

# ADMINISTRATION

## **DEVELOPMENT APPROVAL PROCESS**

### *Overview*

### *Review Prior to City Submittal*

**T**his Specific Plan document establishes building intensities, street locations, technical master plans for services, etc. Subsequent to Specific Plan approval, project applicants will submit individual building elevations, and architectural details for ~~technical~~ approval by the Development Advisory Board.

*review  
and*

### *CCC North Approving Agent*

**A**s specified in the CC&R's for California Commerce Center North, any proposed division or resubdivision of any parcel of land, the construction of any improvement within Sectors A-D, H-K, and N of the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan, or any proposed revision or amendment to this document affecting those Sectors must be submitted to and approved by the CCCN Approving Agent prior to submittal of the application to the City of Ontario. The purpose of this review is to pre-screen development submittals to ensure that they meet the minimum requirements of the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan prior to their submittal and review by the City (see Figure VI-1).

The City shall retain its discretionary authority to review applications within the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan area.

Implementation of the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan will require the coordination of existing City of Ontario review procedures and other implementation actions discussed below.

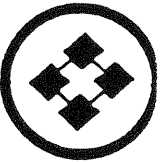


### *City Review Procedures*

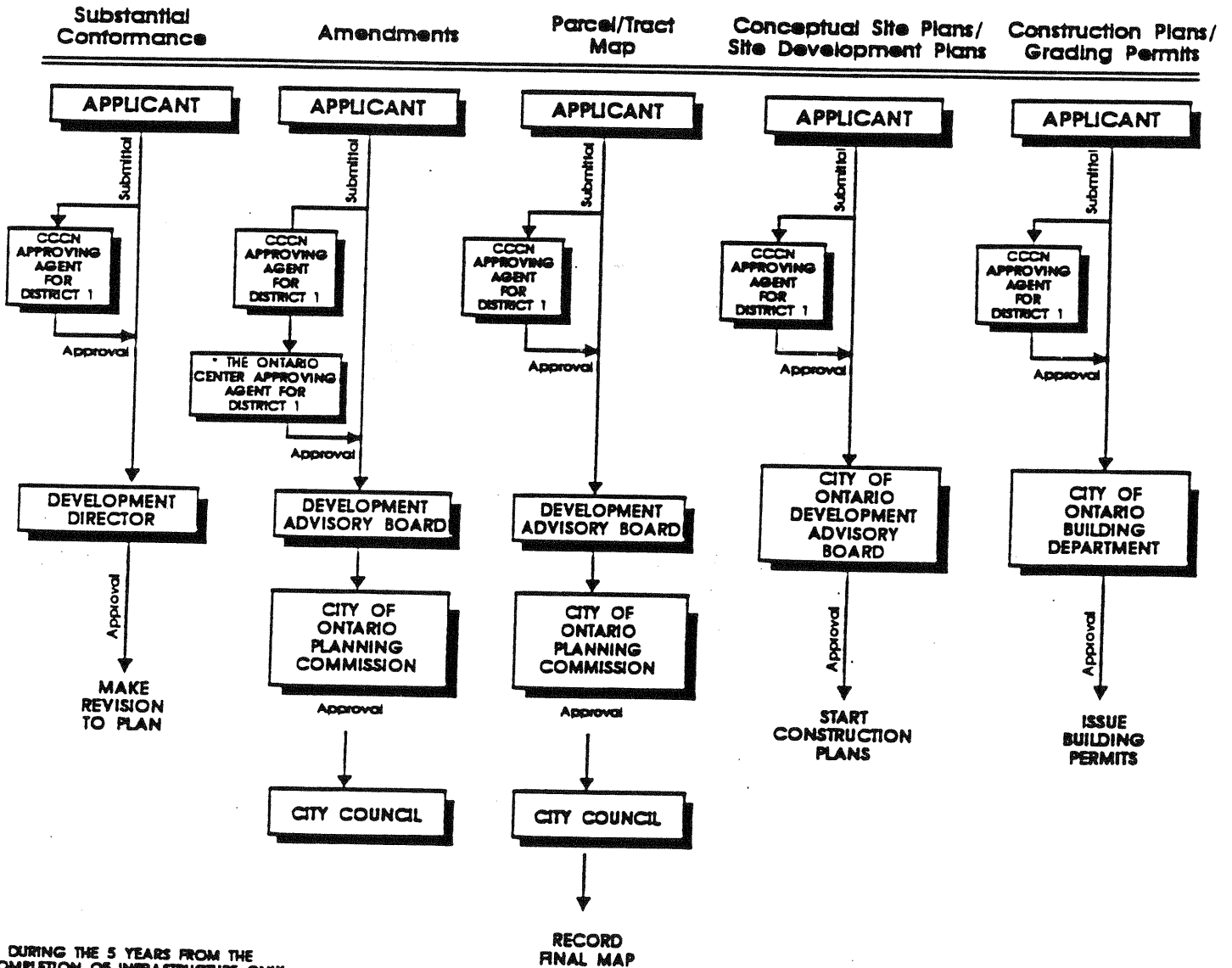
### *Zoning Ordinance*

**U**pon adoption of the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan, all land use and development regulations, guidelines, and procedures set forth in this Specific Plan shall replace those of the City of Ontario Zoning Ordinance. The Specific Plan is to establish permitted land uses, maximum square footages, infrastructure improvements and phasing. It is not the intent of the Specific Plan to identify precise details pertaining to architecture and specific design treatments.

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**PLAN SUBMITTAL GUIDELINE FLOW CHART**



\* DURING THE 5 YEARS FROM THE COMPLETION OF INFRASTRUCTURE ONLY.  
CCCN: CALIFORNIA COMMERCE CENTER NORTH

SOURCE: PLANNING NETWORK, 1992.

FIGURE VI-1

OK: MW

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## *Site Approval/Development Review*

**T**o ensure compliance with all applicable standards and regulations of the Specific Plan, all projects shall be subject to review and approval by the City of Ontario.

Where a land use is identified in Section V, Land Use and Development Regulations as "Permitted", a site plan shall be submitted to the City of Ontario Planning Department for review and approval by the Development Advisory Board. Review of site plans will include review of items such as, but not limited to, location of buildings, off-street parking, landscape areas, loading facilities, and entries/exits; dedication of streets as required by the Specific Plan; recommendations of the City Engineer as to required infrastructure provision; compatibility with surrounding development; consistency with the provisions of this Specific Plan and the City Zoning Ordinance; and other specific conditions affecting public health, safety, and welfare.

## *Conceptual Site Plans*

**I**f one parcel in a Sector applies for approval of a site development plan, then a conceptual site plan must be submitted along with the site development plan application for the entire Sector in which it is located. The purpose of the conceptual site plan is to illustrate the manner in which the proposed site plan will fit with full buildout of the Sector, ensuring opportunity for a cohesive, well-planned layout. Full buildout represents existing development, proposed development, and future development. The conceptual site plan will include review of items such as, but not limited to location of buildings; areas for off-street parking, landscaping, and loading facilities; and entries/exits. It is not the intent of the conceptual site plan to establish precise alignments and locations of buildings, parking, access points, etc of future development areas not part of the Site Development Plan application.

## *Land Division Review*

**P**rocedures for the division of land within the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan area shall be governed by the City of Ontario subdivision ordinance and this Specific Plan.

## *Design Review*

**S**ubsequent to approval of the Specific Plan and Site Plan for Sector A, Development Advisory Board shall make recommendation to the Planning Commission for approval of design details, such as architectural elevations, colors, materials and signs. Design review approval shall be secured prior to the issuance of any permit for the exterior of the regional mall building. This review, which will occur subsequent to review of the mall site plan, is intended to provide for a more detailed examination of architectural and landscape design than can be expected to occur during the site plan review.

*Sign  
Lighting  
Street  
Furniture  
Omitted  
Accidentally*

*↓  
available*

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Application shall be made to the Development Director, and shall be accompanied by the fee prescribed in the City of Ontario fee schedule, if any. The following information shall be submitted to the City of Ontario Development Director at the initiation of the design review process:

- a site plan showing the location of all proposed buildings, structures, planted or landscaped areas, paved areas, and other improvements, and indicating the proposed uses and activities on the site;
- drawings or sketches showing the elevations of all proposed buildings, sufficiently detailed and dimensioned to indicate the scale, height, and massing of the building, including proposed entry features; and
- a preliminary landscape plan, indicating the location, type, and extent of proposed landscaping and hardscape areas, including plant selection and indication of the size of plants to be provided.

The design review submittal shall be reviewed by members of the Development Advisory Board for conformance with the provisions of this specific plan.

## *Fees*

**A**ll applications submitted to the City of Ontario pursuant to this Specific Plan shall be accompanied by the appropriate fee as approved by Resolution of the City Council.

## *Environmental Evaluation*

**A**n Environmental Evaluation is required by the City of Ontario to be submitted with any land division or site plan application. The City of Ontario's Planning staff will review all environmental documentation prior to review of development plans. Applicants should refer to the Mitigation Measures contained in this Section of the document and the Environmental Impact Report prepared for the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan area.

## *Appeals*

**A**n appeal from any determination, decision, or requirement of staff, Development Advisory Board, or the Planning Commission shall be made in conformance to the appeal procedures established by Section 9-3.3400 of the Ontario Municipal Code.

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## **SUBSTANTIAL CONFOR- MANCE**

### *Determination of Substantial Conformance*

### *Guidelines for Determination of Substantial Conformance*

**T**he purpose of substantial conformance is to provide a mechanism which would allow flexibility in development of the Specific Plan area. Substantial Conformance allows for a non-substantial modification to the approved Specific Plan, which does not modify the effect of the approval on surrounding property. Substantial Conformance may include, but is not limited to, modifications necessary to comply with Final Conditions of Approval or modifications affecting infrastructure, public services and facilities, landscape palette, and other issues except those affecting project financing and development regulations (see Figure VI-1).

Substantial conformance shall not include modifications in the basic design of the project, significant additions to the height or bulk of the approved use, or increases in the density or intensity of the approved use.

**D**etermination of substantial conformance shall be made by the City of Ontario Development Advisory Board. The proposed modification must comply with the intent of the Specific Plan.

*Omitted  
Substantial  
Conformance  
findings*

### *Infrastructure*

**M**odifications to the alignment of roads; creation of local public and/or private streets; or adjustments to individual infrastructure facilities such as drainage, sewer, and water shall be subject to substantial conformance determinations. In order to approve substantial conformance modifications of specific plan infrastructure, the Development Director shall have first conferred with the City Engineer, and have made the finding that the proposed modification will not result in any significant impacts which were not previously addressed and resolved in the processing of the Specific Plan.

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## *Land Use*

**T**ransfers of density, as outlined in Chapter III, may be determined to be in substantial conformance with the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan, subject to the following conditions:

- The applicant for a substantial conformance determination shall submit an analysis of the proposed density transfer to ascertain the following:
  - The density transfer does not create adverse impacts on traffic and circulation adjacent to areas of the transfer; and
  - The density transfer not create adverse impacts on sewer, water, and other infrastructure capacity in the areas of the transfer.
- The surrounding property owners within 300 feet of the proposed density transfer shall be notified, in writing, of the proposed transfer. The applicant shall provide names and addresses of the affected property owners, and shall pay all postage costs. If any affected party, including property owners and any other agency, object to the rearrangement(s), the members of Development Advisory Board shall be so notified.
- Concurrently, the Planning Commission members shall be notified by mail of the proposed density transfer. The Planning Commission members will have ten days (from the date of their receipt of notice) in which to comment on the proposal. If the Planning Commission members and adjacent landowners have no objection to the proposed density transfer, the proposal will be placed on the next Development Advisory Board agenda. If any member of the Planning Commission has a concern with the proposed density transfer, then the proposal shall be subject to requirements for an "amendment" to the Specific Plan.

## *Signage*

**C**hanges to the Specific Plan's signage program that relate to total number, location, and size of signs per Sector may occur, provided that the total permitted sign area has not been exceeded.

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## **SPECIFIC PLAN AMENDMENTS**

### *Landscaping*

**R**evisions to the landscape palette provided in Chapter IV may be approved by the City of Ontario Development Director as a substantial conformance item.

### *Site Plan Approvals*

**S**pecific provisions of site plan approvals, including architectural details; landscape palette; building size, height, bulk, and orientation; parking lot layout; and other site plan details may be revised utilizing substantial conformance provisions. In making such a determination, the Director of Development shall be required to find that the revisions requested under substantial conformance are consistent with the provisions of the Specific Plan, and do not create impacts which were not recognized and addressed in the original site plan approval.

**A**mendments to the Specific Plan shall be required for revisions which are beyond the scope of substantial conformance determinations. Any Specific Plan amendment proposed within Sectors A-D, H-K, and N will require review and approval by CCCN's Approving Agent and The Ontario Center Approving Agent (for five years following the completion of infrastructure), recommendations by the City of Ontario Development Advisory Board and Planning Commission, and approval by the City Council.

For all other Sectors, an amendment will require review by the City of Ontario Development Advisory Board and Planning Commission, and approval by the City Council. Specific Plan amendments are governed by the California Government Code, Section 65500, which requires an application and fee to be submitted to the Ontario Planning Department, stating in detail the reasons for the proposed amendment.

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## TRAFFIC MONITORING

### *Introduction and Purpose*

**T**he primary purpose of the CCCN/Ontario Gateway Plaza/Wagner Properties traffic monitoring program is to ensure that, as each increment of development within the Specific Plan area occurs, adequate roadway capacity is or will be available to accommodate project-generated traffic. As identified in the project traffic analysis, significant improvements to the area roadway system will be necessary to support buildout of Specific Plan land uses if adequate levels of service are to be maintained. The following program will provide a connection between land development within the Specific Plan area and the timing of roadway improvements.

### *Initiation of Development*

**P**ursuant to mitigation measures included in EIR 92-1, building permits within the Specific Plan area will be issued only after an assessment district or other financing mechanism acceptable to the City has been established and confirmed for improvements to the Milliken/Interstate 10 and the Fourth Street/Interstate 15 interchanges. In addition, prior to the issuance of building permits within the Specific Plan area, an assessment district or other mechanism acceptable to the City shall have been established to ensure the improvement of arterial roadways within and adjacent to the Specific Plan site, as well as the installation of warranted traffic signals.

### *Traffic Monitoring Reports*

Omitted

N/C

**I**f the issuance of the first certificate of occupancy within the Specific Plan area is to occur prior to the Milliken/Interstate 10 and Fourth Street/Interstate 15 ramp improvements being operational, a mechanism to ensure monitoring of traffic on area roadways during construction shall be submitted to the Ontario City Engineer for review and approval. The monitoring plan shall provide for the submittal of semi-annual reports, prepared by a licensed traffic engineer in consultation with the City of Ontario, documenting traffic volumes and available capacity at the following locations:

- Milliken Avenue - Interstate 10 interchange, including westbound and eastbound ramps;
- Fourth Street - Interstate 15 interchange, including southbound and northbound ramps; and
- Milliken Avenue - Fourth Street intersection.

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Omitted.

## Deficiency Reports

The first traffic monitoring report shall be submitted within three (3) months of the issuance of the first Certificate of Occupancy within the Specific Plan area. Subsequent monitoring reports shall be submitted every six (6) months thereafter until such time as the Milliken Avenue/Interstate 10 interchange, Fourth Street/Interstate 15 interchange, the Milliken Avenue/Fourth Street intersection improvements, and other required roadway improvements are installed and operational.

If any semi-annual report identifies deficiencies<sup>1</sup> at the locations being monitored, the City of Ontario shall suspend issuance of additional building permits within the Specific Plan area, and a deficiency report shall be prepared.

**W**here required by the provisions of this Specific Plan, a deficiency report shall be prepared by the City of Ontario Planning Department and adopted by the City Council. The deficiency report shall include:

- An analysis of the causes of the deficiency, including a calculation of the contribution of project site traffic to the total traffic creating the deficiency.
- A list of improvements necessary for the deficient facility to maintain an acceptable level of service.
- An identification as to whether these improvements have already been committed to be developed as part of Specific Plan implementation, along with the projected timing of completion of those improvements.
- An action plan and specific implementation schedule that will be implemented, consisting of improvements and/or programs that are found by the City of Ontario to be in the interest of the public's health, safety, and welfare.

Following preparation of the deficiency report, it will be reviewed and approved (or approved with modifications) by the Ontario City Council. The issuance of building permits subsequent to the adoption of a deficiency report shall be consistent with the action plan and implementation schedule included in the approved report.

<sup>1</sup> A "deficiency" shall be deemed to exist if the level of service at an intersection being monitored falls to Level Of Service "F".

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## **EIR MITIGATION MEASURES**

**A**n Environmental Impact Report has been prepared in conjunction with the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan (EIR 92-1; SCH 92012078). Listed within the EIR are the mitigation measures applicable to the development of the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan area. Many of these mitigation measures have been directly addressed through the Specific Plan; others will be addressed through the parcel map, site plan approval processes, or conditions of approval.

Applicants submitting plans for parcel map or site plan approval will be required to ensure that these mitigation measures are addressed in their plans; a review of the application of these mitigation measures to individual development applications within the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan area will be undertaken by the City of Ontario and the Approving Agent for Sectors A-D, H-K, and N, as part of the development review process for all applications.

### *Earth Resources*

- (1) Prior to the issuance of grading permits, the applicants for such permits shall submit a Comprehensive Dust and Erosion Control Plan to be approved by the City of Ontario Building Official; San Bernardino County Department of Agriculture; and the Inland Empire West Resource Conservation District. This Plan must also conform to South Coast Air Quality Management District regulations regarding dust control (including SCAQMD Rule 403), and may include, but is not limited to:
  - Phasing (and sub-phasing) of grading activities to help minimize the amount of cleared land at any given time.
  - Regular watering of cleared areas to prevent dust generation. Care will be taken not to over-water cleared areas to prevent runoff and soil erosion.
  - Appropriate detours will be established where through traffic cannot be maintained.
  - Use of chemical or other soil stabilizing agents, where feasible.
  - Interim planting or other methods of stabilizing soils in areas that must be kept cleared for long periods of time.
  - Use of improved roads for construction traffic where feasible, and adhering to appropriate speed limits within construction areas.

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- Use of sandbags to control and direct runoff.
  - Prompt revegetation after grading and construction is completed.
  - Grading operations will be suspended during first and second stage smog alerts, or when winds exceed 30 mph.
  - A flag person will be used to guide traffic properly and to ensure safety at construction sites.
  - Construction operations affecting offsite roadways will be scheduled for off-peak hours and will minimize obstruction of through-traffic lanes.
- (2) Prior to the issuance of grading permits, applicants for such permits shall submit grading plans for the review and approval by the City of Ontario Building, Planning, and Engineering Departments.
- All grading plans and activities will conform to the City grading ordinance, and to the Comprehensive Dust and Erosion Control Plan that will be developed prior to the issuance of any grading permits (see Mitigation Measure No. 1). Prior to the stockpiling or borrowing of any soil in order to grade separate parcels, approval shall be obtained from the City Building Department and/or the Engineering Department.
- (3) Prior to design and construction of foundations and earthwork, applicants for such buildings shall submit a geotechnical study that indicates the engineering properties of the site. The study shall also evaluate the potential groundshaking to determine necessary site specific design parameters for proposed structures. Design parameters will, at a minimum, meet Uniform Building Code Zone 4 requirements. Any future development shall be conducted in accordance with the recommendations made in this report, as approved by the Ontario Building Official.
- (4) Prior to the issuance of building permits, applicants for such permits shall demonstrate to the satisfaction of the Ontario Building Official that all grading has been completed in conformance with City of Ontario building requirements, as well as in accordance with the recommendations of the geotechnical/engineering study conducted as part of the Mitigation Measure No. 3.

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- (5) Prior to the issuance of grading permits affecting the Beacon Truck Stop site, and/or improvements to the portion of Inland Empire Boulevard through the Beacon Truck Stop site, applicants for such permits shall demonstrate to the satisfaction of the Ontario Building Department and to the California Regional Water Quality Control Board (Santa Ana region) that cleanup of the contaminated soil has taken place. The site remediation will be done in compliance with all applicable federal, state, and local laws which would include disposing of the contaminated soil in an appropriate landfill, and with verification from all appropriate public agencies.
- (6) Prior to the issuance of street encroachment and grading permits, applicants for such permits shall demonstrate to the City of Ontario Engineering Department that proper approvals have been received from the Southern California Edison Company and Chino Basin Municipal Water District, if the street or grading design requires a substantial change in grade over their lines. Those facilities are specifically a SCE 12-inch fuel line in Rochester Avenue and Inland Empire Boulevard and a CBMWD 27-inch non-reclaimable wastewater line in Inland Empire Boulevard.
- (7) Prior to the issuance of occupancy permits, applicants for such permits shall submit proof of compliance to the satisfaction of the Ontario Building Department and the Ontario Fire Department that all necessary hazardous materials regulations have been implemented, and all relevant permits have been obtained.
- (8) Prior to the issuance of grading permits for Districts 1 and 3, applicants for such permits shall demonstrate to the satisfaction of California Department of Fish and Game and the City of Ontario Planning Department that any necessary requirements under Fish and Game Code Sections 1601-1603 have been completed, which may include obtaining a Section 1603 Streambed Alteration Agreement.
- (9) Prior to the recordation of subdivision or parcel maps, it shall be demonstrated to the satisfaction of the Ontario City Engineer that the Master Plans of Drainage included in the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan have been implemented.
- (10) Prior to the recordation of subdivision or parcel maps, offsite storm drain improvement plans shall be submitted to the Ontario City Engineer for review and approval. Improvement plans shall be consistent with the Master Plans of Drainage included in the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan, that identify the off-site facilities

*Biological  
Resources*

*Hydrology*

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needed to convey runoff from the site boundaries to regional flood control facilities. If necessary, such storm drain improvement plans will be submitted to San Bernardino County Flood Control District for review and approval. Improvement plans for said facilities shall be developed as part of the subdivision map/development review process.

- (11) Prior to the issuance of building permits for District 2 (Freeway Frontage), applicants for such permits shall submit documentation to the City of Ontario Engineering Department that the Zone II Storm Drain Fee has been paid in full.
- (12) Prior to the issuance of occupancy permits, applicants for such permits shall submit a program for review and approval by the City of Ontario Engineering Department that documents the specific methods used to reduce the amount of urban pollutants in storm runoff. These methods shall be consistent with the City of Ontario's NPDES permit requirements (once promulgated) as appropriate. These methods may include:
  - regular sweeping of private streets;
  - regular trash and litter control; and
  - appropriate use of fertilizers and pesticides.

## *Land Use*

- (13) Prior to the approval of individual site plans, applications for such individual plans within the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan shall be reviewed by the City of Ontario. In granting an approval for a proposed development within the specific plan area, the City shall first make a finding that the proposed development is consistent with the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan.

## *Circulation*

- (14) Prior to recordation of the first subdivision or parcel maps, the Master Plan of Circulation shall be implemented, including roadway and signalization improvements, to the satisfaction of the Ontario City Engineer.

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- (15) A program or an alternative means of financing the construction of the Milliken Avenue and Fourth Street interchanges must be formed and approved by the City prior to (i) City approval of final subdivision maps, and/or (ii) City approval of site plan applications or other requests for developmental approvals relating to projects on land included within the project area. However, the Development Advisory Board and Planning Commission may make such approvals, subject to confirmation by the City Council, upon a finding that such approval will not materially affect or jeopardize the establishment of such a financing program or alternative means of financing the construction of the Milliken Avenue and Fourth Street interchanges.
- (16) Prior to the issuance of building permits, construction of the Milliken Avenue and Fourth Street interchanges must have commenced. However, the City Manager or his designee may, upon application, approve the issuance of a building permit upon a showing by the developer that the proposed development project will not environmentally, significantly, or materially degrade the current level of service of the interchanges, with respect to the anticipated construction and operation of the upgraded interchanges.
- (17) Prior to the issuance of occupancy permits, applicants for such permits shall demonstrate to the City of Ontario Planning and Engineering Departments that the Transportation Demand Management Plan included in the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan has been implemented. The intent of this plan is to achieve an eight percent trip reduction goal and to document the strategies employed to achieve this reduction of project-related traffic. This TDM Plan will also be consistent with SCAQMD rules. By implementing this plan, the volume of air pollutants is also reduced. Strategies may consist of, but are not limited to:
- financial incentives for using alternate forms of transportation;
  - incentives and programs for carpooling, vanpooling, and buspooling;
  - provision of transit information centers, bus shelters, and subsidized transit passes;
  - encouragement of bicycling and walking;
  - compressed workweeks, flex-time, and staggered work hours;
  - use of telecommuting;

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- facility improvements to encourage alternate forms of transportation (e.g., provision of bike racks); and
- parking management strategies.
- If the City of Ontario Development Director or designee determines through the annual review of monitoring and evaluation reports submitted by individual employee transportation coordinators, that the target vehicle trip reduction or average vehicle ridership levels are not being met by single or multiple tenant groups (as appropriate), then additional conditions will be placed on the single/multiple tenant, including but not limited to: imposition of parking fees and reduction in the number of parking spaces.

(18) Prior to the issuance of occupancy permits, applicants for such permits shall submit documentation of the implementation of the applicable conditions of the Transportation Demand Management Plan to the City of Ontario Development Director.

(19) Prior to the issuance of occupancy permits, applicants for such permits locating within the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan area shall demonstrate to the satisfaction of the Ontario Traffic Engineer that they have joined the Airport Communities Transportation Management Association.

## *Air Quality*

(20) In addition to implementation of Mitigation Measures (1) and (2) related to dust control during construction, the following additional measures are to be undertaken during project grading and construction:

- Submittal of documentation by the contractor to the City of Ontario Building Official that construction equipment with diesel drive engines shall use diesel fuel with a maximum of 0.05 percent sulfur and a four degree retard.
- Encourage construction personnel to rideshare and use public transit;
- Design construction parking areas minimize traffic interference;

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- Pursuant to AQMP Control Measure 3a, schedule construction operations that affect off-site roadways for off-peak traffic hours and minimize obstruction of through traffic lanes.
- Where feasible, low emission building materials, such as pre-primed and sanded wood molding and trim products and pre-primed wallboard should be employed pursuant to AQMP Control Measure F-9.
- Employ construction activity techniques, such as: extending the construction period; reducing the number of pieces of equipment used simultaneously; increasing the distance between the emission sources; reducing or changing the hours of construction; and scheduling activity during off-peak hours.
- Utilize existing power sources (e.g. power poles) or clean fuel generators, rather than diesel fuel generators.
- Where feasible, nonsolvent paint and coatings for building exteriors shall be employed.

## *Noise*

- (21) Prior to the issuance of building permits, applicants for such permits shall demonstrate to the satisfaction of the City of Ontario Building Official that all applicable City of Ontario General Plan noise policies will be implemented during construction activities. This may include, but is not limited to:
- Restricting construction hours where necessary to reduce noise impacts;
  - Installation and maintenance of mufflers on all equipment;
  - Locating stationary equipment away from any sensitive receptors;
  - Locating stockpile and staging areas away from occupied areas to the east, and
  - Creating the greatest feasible distance between noise sources and sensitive receptors during construction.

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## *Cultural and Scientific Resources*

- (22) Prior to the approval of site plans, applicants for such approvals shall demonstrate to the City of Ontario Development Advisory Board compliance with all site layout, building design, and building setback provisions included in the Specific Plan. In addition, prior to the issuance of building permits, applicants for such permits within the 65 CNEL contour (office uses) or 70 CNEL contour (retail or commercial uses) prior to the implementation of mitigation will indicate to the City of Ontario Building Official how all applicable noise standards contained in the Ontario General Plan will be met. This may include building design, location, and insulation. The Noise Study should be consulted for specific suggestions regarding site layout and/or building design.
- (23) Prior to the issuance of grading permits, applicants for such permits shall submit written evidence to the Ontario Planning Department that a qualified archaeologist has been retained to conduct monitoring during all grading activities in the southeastern corner of the project site, in the vicinity of the structure as identified on the 1894 Cucamonga U.S.G.S topographic map. If artifacts or other materials are uncovered during grading, the monitor shall halt all earth moving activities in the area, and notify the Ontario Planning Department. A report shall be prepared by the archaeologist assessing the significance of the find and identifying any actions to be taken by the applicant prior to the City granting permission for the site grading to resume.
- (24) Prior to the removal of any cultural artifacts or other materials that may be found on the project site, the report identified in Mitigation Measure No. 23 listed above shall be prepared by a qualified archaeologist and submitted to the Ontario Planning Department for its review and approval. The removal of cultural artifacts or other materials shall occur in conformance with the recommendations of the approved report.
- (25) Prior to the issuance of grading permits, applicants for such permits shall submit documentation that the following procedure regarding potential paleontological material on the entire project site shall be implemented:
- A paleontologic sensitivity review shall be conducted for District 2, and if necessary, a monitoring program for this portion of the site shall be integrated with the paleontologic monitoring program conducted for the remaining portions of the site, as outlined below.

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- A qualified paleontologist shall be retained by the project sponsor to monitor all grading activities over five feet in depth, and proof of compliance with this requirement shall be submitted to the Ontario Planning Department.
- In the event that paleontological material were to be discovered on the site, the paleontologist shall be empowered to stop or divert grading activities, and assess the significance of the find. Grading in the general vicinity of the paleontologic materials shall not be resumed until the paleontologist has completed an evaluation, and has given permission for grading to continue.
- Recovered specimens are prepared to the extent that they can be identified, including the washing of sediments to recover small invertebrates.
- Recovered specimens are identified and curated into a museum repository with retrievable storage.
- The report assessing the significance of the find and identifying any actions to be taken by the applicant with respect to the disposition of the paleontological materials shall be submitted to the Ontario Planning Department for its review and approval prior to removal of the materials and commencement of the grading.

## *Aesthetics*

- (26) Prior to approval of any subsequent site plan for the site or portion thereof, the Ontario Development Advisory Board shall review each site plan for conformance with the design guidelines of the Specific Plan. The CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan contains an image enhancement plan and development standards which require that all development of the project site be compatible in terms of architectural styles, signage, landscaping, and lighting.
- (27) In conjunction with the approval of site development plans or building construction plans, a Master Lighting Plan shall be prepared by the party requesting approval of such plans for the review and approval by the City of Ontario Building Department and Police Department. The Master Lighting Plan shall include, at a minimum, the placement and height of light standards, the minimum and maximum allowable foot candles for streets and perimeter parking lots. All applicants shall be required to use directional lighting in those areas that are located adjacent to public roadways and freeways so as to minimize the amount of light and glare affecting the motorists.

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- (28) Prior to the issuance of building permits, applicants for such permits shall submit a plan for review and approval by the City of Ontario Planning Department for a median landscape buffer to be located along Fourth Street between Rochester and Milliken in order to enhance the views of the project site from existing and proposed land uses north of Fourth Street in the City of Rancho Cucamonga.
- (29) Prior to the issuance of building permits, applicants for such permits appropriate fees shall be paid as required by a City Council-approved financing plan for impacts to police services (or as specified in the approved financing plan).
- (30) Prior to the issuance of building permits for the regional mall, the mall operator and the Ontario Police Department shall agree upon a site within the mall to be provided for a satellite police station. The mall operator shall provide the space, as well as the capital facilities needed to open such a station.
- (31) Prior to the issuance of building permits for the regional mall, the design and location of helicopter landing areas within the mall site shall be approved by the City of Ontario Police Department.
- (32) Prior to the issuance of occupancy permits for the regional mall, applicants for such permits shall demonstrate compliance with all applicable requirements of the Ontario Building Security Code, OMC 4-11.01 to the satisfaction of the Ontario Police Department.
- (33) Prior to the issuance of occupancy permits for the regional mall, the mall operator shall submit to the Ontario Police Department a Master Security Plan specifically for the regional mall. This Security Plan shall address the following issues: security personnel and training, the separation of responsibilities between the Ontario Police and private security personnel, physical security measures, parking lot emergency call boxes, interior and exterior closed circuit TV, appropriate interior and exterior lighting, the existence and enforcement of a gang-related dress code, etc.
- (34) Prior to the issuance of occupancy permits for properties and individual projects within Districts 1, 2, 3, and 4, applicants for such permits shall enter into an agreement with the Ontario Police Department to allow the Police Department to enforce all applicable laws of the City of Ontario, State of California, and the United States.

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- (35) Prior to the approval of site plans or building construction plans for District 1, applicants for such approvals shall submit a Master Lighting Plan to the City of Ontario Building Official and the Ontario Police Department for review and approval. The Master Lighting Plan shall include, at a minimum, overall lighting standards, the placement and height of lights on the mall loop road and mall parking lots, and the maximum and minimum allowable foot candles for mall parking lots and mall loop road street lights.
- (36) Prior to the issuance of building permits, applicants for such permits shall submit to the Ontario Fire Department for review and approval a Master Fire Protection Plan that will document measures to be implemented to protect the site in a manner acceptable to the local authority having jurisdiction. These measures may include, but are not limited to:
- payment of its fair share for Station No. 8;
  - assurance of adequate built-in fire protection and detection systems, or other fire suppression systems;
  - testing of fire hydrants and fire extinguishers;
  - disclosure forms for hazardous materials or waste storage, if appropriate; and
  - adequate access and turning radii for fire vehicles.
- (37) Prior to the issuance of occupancy permits, applicants for such permits shall submit evidence to the City of Ontario Building Official that the fire conditions placed upon the approved site plan (see Mitigation Measure No. 36) have been implemented.
- (38) Prior to the issuance of building permits, applicants for such permits shall submit evidence to the Ontario Fire Department indicating that required fire flows are adequate.
- (39) Prior to the issuance of building permits, applicants for such permits shall demonstrate to the satisfaction of the Ontario Fire Department that payment for the services of a qualified fire inspector during agreed upon construction and building inspection periods on the project site has been received.
- (40) Prior to the issuance of occupancy permits, applicants for such permits shall demonstrate to the satisfaction of the Ontario Planning Department that a Community Facilities District for the operation and maintenance of Fire Station No. 8 is in place.

# ADMINISTRATION

(41) Prior to the approval of site plans, applicants for such plans shall obtain from the City of Ontario Solid Waste Superintendent or Public Services Director review and approval of general recycling and solid waste disposal requirements. These requirements may include, but are not limited to:

- adequate space to accommodate both non-recyclable and recyclable materials, if appropriate;
- methods of source separation and sorting, if appropriate;
- provisions for trash compactors and bailers; and
- designation of recycling coordinators.

In addition, the City of Ontario's Guidelines and Requirements for Solid Waste shall be implemented, as agreed upon by the site plan applicants and the City.

(42) Prior to the issuance of occupancy permits, applicants for such permits shall ensure that the site has been inspected by the City of Ontario Building Department to determine that the conditions of the approved site plan in Mitigation Measure No. 41 have been implemented.

(43) Prior to the issuance of building permits, or as mutually agreed between applicants for such permits and the affected school districts, the applicants shall pay all legally established or negotiated school impact fees to the Cucamonga School District and Chaffey Joint Unified High School District in effect at the time of development. Prior to the issuance of building permits, applicants for such permits shall submit verification to the City of Ontario Director of Development that all such school fees have been paid. Both the City of Ontario and the school districts will work together to determine a joint solution to ensure that the needs of both districts are met.

## *Utilities*

(44) Prior to the recordation of subdivision or parcel maps, it shall be demonstrated to the satisfaction of the Ontario City Engineer that the Master Plan for Water contained in the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan has been implemented. All public water lines serving the project area, including the Ontario Mills mall, must be located in dedicated public rights-of-way, or within public utility easements, and accessible to City maintenance crews. Variations in this policy must have prior approval of the Public Services Director.

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## ADMINISTRATION

- (45) Prior to the recordation of subdivision or parcel maps, it shall be demonstrated to the satisfaction of the Ontario City Engineer that any revisions, upgrades and/or associated costs required to The Ontario Center Facilities Master Plan or to The Ontario Center infrastructure, as a result of the CCCN/Ontario Gateway Plaza/Wagner Properties Master Plans, shall be provided by the applicants.
- (46) Prior to the issuance of building permits, applicants for such permits shall submit documentation to the City of Ontario Building Official that appropriate water conservation measures have been incorporated into building and site designs. Compliance with all relevant State laws and local policies will be demonstrated to the Ontario Public Facilities Development Coordinator, including Title 20 and Title 24, as well as the City of Ontario's Xeriscape Policy. Drought tolerant landscaping, plant placement, efficient irrigation, and mulching shall also be employed where appropriate. In addition, measures such as low flush toilets, flow reducing faucet aerators, pressure reducing valves, and adequate pipe insulation may also be used.
- (47) Prior to the issuance of building permits, applicants for such permits shall demonstrate to the satisfaction of the Ontario City Engineer that the water system for the project has been designed as a dual water system, consisting of a domestic system and a reclaimed system. Concurrent with the submittal of construction drawings for the domestic system, construction drawings shall be prepared for the reclaimed water system to be used for landscape irrigation. Both the domestic and reclaimed water systems shall be constructed simultaneously. Until such time as reclaimed water is made available to the project site, domestic water supplies will be used for irrigation purposes.
- (48) Prior to recordation of subdivision or parcel maps, it shall be demonstrated to the Ontario City Engineer that the Master Plan of Sewer contained in the CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan has been implemented.
- (49) Prior to the issuance of building permits, a determination shall have been made by the Ontario City Engineer that sufficient capacity will be available at the regional sewer treatment plant to serve the project site.
- (50) Prior to the issuance of building permits, a determination shall have been made by the Ontario City Engineer that sufficient sewer main improvements have been, or will be, provided to convey the proposed wastewater generated by the project site to the regional sewer treatment plant.

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## ADMINISTRATION

- (51) Prior to the issuance of grading permits, applicants for such permits shall submit evidence to the Ontario City Engineer and Chino Basin Municipal Water District that adequate protection will be given to the non-reclaimable water line that is located parallel to existing Inland Empire Boulevard.
- (52) Prior to the issuance of building permits, applicants for such permits shall demonstrate to the Ontario City Engineer that any revisions and/or associated costs required to The Ontario Center Facilities Master Plan or upgrades to The Ontario Center wastewater infrastructure, as a result of CCCN/Ontario Gateway Plaza/Wagner Properties Specific Plan shall be provided by the applicants.
- (53) Prior to the issuance of occupancy permits, applicants for such permits will provide documentation to the City of Ontario Building Official that all structures meet or exceed Title 24 requirements of the California Government Code regarding energy conservation.
- (54) Prior to the issuance of grading permits, applicants for such permits will submit documentation to the Ontario City Engineer, Williams Telecommunications Group, and GTE, that the fiber optics cable traversing the site owned by Williams Telecommunications Group and the fiber optics cable on the east side of Milliken owned by GTE will be adequately protected during site construction. Relocation of the line, if necessary, for the proposed project, shall be the responsibility of the applicants.

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