No prehistoric occupation of the project site or any property within the immediate vicinity of the project site is known.

The Rancho Period to Chaffey Purchase

Note: The following information is taken from *History of San Bernardino and Riverside Counties* by John Brown, Jr. & James Boyd:

Lying to the west of the "red hills" of Cucamonga is found Ontario, the town and colony that in 1882 consisted of only a barren waste extending from the San Antonio Canon on the north to the Rancho Santa Ana del Chino on the south and from Cucamonga on the east to Rancho San Jose on the west. The early history of the colony is that of a part of the original Cucamonga Rancho, which, after passing through many hands, finally came into the possession, April 15, 1882, of Capt. J. S. Garcia and

Surveyor J. S. Dunlap, through “an option for the purchase of that part of the grant known as the “San Antonio lands” at the net sum of \$60,000. This property comprised 6,216 acres, together with the water, water rights and privileges of San Antonio Creek, and the waste water of Cucamonga Creek.

Prior to this they had located at Riverside, for the purpose of engaging in the real estate business, the Chaffey brothers, George B., Jr. and William B., and these progressive business men soon formed the acquaintance of Captain Garcia, who was then residing at Etiwanda, where he owned a ranch and one-half of the water in Dry Canon and all the water in Smith Canon. He sold his 1,000-acre property to the Chaffey Brothers. “Not long afterwards,” says Captain Garcia, “I went to San Francisco and interviewed the Cucamonga Company and bonded their Cucamonga lands with one-half the water flowing from the San Antonio Creek for \$60,000. I took John C. Dunlap as a partner and he was to have one-half the commission over and above the price fixed by the company. M. L. Wicks of Los Angeles and Professor Mills of Mills’ Seminary, Oakland, were then operating largely at Pomona. As soon as my option was put on record in San Francisco, Mr. Wicks interviewed Mr. Dunlap and offered quite a sum for it. Chaffey brothers then offered Mr. Dunlap and myself the same price as the other parties for the option. We consented to let them have it and George Chaffey and myself went to San Francisco to make arrangements with the Cucamonga Company. Our contract having been surrendered, N. W. Stowell was set to work to make cement pipe and also put up the first house in Ontario, between Eighth and Ninth. (Brown and Boyd 1922: 229)

Summary Statement

No portion of the project site or any property within the immediate vicinity of the project site is known to be linked to the Rancho period of development.

History of the City of Ontario: Model Colony to 1960

Note: The following brief history is taken from the official City of Ontario website (<http://www.ci.ontario.ca.us>).

It was in the first week of August 1881 when George Chaffey, a Canadian engineer, viewed the wastes known as the Cucamonga Desert and decided that this patch of land, if properly watered, could become productive and profitable. George and his brother William bought the "San Antonio lands," 6,218 acres with water rights for \$60,000. This was the nucleus of their new model colony. They subsequently expanded to the Southern Pacific Railroad tracks on the south. On the north, they took in

the Kincaid Ranch at San Antonio Canyon, an all-important source of water.

The Ontario Colony lands were quickly surveyed and went on sale in November 1882. The centerpiece was Euclid Avenue, eight miles long and two hundred feet wide, the twin "driveways" separated by a parkway, which was seeded in grass and lined with pepper trees. George named Euclid Avenue after the great Greek mathematician whose book *Elements of Geometry* had been a favorite subject for George in school.

The primary requirement, which had to be met before the land could be utilized, was that water had to be found and brought to the town. Chaffey laid miles of cement pipe for this purpose and later the San Antonio Water Company drove a tunnel into the head of the canyon to tap the underground flow—then an innovation in the field. The need for electric power to lift water from deep wells led to the establishment of the Ontario Power Company.

Another innovation in the settlement of Ontario was the provision, whereby, purchasers of land automatically received shares in the water company. This would ensure purchasers that a share of water proportional to their acreage would be piped to their land. This eliminated many problems that faced settlers elsewhere, where land rights and water rights were kept separate.

The results of George Chaffey's labors showed what could be achieved. All too soon, however, the Chaffey brothers went off to Australia to attempt a repeat performance of their success as city planners here.

Charles Frankish became the guiding force during Ontario's early years. No matter what the activity he undertook, Frankish always threw himself into his work and was determined to do the best possible job.

In 1887, Ontario's unique "gravity mule car" made its first run on Euclid Avenue. Charles Frankish and Godfrey Stamm established the Ontario and San Antonio Heights Railroad Company. Engineer John Tays of Upland added the pullout trailer that allowed the mules to coast downhill after each laborious pull from Holt to Twenty-Fourth Street. The mule car served until 1895, when it was replaced by an electric streetcar and returned temporarily when a flood damaged the electrical generator in the powerhouse.

On December 10th, 1891, Ontario was incorporated as a city of the sixth class under the California Constitution. It adopted a City Council-City Manager form of government. The mayor was at first called the "President of the Board," and was chosen by the Council, or the Board of Trustees as

it was then called, from among their number. Subsequently, the law was changed to allow the people to elect the mayor directly.

Ontario first developed as an agricultural community, largely but not exclusively devoted to citrus. A few of the lovely Victorian "grove houses" still survive, relics of the days when growers could pretend that they were living the graceful lives of the old Spanish dons—until it came time for harvest.

Chaffey College, was founded by the Chaffey brothers as an agricultural college to support the local growers. It was there that Prof. George Weldon developed the Babcock peach, an adaptation to California's mild winters. The college has moved to Rancho Cucamonga now, but Chaffey High School is still on what was originally a joint campus.

A reminder of the heyday of the orange groves, the Sunkist plant remains to this day. Even though the groves have gone from the West End, Ontario is still close to the "ten-mile center" of the industry. In addition to oranges, the production of peaches, walnuts, lemons and grapes was also important to the growth of Ontario and the adjoining city of Upland.

In 1923, Judge Archie Mitchell, Waldo Waterman, and some other airplane enthusiasts established Latimer Field. From that time on, the town became increasingly aviation conscious. Urban growth pushed the fliers progressively east, until they took up their present location, the Ontario International Airport. During World War II, this was a busy training center for pilots of the hot Lockheed P-38 "Lightning," Howard Hughes' twin-boom fighter.

Since World War II, Ontario has become a much more diversified community. The mean temperature of 61 degrees and the average rainfall of 18.4' continues to attract more residents; with an approximate population of 165,000. The city has expanded from the 0.38 square mile area incorporated back in 1891, up to almost 50 square miles. The economy now reflects an industrial and manufacturing base. Ten thousand acres are zoned for industrial use. With three major railroads, the San Bernardino, Pomona, and Devore Freeways (10, 60, and 15), and the Ontario International Airport, Ontario is well provided with major transportation resources. Its proximity to Los Angeles ensures that Ontario will continue to grow in the years ahead.

Ontario's official song is "Beautiful Ontario," written by Paul Coronel in 1960. The official flower is the Charlotte Armstrong rose, developed by local nurseryman John Armstrong and named for his first wife. At different times, Ontario has adopted as its slogan or motto each of the following: The Model Colony; The Model City; Ontario Offers Opportunity; Pulse of

the Inland Empire; Stop and Grow with Ontario; Gateway to the Inland Empire; A Balanced Community; and The Gateway to Southern California.

Summary Statement

As noted earlier, the Dorr B. Lee Citrus Ranch Farmhouse was planned and built during the period extending from 1901 to early 1902. As such, the residence belongs to the “City That Charms” period of development, and/or the Ontario Colony period of development following the 1891 incorporation of the City of Ontario. In addition, it is closely associated with the Citrus Industry and the San Antonio Water Company, and the importance each of these two entities is clearly underscored above.

The Importance of the Citrus Industry to Ontario

The following is taken from the book *Ontario The Model Colony An Illustrated History* by Ruth Austen:

Citrus: With a strong relationship with Riverside, the first citrus colony in Southern California, Ontario quite willingly experimented in planting slow-growing citrus along with more sensible and more rapidly maturing deciduous fruits. George Chaffey’s father had a citrus grove in Riverside, and Chaffey’s brother, Dr. Elswood Chaffey, followed suit in Ontario.

Until the completion of the Southern Pacific rail line, fruit grown in Southern California was limited to local use. In the 1870s fruit was transported by wagon to Los Angeles and from there by ship and rail to San Francisco. In 1883, the year of Ontario’s founding, the first shipments of citrus from California arrived on the East Coast.

After the Santa Fe line opened in 1885 the industry boomed, with an average profit of between \$800 and \$1,000 per acre, with some growers realizing up to \$3,000 per acre. In 1889 Ontario planted its first navel oranges, and in 1890 the first full season of citrus was harvested, netting \$38,500.

During the planting season in 1890, 630 acres were planted with citrus fruit trees. In 1891 another 658 acres were added, and 21 carloads of oranges and lemons left Ontario packinghouses by rail. (Austen 1990: 59)

The following information is taken from *History of San Bernardino and Riverside Counties* by John Brown, Jr. & James Boyd:

ONTARIO’S FRUIT INDUSTRY. Under the excellent system of irrigation prevailing, Ontario’s soil produces lemons, oranges and pomelos, as well as fruits of other kinds. This fact made the matter of marketing one of vital

importance. At the start the marketing of citrus fruits was largely experimental, while a cannery and various drying establishments took care of the deciduous fruit which could not be marketed fresh. Out of many organizations and experiments the present co-operating system of marketing has come forth, and the packing and handling of citrus fruit has become a great industry, requiring good judgment, knowledge and skill, as well as the best modern appliances for every department identified with the business.

The Ontario-Cucamonga Fruit Exchange is an enterprise which includes in its membership all of the citrus handling houses in western San Bernardino County, and at present has the following members: Lemon Grower's Association, Upland; Cucamonga Citrus Fruit Association, Cucamonga; Mountain View Orange & Lemon Association, Upland; Stewart Citrus Association, Upland; West Ontario Association, Narod; Upland Citrus Association, North Ontario; Etiwanda Citrus Association, Etiwanda; and Citrus Fruit Association, Ontario.

The Ontario Fruit Exchange was organized June 3, 1893, and September 25th became an association of the San Antonio Fruit Exchange. Two years later it withdrew therefrom and entered the Southern California Fruit Exchange, as a separate district exchange, a position which it occupied for two years. In 1897 it became one of the associations comprised in the Ontario-Cucamonga Fruit Exchange. This association, the principal packing house of which is located at Narod, handles oranges and grape fruit only, and its brands are "Nucleus Bear," "Nucleus Owl" and "Nucleus Quail."

The Citrus Fruit Association of Ontario was founded in 1898, and its progress having been rapid, it is now one of the largest associations, in point of numbers, in Southern California. (Brown & Boyd 1922: 232, 233)

Summary Statement

As further explained in the Detailed History of The Lee Citrus Ranch Farmhouse, Dorr B. Lee, the original owner and builder of the Dorr B. Lee Citrus Ranch Farmhouse, was intimately associated with the Ontario Citrus Industry. He planted nearly five (5) acres surrounding his own residence and is credited with laying out many local City of Ontario orange groves (See Also Detailed History of the Lee Citrus Ranch Farmhouse).

The Importance of Water: The San Antonio Water Company

The following information is taken from *History of San Bernardino and Riverside Counties* by John Brown, Jr. & James Boyd:

ONTARIO'S WATER SUPPLY. Like many other Southern California communities, and particularly those of the San Bernardino locality, Ontario could never have flourished without an adequate water supply, and this was the principal factor in the calculations of the founders, the capable and energetic Chaffey brothers. For the purpose of supplying the tract, the San Antonio Water Company was organized in 1882, the point of diversion for San Antonio Creek, the water rights including the overflow and underflow of which had been purchased, being in the San Antonio Canon, about two miles to the northwest of the colony tract. For the first one-half mile, the water is conveyed in a cemented ditch to the main pipeline at the base of the mountain, where the water enters the largest main. The system of distribution over the entire tract consists of pipelines, about sixty miles or more in extent, varying in size from six to twenty-two inches in diameter. Considerable water has been developed by a tunnel extending up the canon more than a half mile and tapping the underflow. When the colony was started, it was thought the San Antonio Creek in connection with its underflow would furnish abundant water for irrigation, and the San Antonio Water Company had a right to one-half the water that flowed in the bed of the creek. It was demonstrated for years that an average rainfall insured Ontario an ample supply of water during the irrigating system. But there came a series of years remarkable in the history of California for light rainfall, and it was deemed advisable that precautionary measures be taken by the water company, which accordingly purchased additional water rights and land and proceeded to make developments. By these purchases and developments the San Antonio Water Company became the possessor of four sources of water supply: first, from the San Antonio Creek; second, from the tunnels; third, artesian water, and fourth, that pumped from numerous wells. (Brown and Boyd 1922: 232)

Summary Statement

As explained in the Dorr B. Lee Obituary Details Family History, Dorr B. Lee, the original owner and builder of the Dorr B. Lee Citrus Ranch Farmhouse, served as a Director of the San Antonio Water Company. The establishment of and continued success of this company was perhaps the single-most important event in the early history of the City of Ontario (see also Detailed History: Obituary of Dorr B. Lee).

DETAILED HISTORY OF THE LEE CITRUS RANCH FARMHOUSE

1895 to 1899: Initial Building Improvements Developed on Property

In 1895, the estate of Mary E. Morgan is recorded as owning Lot 1, Block 990. The property had an assessed value of \$375.00. From 1895 to 1896 a \$70 building improvement is recorded on the property. Lot 1, Block 990 was sold to the Deering Bros. & Gronow in 1897. The land was then assessed at a value of \$400.

By 1899, the County Assessor jointly assesses Lot 1 and Lot 4 of Block 990. At this time the joint land value is assessed at \$720.00, and \$90.00 in building improvements and \$25.00 in “vines” (probably citrus) are also assessed.

In summary, the first known building improvements are made on the property as early as 1895/1896. This would indicate a rather small building unit, and may be related to the building of some form of support facility (i.e. barn or shed) for what are likely newly planted citrus groves rather than a residence.

The Dorr B. Lee Citrus Ranch Farmhouse is Built

Dorr B. Lee took possession of the properties located at Block 990, Lot 1 and Lot 4 in 1901, purchasing them from various Deering family members and Tracy Gronow. The acquisition of the two Lots was actually a two-step process. On March 1, 1901, D. B. Lee Esq. purchases Lot 1 and Lot 4 Block 990, City of Ontario, from A. A. Deering and Martha Deering (husband and wife), and Rufus A. Deering and Anna Deering (husband and wife, and Tracy D. Gronow to complete “Step 1” of the purchase. Finally, on May 10, 1901, D. B. Lee receives a Quitclaim Deed for the east half of Block 990 from Nathaniel W. Deering and Harriet Deering (husband and wife), and Sylvester Deering and Millie Deering (husband and wife), to complete “Step 2” of the purchase.

He appears to have quickly constructed a “new” building and place of residence. The annual report of the public improvements and new buildings constructed in the Ontario *Record Observer*, dated July 11, 1902 describes that a new building belonging to D.B. Lee was constructed at a cost of \$1400.00. This article almost certainly references the construction of the Dorr B. Lee Citrus Ranch Farmhouse. Interestingly, improvements were also made on D Street at the same time including installation of the sidewalks. The newspaper notice reads, in part,

Street and Water Improvements

...new cement sidewalks that have been laid on both sides of A Street, both east and west, West D Street, on West F Street and on the east side of Euclid Avenue a total of over 2 and ½ miles. The streets have also been brought to an official grade.

New Buildings

...owner...DB Lee...cost \$1400.00

Dorr B. Lee must have begun construction of the Dorr B. Lee Citrus Ranch Farmhouse almost immediately following the May 10, 1901 completion of his acquisition of the property. Interestingly, “Lee, J. S., and wife,” (Dorr Lee’s father and mother) are listed as living on west D Street in the 1903 edition of the Ontario Colony Directory. D. B. Lee is not listed, but this is to be expected as information contained in the directory was likely gathered prior to completion of the house. “Rancher” D. B. Lee is, however, listed

as living as a homeowner on the south side of D Street, two dwellings east of San Antonio, in the 1907 edition of the *Directory of Pomona* (Ontario Section).

County of San Bernardino assessor Map and Lot Book show no individual assessed values for the majority of the period extending from circa 1900 to circa 1914. The first assessed improvement for a property owned by Dorr Lee appears in 1914, when a \$500 building improvement is assessed to him on Lot 4. Interestingly, Lot 1, Block 990, is not assessed for any improvement value until circa 1950. All improvements are assessed on Lot 4, Block 990, located immediately to the south of Lot 1, extending southwards to what is now Vesta Street.

The confusion in assessed values would appear to pose a problem, and, on the surface, would indicate that the farmhouse was moved to its present location after 1950. However, historic aerial photographs taken in 1938 and 1953 confirm that the house was built on its present location prior to 1938. This clearly indicates that the County Assessor was, in this instance, in error regarding improvement values. It is, in fact, likely that this error dates back as least as far as 1899, when Block 990, Lots 1 and 4 are jointly assessed, and then split apart shortly thereafter. Remarkably, it took the County Assessor nearly fifty years to correct the error.

Clearly, the building located at 607 West D Street, the Dorr B. Lee Citrus Ranch Farmhouse, was built in 1901/1902. This is evidenced by numerous primary records including the known error in County Assessor records, the use of historic aerial photographs, consultation of historic Sanborn Fire Insurance maps, the use of historic City Directories, and by historic obituaries noting places of residence.

Note: The purchase of Lot 1 and Lot 4, Block 990, City of Ontario, were not the first real property investments made by Dorr B. Lee. On September 1, 1893 D. B. Lee purchases a property from A. L. and M. D Moorhead. On June 14, 1895 D. B. Lee purchases a property from C. E. and K. L. Harwood. On March 13, 1895 D. B. Lee purchases a property from D. A. and B. M. MacNeil. In effect, Lee was apparently already a man of some means prior to building his permanent place of residence in Ontario.

Dorr B. Lee Obituary Details Family History

Dorr B. Lee died January 18, 1944. The January 19, 1944 edition of the *Ontario Daily Report*, records:

WIDELY-KNOWN ONTARIAN DIES

Dorr B. Lee, Here 50 Years Succumbs

Dorr B. Lee, pioneer Ontario citrus grower and civic leader, died last night at San Antonio hospital following an illness of several weeks, at the age of 87 years.

Mr. Lee came to Ontario from Iowa in 1893 and during the more than 50 years had made his home here with the exception of a few years spent in Long Beach. During the last 10 years, he had divided his time between the homes of his sons, Verne W. Lee, 869 Mountain Avenue, and Ernest O. Lee, 607 West D Street.

Many of Ontario's present-day orange groves were set out by Mr. Lee. He was a former director of the San Antonio Water Company, took an active part in organization of the Ontario Young Men's Christian Association and was a member of the building committee... of the first Methodist Church. He was a member of the Ontario Masonic Lodge.

Surviving the pioneer besides the two sons is a sister, Mrs. Grant E. McCarthy, 226 West F. Street.

Funeral arrangements, in charge of the J. B. Draper Company are, incomplete.

(Ontario *Daily Report*, January 19, 1944, Page 2)

Note: Funeral plans were quickly made. The January 20, 1944 edition of the Ontario *Daily Report*, records that "Funeral services for Dorr B. Lee, 87, 607 West D Street, pioneer citrus grower and civic leader, who died Tuesday night, will be conducted Saturday, 10:00 a. m. at the J. B. Draper Company Chapel, 127 West C Street. The Rev. Roy L. Ruth of the First Methodist Church, of which Mr. Lee was a long member, will officiate. Internment will be in Bellevue cemetery."

Mrs. Dorr Lee (Lizzie Lauraine) Dies in 1932

The following article is from page 6 of the *Daily Report* and is dated September 19, 1932, as contained in the files of the Ontario Model Colony Room:

FORMER ONTARIAN, MRS. D. B. LEE IS CALLED BY DEATH

Mrs. Lizzie Lauraine Lee, wife of Dorr B Lee, former well-known and long-time resident of Ontario, died yesterday at the Seaside Hospital in Long Beach, in which city the couple had made their home for the last four years, having resided at 1325 East Third Street.

Mrs. Lee was the mother of Verne W. Lee and Ernest O. Lee of this city. She was a native of Cornwall, N. Y. and was 63 years of age at the time of her death. She came to California 30 years ago and for 17 years was a resident of Ontario, making her home at 607 West D Street, until her removal to the coast city.

During her residence here, Mrs. Lee was an active member of Euclid chapter, Order of Eastern Star, and of the First Methodist church here... At the coast city, she became a member of the First Methodist church of Long Beach.

Besides the widower and the sons and their families, Mrs. Lee is survived by two sisters, residing in Cornwall, N.Y.

Following the death of his wife, Dorr B. Lee made his own will. The last will of Dorr B. Lee reads as follows:

NO. 15479

Ontario, California, October 11, 1935

Last will and testament of Dorr B. Lee.

I, Dorr B. Lee, resident of the City of Ontario, San Bernardino County, California, being of sound mind and memory and not acting under fraud or undue influence of any person whomsoever, do hereby make, publish and declare this to be my last will and testament and all wills by me heretofore made are revoked.

1st. I hereby direct that all of my funeral expenses and just and lawful debts and obligations be paid as soon after my demise as convenient and possible.

2nd. I hereby give and bequeath unto my two sons, Verne W. Lee and Ernest O. Lee, to be divided equally between them, all of my property of whatever nature or wherever found.

3rd. I hereby name and appoint Verne W. Lee, as the executor of this my last will and testament, and I hereby authorize that he is not required to give bonds for his duties as executor, also stipulate, that he may sell any or all of my estate without an order of court. If for any reason the said, Verne W. Lee, is not able to act as executor, that Ernest O. Lee shall act as my executor under the same regulations as Verne W. Lee.

4th. I hereby revoke all wills by me heretofore at any time made, in witness whereof, I have here unto set my hand and seal this 11th Day of October 1935 at Ontario, California.

Dorr B. Lee

Witness Eva E. McCarthy
 Ontario, California.

Witness G. E. McCarthy
 Ontario, California.

(Endorsed) FILED

1944 JAN 31 AM 10 17
HARRY L. ALLISON CO. CLERK
BY Edith Campbell DEPUTY

Will admitted Feb. 14, 1944
Entered Feb. 25, 1944, Harry L. Allison, Clerk.

Summary Statement: Dorr B. Lee

Several points of historical interest are raised in the Lee obituary notices. These are:

1. Lee was regarded as an Ontario “pioneer” when he died.
2. He is intimately associated with the growth and development of the citrus industry.
3. He was regarded as a “civic leader,” as illustrated in part by the fact that he was a former director of the San Antonio Water Company. This company did, in fact, play a critical role in the foundation of and continued development of Ontario.

Dorr B. Lee Citrus Ranch Farmhouse Property Transfers to Son Ernest O. Lee and His Wife Beatrice Lee.

In 1928 D.B. Lee and his wife Lizzy moved to the coastal city of Long Beach selling or transferring ownership of the Dorr B. Lee Citrus Ranch Farmhouse to son, Ernest O. Lee and his wife Beatrice Paxson Lee. A brief history of the Ernest O. Lee family, taken from the Ontario Model Colony Room, Biography Index, Bio Book III/15, reads:

MRS. ERNEST O. LEE

President, County Federation of Women’s Clubs

Born in San Luis Valley, Colorado, Miss Beatrice Paxson...Came to California about 1911...Is a graduate of Chaffey High School and the University of Southern California...Taught in Bloomington before marriage to Ernest O. Lee here in 1917...They have one son, Philip, 8 years of age...A member of the First Methodist church, she is active in children’s work in the church...Hobby is working with children and writing on the subject...Resides at 607 West D Street.

Little is known regarding Ernest O. Lee, apart from the fact that, like his brother and father, he spent time as a “rancher.” In 1928 he is listed in the Pomona City Directory (Ontario section) as living at 880 N. San Antonio Avenue.

The property reverted back to D.B. Lee in 1930/1931, but appears once again as assessed to Ernest & Beatrice Lee in 1937/1938. The reason for this flip-flop in

ownership is unknown, but might well be related to either a move or economic difficulties related to the Depression. Interestingly, there is no listing for Ernest Lee in the 1931 *Pomona City Directory* (Ontario Section).

OTHER LEE FAMILY MEMBERS LIVING AND RANCHING IN ONTARIO

Father, John S. Lee, Dies in 1911

The following information is from the Ontario Model Colony Room, Biography Index “L” – Lee, John S. – Conley, 2:

JOHN S. LEE
February 9, 1911
DEATH THE REAPER SWINGS HIS SCYTHE

John S. Lee died this morning at the family residence, No. 204 West D Street at the age of eighty-three years, seven months and twenty-four days.

He leaves an aged widow, a daughter, Mrs. G. E. McCarthy, two sons, Dorr B. Lee and Lane R. Lee, all of this city.

The funeral will be held from the family residence on Saturday afternoon at 2 P.M., the Rev. Dr. F. D. Mather, presiding elder, officiating assisted by Rev. George C. King of the First Methodist Episcopal church.

John S. Lee and wife are listed as living at D Street and Fern Avenue in the 1900/1901 edition of the *Ontario City Directory*. In the 1903 edition of the Model Colony Directory, J. S. Lee and wife are still listed as living on west D Street. By 1907, he is listed as “retired,” and as living at 204 West D Street in the *Directory of Pomona* (Ontario Section).

Summary Statement: John S. Lee

Lee brought his family west to California from Iowa in 1893. His two sons eventually became ranchers, and his daughter married the business partner of his son, Lane Roy Lee. He was the first Lee family member to locate on D Street, Ontario, California.

Brother, Lane Roy Lee, Operates Feed Store then Ranches

At some point prior to 1898 Lane Roy Lee became the operator of a feed store (later Lee & McCarthy Feed Store). The Feed Store itself, located within a large brick building on A Street between Laurel Street and Euclid Avenue, is mentioned in the August 5, 1905 Industrial Souvenir Edition of the *Ontario Record*, reading in part,

The following article is taken from the Ontario Record, Industrial Souvenir Edition, dated August 5, 1905, as contained in the Biography Index at the Ontario Model Colony Room.

Lee & McCarthy

Among the business houses having to do with the distribution of feed and fuel supplies, a prominent position must be accorded to the firm of Lee & McCarthy. This business was established about twelve years ago. Up to recently it has been known as Lee & Talbert, Mr. McCarthy purchasing the interest of C. P. Talbert the first of May. Mr. McCarthy is no stranger in this city, having formerly been a partner of Mr. Lee in the same business, and after remaining for three years went East, returning last summer. They handle a full line of hay, grain, feed and fuel, and in addition to their storeroom they have a large warehouse and a storage house, with a capacity of 300 tons of hay. They are the agents for the International Stock Food Company, and the Security Stock Food Company's products and also deal extensively in chicken feed, egg food and poultry supplies of all kinds. Field, garden and flower seeds are handled, both in package and bulk and choice family flour from the leading mills. Owing to the large demand they have ordered a carload of field peas for early delivery and will be in a position to supply all orders. The car is expected to arrive in August. L. R. Lee, the senior member of the firm, has been connected with this business continuously since it was first established and his long experience in catering to the wants and needs of the people in this section enables him to meet every demand. This firm is one of our most prominent business concerns in Ontario and enjoys a good reputation throughout the colony.

Precisely how closely linked Dorr B. Lee is to the Feed Store is somewhat in question. An 1898 *San Bernardino County Directory* (Ontario section) contains no listing for Dorr B. Lee, but does list Lane Roy Lee as a feed dealer and reference is also made to the Lee Bros. L. R. Lee and wife are also listed as operating a feed store on west D Street in the 1900/1901 edition of the *Ontario City Directory*. By 1907, L. R. Lee is listed as an owner of Lee & McCarthy's and as residing at 315 West D Street in the *Directory of Pomona*. Interestingly, in the 1909/1910 edition of the *City Directory of Ontario*, L. R. Lee is listed as an orange grower, and as residing on the south side of A Street west of San Antonio, and in the 1911 edition of the *City Directory of Ontario*, L. R. Lee is listed as an orange grower, and as residing on west A between Mountain Avenue and Benson.

Summary Statement: Lane Roy Lee

Lane Roy Lee was first a prominent Ontario feed dealer. His sister was married to a G. E. McCarthy (his brother-in-law), and the two joined into a business partnership to run the feed store in 1905. This business appears to have quickly run into hardship within

four years when Lane is listed as an “orange grower” rather than the owner of a feed store. By 1928 he is no longer listed in the *Ontario City Directory*.

Son, Verne W. Lee, also a Rancher

Verne W. Lee grew up, in part, in the Dorr B. Lee Citrus Ranch Farmhouse. For example, he is listed as a student, and as living on the south side of D Street, two dwellings east of San Antonio (607 West D), in the 1907 edition of the *Directory of Pomona* (Ontario Section). In the 1909/1910 edition of the *City Directory of Ontario*, he is listed as working for the Ontario Power Company, and as residing on D Street between Vine and San Antonio. In the 1928 edition of the *Pomona City Directory* (Ontario Section), he is listed as living at 905 West I Street, and his occupation is listed as a rancher. His wife’s name is Tilla E. Lee. In the 1931 edition of the *Pomona City Directory* (Ontario Section), he is listed as living at 607 West D Street, and his occupation is listed as a rancher.

Summary Statement: Verne W. Lee

Like his father and his grandfather, Verne W. Lee was a rancher. He grew up in the Lee Citrus Ranch Farmhouse, and lived in it briefly following the move that his father and mother made to Long Beach. Like other Lee Family members (his grandfather, his uncle, and his father) Verne W. Lee farmed/ranched in the northwest section of Ontario, or west of Euclid, along or near D Street.

3.1.2.2. EXISTING CONDITIONS: PROPERTY ARCHITECTURAL DESCRIPTION

The Dorr B. Lee Citrus Ranch Farmhouse is located at 607 West “D” Street, Assessor’s Parcel Number 1048-581-07, and sits on a 0.545-acre lot. The lot is generally flat, sloping gently to the southeast. The lot is minimally landscaped with several mature trees and shrubs. A grass lawn is located both in front of and to the rear of the residence, and there is a driveway to the west side of and immediately adjacent to the residence.

The two story single-family residence is simply described as a Vernacular Farmhouse with minimal applied Victorian/Queen Anne architectural detailing. The house sits on a raised and partially dressed River-rock foundation. A cross-axial gabled roof caps the structure. The main entry is raised and offset. A variety of window types are utilized including sash, fixed, and casement. The house is approximately 1783 square feet in size. The first floor is 1098 square feet, the second floor is 528 square and an addition to the rear is 157 square feet.

The house appears largely unaltered (80% intact), although an addition and porch enclosure have substantially altered the rear (south) elevation of the residence. In addition, there may have been an early porch enclosure on the front (north) or main elevation. Regardless, two of the three additions/enclosures appear to be historic and they do not impact the overall architectural integrity of the resource. The south

elevation is the most altered portion of the residence including the aforementioned non-historic addition (that portion supported by a concrete foundation), and a porch enclosure/addition (that addition supported by a partially dressed River-rock foundation). These additions and enclosures have resulted in several modifications to the original fenestration including, the installation of several non-historic window openings.

The structure is largely clad in narrow horizontal clapboard siding. Portions of the additions and enclosures to the rear are clad in horizontal lapped siding approximately three times wider than the original clapboard siding. Fluted end-boards are present at all corners, with the exception of the additions where simple end-boards are located.

The main entry consists of an angled front door, located on the north (main) façade. The small main entry doorway is of a simple three-panel design with the top panel being a square shaped fixed light window. Access to the main entry is gained by a set of concrete steps flanked by partially dressed River-rock walls. The offset porch is wood, and it is supported by a similar partially dressed River-rock foundation. Secondary access from the porch area is located on the west (side) elevation of what appears to be an historic porch enclosure. An additional point of access is located on the south (rear) elevation of the residence, providing access to a small addition and porch enclosure, and to the greater interior of the house. A metal security screen alters this entryway.

The roof-wall junction is characterized by a slight eave over-hang that is boxed with a wide band of trim below. The exception to the above is at the gable ends where decorative shingle siding is arranged in a staggered pattern on the north, west, and east elevations. The structure is capped by a moderately sloped (30-45 degree) cross-axial gabled roof. The enclosure/room addition at the north (front) façade of the structure is capped by a low-pitched (less than 30 degree) front gabled roof that is single-story in height. In addition, a similar front gable is located above the offset porch. A shed roof caps the additions and enclosures to the south (rear) of the structure. The roof surfacing material consists of composition shingles throughout. These shingles are non-historic, and the building appears to have been recently re-roofed.

The second story gabled roof slope/line is cut by two dormers, one located on the north (front) façade, and one on the east (side) façade. Both dormers are gabled with decorative brackets and contain wooden single-sash, one-over-one windows. Fenestration throughout the residence is irregular, including sash, fixed, and casement types. All historic windows and window types are, however, built with wood frames. The most prevalent light configuration is one-over-one.

North (front) Elevation: Eight wood framed windows are present including: three single-hung, (one-over-one configuration); three rectangular (single light casement/fixed pane windows) believed to be part of an historic room addition/porch enclosure; and two fixed-pane windows, one with a blank lower pane and leaded diamond shaped lights above, and the other (a much smaller window) with diamond shaped lights. The

window to the right of the main entry has been altered by the installation of an air conditioning unit.

East (side) Elevation: Six wood framed windows are present. Four of these appear to be original (wooden single-sash, one-over-one). One is a single light, casement/fixed pane window, located as part of the previously discussed porch enclosure on the north elevation. This window represents an historic alteration. The last window is single-hung one-over-one configuration, and is located in the non-historic addition to the south elevation.

South (rear) Elevation: Five wood framed windows and one aluminum framed window are present. Three are located on the second story. These three appear as original, although the most westerly window in the second story may be an alteration. Of the three windows located on the first floor, one would appear to be original, one is an historic alteration, and one is a non-historic aluminum alteration.

West (side) Elevation: Five wood framed windows are present: including four single-hung, one-over-one configuration. Two of these windows are paired on the first story level. One small fixed pane window square in shape is set into the second story. A small louvered vent is cut into the second story.

Attic Vents. Three louvered attic vents are located in each of the gables on the north, west, and east elevations. Two of these vents are triangular in shape, and one is rectangular.

Architectural detailing includes three un-fluted porch columns of mixed design origin (Colonial Revival and/or Doric). Decorative scrollwork is flush mounted to the wall at the second-story gable end on the north (front) façade. Decorative shingle-siding is located in the main elevation gable area, and in the gable areas on the east and west elevations. Decorative brackets are located on either side of each dormer window (possible historic alterations).

Despite alterations to the north elevation, and more substantially to the south elevation, the Dorr B. Lee Citrus Ranch Farmhouse retains a relatively high degree of architectural integrity (approximately 80%). This is primarily due to the fact that two of the three alterations and/or enclosures appear as historic. The residence is a Vernacular example of a Farmhouse with applied Victorian/Queen Anne decorative detailing. It is also a “transitional” example of design, as builders, architects, and owners sought to incorporate increasingly popular Colonial Revival design elements rather than more “old-fashioned” Victorian or Queen Anne detailing. The architecture of the residence is, however, primarily interesting not for an overall quality of decorative detail or design, but rather due to the fact that it is a remarkably asymmetrical building (fenestration, entry areas, etc.). In brief, this was not a simple plan book design, and likely reflects the personality and design needs (as first built and historically altered) of Dorr B. Lee and his family.

3.1.2.3. ARCHAEOLOGICAL SURVEY RESULTS

A detailed Records Search was conducted by Hatheway & Associates staff at the County of San Bernardino Archaeological Information Center, Redlands, beginning in June 2005, and final research was completed in early July 2005. No significant prehistoric or historic resources are recorded on or in the immediate vicinity of the project site. A detailed summary of the results of this Records Search (titled "Records Check: Previous Findings of Significance") is contained in Appendix B of this EIR.

In addition to the Records Search, Hatheway & Associates conducted an Archaeological Field Survey of the project site. This survey included visual inspection of the entire site, utilization of random transects throughout, and inspection of exposed soils in rodent holes/burrows.

The remains (graded area/foundation) of what might have been a garage/shed were observed to the extreme rear of the property (See 1938 and 1953 Aerials contained in Appendix B of this EIR). However, no significant prehistoric or historic archaeological resources were observed or recorded. A detailed summary of the results of this Archaeological Field Survey (titled "Archaeological Survey Results and Recommendations") is contained in Appendix B of this EIR.

3.1.3. REGULATORY FRAMEWORK

3.1.3.1. STATE OF CALIFORNIA CULTURAL RESOURCES REGULATORY FRAMEWORK

Office of Historic Preservation/State Historic Preservation Officer

The Office of Historic Preservation (OHP) is the governmental agency primarily responsible for the statewide administration of the historic preservation program in California. The chief administrative officer for the OHP is the State Historic Preservation Officer (SHPO). The SHPO is also Executive Secretary of the State Historical Resources Commission.

In addition to their role in the identification of National Register properties, OHP and SHPO are responsible for administering the State Historical Landmark, State Point of Historical Interest, California Register of Historical Resources, California Historical Resources Information Systems, and the California Heritage Fund programs. In accordance with federal and state laws and regulations, OHP comments on the impact of proposed projects and programs on historic resources, including those owned by the State of California. OHP assists project sponsors in identifying historic resources; evaluating their significance; determining a project's impact on the identified resources; and finding ways to avoid or satisfactorily mitigate any adverse effects. In addition, the office develops guidelines and standards for cultural resource protection planning and management.

CEQA Regulatory Requirements

Archaeological and historical resources are protected on private land by the California Environmental Quality Act (Statute as amended January 1, 2005, Guidelines as amended December 1, 2004). All archaeological and historical resources are evaluated in accordance with California Register of Historical Resources guidelines.

California Register of Historical Resources

The California Register of Historical Resources (California Register) is a state version of the National Register of Historic Places program. The California Register of Historical Resources (California Register) program was enacted in 1992, and became official January 1, 1998.

Criteria for Listing

Potential historic resources are evaluated for inclusion in the California Register using the same four criteria as the National Register (though the California Register criteria are numbered (1-4) rather than lettered (A-D)). These are:

A historical resource must be significant at the local, state or national level under one or more of the following four items:

1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
2. It is associated with the lives of persons important to local, California or national history;
3. It embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of a master or possesses high artistic values;
4. It has yielded or has the potential to yield information important to the prehistory or history of the local area, California or the nation.

All resources nominated for listing must have integrity, which is the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance. Resources, therefore, must retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling and association. It must also be judged with reference to the particular criteria under which a resource is proposed for nomination.

Special (Criteria) Considerations

Moved buildings, structures or objects. The State Historical Resources Commission (SHRC) encourages the retention of historical resources on site and discourages the non-historic grouping of historic buildings into parks or districts. However, it is recognized that moving an historic building, structure, or object is sometimes necessary to prevent its destruction. Therefore, a moved building, structure, or object that is otherwise eligible may be listed in the California Register if it was moved to prevent its demolition at its former location and if the new location is compatible with the original character and use of the historical resource. An historical resource should retain its historic features and compatibility in orientation, setting, and general environment.

3.1.3.2. CITY OF ONTARIO CULTURAL RESOURCES REGULATORY FRAMEWORK

Article 26: City of Ontario Historic Preservation Ordinance

The City of Ontario Historic Preservation Ordinance addresses alteration to historic buildings under “Certificate of Appropriateness” guidelines that regulate the “proposed demolition, in whole or in part” of any historic building. Article 26 also requires additional environmental analysis for the demolition of Tier I and Tier II structures. This includes:

City of Ontario Development Code
Article 26: Historic Preservation

**Sec. 9-1.2600:
Title**

This article shall be known as the Historic Preservation Ordinance of the City of Ontario.

**Sec. 9-1.2632:
Demolition of Historic Structures – Certificates of Appropriateness**

A Certificate of Appropriateness process is established to ensure that any demolition to a Historical Resource is in keeping with the historic character of the resource.

A. General Requirements

1. A Certificate of Appropriateness is required for any demolition, in whole or in part, of an Historical Resource.
2. No permit shall be issued for demolition of an Historical Resource until a Certificate of Appropriateness has been issued in accordance with the provisions of this section.
3. Once a Certificate of Appropriateness has been issued, the Planning Department shall, from time to time, inspect the work to ensure that the work complies with the approved Certificate of Appropriateness.

B. Applications

C. Procedures

4. Determination of Significance.

D. Review for Significance

E. Findings of Fact. The following findings shall be made for all Certificate of Appropriateness applications.

1. The proposed demolition, in whole or in part, is necessary because:
 - a. All efforts to restore, rehabilitate, and/or relocate the resource have been exhausted.
 - b. Restoration/rehabilitation is not practical because the extensive alterations required would render the resource not worthy of preservation.
 - c. Failure to demolish the resource would adversely affect or detract from the character of the District, or
2. The Applicant had obtained a Certificate of Economic Hardship, in accordance with Section 9-1.2630.

F. Environmental Review. All applications for demolition shall be reviewed for compliance with the California Environmental Quality Act.

1. Tier System. In determining the appropriate level of environmental review, the Tier system established in Sec. 9-1.2633 shall be used.

2. Mitigated Negative Declaration. For any property that is determined to be within Tier III, a Mitigated Negative Declaration shall be prepared and approved in conjunction with any approval of a demolition application. The Mitigation Measures addressed in subsection G below shall be incorporated into the Mitigated Negative Declaration.

3. Environmental Impact Report. For any property that is determined to be within Tier I or II, an Environmental Impact Report (EIR) shall be prepared and certified in conjunction with any approval of a demolition application. The Mitigation Measures addressed in subsection G below, in addition to any other additional mitigation measures determined to be necessary to mitigate the impact to the environment shall be incorporated as mitigation measures of the EIR.

G. Mitigation Measures. Prior to the issuance of a permit to demolish an Historical Resource in accordance with this section, the following mitigation measures must be completed.

1. Documentation. Each historic structure shall be documented in [order to] provide a record of the structures.

- a. Plans shall include, but are not limited to, a site plan, floor plans, elevations, detail drawings of character defining features, such as moldings, stairs, etc.
- b. Photographs shall include the exterior, interior, and interior and exterior character defining features, such as moldings, light fixtures, trim patterns, etc.

Sec. 9-1.2633:

Historic Preservation Mitigation Fee

The Historic Preservation Mitigation Fee is established to mitigate the impacts caused by the demolition of historic resources and to provide a source of funds for the conservation, preservation, restoration, and rehabilitation of historic resources in the City of Ontario.

F. Tier System. The Tier system ranks Historical Resources in Ontario based on their significance. The system is divided into 4 levels. When an Historic District meets the criteria for a certain Tier, a contributing structure within that District may also be considered as part of that Tier for purposes of this section, as determined by the Historic Preservation Commission.

2. Tier II: Consists of properties where demolition of these properties should be avoided. In order to be considered a Tier II property, the property must meet any of the following:

a. Any property listed or determined eligible for listing in the National Register of Historic Places; or

b. Any property listed or determined eligible for listing in the California Register of Historic Resources; or

c. A property listed on the City's List of Eligible Historical Resources and meets at least 2 of the criteria in either the architecture or history categories as listed below; or

d. A contributing structure in an Eligible Historic District where the district meets at least 2 of the criteria in either the architecture or history categories as listed.

The above noted guidelines are detailed, and they are generally designed to comply with CEQA/California Register guidelines and requirements. In effect, they may require that a focused EIR be prepared prior to the City of Ontario authorizing and/or permitting any significant alteration to a listed historic resource.

Note: The City of Ontario has designated the Dorr B. Lee Citrus Ranch Farmhouse as a Tier II Historical Resource.

3.1.4. DETERMINATION OF HISTORICAL, ARCHITECTURAL, AND ARCHAEOLOGICAL SIGNIFICANCE

3.1.4.1. STATE OF CALIFORNIA: CALIFORNIA REGISTER CONCLUSIONS WITH REGARDS TO THE DORR B. LEE CITRUS RANCH FARMHOUSE

The Dorr B. Lee Citrus Ranch Farmhouse was evaluated to determine its eligibility for listing on the California Register of Historical Resources, based on the Register's four (4) criteria. The conclusions of this evaluation are as follows (Items 1-4):

1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

The property **does not appear to qualify as eligible** for listing in the California Register of Historical Resources in relation to this criterion. No significant historic events likely to lead to a better understanding or definition of the broad patterns of local or regional history, or the cultural heritage of California or the United States are identified in association with the Dorr B. Lee Citrus Ranch Farmhouse. In particular, the

association with the development of the Citrus Industry is more intimately associated with Mr. Dorr B. Lee as an individual, and not to the development of the industry itself.

2. It is associated with the lives of persons important to local, California or national history.

The property **does appear to qualify as eligible** for listing in the California Register of Historical Resources in relation to this criterion. Several points of historical significance are made in association with Dorr B. Lee. Specifically, Lee was regarded and regaled in his obituary notice as an Ontario “pioneer” when he died in 1944. He is intimately associated with the growth and development of the citrus industry, and apart from owning his own small citrus “ranch,” he is also credited with laying-out many of Ontario’s orange groves. Finally, at the time of his death he was regarded as a “civic leader,” as illustrated in part by the fact that he was a former director of the San Antonio Water Company. This company did, in fact, play a critical role in the foundation of and continued development of Ontario. Clearly, the Dorr B. Lee Citrus Ranch Farmhouse is associated with the life of an individual important to local, California, or national history.

3. It embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of a master or possesses high artistic values.

The Dorr B. Lee Citrus Ranch Farmhouse **does appear to qualify as eligible** for listing in the California Register of Historical Resources in relation to this criterion. Specifically, the residence is described, in brief, as a vernacular farmhouse with minimal Queen Anne architectural elements. Only a limited number of turn-of-the-century farmhouses survive in the City of Ontario, and despite the fact that the Dorr B. Lee Citrus Ranch Farmhouse represents a minimal or vernacular example of the style, it remains as the embodiment of the distinctive characteristics of a type, period, region, and method of construction.

4. It has yielded or has the potential to yield information important to the prehistory or history of the local area, California or the nation.

This item most generally applies to archaeological resources and this basic standard is applied here. No significant prehistoric or historic archaeological resources were observed or recorded on the property as part of a recent site-specific archaeological survey. The Dorr B. Lee Citrus Ranch Farmhouse property **does not appear to qualify as eligible** for listing in the California Register of Historical Resources in relation to this criterion. It is unlikely that preservation or additional evaluation of the Dorr B. Lee Citrus Ranch Farmhouse has the potential to yield information important to the prehistory or history of the local area, California or the nation.

Summary: California Register

The Dorr B. Lee Citrus Ranch Farmhouse **does appear to qualify as eligible** for listing in the California Register of Historical Resources in relation to Criterion 2 and Criterion 3.

3.1.4.2. STATE OF CALIFORNIA: CALIFORNIA REGISTER CONCLUSIONS WITH REGARDS TO THE POTENTIAL FOR THE SITE TO QUALIFY AS A CONTRIBUTING FEATURE TO AN ARCHITECTURAL/HISTORIAL DISTRICT

The Dorr B. Lee Citrus Ranch Farmhouse was evaluated to determine if the site qualifies as a contributing feature to an architectural/historical district of interest. The property is not part of any district application.

Summary: Potential as District Contributor

The Dorr B. Lee Citrus Ranch Farmhouse property **does not appear to qualify as eligible** for listing in the California Register of Historical Resources as a district contributor.

3.1.4.3. PREVIOUS HISTORIC DETERMINATION OF SIGNIFICANCE: 607 WEST D STREET

The Historic Preserve of the City of Ontario has evaluated the significance of 607 W. D Street, and has determined that the property meets two of the criteria in the history and architecture category. The text of the official designation reads as follows:

Architecture: It is a prototype of, or one of the finest examples of a period, style, architectural movement, or construction in the City of a particular style of architecture or building type.

It is one of the few remaining farmhouses within Ontario's original Model Colony.

History: It is related with a business, company or individual significant in the agricultural history of the City.

It was occupied by the Lee family who were prominent ranchers and fruit growers for over sixty (60) years.

Summary: Previous Historic Determination of Significance

The City of Ontario has designated 607 West D Street (the project site) a Tier II Historical Resource per the City's Historic Preservation Ordinance.

3.1.5. THRESHOLDS OF SIGNIFICANCE

CEQA GUIDELINES

According to the State CEQA Guidelines:

A project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.

Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.

The significance of an historical resource is materially impaired according to State CEQA Guidelines Section 15064.5(4)(b)(2) when a project:

(A) Demolishes or materially alters in an adverse manner those physical characteristics of an historic resource that convey its historic significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or

(B) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historic resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of the evidence that the resource is not historically or culturally significant; or

(C) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historic significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

The Section 15126.4(b)(1) of State CEQA Guidelines further describes:

Where maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of the historical resource will be conducted in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer, the project's impact on the

historical resource shall generally be considered mitigated below a level of significance and thus is not significant.

THRESHOLDS FOR CUMULATIVE IMPACTS

A cumulative impact occurs when a proposed project, in combination with other past, current and probably future projects will have an impact on the environment.

3.1.6. PROJECT IMPACTS

IMPACT 3.1.1 – SIGNIFICANT IMPACT: SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORIC RESOURCE

Historical resources include those that qualify for listing on a local register of historic resources or the California Register of Historical Resources, either individually or as a contributing feature in a historic district. There are no existing, planned, or proposed historic districts in the City of Ontario that incorporate the project as a contributing feature. Therefore, the project would have no impacts to historic districts.

However, the project will result in the demolition and/or removal of the Dorr B. Lee Citrus Ranch Farmhouse. As described in Section 3.1.4 of this document, the site is an eligible designated local historical resource, more specifically, a Tier II Historical Resource per City's Historic Preservation Ordinance. In addition, as described in Section 3.1.4 of this document, the Dorr B. Lee Citrus Ranch Farmhouse appears to qualify as eligible for listing on the California Register of Historical Resources. It has been identified as a potentially significant historic resource in relation to California Register of Historical Resources guidelines Criterion 1 and Criterion 3.

Demolition and/or removal of the Dorr B. Lee Citrus Ranch Farmhouse would cause a substantial adverse change in the significance of a historic resource, and thus, the proposed project would significantly impact a historic resource.

IMPACT 3.1.2 – LESS THAN SIGNIFICANT WITH THE INCORPORATION OF MITIGATION MEASURES: SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF AN ARCHAEOLOGICAL RESOURCE

As discussed in Section 3.1.2.3 of this document, an archaeological records review and field survey revealed no indication that the site contains prehistoric or historic archaeological resources. Regardless, the proposed project involves excavation on-site for site preparation and installation of a partially subterranean parking structure and underground utilities. As such, if archaeological resources are discovered during construction of the project, the County of San Bernardino Archaeological Information Center recommends halting work in the vicinity of the find. With the incorporation of this recommendation as Mitigation Measure 3.1.6, the proposed project would not significantly impact archaeological resources.

3.1.7. MITIGATION MEASURES

3.1.7.1. SUGGESTED *HISTORIC RESOURCE MITIGATION DOCUMENTATION REPORT* OUTLINE FOR RECORDATION OF TIER I AND/OR TIER II CULTURAL RESOURCES IN THE CITY OF ONTARIO

This section details general suggested guidelines for mitigating the demolition of, substantial alteration to, or moving of a Tier I and/or Tier II Cultural Resource landmark in the City of Ontario. It is, therefore, suggested that the following *Historic Resource Mitigation Documentation Report* outline recommendations for the proposed demolition of the Dorr B. Lee Citrus Ranch Farmhouse, located at 607 West D Street, be considered not only for the present proposed project, but additionally as an outline for any future proposed project involving demolition of, substantial alteration to, or moving of any listed Tier I and/or Tier II cultural resources in the City of Ontario or any resources determined at a future point in time to be so eligible.

INTRODUCTION

As a means of mitigating the demolition of, substantial alteration to, or moving of a Tier I and/or Tier II Cultural Resource landmark in the City of Ontario, it is minimally recommended that an *Historic Resource Mitigation Documentation Report* be prepared by a qualified consultant, submitted for review to the Planning Director of the City of Ontario, and an approved original deposited in the City of Ontario Public Library Model Colony Room (or other suitable repository) prior to issuance of a demolition permit for the subject property. Other mitigation recommendations may also be considered, although it is suggested that the primary means of mitigation should be in-depth documentation.

The *Historic Resource Mitigation Documentation Report* should be prepared by a qualified consultant that meets the Secretary of the Interior's Standards for architectural/historian and the approval of the City of Ontario Planning Department, and the consultant so selected should demonstrate previous experience and provide a sample of such work for review by Planning Department staff. It is suggested that the following recommended components be fully developed during selection of the consultant by City of Ontario Planning Department staff, and by consulting firms submitting bids for each future proposed *Historic Resource Mitigation Documentation Report*. It is recognized that it would be impossible to make detailed recommendations here as virtually every historic resource is unique unto itself. As a general reference standard, however, the following recommendations combine the Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation for Historic American Building Survey/Historic American Engineering Record (HABS/HAER) Level I and II mitigation documentation requirements in a manner specifically tailored to the City of Ontario. Please refer to HABS/HAER Standards, as published by the National Park Service for additional information.

HISTORIC RESOURCE MITIGATION DOCUMENTATION REPORT COMPONENT FEATURES

1. Selection Of An Appropriate Repository: It is suggested that this selection shall be made jointly by the consultant and Planning Department staff. The Ontario Public Library, Model Colony Room, is the most obvious location, and it is likely that the majority of *Historic Resource Mitigation Documentation Reports* prepared will be archived here. However, it is suggested that the final recommendation of an appropriate repository should be based on a variety of factors including public access, temperature and humidity control, and the very nature of the resource being recorded. For example, it might be determined that the most appropriate permanent repository of Master Archival Copy originals (negatives, prints, etc.) for a resource associated with the development of the railroad might be the California State Railroad Museum, Sacramento, California. In this instance, a Non-Archival Copy of the report should be placed on file at the Model Colony Room.
2. Selection Of Historical Documents for Reproduction: It is suggested that a detailed list of historic documents for reproduction should be developed jointly by the selected consultant and City of Ontario Planning Department staff prior to final approvals regarding the nature, content, and cost of each future proposed *Historic Resource Mitigation Documentation Report*.
3. Selection of Maps, Drawings, Historic Photos for Reproduction: Once again, this list should be developed jointly by the selected consultant and City of Ontario Planning Department staff prior to final approvals regarding the nature, content, and cost of each future proposed *Historic Resource Mitigation Documentation Report*.
4. Preparation of Architectural, Scaled, and Measured Drawings: These drawings should be prepared by a qualified architect/draftsman, They should include (as appropriate) a Plot Plan, Floor Plan(s), Basement Plan, Attic Plan, Roof Plan, Elevations, and Architectural Details. The selection of drawings should be prepared by the selected consultant and City of Ontario Planning Department staff prior to final approvals regarding the nature, content, and cost of each future proposed *Historic Resource Mitigation Documentation Report*. The drawings should be presented as 11 x 17 originals (or larger). Mylar or photo negative originals should also be prepared to provide for reproduction at a future date. It is anticipated that drawings shall be prepared in relatively few instances. They are expensive, and proper photo recordation (using a photo and/or surveyors scale) will yield a level of detail sufficient for most recordation projects.
5. Selection of Contemporary Views and Photo Locations: Photograph locations should be developed jointly by the selected consultant and City of Ontario Planning Department staff prior to final approvals regarding the nature, content,

and cost of each future proposed *Historic Resource Mitigation Documentation Report*.

6. Selection of Respondents for Interviews: Interviews may also be selected as an option for more in-depth recordation. Interviews are time-consuming and costly, but in some instances they are the best means of developing the most meaningful history of a property. For example, an interview with a close relative or immediate family member (descendent) would be of particular interest. Interview questions should be formulated to obtain information that would contribute to historic contexts and themes relevant to the City of Ontario and/or with the intent of better understanding of the built environment.
7. Archival Presentation of Material: Two reports shall be prepared. The first shall be designated as the “Master Archival Copy” and it shall consist of all original prints and negatives placed in archival sleeves, envelopes, folders, and boxes, etc. This shall be archived at an appropriate repository (see Item #1 above). The second shall be designated as the “Non-Archival Copy” and shall consist of a reproducible non-archival original for general public use. Multiple copies of this report may be distributed to a variety of locations, including local, county, state, and university libraries, depending upon the nature of the resource recorded.

HISTORIC RESOURCE MITIGATION DOCUMENTATION REPORT CONTENT

Photo Documentation

Photographs using a large format 4x5 view camera shall be taken of building elevations and significant architectural features (exterior and interior) for each building, structure, and object determined eligible for documentation. Viewsheds addressing the setting shall also be taken. In some instances a medium format camera may be used where the use of a large format camera is impractical (crawl and attic area, etc.)

Exterior views may, for example, document:

- All four elevations.
- Oblique view of main or entry elevation.
- Details of unique architectural features.
- Alterations and additions.

Interior views may, for example, document:

- Major interior spaces (bedroom, kitchen, bath, living room).
- Any unique architectural features.

Viewsheds should minimally document:

- Significant landscape features.

- Opposing streetscapes.
- Relationship of subject resource to other significant resources.

Photographs shall be taken using black-and-white film. All negatives and prints shall be processed in an archival manner. This shall include the use of fresh chemicals for each step taken during the developing and printing process, the double washing of each print, and printing on acid free archival paper.

All photographs and negatives shall be housed in archival folders and sleeves with archival labels. All prints shall be 8x10 in size rather than contact prints.

Note: It is estimated that a minimum of at least ten photographs shall be required to document a single building. This would include four elevations, two streetscapes, one oblique view of main/entry elevation, two architectural details and/or building alterations, and at least one interior view showing typical construction, detailing, etc.

Note Also: The above recommendations are made with regards to documenting the resource prior to demolition. It may, however, be determined that some photographs may best be taken during demolition. This might, for example, reveal details of construction that are otherwise not visible. It is suggested that this determination should be made jointly by the selected consultant and City of Ontario Planning Department staff.

Historical Documentation

Historical research and documents copied for inclusion in the final *Historic Resource Mitigation Documentation Report* may include consultation of (but should not be limited to) the following repositories of information and/or types of information.

- Archives
- Libraries
- Museums
- Public Records
- City Directories
- Maps
- Newspapers

Note: There are three repositories that must be consulted during the preparation of the *Historic Resource Mitigation Documentation Report*. These are:

- The Model Colony History Room, Ontario
- The Museum of History and Art, Ontario
- The San Bernardino County Archives, San Bernardino

Resource types, collections, files and archives available at each of the above three repositories are detailed as the following:

The Model Colony Room

The Robert E. Ellingwood Model Colony History Room, Ontario Public Library, has the following resources which are available to researchers:

- Historic Audio Visual Collection
- Oral Histories
- Biographies of local and regional historic personalities
- Historic Business Sign inventory
- City Events files
- City Officials files
- Newspaper clipping files in excess of 900 files
- 170 Special Collections
- Historic Directories of regional areas
- Historic Photo Collection in excess of 10,000 photos
- Cumulative EIR collection of approximately 2,000 items regionally
- Historic Ephemera File
- Historic Glass negatives of San Antonio, Upland, Etiwanda and Ontario areas
- Historic City ledgers and journals
- Historic Sanborn, topographic and general maps
- Historic microfilm series for census and periodicals
- Early Newspaper collections of the local area
- Early Planning Documents and Books
- Historic yearbooks

The Model Colony History Room is located at Ontario City Library, 217 S. Lemon Avenue, Ontario, CA 91761, but will be relocating in the Fall of 2005 to 215 C. Street, Ontario, CA 91764.

The Museum of History and Art

The Museum of History and Art, Ontario manages and cares for local history collections including archival documents, photographs and artifacts related to the agricultural history of the region. These materials are used in exhibitions and other programs benefiting the public and are available to researchers by appointment. The museum is open to the public Wednesday through Sunday from noon until 4:00 p.m. Admission is free. The Museum is located at 225 South Euclid Avenue, Ontario, CA 91762 (TEL: 909-983-3198).

San Bernardino County Public Records (Including but not Limited to) San Bernardino County Archives

<u>ASSESSOR</u>	Lot and Map Books, 1895-1952 Map Books, ca. 1880-1952
<u>AUDITOR</u>	Assessment Rolls, 1853-1871
<u>BOARD OF SUPERVISORS</u>	Minutes of Meetings, 1853-1979
<u>CORONER</u>	Burial and Removal Permits, 1889-1950 Inquests, 1855-1930
<u>COUNTY CLERK</u>	Articles of Incorporation, 1868-1946 Wills, 1856-1920
<u>COURT RECORDS</u>	Probate Records, 1856-1940 Court Files, Misc. Records, 1880-1914
<u>RECORDER</u>	Property Records: Agreements, 1856-1891 Attachments, 1858-1905 Deeds, 1853-1900 Homesteads, 1860-1925 Official Records, 1927-1979 Land Patents, 1868-1925 Leases, 1855-1925 Mechanic's Liens, 1856-1901 Mortgages, 1853-1910 Tax Sales, 1872-1912 Vital Records: Births, 1873-1905 Deaths, 1873-1925 Marriage Affidavits, 1887-1933 Marriages, 1855-1948
<u>REGISTRAR OF VOTERS ELECTION COMMISSIONERS</u>	Great Register of Voters, 1866-1908

The San Bernardino County Archives are located at 777 East Rialto Avenue, San Bernardino, California 92415-0795 (TEL: 909-387-2030). The Archives are open 9:00 a.m. to 5:00 p.m., Monday through Friday.

Historic Photographs

All historic photographs should be housed in archival folders and sleeves with archival labels. This might include:

- Historic views of resource
- Family portraits
- Aerials

Historic Architectural Maps/Drawings

If available, copies of select maps and/or drawings should be made for inclusion in the Master Archival Copy on archival paper with large format negatives.

Interviews

Interviews, oral, videotaped or written, may be conducted. These shall be transcribed and incorporated into the narrative text of the final documentation report.

Final Documentation Reports

One copy of the report shall be submitted on archival paper, in archival boxes, and submitted to the City of Ontario Planning Department.

This shall include:

Master Archival Copy

One or more archival boxes containing:

- Documentation Report: Methodology/Text
- Copies of Relevant Historical Documents, Newspaper Articles and Official Records
- One Set of 8x10 Archival Prints
- One Set of Negatives with Contact Prints
- One master copy non-archival documentation report
- Any additional appropriate books, reports, and documents.

Report Text

One copy of the report in a labeled archival folder and printed on archival (100% cotton) paper including: title page, table of contents (text, narrative history and descriptive information), historical documents, and photo logs.

Photos and Negatives

Individual numbered and labeled archival file folders containing:

- Photo negatives numbered and labeled in archival sleeves
- Numbered and labeled archival photo envelopes
- Numbered and labeled archival 8 x 10 prints
- Numbered photo sheets on archival paper including the date each photo was taken, the photographer's name, view azimuth, and a brief history and description of the subject.

Select Historic Documents

All historic documents should be reproduced on archival paper, and housed in archival folders with archival labels.

Select Historic Maps/Drawings

All historic maps and drawings should be reproduced on archival paper, and housed in archival folders with archival labels.

Additional Reports and Project Records

As deemed appropriate by consultant and Ontario Planning Department staff. This might include copies of all associated environmental reports, paperwork (official public records) regarding project approvals, and other records related directly to the proposed project whose implementation resulted in the demolition of a significant historic resource.

Non-Archival Copy for Public Use

A non-archival copy of the report for public use and circulation should be included as a means of protecting the archive original. This should include photocopies of all indexes, labels, photographs, maps, drawings, and additional reports and project records. Multiple Non-Archival copies may also be distributed to additional libraries and repositories.

3.1.7.2. MITIGATION MEASURES FOR INCORPORATION INTO THE PROPOSED PROJECT

Mitigation Measure 3.1.1: The project proponent shall be responsible for the preparation of a *Historic Resource Mitigation Documentation Report* as outlined in Section 3.1.7.1 of this document. Said *Historic Resource Mitigation Documentation Report* shall be prepared by a qualified consultant and submitted for review to the Planning Director of the City of Ontario, and an approved original deposited in the City of Ontario Public Library Model Colony Room (or other suitable repository) prior to issuance of a demolition permit for the subject property.

Mitigation Measure 3.1.2: The following site-specific conditions and recommendations shall apply to the *Historic Resource Mitigation Documentation Report* outline required by Mitigation Measure 3.1.1.

- a. Additional research shall be conducted to more completely develop the Lee Family history. Minimally, this research shall be conducted at the Ontario Model Colony Room, the Ontario Museum of History and Art, and the San Bernardino County Archives. This research should focus on Dorr B. Lee, the original owner

and builder of the farmhouse. For example, when Mr. Lee was appointed as Director of the San Antonio Water Company (date unknown at present), a newspaper article almost certainly appeared detailing his life and career, and it is suggested that this and other articles regarding Mr. Lee be located and copied. Both of his sons, Verne W. Lee and Ernest O. Lee, were also residents of the Dorr B. Lee Citrus Ranch Farmhouse, and it is suggested that their biographies be more fully developed. Additional research questions should also be investigated such as was Dorr Lee ever a part of the feed store operated by his brother (see 1898 reference to Lee Bros), and was Dorr Lee ever employed as an attorney (see 1901 deed referencing him as “Esq.”)?

- b. An effort should be made to copy all relevant Dorr B. Lee and Dorr B. Lee Citrus Ranch Farmhouse Public Records. For example, Lee is known to have purchased several properties in San Bernardino County during the period extending from 1893 to 1901, and copies should be made of these deeds, and any others subsequent to this date extending to his death in 1944.
- c. Property owner Dorr B. Lee has been linked to the growth and development of the citrus industry in the City of Ontario. His obituary notes, for example, that “Many of Ontario’s present-day orange groves were set out by Mr. Lee.” The true extent and nature of his contributions to the Orange Industry in Ontario is unknown at present, in-depth research shall be conducted to fully develop his connection. For example, did Dorr B. Lee lay out groves for his sons, brother, and father? It is known that Mr. Lee purchased three properties in the 1890s. Were these also planted as groves?
- d. As research is completed, archival photocopies shall be made of each original. This does not imply that archival copies must be made at each research location. Rather, that archival copies shall eventually be made of all primary records copied during the research process.
- e. Minimally, the following photographs shall be taken in accordance with the *Historic Resource Mitigation Documentation Report* as outlined previously.
 - 2 Streetscapes
 - 4 Exterior Elevations
 - 4 Exterior Details
 - 4 Interiors (Minimum Recommended)
 - 5 Demolition Details (Minimum Recommended)

All detail photographs, utilized in the place of drawings, shall use a photographer’s and/or surveyor’s scale. This will provide a sufficient level of detail to justify the quicker and more cost-effective means of photo recordation rather than the production of hand drawings.

Note: The preparation of architectural drawings is not recommended here. There are no unusual or unique construction features represented, and the architectural detailing is a relatively unimportant aspect of the overall design qualities represented by the Dorr B. Lee Citrus Ranch Farmhouse.

Mitigation Measure 3.1.3: Demolition Mitigation Fee: Prior to obtaining a demolition permit for the demolition of the Dorr B. Lee Citrus Ranch Farmhouse, the project proponent shall pay a demolition mitigation fee to the City of Ontario Historic Preservation Trust Fund per Section 9-1.2633 of the Ontario Development Code. Section 9-1.2632(G)(2) of the Ontario Development Code states that the demolition mitigation fee for Tier I and Tier II structures shall be determined through the EIR process and adopted by the City Council through the certification of the EIR. Demolition mitigation fees for Tier III structures have been established by the City Council per City of Ontario Resolution No. 2003-073. The demolition mitigation fee for a Tier III residential structure is \$7.00 per square foot, up to a maximum of \$17,500.00. The demolition mitigation fee for the demolition of Tier II structures shall be two times the demolition mitigation fee established for Tier III structures. Therefore, the demolition mitigation fee for the Dorr B. Lee Citrus Ranch Farmhouse shall be \$14.00 per square foot, up to a maximum of \$35,000.00.

Mitigation Measure 3.1.4: Preparation of an Historical Context: The project proponent shall provide funding for a consultant specializing in historical and architectural studies, surveys, and recordation to fully develop the Historical Context previously established by City of Ontario for “The Ontario Irrigation Colony, which includes the Chaffey Brothers, the Ontario Land and Improvement Company and the Citrus Industry.”

Mitigation Measure 3.1.5: Certificate of Appropriateness: Prior to obtaining a demolition permit, the project proponent shall obtain a Certificate of Appropriateness. Section 9-1.2632 of the Ontario Development Code requires a Certificate of Appropriateness for the demolition of a historic structure in whole or in part: The Certificate of Appropriateness requires standard mitigation measures, including resource documentation, payment of mitigation fees, approval of replacement structure(s), and salvaging of features and artifacts.

Mitigation Measure 3.1.6: If significant subsurface prehistoric archaeological resources are encountered during construction, the evaluation of any such resources shall proceed in accordance with CEQA guidelines. In the event that buried cultural materials are unearthed during the course of construction, all work must be halted in the vicinity of the find until a qualified archaeologist can assess its significance. Construction of the project can continue outside of the vicinity of the find, so long as such activities would not physically damage any discovered cultural resources or reduce the data recovery potential of the find. If human remains are unearthed during construction, State Health and Safety Code Section 7050.5 states that, “no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98.”

3.1.8. LEVEL OF SIGNIFICANCE AFTER MITIGATION

As discussed, the Dorr B. Lee Citrus Ranch Farmhouse is a designated local historic resource due to both its architecture and history. In addition, as identified in this document, the site appears to be eligible for the California Register of Historical Resources, again due to both its architecture and history. Mitigation Measures 3.1.1 and 3.1.2 are designed to reduce the project's impacts to historic resources with regards to architecture; and Mitigation Measures 3.1.1 – 3.1.5 are designed to reduce the project's impacts to historic resources with regards to history. However, **even with the incorporation of these mitigation measures, the proposed project would result in a significant impact to historic resources.** Therefore, in order to approve the proposed project the City would need to adopt a Statement of Overriding Considerations in accordance with Section 15093 of the State CEQA Guidelines.

Mitigation Measure 3.1.6 is designed to prevent destruction or loss of any archaeological resources that may be discovered during construction. With the incorporation of this mitigation measure, the proposed project would not significantly impact archaeological resources.

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4.0. ALTERNATIVES

4.1. INTRODUCTION

Section 15126.6(a) of the CEQA Guidelines requires that an EIR describe a range of reasonable alternatives to the project, or to the location of the project site, that could feasibly attain the basic objectives of the project. An EIR need not consider every conceivable alternative to a project. Rather, it must consider a range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR should also evaluate the comparative merits of the alternatives. This Chapter sets forth alternatives to the proposed project and evaluates them, as required by CEQA.

Key provisions of the CEQA Guidelines relating to alternatives analysis are summarized below:

- The discussion of alternatives should focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.
- One of the alternatives analyzed must be the “no project” alternative. The “no project” alternative analysis shall discuss the existing conditions, as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.
- The range of alternatives required in an EIR is governed by a “rule of reason”; therefore, the EIR must evaluate only those alternatives necessary to permit a reasonable choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project.
- The EIR should identify any alternatives that were considered by the Lead Agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the Lead Agency’s determination.
- For alternative locations, only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR.
- An EIR need not consider an alternative whose effects cannot be reasonably ascertained and whose implementation is remote and speculative.

RATIONALE FOR SELECTING POTENTIALLY FEASIBLE ALTERNATIVES

Since the CEQA Guidelines require that an EIR state why an alternative is being rejected, a preliminary rationale for rejecting an alternative is presented, where applicable, in this EIR. If an alternative would cause any significant effects in addition to those that would be caused by the project, the significant effects of the alternatives must be discussed, although in less detail than the significant effects of the project.

The alternatives may include no project, a different type of project, modification of the proposed project, or suitable alternative projects sites. However, the range of alternatives discussed in an EIR is governed by a “rule of reason” which CEQA Guidelines Section 15126.6(f) defines as setting forth:

(O)nly those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the Lead Agency determines could feasibly attain most of the basic objectives of the project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision-making.

Among the factors that may be taken into account when addressing the feasibility of alternatives (as described in CEQA Section 15126.6(f)(1) are environmental impacts, site suitability, economic viability, availability of infrastructure, General Plan consistency, regulatory limitations, jurisdictional boundaries, and whether the proponent could reasonably acquire, control, or otherwise have access to the alternative site. An EIR need not consider an alternative whose effects could not be reasonably identified, whose implementation is remote or speculative, and that would not achieve the basic project objectives.

For purpose of this analysis, the project alternatives are evaluated to determine the extent to which they attain the basic project objectives, while significantly lessening any significant effects of the project. The project objectives, as described in Chapter 2 of this EIR are:

- 1) Develop the project site in a manner that is consistent with the City of Ontario General Plan and Zoning District in which it is located.
- 2) Make a reasonable return on investment.
- 3) Develop an underutilized site to its highest and best use within a low-moderate income census tract.
- 4) Provide a means of investment and a catalyst for reinvestment within a neighborhood in need of revitalization.

In addition to the project-specific objectives, the City of Ontario has established citywide goals and policies in the City's General Plan. The City's goals and policies that apply to the proposed project are:

GOAL 1.0: Ensure that the rate of growth and the provision of quality public services and facilities are compatible. Develop and maintain a balance of residential, commercial, industrial, open space and recreational land uses which will encourage a healthy variety of economic, social and cultural opportunities.

Policy 1.2: Encourage a variety of residential uses, types and densities to meet varied housing needs.

Policy 1.5: Require new development to pay its fair share, in conformance with State law, of the costs of public facilities and infrastructure needed to serve those developments.

GOAL 6.0: Conserve Ontario's historic buildings and districts.

Policy 6.1: Review 1985 survey of historic resources. Update and amend for comprehensiveness and completeness as necessary.

ALTERNATIVES SELECTED FOR DISCUSSION

This EIR analyzes the following alternatives:

- Alternative 1: No Project/No Development Alternative
- Alternative 2: Preservation and Restoration of the Dorr B. Lee Citrus Ranch Farmhouse as a Single-Family Residence
- Alternative 3: Preservation, Restoration, and Adaptive Reuse of the Dorr B. Lee Citrus Ranch Farmhouse as Part of the Proposed Condominium Development
- Alternative 4: Preservation of the Façade of the Dorr B. Lee Citrus Ranch Farmhouse
- Alternative 5: Moving the Dorr B. Lee Citrus Ranch Farmhouse

These alternatives were developed to reduce the project's only significant impact – substantial adverse change in the significance of a historic resource. These alternatives were developed considering State CEQA Guidelines Section 15126.4(b)(1) which states:

Where maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of the historical resource will be conducted in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer,

the project's impact on historical resources shall generally be considered mitigated below a level of significance and thus is not significant.

4.2. ALTERNATIVES DISMISSED FROM CONSIDERATION

As discussed above in Section 4.1, CEQA requires a reasonable set of alternatives to be considered. Section 15126.6 of the State CEQA Guidelines explains which alternatives need not be considered. In brief, an alternative need not be considered if:

- The alternative does not feasibly attain most of the basic objectives of the project;
- The alternative does not avoid or substantially lessen any of the significant effects of the project;
- The alternative is not feasible due to factors including site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent);
- The effects of the alternative cannot be reasonably ascertained; or
- The implementation of the alternative is remote and speculative.

Project alternatives that were dismissed from consideration due to these reasons include: alternative locations, office development, commercial development, mixed-use development, industrial development, and dedicated open space. The following discussion describes the specific reasons for dismissing these alternatives.

Alternative Project Locations

Alternative project locations for the proposed project were dismissed because the project proponent currently owns the project site, and does not own or control any comparable sites. In addition, there are no comparable underutilized properties in the project vicinity and surrounding neighborhood. Furthermore, an alternative location would not attain the basic project objectives of 1) developing the project site in a manner that is consistent with the City of Ontario General Plan and Zoning District in which it is located; and 2) developing an underutilized site to its highest and best use within a low-moderate income census tract.

Office Development, Commercial Development, Mixed-Use Development, and Industrial Development Alternatives

Office development, commercial development, mixed-use development, and industrial development alternatives were dismissed for several reasons. First, these land uses

would not meet the basic project objective of developing the site consistent with existing land-use designations. In addition, since these land uses would not be consistent with the General Plan, they would not aid the City in achieving its vision.

Dedicated Open Space Alternatives

Dedicated open space alternatives are not feasible, as it is not consistent with the General Plan and zoning designations for the project site. In addition, dedicating the site as open space would not attain the basic project objectives of developing the project site in a manner that is consistent with the City of Ontario General Plan and Zoning District in which it is located; developing an underutilized site to its highest and best use within a low-moderate income census tract; and providing a means of investment and a catalyst for reinvestment within a neighborhood in need of revitalization. Dedicated open space would also not aid the City in achieving the vision identified in the Ontario General Plan.

4.3. ALTERNATIVES TO BE CONSIDERED

4.3.1. ALTERNATIVE 1: NO PROJECT/NO CHANGE ALTERNATIVE

DESCRIPTION

The “No Project” alternative represents the status quo, or maintaining the Dorr B. Lee Citrus Ranch Farmhouse as a single-tenant occupied residence. Current zoning for the project site is R-3 (High Density Residential). This zoning designation accommodates a dwelling unit density of 16.1-25 dwelling units per acre. The residence has been determined to be “Legal Non-Conforming”, as it was originally designed and built for single-family occupancy. There are likely no short-term consequences to the No Project alternative, but long-term consequences might involve maintenance problems. In addition, since the existing use does not conform to the site’s land use designations, the existing structure would become out of scale with the surrounding development as the City builds out.

IMPACTS

Historic Resources

This alternative would result in no impacts to historic resources. Specifically, the status quo would be maintained by not demolishing the Dorr B. Lee Citrus Ranch Farmhouse.

Other Impacts

The “No Project/No Change” Alternative is not expected result in any other significant environmental impacts. However, as this portion of the City builds out, the existing structure would become out of scale with the surrounding development resulting in land use impacts.

FEASIBILITY

This alternative presents feasibility constraints with regards to the long-term operation of the facility as a single-tenant occupied residence. In addition, this alternative would not add to the housing supply or further the City's RHNA obligation. Furthermore, given the project objectives this alternative would not be economically feasible.

ATTAINMENT OF PROJECT OBJECTIVES

The "No Project/No Change" alternative would not meet the basic project objectives outlined earlier. Specifically, this alternative would not 1) develop the site in a manner consistent with existing surrounding (or General Plan) land uses; 2) achieve the increased economic return objectives of the applicant; 3) develop an underutilized site to its highest and best use within a low-moderate income census tract; or 4) provide a means of investment and a catalyst for reinvestment within a neighborhood in need of revitalization. The "No Project/No Change" alternative would also fail to implement several goals and policies of the Ontario General Plan, including encouraging a variety of residential uses, types and densities to meet varied housing needs.

4.3.2. ALTERNATIVE 2: SITE PRESERVATION AND RESTORATION OF THE DORR B. LEE CITRUS RANCH FARMHOUSE AS A SINGLE-FAMILY RESIDENCE

DESCRIPTION

This alternative would involve the preservation and restoration of the Dorr B. Lee Citrus Ranch Farmhouse as a single-family residence. This alternative would incorporate and utilize *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

IMPACTS

Historic Resources

This alternative would result in beneficial impacts to historic resources, through the preservation and restoration of the Dorr B. Lee Citrus Ranch Farmhouse.

Other Impacts

The "Site Preservation and Restoration of the Dorr B. Lee Citrus Ranch Farmhouse" Alternative would not result in any other significant environmental impacts.

FEASIBILITY

There are a number of feasibility constraints associated with this alternative. Specifically, the restoration and preservation of the Dorr B. Lee Citrus Ranch

Farmhouse would be a time consuming and expensive proposition and would be very difficult from an engineering standpoint (see Appendix C). For those reasons, and given the project objectives, this alternative would depend on a project proponent that is willing and has the resources to carry out the preservation. Thus, this alternative is speculative. In addition, under this alternative, the property would also be underutilized in relation to existing zoning.

ATTAINMENT OF PROJECT OBJECTIVES

Alternative 2 would not meet the basic project objectives. This alternative would not 1) develop the site in a manner consistent with existing surrounding (or General Plan) land uses; 2) achieve the increased economic return objectives of the applicant; or 3) develop an underutilized site to its highest and best use within a low-moderate income census tract. The restoration of the Dorr B. Lee Citrus Ranch Farmhouse at great cost would further negatively impact the economic return objective of the applicant. This alternative would meet the City's General Plan Goal 6.0 of conserving Ontario's historic buildings. However, Alternative 2 would not achieve the City's goal of encouraging a variety of residential uses, types and densities to meet varied housing needs.

4.3.3. ALTERNATIVE 3: PRESERVATION, RESTORATION, AND ADAPTIVE REUSE OF THE DORR B. LEE CITRUS RANCH FARMHOUSE AS PART OF THE PROPOSED CONDOMINIUM DEVELOPMENT

DESCRIPTION

Alternative 3 consists of the partial preservation and restoration of the Dorr B. Lee Citrus Ranch Farmhouse. This alternative would be implemented in joint association with the implementation of the proposed condominium project, and would involve converting the residence into a multi-family property. This alternative would incorporate and utilize *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

IMPACTS

Historic Resources

This alternative would result in both beneficial and negative impacts to historic resources. Specifically, the preservation and restoration of even a portion of the Dorr B. Lee Citrus Ranch Farmhouse would be a beneficial impact. However, the incorporation of the farmhouse into the overall condominium design would require substantial alteration to the original residence and result in an overall negative impact. All the mitigation measures identified in the document can be incorporated into this alternative. With the incorporation of these mitigation measures, Alternative 3 would have less than significant impacts to historic resources.

Other Impacts

The “Preservation, Restoration, and Adaptive Reuse of the Dorr B. Lee Citrus Ranch Farmhouse as part of the Proposed Condominium Development” Alternative would not result in any other significant environmental impacts.

FEASIBILITY

There are several feasibility constraints associated with this alternative. Specifically, the restoration, preservation, and conversion of use of the Dorr B. Lee Citrus Ranch Farmhouse would be a time consuming and expensive proposition. For those reasons, and given the project objectives, this alternative would depend on a project proponent that is willing and has the resources to carry out the preservation. Thus, this alternative is speculative.

This alternative would require a major, if not total, redesign of the plans for the proposed project and it is unlikely that the same number of planned building units could be built if the farmhouse were incorporated into the proposed project. As show in the materials in Appendix C of this document, the applicant has considered the economic and engineering feasibility of this alternative. The feasibility analyses conclude that this alternative would be unsafe and very difficult from a structural standpoint, and it would be potentially impossible to bring the structure into compliance with building codes. Further, even if this alternative were feasible from an engineering standpoint, the construction of this alternative would cost more than the projected value of the development. Therefore, this alternative is economically infeasible.

ATTAINMENT OF PROJECT OBJECTIVES

This alternative would not achieve the increased economic return objective of the applicant. The restoration of this facility at great cost, even if it were converted to multi-family use, would further negatively impact the economic return objective of the applicant. In addition, due to the size of the site and the placement of the existing structure, this alternative would likely result in a lesser utilization of the site than the proposed project (i.e. fewer residential units). Thus, this alternative would likely not meet the project objective of developing an underutilized site to its highest and best use.

4.3.4. ALTERNATIVE 4: PRESERVATION OF THE FAÇADE OF THE DORR B. LEE CITRUS RANCH FARMHOUSE

DESCRIPTION

This would involve the preservation of a portion of the façade of the Dorr B. Lee Citrus Ranch Farmhouse. This alternative would be implemented in joint association with the implementation of the proposed condominium project, and would involve applying the existing façade to a streetscape portion of the proposed project. This alternative would

incorporate and utilize portions of *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

IMPACTS

Historic Resources

This alternative would have a significant impact on historic resources as it would first involve the demolition of a major portion of the Dorr B. Lee Citrus Ranch Farmhouse. All the mitigation measures included in this document could be incorporated into Alternative 4. However, even with these mitigation measures, impacts to historic resources remain significant, as this alternative would deviate from the Secretary of the Interior's standards and would not maintain the historic integrity of the property as a citrus ranch farmhouse.

Other Impacts

The "Preservation of the Façade of the Dorr B. Lee Citrus Ranch Farmhouse" Alternative would not result in any other significant environmental impacts.

FEASIBILITY

There are several feasibility constraints associated with this alternative. Specifically, the restoration and preservation of even a portion of the Dorr B. Lee Citrus Ranch Farmhouse presents a multitude of design issues. The façade would, for example, have to be incorporated in design and scale with the proposed project. The redesign of the entire project would be both time-consuming and expensive. For those reasons, and given the project objectives, this alternative would depend on a project proponent that is willing and has the resources to carry out the preservation. Thus, this alternative is speculative.

ATTAINMENT OF PROJECT OBJECTIVES

This alternative would achieve the basic project objectives, including likely achieving the increased economic return objective of the applicant. In addition, this alternative would meet the City's goals.

4.3.5. ALTERNATIVE 5: MOVING THE DORR B. LEE CITRUS RANCH FARMHOUSE

DESCRIPTION

This project would involve moving the Dorr B. Lee Citrus Ranch Farmhouse to an alternate and as yet unknown location; and developing the site as currently proposed.

IMPACTS

Historic Resources

This alternative would have a significant impact on historic resources as it would involve the removal of the Dorr B. Lee Citrus Ranch Farmhouse from its original location. All the mitigation measures included in this document could be incorporated into Alternative 5. However, even with these mitigation measures, impacts to historic resources remain significant, since removing the farmhouse from the site would eliminate the historic context of the structure and site as a farmhouse on one of the City's early citrus ranches.

Other Impacts

The "Moving the Dorr B. Lee Citrus Ranch Farmhouse" alternative could have additional environmental impacts not discussed within this EIR. Specifically, this alternative would physically change the relocation site. Since a relocation site has not yet been identified, the environmental impacts to the relocation site cannot be identified at this time.

FEASIBILITY

There are several feasibility constraints associated with this alternative. Specifically, it is highly likely that moving the Dorr B. Lee Citrus Ranch Farmhouse would prevent future listing of the property as a California Register landmark. This would, in turn, prevent use of the California Historical Building Code. In addition, it would be both time-consuming and expensive and, depending on the location selected, might involve preparation of a supplement to this EIR to determine impacts on the site and neighborhood selected for relocation. For those reasons, and given the project objectives, this alternative would depend on a project proponent that is willing and has the resources to carry out the preservation. Thus, this alternative is speculative.

As show in the materials in Appendix C of this document, the applicant has considered the economic and engineering feasibility of this alternative. The feasibility analyses conclude that this alternative would be unsafe and very difficult from a structural standpoint, and it would be potentially impossible to bring the structure into compliance with building codes. Further, even if this alternative were feasible from an engineering standpoint, the construction of this alternative would cost more than the projected value of the development. Therefore, this alternative is economically infeasible.

ATTAINMENT OF PROJECT OBJECTIVES

This alternative would meet the land use objectives for the project site by 1) developing the site in a manner consistent with existing surrounding (or General Plan) land uses; 2) developing an underutilized site to its highest and best use within a low-moderate income census tract; and 3) providing a means of investment and a catalyst for

reinvestment within a neighborhood in need of revitalization. However, this alternative would not achieve the increased economic return objective of the applicant.

4.4. SUMMARY OF PROJECT ALTERNATIVES

A summary of the identified feasible project alternatives, and a comparison of environmental impacts relative to the proposed project, is presented in Table 4.1.

4.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

All of the alternatives are environmentally superior to the proposed project, with the exception of Alternative 5 which the impacts are unknown, and would result in the demolition of the Dorr B. Lee Citrus Ranch Farmhouse, a historic resource. Considering all the project alternatives, Alternative 2, which involves preservation and restoration of the structure as a single-family residence, is the environmentally superior alternative. However, Alternative 2 does not allow implementation of the proposed project, as it consists of preservation and restoration of the structure as a single-family residence.

Considering only the alternatives that provide for implementation of the proposed condominium project, Alternative 3 is the environmentally superior alternative because it would result in a less than significant impact to historic resources after mitigation. Although Alternative 3 is the environmentally superior alternative, it is not feasible for financial, architectural, and building code reasons.

**TABLE 4.1:
ALTERNATIVE COMPARISON MATRIX**

	Cultural Resources	Other Impacts	Feasibility	Attainment of Objectives
Proposed Project	<u>Significant Impact</u> : The project would result in a substantial adverse change in the significance of a historic resource – the Dorr B. Lee Citrus Ranch Farmhouse.	No other significant impacts.	The proposed project is feasible.	The proposed project would attain the basic project objectives and aid the City in achieving its land use goals. The proposed project would conflict with the City's goal of preserving historic resources.
Alternative 1: No Project /No Change	<u>No Impact/Less Impacts than the Proposed Project</u> : Alternative 1 will result in no change to historic resources on-site.	No other significant impacts.	Alternative 1 presents feasibility constraints for financial reasons.	Alternative 1 would not meet the basic project objectives and would not meet the City's land use goals. Alternative 1 would neither conflict nor further the City's goal of preserving historic resources.
Alternative 2: Preservation and Restoration of the Dorr B. Lee Citrus Ranch Farmhouse as a Single-Family Residence	<u>Beneficial Impact/Less Impacts than the Proposed Project</u> : Alternative 2 will result in the preservation and restoration of the Dorr B. Lee Citrus Ranch Farmhouse.	No other significant impacts.	Alternative 2 presents feasibility constraints for financial reasons and underutilization per the parcel's land use designations.	Alternative 2 would not meet the basic project objectives and would not meet the City's land use goals. Alternative 2 would meet the City's goal of preserving historic resources.
Alternative 3: Preservation, Restoration, and Adaptive Reuse of the Dorr B. Lee Citrus Ranch Farmhouse as Part of the Proposed Condominium Development	<u>Less Than Significant With Mitigation/Less Impacts than the Proposed Project</u> : Alteration of the historic resource consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties.	No other significant impacts.	Alternative 3 is not feasible for financial, architectural, and building code reasons.	Alternative 3 would obtain the project land use objectives and would further all City goals for the project site. This alternative would not meet the project's economic objectives.
Alternative 4: Preservation of the Façade of the Dorr B. Lee Citrus Ranch Farmhouse	<u>Significant Impact/Less Impacts than the Proposed Project</u> : Alternative 4 would result in a substantial adverse change in the significance of a historic resource – the Dorr B. Lee	No other significant impacts.	Presents feasibility constraints for both financial and architectural reasons.	Alternative 4 would attain the basic project objectives and aid the City in achieving its land use goals. This alternative would somewhat conflict with the City's goal of

**TABLE 4.1:
ALTERNATIVE COMPARISON MATRIX**

	Cultural Resources	Other Impacts	Feasibility	Attainment of Objectives
	Citrus Ranch Farmhouse. The change to the historic resource would be to a lesser degree than the proposed project.			preserving historic resources.
Alternative 5: Moving the Dorr B. Lee Citrus Ranch Farmhouse	<u>Significant Impact/Less Impacts than the Proposed Project:</u> Alternative 5 would result in a substantial adverse change in the significance of a historic resource – the Dorr B. Lee Citrus Ranch Farmhouse. The change to the historic resource would be to a lesser degree than the proposed project.	This alternative could have additional environmental impacts not discussed within this EIR. Specifically, this alternative would physically change the relocation site. Since a relocation site has not yet been identified, the environmental impacts to the relocation site cannot be identified at this time.	Alternative 5 is not feasible for financial, architectural, and building code reasons.	Alternative 5 would attain the land-use objectives for the project site, but would not meet the project's economic objectives and would somewhat conflict with the City's goal of preserving historic resources.

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5.0. IMPACT OVERVIEW

5.1. SIGNIFICANT, UNAVOIDABLE ENVIRONMENTAL EFFECTS

Section 15126 of the State CEQA Guidelines requires the EIR to disclose the “significant environmental effects that cannot be avoided if the proposed project is implemented.” Section 15126.2(b) further states:

Describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described.

Chapter 3 of this EIR and the Executive Summary describe all the potential impacts of the proposed project, including the significant impacts. As described in Chapter 3 and the Executive Summary, the only unavoidable significant adverse impact of the proposed project is the substantial adverse change in the significance of a historic resource – the Dorr B. Lee Citrus Ranch Farmhouse. The Dorr B. Lee Citrus Ranch Farmhouse is a designated local historical resource, more specifically, a Tier II Historical Resource per City’s Historic Preservation Ordinance. In addition, as described in Section 3.1.4 of this document, the Dorr B. Lee Citrus Ranch Farmhouse appears to qualify as eligible for listing on the California Register of Historical Resources. The proposed project will result in significant unmitigated architectural and historic impacts to the Dorr B. Lee Citrus Ranch Farmhouse

5.2. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126 of the State CEQA Guidelines requires the EIR to disclose the “significant irreversible environmental changes which would be involved in the proposed project should it be implemented.” Section 15126.2(c) further states:

Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts, and particularly, secondary impacts (such as highway improvements which provide access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitment of resources should be evaluated to assure that such current consumption is justified.

Implementing the proposed project would result in the following irreversible environmental changes:

- The proposed project would physically convert the Dorr B. Lee Citrus Ranch Farmhouse site to a condominium complex. This would be a significant irreversible environmental change to an architectural and historic resource.

- Utilization of building materials and human resources for construction of the project. Many of the resources utilized for construction are nonrenewable, including manpower, sand, gravel, earth, iron, steel, and hardscape materials. Other construction resources, such as lumber, are slowly renewable.
- Commitment of energy and water resources as a result of the construction and operation and maintenance of the proposed development. Much of the energy that will be utilized onsite will be generated through combustion of fossil fuels, which are nonrenewable resources.

5.3. GROWTH-INDUCING IMPACTS

Section 15126 of the State CEQA Guidelines requires the EIR to examine the “growth-inducing impact of the proposed project.” The intent of this section is to “discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly in the surrounding environment (State CEQA Guidelines § 15126.2[d]).” Growth-inducing impacts are caused by those characteristics of a project that foster or encourage population and/or economic growth. These characteristics include adding residential units, expanding infrastructure, and generating employment opportunities. The following discussion addresses the project’s potential for growth-inducing impacts.

ADDITION OF RESIDENTIAL UNITS AND COMMERCIAL SPACE

The project would add 10 residential units to, and remove one residential unit from, the City’s housing stock. Residential occupancy of these additional units would directly increase the population of the City of Ontario. However, this growth is consistent with the City’s and region’s anticipated growth. The Southern California Association of Governments (SCAG) prepared the Regional Housing Needs Assessment (RHNA) for the 2000-2005 planning period. This assessment evaluated the need for additional housing in the cities and counties of southern California. The RHNA stated the City of Ontario will need to develop 2,401 housing units in the 2000-2005 planning period. The City reviewed the RHNA and accordingly prepared the City of Ontario General Plan 2000-2005 Housing Element (adopted by City Council Resolution 2001-113 in 2001). The proposed project’s addition of 10 residential units represents only less than one (1) percent of the 2,401 residential units needed in the City of Ontario. Growth of this size is planned for by both the City of Ontario and the Southern California Association of Governments. Therefore, the residential growth of the proposed project is not a significant impact.

EXPANSION OF INFRASTRUCTURE

Expanding infrastructure can induce growth by removing development obstacles. For instance, if an area’s growth is limited by water supply, development of water supply facilities could allow additional growth within the service area. Similarly, new freeway interchanges, transit stops, wastewater facilities, and infrastructure improvements could allow growth in areas that were previously inaccessible or underserved.

The proposed project includes the expansion of infrastructure. Proposed infrastructure improvements include:

- Unit connections to electricity, telephone, and cable services;
- Unit, and development-wide, connections to the existing water and wastewater infrastructure;
- Upgrading the sewer line in Beverly Court to support the proposed project; and
- On-site drainage improvements.

These proposed improvements are sized to serve the planned development, and are not oversized in a way that would encourage offsite development. None of the proposed new utility facilities would extend into or through any undeveloped land. Therefore, these improvements are not considered growth inducing.

Since the project is consistent with the City's General Plan and the growth forecasts for the region, and the infrastructure improvements included in the project are not oversized, the project would not have significant growth-inducing impacts.

5.4. SUMMARY OF CUMULATIVE IMPACTS

CEQA Guidelines Section 15130(a) states that, "an EIR shall discuss cumulative impacts of a project when the project's incremental effects is cumulatively considerable, as defined in CEQA Guidelines Section 15065(c)." This discussion, as stated by CEQA Guidelines Section 15130 (b), "should be guided by the standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified and other projects contribute, rather than the attributes of other projects which do not contribute to the cumulative impact."

The proposed project is, at the present time, the only proposed project that could adversely affect the historical significance of the Dorr B. Lee Citrus Ranch Farmhouse. The building is not associated with any proposed or potential historic district. No other projects that would affect this potential (the potential establishment of an historic district) are currently proposed.

In addition, there are no other Tier I or Tier II Historical Resources proposed for demolition in the City, and there are also no other original farmhouses in the City proposed for demolition. Furthermore, since adoption of the City's Historic Preservation Ordinance, no eligible or designated Tier II Historical Resources within the City have been demolished or proposed for demolition. Therefore, the cultural resource impacts of the proposed project are isolated to the project itself, and would not incrementally contribute to a loss of historical resources in the City. The project would not result in cumulative cultural resource impacts.

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6.0. REPORTS, AUTHORS, AND CONSULTANTS; PEOPLE AND ORGANIZATIONS CONSULTED

City of Ontario Planning Department

City Hall, 303 East B Street, Ontario, CA 91764, (909) 395-2036

Role: Lead Agency, Project Oversight, EIR Processing

Cathy Wahlstrom, Principal Planner

Richard Ayala, Senior Planner

Nancy Martinez, Assistant Planner

Willdan

13191 Crossroads Parkway North, Suite 405, Industry, CA 91746, (562) 908-6200

Role: EIR Preparation

Al Warot, Project Manager

John Bellas, Associate Planner

Shonda Bello, Assistant Planner

Jorge Felix, Assistant Planner

Hathaway & Associates

P.O. Box 3246, Crestline, CA 92325 10722 (760) 242-4197

Role: Cultural Resources Specialist/Report Author

Rodger Hathaway, Principal Consultant

CONSULTED RESPONDENTS

Robin Laska: San Bernardino County Archaeological Information Center

Israel Garcia, San Bernardino County Archives

Sherry Martinez, Ontario Model Colony Room

Cathy Wahlstrom, City of Ontario, Planning Department

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7.0. BIBLIOGRAPHY

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- 1903: *Ontario Colony Directory*, Dewey and T. E. Archer, Ontario Record Print.
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- 1909-1910: *Resident and Business Directory of Pomona...* (Ontario Section), Edw. F. Parker, The Pomona Times.
- 1911: *City Directory of...* (Ontario Section), Los Angeles City Directory Company, R. C. Deveruex, Los Angeles.
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LIBRARIES

Ontario Model Colony Room
San Bernardino County Archives

MAPS & DRAWINGS

Ontario, USGS Quad Maps 7.5 and 15-Minute
1928 Sanborn Fire Insurance Map, City of Ontario

PUBLIC RECORDS

San Bernardino County Archaeological Information Center (confidential files)

Assessors Map Books

Book 1 Page 133 Dates: 1895-1899
Block: 990 Lot 1 and Lot 4

Book 1 Page 122 Dates: 1900-1906
Block: 990 Lot 1 and Lot 4

Book 3 Page 132 Dates: 1907-1909
Block: 990 Lot 1 and Lot 4

Book 3 Page 44 Dates: 1910-1917
Block: 990 Lot 1 and Lot 4

Book 9A Page 16 Dates: 1918-1923
Block: 990 Lot: 1 and Lot 4

Book 29 Page 16 Dates: 1924-1930
Block: 990 Lot 1 and Lot 4

Book 50B Page 16 Dates: 1930-1935
Block: 990 Lot 1 and Lot 4

Book 91A Page 15 Dates: 1936-1941
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Book 129A Page 15 Dates: 1942-1948
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Block: 990 Lot 1 and Lot 4

Deeds

September 1, 1893: D. B. Lee buys from A. L. and M. D. Moorhead

June 14, 1985: D. B. Lee buys from C. E. and K. L. Harwood

March 1, 1901: D. B. Lee buys from R. A. Deering et al.

May 10, 1901: D. B. Lee buys from N. W. Deering et al.

RESPONDENTS

Robin Laska: San Bernardino County Archaeological Information Center

Israel Garcia, San Bernardino County Archives

Sherry Martinez, Ontario Model Colony Room

Cathy Wahlstrom, City of Ontario, Planning Department

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8.0. MITIGATION MONITORING PROGRAM

The Executive Summary section of this EIR identifies the Mitigation Measures that will be implemented to offset the impacts resulting from the proposed project. Section 21081.6 of CEQA requires the public agency to adopt a monitoring program of mitigations to ensure the enforceability of the mitigations identified in the CEQA document. This section of CEQA also identifies guidelines for implementation of a monitoring program. The monitoring program is required to be completed prior to certification of a Final EIR.

The following Mitigation Monitoring Program (MMP) identifies all the mitigations identified in the EIR along with the party responsible for completing the mitigations and the timeframe for implementation. This MMP satisfies the requirements of Section 21081.6 of CEQA.

**CITY OF ONTARIO
DIAMANTE TERRACE CONDOMINIUM PROJECT
MITIGATION MONITORING PROGRAM**

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
<p>Mitigation Measure 3.1.1: The project proponent shall be responsible for the preparation of a <i>Historic Resource Mitigation Documentation Report</i> as outlined in Section 3.1.7.1 of this document (the Diamante Terrace Condominium Project Environmental Impact Report). Said <i>Historic Resource Mitigation Documentation Report</i> shall be prepared by a qualified consultant and submitted for review to the Planning Director of the City of Ontario, and an approved original deposited in the City of Ontario Public Library Model Colony Room (or other suitable repository) prior to issuance of a demolition permit for the subject property.</p>	Prior to the Issuance of a Demolition Permit	City of Ontario Planning Department	The City of Ontario Planning Department shall ensure a demolition permit is not issued before the Planning Director has approved the project's Historic Resource Mitigation Documentation Report, and said document is deposited in a suitable repository.			
<p>Mitigation Measure 3.1.2: The following site-specific conditions and recommendations shall apply to the <i>Historic Resource Mitigation Documentation Report</i> outline required by Mitigation Measure 3.1.1.</p> <p>a. Additional research shall be conducted to more completely develop the Lee Family history. Minimally, this research shall be conducted at the Ontario Model Colony Room, the Ontario Museum of History and Art, and the San Bernardino County Archives. This research should focus on Dorr B. Lee, the original owner and builder of the farmhouse. For example, when Mr. Lee was appointed as Director of the San Antonio Water Company (date unknown at</p>	Prior to the Issuance of a Demolition Permit	City of Ontario Planning Department	The City of Ontario Planning Department shall ensure a demolition permit is not issued if the Historic Resource Mitigation Documentation Report does not comply with this Mitigation Measure.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
<p>present), a newspaper article almost certainly appeared detailing his life and career, and it is suggested that this and other articles regarding Mr. Lee be located and copied. Both of his sons, Verne W. Lee and Ernest O. Lee, were also residents of the Dorr B. Lee Citrus Ranch Farmhouse, and it is suggested that their biographies be more fully developed. Additional research questions should also be investigated such as was Dorr Lee ever a part of the feed store operated by his brother (see 1898 reference to Lee Bros), and was Dorr Lee ever employed as an attorney (see 1901 deed referencing him as "Esq.")?</p> <p>b. An effort should be made to copy all relevant Dorr B. Lee and Dorr B. Lee Citrus Ranch Farmhouse Public Records. For example, Lee is known to have purchased several properties in San Bernardino County during the period extending from 1893 to 1901, and copies should be made of these deeds, and any others subsequent to this date extending to his death in 1944.</p> <p>c. Property owner Dorr B. Lee has been linked to the growth and development of the citrus industry in the City of Ontario. His obituary notes, for example, that "Many of Ontario's present-day orange groves were set out by Mr. Lee." The true extent and nature of his contributions to the Orange Industry in Ontario is unknown at present, in-depth research shall be conducted to fully develop his connection. For example, did Dorr B. Lee lay out groves for his sons, brother, and</p>						

8.0. Mitigation Monitoring Program

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
<p>father? It is known that Mr. Lee purchased three properties in the 1890s. Were these also planted as groves?</p> <p>d. As research is completed, archival photocopies shall be made of each original. This does not imply that archival copies must be made at each research location. Rather, that archival copies shall eventually be made of all primary records copied during the research process.</p> <p>e. Minimally, the following photographs shall be taken in accordance with the <i>Historic Resource Mitigation Documentation Report</i> as outlined previously.</p> <ul style="list-style-type: none"> • 2 Streetscapes • 4 Exterior Elevations • 4 Exterior Details • 4 Interiors (Minimum Recommended) • 5 Demolition Details (Minimum Recommended) <p>All detail photographs, utilized in the place of drawings, shall use a photographers' and/or surveyor's scale. This will provide a sufficient level of detail to justify the quicker and more cost-effective means of photo recordation rather than the production of hand drawings.</p> <p><u>Note:</u> The preparation of architectural drawings is not recommended here. There are no unusual or unique construction features represented, and</p>						

8.0. Mitigation Monitoring Program

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
the architectural detailing is a relatively unimportant aspect of the overall design qualities represented by the Dorr B. Lee Citrus Ranch Farmhouse.						
Mitigation Measure 3.1.3: Demolition Mitigation Fee: Prior to obtaining a demolition permit for the demolition of the Dorr B. Lee Citrus Ranch Farmhouse, the project proponent shall pay a demolition mitigation fee to the City of Ontario Historic Preservation Trust Fund per Section 9-1.2633 of the Ontario Development Code. Section 9-1.2632(G)(2) of the Ontario Development Code states that the demolition mitigation fee for Tier I and Tier II structures shall be determined through the EIR process and adopted by the City Council through the certification of the EIR. Demolition mitigation fees for Tier III structures have been established by the City Council per City of Ontario Resolution No. 2003-073. The demolition mitigation fee for a Tier III residential structure is \$7.00 per square foot, up to a maximum of \$17,500.00. The demolition mitigation fee for the demolition of Tier II structures shall be two times the demolition mitigation fee established for Tier III structures. Therefore, the demolition mitigation fee for the Dorr B. Lee Citrus Ranch Farmhouse shall be \$14.00 per square foot, up to a maximum of \$35,000.00.	Prior to the Issuance of a Demolition Permit	City of Ontario Planning Department	The City of Ontario Planning Department shall ensure a demolition permit is not issued before the project proponent has paid the demolition mitigation fee.			
Mitigation Measure 3.1.4: Preparation of an Historical Context: The project proponent shall provide funding for a consultant specializing in historical and architectural studies, surveys, and	Prior to the Issuance of a Demolition Permit	City of Ontario Planning Department	The City of Ontario Planning Department shall ensure a demolition permit is not issued before the project proponent			

8.0. Mitigation Monitoring Program

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
recording to fully develop the Historical Context previously established by the City of Ontario for "The Ontario Irrigation Colony, which includes the Chaffey Brothers, the Ontario Land and Improvement Company and the Citrus Industry."			has provided funding to fully develop the Historical Context previously established by the City of Ontario for "The Ontario Irrigation Colony, which includes the Chaffey Brothers, the Ontario Land and Improvement Company and the Citrus Industry."			
Mitigation Measure 3.1.5: <u>Certificate of Appropriateness:</u> Prior to obtaining a demolition permit, the project proponent shall obtain a Certificate of Appropriateness. Section 9-1.2632 of the Ontario Development Code requires a Certificate of Appropriateness for the demolition of a historic structure in whole or in part: The Certificate of Appropriateness requires standard mitigation measures, including resource documentation, payment of mitigation fees, approval of replacement structure(s), and salvaging of features and artifacts.	Prior to the Issuance of a Demolition Permit	City of Ontario Planning Department	The City of Ontario Planning Department shall ensure a demolition permit is not issued before the project proponent has obtained a Certificate of Appropriateness for the proposed demolition.			
Mitigation Measure 3.1.6: If significant subsurface prehistoric archaeological resources are encountered during construction, the evaluation of any such resources shall proceed in accordance with CEQA guidelines. In the event that buried cultural materials are unearthed during the course of construction, all work must be halted in the vicinity of the find until a qualified archaeologist can assess its significance. Construction of the project can continue outside of the vicinity of the find, so long as such activities would not physically damage any discovered cultural resources or reduce the data recovery potential of the find. If	During Project Grading and Construction	City of Ontario Planning Department	The City of Ontario Planning Department shall coordinate with the project contractor and shall periodically visit the construction site to ensure compliance with this mitigation measure.			

8.0. Mitigation Monitoring Program

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
human remains are unearthed during construction, State Health and Safety Code Section 7050.5 states that, "no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98."						

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California Environmental Quality Act **Notice of Determination**

TO:

Office of Planning and Research

For U. S. Mail:
P. O. Box 3044
Sacramento, CA 95812-3044

Street Address:
1400 Tenth Street
Sacramento, CA 95814

San Bernardino County
Clerk of the Board
385 No. Arrowhead Ave.
Second Floor
San Bernardino, CA 92415-0130

FROM:

Public Agency: City of Ontario
Address: 303 East B Street
Ontario, CA 91764
Contact: Mr. Richard Ayala
Phone: (909) 395-2421

Lead Agency: City of Ontario
Address: (same as above)
Contact:
Phone:

SUBJECT: *Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.*

State Clearinghouse Number (if submitted to State Clearinghouse): N/A

Project Title

Diamante Terrace Condominium Project

Project Location (include county)

The project site is located at 607 West "D" Street, between San Antonio and Vine Avenue, in the City of Ontario, San Bernardino County, California. The project site is located on the Ontario, CA United States Geological Survey (USGS) 7.5-Minute Topographic Quadrangle (Photorevised 1988), and Map Page 572 of the San Bernardino County Thomas Guide.

Project Description

The proposed project consists of removing the Dorr B. Lee Citrus Ranch Farmhouse and developing a 10-unit condominium complex onsite. The proposed condominium development consists of:

- Four (4) 2-unit condominium structures;
- Two (2) 1-unit condominium structures;
- A common basement/parking facility;
- Approximately 7,317 square feet of common open space; and
- Associated driveways, pathways, landscaping, and utility infrastructure.

The proposed condominium units are three stories in height (including a partially subterranean parking facility) and range in size from 1,950 square feet to 2,226 square

feet. The average lot size will be 2,372.60 square feet with a minimum lot area of 2,178 square feet.

Notice of Determination (cont.)

This is to advise that the City of Ontario (Lead Agency or Responsible Agency) has approved the above-described project on _____ (Date) and has made the following determinations regarding the above-described project:

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
5. A statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the Negative Declaration, is available to the General Public at: City of Ontario Planning Department, Ontario City Hall, 303 East B Street, Ontario, California 91764.

Signature (Public Agency): _____ Title: _____
Date: _____

Date received for filing at OPR: _____

Authority cited: Sections 21083 and 21087, Public Resources Code.
Reference: Section 21000-21174. Public Resources Code.
Prepared in accordance Appendix D of the State CEQA Guidelines, as amended September 7, 2004.