
APPENDICES

PLANNING NETWORK
Land Planning and Design • Policy Analysis
Environmental Studies • Project Management
2940 East G Street, Suite 105
Ontario, CA 91764
Tel (714) 945-2738

PACIFIC GATE - EAST GATE SPECIFIC PLAN
SANTA FE PACIFIC REALTY CORPORATION

APPENDIX A

P	LANNING NETWORK
	Land Planning and Design • Policy Analysis Environmental Studies • Project Management
	2940 East G Street, Suite 105 Ontario, CA 91764 Tel (714) 945-2738

*PACIFIC GATE - EAST GATE SPECIFIC PLAN
SANTA FE PACIFIC REALTY CORPORATION*

LEGAL DESCRIPTION

PACIFIC GATE-EAST GATE SPECIFIC PLAN

Being all that land situated in the City of Ontario, County of San Bernardino, State of California, described in parcels as follows:

Parcels 6 through 18 of parcel map 9638 in the City of Ontario, County of San Bernardino, California, and

Parcels 1 through 6, and parcels 8 through 21 of parcel map 9553 in the City of Ontario, County of San Bernardino, California.

APPENDIX B

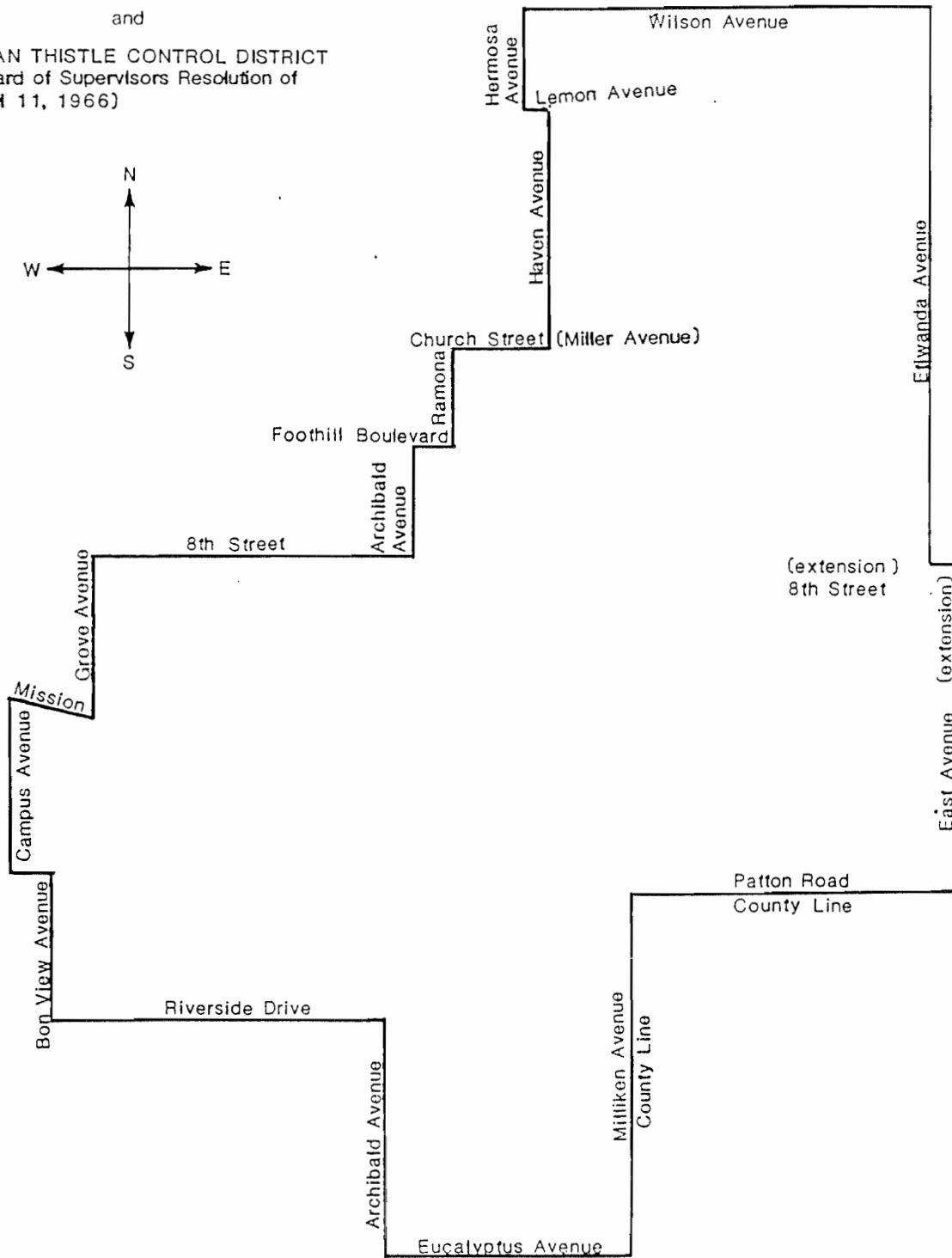
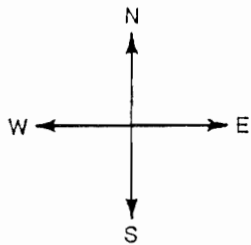
PLANNING NETWORK Land Planning and Design • Policy Analysis Environmental Studies • Project Management 7940 East G Street, Suite 105 Orland, CA 91764 Tel (714) 945-2738
--

*PACIFIC GATE - EAST GATE SPECIFIC PLAN
SANTA FE PACIFIC REALTY CORPORATION*

BOUNDARY FOR
DUST CONTROL DISTRICT
(County Ordinance No. 2069)

and

RUSSIAN THISTLE CONTROL DISTRICT
(Board of Supervisors Resolution of
April 11, 1966)



ORDINANCE NO. 2069

AN ORDINANCE OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AMENDING THE COUNTY CODE BY AMENDING CHAPTER 1 OF DIVISION 2, TITLE 6, PERTAINING TO SOIL EROSION BY WIND.

The Board of Supervisors of the County of San Bernardino, State of California does ordain as follows:

SECTION 1 The San Bernardino County Code is hereby amended by the amendment of Chapter 1 of Division 2, Title 6, which chapter shall read as follows:

Chapter 1

CONTROL OF BLOWING SAND AND SOIL EROSION

Sections

- 62.011 Statement of Hazardous Condition.
- 62.012 Permit Requirement
- 62.013 Prevention of Dust Storms
- 62.014 Territory Boundaries
- 62.015 Permit
 - (a) Application
 - (b) Permit Conditions.
 - (c) Appeal from Denial of Permit or Permit Conditions.

- 62.016 Fees
- 62.017 Exemptions.
- 62.018 Establishment of the Soil Erosion and Dust Prevention Commission.
- 62.019 Appeal of Commission Rulings.
- 62.0110 Notice.

62.011 Statement of Hazardous Condition.

The Board of Supervisors of the County of San Bernardino does hereby find and determine that there exists within the West End Resource Conservation District, serious and hazardous wind erosion problems creating conditions that affect the health, safety, welfare, and property of the residents of the County of San Bernardino, in that the improper and untimely disturbance of the surface or subsurface of the land, the soil of which is coarse textured and of a sandy nature, and because of its character and the presence of strong prevailing winds, seasonal and otherwise, it is progressively being eroded by winds and blown in substantial quantity onto public roads, and other public and private property.

The Board of Supervisors further finds that these conditions are more prevalent and more in need of immediate correction within the boundaries as more particularly described in Section 62.014 of this chapter.

62.012 Permit Requirement.

It shall be unlawful for any person, firm, or corporation, or any agent thereof who owns or is in possession or control of land to disturb the surface or subsurface of land by excavating, leveling, cultivating, discing, plowing, noble blading, removing residues natural or planted, tree, vine or root crops, or by distributing or spreading a substantial quantity of similar soil on said land, or by any other action likely to cause or contribute to wind erosion of said land, or to aggravate said erosion thereon within the area described in Section 62.014 of this chapter, at any time without first having obtained a valid permit therefor and having complied with the terms of said permit as provided for in this chapter.

62.013 Prevention of Dust Storms

To conserve the natural resources within the area described in Section 62.014 of this chapter, and to minimize the injurious effects of dust storms, the owner and all persons in possession of real property within said area shall prevent dust blowing therefrom, as nearly as that can be done by the taking of reasonable measures and means.

62.014 Territory Boundaries.

The provisions of this chapter shall apply to all that territory included within the exterior boundaries described as follows:

State of California, County of San Bernardino, beginning at the north quarter corner of Section 26, T1N, R7W, S8BM.

1. Thence east along section lines to an intersection with the range line between R7W and R6W;
2. Thence along said range line to the northwest corner of Section 30, T1N, R6W, S8BM;
3. Thence east along section lines to the northeast corner of Section 29, same township and range.
4. Thence south along section lines to an intersection with the San Bernardino Base Line.
5. Thence along said line to the northeast corner of Section 5, T1S, R6W, S8BM;
6. Thence south along section lines to the northwest corner of Section 16, same township and range.
7. Thence east along the section line to the north quarter corner of said Section 16.
8. Thence south along the north and south quarter section line of said Section 16, and continuing south along the north and south quarter section line of Sections 21, 28, and 33, same township and range, to the south line of said Section 33.
9. Thence west along the township line between T1S and T2S to an intersection with the range line between R6W and R7W.
10. Thence south along said line to the southeast corner of Section 13, T2S, R7W, S8BM.
11. Thence west along section line to the southwest corner of Section 14, same township and range.
12. Thence north along said section line to the southwest corner of Section 2, same township and range.

13. Thence west along section lines to the southwest corner of Government Lot 6 of Section 3, same township and range.

14. Thence north along the west line of Government Lots 6, 5, 4, and 3 of said Section 3 to an intersection with the township line between T1S and T2S.

15. Thence west along said line to the south quarter corner of Section 33, T1S, R7W, S8BM.

16. Thence north along the north and south quarter section line of said Section 33, and continuing north along the north and south quarter section line of Section 28, same township and range, to an intersection with the northeast line of the Union Pacific Railway Company's right of way.

17. Thence northwest along said line to an intersection with the west line of said Section 28.

18. Thence north along section lines to an intersection with the westerly prolongation of the south line of Parcel No. 2, as shown on State Board of Equalization Land Identification Map No. 804-36-2, said map showing the right of way of the A.T. & S.F. Railway Co.

19. Thence east along said prolongation and line to the southeast corner of said parcel No. 2.

20. Thence across Vineyard Avenue to the southwest corner of Parcel No. 3 as shown on said map.

21. Thence east along the south line of said Parcel No. 3 to the southeast corner of said Parcel No. 3.

22. Thence across Helman Avenue to the southwest corner of Parcel No. 4 as shown on said map.

23. Thence east along the south line of said Parcel No. 4 and its prolongation to an intersection with the west line of Section 14, T1S, R7W, S8BM;

24. Thence north along section lines to the southwest corner of Section 2, same township and range;

25. Thence east along the section line to an intersection with the west line of the east half of the west half of said Section 2;

26. Thence north along said line to an intersection with the east and west quarter section line of said Section 2;

27. Thence east along said line to an intersection with the west line of Section 1, same township and range;

28. Thence north along said line to an intersection with the San Bernardino Base Line;

29. Thence along said line to the southwest corner of Section 36, T1N, R7W, S8BM;

30. Thence north along section lines to an intersection with the south line of the north half of the south half of Section 26, same township and range;

31. Thence west along said line to an intersection with the north and south quarter section line of said Section 26;

32. Thence north along said line to the north quarter corner of said Section 26, the point of beginning.

62.015 Permit.

(a) APPLICATION. Application for the permit required by this chapter shall be made in writing to the County Agricultural Commissioner on forms provided by the County for this purpose, and shall set forth such information required to enable the Agricultural Commissioner or his deputy to fix and prescribe appropriate conditions which will prevent or minimize wind erosion of the permittee's soil.

(b) PERMIT CONDITIONS. The permit shall be subject to such economically feasible conditions as the Agricultural Commissioner may require which will assure that surface protection at or prior to the time of the disturbance of the surface or subsurface of the land is provided for, so as to prevent the soil on said land from being eroded by wind and blown onto public roads or other public or private property. Such protective measures as required by said Agricultural Commissioner shall be provided by means of agricultural measures, or any other effective method or combination of methods of holding the soil in place as determined by the Soil Erosion and Dust Prevention Commission.

(c) APPEAL FROM DENIAL OF PERMIT OR PERMIT CONDITIONS. Any applicant may appeal to the Soil Erosion and Dust Prevention Commission from the decision of the Agricultural Commissioner in disapproving of a permit as required herein, or from the conditions of approval imposed by said Agricultural Commissioner. The appeal shall be taken in accordance with Section 62.018 of this chapter.

62.016 Fees.

The yearly fee for each permit issued shall be as set forth in the Schedule of Fees, Section 16.021, of this Code. The permit shall run from November 1 to October 31 of the next succeeding calendar year.

62.017 Exemptions.

The provisions of this chapter shall not apply to the disturbance of the surface or subsurface of the land under the following circumstances:

- (a) When such activities are required by another ordinance, statute, rule, or regulation.
- (b) When necessary to grade, trench or otherwise install, repair, or replace utility services within the boundaries of utility or public rights of way.
- (c) When the disturbance or proposed activity is confined to an area of one (1) acre or less.

62.018 Establishment of the Soil Erosion and Dust Prevention Commission.

The Soil Erosion and Dust Prevention Commission shall consist of seven (7) regular members, appointed by, and serving at the pleasure of, the body appointing as set forth below, and each for a term of three (3) years. Four of the members, three of which shall be actively engaged in farming within the area set forth in Section 62.014, shall be appointed by the Board of Supervisors, one member, representing the City of Ontario, shall be appointed by that City Council; one member, representing the City of Fontana, shall be appointed by that City Council, and one member shall be from the West End Resource District Board of Directors, and shall be appointed by that body.

The Soil Erosion and Dust Prevention Commission shall hear appeals of any orders, requirements, decisions, determination or interpretation by the Agricultural Commissioner in the administration or enforcement of the provisions of this chapter. Its decision shall be final.

62.019 Annexation of Additional Territory.

On the recommendation of the Agricultural Commissioner and with the approval of the Board of Supervisors, additional areas can be annexed to the area described in Section 62.014 under the following conditions:

- (a) Conditions exist that are stated in Section 62.017;
(b) The area is contiguous to the area described in Section 62.014.

62.0110 Notice.

In case any land presents a hazardous condition that may affect the health, safety and welfare of neighboring land, roadways and residents because of the condition of the land with regard to loose soil and windy conditions, the owner of record will be notified of such conditions by the Commissioner or his deputy. If, after proper notification of the hazardous conditions, they are not corrected within the time limit set forth, which shall be thirty (30) days, the Commissioner may order the property presenting such conditions to be corrected as reasonably and economically as possible in accordance with the discretion of the Commissioner. The County Auditor shall pay the cost of such compliance from the funds of the Agricultural Commissioner. The total cost of such compliance shall be computed and an administrative fee of twenty percent (20%) of such cost shall be added thereto. A bill for the entire sum of the costs and administrative fee shall be mailed to the record owner of such land and a copy shall be sent to the County Auditor. The bill shall include an itemized statement covering the work necessary for such abatement of hazardous condition. If the record owner of the land or his agent does not pay the bill within thirty (30) days after said mailing, the Commissioner shall certify to the Auditor the demands remaining unpaid on said bill together with any information required by law in such cases. The County Auditor shall cause the amount of the same to be entered on the tax roll as a special assessment and tax lien on the property from which abatement of hazardous condition was accomplished. The special assessment shall be included on the next succeeding tax statement. Thereafter the amounts of the

assessment shall be collected at the same time and in the same manner as County taxes are collected, and shall be subject to the same penalties, and the same procedure and sale in cases of delinquencies as provided in ordinary taxes. All or any portion of such special assessment, penalty, or costs entered shall on order of the Board of Supervisors be cancelled by the Auditor if uncollected or refunded by the County Treasurer under order of the Board of Supervisors, if assessment, penalty, or costs were entered, charged or paid:

- (a) More than once;
(b) Through clerical error;
(c) Through the error or mistake of the Board of Supervisors or of the Commissioner in respect to any material fact including the case where the costs rendered show the County abated the land, but such was not the fact;
(d) Illegally;
(e) On property acquired after the lien by the State or any city, county, school district, or other political subdivision and because of this public ownership not subject to sale for delinquent taxes.

No order for refund under the foregoing shall be made except on a claim verified by the person who paid the special assessment or the representative of such person or his estate and said claim is filed within three (3) years after making the payment to be refunded.

SECTION 2. This ordinance shall take effect thirty (30) days after its adoption.

DENNIS HANSBERGER, Chairman
Board of Supervisors

ATTEST:
LEONA RAPOPORT, Clerk of the
Board of Supervisors

STATE OF CALIFORNIA)
COUNTY OF) ss.
SAN BERNARDINO)

I, LEONA RAPOPORT, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify that at a regular meeting of the Board of Supervisors of said County and State, held on the 19th day of April, 1976, at which meeting were present Supervisors Dennis Hansberger, Chairman; James L. Mayfield; Daniel D. Mikesell, Robert O. Townsend; Nancy E. Smith; and the Clerk, the foregoing ordinance was passed and adopted by the following vote, to wit:
AYES: Supervisors Mayfield, Mikesell, Townsend, Smith, Hansberger.

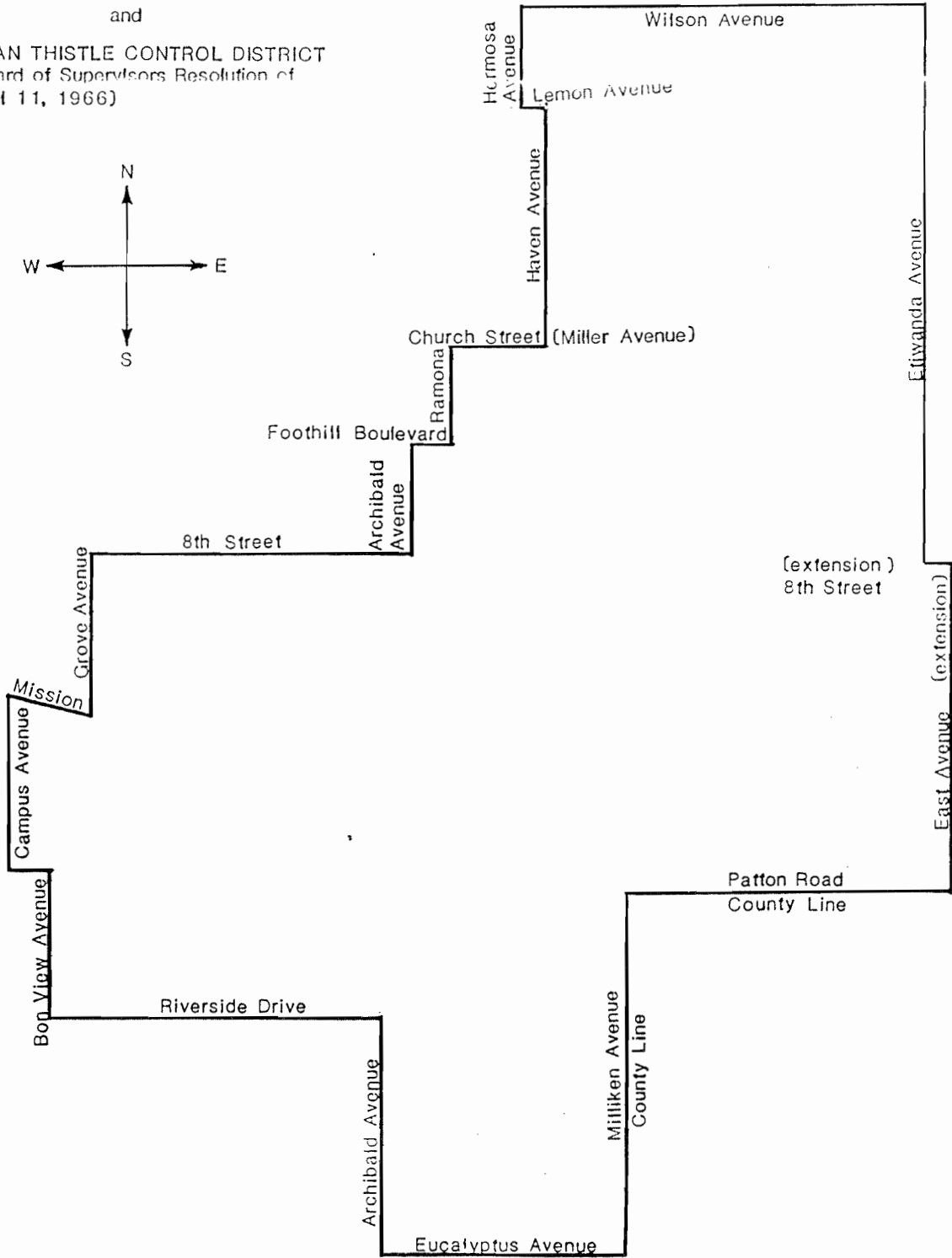
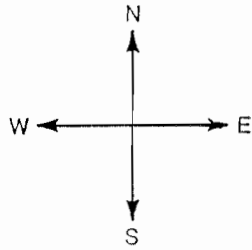
NOES: None.
ABSENT: None.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Board of Supervisors this 19th day of April, 1976.

LEONA RAPOPORT, Clerk of
the Board of Supervisors of the
County of San Bernardino,
State of California.

BOUNDARY FOR
DUST CONTROL DISTRICT
(County Ordinance No. 2069)

and
RUSSIAN THISTLE CONTROL DISTRICT
(Board of Supervisors Resolution of
April 11, 1966)



ORDINANCE NO. 2069

AN ORDINANCE OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AMENDING THE COUNTY CODE BY AMENDING CHAPTER 1 OF DIVISION 2, TITLE 6, PERTAINING TO SOIL EROSION BY WIND.

The Board of Supervisors of the County of San Bernardino, State of California does ordain as follows:

SECTION 1. The San Bernardino County Code is hereby amended by the amendment of Chapter 1 of Division 2, Title 6, which chapter shall read as follows:

Chapter 1

CONTROL OF BLOWING SAND AND SOIL EROSION

Sections:

- 62.011 Statement of Hazardous Condition.
- 62.012 Permit Requirement.
- 62.013 Prevention of Dust Storms.
- 62.014 Territory Boundaries.
- 62.015 Permit.
 - (a) Application.
 - (b) Permit Conditions.
 - (c) Appeal from Denial of Permit or Permit Conditions.
- 62.016 Fees.
- 62.017 Exemptions.
- 62.018 Establishment of the Soil Erosion and Dust Prevention Commission.
- 62.019 Appeal of Commission Rulings.
- 62.0110 Notice.

62.011 Statement of Hazardous Condition.

The Board of Supervisors of the County of San Bernardino does hereby find and determine that there exists within the West End Resource Conservation District, serious and hazardous wind erosion problems creating conditions that affect the health, safety, welfare, and property of the residents of the County of San Bernardino, in that the improper and untimely disturbance of the surface or subsurface of the land, the soil of which is coarse textured and of a sandy nature, and because of its character and the presence of strong prevailing winds, seasonal and otherwise, it is progressively being eroded by winds and blown in substantial quantity onto public roads, and other public and private property.

The Board of Supervisors further finds that these conditions are more prevalent and more in need of immediate correction within the boundaries as more particularly described in Section 62.014 of this chapter.

62.012 Permit Requirement.

It shall be unlawful for any person, firm, or corporation, or any agent thereof who owns or is in possession or control of land to disturb the surface or subsurface of land by excavating, leveling, cultivating, discing, plowing, noble blading, removing residues, natural or planted, tree, vine or root crops, or by distributing or spreading a substantial quantity of similar soil on said land, or by any other action likely to cause or contribute to wind erosion of said land, or to aggravate said erosion thereon within the area described in Section 62.014 of this chapter, at any time without first having obtained a valid permit therefor and having complied with the terms of said permit as provided for in this chapter.

62.013 Prevention of Dust Storms.

To conserve the natural resources within the area described in Section 62.014 of this chapter, and to minimize the injurious effects of dust storms, the owner and all persons in possession of real property within said area shall prevent dust blowing therefrom, as nearly as that can be done by the taking of reasonable measures and means.

62.014 Territory Boundaries.

The provisions of this chapter shall apply to all that territory included within the exterior boundaries described as follows:

State of California, County of San Bernardino, beginning at the north quarter corner of Section 26, T1N, R7W, SBBM;

1. Thence east along section lines to an intersection with the range line between R7W and R6W;

2. Thence along said range line to the northwest corner of Section 30, T1N, R6W, SBBM;

3. Thence east along section lines to the northeast corner of Section 29, same township and range;

4. Thence south along section lines to an intersection with the San Bernardino Base Line;

5. Thence along said line to the northeast corner of Section 5, T1S, R6W, SBBM;

6. Thence south along section lines to the northwest corner of Section 16, same township and range;

7. Thence east along the section line to the north quarter corner of said Section 16;

8. Thence south along the north and south quarter section line of said Section 16, and continuing south along the north and south quarter section line of Sections 21, 28, and 33, same township and range, to the south line of said Section 33;

9. Thence west along the township line between T1S and T2S to an intersection with the range line between R6W and R7W;

10. Thence south along said line to the southeast corner of Section 13, T2S, R7W, SBBM.

11. Thence west along section line to the southwest corner of Section 14, same township and range;

12. Thence north along said section line to the southwest corner of Section 2, same township and range;

13. Thence west along section lines to the southwest corner of Government Lot 6 of Section 3, same township and range;

14. Thence north along the west line of Government Lots 6, 5, 4, and 3 of said Section 3 to an intersection with the township line between T1S and T2S.

15. Thence west along said line to the south quarter corner of Section 33, T1S, R7W, SBBM;

16. Thence north along the north and south quarter section line of said Section 33, and continuing north along the north and south quarter section line of Section 28, same township and range, to an intersection with the northeast line of the Union Pacific Railway Company's right of way;

17. Thence northwest along said line to an intersection with the west line of said Section 28;

18. Thence north along section lines to an intersection with the westerly prolongation of the south line of Parcel No. 2, as shown on State Board of Equalization Land Identification Map No. B04-36-2, said map showing the right of way of the A.T.&S.F. Railway Co.;

19. Thence east along said prolongation and line to the southeast corner of said parcel No. 2;

20. Thence across Vineyard Avenue to the southwest corner of Parcel No. 3 as shown on said map;

21. Thence east along the south line of said Parcel No. 3 to the southeast corner of said Parcel No. 3;

22. Thence across Helman Avenue to the southwest corner of Parcel No. 4 as shown on said map;

23. Thence east along the south line of said Parcel No. 4 and its prolongation to an intersection with the west line of Section 14, T1S, R7W, SBBM;

24. Thence north along section lines to the southwest corner of Section 2, same township and range;

25. Thence east along the section line to an intersection with the west line of the east half of the west half of said Section 2;

26. Thence north along said line to an intersection with the east and west quarter section line of said Section 2;

27. Thence east along said line to an intersection with the west line of Section 1, same township and range;

28. Thence north along said line to an intersection with the San Bernardino Base Line;

29. Thence along said line to the southwest corner of Section 36, T1N, R7W, SBBM;

30. Thence north along section lines to an intersection with the south line of the north half of the south half of Section 26, same township and range;

31. Thence west along said line to an intersection with the north and south quarter section line of said Section 26;

32. Thence north along said line to the north quarter corner of said Section 26, the point of beginning.

62.015 Permit.

(a) APPLICATION. Application for the permit required by this chapter shall be made in writing to the County Agricultural Commissioner on forms provided by the County for this purpose, and shall set forth such information required to enable the Agricultural Commissioner or his deputy to fix and prescribe appropriate conditions which will prevent or minimize wind erosion of the permittee's soil.

(b) PERMIT CONDITIONS. The permit shall be subject to such economically feasible conditions as the Agricultural Commissioner may require which will assure that surface protection at or prior to the time of the disturbance of the surface or subsurface of the land is provided for, so as to prevent the soil on said land from being eroded by wind and blown onto public roads or other public or private property. Such protective measures as required by said Agricultural Commissioner shall be provided by means of agricultural measures, or any other effective method or combination of methods of holding the soil in place as determined by the Soil Erosion and Dust Prevention Commission.

(c) APPEAL FROM DENIAL OF PERMIT OR PERMIT CONDITIONS. Any applicant may appeal to the Soil Erosion and Dust Prevention Commission from the decision of the Agricultural Commissioner in disapproving of a permit as required herein, or from the conditions of approval imposed by said Agricultural Commissioner. The appeal shall be taken in accordance with Section 62.018 of this chapter.

62.016 Fees.

The yearly fee for each permit issued shall be as set forth in the Schedule of Fees, Section 16.021, of this Code. The permit shall run from November 1 to October 31 of the next succeeding calendar year.

62.017 Exemptions.

The provisions of this chapter shall not apply to the disturbance of the surface or subsurface of the land under the following circumstances:

(a) When such activities are required by another ordinance, statute, rule, or regulation.

(b) When necessary to grade, trench or otherwise install, repair, or replace utility services within the boundaries of utility or public rights of way.

(c) When the disturbance or proposed activity is confined to an area of one (1) acre or less.

62.018 Establishment of the Soil Erosion and Dust Prevention Commission.

The Soil Erosion and Dust Prevention Commission shall consist of seven (7) regular members, appointed by, and serving at the pleasure of, the body appointing as set forth below, and each for a term of three (3) years. Four of the members, three of which shall be actively engaged in farming within the area set forth in Section 62.014, shall be appointed by the Board of Supervisors; one member, representing the City of Ontario, shall be appointed by that City Council; one member, representing the City of Fontana, shall be appointed by that City Council; and one member shall be from the West End Resource District Board of Directors, and shall be appointed by that body.

The Soil Erosion and Dust Prevention Commission shall hear appeals of any orders, requirements, decisions, determination or interpretation by the Agricultural Commissioner in the administration or enforcement of the provisions of this Chapter. Its duties shall be as follows:

62.019 Annexation of Additional Territory.

On the recommendation of the Agricultural Commissioner and with the approval of the Board of Supervisors, additional areas can be annexed to the area described in Section 62.014 under the following conditions:

- (a) Conditions exist that are stated in Section 62.017.
(b) The area is contiguous to the area described in Section 62.014.

62.0110 Notice.

In case any land presents a hazardous condition that may affect the health, safety and welfare of neighboring land, roadways and residents because of the condition of the land with regard to loose soil and windy conditions, the owner of record will be notified of such conditions by the Commissioner or his deputy. If, after proper notification of the hazardous conditions, they are not corrected within the time limit set forth, which shall be thirty (30) days, the Commissioner may order the property presenting such conditions to be corrected as reasonably and economically as possible in accordance with the discretion of the Commissioner. The County Auditor shall pay the cost of such compliance from the funds of the Agricultural Commissioner. The total cost of such compliance shall be computed and an administrative fee of twenty percent (20%) of such cost shall be added thereto. A bill for the entire sum of the costs and administrative fee shall be mailed to the record owner of such land and a copy shall be sent to the County Auditor. The bill shall include an itemized statement covering the work necessary for such abatement of hazardous condition. If the record owner of the land or his agent does not pay the bill within thirty (30) days after said mailing, the Commissioner shall certify to the Auditor the demands remaining unpaid on said bill together with any information required by law in such cases. The County Auditor shall cause the amount of the same to be entered on the tax roll as a special assessment and tax lien on the property from which abatement of hazardous condition was accomplished. The special assessment shall be included on the next succeeding tax statement. Thereafter the amounts of the

assessment shall be collected at the same time and in the same manner as County taxes are collected, and shall be subject to the same penalties, and the same procedure and sale in cases of delinquencies as provided in ordinary taxes. All or any portion of such special assessment, penalty, or costs entered shall on order of the Board of Supervisors be cancelled by the Auditor if uncollected or refunded by the County Treasurer under order of the Board of Supervisors, if assessment, penalty, or costs were entered, charged or paid:

- (a) More than once;
(b) Through clerical error;
(c) Through the error or mistake of the Board of Supervisors or of the Commissioner in respect to any material fact including the case where the costs rendered show the County abated the land, but such was not the fact;
(d) Illegally;
(e) On property acquired after the lien by the State or any city, county, school district, or other political subdivision and because of this public ownership not subject to sale for delinquent taxes.

No order for refund under the foregoing shall be made except on a claim verified by the person who paid the special assessment or the representative of such person or his estate and said claim is filed within three (3) years after making the payment to be refunded.

SECTION 2. This ordinance shall take effect thirty (30) days after its adoption.

DENNIS HANSBERGER, Chairman
Board of Supervisors

ATTEST:
LEONA RAPOPORT, Clerk of the
Board of Supervisors

STATE OF CALIFORNIA)
COUNTY OF) ss.
SAN BERNARDINO)

I, LEONA RAPOPORT, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify that at a regular meeting of the Board of Supervisors of said County and State, held on the 19th day of April, 1976, at which meeting were present Supervisors Dennis Hansberger, Chairman; James L. Mayfield; Daniel D. Mikesell; Robert O. Townsend; Nancy E. Smith; and the Clerk, the foregoing ordinance was passed and adopted by the following vote, to wit:
AYES: Supervisors Mayfield, Mikesell, Townsend, Smith, Hansberger.

NOES: None.
ABSENT: None.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Board of Supervisors this 19th day of April, 1976.

LEONA RAPOPORT, Clerk of
the Board of Supervisors of the
County of San Bernardino,
State of California.

County of San Bernardino
DUST CONTROL ORDINANCE

APPENDIX C

PLANNING NETWORK Land Planning and Design • Policy Analysis Environmental Studies • Project Management 7940 East G Street, Suite 105 Ontario, CA 91764 Tel (714) 945-2738

PACIFIC GATE - EAST GATE SPECIFIC PLAN
SANTA FE PACIFIC REALTY CORPORATION

CITY OF ONTARIO PARKING STANDARDS

(File No. 2575-0)

ORDINANCE NO. 2224

AN ORDINANCE OF THE CITY OF ONTARIO, CALIFORNIA,
AMENDING ARTICLE 25 OF CHAPTER 3, TITLE 9 OF THE
ONTARIO MUNICIPAL CODE, RELATIVE TO OFF-STREET
PARKING AND LOADING, AND SECTION 9-3.200, RELA-
TIVE TO DEFINITIONS

The City Council of the City of Ontario, California, does ordain as follows:

SECTION 1. Article 25 of Chapter 3, Title 9 of the Ontario Municipal Code is hereby amended to read as follows:

"Sec. 9-3.2500. Purposes.

In addition to the objectives prescribed in Section 9-3.105 of Article 1 of this chapter, requirements and standards for off-street parking facilities and off-street loading facilities are established by this article in order to achieve the following purposes:

(a) To progressively alleviate or to prevent traffic congestion caused by shortage of parking spaces and the loading and unloading of trucks on public streets.

(b) To ensure that off-street parking and loading facilities are provided incidental to new land uses and major alterations and enlargements of existing land uses in proportion to the need for such facilities created by the particular type of land use.

(c) To ensure that off-street parking and loading facilities are designed in a manner that will result in maximum efficiency, protect the public safety, provide for the special needs of the physically handicapped, and where appropriate, insulate surrounding land uses from their impact.

Sec. 9-3.2505. General Provisions for Off-Street Parking and Loading.

The following regulations shall apply:

(a) Where Required. The required number of off-street parking spaces and off-street loading spaces shall be provided at the time of initial occupancy of a site or construction of a structure, or at the time that the use of a site or a structure is altered, enlarged, converted, or increased in capacity by adding uses, floor area, dwelling units, guest rooms, beds, or seats. All off-street parking and loading facilities required by the provisions of this article, or as otherwise provided, shall comply with all of the standards prescribed in this article and shall be maintained thereafter in good condition for the duration of the use or uses served by the facilities.

(b) Reductions. No existing use of a site or structure shall be deemed to

be nonconforming solely because of the lack of off-street parking spaces or loading spaces required by this article. Any change in occupancy, which results in a more intensive occupancy classification under the Building Code, will require additional parking.

(c) Alterations and Enlargements. The number of parking spaces or loading spaces required for an alteration or enlargement of an existing use or structure or for a change of occupancy shall be in addition to the number of spaces existing prior to the alteration, enlargement, or change of occupancy unless the pre-existing number is greater than the number prescribed in this article, in which case the number of spaces in excess of the prescribed minimum shall be counted in determining the number of spaces.

(d) Multiple Uses/Shared Uses. If more than one use is located on a site, the number of off-street parking and loading spaces to be provided shall be equal to the sum of the requirements prescribed for each use. If individual uses on the same site have a floor area less than that for which parking or loading spaces would be required, the total gross floor area for all uses on the site shall be used in determining the required number of parking and loading spaces. However, where adjoining uses on the same site have different hours of operation, with no conflict at any time, the Planning Commission may determine that the same spaces may be counted as satisfying the requirements for both uses, provided that the number of spaces is not less than that prescribed for the use requiring the greater number.

(e) Location. All off-street parking spaces and loading spaces required by this article shall be located on the same site as the use that they are intended to serve, provided that for nonresidential uses where the parking spaces cannot be accommodated on the same site, they may be located in a separate off-street parking facility on a site not more than 500 feet from the use they serve, in accord with the provisions of Article 16.

(f) Fractional Number. If in the application of the requirements of this article a fractional number is obtained, one parking space or loading space shall be required for a fraction of more than one-half but shall not be required for a fraction of one-half or less.

(g) Outdoor Storage. Areas designated for off-street parking and loading, required access drives, and maneuvering areas shall not be used for the outdoor storage of materials.

(h) Tandem Parking. All parking stalls must have direct access from a parking aisle or alley. Parking stalls may not be located behind one another, so that one vehicle has to be moved in order to move another, except in a mobile home park approved pursuant to Article 10 of this chapter.

Sec. 9-3.2510. Required Number of Off-Street Parking Spaces.

Subject to the provisions of Sec. 9-3.2505(f), off-street parking facilities shall be provided for each use in accord with the following schedule:

Use	Requirement
(a) Agricultural uses.	None, except for dwellings.
(b) Residential uses.	As prescribed below.
(1) One and two family dwellings (includes mobile homes or manufactured housing on individual lots).	2 spaces per unit in a garage or carport.
(2) Multiple dwellings (three or more dwelling units on a site - includes both apartments and condominiums).	
(i) Studio unit.	1½ spaces per unit, of which 1 space shall be in a garage or carport, plus additional spaces as required by Sec. 9-3.2515 for visitor and recreational vehicle parking.
(ii) One-bedroom unit.	1 ¾ spaces per unit, of which 1 space shall be in a garage or carport, plus addi- tional spaces as required by Sec. 9-3.2515 for visitor and recreational vehicle parking.
(iii) Two-bedroom unit.	2 spaces per unit, of which 1 space shall be in a garage or carport, plus additional spaces as required by Sec. 9-3.2515 for visitor and recreational vehicle parking.
(iv) Three or more bedroom unit.	2½ spaces per dwelling unit, of which 2 spaces must be in a garage or carport, plus additional spaces as required by Sec. 9-3.2515 for visitor and recreational vehicle park- ing.
(v) Senior citizen housing designed exclusively for occupancy by persons 60 years of age or older.	.75 spaces per unit. A mini- mum of 50% of the total number of spaces provided shall be in a garage or carport. A deed restriction shall be recorded on the property specifying that the project may only be

Use

Requirement

	used for senior citizen housing, and any change in use will require additional parking for the new use or occupancy.
(3) Mobile homes in a mobile home park pursuant to the provisions of Article 10 of this chapter.	2 spaces per mobile home site with tandem parking permitted, plus such additional spaces as required in Sec. 9-3.2515 for visitor and recreational vehicle parking.
(4) Boarding houses and clubs, lodges, fraternities, sororities, and similar establishments providing sleeping accommodations.	1 space for each guest room, suite, or other accommodation, or for each two beds, whichever is greater, plus 1 space for each dwelling unit.
(5) Hotels and motels.	1 space for each guest room or rental unit, or 1 space for each two beds, whichever is greater.
(6) Accessory rental units.	1 space.
(c) Office, commercial, and industrial uses.	As prescribed below, provided that not less than 6 spaces shall be required for each office or commercial use.
(1) Medical, dental, and related health care offices and clinics.	1 space for each 175 square feet of gross floor area.
(2) Professional and administrative offices and business offices.	1 space for each 300 square feet of gross floor area.
(3) Banks and financial institutions, and public and private utility offices.	1 space for each 180 square feet of gross floor area.
(4) Restaurants and other eating and drinking establishments having outdoor drive-in, drive-through, or walk-up service.	1 space for each two seats or for each two persons of occupant load, whichever is greater, plus 1 space for each employee on the maximum shift. (Credit may be provided for drive-through establishments based on 1 space for every 24 lineal feet of painted drive-through lane.)

Use

Requirement

(5) Restaurants, soda fountains, cocktail lounges, and similar establishments for the sale and consumption of food or beverages on the premises (freestanding buildings).

1 space for each two seats, plus 1 space for each employee on the maximum shift.

(6) Barber and beauty shops, shoe repair shops, self-service or coin-operated cleaning establishments and laundries, and similar service establishments not within a shopping center.

1 space for each 250 square feet of gross floor area.

(7) Neighborhood convenience facilities and related uses, and similar commercial uses not in a shopping center, but not including coffee shops or other restaurant uses.

1 space for each 150 square feet of gross floor area, provided that if parking requirements for a specific use are prescribed elsewhere in this article, the requirement for the specific use shall apply.

(8) Retail stores and other commercial and office establishments in a shopping center (3 acres or larger).

1 space for each 180 square feet of gross floor area (5.5 spaces per 1,000 square feet), excluding floor area used exclusively for truck loading.

(9) Retail stores and service establishments in the C2 District.

1 space for each 225 square feet of gross floor area.

(10) Retail stores and service establishments in the C1 and C3 Districts, which are not in a shopping center of 3 acres or larger.

1 space for each 200 square feet of gross floor area (5 spaces per 1,000 square feet).

(11) Repair shops, repair garages, blueprint and photo copy services, heating and ventilating shops, plumbing shops, wholesale business establishments, and similar establishments, and retail stores handling only bulky merchandise such as furniture and household appliances.

1 space for each 400 square feet of gross floor area, excluding floor area used exclusively for truck loading.

(12) Retail nurseries, garden shops, and similar establishments with outdoor sales and display area.

1 space for each 500 square feet of outdoor sales or display area, plus 1 space for each 2,500 square feet of growing grounds.

Use

Requirement

(13) Automobile sales and service agencies, and other types of sales, service, and rental agencies for automotive vehicles, boats, and equipment.

1 space for each 300 square feet of enclosed display or sales area, plus 1 space for each 1,000 square feet of outdoor sales or display area.

(14) Warehouses or other storage buildings.

1 space for each 500 square feet of gross floor area up to 20,000 square feet; plus 1 space for each 1,000 square feet of gross floor area over 20,000 square feet.

(15) Automated warehouses, automated distribution facilities, cold storage warehouses.

1 space for each 1,000 square feet of gross floor area, or one space for each employee on the maximum shift, whichever is less, but not less than 6 spaces. Any change in occupancy which results in a more intensive occupancy classification under the Building Code will require additional parking.

(16) Manufacturing plants, assembly plants, and other industrial establishments.

1 space for each 500 square feet of gross floor area, excluding floor area used exclusively for truck loading, or 1 space for each employee on the maximum shift, whichever is greater, but not less than 6 spaces.

(17) Automobile dismantling operations, and junk, rag, metal, salvage, scrap processing, and recycling operations.

1 space for each 300 square feet of gross floor area, and 1 space for each 7,000 square feet of gross yard area up to 42,000 square feet, plus 1 space for each 20,000 square feet of gross yard area in excess of 42,000 square feet, but not less than 6 spaces.

(18) Mini-warehouses and enclosed commercial storage facilities.

1 space for each 10,000 square feet of storage area, plus 2 covered spaces for on-site caretaker's unit.

Use	Requirement
(d) Commercial recreation	As prescribed below.
(1) Bowling alleys.	4 spaces per alley, plus spaces for additional uses.
(2) Billiard and pool halls.	2 spaces per table.
(3) Commercial stables and riding clubs.	Not less than 1 space for every 5 horses kept on the premises or facilities therefor, plus required spaces for additional uses.
(4) Golf driving ranges.	1 space per 40 lineal feet of golf driving area, plus spaces required for additional uses on-site.
(5) Golf courses.	8 spaces per hole, plus spaces required for additional uses on-site.
(6) Handball/racquetball facility.	1.5 spaces for each court, plus spaces required for additional uses on-site.
(7) Pitch and putt and miniature golf courses.	3 spaces per hole, plus spaces required for additional uses on-site.
(8) Skating rinks/ice rinks or roller rinks.	1 space per 100 square feet of gross floor area, plus spaces required for additional uses on-site.
(9) Swimming pool (commercial).	1 space per 500 square feet of enclosed area, plus spaces required for additional uses on-site.
(10) Tennis facility.	3 spaces per court, plus spaces required for additional uses on-site.
(11) Theaters.	1 space for every three seats.
(e) Institutional and public uses.	As prescribed below.

Use

Requirement

- | | |
|--|--|
| (1) Hospitals. | 1 space for each three patient beds, plus 1 space for each employee on the maximum shift other than doctors, and 1 space for each staff or regular visiting doctor. |
| (2) Sanitariums, nursing homes and group care facilities (more than 6 persons). | 1 space for each six patient beds, plus 1 space for each employee on the maximum shift other than doctors, and 1 space for each staff or regular visiting doctor, plus such additional spaces as may be prescribed by the Planning Commission. |
| (3) Places of public assembly, such as churches, mortuaries, community centers, auditoriums (including school and college auditoriums), arenas, gymnasiums and similar places. | 1 space for each four fixed seats in the principal assembly area, or 1 space for each 40 square feet of floor area in the principal assembly area if fixed seats are not provided. |
| (4) Nursery schools, pre-schools, and day care centers. | 1 space for each employee on the maximum shift with a designated on-site loading/unloading area for students. |
| (5) Public and private schools, elementary and junior high level. | 1 space for each employee on the maximum shift, and not less than 10 additional spaces conveniently located for visitor parking, plus a designated on-site loading/unloading area for students. |
| (6) Public and private schools, high school level. | 1 space for each employee on the maximum shift, 1 space for each four students based on maximum enrollment capacity, and not less than 10 additional spaces conveniently located for visitor parking. |

Use

Requirement

(7) Colleges and junior colleges.

1 space for each employee on the maximum shift, 1 space for each two students based on maximum enrollment capacity, plus such additional spaces as may be prescribed by the Planning Commission.

(8) Arts and crafts schools, music and dancing schools, and business, professional and trade schools and all other schools providing instruction, other than elementary and secondary education.

1 space for each employee on the maximum shift, and 1 space for each two students based on maximum enrollment capacity.

(9) Nonprofit social service organizations involving office activities only.

1 space for each staff member on the maximum shift, but not less than 6 spaces, plus such additional spaces as may be prescribed by the Planning Commission.

(10) Private libraries, museums and art galleries.

1 space per 300 square feet of gross floor area.

(11) Public building or public facility.

1 space for each employee on the maximum shift, plus such additional spaces as may be prescribed by the Planning Commission for each additional use on-site.

(12) Public utility structure or installation, transportation terminal, or transit station.

1 space for each employee on the maximum shift, plus such additional spaces as may be prescribed by the Planning Commission.

(f) Special provisions. For a use not specified in the schedule, the same number of off-street parking spaces shall be provided as are required for the most similar specified use, or as approved pursuant to a resolution of the Planning Commission. Additional off-street parking spaces may be required by the Planning Commission for any use upon a finding that the additional spaces are needed to relieve a critical shortage of curb spaces, to facilitate the free flow of traffic on a street, or to reduce a hazard to public safety.

Sec. 9-3.2511. Vehicle parking districts.

The provisions of Sec. 9-3.2510 of this article shall not require automobile

parking spaces in connection with a building or structure now existing or to be erected on a lot within a vehicle parking district established in accordance with the provisions of the Vehicle Parking District Act of 1943, as amended, when the Building Official determines that the proportionate share of automobile parking spaces in the vehicle parking district allocated to the lot on which the building or structure is or is to be located is sufficient to provide the required number of automobile parking spaces as set forth in this section for such building or structure. The Building Official shall consider that automobile parking space requirements are satisfied for any parcel of property within any such vehicle parking district where assessments have been levied, paid, or guaranteed by cash deposits as follows:

- (a) For one-story buildings: not less than thirty (30%) percent of the assessed value of the property;
- (b) For two-story buildings: not less than sixty (60%) percent of the assessed value of the property; and
- (c) For any additional story: not less than an additional thirty (30%) percent of the assessed value of the property for each additional story.

For the purposes of this section, a basement or storage area for utility purposes shall not be considered a story.

Sec. 9-3.2515. Visitor and recreational vehicle parking.

An addition to the off-street parking spaces required in Sec. 9-3.2510 of this article, visitor and recreational vehicle parking facilities shall be provided as prescribed below:

(a) Visitor parking spaces evenly distributed throughout the site shall be provided as follows:

(1) For multiple dwelling and condominium developments containing more than three units, 1 space for each four units for the first 50 units, 1 space for each additional five units up to 100, and 1 space for each additional six units over 100 units.

(2) For mobile home parks, 1 space for each five mobile home sites for the first 100 sites, and 1 space for each additional six mobile home sites over 100 units.

(b) Recreational vehicle parking spaces clustered and so located as not to be visible from a dedicated street and containing not less than 400 square feet per space shall be provided as follows:

(1) For multiple dwelling and condominium developments containing more than 20 units, 1 space for each 20 units for the first 100 units, and 1 space for each additional 25 units over 100 units.

(2) For mobile home parks, 1 space for each 30 mobile home sites.

In lieu of providing recreational vehicle parking spaces, an equivalent area can be provided in visitor parking spaces.

Sec. 9-3.2520. Provisions for the physically handicapped.

Parking spaces specifically designated and conveniently located for the use of the handicapped shall be provided in accordance with current regulations administered by the Building Official.

Sec. 9-3.2525. Standards for off-street parking facilities.

Off-street parking facilities shall conform with the following standards.

(a) Access. Each parking space shall be accessible from a street or alley, provided that no parking space shall be designed to require vehicles to back into a street except for parking spaces that serve a one or two family dwelling.

(b) Proximity to dwelling units. Each parking space required for a residential use shall be located within 150 feet of the entrance to the dwelling unit (structures 3 stories or more excluded).

(c) Garages and carports. Any garage or carport accessory to the following uses shall be so located as to provide a clear space of not less than 20 feet between the garage or carport entrance and the property line adjoining the street:

(1) One family dwellings

(2) Two family dwellings

(3) Multiple dwellings where the garage or carport entrance faces a street.

(d) Entrances and exits. Entrances and exits for off-street parking facilities shall be provided at locations approved by the Engineering Department.

(e) Exterior lighting. Exterior lighting shall be arranged or shielded in such a manner as to contain the direct illumination on the parking area and avoid glare on any adjoining site.

(f) Required yards. Except as otherwise provided in this chapter, no off-street parking space shall be located in a required front yard, in a required side yard on the street side of a corner lot, or in a required rear yard on a through lot.

(g) Dimensions and design. The minimum dimensions of off-street parking facilities shall be as prescribed in the following table and illustrated in the informational handout available in the Planning Department, provided that a parking space located in a garage or carport shall have a clear interior dimension of 10 feet in width and 20 feet in length. Access drives shall conform with the following standards:

(1) Access drives for one and two family dwellings shall have a width of not less than 10 feet.

(2) All other one-way access drives shall have a width of not less than 15 feet, provided that a width of not less than 20 feet may be required for one-way drives designated as emergency access roadways.

(3) Two-way access drives shall have a width of not less than 24 feet

For the purposes of this subsection, a drive is the unobstructed open space providing access to the parking facility, and an aisle is the open space needed to maneuver a vehicle into or out of a parking space.

(4) For commercial drive-through facilities, a one-way drive-through lane shall have a minimum width of twelve (12) feet.

(5) Minimum parking space dimensions are as follows:

(i) Residential (unenclosed): Minimum ten (10') feet wide by nineteen (19') feet long.

(ii) Commercial (perpendicular, 90° - All parking stalls in the C1, C2 or C3 zones, or within an area designated for commercial use within an adopted Specific Plan): Minimum ten (10') feet wide by nineteen (19') feet long.

(iii) Commercial (30° - 75° - All parking stalls in the C1, C2 or C3 zones, or within an area designated for commercial use within an adopted Specific Plan): Minimum nine and one-half (9.5') feet wide by nineteen (19') feet long.

(iv) Office and industrial uses (All parking stalls in the AP, M1, M2 or M2.5 zoning districts, or within an area designated for office or industrial use within an adopted Specific Plan): Minimum nine (9') feet wide by nineteen (19') feet long.

(v) Compact stalls (commercial, office and industrial uses only):

(aa) Compact parking stalls shall be a minimum of eight and one-half (8½') feet wide by seventeen (17') feet long.

(ab) No more than twenty-five (25%) percent of the total number of required parking stalls in commercial, office or industrial developments may be designed as compact stalls.

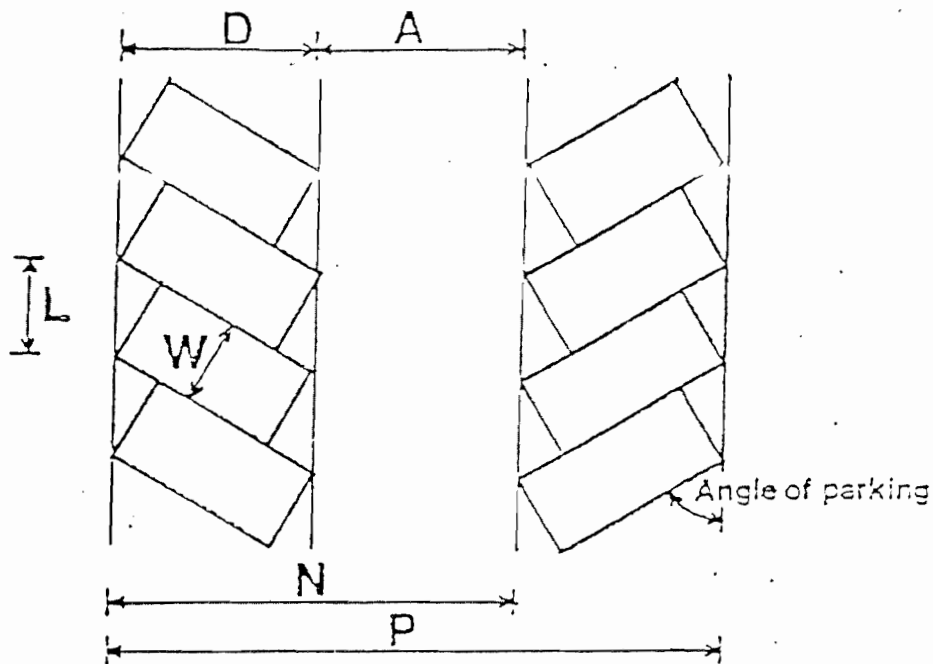
(ac) Compact parking stalls shall be clustered in minimum groupings of three (3) stalls or more, shall be evenly distributed throughout the site and shall have painted identification.

(vi) Parallel stalls (0°): Minimum ten (10') feet wide by twenty-three (23') feet long.

Minimum Off-Street Parking Dimensions (Feet)

Angle of Parking	Stall Width (W)	Stall Length (L)	Stall Depth (D)	Aisle Width (A)	Single Bay Width (N)	Double Bay Width (P)
0 Degrees (parallel stalls)	10	23	10	12*	22	32
30 Degrees	10	20	18	12*	30	48
	9.5	19	17.7	12*	29.7	47.4
	9.0	18	17.3	12*	29.3	46.6
	8.5	17	15.3	12*	27.3	42.6
45 Degrees	10	14	21	13*	34	55
	9.5	13.4	20.1	13*	33.1	53.2
	9.0	12.7	19.8	13*	32.8	52.6
	8.5	12	18.1	13*	31.1	49.2
60 Degrees	10	12	22	18*	40	62
	9.5	11	21.2	18*	39.2	60.4
	9.0	10.4	21	18*	39	60
	8.5	9.8	19.2	18*	37.2	56.4
90 Degrees	10	10	19	26	45	64
	9.5	9.5	19	26	45	64
	9.0	9.0	19	26	45	64
	8.5	8.5	17	26	43	60

*For one-way aisles only; minimum width for two-way aisles shall be 24 feet with corresponding increases in the (N) and (P) dimensions, except for 90° (perpendicular) parking, which requires a 26 foot wide aisle.



(6) Maximum gradients permitted: (see informational handout available in the Planning Department)

(i) Driveway entrances:

(aa) In the case of four (4) or less dwelling units, the driveway or parking aisle shall have a maximum grade of +15% or -6% as measured along the centerline of the driveway or parking aisle. These maximum gradients shall be applicable for a minimum distance of not less than twenty (20') feet from the ultimate right-of-way line of the street or alley.

(ab) In the case of five (5) or more dwelling units or an industrial, commercial, office or public project, the driveway or parking aisle shall have a maximum grade of +15% or -2% as measured along the centerline of the driveway or parking aisle. These maximum gradients shall be applicable for a minimum distance of not less than twenty (20') feet from the ultimate right-of-way line of the street or alley.

(ii) Parking spaces. All parking spaces and parking aisles shall have a maximum grade of five (5%) percent, as measured in any direction.

(7) Parking lot design. Commercial or office developments providing parking for fifty (50) or more vehicles shall be designed with access drives. These access drives may not be intersected by a parking aisle or other access drive for a minimum distance of not less than fifty (50') feet from the street right-of-way line.

(h) Improvements required. An off-street parking structure shall conform with all applicable requirements of the Uniform Building Code and the Uniform Fire Code. All other off-street parking areas shall conform with all applicable requirements of the Uniform Fire Code and shall be improved as prescribed below:

(1) The surface shall be paved with hard, durable, plant mix asphaltic paving at least two (2") inches thick after compaction or Portland cement concrete paving at least three and one-half (3½") inches thick.

(2) Bumper guards or wheel stops shall be provided where necessary to protect a structure or parked vehicles.

(3) The striping of parking spaces, aisles, and driveways and directional signs conforming with the provisions of Article 26 of this chapter shall be provided as necessary to ensure the safe and efficient operation of the parking facility.

(4) An off-street parking facility serving a nonresidential use and intended for use during the hours of darkness shall be illuminated in a manner consistent with the provisions of subsection (e) of this section.

(5) Where not otherwise required by the provisions of this chapter, an off-street parking facility serving a nonresidential use adjoining an R Residential District shall be separated from the district by a six (6') foot solid wall or fence located at the common property line; provided, however, such wall or fence shall not exceed forty-two (42") inches in height where it extends into a required front yard, side yard on the street side of a corner lot, or rear yard on a through lot.

Sec. 9-3.2530. Landscaping.

Outdoor off-street parking areas containing ten (10) or more spaces shall be landscaped, and the landscaping shall be permanently maintained, as prescribed below:

(a) Adjoining streets. Landscaping consistent with the landscape setback provisions of the base zoning district shall be provided adjacent to the street.

(b) Interior areas. Where a parking lot contains ten (10) or more parking spaces and is visible from a street, not less than five (5%) percent of the total area of the lot, excluding any perimeter landscaping required by the base district shall be landscaped. Such landscaping shall be distributed throughout the parking lot and shall not be concentrated in any one location. A minimum of fifty (50%) percent of the plant material shall be canopy or shade trees. Curbing not less than six (6") inches in height, if constructed of concrete, and not less than eight (8") inches in height, if constructed of masonry, shall be provided to contain the landscaped areas, and no such landscaped area shall have a dimension of less than three (3') feet or an area of less than twenty (20) square feet.

Use	Requirements
(d) New automobile sales and service agencies, and other types of sales and service agencies for new automotive vehicles, trailers, boats, and equipment, and repair garages.	1 space, plus such additional spaces as may be required by the Planning Commission.
(e) Mortuaries.	1 space, plus 1 additional space for each 10,000 square feet of gross floor area over 5,000 square feet.
(f) Public buildings, schools, colleges, libraries, museums, art galleries, theaters, and places of public assembly which require recurring deliveries of goods or equipment by truck.	1 space, plus such additional spaces as may be prescribed by the Planning Commission.
(g) Public utility and public service structures or installations, transportation terminals, transit stations, and any other use which requires recurring deliveries or the distribution of goods, material products, or equipment by truck.	1 space, plus such additional spaces as may be prescribed by the Planning Commission.

For a use not specified in the schedule set forth in this section, the same number of off-street loading spaces shall be provided as are required for the most similar specified use.

Sec. 9-3.2540. Standards for off-street loading facilities.

Off-street loading facilities shall conform with the following standards:

(a) Access. Each off-street loading space shall be accessible from a street or alley, provided that where the site adjoins an alley in any district except an industrial district, access to the off-street loading facility shall be from the alley.

(b) Entrances and exits. Entrances and exits for off-street loading facilities shall be provided at locations approved by the Engineering Department.

(c) Exterior lighting. Exterior lighting shall be arranged or shielded in such a manner as to contain the direct illumination on the loading area and avoid glare on any adjoining site.

(d) Required yards. Except as otherwise provided in this chapter, no off-street loading space shall be located in a required front yard, in a required

(c) Landscape plans. A landscape plan showing the location of all landscaped areas with the proposed shrubs, trees, and other plant materials clearly labeled and showing the proposed irrigation system shall be provided. The landscape plan shall be subject to approval by the Planning Department with respect to all the requirements of this section, except for the plant materials and the irrigation system, and by the Public Services Agency for the plant materials and the irrigation system. The Public Services Agency shall also review the landscape plan to ensure that it is consistent with the Master Plan of Street Trees.

Sec. 9-3.2535. Required number of off-street loading spaces.

Subject to the provisions of subsection (d) of Section 9-3.2505 of this article, off-street loading facilities shall be provided for each use in accordance with the following schedule:

Use	Requirements
(a) Hotels and motels and clubs, lodges, fraternities, sororities, and similar establishments providing sleeping accommodations.	1 space for buildings with a gross floor area of 10,000 to 50,000 square feet; 2 spaces for buildings with a gross floor area of 50,001 to 150,000 square feet, plus 1 space for each additional 150,000 square feet of gross floor area.
(b) Medical, dental, and related health offices and clinics, professional and administrative offices, business offices, hospitals, sanitariums, and nursing homes.	1 space for buildings with a gross floor area of 10,000 to 50,000 square feet; 2 spaces for buildings with a gross floor area of 50,001 to 150,000 square feet, plus 1 space for each additional 150,000 square feet of gross floor area.
(c) Restaurants and other types of eating and drinking establishments, personal service establishments, retail stores, commercial service establishments, repair shops, wholesale business establishments, warehouses and other storage facilities, and manufacturing plants, assembly plants and other industrial uses.	1 space for buildings with a gross floor area of 5,000 to 30,000 square feet, plus 1 space for each additional 30,000 square feet of gross floor area up to 120,000 square feet, plus such additional spaces as may be prescribed by the Planning Commission for buildings with a gross floor area of more than 120,000 square feet.

side yard on the street side of a corner lot, in a required rear yard on a through lot, or in any other required yard area within twenty-five (25') feet of an R Residential District.

(e) Dimensions. Each off-street loading space shall consist of a rectangular area not less than forty-five (45') feet long and twelve (12') feet wide and shall have an overhead clearance of not less than fourteen (14') feet; provided, however, for mortuaries a loading space used exclusively for hearses shall be not less than twenty-four (24') feet in length and ten (10') feet in width and shall have an overhead clearance of not less than eight (8') feet.

(f) Safety features. Bumper guards or wheel stops, pavement markings, and other vehicular control devices shall be provided as necessary to ensure the safe and efficient operation of the off-street loading facility."

SECTION 2. Section 9-3.200 of Article 2, Chapter 3, Title 9 of the Ontario Municipal Code is hereby amended by adding subsections (x-5), (y-5) and (ag-5) to read as follows:

"(x-5) Building, freestanding. A building detached from the main building within a shopping center."

"(y-5) Day care facility. A facility in which day care only is provided for seven (7) or more children at a location other than their normal place of residence, excluding any children who normally reside on the premises."

"(ag-5) Dwelling, studio. An apartment or condominium unit containing no more than one room and bath, with cooking facilities."

SECTION 3. The Mayor shall sign this ordinance and the City Clerk shall attest to the same, and the City Clerk shall cause the same to be published within fifteen (15) days after its passage at least once in The Daily Report, a newspaper of general circulation, published and circulated in the City of Ontario, California.

APPROVED and ADOPTED this 3rd day of May, 1983.

/s/ HOMER F. BRIGGS
Mayor/of the City of Ontario
pro Tempore

ATTEST:

/s/ DE LORIS E. ARTERBURN
City Clerk

APPENDIX D

PLANNING NETWORK
Land Planning and Design • Policy Analysis
Environmental Studies • Project Management

7940 East G Street, Suite 105
Ontario, CA 91764
Tel (714) 945-2738

PACIFIC GATE - EAST GATE SPECIFIC PLAN
SANTA FE PACIFIC REALTY CORPORATION

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
PACIFIC GATE

THIS DECLARATION is made as of the 5th day of June 1987, by SOUTHERN PACIFIC INDUSTRIAL DEVELOPMENT COMPANY, a Texas corporation, with reference to the following facts:

A. Declarant, as hereinafter defined, is the owner of the real property located in the City of Ontario, County of San Bernardino, State of California, described as Parcels 1 through 22, inclusive, as shown on Parcel Map No. 9553, filed March 11, 1987 in Book 113, Pages 54-57, of Parcel Maps, and Parcels 1 and 2 of Parcel Map No. 5501 filed in Book 56, Page 73 of Parcel Maps, Records of San Bernardino County, California.

B. Declarant desires to impose upon said real property a general plan for its improvement, development and maintenance and to adopt and establish covenants, conditions, restrictions and easements with respect to said real property for the purpose of enforcing and protecting the value, desirability and attractiveness thereof, and upon and subject to which all of said real property shall be held, improved and conveyed.

NOW, THEREFORE, Declarant as Owner of said real property, declares as follows:

ARTICLE I
DEFINITIONS

1.01. "Center" shall mean Pacific Gate, a research and development and business project.

1.02. "City" shall mean the City of Ontario, California, a municipal corporation.

1.03. "County" shall mean the County of San Bernardino, California.

1.04. "Declarant" shall mean Southern Pacific Industrial Development Company, a Texas corporation.

1.05. "Declaration" shall mean this Declaration of Covenants, Conditions and Restrictions, as it may be amended from time to time as provided herein.

1.06. "Development Guidelines" shall mean those certain standards developed by Declarant and set forth in a memorandum to be provided to each successive owner containing details of permitted improvements to be made within the Center.

"THIS INSTRUMENT FILED FOR RECORD BY FIRST AMERICAN TITLE INSURANCE COMPANY AS AN ACCOMMODATION ONLY. IT HAS NOT BEEN EXAMINED AS TO ITS EXECUTION OR AS TO ITS EFFECT UPON THE TITLE."

1FEE	2MSYS	3PCDA	4LMT
20	17		
5 SYT	---	DIT	42L
			A

RECORDED IN OFFICIAL RECORDS
JUN 10 1987 AT 8:30 AM
SAN BERNARDINO COUNTY, CALIF.

87-195712

1.07. "Improvement" shall mean all structures and appurtenances thereto, of every kind, whether above or below the land surface, including, but not limited to, buildings, utility systems, walkways, slopes, parkways, driveways, parking areas, loading areas, landscaping, irrigation, fences, walls, decks, stairs, poles, signs, exterior fixtures and any other structure of any kind, whether interior or exterior.

1.08. "Mortgage, Mortgagee, Mortgagor" A mortgage shall mean any mortgage or deed of trust or other conveyance of a parcel or interest therein to secure the performance of an obligation which will terminate or be reconveyed upon completion of such performance. Reference in this Declaration to a mortgagee shall be deemed to include the beneficiary of a deed of trust; reference to a mortgagor shall be deemed to include the trustor of a deed of trust.

1.09. "Occupant" shall mean any person or firm holding possession of any Parcel or Improvement, or portion thereof, whether by lease, sublease or otherwise.

1.10. "Operating Committee" shall mean the committee formed pursuant to Article VII of this Declaration.

1.11. "Owner" shall mean (i) a person, including Declarant, holding fee-simple interest of record to any Parcel, or (ii) a lessee of a Parcel pursuant to a ground lease with an initial term of thirty-five (35) years or more.

1.12. "Ownership" shall mean the status of being an Owner.

1.13. "Parcel" shall mean any numbered parcel shown on a recorded subdivision map of the Property, including the improvement thereon. Where two or more contiguous Parcels of common Ownership are being developed with a single integrated Improvement, such Parcels shall be considered a single Parcel for purposes of this Declaration.

1.14. "Plans" shall mean those plans and specifications required to be prepared and submitted by an Owner to the Operating Committee for their review and approval prior to construction of any Improvements on any Parcel.

1.15. "Property" shall mean the real property described in Paragraph A of the Preamble to this Declaration.

ARTICLE II
GENERAL PROVISIONS

2.01. Establishment of Restrictions. The Property is now held, and shall hereafter be held, transferred, sold, leased, conveyed and occupied, subject to the covenants, conditions, and restrictions (which covenants, conditions, and restrictions are hereinafter referred to as the "Restrictions") each of which is for, and shall inure to the benefit of, shall pass with, and shall be binding upon, each and every Parcel, and each of which shall apply to and bind the heirs, assignees and successors-in-interest of each and every Owner of a Parcel or Parcels.

2.02. Restrictions to be Construed as Covenants. Each purchaser of any Parcel covenants and agrees with Declarant, its successors and assigns, to use or permit the use of the Parcel only in accordance with the Restrictions and to refrain from using the Parcel in any way inconsistent with or prohibited by the provisions of this Declaration.

2.03. Purpose of the Restrictions. The purpose of these restrictions is to insure the quality development and use of the Property, to protect the Owner of each Parcel against undesirable development or use of surrounding Parcels which may diminish the value of such Owner's Parcel, to prevent the erection on the Property of structures built of improper or inharmonious design or materials, to encourage the erection of attractive improvements at appropriate locations, to assure proper setbacks from streets and adequate free spaces between structures, to provide for well-maintained and unifying landscaping, and to enhance and protect the value, desirability and attractiveness of the Property.

ARTICLE III
USE OF THE PROPERTY

3.01. Permitted Uses.

(a) Unless otherwise specifically prohibited herein or by the ordinances or regulations of the City or the County or any other governmental agency having jurisdiction thereof, any industrial operation or use shall be permitted on the Property if it is performed or carried out entirely within an enclosed building which is designed and constructed so that the enclosed operations and uses do not cause or produce a nuisance to any adjacent Parcel such as, but not limited to, vibration, sound, electromechanical disturbance or radiation, electromagnetic disturbance or radiation, air or water pollution, dust or emission of odorous, toxic, hazardous or offensive matter. All lighting, other than lighting for security purposes as approved by the Operating Committee, shall be shielded and direct rays confined within Parcel lines.

(b) Each Parcel may be used for manufacturing, assembly, warehousing, processing, laboratory, office, professional or research and development activities. Except as provided in Section 3.02 hereof, no other uses including, without limitation, drilling, mining, quarrying, exploring for or removing oil or other hydrocarbons, minerals, gravel, or earth, or refining or processing of the same, and no residential or other non-business use, or any other use that shall be construed by the Operating Committee as being incompatible with the purpose of this Declaration or prohibited by any applicable law, rule or regulation of a governmental agency or body having jurisdiction thereof shall be permitted.

3.02. Approval of Other Uses.

(a) Any operation or use which is neither specifically prohibited nor specifically authorized herein may be permitted upon written approval by the Operating Committee and, if such approval is required, by any applicable law, rule or regulation of a governmental agency or body having jurisdiction thereof.

(b) All operations and uses permitted pursuant to this Article III shall be subject to the development standards set forth in Article IV of this Declaration.

3.03. Nuisance. No noxious or offensive trade or activity shall be conducted on any Parcel or any part of the Property, nor shall anything be done thereon which may be, or may become, an annoyance or nuisance to the neighborhood or which shall in any way interfere with the quiet enjoyment by each of the Owners or Occupants of their respective Parcel or Parcels, or which shall in any way increase the rate of insurance applicable thereto.

3.04. Drainage. Drainage of water from any Parcel and the improvements thereon shall drain or flow into adjacent streets or other approved facility, and shall not be allowed to drain or flow upon an adjoining Parcel unless an easement for such purpose has been expressly granted or such drainage is provided for by a plan approved under applicable ordinances, regulations, and requirements of the City, the County, and any other governmental authority having jurisdiction thereof.

3.05. Animals. No animals, livestock or poultry of any kind shall be raised, bred, or kept on any Parcel, except animals which are customarily used in medical research and/or testing businesses, including, but not limited to diagnostic laboratories. Any and all such animals shall at all times be kept within a building on the Parcel.

3.06. Rubbish. All rubbish, trash and garbage shall be regularly removed from each Parcel and shall not be allowed to accumulate thereon.

3.07. Temporary Structures. No structure of a temporary character, trailer, camper, boat or similar vehicle or equipment shall be permitted to remain upon the exterior portion of any Parcel without the prior written approval of the Operating Committee. With the exception of temporary parking of delivery trucks, service vehicles and other commercial vehicles being used in the furnishing of products or services to an Owner or Occupant, or the parking of vehicles belonging to or being used by such Owner or Occupant for loading or unloading purposes, there shall be no parking on the Property other than in designated parking spaces. No such temporary parking shall unreasonably interfere with the use of another Parcel. For purposes of this Section 3.07, the "exterior portion" of any Parcel shall be any portion of a Parcel which is visible, at ground level, from outside the Property or from another Parcel.

ARTICLE IV DEVELOPMENT STANDARDS

4.01. General Provisions. The Operating Committee shall provide each Owner with a copy of the Development Guidelines in conjunction with the construction of any Improvements on the Property. The Development Guidelines shall be deemed an extension of the Development Standards set forth in this Article IV and any Improvements to be constructed on the property shall conform to the Development Guidelines as well as the provisions set forth in Article IV and Article V.

4.02. Building Heights. No building shall be constructed, having a structural height in excess of fifty-five (55) feet. Rooftop mechanical equipment and screening constructed pursuant to Section 4.10 may exceed said height limitations by not more than ten (10) feet. The Operating Committee shall have the right to review and change these building heights as the Operating Committee, in its sole discretion, deems advisable.

4.03. Building Setbacks. All building setbacks shall be measured from the appropriate Parcel property line. Each setback area shall extend for the full width of the Parcel and shall be parallel to the property line. Building setbacks shall be of the following depths:

(1) Front yard and side yard setbacks adjacent to a street shall be a minimum of twenty-five (25) feet, except on Rochester Avenue which setback shall be thirty-five (35) feet.

(2) Side yard and rear yard setbacks, which are not adjacent to a street, shall be a minimum of zero (0) feet for one yard and ten (10) feet for all other yards. Only one zero setback per Parcel shall be permitted.

(3) Unsupported roof overhangs, subject to the specific approval of the Operating Committee, may project six (6) feet into twenty-five (25) feet setback areas and three (3) feet into a ten (10) foot setback area provided no structural element touches the ground within the setback area.

4.04. Site Requirements.

(a) Minimum site size for all Parcels contemplating an industrial use shall be one (1) acre. The minimum site size for Parcels contemplating commercial uses may vary, provided that each such Parcel meets the on-site parking and landscaping requirements of the City.

(b) Each Parcel shall contain one or more areas which are landscaped in compliance with Article V of this Declaration and which aggregate no less than fifteen percent (15%) of the square footage of such Parcel net of street rights-of-way. The Operating Committee, in its sole discretion, may require or permit aggregate landscaped areas in excess of or less than fifteen percent (15%) in connection with specific improvements.

4.05. Parking. Each Owner shall provide adequate off-street parking to accommodate all reasonable parking needs of such Owner's Parcel, and to satisfy any applicable parking requirements of the City. No parking shall be permitted within the first twenty (20) feet of the thirty-five (35) foot front yard area adjacent to Rochester Avenue. No parking shall be permitted within ten (10) feet of property lines adjacent to existing or future interior streets, including Wall Street, Wanamaker Street, Brickell Street and Airport Avenue.

(a) Location of Parking. Required off-street parking shall be provided on the Parcel served thereby, or on a contiguous Parcel. If parking is provided on a contiguous Parcel of different Ownership, an appropriate document shall be executed by the Owners of the affected Parcels and provide for the use of the contiguous Parcel for parking purposes.

(b) Parking Standards and Requirements. All parking areas shall meet the requirements of the City.

4.06. Screening. All exterior storage areas and service yards, loading docks and ramps, electrical cage enclosures and storage tanks shall be screened from view from streets, and adjacent parcels by a fence, wall or mature landscape materials.

4.07. Sidewalks. Pedestrian walkways from the street to the building are not be permitted. Pedestrian walkways may be provided from the guest or employee parking areas to building entrances.

4.08. Color. Colors, materials, and finishes are to be coordinated on all exterior elevations of the buildings to achieve total continuity of design.

4.09. Lighting. Parking lot fixtures shall have an overall maximum height of sixteen (16) feet. Walkway lighting fixtures shall have an overall maximum height of ten (10) feet. Security lighting fixtures shall not project above the fascia or roof line of the building and shall be shielded. The shields shall be painted to match the surface to which attached. The Owner shall submit specifications of exterior light fixtures and shall depict their location on the plan for review and approval by the Operating Committee.

4.10. Mechanical Equipment and Ductwork.

(a) All roof-mounted and mechanical equipment and/or ductwork, which project vertically more than one and one-half (1-1/2) feet above the roof or roof parapet shall be screened by an enclosure which is designed consistent with the building. Screening shall be set back twenty (20) feet from an exterior building edge and shall project above the equipment which it is designed to shield from view.

(b) All roof-mounted mechanical equipment and/or ductwork which is not screened shall be painted consistent with the color scheme of the building.

(c) No mechanical equipment shall be exposed on the wall surface of a building without the written approval of the Operating Committee.

(d) Cyclone blowers shall be located below the fascia and/or roof line of the building and be located on the rear or "hidden" side of the building. In addition, they shall be screened by a wall, a fence or landscape materials or, if approved by the Operating Committee, be painted to match the surface to which attached.

(e) Roof-mounted ventilators shall be a maximum of one and one-half (1-1/2) feet above the point to which attached and shall be painted or prefinished consistent with the color scheme of the building.

(f) Gutters and downspouts shall be enclosed within the building perimeter walls.

(g) Vents, louvers, exposed flashing, tanks, stacks, overhead doors, rolling and "man" service doors shall be painted consistent with the color scheme of the building.

4.11. Exterior Design.

- (a) No part of the roof may project above the parapet.
- (b) All exterior wall elevations of buildings facing streets are to have architectural treatment approved by the Operating Committee.
- (c) No metal buildings shall be permitted.
- (d) No concrete bumpers shall be permitted in parking areas. All landscaped and paved areas shall have six (6) inch high concrete curbs.
- (e) In the event an electrical transformer is located outdoors on any Parcel, it shall be screened from view with a wall or solid landscaping.
- (f) All sprinkler pipes shall enter buildings at the lowest possible point and shall be screened with landscaping.
- (g) All changes to the exterior of any of the buildings or yards must have prior approval of the Operating Committee.

4.12. Fences and Screen Walls.

(a) Height.

- (1) No fence or screen wall shall exceed twelve (12) feet in height. Any fence or screen wall which exceeds eight (8) feet in height must be first approved by the Operating Committee.
- (2) No screen walls in excess of three (3) feet shall be constructed within the setback area adjacent to a street.

(b) Restrictions on Materials.

- (1) Screen walls or fences of sheet or corrugated iron, steel, aluminum, asbestos, or security chain-link fencing are specifically prohibited.
- (2) Chain-link fencing is permitted when combined with redwood battens in all areas except those fronting any street or within that area ten (10) feet back from a front screen wall.
- (3) Screen walls facing a street shall be designed to appear to be an integral part of the building using the same materials. Said screen wall shall return back away from the street for a distance of not less than ten (10) feet.

4.13. Loading Areas. Loading areas which face a street, other than Rochester Avenue, Wall Street or Airport Drive, are permitted providing the loading areas are setback a minimum of one hundred (100) feet from the centerline of the street. Said loading areas shall be screened from view from adjacent streets, and access shall be provided without the necessity of vehicle maneuvering from adjacent streets. Said screening shall be twelve (12) feet in height except where loading areas face Brickell Street. In such instances screening shall be a minimum of eight (8) feet in height.

4.14. Public Safety. No operation in the manufacture, compounding, assembling, processing, or treatment of any product, and no material stored on any parcel within the Center shall be injurious to the health, safety, welfare, or property of persons residing or working in the Center or the surrounding neighborhood.

4.15. Storage Areas. All outdoor storage shall be visually screened from adjacent Parcels and from view from outside the Property. Such screening shall be opaque to a point at least eight (8) feet in vertical height. The parking of any trucks or service vehicles other than passenger vehicles shall be confined within such screened storage areas. No storage shall be permitted between a frontage street and a building.

4.16. Refuse Collection Areas. All outdoor refuse collection areas shall be screened from view from adjacent Parcels and from outside the Property with solid materials similar to those used in the construction of the buildings on the Parcel. No refuse collection area shall be permitted between a public street and a building.

4.17. Utility Service. All electrical lines and telephone lines on or across a Parcel shall be placed underground. Transformer or terminal equipment shall be screened from view of adjacent streets and properties.

4.18. Antennas. No television, radio or other electronic antenna or device of any type shall be erected or permitted to remain on the Property without the prior written approval of the Operating Committee.

4.19. Signs. Signs and graphics shall be of the finest available materials and design. The design, materials, location and placement of all signs and graphics shall be approved by the Operating Committee prior to installation and shall be subject to the sign standards contained in the Development Guidelines, then in effect.

ARTICLE V
LANDSCAPING

5.01. General Provisions. The Development Guidelines contain provisions establishing landscaping standards for the Property. Such standards shall, in addition to the provisions contained in this Article V, be complied with in the development of landscaping for the Property.

5.02. Landscape Master Plan. A framework of landscaping elements has been conceived for the Center based upon a total design concept. Individual expression, as related to the landscape design of each Parcel, is encouraged and will be based upon the following criteria:

(a) Landscape elements shall be of the "long-lived" variety. "Short-lived" materials may be utilized, but only as a supplement to "long-lived" elements.

(b) Landscape elements shall relate to architectural design elements. Landscape materials are considered to be a strong unifying element and, therefore, should reflect the physical, functional and aesthetic qualities of the site.

(c) Simple combinations of plant materials in simple compositions are recommended to achieve a park-like character.

(d) Extensive horizontal and vertical surfaces comprised of singular materials, shall be modulated or interrupted by foliage masses.

(e) Trees, both lines and masses, shall be utilized to enclose and subdivide exterior spaces relative to each individual site.

(f) Complete landscape and sprinkler plans are required for review. Specifications shall include soil treatment and preparations.

(g) A master landscape plan has been developed for the Center. The purpose is to coordinate the street tree species and ground treatment, thus providing the continuity of design.

5.03. Landscape Maintenance. Landscaping shall be provided with hose bibbs, sprinklers or similar permanent irrigation facilities and shall be permanently maintained by the Owner in a neat and orderly manner.

5.04. Completion of Landscaping. All landscaping within the boundaries of a parcel shall be completed no later than sixty (60) days following the issuance of the Certificate of Occupancy for the Improvements constructed thereon. The Owner shall deliver a copy of the Certificate of Occupancy so issued to the Operating Committee promptly upon receipt of same.

ARTICLE VI
MAINTENANCE OF PARCEL IMPROVEMENTS

6.01. Obligation to Maintain. All Improvements on a Parcel shall be maintained by the Owner of such Parcel, at such Owner's expense, in good, safe and clean condition and repair at all times and otherwise in accordance with the terms of this Declaration and the requirements of any governmental agency having jurisdiction. Exterior painting of each building shall be done on a regular basis, as needed. All parking, driveway and other paved areas shall be maintained in a good, safe and clean condition, including without limitation, the regular carrying out of customary maintenance and repair of the paving surface, the cleaning and removal of refuse and trash and periodic inspections at intervals of not less than once each calendar month. Where a Parcel line abuts a public street, the Owner of such Parcel shall be required to landscape, irrigate and maintain the area between the curb and Parcel line. Landscape areas shall be irrigated, trimmed and cared for in order to keep such areas in a first-class and presentable condition, including, as necessary, the removal and replacement of plant materials and other Improvements.

6.02. Reservation of Right of Entry. In the event any Owner shall fail to carry out or make, or cause to be carried out or made, such maintenance or repairs within fifteen (15) days after written request from the Operating Committee, the Operating Committee may, but shall not be required to, authorize others to go upon such Parcel and make any necessary repairs and perform any maintenance thereon which may be necessary to comply with the terms of this Declaration, and all costs and expenses incurred by the Operating Committee in connection therewith shall be immediately due and

payable by the Owner to the Operating Committee. Declarant hereby reserves, for the benefit of the Operating Committee, the right of the Operating Committee, or any of its members, to enter upon any Parcel at reasonable times for the purposes of (a) determining the compliance of any Improvements thereon with the provisions of this Declaration, and (b) repairing, replacing or maintaining any Improvements located thereon which the Operating Committee has determined are not in compliance with the provisions of this Declaration.

6.03. Notice of Non-Compliance. In the event the Operating Committee elects not to bring a violation of this Declaration into compliance as set forth in Section 6.02 above, the Operating Committee may, in the alternative, prepare and file for record in the Office of the Orange County Recorder a Notice of Non-Compliance naming the non-complying Owner, describing the Parcel and describing the nature of the non-compliance. The Operating Committee may transmit a copy of said Notice to any third parties who have an interest of record in the Parcel described in the Notice. Upon compliance by the Owner named in said Notice, as such compliance is determined by the Operating Committee, the Operating Committee shall prepare and file for record a Release of the Notice of Non-Compliance and transmit copies of said Release to any third parties who received a copy of the said Notice.

ARTICLE VII
THE OPERATING COMMITTEE

7.01. Composition by Declarant. As long as the Declarant owns, or otherwise has any interest, including but not limited to an interest as beneficiary under a deed of trust, as mortgagee, lessee, or otherwise ("Interest"), in any portion of the Property, the Operating Committee shall be composed solely of the Declarant. Notwithstanding the previous sentence, the Declarant shall have the option, at any time, to discontinue functioning as The Operating Committee.

7.02. Composition by Owners. Following the date upon which the Declarant shall cease to have any interest in the Property or elects to discontinue functioning as the Operating Committee, the Operating Committee shall be composed of the Owners, except that if there are more than three (3) separately owned Parcels, the Operating Committee shall consist of three (3) Owner representatives elected by a majority vote of the then owners of the Property, each Owner being entitled to the number of votes or fraction thereof as there are acres or fractions thereof, net of street rights-of-way, in its Parcel. At such time as the Operating Committee shall not be composed solely of the Declarant:

(a) Meetings of the Operating Committee shall be called upon five (5) days' written notice from any Owner requesting a determination by the Operating Committee as required hereunder. All determinations to be made by the Operating Committee shall be by majority vote of such committee at any such meeting or by the unanimous written consent without a meeting. A quorum shall consist of two (2) members of such committee present either in person or by proxy. If the Operating Committee shall fail or refuse to vote on any determination or other action within forty-five (45) days following written request by an Owner, for such determination or action by such committee, the Owner's request shall be conclusively presumed to be determined in the manner most favorable to the Owner making such request. The Operating Committee shall thereafter be bound to take any action required by the determination

87-195712

within ten (10) days following such determination. If the Operating Committee fails to do so the requesting Owner shall thereafter have the authority to take such action on behalf of the Operating Committee.

(b) In the event of the resignation or death of a member of the Operating Committee or in the event a member of the Operating Committee ceases to be an Owner, any Owner may call a special meeting of all Owners, upon five (5) days written notice, for the purpose of electing a replacement member to the Operating Committee.

(c) A special meeting of all of the Owners may also be called by any Owner in the manner provided for hereinabove to replace any member or members of the Operating Committee at any time and without cause.

ARTICLE VIII

PLAN APPROVAL PROCEDURE

8.01. Approval of Plans.

(a) No Improvements shall be erected, placed, altered, or maintained on the Property unless and until the Operating Committee shall have received and approved Plans therefor. It is the intent of Declarant to establish and maintain within the Center a consistent and compatible architectural "theme" and the Operating Committee shall have the right to require that all Improvements constructed on the Property substantially conform to such theme. The Operating Committee shall not unreasonably withhold its approval of such Plans, and such approval shall be based on, among other considerations, the adequacy of site dimensions and architectural design, conformity of the external design with the external design of existing and previously approved Improvements on the Property and the architectural theme established therein, the relationship of the topography, grade and finished elevation of the subject Parcel to that of adjacent Parcels and the conformity of such Plans with the purposes and intent of this Declaration.

Any additions or alterations to any portion of the approved Plans shall be subject to the Operating Committee's review and approval at any time such additions or alterations are proposed.

(b) The Operating Committee shall approve or disapprove Plans within forty-five (45) days from the receipt thereof. If the Operating Committee fails to approve or disapprove such Plans within the period above provided, the Operating Committee shall be conclusively presumed to have approved said Plans. Such Plans shall be submitted in duplicate. One (1) set shall be returned to the Owner with the Operating Committee's approval or disapproval endorsed thereon and the other shall be retained by the Operating Committee for its records.

(c) The Plans to be so submitted and approved shall include the following:

(1) In the event that the site development is planned to occur in stages, a Site Master Plan shall be submitted and shall be reviewed and approved by the Operating Committee prior to the submission of Preliminary Plans. A Site Master Plan shall include indications of the total building

complex with roof lines, vehicular and pedestrian circulation, employee and guest parking, grading, drainage, utilities, design relationship to adjacent properties and streets, description or sketches indicating architectural character and materials, and a conceptual landscape plan.

(2) Preliminary plans which shall include the following:

(i) an Architectural Site Plan which shall include size of site, footprint of building, parcel and tract number, all basic dimensions of setbacks, walks and landscaped areas, employee and guest parking layout, colors and materials of all exterior elements, percent of building coverage, building square footage and different building uses, projected number of employees, any roof overhangs and all loading areas.

(ii) Architectural Floor Plans which shall include basic building uses and dimensions, entrances and exits.

(iii) Architectural Elevations which shall include all colors, materials, and textures, building heights, mechanical screening and any other architectural treatment.

(iv) Civil Engineering plans (may be included on architectural site plan) which shall include an indication of existing topography, finish grades, drainage, and utility connections to existing lines.

(v) Landscape plans which shall include planting area, types and sizes of plant material and irrigation systems. The area between the curb and property line is to be landscaped and irrigated in all cases. Curb line shall be shown on landscape plan as well as site plan.

(3) Working drawings which shall include the following:

(i) Two (2) full sets of architectural working drawings incorporating revisions required by the Operating Committee as a result of its review of the Preliminary Plans submitted by Owner.

(ii) Construction details

(iii) Specifications

(4) Electrical plans

(5) Mechanical plans.

(6) Site plans.

8.02. Proceeding with Work. When such Plans are approved by the Operating Committee pursuant to this Article, the Owner shall, as soon as practicable, satisfy all conditions thereof and diligently proceed with the commencement and completion of all construction and alterations. In each event, on-site construction work shall be commenced within one (1) year from the date of such approval. If such work is not commenced within such one (1) year period, such approval shall be deemed revoked unless the Operating Committee shall extend, in writing, the time for commencing such work, pursuant to the written request of the Owner made prior to the expiration of

such one (1) year period. For purposes of this paragraph, commencement of construction shall mean the completion of grading and the pouring of all or substantially all foundations for the Improvement.

8.03. Completion of Work. After commencement of the work referred to in Section 8.02 above, such work shall be diligently prosecuted so that the Parcel shall not remain in a partly finished condition any longer than is reasonably necessary. No excavation shall be made on any Parcel and no sand, gravel, soil or other material shall be removed therefrom, other than in connection with the construction or alteration of the Improvements for which Plans have been approved in accordance with this Article, and upon completion of any such work, exposed openings shall be backfilled and disturbed ground shall be graded, leveled and paved or landscaped in accordance with such approved Plans. Any construction or alterations commenced in accordance with this Article shall be completed no later than two (2) years after the commencement thereof, except that such two (2) year period may be extended for any period by which completion is rendered impossible or would result in undue hardship due to strikes, fires, national emergencies, natural calamities or other supervening forces beyond the control of the Owner, and except for any extension of such two (2) year period granted by the Operating Committee pursuant to written request made prior to the expiration of such two (2) year period.

8.04. Limitation of Liability. The Operating Committee shall not be liable in damages or otherwise to any Owner or other person affected by this Declaration by reason of mistake of judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve or to disapprove any Plans submitted for approval.

8.05. Plan Review Fee. A Plan review fee shall be paid to the Operating Committee at the time Preliminary Plans are submitted for approval at the rate of Five Hundred Dollars (\$500.00) per review. In the event resubmission of revised Plans is necessary, the Operating Committee may require in its discretion that an additional fee not to exceed Three Hundred Dollars (\$300.00) be paid to the Operating Committee.

8.06. Permitted Exceptions. Subject to the provisions of Section 8.01 hereof, exceptions to the development standards set forth in Article IV and V, which are, in the judgment of the Operating Committee, not inconsistent with the architectural theme of the Center and the purposes of this Declaration may be permitted with the written consent of the Operating Committee.

8.07. Declarant's Exemption. Any construction or alteration of Improvements on the Property by Declarant shall be exempt from the provisions of this Article VIII for so long as Declarant shall be an Owner of any portion of the Property.

ARTICLE IX ENFORCEMENT

9.01. Abatement and Suit; Lien Right. In the event of the violation or breach of any of the provisions of these Restrictions, the Operating Committee or its designee shall have the right to enter upon the Parcel or Parcels upon or as to which such violation or breach exists and to summarily abate and remove, at the expense of the Owner any structure, thing or condition that may

be or exist thereon contrary to the intent and purpose of the provisions of this Declaration, or to prosecute a proceeding at law or in equity against the Owner, Occupant, or other person who has violated or is attempting to violate any of the Restrictions, to enjoin or prevent such Owner, or other person from doing so, to cause such violation to be remedied and to recover damages for such violation. Any costs or expenses paid or incurred by the Operating Committee in abating such violation or prosecuting any such remedy (including all reasonable attorneys' fees and costs of collection), together with interest thereon at the rate of 10% per annum, shall be a lien against the Parcel or Parcels as to which the breach or violation exists, shall be a continuing lien thereon until paid, and shall also be the personal obligation of the Owner. In addition to any other rights or remedies hereunder, the Operating Committee may deliver to the Owner and record with the Orange County Recorder a notice of claim of lien (which, among other things, may but need not recite the nature of the violation, the legal description of the Parcel or Parcels affected by such violation, the record or reputed Owner thereof, the Operating Committee's name and address, and the remedies being pursued by the Operating Committee or the amount of any such claim being charged). If the violation recited in such lien claim has not been cured to the Operating Committee's satisfaction and any recited amounts so charged have not been paid within 30 days thereafter, the Operating Committee or its authorized representatives may foreclose such lien by a sale conducted pursuant to Sections 2924, 2924b and 2924c of the California Civil Code, as amended from time to time, or other statutes applicable to the exercise of powers of sale in mortgages or deeds of trust, or in any other manner permitted by law. The Operating Committee, through its authorized representatives, may bid on and acquire any property subject to such lien at any such foreclosure sale. If the violations recited in such lien claim are timely cured and any recited amounts timely paid as provided above, the Operating Committee shall forthwith record an appropriate release of such lien at Owner's sole expense.

9.02. Nuisance. Any action or omission which results in a violation of any of the Restrictions is hereby declared to be and to constitute a nuisance, and every remedy allowed by law or equity against an Owner, either public or private, shall be applicable against every such result and may be exercised by the Operating Committee or by any Owner.

9.03. Attorney's Fees. In the event of any legal or equitable proceeding for the enforcement of or to restrain a violation of this Declaration or any provision hereof, the prevailing party therein shall be entitled to reasonable attorney's fees in addition to any other costs to which such party is entitled.

9.04. Remedies Cumulative. All remedies provided herein or at law or in equity shall be cumulative and not exclusive.

9.05. No Waiver. With the exception of the time limits for action by the Operating Committee contained in Section 7.02 (a) of Article VII and Section 8.01 of Article VIII hereof, the failure of the Operating Committee or any Owner to enforce any provision of this Declaration shall in no event be deemed to be a waiver of the right to do so thereafter nor of the right to enforce any other provision hereof.

ARTICLE
TERMINATION, MODIFICATION AND ASSIGNMENT

10.01. Term. Unless earlier terminated or extended, in accordance with this Article, this Declaration shall continue in full force and effect for a period of thirty (30) years from the date hereof.

10.02. Termination and Modification. This Declaration, and any provision contained herein, may be terminated, extended, modified or amended as to all of the Property or any portion thereof, upon the written consent of the Owners of Fifty-one percent (51%) of the total acreage of land area net of street rights-of-way contained in the Property; provided, however, that as long as Declarant owns or has an Interest in at least Five percent (5%) of the total net acreage contained in the Property, no such termination, extension, modification or amendment shall be effective without the prior written approval of Declarant. No such termination, extension, modification or amendment shall be effective until there shall have been executed, acknowledged and recorded in the Office of the Orange County Recorder, an appropriate instrument evidencing the same.

ARTICLE X
MISCELLANEOUS

11.01. Implied Consent. Any person who now or hereafter owns or acquires any right, title or interest in or to any portion of the Property shall be conclusively deemed to have consented and agreed to every covenant, condition, restriction and easement contained herein, whether or not any reference to this Declaration is contained in the instrument by which such person acquired an interest in the Property.

11.02. Declarant Held Harmless. Each Owner and Occupant shall, and hereby does, indemnify and hold harmless Declarant, and should the Operating Committee no longer be composed solely of Declarant, the Operating Committee, against and from any and all claims for injury or death to persons, or damage to or loss of property arising out of the construction, performed by or on behalf of such Owner or Occupant, or use, operation, or maintenance of the Parcel occupied by such Owner or Occupant or any Improvements thereon.

11.03. Destruction of Improvements. In the event any Improvement is damaged or destroyed in whole or in part, by any casualty, or as a result of condemnation or eminent domain proceedings, the Owner of such Parcel shall immediately undertake to restore the same to a condition and conformity with the Plans most recently approved by the Operating Committee with respect to such Improvement, and except as otherwise provided herein as to time periods for commencing and completing the restoration thereof in conformity with the requirements of Article VIII hereof, or if such restoration of such Improvement is not completed within a two (2) year period following such casualty or condemnation or eminent domain proceeding (subject to unavoidable delays in accordance with Section 8.03 hereof), the Owner of the Parcel on which such casualty occurred shall raze the damaged Improvement, and shall leave the Parcel in a safe and sightly condition. Any Improvement thereafter erected, placed or maintained on such Parcel shall be subject to all the terms and conditions of this Declaration, including, but not limited to the provisions of Section 8.01 hereof, which are in effect at the time such erection, placement or maintenance is proposed.

11.04. Rights of Mortgagees. The provisions of this Declaration shall be subject and subordinate to any Mortgage now existing or hereafter executed affecting all or any portion of the Property, made in good faith and for value, and no provision of this Declaration shall supersede or in any way reduce the security or affect the validity of any such Mortgage; provided, however, that if any portion of the Property is sold under a foreclosure of any Mortgage, any purchaser at such sale, and the successors and assigns of such purchaser, shall hold any portion of the Property so purchased subject to all of the provisions of this Declaration.

11.05. Mutuality, Reciprocity, Run with Land. All of the Restrictions contained herein are made for the direct, mutual and reciprocal benefit of each and every portion of the Property and create mutual, equitable servitudes upon each Parcel as the servient tenement in favor of every other Parcel as the dominant tenement and create reciprocal rights and obligations among the respective Owners, and privity of contract and estate among all grantees of the Parcels, their heirs, successors and assigns. In addition, each of the Restrictions shall operate as covenants running with the land for the benefit of the Property and each Parcel, and shall inure to the benefit of all grantees thereof, their heirs, successors and assigns, and shall apply to and bind the grantees of any and all of the Parcels, their heirs, successors and assigns.

11.06. Severability. If any provision of this Declaration is held to be invalid by any court having jurisdiction thereof, the invalidity of such provision shall not affect the validity or enforceability of the remaining provisions of this Declaration.

11.07. City Requirements. Nothing contained herein shall take precedence over, and any development of the Property shall be subject to, all applicable ordinances, regulations and requirements of the City, the County and any other governmental authority having jurisdiction thereof. Notwithstanding the foregoing, where the Restrictions of this Declaration are more stringent than the regulations and requirements of such governmental authority, the Restrictions of this Declaration shall apply.

11.08. Notices. All notices, consents, requests, approvals and other communications required or permitted herein, shall be in writing and shall be deemed to have been duly given upon personal delivery or 48 hours after deposit in United States mail registered or certified with return receipt requested, postage prepaid, to the intended party at such party's last known address; provided that such communications given by Declarant may be made, at Declarant's option, by regular United States mail.

IN WITNESS WHEREOF, the undersigned has executed this Declaration as of the date first hereinabove written.

Southern Pacific Industrial
Development Company,
a Texas corporation

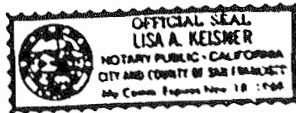
By 
Executive
Its Vice President

STATE OF CALIFORNIA)
) ss.
 COUNTY OF SAN FRANCISCO)

On JUNE 5, 1987, before me, Lisa A. Keisner, a Notary Public in and for said State, personally appeared Dorothy W. Hall personally known to me to be a Vice President of the corporation, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument on behalf of the corporation therein named and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

Lisa A. Keisner
 Notary Public



WHEN RECORDED RETURN TO:

Southern Pacific Industrial Development Company
3230 East Imperial Highway, Suite 100
Brea, CA 92621
Attention: Ms. Elsbeth Schmidt

RECORDED IN
OFFICIAL RECORDS

87-440229

1987 DEC 16 PM 2:05

SAN BERNARDINO
CO., CALIF.

AMENDMENT NO. ONE
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
PACIFIC GATE

1FEE	2MSYS	3PCOR	4LANT
5	2		
5 SYF	3	6	8
			J

This Amendment No. One to Declaration of Covenants, Conditions and Restrictions is made as of the 11th day of December, 1987, by Southern Pacific Industrial Development Company, a Texas corporation, ("Declarant"), as follows:

A. Declarant has caused that certain Declaration of Covenants, Conditions and Restrictions--Pacific Gate (the "Declaration") to be recorded on June 10, 1987 as Instrument No. 87-195712 in the Official Records of San Bernardino County, California.

B. Declarant desires to change Section 4.05 of the Declaration covering parking.

C. Declarant, as the Owner of more than fifty-one percent (51%) of the total acreage of the land area net of street rights-of-way contained in the real property which is subject to the Declaration, is authorized to amend the Declaration in accordance with Section 10.02 thereof.

NOW, THEREFORE, Declarant declares as follows:

1. Section 4.05 - Parking - of the Declaration is hereby amended and restated as follows:

"4.05. Parking. Each Owner shall provide adequate off-street parking to accommodate all reasonable parking needs of such Owner's Parcel, and to satisfy any applicable parking requirements of the City. No parking shall be permitted within the first twenty (20) feet of the thirty-five (35) foot front yard area adjacent to Rochester Avenue. No parking shall be permitted within fourteen (14) feet of property lines adjacent to existing or future interior streets, including Wall Street, Manamaker Street, Brickell Street and Airport Avenue."

2. Except as expressly set forth herein, the Declaration is hereby confirmed and restated as if set forth in full.

IN WITNESS WHEREOF, the undersigned has executed this Amendment as of the date first hereinabove written.

SOUTHERN PACIFIC INDUSTRIAL DEVELOPMENT COMPANY, a Texas corporation

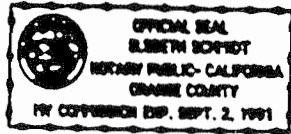
By [Signature]
Its Authorized Agent

60/4268p/i

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

On December 11, 1987, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeffrey K. Gwin, personally known to me or proved to me to be an Authorized Agent of the corporation, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument on behalf of the corporation therein named and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.



[Signature]
Notary Public

APPENDIX E

P	LANNING NETWORK
	Land Planning and Design • Policy Analysis Environmental Studies • Project Management
	2940 East G Street, Suite 105 Orland, CA 91764 Tel (714) 945-2738

PACIFIC GATE - EAST GATE SPECIFIC PLAN
SANTA FE PACIFIC REALTY CORPORATION



March 31, 1988

Mr. Jeffrey D. Reynolds
Santa Fe Pacific Realty Corporation
3230 East Imperial Highway, Suite 100
Brea, CA 92621


Dear Mr. Reynolds:

This is in response to your letter dated March 14, 1988, wherein you state basically that you do not want to proceed with the annexation of your properties, located south of Airport Drive on either side of the Devore (I-10) Freeway, into the California Commerce Center Specific Plan.

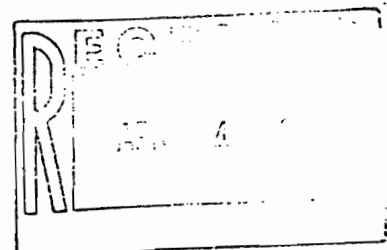
This is to advise you that the City will initiate a zone change from the existing zoning of M2 (General Industrial) to SP (Specific Plan) as required by the General Plan, which will require that a Specific Plan be approved by the City before any development plans are approved on the properties. Your buyers should be made aware of this requirement.

Sincerely,

ONTARIO PLANNING DEPARTMENT
Joyce I. Babicz, City Planner


John Freiman
Principal Planner

JF:rb



ONTARIO PLANNING COMMISSION

RESOLUTION NO. 3219

ZONE CHANGE

APPROVED

WHEREAS, the City of Ontario has adopted a General Plan which establishes objectives, policies, general land uses and programs; and

WHEREAS, the Planning Commission of the City of Ontario has reviewed an application for a change of zone, File No. 3857-Z, and

WHEREAS, Government Code Section 65860 requires zoning to be consistent with the General Plan; and

WHEREAS, the proposed change of zone will further the objectives and policies of the General Plan and foster public convenience, general welfare and good zoning practice; i.e., the zone change will require preparation of a Specific Plan to ensure compatibility of development standards and uses with surrounding development; and

WHEREAS, the proposed change of zone will be consistent with the objectives of Title 9 Chapter 3 of the Ontario Municipal Code (Zoning Ordinance); i.e., to ensure that uses and structures enhance their sites and harmonize with development in adjoining areas.

THEREFORE, BE IT RESOLVED, that the Planning Commission approves the proposed change of zone and that said change is recommended to the City Council for approval as follows:

FROM: M2 (General Industrial)

TO: SP (Specific Plan)

LOCATION: South of Airport Drive, east and west of the I-15 freeway

LEGAL DESCRIPTION: Lots 1 through 21 inclusive of Parcel Map No. 9553 and Lots 1 through 18 inclusive of Parcel Map 9638.

I hereby certify that the above Resolution was duly passed at a regular meeting of the Ontario Planning Commission on April 26, 1988

Rhonda Bugliarelli
Secretary pro Tempore

APPENDIX F

PLANNING NETWORK
Land Planning and Design • Policy Analysis
Environmental Studies • Project Management
2940 East G Street, Suite 105
Ontario, CA 91764
Tel: (714) 945-2738

PACIFIC GATE - EAST GATE SPECIFIC PLAN
SANTA FE PACIFIC REALTY CORPORATION

CITY OF ONTARIO PLANNING COMMISSION

TENTATIVE PARCEL MAP NO. 1097

REPORT

Date: January 29, 1986

Applicant: Southern Pacific Industrial Development Company
3230 East Imperial Highway, Suite 100
Brea, California 92621

Property Location and Description:

Between Airport Drive and Wall Street and Wanamaker and Rochester Avenues

Lots 1 through 20, Parcel Map No. 6896

Map Prepared By: Williamson and Schmid

Date of Commission Action: January 28, 1986

Zone: M2

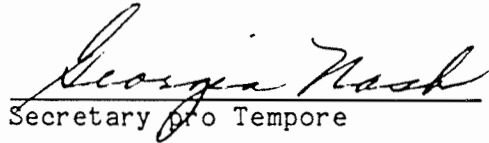
Map: Approved for twenty-two (22) lots

Subject to the attached departmental reports and the following conditions:

- a. The development of this project shall conform to the standards set forth in Article 17 of the Ontario Municipal Code and the regulations of the M2 District (Article 19).
- b. Streets shall be named in accordance with Section 9-3.2746 of the Ontario Municipal Code and approved by the Planning Department. The proposed east-west street shall be aligned with Brickell Street to the west and named Brickell Street.
- c. The development of Lots 1, 12-14 and 17-22 shall comply with the standards set forth by Planning Commission Resolution No. 2392.
- d. All buildings on Lots 1, 12-14 and 17-22 shall face the Devore Freeway (I-15) in accordance with Planning Commission Resolution No. 2392.
- e. No outdoor storage shall be visible from the freeway or public streets.
- f. Future construction shall require cross-sections to show screening of roof top equipment with construction plans.
- g. Rail lines to be abandoned shall be removed.

- h. All development shall be in accordance with the Light Industrial standards of the California Commerce Center Specific Plan.

The applicant is hereby notify to contact the City Engineer for information and fulfillment of above conditions so that the Parcel Map may be processed for final approval by the City Council. An appeal from any of the above findings, to the City Council, may be filed with the City Clerk within fifteen (15) calendar days after the date of the Commission action.


Secretary pro Tempore

NOTE: This approval will expire on January 28, 1988.

CITY OF ONTARIO

Planning Department Report

Tentative Parcel Map No. 9553 (PM 1097)

DATE: December 27, 1985
APPLICANT: Southern Pacific Industrial Development Company
SUBJECT: A 22 lot M-2 (General Industrial) parcel map, located south of Airport Drive north of Wall Street between Wanamaker Avenue and Rochester Avenue.

	<u>ZONING</u>	<u>LAND USE</u>	<u>GENERAL PLAN DESIGNATION</u>
SITE:	M 2	Vacant	General Industrial
NORTH:	M 2	Vacant	General Industrial
SOUTH:	SP	Vacant	General Industrial
EAST:		---Devore Freeway (I-15)---	
WEST:	SP	Industrial	General Industrial

1. The development of this project shall conform to the standards set forth in Article 17 of the Ontario Municipal Code and the regulations of the M 2 District (Article 19).
2. Streets shall be named in accordance with Section 9-3.2746 of the Ontario Municipal Code and approved by the Planning Department. The proposed east west street shall be aligned with Brikell Street to the west and named Brikell Street.
3. The development of Lots 1, 12-14 and 17-22 shall comply with the standards set forth by Planning Commission Resolution No. 2392.
4. All buildings on Lots 1, 12-14 and 17-22 shall face the Devore Freeway (I-15) in accordance with Planning Commission Resolution No. 2392.
5. No outdoor storage shall be visible from the freeway or public streets.
6. Future construction shall require cross-sections to show screening of roof top equipment with construction plans.
7. Rail lines to be abandoned shall be removed.
8. All development shall be in accordance with the Light Industrial standards of the California Commerce Center Specific Plan.

///

Planning Department Report
Parcel Map No. 9553 (PM 1097)
Page 2

9. A sign plan for the project shall be submitted to the Planning Department for review and approval prior to the issuance of building permits for future construction plans.

CT:vr

CITY OF ONTARIO
CITY ENGINEER'S REPORT
TENTATIVE PARCEL MAP NO. 9553, FILE # 1097

Prepared by: Southern Pacific Industrial Development Co. (Developer)
 Filed: December 10, 1985 Number of Lots: 22
 Location: Southside Airport Drive between Wanamaker Avenue and Rochester Avenue.

DEVELOPER'S
INFORMATION ONLY
CONDITION OF
APPROVAL

REPORT OF THE CITY ENGINEER

DEDICATIONS

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1. Dedication by final map of proposed "A" street right-of-way and all necessary easements as shown on the tentative map. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2. Dedication by final map of the following missing rights-of-way on the following streets:
_____ additional feet on _____
_____ additional feet on _____
_____ additional feet on _____
Corner P/L radius required on <u>Proposed "A" Street at Wanamaker Avenue and Rochester Avenue</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Rights of vehicular access shall be limited as follows: _____

_____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 4. Easement vacation required for: <u>Railroad easement and storm drain easement to serve railroad as shown on Tentative Parcel Map.</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Master Plan of Streets revision required for: _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. The following perimeter intersections require realignment as follows: _____

_____ |

IMPROVEMENTS

- | | | |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 7. Construct full street improvements (including curb and gutter, A.C. pavement, sidewalk, one drive approach per lot, parkway trees and street lights) on proposed "A" Street. |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Construct the following missing improvements on the following existing streets: |

Street	Curb & Gutter	A C Pvmt	Side-walk	Drive Appr.	Street Trees	Street Lights	Other

ELC.
NO. OPW-110
CONDITION
APPROVAL

CITY OF ONTARIO
CITY ENGINEER'S REPORT
TENTATIVE PARCEL MAP NO. 9553, FILE #1097

- 9. Construct all storm drain and drainage structures as shown on the tentative map, or as recommended by the findings of the hydrology study required by item 31.
- 10. Provide all utility services to each lot including sanitary sewers, water, electric power, gas and telephone. All utilities, are to be underground. Existing laterals shall be used when ever possible.
- 11. Developer shall coordinate, and where necessary, pay for the relocation of any power poles or other existing public utilities, as necessary.
- 12. Install appropriate street name signs and traffic control signs with locations an types approved by the City Engineer.
- 13. Developer is to provide all construction plans for the water system, sanitary sewer system, street lights, drainage, and street improvements. All such plans must meet approval of the City Engineer.
- 14. Sanitary sewers shall be designed to City of Ontario Standards to provide 0.5% minimum grade. East-west streets shall have a minimum grade of 0.5% unless otherwise approved by the City Engineer.
- 15. Street light locations to be approved by the City Engineer.
- 16. The following existing streets being cut by new services will require an asphalt concrete overlay: Wanamaker Avenue, Rochester Avenue
- 17. The following specific dimensions (i.e., cul-de-sac radius and street section widths) are not approved by this tentative: _____
- 18. The following existing streets are substandard and will require: _____
- 19. The following existing water lines are substandard and will require: _____
- 20. Water and/or sewer main extensions will be required as follows: to serve all lots of this Parcel Map as shown on Tentative Parcel Map.
- 21. Reimbursement agreements will be entered into by the City for: _____

APPROVALS AND FEES

- 22. Proposed tract falls within those areas indicated as subject to flooding under the National Flood Insurance Program. Tract will be subject to the provisions of that program.
- 23. Approvals have not been secured from all utilities and other interest-ed agencies involved. Approval of the final map will be subject to any requirements that may be received from them.
- 24. Estimated sewer and water fees to be paid by developer:
 - * a. Sewer frontage fee N/A (main constructed under AD #94)

114

FOR DEVELOPER INFORMATION
CONDITION OF APPROVAL

Estimated sewer and water fees to be paid by developer (continued)

- * b. Sewer capital facilities fee 74.7AC (\$1,159.00) \$ 86,577.30
- * c. Sewer assessment fee to be calculated at time of development
- + d. Water frontage fee 1180 L.F. (\$25.50) \$ 30,090.00
- e. Water capital facilities fee 74.7 AC (\$295.00) \$ 22,036.50
- f. Water meter fee to be calculated at time of development
- g. Construction water fee to be calculated at time of development
- h. Other Water treatment plant fee (74.7 x \$785.00) \$ 58,639.50 +

Fee based on meter size and number

* These fees will be collected by the Building Department.
+ Water main in Airport Dr. constructed by City.

25. Permits from other agencies will be required as follows:

- a. Caltrans, for work in the I-15 (Devore Fwy.) right-of-way.
- b. County Road Department _____
- c. County Dust Abatement District _____
- d. D.I.S. Trenching Permit if any trenches are over 5' deep _____
- e. Other _____

MAP CONTROL

26. If only a portion of this tract is recorded, adjustments shall be made to provide for two-way traffic and parking on all affected streets.

27. The following lots appear to be substandard in either frontage, depth, or area and should be corrected on the final map: _____

28. All corner lots shall have a corner radius at the right-of-way line in accordance with City of Ontario Standards.

29. A parcel map shall be recorded prior to the first tract map to prevent the creation of an unrecognized parcel located: _____

30. The boundary of the tentative tract needs clarification as follows: _____

FLOOD CONTROL

31. Tract Engineer shall submit a hydrology study, or re-evaluate present study for changed condition per City of Ontario Standards for subject development and the adjacent streets to determine storm runoff and disposal recommendations. Hydrology study including method of disposal of storm water runoff shall be approved by the City Engineer prior to final map approval. ADDITIONAL FLOOD CONTROL IMPROVEMENTS MAY BE REQUIRED AS A CONDITION OF THE FINAL MAP APPROVAL AS A RESULT OF THE FINDINGS OF THE HYDROLOGY STUDY.

32. All east-west streets must be designed to keep storm runoff in major north-south streets.

115

FOR DEVELOPER INFORMATION U.
CONDITION OF APPROVAL

- 33. A concrete wall along the entire north property line may be required to divert sheet runoff to streets.
 Such flow may be required to go under sidewalks through culverts.
- 34. If water surface is above top of curb, 30" walls shall be required at the back of the sidewalk at all downstream curb returns.
- 35. Culverts required to be constructed across streets at the following locations: _____

- 36. Other flood control requirements: shall be determined at time of development using an on-site hydrology study.

MISCELLANEOUS

- 37. Dust abatement will be made a condition of issuance of the grading permit for this project.
- 38. Noise impact on this project will be mitigated in accordance with the noise element of the General Plan and the Planning Department Report on the subject property.
- 39. This property is not within the present City boundary and will require annexation.
- 40. This property is within the water/ sewer service area of the Cucamonga County Water District. Subdivider shall make arrangements for those services with them.
- 41. All information required to be shown on the tentative map is/is not shown as required: _____
- 42. Provisions for proper grading and erosion control including the prevention of sedimentation or damage to off-site property shall be furnished and subject to the approval of the City Engineer.
- 43. A preliminary soils report will not be required for this site. A copy of the soils report submitted to the Building Department prior to grading will be furnished to Engineering.
- 44. The filing of the tentative map or approval of same does not guarantee that sewer treatment capacity will be available at the time building permits are requested. When building permits are requested from the City, the Chino Basin Municipal Water District will be asked to certify the availability of capacity. Permits will not be issued unless said certification is received.
- 45. The Planning Commission shall make the determination, in accordance with Section 66436(C)(1) of the Subdivision Map Act, that division and development of the property will not unreasonably interfere with the free and complete exercise of any public entity or public utility right-of-way or easement and the signature of any such public entity or public utility may be omitted from the final map unless the City is notified in writing of any objection to said determination within the specified time limits of said Section.

116



January 29, 1986

Southern Pacific Industrial Development Company
3230 East Imperial Highway, Suite 100
Brea, California 92621

RE: Tentative Parcel Map No. 9553 (File No. PM 1097)

Gentlemen:

At its regular meeting on January 28, 1986, the Planning Commission approved the following:

Tentative Parcel Map No. 9553 (File No. PM 1097), a twenty-two (22) lot parcel map for your property located between Airport Drive and Wall Street and Wanamaker and Rochester Avenues.

Please contact the City Engineer for information and fulfillment of conditions so that the parcel map may be processed for final approval by the City Council. Final approval shall be completed prior to January 28, 1988, or approval of the map shall expire on that date.

The Planning Commission also approved a negative declaration for your project. Mitigation measures are listed on the Initial Study and on the Planning Department report to the Planning Commission.

All pertinent data relative to your project is attached.

Sincerely,

ONTARIO PLANNING DEPARTMENT

for Georgia Nash
Joyce I. Babicz
City Planner

yfr

enc.

DEVELOPER'S
INFORMATION
CONDITION &
APPROVAL

CITY OF ONTARIO
CITY ENGINEER'S REPORT
TENTATIVE PARCEL MAP NO. 9553, FILE NO. 1097

- 46. Rail facilities constructed pursuant to AD 94 have been assessed to the subject property. Prior to approval of the final map, the developer shall provide documentation satisfactory to the City Engineer, City Attorney and Bond Counsel which will indemnify the City of Ontario from any future liability for the assessment of these rail facilities which are being abandoned and re-apportionment over the new lots.
- 47. The public utilities easement as shown dedicated on tentative map shall exclude the portion for landscaping.
- 48. Will parcels 8, 11, 12, 13 & 15 need or want rail service?
- 49. Railroad tracks shall be removed and cleared from the rail easement to be vacated prior to final map approval.
- 50. For all water/sewer connections to public facilities, an encroachment permit shall be applied for and obtained from the City Engineer's office prior to issuance of any building permit/or plumbing permit.

For any water connection, a detailed plumbing plan shall be submitted to the City Engineer to determine meter size, location and cross-connection requirements. Payment of all applicable fees shall be made prior to the issuance of an encroachment permit.
- 51. The subdivider/developer shall apply for reapportionment of assessments for the new parcels being created by applying to the City Engineer's office on an approved application form. This application for re-assessment shall be submitted along with applicable fees prior to the map submitted to City Council for final approval.

The items marked as "Conditions of Approval" must be completed to the satisfaction of the City Engineer prior to the map receiving final approval. The items marked as "For Developer's Information Only", while not conditions of final map approval, will affect the development of this project at some time in the future. All fees shown are estimates only and will be based on current fees in effect at the time fees are paid.

for Roy A. Maddock
LeRoy D. Bender
City Engineer

12/30/85
Date

117

MEMORANDUM

TO: Planning Department
FROM: Public Services Agency
DATE: 12-28-86

FILE NO. PM 1097

LOCATION: 22 LOT M2 PARCEL MAP
S.S. OF AIRPORT DR BETWEEN WANAMAKER AVE & ROCHESTER
AVE.

APPLICANT: SOUTHERN PACIFIC INDUSTRIAL DEV. COMPANY

LANDSCAPE AND IRRIGATION STANDARDS

- 1. Landscape and irrigation plans of the entire project site shall be submitted to the Building Department and approved by the Community Services Agency and Planning Department prior to issuance of Building Permits. (Section 9-3.2530c)
- 2. All existing established healthy plant material shall be saved and protected. If development precludes that retention of plant material is not possible, then adequate measures (based upon type and size of plant material) shall be required to mitigate the plant material removal.
- 3. All landscape and irrigation designs shall incorporate drought tolerant plant material and water efficient irrigation systems (xeriscape).
- 4. All parkway trees shall be designated by the Community Services Agency.
- 5. No work within the project in regards to landscape and irrigation shall be permitted until all water meters are installed.
- 6. No landscape area shall have a dimension of less than three (3) feet or an area of less than twenty (20) square feet.
- 7. Curbing not less than six (6) inches in height constructed in concrete or masonry shall be provided to contain the landscaped areas.
- 8. The use of decorative bark, wood chips, gravel, etc. is encouraged to be incorporated in the landscaped areas to minimize the amount of turf and groundcover.
- 9. Not more than fifty (50%) percent of the plant material shall be turf.
- 10. A minimum of fifty (50%) percent of the trees shall be canopy or shade trees.
- 11. All areas not devoted to paving or building shall be landscaped and permanently maintained.
- 12. All parkway areas not devoted to sidewalk shall be landscaped and permanently maintained.
- 13. Where a parking lot contains ten (10) or more parking spaces and is visible from a street, not less than five (5%) of the total area excluding any perimeter landscaping, shall be landscaped. Such landscaping shall not be concentrated in any one area.
- 14. Security plant material (plants with thorns) shall be used adjacent buildings and walls where public open space areas adjoin private open space.
- 15. Information on minimum landscape and irrigation standards, xeriscape techniques, and parkway trees can be obtained at the Community Services Agency.

18

16. ALL THE REQUIREMENTS OF THE O.I.P. SPECIFIC PLAN AND CITY OF ONTARIO SHALL APPLY TO THIS PARCEL MAP. SPECIFIC LANDSCAPE REQUIREMENTS SHALL BE DETERMINED AT SITE PLAN REVIEW.

SOLID WASTE STANDARDS

- 1. Solid Waste Superintendent shall determine type, quantity and location of all solid waste collection services.
- 2. All refuse enclosures shall be constructed to city standards.
- 3. If security gates are desired at entrances to project site, they shall be a coded type system. Card, key and hand held activator systems are not acceptable.
- 4. Refuse enclosures located adjacent structures shall be protected by an automatic fire sprinkler approved by the Ontario Fire Department.
- 5. All refuse enclosures shall be located on major drives within project site to allow refuse vehicle circulation.
- 6. All refuse enclosures shall be located so that refuse vehicles can pull to within five (5) feet of gates.
- 7. A smooth level surface (asphalt, concrete) shall be placed in front of all refuse enclosures to provide safe and efficient removal of bins.
- 8. Enclosures shall be situated so that individual bins can be removed independently of each other.
- 9. Project Site Analysis
 - a. Refuse enclosure location(s) okay as indicated on plan.
 - b. Site plan does not allow for adequate ingress/egress of refuse vehicle.
 - c. _____ 4 cu. yd. refuse bin(s) required with enclosure(s)
_____ 20-40 cu. yd. roll-off bin(s) required
_____ 20-40 cu. yd. compactor(s) required
_____ Hand collection required
 - d. Site plan does not provide adequate vertical clearance (13' - 0" required).
 - e. Site plan does not provide adequate drive aisle width (15' - 0" min. one way, 24' - 0" min. two way).
 - f. SPECIFIC SOLID WASTE REQUIREMENTS SHALL BE DETERMINED AT SITE PLAN REVIEW.

10. Information on Solid Waste requirements and enclosure specifications can be obtained at the Community Services Agency.

GENERAL

- 1. No comments
- 2. _____

If you have any questions regarding the above, please contact:

Bruce Wegner
Community Services Agency
(714) 986-1151

MEMORANDUM

TO: Development Advisory Board

FROM: Building Department

DATE: December 30, 1985

SUBJECT: File No. PM 1097:

A 22 lot M2 parcel map, located on the south side of Airport Drive Between Wanamaker Avenue and Rochester Avenue; submitted by Southern Pacific Industrial Development Company. (Planning Commission action is required).

COMMENTS:

- 1. A Park Development and Recreation Tax of \$540 per single family dwelling unit or \$468 per multiple dwelling unit is to be paid at the time of permit issuance.
- 2. All signing requires separate building permits and approvals by Planning and Building Departments.
- 3. A special one-time sewer assessment must be paid prior to permit issuance. Forms to calculate this assessment are available at the Building Department.
- 4. The site is within the 65 CNEL noise print of the Ontario International Airport and per Sec. 9-3.2425 of O.M.C., an Avigation Agreement is required prior to permit issuance. Copies are available at the Building Department.
- 5. Block walls require separate building permits and approval prior to construction.
- 6. School fees are required to be paid to Chino Unified School District prior to issuing a building permit.
- 7. Site clearing or grading requires a dust control program be approved by this department.
- 8. Removal of buildings or structures requires a demolition permit.
- 9. All new construction must provide handicapped provisions per Title 24 of the State Building Code. Remodeled and enlarged buildings must provide handicapped provisions per Title 24 of the State Building Code.
- 10. This project is in a special Flood Hazard Area designated on Flood Insurance Rate Map (FIRM) as A, AO, AH, or A1-30 that will require mitigation per Chapter 13 of Title 8 of the Ontario Municipal Code.

11. No comments.

12. _____

13. _____

120

TO: DEVELOPMENT ADVISORY BOARD

FROM: ONTARIO POLICE DEPARTMENT

DATE: 12-23-85

SUBJECT: PM-1697

1. SECURITY LIGHTING

- a. All parking, common, and storage areas must have minimum maintained 1-1½ foot candle power. These areas are to be lighted from sunset to sunrise and on photo sensed cell.
- b. All buildings are to have minimal security lighting to eliminate dark areas around the outside of the buildings, with direct lighting to be provided by all entrance ways. Lighting to be consistent around development.
- c. Lighting in exterior areas shall be in vandal-resistant fixtures.
- d. The developer shall submit certified exterior lighting plans showing luminaire throw patterns and cut sheets of luminaires to be used PRIOR to building permits being issued.
- e. Interior night lighting shall be constructed and maintained in those areas that are visible from the street (ground floor level only).

f. _____

2. SECURITY HARDWARE

- a. Locking slide-bolts will be installed on all sliding glass doors.
- b. One inch single cylinder deadbolts will be installed on all entrance doors. If windows are within forty inches of any locking device, tempered glass must be used.
- c. Large garage doors are to have slide bolts, one of each side of the doors.
- d. All roof openings giving access to the building shall be secured with either iron bars, metal gates, stamped metal, or alarmed and meet with police departmental approval.

POLICE DEPARTMENT

3. SECURITY FENCING

- a. No obscuring materials will be used on any entrance gate.
- b. Block or chain link fencing will be a minimum of 8 feet tall around storage areas.

4. WINDOWS

- a. All sliding glass windows to have secondary locking devices and be equipped with anti-lift devices.
- b. Store front window systems with shrubbery located in front shall have decorative steel/lexan type panels installed.

5. NUMBERING

- a. Street address numbering shall adhere to standards set forth in the City Ordinance 9-3.2746(3). Numbers and the background to which they are attached shall be of contrasting colors, and shall be reflective material for nighttime visibility. Samples of the materials used shall be submitted to and approved by the DAB.
- b. Developer shall install roof top numbers on all roofs of this development. They shall be a minimum of three feet in length and two feet in width and of contrasting color to background. Numbers shall be placed parallel to street address as assigned.
- c. At the entrances of complex, an illuminated map or directory of project shall be erected with vandal-resistant cover. The directory shall not contain names of tenants, but only address numbers, street names, and their locations in the complex. North shall be at the top and so indicated.

6. SECURITY SHRUBBERY

- a. Security shrubbery shall be installed next to all fences/walls that adjoin all common/public access areas. Placement of such shrubbery will meet all requirements of the DAB.

7. ALARM SYSTEMS

- a. Recommend that all businesses install a burglar alarm system, robbery if needed. If alarm is installed, an alarm permit must be obtained from the Ontario Police Department. Also, subscribers should acquaint themselves with Ontario's False Alarm Ordinance #1990, Chapter 9, Title 4 of the Ontario Municipal Code.

POLICE DEPARTMENT

8. MISCELLANEOUS

- a. The placement of outside public telephones shall be restricted to an area immediately adjacent to the front door of the development.
- b. If mirrored glass is used on the exterior of building, developer is to submit samples to the Police Department. Contact the police department for requirements.
- c. _____

If you have any questions, feel free to contact the Crime Prevention Unit at 988-6481, ext. 267 or 268.

M E M O R A N D U M

TO: DEVELOPMENT ADVISORY BOARD
FROM: FIRE DEPARTMENT
DATE: DECEMBER 27, 1985
SUBJECT: PM 1097 A 22 LOT M2 PARCEL MAP, LOCATED ON THE SOUTH SIDE OF AIRPORT
DRIVE BETWEEN WANAMAKER AVENUE AND ROCHESTER AVENUE

The Fire Department has no comments at this time.


J. A. PETTIGREW, Inspector
Fire Safety Control Division

/cb

TO: Planning Commission
FROM: Planning Department
DATE: January 14, 1986
SUBJECT: Staff Report on Tentative Parcel Map No. 9553 (File No. PM 1097)
APPLICATION: A twenty-two lot M2 parcel map, located between Airport Drive and Wall Street and Wanamaker and Rochester Avenues; submitted by **Southern Pacific Industrial Development Company**

BACKGROUND INFORMATION:

General Plan Designation: General Industrial
Community Planning Area: No. 6
Site Size: Approximately 74.7 acres

Zoning and Land Use:

<u>Site:</u>	M2	Vacant
<u>North:</u>	M2	Vacant
<u>South:</u>	SP	Vacant
<u>East:</u>	--	Devore Freeway (I-15)
<u>West:</u>	SP	Industrial

Environmental Review Status: A negative declaration was prepared for this project. The environmental factors which affect this project are drainage and seismic hazards.

PROJECT DESCRIPTION:

The proposed parcel will create twenty-two (22) lots as follows:

Parcel 1:	4.1 acres	Parcel 12:	3.3 acres
Parcel 2:	1.5 acres	Parcel 13:	4.5 acres
Parcel 3:	2.0 acres	Parcel 14:	4.4 acres
Parcel 4:	2.5 acres	Parcel 15:	3.4 acres
Parcel 5:	3.6 acres	Parcel 16:	3.5 acres
Parcel 6:	4.0 acres	Parcel 17:	3.9 acres
Parcel 7:	3.9 acres	Parcel 18:	4.1 acres
Parcel 8:	4.0 acres	Parcel 19:	3.5 acres
Parcel 9:	2.3 acres	Parcel 20:	2.6 acres
Parcel 10:	2.2 acres	Parcel 21:	2.2 acres
Parcel 11:	5.2 acres	Parcel 22:	2.1 acres

All 22 lots are designated for industrial use.

The existing rail line that runs through the center of the parcel from Airport Drive south approximately 2,850 feet will be removed. The existing rail spur will be realigned to curve westerly from Airport Drive and connect with the existing crossing on Wanamaker Avenue.

Access is provided for all easterly lots off Rochester Avenue, a frontage road, adjacent to the Devore Freeway. All westerly lots have access off Wanamaker Avenue. In addition, Lot 1 and Lots 10 through 12 have access off Wall Street and Airport Drive, respectively. Finally, a sixty-six (66') foot wide east-west connector street provides access for Lots 15 and 16.

STAFF ANALYSIS:

The development of Lots 1, 12-14 and 17-22 will comply with building setback, architectural treatment and mechanical equipment screening standards set forth by Planning Commission Resolution No. 2392. Future development on lots in PM 1097 will comply with the Light Industrial standards of the California Commerce Center Specific Plan.

The proposed subdivision meets all the requirements of the M2 (General Industrial) district of the Ontario Municipal Code.

The proposed subdivision is consistent with the General Plan, the State Subdivision Map Act and the City's Subdivision Ordinance.

RECOMMENDATION:

1. Environmental Review:

Staff recommends that the Planning Commission approve a negative declaration, subject to the following mitigation measures:

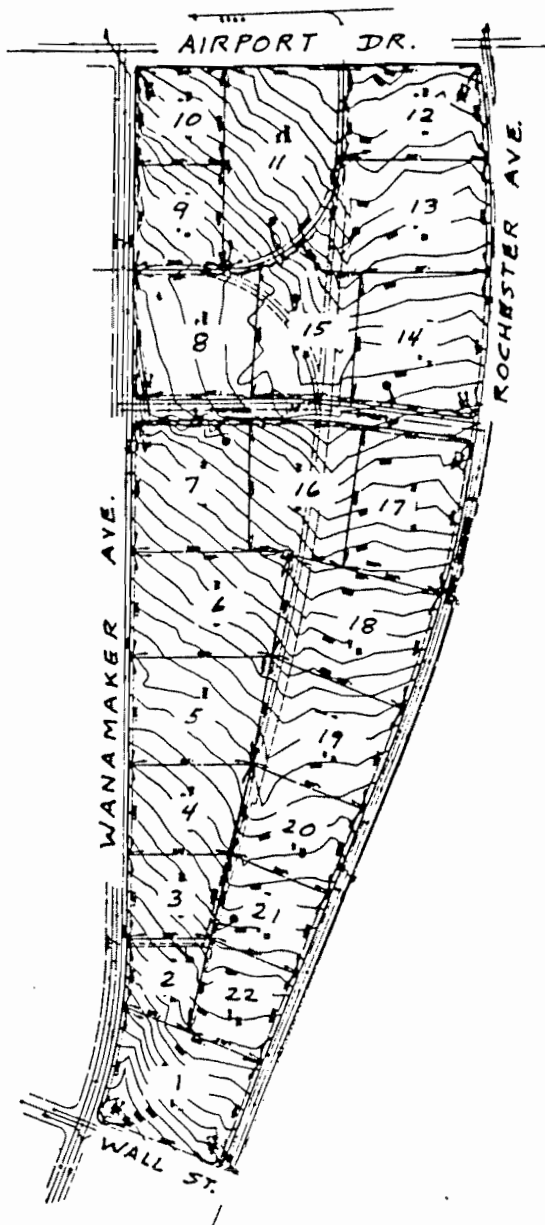
- a. A hydrology study is required; and
- b. All development shall conform to the UBC standards and the requirements of the California Commerce Center Specific Plan.

2. Tentative Parcel Map No. 9553 (File No. PM 1097):

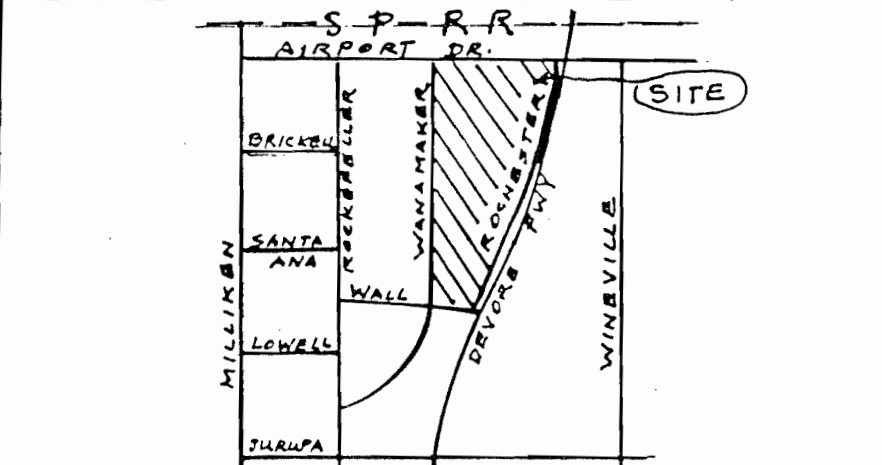
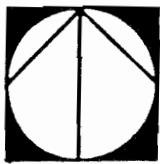
The Development Advisory Board reviewed this parcel map on January 6, 1986, and recommended Planning Commission approval, subject to conditions contained in the attached departmental reports.

CT:yr

108



ONTARIO PLANNING DEPARTMENT
Vicinity Map



Legend

A twenty-two (22) lot M2 parcel map located in the area bounded by Airport Drive, Rochester Avenue, Wall Street and Wanamaker Avenue; submitted by Southern Pacific Industrial Development Company.

File No. PM 1097 (9553)

APPENDIX G

P LANNING NETWORK Land Planning and Design • Policy Analysis Environmental Studies • Project Management 7940 East G Street, Suite 105 Ontario, CA 91764 Tel (714) 945-2738
--

PACIFIC GATE - EAST GATE SPECIFIC PLAN
SANTA FE PACIFIC REALTY CORPORATION



February 26, 1986

Santa Fe Pacific Realty Corporation
3230 E. Imperial Hwy., Suite 100
Brea, California 92621

RE: Tentative Parcel Map No. 9638 (File No. PM 1096)

Gentlemen:

At its regular meeting of February 25, 1986, the Planning Commission approved the following:

Tentative Parcel Map No. 9638 (File No. PM 1096), an eighteen (18) lot parcel map for your property located on the east side of the Devore Freeway (I-15) between Airport Drive and McNamara Street.

Please contact the City Engineer for information and fulfillment of conditions so that the parcel map may be processed for final approval by the City Council. Final approval shall be completed prior to February 25, 1988, or approval of the map shall expire on that date.

The Planning Commission also approved a negative declaration for your project. Mitigation measures are listed on the Initial Study and on the Planning Department report to the Planning Commission.

All pertinent data relative to your project is attached.

Sincerely,

ONTARIO PLANNING DEPARTMENT

for Georgia Nash
Joyce I. Babicz
City Planner

yfr

enc.

CITY OF ONTARIO PLANNING COMMISSION

TENTATIVE PARCEL MAP NO. 1096

REPORT

Date: February 26, 1986

Applicant: Santa Fe Pacific Realty Corporation
3230 E. Imperial Hwy., Suite 100
Brea, California 92621

Property Location and Description:

East side of the Devore Freeway (I-15) between Airport Drive and
McNamara Street

That portion of the North 3566.18 feet of Lot 1, Block 30, Tract
No. 2244, lying east of the Devore Freeway (I-15) and West of
land deeded to Southern California Edison Company by deed
recorded 6/30/75 in Book 8710, page 228 of Official Records,
measurement commencing 30 feet South of the centerline of
Airport Drive

Map Prepared By: Williamson and Schmid

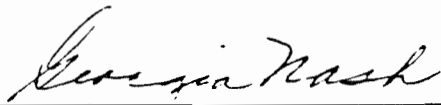
Date of Commission Action: February 25, 1986

Zone: M2

Map: Approved for eighteen (18) lots

Subject to the attached departmental reports.

The applicant is hereby notify to contact the City Engineer for information and fulfillment of above conditions so that the Parcel Map may be processed for final approval by the City Council. An appeal from any of the above findings, to the City Council, may be filed with the City Clerk within fifteen (15) calendar days after the date of the Commission action.


Secretary, pro Tempore

NOTE: This approval will expire on February 25, 1988.

CITY OF ONTARIO

Planning Department Report

Tentative Parcel Map No. 9638 (PM 1096)

DATE: December 27, 1985
APPLICANT: Santa Fe Pacific Realty Corporation
SUBJECT: An eighteen lot parcel map, located on the east side of the Devore Freeway (I-15) between Airport Drive and McNamara Street.

	<u>ZONING</u>	<u>LAND USE</u>	<u>GENERAL PLAN DESIGNATION</u>
SITE:	M 2	Vacant	General Industrial
NORTH:	M 2	Vacant	General Industrial
SOUTH:	SP	Vacant (Proposed Auto Park)	General Industrial
EAST:	Southern California Edison Right-of-Way/Day Creek Channel		
WEST:	Devore Freeway (I-15)		

1. The development of this project shall conform to the standards set forth in Article 19 (M 2 District) of the Ontario Municipal Code.
2. The development of Lots 1-8, 10, 13 and 16 shall comply with the standards set forth by Planning Commission Resolution No. 2392.
3. All future construction shall provide for the adequate visual screening of all roof mounted equipment.
4. All proposed streets shall be named in accordance with Section 9-3.2746 of the Ontario Municipal Code and approved by the Planning Department. Kettering Loop has not been determined to meet the City's street name criteria. This comment applies to Tentative Parcel Map No. 9638 as well as Tentative Parcel Map No 9055, which are adjacent to the south.
5. A sign program shall be submitted to the Planning Department for review and approval prior to recordation of the final map. One freeway oriented sign for the entire project will be permitted. A notation referencing the sign program shall be made in the C.C.&R's.

MAP:vr

CITY OF ONTARIO
CITY ENGINEER'S REPORT
TENTATIVE PARCEL MAP NO. 9638, FILE # 1096

Filed by: Southern Pacific Industrial Development Co./
Santa Fe Pacific Realty Corp. (Developer)

Date filed: 12/4/85 Number of Lots: 18

Location: South side Airport Drive, east of the Devore Freeway (I-15)

<p style="transform: rotate(-45deg); font-weight: bold;">FOR DEVELOPER'S INFORMATION ONLY</p> <p style="transform: rotate(-45deg); font-weight: bold;">CONDITION OF APPROVAL</p>	<p>REPORT OF THE CITY ENGINEER</p>
--	------------------------------------

DEDICATIONS

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1. Dedication by final map of all interior street rights-of-way and all necessary easements as shown on the tentative map and to be modified per Condition #46 #47 |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2. Dedication by final map of the following missing rights-of-way on the following streets:
<div style="margin-left: 40px;"> <u>20</u> additional feet on <u>Airport Drive</u>
 _____ additional feet on _____
 _____ additional feet on _____
 Corner P/L radius required on <u>Kettering Loop at Airport Drive.</u>
 Other _____ </div> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3. Rights of vehicular access shall be limited as follows: _____
a. <u>On Airport Drive except at Kettering Loop Intersection</u>
b. <u>Along Devore Fwy (I-15) per book no. 9135, page 1185 O.R.</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Street vacation required for: _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Master Plan of Streets revision required for: _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 6. Additional right-of-way may be necessary at the <u>Kettering Loop/Airport Dr. intersection, depending on intersection alignment geometry.</u> |

IMPROVEMENTS

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 7. Construct full street improvements (including curb and gutter, A.C. pavement, sidewalk, one drive approach per lot, parkway trees and street lights) on all interior streets. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 8. Construct the following missing improvements on the following existing streets: |

Street	Curb & Gutter	A C Pvmt	Side-walk	Drive Appr.	Street Trees	Street Lights	Other
Airport Dr.	X	X			X	X	as needed per final improvements plans

DEVELOPER INFORMATION & CONDITION OF APPROVAL

CITY OF ONTARIO
CITY ENGINEER'S REPORT
TENTATIVE PARCEL MAP NO. 9638, FILE NO. 1096

- 9. Construct all storm drain and drainage structures as recommended by the findings of the hydrology study required by item 31.
- 10. Provide all utility services to each lot including sanitary sewers, water, electric power, gas and telephone. All utilities, are to be underground.
- 11. Developer shall coordinate, and where necessary, pay for the relocation of any power poles or other existing public utilities, as necessary.
- 12. Install appropriate street name signs and traffic control signs with locations and types approved by the City Engineer.
- 13. Developer is to provide all construction plans for the water system, sanitary sewer system, street lights, drainage, and street improvements. All such plans must meet approval of the City Engineer.
- 14. Sanitary sewers shall be designed to City of Ontario Standards to provide 0.5% minimum grade. East-west streets shall have a minimum grade of 0.5% unless otherwise approved by the City Engineer.
- 15. Street light locations to be approved by the City Engineer.
- 16. The following existing streets being cut by new services will require an asphalt concrete overlay: Airport Drive
- 17. The following specific dimensions (i.e., cul-de-sac radius and street section widths) are not approved by this tentative: Kettering Loop Street section. (See item 48).47
- 18. The following existing streets are substandard and will require: _____
- 19. The following existing water lines are substandard and will require: _____
- 20. Water and sewer main extensions will be required as follows: _____ to serve each lot of this Parcel Map.
- 21. Reimbursement agreements will be entered into by the City for: _____

APPROVALS AND FEES

- 22. Portions of the Proposed tract falls within those areas indicated as subject to flooding under the National Flood Insurance Program. Construction on this Parcel Map will be subject to the provisions of that program & City Ordinance #2109
- 23. Approvals have not been secured from all utilities and other interested agencies involved. Approval of the final map will be subject to any requirements that may be received from them.

155

- 24. Estimated sewer and water fees to be paid by developer: _____
* = Sewer fee, N/A (Developer to construct main)

FOR DEVELOPER'S
INFORMATION ONLY.
CONDITION OF
APPROVAL

Estimated sewer and water fees to be paid by developer (continued)

- * b. Sewer capital facilities fee 54.5AC (\$1,159.00) \$ 63,165.50
- * c. Sewer assessment fee to be calculated at time of development
- + d. Water frontage fee 210 L.F. (\$25.50) \$ 5,355.00
- e. Water capital facilities fee 54.5 AC (\$295.00) \$ 16,077.50
- f. Water meter fee to be calculated at time of development
- g. Construction water fee to be calculated at time of development
- h. Other water treatment plant fee \$ 42,782.50 +
fee based on meter size and number

* These fees will be collected by the Building Department.

25. Permits from other agencies will be required as follows:

- a. Caltrans, for work in the I-15 (Devore Fwy) right-of-way
- b. County Road Department _____
- c. County Dust Abatement District _____
- d. D.I.S. Trenching Permit if any trenches are over 5' deep _____

e. Other Southern California Edison for work in the SCE right-of-way
+ Frontage based on Airport Dr. and Additional fees will be changed if other
MAP CONTROL connections are made.

26. If only a portion of this tract is recorded, adjustments shall be made to provide for two-way traffic and parking on all affected streets.

27. The following lots appear to be substandard in either frontage, depth, or area and should be corrected on the final map: _____

28. All corner lots shall have a corner radius at the right-of-way line in accordance with City of Ontario Standards.

29. A parcel map shall be recorded prior to the first tract map to prevent the creation of an unrecognized parcel located: _____

30. The boundary of the tentative tract needs clarification as follows: _____

FLOOD CONTROL

31. Tract Engineer shall submit a hydrology study, per City of Ontario Standards for subject development and the adjacent streets to determine storm runoff and disposal recommendations. Hydrology study including method of disposal of storm water runoff shall be approved by the City Engineer prior to final map approval. ADDITIONAL FLOOD CONTROL IMPROVEMENTS MAY BE REQUIRED AS A CONDITION OF THE FINAL MAP APPROVAL AS A RESULT OF THE FINDINGS OF THE HYDROLOGY STUDY.

32. All east-west streets must be designed to keep storm runoff in major north-south streets.

156

DEVELOPER'S
INFORMATION ONLY
CONDITION OF
APPROVAL

- 33. A concrete wall along the entire north property line may be required to divert sheet runoff to streets.
 Such flow may be required to go under sidewalks through culverts.
- 34. If water surface is above top of curb, 30" walls shall be required at the back of the sidewalk at all downstream curb returns.
- 35. Culverts required to be constructed across streets at the following locations: per the findings of the hydrology study required per Item 31.
- 36. Other flood control requirements: per the findings of the hydrology study required per Item 31.

MISCELLANEOUS

- 37. Dust abatement will be made a condition of issuance of the grading permit for this project.
- 38. Noise impact on this project will be mitigated in accordance with the noise element of the General Plan and the Planning Department Report on the subject property.
- 39. This property is not within the present City boundary and will require annexation.
- 40. This property is within the water/ sewer service area of the Cucamonga County Water District. Subdivider shall make arrangements for those services with them.
- 41. All information required to be shown on the tentative map is not shown as required: how water/sewer/other utilities to be provided to serve these lots.
- 42. Provisions for proper grading and erosion control including the prevention of sedimentation or damage to off-site property shall be furnished and subject to the approval of the City Engineer.
- 43. A preliminary soils report will be required for this site. A copy of the soils report submitted to the Building Department prior to grading will be furnished to Engineering.
- 44. The filing of the tentative map or approval of same does not guarantee that sewer treatment capacity will be available at the time building permits are requested. When building permits are requested from the City, the Chino Basin Municipal Water District will be asked to certify the availability of capacity. Permits will not be issued unless said certification is received.
- 45. The Planning Commission shall make the determination, in accordance with Section 66436(C)(1) of the Subdivision Map Act, that division and development of the property will not unreasonably interfere with the free and complete exercise of any public entity or public utility right-of-way or easement and the signature of any such public entity or public utility may be omitted from the final map unless the City is notified in writing of any objection to said determination within the specified time limits of said Section.

157

FOR DEVELOPER'S INFORMATION ONLY
CONDITION OF APPROVAL

CITY OF ONTARIO
CITY ENGINEER'S REPORT
TENTATIVE PARCEL MAP NO. 9638, FILE NO. 1096

46. For all water/sewer connections to public facilities, an encroachment permit shall be applied for and obtained from the City Engineer's office prior to issuance of any building permit/or plumbing permit.

For any water connection, a detailed plumbing plan shall be submitted to the City Engineer to determine meter size, location and cross-connection requirements. Payment of all applicable fees shall be made prior to the issuance of an encroachment permit.

47. Kettering Loop between McNamara Street and the McCormick Avenue intersection shall match with the approved street section shown on Tentative Parcel Map No. 9055, located just south of this site, with a 55' right-of-way width, a 48' curb separation, a 6' parkway on the west side and a 20' utility easement along the east right-of-way line. Kettering Loop, north of the McCormick Avenue intersection, shall have a 71' right-of-way width, 64' curb separation, 6' parkway along the west side and also a 20' utility easement along the east side. McNamara Street, shall have street sections matching the 66' wide section shown on Tentative Parcel Map # 9055. 20' wide utility easements shall be shown on this map consistent with Tentative Parcel Map #9055.

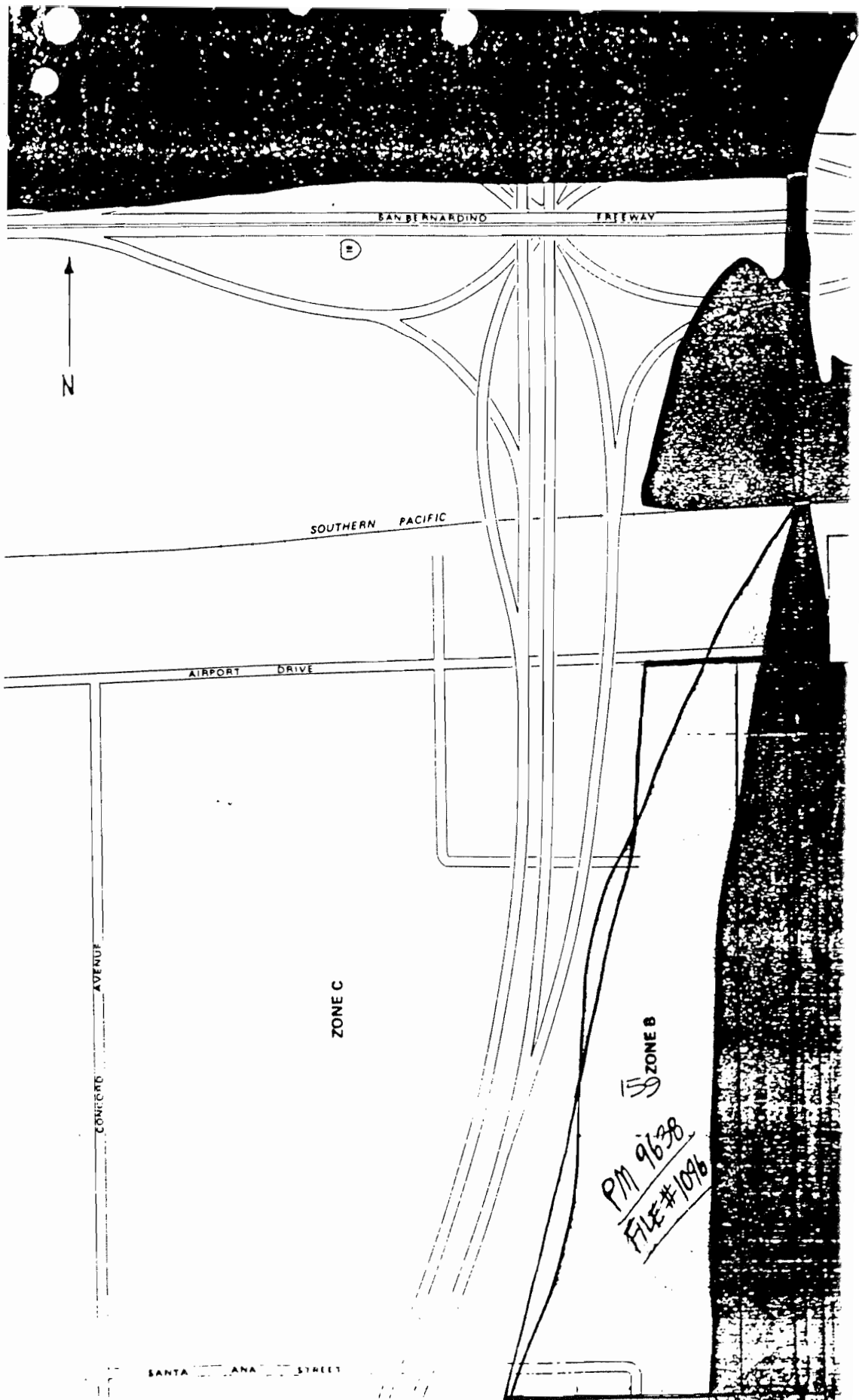
48. This project shall be annexed into a street light maintenance district.

The items marked as "Conditions of Approval" must be completed to the satisfaction of the City Engineer prior to the map receiving final approval. The items marked as "For Developer's Information Only", while not conditions of final map approval, will affect the development of this project at some time in the future. All fees shown are estimates only and will be based on current fees in effect at the time fees are paid.

for LeRoy D. Bender
LeRoy D. Bender
City Engineer

1/3/86
Date

ML:jw



MEMORANDUM

TO: Planning Department
FROM: Public Services Agency
DATE: 12-18-85

FILE NO. PM 1096

LOCATION: 18 LOT M2 PARCEL MAP
E.S. OF DEVORE FRWY BETWEEN AIRPORT DR AND MENA AVE ST.

APPLICANT: SANTA FE PACIFIC REALTY COMPANY

LANDSCAPE AND IRRIGATION STANDARDS

1. Landscape and irrigation plans of the entire project site shall be submitted to the Building Department and approved by the Community Services Agency and Planning Department prior to issuance of Building Permits. (Section 9-3.2530c)
2. All existing established healthy plant material shall be saved and protected. If development precludes that retention of plant material is not possible, then adequate measures (based upon type and size of plant material) shall be required to mitigate the plant material removal.
3. All landscape and irrigation designs shall incorporate drought tolerant plant material and water efficient irrigation systems (xeriscape).
4. All parkway trees shall be designated by the Community Services Agency.
5. No work within the project in regards to landscape and irrigation shall be permitted until all water meters are installed.
6. No landscape area shall have a dimension of less than three (3) feet or an area of less than twenty (20) square feet.
7. Curbing not less than six (6) inches in height constructed in concrete or masonry shall be provided to contain the landscaped areas.
8. The use of decorative bark, wood chips, gravel, etc. is encouraged to be incorporated in the landscaped areas to minimize the amount of turf and groundcover.
9. Not more than fifty (50%) percent of the plant material shall be turf.
10. A minimum of fifty (50%) percent of the trees shall be canopy or shade trees.
11. All areas not devoted to paving or building shall be landscaped and permanently maintained.
12. All parkway areas not devoted to sidewalk shall be landscaped and permanently maintained.
13. Where a parking lot contains ten (10) or more parking spaces and is visible from a street, not less than five (5%) of the total area excluding any perimeter landscaping, shall be landscaped. Such landscaping shall not be concentrated in any one area.
14. Security plant material (plants with thorns) shall be used adjacent buildings and walls where public open space areas adjoin private open space.
15. Information on minimum landscape and irrigation standards, xeriscape techniques, and parkway trees can be obtained at the Community Services Agency.

16. SPECIFIC LANDSCAPE REQUIREMENTS SHALL BE DETERMINED AT SITE PLAN REVIEW.

SOLID WASTE STANDARDS

- 1. Solid Waste Superintendent shall determine type, quantity and location of all solid waste collection services.
- 2. All refuse enclosures shall be constructed to city standards.
- 3. If security gates are desired at entrances to project site, they shall be a coded type system. Card, key and hand held activator systems are not acceptable.
- 4. Refuse enclosures located adjacent structures shall be protected by an automatic fire sprinkler approved by the Ontario Fire Department.
- 5. All refuse enclosures shall be located on major drives within project site to allow refuse vehicle circulation.
- 6. All refuse enclosures shall be located so that refuse vehicles can pull to within five (5) feet of gates.
- 7. A smooth level surface (asphalt, concrete) shall be placed in front of all refuse enclosures to provide safe and efficient removal of bins.
- 8. Enclosures shall be situated so that individual bins can be removed independently of each other.

- 9. Project Site Analysis
 - a. Refuse enclosure location(s) okay as indicated on plan.
 - b. Site plan does not allow for adequate ingress/egress of refuse vehicle.
 - c. _____ 4 cu. yd. refuse bin(s) required with enclosure(s)
_____ 20-40 cu. yd. roll-off bin(s) required
_____ 20-40 cu. yd. compactor(s) required
_____ Hand collection required
 - d. Site plan does not provide adequate vertical clearance (13' - 0" required).
 - e. Site plan does not provide adequate drive aisle width (15' - 0" min. one way, 24' - 0" min. two way).
 - f. SPECIFIC SOLID WASTE REQUIREMENTS SHALL BE DETERMINED AT SITE PLAN REVIEW.

10. Information on Solid Waste requirements and enclosure specifications can be obtained at the Community Services Agency.

GENERAL

- 1. No comments
- 2. _____

If you have any questions regarding the above, please contact:

Bruce Wegner
Community Services Agency
(714) 986-1151

MEMORANDUM

TO: Development Advisory Board

FROM: Building Department

DATE: December 30, 1985

SUBJECT: File No. PM 1096:

An 18 lot M2 parcel map, located on the east side of the Devore Freeway between Airport Drive and McNamara Street; submitted by Santa Fe Pacific Realty Corporation. (Planning Commission action is required).

COMMENTS:

- 1. A Park Development and Recreation Tax of \$540 per single family dwelling unit or \$468 per multiple dwelling unit is to be paid at the time of permit issuance.
- 2. All signing requires separate building permits and approvals by Planning and Building Departments.
- 3. A special one-time sewer assessment must be paid prior to permit issuance. Forms to calculate this assessment are available at the Building Department.
- 4. The site is within the 65 CNEL noise print of the Ontario International Airport and per Sec. 9-3.2425 of O.M.C., an Avigation Agreement is required prior to permit issuance. Copies are available at the Building Department.
- 5. Block walls require separate building permits and approval prior to construction.
- 6. School fees are required to be paid to Chino Unified School District prior to issuing a building permit.
- 7. Site clearing or grading requires a dust control program be approved by this department.
- 8. Removal of buildings or structures requires a demolition permit.
- 9. All new construction must provide handicapped provisions per Title 24 of the State Building Code. Remodeled and enlarged buildings must provide handicapped provisions per Title 24 of the State Building Code.
- 10. This project is in a special Flood Hazard Area designated on Flood Insurance Rate Map (FIRM) as A, AO, AH, or A1-30 that will require mitigation per Chapter 13 of Title 8 of the Ontario Municipal Code.
- 11. No comments.
- 12. _____

- 13. _____

162

TO: DEVELOPMENT ADVISORY BOARD

FROM: ONTARIO POLICE DEPARTMENT

DATE: 12-23-85

SUBJECT: FILE RM-1096

1. SECURITY LIGHTING

- a. All parking, common, and storage areas must have minimum maintained 1-1½ foot candle power. These areas are to be lighted from sunset to sunrise and on photo sensed cell.
- b. All buildings are to have minimal security lighting to eliminate dark areas around the outside of the buildings, with direct lighting to be provided by all entrance ways. Lighting to be consistent around development.
- c. Lighting in exterior areas shall be in vandal-resistant fixtures.
- d. The developer shall submit certified exterior lighting plans showing luminaire throw patterns and cut sheets of luminaires to be used PRIOR to building permits being issued.
- e. Interior night lighting shall be constructed and maintained in those areas that are visible from the street¹ (ground floor level only).

f. _____

2. SECURITY HARDWARE

- a. Locking slide-bolts will be installed on all sliding glass doors.
- b. One inch single cylinder deadbolts will be installed on all entrance doors. If windows are within forty inches of any locking device, tempered glass must be used.
- c. Large garage doors are to have slide bolts, one of each side of the doors.
- d. All roof openings giving access to the building shall be secured with either iron bars, metal gates, stamped metal, or alarmed and meet with police departmental approval.

3. SECURITY FENCING

- a. No obscuring materials will be used on any entrance gate.
- b. Block or chain link fencing will be a minimum of 8 feet tall around storage areas.

4. WINDOWS

- a. All sliding glass windows to have secondary locking devices and be equipped with anti-lift devices.
- b. Store front window systems with shrubbery located in front shall have decorative steel/lexan type panels installed.

5. NUMBERING

- a. Street address numbering shall adhere to standards set forth in the City Ordinance 9-3.2746(3). Numbers and the background to which they are attached shall be of contrasting colors, and shall be reflective material for nighttime visibility. Samples of the materials used shall be submitted to and approved by the DAB.
- b. Developer shall install roof top numbers on all roofs of this development. They shall be a minimum of three feet in length and two feet in width and of contrasting color to background. Numbers shall be placed parallel to street address as assigned.
- c. At the entrances of complex, an illuminated map or directory of project shall be erected with vandal-resistant cover. The directory shall not contain names of tenants, but only address numbers, street names, and their locations in the complex. North shall be at the top and so indicated.

6. SECURITY SHRUBBERY

- a. Security shrubbery shall be installed next to all fences/walls that adjoin all common/public access areas. Placement of such shrubbery will meet all requirements of the DAB.

7. ALARM SYSTEMS

- a. Recommend that all businesses install a burglar alarm system, robbery if needed. If alarm is installed, an alarm permit must be obtained from the Ontario Police Department. Also, subscribers should acquaint themselves with Ontario's False Alarm Ordinance #1990, Chapter 9, Title 4 of the Ontario Municipal Code.

POLICE DEPARTMENT

8. MISCELLANEOUS

- a. The placement of outside public telephones shall be restricted to an area immediately adjacent to the front door of the development.
- b. If mirrored glass is used on the exterior of building, developer is to submit samples to the Police Department. Contact the police department for requirements.
- c. _____

If you have any questions, feel free to contact the Crime Prevention Unit at 988-6481, ext. 267 or 268.

M E M O R A N D U M

TO: DEVELOPMENT ADVISORY BOARD

FROM: FIRE DEPARTMENT

DATE: DECEMBER 27, 1985

SUBJECT: PM 1096 AN 18 LOT M2 PARCEL MAP, LOCATED ON THE EAST SIDE OF THE
DEVORE FREEWAY BETWEEN AIRPORT DRIVE AND MC NAMARA STREET

The Fire Department has no comments at this time.



J. A. PETTIGREW, Inspector
Fire Safety Control Division

/cb

TO: Planning Commission
FROM: Planning Department
DATE: February 11, 1986
SUBJECT: Staff Report on Tentative Parcel Map No. 9638 (File No. PM 1096)
APPLICATION: An eighteen (18) lot M2 parcel map located on the east side of the Devore Freeway (I-15) between Airport Drive and McNamara Street; submitted by **Santa Fe Pacific Realty Corporation.**

BACKGROUND INFORMATION:

General Plan Designation: General Industrial

Community Planning Area: No. 6

Site Size: 54.5 acres

Zoning and Land Use:

<u>Site:</u>	M2	Vacant
<u>North:</u>	M2	Vacant
<u>South:</u>	SP	Vacant (Proposed Auto Park)
<u>East:</u>	--	Deer Creek Channel
<u>West:</u>	--	Devore Freeway (I-15)

Environmental Review Status: A negative declaration was prepared for this project. The environmental factors which will affect or be affected by this project are seismic safety, drainage/flood waters, and aesthetics.

PROJECT DESCRIPTION:

The applicant proposes to subdivide the 54.5 acre site into eighteen (18) M2 lots ranging in size from 1.0 acre to 4.7 acres. The average lot size is approximately 2.6 acres. Individual lot sizes are as follows:

Lot 1	1.0 acre	Lot 10	1.8 acres
Lot 2	1.2 acres	Lot 11	1.8 acres
Lot 3	1.4 acres	Lot 12	2.9 acres
Lot 4	2.0 acres	Lot 13	2.4 acres
Lot 5	2.0 acres	Lot 14	2.1 acres
Lot 6	4.0 acres	Lot 15	3.8 acres
Lot 7	4.7 acres	Lot 16	3.3 acres
Lot 8	2.5 acres	Lot 17	2.5 acres
Lot 9	2.4 acres	Lot 18	4.4 acres

The two north/south streets proposed in the development of the auto park to the south will continue through this subdivision to link Airport Drive and Jurupa Street. The two streets will merge about midway through this subdivision and continue on up to Airport Drive.

STAFF ANALYSIS:

The parcel map will create eighteen (18) lots suitable for industrial development in conformance with the General Plan and the M2 district development standards. The proposed subdivision is consistent with the General Plan, the State Subdivision Map Act, the City's Subdivision Ordinance, and the requirements of the M2 district.

RECOMMENDATION:

a. Environmental Review:

Staff recommends that the Planning Commission approve a mitigated negative declaration for this project, subject to the following measures:

1. All future construction shall comply with all sections of the Uniform Building Code.
2. A hydrology study is required.
3. All future construction shall conform to the Federal Insurance Rate Map (FIRM) flood elevation requirements.
4. All future construction on Lots 1-8, 10, 13 and 16 shall comply with the provisions of Planning Commission Resolution #2392.

b. Tentative Parcel Map No. 9638 (File No. PM 1096):

The Development Advisory Board reviewed this parcel map on February 3, 1986, and recommended Planning Commission approval subject to the attached departmental reports.

MAP:yr

TO: Planning Commission
FROM: Planning Department
DATE: February 12, 1986

Pursuant to Section 9-2.208 of the Subdivision Ordinance, the Planning Department recommends that the Planning Commission make the following findings in regard to Parcel Map No. 9638 (File No. PM 1096):

- A. This subdivision **is** consistent with all applicable general and specific plans. The subdivision provides for industrial development consistent with the General Plan designation of General Industrial.
- B. The design or improvement of the subdivision **is** consistent with all applicable general and specific plans. The design of the subdivision creates lots suitable for a variety of industrial uses consistent with the General Plan designation of General Industrial.
- C. The site **is** physically suitable for the type of development proposed. The site size and configuration are appropriate to the types of industrial development anticipated.
- D. The site **is** physically suitable for the proposed density of development. The site can accommodate all development standards of appropriately sized projects.
- E. The design of the subdivision or the proposed improvement **is not** likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat as per the Master Environmental Assessment and the mitigated negative declaration.
- F. The design of the subdivision or the type of improvement **is not** likely to cause serious public health problems. All future construction shall comply with all sections of the Uniform Building Code.
- G. The design of the subdivision **will not** conflict with any easement acquired by the public at large, then of record, for access through or use of the property within the proposed subdivision. All required easements have been provided for.
- H. The design of the subdivision **has**, to the extent feasible, provided for future passive or natural heating or cooling opportunities, i.e., lot sizes and configuration permit orientation of structures in an east-west alignment or permit orientation of structure to take advantage of shade or prevailing breezes.

CITY OF



ONTARIO

CITY HALL

ONTARIO, CALIFORNIA 91754

AREA CODE 714

986-1151

NOTICE OF PUBLIC HEARING ON FILE NO.

PM 1096

Hearing Date: February 25, 1986

Time: 7:00 p.m.

Location: Council Chambers, City Hall, 303 East "B" Street, Ontario

Notice Mailed February 14, 1986

A public hearing is scheduled before the CITY OF ONTARIO PLANNING COMMISSION to consider the following application(s):

The Santa Fe Pacific Realty Corporation has applied for an eighteen (18) lot M2 parcel map located at the southeast corner of Airport Drive and the Devore Freeway (I-15).

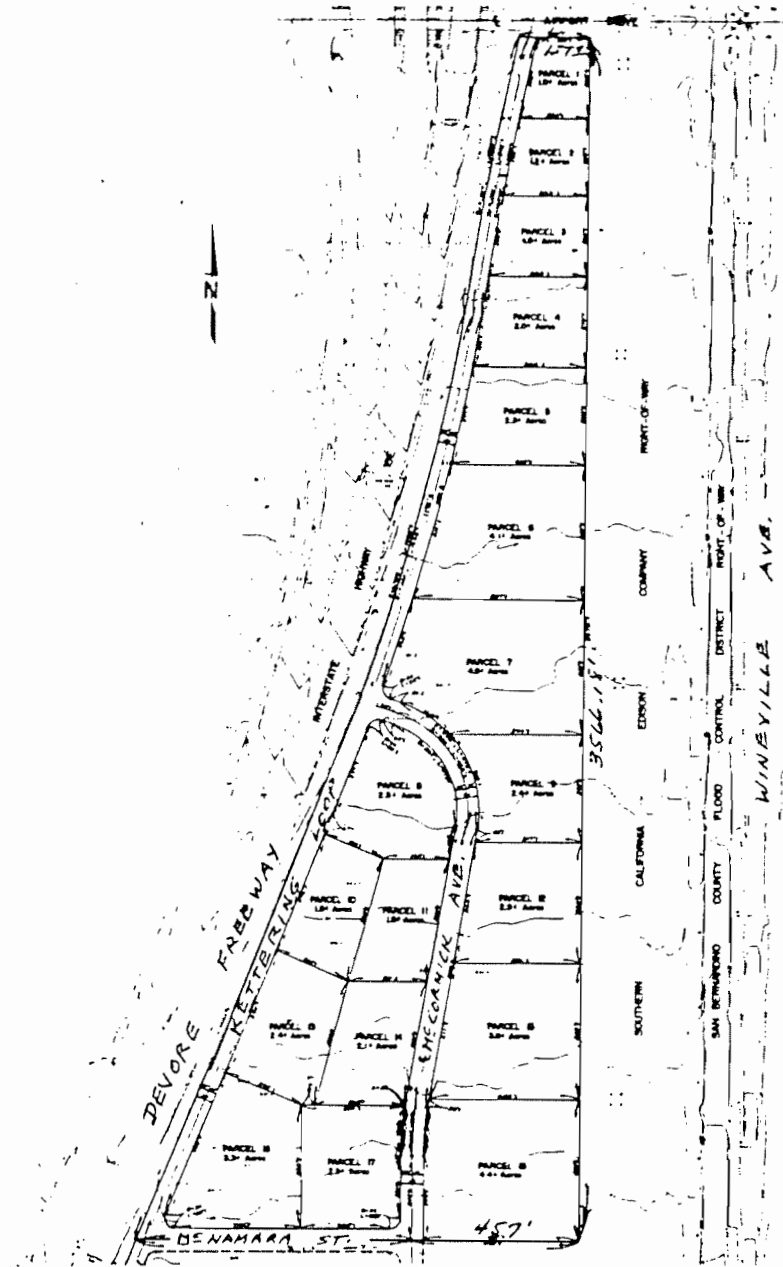
The Ontario Municipal Code requires that property owners within three hundred feet (300') of the lot in question* be informed of the proposal.

Michael Philbrick of the Ontario Planning Department may be contacted for more information at (714) 986-1151, ext. 442.

Comments may be made in person at the hearing. Written comments, if received prior to the time of the hearing, will also be considered.

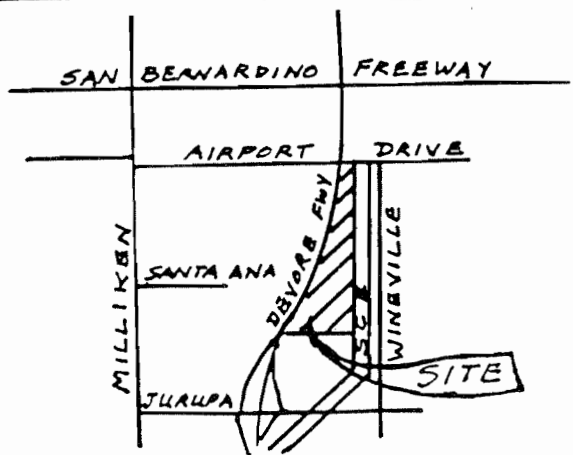
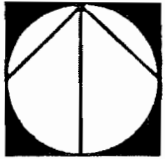
ONTARIO PLANNING COMMISSION

* Property owner lists are compiled from the latest equalized San Bernardino County tax assessment rolls.



ONTARIO PLANNING DEPARTMENT

Vicinity Map



Legend

An eighteen (18) lot M2 parcel map located on the east side of the Devore Freeway (I-15) between Airport Drive and McNamara Street submitted by Santa Fe Pacific Realty Corporation.

File No. PM1096 (9638)

APPENDIX H

PLANNING NETWORK
Land Planning and Design • Policy Analysis
Environmental Studies • Project Management
2940 East G Street, Suite 105
Ontario, CA 91764
Tel (714) 945-2738

PACIFIC GATE - EAST GATE SPECIFIC PLAN
SANTA FE PACIFIC REALTY CORPORATION

Notice Of Intent	
APPLICANT'S STATEMENT OF FACTS	I. General Information
	A. Current General Plan designation: _____
	B. Present zoning: _____
	C. Present use of site: _____
	D. Does this proposal involve a zone change? Yes _____ No _____ If yes, what is the proposed zoning? _____
	E. Does this proposal involve a variance or conditional use permit? Yes _____ No _____ If yes, please indicate what will be requested. _____
	F. Will the project require certification, authorization or issuance of a permit by any agency other than the City of Turkey? Yes _____ No _____ If yes, please indicate who: _____
	G. Site Size (in square footage and acres): _____ Number of stories of construction: _____ Type of construction: _____ Proposed scheduling: _____
	H. Associated projects: _____

Notice Of Intent	
APPLICANT'S STATEMENT OF FACTS	II. Specific Site Data: Residential Projects:
	A. Number of units _____ Number of Structures _____
	B. Unit sizes _____
	C. Sale or rental prices _____
	D. Household sizes expected _____
	E. Expected number of school age children: Elementary _____ Jr. High _____ Sr. High _____
	F. Number of parking spaces provided _____
	III. Specific Site Data: Commercial and Industrial Projects:
	A. Type of facilities: Neighborhood _____ Community _____ Convenience _____
	B. Square footage of: Sales area _____ Storage area _____
C. Hours of operation _____	
D. Total number of employees _____	
E. Employees per shift _____	
F. Percent of total project proposed for: Building _____ Paving _____ Parking _____ Landscaping _____	
G. Number of parking spaces provided _____	
H. Building occupant load _____	

Notice Of Intent	
APPLICANT'S STATEMENT OF FACTS	IV. Specific Site Data: Institutional Projects:
	A. Type of facilities: _____
	B. Square footage of buildings: _____
	C. Hours of operation _____
	D. Number of employees _____
	E. Operator's name _____
	V. Environmental Information: (Attach additional sheets if necessary)
	A. Describe the project site as it exists before the project, including plants and animals or any existing structures on the site and use of the structures. Attach photographs of the site. Snapshots or polaroid photos will be accepted.

Notice Of Intent	
APPLICANT'S STATEMENT OF FACTS	B. Describe the surrounding properties, including information on plants and animals and types of land uses (residential, commercial, etc.), intensity of land use (one-family, apartments, shops, stores, etc.) and scale of development (height, frontage setback, rear yard, etc.). Attach photographs of the vicinity. Snapshots or polaroid photos will be accepted.
	CERTIFICATION: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.
	Date: _____
	Signature of Owner or Authorized Representative _____

APPENDIX I

PLANNING NETWORK
Land Planning and Design • Policy Analysis
Environmental Studies • Project Management

2940 East G Street, Suite 105
Ontario, CA 91764
Tel (714) 945-2738

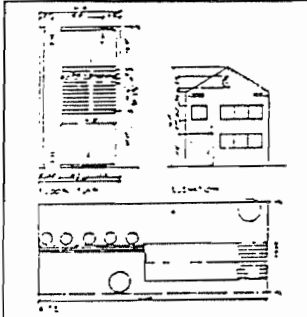
PACIFIC GATE - EAST GATE SPECIFIC PLAN
SANTA FE PACIFIC REALTY CORPORATION

DEVELOPMENT PLAN REVIEW
APPLICATION FORM
(Continued)

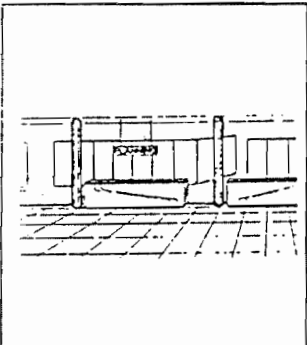
DEVELOPMENT PLAN PROCEDURE

CONCEPTUAL STAGE: Prior to formally submitting a Development Plan for DAB review, the Planning Department recommends that the applicant prepare a conceptual version of the plan and meet with the Planning staff to discuss the proposed project in terms of the following:

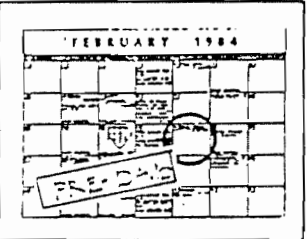
- its conformance with the General Plan and Zoning;
- its compatibility with surrounding land use; and
- any special requirements or existing conditions which may have an impact on how the project is developed.



FILING: The applicant must submit a completed application, Notice of Intent, filing fees, site plans, etc. to the Planning Department. Upon determining that an application is complete, the Planning Department will schedule the project for the next available DAB meeting. If the Planning Department determines that an application is not complete, the project will not be scheduled for a DAB meeting until the required items have been submitted. **NOTE:** A determination of "completeness" will not necessarily be made "over the counter" upon payment of fees.



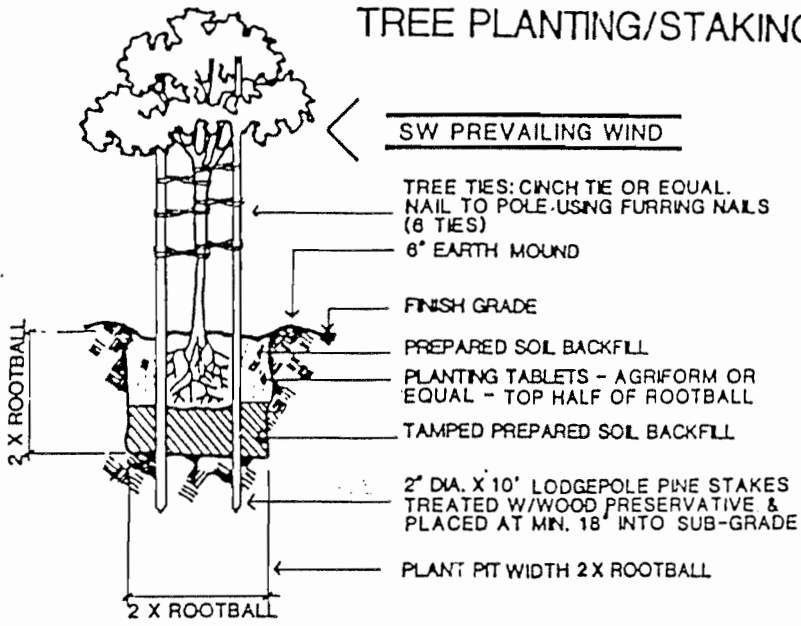
STAFF REPORT AND PRE-DAB MEETING: On the Thursday morning prior to a DAB meeting, the DAB members meet informally to review their recommended conditions of approval for each project. Applicants are encouraged to attend and participate in this "working session" meeting. Applicants will be provided with a copy of the combined departmental reports on their projects at this time.



DEVELOPMENT ADVISORY BOARD MEETING: At the DAB meeting, Board members will act on the recommended conditions of approval. Applicants or their representative will be given the opportunity to address the Board on any recommended condition and/or answer any questions the Board may have regarding the project. **NOTE:** Certain projects also require Planning Commission approval. For further information, please contact the Planning Department.

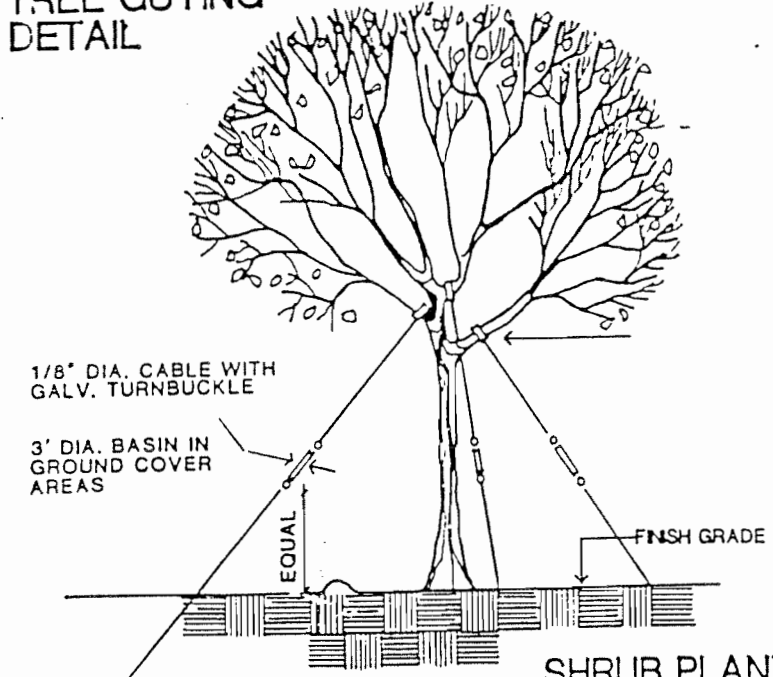
APPROVED
Planning Commission
City of Ontario
Date Feb. 20, 1984
Subject to Conditions

TREE PLANTING/STAKING

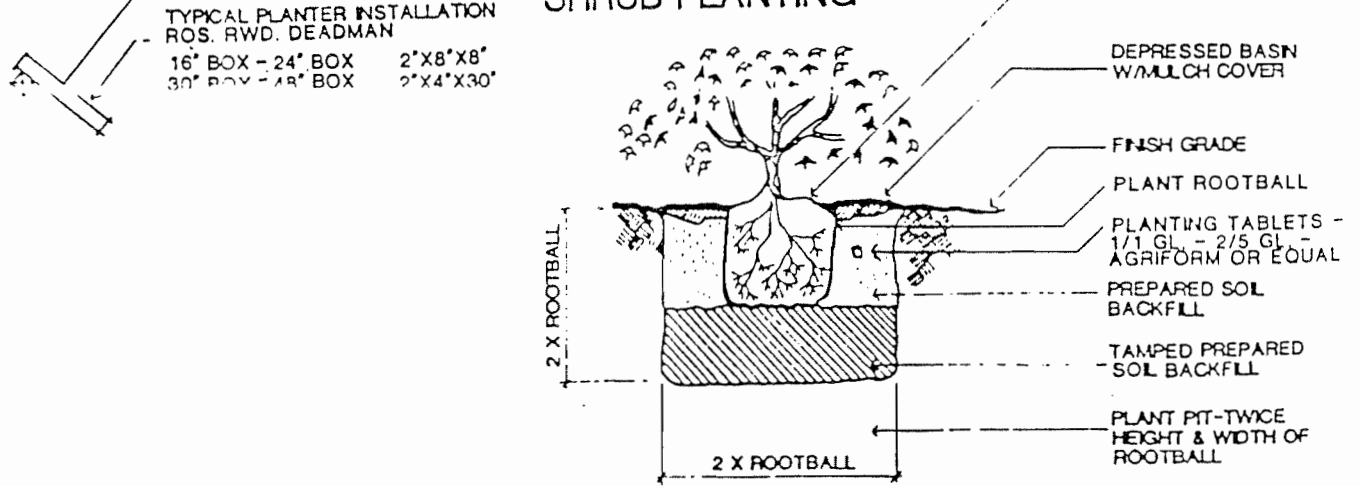


TREE STAKING, GUYING and PLANTING DETAILS

TREE GUYING DETAIL



SHRUB PLANTING



TYPICAL PLANTER INSTALLATION
 ROS. RWD. DEADMAN
 16" BOX - 24" BOX 2" X 8" X 8"
 30" BOX - 48" BOX 2" X 4" X 30"

APPENDIX J

PLANNING NETWORK Land Planning and Design • Policy Analysis Environmental Studies • Project Management 2940 East G Street, Suite 105 Orland, CA 91764 Tel (714) 945-2738
--

PACIFIC GATE - EAST GATE SPECIFIC PLAN
SANTA FE PACIFIC REALTY CORPORATION

WHEN RECORDED RETURN TO:
Santa Fe Pacific Realty Corporation
3230 East Imperial Highway, Suite 100
Brea, CA 92621

AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
PACIFIC GATE AND EAST GATE

THIS AMENDED and Restated Declaration of Covenants, Conditions and Restrictions is made as of the ____ day of _____, 1988, by SANTA FE PACIFIC REALTY CORPORATION ("Declarant"), as follows:

A. Declarant is the successor-in-interest by merger to Southern Pacific Industrial Development Company, a Texas corporation ("SPIDCo.").

B. SPIDCo., as Declarant's predecessor-in-interest, caused that certain Declaration of Covenants, Conditions, and Restrictions -- Pacific Gate (the "Declaration") to be recorded on June 10, 1987 as Instrument No. 87-195712 in the Official Records of San Bernardino County, California, pertaining to that certain real property situated in the City of Ontario, County of San Bernardino, California, and more particularly described on Exhibit "A" hereto ("Pacific Gate").

C. SPIDCo., as Declarant's predecessor-in-interest, caused that certain Amendment No. One to Declaration of Covenants, Conditions and Restrictions -- Pacific Gate ("Amendment No. One") to be recorded on December 16, 1987 as Instrument No. 87-440229 in the Official Records of San Bernardino County, California.

D. Declarant is the owner of certain real property located in the City of Ontario, County of San Bernardino, State of California and more particularly described in Exhibit "B" hereto ("East Gate").

E. Pacific Gate and East Gate are situated in close proximity to each other and Declarant desires to provide for the coordinated development of both parcels.

F. Accordingly, Declarant desires to amend and restate the Declaration in order to (i) include East Gate within the scope and applicability thereof, (ii) provide for the creation of a property owners' association, and (iii) effect certain other modifications, as set forth herein.

G. Declarant, as the owner of more than fifty-one-percent (51%) of the total acreage of the land area, net of street rights-of-way contained in the real property which is subject to the Declaration, is authorized to amend the Declaration in accordance with Section 10.02 thereof.

NOW, THEREFORE, Declarant as Owner of the real property described in Exhibit "A" and "B", declares as follows:

ARTICLE I

DEFINITIONS

1.01 "Assessment" means the financial obligation of each Owner to pay

its share of the Maintenance Expenses incurred by the Association which is to be paid by each Owner as determined by the Association and includes all annual and special Assessments referred to in this Declaration.

1.02 "Association" means a non-profit mutual benefit corporation which will maintain the Maintenance Area. The Association shall be comprised of the Owners, with voting rights as set forth in Article IX hereof.

1.03. "Center" shall mean Pacific Gate – East Gate, a research and development and business project.

1.04. "City" shall mean the City of Ontario, California, a municipal corporation.

1.05. "County" shall mean the County of San Bernardino, California.

1.06. "Declarant" shall mean Santa Fe Pacific Realty Corporation, a Delaware corporation.

1.07. "Declaration" shall mean this Declaration of Covenants, Conditions and Restrictions, as it may be amended from time to time as provided herein.

1.08. "Development Guidelines" shall mean those certain standards developed by Declarant and set forth in a memorandum to be provided to each successive owner containing details of permitted improvements to be made within the Center.

1.09. "Improvement" shall mean all structures and appurtenances thereto, of every kind, whether above or below the land surface, including, but not limited to, buildings, utility systems, walkways, slopes, parkways, driveways, parking areas, loading areas, landscaping, irrigation, fences, walls, decks, stairs, poles, signs, exterior fixtures and any other structure of any kind, whether interior or exterior.

1.10. "Maintenance Area" shall mean those certain portions of the Property, or areas which are adjacent to the Property, and which are described on Exhibit "C" hereto and which are required to be maintained by the Association as provided in Article VII hereof.

1.11. "Mortgage, Mortgagee, Mortgagor" A mortgage shall mean any mortgage or deed of trust or other conveyance of a parcel or interest therein to secure the performance of an obligation which will terminate or be reconveyed upon completion of such performance. Reference in this Declaration to a mortgagee shall be deemed to include the beneficiary of a deed of trust; reference to a mortgagor shall be deemed to include the trustor of a deed of trust.

1.12. "Occupant" shall mean any person or firm holding possession of any Parcel or Improvement, or portion thereof, whether by lease, sublease or otherwise.

1.13. "Operating Committee" shall mean the committee formed pursuant to Article VIII of this Declaration.

subject to the covenants, conditions, and restrictions (which cover conditions, and restrictions are hereinafter referred to as the "Restrictions") each of which is for, and shall inure to the benefit of, shall pass with, and shall be binding upon, each and every Parcel, and each of which shall apply to and bind the heirs, assignees and successors-in-interest of each and every Owner of a Parcel or Parcels.

2.02. Restrictions to be Construed as Covenants. Each purchaser of any Parcel covenants and agrees with Declarant, its successors and assigns, to use or permit the use of the Parcel only in accordance with the Restrictions and to refrain from using the Parcel in any way inconsistent with or prohibited by the provisions of this Declaration.

2.03. Purpose of the Restrictions. The purpose of these restrictions is to insure the quality development and use of the Property, to protect the Owner of each Parcel against undesirable development or use of surrounding Parcels which may diminish the value of such Owner's Parcel, to prevent the erection on the Property of structures built of improper or inharmonious design or materials, to encourage the erection of attractive improvements at appropriate locations, to assure proper setbacks from streets and adequate open spaces between structures, to provide for well-maintained and unifying landscaping, and to enhance and protect the value, desirability and attractiveness of the Property.

ARTICLE III
USE OF THE PROPERTY

3.01. Permitted Uses.

(a) Unless otherwise specifically prohibited herein or by the ordinances or regulations of the City or the County or any other governmental agency having jurisdiction thereof, any industrial operation or use shall be permitted on the Property if it is performed or carried out entirely within an enclosed building which is designed and constructed so that the enclosed operations and uses do not cause or produce a nuisance to any adjacent Parcel such as, but not limited to, vibration, sound, electromechanical disturbance or radiation, electromagnetic disturbance or radiation, air or water pollution, dust or emission of odorous, toxic, hazardous or offensive matter. All lighting, other than lighting for security purposes as approved by the Operating Committee, shall be shielded and direct rays confined within Parcel lines.

(b) Each Parcel may be used for manufacturing, assembly, warehousing, processing, laboratory, office, professional or research and development activities. Except as provided in Section 3.02 hereof, no other uses including, without limitation, drilling, mining, quarrying, exploring for or removing oil or other hydrocarbons, minerals, gravel, or earth, or refining or processing of the same, and no residential or other non-business use, or any other use that shall be construed by the Operating Committee as being incompatible with the purpose of this Declaration or prohibited by any applicable law, rule or regulation of a governmental agency or body having jurisdiction thereof shall be permitted.

3.02. Approval of Other Uses.

(a) Any operation or use which is neither specifically prohibited nor specifically authorized herein may be permitted upon written approval by the Operating Committee and, if such approval is required, by any applicable law, rule or regulation of a governmental agency or body having jurisdiction thereof.

(b) All operations and uses permitted pursuant to this Article III shall be subject to the development standards set forth in Article IV of this Declaration.

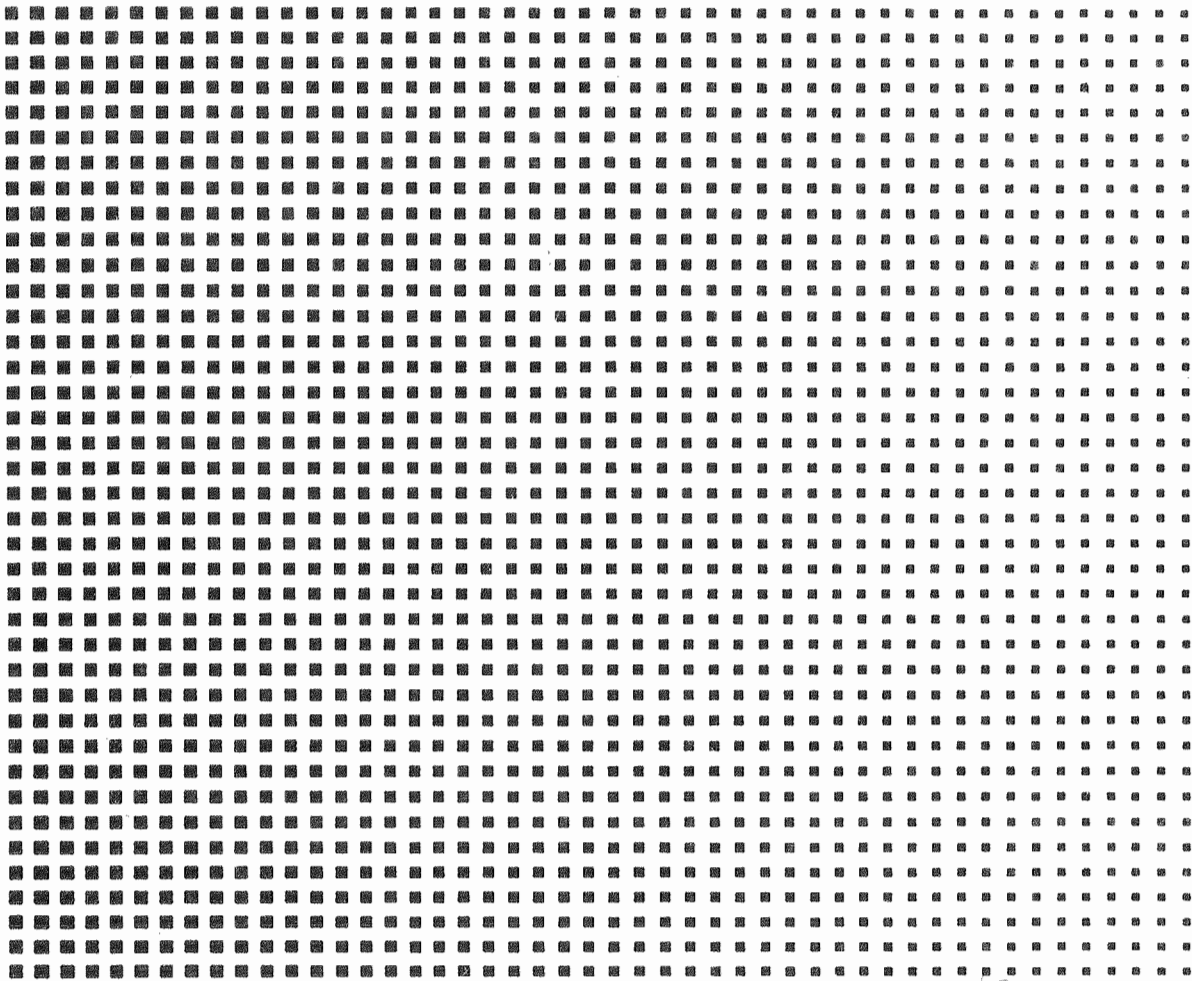
3.03. Nuisance. No noxious or offensive trade or activity shall be conducted on any Parcel or any part of the Property, nor shall anything be done thereon which may be, or may become, an annoyance or nuisance to the neighborhood or which shall in any way interfere with the quiet enjoyment by each of the Owners or Occupants of their respective Parcel or Parcels, or which shall in any way increase the rate of insurance applicable thereto.

3.04. Drainage. Drainage of water from any Parcel and the improvements thereon shall drain or flow into adjacent streets or other approved facility, and shall not be allowed to drain or flow upon an adjoining Parcel unless an easement for such purpose has been expressly granted or such drainage is provided for by a plan approved under applicable ordinances, regulations, and requirements of the City, the County, and any other governmental authority having jurisdiction thereof.

3.05. Animals. No animals, livestock or poultry of any kind shall be raised, bred, or kept on any Parcel, except animals which are customarily used in medical research and/or testing businesses, including, but not limited to diagnostic laboratories. Any and all such animals shall at all times be kept within a building on the Parcel.

3.06. Rubbish. All rubbish, trash and garbage shall be regularly removed from each Parcel and shall not be allowed to accumulate thereon.

3.07. Temporary Structures. No structure of a temporary character, trailer, camper, boat or similar vehicle or equipment shall be permitted to remain upon the exterior portion of any Parcel without the prior written approval of the Operating Committee. With the exception of temporary parking of delivery trucks, service vehicles and other commercial vehicles being used in the furnishing of products or services to an Owner or Occupant, or the parking of vehicles belonging to or being used by such Owner or Occupant for loading or unloading purposes, there shall be no parking on the Property other than in designated parking spaces. No such temporary parking shall unreasonably interfere with the use of another Parcel. For purposes of this Section 3.07, the "exterior portion" of any Parcel shall be any portion of a Parcel which is visible, at ground level, from outside the Property or from another Parcel.



PACIFIC GATE - EAST GATE SPECIFIC PLAN
SANTA FE PACIFIC REALTY CORPORATION

APPROVED ON 4/16/90
Community Development
Planning
L. S. ...
[Handwritten signatures and stamps]

RECEIVED
CITY OF ONTARIO
PLANNING DEPT

AM APR 6 1990 PM
7|8|9|10|11|12|1|2|3|4|5|6

CITY OF ONTARIO
AMENDMENT

4037-SPA