4.0 LAND USE PLAN AND DEVELOPMENT REGULATIONS

4.1 LAND USE PLAN, PERMITTED USES, CONDITIONALLY PERMITTED, AND PROHIBITED USES

A. LAND USE PLAN

Land uses within Shea Business Center will include a mix of industrial, commercial, and office uses intended to respond to a wide range of demands, while offering a variety of development and employment opportunities, all within an integrated setting. The Land Use Plan has been designed to allow for future flexibility in determining specific land uses and their intensity, so that as market demands change over time, the project can respond to those changes. For the purposes of this discussion, the "east" end of the site shall refer to the area of the project located east of the eastern boundary of the former Southern California Edison (SCE) property. The "west" end of the site refers to the land located west of the eastern boundary of the former SCE parcel, north of the railroad tracks.

The plan allows for a variety of land use types. It is the goal to locate the larger structures toward the easterly end of the project site to accommodate large warehouse buildings. Uses such as retail, manufacturing, business park, campus-like offices, and smaller distribution facilities that are more employee/customer intensive than large distributors should be located towards the west end of the site. While warehouse/distribution uses may be located throughout the project area, the intent of this land use concept is to vary the building scale and mass so that there is some variation in appearance of structures and to accommodate a land use mix now and in the future.

To achieve this goal, warehouse/distribution uses proposed in the **west** end of the site shall:

- include alternative parking lot layouts, at the time of site plan submittal to the City, which illustrate that the site can be parked to meet manufacturing parking standards. This will ensure that such a distribution building has the potential to be converted to a more employee/customer intense use in the future.

- be evaluated with respect to the design (including colors and materials), orientation, configuration, setbacks, separations or size of the proposed buildings to assist in off-setting the perceived mass or scale associated with the large warehouse-distribution buildings, which may be located further east.

If warehouse uses are proposed for the entire site, the scale, mass and design of the buildings shall meet the above stated requirements, the goals identified herein and the design guidelines identified in Sections 4.3, 4.6 and 5.5 of this Specific Plan.

The circulation patterns, utility systems and overall design of the plan will meet future needs and probable changes in demand. Rail service may be provided to buildings located along the Southern Pacific rail line. This is an important concept in a region that is experiencing rapid growth. Illustrative street and landscape designations are shown in Exhibit 22, Conceptual Landscape Plan.

B. PERMITTED AND CONDITIONALLY PERMITTED USES

The following uses may be permitted within the Shea Business Center. Land uses shown with a (C) are permitted subject to approval of a Conditional Use Permit (CUP) by the City of Ontario. The intent of the CUP process is to deal with parking, signage, and compatibility with adjoining uses.

As the market changes over time, reuse of buildings for uses other than those for which the structures were originally built may be proposed on the site. Proposals for reuse of any structure for other than its previous use will require a Conditional Use Permit, the purpose of which is to determine if adequate parking exists for the proposed re-use and to ensure that all other site/use issues are compatible.

Manufacturing and Assembly:

- Auto and Light Truck Repair – Minor (C)
- Auto and Light Truck Repair – Major (C)
- Custom Manufacturing and Assembly
- Light Manufacturing and Assembly
- General Manufacturing and Assembly
- Research, Development and Testing

Wholesale, Storage and Distribution

- Light Wholesale, Storage, and Distribution
- General Wholesale, Storage, and Distribution

Commercial Uses

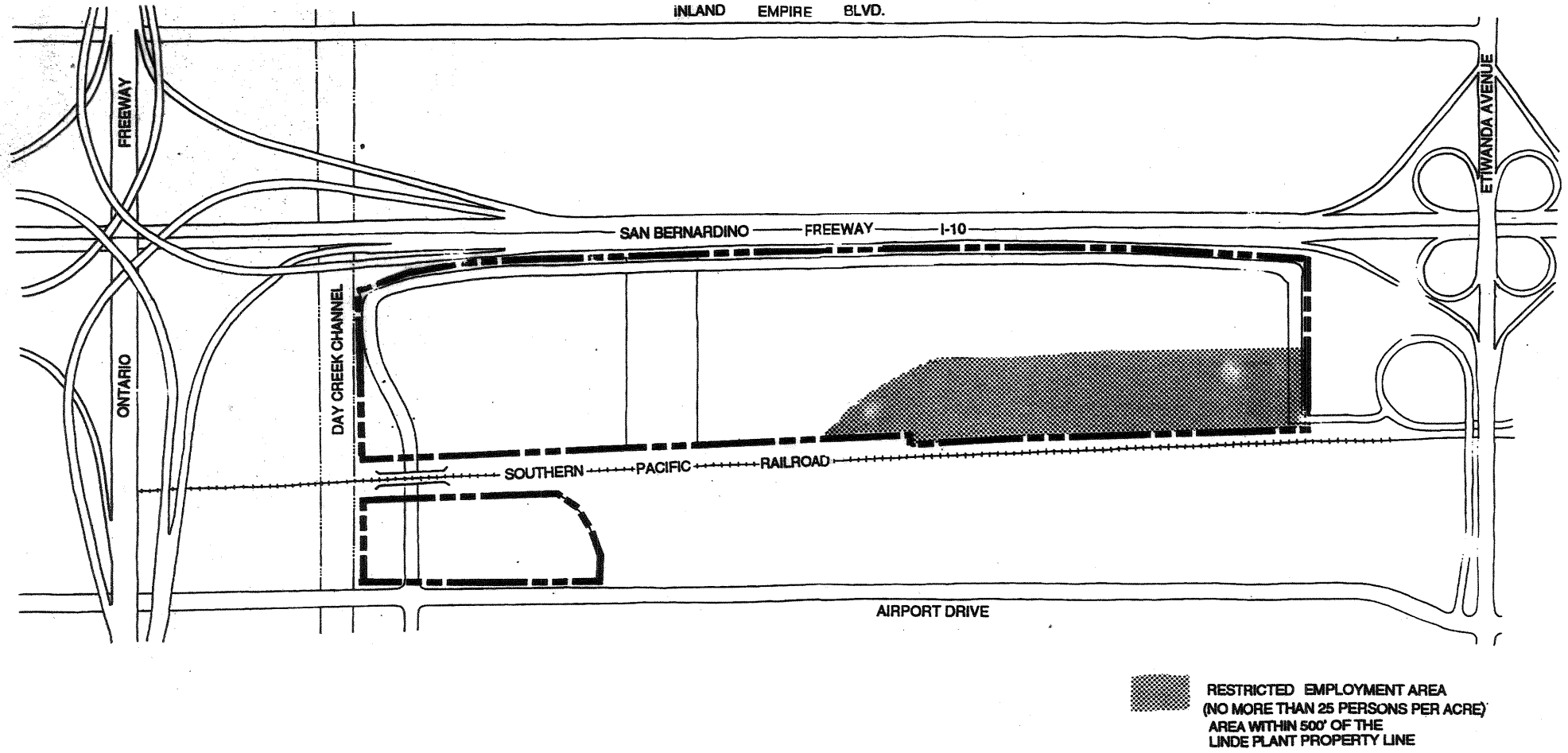
- Administrative/Professional Offices
- Automotive Fleet Storage (only in conjunction with permitted uses)
- Automotive Rental Agencies
- Automotive Service Station (C)
- Building Maintenance Services
- Business Supplies and Sales
- Building Supplies and Services
- Business Support Services
- Communication Services
- Convenience Sales and Services
- Durable Goods Sales, Wholesale and Retail (C)
- Eating and Drinking Establishments
- Fast Food Sales (C)
- Financial Institutions
- Food and Beverage Sales
- Health Clubs and Spas (C)
- Laundry Services
- Personal Services (C)
- Repair Services
- Retail Sales of Goods Produced Onsite (C)
- Vocational Trade Schools (C)

Public Facilities and Utilities

Notes:

1. Development in the "Restricted Employment Area" shown in Exhibit 7 shall be restricted to a density not to exceed twenty five (25) persons per acre.

Exhibit 7



RESTRICTED
EMPLOYMENT AREA

C. PROHIBITED LAND USES

It is the specific intent of this section to prohibit Adult Businesses as defined by the City of Ontario Municipal Code, Section 9–3.200(e). Additional land uses prohibited in the Shea Business Center include those listed in Section 9–3.1710 of the Ontario Municipal Code.

4.2 DEFINITIONS OF LAND USE TYPES

Permitted, conditionally permitted, and limited uses identified above are defined as follows:

A. MANUFACTURING AND ASSEMBLY USE TYPES

Automotive and Light Truck Repair–Minor: Activities typically include automotive and light truck repair, the retail sale of goods and services for automotive vehicles and light trucks (less than 6,000 lbs.), and the cleaning and washing of automotive vehicles. Uses typically include, brake, muffler and tire shops and drive–through washes. Heavier automobile repair such as transmission and engine repair and auto body shops are not included. This use is permitted subject to approval of a Conditional Use Permit by the City of Ontario.

Automotive and Light Truck Repair–Major: Activities typically include automotive and light truck repair, heavy automobile and truck repair, such as transmission and engine repair, automotive painting and body work, and the installation of major accessories. This use is permitted subject to approval of a Conditional Use Permit by the City of Ontario.

Custom Manufacturing and Assembly: Activities typically include manufacturing, processing, assembling, packaging, treatment, or fabrication of custom–made products such as jewelry, furniture, art objects, clothing, instruments, and the onsite wholesale of the goods produced. The uses do not produce odors, noise, vibration, or particulates which would adversely affect uses in the same structure or on the same site.

Light Manufacturing and Assembly: Activities typically include research and development with laboratories; manufacturing, assembly, or repair processes which do not involve frequent truck trips or the transport of large scale products. The activities do not produce odors, noise, vibration, or particulates which would adversely affect uses within the same structure or on the same site.

General Manufacturing and Assembly: Activities typically include manufacturing, compounding of materials, processing, assembly, packaging, treatment, or fabrication activities which may have frequent truck traffic or the transportation of large scale products. Not permitted within this area are uses which require massive structures outside of buildings such as cranes or conveyer systems, or unscreened open air storage of large quantities of raw, semi–refined, or finished products.

Research, Development, and Testing: Activities typically include scientific research and theoretical studies and investigations in the natural, physical, or social sciences; engineering, fabrication, and testing of prototypes developed with the objective of creating marketable end products; and the performance of physical and environmental testing and related activities.

B. WHOLESALE, STORAGE, AND DISTRIBUTION USES

Light Wholesale, Storage, and Distribution: Activities typically include wholesaling, storage, and warehousing services within enclosed buildings; storage and wholesale to retailers from the premises of finished goods. Excluded are trucking services and terminals; storage and wholesaling from the premises of unfinished, raw, semi–refined products requiring further processing, fabrication, or manufacturing; and outdoor storage.

General Wholesale, Storage, and Distribution: Activities typically include warehousing, storage, freight handling, shipping, trucking services and terminals; storage and wholesaling

from the premises of unfinished, raw, semi–refined products requiring further processing, fabrication, or manufacturing. Outdoor storage is permitted subject to applicable screening requirements.

C. COMMERCIAL USE TYPES

Administrative and Professional Offices: Activities typically include executive management, administrative, or clerical uses of private and public utility firms. Additional activities include the provision of advice, design, information or consultation of a professional nature. Uses typically include corporate headquarters, branch offices, data storage centers, architect's, lawyer's, insurance sales, financial planner's and accountant's offices.

Automotive Fleet Storage: Activities typically include the storage of vehicles used regularly in business operations and not available for sale on site. Such uses typically include overnight storage of rental cars, mobile catering trucks, and taxi cabs. This use is permitted only in conjunction with other permitted or conditionally permitted uses.

Automotive Service Station: Activities typically include the sale from the premises of goods and the provision of services normally required in the daily operation of motor vehicles, including the principal sale of petroleum products, the incidental sale of replacement items, and the performance of minor repairs. Also included is the washing of vehicles as a incidental use. This use is permitted subject to approval of a Conditional Use Permit by the City of Ontario.

Building Maintenance Services: Activities typically include maintenance and custodial services, window cleaning services, disinfecting and exterminating services, and janitorial services.

Building Supplies and Sales: Activities typically include "to the trade" sale or rental from the premises of goods and equipment, including paint, glass, hardware, fixtures, electrical supplies and lumber and hardware stores. Outdoor storage may be permitted subject to screening requirements.

Business Supplies and Services: Activities typically include retail sales; rental or repair from the premises of office equipment, office supplies; and similar office goods primarily to firms and other organizations utilizing the goods rather than to individuals. The sale or rental of motor vehicles and the sale of materials used in construction of buildings or other structures is excluded from this use type.

Business Support Services: Activities typically include firms rather than individuals of a clerical, employment, or minor processing nature, including multi–copy and blueprint services. The printing of books, other than pamphlets and reports for another firm, is excluded from this use type.

Communication Services: Activities typically include broadcasting and other information relay services accomplished primarily through use of electronic and telephonic mechanisms. Uses typically include, television and radio studios and telegraph offices.

Convenience Sales and Services: Activities typically include the retail sales from the premises of frequently needed small personal convenience items and professional services which are used frequently. Uses typically include drug stores; stores selling toiletries or magazines; beauty and barber shops; florist shops; and apparel laundering and dry cleaning agencies. This use is permitted subject to approval of a Conditional Use Permit by the City of Ontario.
Durable Goods Sales, Retail: Activities typically include the retail sales from premises of durable goods which are purchased infrequently. Uses typically include furniture, piano and organ, major appliance (e.g. refrigerators), and carpet and flooring stores. This use is permitted subject to approval of a Conditional Use Permit by the City of Ontario.

Durable Goods Sales, Wholesales: Activities typically include the sale of durable goods to other business and industry generally resale or use in manufacturing process.

Eating and Drinking Establishments: Activities typically include the retail sale from the premises of food or beverages prepared for on–premises consumption. Uses typically include restaurants and bars,

Entertainment: Activities typically include sports performed either indoors or outdoors; cultural, educational, and entertainment services within an enclosed building to assembled groups of spectators or participants, as well as activities typically performed at private and non–profit clubs and lodges. Uses typically include swimming centers, skating rinks, bowling alleys, dance halls, theaters and meeting halls. This use is permitted subject to approval of a Conditional Use Permit by the City of Ontario.

Fast Food Sales: Activities which typically include the retail sale from the premises of easily prepared foods and beverages such as; sandwiches, hamburgers, hot dogs, chicken, and tacos for either on–site or off–site consumption. Uses may not include drive thru type restaurants. This use is permitted subject to approval of a Conditional Use Permit by the City of Ontario.

Financial Institutions: Uses typically include banks, savings and loans, and credit unions.

Food and Beverage Sales: Activities typically include the retail sale from the premises of food and beverages for off–premises consumption. Uses typically include food markets, liquor stores, and retail bakeries.

Health Clubs and Spas: Activities typically include sport and health–related activities performed either indoors or outdoors. Uses typically include but are not limited to, health clubs, spas, gyms, and tennis clubs. This use is permitted subject to approval of a Conditional Use Permit by the City of Ontario.

Laundry Services: Activities typically include institutional or commercial linen supply and laundry services, dry cleaning plants, rug cleaning, and diaper service laundries.

Personal Services: Activities typically include, information, instruction and similar services of a personal nature. Uses typically include driving schools, travel bureaus and agencies, and photography studios. This use is permitted subject to approval of a Conditional Use Permit by the City of Ontario.

Repair Services: Activities typically include the repair of consumer goods and appliances, including computers, electrical equipment, home and business electronics, glass, refrigeration equipment, safes and vaults, typewriters, vending machines, and watches and clocks. Repair of motor vehicles is specifically excluded from this land use category.

Vocational and Trade Schools: Activities typically include organized instruction of work–related skills by private institutions and firms. This use is permitted subject to approval of a Conditional Use Permit by the City of Ontario.