Newport Banning Ranch
PLANNED COMMUNITY

GENERAL PLAN CONSISTENCY ANALYSIS

Appendix B to the Planned Community Development Plan

Submitted to:
City of Newport Beach
Planning Department
3300 Newport Boulevard
Newport Beach, California 92658

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Submitted by:
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B. GENERAL PLAN CONSISTENCY ANALYSIS

1 Overview

The following General Plan Consistency Analysis evaluates the conformance of the proposed Newport Banning Ranch Planned Community Development Plan (PCDP) document with the goals, policies, and programs contained in the various Elements that comprise the City of Newport Beach General Plan.

The analysis includes:

- All General Plan policies that directly reference the Newport Banning Ranch site;
- All programs within the General Plan Implementation Program that directly reference the Newport Banning Ranch site; and
- All programs cross-referenced by the General Plan policies referencing the Newport Banning Ranch site.

2 Conclusion

The following analysis demonstrates that the proposed PCDP is fully consistent with the City's General Plan with one refinement:

- A refinement to the City's Master Plan of Streets and Highways (within the Circulation Element) to correspond to an amendment to the County of Orange Master Plan of Arterial Highways (MPAH), which is being concurrently processed through the Count of Orange.

GENERAL PLAN ELEMENT	GENERAL PLAN GOAL		GENERAL PLAN POLICY			CONSISTENCY ANALYSIS
	Number	Goal	Category	Number	Statement	
Land Use Element	**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, and protect its important environmental setting, resources, and quality of life.**	–	**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)	The Newport Banning Ranch Planned Community Development Plan (PCDP) document provides for the consolidation of oil facilities and more efficient production of wells as described in the "Oil Consolidation, Abandonment, and Remediation Program" contained in Volume I of the Technical Appendices.
	LU 3	**A development pattern that retains and complements the City's residential neighborhoods, commercial and industrial districts, open spaces, and natural environment.**	–	**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)	The Landowner/Master Developer is committed to working with and assisting the City in further exploring the sale of its property to either a public agency or qualified non-profit entity. At the same time, the Landowner/Master Developer has begun the entitlement process for a compact development consistent with the Alternative set forth by the City of Newport Beach General Plan should the property not be acquired within a reasonable period of time for protected and restored open space.
	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.**	–	**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 depicts 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 Table LU1, are specified on the Land Use Plan, Figure LU4 through Figure LU15. These are intended to convey maximum and, in some cases, minimums that may be permitted on any parcel within the designation or as otherwise specified by Table LU2 (Anomaly Locations). The density/intensity ranges are calculated based on actual land area, actual number of dwelling units in fully developed residential areas, and development potential in areas where the General Plan allows additional development… The OS (RV) designation is intended for the preservation of Banning Ranch as open space, restoration of wetlands and other habitats, development of a community park, and consolidation of oil extraction and processing facilities. Should the property not be acquired, the designation permits the development of a planned residential community that integrates a mix of single-family detached, single-family attached, two family, and/or multi-family residential, with supporting schools, parks, community services, local-serving convenience commercial uses and services, and open spaces. A master or specific plan is required to depict the uses, street and infrastructure improvements, open spaces, development standards, design guidelines, and financial plan.	The Newport Banning Ranch PCDP provides for the protection and/or conditional restoration of lowland and upland habitat areas, the development of over 40 acres of public parks (including an interpretive center and public trials), the consolidation of oil facilities, and the development of a compact community with a mix of residential products, and local- and visitor-serving commercial uses. The stated OS(RV) density/intensity are: Priority: Open spaces, habitat restoration, and park. Alternative: Maximum of 1,375 residential units, 75,000 sq. ft. of retail commercial and 75 hotel rooms. The Newport Banning Ranch Planned Community Development Plan complies with the Alternative as demonstrated Chapter 3, Development Plan, of said document.
	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**	**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)	The Landowner/Master Developer is committed to working with and assisting the City in further exploring the sale of its property to either a public agency or qualified non-profit entity.

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Land Use Element	**LU 6.3**	***(Continued)***	**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)	The Landowner/Master Developer is committed to working with and assisting the City in further exploring the sale of its property to either a public agency or qualified non-profit entity.
	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.**	**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)	Should the property not be acquired for open space, the Newport Banning Ranch PCDP provides for the preservation of over 50% of the site for open space and the development of a compact residential village including: • A maximum of 1,375 units are provided through a mix of detached and attached single-family, multi-family, and vertically integrated mixed-use residences; • 15% of the units will be made affordable to very low, low and moderate income households; • A maximum of 75,000 square feet of local- and visitor-serving commercial; • A resort inn/boutique hotel with a maximum of 75 rooms; • An interpretive center, including a nature center, native plant nursery and seasonal yurt retreat; and • An active community park of more than 20 acres. More detailed discussion of project components is provided in Chapter 3, Development Plan and Chapter 4, Parks and Recreation Plan of the PCDP.
			Development Density/ Intensity and Capacity	**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)	The Newport Banning Ranch PCDP provides a diverse but cohesive development plan and comprehensive Design Guidelines (see Appendix A) which establish a strong image and character for Newport Banning Ranch that reflects the rich heritage of the Site, the relationship with neighbors and protection of resources. The Newport Banning Ranch PCDP is designed with short blocks, connected streets, and an extensive trail system linking to regional open space amenities. Vistas have been provided within the parks and trails systems to highlight key landforms and take advantage of the Site's visual resource including views of the Pacific Ocean coastline. .

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Land Use Element	**LU 6.4**	***(Continued)***	**Design and Development** ***(Continued)***	**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)	The Newport Banning Ranch PCDP incorporates traffic calming design features such as landscaped medians, allées, and roundabouts. Refer to Chapter 5, Circulation and Infrastructure Plan, for detailed street sections and related information. As shown in Chapter 3, Development Plan, a mix of detached and attached single-family, multi-family, and vertically integrated mixed -use residences are provided in distinct neighborhoods. Fire protection measures are provided in the "Fire and Life Safety Program" and include fuel management zones, construction enhancement requirements, and incorporation of emergency vehicle access in the project site planning. Appendix A, Design Guidelines, contains guidelines for: the orientation of residential units, residential character, building architecture, and sidewalk and parkway landscape design.
				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 point. 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)	The Newport Banning Ranch PCDP provides local-serving commercial services within the Mixed Use/Residential Districts. The Visitor-Serving Retail/Residential District provides for a resort inn (75-room max), community meeting facilities, retail and commercial services, and will be designed at a pedestrian scale. A public community park is located adjacent to the District for active recreation and public events.
				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)	The Newport Banning Ranch PCDP provides approximately eight miles of public trails, not counting sidewalks adjacent to roads and footpaths within parks. As discussed in Chapter 4, Parks and Recreation Plan, the backbone trail system provides connections throughout the residential districts and to Canyon Park, Sunset Ridge Park, Talbert and Fairview Nature Preserves, West Coast Highway, and the beach via a pedestrian bridge over West Coast Highway.
				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)	The Newport Banning Ranch PCDP provides for a signalized access point at West Coast Highway as described in Chapter 5, Circulation and Infrastructure Plans. Traffic flow is directed from and to the site through 15th, Street, 16th Street, and 17th Street.

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Land Use Element	**LU 6.4**	***(Continued)***	**Design and Development *(Continued)***	**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)	The Newport Banning Ranch PCDP provides a holistic approach to environmental sustainability through comprehensive strategies and specific project commitments with quantifiable results. The "Green and Sustainable Community Program", contained in Volume I of the Technical Appendices, includes and expands upon the list of strategies provided in General Plan Policy LU 6.4.10 including water quality and conservation methodologies
			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)	Following submittal of the Newport Banning Ranch PCDP, the Landowner/Master Developer will prepare and submit a Master Site Plan for review and approval by the City. The Draft "Oil Consolidation, Abandonment, and Remediation Program", contained in Volume I of the Technical Appendices, provides information regarding oil operations, and the conditional, relocation, abandonment and consolidation activities. The Draft "Conceptual Habitat Restoration Plan for Mitigation and Project Design Features for the Newport Banning Ranch Property", contained in Volume II of the Technical Appendices, provides information regarding habitat preservation and restoration. The Draft "Green and Sustainable Community Program", contained in Volume I of the Technical Appendices, provides information on the sustainability practices and commitments.
	LU 6.5	**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)	The Newport Banning Ranch PCDP provides for the consolidation of existing oil operations onto two Site Planning Areas, further discussed in the "Oil Consolidation, Abandonment, and Remediation Program" contained in Volume I of the Technical Appendices.
				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)	The Newport Banning Ranch PCDP provides an active community park of more than 20 acres, described in Chapter 4, Parks and Recreation Plan.

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Land Use Element	**LU 6.5**	*(Continued)*	**Permitted Uses** *(Continued)*	**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)	The Newport Banning Ranch PCDP provides for the protection and conditional restoration of over 50% of the site for wetlands and wildlife habitats as described in the "Conceptual Habitat Restoration Plan for Mitigation and Project Design Features for the Newport Banning Ranch Property" contained in Volume II of the Technical Appendices. Details regarding the Project Design features, responsible party, dedication, and phasing are provided in the "Open Space Clean-Up, Improvement, and Dedication Program" contained in Volume I of the Technical Appendices.
			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)	The Newport Banning Ranch PCDP has been designed to respect the physical and environmental constraints for the Site shown on General Plan Figure LU17, Banning Ranch Development Constraints. In addition, an experienced team of professional scientists and engineers were retained by the Landowner/Master Developer to perform a further refined constraints analysis and identify wetland and other critical habitat. This multi-disciplinary effort resulted in a refined development constraints map which serves as the foundation for the proposed redevelopment master plan. The Newport Banning Ranch PCDP has provided development along the eastern property line while preserving and enhancing wildlife corridors and maintaining a minimum 50-foot setback from the top of identified bluffs. In addition, the Public Bluff Park described in Chapter 4, Parks and Recreation Plan, serves as a linear park around proposed development areas with several vistas of surrounding natural areas. Dark sky lighting requirements to foster a more pastoral environment are described in Appendix A, Design Guidelines.
				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)	The Newport Banning Ranch PCDP has been designed to maintain a minimum 50-foot setback from the tops of identified bluffs. Described in Appendix A, Design Guidelines, building heights and landscape design will be utilized to minimize impacts on public views to the Site. A viewshed analysis will be prepared and submitted with the Master Site Plan as described in Chapter 9.

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Land Use Element	**LU 6.5**	***(Continued)***	**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)	The Landowner/Master Developer will comply with all State and Federal Agency requirements regarding wetland and habitat preservation and/or restoration.
Housing Element	**H 2**	**A balanced residential community, comprised of a variety of housing types, designs, and opportunities for all social and economic segments**	–	**H 2.2**	Encourage the housing development industry to respond to housing needs of the community and to the demand for housing as perceived by the industry, with the intent of achieving the Regional Housing Needs Assessment construction goals within five years. **Housing Program 2.2.5:** Advise existing landowners and prospective developers of affordable housing development opportunities available within the Banning Ranch, Airport Area, Newport Center, Mariners' Mile, West Newport Highway, and Balboa Peninsula areas. (Imp 24.1) *Responsibility: Planning Department.*	The Newport Banning Ranch PCDP provides a maximum of 1,375 units through a mix of detached and attached single-family, multi-family, and vertically integrated mixed-use residences with 15% of the new units to be made affordable to very low, low and moderate income households, as described in the "Affordable Housing Implementation Plan" contained in Volume I of the Technical Appendices.
	H 3	**Housing opportunities for as many renter and owner occupied households as possible in response to the demand for housing in the city**	–	**H 3.2**	Enable construction of new housing units sufficient to meet City quantified goals by identifying adequate sites for their construction. Development of new housing will not be allowed within the John Wayne Airport (JWA) 65dB CNEL contour, no larger than shown on the 1985 JWA Master Plan. **Housing Program 3.2.1:** Identify the following sites as adequate, which will be made available through appropriate zoning and development standards and with public services and facilities needed to facilitate and encourage development of a variety of housing types to meet City housing goals as identified pursuant to Government Code Section 65583(b): Banning Ranch, Airport Area, Newport Center, Mariners' Mile, and the Balboa Peninsula areas. (Imp 2.1, 25.1) *Responsibility for achieving this program is that of the Planning Department and City Council.*	The Newport Banning Ranch is not within the John Wayne Airport (JWA) restricted noise contour. The Newport Banning Ranch PCDP provides a maximum of 1,375 units through a mix of detached and attached single-family, multi-family, and vertically integrated mixed-use residences with 15% of the new units to be made affordable to very low, low and moderate income households, as described in the "Affordable Housing Implementation Plan" contained in Volume I of the Technical Appendices.
Circulation Element	**CE 3.1**	**A network of regional facilities which ensures the safe and efficient movement of people and goods from within the City to areas outside its boundaries, and minimizes the use of City streets by regional through traffic.**	–	**CE 3.1.3**	**Regional Consistency** The City of Newport Beach Master Plan of Streets and Highways (shown on Figure CE1) shall be consistent with the Orange County Master Plan of Arterial Highways. (Imp 16.5)	To ensure impacts to sensitive habitat are minimized, and to accommodate traffic demands, an amendment to the City's Master Plan of Streets and Highways will be filed to correspond with an amendment to the County of Orange Master Plan of Arterial Highways, which is being concurrently processed through the County.
				CE 3.1.5	**19th Street Bridge** Advocate for the implementation of needed regional Master Plan improvements, and be a strong advocate for construction of the 19th Street Bridge across the Santa Ana River, or alternative improvements that achieve the same improvements in regional traffic flow, without disproportionate impacts on Newport Beach, consistent with all environmental review requirements. (Imp 16.5)	The Landowner/Master Developer determined that a future connection to 19th street and the proposed 19th Street Bridge would negatively impact habitat areas and limit connectivity between the Talbert Nature Preserve and the Newport Banning Ranch open space areas. Instead, the Newport Banning Ranch PCDP has proposed alternative transportation solutions to improve regional traffic flow, which are described in Chapter 5, Circulation and Infrastructure Plans.

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Recreation Element	**R 1**	**Provision of Facilities – Provision of adequate park and recreation facilities that meet the recreational needs of existing and new residents of the community.**	–	**R 1.9**	**Priority for Facility Provision** Provide additional park and recreation facilities that meet the needs as identified by direct feedback from residents, analysis of future trends, and through observations by Recreation and Senior Services staff, as shown in Figure R2. <u>Parks</u> 1. Newport Center Service Area: Develop Newport Center Park as a passive park 2. West Newport Service Area: Develop Proposed Sunset Ridge Park, an active park with playfields, picnic areas, a playground, and other facilities 3. Newport Coast Service Area: Develop an active park located at the end of Ridge Park Road; and develop a community center and a gymnasium 4. Santa Ana Heights/Airport Commercial Service Area: Develop a pocket park in Santa Ana Heights 5. West Newport Service Area: In the Banning ranch area develop an active community park of 20 to 30 acres with consideration of night lighting 6. Balboa Peninsula Service Area: Develop the Marina Park site for marine and/or recreational facilities <u>Recreation Facilities</u> 1. Complete the Santa Ana Heights and Newport Coast Community Centers in a manner that allows the provision of a variety of recreational programs while meeting the needs of the community 2. Renovate the Oasis Senior Center to continue to function as a multipurpose senior center that meets the needs of the senior population 3. Renovate the existing recreation facilities to ensure they are a safe environment and offer quality programs and services (Imp 23.1, 23.2)	The Newport Banning Ranch PCDP provides the opportunity for an active community park of more than 20 acres, as described in Chapter 4, Parks and Recreation Plan.
Natural Resources Element	**NR 10**	**Protection of sensitive and rare terrestrial and marine resources from urban development.**	–	**NR 10.9**	**Development on Banning Ranch** Protect the sensitive and rare resources that occur on Banning Ranch. If future development is permitted, require that an assessment be prepared by a qualified biologist that delineates sensitive and rare habitat and wildlife corridors. Require that development be concentrated to protect biological resources and coastal bluffs, and structures designed to not be intrusive on the surrounding landscape. Require the restoration or mitigation of any sensitive or rare habitat areas that are affected by future development. (Imp 2.1, 14.7, 14.11, 14.12)	An experienced team of professional scientists and engineers were retained by the Landowner/Master Developer to perform a refined constraints analysis and identify wetland and other critical habitat. This multi-disciplinary effort resulted in a development constraints map which serves as the foundation for the proposed development and conservation plan. As a result, development has been concentrated to avoid impacts to sensitive habitat and maintain a minimum 50-foot offset from the top of identified bluffs. Restoration and mitigation activities are described in the "Conceptual Habitat Restoration Plan for Mitigation and Project Design Features for the Newport Banning Ranch Property" contained in Volume II of the Technical Appendices.

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Natural Resources Element	**NR 10**	***(Continued)***	–	**NR 10.3**	**Analysis of Environmental Study Areas** Require a site-specific survey and analysis prepared by a qualified biologist as a filing requirement for any development permit applications where development would occur within or contiguous to areas identified as ESAs. (Imp 2.1, 6.1,)	The "Conceptual Habitat Restoration Plan for Mitigation and Project Design Features for the Newport Banning Ranch Property" and "Biological Technical Report for Newport Banning Ranch" were prepared and filed with the City in Volume II of the Technical Appendices for the Newport Banning Ranch PCDP.

GENERAL PLAN ELEMENT	IMPLEMENTATION TOPIC		IMPLEMENTATION PROGRAM		CONSISTENCY ANALYSIS
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Implementation Program	**1**	**General Plan**	**Imp 1.1**	**Ensure that Private Development and Capital Improvements are Consistent with the General** California statutes require that a city's decisions regarding its physical development must be consistent with the adopted General Plan. As entitlements for the development of private properties are guided by the City's ordinances and Charter requirements, implicitly they must be consistent with the General Plan. As a consequence, it is necessary for Newport Beach to review all subdivision and development applications and make written findings that they are consistent with all goals and policies of the General Plan (see Imp 12.1 and Imp 13.1). If the project is found to be inconsistent, it cannot be approved without revisions of the General Plan and, as necessary, it's implementing ordinances.	The Newport Banning Ranch PCDP is consistent with the General Plan as shown throughout this Consistency Analysis. *Referenced by:* *Land Use Policy 3.4*
	2	**Zoning Code**	**Imp 2.1**	**Amend the Zoning Code for Consistency with the General Plan** Adoption of the updated General Plan necessitates a thorough review of the Zoning Code's regulations for consistency with the General Plan's Land Use Plan and policies. This shall include review of Code requirements pertaining to areas designated as "Specific Plans" (see "Specific Plans" below) and amendments to Planned Community (PC) Development Plans.	The Newport Banning Ranch PCDP is consistent with the updated General Plan and, therefore, adoption of the Newport Banning Ranch PCDP as a comprehensive zoning document will bring this portion of the City into full compliance with the General Plan. *Referenced by:* *Land Use Policies 2.7, 3.4, 4.1, 6.3.1, 6.4.1, 6.4.2, 6.4.3, 6.4.4* *Housing Program 3.2.1* *Natural Resources Policies 10.1, 10.3*
	3	**Specific Plans**	**Imp 3.1**	**Preparation of New Specific Plans** As specific plans are considered by the state OPR to be especially useful for large projects and sites with environment constraints, there are several potential applications in the City of Newport Beach. These may be prepared by either the City or private sector. However, responsibility for their adoption lies with the City Council. a. Should Banning Ranch not be acquired as open space, guidelines and standards for the integration of development with the preservation of critical habitat, bluffs, and other natural open spaces are essential. General Plan policies for the intermixing of a variety of housing types with local retail services, a hotel, and park in a walkable and sustainable environment can best be accomplished through detailed development standards and design guidelines that are not currently contained in the City's ordinances. A specific plan, as conceived by state statute, would also encompass detailed infrastructure, financing, and phasing plans. A specific plan would also be helpful in assuring that the quality of development and scope of resource protection desired for this property would be achieved b. Specific plans may also be considered to satisfy the regulatory planning requirements for the residential villages proposed for the Airport Area and the integration of the mix of medical-related, housing, commercial, and industrial uses in West Newport Mesa. In these cases, the specific plans would serve as important tools to guide the development of multiple properties into a cohesive district. It would establish standards for a suitable interface among the diverse permitted land uses, a high level of architectural design and site landscape, and the incorporation of parklands, unifying streetscapes, and other amenities.	The Landowner/Master Developer has opted to pursue project entitlements through a Planned Community Development Plan pursuant to Implementation Statement 4.1, instead of a Specific Plan, pursuant to Implementation Statement 3.1. The Newport Banning Ranch PCDP incorporates the guidelines and standards for elements outlined in Implementation Statement 3.1. *Direct reference to Newport Banning Ranch* *Referenced by:* *Land Use Policies 6.4.5, 6.4.6, 6.4.7, 6.4.8, 6.4.9, 6.4.10, 6.4.11, 6.5.1, 6.5.2, 6.5.3, 6.5.4, 6.5.5*

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Implementation Program	**4**	**Development Plans/ Planned Communities**	**Imp 4.1**	**New "Planned Community" Development Plans** In lieu of the preparation of specific plans, as discussed above, the City may elect to have "Planned Community" plans prepared for large scale development projects permitted by the General Plan. Principally, these would apply to Banning Ranch, and residential villages in the Airport Area. For the latter, these would serve as the "regulatory plan" required for each village. This would expand the traditional use of the City's PC designations to incorporate detailed design guidelines, infrastructure plans, phasing, and financing mechanisms.	The Landowner/Master Developer has opted to pursue entitlements for the Newport Banning Ranch pursuant to this Implementation Statement 4.1, as evidenced by the PCDP document, which includes all regulatory elements required by the City. *Direct reference to Newport Banning Ranch* *Referenced by:* *Land Use Policies 6.4.5, 6.4.6, 6.4.7, 6.4.8, 6.4.9, 6.4.10, 6.4.11, 6.5.1, 6.5.2, 6.5.3, 6.5.4, 6.5.5*
	5	**Local Coastal Program**	**Imp 5.1**	**Review and Revise Coastal Land Use Plan for Consistency with the General Plan** The General Plan's updated goals and policies were written in consideration of the CLUP approved by the California Coastal Commission on February 8, 2006. Many of its policies were directly incorporated in the Land Use, Harbor and Bay, Natural Resources, Recreation, and Safety Elements. However, there are a number of policies in the updated General Plan that may deviate from those in the approved CLUP Among these are policies for the inclusion of housing and mixed-use developments in portions of the coastal zone and the revised land use classification and density/intensity system. It will be necessary to review and amend the CLUP for consistency and submit these to the Coastal Commission for certification.	In addition to the Newport Banning Ranch PCDP and subsequent Master Site Plan, the Landowner/Master Developer will submit a Master Coastal Development Permit (MCDP) Application to the California Coastal Commission for review and approval. The MCDP can ultimately be incorporated into the City's CLUP and LCP documents as a portion of their respective approvals by the Coastal Commission. *Referenced by:* *Land Use Policy 2.7, 3.4, 4.1*
	6	**Subdivision Ordinance**	**Imp 6.1**	**Review the Subdivision Ordinance for Consistency with the General Plan** On adoption of the updated General Plan, the Subdivision Ordinance shall be reviewed and amended where necessary to ensure consistency with its goals and policies. This may encompass revisions related to the Plan's policies pertaining to the intermixing of uses; site planning and design; landscape improvements; roadway and street standards and improvements; storm drainage and pollution runoff control; conformance to natural topography and landscapes; terrestrial and marine habitat protection; landform and coastal sand protection; flooding, fire, geologic, seismic, and other hazard abatement; environmental impact mitigation, and infrastructure and public service concurrency. Additionally, the City should examine and modify the Ordinance to reflect state-of-the-art land development practices that enhance environmental sustainability, such as the draft "LEED for Neighborhood Developments (LEED-ND) Rating System." These standards would largely be applicable to large scale development projects, such as the Banning Ranch.	The Newport Banning Ranch PCDP provides a holistic approach to environmental sustainability through comprehensive strategies and specific project commitments with quantifiable results. The "Green and Sustainable Community Program" contained in Volume I of the Technical Appendices includes and expands upon the list of strategies provided in General Plan Policy LU 6.4.10. Separate from the "Green and Sustainable Community Program", the Landowner/Master Developer will also commit to an independent third-party green certification such as the GreenPoint Rated development through Build It Green or another comparable nonprofit or government-recognized program that exists at the time of project approval and implementation to fulfill state-of-the-art development practices. *Direct reference to Newport Banning Ranch* *Referenced by:* *Natural Resources Policy 10.3*
	7	**Building and Construction Code**	**Imp 7.1**	**Review Building and Construction Code for Consistency with General Plan** General Plan policies largely mimic the provisions of the City's Building and Construction Code (Title 15), particularly those addressing public safety. As the General Plan specifies many new policies pertaining to the design and development character of many land use districts, the Code should be reviewed to assure that these are fully addressed. In addition, as the General Plan provides for the development of high-rise multi-family residential, the Code should also be reviewed for its adequacy in consideration of the policies for such building types in the Airport Area. The City should also consider revisions of Title 15 to foster the use of "green-building" techniques that have not been traditionally used in the City, as well as other appropriate revisions to achieve the Plan's policy objectives.	The "Green and Sustainable Community Program" contained in Volume I of the Technical Appendices provides green building as part of the comprehensive strategies and specific project commitments. *Referenced by:* *Land Use Policy 6.4.10*

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	Number	Topic	Number	Statement	
Implementation Program	**9**	**City Council Policy Manual**	**Imp 9.1**	**Review City Council Policy Manual for Consistency with the General Plan** The City Council Policy Manual shall be reviewed to assure that its policies are consistent with the updated General Plan.	This provision is not applicable to the Newport Banning Ranch PCDP. *Referenced by:* *Land Use Policy 6.3.1*
	10	**Database Management and Development Tracking And Monitoring**	**Imp 10.2**	**Maintain Development Tracking and Monitoring Program** As new development is approved and implemented, the number of dwelling units and building area of non-residential development should be tracked to enable the City to inform property owners, developers, and decision-makers regarding the amount of remaining development capacity for pertinent Statistical Areas and individual parcels. This will facilitate the City's compliance with the development thresholds and limits required by Charter Section 423.	This provision applies to the City and is not applicable to the Newport Banning Ranch PCDP Landowner/Master Developer. *Referenced by:* *Land Use Policy 4.1*
	13	**Development Agreements**	**Imp 13.1**	**Process Development Agreements** For new master planned residential communities and large scale commercial and mixed-use projects, the City and project developers may elect to enter into a development agreement. Such a tool may be useful in guiding development that may be permitted on Banning Ranch if not acquired as open space, development of residential villages within the Airport Area, and the integration of multiple uses in West Newport Mesa. Development Agreements shall be required for housing developed as additive infill on surface parking lots in the Airport Area and the additional entitlement of 450 housing units in Newport Center and shall specify the public benefits to be contributed by the developer in exchange for the City's commitment for the number, density, and location of the housing units.	The Landowner/Master Developer intends to enter into a Pre-Annexation Development Agreement (PADA) with the City. A portion of this PADA is the Landowner/Master Developer's commitments to conditional habitat restoration and public open space improvements, which are discussed in the "Open Space Clean-Up, Improvement, and Dedication Program" contained in Volume I of the Technical Appendices. *Direct reference to Newport Banning Ranch*
	14	**Interagency Coordination**	**Imp 14.7**	**Coordinate with the California Resources Agency, Department of Fish and Game** The California Resources Agency Department of Fish and Game is responsible for the maintenance of native fish, wildlife, plant species, and natural communities for their intrinsic and ecological value. This includes habitat protection and maintenance in a sufficient amount and quality to ensure the survival of all species and natural communities. The Department is also responsible for the issuance of permits for lake and streambed alterations, incidental takes of state-listed species, in accordance with the California Endangered Species Act, and near-shore fishery activity. Implementation of the General Plan's policies for natural resource protection shall be achieved through the City's consultation with the DFG in the review of projects that may impact terrestrial and marine resources and identification of resource protection and impact mitigation measures, including support for the DFG's efforts for habitat acquisition and restoration on Banning Ranch. The City shall cooperate with the DFG and other agencies in implementing the eel grass restoration of Newport Bay and programs for the protection and management of upper Newport Bay, including the Newport Beach Marine Refuge, Irvine Coast Marine Life Conservation Areas, and Upper Newport Bay State Marine Park.	The Landowner/Master Developer is committed to working with and assisting the City in further exploring the sale of its property to either a public agency or qualified non-profit entity pursuant to terms agreed to by the City and Landowner/Master Developer. *Direct reference to Newport Banning Ranch* *Referenced by:* *Land Use Policies 3.4, 6.3.2, 6.5.3, 6.5.6* *Natural Resources Policy 10.1*
			Imp 14.11	**California Public Utilities Commission** The California Public Utilities Commission (PUC) regulates privately owned telecommunications, electric, natural gas, water, railroad, rail transit, and passenger transportation companies. Among its responsibilities is the coordination of funding for the undergrounding of overhead utilities. Newport Beach shall work with the PUC in obtaining funding and implementing the undergrounding of remaining overhead utilities.	The Landowner/Master Developer will provide for the undergrounding of all utilities within the development area of the Site. All utilities within the open space areas, including those utilities serving the consolidated oil sites, will be undergrounded and/or removed when practical from a phasing, financial, and environmental standpoint. *Referenced by:* *Land Use Policies 3.4, 6.3.2, 6.5.3, 6.5.6* *Natural Resources Policy 10.1*

GENERAL PLAN ELEMENT	IMPLEMENTATION TOPIC		IMPLEMENTATION PROGRAM		CONSISTENCY ANALYSIS
	Number	Topic	Number	Statement	
Implementation Program	**14**	***(Continued)***	**Imp 14.12**	**Coordinate with United States Army Corps of Engineers** Among its responsibilities, the United States Army Corps of Engineers (USACE) is responsible for the protection of water resources, habitat, and hydrological processes in the "navigable waters" of the United States. This encompasses wetlands, in addition to Newport Harbor and Bay. Implementation of the General Plan's policies for natural resource protection shall be achieved through the City's support of programs of the USACE, with other agencies, in the restoration of wetlands and other habitat on Banning Ranch. The City shall cooperate with the USACE and other agencies in implementing the eel grass restoration of Newport Bay and programs for the protection and management of upper Newport Bay, including the Newport Beach Marine Conservation Area, Irvine Coast Marine Life Refuge, and Upper Newport Bay State Marine Park. In addition, the City shall coordinate with USACE in the maintenance and delineation of federal navigational channels for navigation and safety in Newport Harbor and securing and funding sediment disposal sites for future dredging projects.	Conditional restoration of wetlands will be provided for in accordance with the phased oil remediation, improvement, and dedication of open space areas provided in the "Open Space Clean-Up, Improvement, and Dedication Program" contained in Volume I of the Technical Appendices. *Direct reference to Newport Banning Ranch* *Referenced by:* *Natural Resources Policy 10.1*
			Imp 14.13	**Coordinate with United States Fish and Wildlife Service** The US Fish and Wildlife Service (USFWS) is responsible for conserving, protecting, and enhancing fish, wildlife, and plants and habitats that are subject to federal jurisdictional authority within Newport Beach. The City shall cooperate with the USFWS, in collaboration with other resource agencies, in the protection of terrestrial and marine resources including wetlands and other important habitats on Banning Ranch and supporting and implementing management of the Upper Newport Bay State Marine Park and marine life refuges off shore of Corona del Mar and Newport Coast.	An experienced team of professional scientists and engineers were retained by the Landowner/Master Developer to perform a refined constraints analysis and identify wetland and other critical habitat. This multi-disciplinary effort resulted in a development constraints map which serves as the foundation for the proposed development. Restoration and mitigation activities are described in the "Conceptual Habitat Restoration Plan for Mitigation and Project Design Features for the Newport Banning Ranch Property" contained in Volume II of the Technical Appendices. *Direct reference to Newport Banning Ranch*
	15	**Annexation**	**Imp 15.1**	**Encourage Annexation of Banning Ranch Prior to Development** The City shall work with the property owners to reach agreement on development of the property (if it is not acquired as open space) with City approvals and its annexation into Newport Beach prior to development, to assure that development is consistent with the goals and policies of the General Plan.	The Landowner/Master Developer intends to enter into a Pre-Annexation Development Agreement (PADA) with the City and seek entitlements through the City with the PCDP and a Master Site Plan. *Direct reference to Newport Banning Ranch*
	16	**Mobility Infrastructure and Traffic Management**	**Imp 16.1**	**Improve Arterial Streets and Highways According to Classification** The City shall take the necessary actions to obtain the required right-of-way to provide the ultimate cross sections for each type of roadway classification designated in the General Plan when adjacent land development occurs.	The Newport Banning Ranch PCDP provides planned rights-of-way and proposed cross sections in Chapter 5, Circulation and Infrastructure Plans. *Referenced by:* *Land Use Policy 6.4.9*
			Imp 16.5	**Maintain Consistency with Regional Jurisdictions** The City shall maintain consistency with regional jurisdictions (Caltrans, Orange County) to provide adequate facilities including roadway infrastructure plans and design standards. The City shall work with regional jurisdictions to modify regional plans (such as the Orange County Master Plan of Arterial Highways) so that they are consistent with City plans. The City will also periodically review City standards to ensure they remain up-to-date and consistent with regional standards as new standards are adopted.	To ensure impacts to sensitive habitat is minimized, and to accommodate traffic demands, an amendment to the City's Master Plan of Streets and Highways will be filed to correspond with an amendment to the County of Orange Master Plan of Arterial Highways, which is being concurrently processed through the County. *Referenced by:* *Circulation Policies 3.1.3, 3.1.5*

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	Number	Topic	Number	Statement	
Implementation Program	**16**	***(Continued)***	**Imp 16.8**	**Provide Public Transportation** The City shall continue to operate local demand-responsive transit service within the City to ensure mobility and accessibility for the City's citizens, especially the elderly. The City shall also work with the Orange County Transportation Authority for countywide bus service that will guarantee regional and local travel options. The City should encourage the development of additional public transportation services and facilities such as park-and-ride facilities, and look for opportunities to support the upgrade and enhancement of existing services.	The Landowner/Master Developer will work with the City and the Orange County Transportation (OCTA) Authority to provide onsite bus stops where determined necessary and feasible. *Referenced by:* *Land Use Policy 6.4.10*
	17	**Water**	**Imp 17.1**	**Maintain and Implement Urban Water Management Plans and Encourage Conservation** Information regarding the General Plan's development capacities shall be forwarded by the City to the Irvine Ranch Water District and Mesa Consolidated Water District as the basis for their consideration of the adequacy of existing and planned improvements to meet the needs of existing and future populations. Required facility improvements shall be budgeted by each agency, including, where appropriate, the City's five year and annual Capital Improvement Programs. Strategies to promote the conservation of water should be periodically reviewed for their effectiveness and updated in the plans to reflect best management practices. These may include tiered rates, the use of recycled water, incentives for on-site capture and retention of rainwater in private development, and comparable techniques. In addition, the water agencies should consider the potential use of alternative water sources for the water supply by implementation of advanced water treatment processes, when feasible.	The Newport Banning Ranch PCDP mandates efficient use of water and water conservation. A Runoff Management Plan and a Domestic and Recycled Water Concept are discussed in Chapter 5, Circulation and Infrastructure. Additionally, the Landowner/Master Developer has committed to water saving strategies, provided in the "Green and Sustainable Community Program" contained in Volume I of the Technical Appendices, including: • Use of low-water use indoor appliances; • "Smart Controller" system featuring satellite weather data, rain sensors and moisture sensors for public and common area landscape; • Hydro zone landscaped areas; and • "Green" streets design with bio-filters. Impoundment areas will be designed and constructed to capture, treat and retain runoff. *Referenced by:* *Land Use Policy 6.4.10*
	19	**Storm Drainage**	**Imp 19.1**	**Maintain Storm Drainage Facilities** The City and County shall periodically review their Storm Drain Master Plans to assure that adequate facilities are provided to serve permitted development and to comply with National Pollutant Discharge Elimination System (NPDES) requirements.	The Newport Banning Ranch PCDP provides a Storm Drain System Concept in Chapter 5, Circulation and Infrastructure Plans. The "Sewer and Water Facilities Plan" provides for storm drain and flood control features designed to control off-site flows entering the project while delivering project flows to the downstream receiving waters in a manner that reduces the potential for short-term and long-term flooding and sediment issues. *Referenced by:* *Land Use Policy 6.4.10*
	23	**Parks and Recreation**	**Imp 23.1**	**Maintain and Update Parks and Recreation Facility Plans** The City shall maintain, periodically update, and implement its plans for the development, operation, programming, and maintenance of its system of parks throughout the City. Resident recreational needs should be monitored on a continuing basis to correlate these with park facilities and recreational programs. Once each five years, the City should comprehensively review the status of its park system and assess the need for improvements, including new or renovated facilities. These shall be prioritized and a funding program defined for their implementation. Park users and the community shall be involved in identifying and prioritizing the improvements.	The Newport Banning Ranch PCDP provides the opportunity for an active community park of more than 20 acres and additional public parks and trails facilities described in Chapter 4, Parks and Recreation Plan. *Referenced by:* *Land Use Policy 6.3.1* *Recreation Policy 1.9*

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	Number	Topic	Number	Statement	
Implementation Program	**23**	***(Continued)***	**Imp 23.2**	**Maintain and Improve Parks and Recreation Facilities** Through the CIP and development approval process, the City shall implement the park improvements specified by the Recreation Element. Parks should be designed in consideration of their adjoining land uses, particularly to prevent impacts on residential neighborhoods due to lighting, noise, site access, and parking and minimize lighting impacts on any adjacent habitat areas. Facilities shall be designed and properties landscaped to complement the quality of the neighborhood in which they are located. Additionally, the City shall consider assisting Orange County with the management, operation, and maintenance of Upper Newport Bay Ecological Reserve, including the Peter and Mary Muth Center.	The Newport Banning Ranch PCDP provides the opportunity for an active community park of more than 20 acres and additional public parks and trails facilities described in Chapter 4, Parks and Recreation Plan. Specific open space design will be provided in the Master Site Plan and planned to minimize impact on adjacent habitat areas and compliment surrounding neighborhoods. *Referenced by:* *Recreation Policy 1.9*
			Imp 23.5	**Requirements for Residential Developers** As new residential developments are approved, requirements for parkland dedication, improvements, or the provision of in-lieu fees in accordance with the park dedication (Quimby) ordinance shall continue to be implemented.	The "Open Space Clean-Up, Improvement, and Dedication Program", contained in Volume I of the Technical Appendices, provides details regarding improvements, and dedication of open space areas. *Referenced by:* *Land Use Policy 6.3.1*
	24	**Economic Development**	**Imp 24.1**	**Adopt and Implement Strategic Plan for Fiscal and Economic Sustainability** The Economic Development Committee should complete the Strategic Plan for Economic Sustainability for City Council approval. This plan should outline the incentives to be provided and other City actions to be undertaken to implement the goals and policies of the General Plan. This plan should be dynamic and reviewed and updated annually as a part of the City budget.	This provision is not applicable to the Newport Banning Ranch PCDP. *Referenced by:* *Housing Program 2.2.5*
	25	**Housing Programs**	**Imp 25.1**	**Implement Housing Element Programs** As required by state law, the Housing Element includes a five-year action plan with programs for the City to meet its goals for housing conservation, development, affordability, and access. The City shall implement these programs and update its Housing Element as required by state law.	15% of the project's new units proposed will be made affordable to very low, low and moderate income households, as described in the "Affordable Housing Implementation Plan" contained in Volume I of the Technical Appendices, and in accordance with the terms and conditions of the future PADA. *Referenced by:* *Housing Program 3.2.1*
	29	**Community Involvement**	**Imp 29.3**	**Support Community Environmental and Recreation Initiatives** The City shall support private groups' efforts to (a) acquire properties and their development for the Orange Coast River Park including the potential acquisition of Newport Beach's westernmost parcel, currently developed as a mobile home park, to be completely or partially re-developed as a staging area for the park; and (b) acquire Banning Ranch as open space and the restoration of its wetlands and habitats.	The Landowner/Master Developer is committed to working with and assisting the City in further exploring the sale of its property to either a public agency or qualified non-profit entity pursuant to terms agreed to by the City and Landowner/Master Developer. Should the property not be acquired for open space the Newport Banning Ranch PCDP provides for the restoration and protection of wetland and habitat areas and incorporates public trails and staging areas throughout the Site, as described in Chapter 3, Development Plan, and Chapter 4, Parks and Recreation Plan. *Direct reference to Newport Banning Ranch*

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	Number	Topic	Number	Statement	
Implementation Program	**30**	**Municipal Budgeting**	**Imp 30.2**	**Administer Impact and User Fees** **a. Development Impact Fees** The City imposes fees on development projects to provide revenue for required supporting public infrastructure and services, and mitigation of transportation, environmental and other impacts in accordance with state nexus legislation. This includes fees imposed for transportation improvements by the Fair Share Traffic Contribution Ordinance. For development projects that contain low and moderate income housing, the planning fees may be waived at the discretion of the City Council and Planning Commission. Development fees will be evaluated annually to ensure that they are sufficient to support new infrastructure and that the fiscal balance of the developing land use mix can sustain the City' ability to operate and maintain the existing infrastructure. **b. Park Dedication and In-Lieu Fees** The City requires dedication of land, payment of fees in-lieu thereof, or a combination of both for park or recreational purposes in conjunction with the approval of residential projects. In-lieu fees are placed in a fund earmarked for the provision or rehabilitation of park and recreation facilities that can serve the subdivision. The City's park fees shall be reviewed periodically for their adequacy and updated as necessary. **c. Tideland Revenue Fees** The City derives revenue from a diversity of activities conducted in the tidelands including moorings, public marinas, piers, entertainment boat permits, property leaseholds, and other uses. The feasibility of implementing longer term tideland leases with rental rates that reflect the nature and intensity of the permitted uses and activities and security for funding enhanced or expanded facilities should be studied. Tideland revenues shall be restricted for expenditures within the designated tidelands.	This provision is not applicable to the Newport Banning Ranch PCDP. The "Open Space Clean-Up, Improvement, and Dedication Program", contained in the Technical Appendices, provides details regarding improvements, and dedication of open space areas. *Referenced by:* *Land Use Policies 6.3.1, 6.3.2*
	31	**Community Facilities and Special Assessment Districts**	**Imp 31.1**	**Consider the Establishment of Community Facilities and Special Assessment Districts** The establishment of new Community Facilities and Special Assessment Districts shall be considered as necessary to support new development in the City. This would most likely be limited to areas in which extensive redevelopment is projected and for large vacant parcels that may be developed. Respectively, these may include development of residential villages in the Airport Area and West Newport Mesa and a mixed-use community in Banning Ranch should it not be acquired as open space. Additionally, the City may form and implement Lighting and Landscape Districts as a means to improve community character and the undergrounding of utilities.	Common areas will be maintained by an HOA and/or other such entities (e.g., Landscape Maintenance District) as determined by the Landowner/Master Developer and deemed appropriate by the City. The utilization of any benefit assessment district(s) shall be addressed in the future PADA. *Direct reference to Newport Banning Ranch*