IV. LAND USE AND DEVELOPMENT REGULATIONS

A. LAND USE AND PERMITTED USES

The land use types within Haven Gateway Centre are Industrial, Business Park, and Commercial/Office. Such designations are intended to respond to a wide variety of demands for land use, while offering a variety of development and employment opportunities, all within an integrated setting.

Table 1 Land Use Summary

	<u>Acreage</u>	% of <u>Total</u>	Maximum Sq. <u>Ft. Allowed</u>	Floor Area <u>Ratio</u>
Industrial	123	76%	2,678,940	0.50
Business Park	19	12%	413,820	0.50
Commercial/Office	<u>20</u>	12%	<u>435,600</u>	0.50
	162	100%	3,528,360	

The circulation patterns, utility systems and overall design of the plan can meet these changes in demand. This is an important concept in a region that is experiencing rapid growth (see Exhibit 10, Land Use Plan). Note that illustrative street and landscape designations are shown in Exhibit 31, Landscape Concept Plan.

The maximum development intensity for Commercial/Office, Business Park and Industrial uses is listed in Table 1 under "Maximum Square Footage Allowed." These maximum square footages were used in calculating the maximum carrying capacity of planned infrastructure improvements. (i.e., circulation systems, water systems, sewer systems, etc.)

Haven Gateway Centre Specific Plan

November 2001

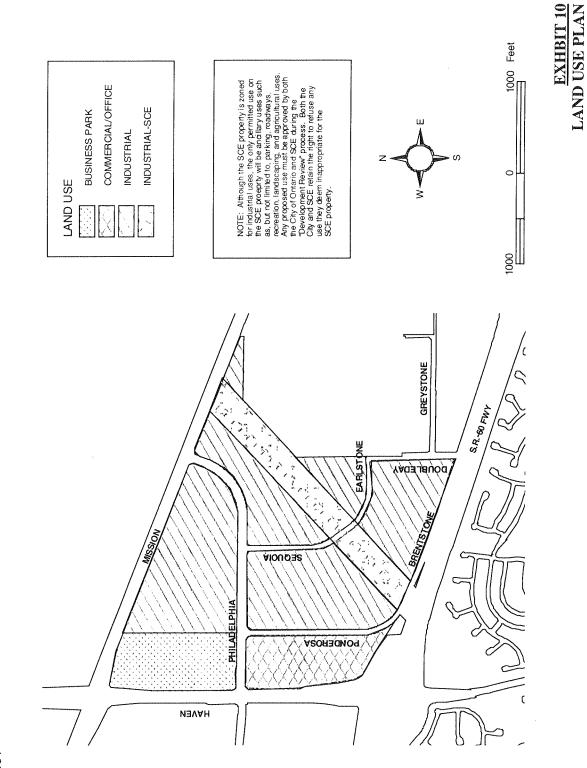


Table 2
Matrix of Permitted and Conditional Uses

	INDUSTRIAL	COMMERCIAL/ OFFICE	BUSINESS <u>PARK</u>
MANUFACTURING AND ASSEMBLY			
Auto and Light Truck Repair – Minor	P		
Auto and Light Truck Repair – Major	P		
Custom Manufacturing and Assembly	Р		P
Light Manufacturing and Assembly	P		P
General Manufacturing and Assembly **	Р		P
WHOLESALE, STORAGE, AND DISTRIBUTION			
Light Wholesale, Storage, and Distribution	P		Р
General Wholesale, Storage, and Distribution	P		
COMMERCIAL USES			
Administrative & Professional Offices		P	P
Administrative & Professional Offices in Conjunction			
With Permitted uses	Р		
Automotive Fleet Storage	С	_	_
Automotive Service Stations	_	P	P
Building Maintenance Services	P		to an experience of the control of t
Building Supplies and Sales	P	n	D
Building Supply Retail and Services	P P	P P	P P
Business Support Services	Р	P P	P
Communications Services		r P	
Conference/Convention Facilities Convenience Sales and Services		P	
Durable Goods Sales, Retail		P	
Durable Good Sales, Retain Durable Good Sales, Wholesale	P	Ċ	P
Eating and Drinking Establishments	•	P	Р
Entertainment		Ċ	Ċ
Fast Food Sales	P	P	P
Financial Institutions		P	P
Food and Beverage Sales	P	P	P
Health Clubs and Spas	P	P	P
Hotels and Motels	,		
Laundry Services	P		
Limited Retail Sales of Goods Produced On-site	P	P	
Medical and Health Care Services	P	P	P
Personal Services		Р	P
Public Storage		**************************************	and a second
Repair Services	Р	~	
Vocational and Trade Schools		С	С
PUBLIC FACILITIES AND UTILITIES	P	P	<u> </u>
CARETAKER'S RESIDENCE	С		

^{*} The City allows up to 15% of total square footage of an industrial building to be used for administrative and professional offices. If the total exceeds 15% of the total square footage, the parking standard of one space per 300 square feet (GFA) shall apply to the office portion.

^{**} These uses are not permitted on parcels adjacent to Ponderosa Avenue from the Southern California Edison R.O.W. to Philadelphia Street.

1. Industrial Uses

a. Purpose – The primary use of the industrial areas within Haven Gateway Centre at Ontario will be manufacturing, research and development, warehousing and distribution, and multi-tenant industrial uses. In addition, supporting administration and professional offices and commercial activities will be permitted on a limited basis.

The character of the industrial portions of Haven Gateway Centre will be low-rise industrial. Buildings will primarily be single-story with 2-story or partial 2-story buildings also permitted.

The Industrial category will occupy approximately 123 acres or 76% of the project site.

- b. Permitted Uses See Table 2
- c. Conditional Use Permit (C) See Table 2
- d. Other Uses All other uses not listed as Permitted or Conditional are prohibited unless a finding is made by the Planning Commission that the use is similar to, and made by the Planning Commission that the use is similar to, and no more objectionable than, a permitted or conditional use.

2. Commercial/Office Uses

a. Purpose – This category will include 20 net acres or 12% of the project site, and is intended for retail sales, commercial services and office development.

Because of Haven Gateway Centre's proximity to the Ontario International Airport and its exceptional accessibility to local and regional circulation corridors, the site is a prime location for high-quality, well-planned, mixed-use development. To meet the area's growing demands for such a development, the 20 acres of the site devoted to commercial/office use should be designed as a well-integrated complex of commercial, office, hotel and retail establishments.

Office development will include corporate and general offices. Buildings will be multiple storied, ranging from low-rise, garden offices (one to two stories) on clustered landscape settings, to more urban-oriented, mid-rise office buildings (three to eight stories and beyond, depending on market demand).

The food parks and retail commercial facilities will be located at various points within the project area. Food parks will be located within walking distance of many of the commercial/office uses to reduce mid-day automobile travel. Food parks will be landscaped, and may offer open space areas or courtyards to provide a pleasant dining environment.

- b. Permitted Uses See Table 2
- c. Conditional Use Permit (C) See Table 2
- d. Other Uses All other uses not listed as Permitted or Conditional are prohibited unless a finding is made by the Planning Commission that the use is similar to, and made by the Planning Commission that the use is similar to, and no more objectionable than, a permitted or conditional use.

3. Business Park

- a. Purpose This Business Park District is intended to be the office use core area for the Haven Gateway Centre. This area includes approximately 19 acres or 12% of the project site and is located along Haven Avenue between Mission Boulevard and Philadelphia Street. The Business Park District may be used as an interrelated corporate business office use for the adjacent Industrial and Commercial/Office Districts.
- b. Permitted Uses See Table 2
- c. Conditional Use Permit (C) See Table 2
- d. Other Uses All other uses not listed as Permitted or Conditional are prohibited unless a finding is made by the Planning Commission that the use is similar to, and made by the Planning Commission that the use is similar to, and no more objectionable than, a permitted or conditional use.

4. Industrial – SCE Property

a. Permitted Uses – Although the SCE property is zoned industrial, the only permitted uses on the SCE property will be ancillary uses such as, but not limited to, parking, roadways, recreation, landscaping, and agricultural uses. Any proposed use must be approved by both the City of Ontario and SCE during the "Development Plan review" process. Both the City and SCE retain the right to refuse any use they may deem inappropriate for the SCE property.

DEFINITIONS OF LAND USE TYPES

Permitted uses identified above are defined as follows:

- 1. Manufacturing and Assembly Use Types:
- * Automotive and Light Truck Repair Minor: Activities include, but are not limited to, automotive and light truck repair, the retail sale of goods and services for automotive vehicles and light trucks (under 6,000 lbs.), and the cleaning and washing of automotive vehicles. Uses typically include, but are not limited to, brake, muffler and tire shops, and automotive drive-through car washes. Heavier automobile repair, such as transmission and engine repair and auto body shops are not included. All repairs must occur inside a building.
- * Automotive and Light Truck Repair Major: Activities typically include, but are not limited to, automotive and light truck repair, heavy automobile and truck repair, such as transmission and engine repair, automotive painting and body work, and the installation of major accessories. All repairs must occur inside a building.

Custom Manufacturing and Assembly: Activities typically include,

but are not limited to, manufacturing, processing, assembling, packaging, treatment, or fabrication of custom-made products such as jewelry, furniture, art objects, clothing, instruments, and the on-site wholesale of the goods produced. The uses which produce odors, noise, vibration, or particulate which would adversely affect uses in the same structure or on the same site are not permitted.

<u>Light Manufacturing and Assembly</u>: Activities typically include, but are not limited to, research and development, including laboratories; labor intensive manufacturing, assembly, or repair processes which do not involve frequent truck trips (more than eight truck trips daily) or the transport of large scale products. The uses which produce odors, noise, vibration, or particulate which would adversely affect uses within the same structure or on the same site are not permitted.

- ** General Manufacturing and Assembly: Activities typically include, but are not limited to, manufacturing, compounding of materials, processing, assembly, packaging, treatment, or fabrication activities which may have frequent truck traffic or the transportation of large scale products. Not permitted within this are uses which require massive structures outside of buildings such as cranes or conveyer systems, or unscreened open air storage of large quantities of raw, semi-refined, or finished products.
- 2. Wholesale, Storage, and Distribution Uses

Light Wholesale, Storage, and Distribution: Activities typically include, but are not limited to; wholesaling, storage, and warehousing services within enclosed building; storage and wholesale to retailers from the premises of finished goods. Excluded are trucking services and terminals; storage and wholesaling from the premises of unfinished, raw, semi-refined products requiring further processing, fabrication, manufacturing; and outdoor storage.

General Wholesale, Storage, and Distribution: Activities typically include, but are not limited to, warehousing, storage, freight handling, shipping, trucking services and terminals; storage and wholesaling from the premises of unfinished, raw, semi-refined products requiring further processing, fabrication, or manufacturing. Outdoor storage is permitted subject to applicable screening requirements.

^{**} General manufacturing and assembly uses will be subject to certain restrictions on parcels adjacent to Ponderosa Avenue from the Southern California Edison R.O.W. to Philadelphia Street. See Design Guidelines, Page 119 for these restrictions.

3. Commercial Use Types

Administrative and Professional Offices: Activities typically include, but are not limited to executive management, administrative, or clerical uses of private and public utility firms. Additional activities include the provision of advice design, information or consultation of a professional nature. Uses typically include, but are not limited to, corporate headquarters, branch offices, data storage centers, architect's, lawyer's, insurance sales, financial planner's and accountant's offices.

** Automotive Fleet Storage: Activities typically include, but are not limited to, the storage of vehicles used regularly in business operations and not available for sale on site. Such uses typically include, but are not limited to, overnight storage of rental cars, mobile catering trucks, and taxi cabs. Auto storage must be screened from any public R.O.W. and the 60 Freeway.

<u>Automotive Service Station</u>: Activities typically include, but are not limited to the sale from the premises of goods and the provision of services normally required in the daily operation of motor vehicles, including the principal sale of petroleum products, the incidental sale of replacement items, and the performance of minor repairs.

* <u>Building Maintenance Services</u>: Activities typically include, but are not limited to, maintenance and custodial services, window cleaning services, disinfecting and exterminating services, and janitorial services.

*Building Supplies and Sales: Activities typically include, but are not limited to; the retail sale or rental from the premises of goods and equipment, including paint, glass, hardware, fixtures, electrical supplies and lumber and hardware stores. Outdoor storage may be permitted if it is located to the side or rear of the building and is not visible from other parcels. Subject to screening requirements.

<u>Business Supply Retail and Services</u>: Activities typically include, but are not limited to, retail sales, rental or repair from the premises of office equipment, office supplies, and similar office goods primarily to firms and other organizations utilizing the goods rather than to individuals. The sale or rental of motor vehicles and the sale of materials used in construction of buildings or other structures is excluded from this use type.

<u>Business Support Services</u>: Activities typically include, but are not limited to, firms rather than individuals of a clerical, employment, or minor processing nature, including multi-copy and blueprint services. The printing of books, other than pamphlets and reports for another firm is excluded from this use type.

^{*} See Design Guidelines, Page 131 for these restrictions.

^{**} The uses are not permitted on parcels adjacent to Ponderosa Avenue from the Southern California Edison R.O.W. to Philadelphia Street.

<u>Communication Services</u>: Activities typically include, but are not limited to, broadcasting and other information relay services accomplished primarily through use of electronic and telephonic mechanisms. Uses typically include, but are not limited to; television and radio studios and telegraph offices.

<u>Conference</u> and <u>Convention Facilities</u>: Activities typically include, but are not limited to, meeting rooms and halls for conferences and conventions along with ancillary catering services. While these uses are typically associated with a hotel, conference/convention facilities may occur as free-standing structures.

<u>Convenience Sales and Services</u>: Activities typically include, but are not limited to, the retail sales from the premises of frequently needed small personal convenience items and professional services which are used frequently. Uses typically include, but are not limited to, drug stores; stores selling toiletries or magazines; beauty and barber shops; florist shops; and apparel laundering and dry cleaning agencies.

<u>Durable Goods Sales</u>: Activities typically include, but are not limited to, the retail sales from premises of durable goods which are purchased infrequently. Uses typically include, but are not limited to, furniture, piano and organ, major appliance (e.g., refrigerators), and carpet and flooring stores.

<u>Eating and Drinking Establishments</u>: Activities typically include, but are not limited to, the retail sale from the premises of food or beverages prepared for on-premises consumption. Uses typically include, but are not limited to restaurants and bars, and exclude fast food type services.

Entertainment: Activities typically include, but are not limited to, sports performed either indoors or outdoors; cultural, educational, and entertainment services within an enclosed building to assembled groups of spectators or participants; as well as activities typically performed at private and non-profit clubs and lodges. Uses typically include, but are not limited to, swimming centers, skating rinks, bowling alleys, dance halls, theaters, and meeting halls. Uses do not include adult x-rated entertainment, adult book stores, or massage parlors.

<u>Fast Food Sales</u>: Activities which may include but are not limited to the retail sale from the premises of easily prepared foods and beverages such as, hamburgers, hot-dogs, chicken, and tacos for either on-site or off-site consumption. Uses may include, but are not limited to, drive-in-type restaurants, coffee shops, and delis.

<u>Financial Institutions</u>: Uses typically include, but are not limited to, banks, savings and loans, and credit unions.

<u>Food and Beverage Sales</u>: Activities include, but are not limited to the retail sale from the premises of food and beverages for off-premises consumption. Uses typically include, but are not limited to, food markets, liquor stores, and retail bakeries.

Health Clubs and Spas: Activities typically include, but are not limited to sport and health-related activities performed either indoors or outdoors. Uses typically include, but are not limited to, health clubs, spas, gyms, and tennis clubs.

<u>Hotels</u>, <u>Hometels</u>, <u>and Motels</u>: Activities typically include, but are not limited to lodging services to, transient guests on a less-than-monthly basis, other than in the case of uses such as private boarding houses. Uses typically include, but are not limited to, hotels, motels, and hometels.

<u>Laundry Services</u>: Activities typically include, but are not limited to, institutional or commercial linen supply and laundry services, dry cleaning plants, rug cleaning, and diaper service laundries. Uses do not include self-serve, coin operated laundries.

<u>Limited Retail Sales of Goods Produced On-Site</u>: Activities typically include but are not limited to, the retail sales of goods produced on-site such as jewelry, furniture, art objects, clothing, instruments, and appliances. The uses which produce odors, noise, vibration, or particulate which would adversely affect uses within the same structure or on the same site area not permitted. The maximum square footage for display and sales area shall not exceed 15% of the buildings total square footage.

Medical and Health Care Services: Activities typically include, but are not limited to, therapeutic, preventive, or correctional personal treatment by physicians, dentists, and other medical practitioners, as well as the provision of medical testing and analysis services. Health care uses typically include those performed by:

Medical Clinics Family Planning Clinics In-Patient Health Care Facilities Hospitals

<u>Personal Services</u>: Activities typically include, but are not limited to, information, instruction and similar services of a personal nature. Uses typically include, but are not limited to driving schools, day care facilities, travel bureaus and agencies, and photography studios. Uses do not include adult x-rated entertainment, adult book stores; or massage parlors.

<u>Public Storage</u>: Activities typically include, but are not limited to, the rental of storage space to groups or individuals. All storage spaces must be contained within an enclosed building. No storage of hazardous material is allowed.

Repair Services: Activities typically include, but are not limited to, the storage and sale from the premises and/or dismantling of used or waste materials except when such activities are part of a manufacturing operation. All storage must be inside of buildings.

Repair services may include, but are not limited to, the repair of small and large household appliances, clock and watch repairs, electronics such as televisions and VCR's, gardening equipment, furniture repair and refinishing. Auto dismantelers are not permitted.

<u>Vocational and Trade Schools</u>: Activities typically include, but are not limited to, organized instruction of work-related skills by private institutions and firms.

C. GENERAL DEVELOPMENT STANDARDS

The following regulations and criteria establish minimum development standards for the land uses proposed within Haven Gateway Centre. These regulations shall govern the development of all property within Haven Gateway Centre and shall supersede the City of Ontario Zoning Ordinance.

If an apparent conflict occurs among development standards, the more restrictive standard shall apply.

The Approving Agent for Haven Gateway Owners' shall review all proposed development plans prior to review and approval by the City of Ontario.

The following general provisions shall apply to all developments within Haven Gateway Centre.

1. General Plan Consistency

Implementation of the Haven Gateway Centre development is intended to carry out the goals and policies contained in the City of Ontario General Plan in an orderly and attractive fashion. All development within Haven Gateway Centre shall therefore be consistent with the provisions of the Ontario General Plan.

2. Relationship of Specific Plan Development Standards and Criteria to the Ontario Zoning Ordinance

Development standards and criteria contained in this document will supplement and replace those of the City of Ontario's Zoning Ordinance. Any standards or land use proposals not specifically covered herein shall be subject to the regulations, and specifications of the City of Ontario.

Unless otherwise specifically approved as part of this specific plan, all off-site improvements shall be subject to the City of Ontario's policies and standards in effect at the time improvement plans are submitted. If any provision of this document conflicts with the regulations of the Ontario Zoning Ordinance, the provisions of this document shall take precedence.

3. Conformance to Uniform Building and Fire Codes

All construction within Haven Gateway Centre shall be in compliance with the Uniform Building Code, Uniform Fire Code, and all other ordinances adopted by the City pertaining to construction and safety features. All other City standards and policies shall apply at the time of submittal.

4. Abatement of Nuisance Factors; Implementation of EIR Mitigation Measures.

Nuisance factors associated with the construction and maintenance of the project, including the emission of light, glare, noise, dust, and smoke shall be governed in accordance with the mitigation measures from the certified environmental impact report for the Haven Gateway Centre (EIR 89-2).

5. Technical Master Plans

The specific requirements for infrastructure improvements shall be determined by the various Technical Master Plans prepared for Haven Gateway Centre.

Amendments or revisions to the Master Plans contained in this document shall not require a revision of the entire Specific Plan document. However, such amendments or revisions shall be subject to the approval of the City of Ontario Planning Commission and City Council and may require review of the Development Advisory Board.

- 6. Provision of Infrastructure and Public Utilities
 - a. Water Service The City of Ontario will provide water service to the Haven Gateway Centre.

A Technical Master Plan for Water Service has been prepared to identify the manner in which water facilities will be extended to the project site. The Master Plan in included under separate cover in the Appendices to this document.

- b. Wastewater Wastewater will be discharged into a regional system provided by the Chino Basin Municipal Water District, in a manner approved by the City of Ontario Engineering Department and the Chino Basin Municipal Water District. A Technical Master Plan for Wastewater Facilities has been prepared to identify the manner in which sewer service will be provided for the project site. The Master Plan is included under separate cover in the Appendices to this document.
- c. Drainage Drainage of the Specific Plan area will be provided by a combination of storm drain and surface drainage systems.

A Technical Master Plan of drainage has been prepared to identify the manner in which flood protection and drainage of runoff will be accomplished. This Master Plan is included under separate cover in the Appendices to this document.

- d. Street and highway rights-of-way and curb widths shown within the Specific Plan may be modified if warranted by a precise traffic lane striping configuration, approved by the City Engineer. Dedication will be at the time of development of particular parcels adjacent to intersections.
- e. Solid Waste Solid waste disposal will be handled by the City of Ontario, which maintains and operates its own fleet of refuse pickup trucks. The City will gradually increase its capacity to service the site as the project develops. Reciprocal cross lot access may be required between parcels for ease of circulation of refuse trucks.
- f. Telephone Service Telephone service will be provided by General Telephone Company (GTE) through the installation new lines to the project site from General Telephone's existing central facilities.
- g. Electricity Southern California Edison Company (SCE) will provide electricity to the site via the existing 12 kV lines that form the system's network.
- h. Natural Gas Southern California Gas Company will provide natural gas to the site through the distribution lines currently servicing the project area from the south.
- i. Location of Utilities All utilities shall be placed underground from the nearest overhead facility, except for service lines of 66 kV or higher, and such equipment and structures that must be located above ground.

7. Landscaping

In addition to City Landscape Standards and specifications, and the landscape provisions of this document, the following shall apply:

- a. Permanent automatic irrigation facilities shall be provided in all landscaped areas.
- b. Prior to the issuance of building permits, a landscape and irrigation plan in conformance with the Haven Gateway Centre Specific Plan shall be submitted to the Public Facilities Development Coordinator for approval.

8. Parking

All development will be required to meet the off-street parking standards of the Ontario Municipal Code. In addition to the provisions of the Ontario Municipal Code, the following shall apply:

- a. A reduction in minimum parking requirements for individual developments may be granted by the Planning Commission. A reduction in minimum parking requirements may be considered only for developments having uses with varied business hours which lend themselves to shared parking concept. Joint use of parking facilities or other factors will mitigate peak demand. Where parking spaces are provided for an individual development on a separate parcel, a joint access agreement will be required between affected property owners, in a form acceptable to the City.
- b. Requests for parking reductions resulting from joint usage shall generally be made at the site plan review stage, and shall be supported by information prepared by a registered traffic engineer. The investigation used to generate the required information shall generally follow the format established by the Urban Land Institute in their publication, "Shared Parking." By Barton and Aschman, Published in 1983, using City of Ontario requirements.
- c. Shared parking requests shall be analyzed as follows:
 - (i) Initial Project Review involves careful documentation and qualification of proposed land uses and anticipated functional relationships between the parking needs of different land uses. The initial review will also consist of data gathering regarding proximity to transit facilities, location of parking facilities, surrounding land uses and mix, predicted pedestrian patterns, and similar variables which affect parking needs.
 - (ii) Adjustments for Peak Parking Factor includes calculating the number of off-street parking spaces required for each land use within the area proposed for joint parking use. Other elements to be considered include seasonal adjustment for parking demand and a determination of the mode of transit used in reaching or departing the area being considered.
 - (iii) Analysis of Hourly Accumulation involves an estimation of hourly parking accumulations for each land use during a typical week day or weekend day.
 - (iv) Estimate of Shared Parking merges the hourly parking demand estimate to calculate the overall parking required to be provided within the area being considered for shared parking facilities.
- d. In granting parking reductions for shared use of parking facilities, the Planning Commission shall make one or more of the following findings:
 - (i) The traffic engineering report justifies the requested parking reduction based upon the presence of two or more adjacent land uses which, because of their substantially different operating hours or different peak parking characteristics, will allow joint use of the same parking facilities.

- (ii) The traffic engineering report indicates that there are public transportation facilities and/or pedestrian circulation opportunities which justify the requested reduction of parking facilities.
- (iii) The traffic engineering report finds that the clustering of different land uses is such that a reduced number of parking spaces can serve multiple-trip purposes to the area in question.
- e. As a condition of approval to the granting of a reduction in required parking, the City may require the granting of reciprocal access and parking agreements with surrounding properties; recordation of conditions, covenants, and restrictions; or creation of other legal instruments to assure the permanent continuation of the circumstances under which parking requirement reductions were granted.

9. Safety Regulations

- a. Fire Protection Fire protection and paramedic services will be provided by the City of Ontario Fire Department.
- b. Police Protection Services Police protection will be provided by the Ontario Police Department, with air surveillance provided y the Ontario Police Department Air Support Unit Helicopter Patrol.

In addition to the requirements of the Ontario Municipal Code and public safety-related guidelines contained elsewhere in this document, the following shall apply:

All individual developments within Haven Gateway Centre shall meet the requirements of the City of Ontario Fire and Police Departments, including, but not limited to, adequate access for emergency vehicles, provision of security hardware, onsite fire suppression systems, and lighting.

10. Grading

Grading permits may be issued for individual developments within Haven Gateway Centre provided that the grading plan is in basic conformance with the conceptual surface drainage plan approved as part of this Specific Plan.

Soil may be stockpiled on or borrowed from locations within the total project site. Any stock piled soil shall conform with erosion and wind protection requirements.

Prior to the stockpiling or borrowing of any soil in order to grade separate parcels, the developer shall obtain an approval from the City Building Department and the Engineering Department, to assure conformance with appropriate codes, and provision for proper drainage.

11. Property Owners Association and CC&R's

Three property Owners' association shall be formed. See Exhibit No. 5. These associations will maintain all common landscaped areas including street parkway and maintenance and energy costs of street lighting throughout the Specific Plan area. Property owners' associations shall follow maintenance standards as approved by the City of Ontario and Haven Gateway Centre. Each Property Owners' Association will submit a set of Covenants, Conditions, and Restrictions (CC&R's) for City approval before construction can begin. The CC&R's should be submitted with their respective tentative parcel map.

12. Lot Line Adjustments

If two or more existing parcels are to be combined to form a single, larger parcel, the applicant can contact the City of Ontario Engineering Department and request a "Lot Line Adjustment". If the Engineering Department personnel determine that the combined lot constitutes a variance to this Specific Plan or to the City of Ontario Zoning Ordinance a formal review by all pertinent City Departments may be required. (See Exhibit 14 and 17.)

13. Severability

If any term, provision, condition, or requirement of this specific plan shall be held invalid or unenforceable, the remainder of this specific plan or the application of such term, provision, condition, or requirement to circumstances other than those in which it is held invalid or unenforceable shall not be affected thereby; and each term, provision, condition, or requirement of the specific plan shall be held valid and enforceable to the fullest extent permitted by law.

D. INDUSTRIAL DEVELOPMENT STANDARDS

The following regulations shall apply to all development occurring within areas designated "Industrial" in Exhibit 10.

1. Minimum Parcel Size

The minimum parcel size within industrial areas of Haven Gateway Centre shall be 1 acre.

2. Minimum Street Frontage

The minimum street frontage within industrial areas of Haven Gateway Centre will be 100'.

3. Maximum Building Height

The maximum building height within the industrial portions of Haven Gateway Centre shall be fifty (50) feet.

4. Minimum Building Setbacks

For minimum building setbacks, refer to the Building Setback Summary, Table 3.

5. Minimum Parking Setbacks

For minimum parking setbacks, refer to Parking Setback Summary, Table 4. Notwithstanding the provisions of Table 4, the minimum parking setback along Mission Boulevard shall be 20 feet.

6. Parking Requirements

Parking requirements shall be as per City of Ontario parking standards.

7. Maximum Number of Driveways

For parcels with 150 feet of street frontage or less, the maximum number of driveways shall be two (2). All other single parcels shall have no more than three (3) driveways. If more than one parcel is combined to form a larger parcel, the total number of allowed driveways on the larger parcel will be the total number that would have been allowed on the individual parcels. See Exhibit 20 for driveway locations.

8. Landscape Requirements

- a. The minimum landscape coverage for each parcel shall be 15%.
- b. The minimum landscape coverage for building front and exterior side setbacks shall be 100%, excluding drive aisles, driveways or parking spaces that are permitted within the building setback.
- c. To soften building elevations, a 10-foot wide landscape area shall be provided adjacent to any building elevation that faces onto a public street, except where front loading dock doors occur. (See Exhibit 54).
- d. All parking visible from any public street must be shielded to a minimum height of three (3) feet by bermed mounding planted with trees, shrubs, and grass or hedges per the Master Streetscape Plan. (See Exhibits 31-35).
- e. A maximum of 10 spaces shall be permitted between finger-type planters within parking areas. The planter areas shall have a minimum clear width of five (5) feet. The planter areas may be deleted when parking areas are within a screened service area or at the rear of a building where there is no requirement for landscaping. Alternatively, a minimum of five percent (5%) of the parking area shall be landscaped and distributed throughout the parking area.

- f. All landscaped areas are to be delineated with minimum 6-inch concrete curbs.
- g. Turf shall not exceed 50% of the total ground cover on any one parcel.

9. Loading Area Requirements

- a. Loading areas shall be designed to provide for backing and maneuvering on-site and not from a public street.
- Loading areas shall not encroach into landscape setbacks.
- c. All loading areas shall be screened from adjacent parcels and streets by a combination of screenwalls, ornamental landscaping, and/or portions of the building.
- d. Buildings should be designed per the conceptual site plans shown in Exhibits 12, 13 and 14, which show loading areas primarily located to the side and rear of the building.
- e. All loading areas fronting a public street shall be screened by a combination of screen walls, ornamental landscaping, and/or portions of the building such that the loading areas are screened from the public street.
 - See Exhibit 12, 13, and 14.
- f. Loading areas and doors not fronting a public street shall be screened from the view of the public street by wing/screen walls and landscaping.
- g. Loading doors fronting a public street shall not be closer that 70 feet from the property line.
- h. Height of screenwalls and wing walls shall be determined by a sightline analysis wall section plan required with all development applications. The sightline analysis/wall section plan shall show that all roll-up doors are screened from view of adjoining parcels and public streets.
- i. All surface loading doors shall have a 12'x 19' unobstructed loading zone directly in front of door.

10. Outdoor Storage Requirements

- a. No outdoor storage shall be permitted unless adequately screened from view from other parcels by an opaque material approved by Haven Gateway Owners' Approving Agent and the City of Ontario.
- b. All storage areas fronting a public street shall be screened by a screen wall and ornamental landscaping.

No outdoor storage areas are allowed to front on Juniper Avenue from the Southern California Edison R.O.W. to Philadelphia Street.

c. The location of outdoor storage areas shall be shown on the development site plan, and shall be subject to approval by Haven Gateway Owners and the City of Ontario.

11. Exterior Building Materials Requirements

- a. All building improvements, with the exception of trim and minor architectural features, shall be constructed of masonry, concrete, plaster, glass, or other material approved by Haven Gateway Owners' Approving Agent. Exposed concrete block buildings must be approved by the appropriate approving agent. Corrugated metal buildings are prohibited.
- b. All exterior walls shall be painted or suitably textured or treated.

12. Roofing and Rooftop Equipment Requirements

- a. Rooftop equipment shall be screened from adjacent streets, properties, and the Pomona Freeway. Mechanical equipment, including ducts and pipes, shall be contained within rooftop penthouses, or opaque screening shall be provided, as approved by the City of Ontario and Haven Gateway Owners' Approving Agent, to conceal all rooftop equipment. No exposed wood materials are allowed for rooftop equipment screening. See Exhibit No. 11.
- b. Unless roofing materials are a part of the design element the ridge line elevation shall not exceed the parapet elevations.

13. Site Walls and Fences

Fences and walls shall be designed as an integral part of the architecture. The following materials shall not be used for walls/fences:

- a. Corrugated metals and plastics.
- b. Chain link, except as required by government contract and provided its landscaping screening is approved by the appropriate approving agent.
- c. Fiberglass panels.
- Metals other than wrought iron or tubular steel.

The following materials shall be used for walls/fences:

a. Stucco.

- b. Split face or slumpstone block.
- c. Tile and plaster.
- d. Concrete: Sandblasted to expose aggregate or painted.
- e. Wrought iron or tubular steel.

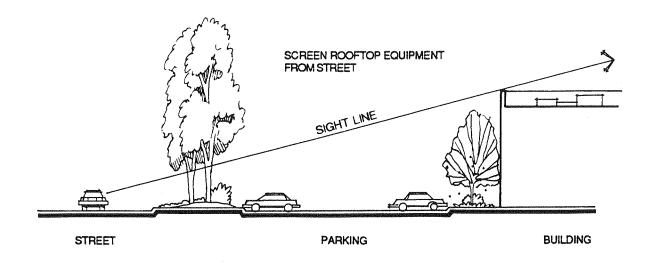
14. Signage Requirements

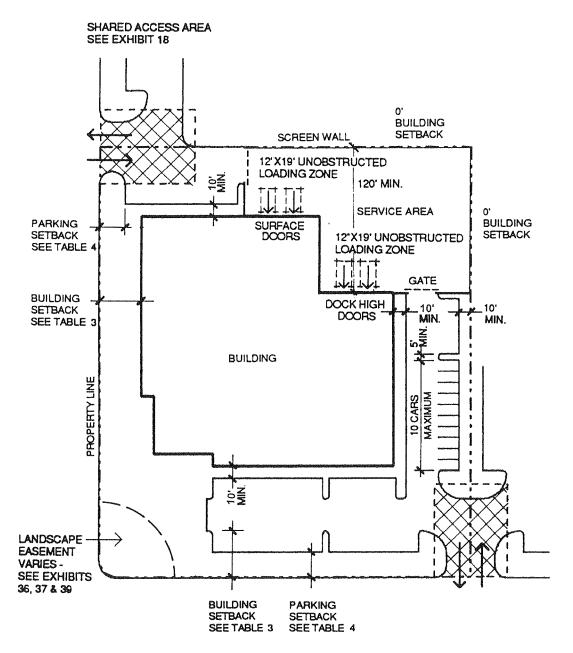
a. All signs shall be subject to the provisions of the Master Signage Plan, and will require the approval of Haven Gateway Owners' Approving Agent and the City of Ontario.

(Refer to Site and Tenant Signage and Graphics Criteria for further information, see Table 8.)

15. Lighting Requirements

a. All public and site lighting shall be subject to the provisions of the Lighting Section of the Design Guidelines of this document and will require the approval of Haven Gateway Owners' approving agent and the City of Ontario.



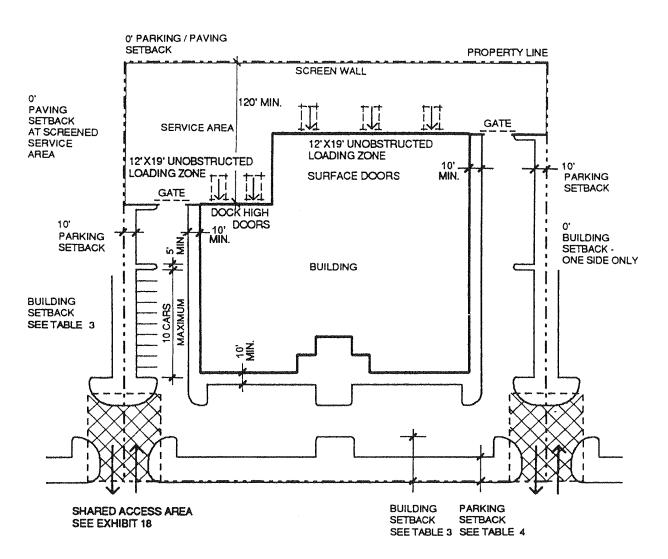


NOTE:

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SEE EXHIBITS 53 & 54 FOR FRONT LOADING RESTRICTIONS.

EXHIBIT 12 CONCEPTUAL SITE PLAN (INDUSTRIAL CORNER PARCEL)



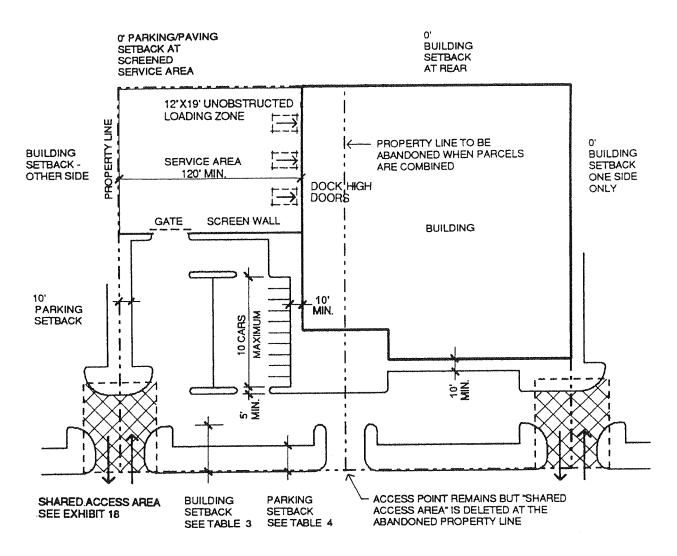
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SEE EXHIBITS 53 & 54 FOR FRONT LOADING RESTRICTIONS.

INDIVIDUAL PROJECT.

EXHIBIT 13 CONCEPTUAL SITE PLAN (INDUSTRIAL INTERIOR PARCEL)





NOTE:

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SEE EXHIBITS 53 & 54 FOR FRONT LOADING RESTRICTIONS.

CONCEPTUAL SITE PLAN
(INDUSTRIAL COMBINED PARCEL)

E. COMMERCIAL/OFFICE DEVELOPMENT STANDARDS

The following regulations shall apply to all development occurring within areas designated "Commercial/Office" in Exhibit 10.

1. Minimum Parcel Size

The minimum parcel size within Commercial/Office areas shall be one (1) acre.

2. Maximum Building Height

The maximum building height within the Commercial/Office portions of Haven Gateway Centre shall be 150 feet as long as the following criteria are met.

- The total square footage does not exceed the floor area ratio, F.A.R., allowed.
- b. The height does not exceed current F.A.A. requirements.
- 3. Minimum Building Setbacks

For a minimum building setbacks, refer to the Building Setback Summary, Table 3.

4. Minimum Parking Setbacks

For minimum parking setbacks, refer to the Parking Setback Summary, Table 4.

Parking Requirements

Parking requirements shall be as per City of Ontario Parking Standards.

6. Maximum Number of Driveways

For parcels with 150 feet of street frontage or less, the maximum number of driveways shall be two (2). All other single parcels shall have no more than three (3) driveways.

If more than one parcel is combined to form a larger parcel the total number of allowed driveways on the larger parcel will be the total number that would have been allowed on the individual parcels. See Exhibit 20 for Driveway Locations. Also see Exhibit 18 for Shared Access Areas.

- 7. Landscape Requirements
 - a. The minimum landscape coverage for each parcel shall be 15%.
 - b. The minimum landscape coverage for building front and exterior, interior, and rear side setbacks shall be 100%, excluding driveways and parking.

- c. To soften building elevations, a fifteen-foot wide landscape area shall be provided adjacent to all exterior building elevations except where service drive access occurs.
- d. All parking visible from any public street must be shielded to a minimum height of three feet (3') by bermed mounding planted with trees, shrubs and grass or hedges per the Master Streetscape Plan. See Exhibits 32-36.
- e. A maximum of 10 spaces shall be permitted between finger-type planters within parking areas. The planter areas shall have a minimum width of five feet. Alternatively, a minimum of 5.0 percent of the parking area must be planted.
- f. All landscaped areas are to be delineated with minimum 6-inch concrete curbs.

8. Loading Area Requirements

- a. Loading areas shall be designed to provide for backing and maneuvering on-site and not from a public street.
- b. Loading areas shall not encroach into landscape setbacks.
- c. All loading areas shall be screened from adjacent parcels and streets by a combination of screenwalls, ornamental landscaping, and/or portions of the building.
- d. Buildings should be designed per the conceptual site plans shown in Exhibits 15, 16, and 17 which show loading areas primarily located to the side and rear of the building.
- e. All screenwalls and wing walls shall be a maximum of 12 feet in height.
- f. A sight-line analysis shall be required with all development applications, and shall show that all roll-up doors are screened from view of adjoining parcels and public streets.
- g. Only surface loading doors will be allowed in the commercial/office area.

9. Outdoor Storage Requirements

- a. Outdoor storage areas are prohibited.
- b. Refuse enclosure areas shall be screened and unobtrusive.

10. Exterior Building Materials Requirements

- a. All building improvements, with the exception of trim and minor architectural features, shall be constructed of materials approved by Haven Gateway Owners' Approving Agent.
- b. All exterior walls shall be painted or suitably treated.

11. Roofing and Rooftop Equipment

- a. Rooftop equipment shall be appropriately screened from adjacent streets, properties, and the Pomona Freeway. (See Exhibit No. 11.) Mechanical equipment, including ducts and pipes, shall be contained within rooftop penthouses, or opaque screening shall be provided, as approved by the City of Ontario and Haven Gateway Owners' Approving Agent, to conceal all rooftop equipment.
- b. Roof screens shall be sheathed in a matching or complimentary material and color to the exterior building material and color. All roof screens shall be solid and continuous. Equipment must be covered by continuous grills or louvers. Picket fence screening is not permitted.
- c. Unless roofing materials are a part of the design element, the ridge line elevation shall not exceed the parapet elevation.

12. Site Walls and Fences

Fences and walls shall be designed as an integral part of the architecture. The following materials shall not be used for walls/fences:

- a. Corrugated metals and plastics.
- b. Chain link, except as required by government contract and provided its landscaping screening is approved by the appropriate approving agent.
- c. Fiberglass panels.
- d. Metals other than wrought iron or tubular steel.

The following materials shall be used for walls/fences:

- a. Stucco.
- b. Brick.
- c. Split face or slumpstone block.
- d. Tile and plaster.
- e. Concrete: Sandblasted or expose aggregate or painted.
- f. Wrought iron or tubular steel.

13. Signage Requirements

a. All signs shall be subject to the provisions of the Master Signage Plan and will require the approval of Haven Gateway Owners' Approving Agent and the City of Ontario (see also Signage and Graphics Criteria).

14. Lighting Requirements

a. All public and site lighting shall be subject to the provisions of the lighting section of the Design Guidelines of this document and will require the approval of Haven Gateway Owners' Approving Agent and the City of Ontario.

F. BUSINESS PARK DEVELOPMENT STANDARDS

The following regulations shall apply to all development occurring within areas designated "Business Park" in Exhibit 11.

1. Minimum Parcel Size

The minimum parcel size within Commercial/Office areas shall be one (1) acre.

2. Maximum Building Height

The maximum building height within the Business Park portions of Haven Gateway Centre shall be 150 feet as long as the following criteria are met.

- a. The total square footage does not exceed the floor area ratio, F.A.R., allowed.
- b. The height does not exceed current F.A.A. requirements.

3. Minimum Building Setbacks

For minimum building setbacks, refer to the Building Setback Summary, Table 3.

4. Minimum Parking Setbacks

For minimum parking setbacks, refer to the Parking Setback Summary, Table 4.

5. Parking Requirements

Parking requirements shall be as per City of Ontario Parking Standards.

6. Maximum Number of Driveways

For parcels with 150 feet of street frontage or less, the maximum number of driveways shall be two (2). All other single parcels shall have no more than three (3) driveways.

If more than one parcel is combined to form a larger parcel the total number of allowed driveways on the larger parcel will be the total number that would have been allowed on the individual parcels. See Exhibit 20 for Driveway Locations. Also see Exhibit 18 for Shared Access Areas.

7. Landscape Requirements

- a. The minimum landscape coverage for each parcel shall be 15%.
- b. The minimum landscape coverage for building front and exterior, interior, and rear side setbacks shall be 100%, excluding driveways and parking.

- c. To soften building elevations, a fifteen-foot wide landscape area shall be provided adjacent to all exterior building elevations except where service drive access occurs.
- d. All parking visible from any public street must be shielded to a minimum height of three feet (3') by bermed mounding planted with trees, shrubs and grass or hedges per the Master Streetscape Plan. See Exhibits 32-36.
- e. A maximum of 10 spaces shall be permitted between finger-type planters within parking areas. The planter areas shall have a minimum width of five feet. Alternatively, a minimum of 5.0 percent of the parking area must be planted.
- f. All landscaped areas are to be delineated with minimum 6-inch concrete curbs.
- 8. Outdoor Storage Requirements
 - a. Outdoor storage areas are prohibited.
 - b. Refuse enclosure areas shall be screened and unobtrusive.
- 9. Exterior Building Materials Requirements
 - a. All building improvements, with the exception of trim and minor architectural features, shall be constructed of materials approved by Haven Gateway Owners' Approving Agent.
 - b. All exterior walls shall be painted or suitably treated.
- 10. Roofing and Rooftop Equipment
 - a. Rooftop equipment shall be appropriately screened from adjacent streets, properties, and the Pomona Freeway. Mechanical equipment, including ducts and pipes, shall be contained within rooftop penthouses, or opaque screening shall be provided, as approved by the City of Ontario and Haven Gateway Owners' Approving Agent, to conceal all rooftop equipment.
 - b. Roof screens shall be sheathed in a matching or complimentary material and color to the exterior building material and color. All roof screens shall be solid and continuous. Equipment must be covered by continuous grills or louvers. Picket fence screening is not permitted.
 - c. Unless roofing materials are a part of the design element, the ridge line elevation shall not exceed the parapet elevation.

11. Site Walls and Fences

Fences and walls shall be designed as an integral part of the architecture. The following materials shall not be used for walls/fences:

- a. Corrugated metals and plastics.
- b. Chain link, except as required by government contract and provided its landscaping screening is approved by the appropriate approving agent.
- c. Fiberglass panels.
- d. Metals other than wrought iron or tubular steel.

The following materials shall be used for walls/fences:

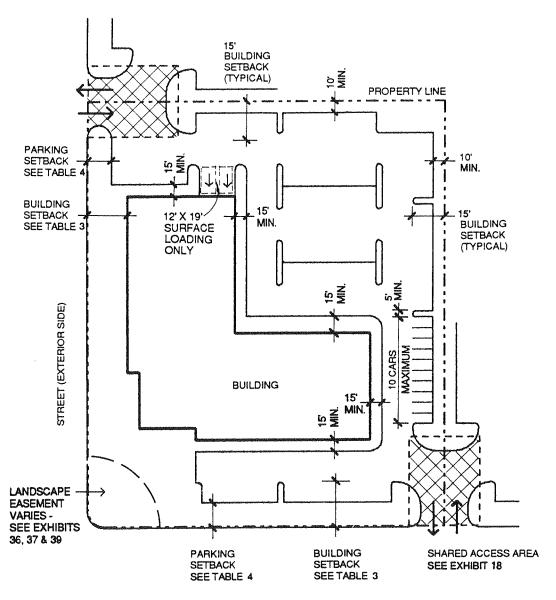
- a. Stucco.
- b. Brick.
- c. Split face or slumpstone block.
- d. Tile and plaster.
- e. Concrete: Sandblasted or expose aggregate or painted.
- f. Wrought iron or tubular steel.

12. Signage Requirements

a. All signs shall be subject to the provisions of the Master Signage Plan and will require the approval of Haven Gateway Owners' Approving Agent and the City of Ontario (see also Signage and Graphics Criteria).

13. Lighting Requirements

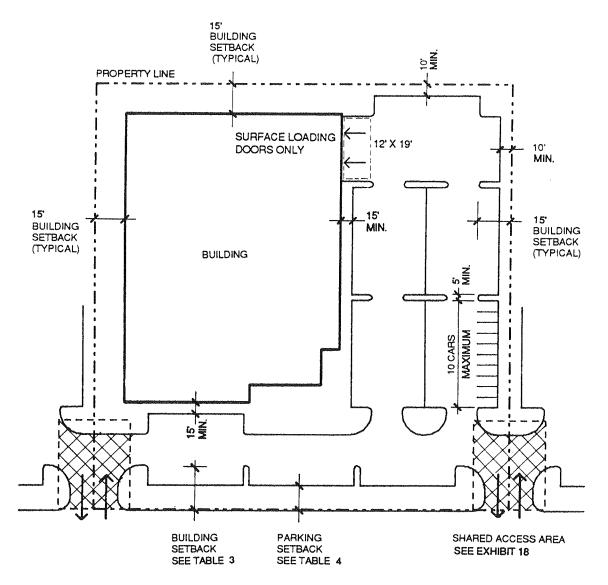
a. All public and site lighting shall be subject to the provisions of the lighting section of the Design Guidelines of this document and will require the approval of Haven Gateway Owners' Approving Agent and the City of Ontario.



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INDIVIDUAL PROJECT.

HAVEN GATEWAY CENTRE

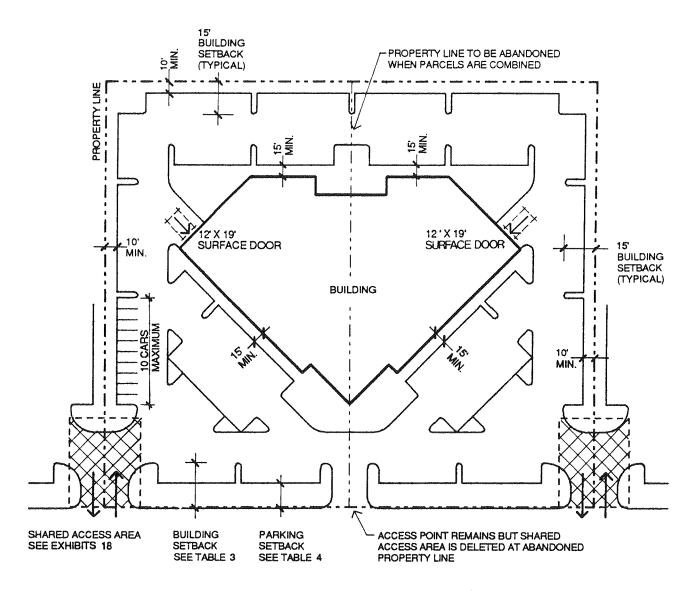
CONCEPTUAL SITE PLAN (OFFICE/COMMERCIAL/ BUSINESS PARK CORNER PARCEL)



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HAVEN GATEWAY CENTRE

CONCEPTUAL SITE PLAN (OFFICE/COMMERCIAL/ BUSINESS PARK INTERIOR PARCEL)

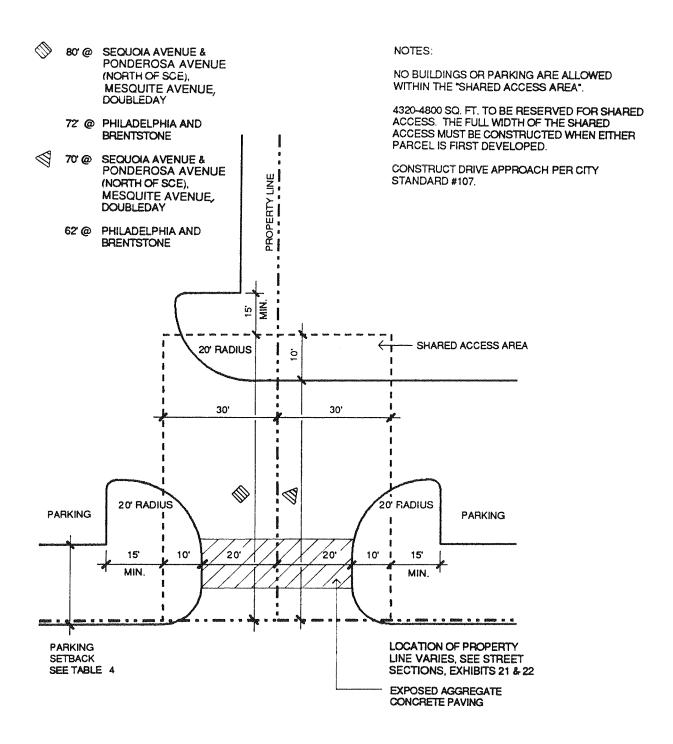


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HAVEN GATEWAY CENTRE

CONCEPTUAL SITE PLAN (OFFICE/COMMERCIAL/ BUSINESS PARK COMBINED PARCEL)



G. BUILDING AND PARKING SETBACKS

TABLE 3

BUILDING SETBACK SUMMARY (MEASURED IN FEET FROM PROPERTY LINE)

	<u>INDUSTRIAL</u>	COMMERCIAL/ OFFICE	BUSINESS PARK	
<u>Haven Avenue</u> <u>Mission Boulevard</u>				
Front: * Exterior Side *	45′	45′	45′	
(Corner Parcels): Interior Side	Per Street	Classification	ı	
(One Side Only): Interior Side	0'	25′	25′	
(Other Side): Rear:	10' 0'	25 <i>'</i> 25 <i>'</i>	25′ 25′	
<u>Philadelphia Street</u>				
Front: * Exterior Side *	56′	56′		
(Corner Parcels): Interior Side	Per Street	Classification		
(One Side Only): Interior Side	0′	25′	25′	
(Other Side): Rear:	10' 0'	25′ 25′	25′ 25′	
Doubleday Avenue Brentstone Street Earlstone Drive Ponderosa Avenue Sequoia Avenue Cedar Street Mesquite Avenue				
Front: * Exterior Side *	46′	46′	46′	
(Corner Parcels):	Per Street Classification			
Interior Side (One Side Only): Interior Side	0′	25′	25′	
(Other Side): Rear:	10' 0'	25 <i>'</i> 25 <i>'</i>	25 <i>′</i> 25 <i>′</i>	

^{*}These Buildings Setbacks may increase as follows:

For buildings over 50 feet in height, the required setbacks shall be increased by 2 feet for every 10 feet, or fraction thereof, over 50 feet in height.

TABLE 4

PARKING SETBACK SUMMARY

(COLUMN A - MEASURED IN FEET FROM PROPERTY LINE - SEE EXHIBIT 21)

Haven Avenue	INDUSTRIAL	COMMERCIAL/ OFFICE	BUSINESS PARK
Haven Avenue Front: Exterior Side	A 13'	A 13′	Α
(Corner Parcels): Interior Side: Rear:	Per Street 10′ 0′	Classification 10' 10'	1
Mission Boulevard			
Front: Exterior Side	20′	20′	
(Corner Parcels): Interior Side: Rear:	20′ 20′ 20′	20' 20' 20'	
<u>Philadelphia Street</u>			
Front: Exterior Side	13′	13′	13′
(Corner Parcels): Interior Side: Rear:	Per Street 10'* 10'*	Classification 10'* 10'*	10'* 10'*
Doubleday Avenue Ponderosa Avenue Earlstone Drive Sequoia Avenue Cedar Street Mesquite Avenue			
Front: Exterior Side	20'	20′	20′
(Corner Parcels): Interior Side: Rear:	Per Street 10'* 10'*	Classification 10'* 10'*	10'* 10'*
Brentstone Street (from Doubleda	y to SCE)		
Front: Exterior Side	20′		
(Corner Parcel): Interior Side: Rear:	Per street 10'* 10'*	Classification	

^{* 0&#}x27; when there is shared access between parcels. See Exhibit 18.

H. SOUND ATTENUATION CRITERIA

The project's location, adjacent to the Pomona Freeway and the Union Pacific Railroad, requires the implementation of sound attenuation measures for interior spaces. Maximum interior sound level criteria have been established for each land use. Table 5 illustrates the maximum permitted interior noise levels (measures in LEQ_{12}) for non-residential construction.

TABLE 5

MAXIMUM INTERIOR NOISE LEVELS, NON-RESIDENTIAL CONSTRUCTION

Noise levels during the hours from 7 A.M. to 7 P.M. which shall not be exceeded for the interior industrial and office/commercial portions of the project are as follows:

USE Sound	d Level, LEQ ₁₂
Private Offices	40-50 dBA
General Offices, Reception Typing, Clerical	1, 45-55
Banks, Retail Stores	50-55
Other Uses and Areas for Manufacturing, Assembly Testing, etc.	55-65

(Where LEQ_{12} is the Energy Equivalent Sound Level during the hours of 7 A.M. to 7 P.M.)

I. CRITERIA FOR DEVELOPMENT ADJACENT TO MISSION BOULEVARD AND THE POMONA FREEWAYS

The City of Ontario has established standards for regulating development adjacent to Mission Boulevard and the Pomona Freeway (SR 60). These standards have been adopted by the Ontario Planning Commission, Resolution No. 2392, May 27, 1980.

1. Building Orientation

- a. In keeping with the intent of the City of Ontario Planning Commission Resolution No. 2392, all buildings shall face the Pomona Freeway (SR 60), except where the freeway is substantially elevated. Resolution No. 2392 also requires that all buildings fronting Mission Boulevard shall face the street.
- b. The size, height, number, and type of on-premise signs shall be the minimum necessary for identification pursuant to Haven Gateway Centre Master Signage Plan.
- c. Overhead doors, garages, or loading zones shall be placed facing away from view of the highway.
- d. All mechanical equipment shall be screened from public view.

2. Landscaping

- a. Not less than 20 feet of landscaping and sidewalk measured from the public right-of-way, shall be provided and permanently maintained. A total of 20' of landscaping and sidewalk from property line to building or parking setback will be permanently maintained. See Exhibits 21 and 22.
- b. Proposed development should be designed to preserve existing stands of trees wherever practicable.