



UPTOWN NEWPORT

Planned Community Development Plan

Land Uses
Development Standards
& Procedures

Uptown Newport LP
September 18, 2012

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Applicant:

Uptown Newport LP
c/o Shopoff Management Inc.
2 Park Plaza, Suite 700, Irvine, CA 92614
949.417.1396
www.shopoff.com

Applicant Contact:

Brian Rupp
949.231.5068 (Direct)
brupp@shopoff.com

Prepared By:

MVE & Partners, Inc.
Architecture + Planning + Interiors
1900 Main Street, Suite 800, Irvine, California 92614-7318
949.809.3388
www.mve-architects.com

Valley Crest Landscape Architecture
3242 Halladay, Suite 203, Santa Ana, CA 92705
714.546.7975
www.valleycrest.com

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1. Introduction and Purpose of Development Plan

1.1 INTRODUCTION

Uptown Newport Planned Community Development Plan, hereinafter referred to as "Uptown Newport PC", is located within the City's Airport Area. Local access to the 25-acre project site is provided by Jamboree Road to the southeast, Birch Street to the northwest, Von Karman Avenue to northeast, and MacArthur Boulevard to the southwest. The site is immediately bounded by Jamboree Road to the southeast, a fast food restaurant to the northeast, and by existing office development within the Koll Center to the northwest and southwest.

Uptown Newport is in close proximity to numerous regional transportation corridors and amenities. Uptown Newport is located near regional open space including Upper Newport Bay, Mason Regional Park in Irvine and the San Joaquin Freshwater Marsh. It is also located near the University of California - Irvine (UCI) with immediate adjacency to the UCI North Campus opposite the Subject Property on Jamboree Road. Uptown Newport has convenient access to the 405, 73 and 55 Freeways via MacArthur Boulevard and Jamboree Road as shown on Figure 1-1. The Uptown Newport site was originally developed as part of the Koll Center, and has been used for manufacturing telecommunications equipment and computer chips since the 1970's.

The City's General Plan calls for infill development and redevelopment of the Airport Business Area. The General Plan allows for up to 2,200 residential units to be developed in the Airport Business Area. In September of 2010, the City approved the Integrated Conceptual Development Plan (ICDP), which provides a framework for residential development on both the Koll and Conexant properties within the Airport Business Area. The ICDP allocated 1,244 residential units and up to 11,500

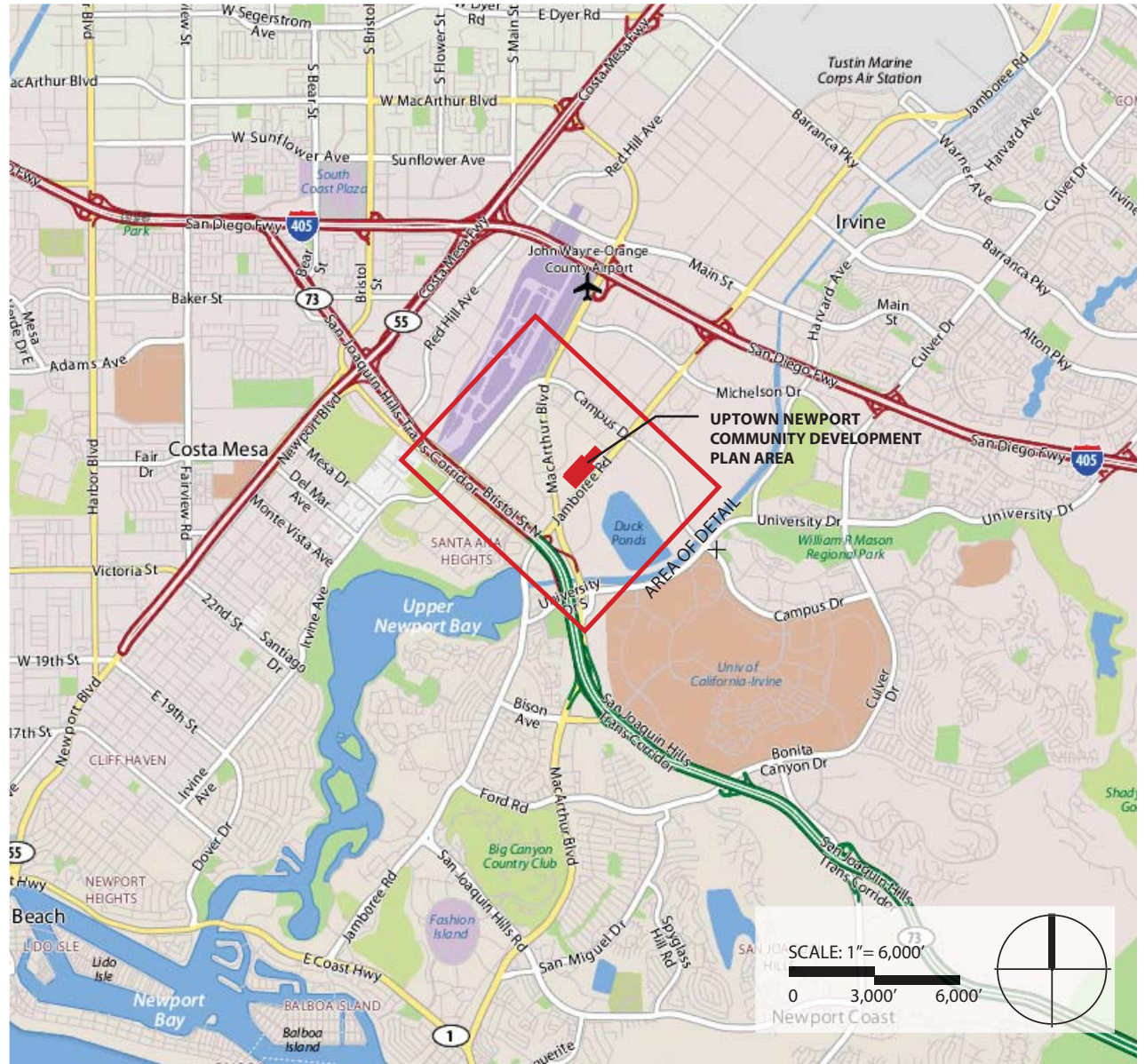


Figure 1-1: Regional Location Map

1. INTRODUCTION AND PURPOSE OF DEVELOPMENT PLAN

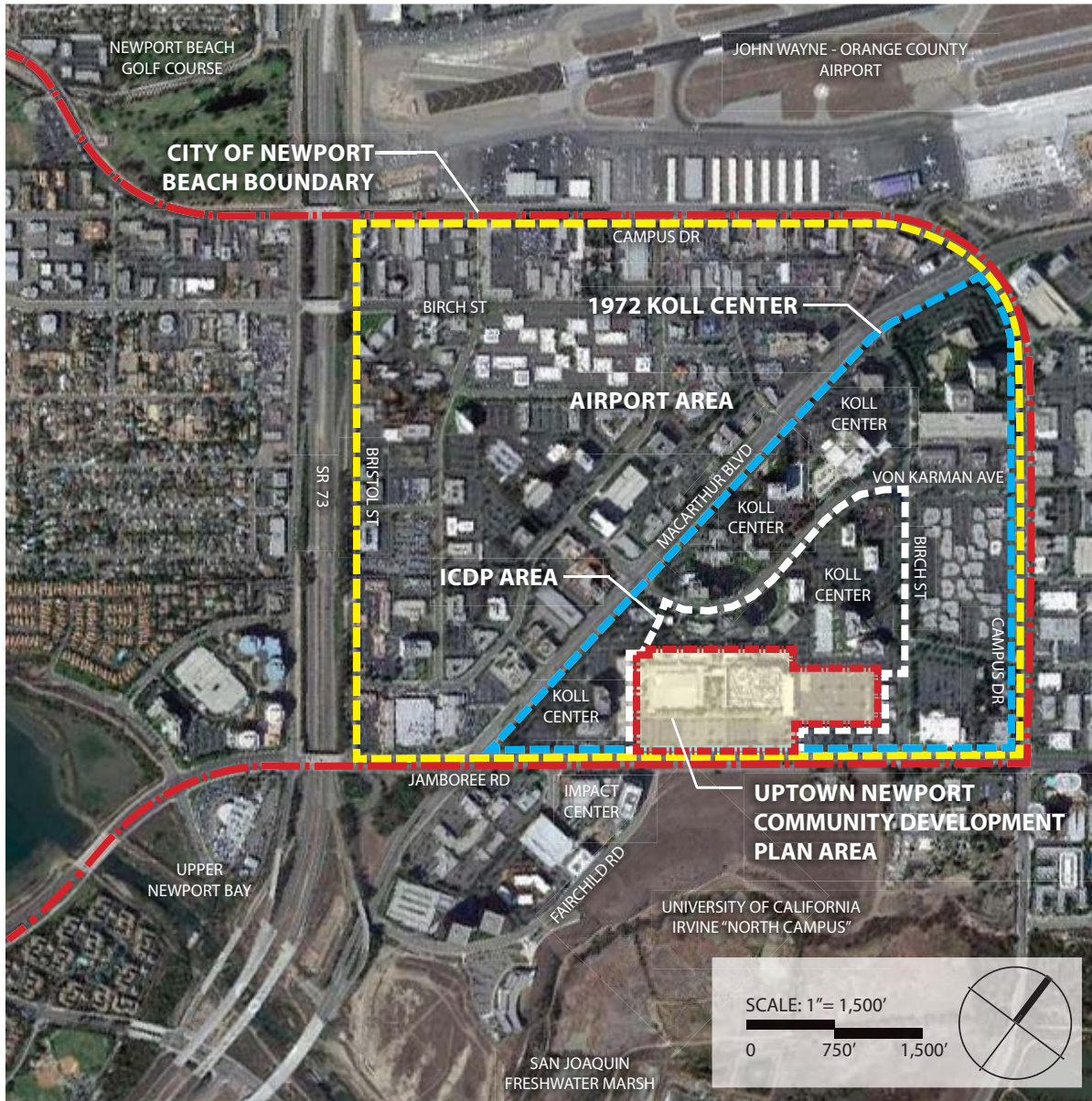


Figure 1-2: The Airport Area and the Uptown Newport Planned Community Development Area

square feet of retail to be developed on the Uptown Newport property and up to 260 residential units to be developed on the Koll property.

The Uptown Newport PC provides the regulatory framework for redevelopment of the 25-acre property into a high-density mixed use residential project. Up to 1,244 residential units, 11,500 square feet of retail, and 2 acres of park space are planned as part of the project.

1.2 AIRPORT AREA CONTEXT

Uptown Newport is located within the Conceptual Development Plan Area of the City's Airport Area, as defined by the City's General Plan. The Airport Area encompasses approximately 360 acres of land abutting and southeast of the John Wayne Airport (JWA), and is bound by Jamboree Road, Campus Drive, and Bristol Street. The ICDP area includes a portion of the 75-acre Koll property, and the 25-acre Uptown Newport Property. These two properties are part of the larger Koll Center, referred to above. The Koll Center was developed as a master planned campus office park, governed by the Planned Community Development Standards for Koll Center Newport (PC-15 - Koll Center) adopted by the City of Newport Beach on August 14, 1972 (Ordinance No. 1449). The Koll Center Planned Community extends northeast from the intersection



Figure 1-3: Airport Area Residential Villages Illustrative Concept Diagram (Source: City of Newport Beach General Plan)

1. INTRODUCTION AND PURPOSE OF DEVELOPMENT PLAN

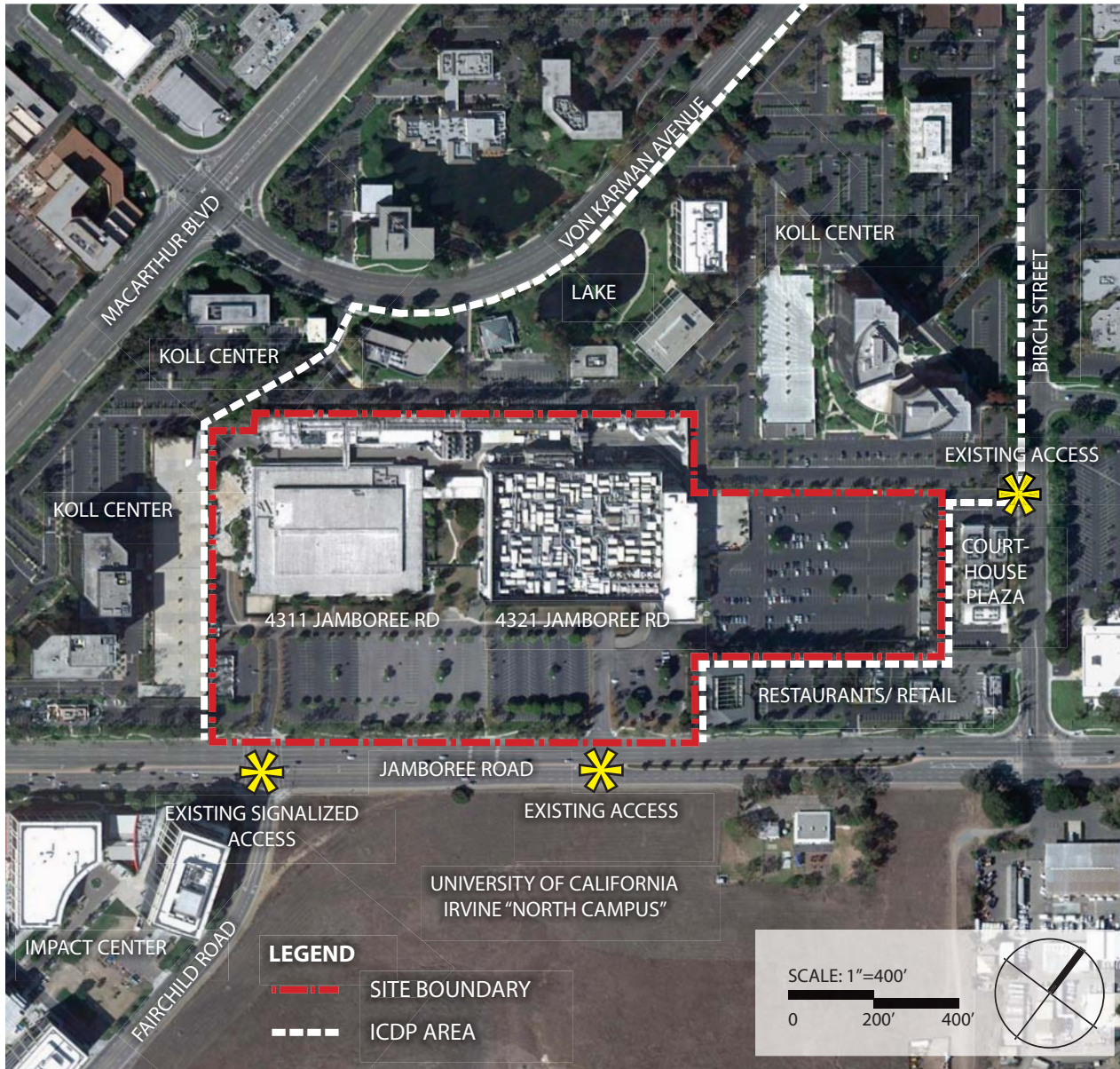


Figure 1-4: Aerial photo of the future Uptown Newport project site.

of MacArthur Boulevard and Jamboree Road to Campus Drive. Refer to Figure 1-2 for the location of the project site within the City of Newport Beach and in the context of the Airport Area.

1.3 IMMEDIATE CONTEXT

As illustrated in Figure 1-4, the subject property consists of two adjoined rectangular portions. The larger rectangular portion, which accounts for approximately 18 acres of the property, fronts Jamboree Road. This portion of the subject property is developed with two buildings aligned along the northwestern perimeter of the site in a northeast to southwest direction to the rear of the site.

The northernmost building located at 4321 Jamboree is approximately 25 feet in height with a three-story addition that is approximately 56 feet high. The building is approximately 311,452 square feet in size, and includes both industrial and supporting office uses. The southernmost building located at 4311 Jamboree is 25 feet in height and approximately 126,675 square feet in size, and includes office uses, lab space, a data center, and cafe uses. Parking for both buildings is provided in surface parking lots located adjacent to the identified buildings. The smaller rectangular portion of the site, approximately 7 acres in size, is set back to the northwest from Jamboree Road by approximately 200 feet, and is currently used for parking at 4321 Jamboree Road.

Local access to the subject property is currently provided by two driveways along Jamboree Road, one of which is signalized, and one driveway along Birch Street. Von Karman Avenue to the northwest and MacArthur Boulevard to the west do not provide direct vehicular access to the Subject Property due to existing development within Koll Center. An access drive easement is located at the western-most corner of the site and provides access through the Koll Center to Von Karman Avenue from the Uptown Newport property.

The site is immediately bounded by Jamboree Road to the southeast, fast food restaurants to the northeast, and by existing office development within the Koll Center to the northwest and southwest. Refer to Figure 1-4 for an illustration of the project site's orientation to nearby streets and surrounding land uses.

1. INTRODUCTION AND PURPOSE OF DEVELOPMENT PLAN

1.4 PURPOSE

The Uptown Newport project will include redevelopment of the 25-acre property into a high-density mixed use residential project. Up to 1,244 residential units, 11,500 square feet of retail, and 2 acres of park space are planned as part of the project. The plan calls for the approximate 25-acre site to be configured with a pattern of streets and development areas that provide a pedestrian-friendly environment, with strong connectivity to adjacent commercial/office areas. Figure 2-1 shows the proposed locations of development areas, parks, and rights-of-way.

The Uptown Newport PC coordinates and regulates development of the residential, commercial, open space, circulation and other improvements that may be developed within Uptown Newport.

The Uptown Newport PC serves as the implementing zoning document for the property and implements the Newport Beach 2006 General Plan and the approved Integrated Conceptual Development Plan (ICDP). The ICDP encourages the development of coordinated, cohesive and environmentally-friendly residential and mixed use projects in the Airport Area, designed to create new urban villages with a distinctive sense of place.

Uptown Newport PC provides a framework for converting the existing industrial uses at the project site into a new village within the airport area, with mixed uses, densities and amenities. The proposed land use intensity is envisioned to be compatible with existing and anticipated development found in the Airport Area. It also permits the existing industrial development as an allowed interim use during build out, and ensures an orderly transition to new residential mixed-use village land uses.

The Uptown Newport PC allows for the demolition and replacement of 438,127 square feet of industrial and office uses allocated to Uptown Newport with a residential and mixed-use development. Up to 1,244 housing units consisting

of 1,060 market units and 184 affordable units, up to 11,500 square feet of neighborhood-serving retail uses, neighborhood parks, and required parking are planned to be developed in a pedestrian-friendly village format. The location of proposed land uses are illustrated on Figure 2-1. A new street system will be developed to provide appropriate circulation throughout the project site for both pedestrians and vehicles, breaking up the project site into multiple development areas. The development will include fire lanes and private driveways to serve the project as necessary.

1.5 RELATIONSHIP TO MUNICIPAL CODE

Whenever the development regulations of this plan conflict with the regulations of the Newport Beach Municipal Code, the regulations contained herein shall prevail. The Municipal Code shall regulate this development whenever regulations are not provided within these district regulations. All words and phrases used in this Uptown Newport PC shall have the same meaning and definition as used in the City of Newport Beach Municipal Code unless defined differently in Section 5 - Definitions.

The Municipal Code referred to herein is the version of the Code in effect on the effective date of the adoption of the Uptown Newport PC by the City of Newport Beach.

1.6 RELATIONSHIP TO AIRPORT AREA CONCEPTUAL DEVELOPMENT PLAN

In 2006 the City of Newport Beach adopted a voter approved comprehensive update to its General Plan, which includes a plan for infill development within the Airport Business Area, immediately east of John Wayne Airport, bounded by Jamboree Road, Campus Drive and Bristol Street. The policies promote the introduction of residential and mixed-

use development within this industrial and commercial district, provided that such development contributes to the creation of viable neighborhood clusters with appropriate infrastructure, pedestrian-oriented features and open spaces, and with a pattern of development that offers a strong sense of community and livability.

The General Plan policies allow for a maximum of 2,200 units of housing within the Airport Business Area. All but 550 of these units must replace existing development so that there is no net gain of vehicular trips; the 550 “additive” units may be constructed on existing surface parking lots or areas not used for occupiable buildings located east of MacArthur Boulevard. This area, referred to in the General Plan as the Conceptual Development Plan Area, has strong potential for the introduction of new residential development, as it includes two large tracts of assembled property, including the 75-acre Koll property, and the 25-acre Uptown Newport site.

1.7 RELATIONSHIP TO THE INTEGRATED CONCEPTUAL DEVELOPMENT PLAN

In September of 2010, the City approved the Koll-Conexant Integrated Conceptual Development Plan (ICDP), which provides a framework for residential development on both the Koll and Conexant properties within the Airport Business Area. The ICDP is aimed at fulfilling the policies of the General

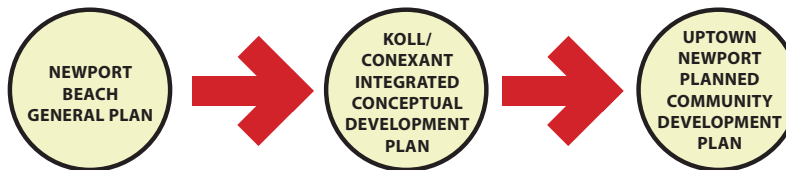


Figure 1-6: Regulatory Hierarchy.

1. INTRODUCTION AND PURPOSE OF DEVELOPMENT PLAN

Plan, ensuring cohesive and liveable neighborhoods oriented to parks and pedestrian ways, and a finer-grained network of structures which will remain. In the ICDP, the Subject Property was referred to as the “Conexant Site”.

The ICDP establishes a framework for development of individual projects within the site area, including goals and guidelines for land uses, height and bulk of buildings, sustainable development practices, unifying landscape,

lighting and signage themes, streets and pedestrian circulation, recreation and open space. The ICDP provides for the redevelopment of the 25-acre Conexant site and for the redevelopment of a 12.7-acre portion of the Koll Center office park between Birch Street and Von Karman Avenue with new residential development and open space, carefully integrated with existing office buildings and parking structures which will remain. Connectivity within

and between the two properties will be provided with new pedestrian ways, planting and/or enhanced pavings which are compatible between the Koll and Conexant properties.

The ICDP permits a total of up to 1,504 new residential units; 1,244 of which are planned and could be developed on the Uptown Newport site and the remaining 260 units on the Koll property (refer to Table 1-1, ICDP Unit Allocation Summary). On the Uptown Newport site, up to 632 units would replace existing industrial and office uses that are planned to be demolished. The remaining 290 units would be additive. The Uptown Newport plan includes the ability to construct up to 322 density bonus units onsite as an incentive to provide affordable housing in addition to that needed to satisfy the City’s affordable housing requirements.

This Planned Community Development Plan was prepared based upon the goals, guidelines and principles of the Conceptual Development Plan, and is designed to implement in greater detail and specificity those goals, guidelines and principles.



Figure 1-5: ICDP Conceptual Plan

TABLE 1-1: ICDP UNIT ALLOCATION SUMMARY

	Additive	Replacement	Density Bonus	Total
Koll Site	260			260
Conexant Site*	290	632	322	1,244
Totals	550	632	322	1,504

*The Subject Property was referred to as the “Conexant Site” in the ICDP

2. Land Use and Development Regulations

2.1 LAND USE

Uptown Newport PC is intended to be a multi-family residential community with neighborhood-serving retail uses. Existing light industrial and office uses will be phased out as development is implemented. Existing uses will continue to be allowed pursuant to the Uptown Newport PC and the Newport Beach Municipal Code (NBMC) relating to non-conforming uses and structures. Permitted uses are described in Section 2.1.2 and Table 2-1.

2.1.1 Existing Uses

Any use within the Uptown Newport PC lawfully existing at the time of the effective date of this PC may continue as an interim use and is subject to NBMC. Permitted uses consist of the following:

I. Existing Light Industrial Uses

A. To allow uses primarily engaged in research activities, provided that such activities are confined within a building or buildings and do not contribute excess noise, dust, smoke, vibration, odor, toxic or noxious matter to the surrounding environment nor contain a high hazard potential, due to the matter of the product material or processes involved. Such activities may include but shall not be limited to research laboratories and facilities, developmental laboratories and facilities and compatible light manufacturing related to the following list of examples:

1. Bio-Chemical
Chemical
Film and Photography
Medical and Dental
Metallurgy

Pharmaceutical
X-Ray

2. Manufacture, research assembly, testing components, devices, equipment and systems and parts and components such as but not limited to the following list of examples:
Coils, Tubes, Semi-Conductors
Communication, Navigation Control, Transmission and Reception Equipment, Control Equipment and Systems Guidance Equipment and Systems
Glass Edging, Beveling, and Silvering
Data Processing Equipment and Systems
Graphics, Art Equipment
Metering Instruments
Optical Devices, Equipment and Systems
Phonographs, Audio Units, Radio Equipment and Systems
Scientific and Mechanical Instruments
Testing Equipment

B. To allow the location of offices and areas associated with and accessory to the permitted light industrial uses listed under IA:

1. Administrative, professional and business offices
2. Regional or home offices of industries which are limited to a single use
3. Blueprinting, photostating, photo engraving, printing, publishing and bookbinding, provided that no on-site commercial service is associated with said uses
4. Cafeteria, cafe, restaurant, bar, theater/nightclub or auditorium subject to the procedures, regulations and guidelines set forth in the Newport Beach Municipal Code

II. Industrial Service and Support Facilities Permitted Uses

A. To allow a combination of general industry, business and professional offices, and industrial support activities, provided that such activities are confined within a building or buildings, and do not contribute excessive noise, dust, smoke, vibration, odor, toxic or noxious matter to the surrounding environment nor contain a high hazard potential due to the nature of the products, materials or processes involved.

1. All uses permitted under Part I

- a. Business and professional offices
- b. Industrial Support Facilities, to include activities limited to the sale of products or services
- c. Distribution and warehousing plants

Prior to adoption of Uptown Newport PC, development on the Uptown Newport property has been controlled by the Koll Center PC-15. Uptown Newport PC replaces the Koll Center PC with respect to the development of the Uptown Newport site. It is recognized, however, that development and absorption of these elements within Uptown Newport may require a span of several years to commence and complete, and that in the interim, industrial and commercial uses of the site will continue.

The conditions, standards, and other provisions of Uptown Newport PC are in no way intended to discourage or prohibit the continued uses of the existing industrial uses on the site as development of the urban village concept proceeds.

2.1.2 Permitted Uses

Permitted uses are those uses set forth in Table 2-1. Definitions are provided in Section 5 of the Uptown Newport PC. Accessory Uses are also permitted. The Community Development Director may determine other uses not specifically listed herein, provided they are consistent with the General Plan Land Use Category MU-H2, and the development intent of Uptown Newport PC.

2.1.3 Special Events

The mixed-use and open character of Uptown Newport may be conducive to the hosting of a variety of Special Events (as defined in NBMC) throughout the year. Special Events must comply with NBMC.

2.2 DEVELOPMENT PROGRAM

The development program in Uptown Newport PC is consistent with those established by the ICDP and are identified in Table 2-2. The development program may be modified through amendments to the Uptown Newport PC or the approval of a Transfer of Development Rights. Carts, kiosks, temporary, support, Accessory Uses are permitted and are not counted towards development units or square footage.

2.3 TRANSFER OF DEVELOPMENT RIGHTS

The transfer of development rights within this Planned Community to/from areas in the Airport Area Conceptual Development Plan identified in the General Plan is allowed in accordance with the General Plan and NBMC.

TABLE 2-2: DEVELOPMENT PROGRAM

LAND USE	
Residential	922 units
Residential Density Bonus ¹	322 units
Total Residential	1,244 units
Commercial (Retail)	11,500 sq. ft.

¹Density bonus units pursuant to state law

2. LAND USE AND DEVELOPMENT REGULATIONS

TABLE 2-1: PERMITTED LAND USE REGULATION TABLE

RESIDENTIAL	
Multi-Unit Dwellings	P
Home Occupations	P
Live-Work Units	P
Senior Citizen Housing	P
CARE USES	
Adult Day Care: Small (6 or fewer)	P
Child Day Care: Small (8 or fewer)	P
Day Care, General	CUP
Congregate Care Housing	CUP
COMMERCIAL RECREATION AND ENTERTAINMENT (1)	
Arcades or electronic games centers	CUP
Bowling alleys	CUP
Billiard parlors/ pool rooms	CUP
Live entertainment	CUP
RETAIL USES (1)	
Alcohol Sales (off-sale)	MUP
Alcohol Sales (off-sale) Accessory Only	MUP
Antiques	P
Appliances	P
Artists supplies	P
Animal sales and services	P
Bakeries	P
Bicycles	P
Books	P
Boutique shops	P
Clothing and accessories	P
Cameras and photographic supplies	P
Convenience markets/stores/food and beverages	P
Drug and discount stores	P
Flooring	P
Handcrafted items	P

RETAIL USES (1) (CONTINUED)	
Hardware	P
Jewelry	P
Luggage and leather goods	P
Musical instruments, parts and accessories	P
Office supplies	P
Paint and wallpaper	P
Pharmacies	P
Real estate information center	P
Shoe stores	P
Sporting goods and equipment	P
Tobacco	P
Toys and games	P
SERVICE USES - BUSINESS, FINANCIAL, MEDICAL AND PROFESSIONAL	
ATM's	P
Financial Institutions and Related Services	P
Offices - Business	P
Offices - Medical and Dental	P
Offices - Professional	P
SERVICE USES - GENERAL (1)	
Animal Grooming/Veterinary Services	P
Artists Studios	P
Eating and Drinking Establishments	
Accessory food service (open to public)	P (2)
Fast Food (no late hours)	P
Fast Food (with late hours)	MUP (2)
Food Service (no late hours)	P
Food Service (with late hours)	CUP (2)
Take-Out Service, Limited	P/MUP
Health Fitness Facilities	
Small - 2,000 sq. ft. or less	P
Large - Over 2,000 sq. ft.	CUP
Maintenance and Repair Services	P

LEGEND

P = Permitted By-Right
 CUP = Conditional Use Permit
 MUP = Minor Use Permit
 LTP = Limited Term Permit
 --- Not Allowed

(1) Uses permitted on the first floor only.

(2) Late hours. Facilities with late hours shall mean facilities that offer service and are open to the public after 11:00 p.m. any day of the week. A Minor Use Permit shall be required for any use that maintains late hours.

Note: Land uses that are not listed in the table above, or are not shown are not allowed, except as otherwise provided by NBMC (Rules of Interpretation).

If such uses are Accessory Uses to a Residential Development, such uses shall not be counted against the 11,500 s.f. of allowable commercial space.

(TABLE CONTINUED ON NEXT PAGE)

2. LAND USE AND DEVELOPMENT REGULATIONS

TABLE 2-1: PERMITTED LAND USE REGULATION TABLE

SERVICE USES - GENERAL (1) (CONTINUED)	
Medical Retail/ Services	
Body scanning	P
Dental enhancement treatments	P
Eye exam, eyeglass/contact lens sales	P
Skin treatments	P
Personal Services	
Clothing Rental Shops	P
Dry Cleaners	P
Hair Salons/ Barber Shops	P
Home electronics and small appliance repair	P
Locksmiths	P
Massage Establishments	MUP
Massage Establishments, Accessory	MUP
Nail Salons/ Beauty Shops	P
Spas	P
Tailors and seamstresses	P
Tanning salons	P
Travel agencies/services	P
Postal Services	P
Printing and Duplicating Services	P
TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE USES	
Utilities, Minor	P
Utilities, Major	CUP
Wireless Telecommunication Facilities	CUP

VEHICLE RENTAL, SALE, AND SERVICE USES	
Vehicle/ Equipment Rentals	
Office Only	P (1)
Limited (no outdoor storage)	MUP
Vehicle Sales (no outdoor sales lot)	CUP
Vehicle Sales, Office Only	P (1)
OTHER USES	
Accessory Structures and Uses	P
Personal Property Sales	P
Temporary Uses	LTP

LEGEND

P = Permitted By-Right
 CUP = Conditional Use Permit
 MUP = Minor Use Permit
 LTP = Limited Term Permit
 --- Not Allowed

(1) Uses permitted on the first floor only.

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Note: Land uses that are not listed in the table above, or are not shown are not allowed, except as otherwise provided by NBMC (Rules of Interpretation).

If such uses are Accessory Uses to a Residential Development, such uses shall not be counted against the 11,500 s.f. of allowable commercial space.

2. LAND USE AND DEVELOPMENT REGULATIONS

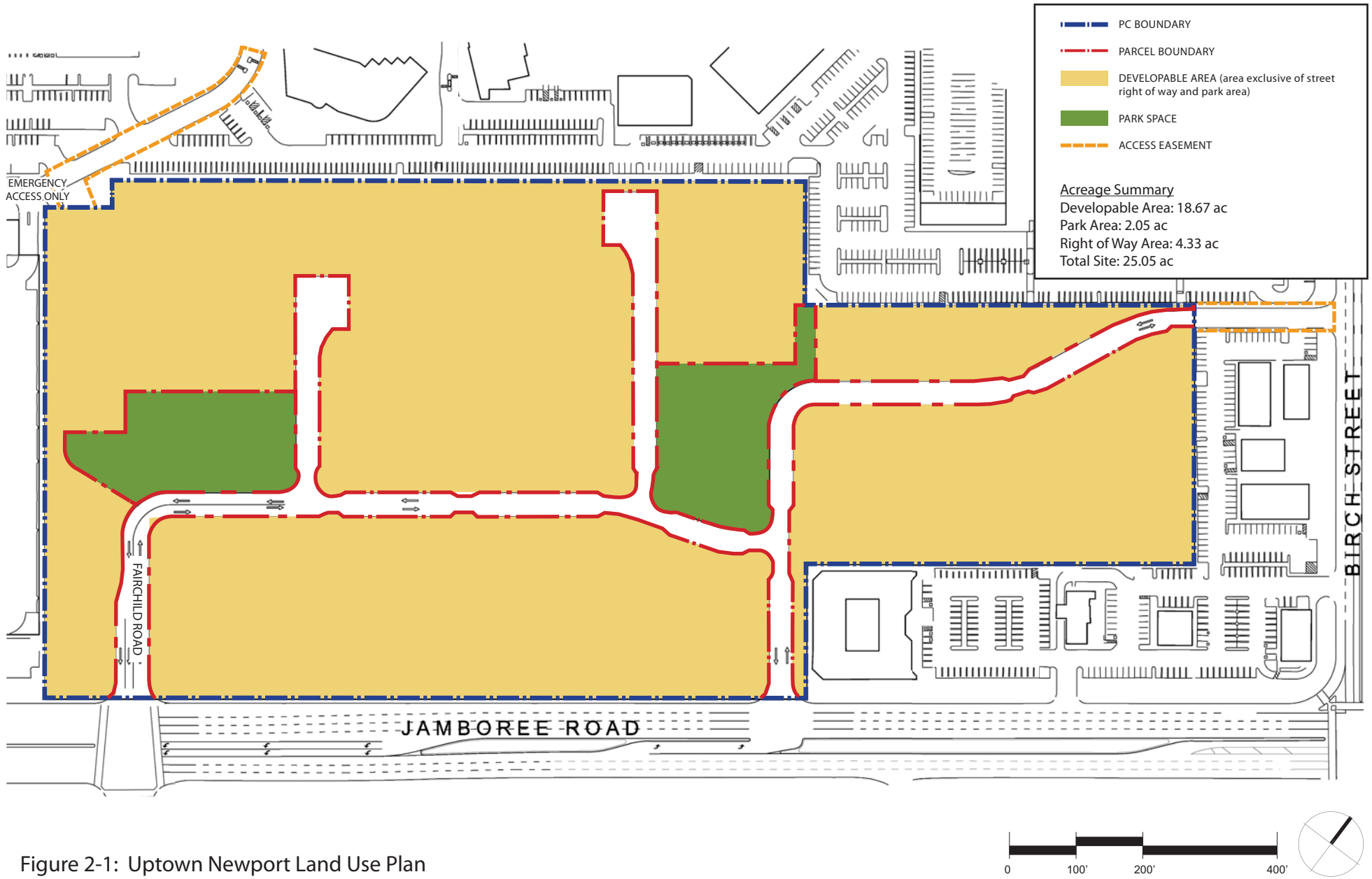


Figure 2-1: Uptown Newport Land Use Plan

3. Site Development Standards

3.1 PERMITTED HEIGHT OF STRUCTURES

The maximum height for most buildings shall be 75 feet. Exceptions include towers (above 75 feet) where the maximum building height may reach 150 feet, and a portion of the site where the maximum height shall be 55 feet (see Figure 3-2). Tower portions of buildings shall be set back an additional 15' beyond the required setback from property line. Towers may be wholly or partially surrounded with low- and mid-rise structures. The distance between the tower portions of buildings above 75 feet in height shall be a minimum of 75 feet. All building heights are measured at Finished Grade as shown on grading plan or final subdivision map.

All development must be constructed in conformance with the height restrictions set forth by Federal Aviation Administration (FAA), Federal Aviation Regulations (FAR) Part 77, and Caltrans Division of Aeronautics, and the height restrictions set forth by the Airport Environs Land Use Plan (AELUP) for John Wayne Airport and the Airport Land Use Commission (ALUC). It should be noted that the current aviation easement for JWA as adopted by the Orange County Board of Supervisors restricts the construction of buildings to a maximum height of 206 feet (NAVD 88).

The maximum Floor Plate of any tower portion of a building shall not exceed 25,000 square feet, and there shall be no more than 2 towers located in any of the designated "tower zones."

Architectural Features are permitted and may exceed the maximum building height up to 20 feet, provided that the maximum height of the architectural features do not exceed 206 feet (NAVD 88). Such features must be an extension or compliment of the architectural style of the building in terms of materials, design and color.

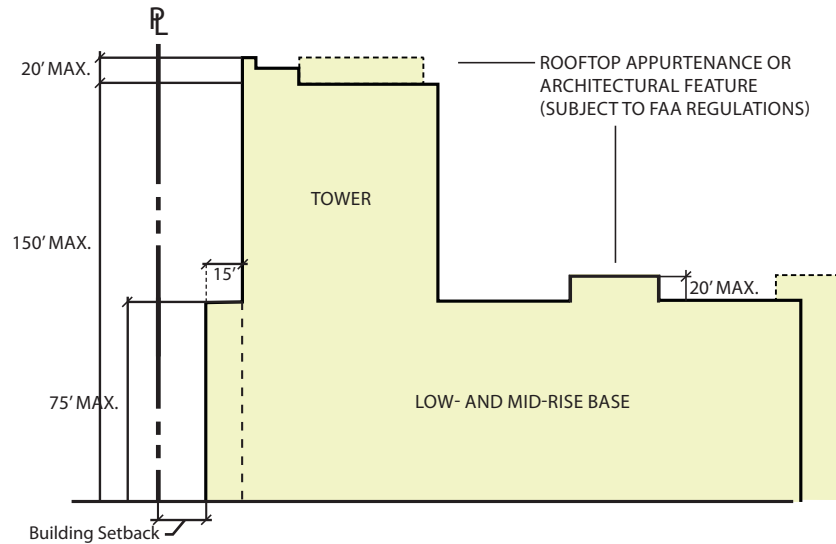


Figure 3-1 Building/Structure Height Limits



Figure 3-2 Building Height Limit Plan

Note: All plans are for illustrative purposes only

3.2 BUILDINGS SETBACK REQUIREMENTS

3.2.1 Perimeter

The building setbacks to the perimeter property line shall be 15'. Exceptions include a 34' setback along the property line adjacent to Jamboree Road, a 10' setback along the southwest property edge, and a 20' setback along a portion of the northern property line (see Figure 3-4).

3.2.2 Interior Streets

Along the spine street building setbacks shall be 27' from property line. Along all other streets building setbacks shall be 17' from property line.

Subterranean parking structures or other underground structures (including foundations and footings) may project a maximum of 10' into the required setback or easement and shall be covered with a minimum 2' depth of soil for planting (see Figure 3-3).

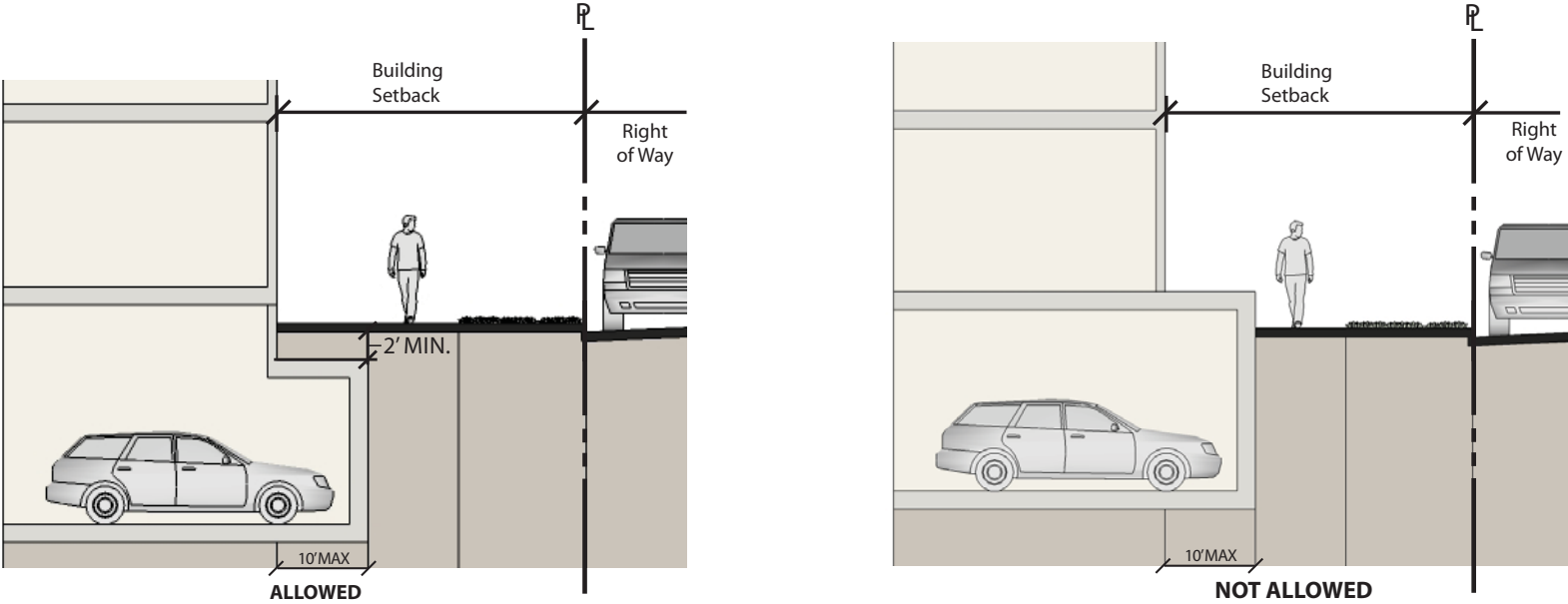


Figure 3-3 Subterranean Garage Conditions

Note: All plans are for illustrative purposes only

3. SITE DEVELOPMENT STANDARDS

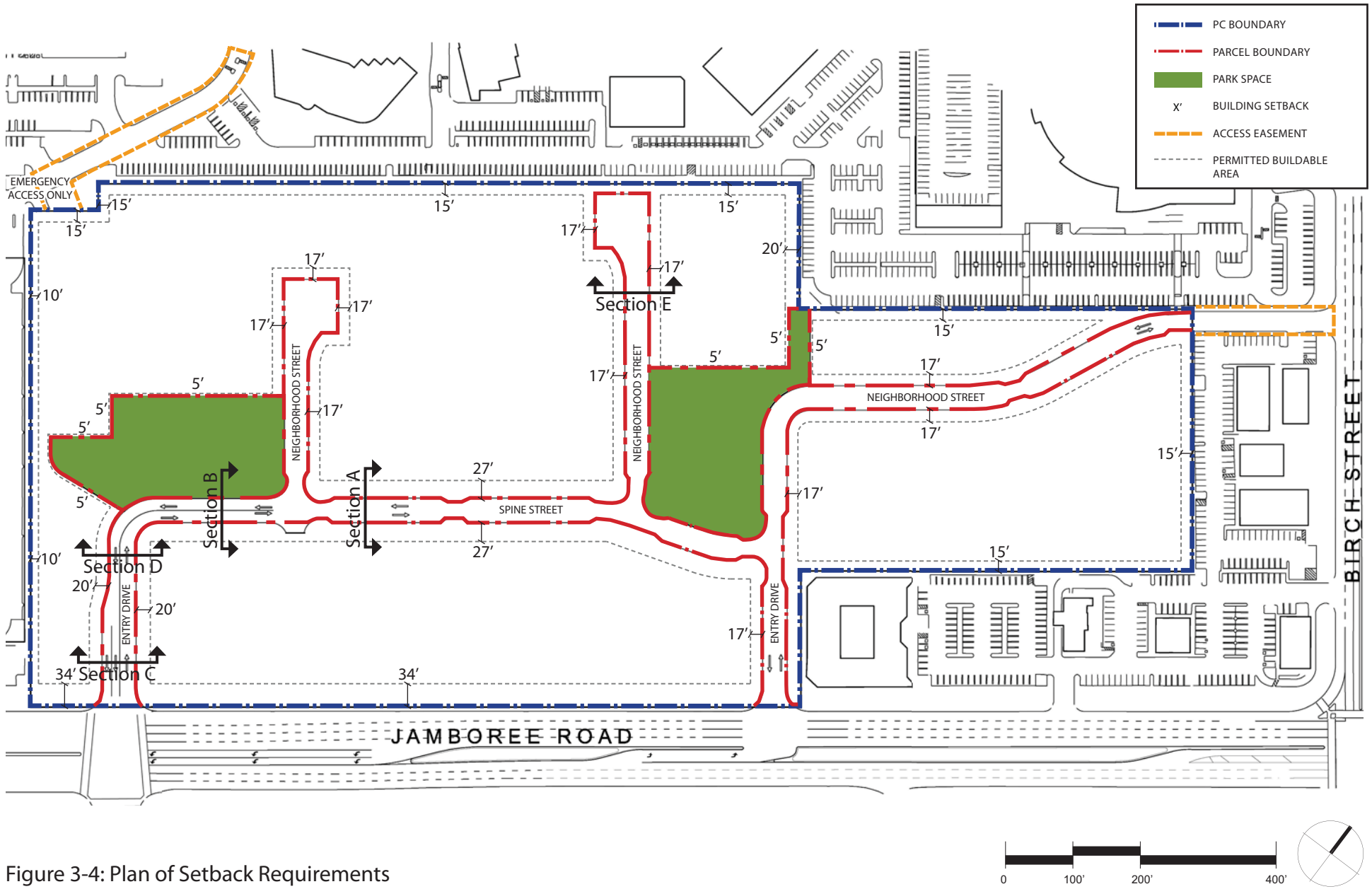
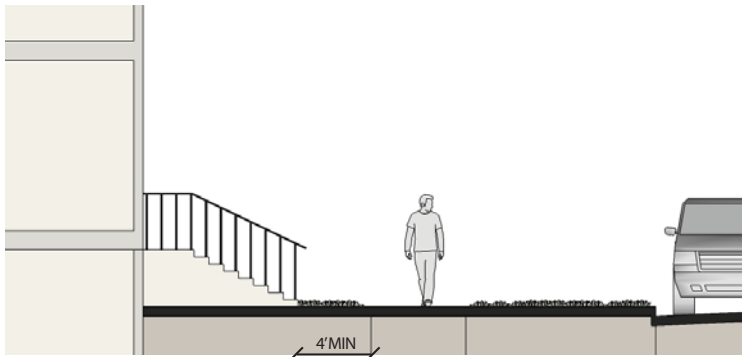


Figure 3-4: Plan of Setback Requirements

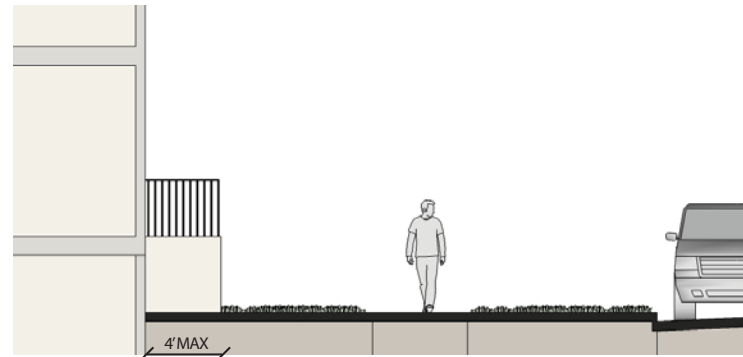
3.2.5 Stairways, Ramps and Patios

Stairways, front stoops, and ramps on neighborhood roads are permitted within the front setback and may extend to the back of walk. Street-level private patios may also encroach to within 2 feet of the back of walk. On the spine street, stairways, front stoops, and ramps are permitted within the front setback and may encroach to within 4 feet of the back of walk, and street-level patios may encroach a maximum of 4 feet into the required setback. Patio encroachments into the Jamboree Road setback are not permitted.

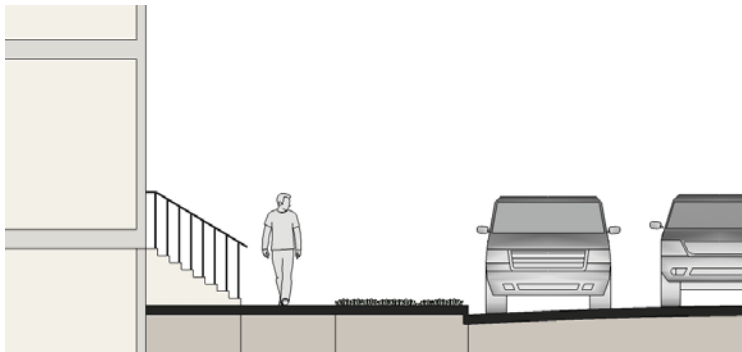
Ramps needed for accessibility may be placed into the street setback but must be incorporated into the overall architectural design and landscape design of the buildings they serve and shall be set back a minimum of 2 feet from the public sidewalk.



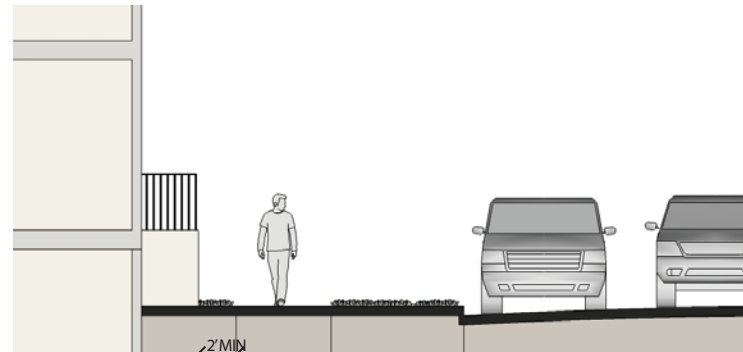
Spine Street: Stairways, Front Stoops, & Ramps



Spine Street: Patios



Neighborhood Street: Stairways, Front Stoops, & Ramps



Neighborhood Street: Patios

Figure 3-5 Setback Encroachment

Note: All plans are for illustrative purposes only

3. SITE DEVELOPMENT STANDARDS

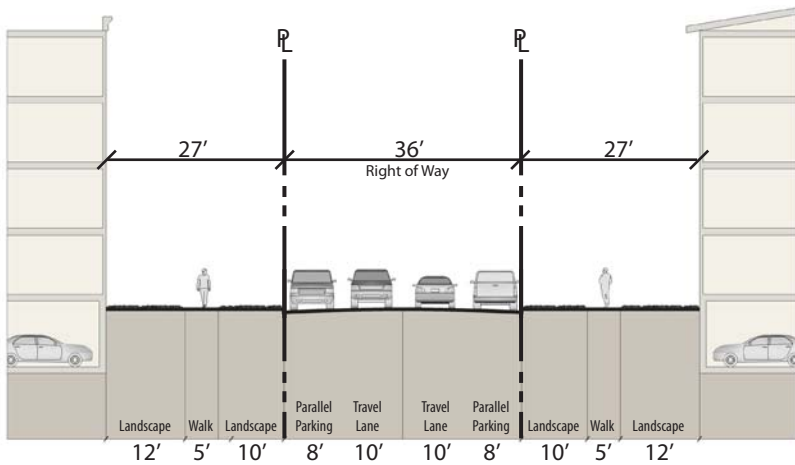


Figure 3-5: Section A - Spine Street (without diagonal parking)

3.2.6 Sidewalks

Sidewalks shall be provided on both sides of all internal streets and shall be a minimum of five feet in width. In cases where project streets are constructed adjacent to future phases, such streets may be allowed to have a sidewalk on one side only until such time that build-out occurs. The installation of parkway landscaping and street trees is required in such instances. Walkways are not required adjacent to private drives, basement access drives or alleys. Streets shall be privately owned and maintained, but open to the public. Outdoor dining is permitted adjacent to retail uses as long as a minimum sidewalk width of five feet is maintained at all times.

3.2.7 Street Hierarchy

Uptown Newport will feature a network of streets centered around the internal "Spine Street." The Spine Street includes a 36' paved section with the option of adjacent diagonal parking in certain locations (see Figures 3-5 and 3-6). The street network also features two Entry Drives (Figures 3-7 and 3-8) intersecting Jamboree Road, which also may feature diagonal parking. The remaining roads on the site are Neighborhood Streets (Figure 3-9), which feature tighter building setbacks and landscape dimensions than the Spine Street and Entry Drives.

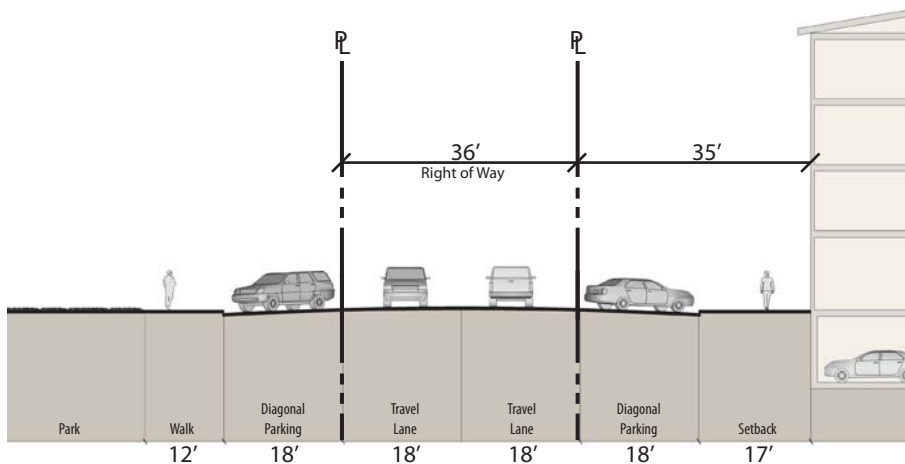


Figure 3-6: Section B - Spine Street (with diagonal parking)

3. SITE DEVELOPMENT STANDARDS

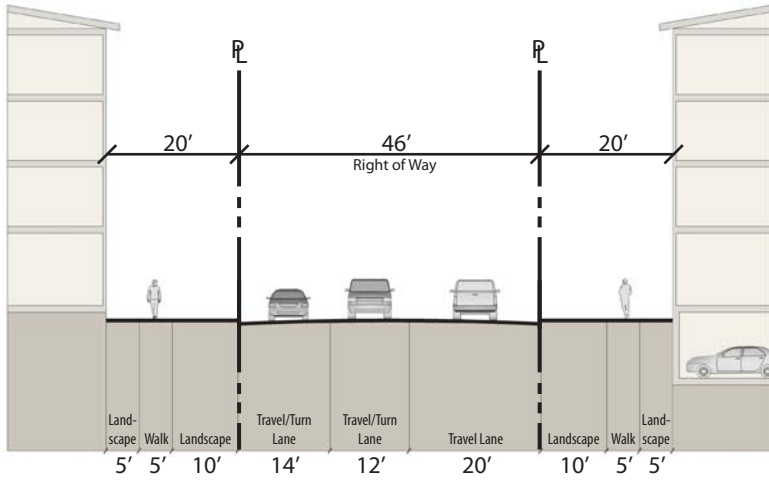


Figure 3-7: Section C - Entry Drive (without diagonal parking)

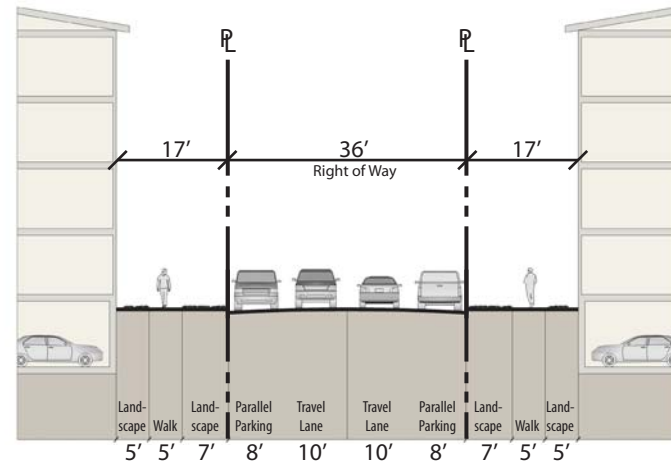


Figure 3-9: Section E - Neighborhood Street

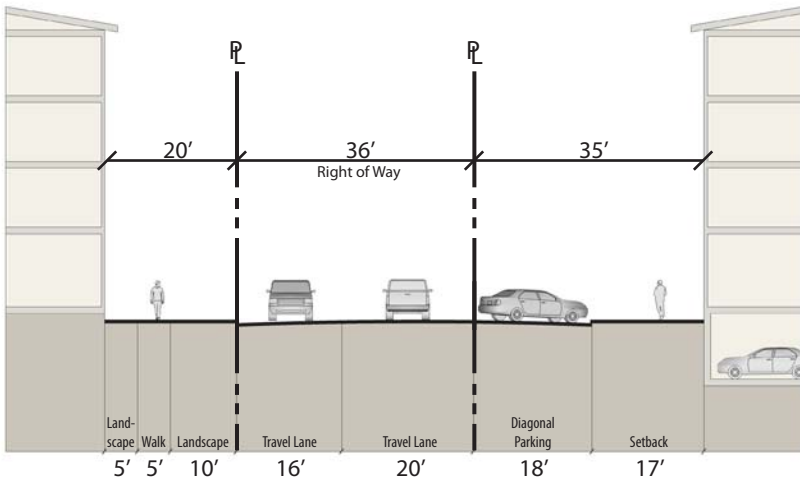


Figure 3-8: Section D - Entry Drive (with diagonal parking)

3. SITE DEVELOPMENT STANDARDS

3.3 PARKING REQUIREMENTS

Parking requirements are based on gross floor area for retail/ office/ commercial uses and unit counts for residential units. Carts and Kiosks for retail sales, covered or uncovered, shall not be included in the calculation of required parking. Accessory, ancillary and support uses for residential developments shall not be included in the calculation of required parking. Parking requirements for Uptown Newport are shown in Table 3-1.

3.3.1 On-Street Parking

Parallel and diagonal on-street parking is permitted on all project streets and may be credited toward parking requirements for retail uses. Parallel parking stall sizes shall conform to City of Newport Beach standards and will be permitted on one side of 32'-wide streets (paved section to face of curb) and both sides of a 36'-wide street (paved section to face of curb).

3.3.2 Parking Management Plan

Parking management plans may be prepared for implementing projects if the applicant wishes to deviate from the parking standards identified in Table 3-1.

TABLE 3-1: UPTOWN NEWPORT PARKING REQUIREMENTS

LAND USE	PARKING REQUIREMENT	
Residential (Rental)	Studio:	1.1 spaces per dwelling unit
	1 Bedroom:	1.5 spaces per dwelling unit
	2 Bedroom:	1.8 spaces per dwelling unit
	3 Bedroom:	2.0 spaces per dwelling unit
	Visitor Parking:	0.3 spaces per dwelling unit
Residential (Ownership)	Studio:	1.4 spaces per dwelling unit
	1 Bedroom:	1.8 spaces per dwelling unit
	2 Bedroom:	1.8 spaces per dwelling unit
	3 Bedroom:	2.0 spaces per dwelling unit
	Visitor Parking:	0.3 spaces per dwelling unit
Senior Housing	1 per unit	

Refer to Newport Beach Municipal Code for all uses not listed above

3.4 LANDSCAPING

Refer to NBMC

3.5 LIGHTING

Refer to NBMC

3.6 RESIDENTIAL PARK, ON-SITE RECREATION & OPEN SPACE

3.6.1 Public Neighborhood Parks

Two (2) neighborhood parks shall be provided within Uptown Newport. The neighborhood parks shall be improved, maintained, and accessible to the public at times. Each neighborhood park shall comply with the following standards:

1. 1.0 acre minimum in size, exclusive of adjacent parking spaces (cumulative total of at least 2.00 acres shall be provided);
2. 150 feet or more in dimension;
3. Surround by streets on at least two sides;
4. Linked to surrounding residential uses in its respective neighborhood by streets and pedestrian ways; and
5. Contains recreational amenities, which may include:
 - a. Active lawn area
 - b. BBQ courtyard
 - c. Children's play area
 - d. Other amenities as deemed appropriate by the Community Development Director

3.6.2 Private Recreational Areas

On-site private recreation amenities shall be provided in each building phase, individual residential building or complex. A total of 44 square feet of recreational areas shall be provided for each dwelling unit. These areas may include the following amenities:

1. Swimming pools/spas
2. Exercise facilities
3. Tennis courts
4. Basketball courts
5. Clubhouse rooms
6. Roof deck recreation areas
7. Community gardens
8. Other amenities as deemed appropriate by the Community Development Director

3.6.3 Private Balconies

Private balconies may be provided for each residential unit. If provided, balconies should be 60 square feet minimum for each residential unit and may encroach into required building setback areas by a maximum of two (2) feet into the neighborhood streets and four (4) feet into primary "spine" street. Balcony encroachments into the Jamboree Road setback are not permitted.

3.6.4 Recreational Open Space

In addition to the public neighborhood parks, recreational open space shall be provided and shall be improved and maintained as common walkways or "paseos." These areas shall be provided with recreational amenities that may include the following:

1. Sitting and social gathering spaces with outdoor furniture
2. Exercise stations
3. Water elements
4. Other amenities as deemed appropriate by the Community Development Director

3.7 PERIMETER WALLS AND FENCES

Walls and fences shall be provided along the perimeter of Uptown Newport with the exception of along Jamboree Road. Perimeter walls and fences shall not exceed 6 feet in height. Temporary walls built for the purposes of sound attention from interim on-site uses may exceed the 6 foot height limit, but shall be buffered by low walls and/or landscaping.

3.8 INFRASTRUCTURE

3.8.1 Grading

Grading of Uptown Newport will be conducted and undertaken in a manner both consistent with applicable grading standards and ordinances of the City of Newport Beach.

3.8.2 Drainage

Drainage design for Uptown Newport will be in accordance with appropriate City of Newport Beach requirements and permits. This will include approval and implementation of a Water Quality Management Plan that will incorporate Low Impact Development principles.

4. Planned Community Development Plan Implementation

4.1 SITE DEVELOPMENT REVIEW

The purpose of the Site Development Review process is to ensure projects within the Uptown Newport Planned Community Development are implemented consistent with the goals and policies of the General Plan, provisions of this Planned Community Development Plan, Uptown Newport Design Guidelines, Uptown Newport Phasing Plan, the Development Agreement, applicable environmental mitigation measures, and consistent with the findings set forth below in sub-section 4.1.3.

4.1.1 Application

Approval of Site Development Review application by the Community Development Director shall be required prior to the issuance of a grading or building permit for the followings:

1. Construction of any new residential or commercial building and its associated parking garage(s) and/or structures; and
2. Construction and implementation of the two one-acre neighborhood parks, on-site recreational amenities, and common walkways (paseos).

Signs, tenant improvements to permitted buildings, kiosks, and temporary structures are exempt from the Site Development Review process and are subject to the applicable ministerial permits required by the NBMC.

No public hearing shall be required for a Site Development Review application; however, a public hearing shall be conducted prior to any decision on an application that includes a request to adjust development standards, a MUP, or a CUP. Notice of the public hearing shall be provided, and the hearing shall be conducted, in compliance with Chapter 20.62 (Public Hearings).

4.1.2 Adjustment of Standards

A Site Development Review application may adjust, where necessary and justifiable, the following development standards:

- a. Building setback(s) and placement(s);
- b. Distance between building structures;
- c. Landscape setback(s); and
- d. Parking space number, size, and/or location

4.1.3 Findings

Consistent with the general purposes set forth in sub-section 4.1, the Community Development Director may approve or conditionally approve a site development review application, only after first making the following findings:

1. The development shall be in compliance with all other provisions of the Uptown Newport Planned Community District Plan;
2. The development shall be consistent with the Uptown Newport Design Guidelines and Phasing Plan;
3. The following criteria shall be considered during the review of a Site Development Review application:
 - a. Compliance with this Section, the General Plan, the Zoning Code, any applicable specific plan, and other applicable criteria and policies related to the use or structure;
 - b. The efficient arrangement of structures on the site and the harmonious relationship of the structures to one another and to other adjacent developments; and whether the relationship is based on standards of good design;
 - c. The compatibility in terms of bulk, scale, and aesthetic treatment of structures on the site and

adjacent developments and public areas;
 d. The adequacy, efficiency, and safety of pedestrian and vehicular access, including drive aisles, driveways, and parking and loading spaces;

e. The adequacy and efficiency of landscaping and open space areas and the use of water efficient plant and irrigation materials;

f. Not detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed development.

4.1.4 Contents

The Site Development Review application shall be filed with the Community Development Department on the appropriate City application form, together with all required fees and/or deposit and all other information and materials specified by the Community Development Director for the specific type of application. The following plans or exhibits shall be required unless waived by the Community Development Director:

1. Site Plan clearly depicting existing conditions including adjacent structures and proposed improvements
2. Floor Plans
3. Elevations that clearly demonstrate the architectural theme of each face of all structures, including walls and signs, illustrating the following:
 - a. All exterior materials
 - b. All exterior colors
 - c. Building heights
4. Parking management plan (if parking waiver is requested)

5. Plans and description of improvements for on-site public and private recreational amenities and/or open space including furnishings and signage
6. Preliminary Landscape Plan, illustrating:
 - a. General location of all plant materials, by common and botanical names
 - b. Size of plant materials
 - c. Irrigation concept
7. Lighting Plan, including the location, fixture height, lighting fixture product type and technical specifications
8. An analysis, including any supporting documentation, of the project's consistency with the General Plan, Planned Community Development Plan, Design Guidelines, and Phasing Plan
9. Any additional information, studies or materials that the Community Development Director deems necessary

4.1.5 Expiration

Any site development review approved in accordance with the terms of this planned community development plan shall expire within twenty-four (24) months from the effective date of final approval, as specified in Section 20.54.030 of the Newport Beach Municipal Code, unless at the time of approval the Community Development Director has specified a different period of time or an extension is otherwise granted.

4.1.6 Fees

The applicant shall pay a fee as established by Resolution of the Newport Beach City Council for each application for Site Development Review under this Planned Community Development Plan.

5. Definitions

All words and phrases used in this Uptown Newport PC shall have the same meaning and definition as used in the City of Newport Beach Municipal Code unless defined differently in this section.

Architectural Features: A prominent or significant part or element of a building, structure, or site. Such features must be an extension of the architectural style of the building in terms of materials, design and color. Examples may include, but are not limited to, turrets, towers, cupolas, etc.

Banks/Savings & Loans: Establishments that provide a full range of retail banking and mortgage loan services to individuals and businesses. Includes only those institutions engaged in the on-site circulation of cash money. Also includes businesses offering check-cashing services. Drive-through or drive-up services included.

Bars and Cocktail Lounges: Establishments engaged in selling or serving alcoholic beverages for consumption on the premises or establishments having any of the following characteristics:

- Licensed as a “public premises” by the California Department of Alcoholic Beverage Control
- Provides an area for serving alcoholic beverages that is operated during hours not corresponding to regular meal service hours. Food products sold or served incidentally to the sale or service of alcoholic beverages shall not be deemed as constituting regular food service.

Building Elevation: The exterior wall surface formed by one (1) side of the building

Building Height: Building height is measured from the corresponding point on the roof to the exterior finished grade. If the building is on a sloping surface, the height measurement is taken from the building entrance. Exceptions include but are not limited to below grade parking structures, motor courts, and retaining walls.

Kiosks: Carts and kiosks are small (75 square feet or less), freestanding structures used for retail sales and services. Generally mobile in terms of ease of relocation, the structures can be seasonal, temporary or for a more permanent use.

Eating and Drinking Establishments: Establishments engaged in serving prepared food or beverages for consumption on or off the premises.

Effective Date of the Uptown Newport PC: The date on which the Uptown Newport PC is approved by the Newport Beach City Council.

Eye Level: The height of 5 feet measured from grade.

Floorplate: A floor of a building, as depicted by a floor plan, encompassing all building elements on the floor as defined by the exterior enclosing walls.

Pedestrian Ways: Any walkway, path, plaza, arcade or corridor, either covered or open to the sky, which is primarily for use by people on foot and is not adjacent to the frontage road or common parking areas.

Medical Retail: Sales of medical goods or services that are retail oriented.

Minor Use Permit: Use permit issued by the Community Development Director.

NBMC: Newport Beach Municipal Code

Neighborhood Park: A lot or area of land set aside, designated, dedicated, or reserved for public or private use or enjoyment designed and accessible for outdoor living, active or passive recreation, pedestrian access, or landscaping.

Net Developable Area: The total area of a site less the following:

- a. Publicly dedicated Rights of Way; and
- b. Any dedicated Park areas.

Parking Structure: Structures containing more than one story principally dedicated to parking. Parking structures may contain accessory, ancillary and resident support uses.

Podium Level: A superposed terrace conforming to a building’s plan, a continuous pedestal; a level of vertical segregation linking separate areas.

Residential: An area within a structure on a parcel that contains separate or independent living facilities for one or more persons, with area or equipment for sleeping, sanitation or food preparation.

Retail Sales: Stores and shops which sell various lines of merchandise for profit. This includes the sales of non-durable and durable goods to customers.

Rooftop Appurtenance: Rooftop appurtenances include, but are not limited to, non-habitable mechanical equipment, stairwell and elevator shaft housing, antennae, window washing equipment, and wireless communication facilities.

Senior Citizen Housing: A residential development restricted for occupancy to for senior citizens that has at least 35 dwelling units and conforms to Civil Code 51.3(b)(4). There are numerous types of Senior Citizen Housing (each with their own unique parking demands) including, but not limited to:

- **Age Restricted:** Communities with an age requirement for at least one tenant or buyer. Subcategories include age brackets between persons 55-61 years of age and at least 62 years of age.
- **Active Adult:** Communities designed to enable independent seniors to enjoy a lifestyle filled with recreational, educational and social activities amongst other seniors. Also known as Independent Living
- **Assisted Living:** Facilities that provide a special combination of residential housing, personalized supportive services and care.
- **Nursing Care:** Facilities designed for seniors who are in need of 24-hour nursing care.
- **Continuing Care:** Residential campuses that provide a continuum of care - from assisted living to skilled nursing care, all in one location.
- **Memory Care:** Specialized care and housing tailored to the special needs of individuals with Alzheimer's.

Setbacks: The minimum distance from the property line to building. This is not intended to apply to interior lot lines or interior property lines.

Supporting Uses: Uses within residential developments, offices, hotels, and parking structures designed, oriented, and intended to primarily serve building occupants including, but not limited to sales, leasing, management, fitness and recreation. Such uses must be consistent with the pertinent regulations in Table 2-1.

Vehicle Entry: Any intersection points along the public right-of-way that provide access for automobiles.