

11.0 IMPLEMENTATION

11.1 GENERAL IMPLEMENTATION PROVISIONS

The following general requirements shall apply to all developments within the Colonies at San Antonio Specific Plan area.

11.1.1 General Plan Consistency

Implementation of the Colonies at San Antonio Specific Plan is intended to carry out the goals and policies contained in the City of Upland General Plan, as amended, in an orderly and attractive fashion. Development within the Colonies at San Antonio Specific Plan area shall, therefore, be consistent with the provisions of the Upland General Plan.

11.1.2 Relationship Between Specific Plan Provisions and the Upland Municipal Code

- a. Development regulations and requirements contained in this document will supplement or replace those of the Upland Municipal Code as they might otherwise apply to lands within the Colonies at San Antonio Specific Plan area. Any regulations or requirements not specifically covered herein shall be subject to the regulations and requirements of the Upland Municipal Code.
- b. Unless otherwise specifically approved as part of this Specific Plan, all off-site improvements under the control of the City shall be subject to the City of Upland regulations and requirements in effect at the time improvement plans are submitted. Other improvements not under the control of the City (e.g., freeway interchange improvements subject to Caltrans authority, electrical lines under the control of SCE, etc.), shall be subject to the regulations and requirements of the responsible agency.
- c. If any provision of this document conflicts with the regulations or requirements of the Upland Municipal Code, the provisions of this document shall take precedence.

11.1.3 Conformance with Uniform Building and Fire Codes

All construction within the Colonies at San Antonio Specific Plan shall be in compliance with the Uniform Building Code, Uniform Fire Code, and all other ordinances adopted by the City pertaining to construction and safety features.

11.1.4 Implementation of EIR Mitigation Measures

- a. The mitigation measures contained in the certified Final EIR for the Colonies at San Antonio Specific Plan have been incorporated into this document, and shall, as appropriate, be conditions of approval on all development within the Specific Plan area as determined by the Upland Administrative

Committee pursuant to the provisions of CEQA and the City's rules to implement CEQA. Appendix of this document includes a listing of the mitigation measures contained in the EIR.

- b. Environmental assessment requirements for individual projects within the Specific Plan area shall focus on determining the extent to which the impacts of such individual development projects were previously addressed in the Final EIR for the Colonies at San Antonio Specific Plan. To the extent that the impacts of individual developments within the Colonies at San Antonio Specific Plan are adequately addressed in the Final EIR, subsequent environmental analysis will not be required.

11.1.5 Master Plans for Traffic, Water, Sewer, and Drainage

Specific requirements for infrastructure improvements are determined by the Master Plans prepared for the Colonies at San Antonio Specific Plan area. The conclusions of the Master Plans have been included as part of this Specific Plan. The full texts of the Master Plans are available under separate cover. Master Plans may be amended over time to ensure the availability of adequate infrastructure and services to the project site, subject to approval of the City Engineer. Modifications to project infrastructure undertaken pursuant to Master Plan amendments approved by the City Engineer are not considered to constitute amendments to the Colonies at San Antonio Specific Plan.

11.1.6 Severability

If any term, provision, condition, requirement, or portion thereof of this Specific Plan is for any reason held invalid, unenforceable, or unconstitutional, the remainder of this Specific Plan or the application of such term, provision, condition, requirement, or portion thereof to circumstances other than those in which it is held to be invalid, unenforceable, or unconstitutional, shall not be affected thereby; and each other term, provision, condition, requirement, or portion thereof shall be held valid and enforceable to the fullest extent permitted by law.

11.1.7 Definitions

Words, phrases, and terms not specifically defined within this Specific Plan shall have the same definition and meaning as provided in the City of Upland Municipal Code or, if not defined in the Municipal Code, in a dictionary in common use.

11.2 SPECIFIC PLAN ADMINISTRATION

Preceding chapters of the Colonies at San Antonio Specific Plan have established permitted land uses, building intensities, circulation plans, master plans for services, and other development standards and design guidelines. Subsequent to approval of the Specific Plan, implementation will entail the review of various individual development projects. To ensure compliance with all applicable development standards contained in the Colonies at San Antonio Specific Plan, applicable provisions of the Upland Municipal Code, and such applicable development standards as may be adopted by the City Council from time to time, all proposed development within the Specific Plan area shall be subject to review and approval by the City of Upland pursuant to the review procedures discussed below.

11.2.1 Land Divisions

Applications for, as well as processing and approval of proposed divisions of land within the Colonies at San Antonio Specific Plan shall comply with the provisions of the California Subdivision Map Act and the subdivision ordinance of the City of Upland.

11.2.2 Site Development Review

The site development review processes set forth below recognize the level of review by the City of Upland and other agencies that went into the original approval of, and subsequent amendments to, the Colonies at San Antonio Specific Plan. The following review processes also recognize the City's obligation to ensure that proposed non-residential development meets the requirements of the Colonies at San Antonio Specific Plan, applicable provisions of Title 17 of the Upland Municipal Code, and such other applicable development standards as may be adopted by the Upland City Council from time to time.

a. Conditional Use Permits

- (1) Approval of a Conditional Use Permit by the Administrative Committee shall be required for the establishment of all new uses identified in Table 7.B of this Specific Plan as requiring a Conditional Use Permit.
- (2) Conditional Use Permits are intended to provide an opportunity for the City to review the location, design, and manner of development of land uses prior to their implementation. Uses subject to Conditional Use Permits are reviewed through an administrative process, and action is taken by the Administrative Committee at a publicly noticed meeting. The Administrative Committee shall have the authority to approve, conditionally approve, or deny applications for Conditional Use Permits within the Colonies at San Antonio Specific Plan area.
- (3) The review of Conditional Use Permits shall be subject to the same procedures (including, procedures for notice, findings, and appeal) as the Administrative Committee Review procedures set forth in Chapter 17.16.090 et. seq. of the Upland Municipal Code.
- (4) Once established, expansions of uses that are subject to a Conditional Use Permit may be accommodated as follows.
 - (a) Expansions of less than 25 percent of the approved gross floor area for the conditional use may be approved by the Community Development Director.
 - (b) Expansions of 25 percent or more of the approved gross floor area for the conditional use shall require approval of a modification of the approved Conditional Use Permit by the Administrative Committee.

b. Site Plans for Permitted Commercial and Non-Residential Uses

- (1) Site Plans for Planning Areas 17, 18, 19, 20, 21, and 22 (if 22 is developed as NC) shall require review and approval by the Administrative Committee, as stated in Chapter 17.16.090 et. seq. of the Upland Municipal Code. The Administrative Committee shall receive, review, and make determinations on all site plans. After a determination concerning Site Plan approval has been reached, the Site Plan will be forwarded to the Planning Commission for approval.
- (2) If Planning Area 22 is developed as NC, a CUP and review by the Planning Commission will be required.
- (3) Planning Areas 17, 18, 19, and 22 shall each require approval by the Planning Commission of a Site Plan. Planning Areas 20 and 21 shall also each require approval by the Planning Commission of a Site Plan; however, a Site Plan covering only a *portion* of Planning Area 20 or 21 may be submitted for Planning Commission review, provided that a conceptual development plan for the *entire* planning area is submitted concurrently. In Planning Areas 17 through 22, for any uses in which detailed building footprints and elevations are not available at the time of a Site Plan application to the Planning Commission, the buildings shall be shown conceptually and shall require further future review by the City in compliance with subparagraph 3, below.
- (4) If a commercial use in Planning Areas 17 through 22 is only conceptually reviewed by the Planning

Commission according to subparagraph 1, above, it shall *also* require a future approval of a Site Plan (including detailed building footprint and building elevations) by the Administrative Committee (assuming that the use is identified in Table 7.B as permitted without the requirement of a Conditional Use Permit).

- (5) As set forth below, all new construction of non-residential uses outside of Planning Areas 17 through 22 (that are identified in Table 7.B as permitted without the requirement of a Conditional Use Permit) shall require approval of a Site Plan by the Administrative Committee.
- (6) Expansion of existing commercial uses in Planning Areas 17 through 22 that results in a net increase in total building square footage of more than fifteen percent of the building envelope or changes to a site plan beyond the building envelope established pursuant to Section 11.2.2f of this Specific Plan, shall require approval by the Administrative Committee, unless otherwise specified herein.
- (7) Expansion of existing non-residential uses outside of Planning Areas 17 through 22 that results in a net increase in total building square footage of more than fifteen percent of the building envelope or changes to a site plan beyond the building envelope established pursuant to Section 11.2.2f of this Specific Plan, shall require approval by the Community Development Director, unless otherwise specified herein.
- (8) Review of Site Plans by the Planning Commission as specified in subparagraph 1, above, shall be subject to the same procedures (including procedures for notice, findings, and appeal) as for other applications under the approval authority of the Planning Commission, as set forth in Chapter 17.16 Development Application and Review Procedures, of the Upland Municipal Code.
- (9) Site Plan review as specified in subparagraphs 3, 4, and 5, above, shall be subject to the same procedures (including, procedures for notice, findings, and appeal) as the Administrative Committee Review procedures set forth in Chapter 17.16.090 et. seq. of the Upland Municipal Code.
- (10) Graphics proposed for the enhanced pedestrian crossing between Planning Areas 4 and 19 are conceptual. Design Review Board approval of the final pedestrian crossing design will be required prior to site plan approval.

c. Multifamily and Mixed Use Site Plans for Planning Areas 4, 15, and 22

- (1) Site Plans for Planning Areas 4, 15, and 22 (if 4 is developed as MU and 22 is developed as RF; if not, NC policies shall be followed) shall require review and approval by the Administrative Committee, as stated in Chapter 17.16.090 et. seq. of the Upland Municipal Code. The Administrative Committee shall receive, review, and make determinations on all site plans. After a determination concerning Site Plan approval has been reached, the Site Plan will be forwarded to the Planning Commission for approval.
- (2) Planning Areas 4, 15, and 22 shall each require approval by the Planning Commission of a Site Plan. In Planning Areas 4, 15, and 22, for any uses in which detailed building footprints and elevations are not available at the time of a Site Plan application to the Planning Commission, the buildings shall be shown conceptually and shall require further future review by the City in compliance with subparagraph 3, below.
- (3) If a use in Planning Areas 4, 15, or 22 is only conceptually reviewed by the Planning Commission according to subparagraph 1, above, it shall *also* require the approval of a Site Plan (including detailed building footprint and building elevations) by the Administrative Committee (assuming that the use is identified in Table 7.B as permitted without the requirement of a Conditional Use Permit).
- (4) Review of Site Plans by the Planning Commission as specified in subparagraph 1, above, shall be subject to the same procedures (including procedures for notice, findings, and appeal) as for other applications under the approval authority of the Planning Commission, as set forth in Chapter 17.16.010, Development Application and Review Procedures, of the Upland Municipal Code.

- (5) Site Plan review as specified in subparagraphs 3 and 4, above, shall be subject to the same procedures (including, procedures for notice, findings, and appeal) as the Administrative Committee Review procedures set forth in Section 17.16.090 et. seq. of the Upland Municipal Code.

d. Filing Requirements

- (1) Applications for Conditional Use Permits or Site Plans may be initiated by either one or more of the recorded property owners of the site for which the application is being filed, or by an authorized agent thereof.
- (2) Applications shall be submitted to the Community Development Department in the manner prescribed by the Community Development Director.
- (a) Applications shall be submitted to the Community Development Department in conformance with the Community Development Department application schedules.
- (b) The Community Development Director shall prescribe the form in which applications are made for review of Conditional Use Permits and Site Plans, and shall prepare and provide application forms, including identification of the information necessary for evaluation of the application and the criteria by which the application will be determined to be complete. No application will be accepted by the Community Development Department unless it complies with such requirements.
- (c) Applications filed pursuant to this section shall be numbered along with other Conditional Use Permits and Site Plan applications in the City of Upland, and shall become part of the permanent official records of the Community Development Department.
- (d) Filing fees in an amount specified by resolution of the Upland City Council shall be paid upon the filing of each application. A written receipt will be issued to the person making such payment, and records shall be kept by the City in such manner as required by law.

d. Review. The Planning Commission or Administrative Committee shall review and make findings and determinations on applications within its approval authority (as listed in Paragraphs a and b, above), not more than sixty (60) calendar days after the Community Development Department accepts the application as complete for processing for applications requiring Planning Commission review, or twenty (20) working days for applications requiring Administrative Committee review.

- (1) The Planning Commission or Administrative Committee may approve, in whole or in part, conditionally approve, or deny any application within its approval authority as listed in Paragraphs a and b, above, within the Colonies at San Antonio Specific Plan area. The approval authority shall announce its decision, and, in a written opinion, shall list the reasons for its decision. The written opinion shall be forwarded to the applicant.
- (2) In cases where there is no review by the applicable review authority within the specified time limits, it shall constitute an automatic approval of the application.

e. Findings. The determination of the Planning Commission or Administrative Committee shall clearly state, in writing, any conditions of approval and the reasons for approving, conditionally approving, or denying the application based on the following requirements for approval.

- (1) The Conditional Use Permit (or Site Plan) is consistent with the provisions of the Colonies at San Antonio Specific Plan.
- (2) The Conditional Use Permit (or Site Plan) is consistent with the provisions of the Upland Municipal Code and other City ordinances as they apply to the Colonies at San Antonio Specific Plan area and the proposed site plan.
- (3) The Conditional Use Permit (or Site Plan) is consistent with the mitigation measures contained in the Final Subsequent EIR for the Colonies at San Antonio Specific Plan.

- (4) The Conditional Use Permit (or Site Plan) indicates the proper consideration for the functional relationship between the proposed site development and the site developments that exist or have been approved for lands adjacent to the proposed site plan boundaries.
- (5) The Conditional Use Permit (or Site Plan) and the location of the proposed buildings, parking areas, detached signs, landscaping, exterior lighting, and other site features indicates that proper consideration has been given to both the functional aspects of site development, as well as automobile, pedestrian, and bicycle access and circulation, and the visual effect that site development will have from the public's view.
- (6) Applicable requirements of the California Environmental Quality Act (CEQA) and the City's rules to implement CEQA have been complied with.

f. Conditions of Approval. In approval of a Conditional Use Permit or Site Plan, the approval authority may require any conditions of approval as it deems proper and reasonable to ensure that the purpose and intent of the Colonies at San Antonio Specific Plan and the Upland Municipal Code will be met. Conditions may include, but are not necessarily limited to requirements necessary for achieving consistency with the provisions of the Colonies at San Antonio Specific Plan:

- (1) Implementing mitigation measures contained in the Final Subsequent EIR for the Colonies at San Antonio Specific Plan;
- (2) Meeting the required findings for approval of a Conditional Use Permit or Site Plan set forth in Paragraph e, above;
- (3) Providing certain features as an integral part of the development, such as special setbacks and buffer areas, fences and walls, lighting fixtures planned and installed so as to illuminate the property in accordance with the performance standards set forth in this Specific Plan, surfacing of parking areas in accordance with City specifications, and installation of landscaping;
- (4) Locating points of ingress and egress so as to conform to traffic patterns on adjacent roadways, and designing driveways to expedite traffic flow within the site;
- (5) Limiting operations or certain activities to certain hours in order to meet applicable standards for noise;
- (6) Keeping signs to a specified maximum size and type, located in accordance with the provisions of this Specific Plan and applicable City codes;
- (7) Maintaining all improvements and landscaping in accordance with reasonable standards as long as the use continues.

g. Responsibility. Responsibility for the posting of bonds and fulfilling of any city requirements for both on- and off-site improvements shall rest with the applicant.

h. Commercial Site Plan Modifications. It is recognized that commercial center building designs and site plans may change subsequent to Conditional Use Permit or Site Plan approval and prior to actual issuance of building permits in order to accommodate the specific needs of individual commercial users. Thus, in approved Conditional Use Permits and Site Plans for Planning Areas 17 through 21, the applicant shall include, in addition to building footprints, "building envelopes," which define the area in which the building footprint, size, height, bulk, and orientation may be modified without further review by the applicable approval authority. Expansion of buildings or modifications to building locations within such approved building envelopes shall not require further review by the City except as may be required by design review procedures or as required for issuance of a building or grading permit. Requests for major changes in approved site plans for commercial development within Planning Areas 17 through 21 shall, however, require formal amendment to the approved Conditional Use Permit or Site Plan. Such amendments are to be reviewed in the same manner as for a new site plan application. Major changes include modifications to site plans for individual planning areas that would place buildings outside of the

approved building envelope, or would significantly alter the type of commercial development contemplated for the Planning Area (e.g., addition or deletion of such key uses as a theater, supermarket, or department store).

i. Appeals from Decisions. Any decision on an application by the Planning Commission or Administrative Committee regarding the approval, conditional approval, or denial of such application may be appealed by any person, public or private, aggrieved by such decision pursuant to the provisions of Chapter 17.16.070 of the Upland Municipal Code in regards to Planning Commission decisions or Chapter 17.16.130 in regards to Administrative Committee decisions.

j. Revocation of Approvals. A Conditional Use Permit shall remain in full force and effect in accordance with the terms thereof, unless modified or revoked by the City Council, upon recommendation of the Planning Commission, after a public hearing in accordance with the procedures specified in Chapter 17.16 of the Upland Municipal Code, on one or more of the following grounds.

- (1) That the use for which such approval was granted is not in conformance with the conditions set forth in the permit approval;
- (2) That the use for which such approval was granted has become a use free of all conditions, pursuant to an amendment to this Specific Plan.

11.2.3 Design Review

To ensure implementation of the Colonies at San Antonio Specific Plan design guidelines and landscaping requirements, all new development, and/or substantial reconstruction of existing buildings, structures (including signs), and landscaping; excepting remodeling of single family homes, and routine maintenance of all structures, shall be subject to design review by the City of Upland as set forth in Chapter 17.06 of the Upland Municipal Code.

11.2.4 Other Review Procedures

In addition to land divisions and site plan review, a number of other reviews will be necessary in order to implement the Colonies at San Antonio Specific Plan. These additional review processes are identified below.

- Conditional Use Permits may be granted by the Planning Commission subject to the provisions of Chapter 17.16.020 of the Upland Municipal Code.
- Permits for temporary signs may be granted by the Community Development Director subject to the provisions of Chapter 17.16.160 of the Upland Municipal Code.
- Variances may be granted pursuant to the provisions of Chapter 17.16.050 of the Upland Municipal Code.
- Lot line adjustments may be granted pursuant to the provisions of Chapter 17.16.100 of the Upland Municipal Code.
- Determinations for similarity of use to uses set forth as permitted or conditionally permitted, temporary signs, special events, deviations to site development standards, and reconstruction or remodeling of nonconforming structures may be granted pursuant to the provisions of Chapter 17.16.140 of the Upland Municipal Code.
- Landscape plans for streetscapes and project entries shall be prepared and will be reviewed by the City of Upland concurrent with street improvement plans.

- Residential Unit Density transfers will be allowed between Planning Areas within the Specific Plan. The number of residential units will not exceed 1,150 throughout the Specific Plan Area. Density transfer requests will be processed with the Site Plan through Planning Commission using the density transfer mechanism in Table 11.A.

**Table 11.A. The Colonies At San Antonio Specific Plan
Unit Count Transfer Mechanism Worksheet***

Planning Area	Built Unit Count	Minimum Lot Size	Acres	Density	Possible Units
1	92	4.5	19.08	4.8	
2	99	5.0	22.13	4.5	
3	114	6.0	29.04	3.9	
4		MU	5.64	62.0	350
5	52	5.0	11.39	4.6	
6	32	5.0	6.37	5.0	
7	46	5.0	9.12	5.0	
8	33	4.0	6.17	5.3	
9	47	6.0	11.07	4.2	
10	56	5.0	10.72	5.2	
11	48	5.0	10.78	4.5	
12	55	5.0	11.01	5.0	
13	68	5.0	15.6	4.4	
14	0	Fire	1.72	0	
15		RF	10.2	16.0	160
16	0	Basin	69.72	0	
17	0	NC	12.4	0	
18	0	CH	36.53	0	
19	0	CH	42.31	0	
20	0	CH	12.66	0	
21	0	CH	11.02	0	
22		RF/NC	3	24.0	72
Total	742				
Allowable	1,150				
Available	408				

*Instructions: When a developer brings a site plan for Planning Areas 4, 15, or 22, enter the total number of units proposed into the "Built Unit Count" cell. Then calculate the "Density" cell and the "Total" and "Available" cells. If the "Total" exceeds the "Allowable", the proposed number of units exceeds the permitted number of dwelling units within the Specific Plan.

11.2.5 Appeals

Any decision by the Community Development Director, Administrative Committee, or Planning Commission regarding an approval, conditional approval, or denial may be appealed by any person, public or private, who is aggrieved by the action. Such appeals shall be made in accordance with the provisions of Chapter 17.16 of the Upland Municipal Code.

11.2.6 Specific Plan Amendments

This Specific Plan, or any portion, may be amended or replaced using the same procedure as for the original Plan adoption.

11.2.7 Penalties for Violations

The provisions, covenants, and restrictions in Chapter 17.12 of the Upland Municipal Code shall apply.

11.3 PROJECT MAINTENANCE

11.3.1 Roadways

Each of the roadways shown in Figure 3.1, Circulation Plan will be dedicated to the City of Upland for maintenance. Traffic signals installed as part of the Colonies at San Antonio Specific Plan will also be dedicated to the City for maintenance.

It is intended that roadways within residential neighborhoods zoned SFR will also be dedicated to the City for maintenance; however, private streets may be approved as part of tract maps for individual SFR Planning Areas. Where private streets are approved, they will be maintained by a homeowners' association or other mechanism set up for that purpose. In addition, if private streets are approved, residential planning areas may be developed as "gated" neighborhoods, provided that maintenance of gated facilities are also maintained by a homeowners' association or other mechanism set up for that purpose.

On-site roadways and access within non-residential planning areas (commercial, fire station) will be the responsibility of the property owner.

11.3.2 Open Space and Drainage Facilities

Maintenance of the central open space area and basins (Planning Areas 16, 16A, 16B) shall be provided by a landscape maintenance district to be formed and administered by the City of Upland. Trails, parkways, and lettered lots will be the maintenance responsibility of a master homeowners' association formed for the Colonies at San Antonio Specific Plan area.

Maintenance of storm drains within public streets, including outlets into the central open space area and on-site basins, will be the responsibility of the City of Upland. Where storm drains are located outside of a public street, such storm drains will be located within a public utilities easement.

Maintenance of the flood control facilities located in Planning Areas 16A and 16C shall be the responsibility of the San Bernardino County Flood Control District.

11.3.3 Water Facilities

Maintenance of water facilities up to service meters for individual uses will be the responsibility of the City of Upland. Where such water lines are not located within a public street, appropriate easements to the City will be granted.

11.3.4 Sewer Facilities

Maintenance of sewer facilities up to service laterals for individual uses will be the responsibility of the City of Upland. Where such sewer lines are not located within a public street, appropriate easements to the City will be granted.

11.3.5 Multi-family Residential Development

Maintenance of the building exteriors and landscaping for all attached, multi-family residential developments will be the responsibility of a homeowners' association. Said homeowners' association will be a sub group of the existing Master Homeowners' Association, but may be subject to additional regulations and potentially higher assessments.

11.4 FINANCING OF PROJECT INFRASTRUCTURE

The ultimate responsibility for construction of the infrastructure and facilities outlined in Chapter 10.0, with the exception of the final drainage improvements within the Central Open Space Area, shall lie with the developer of the Colonies at San Antonio Specific Plan¹. The ultimate responsibility for the construction of the final drainage improvements within the Central Open Space Area, including Planning Areas 16, 16A, and 16B shall lie with the San Bernardino County Flood Control District. Assessment district financing will be utilized for on-site and off-site public facilities needed to support project development. Infrastructure and facilities costs, except for the costs of final drainage improvements to be constructed within the Central Open Space Area, above that which can be financed with a maximum 2.0 percent property tax rate will be privately financed by the project developer. In addition, the City and developer will cooperate to prepare and file applications and provide support as necessary for funding from any appropriate federal, state, and/or county source to defray the cost of regional impacts in connection with construction and installation of offsite public improvements required to support project build out. Where infrastructure is required to be provided or sized in excess of what is needed for development of the Colonies at San Antonio Specific Plan, costs in excess of the project's fair share will be reimbursed to the project developer by the City or San Bernardino County through credits against project fees, reimbursement agreement(s), and/or cash payments.

To facilitate construction of a fire station within the Colonies at San Antonio, the developer of the Specific Plan will pay a fee to the City in addition to the dedication of land for the fire station. The City will use the fee and other City funds to construct and equip the fire station.

11.5 TRAFFIC IMPACT ANALYSIS AND MITIGATION REQUIREMENTS

To be completed based on Kimley-Horn and Associates TIA and the EIR.

The modifications that were made in SPA-7 Mod #5 require a traffic impact analysis to be submitted at the time of site plan review for Planning Areas 4, 15, and 22.

¹ Offsite water facilities needed for the Colonies at San Antonio Specific Plan will be constructed by the developer, unless determined otherwise by mutual agreement of the City and the developer. The City will provide a site for the offsite water storage facility discussed in Chapter 5.0.