



CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD

AGENDA

March 16, 2020

- ▶ **All documents for public review are on file in the Planning Department located in City Hall at 303 East “B” St., Ontario, CA 91764.**

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

Scott Ochoa, City Manager
Scott Murphy, Executive Director, Development Agency
John P. Andrews, Executive Director, Economic Development
Kevin Shear, Building Official
Cathy Wahlstrom, Planning Director
Khoi Do, City Engineer
Chief Derek Williams, Police Department
Fire Marshal Paul Ehrman, Fire Department
Scott Burton, Utilities General Manager
Julie Bjork, Executive Director, Housing and Neighborhood Preservation

PUBLIC COMMENTS

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

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

AGENDA ITEMS

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

CONSENT CALENDAR ITEMS

A. MINUTES APPROVAL

Development Advisory Board Minutes of March 2, 2020, approved as written.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP EXTENSION REVIEW FOR FILE NO. PMTT16-013 (TM 20050):** A one-year Time Extension for a previously approved Tentative Tract Map for condominium purposes (TT 20050), subdividing 3.47 acres of land, located at 1910 South Euclid Avenue, within the MDR-18 (Medium Density Residential - 11.1 to 18.0 DUs/acre) and EA (Euclid Avenue) Overlay zoning districts. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15304 (Class 4, Minor Alterations to Land) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan; (APNs: 1050-381-04, 1050-381-05, 1050-381-06, 1050-381-07, 1050-381-08 and 1050-381-09) **submitted by 1902 Euclid Property LLC. Planning Commission action is required.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines § 15304

2. File No. PMTT16-013 (Time Extension)

Motion to recommend Approval/Denial

- C. ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP EXTENSION REVIEW FOR FILE NO. PMTT17-006 (TT 19832):** A one-year Time Extension for a previously approved Tentative Tract Map for condominium purposes (TT 19832), subdividing a 2.7 acre site located at the northeast corner of Euclid Avenue and Riverside Drive, within the CN (Neighborhood Commercial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario

International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1051-614-08) **submitted by Creative Design Associates. Planning Commission action is required.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines § 15332

2. File No. PMTT17-006 (Time Extension)

Motion to recommend Approval/Denial

- D. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-020 AND PCUP19-018:** A Development Plan (File No. PDEV19-020) and Conditional Use Permit (File No. PDEV19-018) to construct a 65-foot tall stealth wireless telecommunication facility (monopine) on 1.9 acres of land generally located on the south side of Riverside Drive, approximately 180 feet west of Sultana Avenue, at 7247 East Riverside Drive, within the SP(AG) (Specific Plan/Agriculture Overlay) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the State CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 1052-071-05) **submitted by AT&T. Planning Commission action is required.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines § 15332

2. File No. PDEV19-020 (Development Plan)

Motion to recommend Approval/Denial

3. File No. PCUP19-018 (Conditional Use Permit)

Motion to recommend Approval/Denial

- E. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW AND VARIANCE FOR FILE NOS. PDEV19-056 AND PVAR19-007:** A Development Plan (File No. PDEV19-056) to construct one industrial building totaling 71,800 square feet on 3 acres of land in conjunction with a Variance (File No. PVAR19-007) to reduce the south property line building setback from 25 feet to 5 feet, located on the west side of Milliken Avenue, approximately 300 feet north of Greystone Drive, within the Light Industrial land use district of the Bridgestone/Firestone Industrial Park Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5, Minor Alterations in Land Use) and Section

15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 1083-351-09) **submitted by David L. Ball. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines § 15305 and § 15332

2. **File No. PDEV19-056** (Development Plan)

Motion to recommend Approval/Denial

3. **File No. PVAR19-007** (Variance)

Motion to recommend Approval/Denial

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

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

The next **Development Advisory Board** meets on **April 6, 2020**.

I, Maureen Duran, Office Specialist of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **March 12, 2020**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East “B” Street, Ontario.



CITY OF ONTARIO

Development Advisory Board

Minutes

March 2, 2020

BOARD MEMBERS PRESENT

Rudy Zeledon, Chairman, Planning Department
Kevin Shear, Building Department
Jesus Plasencia, Engineering Department
Paul Ehrman, Fire Department
Joe De Sousa, Housing and Neighborhood Preservation
Ahmed Aly, Municipal Utilities Company

BOARD MEMBERS ABSENT

Charity Hernandez, Economic Development Agency
Emily Hernandez, Police Department

STAFF MEMBERS PRESENT

Luis Batres, Planning Department
Maureen Duran, Planning Department
Miguel Sotomayor, Engineering Department

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

- A. **APPROVAL OF MINUTES:** Mr. Zeledon entertained a motion to approve the minutes and stated the Engineering conditions were added to the Agenda and distributed at the time of the meeting of February 19, 2020. Motion to approve the minutes of the February 19, 2020, meeting of the Development Advisory Board was made by Mr. Aly; seconded by Mr. Plasencia; and approved unanimously by those present (4-0). Mr. De Sousa and Mr. Shear recused themselves as they were not present at this meeting.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-053:** A Development Plan to construct a 940-square foot addition to an existing 82,347 square foot automobile dealership (Mercedes Benz) on 8.17 acres of land located at 3787 East Guasti Road, within the Auto land use designation of the Ontario Gateway Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-005, for which an Environmental Impact Report (SCH#2006091039) was certified by City Council on June 19, 2007. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APN: 210-212-55) **submitted by Jones Ontario Acquisition, LLC.**

Representative Austin Hahn of Calichi Design Group was present. Mr. Zeledon asked if he had a chance to review the conditions at which time Mr. Hahn stated he did and the applicant was in agreement with the conditions. There were no questions or comments.

Motion to approve **File No. PDEV19-053** subject to conditions was made by Mr. Shear; seconded by Mr. De Sousa; and approved unanimously by those present (6-0).

There being no further business, the meeting was adjourned.

Respectfully submitted,



Maureen Duran
Recording Secretary



Development Advisory Board Decision

March 16, 2020

DECISION NO.:

FILE NO.: PMTT16-013

DESCRIPTION: A one-year Time Extension for a previously approved Tentative Tract Map for condominium purposes (TT 20050), subdividing 3.47 acres of land, located at 1910 South Euclid Avenue, within the MDR-18 (Medium Density Residential - 11.1 to 18.0 DUs/acre) and EA (Euclid Avenue) Overlay zoning districts (APNs: 1050-381-04, 1050-381-05, 1050-381-06, 1050-381-07, 1050-381-08 and 1050-381-09); **submitted by 1902 Euclid Property LLC.**

Part I—BACKGROUND & ANALYSIS

1902 EUCLID PROPERTY LLC, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PMTT16-013 (TM 20050), as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 3.47 acres of land located on the west side of Euclid Avenue, between Francis Avenue and Cedar Street, at 1910 South Euclid Avenue, and is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site, are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant/Medium Density Residential	MDR (Medium Density Residential)	MDR18 (Medium Density Residential) and EA (Euclid Avenue Overlay)	N/A
<i>North:</i>	Commercial Shopping Center	MU (Mixed-Use)	MU-11 (Euclid/Francis Mixed-Use) and EA (Euclid Avenue Overlay)	N/A
<i>South:</i>	Single Family Residential and Mountain View Baptist Church	LDR (Low Density Residential) and MDR (Medium Density Residential)	LDR5 (Low Density Residential) and MDR18 (Medium Density Residential)	N/A
<i>East:</i>	Ontario Christian School	MDR (Medium Density Residential)	MDR18 (Medium Density Residential) and EA (Euclid Avenue Overlay)	N/A
<i>West:</i>	Single Family Residential	LDR (Low Density Residential)	LDR5 (Low Density Residential)	N/A

(2) **Project Description:** On October 25, 2016, the Planning Commission approved a Tentative Tract Map (File No. PMTT16-013) subdivide 3.47 acres of land into 10 numbered lots and 2 lettered (common) lots, for condominium purposes. The purpose of the Tentative Map was to facilitate the development to construct 57 townhome units (File No. PDEV16-019).

On January 22, 2019, the Planning Commission approved a resolution granting a one-year time extension for the tentative parcel map, extending its approval to January 22, 2020, pursuant to the requirements of Ontario Development Code Section 2.02.025.B (Time Extensions) and the Subdivision Map Act. The time extension was to allow for the preparation and City approval of Covenants, Conditions and Restrictions (CC&Rs), which are required to be recorded with the Final Parcel Map.

Under the State Subdivision Map Act, tentative tract maps may be extended up to five years beyond their initial approval. The Applicant is now requesting the second, one-year time extension of the expiration date for Tentative Tract Map approval pursuant to the requirements of Ontario Development Code Section 2.02.025.B (Time Extensions). The time extension will allow for the completion and City approval of Covenants, Conditions and Restrictions (CC&Rs), which are required to be recorded with the Final Tract Map.

Part II—RECITALS

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

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

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

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

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

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

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

WHEREAS, on March 16, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

(1) The proposed Time Extension for subject Tentative Tract Map (File No. PMTT16-013 (TM 20050)) is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15304 (Class 4, Minor Alterations to Land) of the CEQA Guidelines, which consists of minor public or private alterations in the condition of land, water, and/or vegetation such as grading on land with a slope less than 10 percent; and

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

(3) The previous determination of CEQA exemption reflects the independent judgment of the Planning Commission; and

(4) This Time Extension request introduces no new significant environmental impacts and no new evidence or changes in circumstance introduced that would bring into question that the previous determination was improper.

SECTION 2: *Housing Element Compliance.* The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (57 units) and density (16.4 units/acre) specified in the Available Land Inventory.

Assessor Tract Numbers (APN)	Lot Area
APN: 1050-381-04, 1050-381-05, 1050-381-06, 1050-381-07, 1050-381-08 and 1050-381-09	3.47 acres

	Available Land Inventory	
	Existing	Proposed
Number of Units:	39 to 62	57
Assumed Density:	11.1 to 18.0 DUs/Acre	16.4 DUs/acre

SECTION 3: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and

overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

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

(1) **The proposed Tentative Tract Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.** The proposed Tentative Tract Map is located within the MDR (Medium Density Residential) land use district of the Policy Plan Land Use Map, and the MDR18 (Medium Density Residential) and EA (Euclid Avenue Overlay) zoning district. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). Furthermore, the project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 *Complete Community*).

(2) **The design or improvement of the proposed Tentative Tract Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.** The proposed Tentative Tract Map is located within the MDR (Medium Density Residential) land use district of the Policy Plan Land Use Map, and the MDR18 (Medium Density Residential) and EA (Euclid Avenue Overlay) zoning district. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct” (Goal CD2). Furthermore, the project will promote the City’s policy to “create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and tract sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb.” (Policy CD2-2 *Neighborhood Design*).

(3) **The site is physically suitable for the type of development proposed.** The project site meets the minimum lot area and dimensions of the MDR18 (Medium Density Residential) and EA (Euclid Avenue Overlay) zoning district zoning district, and is physically suitable for the type of residential

development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) **The site is physically suitable for the density/intensity of development proposed.** The project site is proposed for residential development at [a density of 16.4 DUs/acre]. The project site meets the minimum lot area and dimensions of the MDR18 (Medium Density Residential) and EA (Euclid Avenue Overlay) zoning district, and is physically suitable for this proposed density / intensity of development.

(5) **The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.** The project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.

(6) **The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.** The design of the proposed subdivision, and the general improvements existing or proposed on the project site, are not likely to cause serious public health problems, as The project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site.

(7) **The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 5: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

SECTION 7: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 16th day of March 2020.

Development Advisory Board Chairman

Exhibit A—Project Location Map

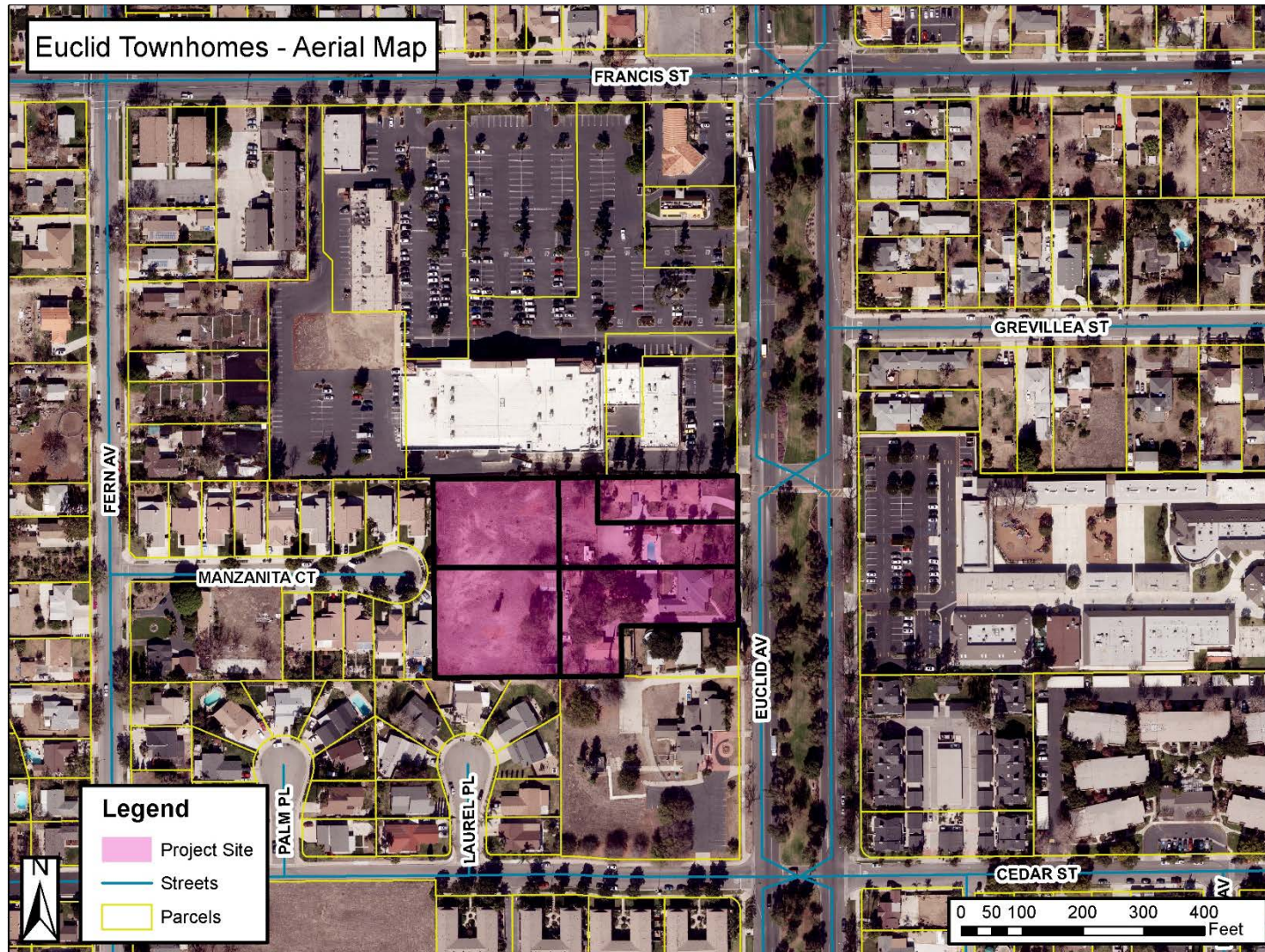


Exhibit B—Site Plan

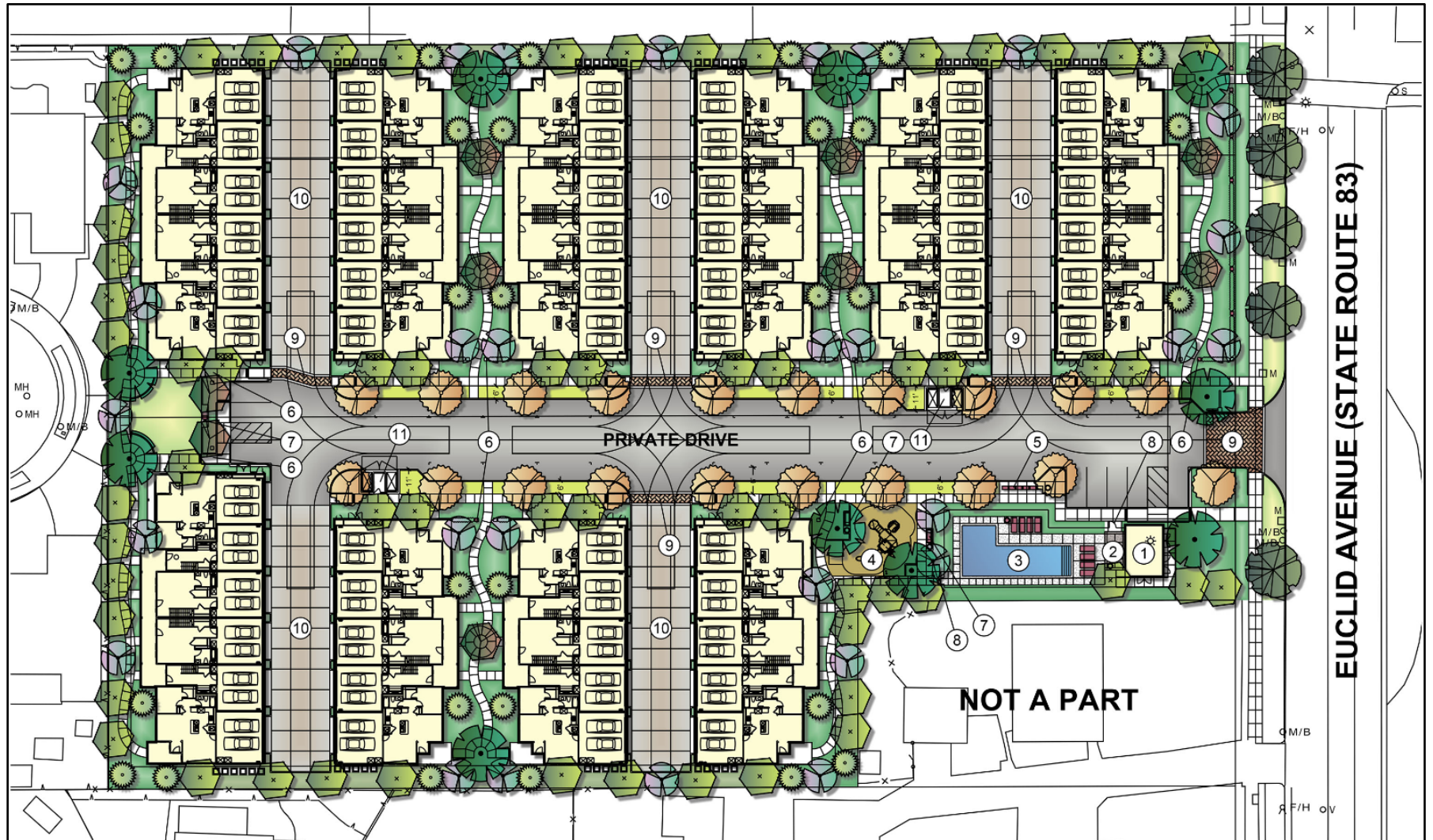
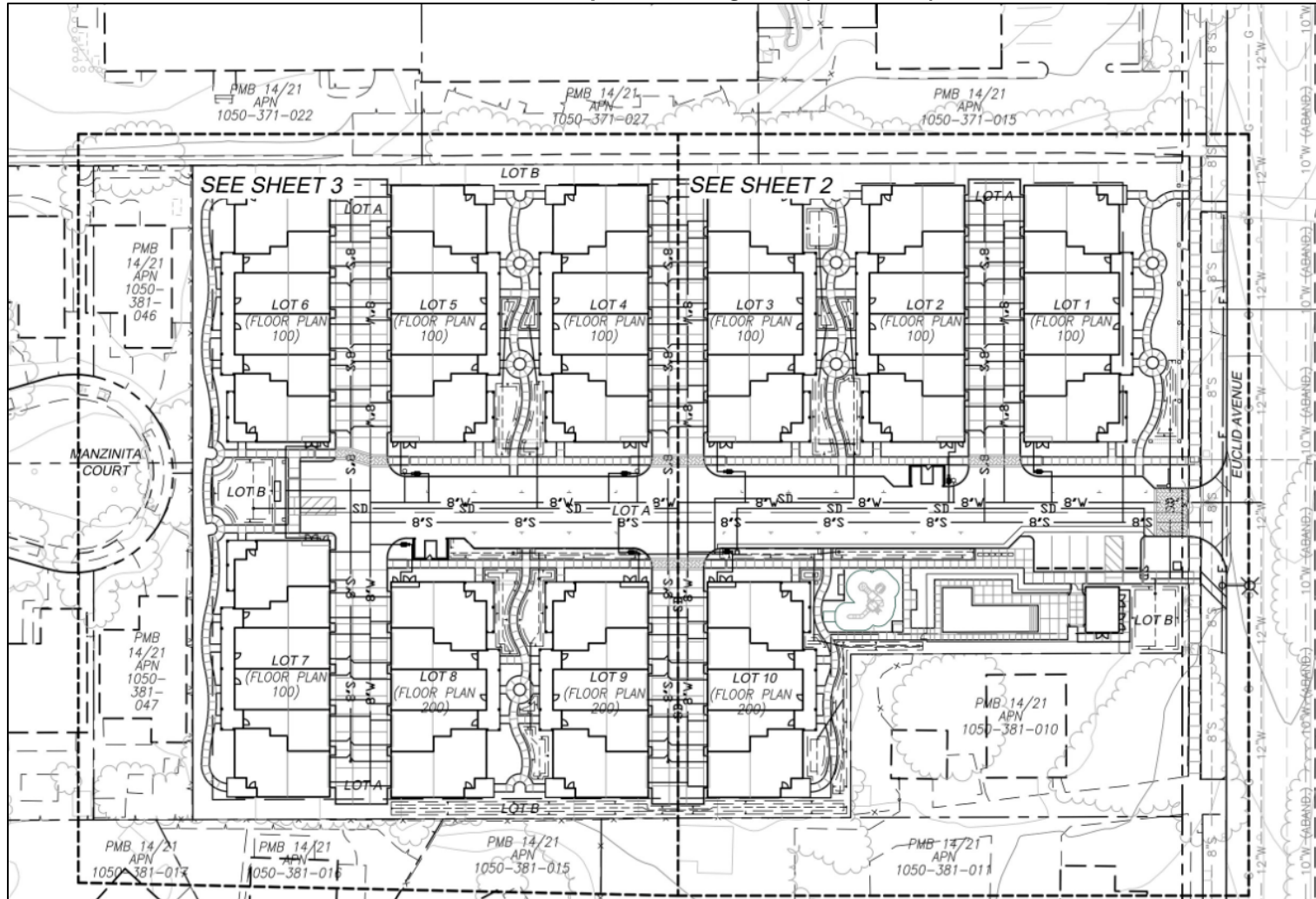


Exhibit C—Conceptual Grading Plan (TTM 20050)





Development Advisory Board Decision

March 16, 2020

DECISION NO.:

FILE NO.: PMTT17-006

DESCRIPTION: A one-year Time Extension for a previously approved Tentative Parcel Map for condominium purposes (PM 19832), subdividing 2.7 acres of land, located at the northeast corner of Euclid Avenue and Riverside Drive, within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay District (APN: 1051-614-08) **submitted by Creative Design Associates.**

Part I—BACKGROUND & ANALYSIS

CREATIVE DESIGN ASSOCIATES, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PMTT17-006 (PM 19832), as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 2.7 acres of land located at the northeast corner of Euclid Avenue and Riverside Drive and is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site, are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Commercial Shopping Center/ Undeveloped Building Pads	NC – Neighborhood Commercial	CN – Neighborhood Commercial	N/A
<i>North:</i>	Single Family Residential	LDR – Low Density Residential	LDR 5 – Low Density Residential (2.1 – 5.0 DU/AC)	N/A
<i>South:</i>	Vacant/ Agricultural	GC – General Commercial	SP(AG) – Specific Plan (Agricultural) Overlay District	N/A
<i>East:</i>	Multi-Family Residential	MDR – Medium Density Residential	MDR 18 – Medium Density Residential (11.1 – 18.0 DU/AC)	N/A
<i>West:</i>	Commercial Shopping Center	NC – Neighborhood Commercial	CN – Neighborhood Commercial	N/A

(2) **Project Description:** On January 23, 2018, the Planning Commission approved a Tentative Parcel Map (File No. PMTT17-006) to subdivide 2.7 acres of land for condominium purposes (PM 19832). The purpose of the Tentative Parcel Map was to facilitate the development of a two-story retail and medical office building totaling 37,074 square feet.

(3) Under the State Subdivision Map Act, tentative parcel maps may be extended up to five years beyond their initial approval. The Applicant is now requesting a, one-year time extension of the expiration date for Tentative Parcel Map approval pursuant to the requirements of Ontario Development Code Section

2.02.025.B (Time Extensions). The one-year Time Extension request would extend the map from January 23, 2020 to January 23, 2021. The time extension will allow for the completion and City approval of Covenants, Conditions and Restrictions (CC&Rs), which are required to be recorded with the Final Tract Map.

Part II—RECITALS

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

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

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

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

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

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

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

WHEREAS, on March 16, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

(1) (1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects of the CEQA Guidelines). The proposed project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits and the area being developed is 2.7 acres less than five-acre threshold and is substantially surrounded by urban land uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Also, the site is adequately served by all required utilities and public services; and

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

(3) The previous determination of CEQA exemption reflects the independent judgment of the Planning Commission; and

(4) This Time Extension request introduces no new significant environmental impacts and no new evidence or changes in circumstance introduced that would bring into question that the previous determination was improper.

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

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

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

(1) ***The proposed Tentative Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.*** The proposed

Tentative Parcel Map for condominium purposes is located within the NC (Neighborhood Commercial) land use district of the Policy Plan Land Use Map, and the CN (Neighborhood Commercial) zoning district. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to the establishment of “a dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses” (Goal CD1). Furthermore, the project will promote the City’s policy to “take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods” (Policy CD1-1 *City Identity*).

(2) ***The design or improvement of the proposed Tentative Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.*** The proposed Tentative Parcel Map for condominium purposes is located within the NC (Neighborhood Commercial) land use district of the Policy Plan Land Use Map, and the CN (Neighborhood Commercial) zoning district. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will provide “a high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct (Goal CD2). Furthermore, the project will promote the City’s policy to “collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques” (Policy CD2-7 *Sustainability*).

(3) ***The site is physically suitable for the type of development proposed.*** The project site meets the minimum lot area and dimensions of the CN (Neighborhood Commercial) zoning district and is physically suitable for the type of commercial development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The project site is proposed for commercial development and the proposed subdivision is for common lot condominium purposes. The project site meets the minimum lot area and dimensions of the CN (Neighborhood Commercial) zoning district and is physically suitable for the proposed density / intensity of development.

(5) ***The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.*** The project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, in conjunction with the proposed two-story retail and medical office building totaling 37,074 square feet on the project site, are not likely to cause serious public health problems, as the project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site.

(7) **The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 5: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

SECTION 7: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 16th day of March 2020.

Development Advisory Board Chairman

Exhibit A—Project Location Map



Exhibit B—Site Plan

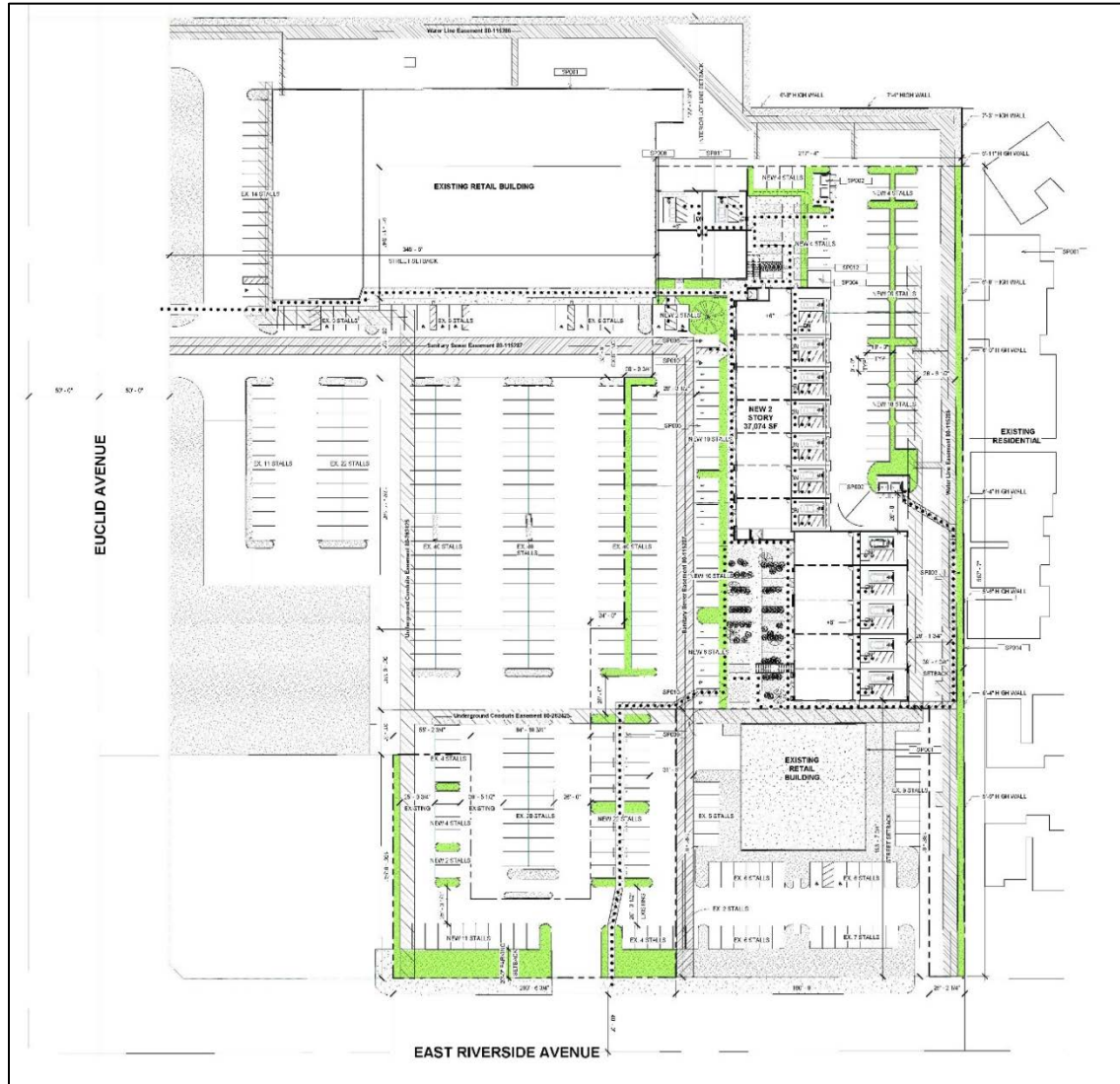
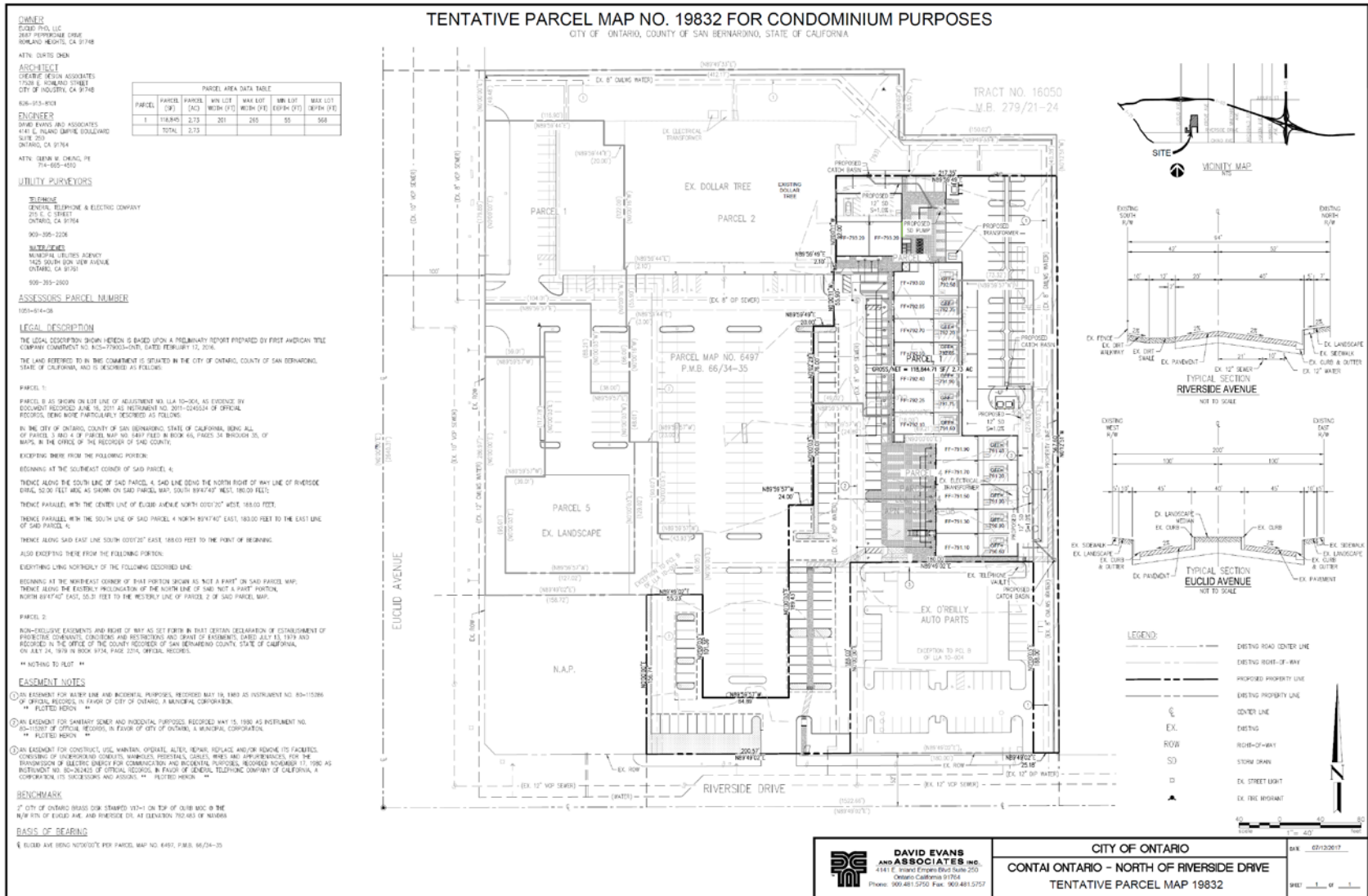


Exhibit C—Tentative Parcel Map (PM 19832)





Development Advisory Board Decision

MARCH 16, 2020

DECISION NO.:

FILE NO.: PCUP19-018

DESCRIPTION: A Conditional Use Permit to construct a 65-foot tall stealth wireless telecommunication facility (monopine) on 1.9 acres of land generally located on the south side of Riverside Drive, approximately 180 feet west of Sultana Avenue, at 7247 East Riverside Drive, within the SP(AG) (Specific Plan/Agriculture Overlay) zoning district; (APN: 1052-071-05) **submitted by AT&T Mobility.**

Part I—BACKGROUND & ANALYSIS

AT&T MOBILITY, (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PCUP19-018, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 1.9 acres of land located on the south side of Riverside Drive, approximately 180 feet west of Sultana Avenue, at 7247 East Riverside Drive, and is depicted in Exhibit A—Aerial Photograph, attached. The site is currently developed with a single-family dwelling, five pole barns used for the storage of hay and various agricultural equipment, and numerous detached residential accessory structures, including a covered patio, carport, and four-car garage. All existing structures are to remain in place.

Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
<i>Site:</i>	Single Family Residential Home & Accessory Structures (Metal Sheds)	MDR (Medium Density Residential)	AG (Agricultural Overlay)	N/A
<i>North:</i>	Harris Place Apartments	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential, 11.1 to 18 DU/Ac)	N/A
<i>South:</i>	Vacant Land	MDR (Medium Density Residential)	AG (Agricultural Overlay)	N/A
<i>East:</i>	Vacant Land	MDR (Medium Density Residential)	AG (Agricultural Overlay)	N/A
<i>West:</i>	Vacant Land	MDR (Medium Density Residential)	AG (Agricultural Overlay)	N/A

(2) **Project Description:**

(a) Background — On April 1, 2019, the Applicant submitted the subject application in conjunction with a Development Plan (PDEV19-020) to construct and operate a stealth wireless telecommunications facility, with a 65-foot tall antenna that is designed as a pine tree (herein after referred to as “Monopine”), and has been designed for collocation, which will potentially eliminate the need for an additional facility in the area. The proposed location allows the wireless carrier to provide telecommunication coverage to existing residentially zoned properties to the north and to future development within Ontario Ranch (see Exhibit F—Propagation Map Before Monopine Addition and Exhibit G—Propagation Map After Monopine Addition, attached).

(b) Site Design/Layout —The proposed Monopine and related equipment will be located at the southwest corner of the project site, approximately 600 feet behind the single-family home, next to two smaller (see Exhibit B—Site Plan, attached). The tower will measure 65 feet to the top of the antenna array. An additional 7 feet of foliage will be provided above the antenna array, for an overall Monopine height of 72 feet (see Exhibit E—Elevations, attached).

Along with the Monopine, the facility will include a 1,350-square foot equipment lease area, which will house the Monopine and the tower’s operating equipment. The lease area will be enclosed by an eight-foot tall, decorative split-face block wall (see Exhibit C—Enlarged Project Area, attached).

(c) Site Access/Circulation — Access to the project site is taken from Riverside Drive and includes a 24-foot wide access road that meanders through the property and ends at the southwest corner of the site, where the wireless facility will be located (see Exhibit B—Site Plan, attached). In accordance with Fire Department requirements, the access road will be constructed of a hard packed, all weather drivable surface.

(d) Parking — According to the Development Code, the project must provide one parking space designated for service vehicle parking, which will be provided on the east side of the wireless telecommunications facility lease area. (see Exhibit C—Enlarged Project Area, attached). The new wireless facility will not create significant traffic, as service vehicles will visit the facility only once or twice per month.

(e) Architecture — The proposed project has a stealth design that is consistent with the design guidelines set forth in the Ontario Development Code and will blend in with the surrounding scenery. The Monopine facility will be constructed at the southwest corner of the site, which is surrounded by existing trees and is situated behind existing structures, making it less visible to the public. In addition, conditions of approval have been placed on the project addressing foliage and branch design and density, to assure that the project will blend with the surrounding environment.

(f) Landscaping — The project proposes the installation of new landscaping adjacent to the equipment enclosure, which consists of three 36-inch box trees, including two Canary Island Pine trees and one Coast Live Oak tree. In addition, two existing trees are located on the side of the Monopine and will remain in place.

(g) Time Limit — Wireless telecommunications facilities proposed within the AG (Agricultural Overlay) zoning district requires Conditional Use Permit approval that is subject to a 5-year time limit, in order to properly assess the compatibility of the proposed use with existing and future surrounding land uses. Under the time limit, a time extension application must be filed prior to the end of the 5-year period, at which time the approval of the time extension request would be based on the continued compatibility of the approved use with surrounding land uses.

Part II—RECITALS

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

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

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

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

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

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

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

WHEREAS, on March 16, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA guidelines, which consists of projects characterized as infill development, and meets the following conditions:

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

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

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

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

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

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

(1) **The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.** The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the SP(AG) (Specific Plan/Agriculture Overlay) zoning district, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed wireless telecommunications facility will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the SP(AG) (Specific Plan/Agriculture Overlay) zoning district. In addition, the proposed wireless facility will be located toward the southwest corner of the property and over 600 feet away from the existing single-family home; and

(2) **The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed wireless telecommunications facility will be located within the MDR (Medium Density Residential) land use district of the Policy Plan Land Use Map, and the SP(AG) (Specific Plan/Agriculture Overlay) zoning district. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan. The proposed wireless telecommunication facility will provide infrastructure compatibility and will be aesthetically pleasing and in context with the community character (LU2-6). Furthermore, the proposed development is consistent with City Council goals, such as: invest in the growth and evolution of the City's Economy, maintain the current high level of public safety, and focus resources in Ontario's commercial and residential neighborhoods; and

(3) **The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.** The proposed wireless telecommunications facility is located within the MDR (Medium Density Residential) land use district, and the SP(AG) (Specific Plan/Agriculture Overlay) zoning district, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use is consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and SP(AG) (Specific Plan/Agriculture Overlay). The proposed wireless telecommunications facility will be located over 700 feet from the nearest residential property and will be surrounded by five trees, including two existing trees, two Pine Trees, and one Live Oak tree, which will further screen the wireless facility from public view; and

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

SECTION 5: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

SECTION 7: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 16TH day of March 2020.

Development Advisory Board Chairman

Exhibit A—AERIAL PHOTOGRAPH



Exhibit C—ENLARGED PROJECT AREA

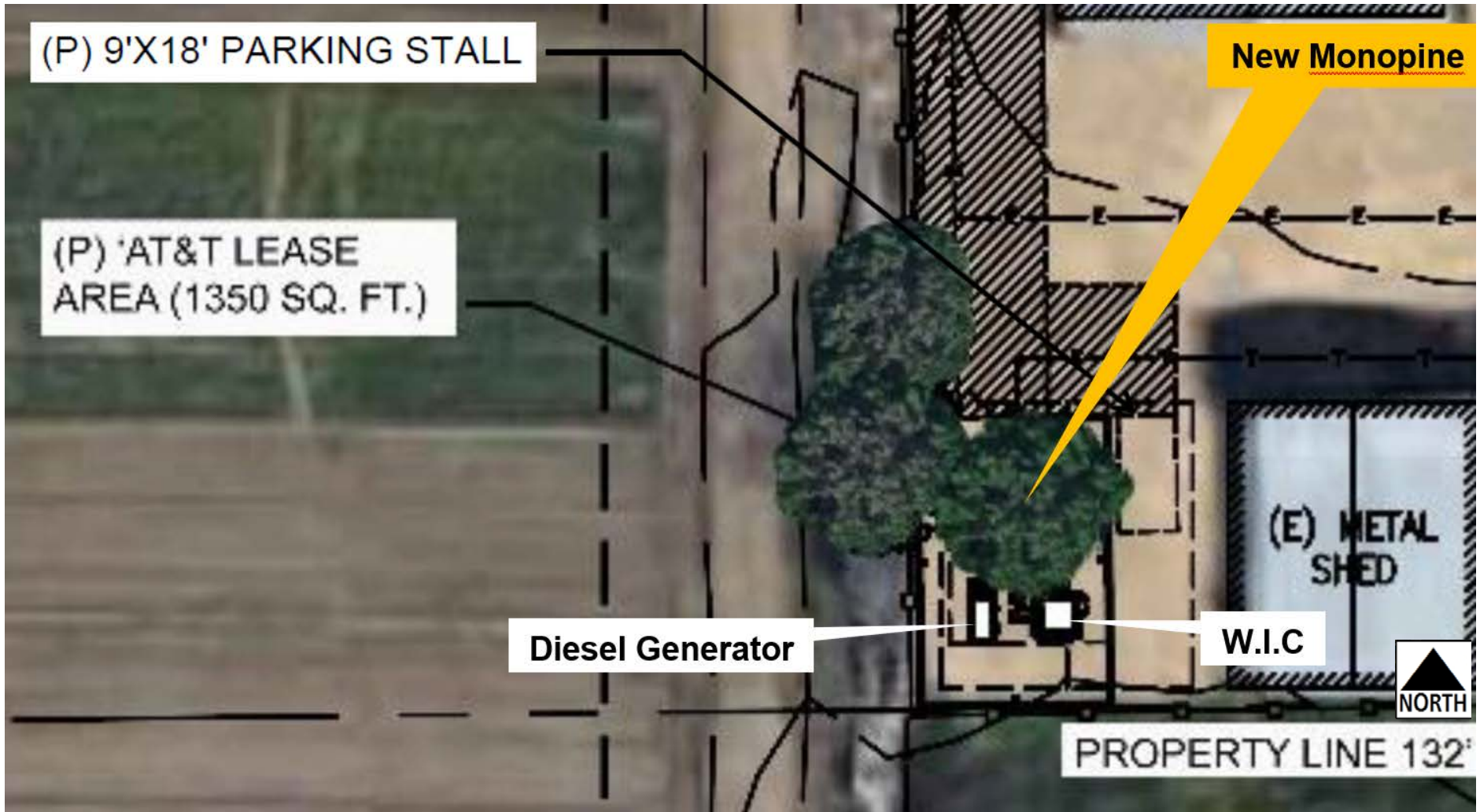


Exhibit D—LANDSCAPE PLAN

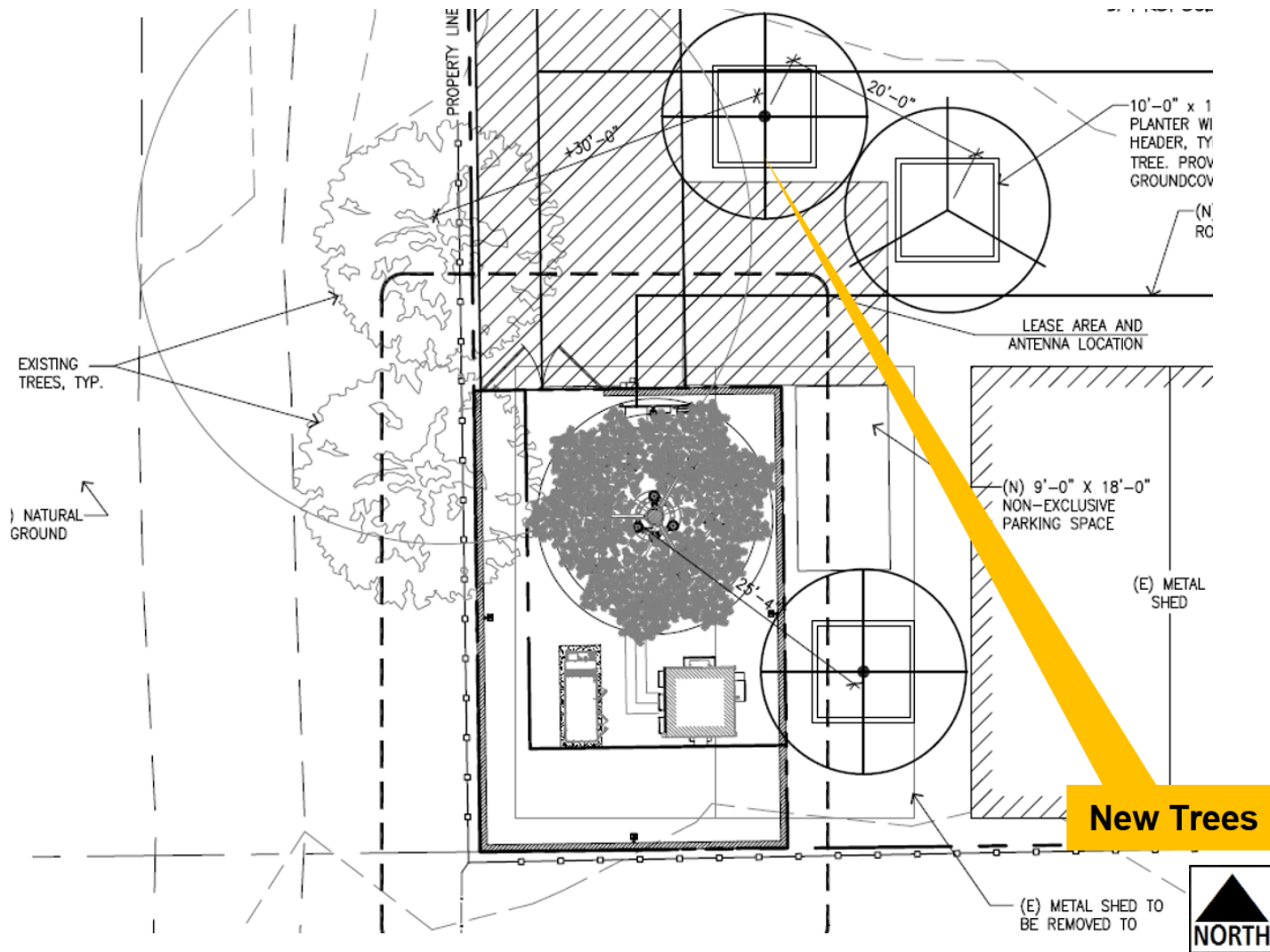
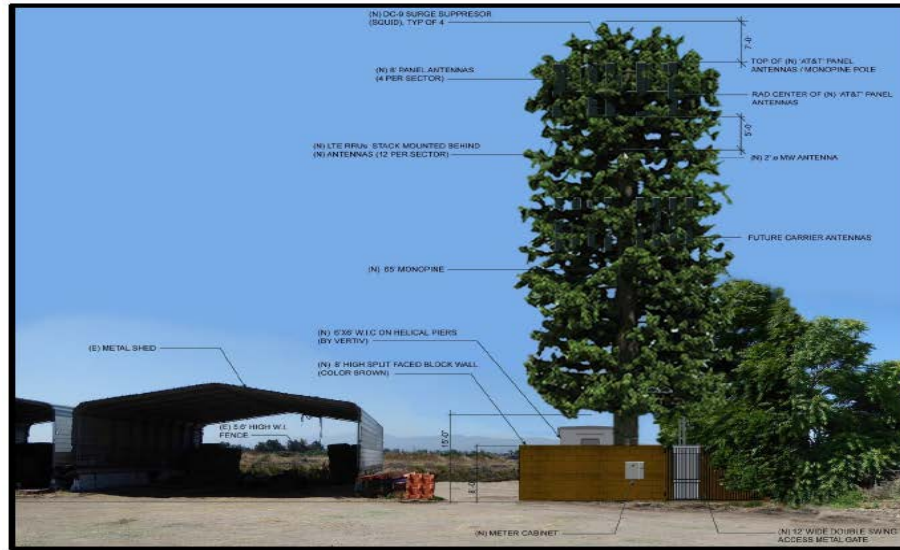


Exhibit E—ELEVATIONS

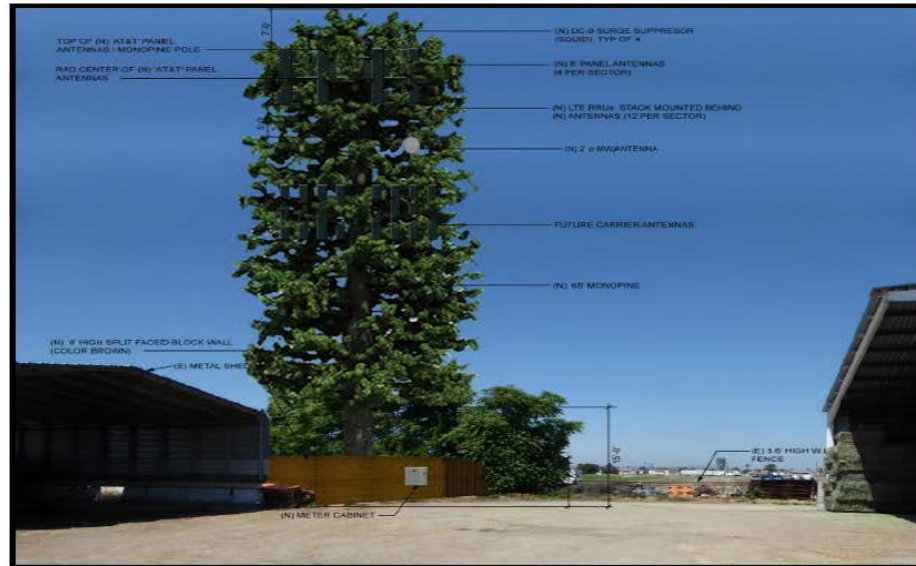


NORTH VIEW



SOUTH VIEW

Exhibit E.1—ELEVATIONS



EAST VIEW



WEST VIEW

Exhibit F—PROPAGATION MAP BEFORE MONOPINE ADDITION

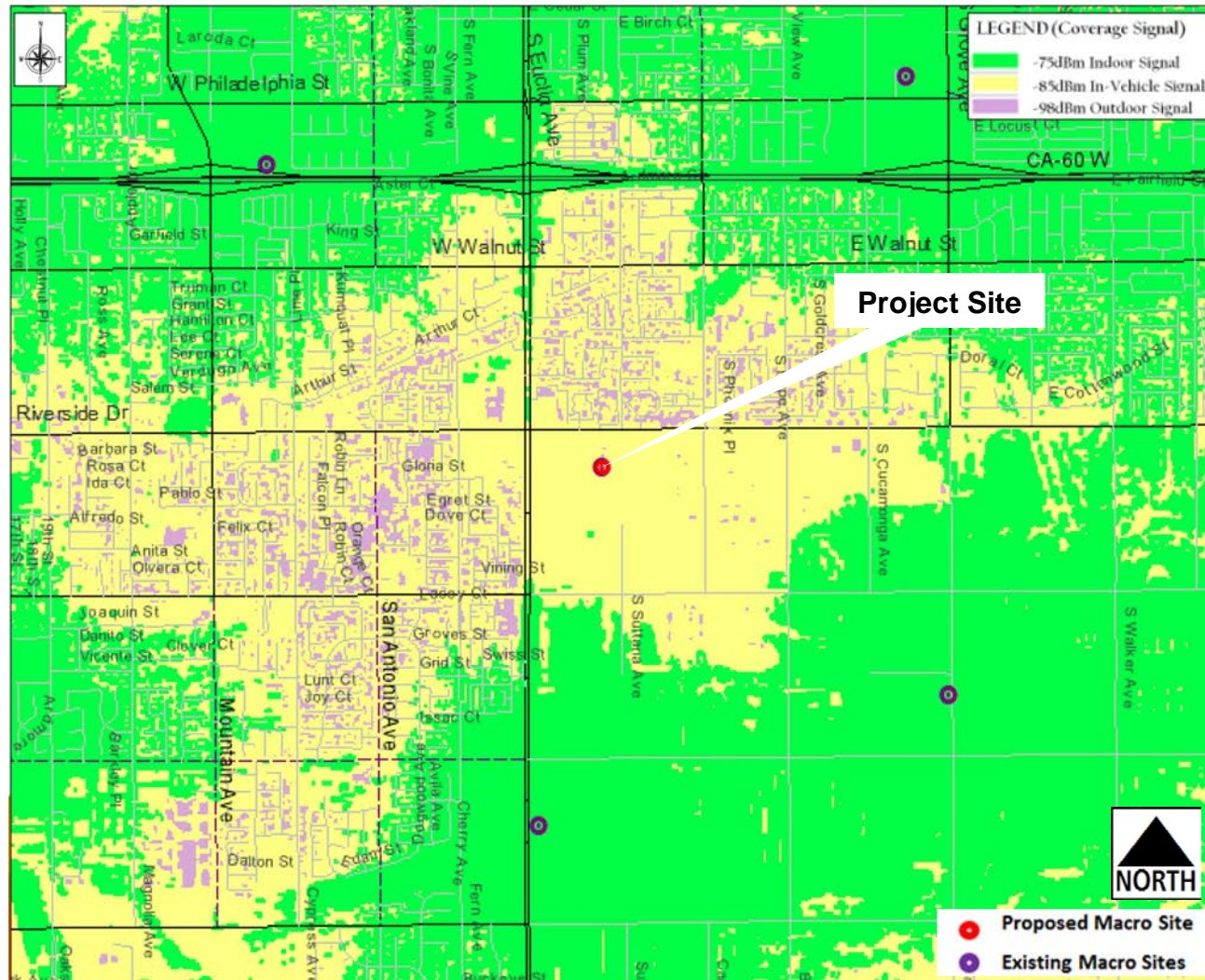
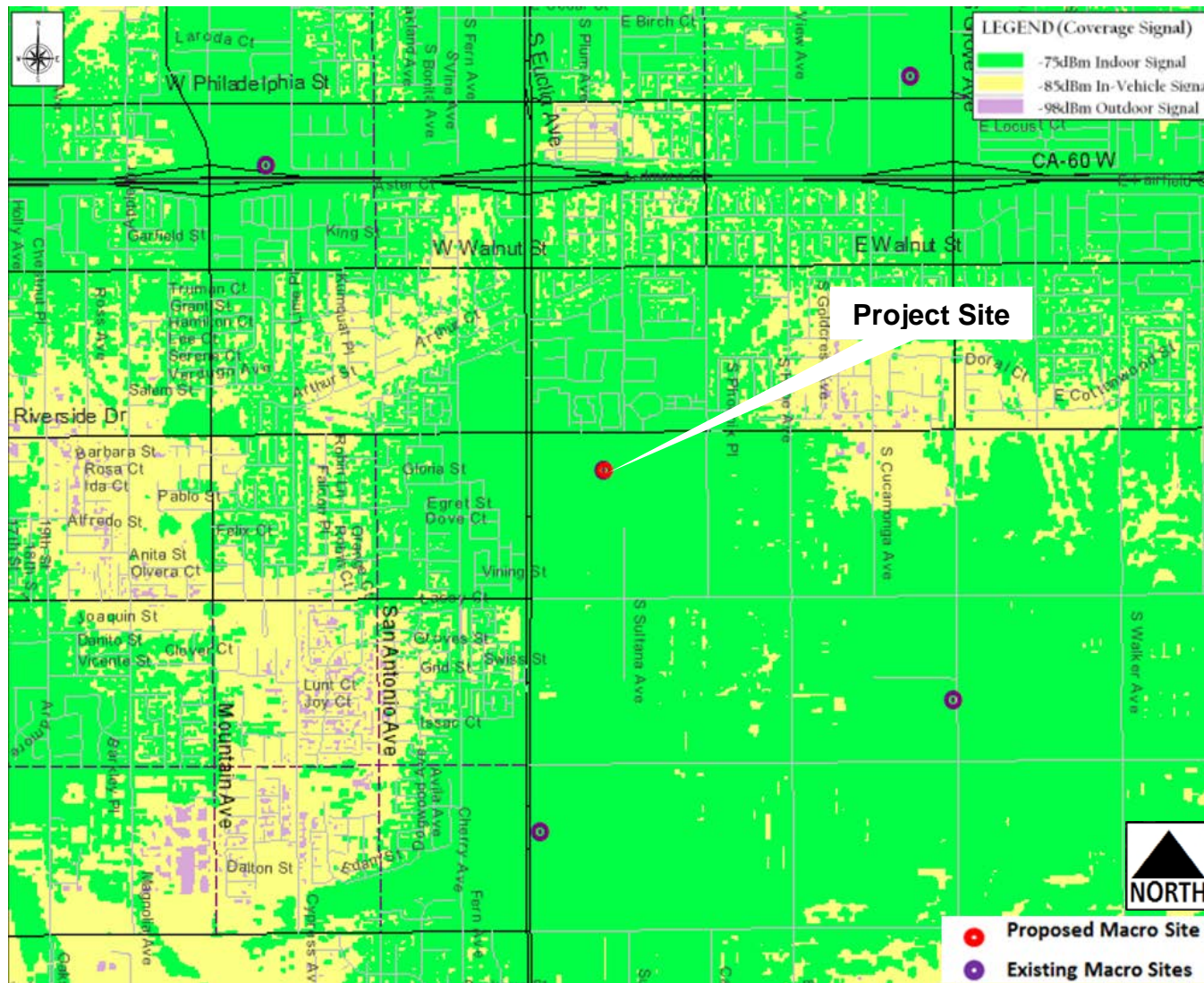


Exhibit G—PROPAGATION MAP (AFTER MONOPINE ADDITION)



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: March 16, 2020

File No: PCUP19-018

Related Files: PDEV19-020

Project Description: A Conditional Use Permit (File No. PCUP19-018) to construct a 65-foot tall stealth wireless telecommunication facility (monopine) on 1.9 acres of land generally located on the south side of Riverside Drive, approximately 180 feet west of Sultana Avenue, at 7247 East Riverside Drive, within the SP(AG) (Specific Plan/Agriculture Overlay) zoning district (APN: 1052-07-05); **submitted by AT&T.**

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

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

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

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

2.1 Time Limits.

(a) Development Plan approval shall become null and void 1 year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

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

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

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

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

2.3 Environmental Review.

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

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

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

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

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

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

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

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

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

2.5 Additional Fees.

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

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

2.6 Additional Requirements.

(a) The monopine shall include heavy, dense foliage. The branch count shall be a minimum of 2.5 branches per foot.

(b) Branches shall be of differing lengths and installed at differing angles to give the tree a natural tapered shape and appearance. Branch density shall be consistent throughout the tree and shall not be concentrated in any one area.

(c) Branches shall extend beyond all antenna arrays a minimum of 2 feet in order to provide sufficient screening. Antennas shall be wrapped in pine foliage.

(d) The simulated bark shall extend the entire length of the pole (truck), or the branch count shall be increased so that the pole is not visible.

(e) Branches and foliage shall extend beyond an antenna array, a minimum of 2 feet horizontally and 7 feet vertically, in order to adequately camouflage the array, and antennas.

(f) All antennas shall be fully concealed within the branches. Furthermore, all wires and connectors shall be fully concealed within the trunk, and all unused ports (for co-location) shall have covers installed.

(g) The existing metal shed located on the southwest corner of the property must be removed, prior to construction of the wireless communication facility.

(h) AT&T Mobility shall obtain and maintain a City Business License.

(i) If the proposed Conditional Use Permit is approved, the telecommunication tower (monopine) shall meet all the Development Code requirements as specified in the Ontario Development Code.

(j) Conditionally permitted uses within the AG (Agricultural Overlay) zoning district are subject to a 5-year time limit through an agreement with the applicant, in order to assess potential impacts from the conditional use upon surrounding land uses. Under such time limit, a time extension application may be filed at least 6-months prior to the end of the 5-year period. Approval of the time extension request shall be based on the continued compatibility of the project with surrounding land uses.



CITY OF ONTARIO

MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

DAB MEETING DATE: March 16th, 2020

PROJECT: PDEV19-020, a Development Plan to construct a 65-foot tall wireless telecommunications facility (Monopine) located on 1.9 acres of land. [Related File: PCUP19-018]

APN: 1052-071-05

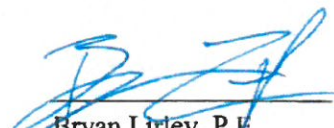
LOCATION: 7247 East Riverside Drive

PROJECT ENGINEER: Antonio Alejos, Assistant Engineer *A.A.* (909) 395-2384

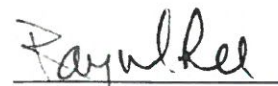
PROJECT PLANNER: Denny Chen, Associate Planner (909) 395-2424

The following items are the Conditions of Approval for the subject project:

1. Prior to issuance of any permits the applicant/developer shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:
2. The applicant/developer shall ensure that there will be adequate parking/work-space onsite to construct and maintain the site in order to prevent parking on, or obstructing the street. All loading and unloading shall occur outside of the public right of way.
3. The applicant/developer shall ensure that the Meter Main Pedestal, 200A Meter and all other appurtenances are installed outside of the ultimate right of way. The Master Plan width of Riverside Drive is 108 feet, the half-width being fifty-four (54) feet from the centerline of Riverside Drive.
4. The applicant/developer shall apply for an Encroachment Permit for any work proposed in the public right-of-way.


Bryan Lirley, P.E.
Principal Engineer

3/5/20
Date



Raymond Lee, P.E.
Assistant City Engineer

3/5/20
Date

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

CONDITIONS OF APPROVAL

Sign Off


Jamie Richardson, Sr. Landscape Planner

2/5/20
Date

Reviewer's Name:
Jamie Richardson, Sr. Landscape Planner

Phone:
(909) 395-2615

D.A.B. File No.:
PDEV-19-020

Case Planner:
Denny Chen

Project Name and Location:

A t & t

7247 East Riverside dr

Applicant/Representative:

Velotera Service, Scott Sutherland

151 Kalmus Dr Ste E220

Costa Mesa, CA 92626

<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (dated 2/5/20) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE

1. After a project's entitlement approval, the applicant shall pay all applicable fees at a rate established by resolution of the City Council. Fees are:

Plan Check—less than 5 acres	\$1,301.00
Inspection—Construction (up to 3 inspections)	<u>\$278.00</u>
Total	\$1,579.00
Inspection—Field - additional.....	\$83.00

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

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: September 09, 2019
SUBJECT: PDEV19-020

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

Conditions of Approval

1. See previous report for Conditions.

KS:lr

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: April 8, 2019
SUBJECT: PDEV19-020

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

Conditions of Approval

1. Standard Conditions of Approval apply.
2. The address for the cell site will be: 420 E Riverside Dr

KS:lm



CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Associate Planner
Planning Department

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

DATE: December 18, 2019

SUBJECT: PDEV19-020 – A Development Plan to construct a 65-FT tall wireless telecommunications facility (Monopine) located on 1.9 acres of land, at 7247 East Riverside Drive, within the Agricultural Specific Plan zoning designation. APN: 1052-071-05. Related File: PCUP19-018.

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply. See Previous report dated 19-04-22 and Note below.

Note: A minimum 20 Ft. drive aisle will be required for Fire Department access throughout the project location.



CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Associate Planner
Planning Department

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

DATE: April 22, 2019

SUBJECT: PDEV19-020 - A Development Plan to construct a 65-FT tall wireless telecommunications facility (Monopine) located on 1.9 acres of land, at 7247 East Riverside Drive, within the Agricultural Specific Plan zoning designation.
APN: 1052-071-05

-
- The plan **does** adequately address the departmental concerns at this time.
- Report below.

CONDITIONS OF APPROVAL:

8. Hand-portable fire extinguishers are required to be installed PRIOR to occupancy. Contact the Bureau of Fire Prevention Bureau during the latter stages of construction to determine the exact number, type and placement required per Ontario Fire Department Standard #C-001. (Available upon request from the Fire Department or on the internet at <http://www.ci.ontario.ca.us/index.cfm/34762>)
9. "No Parking/Fire Lane" signs and /or Red Painted Curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would encroach on the 24-foot clear width requirement per Ontario Fire Department. Install per Ontario Fire Department Standards #B-001 and #B-004. (Available upon request from the Fire Department or on the internet at <http://www.ci.ontario.ca.us/index.cfm/34762>)
10. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Said numbers shall contrast with their background. (See Section 9-1 6.06 Street Naming and Street Address Numbering of the Ontario Municipal Code and Ontario Fire Department Standards #H-003 and #H-002.)

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

28. The developer shall transmit a copy of these requirements to his on-site contractor to foster a mutual understanding between on-site personnel and the Fire Marshal's office. It is highly recommended that the developer and fire protection designer obtain a copy of the Ontario Fire Department Fire Protection System Information Checklist to aid in system design. Development Advisory Board comments are to be included on the construction drawing.

ADDITIONAL COMMENTS:

If the equipment cabinets are to contain any stationary storage battery systems, said systems shall comply with section 608 of the 2016 California Fire Code

For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ci.ontario.ca.us, click on Fire Department and then on forms.



CITY OF ONTARIO MEMORANDUM

TO: Scott Murphy, Development Director
 Cathy Wahlstrom, Planning Director (Copy of memo only)
 Diane Ayala, Advanced Planning Division (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Khoi Do, City Engineer
 Carolyn Bell, Landscape Planning Division
 Ahmed Aly, Municipal Utility Company
 Doug Sorel, Police Department
 Paul Ehrman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, T. E., Traffic/Transportation Manager
 Lorena Mejia, Airport Planning
 Eric Woosley, Engineering/NPDES
 Joe De Sousa, Code Enforcement (Copy of memo only)
 Jimmy Chang, IT Department

FROM: Denny Chen, Associate Planner

DATE: April 04, 2019

SUBJECT: FILE #: PDEV19-020 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Thursday, April 18, 2019**.

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

PROJECT DESCRIPTION: A Development Plan to construct a 65-FT tall wireless telecommunications facility (Monopine) located on 1.9 acres of land, at 7247 East Riverside Drive, within the Agricultural Specific Plan zoning designation.
 APN: 1052-071-05

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

POLICE Department
 DOUGLAS SOREL Signature
 MANAGEMENT ANALYST Title
 4/24/19 Date

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-020
 Address: 7247 East Riverside Drive
 APN: 1052-071-05
 Existing Land Use: Single Family Home and agricultural use (hay storage)
 Proposed Land Use: Development Plan to construct a 65 FT tall wireless monopine
 Site Acreage: 1.9 acres Proposed Structure Height: 65 ft
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Denny Chen
 Date: 7/25/19
 CD No.: 2019-031
 PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

The project applicant is required to file a FAA Form 7460-1 due to potential electronic interference to aircraft in flight and receive a determination of "No Hazard" from FAA prior to building permit issuance.

Airport Planner Signature: _____



Development Advisory Board Decision

MARCH 16, 2020

DECISION NO.:

FILE NO.: PDEV19-020

DESCRIPTION: Development Plan (File No. PDEV19-020) to construct a 65-foot tall stealth wireless telecommunication facility (monopine) on 1.9 acres of land generally located on the south side of Riverside Drive, approximately 180 feet west of Sultana Avenue, at 7247 East Riverside Drive, within the SP(AG) (Specific Plan/Agriculture Overlay) zoning district (APN: 1052-07-05); **submitted by AT&T Mobility.**

Part I—BACKGROUND & ANALYSIS

AT&T MOBILITY, (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PDEV19-020, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 1.9 acres of land located on the south side of Riverside Drive, approximately 180 feet west of Sultana Avenue, at 7247 East Riverside Drive, and is depicted in Exhibit A—Aerial Photograph, attached. The site is currently developed with a single-family dwelling, five pole barns used for the storage of hay and various agricultural equipment, and numerous detached residential accessory structures, including a covered patio, carport, and four-car garage. All existing structures are to remain in place.

Existing land uses, General Plan and zoning designations, and specific plan land uses surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Single Family Residential Home & Accessory Structures (Metal Sheds)	MDR (Medium Density Residential)	AG (Agricultural Overlay)	N/A
<i>North:</i>	Harris Place Apartments	MDR (Medium Density Residential)	MDR-18 (Medium Density Residential, 11.1 to 18 DU/Ac)	N/A
<i>South:</i>	Vacant Land	MDR (Medium Density Residential)	AG (Agricultural Overlay)	N/A
<i>East:</i>	Vacant Land	MDR (Medium Density Residential)	AG (Agricultural Overlay)	N/A
<i>West:</i>	Vacant Land	MDR (Medium Density Residential)	AG (Agricultural Overlay)	N/A

(2) **Project Description:**

(a) Background — On April 1, 2019, the Applicant submitted the subject application in conjunction with a Development Plan (PDEV19-020) to construct and operate a stealth wireless telecommunications facility, with a 65-foot tall antenna that is designed as a pine tree (herein after referred to as “Monopine”), and has been designed for collocation, which will potentially eliminate the need for an additional facility in the area. The proposed location allows the wireless carrier to provide telecommunication coverage to existing residentially zoned properties to the north and to future development within Ontario Ranch (see Exhibit F—Propagation Map Before Monopine Addition and Exhibit G—Propagation Map After Monopine Addition, attached).

(b) Site Design/Layout —The proposed Monopine and related equipment will be located at the southwest corner of the project site, approximately 600 feet behind the single-family home, next to two smaller (see Exhibit B—Site Plan, attached). The tower will measure 65 feet to the top of the antenna array. An additional 7 feet of foliage will be provided above the antenna array, for an overall Monopine height of 72 feet (see Exhibit E—Elevations, attached).

Along with the Monopine, the facility will include a 1,350-square foot equipment lease area, which will house the Monopine and the tower's operating equipment. The lease area will be enclosed by an eight-foot tall, decorative split-face block wall (see Exhibit C—Enlarged Project Area, attached).

(c) Site Access/Circulation — Access to the project site is taken from Riverside Drive and includes a 24-foot wide access road that meanders through the property and ends at the southwest corner of the site, where the wireless facility will be located (see Exhibit B—Site Plan, attached). In accordance with Fire Department requirements, the access road will be constructed of a hard packed, all weather drivable surface.

(d) Parking — According to the Development Code, the project must provide one parking space designated for service vehicle parking, which will be provided on the east side of the wireless telecommunications facility lease area. (see Exhibit C—Enlarged Project Area, attached). The new wireless facility will not create significant traffic, as service vehicles will visit the facility only once or twice per month.

(e) Architecture — The proposed project has a stealth design that is consistent with the design guidelines set forth in the Ontario Development Code and will blend in with the surrounding scenery. The Monopine facility will be constructed at the southwest corner of the site, which is surrounded by existing trees and is situated behind existing structures, making it less visible to the public. In addition, conditions of approval have been placed on the project addressing foliage and branch design and density, to assure that the project will blend with the surrounding environment.

(f) Landscaping — The project proposes the installation of new landscaping adjacent to the equipment enclosure, which consists of three 36-inch box trees, including two Canary Island Pine trees and one Coast Live Oak tree. In addition, two existing trees are located on the side of the Monopine and will remain in place.

(g) Time Limit — Wireless telecommunications facilities proposed within the AG (Agricultural Overlay) zoning district requires Conditional Use Permit approval that is subject to a 5-year time limit, in order to properly assess the compatibility of the proposed use with existing and future surrounding land uses. Under the time limit, a time extension application must be filed prior to the end of the 5-year period, at which time the approval of the time extension request would be based on the continued compatibility of the approved use with surrounding land uses.

Part II—RECITALS

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

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

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

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

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

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

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

WHEREAS, on March 16, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

Part III—THE DECISION

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

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

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA guidelines, which consists of projects characterized as infill development, and meets the following conditions:

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

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

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

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

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

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

(1) **The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.** The proposed Project is located within the MDR (Medium Density Residential) land use district of the Policy Plan Land Use Map, and the SP(AG) (Specific Plan/Agriculture Overlay) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed wireless telecommunication facility will provide infrastructure compatibility and will be aesthetically pleasing and in context with the community character (LU2-6). Furthermore, the proposed development is consistent with City Council goals, such as: invest in the growth and evolution of the City's Economy, maintain the

current high level of public safety, and focus resources in Ontario's commercial and residential neighborhoods; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the SP(AG) (Specific Plan/Agriculture Overlay) zoning district including standards relative to the particular land use proposed (wireless telecommunications facility), as-well-as structure and parking setbacks, facility height, number of off-street parking spaces, landscaping, and fences, walls and obstructions. In addition, the proposed wireless facility will be located toward the southwest corner of the property, over 600 feet away from the existing on-site single-family home and over 700 feet away from the nearest residential property. Furthermore, the wireless facility will be surrounded by five trees, consisting of two existing trees, two Pine Trees and one Live Oak tree, which will further screen the facility from public view; and

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

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the SP(AG) (Specific Plan/Agriculture Overlay) zoning district that are applicable to the proposed Project, including those related to minimum setbacks and separations, height, off-street parking, landscaping, and fences and walls. As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the SP(AG) (Specific Plan/Agriculture Overlay) zoning district (Development Code Section 6.01.035.C.1 (AG (Agricultural Overlay District))), as-well-as those development and design standards specifically applicable to wireless telecommunications facilities (Development Code Section 5.03.420 (Wireless Telecommunications Facilities)).

SECTION 5: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

SECTION 7: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 16TH day of March 2020.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—SITE PLAN

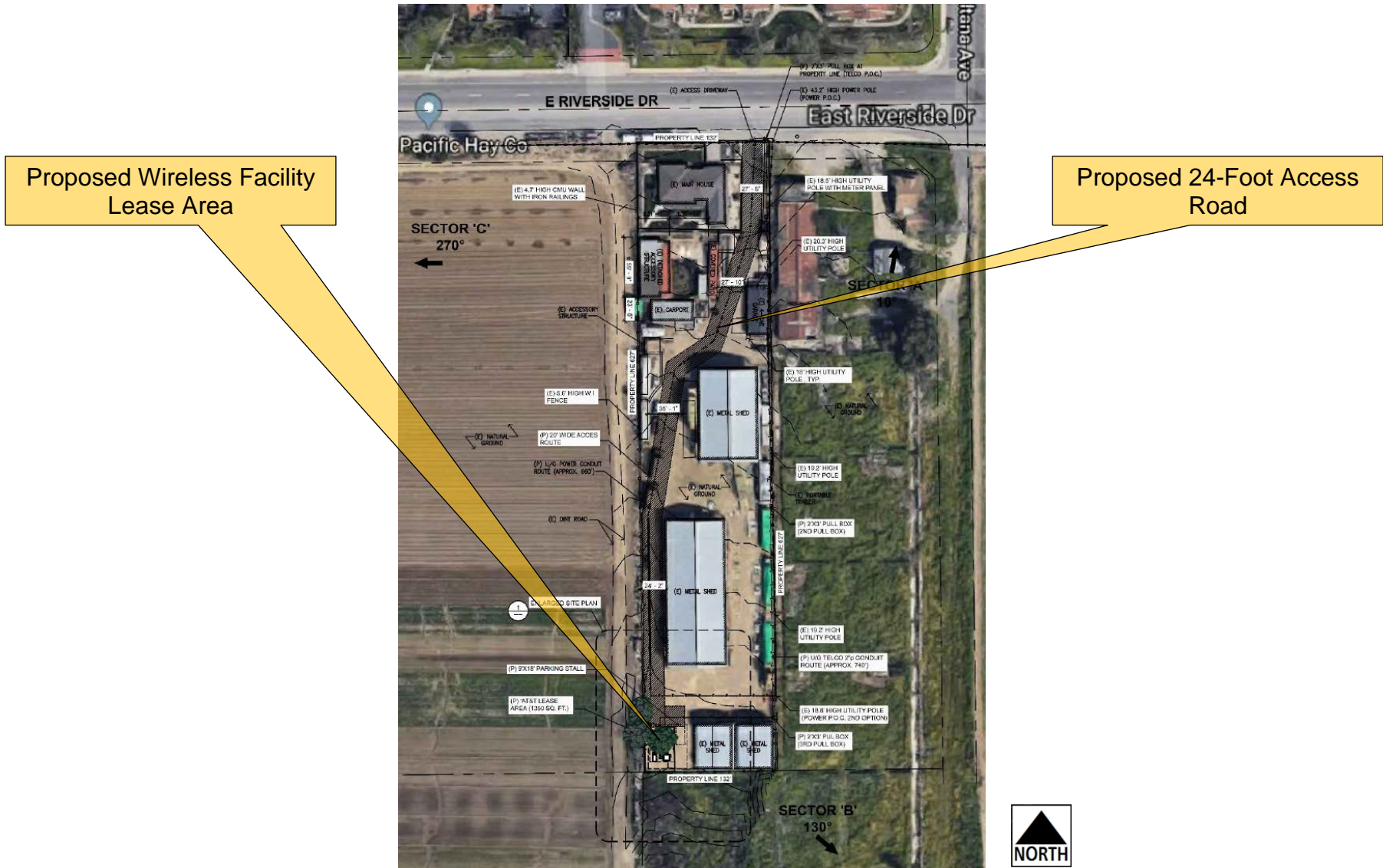


Exhibit C—ENLARGED PROJECT AREA

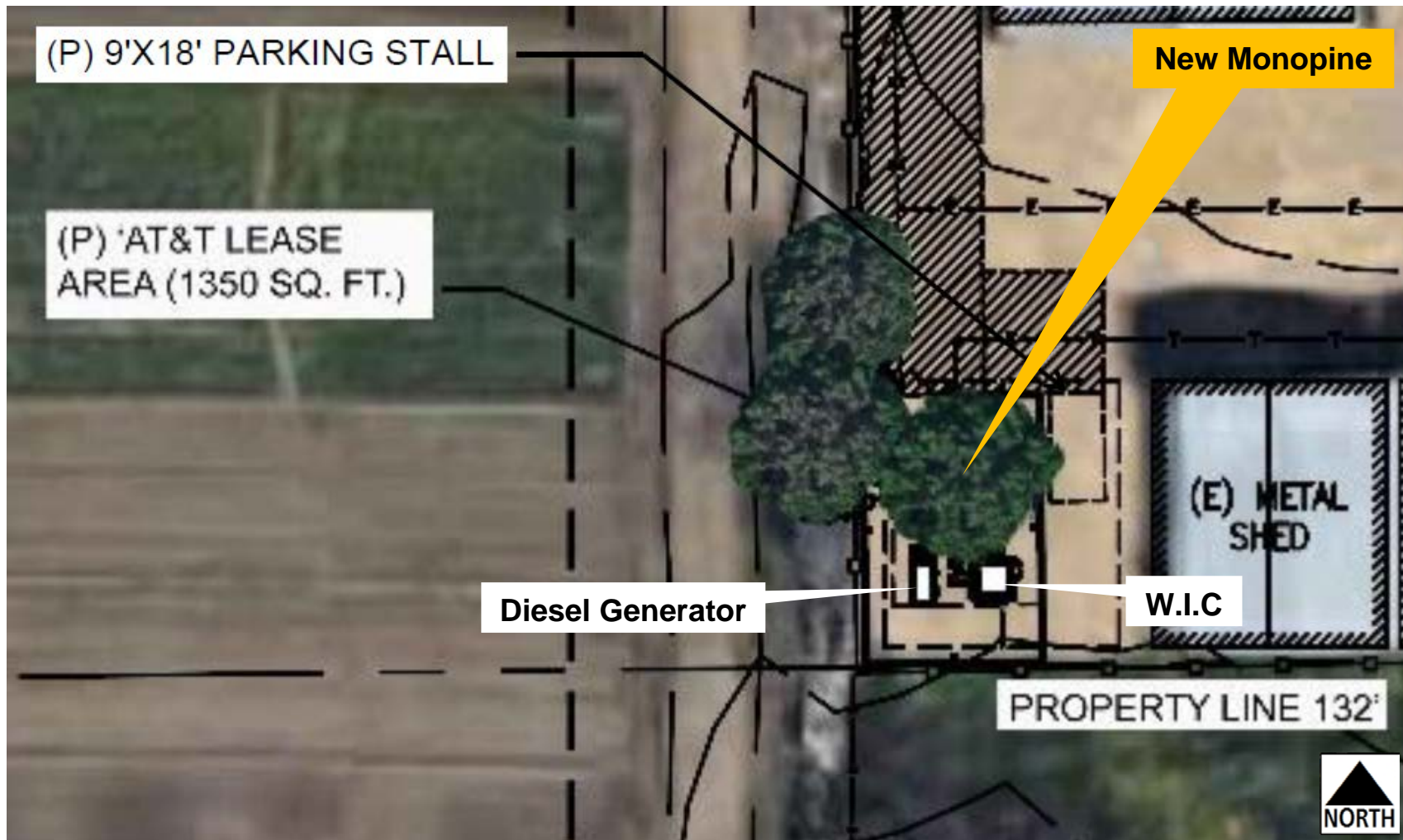


Exhibit D—LANDSCAPE PLAN

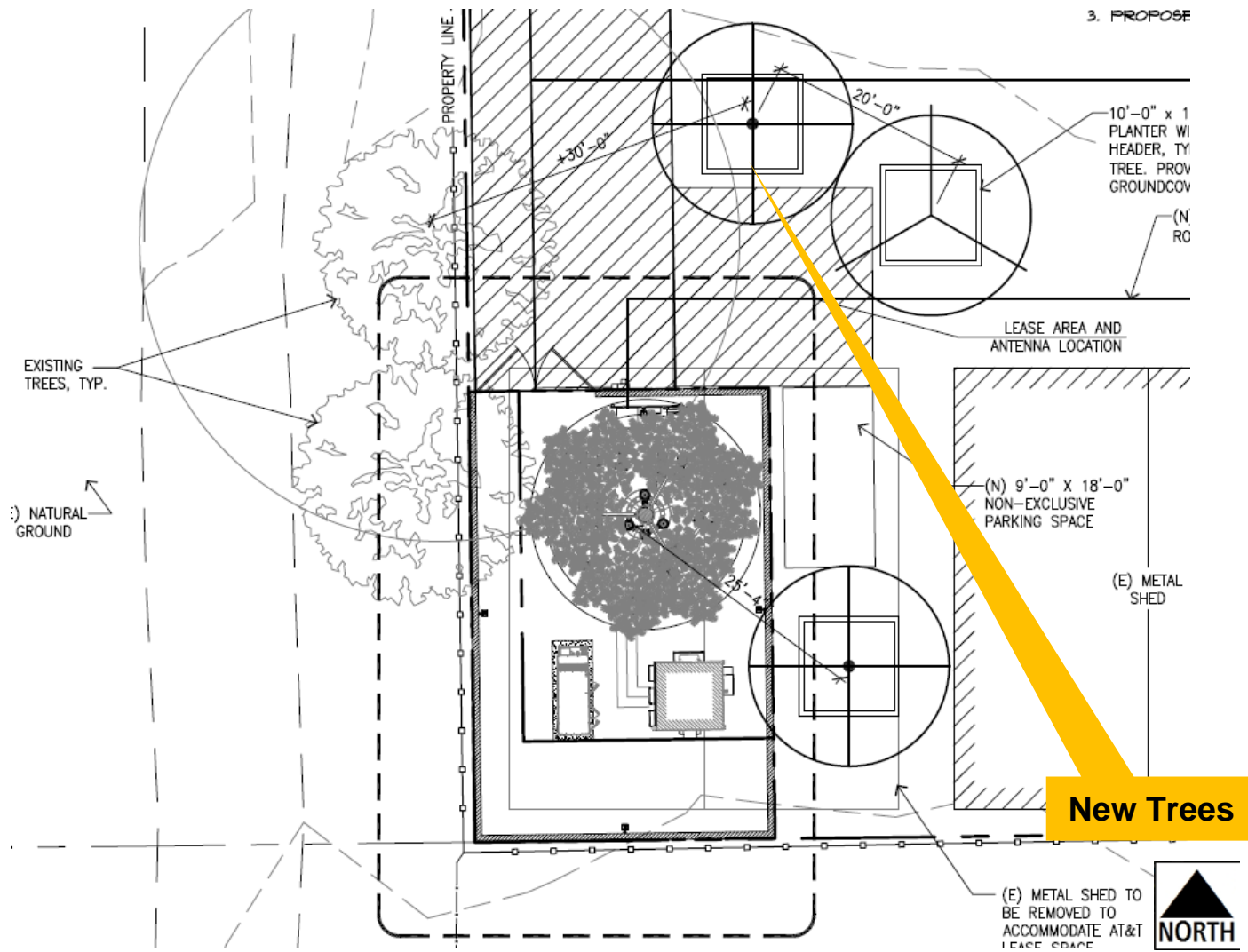
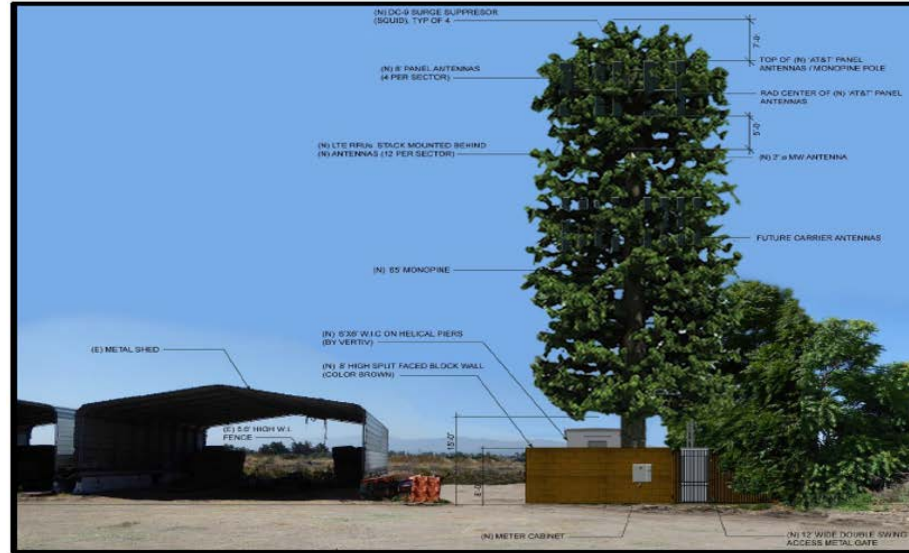


Exhibit E—ELEVATIONS

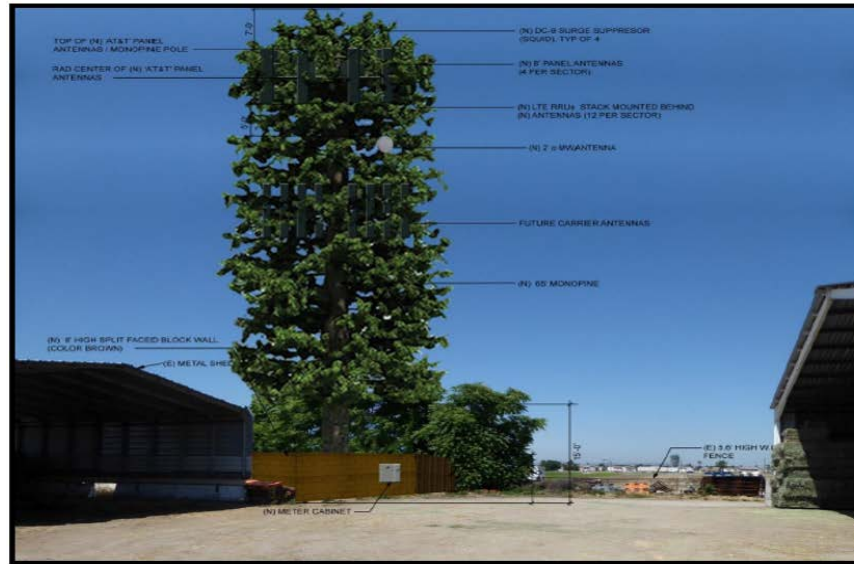


NORTH VIEW



SOUTH VIEW

Exhibit E.1—ELEVATIONS



EAST VIEW



WEST VIEW

Exhibit F—PROPAGATION MAP BEFORE MONOPINE ADDITION

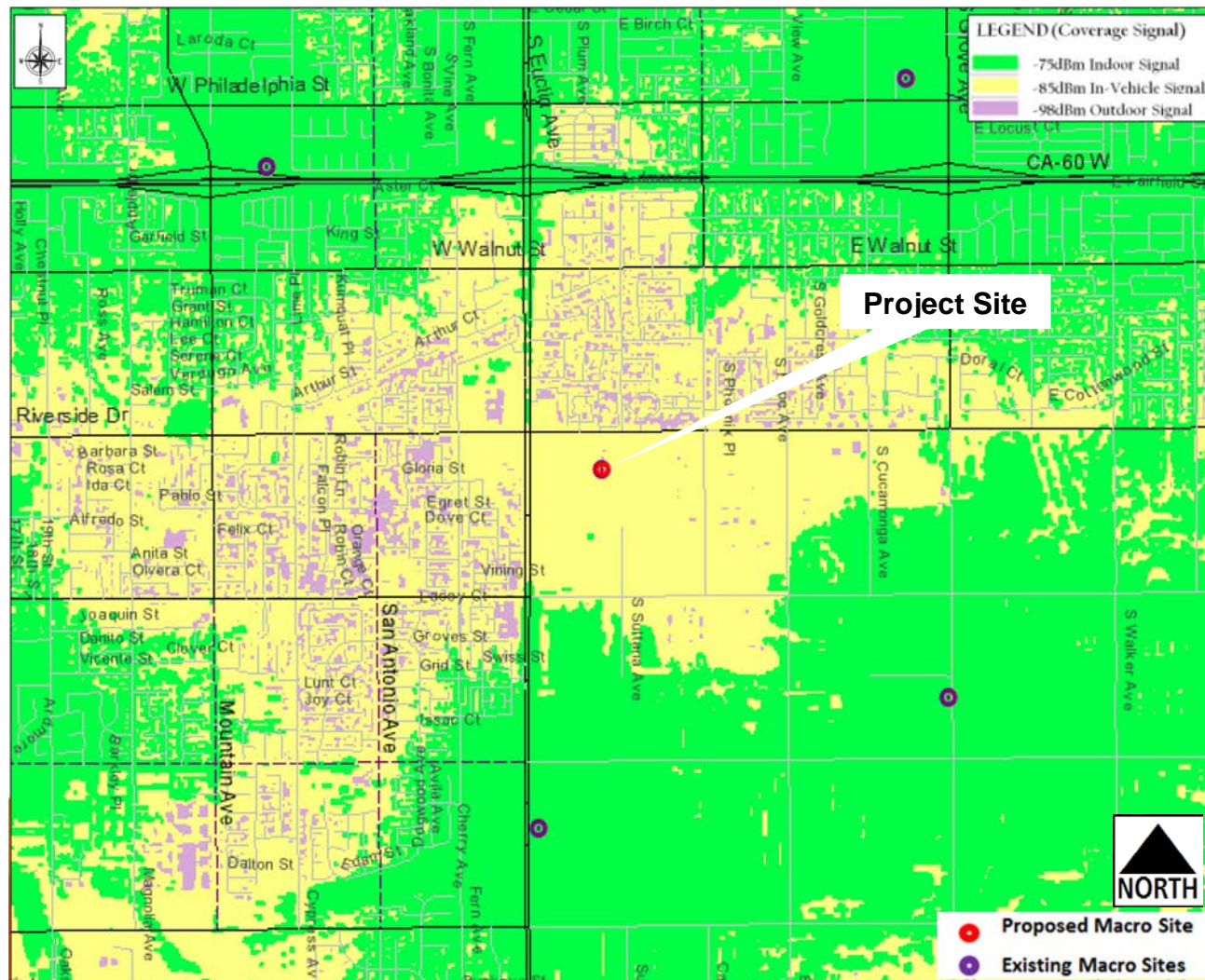
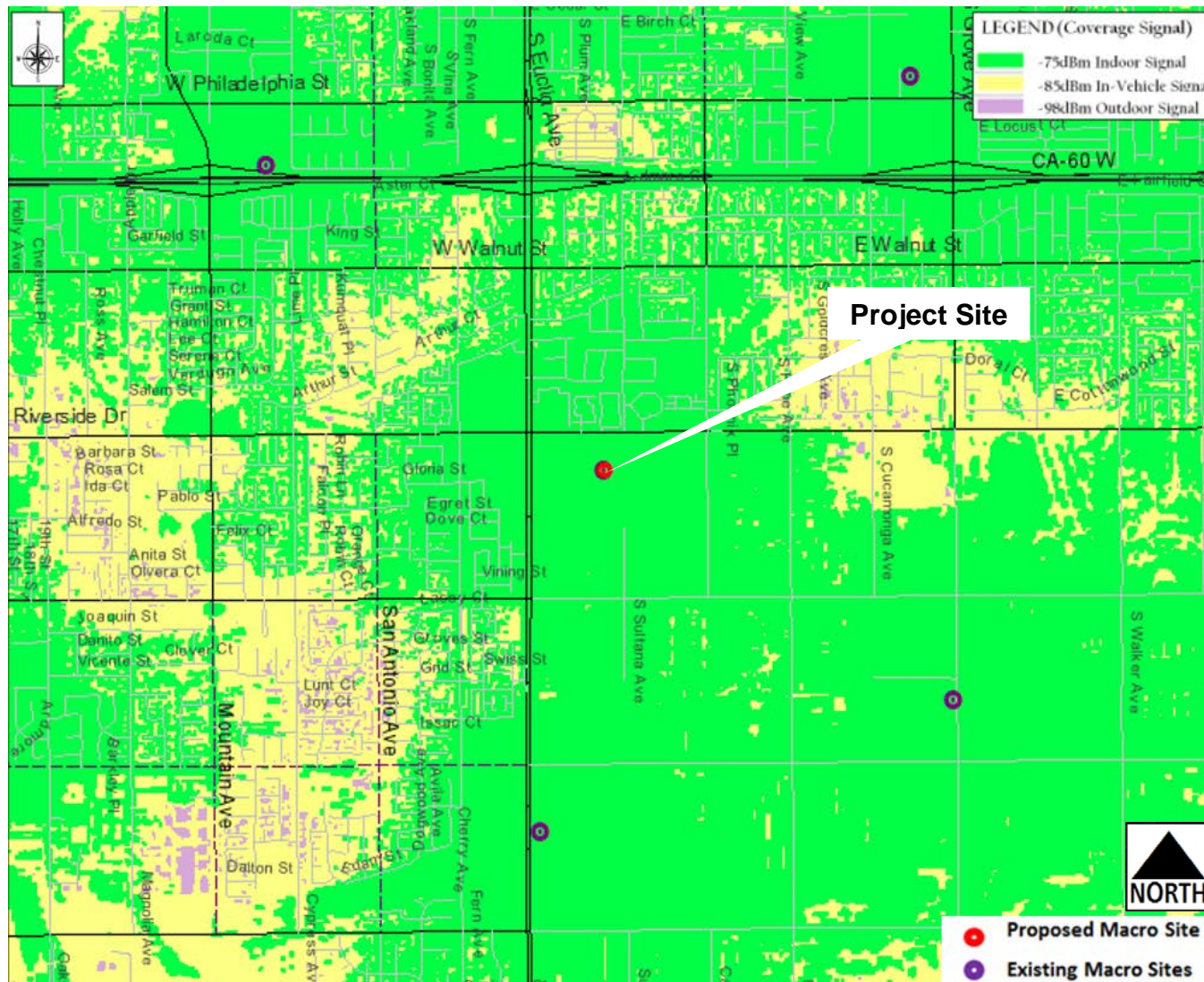


Exhibit G—PROPAGATION MAP AFTER MONOPINE ADDITION



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: March 16, 2020
File No: PDEV19-020
Related Files: PCUP19-018

Project Description: A Development Plan (File No. PDEV19-020) to construct a 65-foot tall stealth wireless telecommunication facility (monopine) on 1.9 acres of land generally located on the south side of Riverside Drive, approximately 180 feet west of Sultana Avenue, at 7247 East Riverside Drive, within the SP(AG) (Specific Plan/Agriculture Overlay) zoning district (APN: 1052-07-05); **submitted by AT&T.**

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

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

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

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

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

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

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

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

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

2.3 Landscaping.

(a) Comply with the conditions of approval of the Landscape Planning Division.

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

2.5 Parking, Circulation and Access.

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

(b) One parking space must be designated for the project.

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

(a) An informational sign (measuring 2 feet x 2 feet), which includes carrier(s) information and emergency contact number shall be installed outside the facility enclosure. The specific sign size and location specifications shall be consistent with the requirements of the Federal Communications Commission (FCC).

2.7 Environmental Review.

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

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

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

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

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

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

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

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

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

2.9 Additional Fees.

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

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

2.10 Additional Requirements.

(a) The monopine shall include heavy, dense foliage. The branch count shall be a minimum of 2.5 branches per foot.

(b) Branches shall be of differing lengths and installed at differing angles to give the tree a natural tapered shape and appearance. Branch density shall be consistent throughout the tree and shall not be concentrated in any one area.

(c) Branches shall extend beyond all antenna arrays a minimum of 2 feet in order to provide sufficient screening. Antennas shall be wrapped in pine foliage.

(d) The simulated bark shall extend the entire length of the pole (truck), or the branch count shall be increased so that the pole is not visible.

(e) Branches and foliage shall extend beyond an antenna array, a minimum of 2 feet horizontally and 7 feet vertically, in order to adequately camouflage the array, and antennas.

(f) All antennas shall be fully concealed within the branches. Furthermore, all wires and connectors shall be fully concealed within the trunk, and all unused ports (for co-location) shall have covers installed.

(g) The existing metal shed located on the southwest corner of the property must be removed, prior to construction of the wireless communication facility.

(h) AT&T Mobility shall obtain and maintain a City Business License.

(i) A final site inspection shall be required prior to Building Department's final occupancy.

(j) The applicant shall work with staff, during the plan check process, to ensure that the final monopine design is consistent with a natural tapered pine tree's shape and appearance.



CITY OF ONTARIO

MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

DAB MEETING DATE: March 16th, 2020

PROJECT: PDEV19-020, a Development Plan to construct a 65-foot tall wireless telecommunications facility (Monopine) located on 1.9 acres of land. [Related File: PCUP19-018]

APN: 1052-071-05

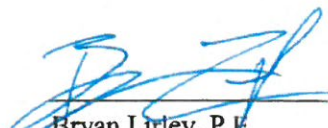
LOCATION: 7247 East Riverside Drive

PROJECT ENGINEER: Antonio Alejos, Assistant Engineer *A.A.* (909) 395-2384

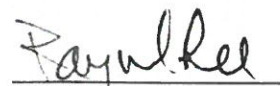
PROJECT PLANNER: Denny Chen, Associate Planner (909) 395-2424

The following items are the Conditions of Approval for the subject project:

1. Prior to issuance of any permits the applicant/developer shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:
2. The applicant/developer shall ensure that there will be adequate parking/work-space onsite to construct and maintain the site in order to prevent parking on, or obstructing the street. All loading and unloading shall occur outside of the public right of way.
3. The applicant/developer shall ensure that the Meter Main Pedestal, 200A Meter and all other appurtenances are installed outside of the ultimate right of way. The Master Plan width of Riverside Drive is 108 feet, the half-width being fifty-four (54) feet from the centerline of Riverside Drive.
4. The applicant/developer shall apply for an Encroachment Permit for any work proposed in the public right-of-way.


Bryan Lirley, P.E.
Principal Engineer

3/5/20
Date



Raymond Lee, P.E.
Assistant City Engineer

3/5/20.
Date

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

CONDITIONS OF APPROVAL

Sign Off


Jamie Richardson, Sr. Landscape Planner

2/5/20
Date

Reviewer's Name:
Jamie Richardson, Sr. Landscape Planner

Phone:
(909) 395-2615

D.A.B. File No.:
PDEV-19-020

Case Planner:
Denny Chen

Project Name and Location:
A t & t
7247 East Riverside dr
Applicant/Representative:
Velotera Service, Scott Sutherland
151 Kalmus Dr Ste E220
Costa Mesa, CA 92626

- | | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | A Preliminary Landscape Plan (dated 2/5/20) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents. |
| <input type="checkbox"/> | A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval. |

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE

- After a project's entitlement approval, the applicant shall pay all applicable fees at a rate established by resolution of the City Council. Fees are:

Plan Check—less than 5 acres	\$1,301.00
Inspection—Construction (up to 3 inspections)	<u>\$278.00</u>
Total	\$1,579.00
Inspection—Field - additional.....	\$83.00

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

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: September 09, 2019
SUBJECT: PDEV19-020

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

Conditions of Approval

1. See previous report for Conditions.

KS:lr

CITY OF ONTARIO MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: April 8, 2019
SUBJECT: PDEV19-020

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

Conditions of Approval

1. Standard Conditions of Approval apply.
2. The address for the cell site will be: 420 E Riverside Dr

KS:lm



CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Associate Planner
Planning Department

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

DATE: December 18, 2019

SUBJECT: PDEV19-020 – A Development Plan to construct a 65-FT tall wireless telecommunications facility (Monopine) located on 1.9 acres of land, at 7247 East Riverside Drive, within the Agricultural Specific Plan zoning designation. APN: 1052-071-05. Related File: PCUP19-018.

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply. See Previous report dated 19-04-22 and Note below.

Note: A minimum 20 Ft. drive aisle will be required for Fire Department access throughout the project location.



CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Associate Planner
Planning Department

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

DATE: April 22, 2019

SUBJECT: PDEV19-020 - A Development Plan to construct a 65-FT tall wireless telecommunications facility (Monopine) located on 1.9 acres of land, at 7247 East Riverside Drive, within the Agricultural Specific Plan zoning designation.
APN: 1052-071-05

-
- The plan **does** adequately address the departmental concerns at this time.
- Report below.

CONDITIONS OF APPROVAL:

8. Hand-portable fire extinguishers are required to be installed PRIOR to occupancy. Contact the Bureau of Fire Prevention Bureau during the latter stages of construction to determine the exact number, type and placement required per Ontario Fire Department Standard #C-001. (Available upon request from the Fire Department or on the internet at <http://www.ci.ontario.ca.us/index.cfm/34762>)
9. "No Parking/Fire Lane" signs and /or Red Painted Curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would encroach on the 24-foot clear width requirement per Ontario Fire Department. Install per Ontario Fire Department Standards #B-001 and #B-004. (Available upon request from the Fire Department or on the internet at <http://www.ci.ontario.ca.us/index.cfm/34762>)
10. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Said numbers shall contrast with their background. (See Section 9-1 6.06 Street Naming and Street Address Numbering of the Ontario Municipal Code and Ontario Fire Department Standards #H-003 and #H-002.)

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

28. The developer shall transmit a copy of these requirements to his on-site contractor to foster a mutual understanding between on-site personnel and the Fire Marshal's office. It is highly recommended that the developer and fire protection designer obtain a copy of the Ontario Fire Department Fire Protection System Information Checklist to aid in system design. Development Advisory Board comments are to be included on the construction drawing.

ADDITIONAL COMMENTS:

If the equipment cabinets are to contain any stationary storage battery systems, said systems shall comply with section 608 of the 2016 California Fire Code

For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ci.ontario.ca.us, click on Fire Department and then on forms.



CITY OF ONTARIO
MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Carolyn Bell, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Denny Chen, Associate Planner

DATE: April 04, 2019

SUBJECT: FILE #: PDEV19-020 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Thursday, April 18, 2019**.

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

PROJECT DESCRIPTION: A Development Plan to construct a 65-FT tall wireless telecommunications facility (Monopine) located on 1.9 acres of land, at 7247 East Riverside Drive, within the Agricultural Specific Plan zoning designation.
APN: 1052-071-05

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

POLICE Department DOUGLAS SOREL Signature MUNICIPAL ANALYST Title 4/24/19 Date

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-020
 Address: 7247 East Riverside Drive
 APN: 1052-071-05
 Existing Land Use: Single Family Home and agricultural use (hay storage)
 Proposed Land Use: Development Plan to construct a 65 FT tall wireless monopine
 Site Acreage: 1.9 acres Proposed Structure Height: 65 ft
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Denny Chen
 Date: 7/25/19
 CD No.: 2019-031
 PALU No.: n/a

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

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

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

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

CONSISTENCY DETERMINATION

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

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

The project applicant is required to file a FAA Form 7460-1 due to potential electronic interference to aircraft in flight and receive a determination of "No Hazard" from FAA prior to building permit issuance.

Airport Planner Signature: 



Development Advisory Board Decision

March 16, 2020

DECISION NO.: [insert #]

FILE NO.: PDEV19-056

DESCRIPTION: A Development Plan to construct one industrial building totaling 71,800 square feet on 3 acres of land located on the west side of Milliken Avenue, approximately 300 feet north of Greystone Drive, within the Light Industrial land use district of the Bridgestone/Firestone Industrial Park Specific Plan; (APN: 1083-351-09); **submitted by David L. Ball.**

Part I—BACKGROUND & ANALYSIS

DAVID L. BALL, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV19-056, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of 3 acres of land located on the west side of Milliken Avenue, approximately 300 feet north of Greystone Drive, and is depicted in Exhibit A—Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	Industrial	Bridgestone/Firestone Industrial Park Specific Plan	Light Industrial
<i>North:</i>	Industrial Warehouse	Industrial	Bridgestone/Firestone Industrial Park Specific Plan	Light Industrial
<i>South:</i>	DSF Conservation Habitat	Industrial	Milliken Industrial Park Specific Plan	Commercial
<i>East:</i>	Industrial	City of Eastvale: Light Industrial	City of Eastvale: M-M (Manufacturing Medium)	N/A
<i>West:</i>	Industrial Warehouse	Industrial	Bridgestone/Firestone Industrial Park Specific Plan	Light Industrial

(2) **Project Description:**

(a) **Site Design/Building Layout** — Proposed, is the construction of a 71,850-square foot industrial building, having a floor area ratio (FAR) of 0.55. The rectangular building is located along the southern portion of the site, with the office entry located at the northeast corner of the building, oriented to the east, facing Milliken Avenue. The building is setback 35 feet from the east (Milliken Avenue) property line, approximately 80 feet from the north property line, 6 feet from the west property line, and 6 feet from the south property line. The Development Plan is being processed in conjunction with a Variance (File No. PVAR19-007) to reduce the required building side yard setback from 25 feet to 6 feet. The Project will provide parking along the northern and western portions of the site (see Exhibit B—Site Plan, attached).

A yard area, designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging, is located at the northwest corner of the site, north of the proposed building, out of view from Milliken

Avenue. The yard area will also be screened from view by the building and an 8-foot high concrete tilt-up wall that will match the architecture of the building.

(b) Site Access/Circulation — The Project has one vehicular access from Milliken Avenue, located at the northeast corner of the site, via a 35-foot wide driveway that will be shared by both standard vehicles and tractor-trailers accessing the yard area and parking lot.

(c) Parking — The Project has provided off-street parking pursuant to the “Warehouse and Distribution” parking standards specified in the Development Code. The industrial building requires a total of 46 off-street parking spaces and 57 spaces have been provided. In addition, a minimum of one tractor-trailer parking space for each 4 dock-high loading spaces is required to be provided. There are 9 dock-high loading doors proposed, requiring 2 tractor-trailer parking spaces, which have been provided.

(d) Architecture — The proposed industrial warehouse building will be of concrete tilt-up construction. Architecturally, the building incorporates smooth-painted concrete, horizontal and vertical reveals, color blocking, clerestory windows with clear anodized aluminum mullions and blue glazing, and steel canopies over the main office entries, and first and second story windows (see Exhibit C—Elevations, attached). The mechanical equipment for the building will be roof-mounted and obscured from public view by the parapet walls and, if necessary, equipment screens, which will incorporate design features consistent with the building architecture. Staff believes that the proposed Project illustrates the type of high-quality architecture promoted by the Bridgestone/Firestone Specific Plan and the Development Code. This is exemplified through the use of the following:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas
- Articulation in the building parapet/roof line, which serves to accentuate the building’s entries and breaks up large expanses of building wall
- A mix of exterior materials, finishes and fixtures
- Incorporation of base and top treatments defined by changes in color, materials, and recessed wall areas
- Design features that ensure that the building’s massing and proportion, along with its colors and architectural detailing, are consistent throughout all four building elevations

(e) Landscaping — The Project provides landscaping along Milliken Avenue, throughout the parking lot, and along the western and southern property lines. The Bridgestone/Firestone Specific Plan does not have a minimum landscape percentage requirement; however, the Project is providing 12 percent landscape coverage, which is greater than the minimum 10 percent landscape coverage required by the Development Code for Industrial zoning districts. Moreover, a combination of 24-inch and 48-inch box accent and shade trees will be provided throughout the Project site, in addition to a variety of shrubs and groundcovers that are low water usage and drought tolerant. The proposed on-site and off-site landscape improvements will assist towards creating a walkable, safe area for pedestrians to access the Project site (see Exhibit D—Landscape Plan, attached).

(f) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the Project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes the Project’s compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes that on-site run-off will be collected by a catch basin and conveyed to an underground infiltration system located within the northwest quadrant of the site. Any overflow drainage will be conveyed to a 12-inch storm drain located west of the Project site.

Part II—RECITALS

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

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

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

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

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

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

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

WHEREAS, on March 16, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, the Development Plan application was submitted for concurrent processing with a Variance application (File No. PVAR19-007) and the grant of Development Plan approval by the Approving Authority is contingent upon the grant of Variance approval by the Approving Authority; and

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

Part III—THE DECISION

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

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

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits and the area being developed is 3 acres less than the five-acre threshold and is substantially surrounded by urban land uses. Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Also, the site is adequately served by all required utilities and public services. The Ontario Plan EIR (Areas of Potential Occurrence of Sensitive Species Map) identified the project site as potential habitat for the Delhi Sands Flower-loving Fly. However, a three years of protocol focused surveys, in accordance with U.S. Fish & Wildlife requirements, was conducted over the subject site to assess the presence or absence of Delhi Sands Flower-Loving Fly (DSF). The protocol surveys did not observe DSF during their flight period (August through September). The surveys determined the Project site has no value as habitat for the DSF or any other endangered, rare or threatened species.

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

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

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

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

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Industrial land use district of the Policy Plan Land Use Map, and the Light Industrial land use district of the Bridgestone/Firestone

Industrial Park Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

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

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

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Bridgestone/Firestone Industrial Park Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (Industrial Warehouse). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Bridgestone/Firestone Industrial Park Specific Plan, upon the approval of a Variance request, File No. PVAR19-007, which is being reviewed and acted on concurrent with the proposed Development Plan.

SECTION 5: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

SECTION 7: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 16th day of March 2020.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—SITE PLAN

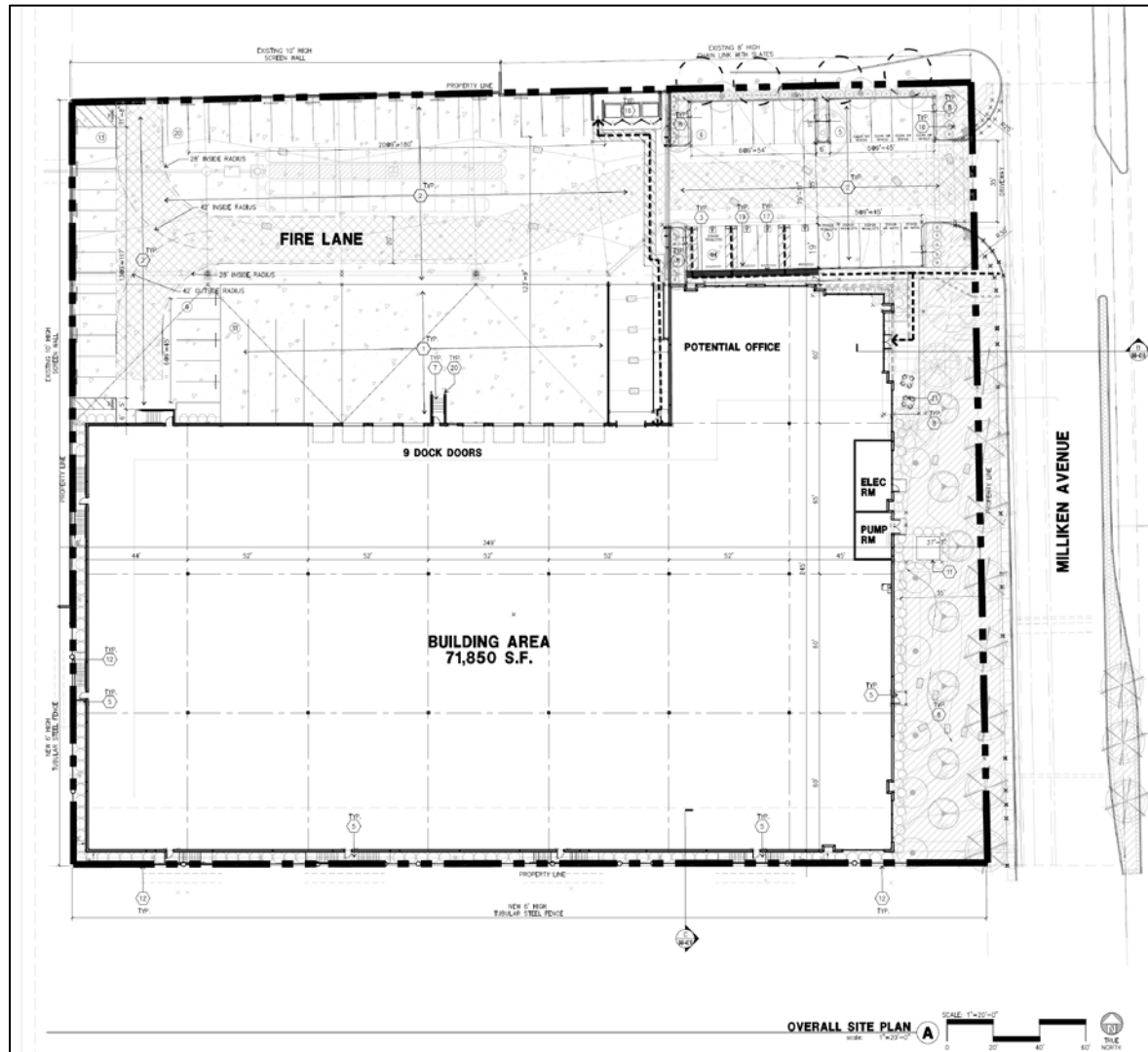
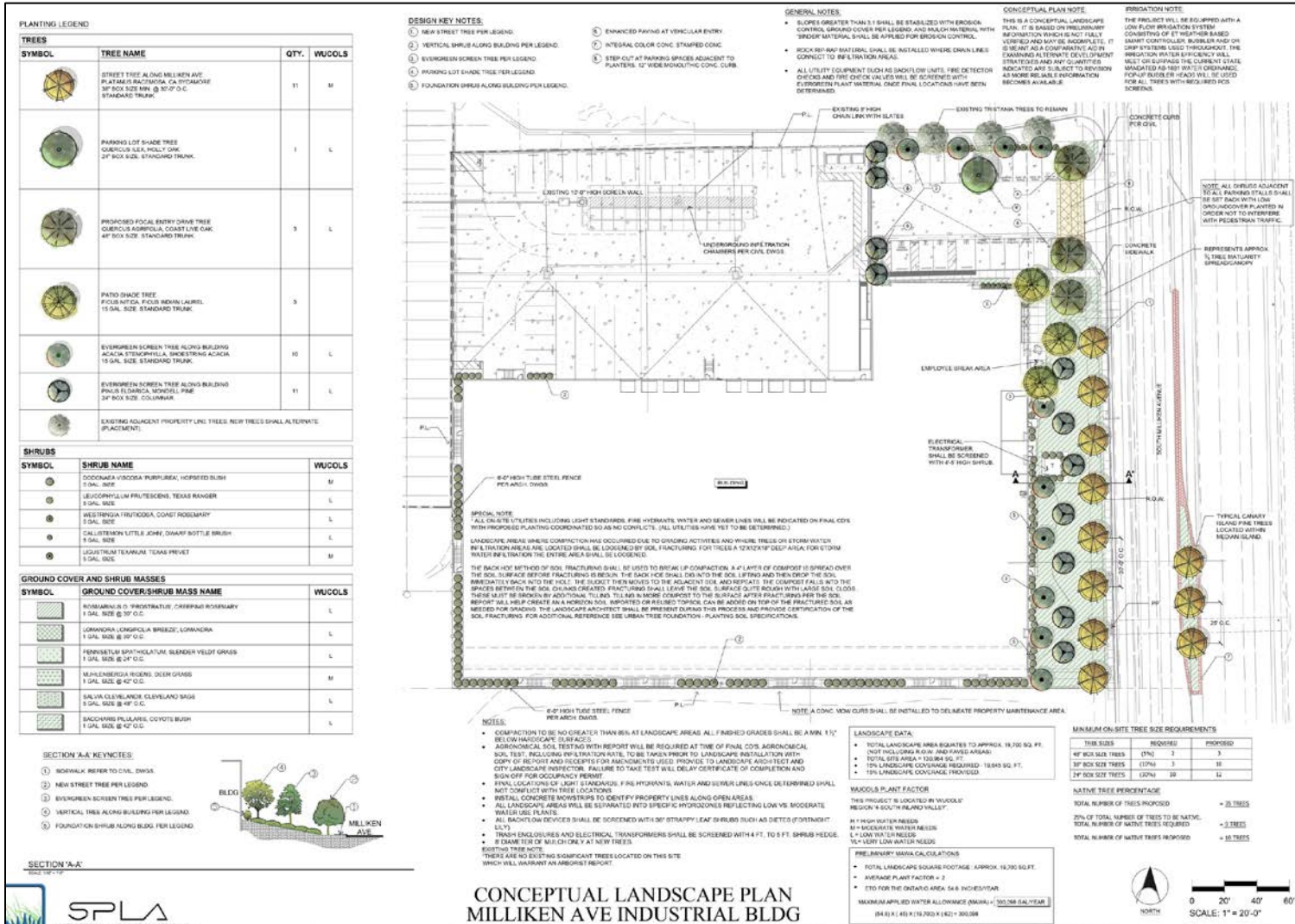


Exhibit C—ELEVATIONS



Exhibit D—LANDSCAPE PLAN



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



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

Planning Department Land Development Division Conditions of Approval

Meeting Date: March 16, 2020

File No: PDEV19-056

Related Files: PVAR19-007

Project Description: A Development Plan to construct one industrial building totaling 71,800 square feet on 3 acres of land located on the west side of Milliken Avenue, approximately 300 feet north of Greystone Drive, within the Light Industrial land use district of the Bridgestone/Firestone Industrial Park Specific Plan; (APN: 1083-351-09); **submitted by David L. Ball**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@ontarioca.gov

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

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

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

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

(a) The existing 8-foot high chain link fence located along the northern property line shall be removed and replaced with a 10-foot high screen wall and 6-foot high steel tubular fence.

(b) The existing 10-foot high tilt-up screen wall located along the northern property shall be extended with a 10-foot high tilt-up screen wall and shall terminate at the return wall that runs north-south within the tractor trailer yard area.

(c) A 6-foot high steel tubular fence shall be installed along the northern property line east of the tractor trailer yard area screen wall, within office parking lot area located on the northeast corner of the site.

2.5 Parking, Circulation and Access.

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

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.6 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) Et Seq.

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

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

2.7 Site Lighting.

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

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

2.8 Mechanical and Rooftop Equipment.

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

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

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

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

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

2.12 Environmental Review.

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

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

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

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

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

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

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

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

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

2.14 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County

Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

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

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-056 & PVAR19-007

Address: Near the NWC of Milliken Ave & Greystone Drive

APN: 1083-351-09

Existing Land Use: Vacant Land

Proposed Land Use: Development Plan to construct a 71,850 SF Industrial Building and Variance to reduce the side yard setback from 25 to FT

Site Acreage: 3 acres Proposed Structure Height: 45 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia

Date: 12/17/19

CD No.: 2019-075

PALU No.: n/a

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

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

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

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

Allowable Height: _____

CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: _____



ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PDEV19-056</u> RELATED FILE NO(S). <u>PVAR19-007</u>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u> </u> / <u> </u> / <u> </u>	

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

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

DAB MEETING DATE: March 16th, 2020

PROJECT NAME / DESCRIPTION: PDEV19-056, A Development Plan to construct a 71,850-square foot industrial building on 3.0 acres of land within the Bridgestone/Firestone Specific Plan.

LOCATION: West-Side of Milliken Avenue, 294 feet North of Greystone Drive

APPLICANT: Bridgestone Americas Tire Operations, LLC

REVIEWED BY: *[Signature]* 3/5/20
Bryan Lirley, P.E. Date
Principal Engineer

APPROVED BY: *[Signature]* 3/5/20
Raymond Lee, P.E. Date
Assistant City Engineer



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

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

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

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

(1) _____
(2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ontarioca.gov) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

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

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

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 **Note that the subject parcel is a recognized parcel in the City of Ontario Per Parcel 4 of Parcel Map No. 15100.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____ .
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.



- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 **Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
- State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: _____
- 2.10 Dedicate to the City of Ontario the right-of-way described below:
- _____ feet on _____
- Property line corner 'cut-back' required at the intersection of _____ and _____.
- 2.11 **Dedicate to the City of Ontario the following easement(s):**
1. **Public Utility Easement for Sidewalk Purposes to be used only for sidewalk located in private property (behind the proposed driveway approach).**
- 2.12 New Model Colony (NMC) Developments:
- 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**



- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$72,000, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 Other conditions:



B. PUBLIC IMPROVEMENTS

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

- 2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Milliken Av	Street 2	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L	<input type="checkbox"/> New; ___ ft. from C/L	<input type="checkbox"/> New; ___ ft. from C/L	<input type="checkbox"/> New; ___ ft. from C/L
AC Pavement	<input type="checkbox"/> Replacement	<input type="checkbox"/> Replacement	<input type="checkbox"/> Replacement	<input type="checkbox"/> Replacement
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New	<input type="checkbox"/> New	<input type="checkbox"/> New	<input type="checkbox"/> New
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median (see Sec. 2.F)	<input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New	<input type="checkbox"/> New	<input type="checkbox"/> New
Fire Hydrant (see Sec. 2.D)	<input checked="" type="checkbox"/> New / Upgrade	<input type="checkbox"/> New / Upgrade	<input type="checkbox"/> New / Upgrade	<input type="checkbox"/> New / Upgrade
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> New Lateral w/ monitoring man-hole and clean-outs	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input checked="" type="checkbox"/> New Service for Domestic Use Only w/ Backflow Device <input checked="" type="checkbox"/> New Service for Irrigation Use Only w/ Backflow Device <input checked="" type="checkbox"/> New Service for Fire Use Only w/ DCDA	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service



Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> Upgrade w/ LED fixtures <input checked="" type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities (see Sec. 2.F)	<input checked="" type="checkbox"/> Underground existing power pole and service lines	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	<input checked="" type="checkbox"/> Abandon services/laterals no longer to be used	_____	_____	_____
Other Improvements	_____	_____	_____	_____

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

1. Construction of improvements may require the relocation of utility devices, utility lines/poles, etc. Ultimate location of these utilities shall be in accordance with City Standard Drawing Numbers 1216 and 1217.
2. Existing improvements no longer to be used shall be abandoned or removed per the latest City Design Guidelines/Standard Drawings.
 - a. All services/laterals shall be abandoned at the point of connection with the main.

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service
 sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.



2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).

2.22 Other conditions: _____

C. SEWER

2.23 A 21-inch sewer main is available for connection by this project in Milliken Avenue. (Ref: Sewer plan bar code: S11150)

2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.

2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.

2.26 Other conditions:
1. The applicant/developer shall install a new sewer lateral to the existing 21-inch public sewer main in Milliken Avenue and equip the lateral with a clean-out and monitoring manhole behind the property line per the latest City Design Guidelines/Standard Drawings.

D. WATER

2.27 An 18-inch water main is available for connection by this project in Milliken Avenue. (Ref: Water plan bar code: W12286)

2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.

2.29 Other conditions:
1. The applicant/developer shall install at minimum one (1) fire hydrant along Milliken Avenue property frontage per City Standard Drawing Number 4101.
2. The applicant/developer shall install a domestic water service to the existing 18-inch domestic water main in Milliken Avenue and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
3. The applicant/developer shall install a separate water service (for irrigation purposes only) to the existing 18-inch domestic water main in Milliken Avenue and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
4. The applicant/developer shall install a fire service to the existing 18-inch domestic water main in Milliken Avenue and equip the service with a DCDA behind the property line per the latest City Design Guidelines/Standard Drawings.
5. The applicant/developer shall submit a complete Final Utilities Systems Map accompanying the Precise Grading Plan Submittal to the City/OMUC for review and approval. The systems map shall comply with the Ontario Municipal Utilities Company (OMUC) requirements which include showing and labeling all existing and proposed utilities (including all appurtenances such as backflow devices, DCDA's, Monitoring Manholes, etc.), points of connection, and sizes. This shall include private onsite systems to point of connection with public systems. See USM Requirements document for details.



E. RECYCLED WATER

- 2.30 A recycled water main is not available for connection by this project. (Ref: Recycled Water plan bar code: None)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions:
 - 1. The applicant/developer shall construct the proposed driveway approach per City Standard Drawing Number 1204.
 - a. The driveway approach shall be limited to right turn ingress/egress and left turn ingress only.
 - 2. The applicant/developer shall modify the raised median to accommodate left turn access to the proposed driveway per the latest City Design Guidelines/Standard Drawings.
 - 3. The applicant/developer shall modify the existing and install new signing & striping to accommodate left turn access to the proposed driveway per the latest City Design Guidelines/Standard Drawings.
 - 4. The applicant/developer shall construct sidewalk adjacent to the curb along Milliken Avenue property frontage per City Standard Drawing Number 1209.
 - 5. The applicant/developer shall be responsible to replace any existing street light fixtures along its project frontage of Milliken Avenue with the current City approved LED equivalent fixture per the Traffic and Transportation Design Guidelines.
 - 6. The applicant/developer shall remove the existing power pole and underground the utility lines along Milliken Avenue property frontage.



G. DRAINAGE / HYDROLOGY

- 2.38 A storm drain main is not available to accept flows from this project. (Ref: Storm Drain plan bar code: None)**
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100-year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100-year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions:**
 - 1. The applicant/developer shall execute their right per the “Declaration of Easements” Recorded under Document Number 19990106667 to connect to the existing private storm drain system located in the westerly property.**

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

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
 If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant’s engineer shall be submitted.
 Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 Other conditions: _____



J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Generally located on the South-East corner of the property, see Fiber Optic Exhibit herein for reference.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.

L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.53 Other conditions:
1. The applicant/developer shall construct a new trash enclosure with a solid roof per the Refuse & Recycling Planning Manual.
 2. The applicant/developer shall update the Conceptual Solid Waste Handling Plan and convert it into a Final Solid Waste Handling Plan Sheet, which shall be included with the Precise Grading Plan Submittal for review and approval by the City/OMUC. See "Solid Waste Handling Plan (SWHP) Requirements" document for details.
 3. The applicant/developer shall submit an Integrated Waste Management Report for review and approval with the Precise Grading Plan. This report shall address the management of all integrated waste (Refuse, Recycling, Organics, etc.). The IWMR shall demonstrate compliance with the "Integrated Waste Management Report Requirements" document.



3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01 **Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.**
- 3.02 Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03 **The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.**
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 **Confirm payment of all Development Impact Fees (DIF) to the Building Department.**
- 3.06 **Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).**

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 **Complete all Conditions of Approval listed under Sections 1-3 above.**
- 4.02 **Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.**
- 4.03 **The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.**



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV19-056

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

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



- 22. One (1) copy of approved Tentative Map
- 23. One (1) copy of Preliminary Title Report (current within 30 days)
- 24. One (1) copy of Traverse Closure Calculations
- 25. One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.
- 26. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 27. Other: _____

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: October 18, 2019
SUBJECT: PDEV19-056

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

Conditions of Approval

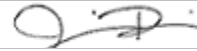
1. The Address for the site will be 2440 S. Milliken Ave.
2. Standard Conditions of Approval apply.

KS:lr

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

CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Planner

1/24/20

Date

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

D.A.B. File No.: PDEV19-053	Case Planner: Luis Batres
--------------------------------	------------------------------

Project Name and Location:

Mercedes Benz
 3787 E Guasti Road

Applicant/Representative:

Austin Hahn, CaliChi
 1 N La Salle Street, Suite 3950
 Chicago, IL 60602

<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (dated 1/7/20) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
 Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. Provide a tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020.
2. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.

Landscape Plans

3. Provide a tree inventory as noted in #1.
4. Replace dead or missing trees, shrubs and/or groundcover damaged by construction or neglect.
5. Repair or replace broken or leaking irrigation components.
6. Note to coordinate with on-site landscape maintenance personnel to ensure landscape is properly maintained in a neat and healthy condition free of weeds, pests or diseases and properly irrigated without run-off or overspray.
7. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>.
8. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—less than 5 acres	\$1,301.00
Inspection—Construction (up to 3 inspections per phase).....	\$278.00
Total.....	\$1,579.00
Inspection—Field – any additional.....	\$83.00

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



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

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

DATE: October 23, 2019

SUBJECT: PDEV19-056 – A Development Plan to construct a 71,850 square foot industrial building on 3.0 acres of land, within the Industrial land use district of the Bridgestone/Firestone Specific Plan, located at the west side of Milliken Avenue, 294 feet north of Greystone Drive APN: 1083-351-09

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

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Assumed Type II B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 70,350 Sq. Ft.
- D. Number of Stories: 1 w/ mezzanine
- E. Total Square Footage: 71,850 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): S

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 2875 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

6.0 OTHER SPECIAL USES

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



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner

FROM: Emily Hernandez, Police Officer

DATE: October 15, 2019

SUBJECT: PDEV19-056 – A DEVELOPMENT PLAN TO CONSTRUCT A 71,850 SQUARE FOOT INDUSTRIAL BUILDING LOCATED AT THE WEST SIDE OF MILLIKEN AVENUE, 294 FEET NORTH OF GREYSTONE DRIVE.

The “Standard Conditions of Approval” contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below:

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

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



Development Advisory Board Decision

March 16, 2020

DECISION NO.: [insert #]

FILE NO.: PVAR19-007

DESCRIPTION: A Variance to reduce the south property line building setback from 25 feet to 6 feet for a property located on the west side of Milliken Avenue, approximately 300 feet north of Greystone Drive, within the Light Industrial land use district of the Bridgestone/Firestone Industrial Park Specific Plan; (APN: 1083-351-09); **submitted by David L. Ball.**

Part I—BACKGROUND & ANALYSIS

DAVID L. BALL, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PVAR19-007, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 3 acres of land located at on the west side of Milliken Avenue, approximately 300 feet north of Greystone Drive, and is depicted in Exhibit A—Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	Industrial	Bridgestone/Firestone Industrial Park Specific Plan	Light Industrial
<i>North:</i>	Industrial Warehouse	Industrial	Bridgestone/Firestone Industrial Park Specific Plan	Light Industrial
<i>South:</i>	DSF Conservation Habitat	Industrial	Milliken Industrial Park Specific Plan	Commercial
<i>East:</i>	Industrial	City of Eastvale: Light Industrial	City of Eastvale: M-M (Manufacturing Medium)	N/A
<i>West:</i>	Industrial Warehouse	Industrial	Bridgestone/Firestone Industrial Park Specific Plan	Light Industrial

(2) **Project Description:**

(a) **Variance** — The Applicant is requesting approval of a Variance to reduce the south property line building setback from 25 feet to 6 feet. The Variance application will facilitate the related Development Plan application (File No. PDEV19-056) to construct a 71,850 square-foot industrial/warehouse building on 3 acres of vacant land, located on the west side of Milliken Avenue, approximately 300 feet north of Greystone Drive, within the Light Industrial land use district of the Bridgestone/Firestone Industrial Park Specific Plan (see Exhibit B—Site Plan, attached). The project site is surrounded by existing industrial buildings to the north, west, and east, and by vacant land to the south. The property to the south is a Habitat Conservation Area for the protection of the Delhi Sands Flower-Loving Fly and cannot be developed. The 25-foot wide interior side yard setback required along the Project’s southern property line, was established to maintain a minimum distance requirement between buildings within the Specific Plan in order ensure adequate vehicular access to building sites, to control

building massing along the street frontages, and to protect a 13-foot wide Southern California Edison ("SCE") easement that runs parallel to the Project's southern property line. However, as SCE has determined the 13-foot wide easement along the southern property line is not needed and the applicant has processed a quitclaim deed to eliminate the easement from the property, and as the Project site is the last remaining undeveloped parcel within the Specific Plan area and borders a Habitat Conservation Area on the south side that cannot be developed, it is staff's belief that in this particular case, the intent of and need for the 25-foot setback, is rendered moot.

Moreover, the Project has a lot depth of 418 feet and no possible secondary means of vehicular access from Milliken Avenue, adjacent to the Project's south property line, due to the close proximity of the location to the Milliken Avenue/Greystone Drive intersection. This requires that the Project provide a turn-around (hammerhead) at the rear of the site to adequately accommodate emergency vehicle and tractor/trailer ingress in to and egress out of the Project site. In order to accommodate the required turn-around area at the rear of the site, a reduction in the south property line setback, from 25 feet to 6 feet, is necessary. Additionally, because of the need for the emergency vehicle turn-around space per the Fire Department's standards (120-foot hammerhead, 60 feet from center line of hammerhead), the building cannot be placed any closer to the southern property line.

The Variance request is consistent with TOP Goal LU3, which promotes flexibility in order to respond to special conditions and circumstances in order to achieve TOP's Vision. Furthermore, in this particular case, the strict interpretation and enforcement of the Bridgestone/Firestone Specific Plan's interior side yard setback requirement along the Project's south property line would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in the Bridgestone/Firestone Industrial Park Specific Plan.

Part II—RECITALS

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

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

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

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

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within

San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on March 16, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, the Variance application was submitted for concurrent processing with a Development Plan application (File No. PDEV19-056) and the grant of Variance approval by the Approving Authority is contingent upon the grant of Development Plan approval by the Approving Authority; and

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

Part III—THE DECISION

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

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

(1) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Minor Alterations to Land) of the CEQA Guidelines, which includes minor lot line adjustments, side yard, and setback variances not resulting in the creation of any new parcel.

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

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

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

SECTION 3: *ALUCP Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the

Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

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

(1) ***The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Development Code.*** The Variance request is to reduce the south property line building setback from 25 feet to 6 feet. The Variance application will facilitate the development of a 71,850-square foot industrial/warehouse building on 3 acres of vacant land, located on the west side of Milliken Avenue, approximately 300 feet north of Greystone Drive, within the Light Industrial land use district of the Bridgestone/Firestone Industrial Park Specific Plan. The project site is surrounded by existing industrial buildings to the north, west, and east, and by vacant land to the south. The property to the south is a Habitat Conservation Area for the protection of the Delhi Sands Flower-Loving Fly and cannot be developed. The 25-foot southern property line requirement was established to maintain a minimum distance requirement between buildings within the Specific Plan in order ensure adequate vehicular access to building sites, to control building massing along the street frontages, and to protect a 13-foot wide SCE easement that runs parallel to the Project's south property line. However, as SCE has determined the 13-foot wide easement located along the southern property line is not needed and the applicant is currently processing a quitclaim deed to eliminate the easement from the property, and as the Project site is the last remaining undeveloped parcel within the Specific Plan area and borders a Habitat Conservation Area on the south side that cannot be developed, it is staff's belief that in this particular case, the intent of and need for the 25-foot setback, is rendered moot.

Moreover, the Project has a lot depth of 418 feet and no possible secondary means of vehicular access from Milliken Avenue, adjacent to the Project's south property line, due to the close proximity of the location to the Milliken Avenue/Greystone Drive intersection. This requires that the project provide a turn-around (hammerhead) at the rear of the site to adequately accommodate emergency vehicle and tractor/trailer ingress in to and egress out of the Project site. In order to accommodate the required turn-around area at the rear of the site, a reduction in the south property line setback, from 25 feet to 6 feet, is necessary. Additionally, because of the need for the emergency vehicle turn-around space per the Fire Department's standards (120-foot hammerhead, 60 feet from center line of hammerhead), the building cannot be placed any closer to the southern property line.

The Variance request is consistent with TOP Goal LU3, which promotes flexibility in order to respond to special conditions and circumstances in order to achieve TOP's Vision. Furthermore, in this particular case, the strict interpretation and enforcement of the Bridgestone/Firestone Specific Plan's interior side yard setback requirement along the Project's south property line would result in a practical difficulty or unnecessary physical hardship inconsistent with the intent and objectives of the development regulations contained in the Bridgestone/Firestone Industrial Park Specific Plan; and

(2) ***There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the vicinity and in the same zoning district.*** The Variance request is to reduce the south property line building setback from 25 feet to 6 feet. The project site is surrounded by existing industrial buildings to the north, west, and east, and by vacant land to the south. The Development Code allows a

zero-foot setback condition to the interior property line for all Industrial zoning districts within the City. The 25-foot southern property line requirement was established to maintain minimum distance requirements between buildings within the Bridgestone/Firestone Industrial Park Specific Plan in order ensure adequate vehicular access to building sites, to control building massing along the street frontages, and to protect a 13-foot SCE easement that runs parallel to the Project's south property line. The property to the south is a Habitat Conservation Area for the protection of the Delhi Sands Flower-Loving Fly and cannot be developed. The project site is last remaining undeveloped parcel within the Specific Plan and borders a site that cannot be developed rendering the intent of 25-foot setback unnecessary for this site. Additionally, SCE has determined the 13-foot easement located along the southern property line is not needed and the applicant is currently processing a quitclaim deed to eliminate the easement from the property. Other industrial properties within the City are allowed a zero-foot setback and strict interpretation and enforcement of the Bridgestone/Firestone Specific Plan's southern setback would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in the Ontario Development Code regarding emergency vehicle turn-around requirements. Therefore, a variance is necessary to meet development standards as granted on other properties in the City with a similar Industrial zone; and

(3) ***The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district.*** The requested relief to reduce the south property line building setback from 25 feet to 6 feet will allow for greater design flexibility and will serve to equalize development rights between the applicant and owners of property in the same land use district of the Bridgestone/Firestone Industrial Park Specific Plan; and

(4) ***The granting of the Variance will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.*** A thorough review and analysis of the proposed Variance and its potential to adversely impact properties surrounding the subject site was completed by Planning Department staff. As a result of this review, certain design considerations will be incorporated into the project as conditions of approval, to mitigate identified impacts to an acceptable level, including the use of upgraded materials, the inclusion of certain architectural design elements on the proposed building's south exterior elevation, and intensified landscape elements; and

(5) ***The proposed Variance is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and the purposes of any applicable specific plan or planned unit development, and the purposes of this Development Code.*** The proposed Project is located with the Industrial land use district of the Policy Plan Land Use Map, and the Light Industrial land use district of the Bridgestone/Firestone Industrial Park Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

SECTION 5: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

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

SECTION 7: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303

East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

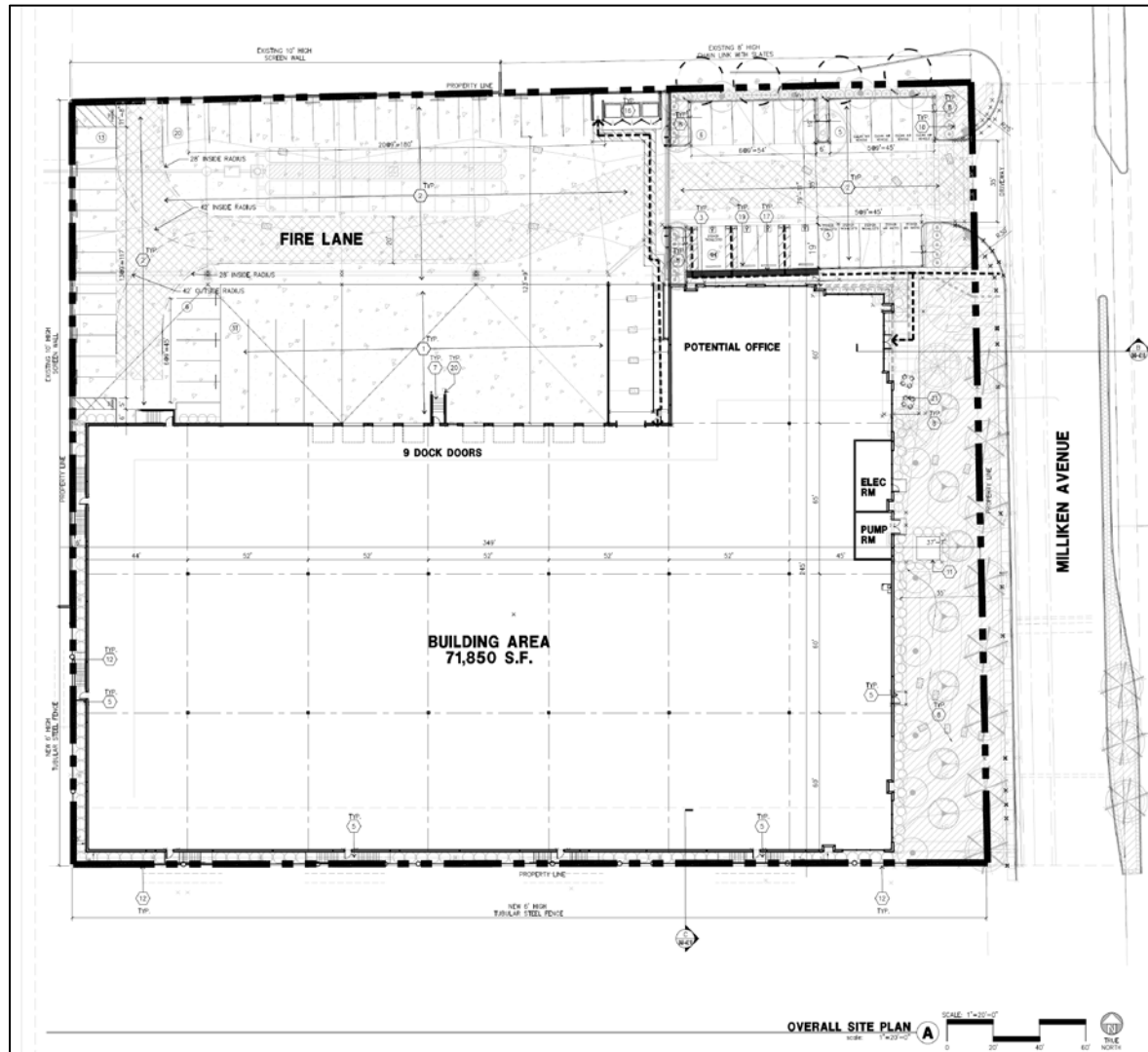
APPROVED AND ADOPTED this 16th day of March 2020.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—SITE PLAN



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



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

*Planning Department
Land Development Division
Conditions of Approval*

Meeting Date: March 16, 2020

File No: PVAR19-007

Related Files: PDEV19-056

Project Description: A Variance to reduce the south property line building setback from 25 feet to 6 feet for a property located on the west side of Milliken Avenue, approximately 300 feet north of Greystone Drive, within the Light Industrial land use district of the Bridgestone/Firestone Industrial Park Specific Plan; (APN: 1083-351-09); **submitted by David L. Ball**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@ontarioca.gov

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

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

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

2.1 Time Limits.

(a) Variance approval shall become null and void one year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director, except that a Variance approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Minor Alterations to Land) of the CEQA Guidelines, which includes minor lot line adjustments, side yard, and setback variances not resulting in the creation of any new parcel.

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

Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.4 Additional Fees.

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

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