

## 6.1 PURPOSE AND INTENT

This section sets forth the Specific Plan's implementation procedures and phasing program.

The section contains procedures to implement the regulatory provisions of the Specific Plan, which are set forth in **Section 4.0, Development Regulations**. Included are provisions unique to the Specific Plan for the implementation of the Transfer/Conversion/Adjustment Regulations in **Section 4.0**.

The section also contains criteria under which the City's Director of Community Development may make a determination of whether a proposal is in substantial conformance with the Specific Plan; or whether, an amendment to the Specific Plan is required. In addition, the section provides a discussion of the California Government Code provisions governing the amendment of specific plans.

## 6.2 IMPLEMENTATION PROCEDURES AND PHASING

The Specific Plan will be implemented primarily through the process of subdivision maps. All land subdivision maps of any type (*e.g.*, tentative or final, vesting or non-vesting, tract or parcel) shall be submitted, reviewed, and approved in accordance with the SCMC and Subdivision Map Act. Where the provisions or procedures of the SCMC conflict with the provisions of this Specific Plan, the Specific Plan shall apply.

The Specific Plan will be completed in multiple phases in order to correlate infrastructure and amenities with site development, as set forth in the Specific Plan's Phasing Plan found in **Section 2.9**, above.

Subject to market and economic changes and conditions, the rate of growth in the immediate vicinity and region, and changes in infrastructure/public facilities requirements, conditions, and needs, the following phasing plan is assumed, with the initial phase being occupied in 2012 and the last phase being completed in 2015:

- (a) **Phase 1.** Phase 1 is anticipated to consist of construction of 480 residential units within PA-1, and 200 residential units and 25,000 square feet of retail within PA-2. Access will be provided by an extension of Lost Canyon Road from its present terminus in Fair Oaks Ranch to the property site, and an extension of Jakes Way. Construction of the water reclamation plant, all flood protection improvements, and the Santa Clara River trail also will be constructed in Phase 1. The entire site will be graded in conjunction with development of Phase 1. The property for the Bus Transfer Station and Oak Park will be offered for dedication to the City in conjunction with development of Phase 1.

- (b) **Phase 2.** Phase 2 is anticipated to consist of construction of 295 residential units and the Oak Park within PA-3, and 125 residential units and the Community Garden within PA-2. The Vista Canyon Road Bridge will be constructed and operational by the 150<sup>th</sup> occupancy within PA-3, and Lost Canyon Road will be extended to its easterly terminus near La Veda Avenue. Street improvements to the segment of Lost Canyon Road between the property site and Sand Canyon Road, and intersection improvements to Lost Canyon Road and Sand Canyon Road, will be completed prior to the opening of the connection of Lost Canyon Road to La Veda Avenue.
- (c) **Phase 3.** Phase 3 is anticipated to consist of construction of 50,000 square feet of commercial retail, 100,000 square feet of commercial office, and the initial phase of the Metrolink and Bus Transfer Stations and accessory parking within PA-2.
- (d) **Phase 4.** Phase 4 is anticipated to result in a completion of all remaining land uses within the project site (*e.g.*, commercial floor area and accessory parking within PA-2, and the Town Green).

### 6.3 IMPLEMENTATION OF TRANSFER/CONVERSION/ADJUSTMENT REGULATIONS

Regulations governing transfers, conversions, and adjustments are set forth in **Section 4.9** of the Specific Plan. To implement those regulations, the following expedited procedures shall be followed:

- (a) **Residential Development Transfer Option (PA-2/PA-3).** If the applicant or its designee seeks to implement the residential development transfer option between PA-2 and PA-3, the applicant or designee shall submit a Development Review to the City's Community Development Director to ensure that it is in substantial conformance with the Specific Plan.
- (b) **PA Boundary and/or Acreage Adjustment.** If the applicant or its designee seeks to adjust a Planning Area boundary or acreage, the applicant or designee shall incorporate the proposed adjustment in the appropriate subdivision map, or phased map. The adjustment shall not necessitate a Specific Plan amendment or a Development Review, provided that each Planning Area affected by the boundary or acreage adjustment still retains a minimum of 80 percent of the original total gross acreage and does not exceed 120 percent of the original gross acreage approved under the Specific Plan.
- (d) **Adjustments in Development Standards.** Consistent with the intent and purpose of the provisions set forth above, any modification within the Specific Plan site not permitted by the Specific Plan shall conform to the requirements of the SCMC provisions (Chapter 17.03, Section 17.03.050 – Variances and Adjustments).

#### **6.4 SPECIFIC PLAN - SUBSTANTIAL CONSISTENCY**

The City's Community Development Director is responsible for ensuring that construction activities and future uses are substantially consistent with the approved Specific Plan.

This includes deciding whether proposed developments or uses substantially comply with the conditions, permitted use chart, regulations, and guidelines of the Specific Plan and other applicable SCMC provisions that do not conflict with the Specific Plan including, but not limited to, the following:

- (a) Determinations regarding issues, conditions, or situations that arise and are not addressed by the Specific Plan.
- (b) Determinations as to whether a use not listed in the Allowed Land Uses and Permit Requirements table (**Table 4.0-2**) substantially complies with the land use designation in which the use is requested; and, therefore, is permitted within that land use designation.
- (c) Additions, deletions, or changes to the Specific Plan text, figures, tables, or appendices that substantially comply with the Specific Plan.
- (d) Adjustments to the plans contained in **Section 2.0**, Development Plan, provided that such adjustments do not change the requirement of providing adequate infrastructure and/or public facilities within the Specific Plan.

#### **6.5 AMENDMENT PROCEDURES**

The California Government Code (sections 65453-65454) sets forth the manner in which Specific Plans are to be prepared, adopted, and amended. Amendment(s) to the Specific Plan shall not require a concurrent General Plan amendment unless it is determined by the City's Director of the Community Development Department that the proposed Specific Plan amendment is inconsistent with the City's General Plan.