

## 8.1 Purpose and Intent

This chapter lays the more detailed groundwork necessary for Project development, including the subsequent construction-level permits and procedures to implement the PC Development Plan described in Chapter 9.

This chapter:

1. Divides the Land Use Districts described in Chapter 3 into smaller Site Planning Areas (SPAs), with associated acres and residential dwelling units, accommodations, and commercial square footages. These Site Planning Areas are necessary for phasing of public and private land use development, open space and park dedications and other reasons set forth in Section 8.2.1.
2. Describes the Phasing Concept for the Planned Community in terms that reflect the Site Planning Area boundaries, acreages, and units, and which provide for the logical extension of public and private infrastructure, dedication of open space and parks, and for other reasons set forth in Section 8.3.1.
3. Sets forth the regulations and procedures for progressive refinements and amendments to the PC Development Plan and Table (Exhibits 3-1 and 3-2), as well as the Site Planning Areas Map and Table (Exhibits 8-1 and 8-2), and to the Conceptual Phasing Plan and Table (Exhibits 8-3 and 8-4), all which are anticipated with more detailed site planning and engineering for phased development of the NBR Project.

## 8.2 Site Planning Areas

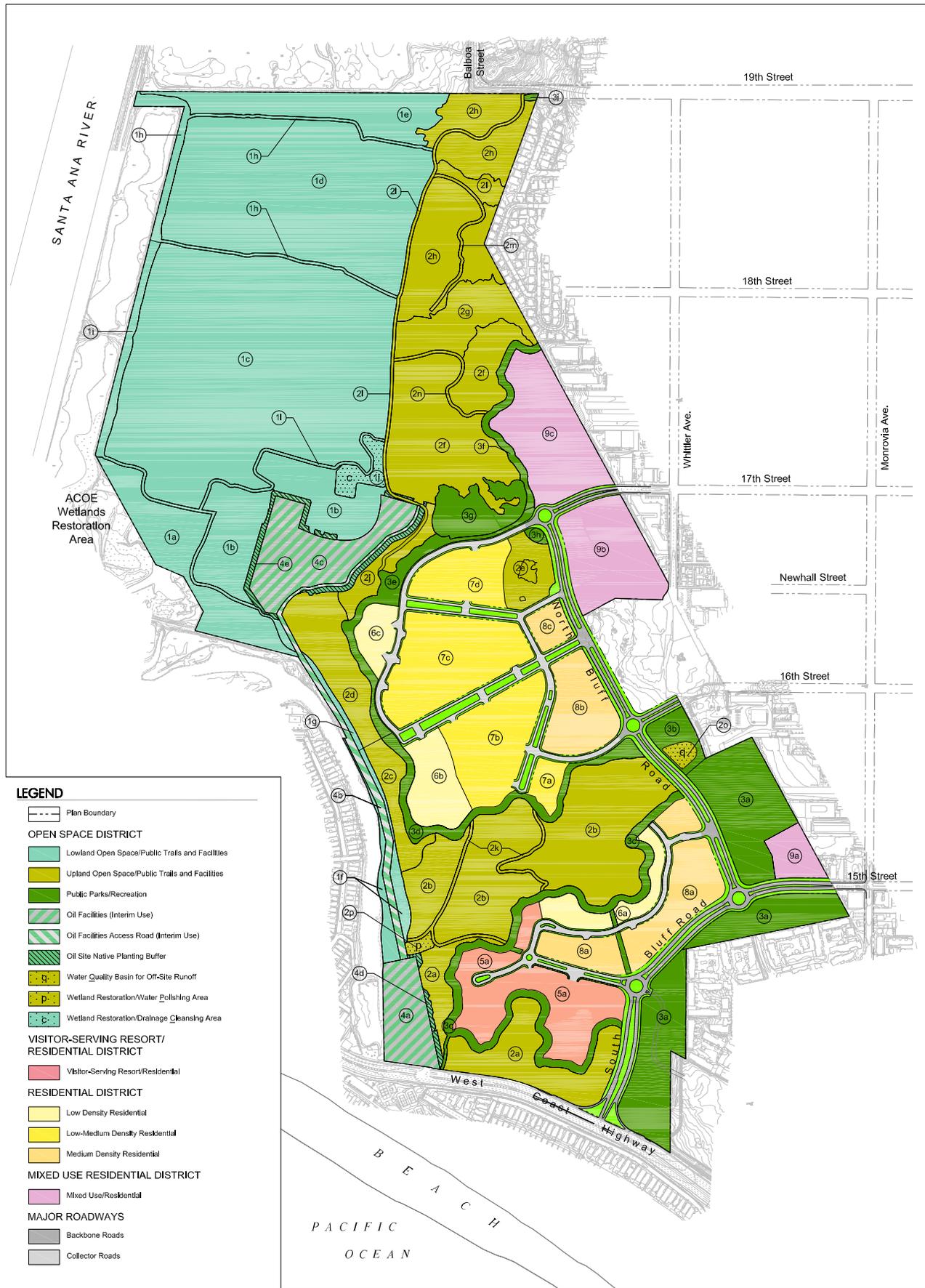
### 8.2.1 Purpose and Intent

To facilitate the preparation of a Master Site Plan, Project Site Plans, and a variety of technical plans, reports, and permits required to implement habitat protection and restoration, public park dedications and improvements, and private land use development, the PC Development Plan divides the Land Use Districts shown on the PC Development Plan and Table, Exhibits 3-1 and 3-2, respectively, into a finer-grained, more detailed pattern that can be related to phasing and implementation.

### 8.2.2 Site Planning Areas

Exhibits 8-1 and 8-2 contain the Site Planning Areas Map and the Site Planning Areas Table, respectively.

The SPAs described in these exhibits are subdivisions of the larger Land Use Districts shown in Exhibits 3-1 and 3-2, and reflect a variety of land use, habitat protection and/or restoration, and development phasing considerations. They correspond to the progressive extension of backbone roadways and infrastructure to serve land use development.



# Phasing and Administration

## Exhibit 8-2

### SITE PLANNING AREAS TABLE Planned Community Development Plan

LAND USE DISTRICT	SPA #	SITE PLANNING AREA	GROSS ACRES <sup>(1)</sup>	PLANNED DENSITY DU/Ac. (Gross) <sup>(2)</sup>	PLANNED DWELLING UNITS
<b>OPEN SPACE LAND USE DISTRICT</b>					
<b>1. LOWLAND OPEN SPACE / PUBLIC TRAILS AND FACILITIES DISTRICT</b>					
LLOS/PTF	1a	South Wetland Area	8.8	--	--
LLOS/PTF	1b	Central Wetland Area	11.5	--	--
LLOS/PTF	1c	North Wetland Area	56.8	--	--
LLOS/PTF	1d	South Wet Meadow Area	34.4	--	--
LLOS/PTF	1e	North Wet Meadow Area	8.1	--	--
LLOS/PTF	1f	Bluff Toe Trail - Phase 1	2.6	--	--
LLOS/PTF	1g	Bluff Toe Trail - Phase 2	0.6	--	--
LLOS/PTF	1h	Lowland Interpretive Trail - Phase 1	3.2	--	--
LLOS/PTF	1i	Lowland Interpretive Trail - Phase 2	4.0	--	--
LLOS/PTF	1j	Wetlands Restoration / Drainage Cleansing Area	1.5	--	--
<b>Subtotal Lowland Open Space / Public Trails and Facilities District</b>			<b>131.6</b>		
<b>2. UPLAND OPEN SPACE / PUBLIC TRAILS AND FACILITIES DISTRICT</b>					
UOS/PTF	2a	West Coast Highway Bluff Area	10.1	--	--
UOS/PTF	2b	Large Arroyo CSS / Grassland Area	26.2	--	--
UOS/PTF	2c	Oil Road Bluff CSS / Grassland Area - Phase 1	2.9	--	--
UOS/PTF	2d	Oil Road Bluff CSS / Grassland Area - Phase 2	6.5	--	--
UOS/PTF	2e	Vernal Pool Preservation Area	3.1	--	--
UOS/PTF	2f	South Upland Grassland Area	16.9	--	--
UOS/PTF	2g	Medium Arroyo Grassland Area	5.9	--	--
UOS/PTF	2h	North Upland CSS / Grassland Area	15.5	--	--
UOS/PTF	2i	Small Arroyo Grassland Area	1.2	--	--
UOS/PTF	2j	Scenic Bluff CSS / Grassland Area	2.3	--	--
UOS/PTF	2k	Large Arroyo Trail	1.2	--	--
UOS/PTF	2l	Upland Interpretive Trail - Phase 1	1.8	--	--
UOS/PTF	2m	Upland Interpretive Trail - Phase 2	0.6	--	--
UOS/PTF	2n	Upland Interpretive Trail - Phase 3	0.5	--	--
UOS/PTF	2o	Wetlands Restoration / Drainage Cleansing Area	0.6	--	--
UOS/PTF	2p	Wetlands Restoration / Large Arroyo Water Polishing Area	0.4	--	--
<b>Subtotal Upland Open Space / Public Trails and Facilities District</b>			<b>95.6</b>		
<b>3. PUBLIC PARKS / RECREATION DISTRICT</b>					
PP/R	3a	Public Community Park - Phase 1	20.8	--	--
PP/R	3b	Public Community Park - Phase 2	1.7	--	--
PP/R	3c	Public Bluff Park - Phase 1	7.0	--	--
PP/R	3d	Public Bluff Park - Phase 2	3.8	--	--
PP/R	3e	Public Bluff Park - Phase 3	4.1	--	--
PP/R	3f	Public Bluff Park - Phase 4	1.7	--	--
PP/R	3g	Interpretive Center <sup>(3)</sup>	3.9	--	--
PP/R	3h	Vernal Pool Interpretive Area	0.3	--	--
PP/R	3i	Talbert Trailhead / Staging Area	0.1	--	--
<b>Subtotal Parks and Recreation District</b>			<b>43.4</b>		
<b>4. OIL FACILITIES DISTRICT (Phase 5 Open Space)</b>					
OF	4a	Oil Operations Site (South Area)	4.8	--	--
OF	4b	Oil Access Road	3.1	--	--
OF	4c	Oil Consolidation Site (North Area)	8.6	--	--
OF	4d	Oil Operations Site Native Planting Buffer	0.5	--	--
OF	4e	Oil Consolidation Site Native Planting Buffer	2.1	--	--
<b>Subtotal Oil Facilities District</b>			<b>19.0</b>		
<b>SUBTOTAL OPEN SPACE LAND USE DISTRICT</b>			<b>289.7</b>		

# Phasing and Administration

## Exhibit 8-2 (continued)

### SITE PLANNING AREAS TABLE Planned Community Development Plan

LAND USE DISTRICT	SPA #	SITE PLANNING AREA	GROSS ACRES <sup>(1)</sup>	PLANNED DENSITY DU/Ac. (Gross) <sup>(2)</sup>	PLANNED DWELLING UNITS
<b>VISITOR-SERVING RESORT / RESIDENTIAL LAND USE DISTRICT</b>					
<b>5. VISITOR-SERVING RESORT / RESIDENTIAL DISTRICT</b>					
VSR/R	5a	Resort Hotel (75 Guest Rooms / Spa / Fitness Center / Restaurants / Commercial). 185 Residential Units	11.7	--	185
<b>Subtotal Visitor-Serving Resort / Residential District</b>			<b>11.7</b>		<b>185</b>
<b>SUBTOTAL VISITOR-SERVING RESORT / RESIDENTIAL LAND USE DISTRICT</b>			<b>11.7</b>		<b>185</b>
<b>RESIDENTIAL LAND USE DISTRICT</b>					
<b>6. LOW DENSITY RESIDENTIAL DISTRICT</b>					
L	6a	Detached Residential	4.1	6	23
L	6b	Detached Residential	5.2	3	16
L	6c	Detached Residential	2.6	3	7
<b>Subtotal Low Density Residential District</b>			<b>11.9</b>		<b>46</b>
<b>7. LOW-MEDIUM DENSITY RESIDENTIAL DISTRICT</b>					
LM	7a	Attached / Detached Residential	1.8	7	12
LM	7b	Attached / Detached Residential	11.1	5	54
LM	7c	Attached / Detached Residential	12.5	10	123
LM	7d	Attached / Detached Residential	6.2	8	50
<b>Subtotal Low-Medium Density Residential District</b>			<b>31.6</b>		<b>239</b>
<b>8. MEDIUM DENSITY RESIDENTIAL DISTRICT</b>					
M	8a	Attached / Detached Residential	11.3	11	123
M	8b	Attached / Detached Residential	7.1	14	102
M	8c	Attached / Detached Residential	2.1	13	26
<b>Subtotal Medium Density Residential District</b>			<b>20.5</b>		<b>251</b>
<b>SUBTOTAL RESIDENTIAL LAND USE DISTRICT</b>			<b>63.9</b>		<b>536</b>
<b>MIXED-USE / RESIDENTIAL LAND USE DISTRICT<sup>(4)</sup></b>					
<b>9. MIXED-USE / RESIDENTIAL DISTRICT</b>					
MU/R	9a	Attached Residential	2.2	41	90
MU/R	9b	Attached Residential	8.7	30	260
MU/R	9c	Attached Residential	10.3	30	304
<b>Subtotal Mixed-Use / Residential District</b>			<b>21.1</b>		<b>654</b>
<b>SUBTOTAL MIXED-USE / RESIDENTIAL LAND USE DISTRICT</b>			<b>21.1</b>		<b>654</b>
<b>BACKBONE ROADWAYS<sup>(5)</sup></b>					
--	--	South Bluff Road (4-Lane Arterial)	5.9	--	--
--	--	North Bluff Road (2-Lane Enhanced Collector) <sup>(6)</sup>	7.5	--	--
--	--	15th Street (4-Lane Arterial)	1.2	--	--
--	--	16th Street (2-Lane Enhanced Collector) <sup>(6)</sup>	0.4	--	--
--	--	17th Street (2-Lane Enhanced Collector)	0.8	--	--
<b>SUBTOTAL BACKBONE ROADWAYS</b>			<b>15.9</b>		
<b>TOTAL PROJECT</b>			<b>402.3</b>		<b>1,375</b>

(1) Gross land use acres are generally measured to centerlines of adjacent local road rights-of-way where such roads are shown on the plan.

(2) Planned densities (DU/Ac.) reflect the Planned Dwelling Units for each Planning Area shown on this table. See Chapter 8, Phasing and Administration, for description of Permitted Planning Area and Planned Dwelling Unit adjustments.

(3) Interpretive Center includes: Nature Center / Native Plant Nursery / Seasonal Yurt Retreat

(4) Up to 180 affordable housing units (i.e., 15% of 1,195 market rate units) and a maximum of 75,000 sq. ft. of commercial will be included within Mixed Use / Residential Land Use District.

(5) Rights-of-way for Backbone Roadways are treated as a distinct land use acreage.

(6) Includes half-width rights-of-way from adjacent parcels for small portions of North Bluff Road and 16th Street as shown in Exhibit 3-1, Planned Community Development Plan.

### 8.3 Phasing Concept

#### 8.3.1 Overview

It is anticipated that the Newport Banning Ranch Project will be implemented in multiple phases not only because of the need to respond to market conditions and home-buyer and renter absorption at the time of development but, equally important, to allow for the proper sequencing and coordination of interrelated environmental and public-benefit activities. These activities include, but are not limited to, oil facility consolidation, clean-up and remediation, habitat protection, restoration and/or mitigation, roadway and infrastructure construction, and the progressive dedication and improvement of public parks, trails, interpretive areas, and other public rights-of-way consistent with the future Pre-Annexation Development Agreement (PADA).

The Landowner/Master Developer anticipates that the Project will be progressively improved and developed in three major phases, as shown in Exhibit 8-3, Conceptual Phasing Plan, and Exhibit 8-4, Conceptual Phasing Table.

Both the exhibit and the table are subject to future refinement in response to a variety of considerations – including market conditions and national and local economic conditions – all of which are beyond the Landowner/Master Developer’s control. For these reasons, the Conceptual Phasing Plan and Table shall be viewed as guidelines, but not requirements, of the Project.

Once begun, development phases may overlap with one another. For example, the Phase 1 development of Mixed-Use/Residential could, depending upon market absorption, continue into Phase 2 development of Medium Density Residential and even into Phase 3 development of Low-Medium Density Residential.

Geographic phases could also occur in a different sequence than described, provided that requirements and conditions related to oil abandonment and remediation, public infrastructure and facilities, open space dedications, Development Agreement obligations, and environmental mitigations continue to be satisfied. More detailed descriptions of phasing requirements and conditions are provided in the Oil Facility Consolidation, Abandonment, and Remediation Program (OFCARP), the Open Space Clean-Up, Improvement, and Dedication Program (OSCIDP), and the Habitat Restoration Plan (HRP) in the Technical Appendices.

It is assumed that EIR Mitigation Measures required for any particular phase will be tied to the development of that phase so that impacts and related mitigations can occur regardless of the actual timing or sequencing of development within each phase. Therefore, resequencing of all or portions of development phases will not result in additional impacts. Impacts and corresponding mitigation measures will be presented in the certified Final Environmental Impact Report for the Project.

As shown, phasing is anticipated to begin with the southern portion of the Site closest to West Coast Highway, which is proposed for visitor-serving resort and residential development, and include construction of a signalized project roadway access and internal/external circulation, and a significant portion of the proposed Community Park. Concurrently, the Conceptual Phasing Plan contemplates the protection, clean-up, remediation, and restoration of specified lowland open space areas and the improvement of public trails in the northern portion of the Site.

Subsequent subsections explain the phasing concept in terms of private land use development phasing, phasing of upland and lowland open space dedications, and phasing of public park dedications and improvements.

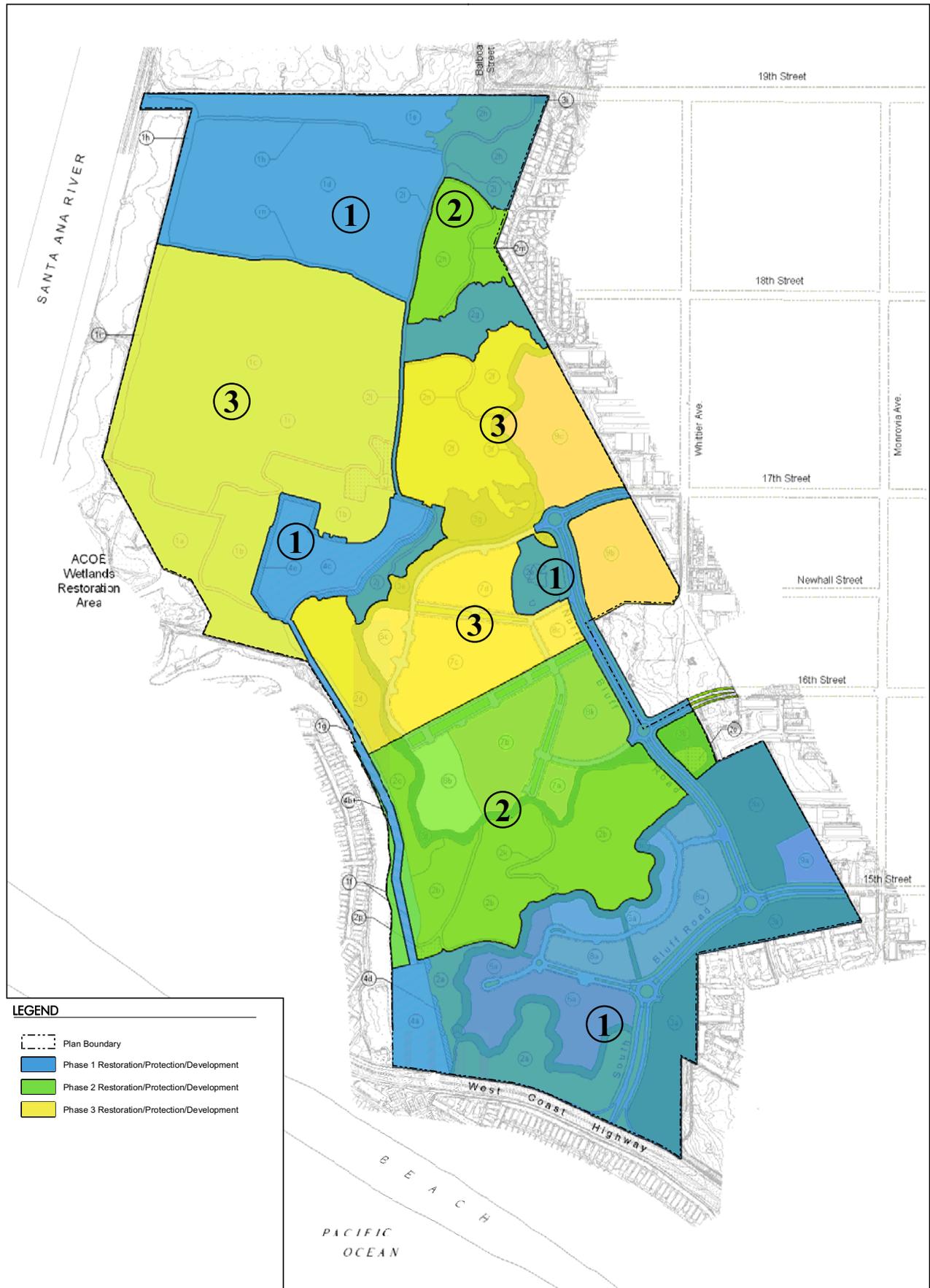


Exhibit 8-4

CONCEPTUAL PHASING TABLE  
Planned Community Development Plan

SPA #	SITE PLANNING AREA	GROSS ACRES <sup>(1)</sup>	PLANNED DWELLING UNITS	PHASE					
				1		2		3	
				Acres	Units	Acres	Units	Acres	Units
<b>OPEN SPACE LAND USE DISTRICT</b>									
<b>1. LOWLAND OPEN SPACE / PUBLIC TRAILS AND FACILITIES DISTRICT</b>									
1a	South Wetland Area	8.8	0	0.0	0	0.0	0	8.8	0
1b	Central Wetland Area	11.5	0	0.0	0	0.0	0	11.5	0
1c	North Wetland Area	56.8	0	0.0	0	0.0	0	56.8	0
1d	South Wet Meadow Area	34.4	0	34.4	0	0.0	0	0.0	0
1e	North Wet Meadow Area	8.1	0	8.1	0	0.0	0	0.0	0
1f	Bluff Toe Trail - Phase 1	2.6	0	0.0	0	2.6	0	0.0	0
1g	Bluff Toe Trail - Phase 2	0.6	0	0.0	0	0.0	0	0.6	0
1h	Lowland Interpretive Trail - Phase 1	3.2	0	3.2	0	0.0	0	0.0	0
1i	Lowland Interpretive Trail - Phase 2	4.0	0	0.0	0	0.0	0	4.0	0
1j	Wetlands Restoration / Drainage Cleansing Area	1.5	0	0.0	0	0.0	0	1.5	0
<b>Subtotal Lowland Open Space / Public Trails and Facilities District</b>		<b>131.6</b>	<b>0</b>	<b>45.8</b>	<b>0</b>	<b>2.6</b>	<b>0</b>	<b>83.2</b>	<b>0</b>
<b>2. UPLAND OPEN SPACE / PUBLIC TRAILS AND FACILITIES DISTRICT</b>									
2a	West Coast Highway Bluff Area	10.1	0	10.1	0	0.0	0	0.0	0
2b	Large Arroyo CSS / Grassland Area	26.2	0	0.0	0	26.2	0	0.0	0
2c	Oil Road Bluff CSS / Grassland Area - Phase 1	2.9	0	0.0	0	2.9	0	0.0	0
2d	Oil Road Bluff CSS / Grassland Area - Phase 2	6.5	0	0.0	0	0.0	0	6.5	0
2e	Vernal Pool Preservation Area	3.1	0	3.1	0	0.0	0	0.0	0
2f	South Upland Grassland Area	16.9	0	0.0	0	0.0	0	16.9	0
2g	Medium Arroyo Grassland Area	5.9	0	5.9	0	0.0	0	0.0	0
2h	North Upland CSS / Grassland Area	15.5	0	6.8	0	8.7	0	0.0	0
2i	Small Arroyo Grassland Area	1.2	0	1.2	0	0.0	0	0.0	0
2j	Scenic Bluff CSS / Grassland Area	2.3	0	2.3	0	0.0	0	0.0	0
2k	Large Arroyo Trail	1.2	0	0.0	0	1.2	0	0.0	0
2l	Upland Interpretive Trail - Phase 1	1.8	0	1.8	0	0.0	0	0.0	0
2m	Upland Interpretive Trail - Phase 2	0.6	0	0.0	0	0.6	0	0.0	0
2n	Upland Interpretive Trail - Phase 3	0.5	0	0.0	0	0.0	0	0.5	0
2o	Wetlands Restoration / Drainage Cleansing Area	0.6	0	0.0	0	0.6	0	0.0	0
2p	Wetlands Restoration / Large Arroyo Water Polishing Area	0.4	0	0.0	0	0.4	0	0.0	0
<b>Subtotal Upland Open Space / Public Trails and Facilities District</b>		<b>95.6</b>	<b>0</b>	<b>31.2</b>	<b>0</b>	<b>40.6</b>	<b>0</b>	<b>23.9</b>	<b>0</b>
<b>3. PUBLIC PARKS / RECREATION DISTRICT</b>									
3a	Public Community Park - Phase 1	20.8	0	20.8	0	0.0	0	0.0	0
3b	Public Community Park - Phase 2	1.7	0	0.0	0	1.7	0	0.0	0
3c	Public Bluff Park - Phase 1	7.0	0	7.0	0	0.0	0	0.0	0
3d	Public Bluff Park - Phase 2	3.8	0	0.0	0	3.8	0	0.0	0
3e	Public Bluff Park - Phase 3	4.1	0	0.0	0	0.0	0	4.1	0
3f	Public Bluff Park - Phase 4	1.7	0	0.0	0	0.0	0	1.7	0
3g	Interpretive Center <sup>(3)</sup>	3.9	0	0.0	0	0.0	0	3.9	0
3h	Vernal Pool Interpretive Area	0.3	0	0.0	0	0.0	0	0.3	0
3i	Talbert Trailhead / Staging Area	0.1	0	0.1	0	0.0	0	0.0	0
<b>Subtotal Public Parks / Recreation District</b>		<b>43.4</b>	<b>0</b>	<b>27.9</b>	<b>0</b>	<b>5.5</b>	<b>0</b>	<b>10.0</b>	<b>0</b>
<b>4. OIL FACILITIES DISTRICT (Phase 5 Open Space)</b>									
4a	Oil Operations Site (South Area)	4.8	0	4.8	0	0.0	0	0.0	0
4b	Oil Access Road	3.1	0	3.1	0	0.0	0	0.0	0
4c	Oil Consolidation Site (North Area)	8.6	0	8.6	0	0.0	0	0.0	0
4d	Oil Operations Site Native Planting Buffer	0.5	0	0.5	0	0.0	0	0.0	0
4e	Oil Consolidation Site Native Planting Buffer	2.1	0	2.1	0	0.0	0	0.0	0
<b>Subtotal Oil Facilities District</b>		<b>19.0</b>	<b>0</b>	<b>19.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>
<b>SUBTOTAL OPEN SPACE LAND USE DISTRICT</b>		<b>289.7</b>	<b>0</b>	<b>123.9</b>	<b>0</b>	<b>48.7</b>	<b>0</b>	<b>117.1</b>	<b>0</b>

Exhibit 8-4 (continued)

CONCEPTUAL PHASING TABLE  
Planned Community Development Plan

SPA #	SITE PLANNING AREA	GROSS ACRES <sup>(1)</sup>	PLANNED DWELLING UNITS	PHASE					
				1		2		3	
				Acres	Units	Acres	Units	Acres	Units
<b>VISITOR-SERVING RESORT / RESIDENTIAL LAND USE DISTRICT</b>									
<b>5. VISITOR-SERVING RESORT / RESIDENTIAL DISTRICT</b>									
5a	Resort Hotel (75 Guest Rooms / Spa / Fitness Center / Restaurants / Commercial), 175 Attached Condominiums, and 10 Detached Homes	11.7	185	11.7	185	0.0	0	0.0	0
<b>Subtotal Visitor-Serving Resort / Residential</b>		<b>11.7</b>	<b>185</b>	<b>11.7</b>	<b>185</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>
<b>TOTAL VISITOR-SERVING RESORT / RESIDENTIAL</b>		<b>11.7</b>	<b>185</b>	<b>11.7</b>	<b>185</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>
<b>RESIDENTIAL LAND USE DISTRICT</b>									
<b>6. LOW DENSITY RESIDENTIAL DISTRICT</b>									
6a	Detached Residential	4.1	23	4.1	23	0.0	0	0.0	0
6b	Detached Residential	5.2	16	0.0	0	5.2	16	0.0	0
6c	Detached Residential	2.6	7	0.0	0	0.0	0	2.6	7
<b>Subtotal Low Density Residential District</b>		<b>11.9</b>	<b>46</b>	<b>4.1</b>	<b>23</b>	<b>5.2</b>	<b>16</b>	<b>2.6</b>	<b>7</b>
<b>7. LOW-MEDIUM DENSITY RESIDENTIAL DISTRICT</b>									
7a	Attached / Detached Residential	1.8	12	0.0	0	1.8	12	0.0	0
7b	Attached / Detached Residential	11.1	54	0.0	0	11.1	54	0.0	0
7c	Attached / Detached Residential	12.5	123	0.0	0	0.0	0	12.5	123
7d	Attached/Detached Residential	6.2	50	0.0	0	0.0	0	6.2	50
<b>Subtotal Low-Medium Density Residential District</b>		<b>31.6</b>	<b>239</b>	<b>0.0</b>	<b>0</b>	<b>12.9</b>	<b>66</b>	<b>18.6</b>	<b>173</b>
<b>8. MEDIUM DENSITY RESIDENTIAL DISTRICT</b>									
8a	Attached / Detached Residential	11.3	123	11.3	123	0.0	0	0.0	0
8b	Attached / Detached Residential	7.1	102	0.0	0	7.1	102	0.0	0
8c	Attached / Detached Residential	2.1	26	0.0	0	0.0	0	2.1	26
<b>Subtotal Medium Density Residential District</b>		<b>20.5</b>	<b>251</b>	<b>11.3</b>	<b>123</b>	<b>7.1</b>	<b>102</b>	<b>2.1</b>	<b>26</b>
<b>SUBTOTAL RESIDENTIAL LAND USE DISTRICT</b>		<b>63.9</b>	<b>536</b>	<b>15.4</b>	<b>146</b>	<b>25.2</b>	<b>184</b>	<b>23.3</b>	<b>206</b>
<b>MIXED-USE / RESIDENTIAL LAND USE DISTRICT</b>									
<b>9. MIXED-USE / RESIDENTIAL DISTRICT</b>									
9a	Attached Residential <sup>(2)</sup>	2.2	90	2.2	90	0.0	0	0.0	0
9b	Attached Residential <sup>(2)</sup>	8.7	260	0.0	0	0.0	0	8.7	260
9c	Attached Residential <sup>(2)</sup>	10.3	304	0.0	0	0.0	0	10.3	304
<b>Subtotal Mixed-Use / Residential District</b>		<b>21.1</b>	<b>654</b>	<b>2.2</b>	<b>90</b>	<b>0.0</b>	<b>0</b>	<b>18.9</b>	<b>564</b>
<b>SUBTOTAL MIXED-USE / RESIDENTIAL LAND USE DISTRICT</b>		<b>21.1</b>	<b>654</b>	<b>2.2</b>	<b>90</b>	<b>0.0</b>	<b>0</b>	<b>18.9</b>	<b>564</b>
<b>BACKBONE ROADWAYS <sup>(3)</sup></b>									
--	South Bluff Road (4-Lane Arterial)	5.9	--	5.9	--	0.0	--	0.0	--
--	North Bluff Road (2-Lane Enhanced Collector) <sup>(4)</sup>	7.5	--	7.5	--	0.0	--	0.0	--
--	15th Street (4-Lane Arterial)	1.2	--	1.2	--	0.0	--	0.0	--
--	16th Street (2-Lane Enhanced Collector) <sup>(4)</sup>	0.4	--	0.4	--	0.0	--	0.0	--
--	17th Street (2-Lane Enhanced Collector)	0.8	--	0.8	--	0.0	--	0.0	--
<b>SUBTOTAL BACKBONE ROADWAYS</b>		<b>15.9</b>	<b>0</b>	<b>15.9</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>
<b>TOTAL PROJECT</b>		<b>402.3</b>	<b>1,375</b>	<b>169.1</b>	<b>421</b>	<b>74.0</b>	<b>184</b>	<b>159.3</b>	<b>770</b>

(1) Gross land use acres are generally measured to centerlines of adjacent local road rights-of-way where such roads are shown on the plan.

(2) Up to 180 affordable housing units (i.e., 15% of 1,195 market rate units) and a maximum of 75,000 sq. ft. of commercial will be included within Mixed Use / Residential Site Planning Areas 9a, 9b, and/or 9c.

(3) Rights-of-way for Backbone Roadways are treated as a distinct land use acreage.

(4) Includes half-width rights-of-way from adjacent parcels for small portions of North Bluff Road and 16th Street as shown in Exhibit 3-1, Planned Community Development Plan.

### **8.3.2 Private Development Phasing**

Private land use development phasing will begin with the connection of West Coast Highway to 15<sup>th</sup> Street, and follow a logical sequence, generally from south to north. The phases are designed to ensure efficient use of soil movement to balance landform grading and bluff/slope restoration, and to capitalize on existing infrastructure locations and connection points within and adjacent to the Site. Project design features and mitigation requirements identified in the Project EIR will be completed in conjunction with the corresponding development phase where and when the impacts occur.

#### **1. Master Developer Responsibilities**

The Landowner/Master Developer will be responsible for terraforming and remedial grading, constructing backbone roads and infrastructure, local park implementation, habitat restoration and mitigation, and wildland fire management for the community.

Each phase will have functioning infrastructure and satisfy its corresponding requirements for local parks.

A more detailed development phasing program will be provided by the Landowner/Master Developer in conjunction with the filing of the Master Site Plan application for the community.

#### **2. Project Developer Responsibilities**

Once the backbone roadways and infrastructure systems are in place or are bonded for, home builders and/or apartment site developers, as well as the builder(s) and/or developer(s) for the resort and neighborhood commercial facilities within the community, will be responsible for construction of individual project-level residential and visitor-serving improvements (collectively referred to as “project builders”).

These project builders will be responsible for obtaining the necessary Project Site Plan/Project CDP approvals, use permits, conditional use permits, and subdivision maps, and will assume responsibility for construction and implementation of the local infrastructure, homes, common areas, and similar improvements within each of the villages and neighborhoods.

### **8.3.3 Phasing of Upland and Lowland Habitat Dedications**

The offer of dedication of lands that comprise the Lowland and Upland Open Space/Public Trails and Facilities Land Use Districts will be phased in conjunction with oil facilities abandonment and remediation, and private land use development, in accordance with a PADA between the Landowner/Master Developer and the City.

Open space habitat areas may be divided into smaller geographic subareas on Tentative and Final Tract Maps to allow for sequenced dedications in lock-step with development and/or the requirements of the PADA.

The timing and limits of the open space dedications will be coordinated with oil facilities abandonment and remediation activities described in the Oil Facilities Consolidation, Abandonment, and Remediation Program, and with habitat restoration activities described in the HRP.

### **8.3.4 Phasing of Public Park Dedications and Improvements**

A Local Park Implementation Plan to implement the City's Quimby Act requirements, crediting both the value of the land and the value of public and eligible private improvements, if any, will be prepared by the Landowner/Master Developer for approval by the City as part of, or in conjunction with, the PADA for the project to assure the progressive and timely dedication and improvement of local parks.

Public parks, trails, and recreation areas will be offered for dedication and/or physically improved and offered for dedication to the City of Newport Beach in conjunction with the City-approved land use development sequence and in accordance with the PADA.

### **8.4 Administration of Plans**

#### **8.4.1 Overview**

This section describes how the plans contained in this PC Development Plan document can be refined in conjunction with the preparation of more detailed construction-level Site Plans, including a Master Site Plan, as described in Chapter 9.

Such refinements are anticipated as more detailed open space, civil engineering, architecture, and landscape architecture designs are developed and proposed to implement the project, and these refinements shall be permitted if in accordance with the procedures set forth in the PC Development Plan in general and this Section in particular.

#### **8.4.2 Permitted Refinements to PC Development Plan and Table**

The Planned Community (PC) Development Plan covers all the territory included within the Planned Community. As shown on Exhibit 3-1, the Planned Community (PC) Development Plan identifies the locations and boundaries of the Land Use Districts. The Planned Community (PC) Development Table (Exhibit 3-2) contains the acreage for each of the Land Use Districts.

Planned and maximum dwelling units and densities are provided for each of the Residential Districts, the Mixed-Use/ Residential District and the Visitor-Serving Resort/Residential District. Planned and maximum overnight accommodations and commercial square footages are provided for the Mixed-Use/ Residential District and the Visitor-Serving Resort/Residential District as applicable.

The Land Use District boundary lines and acreages identified on the PC Development Plan and Table are estimates based upon current information and a generalized level of mapping. Refinements to the Land Use District boundaries/ acreages are expected to occur with future project design and more detailed mapping and engineering. For this reason, Land Use District boundary lines and acreages shown on the PC Development Plan and Table may be refined without amending the body of this Planned Community text, when more accurate information becomes available and is submitted with future Site Plan/Coastal Development Permit Applications and/or Tentative Tract Maps, including a Master Site Plan/CDP and/or Vesting “A” Tentative Tract Map, provided they are consistent with the criteria set forth below and the procedures set forth in Section 8.4.3.

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Proposed refinements to the PC Development Plan (Exhibit 3-1) and PC Development Table (Exhibit 3-2) shall be permitted if consistent with the following criteria:

1. The Land Use District boundary lines and corresponding Gross Acres shown on the PC Development Plan and Table may be refined up to fifteen percent (15%) when more accurate information becomes available and is submitted with Master and/or Project Site Plans and Tentative Tract Maps, provided that no proposed Land Use District boundary line or Gross Acres adjustment shall result in:
  - a. The Lowland Open Space/Public Trails and Facilities District falling below a minimum of 130 Gross Acres ; or
  - b. The Upland Open Space /Public Trails and Facilities District falling below a minimum of 90 Gross Acres; or
  - c. The Public Parks/Recreation District falling below a minimum of 40 Gross Acres.

Planned Dwelling Units, Planned Commercial Square Footage, and/or Planned Overnight Accommodations shown on the PC Development Table may be refined provided that the proposed revisions:

- d. do not exceed the Maximum Permitted Dwelling Units, Commercial Square Feet, or Overnight Accommodations indicated for the Land Use District; and
- e. any proposed increase in Planned Dwelling Units, Planned Commercial Square Footage, and/or Planned Overnight Accommodations in one Land Use District is fully offset by a corresponding decrease in the Planned Dwelling units Planned Commercial Square Footage, and/or Planned Overnight Accommodations in one or more other Land Use District(s), so that the Planned Dwelling Units shown on the Land Use Table shall never exceed the Maximum 1,375 Dwelling Units, the Planned Commercial Square Footage shall never exceed the Maximum 75,000 square feet, and the Planned Overnight Accommodations shall never exceed the Maximum 75 Overnight Accommodations permitted within the Newport Banning Ranch Planned Community.

No amendment to the Newport Banning Ranch Planned Community Development Plan document, including text and exhibits, shall be required for the purpose of changing the planned number of dwelling units, commercial square footage, overnight accommodations, or the acres assigned to a Land Use District in the Planned Community Development Table if consistent with the above approval criteria.

### 8.4.3 Procedures to Refine the PC Development Plan and Table

Proposed refinements to the PC Development Plan and Table shall be permitted in accordance with the following procedures:

1. Any proposed revision to increase planned dwelling units, commercial square footage, and/or overnight accommodations in one or more Land Use District(s) shall be offset by a corresponding decrease in another Land Use District(s), so that the maximum number of planned dwelling units, commercial square footage, or overnight accommodations shown on the PC Development Table does not exceed the maximum dwelling units, commercial square footage, or overnight accommodations shown on the Statistical Table for each respective Land Use District.
2. Any proposed revision to the Planned Community Development Plan and/or Table shall be accompanied by a Site Plan/CDP Application, and/or Tentative Tract Map/Parcel Map Application. This includes a Master Site Plan/CDP Application and/or Vesting "A" Tentative Tract Map Application as discussed in Chapter 9.
3. Any proposal to reallocate the estimated number of dwelling units, commercial square footage, overnight accommodations and/or the gross acreage assigned to one Land Use District to another Land Use District shall require submittal of the following information:
  - a. The proposed graphic revision to the PC Development Plan reflecting the proposed change(s) to the PC Development Table;
  - b. A summary of: (1) the number of units, commercial square footage, and overnight accommodations previously approved on all Tentative and all recorded Final Tract Maps; and (2) the number of units, commercial square footage, and overnight accommodations under construction or completed/occupied at the time of the proposed PC Development Table revision;
  - c. Identification of the ownership of the Land Use District(s) to be affected by the proposed PC Development Plan and/or Table revision; and
  - d. Any additional background and/or supporting information which the Planning Director deems necessary.
4. Unless determined otherwise by the Planning Director, the Planned Community Development Plan document shall serve as the location for any future revisions to the Newport Banning Ranch PC Development Plan and Table, Exhibits 3-1 and 3-2 respectively, as they may be approved from time to time.

### 8.4.4 Permitted Refinements to Site Planning Areas Map/Table and/or Conceptual Phasing Plan/Table

The Site Planning Areas Map and Table, Exhibits 8-1 and 8-2, respectively, and the Conceptual Phasing Plan and Table, Exhibits 8-3 and 8-4, respectively, contained in this Chapter may need to be refined in conjunction with the preparation of more detailed construction-level Master Site Plan or Project Site Plans.

Such refinements may occur in conjunction with and/or in order to reflect refinements to the PC Development Plan and Table described in the previous Sections. They may also occur independently and without the need to revise the PC Development Plan and Table, simply as the result of more detailed site planning and/or engineering information, more detailed architectural or landscape architectural design, builder or project requests related to construction phasing and/or marketing, as the result of the need to satisfy local, State, or Federal government requirements, or some combination of these and other factors.

The Site Planning Areas Map and Table, and the Conceptual Phasing Plan and Table divide the Land Use Districts (defined by the PC Development Plan and Table) into smaller and more refined areas that coincide with current concepts related to the phased implementation of habitat restoration, public parks, and other open space improvements and dedications, as well as residential, commercial, and visitor-serving development.

It is recognized that refinements to the Site Planning Areas Map and Table, and/or the Conceptual Phasing Plan and Table, may require corresponding refinements to technical plans and programs, including the HRP, OSCIDP, and the Fire and Life Safety Program (FLSP).

The Site Planning Areas Map and Table, and/or the Conceptual Phasing Plan and Table, may be refined without amending the body of this Planned Community document, when more accurate information becomes available and is submitted with future Site Plan/Coastal Development Permit Applications and/or Tentative Tract Maps, including a Master Site Plan/CDP and/or Vesting “A” Tentative Tract Map, provided such refinements are consistent with the criteria set forth below and the procedures set forth in Section 8.4.5.

Refinements to the Site Planning Areas Map and Table, Exhibits 8-1 and 8-2, respectively, and the Conceptual Phasing Plan and Table, Exhibits 8-3 and 8-4, respectively, shall be permitted if consistent with the following criteria:

1. The SPA boundary lines and corresponding Gross Acres shown on the Site Planning Areas Map and Table and/or the Conceptual Phasing Plan and Table may be refined without limitation when more accurate information becomes available and is submitted with Master and/or Project Site Plans and Tentative Tract Maps, provided that no proposed SPA boundary line or Gross Acres adjustment shall result in:
  - a. the Subtotal of the Lowland Open Space/Public Trails and Facilities District (i.e., the total of all component Site Planning Areas) falling below a minimum of 130 Gross Acres ; or

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- b. the Subtotal of the Upland Open Space /Public Trails and Facilities District (i.e., the total of all component Site Planning Areas) falling below a minimum of 90 Gross Acres.
- c. the Subtotal of the Public Parks/Recreation District (i.e., the total of all component Site Planning Areas) falling below a minimum of 40 Gross Acres.
2. The total Planned Dwelling Units, Planned Commercial Square Footage, and/or Planned Overnight Accommodations shown on the Site Planning Areas Map and Table, and/or the Conceptual Phasing Plan and Table, remain the same as the Planned Dwelling Units, Planned Commercial Square Footage, and/or Planned Overnight Accommodations shown on the PC Development Plan and Table.
3. The total Planned Dwelling Units, Planned Commercial Square Footage, and/or Planned Overnight Accommodations shown on the Site Planning Areas Map and Table, and the Conceptual Phasing Plan and Table do not exceed the Maximum Permitted Dwelling Units, Commercial Square Feet, or Overnight Accommodations indicated for the Land Use District shown on the PC Development Plan and Table.
4. Any proposed increase in Acres or Planned Dwelling Units, Planned Commercial Square Footage, and/or Planned Overnight Accommodations in one Site Planning Area or one Implementation Phase is fully offset by a corresponding decrease in the total Planned Dwelling Units, Planned Commercial Square Footage, and/or Planned Overnight Accommodations in one or more other Site Planning Areas or Implementation Phases, so that the total Planned Dwelling Units shown on the Site Planning Areas Table and the Conceptual Phasing Table never exceeds the Maximum 1,375 Dwelling Units, the total Planned Commercial Square Footage never exceeds the Maximum 75,000 square feet, and/or the Planned Overnight Accommodations never exceeds the Maximum 75 Overnight Accommodations permitted within the Newport Banning Ranch Planned Community.

No amendment to the Newport Banning Ranch Planned Community Development Plan document, including text and exhibits, shall be required for the purpose of changing the planned number of dwelling units, commercial square footage, overnight accommodations, or the acres assigned to a SPA or Phase if consistent with the above approval criteria.

### 8.4.5 Procedures to Refine the Site Planning Areas Map/Table and/or Conceptual Phasing Plan/Table

Refinements to the Site Planning Areas Map and Table, Exhibits 8-1 and 8-2, respectively, and/or the Conceptual Phasing Plan and Table, Exhibits 8-3 and 8-4, respectively, are permitted in accordance with the following procedures:

1. Any proposed revision to increase the acres or the Planned Dwelling Units, Commercial Square Footage, and/or Overnight Accommodations in one or more Site Planning Area(s) or Phase(s) shall be offset by a corresponding decrease in another Site Planning Area(s) or Phase(s), so that the total Planned Dwelling Units, Planned Commercial Square Footage, and/or Planned Overnight Accommodations shown on the Site Planning Areas Map/Table and/or the Conceptual Phasing Plan/Table remain the same as the Planned Dwelling Units, Planned Commercial Square Footage, and/or Planned Overnight Accommodations, shown on the current PC Development Plan and Table, and do not exceed the Maximum 1,375 Dwelling Units, the Maximum 75,000 square feet of commercial, and/or the Maximum 75 Overnight Accommodations permitted within the Newport Banning Ranch Planned Community.
2. Any proposed revision to the Site Planning Areas Map and Table, Exhibits 8-1 and 8-2, respectively, and/or the Conceptual Phasing Plan and Table Planned Community Development Plan and Table, Exhibits 8-3 and 8-4, respectively, shall be accompanied by a Site Plan/CDP Application and/or a Tentative Tract/Parcel Map Application. This includes a

Master Site Plan/CDP Application and/or a Vesting "A" Tentative Tract Map as described in Chapter 9.

3. Any proposal to reallocate the planned number of dwelling units, commercial square footage, overnight accommodations and/or the gross acreage assigned to one Site Planning Area or Phase to another Site Planning Area or Phase shall require submittal of the following information:
  - a. The proposed graphic revision(s) to the Site Planning Areas Map and/or Conceptual Phasing Plan reflecting the proposed change(s) to the Site Planning Areas Table and/or Conceptual Phasing Table;
  - b. A summary of: (1) the number of dwelling units, commercial square footage, and overnight accommodations previously approved on all Tentative and all recorded Final Tract Maps; and (2) the number of units, commercial square footage, and overnight accommodations under construction or completed/occupied at the time of the proposed revision to the Site Planning Area Table and/or Conceptual Phasing Table;
  - c. Identification of the ownership of the Site Planning Area(s) to be affected by the proposed revision to the Site Planning Areas Map/Table and/or Conceptual Phasing Plan/Table; and
  - d. Any additional background and/or supporting information which the Planning Director deems necessary.

Unless determined otherwise by the Planning Director, the NBR Planned Community Development Plan document shall serve as the location for any future revisions to the Site Planning Areas Map and Table, Exhibits 8-1 and 8-2, respectively, and/or the Conceptual Phasing Plan and Table Planned Community Development Plan and Table, Exhibits 8-3 and 8-4, as they may be approved from time to time.

### **8.4.6 Other Permitted Refinements to Planned Community Development Plan Components**

#### **1. Refinements to Provide Consistency with Plan Refinements Described in Sections 8.4.2 through 8.4.5.**

Refinements to the following PC Development Plan technical plans, programs, and documents may, if required by the City or other agency with jurisdiction, be administratively approved by the Planning Director in order to provide consistency with refinements to the PC Development Plan and Table, Exhibits 3-1 and 3-2, respectively, the Site Planning Areas Map and Table, Exhibits 8-1 and 8-2, respectively, and/or the Conceptual Phasing Plan and Table, Exhibits 8-3 and 8-4, respectively:

##### **a. Parks and Recreation Plan**

Refinements and modifications to the text and exhibits that comprise Chapter 4, Parks and Recreation Plan, shall be allowed to reflect the refinements noted above and if generally consistent with the intent and purpose of the Planned Community Development Plan.

##### **b. Circulation and Infrastructure Plans**

Refinements and modifications to the text and exhibits that comprise Chapter 5, Circulation and Infrastructure Plans, shall be allowed to reflect the refinements noted above and if generally consistent with the intent and purpose of the Planned Community Development Plan.

c. Design Guidelines

Minor modifications and/or refinements to the Design Guidelines contained in Appendix A shall be allowed to reflect the refinements noted above and if generally consistent with the intent and purpose of the Planned Community Development Plan and the community design concept.

d. Technical Appendices

Minor modifications and/or refinements to the detailed plans, programs, and reports submitted under separate cover and listed in Appendix D of this NBR PC Development Plan shall be allowed to reflect the refinements noted above and if generally consistent with the intent and purpose of the Planned Community Development Plan.

**2. Refinements to Provide Consistency with Subsequent Plan Approvals by City and Coastal Commission**

Refinements to the following plans, programs, and documents may, if required by the City and/or Coastal Commission, be administratively approved by the Planning Director in order to provide consistency with the subsequent approval of a Site Plan/CDP Application and/or a Tentative Tract/Parcel Map Application by the Newport Beach Zoning Administrator, Planning Commission, or City Council or by the California Coastal Commission. This includes a Master Site Plan/CDP Application and/or a Vesting "A" Tentative Tract Map as described in Chapter 9.

a. Parks and Recreation Plan

Refinements and modifications to the text and exhibits that comprise Chapter 4, Parks and Recreation Plan, shall be allowed to reflect the subsequent approvals by City/Coastal Commission noted above and if generally consistent with the intent and purpose of the Planned Community Development Plan.

b. Circulation and Infrastructure Plans

Refinements and modifications to the text and exhibits that comprise Chapter 5, Circulation and Infrastructure Plans, shall be allowed to reflect the subsequent approvals by City/Coastal Commission noted above and if generally consistent with the intent and purpose of the Planned Community Development Plan.

c. Design Guidelines

Minor modifications and/or refinements to the Design Guidelines contained in Appendix A shall be allowed to reflect the subsequent approvals by City/Coastal Commission noted above and if generally consistent with the intent and purpose of the Planned Community Development Plan and the community design concept.

d. Technical Appendices

Minor modifications and/or refinements to the detailed plans, programs, and reports submitted under separate cover and listed in Appendix D of this NBR PC Development Plan shall be allowed to reflect the subsequent approvals by City/Coastal Commission noted above and if generally consistent with the intent and purpose of the Planned Community Development Plan.

### **8.5 Major Amendments to the Planned Community Development Plan**

All proposed changes to the NBR Planned Community Development Plan document other than those identified in Section 8.4, above, shall be processed and acted upon in the same manner as the original City of Newport Beach approval of this NBR Planned Community Development Plan document.

Any major Amendment to the Newport Banning Ranch Planned Community Development Plan document shall be subject to the California Environmental Quality Act (CEQA) and shall require amendment to the Master Coastal Development Permit by the California Coastal Commission.