

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 1,594 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 1,640 dwelling units.¹
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.

6.6 RESIDENTIAL DEVELOPMENT STANDARDS

6.6.1 Residential Detached (RD-1 through RD-6)

6.6.1.1 General

This category includes the development of single-family detached dwelling units. The purpose of the residential standards for single-family detached housing is to establish the minimum criteria for the development of these product types on individual lots within the neighborhoods specified within Esperanza.

6.6.1.2 Permitted Uses

1. Single family detached dwellings.
2. Public or private parks, recreational buildings, greenbelts, and open space.
3. Accessory uses to include the following:
 - a. Garages.
 - b. Granny Flats (i.e. Second Dwelling Units, in accordance the City's Development Code.)
 - c. Home occupations.
 - d. Swimming pools, spas, sports courts, and other similar outdoor recreational amenities.
 - e. Patios and patio covers.
 - f. Storage, garden structures, cabanas, and greenhouses.
 - g. Monument signage.
 - h. Model home and subdivision sales trailers; temporary construction parking, offices, and facilities; real estate signs, signage indicating future development and directional signage in accordance with the City's Development Code.
 - i. Second story additions to existing single story dwelling units.

- j. Small family child care/day care facilities (up to 8 children), in accordance with the City's Development Code.

6.6.1.3 Conditionally Permitted Uses

1. Places of worship including but not limited to churches and synagogues.
2. Large family child/day care facilities (between 8-14 children), in accordance with the City's Development Code.

6.6.1.4 Temporary Uses

1. Temporary uses shall be permitted pursuant to Article 13 of the City's Development Code.

6.6.1.5 Free Standing Satellite Dish / Antennas

1. Free standing satellite dishes and/or antennas are permitted pursuant to Article 32, Section 9.1.3289 of the City of Ontario Development Code.

6.6.1.6 Recreational Vehicle Storage and Parking

1. Recreational Vehicle (RV) storage is prohibited on public and private streets and in private alleys. RV parking on public and private streets is limited to 72 hours.

Section 6. DEVELOPMENT REGULATIONS

PRODUCT TYPE	RD-1	RD-2	RD-3	RD-4	RD-5	RD-6
	50' Wide Lots PA-7 and PA-9	55' Wide Lots PA-8	40' 2-Pack PA-10	Cottage PA-2 PA-6	4-Pack Courtyard PA-5	6-Pack/8-Pack Courtyard Row Townhomes PA 2 & PA-4
LOT CRITERIA						
Min. Lot Width at Front Setback Line for Standard Lot	50'	55'	40'	33'	NA	NA
Min. Lot Width at PL for Cul de sac, standard knuckle or modified knuckle lots (Min. side and rear yard setbacks to be maintained)	35'	35'	35'	33'	NA	NA
Min. Lot Width on Corner	55'	60'	45'	38'	NA	NA
Min. Lot Depth	80'	90'	75'	75'	NA	NA
Min. Lot Size	3,900 sq.ft.	4,800 sq.ft.	3,400 sq.ft.	2,400 sq.ft.	2,500 sq.ft.	2,200 sq.ft.
MINIMUM SETBACKS ⁽¹⁾						
All setbacks are measured from PL except for RD-5 and RD-6 where front and streetside setbacks are measured from back of sidewalk.						
Front Setbacks						
• Living Area	10'	12'	10'	10'	10'	10'
• Porch w/single story plate	8' ⁽²⁾	8' ⁽²⁾	8' ⁽²⁾	8' ⁽²⁾	8'	8'
• Front Entry Garage (street facing door) ⁽³⁾	18'	18'	18'	NA	18'	18'
• Turn in Garage	10'	10'	NA	NA	NA	NA
Side ⁽⁴⁾						
• From Interior PL	5'	5'	5'	4'	4'	4'
• From Residential Street or Parking Lot	10'	10'	10'	10'	10'	10'
Rear						
• Main Structure 1st Floor	15'	15'	10'	5' from Alley r/w	10'	5'
• Main Structure 2nd Floor	15'	15'	10'	5'	10'	5'
• Garage (Single Story Plate Line)	5'	5'	5'	3'	5'	5'
• Patio Cover / 2nd Story Deck	5'	5'	5'	5'	5'	10'
LOT COVERAGE						
Max. Coverage	50%	50%	50%	55%	55%	55%

Table 3
Residential Detached Site Development Standards

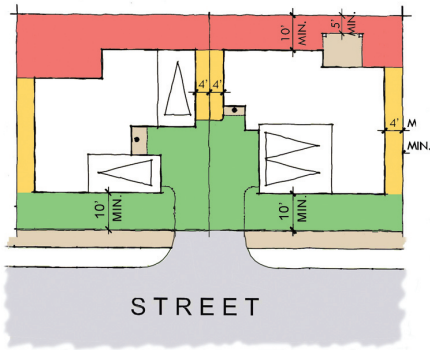
PRODUCT TYPE	RD-1	RD-2	RD-3	RD-4	RD-5	RD-6
	50' Wide Lots PA-7 and PA-9	55' Wide Lots PA-8	40' 2-Pack PA-10	Cottage PA-2 PA-6	4-Pack Courtyard PA-5	6-Pack/8-Pack Courtyard Row Townhomes PA 2 & PA-4
MINIMUM BUILDING SEPARATION						
Between main structures rear to rear	20'	20'	15'	30'	6'	10'
Between main structures front to front	NA	NA	NA	20'	NA	30'
Between structures side to side ⁽¹⁾	10'	10'	10'	8'	6'	6'
Between main structures front to side	NA	NA	NA	NA	8'	6'
Between front porch/balcony to front porch/balcony	NA	NA		15'		
MAXIMUM BUILDING HEIGHT						
Main Structure	35'	35'	35'	35'	35'	35'
WALLS, FENCES, AND HEDGES						
Maximum Height at Front and Street Side Property Line ⁽⁵⁾	3'	3'	3'	3'	3'	3'
Maximum Height at Interior or Rear Property Line ⁽⁶⁾	6'	6'	6'	6'	6'	6'
Maximum Height of Retaining Walls	3'	3'	3'	3'	3'	3'
PARKING						
Min. Number of Parking Spaces Required Per Unit ⁽⁷⁾	2	2	2	2	2	2

³ Notes:

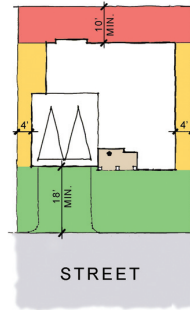
1. Architectural projections may project a maximum of 3 feet into required front, rear or side setback areas; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door pop-out surrounds, media niches, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies and entry gates, and other similar elements.
2. The minimum depth of a porch shall be 7 feet with a minimum clear area of 70 square feet.
3. Minimum 20' for front facing/ garage forward design.
4. RD-3, RD-4, RD-5 and RD-6 with shared-use easement sideyards.
5. Solid masonry walls or wood fencing materials may be permitted on the front property line. Fences, walls, hedges or similar view obstructing structures or plants that reduce safe ingress or egress of vehicles or pedestrians shall not exceed three feet in height in any required front yard.
6. Walls may exceed six feet in height for noise attenuation purposes subject to an Acoustical Study and Planning Department approval.
7. All parking spaces to be within an enclosed garage (minimum 20' X 20' clear inside dimension) for two spaces and 10' x 20' for single spaces.
8. For single story homes only, the maximum lot coverage may increase up to a maximum of 60%

Table 3
Residential Detached Site Development Standards (cont.)

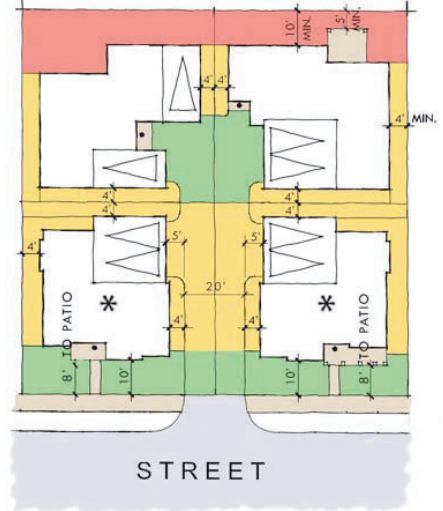
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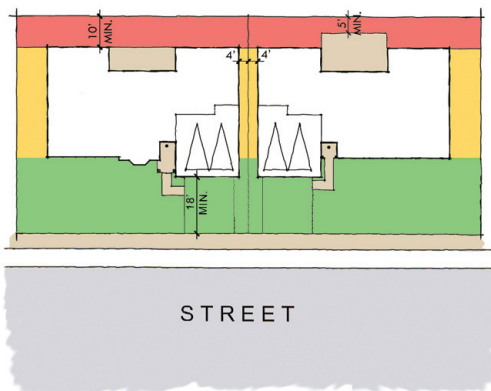
FOUR PACK / 1/2 MODULE



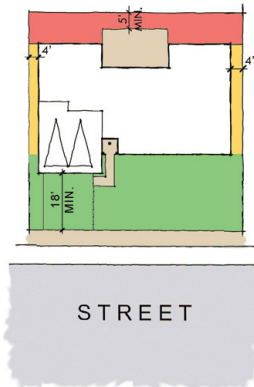
4-PACK SINGLE LOT



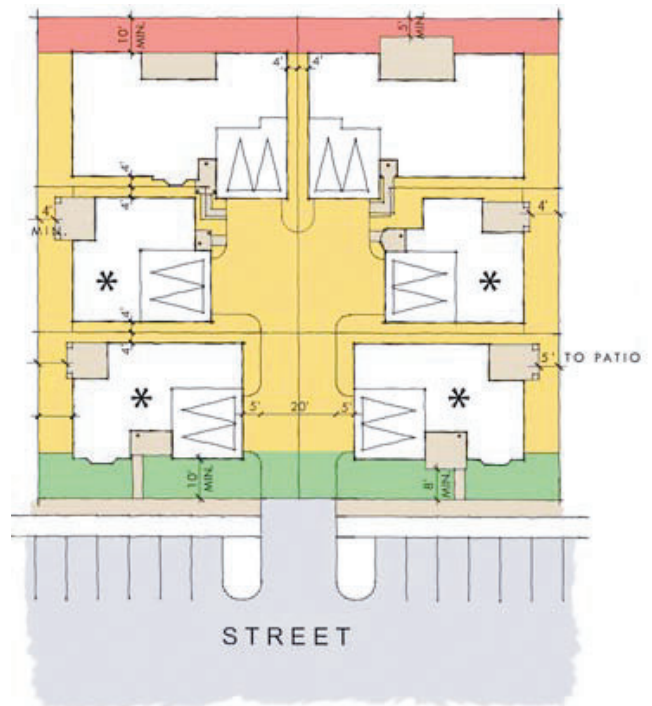
4-PACK TYPICAL YARDS



6-PACK PARTIAL MODULE



6-PACK / SINGLE LOT



6-PACK TYPICAL MODULE

LEGEND

- FRONT YARD
- SIDE YARD
- REAR YARD

Notes:

All setbacks illustrated are minimums.

** Units plotted in these configurations do not have rear yard setback standards.*

4-Pack and 6-Pack Typical Plotting

6.6.2 Residential Attached (RD-6, RD-7 and RD-8)

6.6.2.1 General

This category includes the development of attached type residential dwelling units such as townhomes, and other attached multi-family products.

6.6.2.2 Permitted Uses

1. Single family attached row townhomes, motorcourt townhomes, paired homes, condominiums, apartments, and duplexes.
2. Public or private parks, recreational buildings, greenbelts, pocket parks, and/or open space.
3. Accessory uses to include the following:
 - Garages.
 - Home occupations in accordance with the City's Development Code.
 - Swimming pools, spas, tennis courts, sports courts, and other similar outdoor recreational amenities.
 - Patios and patio covers.
 - Mailboxes.
 - Recreation center buildings.
 - Maintenance storage buildings.
 - Monument signage.
 - Model units, sales offices, and subdivision sales trailers, temporary construction offices and facilities, real estate signs, signage indicating future development and directional signage in accordance with the City's Development Code.
 - Small family child care facilities/day care facilities, up to 8 children in accordance with the City's Development Code.
 - Permanent Leasing Offices.

6.6.2.3 Conditionally Permitted Uses

1. Places of worship including but not limited to churches and synagogues.
2. Large family child care facilities/day care facilities (8-14 children) in accordance with the City's Development Code.

6.6.2.4 Temporary Uses

1. Temporary uses shall be permitted pursuant to Article 13 of the City's Development Code.

6.6.2.5 Free Standing Satellite Dish/Antennas

1. Free standing satellite dishes and/or antennas are permitted pursuant to Article 32, Section 9.1.3289 of the City of Ontario Development Code.

6.6.2.6 Recreational Vehicle Storage and Parking

1. Recreational Vehicle (RV) storage is prohibited on public and private streets and in private alleys. RV parking on public and private streets is limited to 72 hours.

6.6.2.7 Open Space

1. A minimum of 150 square feet of private open space shall be provided per dwelling unit as follows:
 - a. Private open space features may include fenced yards, patio areas, and balconies.
 - b. At least one-half (½) of the required open space area must be provided at the ground level, not including front yard setbacks, and not more than ½ of the open space requirement is to be satisfied by balconies or roof decks. For the Row Townhome product (RD-6) open space may be satisfied by balconies for up to 33% of the units proposed.²

- c. Private open space located at ground level shall have a minimum contiguous area of one hundred and fifty (150) square feet in area with a minimum dimension ten (10) feet in any one direction and shall be landscaped. Open space located on roof decks or balconies must have a minimum contiguous area of fifty (50) square feet in area and a minimum dimension of five (5) feet in any one direction.
 - d. Private, ground level open space on the street side of a structure is to be suitably screened from streets by a fence, densely planted shrub, or combination of both.
 2. A minimum of 250 square feet of common open space shall be provided per unit as follows:
 - a. Common Open space features include, but are not limited to, landscaping, picnic and barbecue areas, pools and spas, tennis and sport courts, clubhouse, tot lots or playgrounds, paseos, and trails.
 - b. Common open space shall have a minimum contiguous area of three hundred (300) square feet with no dimension less than 15 feet in any direction.
 - c. All required ground level common open spaces shall be planted with permanent landscaping or be devoted to recreational facilities, such as swimming pools, tennis courts, tot lots, patios or similar open space and/or recreational facilities.
 - d. Common and private open spaces are to be permanently maintained in an orderly fashion.
 - e. Parking areas, driveways or service areas shall not be counted in the minimum open space requirement.

PRODUCT TYPE	RD-6 & RD-7	RD-8
	Row Townhomes PA-1, PA-3 & PA-4	Motorcourt Townhomes PA 1 & PA-3
MINIMUM SETBACKS ⁽¹⁾		
All front and corner setbacks for RD-8 are measured from the property line at back of sidewalk. All other setbacks for RD-8 are measured from the parcel line of the cluster. All setbacks for RD-7 are measured from property line unless otherwise noted.		
Front		
• Living Area	10'	10'
• Porch ⁽²⁾	8'	8'
Side		
• From Residential Street	10'	10'
• From any local streetside property line	10'	10'
• From interior property line for RD-7 or parcel line for RD-8	5'	4'
Rear		
• 1st floor from alley R/W for RD-7 or parcel line for RD-8	3'	10'
• 2nd floor from alley R/W for RD-7 or parcel line for RD-8	3'	15'
MINIMUM BUILDING SEPARATION		
• Front to front	25'	25'
• Side / Side	10'	25'
• Front / Side	NA	25'
• Rear / Rear	25'	NA
• Front of garage to front of garage	30'	30'
BUILDING SITE COVERAGE		
Max. Coverage	60% of site	60% of site
MAXIMUM BUILDING HEIGHT		
Main Structure	35'	35'

Table 4
Residential Attached Site Development Standards

PRODUCT TYPE	RD-6 & RD-7	RD-8
	Row Townhomes PA-1, PA-3, & PA-4	Motorcourt Townhomes PA 1 & PA-3
WALLS, FENCES, AND HEDGES		
Maximum Height at Front and Street Side Property Line ⁽³⁾	3'	3'
Maximum Height at Interior or Rear Property Line ⁽⁴⁾	6'	6'
Maximum Height of Retaining Walls	3'	3'
PARKING ⁽⁵⁾		
Min. Resident Parking Required	1.75 spaces per one bedroom unit including 1 in a garage or carport, 2 spaces per two bedroom unit including 1 in a garage or carport, and 2.5 spaces per three or more bedroom unit including 2 in a garage or carport.	
Min. Guest Parking Required	1 space for each 4 units under 50 on the building lot. 1 space for every 5 units between 51-100 units on the building lot. Public on-street parking may be counted toward guest requirement.	

⁴Notes:

1. Architectural projections may project a maximum of 3 feet into required front, rear or side setback areas; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door pop-out surrounds, media niches, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies and entry gates, and other similar elements.
2. The minimum depth of a porch shall be 7 feet with a minimum area of 70 square feet.
3. Solid masonry walls or wood fencing materials may be permitted on the front property line. Fences, walls, hedges or similar view obstructing structures or plants that reduce safe ingress or egress of vehicles or pedestrians shall not exceed three feet in height in any required front yard.
4. Walls may exceed six feet in height for noise attenuation purposes subject to an Acoustical Study and Planning Department approval.
5. All parking spaces within an enclosed garage shall have a minimum 20'X20' clear inside dimension for double spaces and 10' x 20' single spaces.

Table 4
Residential Attached Site Development Standards (cont.)

6.7 LANDSCAPE STANDARDS

6.7.1 General Provisions

1. All landscape and irrigation plans for streetscapes and graphic designs with regard to the identity of Esperanza, neighborhood identity or entry monuments shall conform to the Design Guidelines and regulations as set forth herein and shall be subject to review and approval by the City of Ontario at the time of Development Plan review. The form and content of landscape plans for streets, parks, and other common areas shall conform to the requirements of the City's Development Plan application requirements.
2. The Landscape/Streetscape improvements for the Esperanza Specific Plan shall establish a landscape theme reminiscent of the regional landscape character of the surrounding area.
3. The design and improvement of all parks, including landscape and irrigation plans, within Esperanza shall be reviewed and approved by the City at the time of Development Plan review and shall conform with the requirements of the City's Parks and Maintenance Department.
4. Installation of landscaping and automatic irrigation within the front yards of all residential areas will be provided by the home builder. At a minimum, the builder will install turf and appropriate shrubs and trees in the front yards of homes within residential areas. At a minimum two trees shall be installed, of which at least one, is a shade tree. A variety of front yard landscape designs shall be provided by the developer for use by homeowners. Within multi-family residential areas the builder shall be responsible for the installation of full landscape improvements within the multi-family development. Areas not used for hardscape shall be fully

landscaped. All landscape plans shall be reviewed and approved by the City at the time of Development Plan review.

6.7.2 Landscape Standards

1. Landscaping within the Esperanza Specific Plan area shall be provided in accordance with the Design Guidelines utilizing plant materials specified on the Plant Palette included in Section 8, "Design Guidelines" established for the Esperanza Specific Plan.
2. Boundary landscaping will be required adjacent to residential areas. Landscaping shall generally be placed along the entire perimeter property line.
3. Landscaping and automatic irrigation systems within the public rights of way of the Esperanza Specific Plan area shall be installed by the developer.
4. Freestanding perimeter walls and view fencing shall be provided within, and at the perimeter of the Specific Plan area as specified in the Wall and Fence Master Plan contained within, Section 8, "Design Guidelines." Such walls and fences will be constructed concurrently with the construction of improvements required for development of the neighborhoods of the Specific Plan.
5. Walls and Fencing - Perimeter walls shall be constructed in locations and of a design consistent with the "Wall Master Plan" and "Wall Details" Exhibits located within Section 8, "Design Guidelines." Perimeter walls shall not exceed six feet in height from finished grade. If required for sound attenuation, perimeter walls may exceed six feet in height, subject to the recommendations of an acoustical study and approval by the Planning Department. Perimeter walls shall be constructed of either masonry or other permanent, durable, low maintenance material. Thematic perimeter fencing shall be constructed of all durable

materials, which may include materials with a wood-like appearance, or tubular steel subject to approval by the City. In no instance shall wooden fencing be permitted along perimeters.

Individual residential lot side and rear yard walls and fencing shall not exceed six feet in height from highest adjacent finished grade. Side and rear walls may exceed six feet (6') in height if required by the City for sound attenuation pursuant to the recommendations of an Acoustical Report. Walls and fencing within the residential front yard setback area shall not exceed three feet in height. Side and rear yard walls shall be of decorative masonry construction on both sides of the wall or other permanent low maintenance materials. Front yard fences may be constructed of either wood, or any other durable materials with a wood like appearance, subject to approval by the Planning Department. View fencing may be of a decorative wrought iron, tubular steel/aluminum glass panels, or other durable material approved by the City.

6. All perimeter wall and fence materials throughout Esperanza will be of uniform manufacture with colors specified for the overall design theme.
7. The developer will provide site inspection of all construction and installation of open space areas in accordance with City of Ontario requirements.
8. Non-toxic vegetation shall be utilized adjacent to all public open space areas.

6.8 SIGNAGE

A Master Sign Program shall be submitted by the developer(s) of Esperanza and approved by the City of Ontario pursuant to Article 31 of the City's Development Code to address residential project entries, residential neighborhood identification signs, and way finding signs within Esperanza. No project signs shall be permitted in the public right-of-way. All other signs shall be subject to the approval of a sign permit pursuant to the City's Development Code.

6.8.1 Master Sign Program Contents

All sign programs shall address, at a minimum, the following:

1. Permitted signs.
2. Prohibited signs.
3. The hierarchy of signage.
4. Definition of types of signs.
5. Locations and dimensions for monument signs, neighborhood identification signs, and public facilities signs.
6. Locations and dimensions of directional signage.
7. Provisions for size, location, and duration of display of temporary signs.
8. Permitted sign types, styles, construction materials, colors, and lettering styles.
9. Requirements for a sign permit application.
 - a. Procedures for obtaining approval of a sign permit.
 - b. Procedures for amendments to the sign program.

6.9 LIGHTING

6.9.1 Street Lights along Public Streets

Streetlights along public streets, within the Esperanza Specific Plan shall be high-pressure sodium vapor. Design of fixtures shall be approved by the City as part of the City's Development Plan Review.

6.9.2 Alley Lighting Fixtures

Alley lighting fixtures shall be on sensors for automatic nighttime lighting. Style and specifications for alley lights shall be approved by the City as part of the City's Development Plan Review.

6.9.3 Lighting within Parks, Paseos, Tot Lots and Other Recreational Areas

Lighting within Parks, paseos, tot lots and other recreational areas shall be approved by the City as part of the City's Development Plan Review of these facilities.

6.10 PARK FURNITURE

Park furniture, including but not limited to, benches, barbeques and picnic tables, shall be approved as part of the City's Development Plan Review of parks, paseos and other public gathering places.

6.11 BUS SHELTERS

Bus shelters shall be installed in a number of locations designated by OmniTrans and shall be compatible with the architectural character established at the project entries to Esperanza.

6.12 MAILBOXES

Within RD-3 through RD-8 Residential Planning areas mailboxes shall be clustered and installed in locations approved by the City as part of the City Development Plan Review of each resident project within Esperanza.

Endnotes

- 1 Revised total residential units.
- 2 Revised section title and Open Space requirements.
- 3 Revised table to include Rowtown under RD-6
- 4 Revised table to include RD-6 (PA-) under Townhome.