

II. GENERAL NOTES



Worker's housing

photo ca 1910

A. APPLICABLE STATE AND LOCAL REGULATIONS

Ordinance No. 2124, adopted by the Ontario City Council on March 16, 1981, allows for the creation, adoption and implementation of specific plans within the City of Ontario.

The Land Use Policy map of the The Ontario Plan designates the project site as “Guasti Mixed Use Area”, which requires the approval of a specific plan to coordinate the future development of the site.

Any development standards or other regulations not specifically addressed in this Specific Plan are subject to the City of Ontario Development Code, Subdivision Ordinance, and Standard Specifications and Drawings of the City of Ontario. Unless otherwise approved in the Specific Plan, all off-site improvements are subject to those City Standards and policies in effect at the time of submittal of improvement plans.

All construction within Guasti Plaza will be in compliance with the California Building Code, Uniform Fire Code and other ordinances pertaining to construction and safety.

The property is subject to the California Environmental Quality Act (CEQA), Public Resources Code Sections 21000-21177, which contains the requirement to determine whether an Environmental Impact Report (EIR) is required to fully assess the impacts of a proposed project. For specific requirements and mitigation measures for residential uses. See Appendix G, GMA-1, pages 9 and 10.

The Historic Preservation Commission of the City of Ontario, established in City Ordinance No. 2509, has the power to: review and comment upon the conduct of land use, housing and redevelopment, municipal improvement and other types of planning and programs undertaken by an agency of the City, the County, or State; recommend to the City Council standards to be used by the Commission in reviewing applications for permits to construct, change, alter, modify, remodel, remove, or significantly affect any historical resource; approve or disapprove, in whole or in part, or approve with conditions, applications for permits; review the actions and proposed actions and advise environmental review processes of all City

departments and public agencies concerning the effects of their actions, programs, capital improvements, or activities on Historical Resources; and consider whether denial of Certificates of Appropriateness (permits) affecting Historical Resources results in economic hardship to the property owner.

In addition to City standards, any subdivision of the property will be subject to the State of California Subdivision Laws.

The establishment of a Redevelopment Project Area may be used to implement this Specific Plan.

B. DEFINITIONS

For the purpose of carrying out the intent of the Specific Plan, words and phrases shall have the meanings ascribed to them below. All other terms shall be defined as stated in the Ontario Development Code.

- **Acre, Acreage:**
Approximate area.
- **Approving Agent;**
in order of precedence and succession:
 - a. Guasti Plaza Owners, as long as they own any interest in the Property or a portion thereof or thereafter. There are *two* separate Guasti Property Owners. Each Owner will be the sole approving agent for its portion of the project.
 - b. A Successor to Guasti Plaza Owners, which may include (i) any corporation, association or trust controlled by Guasti Plaza Owners, or with which Guasti Plaza Owners had been merged and consolidated, or by which Guasti Plaza Owners has acquired so long as it owns any interest in the Property or a portion thereof; or, (ii) any Successor Owner of the interest of Guasti Plaza Owners in the Property or a portion thereof, provided any such successor has been designated by the status of “Approving Agent.”
 - c. Each Property Owners’ Association, provided Guasti Plaza Owners or Guasti Plaza Owners’ Successor has granted to such Association the status of “Approving Agent.”

- **Conditional Use Permit:**
The Conditional Use Permit process is a discretionary procedure to provide flexibility in the Development Code to account for the widely varying needs of certain uses. Because of their unusual characteristics, and in order to achieve the special purposes in certain districts, conditional uses require special consideration. In order to achieve these purposes, the Planning Commission is empowered to grant or deny applications for conditional use permits and to impose reasonable conditions upon the granting of the conditional use permits.
- **Coverage:**
The total building ground contact area (excluding parking structures) divided by the gross lot area.
- **Encouraged:**
Highly recommended.
- **Guasti Plaza or Guasti:**
Those properties described in the legal description contained in Appendix A.
- **Guasti Plaza Owners' Association:**
See **Approving Agent**.
- **May:**
Have permission or liberty to; permissive.
- **Permitted:**
Permitted without requirement for further discretionary permits, but subject to all other regulatory requirements.
- **Shall:**
Must comply; mandatory
- **Site Development Plan:**
A precise, dimensional drawing prepared pursuant to provisions contained within this Specific Plan and the Ontario Zoning Code, indicating intended use for a parcel or building site, indicating intended land uses, location and extent of building area, parking areas, landscaping, open space areas, proposed site access and related items.

C. SEVERABILITY

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