



## **CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD**

### **AGENDA**

**January 17, 2024**

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

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

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

#### **PUBLIC COMMENTS**

*Citizens wishing to address the Development Advisory Board on any matter that is not on the agenda may do so at this time. Please state your name and address clearly for the record and limit your remarks to 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 December 18, 2023, approved as written.

### **PUBLIC HEARING ITEMS**

**B. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT22-011**: A public hearing to consider a Tentative Parcel Map (TPM 20452) to subdivide 23 acres of land into 9 parcels, generally located on the southwest corner of Ontario Mills Parkway and Franklin Avenue, within the Commercial/Office land use district of the California Commerce Center North/Ontario Gateway Plaza/Wagner Properties (Ontario Mills) Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with Ontario Mills (California Commerce Center North) Specific Plan, for which an Environmental Impact Report (“EIR”) was previously adopted by the City Council on October 12, 1990. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APNs: 0238-041-29, 0238-041-30, 0238-041-31 and 0238-041-32) **submitted by Ernie Rivas. Planning Commission action is required.**

#### **1. CEQA Determination**

No action necessary – use of previous EIR

#### **2. File No. PMTT22-011 (TPM 20452) (Tentative Parcel Map)**

Motion to recommend Approval/Denial

### **CHAIRMAN’S REPORT**


Selection of new Chairman

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 **February 5, 2024**.

I, Gwen Berendsen, Administrative Assistant of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **January 12, 2024**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East “B” Street, Ontario.

  
Administrative Assistant

**CITY OF ONTARIO**

**Development Advisory Board**

**Minutes**

**December 18, 2023**

**BOARD MEMBERS PRESENT**

Rudy Zeledon, Chairman, Planning Department  
James Caro, Building Department  
Raymond Lee, Engineering Department  
Elda Zavala, Community Improvement  
Charity Hernandez, Economic Development Agency  
Michelle Starkey, Fire Department  
Christy Stevens, Municipal Utilities Company  
Heather Lugo, Police Department

**BOARD MEMBERS ABSENT**

**STAFF MEMBERS PRESENT**

Gwen Berendsen, Planning Department	Henry Noh, Planning Department
David Eoff IV, Planning Department	Jeff Tang, Engineering Department
Pablo De Lara, Community Development Department	Jeanie Aguilo, Planning Department
Lorena Mejia, Planning Department	David Zurita, Engineering Department
Tom Grahn, Planning Department	

**PUBLIC COMMENTS**

No person from the public wished to speak.

**CONSENT CALENDAR ITEMS**

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the November 20, 2023 meeting of the Development Advisory Board was made by Mr. Caro; seconded by Ms. Zavala; and approved unanimously by those present (7-0). Ms. Lugo abstained as she was not at this meeting.

**PUBLIC HEARING ITEMS**

- B. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV22-003:** A hearing to consider a Development Plan to construct a 2,668 square foot commercial building for a fast-food restaurant (Jack in the Box) with a drive-thru facility on 0.99 acres of land, located at 2958 South Milliken Avenue within the Community 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; (APN: 1083-361-21) **submitted by Jack in the Box.**

Mr. Zeledon opened the public hearing.

Jennifer Dorgan with Allen Matkins was present.

Mr. Zeledon asked if she had reviewed and accepted the Conditions of Approval.

Ms. Dorgan stated she agreed to the COAs.

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

Motion to approve **File No. PDEV22-003**, subject to conditions, was made by Ms. Lugo; seconded by Mr. Lee; and approved unanimously by those present (8-0).

- C. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV22-042**: A public hearing to consider a Development Plan to construct 357 apartment units and 3,800 square feet of commercial space on 5.81 acres of land, located at the northeast corner of Mountain Avenue and Fourth Street, within the MU-8b (Mountain/Fourth Mixed Use) zoning district. An Addendum to The Ontario Plan 2050 Supplemental Environmental Impact Report (State Clearinghouse No. 2021070364), which was certified by the City Council on August 16, 2022, was prepared. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APNs: 1008-513-16, 1008-522-01, 1008-522-02, and 1008-522-03) **submitted by JAT Land Development LLC. Planning Commission action is required.**

Mr. Zeledon opened the public hearing.

Cody Small the representative for the project was present and agreed to the Conditions of Approval as written.

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

Motion to recommend approval of **File No. PDEV22-042**, subject to conditions, was made by Mr. Caro; seconded by Ms. Stevens; and approved unanimously by those present (8-0).

- D. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT21-018**: A public hearing to consider a Tentative Tract Map (TT 20472) subdividing 47.16 acres of land into 198 numbered lots and 45 lettered lots for residential uses, private drives, parking, landscape edges and common open space purposes, located at the southwest corner of Eucalyptus Avenue and Haven Avenue, within Planning Area 30 (Mixed-Residential) and Planning Area 31 (Mixed-Residential) of the Subarea 29 Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with an Amendment to the Subarea 29 Specific Plan, for which a Subsequent Environmental Impact Report (SEIR) (State Clearinghouse No. 2004011009) was adopted by the City Council on November 21, 2023. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan. The project site is also located within the Airport Influence area of Chino

Airport and was evaluated and found to be consistent with the policies and criteria of the Chino Airport Land Use Compatibility Plan; (APNs: 1073-171-01 and 1073-171-02) **submitted by LHC Ontario Holdings, LLC. Planning Commission action is required.**

Mr. Zeledon opened the public hearing.

Derek Barbour with LHC Ontario Holdings, LLC was present.

Mr. Zeledon asked if he had reviewed and agreed with the revised Condition of Approval.

Mr. Barbour stated he had reviewed the revised COAs and the deletion of Item #2 of OMUC conditions, but still had questions regarding the landscape conditions.

Mr. Zeledon stated there were a couple clarifications, OMUC condition #2 was deleted and now the landscape.

Mr. Barbour stated he wanted to know for Item #4, what part of the trail would need landscaping as the section was not part of their project.

Mr. Zeledon explained that the trail connection was not a requirement for the applicant.

Mr. Barbour stated Item #21 regarding existing trees, that they don't have any trees.

Mr. Zeledon stated this reflects not only existing trees on the property but also those within 15' of adjacent property that would be effected by new walls.

Mr. Barbour stated he agreed to the revised conditions as clarified.

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

Motion to recommend approval of **File No. PDEV22-042**, subject to conditions, was made by Mr. Caro; seconded by Ms. Stevens; and approved unanimously by those present (8-0).

There being no further business, the meeting was adjourned to the next meeting on January 3, 2024.

Respectfully submitted,



Gwen Berendsen  
Recording Secretary



# DEVELOPMENT ADVISORY BOARD DECISION

January 17, 2024

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

**DECISION NO.:** [insert #]

**FILE NO.:** PMTT22-011 (TPM 20452)

**DESCRIPTION:** A public hearing to consider a Tentative Parcel Map (TPM 20452) to subdivide 23 acres of land into 9 parcels, generally located on the southwest corner of Ontario Mills Parkway and Franklin Avenue, within the Commercial/Office land use district of the California Commerce Center North/Ontario Gateway Plaza/Wagner Properties (Ontario Mills) Specific Plan; (APNs: 0238-041-29, 0238-041-30, 0238-041-31 and 0238-041-32); **submitted by Ernie Rivas.**

## PART 1: BACKGROUND & ANALYSIS

ERNIE RIVAS, (herein after referred to as "Applicant") has filed an application requesting approval of a Tentative Parcel Map, File No. PMTT22-011 (TPM 20452), as described in the subject of this Decision (herein after referred to as "Application" or "Project").

**PROJECT SETTING:** The Project site is comprised of 23 acres of land located at the southwest corner of Ontario Mills Parkway and Franklin Avenue and is depicted in Exhibit A: Project Location Map, attached. Existing land uses, Policy Plan (general plan) and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>Policy Plan Land Use Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use Designation</i>
Site:	Multi-Tenant Retail Buildings	Mixed Use - Ontario Mills (MU-Ontario Mills)	Ontario Mills Specific Plan	Commercial/Office
North:	Multi-Tenant Retail Buildings	Mixed Use - Ontario Mills (MU-Ontario Mills)	Ontario Mills Specific Plan	Commercial/Office
South:	I-10 Freeway	N/A	N/A	N/A
East:	Carrington College	Mixed Use - Ontario Mills (MU-Ontario Mills)	Ontario Mills Specific Plan	Commercial/Office
West:	Chick-fil-A	Mixed Use - Ontario Mills (MU-Ontario Mills)	Ontario Mills Specific Plan	Commercial/Office

## PROJECT ANALYSIS:

(1) Background — On October 6, 1992, the City Council adopted the Ontario Mills Specific Plan (previously the California Commerce Center North/Ontario Gateway Plaza/Wagner Properties Specific Plan, “Specific Plan”) and certified related Environmental Impact Report (State Clearinghouse No. 91062100). The Specific Plan established the land use designations, development standards, and design guidelines for the Ontario Mills Mall and surrounding area including the Project site.

The Project site was initially developed as a commercial shopping center (Ontario Gateway) in 1999 and additional buildings were added to the site between 2002 and 2016. Ontario Gateway currently consists of one large multi-tenant building and four stand-alone buildings totaling 227,203 square feet. The Ontario Gateway tenants include the Grocery Outlet, Big Lots, Ross Dress for Less, Dollar Tree, Joann Fabrics, LA Police Gear, David’s Bridal, Turner Outdoorsman, Outback Steakhouse, Tokyo Wako, IHOP and iFly.

On February 28, 2022, the Applicant submitted a Tentative Parcel Map No. 20452 to subdivide 23 acres of land into 9 parcels for the Project site.

(2) Tentative Parcel Map — Tentative Parcel Map No. 20452 is being subdivided into 9 parcels to accommodate tenant ownership within the commercial shopping center (see Exhibit B: Tentative Parcel Map, attached). The Ontario Mills Specific Plan does not require a minimum parcel size provided that the minimum setbacks, off-street parking, and landscaping requirements are met for each lot. The proposed lot sizes range from 1.03 to 6.45 acres in size.

(3) Site Access/Circulation — The Project site currently has four access points from Ontario Mills Parkway located along the site’s northern boundary.

- Ontario Mills Parkway — Access from Ontario Mills Parkway includes a 40-foot-wide right-in and right-out driveway located on the northwest corner of the Project site approximately 330 feet from the intersection of Ontario Mills Parkway and Millken Avenue. The second access is a 55-foot-wide signalized full access driveway located approximately 700 feet from the intersection of Ontario Mills Parkway and Millken Avenue. The third access is located near the northeast corner of the site located at the intersection of Franklin Avenue and Ontario Mills Parkway and includes a 55-foot-wide signalized full access driveway. Franklin Avenue terminates at the Project site and provides direct access to Ontario Mills, located north of the Project site. The fourth access is a 35-foot-wide right-in and right-out driveway located on the northeast corner of the site.

(4) Parking — The Project has provided off-street parking pursuant to the retail and restaurant parking standards specified in the Development Code. A total of 1,058 parking spaces are required on site and a total of 1,158 parking spaces have been provided. The number of off-street parking spaces provided exceeds the minimum parking requirement

for the Project. The proposed Tentative Parcel Map does not propose any changes that would adversely affect or alter the previously approved parking layout.

(5) Covenants, Conditions and Restrictions (“CC&Rs”) — As a Condition of Approval, staff will require that CC&Rs be prepared and recorded with the final map. The CC&Rs will outline the maintenance responsibilities for the buildings, plaza areas, parking lot, drive aisles, landscaping, utilities, and upkeep of the entire site to ensure the on-going maintenance of the common areas and facilities.

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

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

**AGENCY/DEPARTMENT REVIEWS:** Each City agency/department has been provided the opportunity to review and comment on the subject application and recommend conditions of approval to be imposed upon the application. At the time of the Decision preparation, recommended conditions of approval were provided and are included with this Decision.

**AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE:** The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

On April 19, 2011, the City Council of the City of Ontario approved and adopted the ONT ALUCP, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the Development Advisory Board has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the Development Advisory Board, therefore, finds and determines that the Project is consistent with the policies and criteria set forth within the ONT ALUCP.



**COMPLIANCE WITH THE ONTARIO PLAN:** The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (general plan), and City Council Priorities components of The Ontario Plan ("TOP"). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

(1) City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

(2) Vision.

**Distinctive Development:**

- Commercial and Residential Development
  - A system of vibrant retail, town, and neighborhood centers responsive to market demands and woven into the fabric of the community. Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

(3) Governance.

**Decision Making:**

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
  - G 1-2. Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision.

(4) Policy Plan (General Plan)

**Land Use Element:**

- Goal LU-2 Compatibility: Compatibility between a wide range of uses and resultant urban patterns and forms.
  - LU-2.1 Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

**Community Economics Element:**

- Goal CE-1 Complete Community: A complete community that provides for all incomes and stages of life.
- Goal CE-2 Placemaking: A City of distinctive neighborhoods, districts, corridors, and centers where people choose to be.
  - CE-2.5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

**Community Design Element:**

- Goal CD-1 Image & Identity: A dynamic, progressive city containing distinct and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses.
  - CD-2.8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintaining visibility and accessibility, and using lighting.
  - CD-2.10 Parking Areas. We require all development, including single-family residential, to minimize the visual impact of surface, structured, and garage parking areas visible from the public realm in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include:
    - Surface parking: Shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.
  - CD-2.13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.
  - CD-3.6 Managed Infrastructure. We collaborate with developers and property owners to facilitate development that realizes the envisioned character and functionality of the Place Type through the use of green and shared infrastructure within each Place Type.
- Goal CD-5 Protection of Investment: A sustained level of maintenance and improvement of properties, buildings, and infrastructure that protects the property values and encourages additional public and private investments.

➤ CD-5.1 Maintenance of Buildings and Property. We require all public and privately-owned buildings and property (including trails and easements) to be properly and consistently maintained.

➤ CD-5.2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

**HOUSING ELEMENT COMPLIANCE:** The Project is consistent with the Housing Element of the Policy Plan (general plan) component of The Ontario Plan, as the Project site is not one of the properties in the Housing Element Sites contained in Tables B-1 and B-2 (Housing Element Sites Inventory) of the Housing Element Technical Report.

## ***PART 2: RECITALS***

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

WHEREAS, the Ontario Mills (California Commerce Center North) Specific Plan Environmental Impact Report (State Clearinghouse No. 91062100) was certified on October 12, 1990 (hereinafter referred to as "Certified EIR"), in which development and use of the Project site was discussed; and

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

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

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

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

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

development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

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

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

WHEREAS, on January 17, 2024, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

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

### ***PART 3: THE DECISION***

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

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

- (1) The environmental impacts of this project were previously reviewed in conjunction with Ontario Mills (California Commerce Center North) Specific Plan, for which an Environmental Impact Report ("EIR") was previously adopted by the City Council on October 12, 1990; and
- (2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- (3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

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

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

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

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

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

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

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

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

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

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

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

(1) *The proposed 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 is located within the Mixed Use - Ontario Mills (MU-Ontario Mills) land use district of the Policy Plan Land Use Map, and the Commercial/Office land use designation of the Ontario Mills Specific Plan. 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 and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses" (Goal CD-1). 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, enhancing, and preserving the character of our existing viable neighborhoods" (Policy CD-1.1 *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 is located within the Mixed Use - Ontario Mills (MU-Ontario Mills) land use district of the Policy Plan Land Use Map, and the Commercial/Office land use designation of the Ontario Mills Specific Plan. 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 neighborhoods, commercial areas, public spaces, parks, and streetscapes that are attractive, safe, functional, human-scale, and distinct" (Goal CD-2). 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 CD-2.7 *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 Commercial/Office land use designation of the Ontario Mills Specific Plan 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 an existing commercial shopping center development. The Project site meets the minimum lot area and dimensions of the Commercial/Office land use designation of the Ontario Mills Specific Plan 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 commercial 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 Conditions of Approval included as Attachment A of this Decision, and incorporated herein by this reference.

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

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

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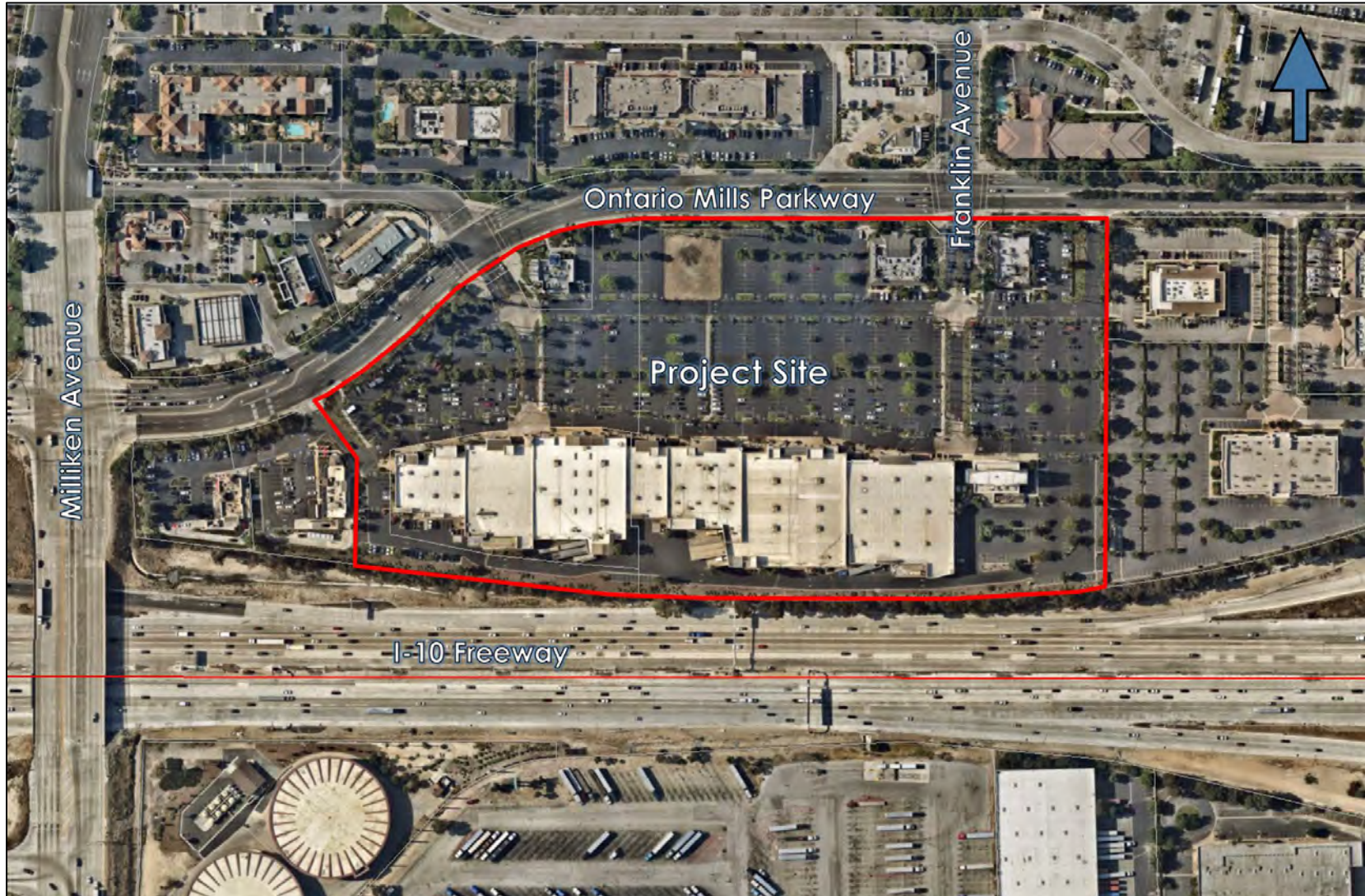
APPROVED AND ADOPTED this 17th day of January 2024.

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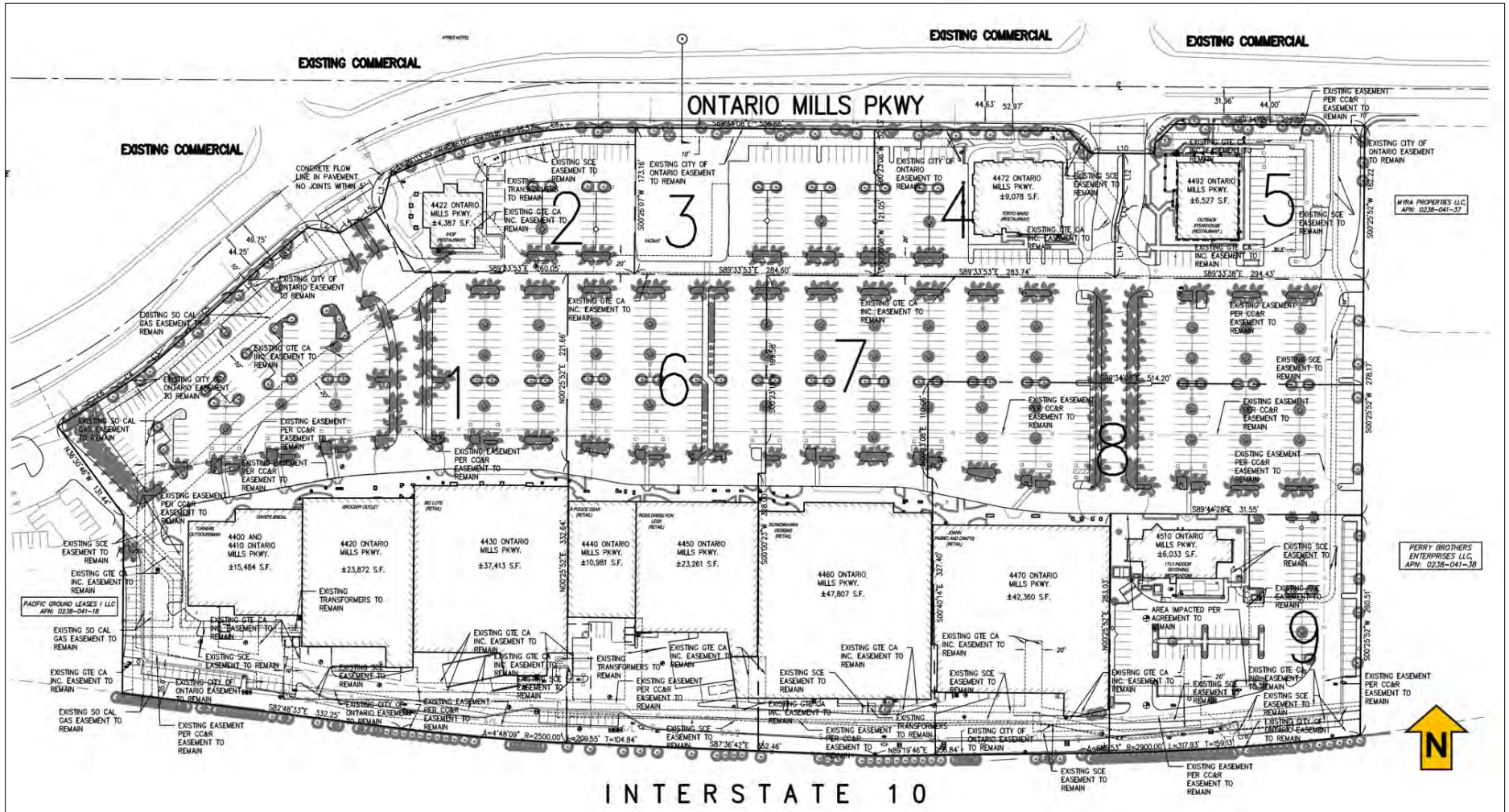
Development Advisory Board Chairman



**Exhibit A: PROJECT LOCATION MAP**



**Exhibit B: TENTATIVE PARCEL MAP**



**Attachment A: Conditions of Approval**

*(Conditions of Approval follow this page)*



# LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

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

**Date Prepared:** 1/3/2024

**File No:** PMTT22-011 (TPM 20452)

**Project Description:** A Tentative Parcel Map (TPM 20452) to subdivide 23 acres of land into 9 parcels, generally located on the southwest corner of Ontario Mills Parkway and Franklin Avenue, within the Commercial/Office land use district of the California Commerce Center North/Ontario Gateway Plaza/Wagner Properties (Ontario Mills) Specific Plan; (APNs: 0238-041-29, 0238-041-30, 0238-041-31 and 0238-041-32); **submitted by Ernie Rivas.**

**Prepared By:** Jeanie Irene Aguilo, Associate Planner  
Phone: 909.395.2418 (direct)  
Email: jaguilo@ontarioca.gov

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

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

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

**2.1** Time Limits.

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

**2.2** Subdivision Map.

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) Landscaping and irrigation systems within common areas;

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

- (iii) Shared parking facilities and access drives; and
- (iv) Utility and drainage easements.

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

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

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

## 2.5 Environmental Requirements.

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

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

2.6 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 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.

## 2.7 Additional Fees.

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

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

**2.8** Additional Requirements.

(a) Final set of plans shall be provided after project approval.

(b) All conditions of approval from all other City agencies and departments shall be complied with.



# CITY OF ONTARIO MEMORANDUM

## ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

**PROJECT ENGINEER:** Trevor Rivero, Administrative Intern (909) 395-2155

**PROJECT PLANNER:** Jeanie Aguilo, Associate Planner (909) 395-2418

**DAB MEETING DATE:** January 17<sup>th</sup>, 2024

**PROJECT NAME/DESCRIPTION:** A Parcel Map PM-20452 (PMTT22-011) to subdivide 23 acres of land into nine (9) parcels located within the Commercial/Office land use district of the Ontario Mills (CCC North) Specific Plan

**LOCATION:** 4410 Ontario Mills Parkway (APN: 0238-041-29; 0238-041-30; 0238-041-31; 0238-041-32)

**APPLICANT:** Zellman Ontario LLC

**REVIEWED BY:**   
Raymond Lee, P.E.  
Assistant City Engineer

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

1/11/24  
Date

1-11-24  
Date

**THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE LISTED BELOW. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT. SEE ATTACHED EXHIBIT 'A' FOR PLAN CHECK SUBMITTAL REQUIREMENTS.**

1. Prior to final map or parcel map approval, applicant shall provide a private blanket easement over all parcels for vehicular, pedestrian, utility, and emergency access as well as private surface drainage with no concentrated flows from one parcel to the other(s).
2. Prior to final map or parcel map approval, applicant shall 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.



Project File No. PM-20452 (PMTT22-011)

Project Engineer: Trevor Rivero

DAB Date: 01/17/2024

3. Provide a preliminary title report current to within 30 days.
4. Record Parcel Map No. PM-20452 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
5. Submit a PDF of the recorded map to the City Engineer's office.
6. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.
7. See attached OMUC's (Ontario Municipal Utilities Company) Conditions of approval.
8. Prior to final map or parcel map approval, applicant shall apply for an encroachment permit to complete the public improvements mentioned in OMUC's conditions of approval.
9. The applicant shall pay all fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees and inspection fees.
10. The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.

**ENGINEERING DEPARTMENT  
First Plan Check Submittal Checklist**

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**Project Number: Parcel Map No. PM-20452 (PMTT22-011)**

**All plan check submittals are to be done digitally through the City Of Ontario Citizen Portal Access. The following items are to be included with the first plan check submittal:**

1.  **A copy of this check list**
2.  Payment of fee for Plan Checking
3.  One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.
4.  **One (1) copy of project Conditions of Approval**
5.  Include a PDF (electronic submittal) of each required improvement plan at every submittal.
6.  Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
7.  Three (3) sets of Public Street improvement plan with street cross-sections
8.  **Four (4) sets of Public Water improvement plan.**
9.  Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
10.  Four (4) sets of Public Sewer improvement plan
11.  Five (5) sets of Public Storm Drain improvement plan
12.  Three (3) sets of Public Street Light improvement plan
13.  Three (3) sets of Signing and Striping improvement plan
14.  Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)
15.  Three (3) sets of HOA Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
16.  Five (5) sets of CFD Landscape improvement plans. Show corner sight line distance per engineering standard drawing 1309.
17.  Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)
18.  Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.
19.  Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).
20.  One (1) copy of Hydrology/Drainage study
21.  One (1) copy of Soils/Geology report
22.  **Payment for Final Map/Parcel Map processing fee**

- 23.  **Three (3) copies of Final Map/Parcel Map**
- 24.  **One (1) copy of approved Tentative Map**
- 25.  **One (1) copy of Preliminary Title Report (current within 30 days)**
- 26.  One (1) copy of Traverse Closure Calculations
- 27.  **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
- 28.  Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 29.  Other: \_\_\_\_\_



# CITY OF ONTARIO MEMORANDUM



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**DATE:** March 31, 2022  
**TO:** David Zurita, Engineering  
**CC:** Jeanie Irene Aguilo, Planning  
**FROM:** Peter Tran, Utilities Engineering  
**SUBJECT:** DPR #1 – Conditions of Approval (COA)/Utilities Comments REVISED (#8234)  
PMTT22-011 (A Parcel Map/PM-20452 to subdivide 23 acres of land into nine parcels at 4410  
**PROJECT NO.:** Ontario Mills Parkway- California Commerce Center North SP)

---

## BRIEF DESCRIPTION

*A Parcel Map (PM 20452) to subdivide 23 acres of land into nine (9) parcels located at 4410 Ontario Mills Parkway, within the Commercial/Office land use district of the Ontario Mills (CCC North) Specific Plan (APN(s): 0238-041-29, 0238-041-30, 0238-041-31 and 0238-041-32).*

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## THIS SUBMITTAL IS COMPLETE AND RECOMMENDED FOR APPROVAL.

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

### **General Conditions:**

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

### **Potable Water Conditions:**

2. Fire Hydrants: Upgrade all existing public fire hydrants fronting and within the project to city's current standards

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT22-011

Address: 4410 Ontario Mills Pkwy

APN: 0238-041-29, 30, 31 & 32

Existing Land Use: Commercial Shopping Center

Proposed Land Use: Parcel map to subdivide 23 acres of land into 9 parcels

Site Acreage: 23 Proposed Structure Height: Existing Buildings

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: 6/9/2022

CD No.: 2022-013

PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="checkbox"/> High Terrain Zone	<input type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="checkbox"/> Zone 3	<input type="checkbox"/> 60 - 65 dB CNEL	<input type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>100 FT</u>	
<input type="radio"/> Zone 5			

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

Airport Planner Signature: \_\_\_\_\_



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Aguilo  
Planning Department

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

**DATE:** March 14, 2022

**SUBJECT:** PMTT22-011 - A Parcel Map (PM 20452) to subdivide 23 acres of land into nine (9) parcels located at 4410 Ontario Mills Parkway, within the Commercial/Office land use district of the Ontario Mills (CCC North) Specific Plan (APN(s): 0238-041-29, 0238-041-30, 0238-041-31 and 0238-041-32).

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

### **SITE AND BUILDING FEATURES:**

- A. 2019 CBC Type of Construction: Not listed, assumed III-B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): Varies
- D. Number of Stories: N/A
- E. Total Square Footage: Varies
- F. 2019 CBC Occupancy Classification(s): N/A

## **CONDITIONS OF APPROVAL:**

### **1.0 GENERAL**

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

### **2.0 FIRE DEPARTMENT ACCESS**

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.7 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**

- ☒ 3.2 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 public 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**

- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13 D. 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.

## **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. Homes that do not front street shall be provided with an address entry sign at the street. 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.





# CITY OF ONTARIO MEMORANDUM

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

FROM: Jeanie Irene Aguilo, Associate Planner

DATE: March 01, 2022

SUBJECT: FILE #: PMTT22-011

Finance Acct#:

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

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

**PROJECT DESCRIPTION:** A Parcel Map (PM 20452) to subdivide 23 acres of land into nine (9) parcels located at 4410 Ontario Mills Parkway, within the Commercial/Office land use district of the Ontario Mills (CCC North) Specific Plan (APN(s): 0238-041-29, 0238-041-30, 0238-041-31 and 0238-041-32).

- 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  
Department

ANGELINA GALVAN  
Signature

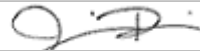
POLICE OFFICER  
Title

3/7/22  
Date

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

**CONDITIONS OF APPROVAL**

Sign Off



Jamie Richardson, Sr. Landscape Planner

1/18/2023

Date

Reviewer's Name:

**Jamie Richardson, Sr. Landscape Planner**

Phone:

**(909) 395-2615**

D.A.B. File No.:  
 PMTT22-011

Related Files:

Case Planner:

Jeanie Aguilo

Project Name and Location:

Subdivide 23 Acres  
 4410 Ontario Mills Parkway

Applicant/Representative:

Ashley Da Sylveira [adasylveira@drc-eng.com](mailto:adasylveira@drc-eng.com) (714) 685-6860  
 160 South Old Springs Road, Suite 210  
 Anaheim Hills, CA 92808



**A Tentative Tract/Parcel Map (dated 11/23/2022) has been approved, considering that the following conditions below are met upon the landscape construction documents submittal.**



**A Tentative Tract Map/Parcel (dated) has not been approved. Corrections noted below are required before DAB approval.**

**CORRECTIONS REQUIRED**

1. Parkway trees are to be 30' apart. Show and note a 10' parkway tree space, 5' clearance on each side of the tree from any utility or hardscape, including water, sewer, drain lines, and min. 10' clear from street lights.
2. Show and identify any on-site stormwater infiltration areas or devices proposed in parkways or other landscape areas.
3. Parking spaces shall include end island planters for shade trees; trees shall be provided one every four spaces.

On Future Grading or Utility Construction Plans:

4. Provide a tree inventory for existing trees, including genus, species, trunk diameter, canopy width, and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings, or on-site tree planting. Add tree protection notes on construction and demo plans.



# CITY OF ONTARIO

## MEMORANDUM

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

FROM: Jeanie Irene Aguilo, Associate Planner

DATE: March 01, 2022

SUBJECT: FILE #: PMTT22-011

Finance Acct#:

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

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

**PROJECT DESCRIPTION:** A Parcel Map (PM 20452) to subdivide 23 acres of land into nine (9) parcels located at 4410 Ontario Mills Parkway, within the Commercial/Office land use district of the Ontario Mills (CCC North) Specific Plan (APN(s): 0238-041-29, 0238-041-30, 0238-041-31 and 0238-041-32).

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.

Community Improvement  
Department

Signature

Title

CI Supervisor

3/2/22  
Date