



Section 7. Implementation

The City of Ontario will adopt the Countryside Specific Plan by ordinance. Following approval by the City, the Countryside Specific Plan will serve as the implementation tool for the New Model Colony General Plan Amendment as well as the zoning for the Specific Plan Area. The Specific Plan addresses general provisions, permitted uses, development standards, and community design guidelines.

7.1 Methods and Interpretation

Development within the Countryside Specific Plan shall be implemented through the approval by the City of tentative and final tract maps and through development plans approved through the Development Plan Review process as established in Article 8, of the City of Ontario Comprehensive Development Code. The implementation process described below provides for the mechanisms for review and approval of development projects within the Countryside Specific Plan area.

7.2 Applicability

All development proposals within the Countryside Specific Plan shall be subject to the implementation procedures established herein and as established in Section 9-1.0425 of the City's Development Code. Whenever the provisions and development standards contained herein conflict with those contained in the City of Ontario Development Code, the provisions of the Countryside Specific Plan shall take precedence.

7.3 Interpretation

Unless otherwise provided, any ambiguity concerning the content or application of the Countryside Specific Plan shall be resolved by the City of Ontario Planning Director (Director) or his/her designee in a manner consistent with the goals, policies, purpose and intent established in this Specific Plan.

7.4 Implementation of Design Guidelines

Adoption of the Countryside Specific Plan by the City includes adoption of the design guidelines contained herein, which shall be the design criteria by which development projects within the Countryside Specific Plan area will be reviewed during Development Plan Review. The design guidelines are intended to be flexible in nature while establishing basic evaluation criteria for the review by the City of developer projects during Development Plan Review.

Any major deviation from the design guidelines within the Countryside Specific Plan shall require approval by the Planning Commission. The determination of a major deviation from the design guidelines shall be made by the Director.

7.5 Development Review Process

7.5.1 Subdivision Maps

All development proposals within the Countryside Specific Plan will require approval by the City of subdivision maps to subdivide parcels for development purposes. All tentative and final tract maps will be reviewed and approved pursuant to applicable provisions of the City of Ontario Subdivision Ordinance and consistent with the applicable

provisions of Land Use, Infrastructure, Design Guidelines, and Development Regulations contained within the Countryside Specific Plan.

7.5.2 Development Plan

All development projects within Countryside shall be subject to the Development Plan Review Process as established in Article 8 of the City's Development Code. Pursuant to these provisions, the Development Plan Review process constitutes a design review of project architecture, site plans, and landscape plans. Adoption of the Specific Plan by the City includes adoption of the design guidelines contained within the Specific Plan and which provide direction for the design of development projects within Countryside. Where the Countryside development regulations and design guidelines are silent, the applicable development regulations and design guidelines contained within the City's Development Code shall apply. The design guidelines are intended to be flexible in nature while establishing basic evaluation criteria for the review by the City of developer projects during design review.

All development project applications shall include a landscape and irrigation plan describing plant materials and their growth habits, plant size and spacing, methods of irrigation and landscaping maintenance, site plans, architectural elevations, floor plans, grading plans and other requirements as specified by the City.

7.6 Density Allocations

The Countryside Land Use Plan allocates density to each residential neighborhood. Variations in density allocations per neighborhood may occur at the time of final design of the neighborhood depending upon the residential product identified for development. Variations in allocation of den-

sity within the neighborhoods of the Countryside Specific Plan is permitted provided the density variation does not exceed a net of 15% and the maximum dwelling unit count of 819 units established for the Specific Plan is not exceeded.

7.7 Specific Plan Modifications, Amendments, Variances, Conditional Use Permits

7.7.1 Minor Modifications

The following constitute minor modifications to the Specific Plan, not requiring a Specific Plan Amendment, and are subject to review and approval by the Director. The Director shall have the discretion to refer any such request for modification to the Planning Commission or the City Council.

- a) Change in utility and/or public service provider.
- b) A change of more than fifteen percent (15%) net to the number of units within an individual neighborhood provided the total number of units for the entire Specific Plan area does not exceed that established in the Specific Plan.
- c) Adjustment of a neighborhood boundary provided the total acreage of the affected phase area does not increase or decrease by more than fifteen percent (15%) net of the total stated in the approved Specific Plan.
- d) Minor changes to landscape materials, wall materials, wall alignment, entry design, and streetscape design which are consistent with the conceptual design set forth in the design guidelines contained within the Specific Plan.
- e) Minor changes to the design guidelines, provided the design is consistent with the intent of the guideline.
- f) Other modifications of a similar nature to those listed above, which are deemed minor by the Director, which are in keeping with the purpose and intent of the approved Countryside Specific Plan and which are in conformance with the General Plan.



7.7.2 Specific Plan Amendments

Amendments to the Countryside Specific Plan may be requested by the applicant or by the City at any time pursuant to Section 65453 (a) of the Government Code. Amendments shall be processed pursuant to the provisions of the Government Code for Specific Plan Amendments. In the event the proposed amendment requires supplemental environmental analysis pursuant to the California Environmental Quality Act (CEQA), the applicant(s) are responsible for preparing the necessary CEQA documentation.

7.7.3 Variances

Variances and Administrative Exceptions to the development regulations contained in the Countryside Specific Plan with respect to landscaping, screening, site area, site dimensions, yards and projections into yards, heights of structures, distances between buildings, open space and off-street parking and loading can be considered pursuant to Article 10, "Variances and Administrative Exceptions" of the City of Ontario Development Code.

7.7.4 Conditional Use Permits

Uses specified as conditionally permitted uses within Section 5, "Development Regulations," of the Countryside Specific Plan shall be reviewed and approved by the City pursuant to the requirements of Article 9, "Conditional Use Permits."

7.8 Appeals

Appeals from any determination of the Director shall be made to the Planning Commission. The applicant(s) or any other entity shall have the right to appeal the decision of the Planning Commission on any determination by filing an application on forms provided by the City of Ontario within ten (10) days following the final date of action for which an appeal is made. Appeals shall be processed consistent with the provisions of Article 5, "Appeals" of the City of Ontario Development Code.

7.9 Compliance with Mitigation Monitoring Plan

Certification of an Environmental Impact Report (EIR) shall be required prior to approval of the Countryside Specific Plan. Development within the Countryside Specific Plan area shall comply with all approved mitigation measures as described in the Mitigation Monitoring Program included as part of the Countryside EIR.

7.10 Project Financing

The financing of construction, operation and maintenance of public improvements and facilities (the "facilities"), and public services will include funding through a combination of financing mechanisms. Final determination as to the facilities to be constructed and as to maintenance responsibilities, whether publicly or privately maintained, will be made prior to recordation of the final maps. In order for the project to be fiscally self-sufficient, the following financing options can be considered for implementation:

- Private capital investment for the construction of facilities.
- Community Facilities District (CFD) established pursuant to the Mello-Roos Community

Facilities District Act of 1982, or other special district, to provide funding for the construction of a variety of public facilities and the provision of public services.

- Individual private property owner.
- Private property owners or Home Owners Association.
- Community Facilities District (CFD) established pursuant to the Mello-Roos Community Facilities District Act of 1982, or other special district.

City Council approval is a prerequisite for the implementation of any and all special district financing mechanisms. The use of the Mello-Roos Community Facilities District Act of 1982 (the “Act”) to finance public facilities and services will be at the City’s sole discretion. Moreover, the use of the Act must be consistent with the City’s adopted goals and policies concerning the use of the act.

7.11 Project Phasing

Phasing of the Countryside Specific Plan will meet the following objectives:

- Orderly build-out of the community based upon market and economic conditions.
- Provision of adequate infrastructure and public facilities concurrent with development of each phase.
- Protection of public health, safety and welfare.
- Accommodation of continued agricultural operations within the proposed land use area.

7.11.1 Residential Development

The phasing of residential development areas will be determined by the developer. The development of residential uses will be implemented through the approval of tentative and final tract maps and development permits for each neighborhood as developed.

All or a portion of Neighborhood 1 will comprise the initial phase of development in Countryside through the implementation of Tentative Tract Map 16045. Open space amenities to include a portion of the local park and the development of the paseo within Neighborhood 1 will be constructed in conjunction with the development of residential phases. All or a portion of Neighborhoods 5 and 6 will comprise the second phase of development within Countryside. Development of Neighborhoods 3 and 4 will likely comprise the third phase of development of Countryside. Neighborhoods 2, 7 and 8 are the final phases of development of the Countryside Specific Plan. Appropriate levels of infrastructure and community facilities will be installed and public services will be available to serve each subsequent phase of residential development as it occurs.

7.11.2 Community Facilities and Services

The timing for installation of community facilities and payment of impact fees for public improvements and services for the Countryside Specific Plan will be determined as part of the City’s approval of tentative tract maps in accordance with the provisions of the adopted City development impact fee ordinances. Community facilities, such as bike trails, will be developed in conjunction with construction of the public street improvements. Those portions of the paseo adjacent to individual tracts within each neighborhood will be constructed in a timely manner as development progresses.



Countryside

7.12 Maintenance

The public and private improvements constructed within Countryside will be maintained through a combination of public and private entities as described in Table 4, “Maintenance Responsibilities.”

1. All local streets within Neighborhoods 1, 2, 3, 4, 7 and 8 within Countryside will be dedicated as public streets to the City of Ontario and will be maintained by the City.
2. All Neighborhood Streets, private alleys, and private drive aisles within Neighborhoods 5, 6 and 7 will be private and maintained by a homeowner’s association(s).
3. Landscape improvements within the parkways, of master plan roadways and streetlights within Countryside shall be maintained either by the City or through a special maintenance district established by the City for the New Model Colony.
4. Parkway improvements within the right-of-way of local streets adjacent to residential areas and along private Neighborhood Streets, shall be maintained by homeowners associations.
5. Private recreational areas within Neighborhoods 5 and 6 shall be maintained by homeowners associations.
6. All on-site master planned facilities, such as water, sewer, and storm drains within street rights-of-way, utility easements, and Water Quality Management Plan, NPDES facilities shall be privately constructed and maintained by the City. During the course of maintenance of the potable/recycled water and sewer, storm drain systems, the City will pave the streets and restore the landscaping per City standards. This applies to all areas where public infrastructure is located (public/private streets, lanes/alleys, landscaping, easements, etc.) The HOA will be responsible to restore the streets and landscape areas to their original condition, specifically those areas which have architectural enhancements. Access easements across private streets shall be granted by the developer to the City for maintenance purposes.

7. Off-site infrastructure improvements such as water, sewer, and storm drain facilities will be dedicated to and maintained by the City.
8. Pocket parks and paseos will maintained either by a homeowner’s association or by a special maintenance district.

7.13 Homeowner Association

Individual homeowner associations will be established for the maintenance of common area landscape improvements within the each single-family residential development. Private improvements to be maintained by these homeowner associations include:

- Parkway improvements along local streets adjacent to residences.
- Courts and landscaping within the motor court residential areas.
- Walkways, recreational facilities, and common areas distinct to individual residential types and neighborhoods.
- On-site private NPDES interim detention basins.
- Internal slopes fronting streets and slope areas in the rear of homes.
- All internal open spaces, parks, and common areas at neighborhood entries.
- Landscaping adjacent to private drive aisle and alley right of way.

	City/ CFD	Private Homeowner Association	Private Homeowner	Utility Entity
Master Plan Roadways (Curb-to-Curb) (Riverside Drive, Archibald Ave., Chino Ave., & Schaefer Ave.)	•			
Interior Project Streets (Curb-to-Curb for Primary Entry Streets, Secondary Entry Streets, & Neighborhood Streets)	•			
Parkways of Master Plan Roadways (Curb to Perimeter Walls, including Landscape, Sidewalk, & Street Lights)	•			
Parkways of Interior Local Streets (Landscaping, & Sidewalks)		•		
Interior Streets within a Gated Community or Multi-Family Development		•		
Traffic Signals, & Street Lights	•			
Traffic Control Signs	•			
Alleys, Alley Landscaping, & Lighting		•		
Interior Tract Graffiti Removal		•		
Private Recreation Areas		•		
Offsite, & Onsite Water, Sewer, & Storm Drain Improvements (Excluding Laterals) ⁽¹⁾	•			
Community Trail within SCE Corridor, Cucamonga Creek Flood Control Right of Way or Easement Trail	•			
Pocket Parks, Linear Parks, & Paseo	•	•		
Neighborhood Park		•		
Front Yard/Corner Streetside Landscaping Areas (Conventional Neighborhoods 1-4 & 8)			•	
All Public Non-Exclusive Use Landscaped Areas for RD Z-Lot, RD Alley, & RD-Cluster		•		
Private Exclusive Use Landscaped Areas for RD Z-Lot, RD Alley, & RD-Cluster			•	
Private Interior Yard Walls		•	•	
Community Theme Wall on Master Planned Roadways (Outside Face for Graffiti Removal & Paint)	•			
Community Theme Wall (Surface Interior Opposite Streetside - Structural Integrity, & Face Repairs)		•		
Monument Signs within Neighborhood Edges on Master Plan Roadways	•			
Monument Signs within Tract Entry		•		
Electricity, & Natural Gas				•
Police, & Fire	•			
Communication Systems	•			
NPDES Facilities (Onsite) W.Q.M.P. ⁽²⁾	•			
NPDES Facilities on Private Property/Interim Detention Basin		•		

Table 4
Maintenance Responsibilities

(1) Including restoration work following public street repairs.
(2) Only those facilities in public roads and/or easements.