# A G E N D A

## General Plan/LCP Implementation Committee
## August 29, 2007
## 3:30 p.m.
## City Council Chambers

1. Approve Action Minutes from August 15,2007 Meeting 3:30-3:35
   Attachment No. 1

2. General Plan/LCP Implementation - Master Task List
   Update From Staff and Committee Comments
   Attachment No. 2 3:35-3:45

3. Fair Share Fee Update
   Review Fair Share Fee Update report and provide direction to staff
   Attachment No. 3 3:45-4:30

4. Zoning Code Rewrite – Part 1-Zoning Code Applicability
   Discuss draft of Part 1 and direct staff to make any necessary changes
   Attachment No. 4 4:30-5:00

5. Zoning Code Rewrite – Reduction of Zoning Administrator Applications
   Report from staff at meeting
   5:00-5:15

6. Items for Future Agenda 5:15- 5:20

7. Public Comments on non-agenda items 5:20-5:30

# Attachment No. 1

# CITY OF NEWPORT BEACH GENERAL PLAN/LCP IMPLEMENTAION COMMITTEE

## DRAFT ACTION MINUTES August 15, 2007

Action Minutes of the General Plan/LCP Implementation Committee held at the City Council Chambers, City of Newport Beach, on **Wednesday, August 15, 2007**

**Members Present:**

| | |
|---|---|
| X | Ed Selich, Mayor Pro Tem, Chairman |
| E | Steve Rosansky, Mayor |
| X | Leslie Daigle, Council Member |
| X | Barry Eaton, Planning Commissioner |
| X | Robert Hawkins, Planning Commissioner |
| X | Michael Toerge, Planning Commissioner |

**Advisory Group Members Present:**

| | |
|---|---|
| | Mark Cross |
| X | Larry Frapwell |
| | William Guidero |
| | Ian Harrison |
| X | Brion Jeannette |
| X | Don Krotee |
| | Todd Schooler |
| | Kevin Weeda |
| X | Dennis Wood |

**Staff Representatives:**

| | |
|---|---|
| X | Sharon Wood, Assistant City Manager |
| | David Lepo, Planning Director |
| | Robin Clauson, City Attorney |
| X | James Campbell, Senior Planner |
| X | Gregg Ramirez, Senior Planner |

E = Excused Absence

**Committee Actions**

1. **Agenda Item No 3** - Zoning Code Rewrite – A pproach to Zoning Code Update Discuss Approach to Zoning Code Update paper and review draft standards for Child Care Facilities

   **Motion:** Committee directed staff to include more prescriptive regulations for certain land uses to achieve the goals of reducing the number of uses that would require discretionary approvals, providing a more user friendly code and

providing regulations that increase the level of certainty for applicants and developers.

**Vote:** 5 Ayes, 1 Absent

2. **Agenda Item No 4** -Zoning Code Rewrite – Non-Conforming Structures and Uses Discuss attached paper and provide direction to staff

   **Motion:** Committee directed staff to draft non-conforming structure regulations based on a 50% alteration threshold. The Committee directed staff to draft the non-conforming use section based on the outcome of the ongoing group occupancy hearings

   **Vote:** 5 Ayes, 1 Absent

# Attachment No. 2

## GENERAL PLAN IMPLEMENTATION TASKS

1. Interim Zoning Resolution (including ability to require development agreements)
   *Staff, January 9, 2007* - **Complete**

2. Procedures to implement single- and two-family design policies
   *Staff, March 27, 2007* - **Complete**

3. Zoning Code and Specific Plan rewrite
   *Consultant, with staff input and review, January 2008*

4. CLUP amendment
   *Staff*
   - *April 27, 2007 to Coastal Commission* – **Complete**
   - *September 25, 2007 City Council re-approval to correct notice will include clarification of policies re: coastal bluff development*

5. Housing Element certification by HCD
   *EIP and staff, TBD*
   - *Comments on re-submittal due from HCD October 2007*

6. Park Dedication Fee (Quimby Act)
   *Staff, April 10, 2007*- ***Complete***

7. ED Strategic Plan
   *Staff, ADE and EDC, July 10, 2007* - **Complete**

8. Fair Share Fee update
   *Consultant, September 25, 2007*

9. Airport Area infrastructure study and fee(s)
   *ROMA and Fair Share Consultant, TBD*

10. Inclusionary Housing Ordinance and In-lieu fee
    *Consultant*
    - *Updated fee study September 2007*

11. Parking Requirements and Management
    *Staff, EDC, RFP Issuance September 5, 2007*

12. LCP Implementation Plan
    *Staff, concurrent with/trailing Zoning Code rewrite*

13. City Council Ordinance on development agreements
    *Staff, February 27, 2007* - **Complete**

14. Traffic signal synchronization
    *Consultant and Public Works staff, master plan 2007*

15. PC rewrite/revisions
    *Property owners for major ones, their schedule*
    *Staff or consultant for smaller ones, with Zoning rewrite or second phase, TBD*

16. Banning Ranch Pre-Annexation and Development Agreement
    *City Council, staff and property owners, TBD*

17. Harbor Area Management Plan
    *Consultants, staff and Harbor Commission, September 2008*

18. Run-off and Pollution Reduction Plan
    *Coastal/Bay Water Quality Committee and staff, ongoing*

19. Database refinements and maintenance
    *Staff, refinements TBD, maintenance ongoing*

20. Fiscal Impact Model training
    *ADE and staff, March 29, 2007*- **Complete**

21. Traffic Phasing Ordinance revision re: NBTAM
    *Staff, July 24, 2007*- **Complete**

22. Measure S Guidelines revision re: variable FAR
    *Staff, October 23, 2007*

<u>Lower Priority</u>

- Municipal Code amendments re: property maintenance standards

- Building Code amendments re: green buildings
  *EQAC Energy Subcommittee appointed July 16, 2007*

- Amend City Council Policies on historic, archaeo and paleo resources

- Funding and priority program for construction of noise barriers along arterials

# Attachment No. 3

# GENERAL PLAN/LOCAL COASTAL PROGRAM IMPLEMENTATION COMMITTEE

August 29, 2007

TO: MEMBERS OF THE COMMITTEE

FROM: Public Works Department
Stephen Badum, Public Works Director
949-644-3311

SUBJECT: FAIR SHARE FEE UPDATE

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## BACKGROUND

The City first enacted the Fair Share Fee in 1984 in recognition of the fact that there was inadequate funding to complete the arterial highway system and related components. The necessary improvements included widening existing arterials, constructing new arterials, and implementing additional lanes at key intersections. All funding sources including Gas Tax, Measure M, and funding of frontage improvements by developers were considered in establishing the funding shortfall. The shortfall is divided by projected increases in traffic from the future development resulting in a fee per added daily trip. A complete update to the Fair Share Fee program was approved in 1994 using the same methodology.

The approval of the new General Plan in 2006 includes an Implementation Program chapter and updating the Fair Share Fee is Implementation Program 7.2. Other Implementation Programs pertinent to the Fair Share Fee are identified in Implementation Program 16, "Mobility Infrastructure and Traffic Management".

## DISCUSSION

The Fair Share Fee is determined by estimating the cost to complete the arterial highway system and then subtracting the amount of funding that is anticipated from normal sources such as Gas Tax, Measure M, and developer funded adjacent improvements. This identifies the funding shortfall which is then divided by the future growth in daily traffic on the circulation system due to new development to derive the Fair Share Fee.

The Circulation Element of the General Plan includes an updated Master Plan of Streets and Highways (Exhibit "A") as well as a listing of intersection improvements (Exhibit "B") necessary to meet the City's Level of Service standards as build out of the land use is achieved.

The firm of RBF Consulting was retained to prepare detailed preliminary designs and estimates for the improvements needed to complete the Master Plan of Streets of Highways and the intersection improvements listed in Exhibit "B". Staff then projected the anticipated revenues from Gas Tax and Measure M turnback funds and deducted them from the projected total costs. Costs associated with frontage developments such as in the Banning Ranch area were also deducted. The cost of the improvements to boundary intersections in the airport area were assumed to be shared between the City of Newport Beach and the City of Irvine. These costs are summarized on Exhibit C. The publicly funded share of the costs is $139,685,000 and after subtracting the estimated $68,000,000 the City expects from Gas Tax, Measure M, etc. the unfunded costs were determined to be $61,685,000.

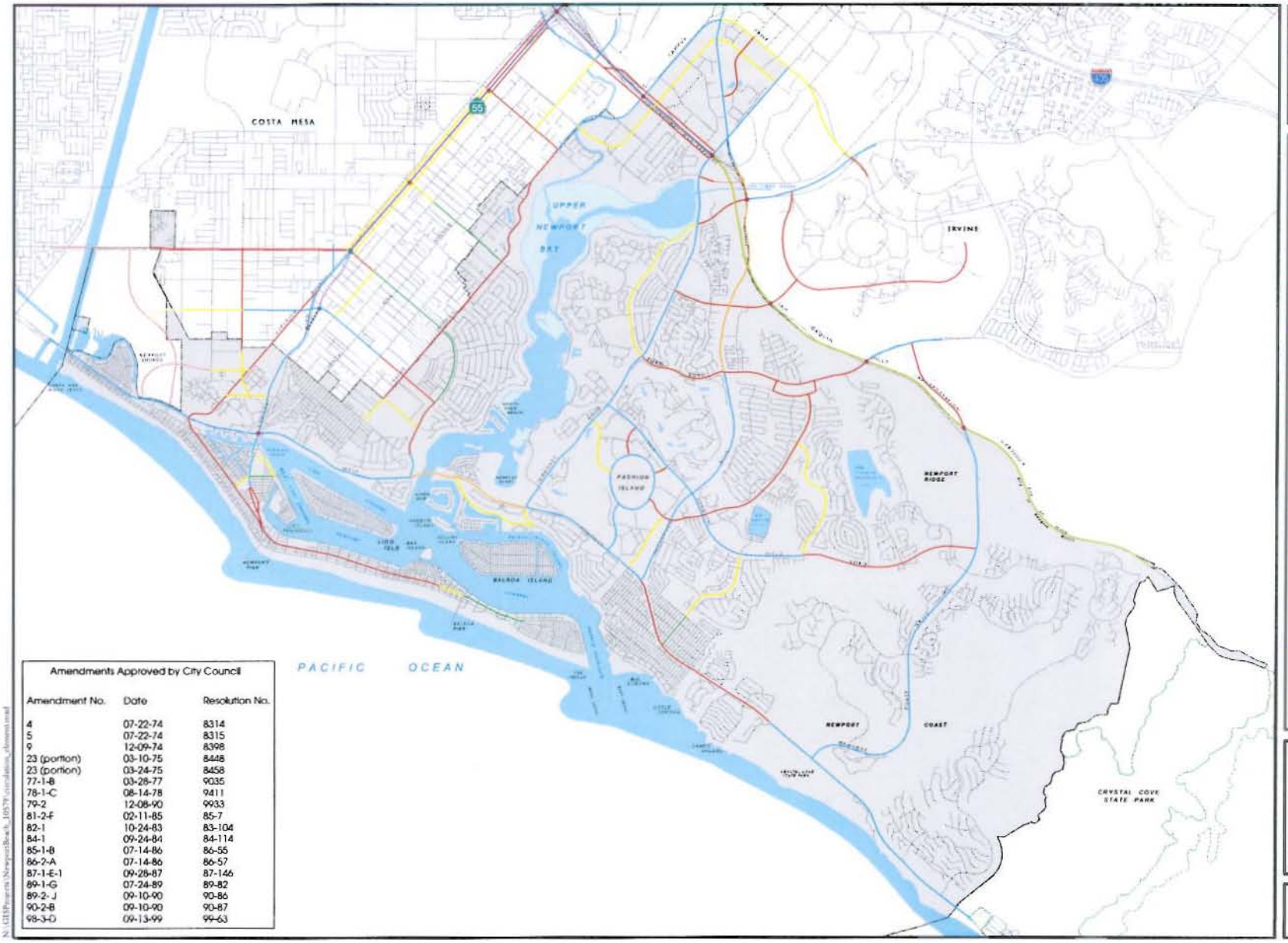
The number of increased trips over which the fee could be spread was derived from the Newport Beach Traffic Model (NBTM) that was developed to analyze alternative land use scenarios as a part of the update to the General Plan. The total future increase projected is 131,251 daily trips between 2005 and 2025. This number was decreased to 121,407 assuming linear growth and one and one-half years of development since 2005. This results in a per-trip fee of $508.

This would be a substantial increase from the existing fee of approximately $177 per trip. Should the Committee be concerned that this fee would impose a hardship on those developing their property, staff will be prepared to discuss alternative approaches to how the fee can be determined while maintaining the purpose and intent of the Fair Share Fee.

Prepared by:

Public Works Director
Public Works Department

Attachments: Exhibit A – Master Plan of Streets and Highways
Exhibit B – Intersection Improvements
Exhibit C – Circulation System Buildout Funding
Exhibit D – Fair Share Fee Summary Table




CITY of NEWPORT BEACH
GENERAL PLAN
**Figure CE1**
**MASTER PLAN OF STREETS AND HIGHWAYS**

## Legend

- ADOPTED INTERCHANGE
- PROPOSED INTERCHANGE
- ROUTES REQUIRING FURTHER COORDINATION **0.75 Miles**
- COMMUTER ROADWAY (TWO LANE UNDIVIDED) **3.24 Miles**
- SECONDARY ROAD (FOUR LANE UNDIVIDED) **16.88 Miles**
- SECONDARY (NOT BUILT) **0.28 Miles**
- PRIMARY ROAD (FOUR LANE DIVIDED) **29.62 Miles**
- PRIMARY ROAD (NOT BUILT) **3.05 Miles**
- MAJOR ROAD (SIX LANE DIVIDED) **30.64 Miles**
- EIGHT LANE ROAD (DIVIDED) **2.81 Miles**
- SAN JOAQUIN HILLS TRANSPORTATION CORRIDOR **5.32 Miles**
- ADOPTED FREEWAY ROUTES **4.48 Miles**
- FUTURE FREEWAY EXTENSION **0.75 Miles**

0 0.5 1
Miles

Source: City of Newport Beach and Urban Crossroads
PROJECT NUMBER: 10579-01
Date: 9/21/06

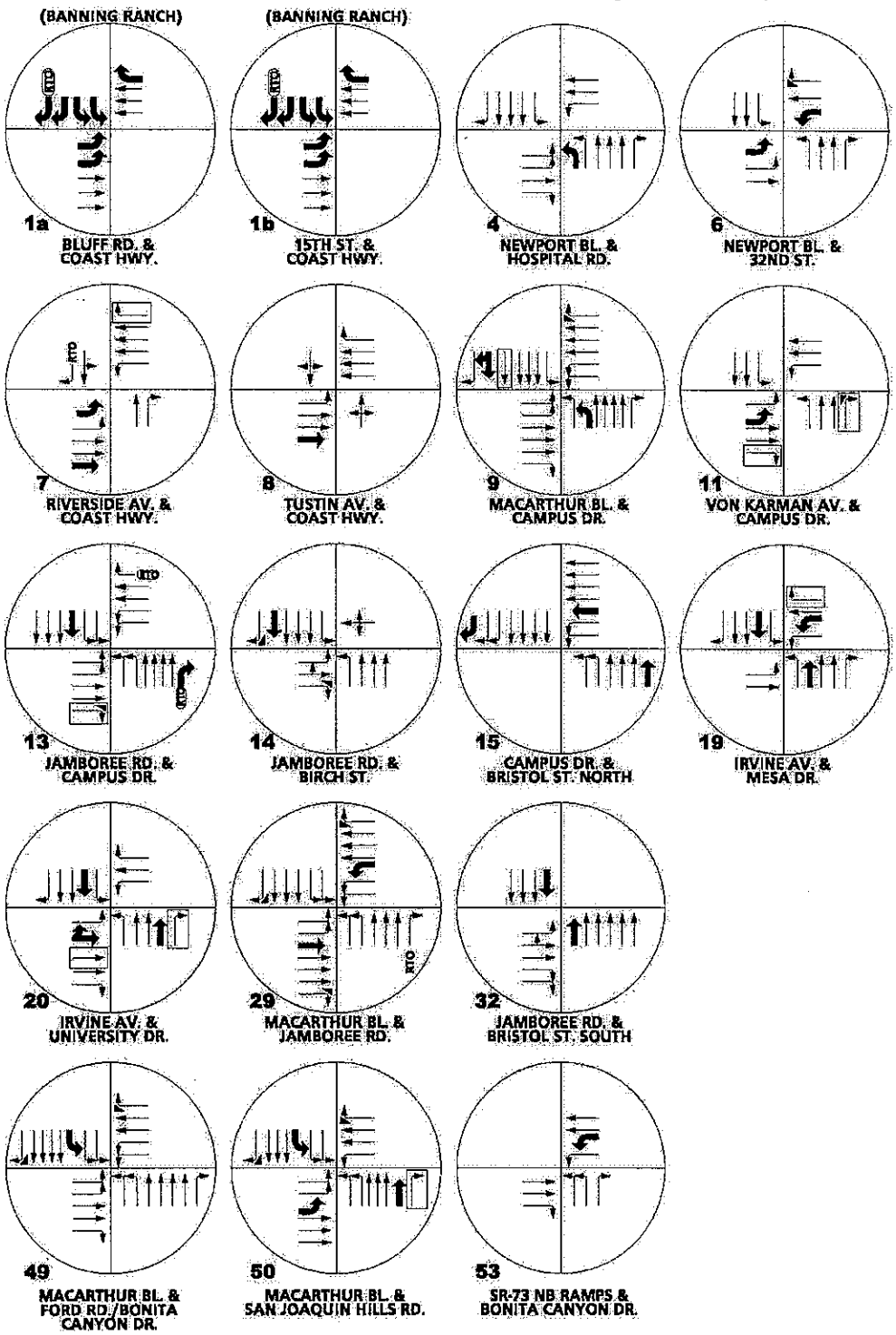
EIP

Amendments Approved by City Council

| Amendment No. | Date | Resolution No. |
|---|---|---|
| 4 | 07-22-74 | 8314 |
| 5 | 07-22-74 | 8315 |
| 9 | 12-09-74 | 8398 |
| 23 (portion) | 03-10-75 | 8448 |
| 23 (portion) | 03-24-75 | 8458 |
| 77-1-B | 03-28-77 | 9035 |
| 78-1-C | 08-14-78 | 9411 |
| 79-2 | 12-08-90 | 9933 |
| 81-2-F | 02-11-85 | 85-7 |
| 82-1 | 10-24-83 | 83-104 |
| 84-1 | 09-24-84 | 84-114 |
| 85-1-B | 07-14-86 | 86-55 |
| 86-2-A | 07-14-86 | 86-57 |
| 87-1-E-1 | 09-28-87 | 87-146 |
| 89-1-G | 07-24-89 | 89-82 |
| 89-2- J | 09-10-90 | 90-86 |
| 90-2-B | 09-10-90 | 90-87 |
| 98-3-D | 09-13-99 | 99-63 |

N:\GISProjects\NewportBeach_10579\circulation_element.mxd

CITY of NEWPORT BEACH
GENERAL PLAN
Figure CE3
RECOMMENDED
INTERSECTION
IMPROVEMENTS




**LEGEND:**

- = EXISTING LANE
- = NEW IMPROVEMENT
- = ELIMINATE LANE
- RTO = RIGHT TURN OVERLAP
- (RTO) = RIGHT TURN OVERLAP PHASE IMPROVEMENT
- = FREE RIGHT TURN

NOTE: Or alternate improvements that provide acceptable Level of Service (LOS)

Not to Scale

Source: Urban Crossroads
PROJECT NUMBER: 10579-01
Date: 03/16/06

EIP ASSOCIATES

**Circulation System Buildout**
**Roadway Costs and Funding**

| No. | Location | Proposed Improvement | 2007 Total Estimated Cost | Other Agency Funding | Adjacent Development Funding | Public & Fair Share Funding |
|---|---|---|---|---|---|---|
| 1a | Bluff Rd & Coast Hwy | Add WBR, EBL, SBL, & SBR lanes | 5,781,000 | | | 5,781,000 |
| 1b | 15th St & Coast Hwy | Add WBR, EBL, SBL, & SBR lanes | 81,957,000 | | 76,657,000 | 5,300,000 |
| 4 | Newport Bl & Hospital Rd | Add NBL | 2,796,000 | | | 2,796,000 |
| 6 | Newport Bl & 32nd St | Add WBL, EBL, SBR, & NBT | 1,596,000 | | | 1,596,000 |
| 7 | Riverside & Coast Hwy | Add EBL, EBT & Del WBR | 3,359,000 | | | 3,359,000 |
| 8 | Tustin & Coast Hwy | Add EBT | 4,247,000 | | | 4,247,000 |
| 9 | MacArthur Bl & Campus Dr | Add SBT/R & NBL & Del SBT | 2,121,000 | 1,060,000 | | 1,061,000 |
| 11 | Von Karman Ave & Campus Dr | Add EBL & Del EBR & NBR | 1,884,000 | 942,000 | | 942,000 |
| 13 | Jamboree Rd & Campus Dr | Addd NBR & SBT & Del EBR | 2,997,000 | 1,000,000 | | 1,997,000 |
| 14 | Jamboree Rd & Birch St | Add SBT | 5,609,000 | | | 5,609,000 |
| 15 | Campus Dr & Bristol St North | Add NBT, SBR & WBT | 16,585,000 | 7,076,000 | | 9,509,000 |
| 19 | Irvine Ave & Mesa Dr (Incl in B1) | Add NBT, SBT & WBL & Del WBR | | | | |
| 20 | Irvine Ave & University Dr (Incl in B2) | Add NBT, SBT & EBT/R & Del EBT | | | | |
| 29 | MacArthur Bl & Jamboree Rd | Add EBT & WBL | 4,898,000 | 2,449,000 | | 2,449,000 |
| 32 | Jamboree Rd & Bristol St South | Add NBT & SBT | 4,911,000 | 4,446,000 | | 465,000 |
| 49 | MacArthur Bl & Ford Rd/Bonita Cyn Dr | Add SBL | 2,673,000 | | | 2,673,000 |
| 50 | MacArthur Bl & San Joaquin Hills Rd | Add EBL, SBL & NBT & Del NBR | 4,767,000 | | | 4,767,000 |
| 53 | SR 73 Ramps & Bonita Cyn Dr | Add WBL | 500,000 | | 500,000 | |
| A | Coast Hwy - Dover Dr to Newport Bl | Widen to 6 lanes | 21,534,000 | | | 21,534,000 |
| B1 | Irvine Avenue - Mesa Dr to Bristol St South | Widen to 6 lanes | 18,032,000 | 16,902,000 | | 1,130,000 |
| B2 | Irvine Avenue - University Dr to Mesa Dr | Widen to 6 lanes | 8,709,000 | | | 8,709,000 |
| C | Coast Hwy - Bayside Dr to 1000' east | Add EB lane | 4,462,000 | | | 4,462,000 |
| F | Placentia Ave - Hospital Rd to Superior Ave | Widen to 4 lanes | 4,790,000 | | | 4,790,000 |
| G | 15th St - Placentia Ave to Monrovia Ave | Widen to 4 lanes | 5,880,000 | | 2,940,000 | 2,940,000 |
| H | MacArthur Bl - San Miguel to Coast Hwy | Improve to 6 lanes | 2,672,000 | | | 2,672,000 |
| J | 17th St - westerly terminus to Bluff Rd | Construct 4 lanes | 9,259,000 | | 9,259,000 | |
| K | Bluff Rd - Coast Hwy to 17th St | Construct 4 lanes | 90,961,000 | | 90,961,000 | |
| L | Superior Ave | Construct median | 1,000,000 | | * | 1,000,000 |
| M | Pedestrian improvements | Construct pedestrian bridges | 26,000,000 | | | 26,000,000 |
| N | 19th St - westerly terminus to Brookhurst St | Construct 4 lanes over SA River | 55,587,000 | 41,690,000 | | 13,897,000 |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | TOTALS | | $395,567,000 | $75,565,000 | $180,317,000 | $139,685,000 |

Exhibit C

# FAIR SHARE FEE DETERMINATION

## I. FUNDING FOR CIRULATION SYSTEM BUILDOUT

| | |
|---|---|
| A. Total Cost to buildout system | $395,567,000 |
| Funded by other Agencies | $75,565,000 |
| Funded by Adjacent Development | $180,317,000 |
| Funded by public and Fair Share Funds | $139,685,000 |
| B. Public Revenue Sources – 2007 to 2025 | |
| Gas Tax - $1,500,000/yr | $27,000,000 |
| Measure M Turnback - $1,800,000/yr | $32,000,000 |
| Circulation & Transportation Fund Balance | $ 0 |
| Unfunded balance | $68,000,000 |

## II. FUTURE TRAFFIC GROWTH (From NBTM)

| | |
|---|---|
| Daily trips generated in 2005 | 803,993 |
| Daily trips generated at buildout | 935,244 |
| Total increase | 131,251 |
| Growth from 2005 to mid-2007 | 9,844 |
| Future growth in daily trips | 121,407 |

## III. FAIR SHARE FEE CALCULATION

Unfunded Balance/Future growth = $68,000,000/121,407 = $508/trip

# FAIR SHARE FEE SUMMARY TABLE

Draft 08/23/2007

| FAIR SHARE FEE SUMMARY TABLE | | | | |
|---|---|---|---|---|
| | Fair Share Fee Per Trip | | | $508.00 |
| | USE | GEN RATE | UNIT | FEE/UNIT |
| 1 | Res-Low (SFD) | 7.50 | DU | $3,810 |
| 2 | Res-Medium (SFA) | 6.66 | DU | $3,383 |
| 3 | Apartment | 6.12 | DU | $3,109 |
| 4 | Elderly Residential | 4.90 | DU | $2,489 |
| 5 | Mobile Home | 5.92 | DU | $3,007 |
| 6 | Motel | 6.08 | ROOM | $3,089 |
| 7 | Hotel | 7.58 | ROOM | $3,851 |
| 8 | Regional Commercial | 23.48 | TSF | $11,928 |
| 9 | General Commercial | 38.24 | TSF | $19,426 |
| 10 | Comm./Recreation | 37.07 | ACRE | $18,832 |
| 11 | Restaurant | 51.18 | TSF | $25,999 |
| 12 | Fast Food Restaurant | 62.78 | TSF | $31,892 |
| 13 | Auto Dealer/Sales | 34.84 | TSF | $17,699 |
| 14 | Yacht Club | 22.71 | TSF | $11,537 |
| 15 | Health Club | 22.71 | TSF | $11,537 |
| 16 | Tennis Club | 25.26 | CRT | $12,832 |
| 17 | Marina | 2.39 | SLIP | $1,214 |
| 18 | Theater | 0.34 | SEAT | $173 |
| 19 | Newport Dunes | 20.02 | ACRE | $10,170 |
| 20 | General Office | 11.08 | TSF | $5,629 |
| 21 | Medical Office | 17.38 | TSF | $8,829 |
| 22 | R & D | 7.10 | TSF | $3,607 |
| 23 | Industrial | 5.48 | TSF | $2,784 |
| 24 | Mini-Storage/Warehouse | 4.61 | TSF | $2,342 |
| 25 | Pre-School/Day Care | 29.05 | TSF | $14,757 |
| 26 | Elementary/Private School | 1.30 | STU | $660 |
| 27 | Junior/High School | 1.30 | STU | $660 |
| 28 | Cultural/Learning Center | 15.22 | TSF | $7,732 |
| 29 | Library | 15.22 | TSF | $7,732 |
| 30 | Post Office | 21.63 | TSF | $10,988 |
| 31 | Hospital | 13.57 | BED | $6,894 |
| 32 | Nursing/Conv. Home | 2.00 | BED | $1,016 |
| 33 | Church | 6.09 | TSF | $3,094 |
| 34 | Youth Ctr/Service | 29.05 | TSF | $14,757 |
| 35 | Park | 2.49 | ACRE | $1,265 |
| 36 | Regional Park | 5.00 | ACRE | $2,540 |
| 37 | Golf Course | 6.00 | ACRE | $3,048 |
| 38 | Resort Golf Course | 4.55 | ACRE | $2,311 |

# Attachment No. 4

# Part 1
# Zoning Code Applicability

## Table of Contents

**Chapter 20.10 – Purpose and Applicability of the Zoning Code ..... 3**
20.10.010 – Title ..... 3
20.10.020 – Purpose ..... 3
20.10.030 – Authority, Relationship to General Plan ..... 3
20.10.040 – Applicability of Zoning Code ..... 4
20.10.050 – Responsibility for Administration ..... 5
**Chapter 20.12 – Interpretation of Zoning Code Provisions ..... 7**
20.12.010 – Purpose ..... 7
20.12.020 – Rules of Interpretation ..... 7
20.12.030 – Procedures for Interpretations ..... 10
**Chapter 20.14 – Zoning Map ..... 11**
20.14.010 – Zoning Map Adopted by Reference ..... 11
20.14.020 – Zones Established ..... 11
20.14.030 – District Symbols ..... 12

## Tables

**Table 1-1 Zoning Districts Implementing the General Plan ..... 11**

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# Chapter 20.10 – Purpose and Applicability of the Zoning Code

**Sections:**

20.10.010 – Title
20.10.020 – Purpose
20.10.030 – Authority, Relationship to General Plan
20.10.040 – Applicability of Zoning Code
20.10.050 – Responsibility for Administration

## 20.10.010 – Title

This title shall be known as the "City of Newport Beach Zoning Code" and referred to as the "Zoning Code."

## 20.10.020 – Purpose

This Zoning Code is intended to carry out the policies of the City of Newport Beach General Plan by classifying and regulating the uses of land and structures within the City, consistent with the General Plan. It is also the intent of this Zoning Code to promote the orderly development of the City, promote and protect the public health, safety, peace, comfort and general welfare, protect the character, and social and economic vitality of its neighborhoods, and to ensure the beneficial development of the City.

## 20.10.030 – Authority, Relationship to General Plan

A. **Authority.** The regulations within this Zoning Code are enacted based on the authority vested in the City of Newport Beach by the State of California, including the California Constitution; the Planning and Zoning Law (Government Code Section 65000 et seq.); the Subdivision Map Act (Government Code Section 66410 et seq.); and the California Environmental Quality Act (Public Resources Code Section 21000 et seq.).

B. **Consistency with General Plan.** This Zoning Code is the primary tool used by the City to carry out the goals, objectives, and policies of the Newport Beach General Plan. It is intended that all provisions of this Zoning Code be consistent with the General Plan and that any development, land use, or subdivision, approved in compliance with these regulations will also be consistent with the General Plan.

### 20.10.040 – Applicability of Zoning Code

This Zoning Code applies to all construction, land uses, subdivisions, and development within the City of Newport Beach, as provided by this Section.

A. **Compliance required.** No structure shall be altered, erected, or reconstructed in any manner, nor shall any structure or land be used for any purpose, other than as allowed by this Zoning Code.

(**NOTE TO STAFF:** This would be the appropriate place for the City to exempt itself from the requirements of this Zoning Code, if so desired. If so, please let us know what types of projects you want to exempt.)

B. **Minimum requirements.** The provisions of this Zoning Code shall be considered the minimum requirements for the promotion of the public health, safety, and general welfare. When this Zoning Code provides for discretion on the part of a review authority, the discretion may be exercised to impose more stringent requirements than required by this Zoning Code in order to promote orderly land use and development, environmental resource protection, and the other purposes of this Zoning Code.

C. **Private agreements.** This Zoning Code applies to all land uses and development, regardless of whether it imposes a greater or lesser restriction on the development or use of structures or land than a private agreement or restriction (for example, CC&Rs), without affecting the applicability of any private agreement, covenant, or restriction. The City shall not enforce any private agreement, covenant, or restriction unless it is a party to the agreement, covenant, or restriction.

D. **Existing agreements, covenants, easements, laws, permits, and regulations.**

1. **Effect on existing laws, permits, and regulations.** It is not intended by the adoption of this Zoning Code to repeal, impair, or interfere with an existing provision of law of the City, or any permits, regulations, or rules previously adopted or issued for the alteration, construction, erection, establishment, or moving of a legal structure or improvement.

2. **Effect on agreements, covenants, and easements.** It is not the intended by the adoption of this Zoning Code to interfere with, abrogate, annul, or repeal any agreement, covenant, easement, or restriction between private parties.

3. **Greater restrictions required.** If this Zoning Code imposes greater restrictions than are imposed or required by other private agreements, covenants, or easements, then the provisions of this Zoning Code shall control.

E. **Effect of Zoning Code amendments on projects in progress.** The enactment of this Zoning Code or an amendment shall not impose different standards on a land use after a planning permit application has been accepted by the Department as complete, or on a development project after a Building Permit has been issued.

F. **Subdivisions.** A subdivision of land proposed within the City after the effective date of this Zoning Code shall be in compliance with the minimum parcel size requirements of Part 2 (Zoning Districts and Allowable Land Uses), other applicable requirements of this Zoning Code, and Title 16 (Subdivisions) of the Municipal Code.

G. **Other requirements may apply.** Nothing in this Zoning Code eliminates the need for obtaining other permits required by the City, or a permit, approval, or entitlement required by another special district or agency, and/or the regulations of a State or Federal agency.

**20.10.050 – Responsibility for Administration**

A. **Responsible bodies and individuals.** This Zoning Code shall be administered by: Newport Beach City Council, hereafter referred to as the "Council;" the Planning Commission, hereafter referred to as the "Commission;" the Planning Director, hereafter referred to as the "Director;" and the Planning Department, hereafter referred to as the "Department."

(**NOTE TO STAFF:** While the Planning Commission will be referred to as the "Commission," any other City commission identified in this Zoning Code will be identified using the entire name of the other commission(s) for clarity. Likewise, the Planning Director and Planning Department will be referred to as the "Director" and "Department," any other City director or department will be identified using the entire name of the other director(s) and department(s), e.g., Public Works Director.)

B. **Exercise of discretion.** In the event that a provision of this Zoning Code allows the review authority (designated City official or body) to exercise discretion in the application of a specific standard or requirement to a proposed project, but does not identify specific criteria for a decision, the discretion shall be based on all of the following criteria:

1. The proposed project complies with all applicable provisions of this Zoning Code;

2. The exercise of discretion will act to improve the compatibility of the proposed project with its site, surrounding properties, and the community, to a greater extent than if discretion were not exercised;

3. The manner in which discretion is exercised will result in a more practical application of the provisions of this Zoning Code given specific characteristics of the site and its surroundings; and

4. The decision is consistent with the General Plan, any applicable specific plan, or any other applicable regulation or standard.

# Chapter 20.12 – Interpretation of Zoning Code Provisions

**Sections:**

20.12.010 – Purpose
20.12.020 – Rules of Interpretation
20.12.030 – Procedures for Interpretations

## 20.12.010 – Purpose

This Chapter provides rules for resolving questions about the meaning or applicability of any part of this Zoning Code. The provisions of this Chapter are intended to ensure the consistent interpretation and application of the requirements of this Zoning Code and the General Plan.

## 20.12.020 – Rules of Interpretation

A. **Authority.** The Director has the authority to interpret provisions of this Zoning Code. Whenever the Director determines that the meaning or applicability of a Zoning Code requirement is subject to interpretation, the Director may issue an official interpretation. The Director may also refer any issue of interpretation to the Commission for their determination. A decision of the Director may be appealed to the Commission in compliance with Chapter 20.xx (Appeals).

B. **Language.** When used in this Zoning Code, the words "shall," "must," "will," "is to," and "are to" are always mandatory. "Should" is not mandatory but is strongly recommended; and "may" is permissive. The present tense includes the past and future tenses; and the future tense includes the present. The singular number includes the plural number, and the plural the singular, unless the natural construction of the word indicates otherwise. The words "includes" and "including" shall mean "including but not limited to…"

C. **Calculations.**

1. **Residential density**. When the number of dwelling units allowed on a site are calculated based on density limits, any fraction of a unit shall be rounded down to the next lowest whole number. For example, where a residential zoning district allows 20 dwelling units per net acre of site area; a site of 8,500 square feet would be allowed five dwelling units (du).

   Example: 8,500 sq.ft. / (43,560 sq.ft. = 0.195 acres;
   0.195 acres x 29 du/acre = 5.65 du, rounded down to 5 du

2. **Other calculations.** For calculations other than residential density required by this Zoning Code, the fractional/decimal results of calculations shall be rounded to the next highest whole number when the fraction/decimal is 0.5 or more, and to the next lowest whole number when the fraction is less than 0.5, unless otherwise specified.

3. **Time limits.** Whenever a number of days is specified in this Zoning Code, or in a permit, condition of approval, or notice provided in compliance with this Zoning Code, the number of days shall be construed as calendar days. A time limit shall extend to 5:00 p.m. on the following working day where the last of the specified number of days falls on a weekend, holiday, or other day the City is not open for business.

D. **State law requirements.** Where this Zoning Code refers to provisions of State law (for example, the California Government Code, Map Act, Public Resources Code, etc.), the references shall be interpreted to be to the applicable State law provisions as they may be amended from time to time.

E. **Conflicting requirements.**

1. **Zoning Code and Municipal Code provisions.** If conflicts occur between requirements of this Zoning Code, or between this Zoning Code and the Newport Beach Municipal Code, or other regulations of the City, the most restrictive shall apply.

2. **Development agreements or specific plans.** If conflicts occur between the requirements of this Zoning Code and standards adopted as part of a planned community plan, development agreement, or specific plan, the requirements of the planned community plan, development agreement, or specific plan shall apply.

F. **Unlisted uses of land.** If a proposed use of land is not specifically listed in Table 2-xx (Allowable Land Uses and Permit Requirements), the use shall not be allowed, except as provided below for similar uses:

1. **Director's determination.** The Director may determine that a proposed use not listed in Table 2-xx may be allowed as a use permitted by right or as a conditional use, in compliance with Section 20.10.030 (Procedures for Interpretations), below. In making this determination, the Director shall first find that all of the following are true:

a. The characteristics of, and activities associated with, the proposed use are equivalent to those of one or more of the uses listed in the zoning district as allowable, and will not involve a greater level of activity, population

density, traffic generation, parking, dust, noise, or intensity than the uses listed in the zoning district;

b. The proposed use will meet the purpose/intent of the zoning district that is applied to the site;

c. The proposed use will be consistent with the goals, objectives, and policies of the General Plan or any applicable specific plan; and

d. The proposed use is not listed as allowable in another zoning district.

2. **Applicable standards and permit requirements**. When the Director determines that a proposed but unlisted use is equivalent to a listed use, the proposed use will be treated in the same manner as the listed use in determining where the use is allowed, what permits are required, and what other standards and requirements of this Zoning Code apply.

G. **Zoning Map boundaries.** If there is uncertainty about the location of a zoning district boundary shown on the official Zoning Map, the Director shall determine the location of the boundary in the following manner.

1. Where a district boundary approximately follows a lot line, alley, or street line, the lot line, alley or street centerline shall be construed as the district boundary.

2. If a district boundary divides a lot and the boundary line location is not specified by distances indicated on the Zoning Map, the location of the boundary will be determined by using the scale appearing on the Zoning Map.

3. Where a public street or alley is officially vacated or abandoned, the property that was formerly in the street or alley shall be included within the zoning district of the adjoining property on either side of the vacated or abandoned street or alley.

4. District boundaries shown as approximately following the shoreline of the Pacific Ocean shall be construed to follow the mean high tide line.

5. District boundaries shown as approximately following the waterfront of Newport Bay shall be construed to follow the bulkhead line.

H. **Illustrations** In case of conflict between the Zoning Code text and any diagram, illustration, or image, the text shall control.

I. **Use of headings.** The headings of the Chapters, Sections, and Subsections of this Zoning Code, together with the accompanying examples and explanatory notes, are inserted as a matter of convenience and are not intended to define, limit, or enlarge the scope or meaning of this Zoning Code or its provisions.

**20.12.030 – Procedures for Interpretations**

A. **Request for interpretation.** A request for an interpretation or determination shall be made in writing to the Department and shall include all information described in the instructions for interpretation requests, available from the Department, subject to the applicable fee.

B. **Findings, basis for interpretation.** The issuance of an interpretation by the Director shall include findings stating the basis for the interpretation. The basis for an interpretation may include technological changes or new industry standards. The issuance of an interpretation shall also include a finding documenting the consistency of the interpretation with the General Plan.

C. **Record of interpretations.** Official interpretations shall be written, and shall quote the provisions of this Zoning Code being interpreted, and the applicability in the particular or general circumstances that caused the need for interpretations, and the determination.

# Chapter 20.14 – Zoning Map

**Sections:**

20.14.010 – Zoning Map Adopted by Reference
20.14.020 – Zones Established.
20.14.030 – District Symbols.

## 20.14.010 – Zoning Map Adopted by Reference

The boundaries, designations, and locations of the zoning districts established by this Zoning Code shall be shown upon the map, or maps entitled "Zoning Map for the City of Newport Beach, California" Any additional maps subsequently adopted shall also be a part of this Zoning Code by reference.

## 20.14.020 – Zones Established

The City of Newport Beach shall be divided into zoning districts that implement the Newport Beach General Plan Land Use Plan and the Local Coastal Program. The zoning districts shown in Table 1-1 are hereby established, and shall be shown on the Zoning Map.

**Table 1-1**
**Zoning Districts Implementing the General Plan**

| Zoning Map Symbol | Zoning District Name | General Plan Land Use Designation Implemented by Zoning District | |
|---|---|---|---|
| **Residential Zoning Districts** | | | |
| R-1<br>R-1-6,000<br>R-1-7,200<br>R-1-10,000 | Single-Family Residential | RS-A | Single-Unit Residential Attached |
| | | RS-D | Single-Unit Residential Detached |
| R-2<br>R-2-6,000 | Two-Family Residential | RT | Two-Family Residential |
| MFR<br>MFR-6,000 | Multi-Family Residential | RM<br>RM-D | Multiple-Unit Residential<br>Multiple-Unit Residential Detached |
| **Commercial Zoning Districts** | | | |
| OA | Office - Airport | AO | Airport Office and Supporting Uses |
| OG | Office - General Commercial | CO-G | General Commercial Office |
| OM | Office - Medical Commercial | CO-M | Medical Commercial Office |
| OR | Office - Regional Commercial | CO-R | Regional Commercial Office |

**Table 1-1**
**Zoning Districts Implementing the General Plan**

| Zoning Map Symbol | Zoning District Name | General Plan Land Use Designation Implemented by Zoning District | |
|---|---|---|---|
| | | | |
| CC | Commercial Corridor | CC | Corridor Commercial |
| CG | Commercial General | CG | General Commercial |
| CM | Commercial Recreational and Marine | CM | Recreational and Marine Commercial |
| CN | Commercial Neighborhood | CN | Neighborhood Commercial |
| CV | Commercial Visitor-Serving | CV | Visitor Serving Commercial |
| **Mixed -Use Zoning Districts** | | | |
| MU-V | Mixed Use Vertical | MU-V | Mixed Use Vertical |
| MU-H1-MM<br>MU-H1-DW<br>MU-H4 | Mixed Use Horizontal | MU-H | Mixed Use Horizontal |
| MU-W1<br>MU-W2 | Mixed Use Water | MU-W | Mixed Use Water Related |
| **Industrial Zoning Districts** | | | |
| IG | Industrial | IG | Industrial |
| **Special Purpose Zoning Districts** | | | |
| OS | Open Space | OS | Open Space |
| PC | Planned Community | All | |
| PF | Public Facilities | PF | Public Facilities |
| PI | Private Institutions | PI | Private Institutions |
| PR | Parks and Recreation | PR | Parks and Recreation |
| TS | Tidelands and Submerged Lands | TS | Tidelands and Submerged Lands |
| **Overlay Zoning Districts** | | | |
| MHP | Mobile Home Park | RM | Multiple-Unit Residential |
| PM | Parking Management | All | |
| SP | Specific Plan | All | |

### 20.14.030 – District Symbols

In addition to the zoning district designations established under Section 20.10.020 (Zones Established) and the related development standards established in Part 2 (Zoning Districts, Allowable Land Uses, and Zoning District Standards) symbols are established on the Zoning Map for the purpose of designating floor area ratio limitations for nonresidential uses and density limitations or the actual number of allowed units for residential uses. When these symbols are placed on the Zoning Map, the floor area ratios, dwelling unit limitations, or residential densities as illustrated shall apply. The symbols and limitations shall be shown in the following manner:

A. **Nonresidential districts.** A number following the district symbol and enclosed by parentheses shall designate the maximum floor area ratio allowed for the nonresidential area designated.

Example: "CG (0.5)" shall indicate that a maximum floor area ratio of 0.5 is allowed.

B. **Residential districts.** A number following the district symbol and enclosed by parentheses shall designate either;

1. The maximum density allowed expressed as the number of dwelling units allowed per net acre for the area designated, or

2. The total number of dwelling units allowed for the area designated.

Examples: "MFR (20 du/ac)" shall indicate that a maximum density of 20 dwelling units are allowed for each net acre of land in the area specified.

"MFR (388 du)" shall indicate that a maximum of 388 dwelling units are allowed within the area designated.

August 22, 2007

CITY OF NEWPORT BEACH FAIRSHARE FEE PROGRAM
INTERSECTION IMPRVOEMENT PRELIMINARY COST ESTIMATES

| LOCATION NO | LOCATION (IMPACTED INTERSECTIONS) | MITIGATION(S) | CONSTRUCTION SUBTOTAL | RIGHT-OF-WAY SUBTOTAL | PROJECT DEVELOPMENT & CONTINGENCIES SUBTOTAL | TOTAL PROJECT COST |
|---|---|---|---|---|---|---|
| 1a | Bluff Rd & Coast Hwy | **WB**-Add Rt Turn, **EB**-Add Dbl Lt Turn, **SB**-Add Dbl Lt & Dbl Rt Turn | $1,713,000 | $2,016,000 | $2,052,000 | $5,781,000 |
| 1b | 15th St & Coast Hwy | **WB**-Add Rt Turn, **EB**-Add Dbl Lt Turn, **SB**-Add Dbl Lt & Dbl Rt Turn | $10,601,000 | $42,273,000 | $29,083,000 | $81,957,000 |
| 4 | Newport Blvd & Hospital Rd | **NB**-Add Lt Turn (2L) | $1,802,000 | $0 | $994,000 | $2,796,000 |
| 6, D & E | Newport Blvd & 32nd St | **WB**-Add Lt Turn, **EB**-Add Lt Turn (2L) | $1,014,000 | $14,500 | $567,000 | $1,596,000 |
| | Newport Blvd & 32nd St | **SB**-Add Thru Lane (3T) | | | | |
| | Newport Blvd between 32nd & 30th St | **NB**-Add Thru Lane (3T) | | | | |
| 7 & 8 | Riverside Ave & Coast Hwy | **EB**-Add Lt Turn (2L) & Thru Lane (3T), **WB**-Eliminate Rt Turn | $1,448,000 | $718,000 | $1,193,000 | $3,359,000 |
| | Tustin Ave & Coast Hwy | **EB**-Add Thru Lane (3T) | $1,606,000 | $1,134,000 | $1,507,000 | $4,247,000 |
| 9 | MacArthur Blvd & Campus Dr | **SB**-Add Thru/Rt Lane & Eliminate Thru Lane (3.5T) (1.5R), **NB**-Add Lt Turn (2L) | $947,000 | $420,000 | $754,000 | $2,121,000 |
| 11 | Von Karman Ave & Campus Dr | **EB**-Add Lt Turn (2L) & Eliminate Rt Turn, **NB**-Eliminate Free Rt Turn | $1,101,000 | $113,000 | $670,000 | $1,884,000 |
| 13 & 14 | Jamboree Rd & Campus Dr | **EB**-Eliminate Free Rt Turn, **NB**-Add Rt Turn, **SB**-Add Thru Lane (4T) | $1,291,000 | $641,000 | $1,065,000 | $2,997,000 |
| | Jamboree Rd & Birch St | **SB**-Add Thru lane (4T) | $1,857,000 | $1,761,000 | $1,991,000 | $5,609,000 |
| 15 | Campus Dr & Bristol St North | **NB**-Add Thru Lane (4T), **WB**-Add Thru lane (5T), **SB**-Add Rt Turn (3R) | $9,624,000 | $1,076,000 | $5,885,000 | $16,585,000 |
| 29 | MacArthur Blvd & Jamboree Rd | **EB**-Add Thru Lane (4T), **WB**-Add Lt Turn (3L) | $2,357,000 | $803,000 | $1,738,000 | $4,898,000 |
| 32 | Jamboree Rd & Bristol St South | **NB**-Add Thru Lane (6T), **SB**-Add Thru Lane (4T) | $4,464,695 | $0 | $446,470 | $4,911,165 |
| 49 | MacArthur Blvd & Ford Rd/Bonita Cyn | **SB**-Add Lt Turn (3L) | $1,219,000 | $504,000 | $950,000 | $2,673,000 |
| 50 | MacArthur Blvd & San Joaquin Hills Rd | **EB**-Add Lt Turn (3L), **SB**-Add Lt Turn (3L), **NB**-Add Thru Lane (4T) & Eliminate Rt Turn | $1,789,000 | $1,285,000 | $1,693,000 | $4,767,000 |
| 53 | ~~SR-73 NB Ramps & Bonita Canyon Dr~~ | ~~**WB**-Add Lt Turn (2L)~~ | The cost for this location is not included because it is currently being designed by a developer in the City of Irvine. It is planned to begin construction in 2008. | | | |
| A | Coast Highway | Dover to Newport Blvd | $5,579,000 | $8,312,000 | $7,643,000 | $21,534,000 |
| B & 19 County Portion | Irvine Avenue | Mesa Dr to Bristol St | $6,295,900 | $5,336,000 | $6,400,000 | $18,032,000 |
| | Irvine Ave & Mesa Dr | **NB**-Add Thru Lane (3T), **SB**-Add Thru lane (3T), **WB**-Add Lt Turn (2L) & Eliminate Rt Turn | | | | |
| B & 20 Remainder | Irvine Avenue | University Dr to Mesa Dr | $3,320,700 | $2,297,000 | $3,091,000 | $8,709,000 |
| | Irvine Ave & University Dr | **EB**-Add Lt/Thru & Eliminate Thru (1.5L) (1.5T), **NB**-Add Thru Lane (3T) & Eliminate Rt Turn, **SB**-Add Thru Lane (3T) | | | | |
| C | Coast Highway & Bayside | **EB**-Add Thru Lane (4T) | $1,644,000 | $1,234,000 | $1,584,000 | $4,462,000 |
| F | Placentia Ave between Hospital Rd & Superior | Widen Placentia to Secondary cross-section | $1,640,500 | $1,449,000 | $1,700,000 | $4,790,000 |
| G | 15th St between Placentia Ave to Monrovia | Widen 15th St to a 4-lane Secondary cross-section | $2,421,200 | $1,370,000 | $2,088,000 | $5,880,000 |
| H | MacArthur Blvd between Sly of San Miguel to Coast Hwy | Narrow median on MacArthur Blvd to provide a 6-lane Major | $1,722,000 | $0 | $950,000 | $2,672,000 |
| J | 17th St from its westerly terminus to Bluff Rd | Construct 17th St | $963,000 | $5,009,000 | $3,287,000 | $9,259,000 |
| K | Bluff Rd between 17th St to Coast Hwy | Construct Bluff Rd as a Primary | $9,522,000 | $49,161,000 | $32,278,000 | $90,961,000 |
| L | Superior Avenue | Construct median from Coast Hwy to the N'ly City Limit | $1,000,000 | $0 | $0 | $1,000,000 |
| M | Pedestrian Overcrossings | Construct 6 pedestrian overcrossing along Coast Highway at West Newport, Newport Shores, Superior Ave, Riverside Ave, Tustin Ave, and Corona del Mar. | $50,371,000 | $0 | $27,707,000 | $78,078,000 |
| N | 19th Street to Brookhurst | | $55,586,717 | | | $55,586,717 |
| **TOTAL PROJECTS** | | | **$182,899,712** | **$126,926,500** | **$137,316,470** | **$447,144,881** |


LEGEND:

NEW IMPROVEMENT

MITIGATION:
ADD NB RIGHT TURN
ADD NB LEFT TURN
ADD WB THRU
ADD WB LEFT TURN
ADD EB THRU RIGHT

17TH ST.

BLUFF RD.

SCALE: 1" = 50'

0 50 100 150

| DATE | BY | DESCRIPTION OF REVISIONS | APP'D |
|---|---|---|---|
| | | | |

REGISTERED PROFESSIONAL ENGINEER
FIRST NAME
LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

PRINCIPAL CIVIL ENGINEER
R.C.E. NO. ******
DATE xx/xx/xx

DESIGNED XX
DRAWN XX
CHECKED XX
DATE xx/xx/xx

# BLUFF ROAD FROM 17 TH STREET TO COAST HIGHWAY

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET 1 OF 3

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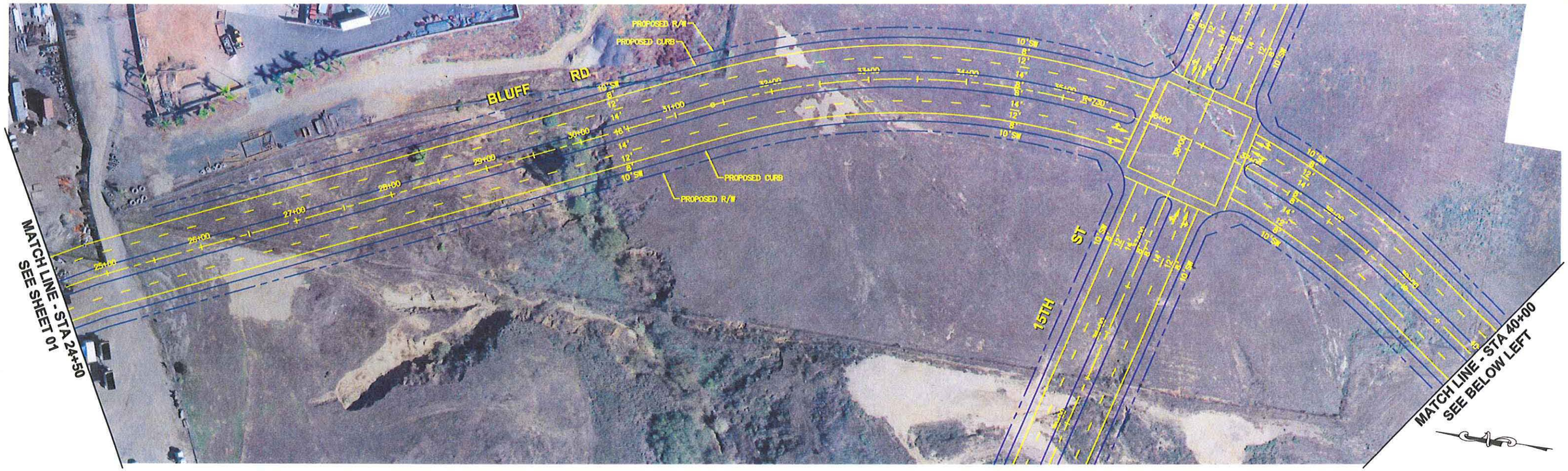


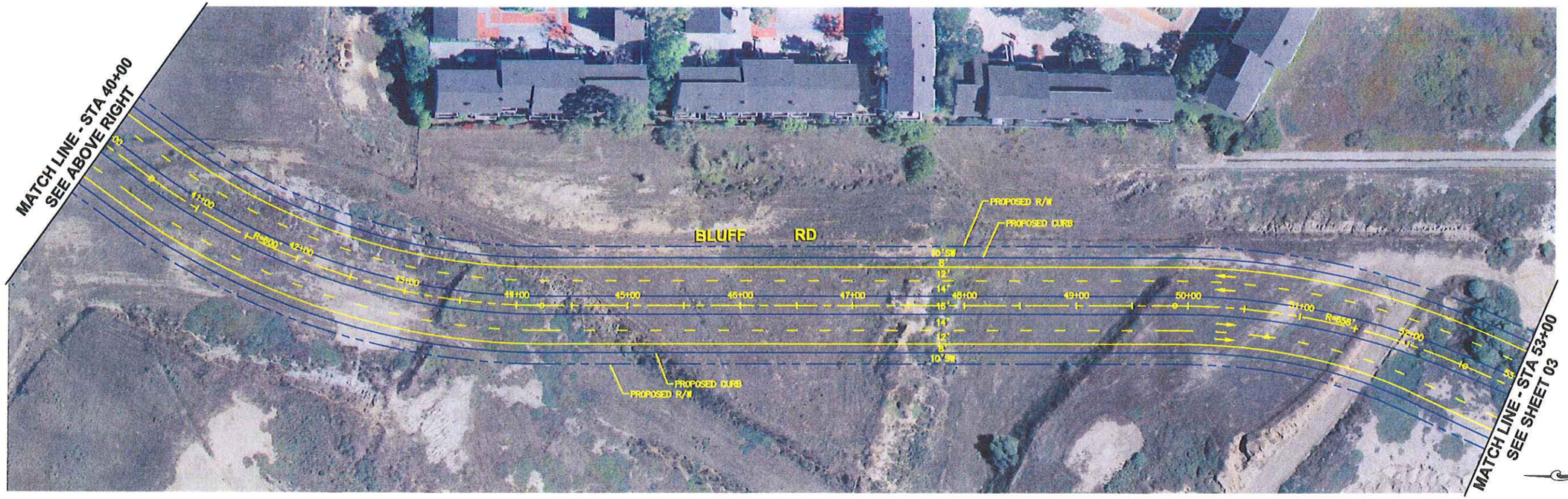


SCALE: 1" = 50'

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REGISTERED PROFESSIONAL ENGINEER
FIRST NAME
LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxx
DATE xx/xx/xx

DESIGNED XX DRAWN XX
CHECKED XX DATE XX/XX/XX

**BLUFF ROAD FROM 17 TH STREET TO COAST HIGHWAY**

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET 2 OF 3

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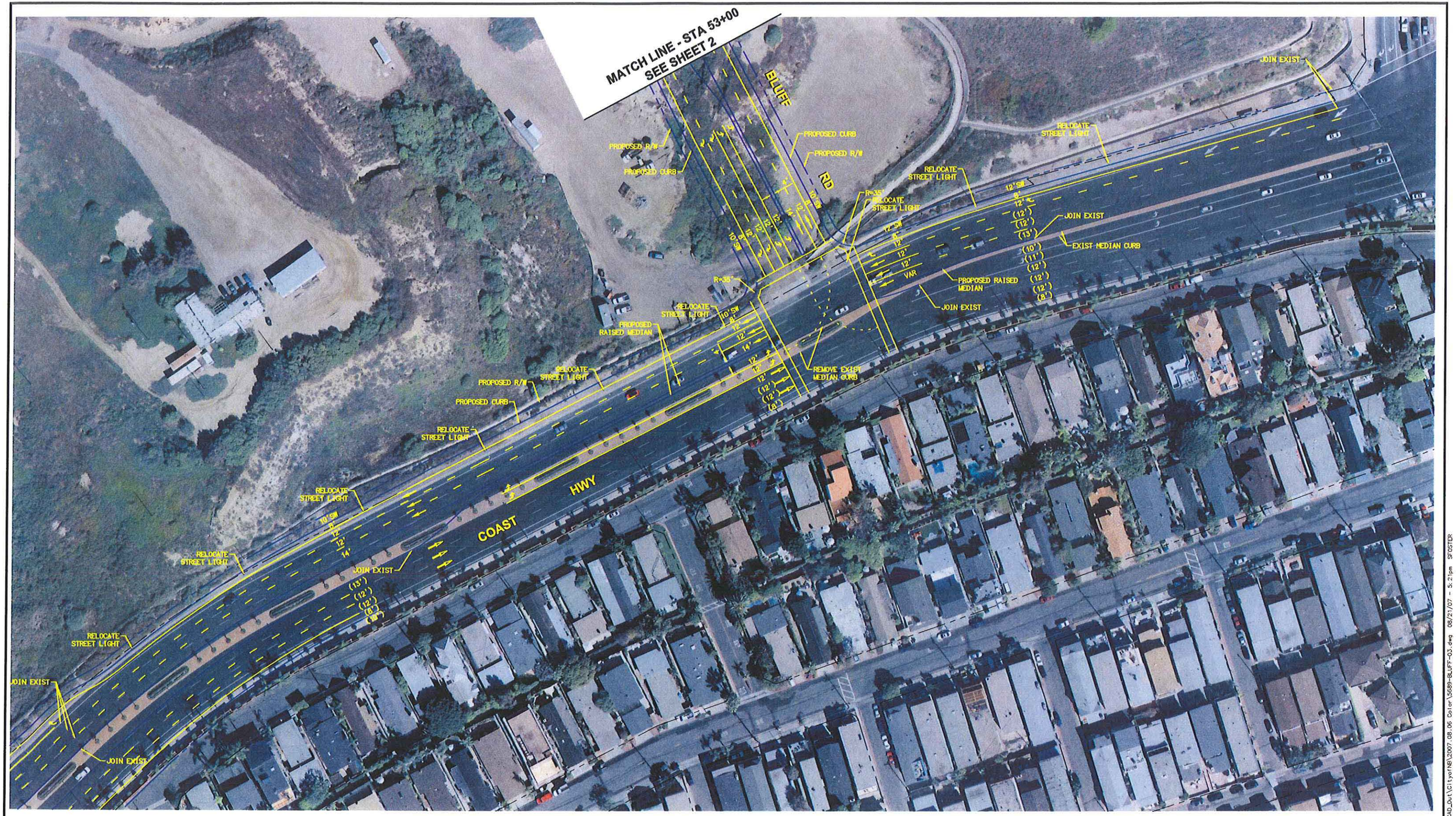


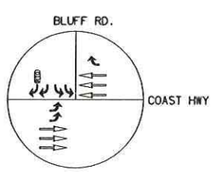


LEGEND:

- EXISTING LANE
- NEW IMPROVEMENT
- RIGHT TURN OVERLAP PHASE IMPROVEMENT

MITIGATION:
ADD WB RIGHT TURN
ADD 2 EB LEFT TURN
ADD 2 SB LEFT TURN
ADD 2 SB RIGHT TURN

SCALE: 1" = 50'

0 50 100 150

| DATE | BY | DESCRIPTION OF REVISIONS | APP'D |
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REGISTERED PROFESSIONAL ENGINEER
FIRST NAME
LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxxx
DATE xx/xx/xx

DESIGNED XX DRAWN XX
CHECKED XX DATE XX/XX/XX

# BLUFF ROAD FROM 17 TH STREET TO COAST HIGHWAY

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET 3 OF 3

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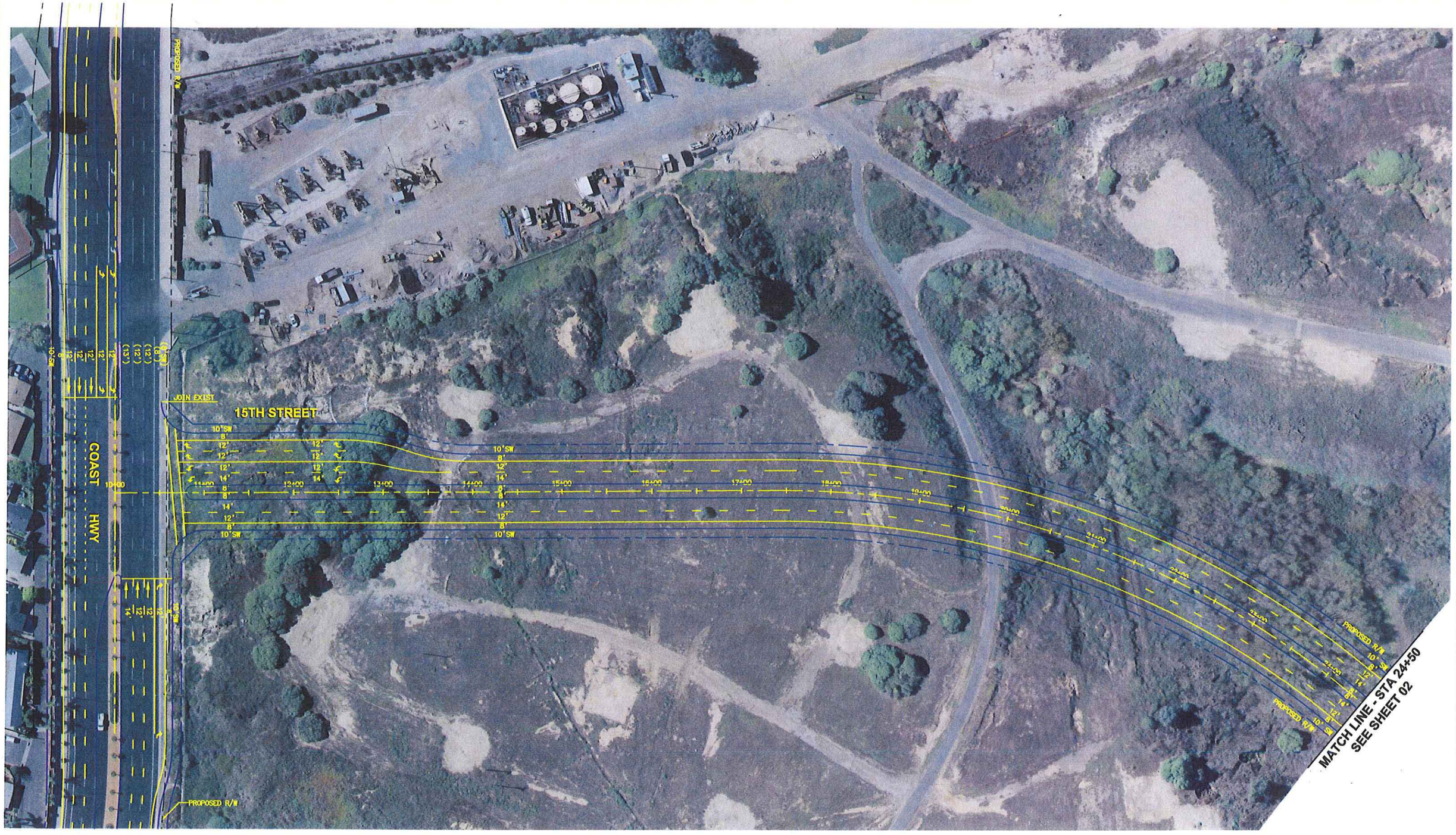
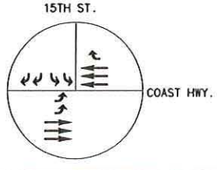



15TH ST.




LEGEND:

NEW IMPROVEMENT

MITIGATION:
ADD SB RIGHT TURN
ADD SB LEFT TURN
ADD EB THRU
ADD EB LEFT TURN
ADD WB THRU RIGHT
ADD WB RIGHT TURN

SCALE: 1" = 50'

0 50 100 150

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REGISTERED PROFESSIONAL ENGINEER
FIRST NAME
LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

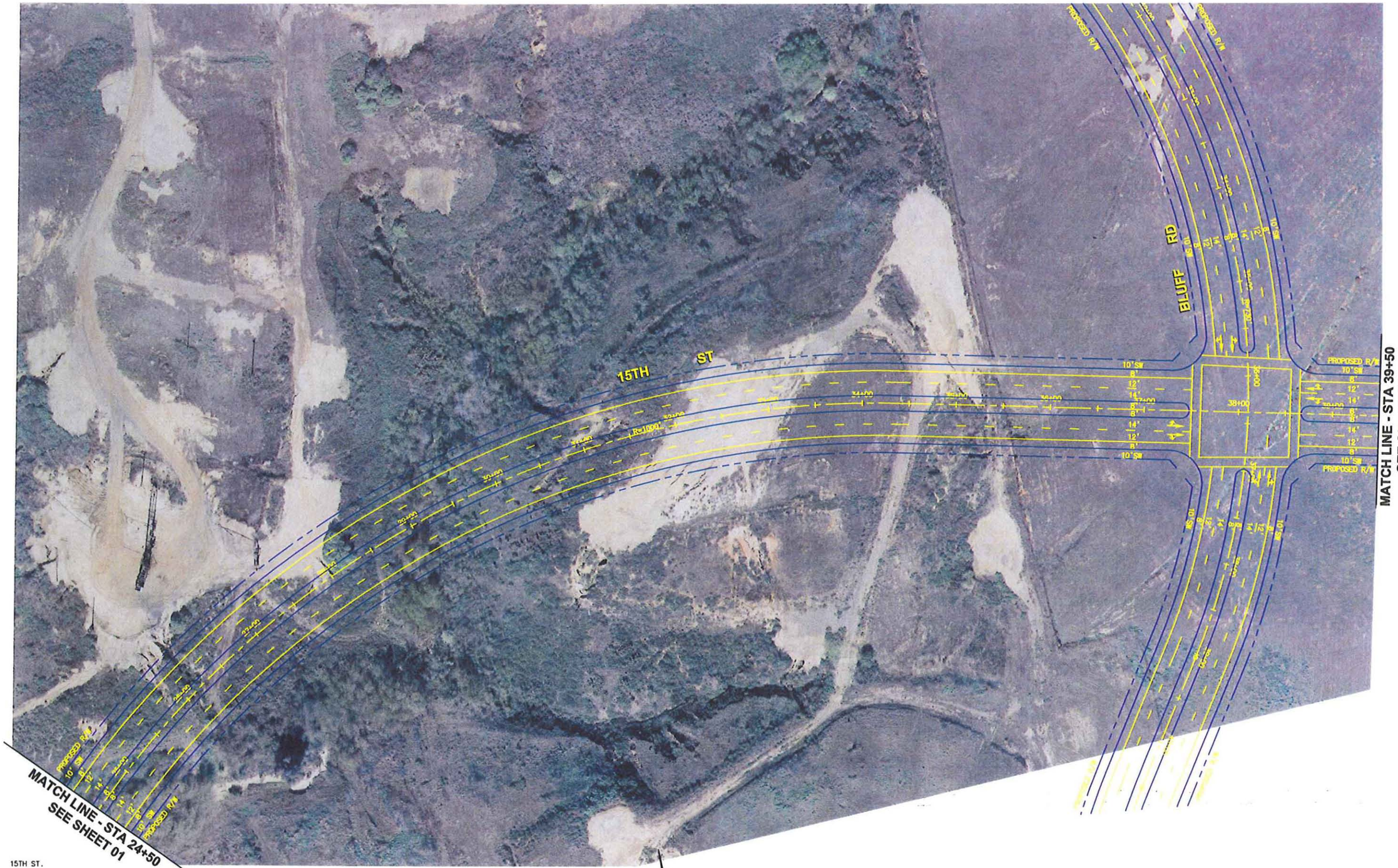
PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxxx
DATE xx/xx/xx

DESIGNED XX DRAWN XX
CHECKED XX DATE xx/xx/xx

# 15TH STREET EXTENSION

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET 1 OF 3




15TH ST.

COAST HWY.

LEGEND:

NEW IMPROVEMENT

MITIGATION:
ADD SB RIGHT TURN
ADD SB LEFT TURN
ADD EB THRU
ADD EB LEFT TURN
ADD WB THRU RIGHT
ADD WB RIGHT TURN

SCALE: 1" = 50'

0 50 100 150

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| | | | |

REGISTERED PROFESSIONAL ENGINEER
FIRST NAME
LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxxx
DATE xx/xx/xx

DESIGNED XX DRAWN XX
CHECKED XX DATE xx/xx/xx

# 15TH STREET EXTENSION

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET 2 OF 3

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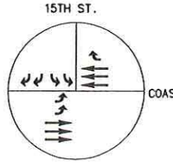
MATCH LINE - 35+50
SEE SHEET 02

15TH ST.



COAST HWY.

LEGEND:

NEW IMPROVEMENT

MITIGATION:
ADD SB RIGHT TURN
ADD SB LEFT TURN
ADD EB THRU
ADD EB LEFT TURN
ADD WB THRU RIGHT
ADD WB RIGHT TURN

SCALE: 1" = 50'

0 50 100 150

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REGISTERED PROFESSIONAL ENGINEER
FIRST NAME
LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxx

DATE xx/xx/xx

DESIGNED XX DRAWN XX
CHECKED XX DATE XX/XX/XX

# 15TH STREET EXTENSION

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET 3 OF 3

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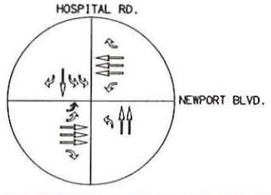



MITIGATION:
ADD NB LEFT TURN (2L)

LEGEND:

EXISTING LANE

NEW IMPROVEMENT

SCALE: 1" = 50'

0 50 100 150

| DATE | BY | DESCRIPTION OF REVISIONS | APP'D |
|---|---|---|---|
| | | | |

REGISTERED PROFESSIONAL ENGINEER
FIRST NAME
LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxxx

DATE xx/xx/xx

DESIGNED XX DRAWN XX

CHECKED XX DATE XX/XX/XX

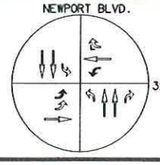
**NEWPORT BOULEVARD & HOSPITAL ROAD (4)**

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET OF X

H:\pdata\10105689\CADD\Transpw\CAD_Out\Civil\yolf18\2007.08.06 Color\5689-INT-04.dwg 08/21/07 - 5:26pm SFOSTER


NEWPORT BLVD.



32ND ST.

LEGEND:

EXISTING LANE

NEW IMPROVEMENT

MITIGATION:
ADD WB LEFT TURN (2L)
ADD EB LEFT TURN
ADD SB THRU LANE (3T)
ADD NB THRU LANE (3T)

SCALE: 1" = 50'

0 50 100 150

| DATE | BY | DESCRIPTION OF REVISIONS | APP'D |
|---|---|---|---|
| | | | |

REGISTERED PROFESSIONAL ENGINEER
FIRST NAME
LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxx
DATE xx/xx/xx

DESIGNED XX DRAWN XX
CHECKED XX DATE xx/xx/xx

# NEWPORT BOULEVARD & 32ND STREET (6)

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET OF X

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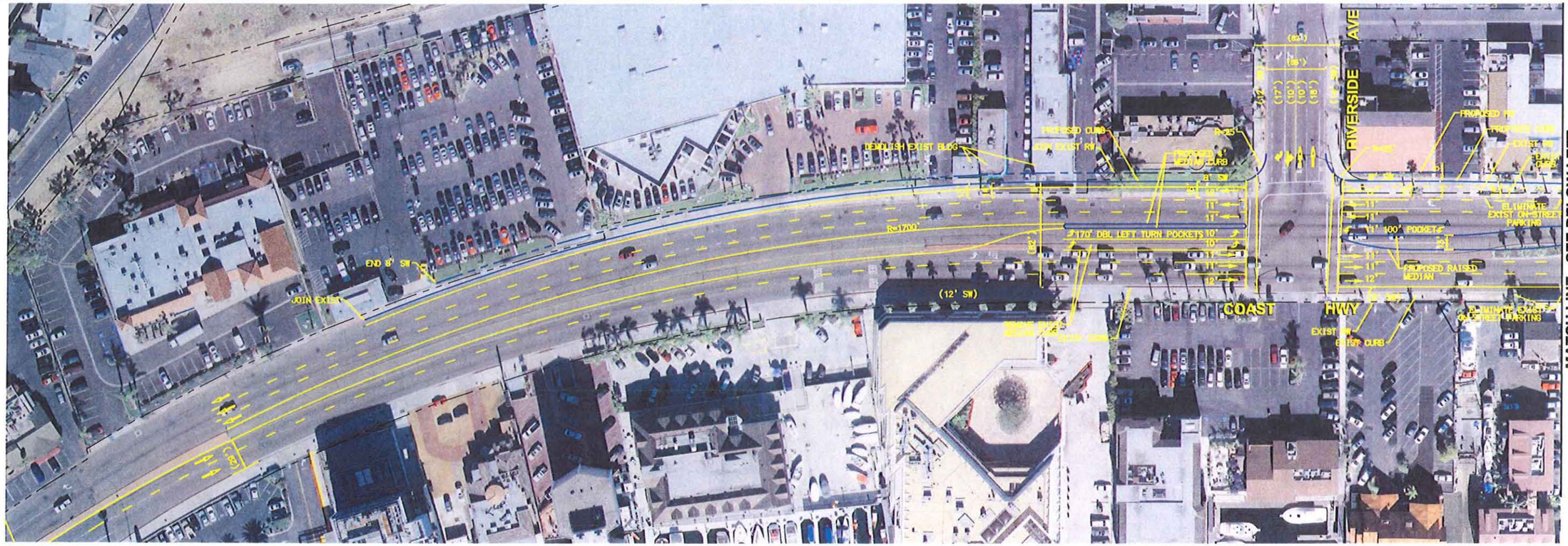
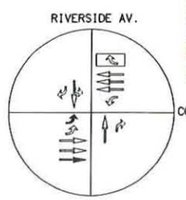
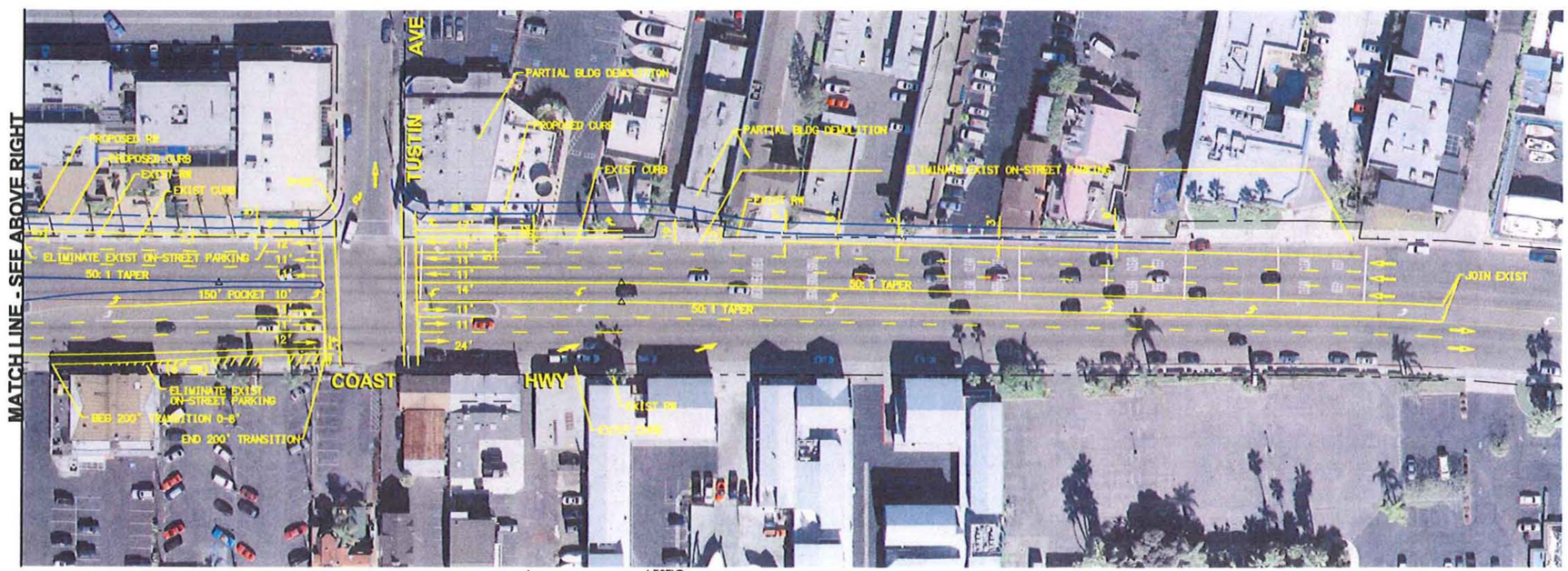
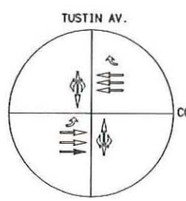



RIVERSIDE AV. & COAST HWY. (7) MITIGATION:

ADD EB LEFT TURN (2L)
ADD EB THROUGH
ELIMINATE WB RIGHT TURN




TUSTIN AV. & COAST HWY. (8) MITIGATION:

ADD EB THROUGH

LEGEND:

- EXISTING LANE
- NEW IMPROVEMENT
- ELIMINATE LANE

SCALE: 1" = 50'

0 50 100 150

| DATE | BY | DESCRIPTION OF REVISIONS | APP'D |
|---|---|---|---|
| | | | |

REGISTERED PROFESSIONAL ENGINEER — FIRST NAME LAST NAME No. XXXXX Exp. XX-XX-XX CIVIL STATE OF CALIFORNIA

REVIEWED

PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxx
DATE xx/xx/xx

DESIGNED XX DRAWN XX
CHECKED XX DATE XX/XX/XX

# RIVERSIDE AVENUE & COAST HIGHWAY (7)
# TUSTIN AVENUE & COAST HIGHWAY (8)

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET OF X

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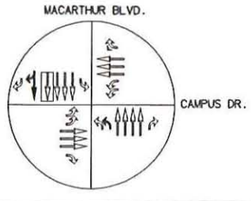


LEGEND:

- EXISTING LANE
- NEW IMPROVEMENT
- FREE RIGHT TURN
- ELIMINATE LANE

MITIGATION:
ADD NB LEFT TURN (2L)
ELIMINATE SB THROUGH
ADD SB THROUGH/RIGHT TURN

SCALE: 1" = 50'

0 50 100 150

| DATE | BY | DESCRIPTION OF REVISIONS | APP'D |
|---|---|---|---|
| | | | |

REGISTERED PROFESSIONAL ENGINEER
FIRST NAME
LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxxx
DATE xx/xx/xx

DESIGNED XX DRAWN XX
CHECKED XX DATE XX/XX/XX

# MACARTHUR BOULEVARD & CAMPUS DRIVE (9)

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET OF X

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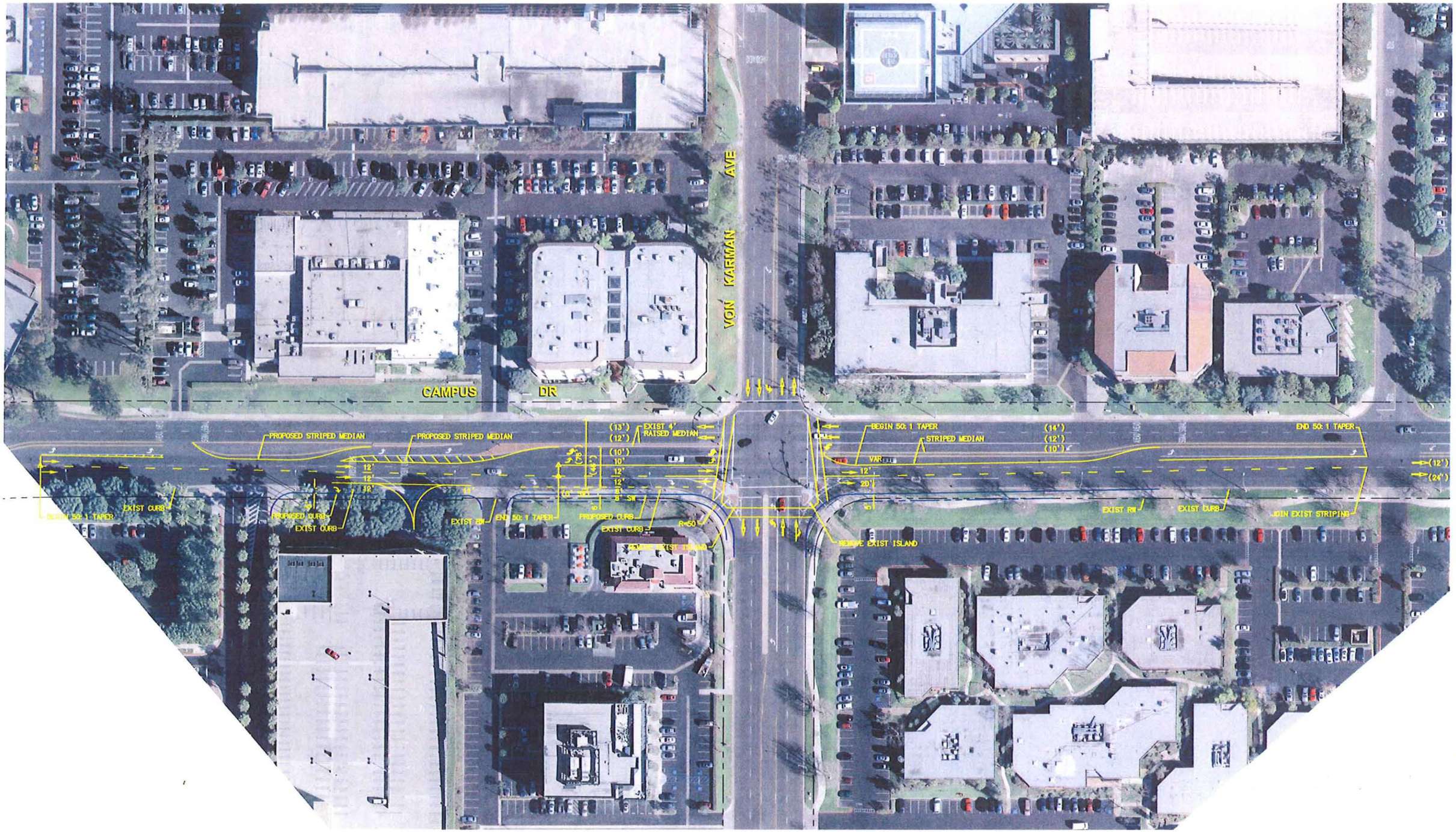


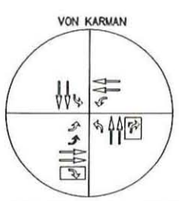


LEGEND:

- EXISTING LANE
- NEW IMPROVEMENT
- ELIMINATE LANE
- FREE RIGHT TURN

MITIGATION:

ADD EB LEFT TURN (2L)
ELIMINATE EB RIGHT TURN
ELIMINATE NB FREE RIGHT TURN

SCALE: 1" = 50'

0 50 100 150

| DATE | BY | DESCRIPTION OF REVISIONS | APP'D |
|---|---|---|---|
| | | | |

REGISTERED PROFESSIONAL ENGINEER
FIRST NAME LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxx

DATE xx/xx/xx

DESIGNED XX DRAWN XX
CHECKED XX DATE XX/XX/XX

# VON KARMAN AVENUE & CAMPUS DRIVE (11)

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET OF X

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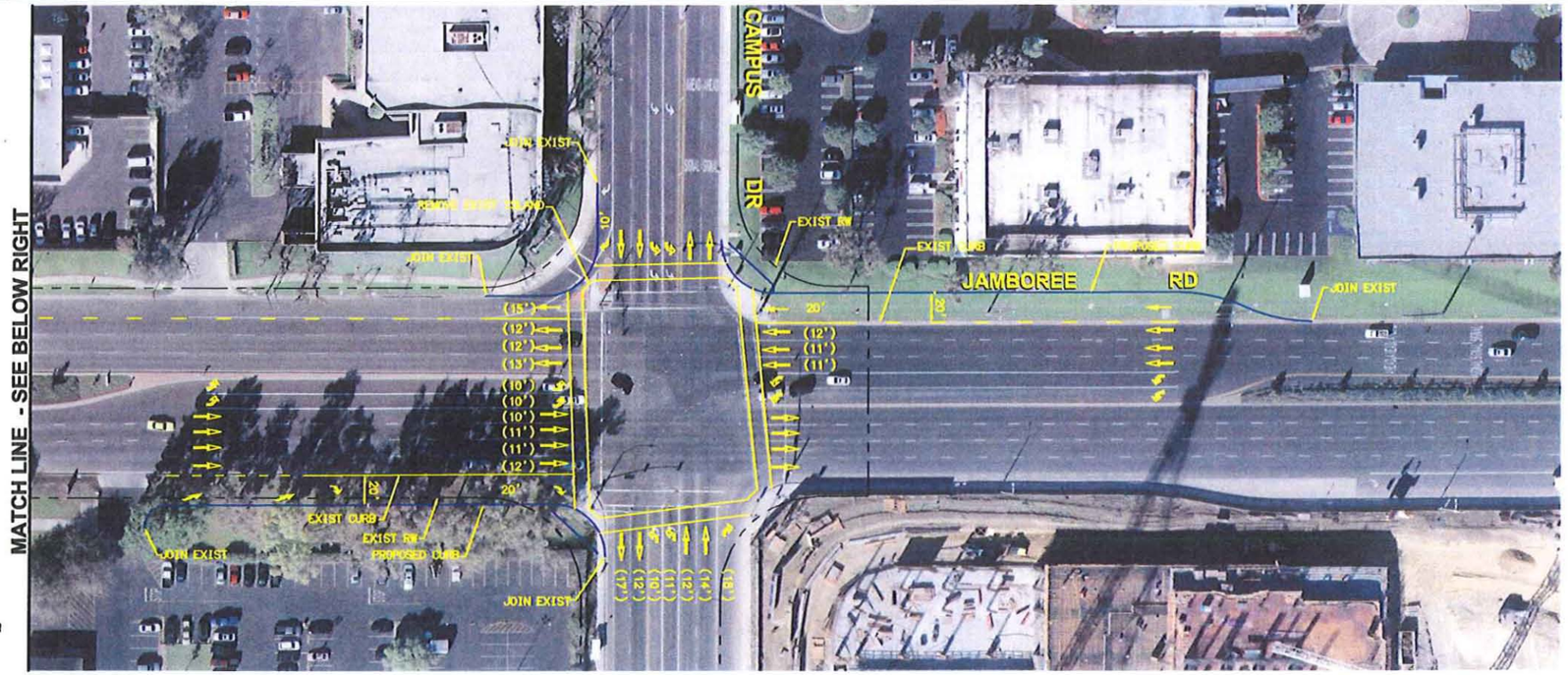
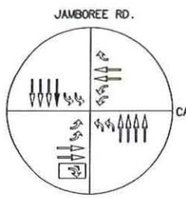
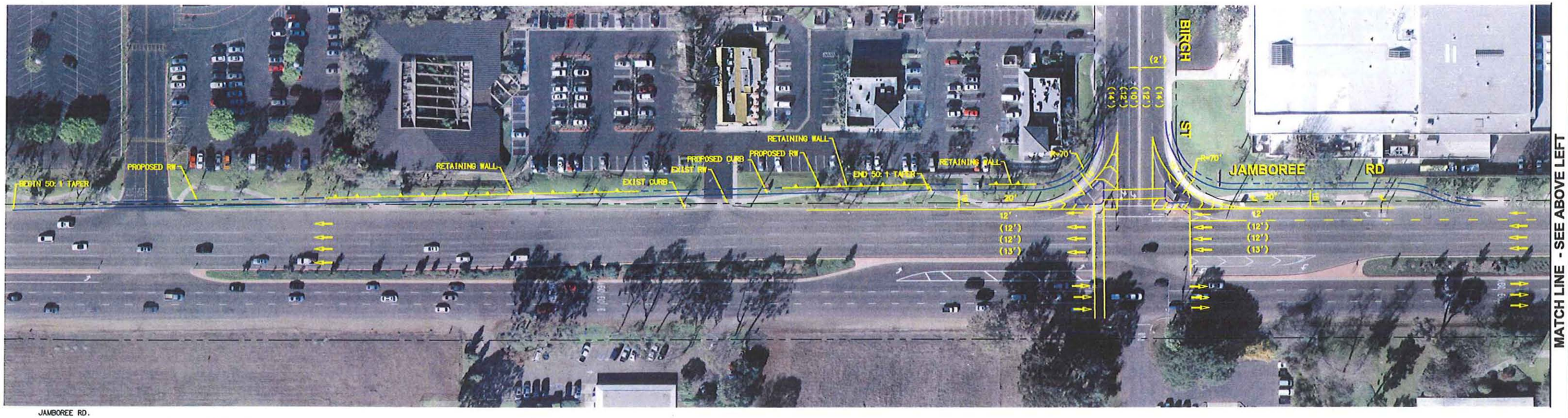
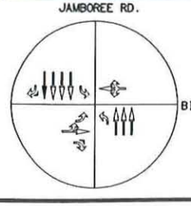



JAMBOREE RD. & CAMPUS DR.
(13) MITIGATION:

ADD NB RIGHT TURN
ADD SB THRU LANE
ELIMINATE EB FREE RIGHT TURN




JAMBOREE RD. & BIRCH ST.
(14) MITIGATION:

ADD SB THRU LANE
ELIMINATE EB FREE RIGHT TURN

LEGEND:

- EXISTING LANE
- NEW IMPROVEMENT
- FREE RIGHT TURN
- ELIMINATE LANE

SCALE: 1" = 50'

0 50 100 150

| DATE | BY | DESCRIPTION OF REVISIONS | APP'D |
|---|---|---|---|
| | | | |

REGISTERED PROFESSIONAL ENGINEER
FIRST NAME
LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxxx
DATE xx/xx/xx

DESIGNED XX DRAWN XX
CHECKED XX DATE XX/XX/XX

**JAMBOREE ROAD & CAMPUS DRIVE (13)**
**JAMBOREE ROAD & BIRCH STREET (14)**

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET OF X

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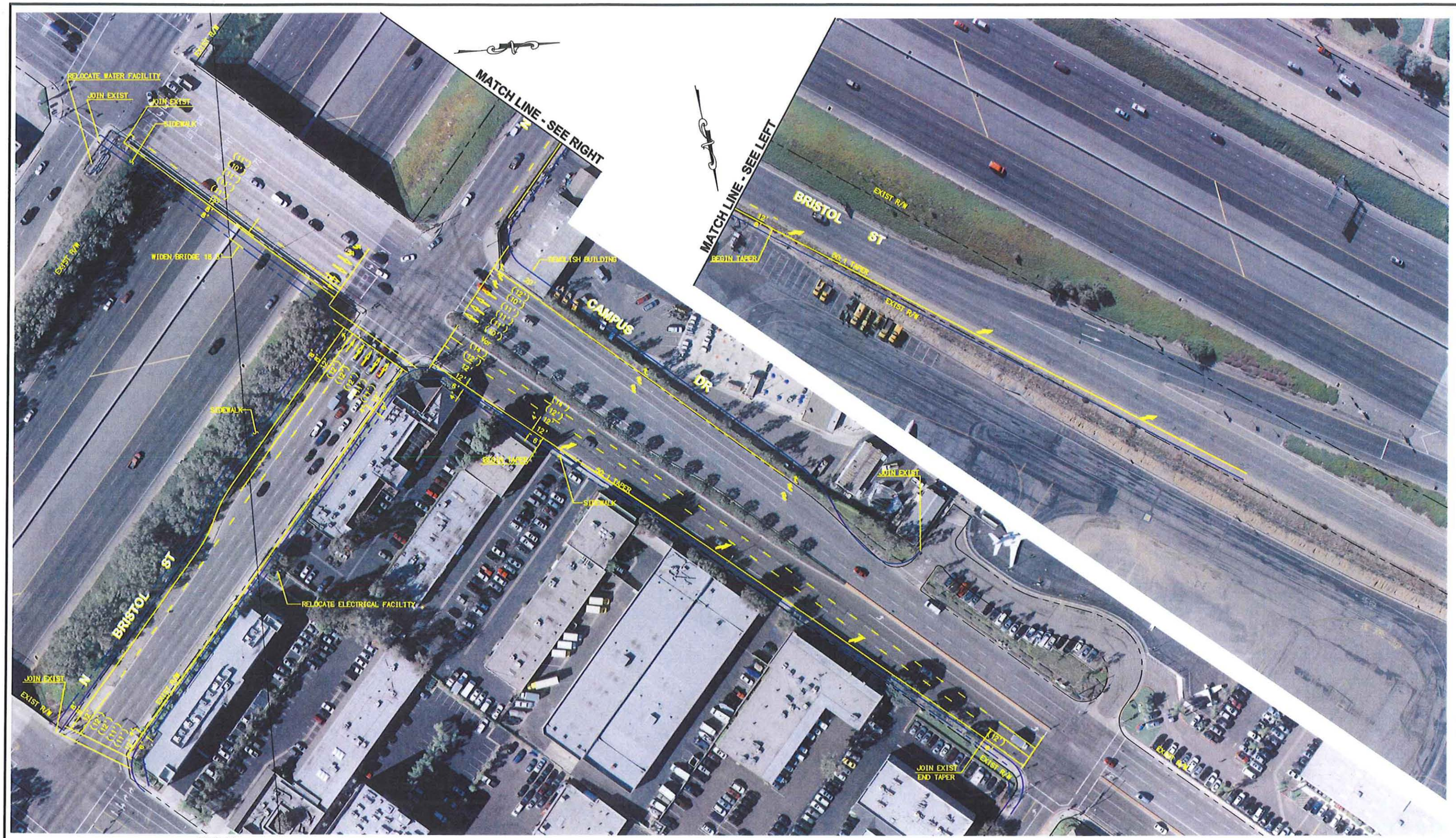


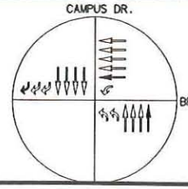


CAMPUS DRIVE & BRISTOL STREET NORTH (15) MITIGATION:

ADD NB THRU LANE
ADD SB RIGHT TURN LANE
ADD WB THRU LANE

LEGEND:

- EXISTING LANE
- NEW IMPROVEMENT
- FREE RIGHT TURN
- ELIMINATE LANE

SCALE: 1" = 50'

0 50 100 150

| DATE | BY | DESCRIPTION OF REVISIONS | APP'D |
|---|---|---|---|
| | | | |

REGISTERED PROFESSIONAL ENGINEER
FIRST NAME LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxx
DATE xx/xx/xx

DESIGNED xx DRAWN xx
CHECKED xx DATE xx/xx/xx

xx
**CAMPUS DRIVE & BRISTOL STREET NORTH (15)**
xx

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET OF X

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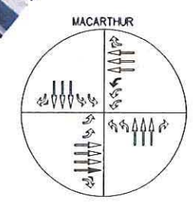
BEGIN IMPROVEMENTS
EXIST R/W
STRIPED MEDIAN
50:1 TAPER
R=10,000'
BEGIN REMOVE CURB AND GUTTER JOIN EXIST
JOIN EXIST STRIPING
PROPOSED CURB
REMOVE SIDEWALK
R=35'
REMOVE FREE RIGHT TURN REMOVE ISLAND
END REMOVE CURB AND GUTTER JOIN EXIST
BEGIN REMOVE CURB AND GUTTER JOIN EXIST
MACARTHUR BLVD
JAMBOREE RD
STRIPED MEDIAN
PROPOSED MEDIAN CURB
50:1 TAPER
EXIST R/W
PROPOSED CURB
END REMOVE CURB AND GUTTER JOIN EXIST
BEGIN REMOVE CURB AND GUTTER JOIN EXIST
MATCH LINE - SEE BELOW
EXIST R/W
JOIN EXIST

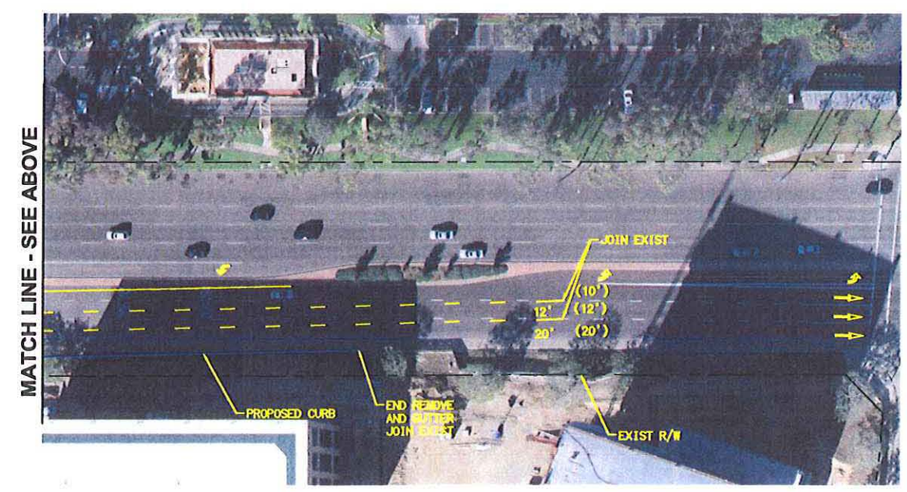
MITIGATION:

ADD EB THRU LANE (4T)
ADD WB LEFT TURN LANE (3L)




LEGEND:

- EXISTING LANE
- NEW IMPROVEMENT
- ELIMINATE LANE
- FREE RIGHT TURN




SCALE: 1" = 50'

0 50 100 150

| DATE | BY | DESCRIPTION OF REVISIONS | APP'D |
|---|---|---|---|
| | | | |

REGISTERED PROFESSIONAL ENGINEER
FIRST NAME LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

PRINCIPAL CIVIL ENGINEER
R.C.E. NO. XXXXXX
DATE XX/XX/XX

DESIGNED XX DRAWN XX
CHECKED XX DATE XX/XX/XX

# MACARTHUR BOULEVARD & JAMBOREE ROAD (29)

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET OF X

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| DIST | COUNTY | ROUTE | POST MILES TOTAL PROJECT | SHEET NO. | TOTAL SHEETS |
|---|---|---|---|---|---|
| 12 | Ora | 73 | 24.8 | | XXX |

REGISTERED CIVIL ENGINEER

PLANS APPROVAL DATE

REGISTERED PROFESSIONAL ENGINEER MARK J. ESPOSITO No. 69921 Exp. 9/30/08 CIVIL STATE OF CALIFORNIA

CITY OF NEWPORT BEACH
3300 NEWPORT BOULEVARD
NEWPORT BEACH, CA 92663

RBF CONSULTING
14725 ALTON PARKWAY
IRVINE, CA 92618

*The State of California or its officers or agents shall not be responsible for the accuracy or completeness of electronic copies of this plan sheet.*

*Caltrans now has a web site! To get to the Caltrans web site, go to: http://www.dot.ca.gov*

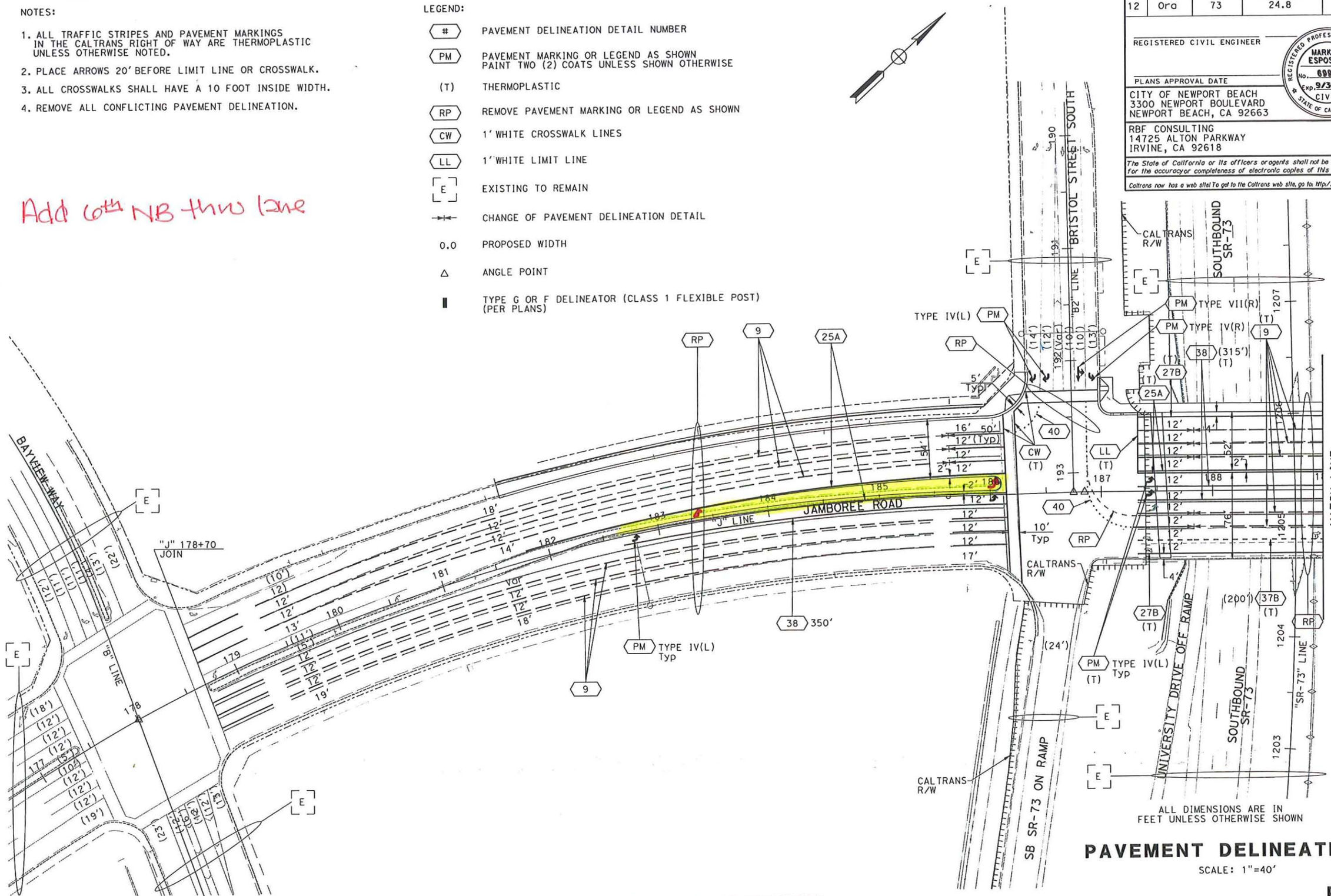
NOTES:

1. ALL TRAFFIC STRIPES AND PAVEMENT MARKINGS IN THE CALTRANS RIGHT OF WAY ARE THERMOPLASTIC UNLESS OTHERWISE NOTED.
2. PLACE ARROWS 20' BEFORE LIMIT LINE OR CROSSWALK.
3. ALL CROSSWALKS SHALL HAVE A 10 FOOT INSIDE WIDTH.
4. REMOVE ALL CONFLICTING PAVEMENT DELINEATION.

Add 6th NB thru lane

LEGEND:

| | |
|---|---|
| # | PAVEMENT DELINEATION DETAIL NUMBER |
| PM | PAVEMENT MARKING OR LEGEND AS SHOWN PAINT TWO (2) COATS UNLESS SHOWN OTHERWISE |
| (T) | THERMOPLASTIC |
| RP | REMOVE PAVEMENT MARKING OR LEGEND AS SHOWN |
| CW | 1' WHITE CROSSWALK LINES |
| LL | 1' WHITE LIMIT LINE |
| E | EXISTING TO REMAIN |
| | CHANGE OF PAVEMENT DELINEATION DETAIL |
| 0.0 | PROPOSED WIDTH |
| △ | ANGLE POINT |
| ▮ | TYPE G OR F DELINEATOR (CLASS 1 FLEXIBLE POST) (PER PLANS) |




# PAVEMENT DELINEATION

SCALE: 1"=40'

THIS PLAN ACCURATE FOR PAVEMENT DELINEATION ONLY.

PD-1

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION

Caltrans

DESIGN OVERSIGHT

CALCULATED/DESIGNED BY SH | CHECKED BY SH | DATE | REVISED BY | DATE REVISED

07/02/2007 10:38:08 AMCDAVIS h:\PDATA\10104114\CADD\Transpw\div\PD\4114PD01.dgn

RELATIVE BORDER SCALE IS IN INCHES 0 1 2 3

USERNAME => $USER
DGN FILE => $REQUEST

CU 00000 | EA 0A9700

LAST REVISION DATE PLOTTED => $DATE
TIME PLOTTED => $TIME

| DIST | COUNTY | ROUTE | POST MILES TOTAL PROJECT | SHEET NO. | TOTAL SHEETS |
|---|---|---|---|---|---|
| 12 | Ora | 73 | 24.8 | | XXX |

REGISTERED CIVIL ENGINEER

PLANS APPROVAL DATE

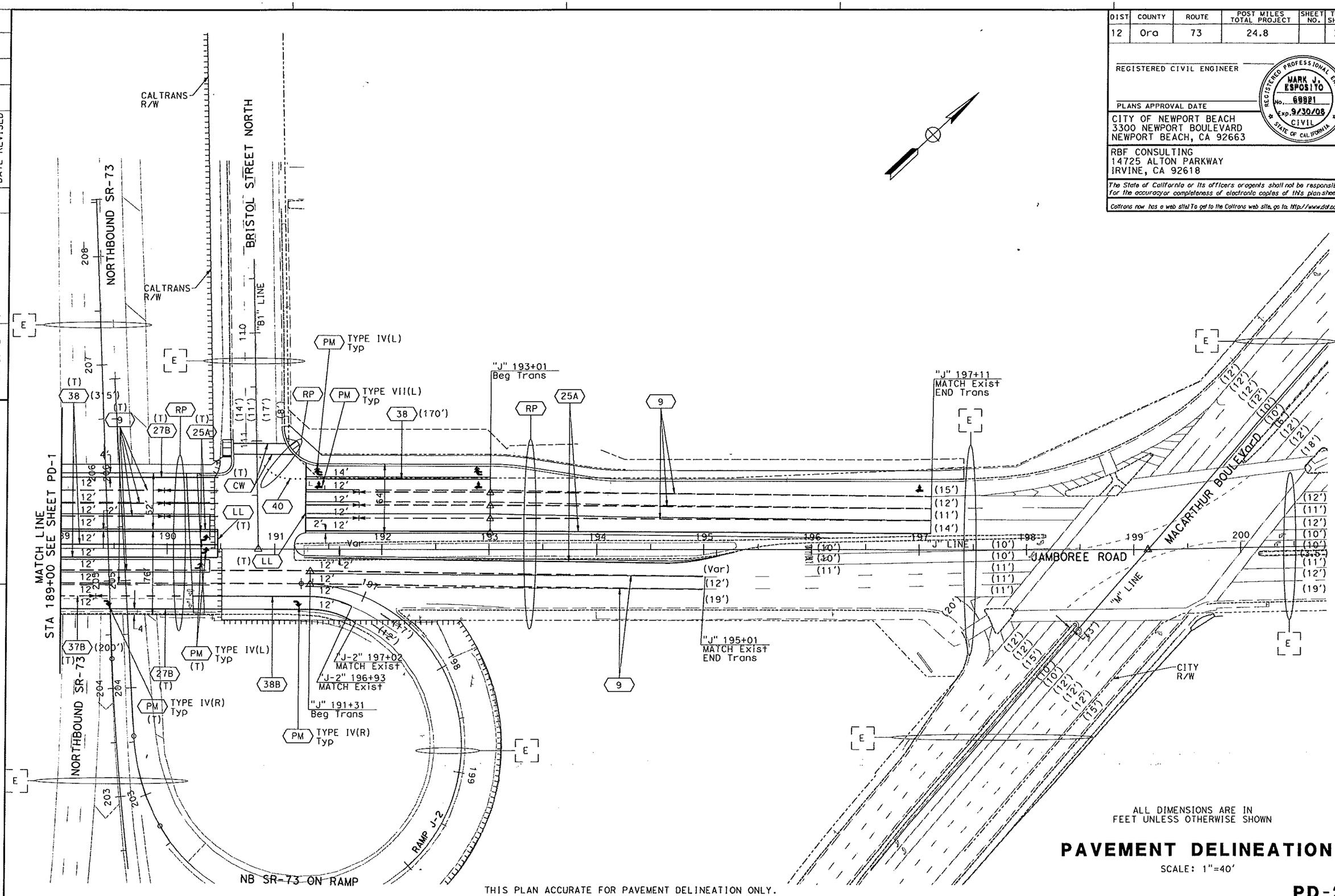
REGISTERED PROFESSIONAL ENGINEER MARK J. ESPOSITO No. 69921 Exp. 9/30/08 CIVIL STATE OF CALIFORNIA

CITY OF NEWPORT BEACH
3300 NEWPORT BOULEVARD
NEWPORT BEACH, CA 92663

RBF CONSULTING
14725 ALTON PARKWAY
IRVINE, CA 92618

*The State of California or its officers or agents shall not be responsible for the accuracy or completeness of electronic copies of this plan sheet.*

*Caltrans now has a web site! To get to the Caltrans web site, go to: http://www.dot.ca.gov*




ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE SHOWN

THIS PLAN ACCURATE FOR PAVEMENT DELINEATION ONLY.

# PAVEMENT DELINEATION

SCALE: 1"=40'

**PD-2**

| DATE | REVISED BY | DATE REVISED |
|---|---|---|
| | | |

CALCULATED/DESIGNED BY: SH
CHECKED BY: SH

DESIGN OVERSIGHT

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
Caltrans

07/02/2007 10:38:18 AMCDAVIS h:\PDATA\10104114\CADD\Transpw\div\PB\4114PD02.dgn

LAST REVISION 00-00-00 DATE PLOTTED => $DATE TIME PLOTTED => $TIME

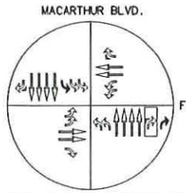
RELATIVE BORDER SCALE IS IN INCHES 0 1 2 3

USERNAME => $USER
DGN FILE => $REQUEST

CU 00000 | EA 0A9700



MACARTHUR BLVD.



FORD RD./BONITA CANYON DR.

MITIGATION:
ADD SB LEFT TURN (3L)
ELIMINATE NB FREE RIGHT TURN
ADD NB RIGHT TURN

LEGEND:
- EXISTING LANE
- NEW IMPROVEMENT
- FREE RIGHT TURN
- ELIMINATE LANE

SCALE: 1" = 50'
0 50 100 150

| DATE | BY | DESCRIPTION OF REVISIONS | APP'D |
|---|---|---|---|
| | | | |

REGISTERED PROFESSIONAL ENGINEER
FIRST NAME LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED
PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxxx
DATE xx/xx/xx

DESIGNED XX DRAWN XX
CHECKED XX DATE xx/xx/xx

# MACARTHUR BOULEVARD & FORD ROAD / BONITA CANYON DRIVE (49)

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET OF X

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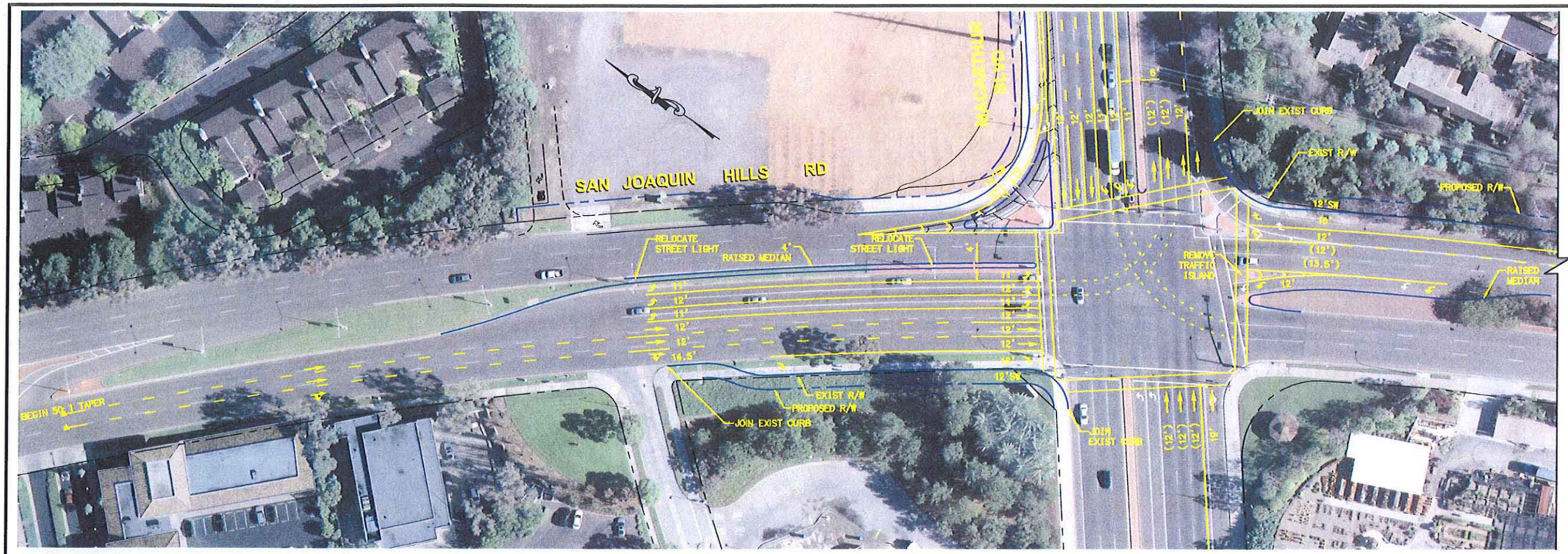
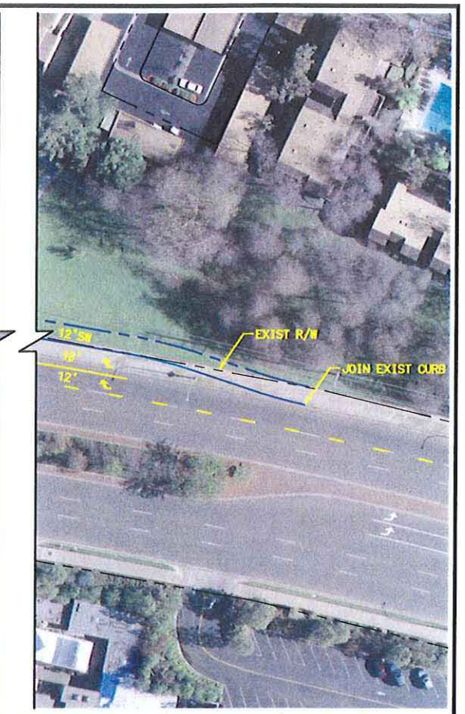
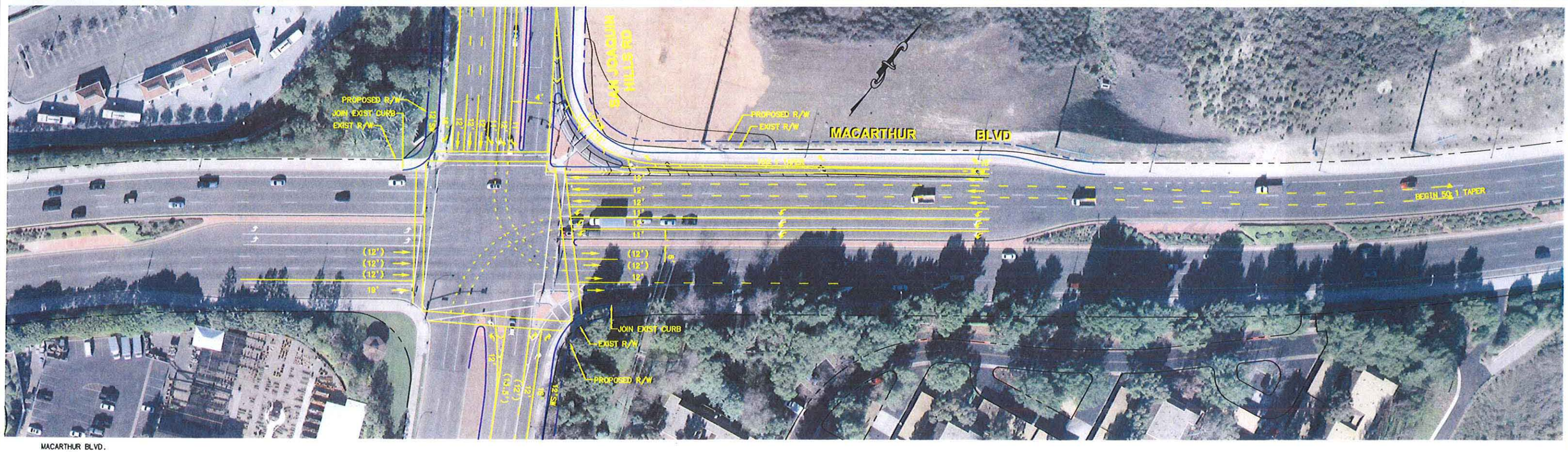
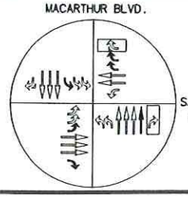



MACARTHUR BLVD.



SAN JOAQUIN HILLS RD.

MITIGATION:
ADD SB LEFT TURN (3L)
ADD EB LEFT TURN (3L)
ADD EB RIGHT TURN
ELIMINATE NB RIGHT TURN
ADD NB THROUGH
ELIMINATE WB FREE RIGHT TURN
ADD WB DOUBLE RIGHT TURN

LEGEND:
- EXISTING LANE
- NEW IMPROVEMENT
- FREE RIGHT TURN
- ELIMINATE LANE

SCALE: 1" = 50'
0 50 100 150

| DATE | BY | DESCRIPTION OF REVISIONS | APP'D |
|---|---|---|---|
| | | | |

REGISTERED PROFESSIONAL ENGINEER
FIRST NAME
LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED
PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxx
DATE xx/xx/xx

DESIGNED XX DRAWN XX
CHECKED XX DATE XX/XX/XX

**MACARTHUR BOULEVARD & SAN JOAQUIN HILLS ROAD (50)**

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET OF X

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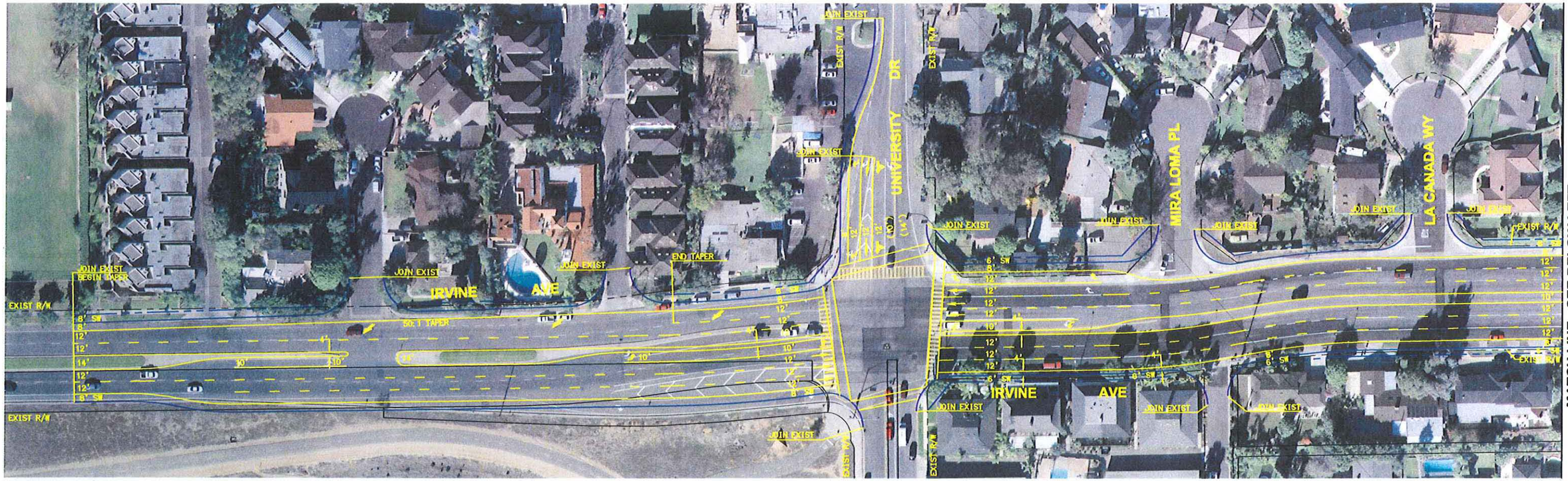
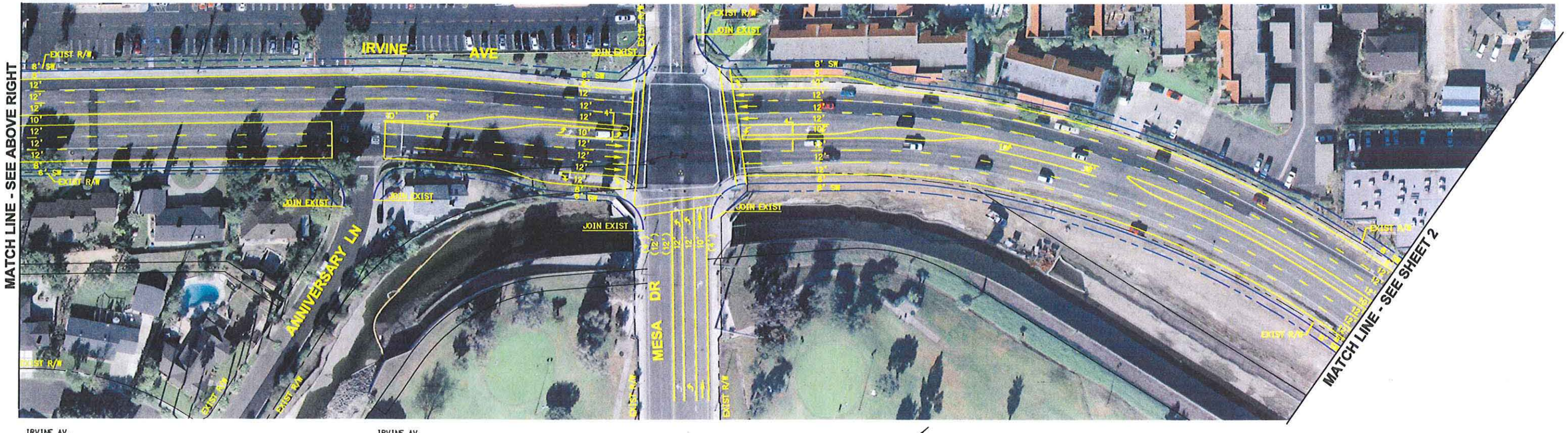
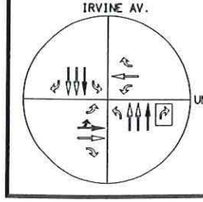
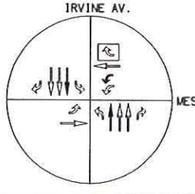



MITIGATION:

ADD NB THRU
ELIMINATE NB RIGHT TURN
ADD SB THRU
ADD EB THRU LEFT




MITIGATION:

ADD NB THRU
ADD SB THRU
ADD WB LEFT TURN
ELIMINATE WB RIGHT TURN

LEGEND:

- EXISTING LANE
- NEW IMPROVEMENT
- ELIMINATE LANE

SCALE: 1" = 50'

0 50 100 150

| DATE | BY | DESCRIPTION OF REVISIONS | APP'D |
|---|---|---|---|
| | | | |

REGISTERED PROFESSIONAL ENGINEER
FIRST NAME
LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

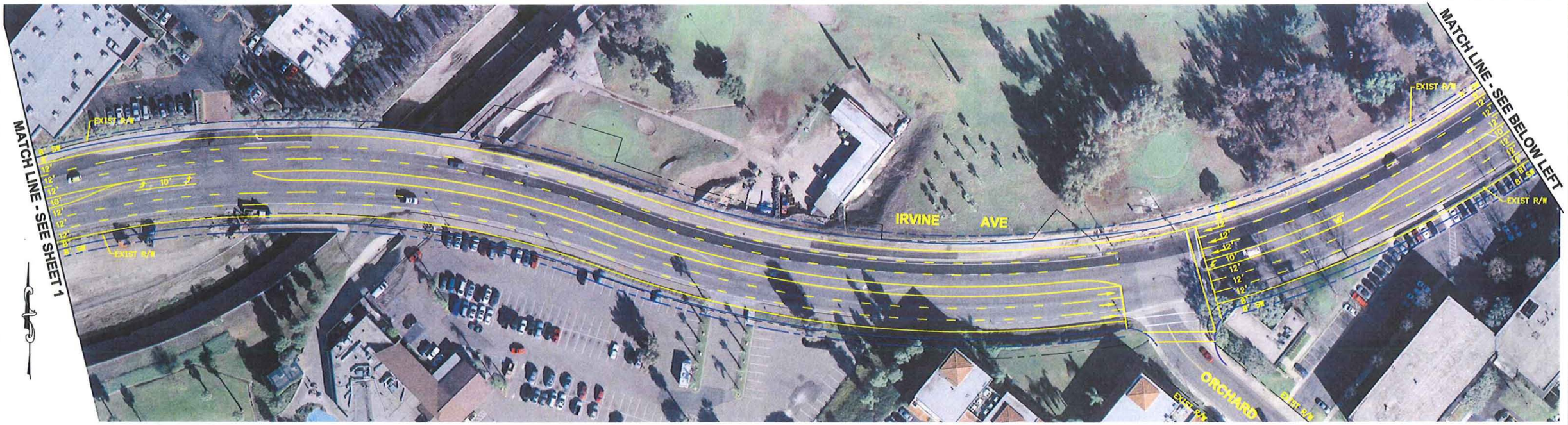
PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxxx
DATE xx/xx/xx

DESIGNED XX DRAWN XX
CHECKED XX DATE xx/xx/xx

# IRVINE AVENUE FROM MESA DRIVE TO BRISTOL STREET

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET 1 OF 2





SCALE: 1" = 50'

0 50 100 150

| DATE | BY | DESCRIPTION OF REVISIONS | APP'D |
|---|---|---|---|
| | | | |

REGISTERED PROFESSIONAL ENGINEER
FIRST NAME
LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxxx
DATE xx/xx/xx

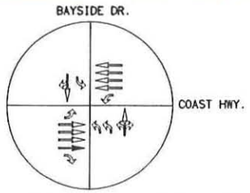
DESIGNED XX DRAWN XX
CHECKED XX DATE xx/xx/xx

# IRVINE AVENUE FROM MESA DRIVE TO BRISTOL STREET

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET 2 OF 2

H:\pdata\10105689\CAD\Transpo\CAD_Out\City of NB\2007.08.06 Color\5689-IRVINE-02.dwg 08/22/07 - 8:53am SFOSTER


MITIGATION:
ADD 4TH EB THROUGH

LEGEND:

EXISTING LANE

NEW IMPROVEMENT

SCALE: 1" = 50'

0 50 100 150

| DATE | BY | DESCRIPTION OF REVISIONS | APP'D |
|---|---|---|---|
| | | | |

REGISTERED PROFESSIONAL ENGINEER
FIRST NAME
LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxxx

DATE xx/xx/xx

DESIGNED XX DRAWN XX

CHECKED XX DATE xx/xx/xx

# E. COAST HIGHWAY AT BAYSIDE DRIVE

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET OF X

H:\pdata\10105689\CADD\Transpw\CAD_Out\Civil type1NB\2007.08.06 Color\5689-PCH-Bayside.dwg 08/22/07 - 8:58am SPOSTER


MITIGATION:
WIDEN PLACENTIA AVE BETWEEN
HOSPITAL RD AND SUPERIOR AVE
TO A SECONDARY CROSS-SECTION

SCALE: 1" = 50'

0 50 100 150

| DATE | BY | DESCRIPTION OF REVISIONS | APP'D |
|---|---|---|---|
| | | | |

REGISTERED PROFESSIONAL ENGINEER
FIRST NAME
LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxx
DATE xx/xx/xx

DESIGNED XX DRAWN XX
CHECKED XX DATE XX/XX/XX

# PLACENTIA AVENUE-HOSPITAL ROAD TO SUPERIOR AVENUE

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET OF X

H:\pdata\10105689\CADD\Transpw\CAD_Out\Cityof NB\2007.08.06 Color\5689-PlacentiaAve.dwg 08/22/07 - 9:00am SFOSTER


MITIGATION:
WIDEN 15TH STREET FROM PLACENTIA AVE TO MONROVIA AVE TO A 4-LANE SECONDARY CROSS-SECTION

SCALE: 1" = 50'

0 50 100 150

| DATE | BY | DESCRIPTION OF REVISIONS | APP'D |
|---|---|---|---|
| | | | |

REGISTERED PROFESSIONAL ENGINEER
FIRST NAME
LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

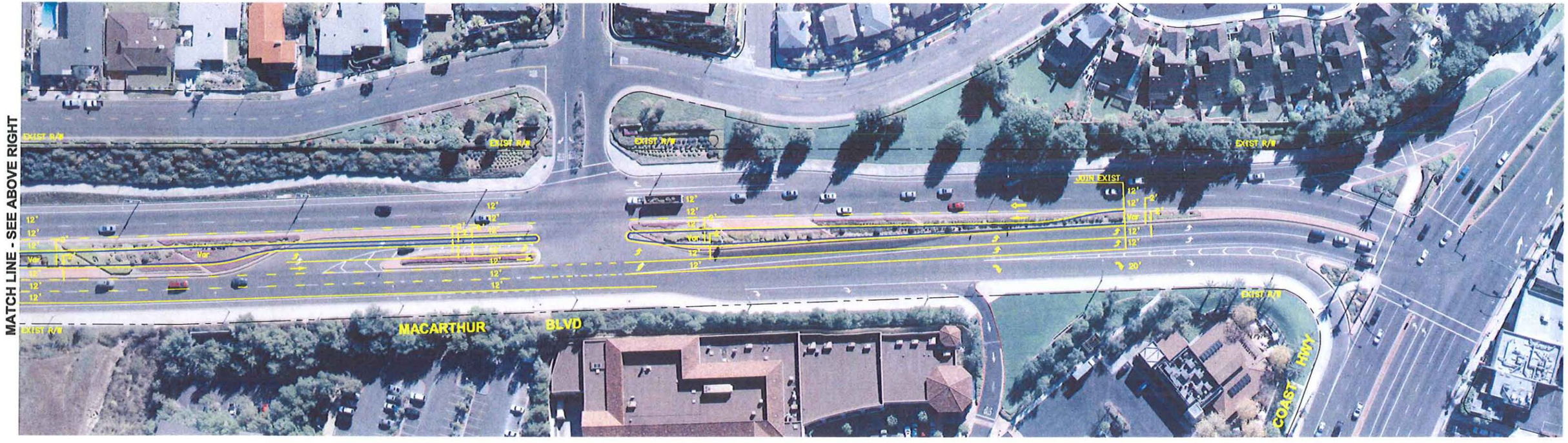
PRINCIPAL CIVIL ENGINEER
R.C.E. NO. XXXXXX
DATE xx/xx/xx

DESIGNED XX DRAWN XX
CHECKED XX DATE XX/XX/XX

**15TH STREET - PLACENTIA AVENUE TO MONROVIA AVENUE**

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET OF X


MITIGATION:
NARROW MEDIAN ON MACARTHUR BL FROM SAN MIGUEL TO COAST HWY TO A 6-LANE MAJOR

SCALE: 1" = 50'

0 50 100 150

| DATE | BY | DESCRIPTION OF REVISIONS | APP'D |
|---|---|---|---|
| | | | |

REGISTERED PROFESSIONAL ENGINEER
FIRST NAME
LAST NAME
No. XXXXX
Exp. XX-XX-XX
CIVIL
STATE OF CALIFORNIA

REVIEWED

PRINCIPAL CIVIL ENGINEER
R.C.E. NO. xxxxxx
DATE xx/xx/xx

DESIGNED XX DRAWN XX
CHECKED XX DATE XX/XX/XX

# MACARTHUR BOULEVARD - SAN MIGUEL DRIVE TO COAST HIGHWAY

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

SHEET OF X

H:\data\10105683\CADD\Transpo\CAD_Out\CityofNB\2007.08.06 Color\5683-Macarthur.dwg 08/22/07 - 8:55am SFOSTER

CONEXANT

CONEXANT SYSTEMS, INC.
4000 MacArthur Blvd.
Newport Beach, CA 92660

August 28, 2007

BY EMAIL
swood@city.newport-beach.ca.us

Ms. Sharon Wood
Assistant City Manager
3300 Newport Boulevard
Newport Beach, California 92658-8915

Re: General Plan Implementation Committee--Transportation Fair Share Fee

Dear Sharon:

We understand that the General Plan Implementation Committee will be taking up the Fair Share Fee for transportation improvements at its next meeting on August 29. We have briefly reviewed the draft report of the Department of Public Works, but we would very much like to have the time to better understand the proposal (which, as currently proposed we understand would nearly triple the existing fee) and comment on it, and therefore we request that the Committee continue its consideration of this item after the next meeting to give us time to digest the proposal and discuss it with staff before it is finalized and sent to the City Council.

Thank you for your consideration.

Sincerely,

Jake Cisneros
Manager
Facilities & Corporate Real Estate
Conexant Systems, Inc.

| | | |
|---|---|---|
| cc: | Tom Muller | O'Melveny & Meyers |
| | Steve Edwards | O'Melveny & Meyers |
| | Geoff LePlastrier | LePlastrier Development Consultimg |

## Wood, Sharon

**From:** rluehrs@newportbeach.com
**Sent:** Wednesday, August 29, 2007 11:00 AM
**To:** Wood, Sharon
**Subject:** City's Fair Share Fee

Good Morning Sharon:

In reviewing the Agenda for the General Plan Implementation Committee we read with interest the Fair Share Fee Update report from Public Works Director Steve Badum. We have identified concerns over the proposed increase in fees to $508 per trip and respectfully request that this item be continued until we have an opportunity to fully understand the impacts on development allowed under the new General Plan.

Thank you.

Richard

Richard R. Luehrs
President and C.E.O.

**Newport Beach Chamber of Commerce**
*The Business and Community Resource*

1470 Jamboree Rd.
Newport Beach, CA 92660

PH: (949) 729-4404
FX: (949) 729-4417

http://www.NewportBeach.com

SoCal Chapter

www.naiopsocal.org



August 29, 2007
Sent via e-mail to swood@city.newport-beach.ca.us
Sent via facsimile to 949-644-3020

General Plan/LCP Implementation Committee
City of Newport Beach
3300 Newport Blvd.
Newport Beach, CA 92663

**RE: August 29, 2007 Agenda Item 3 – Fair Share Fee Update**

Honorable Committee Members:

I am writing on behalf of the over 1000 members of the Southern California Chapter of the National Association of Industrial and Office Properties. Our members represent the owners and developers of commercial real estate in Newport Beach and will be significantly impacted by the proposed fee increase being discussed at your meeting today.

We respectfully urge a continuance of this item to allow NAIOP SoCal and its members to join with other impacted stakeholders to review the proposal and to meet with city staff to better understand the recommendation for this extraordinary fee increase.

Thank you for your consideration.

Sincerely,

Vickie Talley

Vickie M. Talley
Director of Legislative Affairs

August 29, 2007

General Plan/LCP Implementation Committee
3300 Newport Blvd.
Newport Beach, CA 92663

**Re: Request for Continuance of Agenda Item 3 "Fair Share" Fee Update.**

Committee Members,

I am writing on behalf of the membership of the Building Industry Association of Southern California, Orange County Chapter (BIA/OC) to request continuance of item 3 ("Fair Share" Fee Update) on today's General Plan/LCP Implementation Committee agenda. **As affected stakeholders our members request that the committee continue the item in order that we might have an opportunity to work with city staff to fully understand the methodology and justification for the proposed fee increase.**

Additionally, this particular fee falls within the category of fees that are subject to the Mitigation Fee Act *(Government Code Section 66000 et seq.)* Accordingly, the city must follow the procedures and make the findings in the Mitigation Fee Act, including a determination that a reasonable relationship between the fee and the type of project upon which the fee is imposed as well as the need for a **specific** public facility and the project (nexus study). The staff report for agenda item 3 is absent of a nexus study. The BIA/OC requests that a nexus study be completed to justify this particular increase. If a nexus study has already been completed, we would like to request a copy for review.

It is our understanding that other stakeholders have made similar requests of the Committee. The BIA/OC would like to offer to host a stakeholder meeting during our regularly scheduled Transportation Committee meeting on Tuesday September 4th at 3:30pm. All interested stakeholders would be invited to attend.

We look forward to working with you on this important issue. Thank you for your thoughtful consideration.

Respectfully,

Bryan M. Starr
Deputy Executive Officer

Cc: Sharon Wood, Assistant City Manager


Orange County Chapter

Building Industry Association of Southern California

17744 Sky Park Circle
Suite 170
Irvine, California 92614
949.553.9500
fax 949.553.9507
www.biaoc.com

The Koll Company
4343 Von Karman Avenue
Suite 150
Newport Beach, CA 92660
(949) 833-3030
(949) 250-4344 Fax

August 29, 2007

Mrs. Sharon Wood
Assistant City Manger
3300 Newport Blvd.
Newport Beach, CA 92663

**RE: General Plan/LCP Implementation Committee Agenda Item # 3 (Aug. 29, 2007)**

Dear Mrs. Wood:

As a property owner/interested party in Newport Beach, we wish to request a continuance of the above item in order to allow adequate time for review of the assumptions and conclusions in this report. While we support adequate infrastructure in the City of Newport Beach, we believe that fee increases must be have adequate stakeholder review. We will appreciate the favorable consideration of our request.

Sincerely,

Scott Meserve
The Koll Company

CALIFORNIA BUSINESS PROPERTIES ASSOCIATION
1121 L Street, Suite 809 • Sacramento • California • 95814 • 916-443-4676 • Fax 916-443-0938 • www.cbpa.com

August 29, 2007

General Plan Implementation Committee
City of Newport Beach
3300 Newport Boulevard
Newport Beach, CA 92663
Attention: Sharon Wood

Re: Item #3 (August 29, 2007) Fair Share Fee – Request Postponement

Dear Committee Members,

On behalf of the California Business Properties Association (CBPA), I respectfully request that you defer taking action on the Fair Share Fee item that is on today's General Plan Implementation Committee agenda until city staff has had an opportunity to meet with those stakeholders groups that will be most impacted.

CBPA represents property owners, tenants, developers, retailers, contractors, and professional service providers that are engaged in the residential, commercial and industrial real estate industry. With over 10,000 men and women, CBPA is the largest commercial real estate consortium in California.

We would appreciate the opportunity to meet with city staff in order to discus the current proposal, and explore in detail the methodology that was used. As you know, there must be a clear nexus between development fees and the impact the development would create. Therefore it is important that stakeholder groups clearly understand the process that was undertaken to achieve the proposed fee schedule.

Thank you for your consideration. CBPA looks forward to working with the Committee and staff on this and other issues that will impact the residents and business community of Newport Beach.

Sincerely,

Todd Priest
Vice President
Curt Pringle & Associates
on behalf of the California Business Properties Association

Allied Retail Partners LLC
Real Estate Investments and Development

August 29, 2007

Mrs. Sharon Wood
Assistant City Manger
3300 Newport Blvd.
Newport Beach, CA 92663

RE: General Plan/LCP Implementation Committee Agenda Item # 3 (Aug. 29, 2007)

Dear Mrs. Wood:

As a property owner in Newport Beach, we wish to request a continuance of the above referenced item in order to allow adequate time for review of the assumptions and conclusions in the report.

While we support adequate infrastructure in the City of Newport Beach, we believe that fee increases must have been adequately reviewed by property owners in the City of Newport Beach.

I appreciate the City's favorable consideration of our request.

Sincerely,

Douglas T. Beiswenger
Managing Partner

500 Newport Center Drive, Ste. 800, Newport Beach, CA 92660
Ph. 949/ 640-0005 Fax 949/ 640-0010

THE MURREL COMPANY
A REAL ESTATE CORPORATION

August 29, 2007

Ms. Sharon Wood
Assistant City Manger
3300 Newport Blvd.
Newport Beach, CA 92663

Re: General Plan/LCP Implementation Committee Agenda Item # 3 (Aug. 29, 2007)

Dear Sharon:

We have recently been advised of the city's plans to increase the Fair Share Fees from $177/trip to $508/trip for new development projects in the City of Newport Beach. As a property owner in Newport Beach, we would respectfully request a continuance of the above referenced item in order to allow adequate time for review of the assumptions and conclusions in the committee's report.

We are supportive of continued infrastructure investment by the City of Newport Beach, however, we believe that fee increases must be adequately reviewed by property owners prior to implementation.

We appreciate your consideration of this request.

Sincerely,

THE MURREL COMPANY
Authorized agent of
VMA Mariner's Mile, LLC

Mark G. Murrel
Principal

2439 WEST COAST HWY
SUITE 200
NEWPORT BEACH
CALIFORNIA, 92663
TEL 949 • 722 • 1131
FAX 949 • 722 • 9244