

McFADDEN PLAZA AND PIER USE POLICY

On September 24, 1990, City Council formed Assessment District No. 59 and initiated the reconstruction of public improvements within the McFadden Square area including the McFadden Plaza at the base of the Newport Pier. The reconstruction project represents a cooperative effort between the City of Newport Beach, businessmen, and property owners to rejuvenate the McFadden Square Area. With this goal in mind, it is the intent of this policy to insure the preservation of the reconstructed improvements in the following ways:

PIER ACCESS

Access to the pier shall be in accordance with the attached McFadden Plaza Access Plan. Pier access shall be limited to the following:

A. Emergency and Law Enforcement Vehicles.

Vehicles providing law enforcement and emergency services on or in the vicinity of the pier that are under 10,000 pounds gross weight will be permitted on the pier. Fire equipment in excess of the weight limit shall be allowed on the pier at the discretion of the Fire Chief in an emergency situation. See Route "A" on the Access Plan.

B. Delivery Vehicles.

All commercial vehicles shall be prohibited from the pier except for the following:

1. Delivery vehicles with a maximum gross weight of 10,000 pounds, a maximum axle load of 8000 pounds, and a maximum length of 20 feet shall be allowed on the pier during the hours of 6:00 A.M. to 11:00 A.M. Restaurant Vehicles (vehicles operated by the restaurant) may shuttle supplies from the loading zone (Location "F") at the base of the pier to the restaurant to accommodate overweight/oversize delivery vehicles or deliveries during the restricted hours. Only one restaurant vehicle shall be permitted on the pier at any given time and vehicles shall not be stored on the pier. All restaurant vehicles must be approved for use by the Public Works Department. Permits for restaurant vehicles shall be issued to all approved vehicles. To obtain permits, the vehicle year, make,

identification number, license plate, gross vehicle weight rating, and length must be submitted and reviewed by the Public Works Department.

2. Light restaurant maintenance vehicles such as pick-ups or small vans for plumbing, electrical, equipment repair will be allowed on the pier if such maintenance work requires that the vehicle be utilized at the site in order to perform the work. A maximum of two vehicles shall be allowed at any time on the pier. Any request to use more than two vehicles shall be approved by the Public Works Department.

3. One small passenger tram shall be allowed to operate on the pier per the concession agreement.

Delivery vehicles, maintenance vehicles, and tram shall utilize Route "C" and Location "F" as shown on the Access Plan.

All vehicles shall be capable of turning around at the end of the pier. Back up alarms or spotters shall be utilized when turning around at the end of the pier. All vehicles are prohibited from backing the length of the pier.

C. City Maintenance Vehicles.

City maintenance vehicles are permitted on the pier when performing maintenance and must have direct authorization from the Department Head. Operators of unauthorized City vehicles on the pier are subject to disciplinary action. Maintenance vehicles shall utilize Route "C" as shown on the Access Plan.

PLAZA ACCESS

Access to the plaza shall be in accordance with the attached McFadden Plaza Access Plan. Plaza access shall be limited to the following:

A. Emergency and Law Enforcement Vehicles.

Vehicles providing emergency services or law enforcement shall be permitted on the plaza during emergency situations. Parking of vehicles for patrol or non-emergency purposes is prohibited on the plaza. Operators of unauthorized vehicles on the plaza are subject to disciplinary action. Parking for patrol or non-

emergency purposes is provided at Locations "B" and "D" shown on the Access Plan.

B. Delivery Vehicles.

Delivery vehicles providing services for the Dory Fleet or the concessionaire on the pier will be permitted at Location "F" as shown on the Access Plan for a maximum period of twenty minutes. The maximum time limit may be exceeded when actively loading and unloading of deliveries by handcart to the restaurant.

C. Dory Fleet Vehicles.

Dory Fleet vehicles are permitted to traverse the access road utilizing Route "E" as shown on the Access Plan, for the purposes of launching or retrieving Dorys. Storage of vehicles or trailers on the beach is not permitted.

D. City Maintenance Vehicles.

City maintenance vehicles are permitted on the plaza when performing maintenance operations that specifically require the maintenance vehicle be on the plaza. Prior authorization from the Department Head must be obtained. Parking for maintenance vehicles has been provided at Location "B" as shown on the Access Plan. Beach Maintenance vehicles may utilize Route "E" as shown on the Access Plan. Refuse collection vehicles may enter the plaza to empty trash containers using Route "A" and exit the plaza using Route "C". Operators of unauthorized vehicles on the plaza are subject to disciplinary action.

E. Marine Department Vehicles.

Lifeguard jeeps may traverse the plaza utilizing Route "H" as shown on the Access Plan during high tide and may use all emergency routes when responding to an emergency situation.

PLAZA USE

A. Special Events.

Special events at the plaza shall be limited to the decorative paved area at the base of the pier shown as Location "I" on the Access Plan. Special event support

vehicles are prohibited from parking on the plaza. All Special Events shall require a Special Event Permit from the Community Services Department.

B. Commercial Uses

All commercial uses are prohibited in the plaza.

C. City Events and City Sponsored Events

All City events and City sponsored events shall be considered Special Events and must fulfill the requirements of Section 1. "Special Events" above.

D. Pedestrians, Bicycles, and Alternate Wheeled Uses

Pedestrian use throughout the plaza is unlimited. Bicycles and skates used for transportation shall be limited to the designated trail as shown on the Access Plan, Route "G" and be subject to use restrictions per City Council action. Skateboarding is prohibited in the McFadden Square Area as defined by City ordinance. Exhibition skating and bicycling shall not be permitted within the McFadden Plaza.

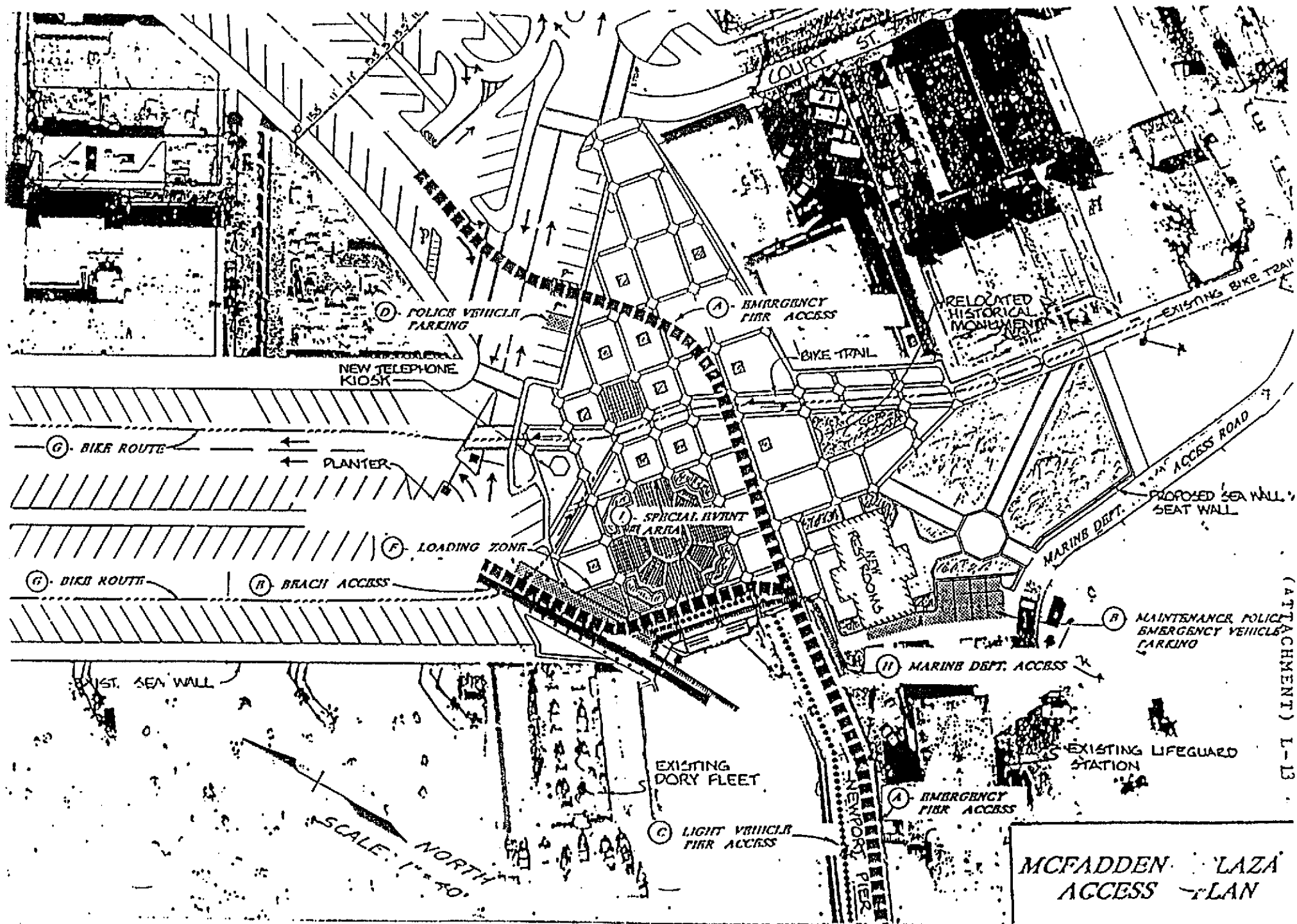
[Attachment - McFadden Plaza Access Plan]

Adopted - October 14, 1991

Amended - January 24, 1994

Amended - May 26, 1998

Formerly L-15



MCFADDEN LAZA
ACCESS PLAN

(ATTACHMENT) L-13