



INTRODUCTION



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CHAPTER 1 - INTRODUCTION

1.1 SPECIFIC PLAN PURPOSE

The underlying purpose of this Specific Plan is to guide the development of a 376.3-acre property into a master-planned commerce center, known as the MERRILL COMMERCE CENTER. The site is located within the southwestern portion of the City of Ontario (City) in an area known as Ontario Ranch. The Ontario Policy Plan requires the Ontario City Council to approve Specific Plans as part of the entitlement process for new development projects in this area.

Implementing development projects within the boundaries of the MERRILL COMMERCE CENTER are required to demonstrate substantial conformity with the information contained in this Specific Plan document.

Situated in proximity to three major freeways, the Ontario International Airport (ONT), and the Chino Airport, the MERRILL COMMERCE CENTER is poised to successfully accommodate uses that rely on access to the local and regional transportation network. The Specific Plan area is located approximately 1.8 miles east of State Route 83, 2.75 miles south of State Route 60, 3.25 miles west of Interstate 15, 4.0 miles southeast of the Chino Transit Center, and 7.0 miles north of State Route 91. Additionally, the Port of Long Beach and the Port of Los Angeles, which serve as major gateways to international trade, are located only ± 53 miles to the southwest of the Specific Plan area. The property's location at the junction of these major transportation facilities establishes a clear advantage for land uses that rely on proximity to the transportation network to remain competitive.

Why Ontario?

Ontario is a thriving community with a strong business and employment hub located approximately 53 miles east of downtown Los Angeles in the western part of the Inland Empire metropolitan area. The City is conveniently located near regional transportation facilities and is home to the Ontario International Airport, making it an ideal location for a variety of business park and industrial land uses, including but not limited to corporate headquarters, e-commerce fulfillment centers and other goods movement/ supply chain uses.



1.2 SPECIFIC PLAN OBJECTIVES

This Specific Plan achieves the following objectives:

- To provide a land use plan for the development of a state-of-the-art commerce center that accommodates modern business and industrial activities.
- To attract and sustain industrial and business park uses within the Specific Plan area that are compatible with surrounding land uses.
- To locate businesses that rely on transportation efficiency in an area of south Ontario that offers convenient access to the state highway system.
- To provide opportunities for positive economic benefit to the City, including new net revenues to the General Fund which can be used for vital City services.
- To diversify the City's available range of employment-generating land uses.
- To improve connectivity in the area by providing multi-purpose trails and bike racks that encourage circulation by means not completely dependent on a motorized vehicle.
- To identify capital improvements for water, recycled water, sewer, storm drain, and circulation facilities that serve planned land uses within and adjacent to the Specific Plan area.
- To define guidelines and standards for architecture, landscaping, entry monuments/signage, and walls and fencing within the Specific Plan area.
- To set forth a development phasing sequence that is aligned with a logical sequence for the installation of supporting on-site and off-site infrastructure.



The MERRILL COMMERCE CENTER Specific Plan brings jobs, sustainable economic growth, and business opportunities to the southern portion of Ontario. Its contemporary design is an attractive asset for the City and complements other surrounding employment and supply chain developments in Ontario and the surrounding metropolitan area.

1.3 AUTHORITY

This Specific Plan is a regulatory document prepared pursuant to the provisions of California Government Code §§ 65450 through 65457, which grants local government agencies the authority to prepare Specific Plans for the systematic implementation of their General Plan for all or part of the area covered by the General Plan. While the Ontario Plan covers the entire City, the Specific Plan concentrates on the specific development of the approximately 376.3-acre MERRILL COMMERCE CENTER property.

California Government Code §§ 65450 through 65457 establish the authority to adopt a Specific Plan, identify the required contents of a Specific Plan, and mandate consistency with the General Plan. According to California Government Code § 65451:

- (a) A Specific Plan shall include text and a diagram which specify all the following in detail:
 - (1) The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
 - (2) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
 - (3) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.

- (4) A program of implementation measures including regulations, programs, public works projects, and financing measures, necessary to carry out items (1), (2), and (3).

- (b) The Specific Plan shall include a statement of the relationship of the Specific Plan to the General Plan.

This Specific Plan includes each of the required elements listed above and establishes the essential link between the policies of The Ontario Plan's Policy Plan and the MERRILL COMMERCE CENTER property. All future development plans and implementing construction activities within the MERRILL COMMERCE CENTER are required to be consistent with the requirements set forth in this Specific Plan and with all other applicable City regulations.

1.4 SEVERABILITY

This Specific Plan document enables the City of Ontario to facilitate the processing and approval of development plans and implementing permits to build out the MERRILL COMMERCE CENTER. If any regulation, condition, program, or portion of this Specific Plan is held invalid or unenforceable, such portions shall be deemed separate, distinct, and independent provisions, and the invalidity of such portions or provisions shall not affect the validity and enforceability of the remaining provisions contained herein.

1.5 APPROVAL PROCESS AND COMPANION ACTIONS

This Specific Plan and any future amendments are required to be considered by the City of Ontario Planning Commission and City Council, and adopted by ordinance or resolution of the City Council, pursuant to Development Code Section 1.01.035: Specific Plans and Amendments. More information on implementation procedures is contained in Chapter 7, *Implementation Plan*.

A Policy Plan (General Plan) Amendment (GPA) was processed concurrently with this Specific Plan. The GPA was a companion action to the approval of this Specific Plan that achieved consistency between the General Plan land use designations, this Specific Plan's land use designations, and zoning.

Additionally, a subdivision map will be approved by the City of Ontario for the Specific Plan area indicating the approximate boundaries and dimensions of parcels and streets and the proposed grading for the MERRILL COMMERCE CENTER. Following map recordation, the final map will become the legal document that identifies developable parcels within the Specific Plan.

Approval of the MERRILL COMMERCE CENTER Specific Plan also is accompanied by an application for the approval of a development agreement. California Government Code §§ 65864-65869.5 authorize the use of development agreements between any city, county, or city and county, with any person having a legal or equitable interest in real property for the development of the property.

In addition to this Specific Plan and the accompanying GPA, subdivision map, and development agreement, an Environmental Impact Report (EIR) was certified in compliance with the California Environmental Quality Act (CEQA) to serve as the project-wide

environmental assessment document. Together, this Specific Plan and the environmental mitigation measures contained in the accompanying EIR's Mitigation Monitoring and Reporting Program (MMRP) provide a path to develop the property taking into account all applicable goals, objectives, government requirements, and environmental regulations.

1.6 RELATIONSHIP TO THE ONTARIO PLAN

On January 26, 2010, the City adopted The Ontario Plan, which serves as the City's business plan and includes a long-term vision and a principle-based Policy Plan (General Plan). The Ontario Plan establishes the direction and vision for the City's future and provides a guidance system to shape the Ontario community of tomorrow. The Ontario Plan provides policies to accommodate change over a 30-year period commencing in 2010, the beginning of the planning period. The Ontario Plan consists of a six-part Component Framework: 1) Vision, 2) Governance Manual, 3) Policy Plan, 4) City Council Priorities, 5) Implementation, and 6) Tracking and Feedback.

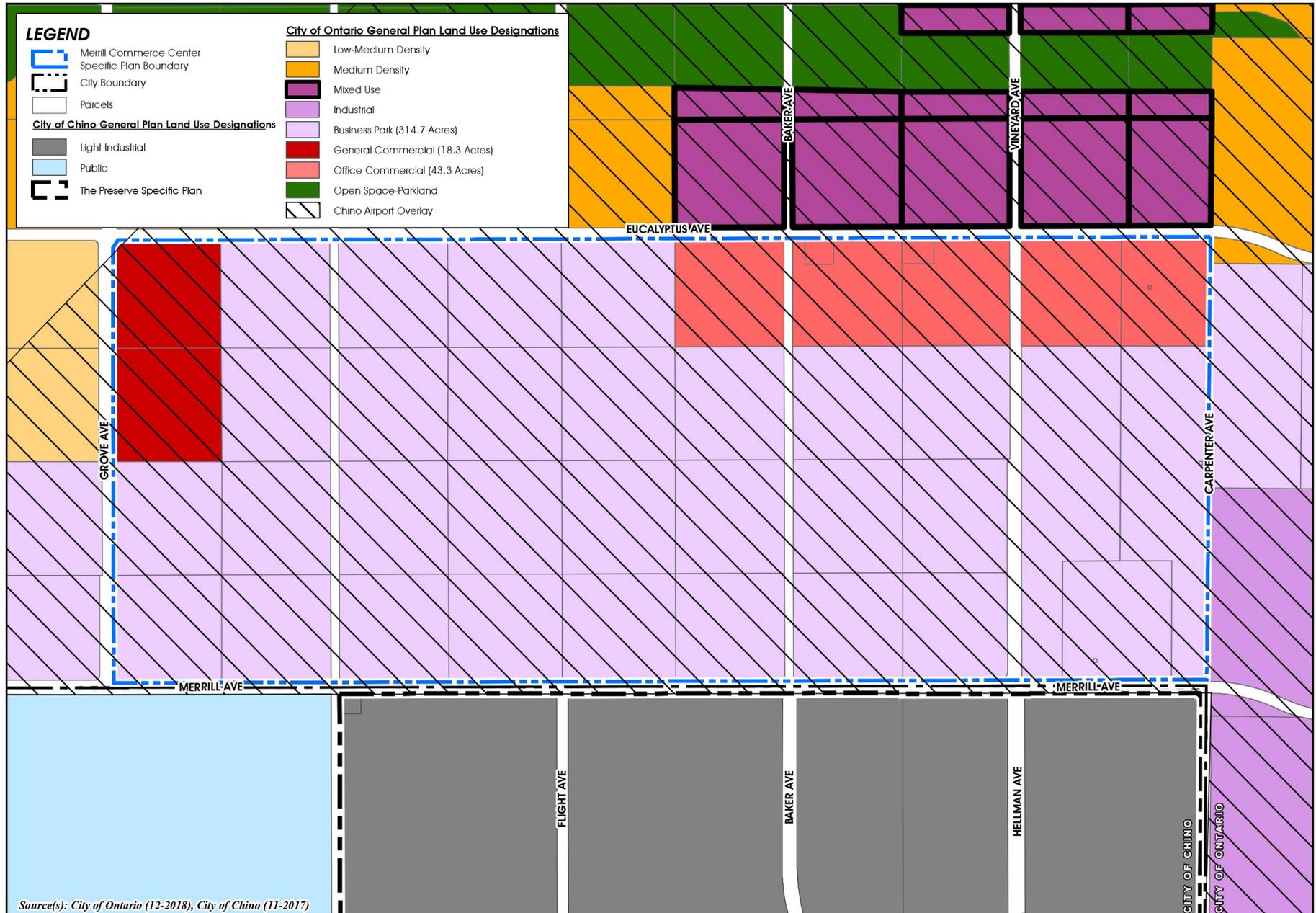
This Specific Plan defines the methods and requirements for the development of the MERRILL COMMERCE CENTER property to ensure that applicable policies from The Ontario Plan and its Policy Plan are implemented and, also, to ensure that development envisioned by this Specific Plan is consistent with applicable provisions of The Ontario Plan. The Ontario Plan sets forth long-term goals for the City's growth and development as mandated by State law. The Policy Plan is a long-term policy document that covers the topics of land use, housing, parks and recreation, environmental resources, community economics, safety, mobility, community design, and social resources.

As shown on Figure 1-1, *Existing General Plan Land Use Designations*, the Policy Plan component of The Ontario Plan designates approximately 314.7 acres of the 376.3-acre MERRILL COMMERCE CENTER property for "Business Park" land uses, 43.3 acres for "Office Commercial" land uses, and 18.3 acres for "General Commercial" land uses. The site also is located in the Chino Airport Overlay.

As shown on Figure 1-2, *Proposed General Plan Land Use Designations*, this Specific Plan provides for a mix of business park and industrial uses that are generally consistent with The Ontario Plan's vision for the property but requires a GPA to change the site's land uses to the new land use designations of "Business Park" (55.1 acres) and "Industrial" (292.8 acres) in order to reflect the uses, development standards, design guidelines and implementation procedures described herein. The MERRILL COMMERCE CENTER Specific Plan would further the General Plan vision to transition areas formerly used for agricultural activities in Ontario Ranch to new development that would expand and diversify the City's economic base. Please refer also to Specific Plan Appendix A, *Policy Plan Consistency*, for more information.

As shown on Figure 1-3, *Existing Zoning Designations*, the City zoned the entire Specific Plan property "SP, Specific Plan" with an "AG, Agricultural" overlay. The zoning designation of AG-Specific Plan requires that a Specific Plan be approved by the Ontario City Council to guide the development of the property and to implement the goals and policies of The Policy Plan component of The Ontario Plan. As shown on Figure 1-3, *Proposed Zoning Designations*, a Zone Change is required to amend the City of Ontario's Zoning Map to change the site's zoning designation to "MERRILL COMMERCE CENTER Specific Plan" to allow for the development of a variety of industrial and business park uses.

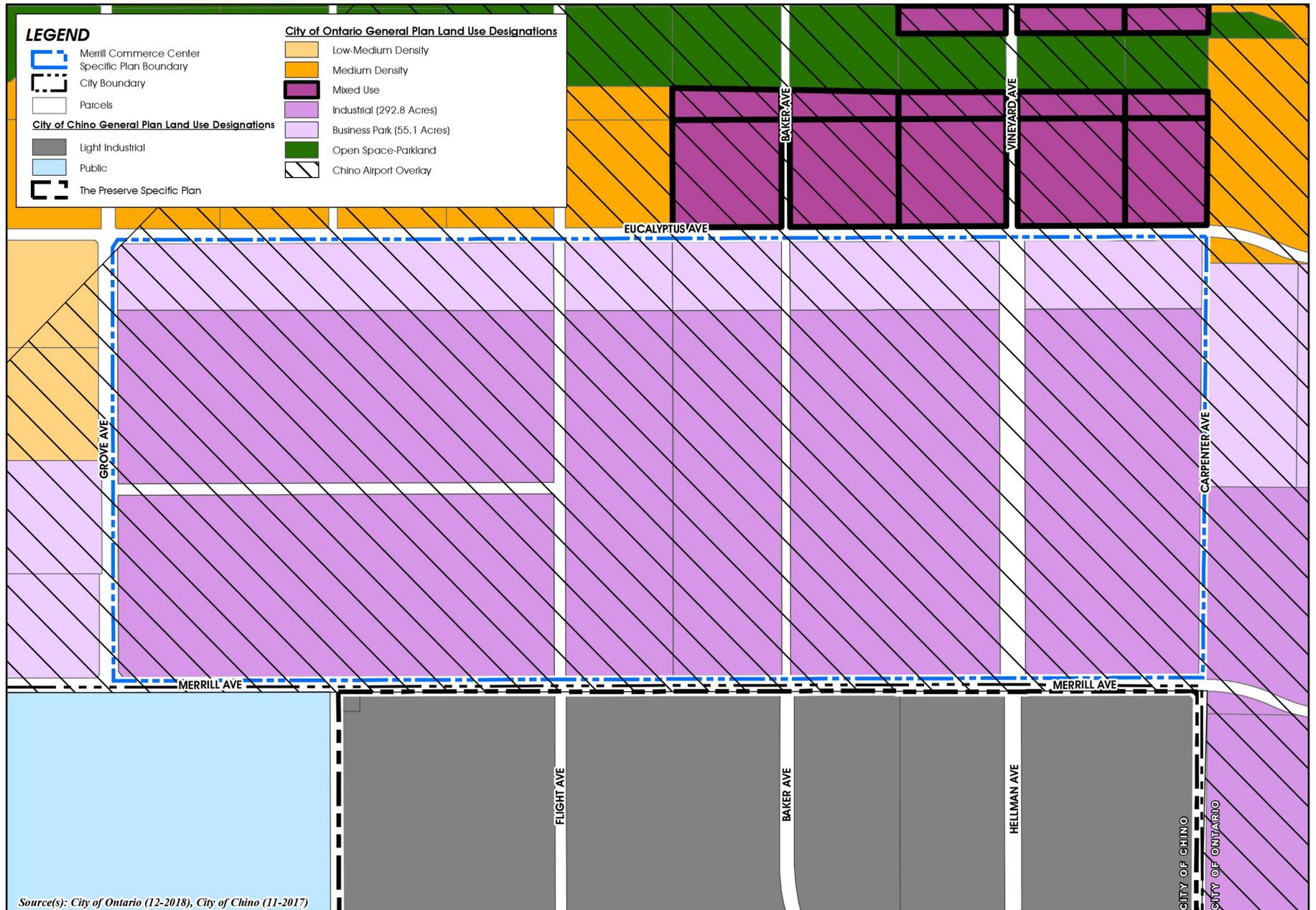
Pursuant to the City of Ontario's adoption of the MERRILL COMMERCE CENTER Specific Plan by ordinance, the Specific Plan will take precedence over the City's Development Code. In instances where the Specific Plan is silent on development standards, the City's Development Code shall prevail.



Existing General Plan Land Use Designations

Figure 1-1

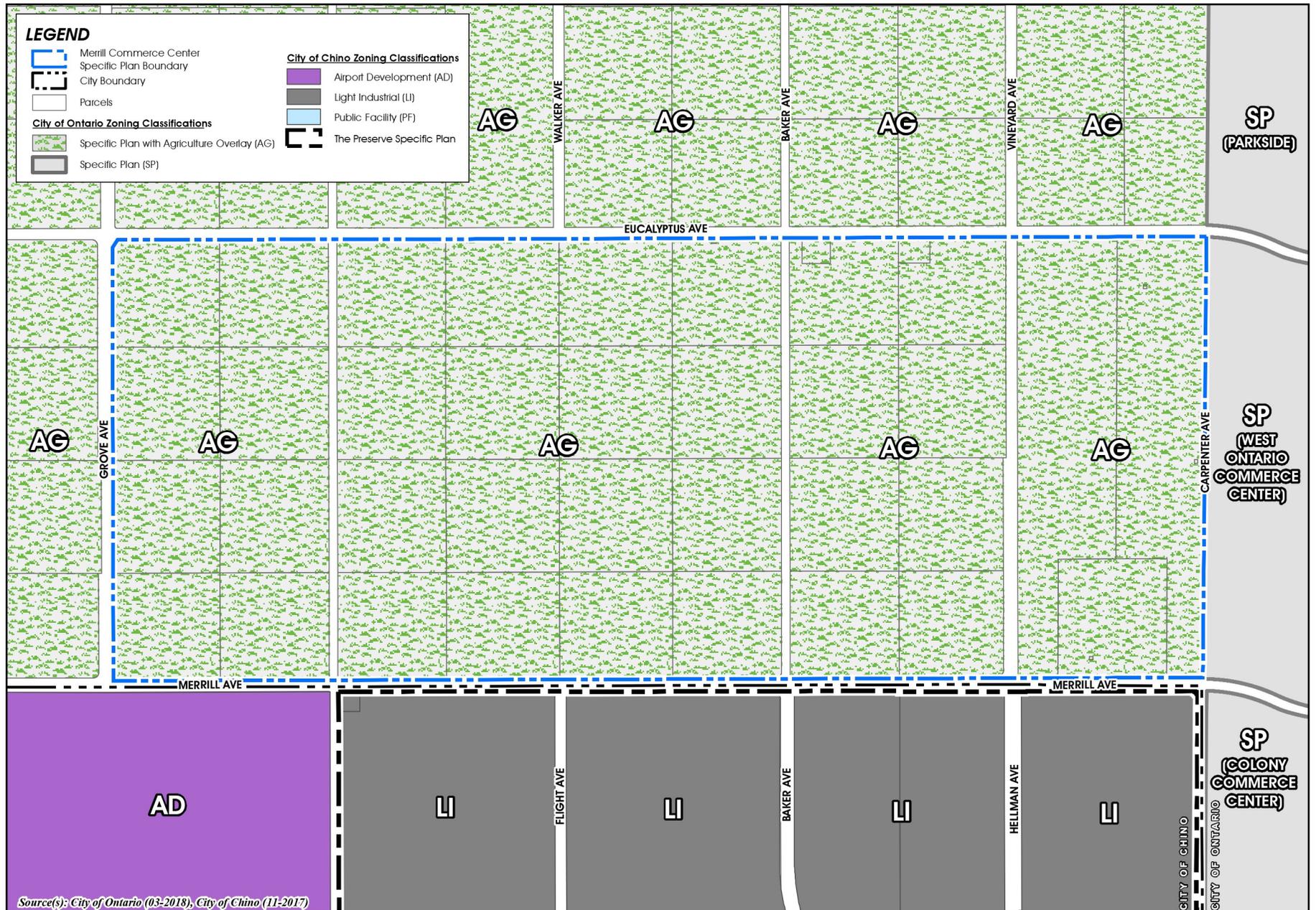




Proposed General Plan Land Use Designations

Figure 1-2

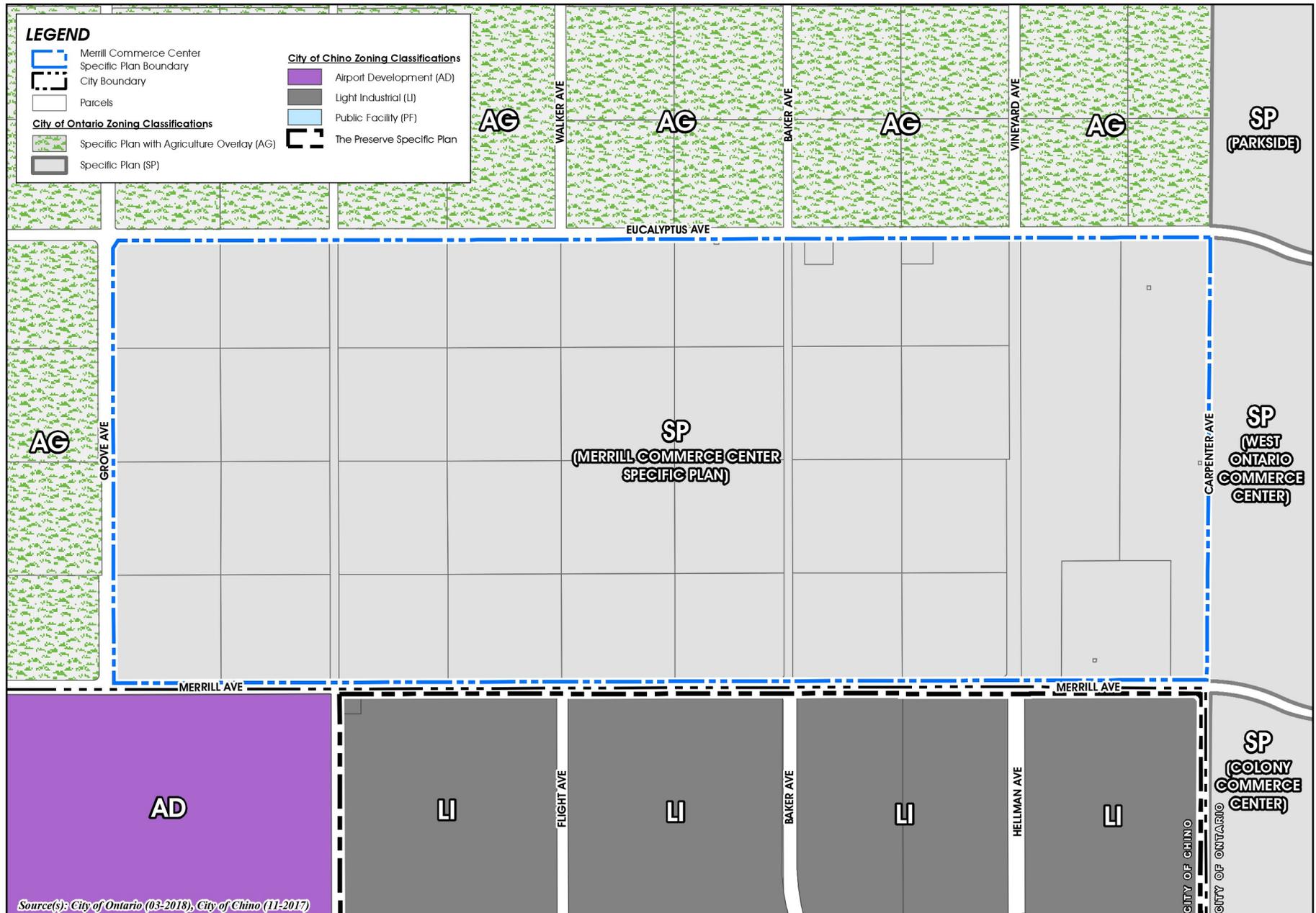




Existing Zoning Classifications

Figure 1-3





Proposed Zoning Classifications

Figure 1-4

