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## 6.0 IMPLEMENTATION AND ADMINISTRATION

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### 6.1 PURPOSE AND INTENT

Development of the Shea Business Center will occur in conformance with the regulations and guidelines contained within this Specific Plan. This section contains the procedures for administration of the provisions contained herein. Implementation of the plan will be carried out by the City's Development Plan Review with approval by the City of Ontario Development Advisory Board (DAB). Other topics covered in this section are general administration, subdivision and specific plan amendment procedures.

### 6.2 GENERAL ADMINISTRATION

The Shea Business Center Specific Plan will be administered and enforced by the City of Ontario Planning Department in accordance with the provisions of this Specific Plan and the City of Ontario Zoning Code.

### 6.3 SUBSTANTIAL CONFORMANCE

The purpose of the Substantial Conformance provision is to provide an administrative mechanism by which minor modifications to the Specific Plan, which do not result in significant impacts and are consistent with the intent and basic objective of the Specific Plan, may be permitted without a lengthy Specific Plan Amendment process being required. The ability to permit minor modifications to the Specific Plan via the Substantial Conformance provision allows for reasonable flexibility while maintaining the structure and intent of the Specific Plan, including protection against significant impacts to adjacent property owners. Substantial Conformance may include, but is not limited to, modifications necessary to comply with Final Conditions of Approval or modifications affecting infrastructure, public services and facilities, landscape palette, and other issues except those affecting project financing and development regulations.

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

#### A. DETERMINATION OF SUBSTANTIAL CONFORMANCE

Determination of substantial conformance shall be made by the City of Ontario Development Director.

#### B. GUIDELINES FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE

##### 1. Infrastructure

Modifications to the alignment of roads; creation of local public and/or private streets; or adjustments to individual infrastructure facilities such as drainage, sewer, and water shall be subject to substantial conformance determinations. Prior to approval of substantial conformance modifications of specific plan infrastructure, the City Planner shall confer with the City Engineer, and shall make the finding that the proposed modification will not result in any significant impacts

which were not previously addressed and resolved in the processing of the Specific Plan.

2. Landscaping

Revisions to the landscape palette provided in Chapter 5 may be approved by the City of Ontario City Planner in consultation with the Landscape Planner as a Substantial Conformance item.

#### **6.4 SPECIFIC PLAN AMENDMENT**

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

#### **6.5 SITE DEVELOPMENT PLANS, SUBDIVISIONS AND ENVIRONMENTAL REVIEW**

The Specific Plan shall be implemented through a method of Development Plan Review. This established procedure is necessary for the following reasons:

- To ensure consistency with the Specific Plan, the General Plan and implementing ordinances.
- To promote high standards of site design.
- To adapt to specific or special development conditions that may occur from time to time, while continuing to implement the Specific Plan and conform to the General Plan and implementing ordinances.
- To facilitate complete documentation of land use entitlements and conditions pertinent thereto.
- To adapt to substantial changes that may occur with respect to the circumstances under which the project is undertaken.

Following are the required approvals:

##### **A. SHEA BUSINESS CENTER SPECIFIC PLAN SUBMITTAL PACKAGES**

Any proposed subdivision or resubdivision of any parcel or the construction of any public improvement within the Shea Business Center Specific Plan area must be approved by the City of Ontario in accordance with its subdivision ordinance and the Subdivision Map Act.

##### **B. DEVELOPMENT SITE PLANS**

Site development plans shall be subject to review and approval by the City of Ontario Development Advisory Board (DAB).

## **C. ENVIRONMENTAL EVALUATION – NOTICE OF INTENT**

An Environmental Evaluation–Notice of Intent is required by the City of Ontario with the submittal of any preliminary building or site plans. The City of Ontario's planning staff reviews all Environmental Evaluations prior to the DAB meeting on development site plans.

### **6.6 REDEVELOPMENT AGENCY**

A portion of the subject property is located within the Redevelopment Project Area No. 1 of the City of Ontario. Properties within this plan may be eligible for redevelopment assistance for improvements that benefit the general public. Such improvements may include facilities such as streets, water, sewer and drainage improvements.

### **6.7 ENFORCEMENT**

Violations of the requirements of the Shea Business Center Specific Plan constitutes a violation of the Ontario Zoning Ordinance.