

PACIFIC GATE-EAST GATE SPECIFIC PLAN

VII. MAINTENANCE

Maintenance responsibilities within the Pacific Gate-East Gate Specific Plan area will be divided between the City of Ontario, special districts, property owners' association(s), and individual property owners. The maintenance responsibilities of these organizations are outlined in Table VII-1.

Covenants, Conditions, and Restrictions (CC&R's) will be prepared for the East Gate portion of the plan area, or existing CC&R's for the Pacific Gate portion expanded to include the East Gate portion as discussed previously, and a property owners association formed, to the satisfaction of the Planning Department in order to guarantee the maintenance of specific facilities within the specific plan area.

A. STREETS

Each of the streets identified within this plan have been or will be dedicated to the City, and will be maintained by the City in accordance with established City policies.

B. LANDSCAPE AND LIGHTING FACILITIES

Pedestrian facilities constructed on private property will be maintained by individual property owners. In addition, each property owner will be responsible for maintaining their respective portion of parkway landscaping, including landscape easements adjacent thereto, and project entry monumentation on their property. The property owner's association shall be responsible for the maintenance of common landscape areas specifically including

parkway rights-of-way along the eastern side of Rochester Avenue, the westerly side of Kettering Drive, and parkway dedications along Airport Drive (including 3' landscape easement), Sarah Place, and Jurupa Street. A maintenance district has been established for the maintenance of street lighting within the subject area.

C. DRAINAGE FACILITIES

Permanent drainage improvements within the Pacific Gate-East Gate Specific Plan area have been or will be constructed within the basic rights-of-way, and dedicated to either the City or appropriate district for maintenance.

Where it is necessary to construct drainage improvements outside public rights-of-way, drainage easements will be dedicated to the City of Ontario or 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.

D. WATER AND SEWER

The City of Ontario has assumed responsibility for the maintenance and monitoring of water and sewer facilities to be constructed within public rights-of-way within the Pacific Gate-East Gate Specific Plan area. The Chino Basin Municipal Water District will retain maintenance responsibility for regional sewer lines crossing the project site.

Where it is necessary to construct water or sewer improvements outside of public rights-of-way, easements will be dedicated to the City of Ontario or Chino Basin Municipal Water District, as appropriate. Upon acceptance of 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 other common improvements of the area in question.

E. OTHER FACILITIES

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.

SUMMARY OF MAINTENANCE RESPONSIBILITIES

TABLE
VII-1

	PROPERTY OWNERS' ASSOCIATION	MAINTENANCE DISTRICT	INDIVIDUAL PROPERTY OWNER	CITY OF ONTARIO
PARKWAY LANDSCAPE WITHIN DEDICATED RIGHTS OF WAY (INC. 3' EASEMENTS ALONG AIRPORT DR.)	★			
STREET LIGHTING		★		
PUBLIC STREETS				★
LANDSCAPE, SIDEWALKS, AND HARDSCAPE ON PRIVATE PROPERTY			★	
PUBLIC STORM DRAINS				★
PROJECT SIGNAGE	★			
INDIVIDUAL SIGNAGE			★	

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VIII. APPROVAL AND AMENDMENT PROCESS

A. REQUIRED APPROVALS

1. Pacific Gate-East Gate Specific Plan Submittal Packages

Any proposed resubdivision of any parcel or the construction of any improvement within the Pacific Gate-East Gate Specific Plan area must be approved by the City of Ontario in accordance with its subdivision ordinance and the State Subdivision Map Act.

2. Development Site Plans

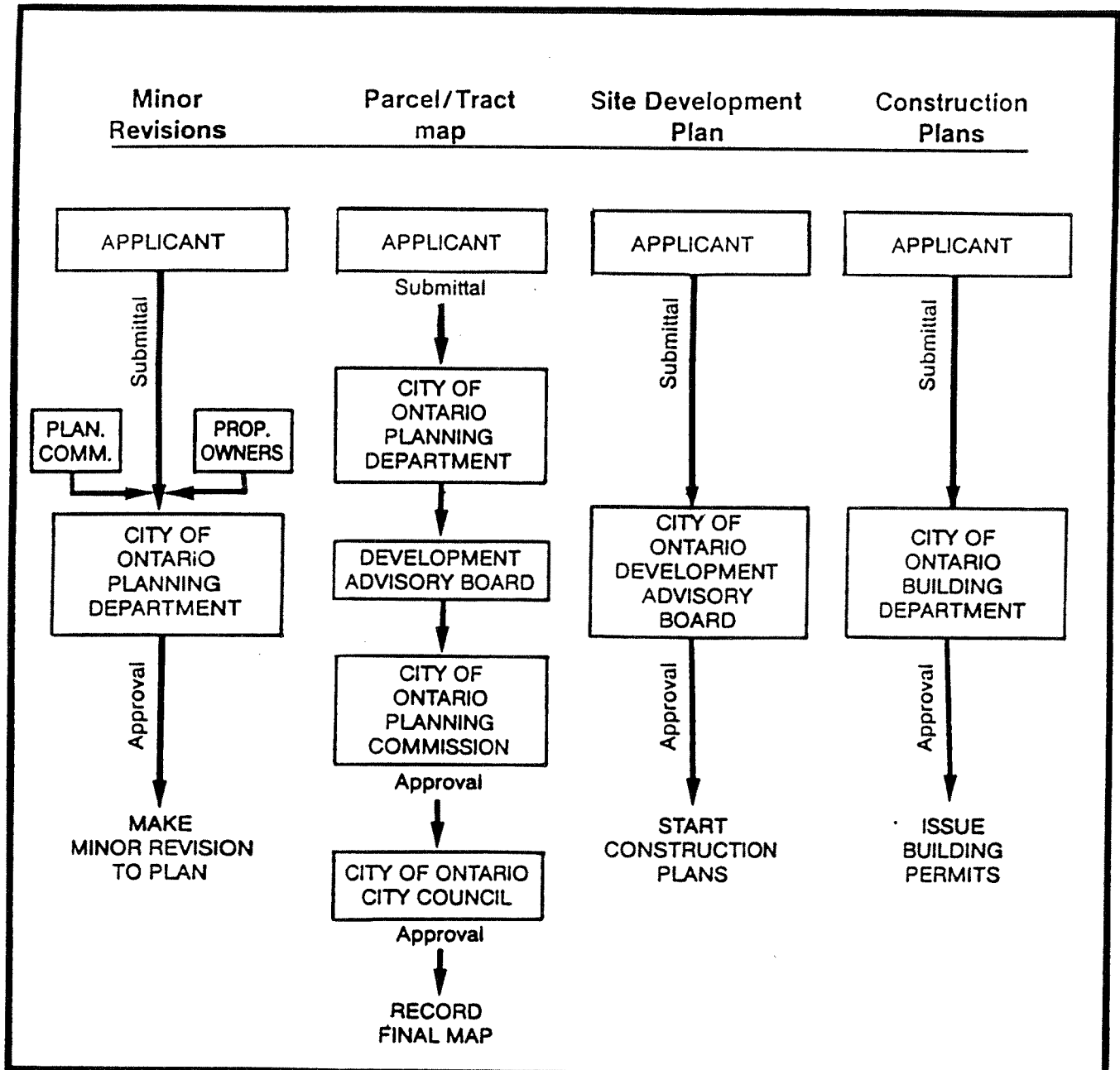
Site development plans shall be subject to review and approval by the City of Ontario Design Approval Board (DAB). The Development Plan Review Application Form, City of Ontario 84-4 (4/84) is included in the Appendix of this report for reference (see Figure VIII-A-1, Plan Submittal Guideline Flow Chart.)

3. 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. A copy of the City of Ontario Notice of Intent Form is included within the Appendix of this plan. The City of Ontario's planning staff reviews all Environmental Evaluations prior to the DAB meeting on development site plans.

PLAN SUBMITTAL GUIDELINE FLOW CHART

FIGURE
VIII-A-1



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B. MINOR REVISIONS

Minor revisions to the Specific Plan that relate to rearrangements, transfer or exchange of land use designations within the Specific Plan may be approved subject to the following conditions:

- a. The applicant shall submit an analysis of the proposed land use rearrangement to ascertain the following:
- b. The rearrangement does not create adverse impacts on traffic volumes and circulation adjacent to areas of land use category exchange.
- c. The rearrangement does not create adverse impacts on sewer, water and other infrastructure capacities in the areas of land use category exchange.
- d. The surrounding property owners within three hundred feet (300') of the proposed land use category exchange shall be notified, in writing, of the proposed rearrangement. The applicant shall provide names and addresses of the affected property owners and shall pay all postage costs. If any affected party, including property owners, objects to the rearrangement(s), the proposal shall be subject to the requirements of a "major amendment" to the Specific Plan.
- e. Concurrently the Planning Commission members shall be notified by mail of the proposed land use category rearrangement. The Planning Commission members will have ten (10) days from the date of their receipt of notice in which to comment on the proposal. If the Planning Commission members have no objection to the proposed land use

rearrangement, the proposal will be placed on the next Planning Commission agenda as a consent item. If any member of the Planning Commission has a concern with the proposed land use rearrangement, then the proposal shall be subject to requirements for a "major amendment" to the Specific Plan.

- f. An application for land use category rearrangement shall be accompanied with the appropriate amount of fees as approved by the existing resolution of the City Council for a revision to a specific plan.

C. MAJOR AMENDMENTS

A major amendment to the Specific Plan will require review and approval by the City of Ontario Development Advisory Board, the Planning Commission, and the City Council. Such major 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.

D. APPEALS

An appeal of any determination, decision, or requirement of staff, Development Advisory Board, or the Planning Commission shall be made to the City Council in conformance to the appeal procedures established by Section 9-3.3400 of the Ontario Municipal Code.