



# CITY OF NEWPORT BEACH LAND USE ELEMENT AMENDMENT ADVISORY COMMITTEE AGENDA

Newport Beach Central Library  
Friends Room  
1000 Avocado Avenue  
Tuesday, January 7, 2014  
3:30 p.m. – 5:00 p.m.

## Committee Members

Ed Selich, Councilmember (Chair)  
Nancy Gardner, Council Member  
Kory Kramer, Planning Commissioner  
Larry Tucker, Planning Commissioner  
Craig Batley, Member-At-Large  
Michael Melby, Member-At-Large  
Patricia Moore, Member-At-Large  
Jim Walker, Member-At-Large  
Paul Watkins, Member-At-Large

## Staff Members

Kim Brandt, Community Development Director  
Brenda Wisneski Deputy Community Development Director  
Gregg Ramirez, Senior Planner  
Leonie Mulvihill, Assistant City Attorney  
Tony Brine, Traffic Engineer  
Woodie Tescher, The Planning Center|DC&E (consultant)  
Marissa Aho, The Planning Center|DC&E (consultant)

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### 1) CALL MEETING TO ORDER

### 2) APPROVAL OF MINUTES

*Recommended Action: Approve December 3, 2013 Meeting Minutes (Attachment 1)*  
*Recommended Action: Approve December 16, 2013 Meeting Minutes (Attachment 1)*

### 3) REVIEW OF GOALS & POLICIES (Attachment 2)

*Climate Change Memo (Attachment 3)*  
*Responses to Public Comments (Attachment 4)*  
*Recommended Action: Finalize Policy Revisions*

### 4) PUBLIC COMMENTS ON NON-AGENDA ITEMS

### 5) ADJOURNMENT – Next *TENTATIVE Meeting February 4, 2014 at 3:30pm*

This Committee is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Committee's agenda be posted at least seventy-two (72) hours in advance of each regular meeting and that the public be allowed to comment on agenda items before the Committee and items not on the agenda but are within the subject matter jurisdiction of the Committee. The Committee may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act ("ADA") in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. If requested, this agenda will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Please contact the City Clerk's Office at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3005 or [cityclerk@newportbeachca.gov](mailto:cityclerk@newportbeachca.gov)).

# **ATTACHMENT 1**

December 3, 2013 Meeting Minutes

And

December 16, 2013 Meeting Minutes

**City of Newport Beach  
Land Use Element Amendment Advisory Committee Minutes**

Date: December 3, 2013

Location: Newport Beach Central Library – 1000 Avocado Avenue  
Friends Room

Members Present: Edward Selich, Council Member (Chair)  
Nancy Gardner, Council Member  
Kory Kramer, Planning Commission  
Larry Tucker, Planning Commission  
Craig Batley, At-Large  
Michael Melby, At-Large  
Patricia Moore, At-Large  
Jim Walker, At-Large  
Paul Watkins, At-Large

Members Absent:

Staff: Kim Brandt, Community Development Director  
Brenda Wisneski, Deputy Community Development Director  
Gregg Ramirez, Senior Planner  
Tony Brine, Traffic Engineer  
Woodie Tescher, The Planning Center|DC&E (consultant)  
Marissa Aho, The Planning Center|DC&E (consultant)

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**I. Call Meeting to Order**

The meeting was called to order at 3:30 p.m. by Chair Selich.

**II. Approval of Minutes**

Motion (Watkins) to approve minutes as augmented by the November 5<sup>th</sup> audiotape with minor corrections submitted by Jim Mosher, and Paul Watkins. Approved as amended.

**III. Review of Goals & Policies**

Tescher distributed for review and feedback staff recommendations for the policy revisions for the Land Use Element. The revisions fine tune the 2006 General Plan policies, which incorporate a number of Citizen Advisory Panels, response to recent state legislation and best practices for climate change (SB 375, AB 32, Orange County Sustainable Communities Strategy), sustainability, and healthy communities, and comments received by the LUEAA Committee members as of a few weeks ago. Recent comments will be incorporated in the discussion today.

Gardner reminded the group the extent to which the 2006 General Plan was vetted by the community during the original process. Selich reminded the group not to make wholesale changes but to look at the regulatory power of the General Plan and make sure that it is the most accurate words for the intent of the General Plan document.

***NON-SECTION SPECIFIC QUESTIONS***

Is there somewhere where “promote” or “encourage” are defined in the General Plan? Check glossary.

***SECTIONS***

**ROLE AND CHARACTER**

Committee change to LU1  
Revise LU1.X, LU1.X2 to reflect comments by committee with Mulvihill  
Revise LU1.X3 to clarify intent to be based on neighborhoods

**USES TO BE ACCOMMODATED**

Delete LU2.X2

**ORGANIZATION AND FORM OF USES**

Revise LU3.2 to clarify cumulative nature of the policy and not to be applied on a project basis.

Look at Orange County Sustainable Communities Strategy Website for more information.

<http://occog.com/pdf/OCSCS20110614.PDF>

**SUSTAINABLE DEVELOPMENT**

Revise Sustainable Development Section to reflect comments by committee with Mulvihill's input  
Committee requested documentation on what is mandated.

**LAND USE DIAGRAM**

Add to Glossary "Development Allocations"

**COMMUNITY CHARACTER**

Revise LU5.4.1 to remove "and retail"

Revise LU6.1.5 Hoag Hospital Campus

**NEIGHBORHOODS, DISTRICTS, AND CORRIDORS**

None

**RESIDENTIAL NEIGHBORHOODS**

None

**DISTRICTS**

Banning Ranch – City Attorney's office will come back in January with a recommendation.

Balboa Peninsula Areawide

Add policy to address alcohol establishments.

Add policy to address using parking as for vehicular use (garages, etc)

**PUBLIC COMMENTS**

Must change quote in Introduction Section – Photo or caption change in Introductory Section.

**IV. Public Comment on Non Agenda Items**

None.

**V. Adjournment**            Next Meeting Date: January 7, 2013, at 3:30 p.m. (*Changed to December 16<sup>th</sup>*)

**City of Newport Beach  
Land Use Element Amendment Advisory Committee Minutes**

Date: December 16, 2013

Location: Newport Beach Central Library – 1000 Avocado Avenue  
Friends Room

Members Present: Edward Selich, Council Member (Chair)  
Nancy Gardner, Council Member  
Larry Tucker, Planning Commission  
Craig Batley, At-Large  
Patricia Moore, At-Large  
Paul Watkins, At-Large

Members Absent: Kory Kramer, Planning Commission  
Michael Melby, At-Large  
Jim Walker, At-Large

Staff: Brenda Wisneski, Deputy Community Development Director  
Gregg Ramirez, Senior Planner  
Tony Brine, Traffic Engineer  
Woodie Tescher, The Planning Center|DC&E (consultant)  
Marissa Aho, The Planning Center|DC&E (consultant)

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**I. Call Meeting to Order**

The meeting was called to order at 3:34 p.m. by Chair Selich.

**II. Review of Goals & Policies**

Picking up from where we left off from December 3<sup>rd</sup> on page 32 of the revised draft policy document.

**SECTIONS**

**LIDO VILLAGE**

Tescher reviewed public comments submitted for this section, but staff recommended no changes. The Committee revised LU.6.9.X4 Gateway. to add “such as” language to include landscape, streetscape.

**CANNERY VILLAGE**

Tescher reviewed public comments submitted for this section, but staff recommended no changes. The Committee revised LU 6.10.1 Priority Uses. to include “, except Villa Way, where these uses are encouraged.”

**MCFADDEN SQUARE, WEST AND EAST OF NEWPORT BOULEVARD**

LU 6.12.1 Priority Uses Revise. “local-serving” to be “resident-serving”

**NEWPORT CENTER/FASHION ISLAND**

LU 6.14.4 Development Scale. Staff to recommend language at January meeting based on Committee discussion.

**AIRPORT AREA**

LU 6.15.6X Affordable Housing Projects. Clarify exempt from 10 acres to 5 acre.

**CORRIDORS**

**WEST NEWPORT/OLD NEWPORT BOULEVARD**

Removal of Specific Plans which are no longer in effect.

**MARINERS’ MILE**

LU 6.19.10A – Proposed Policy Additions – Guiding Development of a Distinct Corridor. ~~Establish a Citizens Advisory Panel (CAP) or other group to review and~~ Undertake a planning process to make recommendations for revisions to existing development standards and the Mariners' Mile Strategic Vision and Design Framework to ensure they adequately implement the vision for the form and quality of Mariners' Mile's coastal and inland development for such elements as viewshed and resource protection; building location, scale, mass, and heights; architectural character and design; streetscape amenities; site access and parking; traffic and connectivity to the bayfront.

The Committee and members discussed how to best address Mariners' Mile. Including concerns with street widening of PCH to Caltrans standards and a public walkway study was conducted from Balboa Bay Club to the bridge that would provide additional access on the front of the bay.

Staff to confirm language of LU 6.19.2 Bay Fronting Properties. Modify to include "institutional/recreational" Staff to look at zoning to address any potential conflicts.

**CORONA DEL MAR**

See parking study results for Corona Del Mar to further inform policy LU 6.20.2.

**PUBLIC COMMENTS**

The elimination of some specific plan areas references from the General Plan was questioned along with additional suggestions that the committee and staff review and modify the language or policy numbering accordingly.

Staff addressed this comment by explaining that the specific plans were eliminated through the zoning code update process by creating location-specific zoning requirements that function much like the specific plans referenced in the General Plan were intended to function.

Congregate care representative questioned how trip neutral projects will be calculated.

Another community member reiterated that her comments were sent in writing to the committee. Specifically, additional language discussed for LU 6.16.5. The Committee determined that the following language would be included in LU 6.16.5. "Congregation of employees, loitering." Staff to look at list of permitted or non permitted uses.

Additional comments on Mariners' Mile we made including incorporation of the new Bicycle Master Plan, addressing public safety concerns and address incongruent uses.

Watkins suggested recommendations to LU 6.9.X Vested Uses.

**III. Public Comment on Non Agenda Items**

A community member reiterated his written comments regarding availability of the audio recording on the City's website.

Tucker asked Tescher to review the next steps. Tescher explained the urgency to wrapping up the draft policies so that they can inform the EIR. He clarified that additional policies could be drafted to mitigate any potential environmental impacts, which will be included through the process.

**IV. Adjournment**      *Next Meeting Date: January 7, 2014, at 3:30 p.m.*

# **ATTACHMENT 2**

## Draft Goals & Policies

# NEWPORT BEACH LAND USE ELEMENT POLICY MASTER

## FOR CONSIDERATION BY THE LAND USE ELEMENT ADVISORY COMMITTEE

January 7, 2014 Meeting

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This document presents recommended revisions of the General Plan Land Use Element's goals and policies based on comments received from the Land Use Element Advisory Committee (LUEAC) in response to the draft submitted for its December 3 meeting. The complete text of the Land Use Element's narrative text and goals and policies is presented and changes are shown by ~~strikeouts~~ for deletions and underlines for new text, with revisions requested by the Committee highlighted in yellow. Goals and policies will be re-numbered, as necessary, on their confirmation by the LUEAC. As earlier, development capacities specified in the policies will be revised as needed to reflect final LUEAC recommendations. This document does not include the land use and anomaly tables, and plan diagram, which will also need to be revised to reflect the LUEAC's final recommendations, and illustrative photographs and graphics.

These include revisions to:

- a. Reflect and assure consistency with approved Citizen Advisory Panel reports/plan (e.g., Lido Village and Balboa Village);
- b. State of California legislation enacted since the Plan's adoption in 2006 including the Global Warming Solutions Act of 2006 (Assembly Bill 31), the Sustainable Communities Act (Senate Bill 375), and 2007 amendments to the California Environmental Quality Act (Senate Bill 97);
- c. Best planning practices emerging since 2006 addressing such topics as sustainability, climate change, and healthy communities.
- d. Revisions suggested by LUEAC members supported by City staff; and
- e. Revisions suggested by City Planning Department staff based on their experience in implementing existing Plan goals and policies.

## Role and Character

### Goal

#### LU 1

A unique, primarily residential community with diverse coastal and upland neighborhoods, which values its colorful past, high quality of life, and community bonds, and balances the needs of residents, businesses, and visitors ~~through the recognition that Newport Beach is primarily a residential community.~~

### Policy

#### LU 1.1 Unique Environment

Maintain and enhance the beneficial and unique character of the different neighborhoods, business districts, and harbor that together identify Newport Beach. Locate and design development to reflect Newport Beach's topography, architectural diversity, and public view sheds. (Imp 1.1)

#### LU 1.2 Citywide Identity

While recognizing the qualities that uniquely define its neighborhoods and districts, promote the identity of the entire City that differentiates it as a special place within the Southern California region. (Imp 1.1)

#### LU 1.3 Natural Resources

Protect the natural setting that contributes to the character and ~~identity~~ identity of Newport Beach and the sense of place it provides for its residents and visitors. Preserve designated open space resources, beaches, harbor, bays, channels, parks, bluffs, preserves, and estuaries as visual, recreational and habitat resources. (Imp 1.1)

#### **LU 1.4 Growth Management**

Implement a conservative growth strategy that enhances the quality of life of residents and balances the needs of all constituencies with the preservation of designated open space and natural resources. (Imp 1.1, 10.2)

#### **LU 1.5 Economic Health**

Encourage a local economy that provides adequate commercial, office, industrial, and marine-oriented opportunities that provide employment and revenue to support high-quality community services. (Imp 1.1, 24.1)

#### **LU 1.X Environmental Health**

Promote sustainable land use and development practices that minimize the use of non-renewable resources and reduce greenhouse gas emissions.

#### **LU 1.X2 Healthy Population**

Promote land use and development practices that contribute to the physical health of Newport Beach's residents.

#### **LU 1.6 Public Views**

Protect and, where feasible, enhance significant scenic and visual resources that include open space, mountains, canyons, ridges, ocean, and harbor and other water vistas from public vantage points. (Imp 1.1)

#### **LU 1.X3 Compatible Land Uses**

Require that the scale and massing of new development provide appropriate transitions in building location, height, and bulk at their edges that are sensitive to the physical and visual character of adjoining neighborhoods and districts that have lower development intensities and building heights.

## **Uses to be Accommodated**

### **Goal**

#### **LU 2**

A living, active, and diverse environment that complements all lifestyles and enhances neighborhoods, without compromising the valued resources that make Newport Beach unique. It contains a diversity of uses that support the needs of residents, sustain and enhance the economy, provide job opportunities, serve visitors that enjoy the City's diverse recreational amenities, promote public health, and protect its important environmental setting, resources, and quality of life.

### **Policies**

#### **LU 2.1 Resident-Serving Land Uses**

Accommodate uses that support the needs of Newport Beach's residents including housing, retail, services, employment, recreation, education, culture, entertainment, medical and health facilities, civic engagement, and social and spiritual activity that are in balance with community natural resources and open spaces. (Imp 1.1, 2.1)

#### **LU 2.2 Economically Sustainable and Complete Community**

Emphasize the development of uses that enable Newport Beach to continue as an economically self-sustaining community and minimize the need for residents to travel outside of the community for retail, goods and services, and employment. (Imp 1.1, 24.1)

#### **LU 2.3 Range of Residential Choices**

Provide opportunities for the development of residential units that respond to community and regional needs in terms of density, size, location, and cost. Implement goals, policies, programs, and objectives identified within the City's Housing Element. (Imp 1.1, 8.1, 25.1)

#### **LU 2.X Recreational Centers**

Maintain and enhance a network of recreational facilities and programs to serve all phases of life (e.g., children, families, and senior citizens).

#### **LU 2.4 Economic Development**

Accommodate uses that maintain or enhance Newport Beach's fiscal health and account for market demands, while maintaining and improving the quality of life for current and future residents. (Imp 1.1, 24.1)

#### **LU 2.5 Harbor and Waterfront Uses**

Preserve the uses of the Harbor and the waterfront that contribute to the charm and character of Newport Beach and provide needed support for recreational and commercial boaters, visitors, and residents, with appropriate regulations necessary to protect the interests of all users as well as adjoining residents. (Imp 1.1, 2.5, 5.1, 21.4, 24.1)

#### **LU 2.6 Visitor Serving Uses**

Provide uses that serve visitors to Newport Beach's ocean, harbor, open spaces, and other recreational assets, while ~~integrating them to~~ protecting the quality of life for neighborhoods and residents. (Imp 1.1, 2.1, 5.1, 24.1)

#### **LU 2.X2 Healthy Foods**

Improve access to fresh fruits, vegetables, and other healthy food by encouraging a mix of food establishments that offer healthy food choices.

#### **LU 2.X3 Locally-Grown Food**

Promote the production and distribution of locally grown food by allowing farmers markets, food cooperatives, and neighborhood or community gardens.

#### **LU 2.7 Oil and Gas Facilities**

Prohibit the construction of new onshore oil processing, refining, or transportation facilities, including facilities designed to transport oil from offshore tracts, with the exceptions of slant drilling from onshore oil fields or for the consolidation and more efficient production of wells should Banning Ranch be annexed to the City. (Imp 2.1, 5.1)

#### **LU 2.8 Adequate Infrastructure**

Accommodate the types, densities, and mix of land uses that can be adequately supported by transportation and utility infrastructure (water, sewer, storm drainage, energy, technology cabling and so on) and public services (schools, parks, libraries, seniors, youth, police, fire, and so on). (Imp 1.1, 10.2, 11.1)

## **Organization and Form of Uses (“How Are Land Uses Distributed?”)**

### **Goal**

#### **LU 3**

A development pattern that retains and complements the City's residential neighborhoods, commercial and industrial districts, open spaces, and natural environment.

### **Policies**

#### **LU 3.1 Neighborhoods, Districts, Corridors, and Open Spaces**

Maintain Newport Beach's pattern of residential neighborhoods, business and employment districts, commercial centers, corridors, and harbor and ocean districts. (Imp 1.1)

#### **LU 3.X1 Community Connectivity**

Promote improved connectivity between Newport Beach's key districts through well-landscaped and safe pedestrian corridors, bicycle trails, wayfinding signage, and similar elements.

#### **LU 3.2 Growth and Change**

Enhance existing neighborhoods, districts, and corridors, allowing for re-use and infill with uses that are complementary in type, form, scale, and character. Changes in use and/or density/intensity should be considered ~~only in those areas that are economically underperforming, are necessary~~ to accommodate Newport Beach's share of projected regional population growth, improve the relationship and reduce commuting distance between home and

jobs, reduce citywide greenhouse gas emissions and energy consumption, facilitate walking, bicycling, and transit uses, provide places for people to congregate and interact socially, or enhance the values that distinguish Newport Beach as a special place to live and work for its residents. The scale of growth and new development shall be coordinated with the provision of adequate infrastructure and public services, including standards for acceptable traffic level of service. (Imp 1.1, 2.1, 5.1, 10.2, 16.2, 16.3, 17.1, 18.1, 19.1, 22.1, 23.1, 23.2)

### **LU 3.3 Opportunities for Change**

Provide opportunities for improved development and enhanced environments for residents in the following districts and corridors, as specified in Polices 6.3.1 through 6.22.7:

- **West Newport:** consolidation of retail and visitor-serving commercial uses, with remaining commercial areas developed for residential units
- **West Newport Mesa:** ~~improvement or~~ re-use of underperforming or underutilized commercial and industrial properties for offices and other uses that support Hoag Hospital's medical activities, improvement of remaining industrial properties adjoining the City of Costa Mesa, accommodation of non-water dependent marine-related industries, and development of residential in proximity to jobs and services
- ~~Santa Ana Heights:~~ use of properties consistent with the adopted Specific Plan and Redevelopment Plan
- **John Wayne Airport Area:** re-use of underperforming or underutilized commercial, industrial and office properties and development of an urban mixed-use district with resident-serving uses enabling employees to live cohesive residential neighborhoods in proximity to jobs and services.
- **Fashion Island/Newport Center:** expanded retail and office uses and hotel rooms and development of residential in proximity to jobs and services, ~~while limiting increases in office development,~~
- **Balboa Peninsula:** more efficient patterns of use that consolidate the Peninsula's visitor-serving and mixed uses within the core commercial districts; encourage marine-related uses especially in commercial areas along the bay front; integrate residential with retail and visitor-serving uses in Lido Village, McFadden Square, Balboa Village, and along portions of the Harbor frontage; re-use interior parcels in Cannery Village for residential and limited mixed-use and live/work buildings, ~~and redevelop underperforming properties outside of the core commercial districts along the Balboa Boulevard corridor for residential.~~ Infill development shall be designed and sited to preserve the historical and architectural fabric character of these districts.
- **Mariners' Mile:** re-use of underperforming or underutilized properties for retail, visitor-serving, and marine-related uses, integrated with residential and expand public and private parking.
- **Corona del Mar:** enhancement of public improvements and expand public and private parking. (Imp 1.1, 2.1, 5.1)

### **LU 3.4 Banning Ranch**

Prioritize the acquisition of Banning Ranch as an open space amenity for the community and region, consolidating oil operations, enhancing wetland and other habitats, and providing parkland amenities to serve nearby neighborhoods. If the property cannot be acquired within a time period and pursuant to terms agreed to by the City and property owner, allow for the development of a compact residential village that preserves the majority of the site as open space and restores critical habitat in accordance with Policies 6.3.1 through 6.5.5. (Imp 1.1, 2.1, 5.1, 14.7, 14.11)

### **LU 3.5 Coastal-Dependent and Related Businesses**

Design and site new development to avoid impacts to existing coastal-dependent and coastal-related developments. When reviewing proposals for land use changes, give full consideration to the impact on coastal-dependent and coastal related land uses, including not only the proposed change on the subject property, but also the potential to limit existing coastal-dependent and coastal-related land uses on adjacent properties. (Imp 2.1, 5.1, 7.1)

### **LU 3.6 Waterfront Access**

Use public beaches for public recreational uses and prohibit uses on beaches that interfere with public access and enjoyment of coastal resources. Encourage the expansion and improvement of access to the waterfront and water-

related uses that provide important links to waterfront uses such as beaches, launching facilities, public docks, and other similar public water area uses. (Imp 1.1, 5.1)

### **LU 3.7 Natural Resource or Hazardous Areas**

Require that new development is located and designed to protect areas with high natural resource value and protect residents and visitors from hazards that pose a threats to life or property. (Imp 2.1, 6.1)

### **LU 3.8 Project Entitlement Review with Airport Land Use Commission**

Refer the adoption or amendment of the General Plan, Zoning Code, specific plans, and Planned Community development plans for land within the John Wayne Airport planning area, as established in the JWA Airport Environs Land Use Plan (AELUP), to the Airport Land Use Commission (ALUC) ~~offer~~ Orange County for review, as required by Section 21676 of the California Public Utilities Code. In addition, refer all development projects that include buildings with a height greater than 200 feet above ground level to the ALUC for review. (Imp 14.3)

## **Sustainable Development**

### **Goal**

#### **LU X**

Land use development practices that contribute to a sustained natural environment for use by future generations, economy, and well-being of Newport Beach's residents, while reducing greenhouse gas emissions and impacts on climate change.

### **Policies**

#### **LU X.X Regulating Sustainable Development**

Promote and, where appropriate, require new development and reconstruction comply with sustainable building practices incorporating a "whole system" approach to designing and constructing buildings that consume less energy, water, and other resources, facilitate natural ventilation, use daylight effectively, and are healthy, safe, comfortable, and durable.

#### **LU X.X2 Existing Structure Reuse**

Encourage the retention, adaptive reuse, and renovation of existing buildings with "green" building technologies to retain the structure's embodied energy, increase energy efficiency, make it more energy efficient, and limit the generation of waste.

#### **LU X.X3 Sustainable Sites and Land Development**

Promote land development practices that reduce energy and water consumption, pollution, greenhouse gas emissions, and waste generation incorporating such techniques as:

- Concentrating and designing development to promote walking, bicycling, and use of public transit as an alternative to automobile travel;
- Capturing and re-using stormwater runoff on-site for irrigation and groundwater percolation;
- Managing wastewater and using recycled water, including encouraging the use of grey water;
- Orienting buildings to maximize opportunities for solar energy use, daylighting, and ventilation;
- Using landscapes that conserve water and reduce green waste;
- Shading of surface parking, walkways, and plazas; and/or
- Recycling and/or salvaging for reuse of construction and demolition debris.

#### **LU X.X4 Revitalization of Obsolete and Underused Properties**

Encourage the consolidation of small commercial, industrial, and mixed-use parcels to facilitate revitalization and redevelopment.

**LU X.X5 Heat Island Effect**

Reduce the “heat island effect” by promoting such features as reflective roofing, green roofs, light-colored paving, and reducing the unshaded extent of parking lots with a dense tree canopy.

**LU X.X6 Orange County Sustainable Communities Strategy**

Implement practices for compact land infill and mixed use development, mixed-use, affordable housing, and density comparable approaches to achieve objectives for reduction of vehicle trips and commute distances, air pollution, greenhouse gas emissions and energy consumption and improvement of public health consistent with applicable policies of the Orange County Sustainable Communities Strategy (SCS).

**LU X.X7 Energy Efficiency**

Strive to achieve a 15% reduction in citywide energy use by 2020 implementing actions recommended in the City of Newport Beach Energy Action Plan (EAP).

**Land Use Diagram**

**Goal**

**LU 4**

Management of growth and change to protect and enhance the livability of neighborhoods and achieve distinct and economically vital business and employment districts, which are correlated with supporting infrastructure and public services and sustain Newport Beach’s natural setting.

**Policies**

**LU 4.1 Land Use Diagram**

Accommodate land use development consistent with the Land Use Plan. Figure LU1 depicts the general distribution of uses throughout the City and Figure LU2 through Figure LU15 depict specific use categories for each parcel within defined Statistical Areas. Table LU1 (Land Use Plan Categories) specifies the primary land use categories, types of uses, and, for certain categories, the densities/intensities to be permitted. The permitted densities/intensities or amount of development for land use categories for which this is not included in

- a. Identify the parcel and the applicable land use designation on the Land Use Plan, Figure LU4 through Figure LU15.
- b. Refer to Figure LU4 through Figure LU15 and Table LU1 to identify the permitted uses and permitted density or intensity or amount of development for the land use classification. Where densities/intensities are applicable, the maximum amount of development shall be determined by multiplying the area of the parcel by the density/intensity.
- c. For anomalies identified on the Land Use Map by a symbol, refer to Table LU2 to determine the precise development limits.
- d. For residential development in the Airport Area., refer to the policies prescribed by the Land Use Element that define how development may occur. (Imp 2.1, 5.1, 10.2)

**LU 4.2 Prohibition of New Residential Subdivisions**

Prohibit new residential subdivisions that would result in additional dwelling units exceeding those permitted by the General Plan unless authorized by an amendment of the General Plan (GPA). Lots that have been legally merged through the Subdivision Map Act and City Subdivision Code approvals are exempt from the GPA requirements and may be redeveloped or re-subdivided to the original underlying legal lots. This policy is applicable to all Single Unit, Two Unit, and Multiple Unit Residential and Mixed Use land use categories. (Imp 6.1)

**LU 4.3 Transfer of Development Rights Allocations**

Permit the transfer of development allocations rights from a property to one or more other properties when:

- a. The donor and receiver sites are within the same Statistical Area.

- b. The reduced density/intensity on the donor site provides benefits to the City such as, but not limited to, the (1) provision of ~~extraordinary~~ open space exceeding standard requirements, public visual corridor(s), parking or other amenities; (2) preservation of a historic building or property or natural landscapes; (3) improvement of the area's scale and development character; (4) consolidation of lots to achieve a better architectural design than could be achieved without lot consolidation; and/or (5) reduction of local vehicle trips and traffic congestion;
- c. The increment of growth transferred to the receiver site complements and is in scale with surrounding development, complies with community character and design policies contained in this Plan, and does not materially degrade local traffic conditions and environmental quality.
- d. Transfer of Development ~~Rights Allocations~~ in Newport Center is governed by Policy 6.14.3 and those for the Airport Area by Policy 6.15.X. (Imp 2.1, 5.1, 10.2)

## **Community Character (“Maintaining the Character of Our Neighborhoods and Districts”)**

Goals and policies provide for the maintenance and enhancement of Newport Beach's residential neighborhoods, commercial districts, employment centers, corridors, and open spaces, assuring that new development complements and reinforces these characteristics. In addition to those listed below, community design policies are defined in the section beginning -with Policy LU 6.9-1 to reflect the specific community character objectives for a number of the City's districts and corridors.

### **Residential Neighborhoods**

#### **Goal**

##### **LU 5.1**

Residential neighborhoods that are well-planned and designed contribute to the livability and quality of life of residents, respect the natural environmental setting, and sustain the qualities of place that differentiate Newport Beach as a special place in the Southern California region.

#### **Policies**

##### ***ALL NEIGHBORHOODS***

##### **LU 5.1.1 Compatible but Diverse Development**

Establish property development regulations for residential projects to create compatible and high-quality development that contributes to and sustains neighborhood character. (Imp 2.1)

##### **LU 5.1.2 Compatible Interfaces**

~~Require that the height of development in nonresidential and higher density residential areas transition as it nears lower density residential areas to minimize conflicts at the interface between the different types of development. (Imp 2.4) [Note: Moved to Policy LU 1.X3]~~

##### **LU 5.1.3 Neighborhood Identification**

Encourage and support the identification of distinct residential neighborhoods. (Imp 1.1, 1.3)

##### **LU 5.1.4 Neighborhood Maintenance**

Promote the maintenance of existing residential units through code enforcement and promotion of County and local rehabilitation programs and public education. This may include providing information, guidance, and assistance where feasible. (Imp 23.3, 25.1, 26.1, 29.1)

##### ***SINGLE-FAMILY DETACHED AND TWO-UNIT NEIGHBORHOODS***

##### **LU 5.1.5 Character and Quality of Single-Family Residential Dwellings**

Require that residential units be designed to sustain the high level of architectural design quality that characterizes Newport Beach's neighborhoods in consideration of the following principles:

- Articulation and modulation of building masses and elevations to avoid the appearance of "box-like" buildings Compatibility with neighborhood development in density, scale, and street facing elevations;
- Architectural treatment of all elevations visible from public places;
- Entries and windows on street facing elevations to visually "open" the house to the neighborhood; and
- Orientation to desirable sunlight and views. (Imp 2.1)

#### **LU 5.1.6 Character and Quality of Residential Properties**

Require that residential front setbacks and other areas visible from the public street be attractively landscaped, trash containers enclosed, and driveway and parking paving minimized. (Imp 2.1)

#### **LU 5.1.7 Renovation and Replacement of Existing Residential Units**

Require that residential units that are renovated and rebuilt in existing single family neighborhoods adhere to the principles for new developments, as specified by Policy 5.1.5 above, and avoid. ~~Consider the appropriateness of establishing single-family residential design guidelines and/or standards and review procedures for neighborhoods impacted by significant changes in building scale and character. (Imp 2.1, 8.2)~~

#### **LU 5.1.8 Parking Adequacy**

Require that new and renovated single-family residences incorporate adequate enclosed parking in consideration of its ~~number of bedrooms~~ floor area. (Imp 2.1)

### **MULTI-FAMILY NEIGHBORHOODS**

#### **LU 5.1.9 Character and Quality of Multi-Family Residential**

Require that multi-family dwellings be designed to convey a high quality architectural character in accordance with the following principles (other than the Newport Center and Airport Area, which are guided by Goals 6.14 and 6.15, respectively, specific to those areas):

##### ***Building Elevations***

- Treatment of the elevations of buildings facing public streets and pedestrian ways as the principal façades with respect to architectural treatment to achieve the highest level of urban design and neighborhood quality;
- Architectural treatment of building elevations and modulation of mass to convey the character of separate living units or clusters of living units, avoiding the appearance of a singular building volume; and
- Provide street- and path-facing elevations with high-quality doors, windows, moldings, metalwork, and finishes.

##### ***Ground Floor Treatment***

- Where multi-family residential is developed on large parcels ~~such as the Airport Area and West Newport Mesa:~~
  - Set ground-floor residential uses back from the sidewalk or from the public right-of-way, whichever yields the greater setback to provide privacy and a sense of security and to leave room for stoops, porches and landscaping;
  - Raise ground-floor residential uses above the sidewalk for privacy and security but not so much that pedestrians face blank walls or look into utility or parking spaces;
  - Encourage stoops and porches for ground-floor residential units facing public streets and pedestrian ways; and

- Where multi-family residential is developed on small parcels, such as the Balboa Peninsula, the unit may be located directly along the sidewalk frontage and entries should be setback or elevated to ensure adequate security (as shown below<sup>1</sup>).

### **Roof Design**

- Modulate roof profiles to reduce the apparent scale of large structures and to provide visual interest and variety;
- Parking; and
- Design covered and enclosed parking areas to be integral with the architecture of the residential units' architecture.

### **Open Space and Amenity**

- Incorporate usable and functional private open space for each unit; and.
- Incorporate common open space that creates a pleasant living environment with opportunities for recreation. (Imp 2.1)

## **Commercial Districts**

### **Goal**

#### **LU 5.2**

Commercial centers and districts that are well-designed and planned, exhibit a high level of architectural and landscape quality, and are vital places for shopping and socialization.

### **Policies**

#### **LU 5.2.1 Architecture and Site Design**

Require that new development within existing commercial districts centers and corridors complement existing uses and exhibit a high level of architectural and site design in consideration of the following principles:

- Seamless connections and transitions with existing buildings, except where developed as a free-standing building;
- Modulation of building masses, elevations, and rooflines to promote visual interest;
- Architectural treatment of all building elevations, including ancillary facilities such as storage, truck loading and unloading, and trash enclosures;
- Treatment of the ground floor of buildings to promote pedestrian activity by avoiding long, continuous blank walls, incorporating extensive glazing for transparency, and modulating and articulating elevations to promote visual interest;
- Clear identification of storefront entries;
- Incorporation of signage that is integrated with the buildings' architectural character;
- Architectural treatment of parking structures consistent with commercial buildings, including the incorporation of retail in the ground floors where the parking structure faces a public street or pedestrian way;
- Extensive on-site landscaping, including mature vegetation to provide a tree canopy to provide shade for customers;
- Incorporation of plazas and expanded sidewalks to accommodate pedestrian, outdoor dining, and other activities;

<sup>1</sup> Note: Refers to image in General Plan

- Clearly delineated pedestrian connections between business areas, parking, and to adjoining neighborhoods and districts (paving treatment, landscape, wayfinding signage, and so on); and
- Integration of building design and site planning elements that reduce the consumption of water, energy, and other nonrenewable resources. (Imp 2.1)

### **LU 5.2.2 Buffering Residential Areas**

Require that commercial uses adjoining residential neighborhoods be designed to be compatible and minimize impacts through such techniques as:

- Incorporation of landscape, decorative walls, enclosed trash containers, downward focused lighting fixtures, and/or comparable buffering elements;
- Attractive architectural treatment of elevations facing the residential neighborhood; and
- Location of automobile and truck access to prevent impacts on neighborhood traffic and privacy. (Imp 2.1)

### **LU 5.2.3 Alley Design**

Improve and enhance the aesthetic quality of alleys without impacting service and resident access. (Imp 6.1, 8.1)

## **Mixed-Use Districts and Neighborhoods**

### **Goal**

#### **LU 5.3**

Districts where residents and businesses are intermixed that are designed and planned to ensure compatibility among the uses, that they are highly livable for residents, and are of high quality design reflecting the traditions of Newport Beach.

### **Policies**

#### **LU 5.3.1 Mixed-Use Buildings**

Require that mixed-use buildings be designed to convey a high level of architectural and landscape quality and ensure compatibility among their uses in consideration of the following principles:

- Design and incorporation of building materials and features to avoid conflicts among uses, such as noise, vibration, lighting, odors, and similar impacts
- Visual and physical integration of residential and nonresidential uses
- Architectural treatment of building elevations and modulation of their massing
- Separate and well-defined entries for residential units and nonresidential businesses
- Design of parking areas and facilities for architectural consistency and integration among uses
- Incorporation of extensive landscape appropriate to its location; urbanized streetscapes, for example, would require less landscape along the street frontage but integrate landscape into interior courtyards and common open spaces (Imp 2.1)

#### **LU 5.3.2 Mixed-Use Building Location and Size of Nonresidential Uses**

Require that 100 percent of the ground floor street frontage of mixed-use buildings be occupied by retail and other compatible nonresidential uses, unless specified otherwise by policies ~~LU 6.21.1 through LU 6.20.6~~ for a specific district or corridor. (Imp 2.1)

#### **LU 5.3.3 Parcels Integrating Residential and Nonresidential Uses**

Require that properties developed with a mix of residential and nonresidential uses be designed to achieve high levels of architectural quality in accordance with policies LU 5.1.9 and LU 5.2.1 and planned to ensure compatibility among the uses and provide adequate circulation and parking. Residential uses should be seamlessly integrated with

nonresidential uses through architecture, pedestrian walkways, and landscape. They should not be completely isolated by walls or other design elements. (Imp 2.1)

#### **LU 5.3.4 Districts Integrating Residential and Nonresidential Uses**

Require that sufficient acreage be developed for an individual use located in a district containing a mix of residential and nonresidential uses to prevent fragmentation and ensure each use's viability, quality, and compatibility with adjoining uses. (Imp 2.1, 6.1)

### **All Commercial and Mixed-Use Districts**

#### **LU 5.3.5 Pedestrian-Oriented Architecture and Streetscapes**

Require that buildings located in pedestrian-oriented commercial and mixed-use districts (other than the Newport Center and Airport Area, which are guided by Goals 6.14 and 6.15, respectively, specific to those areas) be designed to define the public realm, activate sidewalks and pedestrian paths, and provide "eyes on the street" in accordance with the following principles:

- Location of buildings along the street frontage sidewalk, to visually form a continuous or semi-continuous wall with buildings on adjacent parcels
- Inclusion of retail uses characterized by a high level of customer activity on the ground floor; to insure successful retail-type operations, provide for
- transparency, elevation of the first floor at or transitioning to the sidewalk, floor-to-floor height, depth, deliveries, and trash storage and collection
- Articulation and modulation of street-facing elevations to promote interest and character
- Inclusion of outdoor seating or other amenities that extend interior uses to the sidewalk, where feasible
- Minimization of driveways that interrupt the continuity of street facing building elevations, prioritizing their location to side streets and alleys where feasible (Imp 2.1)

#### **LU 5.3.6 Parking Adequacy and Location**

Require that adequate parking be provided and is conveniently located to serve tenants and customers. Set open parking lots back from public streets and pedestrian ways and screen with buildings, architectural walls, or dense landscaping. (Imp 2.1)

### **Office and Business Parks**

#### **Goal**

#### **LU 5.4**

Office and business districts that exhibit a high quality image, are attractive, and provide quality working environments for employees.

#### **Policies**

#### **LU 5.4.1 Site Planning**

Require that new, and to the extent feasible, renovated office and retail development projects be planned to exhibit a high-quality and cohesive "campus environment," characterized by the following:

- Location of buildings around common plazas, courtyards, walkways, and open spaces
- Incorporation of extensive on-site landscaping that emphasizes special features such as entryways
- Use of landscape and open spaces to break the visual continuity of surface parking lots
- Common signage program for tenant identification and wayfinding
- Common streetscapes and lighting to promote pedestrian activity

- Readily observable site access, entrance drives and building entries and minimized conflict between service vehicles, private automobiles, and pedestrians (Imp 2.1)

**LU 5.4.2 Development Form and Architecture**

Require that new development of business park, office, and supporting buildings be designed to convey a unified and high-quality character in consideration of the following principles:

- Modulation of building mass, heights, and elevations and articulation of building
- Avoidance of blank building walls that internalize uses with no outdoor orientation to public spaces
- Minimize the mass and bulk of building facades abutting streets
- Consistent architectural design vocabulary, articulation, materials, and color palette
- Clear identification of entries through design elements
- Integration of signage with the building’s architectural style and character
- Architectural treatment of parking structures consistent with their primary commercial or office building (Imp 2.1)

**Industrial Districts**

**Goal**

**LU 5.5**

Districts that provide for the manufacturing of goods and research, and development that are attractive, compatible with adjoining nonindustrial uses, and well maintained.

**Policies**

**LU 5.5.1 Site Planning and Building Design**

Require that new and renovated industrial properties and structures be designed to exhibit a high quality of design and maintenance characterized by the following:

- Incorporation of extensive on-site landscaping
- Incorporation of landscape, decorative walls, and other elements that visually screen areas used for outdoor storage, processing, and other industrial operations from public places
- Architectural treatment of all visible building elevations
- Consistent and well-designed signage
- Control of on-site lighting, noise, odors, vibrations, toxic materials, truck access, and other elements that may impact adjoining nonindustrial land uses. (Imp 2.1)

**LU 5.5.2 Property Maintenance**

Encourage and, where subject to redevelopment, require owners of visually unattractive or poorly maintained industrial properties to upgrade existing structures and properties to improve their visual quality. (Imp 26.1)3-61

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**Public and Institutional Uses and Districts<sup>2</sup>**

The City of Newport Beach contains a diversity of public and institutional uses including civic and government administrative facilities (City Hall), corporate yards, fire and police facilities, libraries, cultural institutions, art museum, marine science center, environmental interpretative center, senior and youth facilities, schools, and hospitals. Major public uses include the City Hall, adjoining Lido Village, Police Department in Newport Center, eight fire stations distributed throughout the community, Central Library in Newport Center and three branches, OASIS Senior Center in Corona del Mar, and community facilities available at various locations for residents for recreational and meeting use.

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<sup>2</sup> NOTE: This section was incorrectly located in the General Plan and has been moved. No text changes have been made.

Newport Beach is served by two public and one private high school, one public and one private middle school, and eight public and four private elementary schools. Hoag Hospital is a major medical center that serves the City and region and is supported by numerous medical offices and related facilities.

## **Goal**

### **LU 6.1**

A diversity of governmental service, institutional, educational, cultural, social, religious, and medical facilities that are available for and enhance the quality of life for residents and are located and designed to complement Newport Beach's neighborhoods.

## **Policies**

### **LAND USES**

#### **LU 6.1.1 Adequate Community Supporting Uses**

Accommodate schools, government administrative and operational facilities, fire stations and police facilities, religious facilities, ~~schools~~, cultural facilities, museums, interpretative centers, and hospitals to serve the needs of Newport Beach's residents and businesses. (Imp 1.1, 2.1)

#### **LU 6.1.2 Siting of New Development**

Allow for the development of new public and institutional facilities within the City provided that the use and development facilities are compatible with adjoining land uses, environmentally suitable, and can be supported by transportation and utility infrastructure. (Imp 1.1, 14.2, 22.1–23.2)

### **DESIGN AND DEVELOPMENT**

#### **LU 6.1.3 Architecture and Planning that Complements Adjoining Uses**

Ensure that the City's public buildings, sites, and infrastructure are designed to be compatible in scale, mass, character, and architecture with the district or neighborhood in which they are located, following the design and development policies for private uses specified by this Plan. Design impacts on adjoining uses shall be carefully considered in development, addressing such issues as lighting spillover, noise, hours of operation, parking, local traffic impacts, and privacy. (Imp 22.1–23.2)

#### **LU 6.1.4 Compatibility of Non-City Public Uses**

Encourage school and utility districts and other government agencies that may be exempt from City land use control and approval to plan their properties and design buildings at a high level of visual and architectural quality that maintains the character of the neighborhood or district in which they are located and in consideration of the design and development policies for private uses specified by this Plan. (Imp 14.1, 14.15)

## **STRATEGY**

#### **LU 6.1.5 Hoag Hospital Campus**

Support Hoag Hospital and ~~its alliances~~ related medical uses in ~~its~~ their mission to provide adequate facilities to meet the needs of area residents. Work with the Hospital ~~and its alliances~~ and related medical uses to ensure that future development plans consider ~~its~~ their relationship to and ensure compatibility with adjoining residential neighborhoods and mitigate impacts on local and regional transportation systems. (Imp 24.1)

## **Neighborhoods, Districts, and Corridors (“Places That Distinguish Newport Beach”)<sup>3</sup>**

<sup>3</sup> NOTE: This header and text were incorrectly located in the General Plan and has been moved. No changes in text have been made.

Goals and policies provide for the maintenance of existing neighborhoods, districts, corridors, and public and civic uses, managing growth and change to ensure that their character, livability, and economic value are sustained.

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## All Neighborhoods, Districts, and Corridors

### Goal

#### LU 5.6

Neighborhoods, districts, and corridors containing a diversity of uses and buildings that are mutually compatible and enhance the quality of the City's environment.

### Policies

#### LU 5.6.1 Compatible Development

Require that buildings and properties be designed to ensure compatibility within and as interfaces between neighborhoods, districts, and corridors. (Imp 2.1)

#### LU 5.6.2 Form and Environment

Require that new and renovated buildings be designed to avoid the use of styles, colors, and materials that unusually impact the design character and quality of their location such as abrupt changes in scale, building form, architectural style, and the use of surface materials that raise local temperatures, result in glare and excessive illumination of adjoining properties and open spaces, or adversely modify wind patterns. (Imp 2.1)

#### LU 5.6.3 Ambient Lighting

Require that outdoor lighting be located and designed to prevent spillover onto adjoining properties or significantly increase the overall ambient illumination of their location. (Imp 2.1)

#### LU 5.6.4 Conformance with the Natural Environmental Setting

Require that sites be planned and buildings designed in consideration of the property's topography, landforms, drainage patterns, natural vegetation, and relationship to the Bay and coastline, maintaining the environmental character that distinguishes Newport Beach. (Imp 2.1, 8.1)

#### LU 5.6.5 Heliport/Helistop Compatibility

Require that all applicants for the construction or operation of a heliport or helistop comply with state permit procedures, file a Form 7480 (Notice of Landing Area Proposal) with the Federal Aviation Administration (FAA), and comply with all conditions of approval imposed by the FAA, Caltrans/Division of Aeronautics and Airport Land Use Commission (ALUC) for Orange County. (Imp 14.9)

## ~~Neighborhoods, Districts, and Corridors ("Places That Distinguish Newport Beach")<sup>4</sup>~~

~~Goals and policies provide for the maintenance of existing neighborhoods, districts, corridors, and public and civic uses, managing growth and change to ensure that their character, livability, and economic value are sustained.~~

### ~~Public and Institutional Uses and Districts~~

~~The City of Newport Beach contains a diversity of public and institutional uses including civic and government administrative facilities (City Hall), corporate yards, fire and police facilities, libraries, cultural institutions, art museum, marine science center, environmental interpretative center, senior and youth facilities, schools, and hospitals. Major public uses include the City Hall, adjoining Lido Village, Police Department in Newport Center, eight fire stations distributed throughout the community, Central Library in Newport Center and three branches, OASIS Senior Center in Corona del Mar, and community facilities available at various locations for residents for recreational and meeting use. Newport Beach is served by two public and one private high school, one public and one private middle school, and~~

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<sup>4</sup> NOTE: See preceding footnote. The text has been moved and not deleted.

eight public and four private elementary schools. Hoag Hospital is a major medical center that serves the City and region and is supported by numerous medical offices and related facilities.

## **Goal**

### **LU 6.1**

A diversity of governmental service, institutional, educational, cultural, social, religious, and medical facilities that are available for and enhance the quality of life for residents and are located and designed to complement Newport Beach's neighborhoods.

## **Policies**

### **LAND USES**

#### **LU 6.1.1 Adequate Community Supporting Uses**

Accommodate schools, government administrative and operational facilities, fire stations and police facilities, religious facilities, schools, cultural facilities, museums, interpretative centers, and hospitals to serve the needs of Newport Beach's residents and businesses. (Imp 1.1, 2.1)

#### **LU 6.1.2 Siting of New Development**

Allow for the development of new public and institutional facilities within the City provided that the use and development facilities are compatible with adjoining land uses, environmentally suitable, and can be supported by transportation and utility infrastructure. (Imp 1.1, 14.2, 22.1-23.2)

### **DESIGN AND DEVELOPMENT**

#### **LU 6.1.3 Architecture and Planning that Complements Adjoining Uses**

Ensure that the City's public buildings, sites, and infrastructure are designed to be compatible in scale, mass, character, and architecture with the district or neighborhood in which they are located, following the design and development policies for private uses specified by this Plan. Design impacts on adjoining uses shall be carefully considered in development, addressing such issues as lighting spillover, noise, hours of operation, parking, local traffic impacts, and privacy. (Imp 22.1-23.2)

#### **LU 6.1.4 Compatibility of Non-City Public Uses**

Encourage school and utility districts and other government agencies that may be exempt from City land use control and approval to plan their properties and design buildings at a high level of visual and architectural quality that maintains the character of the neighborhood or district in which they are located and in consideration of the design and development policies for private uses specified by this Plan. (Imp 14.1, 14.15)

## **STRATEGY**

### **LU 6.1.5 Hoag Hospital**

Support Hoag Hospital in its mission to provide adequate facilities to meet the needs of area residents. Work with the Hospital to ensure that future development plans consider its relationship to and ensure compatibility with adjoining residential neighborhoods and mitigate impacts on local and regional transportation systems. (Imp 24.1)

## **Residential Neighborhoods**

Newport Beach is a community of distinct residential communities formed by the natural landscape and the built environment. Many of the City's older communities are located near the coast, and are characterized by small lots and the close grouping of structures. Newer residential communities, located east of the bay, have been built according to specific regulations to encourage their individual characters.

Residential neighborhoods first began to develop on the Peninsula, West Newport, Balboa Island, and Lido Isle. These early neighborhoods following a traditional subdivision pattern of homes on streets designed in a linear grid and are generally pedestrian-oriented and include alleyways. Some of these older residential areas are within close

proximity of commercial and visitors serving uses and are impacted by limited parking, noise, and traffic generated by commercial and visitor activities.

When development spread further inland and proceeded north and east, the residential pattern changed, becoming less traditional, and more suburban in character with curvilinear streets and ranch style homes on larger lots. Examples of this type of development are the Westcliff community and Cliff Haven. As residential expanded across the bay and to the east, new styles such as attached town homes and gated communities were constructed. The Bluffs and Big Canyon communities illustrate this type of development.

More recent residential development patterns have resulted in numerous distinct neighborhoods with a single builder constructing most or all of the homes. Many of these communities were designed as master planned communities allowing for unique and specialized development standards, as opposed to the application of traditional, standardized zoning regulations. Examples include Bonita Canyon, Newport Ridge, and Newport Coast.

There are approximately ~~425~~ 150 homeowners associations in Newport Beach. These associations govern the maintenance of common areas and the administration of Covenants, Conditions, and Restrictions (CC&Rs). Many of these associations are active in the City's decision-making process and may have unique development standards that are not enforced by the City.

As the community has approached build-out, little vacant land remains. New development has focused on nontraditional sites such as infill and mixed-use development on smaller vacant and underutilized sites in or near commercial areas.

Other residential development issues in the community include the replacement of original single family homes, duplexes, and triplexes with larger homes. Many of these homes are built to the full limit of the City's development regulations in neighborhoods where many houses are much smaller in scale.

The policy framework for neighborhoods is geared toward strengthening and expanding the framework of healthy, cohesive, and identifiable neighborhoods throughout the City.

## **Goal**

### **LU 6.2**

Residential neighborhoods that contain a diversity of housing types and supporting uses to meet the needs of Newport Beach's residents and are designed to sustain livability and a high quality of life.

## **Policies**

### **LU 6.2.1 Residential Supply**

Accommodate a diversity of residential units that meets the needs of Newport Beach's population and fair share of regional needs in accordance with the Land Use Plan's designations, applicable density standards, design and development policies, and the adopted Housing Element. (Imp 1.1, 2.1, 25.1)

### **LU 6.2.2 Allowing Rebuilding**

Legal nonconforming residential structures shall be brought into conformity in an equitable, reasonable, and timely manner as rebuilding occurs. Limited renovations that improve the physical quality and character of the buildings may be allowed. Rebuilding after catastrophic damage or destruction due to a natural event, an act of a public enemy, or accident may be allowed in limited circumstances that do not conflict with the goals of the Land Use Element. (Imp 2.1, 7.1)

### **LU 6.2.3 Residential Affordability**

Encourage the development of the types of residential units that are consistent with the Housing Element ~~affordable for those employed in the City.~~ (Imp 25.1)

### **LU 6.2.4 Accessory Units**

Permit conditionally the construction of one granny unit (accessory age-restricted units for one or two adult persons who are ~~sixty-fifty-five~~ years of age or older) per single family residence within single-family districts, provided that such units meet set back, height, occupancy, and other applicable regulations set forth in the Municipal Code. (Imp 2.1)

### **LU 6.2.5 Neighborhood Supporting Uses**

Allow for the integration of uses within residential neighborhoods that support and are complementary to their primary function as a living environment such as schools, parks, community meeting facilities, religious facilities, and comparable uses. These uses shall be designed to ensure compatibility with adjoining residential addressing such issues as noise, lighting, and parking. (Imp 2.1)

### **LU 6.2.6 Home Occupations**

Allow for small scale home occupations in Newport Beach's residential neighborhoods provided that they do not adversely impact traffic, parking, noise, lighting, and other neighborhood qualities. (Imp 2.1)

### **LU 6.2.7 Care Facilities**

Regulate Day Care and Residential Care facilities to the maximum extent allowed by federal and state law to minimize impacts on residential neighborhoods, ~~and actively pursue federal and state legislation that would give cities the ability to prohibit an over-concentration of recovery homes or sober living homes in residential areas.~~ (Imp 2.1)

### **LU 6.2.8 Manufactured Housing**

Permit by right manufactured housing on individual lots in residential zones as per state law. Ensure compatibility with surrounding conventional dwelling uses by adhering to development standards within the Municipal Code. ~~continuing to provide design standards for manufactured homes.~~ (Imp 2.1)

### **LU 6.2.9 Private Open Spaces and Recreational Facilities**

Require the open space and recreational facilities that are integrated into and owned by private residential development are permanently preserved as part of the development approval process and are prohibited from converting to residential or other types of land uses. (Imp 6.1, 13.1)

### **LU 6.2.10 Gated Communities**

Discourage the creation of new private entry gates in existing residential neighborhoods that currently do not have a gate located at the entrance of the community. (Imp 9.1, 29.1)

## **Districts**

Districts are uniquely identifiable by their common functional role, mix of uses, density/intensity, physical form and character, and/or environmental setting. Generally, they encompass large areas that often extend equally in length and breadth. They represent common gathering places for commerce, employment, entertainment, culture, and for living.

While Newport Beach contains many districts, the General Plan policies in the following sections focus on those that are likely to change over the next 20 years as existing viable districts are enhanced, underperforming properties are revitalized, and opportunities are provided to accommodate the City's fair share of regional housing needs, as shown on Figure LU16. Policies are directed to the management of these changes to ensure that they complement the characteristics that are valued by Newport Beach's residents.

Development in each district will adhere to policies for land use type and density/intensity (Policy LU 4.1, Table LU1) and community character (LU 5.0), except as amended in this section of the Plan.

The goals and policies for each district are preceded by a description of its uses and characteristics in 2005 and public input from the General Plan Update Visioning Process and Public Workshops that was considered in their formulation.

## **BANNING RANCH**

Located within the City's Sphere of Influence (SOI), the Banning Ranch area encompasses approximately 518 acres, of which 465 acres (includes 47 acres of water features) are under the jurisdiction of Orange County, and 53 acres within the jurisdiction of the City of Newport Beach. Banning Ranch is located in the western-most portion of the Newport Beach Planning Area, north of Coast Highway and the Newport Shores residential community, immediately east of the Santa Ana River, and west and south of residential and industrial uses. The eastern portion of the site is

higher in elevation and contains the western edge of Newport Mesa that slopes gently from east to west. Bluffs form the western edge of the mesa, and are located in the central portion of the Banning Ranch area. The western portion of the site, which is lower in elevation, historically contained a tidal marsh associated with the Semeniuk Slough and Santa Ana River.

Currently, the Banning Ranch area is primarily undeveloped with some historic oil extraction infrastructure located in the central and southern portions of the site that includes wells, pipelines, buildings, improved and unimproved roads, and open storage pipes and machinery. Oil extraction activities date back at least 75 years.

Although the Banning Ranch site contains an assemblage of diverse habitats that have been historically disturbed, when this area is considered with the contiguous Semeniuk Slough and restored wetlands, it provides wildlife with a significantly large, diverse area for foraging, shelter, and movement. Biological studies performed for Banning Ranch indicate that, while disturbance associated with oil activities diminishes the quality of existing habitat to some extent, overall, the area should be regarded as relatively high-quality wildlife habitat due to its size, habitat diversity, and continuity with the adjacent Semeniuk Slough and federally-restored wetlands.

+A preliminary field evaluation of Banning Ranch was conducted by a consultant as a general indicator of the presence of habitat and species that may be subject to regulatory review. Based on this analysis, the property is estimated to contain approximately 69 acres with a habitat value rank of "1," which are primarily concentrated in the northwestern portion of the site. These areas are considered to have a high biological resource value, and are likely to require a resource permit from federal and/or state agencies prior to development. Other areas scattered throughout the site may also be of biological value but to a lesser extent. Areas with a rank of "2" (approximately 96 acres) may need a resource permit for development, where additional studies would be required to make this determination. More than likely, areas with a rank of "3" (approximately 118 acres) contain habitat and species that are not likely to require resource permitting for development. Resource permitting would likely result in the need for mitigation measures associated with development such as payment of mitigation fees, habitat restoration, or off-site habitat replacement. The actual acreage subject to environmental permitting will be determined in subsequent studies to be conducted in accordance with state and federal regulations.

Additionally, Banning Ranch exhibits distinctive topography that is a physical and visual resource for the community. The property is divided into lowland and highland mesa areas. Bluff faces traverse the property generally in a north-south direction, separating these and forming an important visual backdrop from West Coast Highway. Drainage from upland areas in and adjoining the City of Costa Mesa formed a number of arroyos with riparian habitats. The bluff face geology is highly erodible and has experienced sliding over the years. Figure LU17 illustrates these constraints.

During the visioning process, residents were divided in opinion regarding the future of Banning Ranch. Many residents preferred preserving Banning Ranch as open space at the beginning of the public process. However, many participants in the process later indicated their willingness to support some development of the property if it would generate revenue to help fund preservation of the majority of the property as open space.

## ***Policy Overview***

The General Plan prioritizes the acquisition of Banning Ranch as an open space amenity for the community and region. Oil operations would be consolidated, wetlands restored, nature education and interpretative facilities provided, and an active park developed containing playfields and other facilities to serve residents of adjoining neighborhoods.

Should the property not be fully acquired as open space, the Plan provides for the development of a concentrated mixed-use residential village that retains the majority of the property as open space. This would contain a mix of housing types clustered around a "village center" of ~~local-serving~~ resident-serving commercial uses, small boutique hotel, active park, and possibly a school. Buildings would be located and designed and an interconnected street system provided to enhance pedestrian activity and reduce vehicular trips. Development would be concentrated to preserve the majority of the property as open space, while oil operations would be clustered and wetlands restored. An internal trail system would be developed to link uses within its neighborhoods and districts and provide access to adjoining neighborhoods. While the Plan indicates the maximum intensity of development that would be allowed on the property, this will ultimately be determined through permitting processes that are required to satisfy state and federal environmental regulatory requirements.

## **Goal**

### **LU 6.3**

Preferably a protected open space amenity, with restored wetlands and habitat areas, as well as active community parklands to serve adjoining neighborhoods.

## **Policies**

### ***LAND USES (designated as “OS[RV]”)***

#### **LU 6.3.1 Primary Use**

Open space, including significant active community parklands that serve adjoining residential neighborhoods if the site is acquired through public funding. (Imp 2.1, 23.1, 23.5, 30.2)

## ***STRATEGY***

#### **LU 6.3.2 Acquisition for Open Space**

Support active pursuit of the acquisition of Banning Ranch as permanent open space, which may be accomplished through the issuance of state bonds, environmental mitigation fees, private fundraising, developer dedication, and similar techniques. (Imp 9.1, 14.7, 14.11, 30.2)

## **Goal**

### **LU 6.4**

If acquisition for open space is not successful, a high-quality residential community with supporting uses that provides revenue to restore and protect wetlands and important habitats.

## **Policies**

### ***LAND USES***

#### **LU 6.4.1 Alternative Use**

If not acquired for open space within a time period and pursuant to terms agreed to by the City and property owner, the site may be developed as a residential village containing a mix of housing types, limited supporting retail, visitor accommodations, school, and active community parklands, with a majority of the property preserved as open space. The property owner may pursue entitlement and permits for a residential village during the time allowed for acquisition as open space. (Imp 2.1)

## ***DEVELOPMENT DENSITY/INTENSITY AND CAPACITY***

Note: These represent general development capacity estimates, with the property’s ultimate development footprint and capacity determined through required federal and state regulatory environmental permitting processes and a planned community development plan approved by the City of Newport Beach.

#### **LU 6.4.2 Residential**

Accommodate a maximum of 1,375 residential units, which shall consist of a mix of single-family detached, attached, and multi-family units to provide a range of choices and prices for residents. (Imp 2.1)

#### **LU 6.4.3 Retail Commercial**

Accommodate a maximum of 75,000 square feet of retail commercial uses that shall be oriented to serve the needs of local and nearby residents. (Imp 2.1)

#### **LU 6.4.4 Overnight Accommodations**

Accommodate a maximum of 75 rooms in a small boutique hotel, “bed and breakfast,” or other overnight accommodations. (Imp 2.1)

## **DESIGN AND DEVELOPMENT**

### **LU 6.4.5 Planned Residential Village**

Require that Banning Ranch, if not retained as open space, be developed as a cohesive urban form that provides the sense of a complete and identifiable neighborhood. Establish a development pattern that ties together individual uses into a cohesive neighborhood addressing the location and massing of buildings, architecture, landscape, connective street grid and pedestrian walkways and trails, use of key landforms, and similar elements. (Imp 3.1, 4.1)

### **LU 6.4.6 Approaches for a Livable Neighborhood**

Site and design development to enhance neighborhood quality of life by:

- Establishing a pattern of blocks that promotes access and neighborhood identity
- Designing streets to slow traffic, while maintaining acceptable fire protection and traffic flows
- Integrating a diversity of residential types within a neighborhood, while ensuring compatibility among different residential types
- Orienting and designing the residential units to relate to the street frontage
- Locating and designing garages to minimize their visual dominance from the street
- Incorporating sidewalks and parkways to foster pedestrian activity
- Promoting architectural diversity (Imp 3.1, 4.1)

### **LU 6.4.7 Neighborhood Structure and Form**

Establish a “village center” containing local serving commercial, community parks, community meeting facilities, hotel, and/or other amenities as the focal 75point. Buildings in the village center shall be designed to enhance pedestrian activity (e.g., visual transparency and façade modulation and articulation), integrating plazas and open spaces for public events. (Imp 3.1, 4.1)

### **LU 6.4.8 Open Space Network and Parklands**

Establish a framework of trails, community parklands, and natural habitats that provide the framework around which the residential village’s uses are developed and interconnect residential districts, the village center, other uses, and open spaces. (Imp 3.1, 4.1)

### **LU 6.4.9 Circulation**

Facilitate development of an arterial highway linking Coast Highway with Newport Boulevard to relieve congestion at Superior Avenue, if the property is developed. (Imp 3.1, 4.1, 16.1)

### **LU 6.4.10 Sustainable Development Practices**

Require that any development of Banning Ranch achieve high levels of environmental sustainability that reduce pollution and consumption of energy, water, and natural resources to be accomplished through land use patterns and densities, site planning, building location and design, transportation and utility infrastructure design, and other techniques. Among the strategies that should be considered are the concentration of development, reduction of vehicle trips, use of alternative transportation modes, maximized walkability, use of recycled materials, capture and re-use of storm water on-site, water conserving fixtures and landscapes, architectural elements that reduce heat gain and loss, and preservation of wetlands and other habitats. (Imp 3.1, 4.1, 7.1, 16.8, 17.1, 19.1)

## **STRATEGY**

### **LU 6.4.11 Comprehensive Site Planning and Design**

Require the preparation of a master development or specific plan for any development on the Banning Ranch specifying lands to be developed, preserved, and restored, land uses to be permitted, parcelization, roadway and infrastructure improvements, landscape and streetscape improvements, development regulations, architectural design and landscape guidelines, exterior lighting guidelines, processes for oil operations consolidation, habitat preservation and restoration plan, sustainability practices plan, financial implementation, and other appropriate elements. (Imp 3.1, 4.1)

## **Policies Pertaining to Both Land Use Options (Goals 6.3 and 6.4)**

### ***PERMITTED USES***

#### **LU 6.5.1 Oil Operations**

Relocate and cluster oil operations. (Imp 3.1, 4.1)

#### **LU 6.5.2 Active Community Park**

Accommodate a community park of 20 to 30 acres that contains active playfields that may be lighted and is of sufficient acreage to serve adjoining neighborhoods and residents of Banning Ranch, if developed. (Imp 3.1, 4.1)

#### **LU 6.5.3 Habitat and Wetlands**

Restore and enhance wetlands and wildlife habitats, in accordance with the requirements of state and federal agencies. (Imp 3.1, 4.1, 14.7, 14.11)

### ***DESIGN AND DEVELOPMENT***

#### **LU 6.5.4 Relationship of Development to Environmental Resources**

Development should be located and designed to preserve and/or mitigate for the loss of wetlands and drainage course habitat. It shall be located to be contiguous and compatible with existing and planned development along its eastern property line, preserving the connectivity of wildlife corridors, and set back from the bluff faces, along which shall be located a linear park to provide public views of the ocean, wetlands, and surrounding open spaces. Exterior lighting shall be located and designed to minimize light trespass from developed areas onto the bluffs, riparian habitat, arroyos, and lowland habitat areas. (Imp 3.1, 4.1)

#### **LU 6.5.5 Public Views of the Property**

Development shall be located and designed to prevent residences on the property from dominating public views of the bluff faces from Coast Highway, the ocean, wetlands, and surrounding open spaces. Landscape shall be incorporated to soften views of the site visible from publicly owned areas and public view points. (Imp 3.1, 4.1)

### ***STRATEGY***

#### **LU 6.5.6 Coordination with State and Federal Agencies**

Work with appropriate state and federal agencies to identify wetlands and habitats to be preserved and/or restored and those on which development will be permitted. (Imp 14.7, 14.11)

## ***WEST NEWPORT MESA***

The West Newport Mesa area contains a mix of residential, office, retail, industrial, and public uses. It is immediately abutted by Hoag Hospital, the City of Costa Mesa to the north, and Banning Ranch to the west. Development in the area dates back to the mid-twentieth century.

Hoag Hospital is a major activity center that continues to affect development in the area. It generates a strong market for the development of uses that support the hospital's medical activities such as doctors' offices, convalescent and care facilities, medical supply, pharmacy, and similar uses. Retail commercial uses serve medical purposes, as well as nearby residents.

Northern portions of the area are largely developed with light manufacturing, research and development, and business park uses. In many respects, these transition with comparable patterns of development in the Westside Costa Mesa area to the north. A number of Newport Beach's marine related businesses have relocated to the area over recent decades as coastal land values have escalated. Most of the properties are developed for single business tenants and have little landscape or architectural treatment, typical of older industrial districts of Southern California.

The majority of properties between the industrial uses and medical center are developed with multifamily uses, including a few mobile home parks. The latter represent a resource of affordable housing in the City. These are interspersed with a school and other civic uses.

The area's considerable mix of uses is not always complementary, nor at its edges where it abuts residential neighborhoods and other uses. Visioning process participants indicated that the West Newport Mesa area would benefit from revitalization.

The development of additional medical offices and other facilities supporting Hoag Hospital and additional residential units were widely endorsed. Participants were divided in their support for the retention of industrial uses.

## ***Policy Overview***

The General Plan provides for a mix of land uses for West Newport Mesa that include office, research, convalescent care, and retail facilities supporting Hoag Hospital, a consolidated light industrial district where non-water-dependent marine-related businesses would be encouraged to locate, enhanced housing opportunities, and supporting retail commercial services. While distinct sub-districts are defined by the Land Use Plan, the assembly and planning of multiple parcels across these districts to create a unified center that is linked by pedestrian walkways, parklands, and other amenities is encouraged.

### **Goal**

#### **LU 6.6**

A medical district with peripheral medical services and research facilities that support the Hoag Hospital campus within a well-planned residential neighborhood, enabling residents to live close to their jobs and reducing commutes to outlying areas.

### **Policies**

#### ***LAND USES (refer to Figure LU18)***

##### **LU 6.6.1 Hospital Supporting Uses Integrated with Residential Neighborhoods**

Prioritize the accommodation of medical-related and supporting facilities on properties abutting the Hoag Hospital complex [areas designated as "CO-M (0.5)" (Figure LU18, Sub-Area A)] with opportunities for new residential units [areas designated as "RM(18/ac)"] and supporting general and neighborhood-serving retail services ["CG(0.75)" and "CN(0.3)"] respectively. (Imp 2.1)

##### **LU 6.6.2 Residential Types**

Promote the development of a mix of residential types and building scales within the densities permitted by the "RM" (Figure LU18, Sub-Area C) designation, which may include single-family attached, townhomes, apartments, flats, and comparable units. Residential densities may be increased on a property as a means of promoting a variety of housing types within Newport Mesa, provided that the overall average density of 18 units per acre is not exceeded. (Imp 2.1)

### ***STRATEGY***

##### **LU 6.6.3 Cohesive and Integrated Medical Campus Development**

Work with property owners and encourage the development of a master plan for streetscape, pedestrian, signage, and other improvements that contribute to a definable district. Land use boundaries delineated on the Land Use Diagram may be modified by a specific plan to achieve cohesive districts that integrate a variety of land uses. (Imp 3.1, 4.1)

##### **LU 6.6.4 Livable Residential Neighborhood**

Work with property owners and encourage the preparation of a master plan for the residential neighborhood defining park and streetscape improvements that provide amenity for local residents and enhance the area's identity. (Imp 3.1, 4.1)

### **Goal**

#### **LU 6.7**

A general industrial district that transitions between the Hoag Hospital medical and residential community and industrial uses in the City of Costa Mesa, providing opportunities for needed uses that cannot be accommodated elsewhere in Newport Beach.

## **Policies**

### ***LAND USES [designated as "IG(0.75)," refer to Figure LU18, Sub-Area B]***

#### **LU 6.7.1 Primary Uses**

Encourage the development of small-scale incubator industries. (Imp 2.1, 24.1)

#### **LU 6.7.2 Marine Based Businesses**

Encourage and provide incentives for the relocation of marine-based Newport Beach businesses, including boat storage and recreational vehicles, to properties retained for industrial purposes. (Imp 2.1, 24.1)

## **BALBOA PENINSULA**

The Balboa Peninsula comprises a series of districts linked by the Newport Boulevard/Balboa Boulevard commercial and residential corridor. These include Lido Village, Cannery Village, McFadden Square, Balboa Village, and surrounding residential neighborhoods.

### **Lido Village**

Lido Village is primarily developed with commercial uses including grocery stores, restaurants, salons, home furnishings, apparel, and other specialty shops. It also includes Lido Marina Village, a pedestrian oriented waterfront development that includes visitor-serving commercial uses, specialty stores, and marine uses. Lido Village's southern edge contains specialty retail and restaurants, the ~~Civic Center~~ former City Hall complex which is planned for redevelopment for a boutique hotel, and churches.

Lido Marina Village has experienced a high number of building vacancies and many retail stores are underperforming. Parking is limited. Multiple property ownerships have traditionally inhibited cohesive and integrated development.

Lido Village has a unique location at the turning basin in Newport Harbor. The channel is wider than in other locations, providing an opportunity for waterfront commercial uses that will not negatively impact residential uses across the channel.

**In 2011, the City Council appointed a Citizen Advisory Panel (CAP) to prepare architectural and landscape design guidelines for the Lido Village. After CAP several meetings, a public open house, and review by the Neighborhood Revitalization Committee, the Lido Village Design Guidelines were approved by City Council in December 2011. The Design Guidelines establish the vision for the rebirth of Lido Village as the gateway to the Balboa Peninsula.**

### **Cannery Village**

Cannery Village is the historic center of the City's commercial fishing and boating industry and contains a mix of small shops, art galleries, professional offices, and service establishments. Marine-related commercial (boat sales) and marine-related industrial uses (boat repair) are also found in the area. Redevelopment of properties for residential, loft, and mixed residential and commercial uses, including live/work facilities, appears to be an emerging trend. Older developments include some single-family residential units combined with commercial uses on single lots. Although the residential component of mixed-use projects has performed well, there has been less success in attracting the commercial uses envisioned for the area particularly on the waterfront. A Specific Plan has been developed, but multiple property ownerships have hindered cohesive and integrated development.

### **McFadden Square**

McFadden Square surrounds the Newport Pier and extends between the ocean front and harbor. It was the center of the City's early shipping industry. Located adjacent to Newport Pier is the Dory Fishing Fleet. The fleet and open-air fish market have operated at this location since the fleet's founding in 1891 by Portuguese fishermen. The last remaining fleet of its type, it is a designated historical landmark.

Commercial land uses are largely concentrated in the strips along Balboa and Newport Boulevards, with residential along the ocean front and marine-related uses fronting the harbor. Numerous visitor-serving uses include restaurants, beach hotels, tourist-oriented shops (t-shirt shops, bike rentals, and surf shops), as well as service operations and facilities that serve the Peninsula. There are several bars in the area with some featuring live music, especially along the ocean front. Historically, the area has been known for its marine-related industries such as shipbuilding and repair facilities and boat storage on the harbor, some of which have been in continuous operation for over fifty years. Public parking is available in three lots, which primarily serve the beach users, tourists, and the restaurant patrons.

Much of the McFadden Square area is pedestrian-oriented, with storefronts facing the street, the presence of signage at a pedestrian scale, and outdoor furniture, providing a pleasant environment for visitors. However, certain areas present difficulty for pedestrian street crossing. Specifically the intersection of Newport and Balboa Boulevards, known as the “Mixmaster,” is one such crossing, as the roadway configuration at this location allows traffic flow from different directions and the street is wide.

## Balboa Village

Balboa Village is the historic center for recreational and social activities on the Peninsula. It has had a strong marine heritage, and has attracted fishermen, recreational boaters, summer residents, and beachgoers. Many of the retail uses are visitor-oriented and seasonal in nature, including a “fun zone” along Edgewater Place that contains entertainment uses. Marine-related commercial uses, including ferries to Balboa and Catalina Islands and harbor tours, are present in the area. In general, Balboa Village is pedestrian-oriented with articulated building façades and signage that is pedestrian scale. The Balboa Village core is surrounded by residences, with isolated pockets of commercial uses scattered along Balboa Boulevard. Peninsula Park also serves the area.

Balboa Village and the greater Peninsula have experienced a transition to year-round residential occupancy while the visitor uses have continued. Cumulatively, there is more commercial space than can be supported by local residents, and marginal commercial space is used by businesses that are seasonal and do not thrive throughout the year.

~~A specific plan has guided development in Balboa Village (“Central Balboa”) since 1997. The Plan’s vision consisted of aesthetic improvements such as landscaping, pedestrian amenities, and design standards. It addressed property maintenance standards, parking district implementation, and circulation improvements. Additionally, it sought to establish a “family marine recreation theme,” upgrade the Fun Zone, and improve the quality and mix of commercial tenants. The City has implemented some of this vision with a number of public improvements within the last few years, which include the addition of street furniture, lighting, landscaping, widened sidewalks, and decorative paving.~~

Participants in the Visioning process indicated that Lido Village, Cannery Village, McFadden Square, and Balboa Village need continuing revitalization, and the City could be proactive in creating a vision for reinforcement of Lido Village and McFadden Square as primary activity nodes, with the interior of Cannery Village allocated for residential or mixed-use development. The integration of uses in these areas and the harbor and bay was emphasized. While overnight lodging was not supported in the Visioning process survey and public meetings, in the opinion of the General Plan Advisory Committee smaller bed and breakfast and boutique hotels could be designed and scaled to complement the pedestrian-oriented village character of Lido Village, McFadden Square, and Balboa Village, as well as help the City’s fiscal balance through the revenue that would be contributed.

The public also supported the concentration of commercial uses in the core of Balboa Village, with the re-use of outlying commercial properties for housing and priority for water-oriented and visitor-serving commercial uses. Additionally, Balboa Village was identified as a suitable location for mixed-use development.

**The City Council appointed a five-member Citizen Advisory Panel (CAP) in June 2011 to set a new vision and implementation strategy for the revitalization of Balboa Village. Following a several month process which included input from the community, the CAP developed the Balboa Village Master Plan that includes strategies addressing parking, zoning, appearance and new commercial investment in Balboa Village. In September 2012, the City Council approved the Balboa Village Master Plan, followed by the formation in 2013 of the Balboa Village Advisory Committee to oversee implementation of the Master Plan.**

## **Policy Overview**

The General Plan provides for the enhancement of Lido Village, Cannery Village, McFadden Square, and Balboa Village as distinct pedestrian-oriented centers of Balboa Peninsula that would be interconnected through improved streetscapes along Newport/Balboa Boulevard, a waterfront promenade on Newport Harbor, and cross-access between the Harbor and beachfront. Lido Village, McFadden Square, and Balboa Village would contain a mix of visitor-serving, retail, small overnight accommodation facilities, and housing. In Cannery Village, commercial or mixed-use buildings would be developed at street intersections with intervening parcels developed for mixed-use or freestanding housing. Throughout the Peninsula, priority is established for the retention of marine-related uses.

### **Balboa Village Peninsula Areawide**

#### **Goal**

##### **LU 6.8**

A series of commercial, visitor-serving, marine-related, civic, and residential neighborhoods that are vibrant throughout the year, differentiated by their historic and functional characteristics and architectural style, yet integrated by streetscape amenities.

#### **Policies**

##### **LU 6.8.1 Urban Form**

Establish development patterns that promote the reinforcement of Balboa Peninsula's pedestrian scale and urban form as a series of distinct centers/ nodes and connecting corridors. (Imp 1.1)

##### **LU 6.8.2 Component Districts**

Lido Village, Cannery Village, and McFadden Square should be emphasized as the primary activity centers of the northern portion of the Peninsula, linked by corridors of retail and visitor-serving uses along Newport Boulevard and a mix of marine-related and residential uses on the Bay frontage. These surround a residential core in the inland section of Cannery Village. Balboa Village will continue to serve as the primary center of the lower Peninsula, surrounded by residential neighborhoods along and flanking Balboa Boulevard. (Imp 1.1)

##### **LU 6.8.3 Marine-Related Businesses**

Protect and encourage marine-related businesses to locate and expand on the Peninsula unless present and foreseeable future demand for such facilities is already adequately provided for in the area. (Imp 2.1, 24.1)

##### **LU 6.8.4 Shared Parking Facilities**

Encourage the development of shared parking facilities and management programs among private property owners that provides for adequate parking for residents, guests, and business patrons. (Imp 16.10)

##### **LU 6.8.X Access to Parking Facilities**

Prohibit the use of code-required parking spaces for other purposes, except as permitted on a case-by-case basis to accommodate temporary events or emergency operations provided that adequate parking can be assured to support the primary use.

##### **LU 6.8.5 Quality of Place/Streetscapes**

Develop a plan and work with property owners and businesses to fund and implement streetscape improvements that improve Balboa Peninsula's visual quality, image, and pedestrian character. This should include well-defined linkages among individual districts, between the ocean and Bay, and along the Bay frontage, as well as streetscape and entry improvements that differentiate the character of individual districts. (Imp 20.1)

##### **LU 6.8.6 Historic Character**

Preserve the historic character of Balboa Peninsula's districts by offering incentives for the preservation of historic buildings and requiring new development to be compatible with the scale, mass, and materials of existing structures, while allowing opportunities for architectural diversity. (Imp 2.1)

### **LU 6.8.7 Property Improvement**

Provide incentives for and work with property owners to improve their properties and achieve the community's vision for the Balboa Peninsula. (Imp 24.1, 29.1)

***Lido Village [designated as “MU-W2,” “CM(0.3),” “RM(20/ac),” and “PI(0.75)<sup>5</sup>,” refer to Figure LU19]***

### **Goal**

#### **LU 6.9**

A vibrant pedestrian-oriented village environment that reflects its waterfront location at the gateway to Newport Beach's historic Balboa Peninsula that providing-provides a mix of uses that serves-serving visitors and local residents.

### **Policies**

#### **LIDO VILLAGE AREAWIDE**

#### **LAND USES**

##### **LU 6.9.1 Priority Uses**

Encourage uses that take advantage of Lido Village's location at the Harbor's turning basin and its vitality and pedestrian character, including visitor-serving and retail commercial, small-lodging facilities (bed and breakfasts, ~~inns~~ boutique hotels), and mixed-use buildings that integrate residential with retail uses [areas designated as “MU-W2”, Subarea “A”]. A portion of the Harbor frontage and interior parcels (Subarea “B”) may also contain multi-family residential [designated as “RM(20/ac)”, and the parcel adjoining the Lido Isle Bridge, a recreational and marine commercial use [designated as “CM(0.3)”. (Imp 2.1, 24.1)

##### **LU 6.9.2 Discouraged Uses**

Discourage the development of new office uses on the ground floor of buildings that do not attract customer activity to improve the area's pedestrian character. (Imp 2.1)

##### **LU 6.9.X Vested Uses**

Allow existing commercial buildings that exceeding the maximum floor area and/or that do not provide the minimum number of parking spaces to be re-constructed to their pre-existing floor area provided that no less than the pre-existing number of parking spaces is provided.

#### **DESIGN AND DEVELOPMENT**

##### **LU 6.9.X2 Lido Village Design Guidelines**

Achieve a distinctive identity and quality for Lido Village through implementing guidelines for design and landscape specified by the Lido Village Design Guidelines.

##### **LU 6.9.X3 Multi-Modal Village**

Enhance Lido Village's accessibility by providing all common modes of transportation for residents and visitors including walking, bicycling, watercraft, and vehicles.

##### **LU 6.9.X4 Gateway**

Create a vibrant gateway village in the heart of Newport Beach's historic Balboa Peninsula, with amenities such as landscaping and streetscape improvements.

##### **LU 6.9.X5 Character and Design**

Maintain a high quality of development design in Lido Village in consideration of the following design objectives:

<sup>5</sup> NOTE: Former City Hall site to re-designated to accommodate proposed hotel.

- Unification: Creating a sense of place through a unifying theme for Lido Village with defined gathering spaces, increased connectivity, and improved wayfinding;
- Visual Appeal: Creating a distinct identity for the Village by encouraging Coastal and Mediterranean architecture, creating an attractive gateway, maximizing view corridors and scenic opportunities, and incorporating art and landscaping; and
- Sustainability: Promoting economic and environmental sustainability by encouraging energy and water efficient practices in consideration of economic realities and viability, and celebrating California-friendly landscapes.

## **Cannery Village**

Interior Parcels [designated as “MU-H4,” Figure LU19, Sub-Area C]

### **Goal**

#### **LU 6.10**

A pedestrian-oriented residential neighborhood that provides opportunities for live/work facilities and supporting retail uses.

### **Policies**

#### **LAND USES**

##### **LU 6.10.1 Priority Uses**

Allow multi-family residential and mixed-use buildings that integrate residential above retail or live-work units throughout Cannery Village. Require mixed-use, live-work, or commercial buildings to be developed on corner parcels, except adjacent to Villa Way where these uses are encouraged. (Imp 2.1)

#### **DESIGN AND DEVELOPMENT**

##### **LU 6.10.2 Residential Character and Architecture**

Require that residential buildings be designed to contribute to an overall neighborhood character, locating buildings along the street frontage to form a continuous or semi-continuous building wall. (Imp 2.1)

##### **LU 6.10.3 Specific Plan Guidelines**

~~Utilize design and development guidelines for Cannery Village identified in the Cannery Village/McFadden Square Specific Plan. (Imp 3.1)~~

Bayfront Parcels [designated as “MU-W2,” Figure LU19, Sub-Area E]

### **Goal**

#### **LU 6.11**

A water-oriented district that contains uses that support and benefit from its location fronting onto the bay, as well as provides new opportunities for residential.

### **Policies**

#### **LAND USES**

##### **LU 6.11.1 Priority Uses**

Accommodate water-oriented commercial uses that support harbor recreation and fishing activities, and mixed-use structures with residential above ground level water-oriented uses. (Imp 2.1, 8.1, 21.2)

**McFadden Square, West and East of Newport Boulevard [designated as “MU-W2,” Figure LU19, Sub-Area E]**

**Goal**

**LU 6.12**

A pedestrian-oriented village that reflects its location on the ocean, pier, and bay front, serving visitors and local residents.

**Policies**

**LAND USES**

**LU 6.12.1 Priority Uses**

Accommodate visitor- and local-resident-serving uses that take advantage of McFadden Square’s waterfront setting including specialty retail, restaurants, and small scale overnight accommodations, as well as mixed-use buildings that integrate residential with ground level retail. (Imp 2.1)

**DESIGN AND DEVELOPMENT**

**LU 6.12.2 Specific Plan Guidelines**

Utilize design and development guidelines for McFadden Square identified in the Cannery Village/McFadden Square Specific Plan. (Imp 2.1)

**Balboa Village**

**Goal**

**LU 6.13**

An economically viable pedestrian-oriented village that serves local residents and visitors and provides residential in proximity to retail uses, entertainment, and recreation.

**Policies**

**PRIORITY USES (refer to Figure LU20)**

**LU 6.13.X Balance and Mix of Uses-Areawide**

Accommodate a mix of land uses including residential, restaurants, retail shops, cultural/educational and services that cater to both residents and visitors. (Imp XX)

**LU 6.13.1 Village Core [designated as “MU-V” Sub-Area “B”]**

Encourage local- and visitor-serving retail commercial and mixed-use buildings that integrate residential with ground-level retail or office uses on properties, especially adjacent to Balboa Boulevard, Main Street, and Palm Street. (Imp 2.1)

**LU 6.13.2 Bay Frontage/Bayfront Promenade [designated as “CV(0.75)” Sub-Area A]**

Promote access to the bay and beach and ~~Prioritize~~ prioritize water-dependent, marine-related retail and services and visitor-serving retail such as sport fishing, boat rentals, tour boats, and excursion boats. (Imp 2.1, 24.1)

**LU 6.13.3 Commercial Properties out of Village Core [designated as “RT” Sub-Area C]**

Promote re-use of isolated commercial properties on Balboa Boulevard for residential units. (Imp 2.1)

**LU 6.13.X4 Balboa Village Fun Zone**

Accommodate a mix of land uses capitalizing on the area’s historic identity and character and bayfront setting including restaurants, retail shops and services catering to both residents and visitors. (Imp XX)

## **DESIGN AND DEVELOPMENT**

### **LU 6.13.4 Streetscapes and Visual Quality**

Promote the completion of enhancements to Enhance the visual quality of Balboa Village's streetscapes to enhance the area's visual quality and character as by promoting a pedestrian-oriented environment and offering incentives for owners to improve their properties. (Imp 20.1)

### **LU 6.13.X5 Balboa Village Design Guidelines.**

Require that development exhibits a high quality of site and building design in conformance with the Balboa Village Design Guidelines.

## **STRATEGY**

### **LU 6.13.5 Rebuilding of Nonconforming Structures**

Permit existing commercial buildings that exceed the permitted development intensities to be renovated, upgraded, or reconstructed to their pre-existing intensity and, at a minimum, pre-existing number of parking spaces. (Imp 2.1)

### **LU 6.13.6 Enhancing Balboa Village's Viability and Character**

Provide incentives for owners to improve their properties, to develop retail uses that serve adjoining residential neighborhoods, and retain and develop marine-related uses along the harbor frontage. (Imp 24.1)

## **NEWPORT CENTER/FASHION ISLAND**

Newport Center/Fashion Island is a regional center of business and commerce that includes major retail, professional office, entertainment, recreation, and residential in a master planned mixed-use development. Fashion Island, a regional shopping center, forms the nucleus of Newport Center, and is framed by this mixture of office, entertainment, and residential. Newport Center Drive, a ring road that surrounds Fashion Island, connects to a number of interior roadways that provide access to the various sites within the Center and to the four major arterials that service this development. High-rise office and hotel buildings to the north of the Center form a visual background for lower rise buildings and uses to the south and west.

Interspersed in the Newport Center area are two hotels, public and semi-public uses including the Newport Beach Police and Fire Departments and Orange County Museum of Art, and entertainment uses (along the perimeter of Newport Center Drive). It is also the location of a transportation center, located at San Joaquin Hills Road and MacArthur Boulevard. Multi-family residential is located east of the Police Department. Lands adjacent to Coast Highway and Jamboree Road are developed for the Newport Beach Country Club and Balboa Bay The Tennis Club, with adjoining single-family attached residential uses. The Newport Beach Civic Center and Library expansion were completed in 2013, creating a major presence in Newport Center along between MacArthur Boulevard and Avocado Avenue. In addition, a new 16-acre public park and dog park bring additional pedestrian-oriented opportunities to this area.

While master planned, the principal districts of Newport Center/Fashion Island are separated from one another by the primary arterial corridors. Fashion Island is developed around an internal pedestrian network and surrounded by parking lots, providing little or no connectivity to adjoining office, entertainment, or residential areas. The latter also contain internal pedestrian circulation networks surrounded by parking and are disconnected from adjoining districts.

Early in the Visioning process a majority of residents and businesses supported little or no change to Newport Center, except for new hotels. However, some supported growth for existing companies, expansion of existing stores, and moderate increases for new businesses. Some participants favored mixed-use development and stressed the need for more affordable housing in particular. During development of the General Plan, public input reflected moderate to strong support for the expansion of retail and entertainment uses in Fashion Island, including the development of another retail anchor.

Since the 2006 Visioning process, the changing economy, legislative mandates to reduce greenhouse gas emissions, and initiatives to promote a healthier population support compact, denser, and mixed-use development enabling residents to live close, walk, and bicycle to local shopping and jobs. As the most intense center of economic activity in

Newport Beach, Newport Center/Fashion Island offers opportunities to enhance its mix of uses with infill housing, offices, and retail uses meeting these objectives.

## **Policy Overview**

The General Plan provides for additional retail and office opportunities at Fashion Island and hotel rooms and housing units in Newport Center. Office development would be limited to the expansion of existing rather than new buildings. Emphasis is placed on the improvement of the area's pedestrian character, by improving connectivity among the "superblocks," installing streetscape amenities, and concentrating buildings along Newport Center Drive and pedestrian walkways and public spaces.

## **Goal**

### **LU 6.14**

A successful mixed-use district that integrates economic and commercial centers serving the needs of Newport Beach residents and the sub-region, with expanded opportunities for residents to live close to jobs, commerce, entertainment, and recreation, and is supported by a pedestrian-friendly environment.

## **Policies**

### **LAND USES [refer to Figure LU21]**

#### **LU 6.14.1 Fashion Island ["CR" designation]**

Provide the opportunity for an additional anchor tenant, other retail, and/or entertainment and/or supporting uses that complement, are integrated with, and enhance the economic vitality of existing development. A maximum of 213,257 square feet of retail development capacity specified by Table LU2 (Anomaly Locations) may be reallocated for other permitted uses in Newport Center, provided that the peak hour vehicle trips generated do not exceed those attributable to the underlying retail entitlement. The Planning Director shall revise this number upon approval of the transfer or conversion of the retail development capacity with approval by the City Council. (Imp 2.1)

#### **LU 6.14.2 Newport Center ["MU-H3," "CO-R," "CO-M," and "RM" designations]**

Provide the opportunity for limited retail, residential, hotel, and office development in accordance with the limits specified by Tables LU1 and LU2. (Imp 2.1)

## **DESIGN AND DEVELOPMENT**

#### **LU 6.14.3 Transfers of Development Rights Allocations**

Development rights allocations may be transferred within Newport Center/Fashion Island, subject to the approval of the City with the finding that the transfer is consistent with the intent of the General Plan and that the transfer will not result in any adverse traffic impacts. (Imp 2.1)

#### **LU 6.14.4 Development Scale**

Reinforce the original design concept for Newport Center by concentrating the greatest building mass and height in the northeasterly-northern section along San Joaquin Hills Road of Newport Center, where the natural topography is highest and progressively scaling down building mass and height to follow the lower elevations toward the southwesterly edge along East Coast Highway. Allow variations in heights for reductions of building footprints and vertical mass in exchange for greater ground level open space. (Imp 2.1, 3.1, 4.1)

#### **LU 6.14.5 Urban Form**

Encourage that some new development be located and designed to orient to the inner side of Newport Center Drive, establishing physical and visual continuity that diminishes the dominance of surface parking lots and encourages pedestrian activity. (Imp 2.1, 3.1, 4.1)

#### **LU 6.14.6 Pedestrian Connectivity and Amenity**

Encourage that pedestrian access and connections among uses within the district be improved with additional walkways and streetscape amenities concurrent with the development of expanded and new uses. (Imp 3.1, 4.1)

### **LU 6.14.7 Fashion Island Architecture and Streetscapes**

Encourage that new development in Fashion Island complement and be of equivalent or higher design quality than existing buildings. Reinforce the existing promenades by encouraging retail expansion that enhances the storefront visibility to the promenades and provides an enjoyable retail and pedestrian experience. Additionally, new buildings shall be located on axes connecting Newport Center Drive with existing buildings to provide visual and physical connectivity with adjoining uses, where practical. (Imp 3.1, 4.1)

## **STRATEGY**

### **LU 6.14.8 Development Agreements**

Require the execution of Development Agreements for residential and mixed-use development projects that use the residential 450-units identified in Table LU2 (Anomaly Locations). Development Agreements shall define the improvements and benefits to be contributed by the developer in exchange for the City's commitment for the number, density, and location of the housing units. (Imp 13.1)

### **LU 6.14.9 Fashion Island Parking Structures**

Require new parking structures in Fashion Island to be located and designed in a manner that is compatible with the existing pedestrian scale and open feeling of Newport Center Drive. The design of new parking structures in Fashion Island shall incorporate elements (including landscaping) to soften their visual impact. (Imp 8.2)

## **AIRPORT AREA**

The Airport Area encompasses the properties abutting and east of (JWA) and is in close proximity to the Irvine Business Complex and University of California, Irvine (UCI). This proximity has influenced the area's development with uses that support JWA and UCI, such as research and development, high technology industrial and visitor-serving uses, such as hotel and car rental agencies. A mix of low-, medium-, and high-rise office buildings predominate, with lesser coverage of supporting multi-tenant commercial, financial, and service uses. A number of buildings are occupied by corporate offices for industry and financial uses. Koll Center, at MacArthur Boulevard and Jamboree Road, was developed as a master planned campus office park. Manufacturing uses occupy a small percentage of the Airport Area. Three large hotels have been developed to take advantage of their proximity to JWA, local businesses, and those in the nearby Irvine Business Complex.

The area immediately abutting JWA, referred to as the "Campus Tract," contain a diverse mix of low intensity industrial, office, and airport-related uses, including a number of auto-related commercial uses including carwash, auto-detailing, rental, repair, and parts shops. In comparison to properties to the east, this area is underutilized and less attractive.

Development in the Airport Area is restricted due to the noise impacts of JWA. Much of the southwestern portion of the area is located in the 65 dBA CNEL, which is unsuitable for residential and other "noise-sensitive" uses. Additionally, building heights are restricted for aviation safety.

Recent development activity in the City of Irvine's Business Complex to the north has included the transfer of development rights, bringing more intense development closer to the Airport Area and resulting in the conversion of office to residential entitlement. This activity is changing the area to a mixed-use center.

Through the Visioning process and preparation of the General Plan, the public preferred revitalization of the Airport Area with income-generating land uses. Generally, a range of development types were acceptable as long as traffic is not adversely affected. However, a majority believed that the Airport Area is urban in character, different than other City neighborhoods. Additional density and traffic congestion were considered more acceptable here than other parts of the City. There was strong support for new hotels and broad consensus on mixed-use development with residential and revenue generating uses.

### **Policy Overview**

The General Plan provides for the development of office, industrial, retail, and airport-related businesses in the Airport Area, as well as the opportunity for housing and supporting services. The latter would be developed as clusters of residential villages centering on neighborhood parks and interconnected by pedestrian walkways. These

would contain a mix of housing types and buildings that integrate housing with ground-level convenience retail uses and would be developed at a sufficient scale to achieve a “complete” neighborhood. Housing and mixed-use buildings would be restricted from areas exposed to noise levels of 65 dBA CNEL and higher. Over time, commercial and industrial properties located in the Campus Tract would be revitalized including street frontage landscape and other improvements.

## **Airport Area-Areawide**

### **Goal**

#### **LU 6.15**

A mixed-use community that provides jobs, residential, and supporting services in close proximity, with pedestrian-oriented amenities that facilitate walking and enhance livability.

### **Policies**

#### ***URBAN FORM AND STRUCTURE [refer to Figure LU22]***

##### **LU 6.15.1 Land Use Districts and Neighborhoods**

Provide for the development of distinct business park, commercial, and airport serving districts and residential neighborhoods that are integrated to ensure a quality environment and compatible land uses. (Imp 1.1, 2.1)

##### **LU 6.15.2 Underperforming Land Uses**

Promote the redevelopment of sites with underperforming retail uses located on parcels at the interior of large blocks for other uses, with retail clustered along major arterials (e.g., Bristol, Campus, MacArthur, Birch, and Jamboree), except where intended to serve and be integrated with new residential development. (Imp 2.1, 24.1)

##### **LU 6.15.3 Airport Compatibility**

Require that all development 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 that residential development be located outside of the 65 dBA CNEL noise contour specified by the 1985 JWA Master Plan. (Imp 2.1, 3.1, 4.1, 14.3)

#### ***Mixed-Use Districts [Subarea C, “MU-H2” designation]***

##### ***Primary Underlying Land Uses***

##### **LU 6.15.4 Priority Uses**

Accommodate office, research and development, and similar uses that support the primary office and business park functions such as retail and financial services, as prescribed for the “CO-G” designation, while allowing for the re-use of properties for the development of cohesive residential villages that are integrated with business park uses. (Imp 2.1)

##### ***Residential Villages Land Uses***

##### **LU 6.15.5 Residential and Supporting Uses**

Accommodate the development of a maximum of 2,200<sup>6</sup> multi-family residential units, including work force housing, and mixed-use buildings that integrate residential with ground level office or retail uses, along with supporting retail, grocery stores, and parklands. The residential units may consist of (a) a maximum of \_\_\_\_\_ units that may be constructed as replacement of permitted non-residential uses provided that ~~Residential units may be developed only as the replacement of underlying permitted nonresidential uses. When a development phase includes a mix of residential and nonresidential uses or replaces existing industrial uses,~~ the number of peak hour trips generated by cumulative development of the site shall not exceed the number of trips that would result from development of the underlying permitted allocated nonresidential uses and (b). ~~However,~~ a maximum of 550 units may be developed as infill on surface parking lots or areas not used ~~as for~~ occupiable buildings on properties within the area depicted on

<sup>6</sup> Housing capacity to be confirmed based on final LUEAC recommendations.

the "Airport Area Residential Villages Illustrative Concept Diagram" Conceptual Development Plan Area depicted on (Figure LU232) provided that the parking is replaced on site. (Imp 2.1)

#### **LU 6.15.5X Transfer of Development Allocations**

Permit transfer of development allocations within the Airport Area Mixed-Use districts subject to the approval of the City with the finding that the transfer is consistent with the intent of the General Plan and the transfer will not result in any adverse traffic impacts.

#### *Minimum Size and Density*

#### **LU 6.15.6 Size of Residential Villages [refer to Figure LU23]**

Allow development of mixed-use residential villages, each containing a minimum of 10 acres and centered on a neighborhood park and other amenities (as conceptually illustrated in Figure LU23). The first phase of residential development in each village shall encompass at least 5 gross acres of land, exclusive of existing rights-of-way. This acreage may include multiple parcels provided that they are contiguous or face one another across an existing street. At the discretion of the City, this acreage may also include part of a contiguous property in a different land use category, if the City finds that a sufficient portion of the contiguous property is used to provide functionally proximate parking, open space, or other amenity. The area depicted in the "Airport Area Residential Villages Illustrative Concept Diagram Conceptual Development Plan Area" area shown on Figure LU232 shall be exempt from the 5-acre minimum, but a conceptual development plan described in Policy LU 6.15.11 shall be required. (Imp 2.1, 3.1, 4.1)

#### **LU 6.15.6X Affordable Housing Projects**

Exempt Permit housing projects that include a minimum of 30 percent of the total units for affordable to lower income households and are developed at a minimum density of 30 units per acre to be constructed on parcels of 5 acres or greater as an exception from Residential Village requirements for a minimum 10 acres in lot size and phasing described in Policy LU 6.15.6 to 5 acres in lot size to facilitate the development of affordable housing consistent with the Housing Element.

#### **LU 6.15.7 Overall Density and Housing Types**

Require that residential units be developed at a minimum density of 30 units and maximum of 50 units per net acre averaged over the total area of each residential village. Net acreage shall be exclusive of existing and new rights-of-way, public pedestrian ways, and neighborhood parks. Within these densities, provide for the development of a mix of building types ranging from townhomes to high-rises to accommodate a variety of household types and incomes and to promote a diversity of building masses and scales. (Imp 2.1, 3.1, 4.1)

#### **LU 6.15.8 First Phase Development Density**

Require a residential density of 45 to 50 units per net acre, averaged over the first phase for each residential village. This shall be applied to 100 percent of properties in the first phase development area whether developed exclusively for residential or integrating service commercial horizontally on the site or vertically within a mixed-use building. On individual sites, housing development may exceed or be below this density to encourage a mix of housing types, provided that the average density for the area encompassed by the first phase is achieved. (Imp 2.1, 3.1, 4.1)

#### **LU 6.15.9 Subsequent Phase Development Location and Density**

Subsequent phases of residential development shall abut the first phase or shall face the first phase across a street. The minimum density of residential development (including residential mixed-use development) shall be 30 units per net acre and shall not exceed the maximum of 50 units per net acre averaged over the development phase. (Imp 2.1, 3.1, 4.1)

#### *Strategy and Process*

#### **LU 6.15.10 Regulatory Plans**

Require the development of a regulatory plan for each residential village, which shall contain a minimum of 10 acres, developed in conformance with the Integrated Concept Development Plan (ICDP) to establishing a design theme and standards for buildings and site work (such as landscaping lighting, walls/fencing, signage and other, common areas and comparable elements); plan coordinate the location and phasing of buildings, new parks, streets, and pedestrian ways, infrastructure and other facilities; set forth a strategy to accommodate neighborhood serving

commercial uses and other amenities; establish pedestrian and vehicular connections with adjoining land uses; and ensure compatibility with office, industrial, and other nonresidential uses. (Imp 2.1, 3.1, 4.1, 13.1)

#### **LU 6.15.11 Conceptual Development Plan Area**

Require the development of one conceptual development plan for the area depicted on Figure LU22, should residential units be proposed on any property within this area. This plan shall demonstrate the compatible and cohesive integration of new housing, parking structures, open spaces, recreational amenities, pedestrian and vehicular linkages, and other improvements with existing nonresidential structures and uses. To the extent existing amenities are proposed to satisfy Neighborhood Park requirements, the plan shall identify how these amenities will meet the recreational needs of residents. Each residential village in the Conceptual Development Plan Area shall also comply with all elements required for regulatory plans defined by Policy 6.15.10. (Imp 2.1, 3.1, 4.1)

#### **LU 6.15.12 Development Agreements**

A-Require Development Agreements shall be required for all projects that include infill residential units. The Development Agreement shall define the improvements and public benefits to be provided by the developer in exchange for the City's commitment for the number, density, and location of the housing units. (Imp 2.1, 3.1, 4.1, 13.1)

#### *Design and Development*

### **Neighborhood Parks**

#### **LU 6.15.13 Standards**

~~To provide a focus and identity for the entire neighborhood and to serve the daily recreational and commercial needs of the community within easy walking distance of homes, require~~ Require dedication and improvement of at least 8 percent of the gross land area (exclusive of existing rights-of-way) of the first phase development in each neighborhood, or ½ acre, whichever is greater, as a neighborhood park to provide a focus and identity for the entire neighborhood and serve the daily recreational and commercial needs of the community within easy walking distance of homes. This requirement may be waived by the City where it can be demonstrated that the development parcels are too small to feasibly accommodate the park or inappropriately located to serve the needs of local residents, and when an in-lieu fee is paid to the City for the acquisition and improvement of other properties as parklands to serve the Airport Area. In every case, the neighborhood park shall be at least 8 percent of the total Residential Village Area or one acre in area, whichever is greater, and shall have a minimum dimension of 150 feet. Park acreage shall be exclusive of existing or new rights-of-way, development sites, or setback areas. A neighborhood park shall satisfy some or all of the requirements of the Park Dedication Ordinance, as prescribed by the Recreation Element of the General Plan. This requirement may be waived by the City where it can be demonstrated that the development parcels are too small to feasibly accommodate the park or inappropriately located to serve the needs of local residents, and when an in-lieu fee is paid to the City for the acquisition and improvement of other properties as parklands to serve the Airport Area. (Imp 2.1, 3.1, 4.1, 23.1, 30.2)

#### **LU 6.15.14 Location**

Require that each neighborhood park is clearly public in character and is accessible to all residents of the neighborhood. Each park shall be surrounded by public streets on at least two sides (preferably with on-street parking to serve the park), and shall be linked to residential uses in its respective neighborhood by streets or pedestrian ways. (Imp 2.1, 3.1, 4.1)

#### **LU 6.15.15 Aircraft Notification**

Require that all neighborhood parks be posted with a notification to users regarding proximity to John Wayne Airport and aircraft overflight and noise. (Imp 23.2)

### **On-Site Recreation and Open Space**

#### **LU 6.15.16 Standards**

Require developers of multi-family residential developments on parcels 8 acres or larger to provide on-site recreational amenities. For these developments, 44 square feet of on-site recreational amenities shall be provided for each dwelling unit in addition to the requirements under the City's Park Dedication Ordinance and in accordance with

the Parks and Recreation Element of the General Plan. On-site recreational amenities can consist of public urban plazas or squares where there is the capability for recreation and outdoor activity. These recreational amenities may also include swimming pools, exercise facilities, tennis courts, and basketball courts. Where there is insufficient land to provide on-site recreational amenities, the developer shall be required to pay cash in-lieu that would be used to develop or upgrade nearby recreation facilities to offset user demand as defined in the City's Park Dedication Fee Ordinance. The acreage of on-site open space developed with residential projects may be credited against the parkland dedication requirements where it is accessible to the public during daylight hours, visible from public rights-of-way, and is of sufficient size to accommodate recreational use by the public. However, the credit for the provision of on-site open space shall not exceed 30 percent of the parkland dedication requirements. (Imp 2.1, 3.1, 4.1, 30.2)

## Streets and Pedestrian Ways

### **LU 6.15.17 Street and Pedestrian Grid**

Create a pattern of streets and pedestrian ways that breaks up large blocks, improves connections between neighborhoods and community amenities, and is scaled to the predominantly residential character of the neighborhoods. (Imp 3.1, 4.1, 16.1)

### **LU 6.15.18 Walkable Streets**

Retain the curb-to-curb dimension of existing streets, but widen sidewalks to provide park strips and generous sidewalks by means of dedications or easements. Except where traffic loads preclude fewer lanes, add parallel parking to calm traffic, buffer pedestrians, and provide short-term parking for visitors and shop customers. (Imp 3.1, 4.1, 16.1, 20.1)

### **LU 6.15.19 Connected Streets**

Require dedication and improvement of new streets as shown on Figure LU23. The illustrated alignments are tentative and may change as long as the routes provide the intended connectivity. If traffic conditions allow, connect new and existing streets across MacArthur Boulevard with signalized intersections, crosswalks, and pedestrian refuges in the median. (Imp 16.1)

### **LU 6.15.20 Pedestrian Improvements**

Require the dedication and improvement of new pedestrian ways as conceptually shown on Figure LU23. The alignment is tentative and may change as long as the path provides the intended connectivity. For safety, the full length of pedestrian ways shall be visible from intersecting streets. ~~To maintain an intimate scale and to shade the path with trees, pedestrian ways should not be sized as fire lanes. Pedestrian ways shall be open to the public at all hours.~~ (Imp 16.11)

## Parking and Loading

### **LU 6.15.21 Required Spaces for Primary Uses**

Consider revised parking requirements that reflect the mix of uses in the neighborhoods and overall Airport Area, as well as the availability of on-street parking. (Imp 2.1)

## Relationship of Buildings to Street

### **LU 6.15.22 Building Massing**

~~Require that high-rise structures be surrounded with low- and mid-rise structures fronting public streets and pedestrian ways or other means to promote a more pedestrian scale.~~ (Imp 3.1, 4.1)

### **LU 6.15.23 Sustainable Development Practices**

~~Require that development achieves a high level of environmental sustainability that reduces pollution and consumption of energy, water, and natural resources.~~ This may be accomplished through the mix and density of uses, building location and design, transportation modes, and other techniques. Among the strategies that should be considered are the integration of residential with jobs-generating uses, use of alternative transportation modes, maximized walkability, use of recycled materials, capture and re-use of storm water on-site, water conserving fixtures and landscapes, and architectural elements that reduce heat gain and loss. (Imp 3.1, 4.1, 16.11, 17.1, 19.1)

## ***Campus Tract [“AO” designation Sub-Area B]<sup>7</sup>***

### **LAND USES**

#### **LU 6.15.24 Primary Uses**

Accommodate professional office; aviation retail; automobile rental, sales, and service, ~~subject to discretionary review of the Planning Commission~~; hotels; and ancillary retail, restaurant, and service uses that are related to and support the functions of John Wayne Airport, as permitted by the “AO” designation. (Imp 2.1)

### **STRATEGY**

#### **LU 6.15.25 Economic Viability**

Provide incentives for lot consolidation and the re-use and improvement of properties located in the “Campus Tract,” west of Birch Street. (Imp 2.1, 24.1)

#### **LU 6.15.26 Automobile Rental and Supporting Uses**

~~Work with~~ Encourage automobile rental and supporting uses to promote the consolidation and visual improvement of auto storage, service, and storage facilities. (Imp 24.1)

#### **LU 6.15.27 Site Planning and Architecture**

Encourage and, when property improvements are subject to discretionary review, require property owners within the Campus Tract to upgrade the street frontages of their properties with landscape, well-designed signage, and other amenities that improve the area’s visual quality. (Imp 3.1, 7.1, 8.1,)

## ***Commercial Nodes [“CG” designation Sub-Area C—part]***

#### **LU 6.15.28 Priority Uses**

Encourage the development of retail, financial services, dining, hotel, and ~~other~~ uses that support the John Wayne Airport, the Airport Area’s office uses, and, as developed, its residential neighborhoods, as well as automobile sales and supporting uses at the MacArthur Boulevard and Bristol Street node. (Imp 2.1, 24.1)

## ***Commercial Office District [“CO-G” designation Sub-Area C—part]***

#### **LU 6.15.29 Priority Uses**

Encourage the development of administrative, professional, and office uses with limited accessory retail and service uses that provide jobs for residents and benefit adjoining mixed-use districts. (Imp 2.1, 24.1)

## **Corridors**

Corridors share common characteristics of Districts by their identifiable functional role, land use mix, density/intensity, physical form and character, and/or environmental setting. They differ in their linear configuration, generally with shallow-depth parcels located along arterial streets. They are significantly impacted by traffic, often inhibiting access during peak travel periods. Their shallow depths make them unsuitable for many contemporary forms of commercial development that require large building footprints and extensive parking.

While the City is crossed by a number of commercial corridors, the General Plan’s policies focus on those in which change is anticipated to occur during the next 20 years. Additionally, they provide guidance for the maintenance of a number of corridors in which it is the objective to maintain existing types and levels of development. Development in each corridor will adhere to policies for land use type and density/intensity (LU 4.1, Table LU1) and community character (LU 5.0), except as specified in this section of the Plan.

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<sup>7</sup> Land use designation will require modification if proposed uses of the Saunders property is affirmed by the LUEAC.

## **Goal**

### **LU 6.16**

Development along arterial corridors that is compatible with adjoining residential neighborhoods and open spaces, is well designed and attractive, minimizes traffic impacts, and provides adequate parking.

## **Policies**

### **LU 6.16.1 Efficient Parcel Utilization**

Promote the clustering of retail and hotel uses by the aggregation of individual parcels into larger development sites through incentives such as density bonuses or comparable techniques. (Imp 2.1, 24.1)

### **LU 6.16.2 Private Property Improvements**

Work with property owners to encourage the upgrade of existing commercial development including repair and/or repainting of deteriorated building surfaces, well-designed signage that is incorporated into the architectural style of the building, and expanded landscaping. (Imp 24.1)

### **LU 6.16.3 Property Access**

Minimize driveways and curb cuts that interrupt the continuity of street-facing building elevations in pedestrian-oriented districts and locations of high traffic volumes, prioritizing their location on side streets and alleys, where feasible. (Imp 2.1)

### **LU 6.16.4 Shared Parking Facilities**

Work with property owners and developers to encourage the more efficient use of parcels for parking that can be shared by multiple businesses. (Imp 16.10)

### **LU 6.16.5 Compatibility of Business Operations with Adjoining Residential Neighborhoods**

Work with local businesses to ensure that retail, office, and other uses do not adversely impact adjoining residential neighborhoods. This may include strategies addressing hours of operation, **congregation of employees**, loitering, trash pickup, truck delivery hours, customer arrivals and departures, and other activities. (Imp 8.2)

### **LU 6.16.6 Design Compatibility with Adjoining Residential Neighborhoods**

Require that building elevations facing adjoining residential units be designed to convey a high-quality character and ensure privacy of the residents, and that properties be developed to mitigate to the maximum extent feasible impacts of lighting, noise, odor, trash storage, truck deliveries, and other business activities. Building elevations shall be architecturally treated and walls, if used as buffers, shall be well-designed and landscaped to reflect the area's residential village character. (Imp 2.1)

## **WEST NEWPORT**

The West Newport Coast Highway Corridor extends from Summit Street to just past 60th Street. It is a mixed commercial and residential area, with the former serving the adjoining Newport Shores residential neighborhood, the West Newport residential neighborhood south of Coast Highway, and beach visitors. Commercial uses are concentrated on the north side of Coast Highway at the Orange Street intersection and east of Cedar Street to the Semeniuk Slough. Intervening areas are developed with a mix of multi-family apartments and, west of Grant Avenue, mobile and manufactured homes.

Primary commercial uses include community-related retail such as dry cleaners, liquor store, deli, and convenience stores, as well as a few visitor-serving motels, dine-in, family-style restaurants, and fast food establishments. Generally, they are developed on shallow parcels of substandard size and configuration due to past widening of West Coast Highway and contain insufficient parking. Many of the commercial buildings appear to have been constructed in the 1960s to 1980s, although some motels have been recently upgraded.

A portion of the mobile homes are situated along Semeniuk Slough and the Army Corps restored wetlands, while a number of the single-family homes outside the area are also located along the Slough. A mobile home park containing older units, many of which appear to be poorly maintained, is located on the westernmost parcels and a

portion of the tidelands. This site serves as the “entry” to the City and as a portal to the proposed Orange Coast River Park.

~~This area is regulated by an adopted Specific Plan, which was intended to promote its orderly development and provide service-commercial uses for nearby residences.~~

The visioning process found that the West Newport Corridor is among those that require revitalization. Clustering of commercial uses to enhance their economic vitality and improve the appearance of the area was supported, as was the improvement of the quality of commercial development on the Highway. Redevelopment of the westernmost parcel occupied by a trailer park was a high priority for the neighborhood.

In 2011, the City Council appointed a Citizen Advisory Panel (CAP) to develop a preliminary design for a Capital Improvement Project for beautification of West Coast Highway from the Santa Ana River to the Arches Bridge and of Balboa Boulevard from West Coast Highway to McFadden Square. In December 2011, the City Council approved the landscape design concepts which are intended to warm up the corridor and give it a more welcoming feel for residents and visitors of this part of Newport Beach.

### ***Policy Overview***

The General Plan provides for the improvement of Coast Highway fronting properties in West Newport by concentrating local and visitor-serving retail in two centers at Prospect Street and Orange Street with expanded parking, enhancing existing and allowing additional housing on intervening parcels, and developing a clearly defined entry at its western edge with Huntington Beach. The latter may include improvements that would support the proposed Orange Coast River Park.

### **Goal**

#### **LU 6.17**

A corridor that includes a gateway to the City with amenities that support the Orange Coast River Park, as well as commercial clusters that serve local residents and coastal visitors at key intersections, interspersed with compatible residential development.

### **Policies**

#### ***LAND USES [refer to Figure LU24]***

##### **LU 6.17.1 Western Entry Parcel [designated as “RM(26/ac)” and “RM/OS(85du)”]**

Work with community groups and the County to facilitate the acquisition of a portion or all of the property as open space, which may be used as a staging area for Orange Coast River Park with parking, park-related uses, and an underpass to the ocean. As an alternative, accommodate multi-family residential on all or portions of the property not used for open space. (Imp 14.3, 29.1)

### **STRATEGY**

##### **LU 6.17.2 Improved Visual Image and Quality**

Implement streetscape improvements consistent with the design concepts developed by the 2011 Citizen Advisory Committee Panel to enhance the area’s character and image as a gateway to Newport Beach and develop a stronger pedestrian environment at the commercial nodes. (Imp 20.1)

##### **LU 6.17.3 Streetscape**

Require that upgraded and redeveloped properties incorporate landscaped setbacks along arterial streets to improve their visual quality and reduce impacts of the corridor’s high traffic volumes. (Imp 2.1)

### **OLD NEWPORT BOULEVARD**

Old Newport Boulevard was formerly the primary roadway leading into the city from the north, containing a diversity of highway-oriented retail and office uses. Shifting of vehicle trips to the parallel (new) Newport Boulevard reduced the corridor’s traffic volumes and economic vitality, resulting in significant changes in its land use mix.

The corridor is abutted by residential neighborhoods to the east and Hoag Hospital west of Newport Boulevard. Today, the area is primarily developed with commercial and professional offices. Secondary uses include personal services, restaurants, and specialty shopping such as home furnishing stores and beauty salons. Most specialty retail appears to occupy converted residential buildings. A number of auto-related businesses and service facilities are located in the corridor. Many of these are incompatible with the predominant pattern of retail service and office uses. Medical office uses have expanded considerably during recent years, due to the corridor's proximity to Hoag Hospital, which is expanding its buildings and facilities.

This corridor does not exhibit a pedestrian-oriented character. While there are some walkable areas, Newport Boulevard is wide and there is a mix of uses and lot configurations that do not create a consistent walkway.

~~Development in the area is guided by the Old Newport Boulevard Specific Plan District that includes design guidelines and development standards providing for the orderly development of property.~~

Little public input was received pertaining to Old Newport Boulevard during the General Plan's preparation. In general, the preservation of the status quo was supported. Although, the public supported the development of mixed-use buildings that integrate residential with ground floor retail and townhomes on the east side of Old Newport Boulevard as a transition with adjoining residential neighborhoods.

### ***Policy Overview***

In the Old Newport Boulevard area, the General Plan provides for the development of professional offices, retail, and other uses that support Hoag Hospital, and retail uses serving adjoining residential neighborhoods. Pedestrian walkways within and connections west to Hoag Hospital would be improved and streetscapes installed.

### **Goal**

#### **LU 6.18**

A corridor of uses and services that support Hoag Hospital and adjoining residential neighborhoods.

### **Policies**

#### ***LAND USES [designated as "CO-G(0.5)," refer to Figure LU25]***

##### **LU 6.18.1 Priority Uses**

Accommodate uses that serve adjoining residential neighborhoods, provide professional offices, and support Hoag Hospital. (Imp 2.1)

##### **LU 6.18.2 Discouraged Uses**

Highway-oriented retail uses should be discouraged and new "heavy" retail uses, such as automobile supply and repair uses, prohibited. (Imp 2.1)

### ***DESIGN AND DEVELOPMENT***

##### **LU 6.18.3 Property Design**

Require that buildings be located and designed to orient to the Old Newport Boulevard frontage, while the rear of parcels on its west side shall incorporate landscape and design elements that are attractive when viewed from Newport Boulevard. (Imp 2.1)

##### **LU 6.18.4 Streetscape Design and Connectivity**

Develop a plan for streetscape improvements and improve street crossings to facilitate pedestrian access to Hoag Hospital and discourage automobile trips. (Imp 20.1)

### ***MARINERS' MILE***

Mariners' Mile is a heavily traveled segment of Coast Highway extending from the Arches Bridge on the west to Dover Drive on the east. It is developed with a mix of highway-oriented retail and marine-related commercial uses. The latter are primarily concentrated on bay-fronting properties and include boat sales and storage, sailing schools,

marinas, visitor-serving restaurants, and comparable uses. A large site is developed with the Balboa Bay Club and Resort, a hotel, private club, and apartments located on City tidelands. A number of properties contain non-marine commercial uses, offices, and a multi-story residential building.

Inland properties are developed predominantly for highway-oriented retail, neighborhood commercial services. A number of sites contain automobile dealerships and service facilities and neighborhood serving commercial uses. The latter includes salons, restaurants, apparel, and other specialty shops ranging from wine stores to home furnishings stores. While single use free-standing buildings predominate, there are a significant number of multi-tenant buildings that combine a number of related or complementary uses in a single building or buildings that are connected physically or through design.

The Mariners' Mile Strategic Vision and Design Plan provides for the area's evolution as a series of districts serving visitors and local residents. Along the northern portion of Coast Highway in the vicinity of Tustin Avenue, Riverside Avenue, and Avon Street, it provides for a pedestrian-friendly retail district. In the western and easternmost segments, the Plan provides for the infill of the auto oriented retail and visitor-serving commercial uses. Along the Harbor frontage, the Vision and Design Plan emphasizes the development of Harbor-related uses and proposes a continuous pedestrian promenade to create a vibrant public waterfront. Throughout the corridor, the Plan proposes to upgrade its visual character with new landscaping and streetscape amenities, as well as improvements in private development through standards for architecture and lighting.

Plans provide for the widening of Coast Highway, reducing the depth of parcels along its length. Recent development projects have set back their buildings in anticipation of this change. Traffic along the corridor and the potential for widening also impact the ability to enhance pedestrian activity and streetscape improvements, unless overhead pedestrian crossings are considered.

Visioning process participants identified Mariners' Mile as a location that needs revitalization and suggested that an overall vision be defined to meet this objective. It was also defined as a location appropriate for mixed-use development integrating residential and commercial or office space. A majority opposed hotel development in Mariners' Mile. Participants were divided on the questions of preserving opportunities for coastal-related uses in Mariners' Mile and whether the City should require or offer incentives to ensure such uses. Property owners noted that high land values and rents limit the number of marine-related uses that can be economically sustained in the area. Although the public supported the development of residential in Mariners' Mile, there was a difference of opinion regarding whether it should be located on the Harbor frontage or limited it to inland parcels.

In 2011, the City Council also recognized the need to revitalize Mariners' Mile by designating it as one of six "revitalization areas". A series of Citizen Advisory Panels were formed to focus on the other revitalization areas which included, Corona del Mar, Balboa Village, Lido Village, West Newport and Santa Ana Heights. The Council's direction indicated a multi-layered approach was required to consider the complex issues within Mariners' Mile.

## **Policy Overview**

The General Plan provides for the enhanced vitality of the Mariners' Mile corridor by establishing a series of distinct retail, mixed-use, and visitor-serving centers. Harbor-fronting properties would accommodate a mix of visitor-serving retail and marine-related businesses, with portions of the properties available for housing and mixed-use structures. View and public access corridors from Coast Highway to the Harbor would be required, with a pedestrian promenade developed along the length of the Harbor frontage. Parcels on the inland side of Coast Highway, generally between Riverside Avenue and the southerly projection of Irvine Avenue, would evolve as a pedestrian oriented mixed-use "village" containing retail businesses, offices, services, and housing. Sidewalks would be improved with landscape and other amenities to foster pedestrian activity. Inland properties directly fronting onto Coast Highway and those to the east and west of the village would provide for retail, marine-related, and office uses. Streetscape amenities are proposed for the length of Mariners' Mile to improve its appearance and identity.

## **Goal**

### **LU 6.19**

A corridor that reflects and takes advantage of its location on the Newport Bay waterfront, supports and respects adjacent residential neighborhoods and exhibits a quality visual image for travelers on Coast Highway.

## **Policies**

### **STRUCTURE**

#### **LU 6.19.1 Differentiated Districts**

Differentiate and create cohesive land use districts for key subareas of Mariners' Mile by function, use, and urban form. These should include (a) harbor-oriented uses with limited residential along the waterfront, (b) highway-oriented commercial corridor (see Figure LU26), and (c) community/neighborhood serving "village" generally between Riverside Avenue and the southerly extension of Irvine Avenue. (Imp 1.1, 2.1)

#### **LAND USES (refer to Figure LU26)**

#### **LU 6.19.2 Bay Fronting Properties [designated as "MU-W1" Sub-Area A]**

Encourage marine-related and visitor-serving retail, restaurant, hotel, institutional/recreational, and recreational uses, and allow residential uses above the ground floor on parcels with a minimum frontage of 200 lineal feet where a minimum of 50 percent of the permitted square footage shall be devoted to nonresidential uses. No more than 50 percent of the waterfront-land area between the Arches Bridge and the Boy Scout Sea Base may be developed with mixed-use structures. (Imp 2.1, 5.1, 24.1)

#### **LU 6.19.3 Marine-Related Businesses**

Protect and encourage facilities that serve marine-related businesses and industries unless present and foreseeable future demand for such facilities is already adequately provided for in the area. Encourage coastal-dependent industrial uses to locate or expand within existing sites and allow reasonable long term growth. (Imp 2.1, 5.1, 24.1)

#### **LU 6.19.4 Inland side of Coast Highway [designated as "MU-H1," "CG(0.3)," and "CG(0.5)" Sub-Areas B and C]**

Accommodate a mix of visitor- and local-resident-serving retail commercial, residential, and public uses. The Coast Highway frontage shall be limited to nonresidential uses. On inland parcels, generally between Riverside Avenue and Tustin Avenue, priority should be placed on accommodating uses that serve upland residential neighborhoods such as grocery stores, specialty retail, small service office, restaurants, coffee shops, and similar uses. (Imp 2.1, 5.1)

#### **LU 6.19.5 Parking**

Require adequate parking and other supporting facilities for charters, yacht sales, visitor-serving, and other waterfront uses. (Imp 2.1, 5.1)

### **DESIGN AND DEVELOPMENT**

#### **Corridor**

#### **LU 6.19.6 Corridor Identity and Quality**

Implement landscape, signage, lighting, sidewalk, pedestrian crossing, and other amenities consistent with the Mariners' Mile Specific Plan District and Mariners' Mile Strategic Vision and Design Plan. (Imp 20.1)

#### **Harbor-Fronting Properties**

#### **LU 6.19.7 Architecture and Site Planning**

While a diversity of building styles is encouraged, the form, materials, and colors of buildings located along the harbor front should be designed to reflect the area's setting and nautical history. (Imp 8.1, 8.2)

#### **LU 6.19.8 Integrating Residential-Site Planning Principles**

Permit properties developed for residential to locate the units along the Harbor frontage provided that portions of this frontage are developed for (a) retail, restaurant, or other visitor-serving uses and (b) plazas and other open spaces that provide view corridors and access from Coast Highway to the Harbor. The amount of Harbor frontage allocated for each use shall be determined by the City during the Development Plan review process. (Imp 2.1, 5.1)

### **LU 6.19.9 Harbor and Bay Views and Access**

Require that buildings be located and sites designed to provide clear views of and access to the Harbor and Bay from the Coast Highway and Newport Boulevard rights-of-way in accordance with the following principles, as appropriate:

- Clustering of buildings to provide open view and access corridors to the Harbor
- Modulation of building volume and masses
- Variation of building heights
- Inclusion of porticoes, arcades, windows, and other “see-through” elements in addition to the defined open corridor
- Minimization of landscape, fencing, parked cars, and other nonstructural elements that block views and access to the Harbor
- Prevention of the appearance of the public right-of-way being walled off from the Harbor
- Inclusion of setbacks that in combination with setbacks on adjoining parcels cumulatively form functional view corridors
- Encouragement of adjoining properties to combine their view corridors that achieve a larger cumulative corridor than would have been achieved independently

A site-specific analysis shall be conducted for new development to determine the appropriate size, configuration, and design of the view and access corridor that meets these objectives, which shall be subject to approval in the Development Plan review process. (Imp 2.1)

### **LU 6.19.10 Waterfront Promenade**

Require that development on the bay frontage implement amenities that ensure access for coastal visitors. Pursue development of a pedestrian promenade along the Bayfront. (Imp 2.1, 20.2)

### **LU 6.19.10X Guiding Development of a District Corridor**

Initiate a process to review and, as appropriate, revise existing development standards and the Mariners' Mile Strategic Vision and Design Framework to ensure they adequately implement the vision for the form and quality of Mariners' Mile's coastal and inland development for such elements as viewshed and resource protection; building location, scale, mass, and heights; architectural character and design; streetscape amenities; site access and parking; traffic and connectivity to the bayfront.

## **Community/Neighborhood Village**

### **LU 6.19.11 Pedestrian-Oriented Village**

Require that inland properties that front onto internal streets within the Community/Neighborhood Village locate buildings along and forming a semi-continuous building wall along the sidewalk, with parking to the rear in structures or in shared facilities and be designed to promote pedestrian activity. (Imp 2.1, 16.10)

### **LU 6.19.12 Properties Abutting Bluff Faces**

Require that development projects locate and design buildings to maintain the visual quality and maintain the structural integrity of the bluff faces. (Imp 2.1)

## **STRATEGY**

### **LU 6.19.13 Lot Consolidation on Inland Side of Coast Highway**

Permit development intensities in areas designated as “CG(0.3)” to be increased to a floor area ratio of 0.5 where parcels are consolidated to accommodate larger commercial development projects that provide sufficient parking. (Imp 2.1, 5.1)

### **LU 6.19.14 Parking Lot Relocation**

Consider options for the relocation of the City parking lot on Avon Street to better support the corridor's retail uses. (Imp 16.10)

### **LU 6.19.15 Postal Distribution Center Relocation**

Consider options for the relocation of the postal distribution center to reduce parking impacts in the immediate area. (Imp 14.14)

### **LU 6.19.16 Parking and Supporting Facilities for Waterfront Uses**

Explore additional options for the development and location of parking and other supporting facilities for charters, yacht sales, and other waterfront uses. (Imp 16.10)

## **CORONA DEL MAR**

The Corona del Mar corridor extends along Coast Highway between Avocado Avenue and Hazel Drive. It is developed with commercial uses and specialty shops that primarily serve adjoining residential neighborhoods, with isolated uses that serve highway travelers and coastal visitors. Among~~3-429~~ the area's primary uses are restaurants, home furnishings, and miscellaneous apparel and professional offices including architectural design services. Almost half of the commercial uses are located in multitenant buildings with retail on the ground floor and professional services above. Other uses include the Sherman Library and Gardens, a research library and botanical garden open to the public, and an assisted-living residential complex.

Buildings in the Corona del Mar corridor mostly front directly on and visually open to the sidewalks, with few driveways or parking lots to break the continuity of the "building wall" along the street. These, coupled with improved streetscape amenities, landscaped medians, and a limited number of signalized crosswalks, promote a high level of pedestrian activity.

The Corona del Mar Vision Plan, developed by the Business Improvement District, is intended to enhance the shopping district through community improvements. These envision a linear park-like environment with extensive sidewalk landscaping, street furniture, pedestrian-oriented lighting fixtures, activated crosswalks, parking lanes, and comparable improvements.

Visioning process participants expressed support for protecting Corona del Mar as an important historic commercial center that serves adjoining neighborhoods.

In 2011, the City Council appointed a Citizen Advisory Panel (CAP) to develop a preliminary design of a Capital Improvement Project for beautification of the south side of East Coast Highway from Avocado Avenue to Dahlia Avenue. This effort also included the preparation of an Entryway Enhancement Project in coordination with the Corona del Mar Business Improvement District. A project was not approved for the area due to challenges of maintaining circulation level of service and meeting the interests of the community.

### **Policy Overview**

The General Plan sustains Corona del Mar as a pedestrian-oriented retail village that serves surrounding neighborhoods. New development largely would occur as replacement of existing uses and developed at comparable building heights and scale. Additional parking would be provided by the re-use of parcels at the rear of commercial properties and/or in shared parking lots or structures developed on Coast Highway.

### **Goal**

#### **LU 6.20**

A pedestrian-oriented "village" serving as the center of community commerce, culture, and social activity and providing identity for Corona del Mar.

### **Policies**

#### **LAND USES [designated as "CC," refer to Figure LU27]**

##### **LU 6.20.1 Primary Uses**

Accommodate neighborhood-serving uses that complement existing development. (Imp 2.1)

### **LU 6.20.2 Shared Parking Structures**

Accommodate the development of structures on public or private parcels or other public/private arrangement that provides additional parking on parcels for multiple businesses along the corridor, provided that the ground floor of the street frontage is developed for pedestrian-oriented retail uses. (Imp 2.1, 16.10)

### **LU 6.20.3 Expanded Parking**

Accommodate the redevelopment of residential parcels immediately adjoining commercial uses that front onto Coast Highway for surface parking, provided that adequate buffers are incorporated to prevent impacts on adjoining residential (see “Design and Development” below). (Imp 2.1)

## ***DESIGN AND DEVELOPMENT***

### **LU 6.20.4 Pedestrian-Oriented Streetscapes**

Work with business associations, tenants, and property owners to implement Corona del Mar Vision Plan streetscape improvements that contribute to the corridor’s pedestrian character. (Imp 20.1)

## ***STRATEGY***

### **LU 6.20.5 Complement the Scale and Form of Existing Development**

Permit new commercial development at a maximum intensity of 0.75 FAR, but allow existing commercial buildings that exceed this intensity to be renovated, upgraded, or reconstructed to their pre-existing intensity and, at a minimum, preexisting number of parking spaces. (Imp 2.1)

### **LU 6.20.6 Expanded Parking Opportunities**

Work with local businesses and organizations to explore other methods to provide parking convenient to commercial uses, such as a parking district or relocation of the City parking lot at the old school site at 4th Avenue and Dahlia Avenue. (Imp 16.10)

## **ATTACHMENT 3**

### Climate Change Memo

# MEMORANDUM

Date December 20, 2013  
To City of Newport Beach Land Use Element Advisory Committee  
From LUE Amendment Team  
Subject Climate Change Related Goals and Policies

## Background

Written comments received from Paul Watkins regarding the Draft LUE Goals and Policies addressing climate change were distributed for the December 3, 2013 LUEAC meeting, with a follow-up e-mail message to City staff on December 8, 2013. In the first document, Paul expressed concerns regarding inferences that the policy wording proposed by staff suggested mandatory intent. Specifically, he recommended revising the language calling for the *reduction* of greenhouse gas emissions by adding the clause *or reasonably control*. For reference, Webster's dictionary defines *reduction* as "making something smaller in size, amount, or number" and *control* as "to direct the behavior of, to cause a person to do what you want; to have power over, to act or function in a certain way." By definition, the terms differ, with *reduction* being specific regarding intent and *control* a broader term that, in theory, could allow increases in emissions contradictory to the statutory requirements.

## Legislative Requirements

Since the passage of the Global Warming Solutions Act of 2006 (Assembly Bill 32) and Executive Order S-03-05, there has been substantial interest at the State level in finding ways to *reduce* greenhouse gas (GHG) emissions. The California Air Resources Board (ARB) is given the primary responsibility to develop strategies and regulations to *reduce* California's overall GHG emissions to 1990 levels by 2020. As required under AB 32, the ARB adopted a Scoping Plan and regional targets for *reduction* to be achieved from land use, transportation, and local government. The Sustainable Communities and Climate Protection Act of 2008 (Sustainable Communities Act, SB 375, Chapter 728, Statutes of 2008) supports the State's climate action goals to meet the regional targets through coordinated transportation and land use planning with the goal of more sustainable communities.

Each of California's Metropolitan Planning Organizations (MPOs) is required by SB 375 to prepare a "sustainable communities strategy" (SCS) as an integral part of its regional transportation plan (RTP). The SCS contains land use, housing, and transportation strategies that, if implemented, would allow the region to meet its GHG emission reduction targets. Once adopted by the MPO, the RTP/SCS guides the transportation policies and investments for the region. ARB must review the adopted SCS to confirm and accept the MPO's determination that the SCS, if implemented, would meet the regional GHG targets. If the combination of measures in the SCS would not meet the regional targets, the MPO must prepare a separate "alternative planning strategy" (APS) to meet the targets. The APS is not a part of the RTP. To meet these requirements, the Southern California Association of Governments (SCAG) established targets for a 6 percent *reduction* in per capita GHG emissions relative to 2005 for 2020 and 8 percent reduction for 2035.

However, in the SCAG region, SB 375 allows for a subregional council of governments and county transportation commission to work together to propose a subregional SCS. As one of these subregions, Orange County used this opportunity to prepare its own subregional SCS (OC SCS), which will be incorporated into SCAG's Regional SCS provided that it complies with the requirements of SB 375. The strategies outlined in the OC SCS and are collectively called *sustainability* strategies, and include both land use-related strategies and transportation improvements. Those directly related to land use are summarized below.

- Support transit-oriented development
- Support infill housing development and redevelopment
- Support mixed-use development and thereby improve walkability of communities

- Improve jobs-to-housing ratio
- Promote land use patterns that encourage the use of alternatives to single-occupant automobile use
- Support retention and/or development of affordable housing

SB 375 and the OC SCS maintains the local governments authority to regulate land use development. As stipulated in California Government Code §65080(a)(2)(K) “neither a sustainable communities strategy nor an alternative planning strategy regulates the use of land...nothing in a sustainable communities strategy shall be interpreted as superseding the exercise of the land use authority of cities and counties...” However, cities remain legally obligated to implement actions contributing to the *reduction* of GHG emissions in compliance with Executive Order S-03-05 and AB 32. In this regard, SB 97 enacted in 2007 amends the California Environmental Quality Act (CEQA) requiring Environmental Impact Reports (EIRs) to address the following:

- Lead agencies must analyze the greenhouse gas emissions of proposed projects<sup>1</sup>, and must reach a conclusion regarding the significance of those emissions. (See CEQA Guidelines § 15064.4.)
- When a project’s greenhouse gas emissions may be significant, lead agencies must consider a range of potential mitigation measures to *reduce* those emissions. (See CEQA Guidelines § 15126.4(c).)
- CEQA mandates analysis of a proposed project’s potential energy, sources of energy supply, and ways to *reduce* energy demand, including through the use of efficient transportation alternatives.

In respect to the second and third bullets above, the Public Resources Code §21081.6 requires that the General Plan *must incorporate* the approved mitigation measures identified in the EIR into its policies and plan proposals. The California Attorney General’s Office (AG) has written over 50 letters and filed legal challenges, specifically directed toward cities and counties preparing general plans, commenting on, in the opinion of the Office, the failure of CEQA documents to adequately evaluate climate change impacts and include mitigation measures to *reduce* the impacts in the general plan.

### **Newport Beach’s Compliance with Climate Change Legislation**

While new legislative mandates addressing climate change have been enacted, these do not require wholesale changes of Newport Beach’s policies and actions. In many respects the 2006 General Plan and Land Use Element contribute to the City’s compliance with many of these. For example, the Plan’s designation of properties in Newport Center, the Airport Area, Mariners’ Mile, and Lido Peninsula for mixed-use development are consistent with and carry out the OC SCS’s objectives (described above) for infill housing development, mixed-use development, jobs-to-housing ratio, land use patterns encouraging alternatives to the automobile (walking, bicycling, etc.), and development of affordable housing. Land use changes being considered by the LUEAC for Newport Center and the Airport Area further these objectives.

In addition to the 2006 General Plan and recent land use recommendations for its update, Newport Beach has implemented a robust program of policies, regulations, and improvements since adoption that contribute to achieving AB 32’s mandates and broader sustainability objectives. Among these are:

- Revision of Title 24 - Building Energy Efficiency addressing cool roofs (materials, colors); windows, glazed doors, and skylights (construction materials, design, orientation, shading); lighting (high efficiency); water heaters (natural gas preferred, insulation requirements); HVAC (sealed and efficient distribution, zoning, thermostat control); ventilation (exhaust fans, supply systems); and thermal Mass (exterior walls, flooring, etc. to minimize interior temperature changes)
- Adoption of the Green Building Code (Cal Green)
  - Required 20% mandatory *reduction* in indoor water use, with voluntary goal standards for 30%, 35%, and 40% reductions. Separate water meters for non-residential buildings’ indoor and outdoor water use, with a requirement for moisture-sensing irrigation systems for larger landscape projects.

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<sup>1</sup> By statute, a General Plan is classified as a “project” for the purposes of CEQA

- Required diversion of 50% of construction waste from landfills, increasing voluntarily to 65% and 75% for new homes and 80% for commercial projects.
- Mandatory inspections of energy systems (i.e. heat furnace, air conditioner, mechanical equipment) for non-residential buildings over 10,000 square feet to ensure that all are working at their maximum capacity according to their design efficiencies.
- Required low-pollutant emitting interior finish materials such as paints, carpet, vinyl flooring and particle board.
- Adoption of the Zoning Code establishing minimum area requirements for property and parking lot landscaping, planting areas and trees (for aesthetics, reduction of the heat island), water conservation, and use of drought tolerant species
- Water Quality/Conservation
  - The City has two staff members responsible for implementing water quality and conservation practices which address both mandatory requirements, enforcement of violations (illegal dumping, excessive water use, etc) and public education/awareness (paint/oil disposal, lawn care, pet waste and so on) (<http://newportbeachca.gov/index.aspx?page=228>)
  - Harbor Area Management Plan (HAMP) and Integrated Regional Coastal Watershed Management Plan (IRCWMP) (<http://newportbeachca.gov/index.aspx?page=1333>)
  - Municipal Code Sections: Chapter 14.16 Water Conservation and Supply Level Regulations; Chapter 14.17 Water Efficient Landscaping (AB 1881); and Chapter 14.18 Water Quality
- Other Applicable Policies and Programs
  - City Task Force on Green Development (Councilperson Gardner, PC Commissioner Toerge, and local architects)
    - ▶ Green Building Guidelines: the Task Force developed these guidelines of voluntary actions that can be taken in the area of planning and design; energy efficiency; water efficiency; material conservation and resource efficiency; and environmental quality for both new construction and remodels
    - ▶ NB Green Website: Has links to a variety of “green” websites and resources. Some mandatory things (state, local) and other voluntary and information items (“encourage/promote”). Link to NB Green website: <http://www.newportbeachca.gov/index.aspx?page=2162>
  - CNB Energy Action Plan, adopted by City Council September 2013: A roadmap of actions for the City of Newport Beach to *reduce* GHG emissions in energy and facility buildings and operations
  - HEAL Campaign: City Council adopted the Healthy Eating Active Living (HEAL) campaign on May 22, 2012. The HEAL resolution includes references to Land Use and Built Environment, Healthy Food and Employee Wellness Policies (<http://www.newportbeachca.gov/index.aspx?page=2167>). This webpage has links to the two local farmers markets.
  - Bicycle Master Plan: Citywide plan promoting increased bicycling in lieu of automobile use, reducing energy consumption and GHG emissions. The Plan defines, bikeway locations and design; bike parking and other support facilities; themed directional “wayfinding” signs on bikeways; education and encouragement programs; traffic enforcement; and metrics for evaluation of progress over time (<http://www.newportbeachca.gov/index.aspx?page=2297>).
  - Solar Permits: Planning plan check fees waived
  - EV charging stations - available for free at City Hall
  - Online Business license processing
  - Ban on gasoline powered leaf blowers

- Municipal buildings constructed to meet LEED certification requirements: City Hall (LEED Silver, and possible Gold), Oasis Senior Center (LEED Silver), and Marina Park and Facilities.

## Conclusion

The adopted 2006 General Plan and proposed land use amendments for the LUE coupled with the City's codes, policies, and programs cumulatively contribute to meeting regional targets for the *reduction* of GHG emissions, as well as broader sustainability objectives. Acknowledgement of these in the LUE's goals and policies would represent an important message to legislative agencies and the public about the City's commitment to actions fulfilling the mandates of AB 32, SB 375, the OC SCS, and SB 97. The 2006 Plan's current policies as written do not adequately establish these relationships and, in our opinion, would benefit by incorporating clarifying text and supplemental policies. These do not infer that the City must change its land use plan, capital improvement programs, or codes and ordinances as they have been implemented and updated over the past seven years.

It should be noted that the LUE's goals and policies are implemented by the City and are not the responsibility of individual development proposals. For example, reductions in GHG emissions are applicable citywide through the City's capital programs, codes and ordinances, and operational procedures. The extent to which a project may be effected is dependent on its conformance with applicable City codes and ordinances, and, as applicable requirements of CEQA.

In staff's opinion, the language provided the LUEAC for the December 3, 2013 meeting conforms to legislative requirements and provides the City with the necessary flexibility to respond to the unique objectives, characteristics, and needs of specific development projects as they are processed during entitlement. Suggestions to revise the text using the term *control* as an alternative to commitments for *reduction* is problematic and could be legally challenged.

## **ATTACHMENT 4**

### Responses to Public Comments

The Committee directed staff to respond to comments received for consideration at the 12-16-2013 meeting. The following are responses to comments submitted by Diane Dixon and Denys Oberman dated 12-7-13. Staff will provide responses to other comments at the January 7, 2013 Committee meeting.

Comment/Proposed Changes (Shown in green)	Staff Response to Proposed Change
<p>LU 5.1.8 Parking Adequacy Require that new and renovated single-family residences incorporate adequate enclosed or carport parking in consideration of its floor area.</p>	<p>No change recommended. The 2006 update specifically called for the requirement that single-family dwellings provide enclosed/garage parking. Zoning regulations require garage parking for all new single family dwelling. Duplexes must provide one garage space and one covered carport spaces or, two garage spaces.</p>
<p>NEW: LU 5.1.9. Setbacks: Adequate minimum setbacks to comply with Fire clearance along the sides and safe alley/street ingress and egress from parking, and to maintain clearance on view-facing fronts consistent with adjacent properties.</p>	<p>No change necessary. Setback requirements implemented through existing fire and building codes. The Newport Beach Fire Department participated in the review of 2010 Zoning Code update. The update included new provisions to ensure access around homes is provided consistent with Fire Department requirements. Additionally, the Building Division and Fire Department also review proposed construction to ensure emergency access is provided.</p>
<p>LU 6.1.5 Support Hoag Hospital and its alliances, including physicians groups, laboratory offices diagnostic and counseling facilities.</p>	<p>No change necessary. Committee revised the policy to read:  Support Hoag Hospital <u>and its alliances related medical uses</u> in <u>its their</u> mission to provide adequate facilities to meet the needs of area residents. Work with the Hospital <u>and its alliances and related medical uses</u> to ensure that future development plans consider <u>its-their</u> relationship to and ensure compatibility with adjoining residential neighborhoods and mitigate impacts on local and regional transportation systems. (Imp 24.1)</p>

Comment/Proposed Changes (Shown in green)	Staff Response to Proposed Change
<p><b>POLICY OVERVIEW</b>  Replace last sentence to read: Throughout the Lido and Balboa Peninsula Area, the land use plans are to: assure a compatible mix of uses in each of the activity centers, and compatibility with the resident and visitor-serving priorities expressed by the community. A compatible mix of uses should be developed and maintained to promote economic vitality; environmental integrity; and the high standards of aesthetics consistent with those established for surrounding residential neighborhoods. Furthermore, concentration of uses such as bars should be actively managed to minimize adverse impacts on the surrounding activity centers and residential neighborhoods.</p>	<p>Recommended revision:  Throughout the Peninsula, land use designations are arranged to provide for a mix of commercial, retails, service, marine –related and residential uses that are complimentary and compatible with one another and promote economic vitality, environmental integrity and aesthetic quality. Late night service uses should be regulated to minimize affects on neighboring residential districts and uses.</p>
<p><b>Goal LU 6.8</b>  A series of commercial, restaurant, retail, resident and visitor-serving marine and recreationally related uses and residential neighborhoods that are vibrant throughout the year, differentiated by their historic and functional characteristics and architectural style, yet integrated by streetscape amenities.</p>	<p>Recommended revision:  <b>Goal LU 6.8</b>  A series of commercial, retail, restaurant, recreation and marine related uses and residential neighborhoods that are vibrant throughout the year, differentiated by their historic and functional characteristics and architectural style, yet integrated by streetscape amenities.</p>
	<p>A comment was not received however, staff recommends the following change to policy LU 6.8.1 for consistency if Goal LU 6.8 and Policy LU6.8.2 are revised.  <b>LU 6.8.1 Urban Form</b>  Establish development patterns that promote the reinforcement of Balboa Peninsula’s pedestrian scale and urban form as a series of distinct centers/ nodes and connecting corridors <u>surrounded by and linked to residential neighborhoods whose scale and character are maintained.</u></p>

Comment/Proposed Changes (Shown in green)	Staff Response to Proposed Change
<p>LU 6.8.2 Component Districts</p> <p>Lido Village, Cannery Village and McFadden Square should be emphasized as the primary activity centers of the northern portion of the Peninsula, linked by corridors of retail, <b>resident</b> and visitor-serving uses along Newport Boulevard and a mix of marine-related and residential uses on the Bay frontage. These surround a residential core in the inland section of Cannery Village. Balboa Village will continue to serve as the primary center of the lower Peninsula. <b>Residential neighborhoods surround and are in close proximity to each of these activity centers. The character and integrity of the residential neighborhoods should be preserved.</b></p>	<p>Recommended revision:</p> <p><b>LU 6.8.2 Component Districts</b></p> <p>Lido Village, Cannery Village and McFadden Square should be emphasized as the primary activity centers of the northern portion of the Peninsula, linked by corridors of retail, <u>resident</u> and visitor-serving uses along Newport Boulevard and a mix of marine-related and residential uses on the Bay frontage. These surround a residential core in the inland section of Cannery Village. Balboa Village will continue to serve as the primary center of the lower Peninsula.</p>
<p><del>LU 6.8.3 Marine related Businesses</del> <b>Mix of the Waterfront Uses</b> Protect and encourage marine related <b>and compatible</b> business <b>uses</b> to locate and expand on the Peninsula unless present and foreseeable future demand for such facilities is already adequately provided for in the area.</p>	<p>No change recommended</p> <p>The intent of this policy is to specifically identify marine-related uses as an important use to the area and the City. Non-marine – related are allowed as specifically described by the various mixed-use and commercial land use designations in Table LU1.</p>
<p>LU 6.8.5 Quality of Place/Streetscapes</p> <p>Develop a plan and work with property owners and businesses to fund and implement streetscape improvements that improve Balboa Peninsula’s visual quality, image and pedestrian character. This should include well-defined linkages among individual districts, between the ocean and Bay, and along the Bay frontage, as well as streetscape and entry improvements that <del>differentiate</del> <b>support the desired</b> character of individual districts.</p>	<p>No change recommended.</p>

Comment/Proposed Changes (Shown in green)	Staff Response to Proposed Change
<p>LU 6.8.6 Historic Character</p> <p>Where appropriate, preserve the historic character of Balboa Peninsula's commercial districts by offering incentives for the preservation of historic buildings and requiring new development to be compatible with the scale, mass and materials of existing structures, while allowing opportunities for architectural diversity.</p>	<p>No change recommended.</p>
<p>LU 6.9.2 <b>PROHIBITED USES</b></p> <p>The development of new office uses on the ground floor of buildings that are incompatible and do not attract customer activity to improve the area's desired character. Prohibited uses include: medical, medical-related including counseling and other related ancillary medical services, tattoo parlors, pool halls, video arcades and group assemblies. Other uses which generate nuisances adverse to the surrounding activity area and residential neighborhoods should also not be permitted.</p>	<p>No change recommended.</p> <p>The intent of this policy is to encourage the pedestrian activity that leads to healthy vibrant commercial areas. The current policy was used to create use regulations in the 2010 Zoning Code Update. The zoning code does not allow first floor office uses in some areas, requires use permits for tattoo parlors, recreational activities (pool halls, arcades and assembly uses (yacht clubs, churches, etc.) Outright prohibition of the uses indicated is not appropriate for a General Plan. The zoning code is proper place to regulate specific types of land uses.</p> <p>Existing policy: LU 6.9.2 Discourage Uses</p> <p>Discourage the development of new office uses on the ground floor of buildings that do not attract customer activity to improve the area' pedestrian character.</p>
<p><b>LU 6.9.X3 Multi-Modal Village</b></p> <p>Enhance Lido Village's accessibility by visitors and residents by providing all common modes of transportation for residents and visitors</p>	<p>Revise as proposed.</p>

Comment/Proposed Changes (Shown in green)	Staff Response to Proposed Change
<p>LU 6.9.X4 GATEWAY Create a vibrant gateway village in the heart of Newport Beach's historic Balboa Peninsula, <u>with landscaping and streetscape.</u></p>	<p>Revise per Committee Direction:</p> <p><b>LU 6.9.X4 Gateway</b> Create a vibrant gateway village in the heart of Newport Beach's historic Balboa Peninsula, <u>with amenities such as landscaping and streetscape.</u></p>
<p><b>CANNERY VILLAGE -- CLARIFY: WHERE IS LIDO PENINSULA?</b></p>	<p>No change required.</p> <p>Lido Peninsula was not included as a General Plan Sub- Area during the 2006 comprehensive update. It does have site specific development capacities as show on the Land Use Map Figure LU6 and Table LU2 - Anomaly Locations.</p>
<p><b>LU6.10.1 <del>Priority Uses</del> PERMITTED</b></p> <p>Allow multi-family residential and mixed-use buildings that integrate residential above retail or live-work units throughout Cannery Village. <u>Require mixed-use, live-work or commercial buildings to be developed on corner parcels.</u></p>	<p>Revise per Committee Direction:</p> <p><b>LU 6.10.1 Priority Uses</b> Allow multi-family residential and mixed-use buildings that integrate residential above retail or live-work units throughout Cannery Village. <u>Require mixed-use, live-work, or commercial buildings to be developed on corner parcels, except adjacent to Villa Way where these uses are encouraged.</u></p>
<p><b>LU 6.10.2 Residential Character and Architecture</b></p> <p><u>Require that residential buildings be designed to contribute to an overall neighborhood character, locating buildings along the street frontage to conform to required setbacks for fire safety.</u></p>	<p>No change recommended.</p> <p>The existing policy (below) is written specifically to address character and architecture. Emergency accessibility and fire protection are covered by several zoning, fire and building and safety codes.</p> <p><b>LU 6.10.2 Residential Character and Architecture</b></p> <p>Require that residential buildings be designed to contribute to an overall neighborhood character, locating buildings along the street frontage to form a continuous or semi-continuous building wall.</p>

Comment/Proposed Changes (Shown in green)	Staff Response to Proposed Change
<p>LU 6.11.1 <del>Priority</del> PERMITTED USES</p> <p>Accommodate visitor- and resident-serving uses that take advantage of McFadden Square’s waterfront setting including specialty retail, restaurants, and small scale hotel accommodations, as well as mixed-use buildings that integrate residential and ground level retail.</p> <p>Where appropriate, uses should be subject to Use review and permit.</p>	<p>Maintain the title of “Priority Uses” and accept the revision as shown in the text.</p>