

## Part Five: Implementation

### 5.1 INTRODUCTION

Implementation of the Acco Airport Center Specific Plan will occur over a ten to fifteen year period. Essential is the building of land values and the establishment of certain uses in early phases of the project, creating a market for additional support uses (hotels and restaurants) as time moves forward.

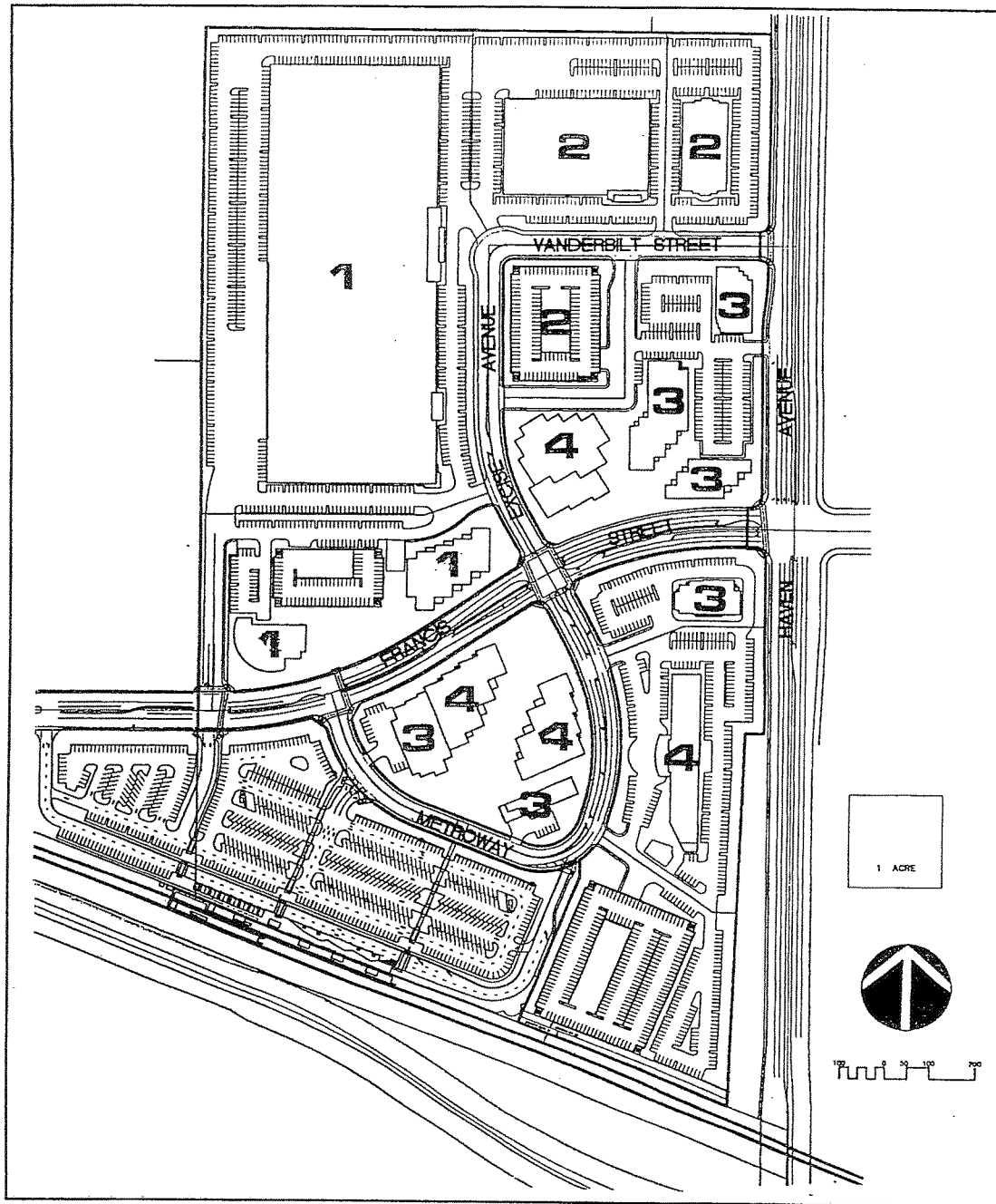


Exhibit 5-1: Phasing Diagram (note changes to plan, Preface, page iii)

## 5.2 PHASING OF DEVELOPMENT

Under a ten to fifteen year program, development of Acco Airport Center in four general phases is anticipated. Each phase carries with it certain obligations to assure the viability of subsequent development. The development pattern represents a succession of use from low to higher intensity uses.

The development of the Metrolink commuter rail platform at the southern edge of the property shall provide the **initial impetus for development**. Access to the platform area is provided by construction of a half-section of Francis Street from Haven Avenue to the westerly property boundary and a partial section of Excise South. Utilities have been extended and surface parking developed for 700 cars. Parking for an additional 300 cars and landscape improvements are planned for 1998.

The incremental development of parcels in the Industrial Park area shall comprise the **first phase** of development. A primary project "gateway" will be developed at Haven Avenue and Francis Street, the parkways of Francis Street will be completed and landscaped, and Excise Avenue will be constructed from Francis Street north to Vanderbilt. Coincident with the construction of these roadways, construction of the remaining backbone utilities will be completed.

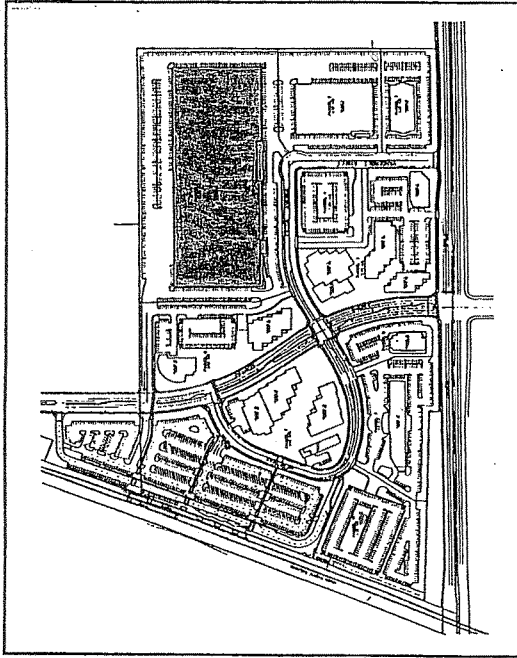
**Second phase** development shall encompass commercial parcels fronting on Haven Avenue and a "seeding" of transit-related retail activity across from the platform. The platform itself will be extended to the southeast to accommodate longer trains.

A **third phase** of development will encompass the transition of Acco Airport Center from its initial preponderance of industrial usage to a more fully integrated "business park" environment. As access needs warrant, Vanderbilt and Metroway will be completed.

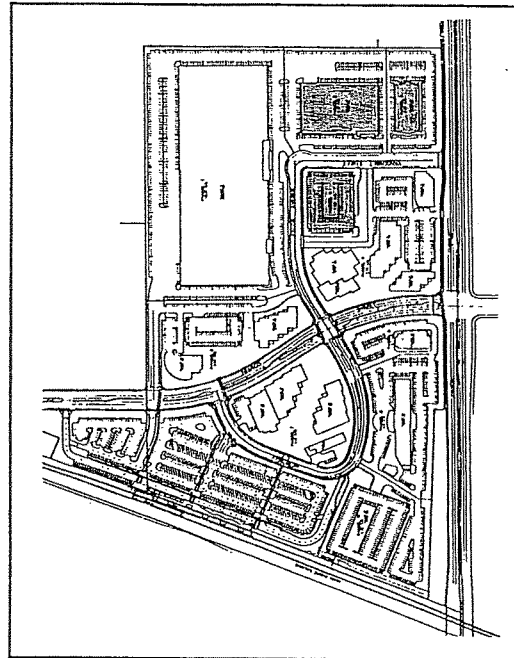
Full maturation of the Center will be market-driven: construction of structured parking and realization of the pedestrian "spine" are market-dependent concepts and shall constitute the **fourth and final stage** of the development program.

All street and utility improvements necessary to serve each phase of development shall be constructed with that phase.

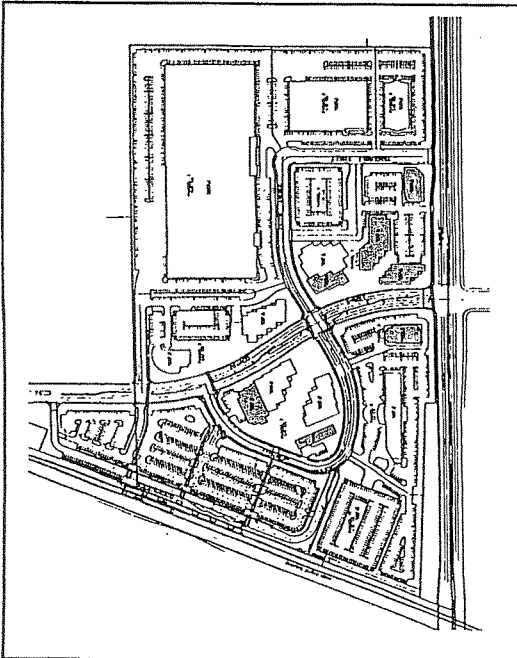
*Note to the Reader:* Vanderbilt Street was deleted from the Specific Plan at the request of the underlying landowner by administrative determination of the Planning Director in August, 2002. A revised Land Use Diagram reflecting the deletion, replacing Exhibit 2-1, is presented on page iii of the Preface at the front of this document. References to Vanderbilt Street throughout the text, and in diagrams and graphics, including those in this section, have not been deleted but instead have been retained for purposes of continuity.



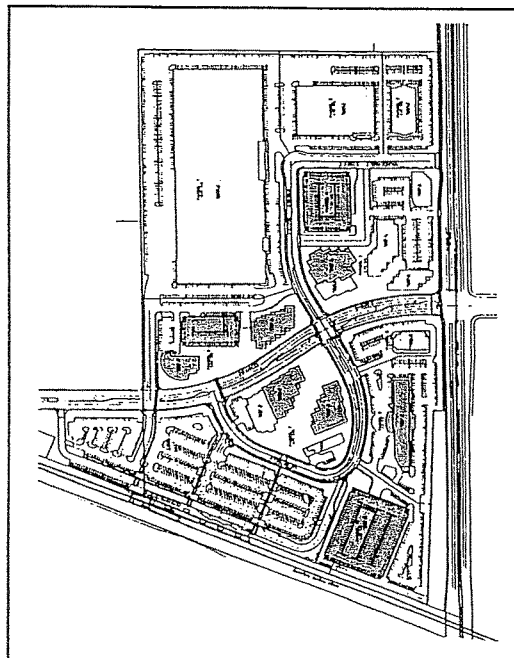
*Drawing 1: Phase One, Project Inception*



*Drawing 2: Phase Two Additions*



*Drawing 3: Phase Three Additions*



*Drawing 4: Phase Four, Project Completion*

The drawings to the left provide a graphic indication of the probable growth and realization of the project.

A change in emphasis from light industrial to more intensive business park uses is to be expected as Acco Airport Center Ontario matures. The pace of change may be gradual or possibly quite rapid. Ultimately, the type and pace of development will both be market-driven. The specific plan establishes a quality and character for development and provides for an orderly progression and intensification of use.

From the beginning, interim uses beneficial as part of a land-banking exercise should be accommodated, preserving options for future more intensive development of the land. Well-landscaped and lighted vehicular parking and simple "tilt-up" buildings are among the range of reasonable uses of land that neither compromise the long-term integrity of the plan nor foreclose later development opportunities.

It is also to be noted that certain amenities proposed by the plan to establish a pedestrian-friendly environment, specifically ones that seem purposeless in the initial years, are to be added incrementally over time concurrent with the intensification of land use and growth in levels of activity. While their implementation may be deferred, it is the responsibility of the project developer and the regulating agency to assure that opportunities for the "down-stream" incorporation of these amenities not be permanently foreclosed.

*Note to the Reader: In approving the Specific Plan, it was the City Council's direction that staff allow the developer the flexibility to defer construction of certain street and streetscape improvements to future phases of the project, but to require construction of the project's major "gateway" identification element concurrent with the first phase of development (see Council meeting minutes).*

Realization of the vision and the site's full potential are wholly dependent on the marketplace and on the initiative and coordinated efforts of both government and the private sector to achieve the plan's objectives.

### 5.3 DIVISION OF LAND

A tentative parcel map has been prepared to guide the division of land within Acco Airport Center.

This map, provided here for reference as Exhibit 5-2, was acted upon and adopted separately in accordance with the provisions of the Subdivision Map Act and the policies of the City of Ontario, its advisory boards, commissions and City Council.

The conditions of approval of the tentative map spell out all the requirements that will be imposed upon the project by the City, and include an itemized list of public improvements required.

A final parcel map must be recorded within 24 months after approval of the tentative map, or not later than October 3, 1999, or approval of the map shall expire on that date. The City may, under certain circumstances, extend the recording date of the final map by 12 months.

Before the final map is recorded, construction plans for all public improvements must be prepared by the developer's engineer and approved by the City, and bonds must be provided for the construction costs of these improvements. All public improvements shall be constructed within one year of final map approval.

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## 5.4 MAINTENANCE OF IMPROVEMENTS

Maintenance responsibilities within Acco Airport Center will be divided between the City of Ontario, various service agencies, the project developer, and individual property owners. The maintenance responsibilities of each are outlined in Exhibit 5-3, Summary of Maintenance Responsibilities.

At or early in project inception, a **Property Owners' Association** will be formed to assume certain maintenance liabilities. Until such time as the Association is formed, its maintenance responsibilities will be assumed by the project developer.

Pursuant to requirements of the City of Ontario, prior to any subdivision of the Specific Plan area or conveyance of property into multiple ownerships, **Conditions, Covenants and Restrictions (CC&R's)** shall be prepared to assure continued maintenance of project facilities.

### Streets and Streetscapes

The arterial, collector and local street rights-of-way through and adjacent to the Specific Plan area have been or shall be dedicated to the City of Ontario. Improvements shall be constructed to the standards set forth in this Specific Plan either by the City or by the project developer and dedicated to the City.

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Roadways will be maintained by the City in accordance with established policies. Internal collector roads and service drives within the project shall be privately maintained, either by a Property Owners' Association or by individual parcel owners.

Responsibility for the installation and maintenance of landscape in and along dedicated roads will be defined prior to the issuance of any tentative maps, and if private shall be regulated by CC&R's. Any private maintenance of public right-of-way shall be in accordance with the City standards in effect at the time of the City's initial acceptance of improvements.

The Property Owner's Association shall have blanket responsibility for the ongoing maintenance of "project streetscapes" (landscaping and signage) and the landscape buffers described in **Part Two, The Streetscape Plan**. Individual property owners shall be responsible for maintaining landscape setbacks, buffer plantings and sub-project entry

monumentation. CC&R's shall be recorded to guarantee such maintenance.

A **Maintenance District** will be set up to maintain street lighting within the area of the Specific Plan.

### Drainage Facilities

Master drainage facilities and connections to regional facilities are either built or shall be constructed under arrangements to be determined by development agreement.

The City shall retain the option to accept or not accept for maintenance any improvements constructed as interim facilities, but which are to be incorporated into the future permanent drainage system prior to the time such facility is upgraded to permanent status.

Where it is necessary to construct drainage improvements outside of public rights-of-way, drainage easements will be granted to the City of Ontario or to the San Bernardino County Flood Control District, as appropriate. Upon dedication, the City or District will assume responsibility for maintenance of the underground facilities only; maintenance responsibility for surface improvements within drainage easements will not be transferred.

Drainage facilities on private property in the absence of an easement will be considered to be private drains. Maintenance of such private drains will be the responsibility of the landowner or the Association charged with the general maintenance of the landscaping and other common improvements of the area in question.

### Water and Sewer

Construction of water and sewer facilities to serve the Acco Airport Center Specific Plan area are either built or shall be subject to a development agreement between the project developer and the City of Ontario. The City will assume responsibility for the ongoing maintenance of water and sewer facilities constructed within the public rights-of-way. The Chino Basin Municipal Water District (CBMWD) will retain maintenance responsibility for regional sewer lines, if any, serving adjacent property and crossing the Specific Plan area.

	PROJECT DEVELOPER	CITY OF ONTARIO	SAN BERNARDINO COUNTY FLOOD DISTRICT	CHINO BASIN MUNICIPAL WATER DISTRICT	UTILITY SERVICE AGENCIES	MASTER PROPERTY OWNERS' ASSOCIATION	MAINTENANCE/ASSESSMENT DISTRICT	INDIVIDUAL PARCEL DEVELOPER
PUBLIC STREETS		X						
MEDIANS						X		
PARKWAYS *See note below						X		
GATEWAY STATEMENTS CORNER TREATMENTS						X		
BUFFER PLANTING						X		
PROJECT SIGNAGE						X		X
STREET LIGHTING							X	
REGIONAL SEWER LINES				X				
WATER/SEWER FACILITIES WITHIN PUBLIC ROW		X						
WATER/SEWER FACILITIES OUTSIDE PUBLIC ROW								X
UTILITY SERVICES					X			
STORM DRAINAGE		X On-Site & Deer Creek	X Haven Avenue					

\* In certain locations "landscape easements" by the project developer are intended to supplement the dedicated parkways within the public right-of-way. The combined landscape area has been referenced herein as "parkway" as well as in the Streetscape Cross Sections of The Streetscape Plan.

Water or sewer improvements constructed outside of public rights-of-way will require access easements be dedicated to the City of Ontario or Chino Basin Municipal Water District, as appropriate. Upon dedication, the City or District will assume responsibility for maintenance of the underground facilities only; maintenance responsibility for surface improvements within drainage easements, other than those facilities for which the easement was specifically granted, will not be transferred.

Water and sewer facilities located on private property in the absence of an easement will be considered to be private facilities. Maintenance of such private facilities will be the responsibility of the landowner or the Association charged with the general maintenance of the landscaping and the common improvements of the area in question.

### Other Utilities

The Southern California Gas Company will maintain natural gas lines within the project site. Southern California Edison will maintain on-site electrical facilities. General Telephone will maintain telephone facilities.

Exhibit 5-3: Matrix of Maintenance Responsibilities

## 5.5 DEVELOPMENT PLAN REVIEW

The Acco Airport Center Specific Plan shall be implemented through the use of Development Plan Review.

A **Development Plan** shall consist of plans, drawings, illustrations, designs, reports and other detailed information as required to determine compliance with the provisions of the Specific Plan and responsiveness to its design guidelines.

A Development Plan shall be required for all new development and for the rehabilitation, redevelopment, and expansion or intensification of existing use or structures within the Specific Plan area should such be proposed in the future. A Development Plan will not be required for changes to existing structures where there is no square footage increase or use intensification. An applicant may opt for Development Plan review where it is not required herein.

Procedural and content requirements for the review and approval of individual development projects within the Specific Plan area are set forth in the following paragraphs.

### Procedures

An **Approving Agent** for Acco Airport Center shall be designated to review and approve all individual and sub-project development plans for portions of the Specific Plan area prior to their review and approval by the City of Ontario.

The Approving Agent for ACCO Airport Center shall be Cucamonga Vintners, its successors and assigns, or any person or company they shall contract and designate as their Approving Agent.

A Development Plan "package", which contain plans, drawings, illustrations, designs, reports and other detailed information as required herein, shall be submitted first to the Approving Agent for approval and thereafter to the City for review and comment. Applicants are encouraged to submit preliminary plans for review and comment by both the Approving Agent and the Ontario Planning Department prior to the final preparation of a Development Plan. Comment from other City departments and service agencies shall be sought by City staff prior to preparing a recommendation on the finalized Development Plan.

Applicants should insure that they familiarize themselves with this Specific Plan. This will assist in achieving consistency with the Plan's provisions and generally facilitate project processing.

Upon determination that the Development Plan complies with the provisions of the Specific Plan, Planning Department staff shall prepare a report with recommendations which shall be submitted along with the Development Plan to the City of Ontario **Development Advisory Board (DAB)** at the earliest possible regular meeting thereof. The Development Advisory Board (DAB) shall approve, deny or recommend conditional approval of the Development Plan.

### Submittal Requirements

Submittals shall contain the following information:

- a. All applicable tentative tract maps or tentative parcel maps.
- b. A legal and physical description of the site, including boundaries, easements, existing topography, natural features, existing buildings, structures and utilities.
- c. Location, grades, widths and types of improvements proposed for all streets and lots.
- d. A plan showing location of all structures, landscape and hardscape areas, parking area, walks, internal circulation, access, adjacent streets, signs and their placement, and fences and walls.
- e. A tabulation of square footage, area devoted to parking, landscape coverage, building heights and, if applicable, number of hotel rooms.
- f. A description of the extent to which Specific Plan Design Guidelines have been addressed in the Plan.
- g. Applications as required by the City of Ontario.



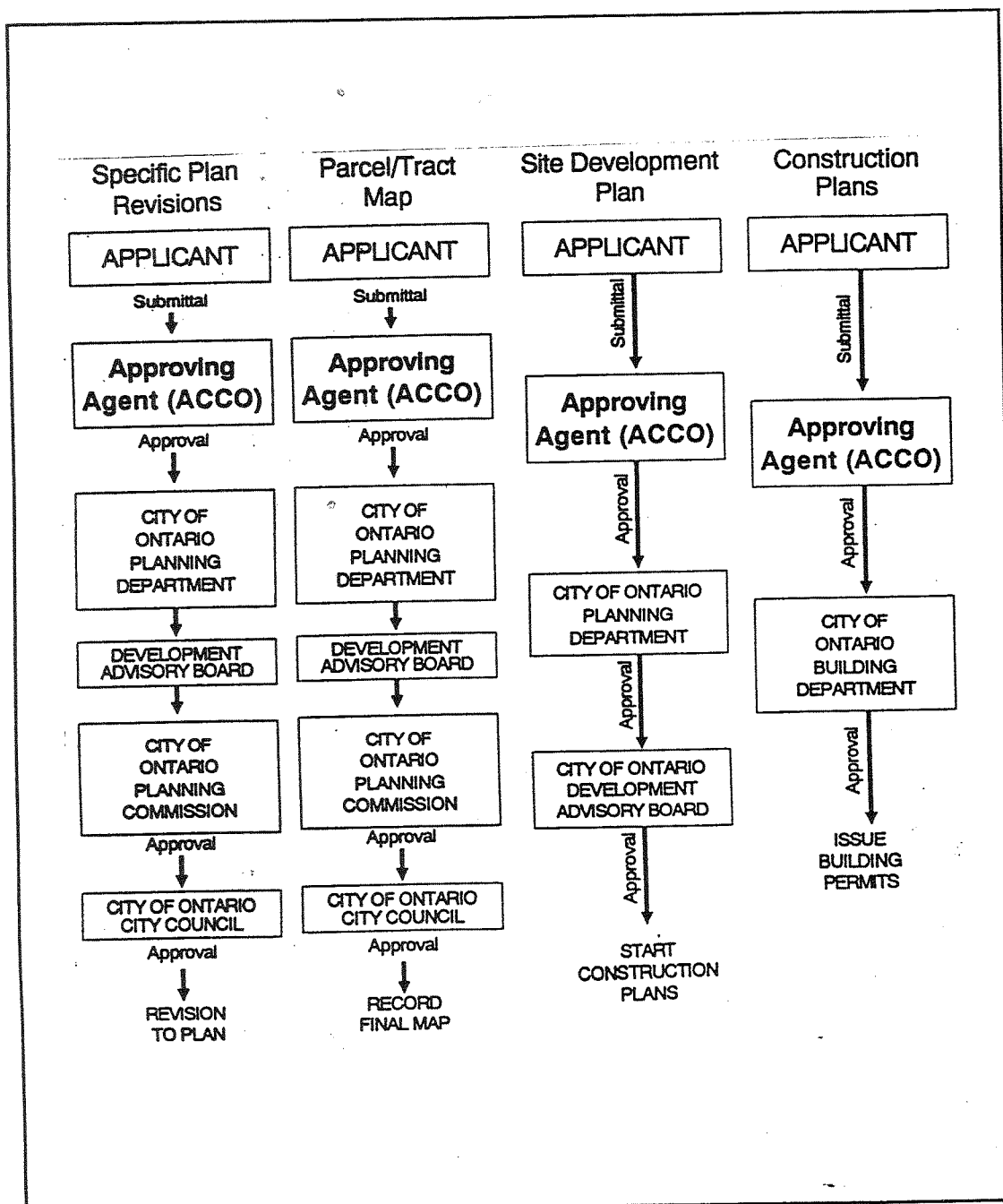


Exhibit 5-4: Project Review and Approval Process

## Plan Review and Approval

### Consistency Check

The Specific Plan is intended to encourage design flexibility yet it does provide certain direction that is quite critical.

A Development Plan's consistency with the Specific Plan shall be evaluated by checking it against the three parts of the Specific Plan that regulate development; the component plans, the development regulations and the design guidelines.

The **initial screen** for plan consistency is with **Part Two: Component Plans** of this document. A development plan for a proposed project must be consistent with the provisions of the four component plans of this Specific Plan: the Land Use Plan, the Circulation Plan, the Streetscape Plan, and the Infrastructure Plan. The Plans establish the "framework" within which all development shall occur and compliance is mandatory.

The **second check** for plan consistency will be full compliance with **Part Three, Development Regulations**, of the Specific Plan. Standards and requirements to which all individual projects must conform, in addition to Chapter 3 of the Ontario Municipal Code, are set forth therein.

The **third check** for plan consistency is with **Part Four: Design Guidelines**. Additional design criteria which must also be addressed by individual projects are presented therein, but it is the "intent" of the guidelines that must be followed and there is considerable latitude in the forms of response.

### Mandatory Findings

The approving authority, be it the Approving Agent for Acco Airport Center or the Ontario Development Advisory Board (DAB), shall make the following written findings before approving or conditionally approving any Development Plan.

- The proposed project is compatible with the purpose and intent of the Specific Plan;
- The plan will not have an adverse impact on the public health, safety, interest or general welfare; and
- The Development Plan satisfies all mandatory requirements of the Specific Plan and is in conformance with the "intent" of the design guidelines set forth therein.

If a proposed project does not fully respond to the Specific Plan priorities stated, the project applicant is encouraged to consult with Planning and Engineering Department staffs to discuss some options to bring the plan into consistency with the Specific Plan. A project may move forward with recommendations of the conditions which need to be placed on the project or design changes that need to be accomplished.

An appeal from any determination, decision, or requirement of City staff or the Development Advisory Board shall be made to the Planning Commission and to the City Council in conformance to the appeal procedures established by the Ontario Municipal Code.

### **Time Limitations**

Approval of a Development Plan shall be required prior to or concurrent with the processing of a Tentative Tract or Parcel Map for all proposed projects within the Specific Plan area. Where no Tentative Tract or Parcel Map is required, approval of the Development Plan must occur prior to issuance of a building permit.

Development Plan approval shall be valid for a period of one year plus reasonable extensions pursuant to the Municipal Code. If construction of a project does not commence within that period and proceed with due diligence thereafter, the approval of the Development Plan shall terminate and an additional submittal, review and approval will be required.

### **Environmental Determinations**

The Development Plan Review process is discretionary, not ministerial, and is therefore subject to the requirements of the California Environmental Quality Act (CEQA).

The environmental impact determination made for this Plan in accordance with CEQA will apply to all future Development Plans, tentative tract maps, parcel maps, and any other development processed in conformance with this Specific Plan's requirements. Future development projects that are consistent with this Specific Plan will require either no further environmental documentation or, in special cases, focused environmental analysis and action pursuant to Section 15162 of the CEQA Guidelines.

### **Revisions to Approved Plans**

Revisions to Development Plans shall be submitted for review and approval by the City of Ontario Development Advisory Board (DAB).

## **5.6 PLAN MONITORING**

The Specific Plan is an implementation tool, a guide to development. Numerous anticipated and unanticipated changes will occur in the future, and to be viable the Plan must be flexible and responsive to change.

It is important, from time to time, to evaluate what is taking place, how it compares to the Plan's proposals, and whether or not the Plan needs to be changed.