

9.1 Purpose and Intent

This chapter provides the procedures and requirements for processing discretionary permit applications through the City of Newport Beach subsequent to the City’s approval of this Newport Banning Ranch Planned Community Development Plan.

This chapter also includes a Site Planning Areas Map and a Conceptual Phasing Plan necessary to the discussion of subsequent permits and procedures

The primary discretionary permits and approvals required from the City of Newport Beach to implement this PC Development Plan are:

1. Master Site Plan and corresponding Vesting “A” Tentative Tract Map(s);
2. Pre-Annexation Development Agreement (PADA);
3. Project Site Plans and corresponding Vesting “B” Tentative Tract Maps; and
4. Use Permits.

These Site Plans, Tract Maps, and Use Permits are intended to provide community and governmental representatives with the opportunity to review detailed plans proposed for specific types of development projects within the Newport Banning Ranch Planned Community.

At the same time, the Landowner/Master Developer and City recognize that the California Coastal Commission is a separate public agency with Coastal Act jurisdiction over land use development within the Coastal Zone, and that the development projects listed above, must also receive approval from the Coastal Commission in the form of its issuance of a Coastal Development Permit for development of those projects.

For purposes of this chapter, upon City approval of the following entitlements, the Landowner/Master Developer will submit the following City-approved documents to the Coastal Commission. A Coastal Development Permit application will be submitted by the Landowner/Master Developer to the Coastal Commission requesting approval of the following land use entitlements:

- Master Site Plan;
- Vesting “A” Tentative Tract Map; and
- Pre-Annexation Development Agreement.

Because of the comprehensive nature of the City entitlements that will be submitted in this Coastal Development Permit application, this “bundle” of City land use entitlements will be hereinafter referred to as the “Master Coastal Development Permit.”⁽¹⁾

⁽¹⁾ The Coastal Act does not define “Master Coastal Development Permit.” All permits issued by the Coastal Commission are referred to as “Coastal Development Permits;” however, for purposes of this PC Development Plan, the first permit issued by the Coastal Commission will be referred to as the “Master Coastal Development Permit.” Similar vocabulary has been used for other large-scale coastal projects, including the Newport (then Irvine) Coast Planned Community, whose first CDP was referred to as “Master Coastal Development.”

Subsequent Permits and Procedures

Subsequent to approval and issuance by the Coastal Commission of the Master Coastal Development Permit, it is anticipated that subsequent Project-level land use entitlements will be required to implement the development anticipated in the PC Development Plan and described in the Master Site Plan, and to establish more specific lot configurations in accordance with the Subdivision Map Act. These subsequent land use entitlements that will be submitted to the City for its approval include, but are not limited to:

- Project Site Plans;
- Vesting “B” Tentative Tract Maps; and
- Use Permits (if applicable).

If, at such time these applications are made to the City, and the City has authorization to issue Coastal Development Permits through one of the following means set forth below, the subsequent land use entitlements shall include an application for a Coastal Development Permit issued by the City of Newport Beach.⁽¹⁾ The City shall have the authority to issue Coastal Development Permits for development within the Newport Banning Ranch if:

- (1) the City’s LCP has been certified and the City has assumed permitting authority pursuant to the Coastal Act;
- (2) the City’s LCP has been certified and has been amended to incorporate the Master Coastal Development Permit; or

- (3) the City has exercised the option provided under Coastal Act Section 30600(b) to issue permits for the Newport Banning Ranch area consistent with the Master Coastal Development Permit and such permitting authority has been delegated in the Master Coastal Development Permit by the Coastal Commission.

For those areas that remain under the Coastal Commission’s original permit jurisdiction, such as tidelands and submerged lands, and areas subject to the public trust, after the land use entitlements described above have been approved by the City, the Landowner/Master Developer will submit an application for a Coastal Development Permit(s) for the development contemplated under these City-approved land use entitlements to the California Coastal Commission. Any coastal development permits issued by either the City or the Coastal Commission for the land use entitlements described above shall hereafter be referred to as “Project Coastal Development Permits.”

⁽¹⁾ Although the City has submitted an LCP to the Coastal Commission for certification which describes the Newport Banning Ranch property as an Area of Deferred Certification, the LCP does not identify land uses or zoning regulations for Newport Banning Ranch.

9.2 General Requirements

9.2.1 Incorporation of Zoning Code Provisions

Chapter 20.92, Site Plan Review, of the Newport Beach Zoning Code is incorporated by reference into the PC Development Plan. In the event of conflicting provisions between this Chapter and the Newport Beach Zoning Code, this Chapter shall take precedence.

9.2.2 Site Plans in General

All Site Plans shall be approved pursuant to Chapter 20.92, Site Plan Review, of the Newport Beach Zoning Code, and as set forth in this PC Development Plan.

9.2.3 Discretionary Permits

Any person, partnership, corporation, or state or local government agency proposing to undertake any development project within the Newport Banning Ranch Planned Community shall obtain approval of a Site Plan from the Zoning Administrator or Planning Commission in compliance with the provisions of this Planned Community.

A Tentative Tract Map (other than a Tentative Map for financing purposes only) shall not be approved and a Building Permit, Grading Permit, or Encroachment Permit shall not be issued prior to the approval of the Master Coastal Development Permit and/or Project Coastal Development Permit unless the project is categorically exempted per Section 30610 of the Coastal Act, or falls within a category of development identified in the Master Coastal Development as not requiring a Project Coastal Development Permit, such as homeowner patio

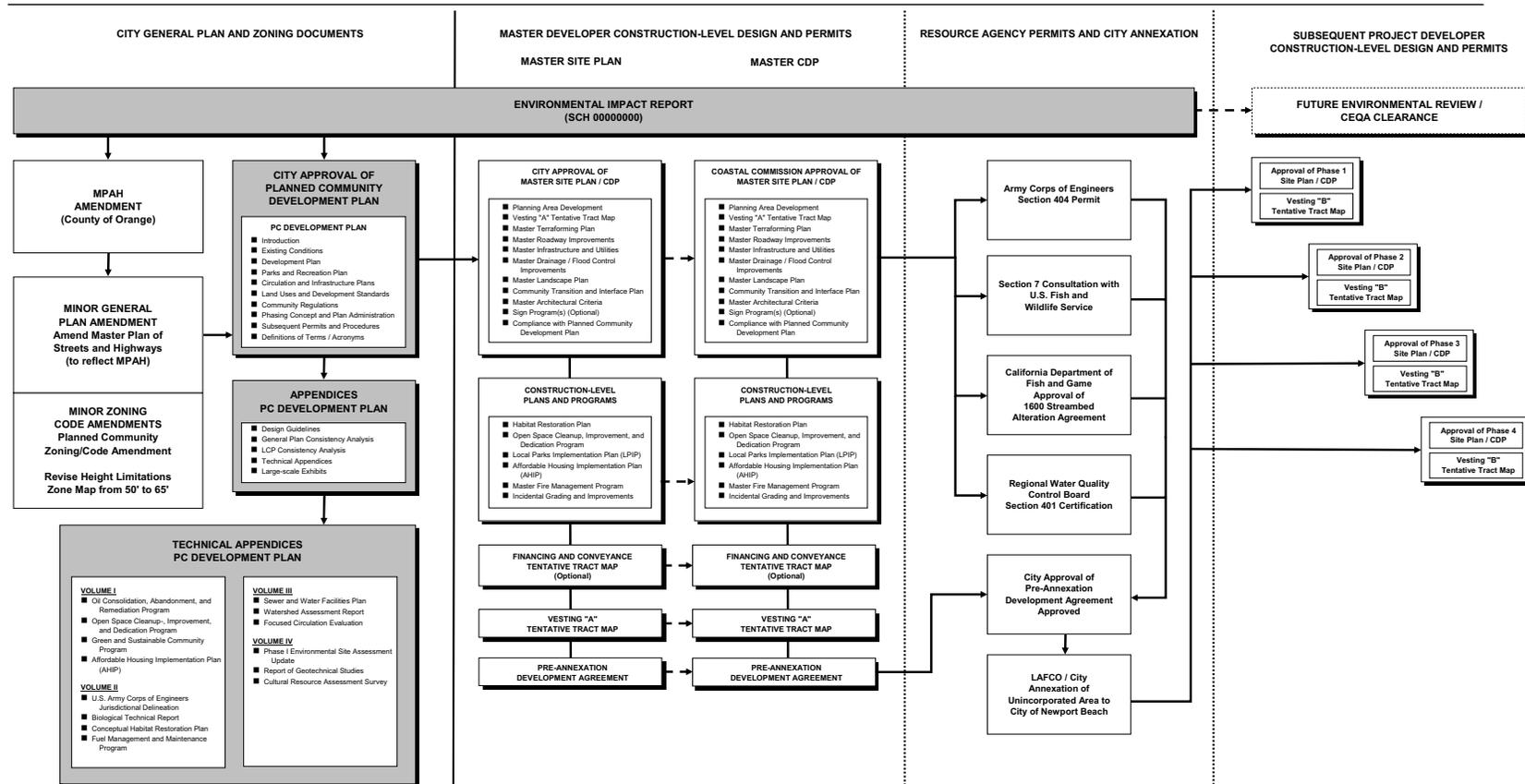
covers or swimming pools within designated interior areas of the Newport Banning Ranch. It is the intent of these regulations to minimize the number of times a development project will be required to secure a Site Plan/Coastal Development Permit (CDP).

Whenever a proposed development project includes more than one “development,” as defined in Chapter 10, Definitions of Terms/Acronyms, it is intended that, where feasible, the “developments” be integrated into one project and that the Site Plan/Coastal Development Permit application be processed at the most appropriate stage of the project. Any such Site Plan/Coastal Development Permit application shall include such information and details as the City Planning Director deems necessary to permit an appropriate decision to be made for all stages or phases of the development project.

A Project Site Plan/CDP may also be approved which establishes alternative development standards in conformance with this Chapter.

Exhibit 9-1 summarizes the sequence of Site Plans and Coastal Development Permits described in this Newport Banning Ranch PC Development Plan.

Exhibit 9-1
 SITE PLAN AND CDP PERMIT FLOWCHART
 Planned Community Development Plan



9.3 Master Site Plan/CDP

9.3.1 Purpose and Intent

A Master Site Plan shall be processed through the City of Newport Beach and subsequently through the California Coastal Commission as part of the Master Coastal Development Permit (Master CDP).

The Master Site Plan shall include all of the community's Backbone Roadways and all or majority portions of the Open Space District (potentially excluding some or all of the Oil Production Consolidation Sites), the Visitor-Serving Resort/Residential District, the Residential District, and the Mixed-Use/Residential District, in order to:

1. Permit the construction of master utilities and backbone infrastructure improvements (e.g., arterial and collector roads, backbone flood control/drainage facilities, backbone water distribution facilities, backbone sewer system, backbone dry utility systems, and similar public works and facilities required to serve land use development);
2. Provide sufficient detail in terms of roadway alignment and design to determine consistency with the County's Master Plan of Arterial Highways (MPAH), as amended in conjunction with this project, and the City's Master Plan of Circulation, which is required to be consistent with and implement the MPAH;
3. Provide sufficient detail to permit terraforming (landform grading) and remedial grading of Site Planning Areas in anticipation of public access and use and land use development;
4. Provide sufficient detail to permit limited clearing and grading required for habitat restoration, creation, and mitigation, and to remediate arroyo drainage course and other erosion, and to allow selective bluff/slope restoration and mitigation, all consistent with the project's Habitat Restoration Plan;
5. Provide sufficient detail to establish and refine – at a construction-level of detail, the open space and development boundary between upland habitat areas, public park areas, and residential and resort land use development areas consistent with the proposed Habitat Restoration Plan, the Wildland Fire Management Plan, and Public Parks and Recreation Plan;
6. Provide sufficient detail to permit phased offers of land dedication for the lowland and upland open space areas, for potential creation of a third-party mitigation bank within the lowland open space area, and for public parks, trails, and community facilities for water treatment and cleansing for urban runoff and storm drainage originating both on and off-site;
7. Provide sufficient detail to permit subdividing the Master Site Plan/Master CDP Area into large parcels for financing and/or sale or lease to homebuilders and resort/commercial area developers, and any necessary dedications to the City, County, and/or other public agencies;
8. Provide sufficient detail in terms of the public parks and trails dedications to determine consistency of the Master Site Plan/Master CDP with the City's General Plan policies;

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9. Provide a sufficiently detailed Habitat Restoration Plan – including a mix of upland and lowland habitat protection, restoration, and creation, as well as monitoring and maintenance – to demonstrate project consistency with the City’s General Plan policies and with the Coastal Act’s marine and land resources policies;
 10. Provide sufficient detail in terms of bluff setbacks, stability protection, public access and dedication, and native/drought-resistant plant material to determine consistency with the City’s Planned Community District Regulations, in particular Section 20.35.060 as applicable to Newport Banning Ranch and Coastal Act’s land resources policies;
 11. Provide sufficient detail in terms of landscape planting palettes for all land use districts to determine consistency of the Fire Management Plan and Landscape Master Plan with the project’s Habitat Restoration Plan;
 12. Provide sufficient detail in terms of the site planning and design of public parks, public parking areas, off-street trails and footpaths, and on-street bicycle trails and adjacent walkable streetscapes and green street drainage solutions to demonstrate consistency of the project with the Coastal Act’s public access and recreation policies;
 13. Provide sufficient detail in terms of architectural design heights, mass, lighting and public facility information for the resort, the Community Park, the Bluff-Top Park, and for the interpretive center and other trails and staging areas within the uplands and lowlands to demonstrate consistency with the Coastal Act’s development and visitor-serving policies;
 14. Provide sufficient detail in terms of a more detailed Phasing Plan to confirm and/or refine the Conceptual Phasing Plan contained in Chapter 8 of the PC Development Plan document, and to reflect the more detailed construction-level plans and programs submitted with or a part of the Master Site Plan/CDP, including the phasing commitments set forth in the Pre-Annexation Development Agreement.
 15. Finally, the purpose and intent of the Master Site Plan/Master CDP is to provide sufficient detail related to implementing Coastal Act policies so that, when the Master Site Plan/Master CDP is approved and issued by the Coastal Commission that as applications are brought forward for subsequent Project CDPs (e.g., Site Plans, Vesting “B” Tentative Tract Maps, Use Permits, etc.), these subsequent land use development projects can be permitted by the City of Newport Beach as discussed in Sections 9.1 and 9.2.3, above.
- The City shall have the authority to issue Coastal Development Permits for development within the Newport Banning Ranch if:
- (1) the City’s LCP has been certified and the City has assumed permitting authority pursuant to the Coastal Act;
 - (2) the City’s LCP has been certified and has been amended to incorporate the Master Coastal Development Permit; or
 - (3) the City has exercised the option provided under Coastal Act Section 30600(b) to issue permits for the Newport Banning Ranch area consistent with the Master

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Coastal Development Permit and such permitting authority has been delegated in the Master Coastal Development Permit by the Coastal Commission.

No Coastal Development Permit shall be required for development that is defined as categorically exempted per Section 30610 of the Coastal Act, or falls within a category of development identified in the Master Coastal Development as not requiring a Project Coastal Development Permit, such as patio covers or swimming pools in designated areas of the Newport Banning Ranch.

9.3.2 Application for Master Site Plan Review

The Application for a Master Site Plan be filed in a manner consistent with the requirements contain in Chapter 20.90, Application Filing and Fees, of the City of Newport Beach Municipal Code.

The Landowner/Master Developer shall submit the following plans, programs, and diagrams to the Planning Commission for approval:

1. Site Planning Area Development

- a. Habitat Restoration Plan;
- b. Open Space Clean-up, Improvement, and Dedication Program, including Oil Facility Removal/Remediation;
- c. Local Parks Implementation Plan (LPIP);
- d. Affordable Housing Implementation Plan (AHIP);
- e. Master Fire Management Program;
- f. Incidental Landform and Remedial Grading and Improvements within Site Planning Areas; and
- h. Revisions to community plans and tables, if applicable:
 - (1) Any revisions to Exhibits 3-1 and/or 3-2, Planned Community Development Plan or Table, including refinements to Land Use District boundaries, acreages, or planned dwelling units or accommodations;
 - (2) Any revisions to Exhibits 8-2 and/or 8-3, Site Plan Areas Map and Table;
 - (3) Any revisions to Exhibits 8-4 and/or 8-5, Conceptual Phasing Plan and/or Table; and
 - (4) In the case of proposed refinements to Land Use Districts or Site Planning Areas that adjoin Upland or Lowland Open Space/Public Trails and Facilities Land Use Districts, include maps, calculations, and related documentation demonstrating no net loss of Open Space Area acreage.

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2. Vesting “A” Tentative Tract Map

A copy of the Vesting "A" Tentative Tract Map (TTM) must be included with the Master Site Plan for reference, but approval of the Master Site Plan shall not be construed as approval of the TTM, which is separately subject to the California Subdivision Map Act and Title 19, Subdivisions, of the Newport Beach Municipal Code.

3. Master Terraforming Plan, including:

- a. Proposed contours and grades at one-foot contour intervals and reflective of Vesting “A” TTM;
- b. Cut and fill quantities reflective of Vesting “A” TTM including remedial grading to implement geotechnical recommendations as well as any off-site import or export, if proposed; and
- c. Temporary stockpiling areas, if applicable.

4. Master Roadway Improvements

- a. Roadway layout and dimensions for backbone arterials and collectors reflective of Vesting “A” TTM;
- b. Roadway cross-sections and dimensions reflective of Vesting “A” TTM; and
- c. Roadway Phasing Plan.

5. Master Infrastructure and Utilities

- a. Water transmission plan and description corresponding to Vesting “A” TTM layout;
- b. Wastewater collection system plan and description corresponding to Vesting “A” TTM layout;
- c. Wastewater treatment system plan and description corresponding to Vesting “A” TTM layout; and
- d. Utility systems plan and description corresponding to Vesting “A” TTM layout.
- e. Dry utility and joint trench plans subject to agency and service provider requirements and corresponding to Vesting “A” TTM layout.

6. Master Drainage/Flood Control Improvements

- a. Flood control/drainage system plan and description corresponding to Vesting “A” TTM layout; and
- b. Water Quality Management Plan corresponding to Vesting “A” TTM layout.

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7. Master Landscape Plan

- a. Community-wide landscape zones and corresponding detailed plant palettes;
- b. Community entries and major intersection landscape concepts;
- c. Streetscape cross-sections, including medians and parkways;
- d. Master street lighting standards and requirements; and
- e. Standards for interpretive signage and exhibits within the Lowland and Upland Habitat/Public Trails and Facilities Areas.

8. Community Transition and Interface Plan

- a. Plans and cross-sections that illustrate the landscape edges, transitions, and interfaces between Newport Banning Ranch and existing adjacent residential neighborhoods in Newport Beach and Costa Mesa; and
- b. Plans and cross-sections that illustrate the landscape edges, transitions, and interfaces between Newport Banning Ranch and existing Newport Beach City Yard, ACOE Restoration Area, and Newport Mesa Unified School District properties.

9. Master Architectural Criteria

- a. Architectural massing within the Visitor-Serving Resort/Residential District;
- b. Architectural criteria for Public Parks and Recreation buildings and facilities; and
- c. Architectural color palettes for the Visitor-Serving Resort/Residential District, Residential District, and Mixed Use/Residential District.

10. Master Phasing Plan

- a. Phasing, improvement, and dedication of Site Planning Areas for Public Parks and Trails, and Facilities;
- b. Phasing of Site Planning Areas for Upland and Lowland Open Space Clean-up, Restoration, Third-Party Mitigation, and Dedication; and
- c. Phasing of Site Planning Areas for Residential, Mixed-Use Residential, and Visitor-Serving Resort/Residential Development.
- d. Phasing of Backbone Roadways and Infrastructure, both on-site and off-site.
- e. Phasing of the Habitat Restoration Plan (HRP), Affordable Housing Implementation Plan (AHIP), Local Parks Implementation Plan (LPIP), and/or other facility and/or improvement plans and programs per the Pre-Annexation Development Agreement (PADA).

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11. Permits and Procedures Program for Minor Improvements After Initial Development

This program shall describe how homeowners and other landowners may apply for City construction/building permits for minor improvements such as swimming pools, patio trellises, fences, decks, and similar amenities and improvements after initial development of the neighborhood villages/colonies.

This program shall be consistent with Sections 9.7 and 9.8 of this chapter and, for the purpose of complying with the California Coastal Act, include the following or its equivalent:

- a. Categorical Exclusion Order (CEO) application;
- b. CEO Zone Map for the Site;
- c. List of lots, by TTM number, to be included in the CEO Zone; and
- d. List of criteria defining minor improvements for lots within the CEO Zone.

12. Financing and Conveyance Tentative Tract Map (Optional)

The Landowner/Master Developer may submit a Financing and Conveyance Tentative Tract Map, separate from the Vesting “A” Tentative Tract Map, for the purposes related to facilitating the consolidation of oil operations, oil abandonment and remediation, open space dedications, and/or restoration, and/or other purposes that advance the PC Development Plan, Master Site Plan, Pre-Annexation Development Agreement, or related plans and programs at the local State, or Federal level.

13. Sign Program(s) (Optional)

- a. Signage Program for the Lowland and Upland Open Space/Public Trails and Facilities Districts;
- b. Signage Program for the Public Parks/Recreation District; and/or
- c. Signage Program for the Visitor-Serving Resort/Residential District.

14. Compliance with Planned Community Development Plan

A statement, list, and/or matrix demonstrating conformance of the Master Site Plan with the requirements and procedures set forth in this Newport Banning Ranch PC Development Plan.

Subsequent Permits and Procedures

9.3.3 Master Site Plan Processing Procedures

1. Master Site Plans shall be processed in compliance with Chapter 20.92, Site Plan Review, of the City of Newport Beach Municipal Code and the provisions of this Chapter.
2. Applications for Master Site Plans may be processed concurrently with one or more Tentative Tract Map(s), potentially including a Vesting “A” – level map for financing and conveyance, including master and backbone roadways and infrastructure.
3. Master Site Plans shall be approved by the City Council or Planning Commission, pursuant to the Site Plan Review Process set forth in Chapter 20.92 of the City of Newport Beach Municipal Code. Upon approval by the City of Newport Beach, the Master Site Plan will be submitted to the California Coastal Commission for approval and issuance of the corresponding Coastal Development Permit.
4. Proposed Amendments to approved Master Site Plans shall be subject to Section 20.92.080, Amendments and New Applications, of the City of Newport Beach Municipal Code, and may require an amendment to the Master Coastal Development Permit by the Coastal Commission, subject to the limitations of Section 9.8, below.

9.4 Project Site Plan/CDP

9.4.1 Purpose and Intent

All Project-level Site Plans determined by the City’s Planning Director to be in substantial compliance with the Newport Banning Ranch Planned Community Development Plan, the approved Master Site Plan/Master Coastal Development Permit shall be reviewed and approved by the City’s Planning Commission. Project-level Site Plans shall be included within Project Coastal Development Permit which shall be processed by the City as set forth in Section 9.1. Project Site Plan approvals for land use development and other projects are intended to:

1. Ensure development that is consistent with Newport Banning Ranch Planned Community Development Plan’s general regulations, site development standards, and design guidelines, and the underlying General Plan objectives and policies and the Master CDP approved by the Coastal Commission;
2. Ensure compatibility of new development with the character of and plans for surrounding neighborhoods and sites and shall not be detrimental to the orderly and harmonious development of the surroundings and of the City;

Subsequent Permits and Procedures

3. Preserve and protect environmentally sensitive areas. No structures or landform alteration shall be permitted in environmentally sensitive areas unless specific mitigation measures are adopted which will reduce adverse impacts to an acceptable level or the Planning Commission finds that the benefits outweigh the adverse impacts;
4. Restrict structures from being permitted in areas of potential geologic hazard unless specific mitigation measures are adopted which will reduce adverse impacts to an acceptable level or the Planning Commission finds that the benefits outweigh the adverse impacts; and
5. Propose site plan and layout of buildings, parking areas, pedestrian and vehicular access ways, and other site features in consideration to functional aspects of site development.

9.4.2 Contents of Project Site Plan Application

Applications for Project Site Plans (only if the City has CDP authority) shall contain the following information:

1. Large-Scale Site Plan

- a. Location, acreage, and type of land use for each building;
- b. Number of dwelling units to be developed on each building site;
- c. General public street/corridor layout and width;
- d. Location and acreage of landscape, open space, and recreation areas;
- e. Park location and acreage, if applicable;
- f. Location, acreage, and land use of all non-residential areas;
- g. Topography: existing and proposed (i.e., Concept Grading Plan);
- h. Existing structures and development on adjacent parcels, to a minimum of three hundred (300) feet from the Planning Area;
- i. Concept Drainage Plan;
- j. Location of riding and hiking trails;
- k. Location and treatment of significant cultural/scientific resources;

Subsequent Permits and Procedures

- l. Location of significant vegetation and an indication of the resources to be altered and the resources to be preserved;
- m. Location and treatment of scenic highways, if applicable;
- n. Location of extensions of off-site roads or utilities through a Planning Area to serve adjacent areas;
- o. Concept Exterior Lighting Plan; and
- p. Utilities/Infrastructure Plan.

2. Architectural Elevations

Provide architectural elevations of all major structures (including walls and signs) including, but not limited to, the following:

- a. All exterior materials;
- b. All exterior colors;
- c. Building heights; and
- d. If the Project Site Plan is for a single-family detached/attached residential development, typical elevations shall be provided.

3. Preliminary Landscape Plans

Provide Preliminary Landscape Plans for all public and private areas including the general location of all plant materials, by common and botanical names.

4. Alternative Development Standards (if proposed).

5. Preliminary Grading and Drainage Plan.

6. Preliminary Water Quality Management Plan.

7. Sign Programs (Optional).

8. Previously-approved Dwelling Unit Summary:

- a. The number of units previously approved on all Tentative and all recorded Final Subdivision Maps within the Land Use District/Site Planning Area;
- b. The number of units under construction or constructed within the Land Use District/Site Planning Area at the time of the Project Site Plan/CDP Application; and
- c. The total permitted units within the Land Use District/Site Planning Area pursuant to the Planned Community Development Map and Statistical Table, and Site Planning Areas Map and Site Planning Areas Table, for the Newport Banning Ranch Planned Community.

Subsequent Permits and Procedures

9. Revisions to PC Development Map and Statistical Table and/or Site Planning Areas Map and Statistical Table (if applicable).

10. Compliance with Master Site Plan/CDP

Each Project Site Plan/CDP application shall provide an analysis demonstrating compliance with the previously approved Site Plan/Master CDP.

9.4.3 Alternative Development Standards

With approval of a Project Site Plan/CDP, alternative development standards may be established without an amendment to the PC Development Plan or Master Site Plan/CDP where the standards pertain to: setbacks to residential streets; nonresidential highways or local streets; rear and side yard setbacks for development not bordering an open space or recreation area; building height in areas not visible from West Coast Highway; area per unit for residential; walls and fences; landscaping; signage; lighting; loading, trash, and storage areas not visible from West Coast Highway; vehicular driveways and sidewalks; outdoor storage areas; and/or modifications for off-street parking requirements. Alternative development standards other than those specified above will require an amendment to the NBR PC Development Plan and/or Master Site Plan/CDP.

A Project Site Plan/CDP proposing to establish alternative development standards shall require a public hearing, with public notification, before the Planning Commission.

When a Project Site Plan/CDP proposes to establish alternative development standards, the burden of proof shall be on the project proponent. The alternative development standards may be approved by the City when it is found that they will result in an equivalent or better project in terms of minimizing adverse impacts and enhancing public benefits to the immediate and surrounding community.

Subsequent Permits and Procedures

9.4.4 Project Site Plan Processing Procedures

1. Project Site Plans shall be processed in compliance with Chapter 20.92, Site Plan Review, of the City of Newport Beach Municipal Code and the provisions of this Chapter.
2. Applications for Project Site Plans may be processed concurrently with a Tentative Tract Map(s), potentially including a Vesting “B”-level maps for conveyance of lots to future homeowners, attached residential or commercial land developers, or other builders.
3. Proposed Amendments to approved Project Site Plans shall be subject to Section 20.92.080, Amendments and New Applications, of the City of Newport Beach Municipal Code
4. When a Project Site Plan proposes to establish Alternative Development Standards, the Landowner/Master Developer shall provide, through the submittal of graphics and/or text, a description of the proposed Alternative Development Standards and how they differ from the baseline standards.
5. The following criteria shall be considered prior to final action on the Project Site Plan/CDP which proposes Alternative Development Standards:
 - a. General Character: Harmony in scale, bulk, coverage, and density with surrounding land uses.
 - b. Facilities: The availability of infrastructure facilities to serve the project.
 - c. Harmful Effects: The harmful effects, if any, upon desirable neighborhood environments.
 - d. Traffic: The generation of traffic and its effect on the capacity and character of surrounding streets.
 - e. Noise: The existing and predictable future level and quality of noise the property is subject to, and the noise which would be generated by the proposed use.
 - f. Suitability: The physical suitability of the site for the proposed project.

Subsequent Permits and Procedures

6. When a Project Site Plan/CDP proposes to establish Alternative Development Standards, the Landowner/Master Developer must demonstrate how these alternative site development standards will result in an equal or better project that equally serves the public interest and produces an equally high quality development. If the Alternative Development Standards are determined not to meet these criteria, the proposed Alternative Development Standards shall be denied and the Site Plan permit application shall be revised accordingly.
7. Project Site Plans/CDPs shall be reviewed and approved as precise development plans for the location of the uses and structures. If minor amendments or changes are proposed regarding the location or alteration of any use or structure, an Administrative Changed Plan shall be submitted for approval to the Planning Director pursuant to the City of Newport Beach Municipal Code, without an amendment to the Project Site Plan/CDP.
8. The appropriate City departments and agencies shall ensure that the actual development is consistent with the approved Project Site Plan/CDP. Minor deviations from an approved Project Site Plan/CDP, as determined by the Planning Director, may be permitted by the Planning Director pursuant to the City of Newport Beach Municipal Code, without an amendment to the Project Site Plan/CDP.

9.5 Tentative Tract Maps

Applications for Tentative Tract Maps, including Financing and Conveyance Tentative Tract Maps, Vesting “A” Tentative Tract Maps and Vesting “B” Tentative Tract Maps, as well as any other tract maps that may be associated with airspace condominiums or other forms of land property subdivision recognized by the California Subdivision Map Act shall be filed with and processed by the City of Newport Beach pursuant to Title 19, Subdivisions (i.e., Subdivision Ordinance) of the City of Newport Beach Municipal Code. All subdivisions of land will also require approval of a Coastal Development Permit. Subsequent to Coastal Commission approval of the Master Coastal Development Permit and Vesting “A” Tentative Tract Map, the Project Coastal Development Permits/Vesting “B” Tentative Tract Maps may be issued by the City of Newport Beach pursuant to the procedures described in Section 9.1.

9.6 Use Permits

Where required by Chapter 6, Land Uses and Development Standards, of this PC Development Plan Document, applications for Use Permits shall be submitted by the Landowner/Master Developer and processed by the City of Newport Reach pursuant to Chapter 20.91, Use Permits and Variances, of the City of Newport Beach Municipal Code. Minor Use Permits may be approved by the Planning Director. Other Use Permits shall be approved by the Planning Commission.

All use permits may also require approval of a Project Coastal Development Permit. The Project Coastal Development Permit may be issued by the City of Newport Beach pursuant to the procedures described in Section 9.1.

9.7 Permits after Initial Development

The Master CDP shall address the review and approval of subsequent developments that are consistent with the Master CDP.

1. All future “major changes” to the development, plans or programs contained within the Master CDP will require submittal of an amendment to the Master CDP to the California Coastal Commission after approval by the City of Newport Beach.
2. Any “minor changes” to the development, plans or programs contained within the Master CDP may be processed either by the Coastal Commission, or the Coastal Commission may delegate processing of a “minor amendment” to the City if the City of Newport Beach has a certified LCP that has incorporated the Master CDP, or if the City has otherwise elected to assume responsibility for issuing coastal development permits for the Newport Banning Ranch area pursuant to the terms of Section 30600(b) prior to certification of its LCP.

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3. Coastal development permits for all subsequent development consistent with the Master CDP may be issued by the City if:
 - a. the City's LCP has been certified and the City has assumed permitting authority pursuant to the Coastal Act;
 - b. the City's LCP has been certified and has been amended to incorporate the Master Coastal Development Permit; or
 - c. the City has exercised the option provided under Coastal Act Section 30600(b) to issue permits for the Newport Banning Ranch area consistent with the Master Coastal Development Permit and such permitting authority has been delegated in the Master Coastal Development Permit by the Coastal Commission.

For those areas that remain under the Coastal Commission's original permit jurisdiction, such as tidelands and submerged lands, and areas subject to the public trust.

9.8 Minor Improvement Permits after Initial Development

After initial land use development is completed pursuant to a Master Site Plan CDP and/or a Project Site Plan/CDP, and when required by Chapter 6, Land Uses and Development Standards, of this PC Development Plan, applications for minor homeowner or other landowner improvements within interior lots of the Project, not abutting the open space areas defined in the Master Site Plan/Master CDP, may be submitted for review and approval to the City of Newport Beach and shall be excluded from the requirement to obtain a CDP from the Coastal Commission for said proposed minor improvements.

Upon Master Site Plan/Master CDP approval, the Landowner/Master Developer shall apply for a Categorical Exclusion Order (CEO) which will set forth the lots within the Project to be included in the City's CEO Zone. In addition, the CEO will set forth criteria, acceptable to the Coastal Commission, establishing thresholds by defining minor improvements within Residential, Mixed-use Residential, Visitor-Serving Resort/Residential, and Open Space Districts within the Project.

Criteria for improvements shall include Coastal Exemptions allowed within the Coastal Zone and may include additional criteria such as: Total gross floor area ratios, minimum parking requirements, and minimum square footages per dwelling units.