

# DRAFT

## 2

### DEVELOPMENT PLAN AND LAND USE

#### REGULATIONS

This section explains the conceptual land use plan for the Specific Plan area; identifies land use policies and defines the land use designations unique to the Specific Plan. The circulation components of the plan will also be described. This section also explains the development standards for the land use designations established in the Development Plan, including the standards for residential and commercial uses

## SECTION 2: DEVELOPMENT PLAN AND LAND USE REGULATIONS

This section explains the conceptual land use plan for the Specific Plan area and defines the land use designations unique to the Specific Plan. The circulation components of the plan will also be described. This section also explains the development standards for the land use designations established in the Development Plan, including the standards for residential, commercial, recreation, parking and signage. These regulations will be used to control development of the site.

### 2.1 LAND USE PLAN

The HUB Fullerton Specific Plan aims to replace the existing ageing office commercial center with a new mixed-use development, allowing for more housing options and a high-quality development in the eastern portion of the City. Components of the mixed-use development include retail, dining, housing, amenities and open space.

The development plan intent is for 420 residential units, up to 12,500 square feet of ground floor commercial retail space and a 6-level parking structure in the eastern portion of the development footprint. The site plan, shown in **Figure 2-1, Site Plan**, provides the overall vision and guidance for the development of the site.

Table 2-1 Land Use-Mixed Use					
Land Use	Acreage	Total Units	Commercial (Sq. Ft.)	Floor Area Ratio (FAR)	Density (du/ac)
Mixed-Use	3.55	420	12,500	3.30	118.3

Any elements related to development standards for the project not addressed in the Specific Plan would refer to the relevant provision in the Fullerton Municipal Code.

### 2.2 LAND USE CATEGORIES

To implement the stated concepts and goals of this Specific Plan, land uses have been grouped into two land use categories:

**Student-Oriented Housing.** The project will accommodate up to 420 multifamily residential units oriented towards student housing. Student-oriented housing is housing which has development and operation characteristics specific to use and occupancy by students in higher education. Some of these characteristics include:

- Single lease term for all beds (vs. rolling monthly lease start dates)
- Lease agreements by the bed (not by the unit)
- Fully furnished housing units
- Unit floor plans and common amenity spaces designed for students
- Roommate matching
- Programming and events tailored to students

The breakdown of units ranges from studio units to 4-bedroom units. The student-oriented residential component of the plan includes a variety of common open space amenities. Amenities may include but are not limited to a fitness room, yoga, spa, outdoor lounge, pool, and hot tub on the rooftop as well as a bike storage room.

**Commercial:** The retail commercial is proposed up to 12,500 square feet of commercial land uses in a mixed-use setting (12,438 square feet is provided in the site development plan being processed concurrently with the Specific Plan). Uses will primarily center on small-scale retail and services meant to serve the daily convenience

## SECTION 2: DEVELOPMENT PLAN AND LAND USE REGULATIONS

needs of the project's residents and nearby existing residential uses. This could include but is not limited to restaurant with outdoor dining, coffee shop and bakery, convenience store, neighborhood grocery and professional services (e.g., bank, financial brokerage).

### 2.2.1 Student-Oriented Housing

The 420 multifamily units are intended to be student-oriented and would be spread across six floors of the building. Based on site plan processed concurrently with the Specific Plan, the ground/mezzanine floor would include 46 2-level townhouse style units, with a 75 units per floor on the second, third, fourth, fifth, and sixth floors. The final configuration of units within the building may change during final design. Amenities may include but are not limited to shared open space in a paseo, swimming pool/spa, rooftop lounge, and amenities such as an on-site gym, yoga room, spa room. The project may include balconies and/or patios for some units.

### 2.2.2 Commercial Uses

The proposed 12,500 square feet of retail commercial uses are permitted within the Specific Plan area as shown in **Table 2-1, Land Use**. This retail commercial use shall be designed in a vertical mixed-use configuration and facing an arterial roadway. The commercial uses are limited to the southwestern-most corner of the building, with commercial frontage facing both East Chapman Avenue and North Commonwealth Avenue. Accessory residential facilities, including the leasing office, are not counted toward the 12,500 square feet allocation.

Table 2-2 Student-Oriented Residential Use			
Unit Type		Total Units	Total Beds
Micro	--	10	10
Studio	--	20	20
Townhouse	1-Bedroom	1	1
	2-Bedroom	3	6
	3-bedroom	15	45
	4-bedroom	26	104
Residential Units	2-Bedroom	100	200
	3-Bedroom	5	15
	4-Bedroom	70	280
	1+1	55	110
	2+2	115	460
Total		420	1,251
Note: unit mix may be adjusted as part of final design.			

## SECTION 2: DEVELOPMENT PLAN AND LAND USE REGULATIONS

### 2.2.3 Recreation and Amenities

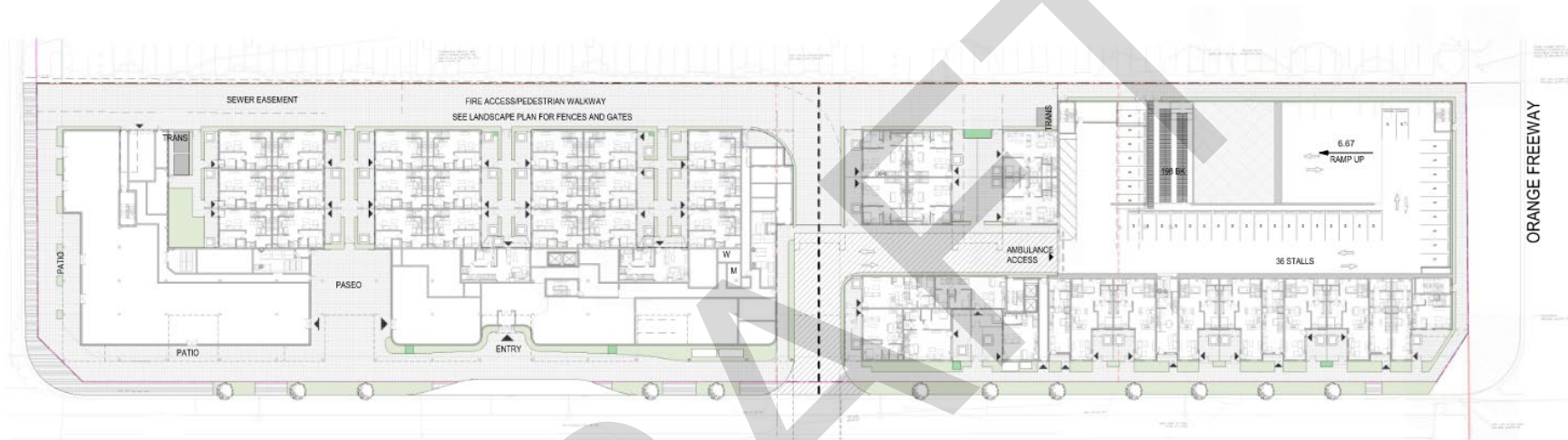
As noted in the Development Standards in this section of the Specific Plan, a minimum of 20% of the lot must be allocated to common and private open space. Common open space may be indoor or outdoor. Private open space may contain balconies and ground level patios.

In addition to common open space requirements, an average private open space of 50 square feet per unit is required in total. Where provided as balconies or patios, this private open space must have a minimum depth of six feet. The private open space allocation may be combined all or in part to increase the common open space areas.



## SECTION 2: DEVELOPMENT PLAN AND LAND USE REGULATIONS

**FIGURE 2-1 Site Plan**



## SECTION 2: DEVELOPMENT PLAN AND LAND USE REGULATIONS

### 2.3 CIRCULATION PLAN

#### 2.3.1 Regional Circulation

Local access to the Specific Plan area includes East Chapman Avenue, and North Commonwealth Avenue. Regional Access is provided via State Route 91 2.00-miles south and State Route 57, which borders the eastern property line. Four OCTA bus routes (26,57,123,153) serve the Specific Plan area and have stops on North Commonwealth Avenue, east Chapman Avenue, south State College Boulevard and Placentia Avenue. The Fullerton Amtrak/Metrolink Station is located 2.5 mile west of the project and provides regional rail connections to greater Los Angeles and Orange County.

#### 2.3.2 Arterials

**East Chapman Avenue** is designated as major arterial highway in The Fullerton Plan and is an east/west roadway. It is a 5-lane roadway with a median between State College Boulevard and the SR-57 southbound on-ramps, with three westbound lanes and two eastbound lanes. The speed limit ranges from 35 mph to 45 mph. East Chapman Avenue runs adjacent to the southern border of the Specific Plan area.

**North Commonwealth Avenue** is designated as a major arterial highway in The Fullerton Plan and is north/south roadway. It is a 4-lane roadway with a landscaped median. The speed limit ranges from 35 mph to 45 mph. East Commonwealth Avenue runs adjacent to the western border of the Specific Plan area.

#### 2.3.3 Site Access

Project's access would be supplied at two main existing driveways. The first driveway is off East Chapman Avenue. The second driveway is off North Commonwealth Avenue.

The driveway access and drive aisle entrance on East Chapman Avenue provides access to a 6-level parking structure serving the residential and retail uses. A portion of the parking stalls on the first level are allocated for parking for the retail commercial uses.

The primary entrance for residents would be provided via East Chapman Avenue. This entrance would provide guest parking and Americans with Disabilities Act (ADA) accessible stalls outside the gate. This entry would serve as the primary entry/exit point for residents of the building. Access into the site from East Chapman Avenue will include a west-bound right-in and east-bound left in from a separated turning lane. Access out is restricted to right out only, heading west on East Chapman Avenue.

The driveway taking access from North Commonwealth will be limited to authorized vehicles only: commercial deliveries, waste pickup, and emergency vehicles.

#### 2.3.4 Non-Vehicular Circulation and Transit

The project is located adjacent to an existing Class II (on-street) bike lane along North Commonwealth Avenue. The project is also located adjacent to a proposed Class III Bike Route along East Chapman Avenue. The Project may include a ride-share drop-off/food delivery pick-up/drop-off site along the East Chapman Avenue frontage. A bike storage for residents will be included on-site.

Public transit service in the project vicinity is provided by the Orange County Transportation Authority (OCTA). OCTA bus stops are

## SECTION 2: DEVELOPMENT PLAN AND LAND USE REGULATIONS

currently located on N Commonwealth Avenue. OCTA bus routes (26, 57, 123, 153) serve the specific plan and are described below:

**OCTA Route 26** provides service connecting Fullerton to Yorba Linda via Commonwealth Avenue/Yorba Avenue. There are currently 2 stops within the vicinity of the project on the corners of East Chapman/North Commonwealth and East Chapman/East Commonwealth. One stop is directly adjacent to the project site while the other is approximately 0.2 miles away.

**OCTA Route 57** runs from Brea to Newport Beach via State College Blvd/Bristol Street. There are currently 2 stops within the vicinity of the project on State College-Blvd north and south of East Chapman Avenue. These stops are approximately 0.35 and 0.5 miles away from the project site.

**OCTA Route 123** provides public service from Anaheim to Huntington Beach via Malvern Ave/ Valley View /Bolsa Chica. Currently there are 2 stops within the vicinity of the project on State College-Blvd and on E Chapman The stops are approximately 0.3 and 0.5 miles away from the project.

**OCTA Route 153** runs from Brea to Anaheim via Placentia Avenue. Currently there are 2 stops within the vicinity of the project on the corners of north Placentia and west Chapman. These stops are approximately 0.15 and 0.30 miles away from project site.

### 2.3.5 Parking

Parking for the project is provided in a 6-level, on-site parking structure in the northeast corner of the project area. A portion of the parking stalls on the first level of the building will be reserved for the retail uses. Residential spaces will be physically separated from the commercial spaces through a gate or similar mechanism.

On street parking is currently not provided on the streets adjacent to the project site. Parking Standards shall be defined as outlined in **Section 2.6, Parking**, below.

## 2.4 GENERAL PROVISIONS

The California Government Code (Title 7, Division 1, Chapter 3, Article 8, Sections 65450 et seq.) grants authority to cities to utilize Specific Plans for purposes of implementing the goals and policies of the City's General Plan.

This Specific Plan establishes a set of regulations, standards, guidelines, and processes for the proposed development and shall constitute the zoning for development within the Specific Plan area.

This section has been prepared in accordance with California Government Code Section 65450, et seq. and the City of Fullerton Zoning Ordinance (Title 15 of the Municipal Code). Regulations are proposed for residential and commercial uses. Application of these regulations is specifically intended to provide the most appropriate use of the land, create a harmonious relationship among land uses and protect the health, safety and welfare of the community. The following General Development Standards apply to all uses within the Specific Plan area.

### 2.4.1 Determination of Unlisted Uses/Interpretation

Any land use proposal not specifically covered by the provisions contained herein shall be subject to determination by the Community and Economic Development Director, with appeals to the Planning Commission.

When used in this document, the words "shall," "will," "must" "is to," and "are to" are always mandatory. "Should" is not mandatory but is strongly recommended; and "may" is permissive. The singular

## SECTION 2: DEVELOPMENT PLAN AND LAND USE REGULATIONS

number includes the plural number, and the plural the singular, unless the natural construction of the word indicates otherwise. The words “include,” “includes,” and “including” mean “including but not limited to”.

### 2.4.2 Definitions

Unless otherwise specified in this section, terms used in this document shall have the same definitions provided in the City of Fullerton Municipal Code Title 15.04.040, “Interpretation and Definitions.” For use in this Specific Plan the following definitions apply:

- BMPs (or Best Management Practices): Shall mean structural or engineered devices and systems used to treat stormwater runoff before it is discharged into a drainage system.
- CEQA/California Environmental Quality Act: Shall mean the California statute passed in 1970 to institute a statewide policy of environmental protection.
- Common Open Space: Open areas or amenities shared by residents of the project or publicly accessible, including internal or exterior amenities such as pool/spa areas, fitness rooms, rooftop decks, paseos, gathering spaces.
- Floor Area: The total floor area included within the outer walls of a building. Parking structures, patios, terraces, decks, outdoor dining areas, balconies, exterior amenity spaces, and other exterior areas shall not be included in floor area to be used in the calculation of Floor Area Ratio (FAR).
- Student-oriented: Shall mean housing designed for and marketed to residents in higher education. Housing is not required to be leased by students.

### 2.4.3 Use of Design Guidelines

Residential and commercial development shall be designed and built in substantial conformance with the Design Guidelines contained in this document (Refer to **Section 4, Design Guidelines**).

### 2.4.4 Subsequent Building Modification

Subsequent building modification, including additions and/or projections into setback areas permitted by the Specific Plan (subject to approval of standard City permits), shall match the architectural style of the primary structure and shall be constructed of the same materials and colors as the primary structure and/or in context with the overall Design Guidelines.

### 2.4.5 Projections into Required Yards

Projections into required setbacks are permitted for balconies, porches, and stoops, subject to site plan review.

### 2.4.6 Height

- Building height shall be measured from the adjacent finished grade to the roof parapet for residential structures. Rooflines must be appropriate to the architectural style.
- Architectural features such as, but not limited to, weathervanes, stair towers, elevator towers, mechanical equipment screening, clock towers, etc. appropriate to the architectural style of the structure may extend in height above the stated Building Height of the Primary Structure, subject to site plan review.

## 2.5 RESIDENTIAL USES

The development standards and product types included herein are intended to establish the minimum design parameters. The



## SECTION 2: DEVELOPMENT PLAN AND LAND USE REGULATIONS

residential product type assumed within the project is a multi-family residential use oriented towards student housing.

Multi-Family flats are attached multi-family homes with entries from common open space at the ground level or internal corridors for upper floors. Automobile access is via a private drive with ingress/egress from Chapman Avenue. Resident and guest parking spaces are provided in an on-site parking structure. The Residential category includes multi-family flats in a mixed-use setting.

These development standards should be used in conjunction with **Chapter 4, *Design Guidelines***, which describe and illustrate building designs, concepts, and features that will promote the high-quality development that is envisioned for the Specific Plan area.

### 2.5.1 Permitted Uses

- Student-oriented multi-family residences (rental or ownership). Allowable building types include multi-family flat housing types as defined above;
- Accessory buildings and uses; barbeque area, bicycle maintenance areas, business centers, swimming facilities, recreation rooms, and other amenities generally associated with a rental community for use by project residents.
- Management offices; and
- Parking areas and structures in conjunction with a multi-family residential use.

### 2.5.2 Development Standards

The development standards outlined in **Table 2-3, *Development Standards***, apply to residential uses within the Specific Plan area. Where development standards are not described, the standards as

described in the Fullerton Municipal Code shall apply. Standards stated are minimums unless otherwise indicated.

## 2.6 COMMERCIAL USES

The retail commercial land use provides locations for businesses that meet the day-to-day shopping and service needs of the residential use both within the project and for surrounding uses. Uses provide an array of small-scale, local serving retail and service commercial uses, such as cleaners, food services etc.

**Locational Criteria:** Commercial uses shall be limited to ground floor locations facing a Primary Arterial (East Chapman Avenue or North Commonwealth Avenue).

**Interim Uses:** Interim uses of commercial spaces which may include uses ancillary to the project's residential units, including but not limited to a bicycle maintenance facility, business center, leasing office, fitness room, and meeting rooms.

### 2.6.1 Permitted Uses

- Eating Establishments - a commercial establishment whose primary use is sale and service of meals on-site to guests, such as Cafes, Carry Out Food, Restaurants and Specialty Food;
- Food and Beverage Stores, including alcohol sales (uses with alcohol sales require an Administrative Restaurant Use Permit (ARUP) per the requirements in the Fullerton Municipal Code;
- Food and Beverage Stores (not including alcohol sales), including Bakeries, Confectionery Stores, Convenience Stores and Small Scale Grocery;

## SECTION 2: DEVELOPMENT PLAN AND LAND USE REGULATIONS

- Personal Services- an establishment primarily engaged in providing a direct service for individuals, such as Barber/Beauty shop, Dry Cleaning and Laundry Services, Locksmith, Pet Grooming, Photographic Studios, Picture Framing, Shoe Repair and Tailors/Dress Makers;
- Office spaces;
- Retail Commercial uses, limited to local serving commercial uses;
- School, trade/vocational school per the definition in the Fullerton Municipal Code;
- Tutoring Center; and
- Other similar uses deemed compatible by the Community and Economic Development Director and permitted in the G-C zoning district.

### 2.6.2 Uses Subject to a Conditional Use Permit

- Food and Beverage Stores with alcohol sales and live entertainment are subject to normal licensing requirements and requirements of the Fullerton Municipal Code.
- Licensed child care centers pursuant to the requirements of the Fullerton Municipal Code.

### 2.6.3 Development Standards

The development standards outlined in **Table 2-3, Development Standards**, apply to all buildings/uses, including parking structures (as applicable), within the Specific Plan area. Where development standards are not described, the standards as described in the Fullerton Municipal Code shall apply. Standards stated are minimums unless otherwise indicated.

Table 2-3 Development Standards	
Item	Standard
Floor Area Ratio (maximum) across site, excluding parking structure	3.30*
Floor Area Ratio (Non-residential uses only)	0.65
Density (maximum)	120 du/ac
Arterial Street Setback (North Commonwealth)	12'
Arterial Street Setback (East Chapman)	12'
Side Setback (Orange Freeway)	8'
Rear Setback	
Parking Garage	10'
Building	28'
Building Height (Stories - max)	
Mixed Use Structure	80'
Parking Structure	6 Levels**
Retail Space floor height (min)	14'
Open Space	
Total Open Space	20% of total lot area
*Density and Floor Area Ratio may be averaged across the entire Specific Plan area	
** When wrapped by a residential or mixed-use building.	

## SECTION 2: DEVELOPMENT PLAN AND LAND USE REGULATIONS

### 2.7 PARKING

Parking within the Specific Plan area shall conform to the parking ratios shown in **Table 2-4, *Parking Standards*** (inclusive of guest parking).

Table 2-4 Parking Standards	
Commercial	3 spaces/1,000 sq footage
Residential (Inclusive of Guest)	1.4 spaces/unit

In addition to the ratios shown, the following criteria are required:

- a. Electric Vehicle (EV) charging stations shall be governed by current Building Code requirements at the time of permit issuance. EV spaces shall count towards required parking.
- b. Accessible parking and loading requirements shall be governed by current Building Code requirements at the time of permit issuance. Accessible spaces shall count towards required parking.
- c. Bicycle parking shall be governed by current Building Code requirements at the time of permit issuance.
- d. Parking stall dimensions shall be as follows:
  - Standard automobile stalls: 9' x 18'
  - Compact stalls: 8' x 16' (up to 30% of required spaces)

### 2.8 SIGNAGE

Signage within the Specific Plan area shall conform to the requirements of the Fullerton Municipal Code Chapter 15.49. A Sign Program specific to the HUB Fullerton project will be created.