Section 6. Development Regulations

6.1 Introduction

The provisions contained herein will regulate design and development within the Esperanza Specific Plan.

6.2 Definition of Terms

The meaning and construction of words, phrases, titles, and terms shall be the same as provided in the City of Ontario Development Code Article 2, "Definitions," unless otherwise specifically provided herein. The definitions of product types shall be those defined in Section 4, "Land Use" within the discussion of each respective product type. The definition of architectural and design terms shall be the same as those provided in the City of Ontario Glossary of Design Terms which follows the City of Ontario Development Code.

6.3 Applicability

The development regulations contained herein provide specific standards for land use development within the Esperanza Specific Plan area. Regulations address residential land uses and provide for general landscaping regulations. Application of the following regulations is intended to encourage the most appropriate use of the land, ensure the highest quality of development, and protect the public health, safety, and general welfare. Whenever the provisions and development standards contained herein conflict with those contained in the City of Ontario Development Code, the provisions of the Esperanza Specific Plan shall take precedence. Where the Esperanza Specific Plan is silent, City codes shall apply. These regulations shall reinforce specific site planning, architectural design, and landscape design guidelines contained in Section 8, "Design Guidelines" of the Esperanza Specific Plan.

6.4 Administration

The Esperanza Specific Plan, upon adoption, will serve as the implementation tool for the General Plan as well as the zoning for the Specific Plan area. The Esperanza Specific Plan Development Regulations address general provisions, permitted uses, and development standards for the community.

6.5 General Site Development Criteria

The following general site development criteria shall apply to all land development proposed in Esperanza.

1. **Gross Acres** - Except as otherwise indicated, gross acres for all development areas are measured to the centerline of streets.
2. **Grading** - Development within the Specific Plan area shall utilize grading techniques as approved by the City of Ontario. Grading concepts shall respond to the design guidelines included in the Esperanza Specific Plan which guide the development of land use toward the goal of providing for a livable community with streets and entries designed for walking and resident interaction.
3. **Building Modification** - Additions and alterations permitted by the Esperanza Specific Plan shall match the architectural style of the primary unit and shall be constructed of the same materials, details, and colors as the primary unit.
4. **Utilities** - All new and existing public utility distribution lines of 35.5kV or less shall be subsurface throughout the planned community.

5. **Technology** - All homes and businesses shall accommodate modern telecommunications technology (OntarioNet) for computer internet access, phone, fax, and television. Broadband fiber optics cable will be installed to all the properties per the approved Fiber Optic Master Plan.
6. **Transfer of Dwelling Units** -The Esperanza Specific Plan allocates a total number of units to each Planning Area as indicated in the "Land Use Summary" Table 2, Section 4, of the Esperanza Specific Plan. Variations in the number and type of dwelling units within each residential Planning Area may occur at the time of final design of the neighborhood depending upon the residential product identified for development. Changes in allocation of residential units, up to a maximum of fifteen percent (15%), are permitted among the residential planning areas within the Esperanza Specific Plan, subject to approval by the City and upon agreement of each respective property owner/developer, provided the total number of units established for the Esperanza Specific Plan area is not exceeded.
7. **Best Management Practices** – Development of storm water runoff improvements, within the Esperanza Specific Plan, shall adhere to currently adopted Best Management Practices (BMP's). The Site Design BMP's may include but not be limited to creating landscape strips and landscaped setback areas that can be swaled and depressed to retain and infiltrate irrigation water and runoff from smaller storm events, drain rooftops into rain gutters which would drain into an area of porous subgrade, and depressing the park areas to provide storm water infiltration and water quality treatment. Common area landscaping and parks shall be designed to function as a series of shallow storm water treatment basins and infiltration zones for storm water runoff from surrounding areas wherever moderately well draining soils exist. Currently the City of Ontario is considering construction of a regional storm water runoff treatment facility for the sub-watershed area that this project lies within. If the treatment facility is constructed, it may satisfy the requirement for on-site treatment control BMP's for the Esperanza project.
8. **Maximum Number of Dwelling Units** - The maximum number of residential dwelling units permitted within the Esperanza Specific Plan is 1,410 unless the 10.02 acre elementary school site is not purchased by the Mountain View School District. Pursuant to approval of a Specific Plan Amendment the total permitted residential dwelling units within the Esperanza Specific Plan area shall be 1,456 dwelling units.
9. **Agricultural Buffer** - A minimum 100-foot separation shall be required between a new residential structure and an existing animal feed trough, corral/pen or an existing dairy/feed lot including manure stockpiles and related wastewater detention basins. The 100-foot separation requirement may be satisfied through an off-site easement with adjacent properties, acceptable to the Planning Director, submitted with a final map, and recorded prior to or concurrent with a final map.
10. **Solid Waste/Recycling** - Development within the Esperanza Specific Plan area shall comply with City of Ontario requirements for the provision and placement of solid waste and recycling receptacles.