

4.0 ADMINISTRATION

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4.1 INTRODUCTION

Establishment of the Piemonte Overlay Area (Overlay Area) and subsequent development of the Piemonte at Ontario Center Project (the Project) as described herein is predicated on approval of the Piemonte at Ontario Center Specific Plan Amendment (Specific Plan Amendment). The following discussions address implementation and interpretation of the Specific Plan Amendment and subsequent development review processes and responsibilities.

4.2 SPECIFIC PLAN AMENDMENT

The Piemonte at Ontario Center Specific Plan Amendment provides an illustrative plan, identifying the boundaries of the Specific Plan Amendment and the coterminous Piemonte Overlay Area. Overall planning and development of the Project is defined by the Specific Plan Amendment, to include the associated land use plan, circulation system design, overall development intensity, site plan concepts, and incorporation of the Piemonte Design Guidelines and Development Regulations. To these ends, this Specific Plan Amendment and related supporting documentation provides the following information:

- Specific land uses proposed;
- Approximate location, area, and height of buildings and/or number of residential units;
- Proposed parcel lines;
- Quantity and approximate configuration of parking to be provided;
- Roadways and access points;

- Approximate Location (and square footage where appropriate) of public facilities and open space;
- Site coverage;
- Conceptual landscape plan; and
- General architectural concepts of the proposed buildings.

Precise land use configurations and the location and intensity of individual development plans are subject to the satisfactory completion of subsequent Site Development Plan Review (see below). Ultimate development within the Project area will be in substantial compliance with the graphic and schematic components of this Specific Plan Amendment. Adoption procedures for this Specific Plan Amendment are the same as for Specific Plans.

4.3 DEVELOPMENT REVIEW PROCESS

As presented below, development proposals within the Piemonte Overlay Area are subject to a two-tier review process. Initially, development proposals are subject to internal review and approval by the Piemonte at Ontario Center Development Standards Committee, with concurrent or subsequent review and approval by the City of Ontario through the City's Development Advisory Board (DAB) review processes. Piemonte at Ontario Center Development Standards Committee and DAB review responsibilities and processes are discussed below.

4.3.1 Piemonte at Ontario Center Development Standards Committee

The Piemonte at Ontario Center Development Standards Committee (Development Standards Committee) shall be established pursuant to the Piemonte at Ontario Center Project Codes Covenants and Restrictions (CC&R's), and shall fulfill the following responsibilities:

- Approval of uses and occupancies within the Overlay Area. Proposed uses and occupancies will be reviewed and approved by the Development Standards Committee prior to, or concurrent with, submittal of facilities plans to the City of

Ontario for approval and permits. Concurrent submittals will be at the discretion of the Development Standards Committee.

- Design review and approval of all facilities proposed within the Overlay Area including but not limited to: buildings, landscaping, lighting, streetscape, signs, and walls. All facilities plans will be reviewed and approved by the Development Standards Committee prior to, or concurrent with, submittal of facilities plans to the City of Ontario for approval and permits. Concurrent submittals will be at the discretion of the Development Standards Committee.
- Creation, implementation, and interpretation of the Piemonte at Ontario Center Sign Program (Sign Program). Review of sign and submittals and issuance of approvals prior to submittal to the City of Ontario for approval and permit. The City DAB will review and approve the Sign Program prior to its implementation and application within the Overlay Area.
- Inspection and monitoring to ensure compliance to the requirements and standards as set forth in this document.

4.3.1.1 Piemonte Property Owners Association

A Property Owners Association is established pursuant to the Piemonte CC&R's and shall pursue such legal remedies as are available in instances of non-compliance.

4.3.2 City of Ontario Development Advisory Board (DAB)

Development proposals that have been approved by the Piemonte Development Standards Committee may be submitted to the City of Ontario Development Advisory Board (DAB) for consideration. Unless appealed to the Planning Commission, or specifically requested by the City Planning Commission for review, the DAB will have the authority to approve (or deny) specific development proposals within the Piemonte Overlay Area.

All proposed development within the Piemonte Overlay Area shall require approval of a Site Development Plan. Proposed Site Development Plans shall be substantially consistent with the Specific Plan Amendment and associated exhibits. Applications and appeals related to Site Development Plan Review shall conform to requirements of the City of Ontario Development Code

Through the Site Development Plan Review process, development of individual proposals will be evaluated for consistency with the land uses, facilities configurations, and Design Guidelines and Development Regulations established under the Specific Plan Amendment. Site Development Plan Review will consider and evaluate such details as building architecture, design, location and orientation; parcel map/tract map design; development intensity; and circulation/site access. Specific Site Development Plan review and approval processes and responsibilities are as follow:

- The Development Advisory Board (DAB) shall review and approve all applications for all development and subdivision maps within the Project area.
- The Planning Commission has the option to call up any DAB site plan approval for a review at a regularly scheduled meeting. Final maps are subject to approval by the City Council.

4.4 APPEALS

An appeal from any determination, decision, or requirement of staff, DAB, or Planning Commission shall conform to the appeal procedures established by Section 9-3.3400 of the City of Ontario Development Code.