



City of
Newport Beach
Adopted July 25, 2006
General Plan



City of Newport Beach GENERAL PLAN



General Plan

Adopted July 25, 2006

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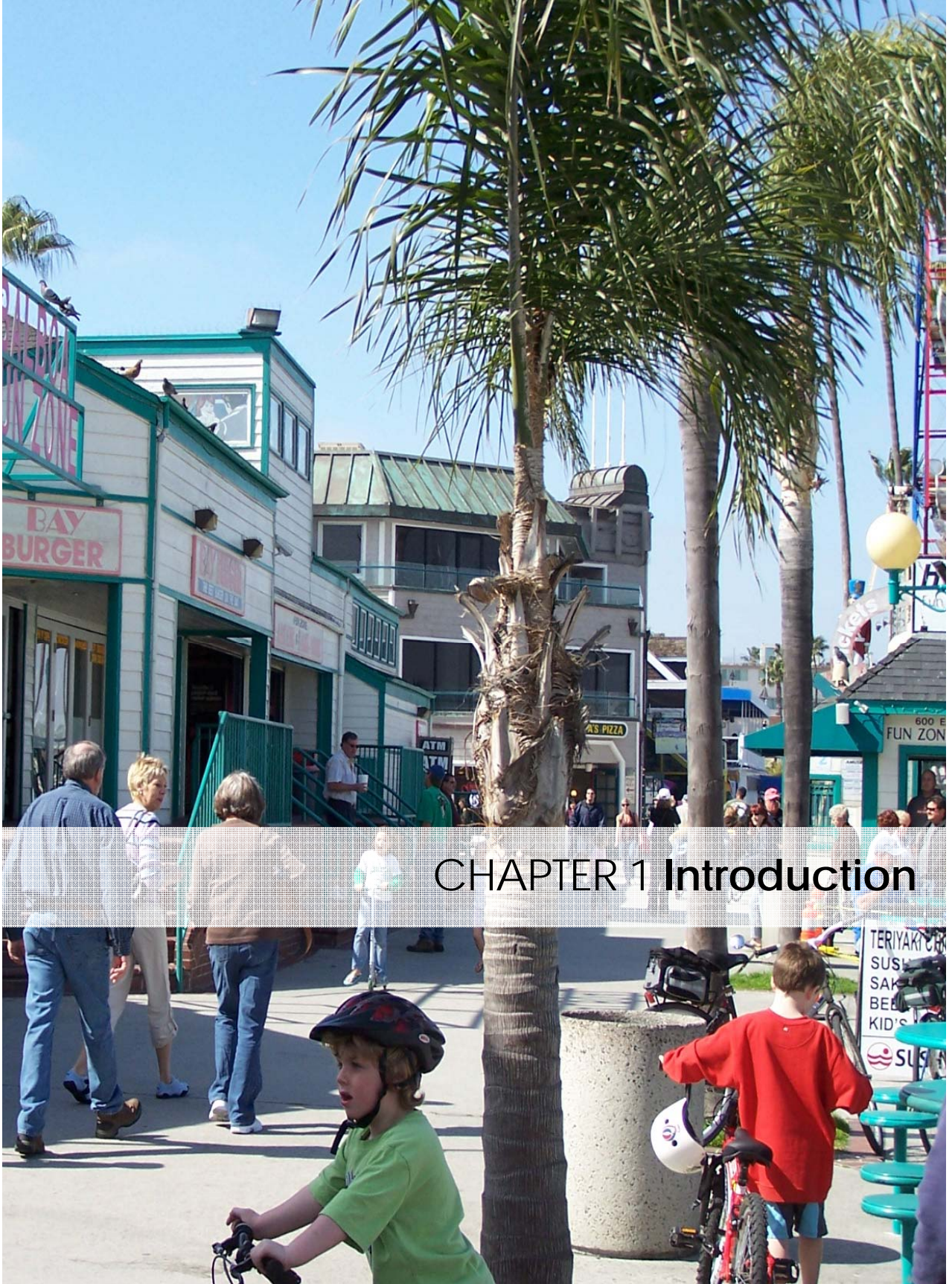
Acronyms

<i>Acronym</i>	<i>Definition</i>
ADAP	AIDS Drug Assistance Program
ADT	average daily traffic
AELUP	Airport Environs Land Use Plan
AHHPAC	Ad Hoc Historic Preservation Advisory Committee
ALS	advanced life support
AO	Airport Office and Supporting Uses
AWG	Airport Working Group
Basin	South Coast Air Basin
BBSC	Back Bay Science Center
BIDs	Business Improvement Districts
BLS	basic life support
BMPs	Best Management Practices
BSIP	Bus Service Implementation Program
CalHFA	California Finance Agency
Caltrans	California Department of Transportation
CAPER	Consolidated Annual Performance and Evaluation Report
CC	Corridor Commercial
CDBG	Community Development Block Grant
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
CG	General Commercial
CHRIS	California Historic Resources Information System
CIOSA	Circulation and Improvement and Open Space Agreement
CIP	Capital Improvement Program
CLUP	Coastal Land Use Plan
CM	Recreational and Marine Commercial
CMP	Congestion Management Program
CN	Neighborhood Commercial
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNU	Congress for the New Urbanism
CO	carbon monoxide
CoC	Continuum of Care
CO-G	General Commercial Office
CO-M	Medical Commercial Office
CO-R	Regional Commercial Office
CR	Regional Commercial

<i>Acronym</i>	<i>Definition</i>
CRHR	California Register of Historical Resources
CUP	Conditional Use Permit
CV	Visitor-Serving Commercial
dB	Decibel
dBA	A-weighted decibel
DCA	Deferred Certification Area
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
ESAs	Environmental Study Areas
ESHAs	Environmentally Sensitive Habitat Areas
FAA	Federal Aviation Administration
GIS	Geographic Information System
GMA	Growth Management Area
GMP	Growth Management Program
GPAC	General Plan Advisory Committee
GRS	Groundwater Replenishment System
HCD	State Department of Housing and Community Development
HOPWA	Housing Opportunities for Persons with AIDS
HUD	Housing and Urban Development
HVAC	Heating Ventilating and Air Conditioning
ICAO	International Civil Aviation Organization
ICC	International Code Council
IG	General Industrial
IRWD	Irvine Ranch Water District
JWA	John Wayne Airport
LAFCO	Local Agency Formation Commission
LCP	Local Coastal Plan
LEED	Leadership in Environmental and Energy Design
LEED-NP	LEED for Neighborhood Developments
LIP	Implementation Plan
MAP	million annual passengers
Mbbl	million barrels
Mesa	Mesa Consolidated Water District
MFR	Multi-Family Residential
MIS	Management Information Systems
MMP	Mitigation Monitoring Program
MRZ	Mineral Resource Zones
MU-H	Mixed Use Horizontal
MU-H1	Mixed Use Horizontal 1

<i>Acronym</i>	<i>Definition</i>
MU-H2	Mixed Use Horizontal 2
MU-H3	Mixed Use Horizontal 3
MU-H4	Mixed Use Horizontal 4
MU-V	Mixed Use Vertical
MU-V1	Mixed Use Vertical 1
MU-V2	Mixed Use Vertical 2
MU-W	Mixed Use Water Related
MU-W1	Mixed Use Water 1
MU-W2	Mixed Use Water 2
MU-W3	Mixed Use Water 3
MWD	Metropolitan Water District
NBFD	Newport Beach Fire Department
NCCP	Natural Communities Conservation Plan
NHPA	National Historic Preservation Act
NO _x	nitrogen oxides
NO ₂	nitrogen dioxide
NOAA	National Oceanic and Atmospheric Administration
NPDES	National Pollution Discharge Elimination System
NRDC	Natural Resources Defense Council
NRHP	National Register of Historic Places
OCC	Orange Coast College
OCPP	Orange County 2005–2010 Consolidated Plan
OCSD	Orange County Sanitation District
OCTA	Orange County Transportation Authority
OCWD	Orange County Water District
OPR	State Office of Planning and Research
OS	Open Space
OS(RV)	Open Space/Residential Village
PCE	Passenger Car Equivalent
PF	Public Facilities
PI	Private Institutions
PR	Parks and Recreation
PRD	Planned Residential Development
PUC	California Public Utilities Commission
R-1	Single Family Residential
R-1.5	Restricted Two-Family Residential
R-2	Two-Family Residential
R-A	Residential Agricultural
RHNA	Regional Housing Needs Assessment

<i>Acronym</i>	<i>Definition</i>
RM	Multiple Residential
RM-D	Medium Residential Detached
RMS	remote monitoring systems
RS-A	Single Unit Residential Attached
RS-D	Single Unit Residential Detached
RT	Two Family Residential
RWQCB	California Regional Water Quality Control Board
SCAG	Southern California Association of Government
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison Company
SCG	Southern California Gas Company
SJHTC	San Joaquin Hills Transportation Corridor
SO ₂	sulfur dioxide
SoCalPAPA	Southern California Plein Air Painter's Association
SOI	Sphere of Influence
SP	specific plan
SPAT	Orange County Special Populations Action Team
SPON	Stop Polluting Our Newport
SRAs	source receptor areas
SRO	Single Room Occupancy
SSOs	sanitary sewer overflows
TBR	Technical Background Report
TDM	Travel Demand Management
TMDLs	Total Maximum Daily Loads
TPO	Traffic Phasing Ordinance
TRI	Toxics Release Inventory
TS	Tidelands and Submerged Lands
TSM	Transportation Systems Management
UCI	University of California, Irvine
USGBC	United States Green Building Council
USPS	United States Postal Service
VPD	vehicles per day
WDRs	Waste Discharge Requirements
WEC	Watershed Executive Committee
WQMP	Water Quality Management Plan



CHAPTER 1 Introduction

INTRODUCTION

This General Plan is the first comprehensive revision of the City’s General Plan in more than thirty years and is the result of more than four years of work by thirty-eight residents representing all segments of this community. These residents—members of the General Plan Advisory Committee, or GPAC—developed this plan after thorough study of input from thousands of their neighbors that was received during the most extensive public outreach in the City’s history.

After receiving community input, GPAC developed a “Vision Statement”—a description of the City that residents want Newport Beach to be now and in 2025—to serve as a blueprint for this General Plan Update. GPAC, with the assistance of planning professionals and using the Vision Statement as a guide, then developed this General Plan to ensure that the City achieves the vision by, among many other things, doing the following:

- Reducing traffic citywide by 28,920 trips each day over the life of the plan
- Reducing potential new commercial, office, and industrial space by 1.45 million square feet
- Supporting efforts to acquire Banning Ranch for permanent open space
- Creating and implementing a long term strategy to control John Wayne Airport impacts
- Taking strong action to prevent or reduce water pollution in the bay and ocean
- Enhancing natural resources such as Upper Newport Bay
- Improving circulation by synchronizing traffic lights and making road improvements that respect our community character



- Creating guidelines that preserve the charm and beauty of our residential neighborhoods
- Preserving public views of the ocean, harbor and bay
- Continuing to provide first-class service to seniors
- Continuing to offer education and recreation programs such as Junior Lifeguards
- Maintaining a world-class public library system with branches convenient to residents
- Promoting revitalization of older commercial areas like West Newport and Balboa Village
- Fostering artistic and cultural activities and venues in the community

The General Plan for the City of Newport Beach presents a vision for the City's future and a strategy to make that vision a reality. The Plan is the result of thousands of hours of research and technical studies, the collective efforts of the diversity of elected decision-makers, individuals, and agencies who cumulatively guide and shape land use development and natural resource conservation, and the engagement of numerous individuals throughout the community who have articulated their hopes and expectations for the City's future.



Newport Beach has progressed from a small tourist-oriented beach community to a highly desirable residential community of approximately 83,000 residents. One of Southern California's most appealing coastal communities, Newport Beach is renowned for its beautiful coastal lands and harbor; excellent fishing, surfing, and boating opportunities; large ecological preserves; retail centers, festivals and events, and quality residential neighborhoods (Figure I1).

The General Plan recognizes that Newport Beach is primarily a residential community, with diverse coastal and upland neighborhoods. As Newport Beach is almost fully developed, the Plan focuses on conserving the existing pattern of land uses and establishes policies for their protection and long term maintenance. However, there are a number of areas of the City that are not achieving their full potential and the Plan establishes strategies for their enhancement and revitalization. The General Plan identifies creative strategies for the re-use of land to provide opportunities for new housing and commercial uses that will complement and enhance Newport Beach's character and livability. The General Plan also provides guidance to preserve the qualities that define the natural and built environment. Specific goals and policies address the enhancement of open space, marine and harbor uses, historic and cultural resources, and recreational facilities. Other portions of the General Plan provide strategies to protect residents and businesses from adverse impacts such as noise and safety hazards.

This framework for the General Plan carefully considered in context of community objectives for the provision of an efficient transportation system that minimizes congestion for residents, employees, and visitors. At the same time, it recognizes the need to balance mobility objectives with priorities of Newport Beach's residents for the character of its neighborhoods and commercial districts and corridors.

Finally, the Government Code states that that the general plan must cover the entire area within the city limits and any land outside its boundaries that “bears relation to its planning.” This provides cities with an opportunity to indicate their concerns for nearby unincorporated areas, particularly in areas that may someday be annexed. In Newport Beach, the General Plan covers areas within the city limits and also provides guidance to the City’s “Sphere of Influence” (SOI) area, known as Banning Ranch. The Banning Ranch area is located in the western-most portion of the community and encompasses approximately 518 acres, of which 465 acres are under the jurisdiction of Orange County, and 53 acres are within the City of Newport Beach city boundaries (Figure I2).

Between November 2001 and January 2003, the City facilitated a Community Visioning process to elicit the values, aspirations, and ideas of the Newport Beach community. *Community Directions for the Future: A Summary of the General Plan Update Visioning Process* was produced by the City and presents the findings from the process. The findings from this process were used as a framework for the General Plan Update and to guide future planning efforts.

The Newport Beach General Plan is a document adopted by the City Council that serves several purposes:

- Provides a vision and framework for Newport Beach’s long-range physical and economic development and resource conservation that reflects the aspirations of the community
- Provides strategies and specific implementing actions that will allow this vision to be accomplished
- Establishes a basis for judging whether specific development proposals and public projects are in harmony with Plan policies and standards
- Allows City departments, other public agencies, and private developers to design projects that will enhance the character of the community, preserve and enhance critical environmental and historical resources, and minimize hazards
- Provide the basis for establishing and setting priorities for detailed plans and implementing programs, such as the Zoning Code, Capital Improvement Plans, facilities plans, and specific plans



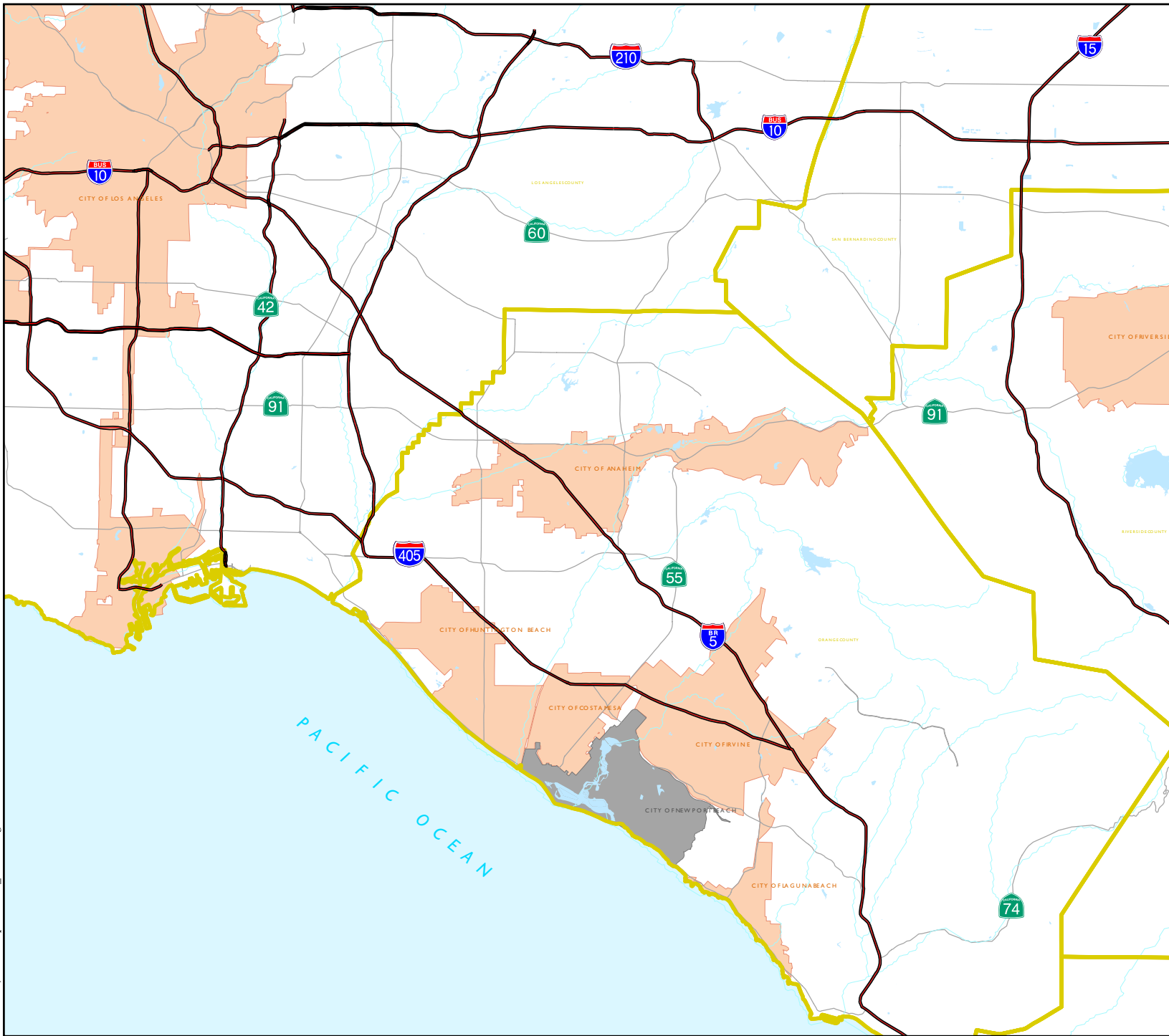
How to Use the General Plan

The City of Newport Beach General Plan is intended to provide protection and preservation for existing neighborhoods. The General Plan is intended for use by all members of the community. If you are a resident, the Plan indicates the general types of uses that are permitted around your home, the long-range plans and changes that may affect your neighborhood, and the policies the City will use to evaluate development applications that might affect you and your neighbors.

The Plan also informs you regarding how it plans to improve transportation infrastructure, continue to provide adequate parks, schools, police, fire, and other







Figure I1 Southern California Regional Map

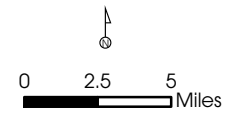
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CITY of NEWPORT BEACH
GENERAL PLAN
Figure 11
**SOUTHERN CALIFORNIA
REGIONAL MAP**

Legend

-  City of Newport Beach
-  City Boundary
-  County Boundary
-  Water Body
-  Waterway
-  State and Federal Highway



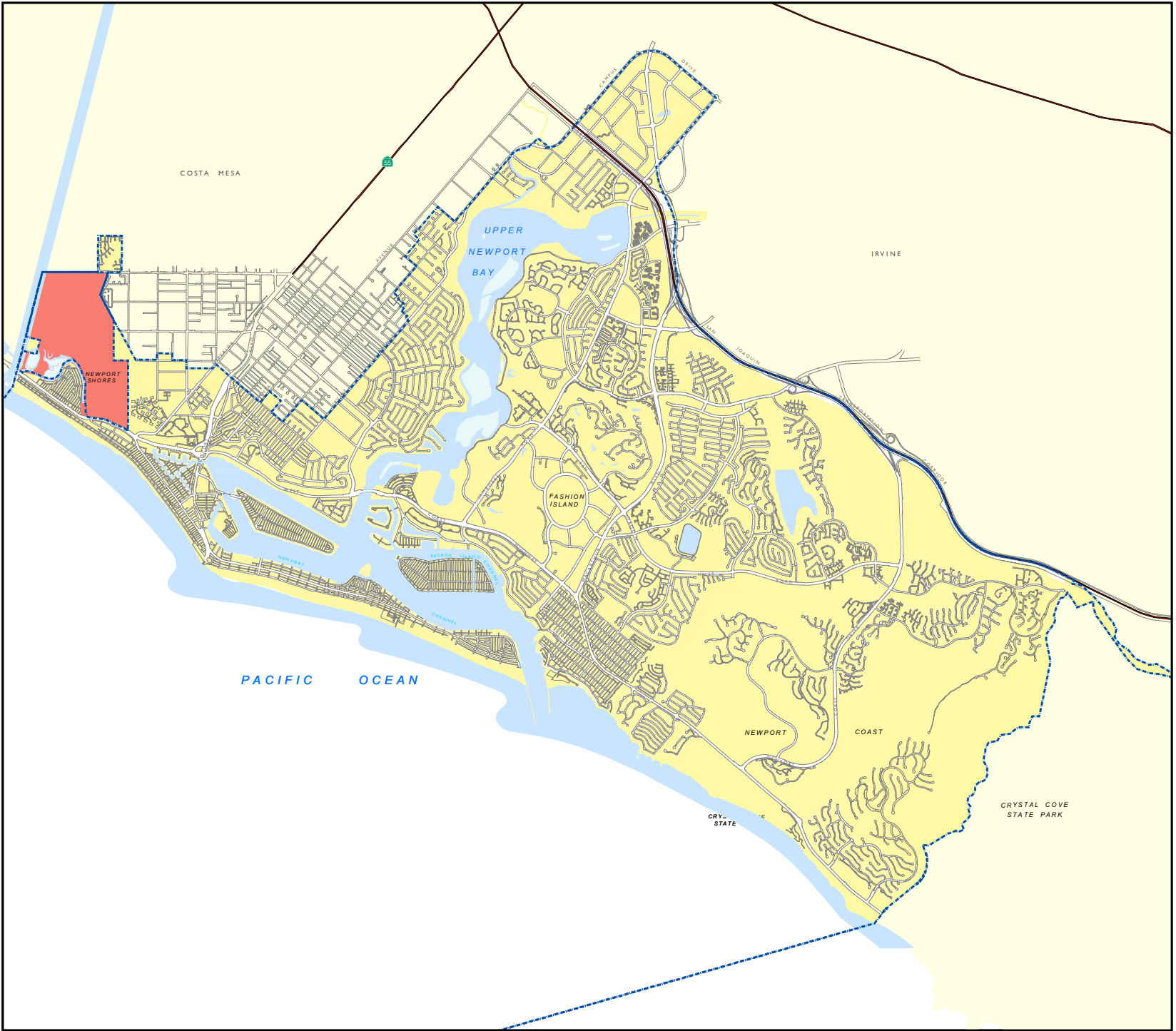
Source: City of Newport Beach and EIP Associates
PROJECT NUMBER: 10579-01
Date: 3/23/06



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Figure I2 Sphere of Influence (SOI)

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CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure I2
SPHERE OF INFLUENCE (SOI)

- Legend**
- City Boundary
 - City*
 - Banning Ranch SOI
 - Water Body
 - Highway
 - Right of Way

0 0.5 1 Miles
 Source: City of Newport Beach and EIP Associates
 PROJECT NUMBER: 10579-01
 Date: 3/23/06



Pg 2—8.5x11 color

public services, protect valued open spaces, water resources, and environmental resources, and protect residents from the risks of earthquakes, fires, and other natural hazards.

The General Plan is also a tool to help City staff, City Commissions, and the City Council make land use and public investment decisions. It provides the framework for the City's Zoning Ordinance. It identifies the economic development, transportation improvements, community service and facility improvements, and environmental programs needed to sustain and improve the quality of life in the City. Future development decisions must be consistent with the Plan. Finally, the Plan is intended to help other public agencies, from Caltrans to our local school districts, as they contemplate future actions in Newport Beach.

While the Plan's narrative text and maps frame the key proposals, the essence of the Plan lies in its goals, policies, and implementation actions. These are declarative statements that set forth the City's approach to various issues. Goals, policies, and implementation actions are described as follows:

- Goals describe ideal future conditions for a particular topic, such as for Banning Ranch, the Harbor and Bay, traffic congestion, or affordable housing. Goals tend to be very general and broad.
- Policies provide guidance to assist the City as it makes decisions relating to each goal. Some policies include guidelines or standards against which decisions can be evaluated.
- Implementation Actions identify the specific steps to be taken by the City to implement the policies. They may include revisions of current codes and ordinances, plans and capital improvements, programs, financing, and other measures that should be assigned to different City departments.
- The Plan is a legal document and much of its content is dictated by statutory requirements relating to background data, analysis, maps, and exhibits.

How Newport Beach Residents Were Involved

A large part of the preparation of a General Plan is a technical process involving professional planners and staff from all City department that have a role in its implementation. However, a plan's success is dependent upon its ownership by a community's residents, businesspersons, and property owners.



Newport Beach Visioning Festival

They must concur with the issues, visions, and policies and actions that are defined to address these.

To this end, the City undertook a substantial public outreach program to understand community values and to establish a new General Plan policy foundation based on those values. The program began with a comprehensive public Visioning Process which involved numerous workshops, meetings, surveys, newsletters, and website information and outreach. During the preparation of the General Plan land use alternatives and element policies, the public had the opportunity to participate at many steps at General Plan Advisory Committee

(GPAC, Planning Commission, and City Council meetings, as well as at citywide public workshops. Newsletters distributed to residents and posted on the City's General Plan website were ongoing sources of information for the public. Detailed components of the outreach process are described below.

GENERAL PLAN ADVISORY COMMITTEE

The General Plan Advisory Committee (GPAC) consisted of 38 community members who were selected to represent a broad range of interests. GPAC members represented a cross-section of the Newport Beach community and were involved at all steps of the General Plan Update process. Members participated in over 50 meetings during the Plan's preparation. The GPAC developed the City's vision statement that is the framework for the direction, goals, and objectives for the General Plan Update, and reviewed and provided input on the land use alternatives, preferred plan, and the policies contained in the elements of the updated General Plan. Their recommendations were based on broad community input provided throughout the Visioning Process.

VISIONING PROCESS

At the start of the of the General Plan update, a comprehensive public process that involved several components was undertaken. Between November 2001 and January 2003, the City facilitated a community Visioning Process to elicit the values, aspirations, and ideas of the Newport Beach community. Throughout the process, residents, property owners, and business owners in voiced their opinions to City leaders. Participation in the Visioning Process resulted in an expression of the community's concerns, goals and values. This process consisted of a Visioning Festival, nine neighborhood workshops held over successive weeks in March and April, 2002, a newsletter mail-back questionnaire, website questions and a statistically valid community survey of both residents and business owners. Throughout this process, the GPAC met to deliberate on key questions facing the City, public input, and the statement of a new vision to chart a course into the future.

GENERAL PLAN UPDATE POLICY PREPARATION PROCESS

There were several opportunities for public input and feedback throughout the process by which General Plan policies were formulated. These included initial GPAC review, at City Council and Planning Commission meetings at a public workshop. Policy preparation of the General Plan update began with confirmation of the key planning issues, which considered input gathered during the visioning process and the conclusions of technical studies at several GPAC meetings. There were also opportunities at every GPAC meeting for general public input.

In the next step of the process, guiding principles were developed. These principles were used to guide the General Plan alternatives and policies, and cover the following topics: Circulation, Economic Development, Community Character, Affordable Housing, Environmental Conservation, and Environmental Hazards. They were developed with input from the Visioning Process, GPAC, as well as public comments heard at the GPAC meetings.

Next, the City prepared goals and policies for each General Plan element for GPAC review and comment. With feedback from the public during GPAC meetings, recommendations on the goals and policies were made and brought forward to the Planning Commission and City Council. The

Commission and Council identified any modifications to be incorporated into the Draft General Plan based on GPAC recommendations and public comments. The Planning Commission and City Council meetings were noticed public meetings, where the public had the opportunity to provide input.

LAND USE ALTERNATIVES

Several land use alternatives were developed by GPAC, and updated as feedback was received from the public, the Planning Commission, and the City Council. A citywide public workshop was held on June 25, 2005 for the public to review and comment on the land use alternatives and analysis of their impacts. The GPAC reviewed the alternatives and public comments from the workshop, and recommended a preferred land use alternative. The preferred land use alternative was presented at both Planning Commission and City Council public meetings. During these meetings, the public comments heard by the Planning Commission and City Council provided a framework for their recommendations for the alternatives to be analyzed in the Environmental Impact Report (EIR).

Organization of the General Plan by Element

Under California law, every city and county must adopt a comprehensive long-term General Plan to provide guidance to decision makers regarding the conservation of resources and the future physical form and character of development for the city.

To ensure that jurisdictions prepare General Plans that are comprehensive and long –term in perspective, state statutes establish requirements for the minimum contents of a General Plan, (Government Code Section 65300). By law, a General Plan must contain the following seven elements and must be internally consistent element to element:

- Land Use
- Housing
- Circulation
- Open Space
- Noise
- Safety
- Conservation

The Newport Beach General Plan is organized into ten elements. Elements of the General Plan have been re-organized by thematic topic for clarity and to avoid redundancy, as encouraged by the state’s General Plan Guidelines. To avoid duplication, the subjects of the Conservation and Open Space Element have been merged into the Natural Resources Element. As the state permits a general plan to incorporate other elements that pertain to a municipality’s unique characteristics or visions, the Newport Beach General Plan also includes Parks and Recreation, Historical Resources, Arts and Cultural and Harbor and Bay Elements. Though optional by statute, once adopted they hold equal weight under the law as the mandated elements.

Although not a state-mandated element, Orange County's Measure M requirements mandate that all jurisdictions in the County must adopt a Growth Management Element describing how transportation infrastructure will be provided to residents and businesses within each community. Growth Management policies have been incorporated into the Circulation Element to meet Measure M requirements. In addition, the Implementation portion of the General Plan describes the specific actions that will implement the Plan's goals and policies. The Implementation Plan is intended to be reviewed and updated regularly to allow decision-makers to adjust to current community priorities and funding resources.

Each element of the General Plan presents an overview of its scope, summary of conditions and planning issues, goals, and policies. Goals and policies of the General Plan are applicable to all lands within the jurisdiction of the City of Newport Beach. Consistent with state statutes, it also specifies policies for the adopted Sphere of Influence (SOI), encompassing Banning Ranch, which represent the City's long-term intentions for conservation and development of the property should it be annexed to Newport Beach. Until that time, uses and improvements of the property are subject to the County of Orange General Plan.

An overview of the Plan's chapters is provided below:

1. **Introduction** describes the General Plan process and introduces the reader to the document.
2. **Vision** presents the statement of the desired character of Newport Beach by the end of the 20-year horizon of the General Plan.
3. The **Land Use Element** presents goals and policies pertaining to how existing development is going to be maintained and enhanced and new development occur. As Newport Beach is almost fully developed, the land use element focuses on how population and employment growth can be strategically inserted to preserve its distinguishing and valued qualities. However, there are limited areas of the City that are not achieving their full potential, and the element establishes strategies for their enhancement and revitalization. Land Use Element goals and policies directly affect the establishment and maintenance of the neighborhoods, districts, corridors, and open spaces that distinguish and contribute to Newport Beach's livability, vitality, and image.
4. The **Circulation Element** addresses the movement of people and goods, via automobiles, transit, bicycles, and other modes. It addresses key issues such as trip reduction, parking, bicycle, pedestrian and equestrian access, traffic flow, transportation improvements and funding, traffic safety, and enhancement of public water transportation services. The element is also consistent with the Transportation Demand Management Ordinance and Measure M requirements.
5. The **Historical Resources Element** addresses the protection and sustainability of Newport Beach's historic and paleontological resources. Goals and policies presented within this element are intended to recognize, maintain, and protect the community's unique historical, cultural and archeological sites and structures.
6. The **Recreation Element** addresses the provision of parklands and recreation programs for the City's residents. Specific recreational issues and policies contained in the Recreation Element include: parks and recreation facilities, recreation programs, shared facilities, coastal recreation and support facilities, marine recreation, and public access.
7. The goals and policies of the **Arts and Culture Element** are intended to be a guide for meeting the future cultural needs of the community. This element is intended to serve as a

mechanism for integrating these resources in order to provide improved and expanded arts and cultural facilities and programs to the community.

8. The **Safety Element** provides goals and policies to reduce the potential risk of death, injuries, property damage, and economic and social dislocation resulting from natural and human-induced hazards. This element specifically addresses coastal hazards, geologic hazards, seismic hazards, flood hazards, wildland and urban fire hazards, hazardous materials, aviation hazards, and disaster planning.
9. The **Noise Element** identifies noise sensitive land uses and noise sources, and defines areas of noise impact. Goals and policies within this element provide a framework to ensure that Newport Beach residents will be protected from excessive noise intrusion.
10. The goals and policies of the **Harbor and Bay Element** are intended to guide the content of regulations related to development of, and the activities conducted on, the water as well as land use decisions related to waterfront property around Newport Harbor. Goals and policies within the Harbor and Bay Element have been organized to address both water and land related issues, provision of public access, water quality and environmental issues, visual characteristics, and the administration of the Harbor and Bay.
11. The **Housing Element** addresses issues, goals, and policies related to ensuring an adequate supply of housing opportunities for all residents. Unlike the other elements, state law sets forth very specific regulations regarding the content and breadth of the Housing Element. Typically Housing Elements must be updated every 5 years in response to Regional Housing Needs Assessment (RHNA) cycles established by the State Department of Housing and Community Development.
12. The primary objective of the **Natural Resources Element** is to provide direction regarding the conservation, development, and utilization of natural resources. It identifies Newport Beach's natural resources and provides goals and policies for their preservation, development, and wise use. This element addresses water supply (as a resource) and water quality (includes bay and ocean quality, and potable drinking water), air quality, terrestrial and marine biological resources, open space, mineral resources, visual resources, and energy.
13. **Implementation Programs** describe the actions to be taken by the City to carry out the goals and policies defined by the General Plan. These encompass:
 - ▶ **Development Management System**—Defines the codes, regulations, and processes for land development
 - ▶ **Governance**—Addresses the City's administrative procedures pertaining to land use regulation, coordination with other local, regional, state, and federal agencies, and annexation of new lands to the City
 - ▶ **Public Improvement Plans**—Defines strategies for the implementation of improvements to assure the timely provision of infrastructure and public services to support development
 - ▶ **Public Service Programs**—Addresses community services provided to meet resident and business needs
 - ▶ **Financing**—Identifies funding sources for capital improvements and community services

Related Documents

The Plan also includes separately bound technical appendices (The Technical Background Report) containing background data and analyses pertaining to all Plan topics. The TBR is not formally adopted by the City and may be expanded or modified without a formal General Plan amendment.

Finally, as required by the *California Environmental Quality Act* (CEQA), an Environmental Impact Report (EIR) has been prepared for the General Plan. The EIR is a separate document that describes environmental conditions in the City and SOI (as presented in the TBR), assesses the possible effects that future development pursuant to the General Plan will have on these, identifies actions that will be undertaken to reduce these impacts, and evaluates the comparative impacts of alternatives to the General Plan. Many of the policies in the General Plan serve as mitigation for potential impacts and, consequently, the Plan is generally considered to be “self-mitigating.”

The document is considered a “program level” EIR, meaning that it examines the general nature of impacts at a citywide and SOI wide scale. The findings of the EIR help determine the appropriate level of environmental review that should be performed when subsequent projects consistent with the Plan are proposed. Although the EIR will be certified by the City Council, it is not adopted as a policy document

Implementing and Amending the Plan

The General Plan was adopted on July 25, 2006. It will be implemented through a variety of ordinances, programs, and activities. These specific actions are described in Chapter 7 and referenced by applicable policies for each element. Local land use regulations and procedures will be reviewed to ensure that they are consistent with the General Plan. The zoning map shall be consistent with the General Plan Land Use Plan, and the Zoning Code shall be consistent with the land use classification system and density/intensity and design and development policies stipulated by General Plan policy.

The General Plan is intended to be a dynamic document and must be periodically updated to respond to changing community needs. An annual review of the Plan is required to ensure that it remains relevant. Requests for amendments may be submitted by individuals or initiated by the City itself. Most amendments propose a change in the land use designation for a particular property. Policy and text amendments also may occur. Any proposed amendment will be reviewed to ensure consistency with other elements of the General Plan and the General Plan EIR.



CHAPTER 2 Vision Statement



VISION

Newport Beach General Plan

The following describes the City’s desired end state and what the community hopes to have achieved by 2025. The GPAC played an instrumental role in crafting this vision statement through a series of discussions and revisions, drawing upon public feedback from the Visioning activities. The statement is intended to be a retrospective view of our community by an observer in the year 2025, to cite the City’s achievements as a result of our current “vision.”

COMMUNITY CHARACTER

We have preserved and enhanced our character as a beautiful, unique residential community with diverse coastal and upland neighborhoods. We value our colorful past, the high quality of life, and our





community bonds. The successful balancing of the needs of residents, businesses, and visitors has been accomplished with the recognition that Newport Beach is primarily a residential community.

GROWTH STRATEGY, LAND USE, AND DEVELOPMENT

We have a conservative growth strategy that emphasizes residents' quality of life—a strategy that balances the needs of the various

STATEMENT

Update: A New Vision for the Future

constituencies and that cherishes and nurtures our estuaries, harbor, beaches, open spaces, and natural resources. Development and revitalization decisions are well conceived and beneficial to both the economy and our character. There is a range of housing opportunities that allows people to live and work in the City.

Design principles emphasize characteristics that satisfy the community's desire for the maintenance of its particular neighborhoods and villages. Public view areas are protected. Trees and landscaping are enhanced and preserved.





A HEALTHY NATURAL ENVIRONMENT

Protection of environmental quality is a high priority. We preserve our open space resources. We maintain access to and visibility of our beaches, parks, preserves, harbor, and estuaries. The ocean, bay, and estuaries are flourishing ecosystems with high water quality standards.

EFFICIENT AND SAFE CIRCULATION

Traffic flows smoothly throughout the community. The transportation and circulation system is safe and convenient for automobiles and public transportation, and friendly to pedestrians and bicycles. Public parking facilities are well planned for residents and visitors.

COMMUNITY SERVICES

We provide parks, art and cultural facilities, libraries, and educational programs directly and through cooperation among diverse entities. The City facilitates or encourages access to high-quality health care and essential social services. Newport Beach is noted for its excellent schools and is a premier location for hands-on educational experiences in the natural sciences.

Our streets are safe and clean. Public safety services are responsive and amongst the best in the nation.



RECREATION OPPORTUNITIES

Newport Beach attracts visitors with its harbor, beaches, restaurants, and shopping. We are a residential and recreational seaside community willing and eager to share its natural resources with visitors without diminishing these irreplaceable assets in order to share them.

We have outdoor recreation space for active local and tourist populations that highlight the City's environmental assets as well as indoor facilities for recreation and socializing. Coastal

facilities include pedestrian and aquatic opportunities.

BOATING AND WATERWAYS

We are recognized as a premier recreational boating harbor. We have maintained a hospitable, navigable pleasure boating harbor in the lower bay through careful, low-density, non-intrusive on-shore development, by regularly dredging navigation and berthing/mooring areas, and by providing adequate access to the water- and vessel-related servicing facilities. The upper bay retains an unencumbered shoreline and its waterways are maintained free of sediment and debris.



AIRPORT

We remain united in our efforts to control and contain noise, air, and traffic pollution associated with operation of the John Wayne Airport (JWA). Our City government vigorously and wisely uses the political process to control the impact of JWA on our community. This has resulted in a level of JWA operations that preserves our unique character and land values.

RESPONSIVE GOVERNMENT

Elected officials and City staff listen and respond to the interests of residents and the business community.





CHAPTER 3 Land Use Element



LAND USE

*Primarily a Residential Community That
Businesses, and Visitors, with a*

Introduction

Consistent with state law, the Land Use Element provides guidance regarding the ultimate pattern of development for Newport Beach at build-out. As such, it is based on and correlates the policies from all elements into a set of coherent development policies, which serve as the central organizing element for the General Plan as a whole. Policies for the conservation of natural resources and protection of residents and businesses from the risks of hazards are reflected in the distribution and densities of uses.



Newport Beach Pier in the 1920s



Pier in 1921

The quantity and location of uses are linked to the City’s objectives for economic development, jobs generation, and fiscal balance, as well as intentions for urban form and community character. Their capacities are, in turn, correlated with the provision of adequate housing and services to meet the needs of its resident population and transportation, parking, and utility infrastructure that support residents, employees, and visitors. Implicitly, the Land Use Element serves as the final arbiter on how the City of Newport Beach shall evolve and mature over the next 20 years. Its policies are directly correlated and supported by those in all other General Plan elements.

Cumulatively, the Land Use Element’s policies directly affect the establishment and maintenance of the neighborhoods, districts, corridors, and open spaces that distinguish and contribute to Newport Beach’s livability, vitality, and image. Policies for the development of individual parcels are inseparable from those that address how they will fit together to create places that are valued by the City’s residents—safe and attractive neighborhoods, walkable and active commercial districts, and hillsides,

ELEMENT

Balances the Needs of Residents, Conservative Growth Strategy

beaches, water, and open spaces that provide recreation and respite from an active lifestyle.

As Newport Beach is almost fully developed, the Land Use Element focuses on how population and employment growth can be accommodated and still preserve its distinguishing and valued qualities. It recognizes that most of the City will be conserved with its existing pattern of uses and establishes policies for their protection and long term maintenance. It recognizes that there are limited areas of the City that are not achieving their full potential and establishes strategies for their enhancement and revitalization. It also recognizes the evolving needs of the marketplace and considerable pressures for population growth in the region and proposes creative strategies for the re-use of land to provide opportunities for new housing that will complement and enhance Newport Beach’s character and



Newport Beach in the twenty-first century

livability.

These strategies are carefully considered in context of community objectives for the provision of an efficient transportation system that minimizes congestion for residents, employees, and visitors. At the same time, it recognizes the needs to balance mobility objectives with priorities of Newport Beach's residents for the character of its neighborhoods and commercial districts and corridors.

Our Starting Point—Newport Beach's Existing Land Uses

Newport Beach has a unique physical setting with many visual, recreational, and environmental resources that has influenced the type and form of land uses within the community. The majority of the community is fully developed with a diverse mixture of residential, institutional, commercial, industrial, and recreational and open space uses.

Residential uses represent the largest portion of land uses within the City, characterized by many distinct neighborhoods. Older communities were first developed along the coast line including the Peninsula, West Newport, Balboa Island, and Lido Isle. This early housing is characterized by a diversity of multi-family, single-family and mixed-use housing located within proximity of commercial and visitors serving uses. As development spread further inland and proceeded north and east, the residential pattern changed, becoming more suburban in character and characterized by single-family ranch-style homes on larger lots. While single-family attached and detached homes comprise the majority of housing in the community, the City contains many multi-family homes including condominiums, apartments, duplex, triplex, and fourplex units. These are located in older neighborhoods along the beaches including West Newport, Balboa Peninsula, Balboa Island, and Corona del Mar as well as in the northern portions of the community such as Bonita Canyon Village, and Newport Center. Mobile homes are found along Coast Highway in West Newport, west of Newport Dunes and near the Newport Pier.

A variety of retail uses are located throughout Newport Beach including neighborhood shopping centers, commercial strips and villages, and shopping centers. The largest retail center in the City is Fashion Island, a regional attraction that is framed by a mixture of office, entertainment, and residential uses. Newport Beach also has many neighborhood shopping centers that service nearby residential neighborhoods with convenience goods. Many of the older commercial villages located along the coast and harbor include specialty shops, entertainment, and marine uses that serve nearby residents and visitors. These retail villages are located within Balboa Island, Balboa Village, Cannery Village, McFadden Square, and Corona del Mar.

Much of the City's office space is located in Newport Center and the Airport Area. Newport Center is an area of both high- and low-rise offices surrounding the Fashion Island retail area. The Airport Area encompasses the properties abutting and east of John Wayne Airport (JWA) and is in close proximity to the Irvine Business Complex and University of California, Irvine. This area includes a mixture of low-, medium-, and high-rise office uses as well as research and development and high technology businesses.

Industrial uses are primarily located within the West Newport Mesa area east of Banning Ranch. A variety of industrial, manufacturing, and supporting retail uses are located within this area. Research and development uses are clustered in the Airport Area. Government, educational and institutional uses include the City Hall, schools, libraries, museums, and religious uses.

The City has approximately 278 acres of developed parks. Newport Beach’s parklands range in size from mini-parks such as the Lower Bay Park to the 39-acre Bonita Canyon Sports Park. Additionally, bikeways, jogging trails, pedestrian trails, recreation trails, and regional equestrian trails are also available in Newport Beach. Numerous open space areas are located within the community, including water front areas such as beaches, Newport Bay, and Newport Harbor. There are also numerous undeveloped areas supporting natural habitats and sensitive biological resources including Banning Ranch, Irvine Coast Marine Life Refuge, Coyote Canyon, Bonita Canyon Creek Watershed, Upper Newport Bay State Marine Park (formally Ecological Reserve) and Upper Newport Bay Nature Preserve. Other resources include the City’s many undeveloped canyons and hillsides located primarily in the Newport Coast area.

Goals and Policies

Role and Character of Newport Beach (“Who We Are”)

Goal

LU 1

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

Policy

LU 1.1 Unique Environment

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

LU 1.2 Citywide Identity

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

LU 1.3 Natural Resources

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

LU 1.4 Growth Management

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

LU 1.5 Economic Health

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

LU 1.6 Public Views

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

Uses to Be Accommodated ("What Uses Contribute to Our Community?")

Goal

LU 2

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

Policies

LU 2.1 Resident-Serving Land Uses

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

LU 2.2 Sustainable and Complete Community

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

LU 2.3 Range of Residential Choices

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



Bonita Canyon, Balboa Island, Cannery Village, and Newport Center residential neighborhoods

LU 2.4 Economic Development

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



Fashion Island



Neighborhood Commercial



Balboa Village



Koll Center

LU 2.5 Harbor and Waterfront Uses

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

LU 2.6 Visitor Serving Uses

Provide uses that serve visitors to Newport Beach’s ocean, harbor, open spaces, and other recreational assets, while integrating them to protect neighborhoods and residents. *(Imp 1.1, 2.1, 5.1, 24.1)*

LU 2.7 Oil and Gas Facilities

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

LU 2.8 Adequate Infrastructure

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

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

Goal

LU 3

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

Policies

LU 3.1 Neighborhoods, Districts, Corridors, and Open Spaces

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

LU 3.2 Growth and Change

Enhance existing neighborhoods, districts, and corridors, allowing for re-use and infill with uses that are complementary in type, form, scale, and character. Changes in use and/or density/intensity should be considered only in those areas that are economically underperforming, are necessary to accommodate Newport Beach’s share of projected regional population growth, improve the relationship and reduce commuting distance between home and jobs, or enhance the values that distinguish Newport Beach as a special place to live for its residents. The scale of growth and new development shall be coordinated with the provision of adequate infrastructure and public services, including standards for acceptable traffic level of service. (*Imp 1.1, 2.1, 5.1, 10.2, 16.2, 16.3, 17.1, 18.1, 19.1, 22.1, 23.1, 23.2*)

LU 3.3 Opportunities for Change

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

West Newport: consolidation of retail and visitor-serving commercial uses, with remaining areas developed for residential units

West Newport Mesa: re-use of underperforming commercial and industrial properties for offices and other uses that support Hoag Hospital’s medical activities, improvement of remaining industrial properties adjoining the City of Costa Mesa, accommodation of nonwater marine-related industries, and development of residential in proximity to jobs and services

Santa Ana Heights: use of properties consistent with the adopted Specific Plan and Redevelopment Plan

John Wayne Airport Area: re-use of underperforming industrial and office properties and development of cohesive residential neighborhoods in proximity to jobs and services

Fashion Island/Newport Center: expanded retail uses and hotel rooms and development of residential in proximity to jobs and services, while limiting increases in office development

Balboa Peninsula: more efficient patterns of use that consolidate the Peninsula’s visitor-serving and mixed uses within the core commercial districts; encourage marine-related uses especially along the bay front; integrate residential with retail and visitor-serving uses in Lido Village, McFadden Square, Balboa Village, and along portions of the Harbor frontage; re-use interior parcels in Cannery Village for residential and limited mixed-use and live/work buildings; and redevelop underperforming properties outside of the core commercial

districts along the Balboa Boulevard corridor for residential. Infill development shall be designed and sited to preserve the historical and architectural fabric of these districts

Mariners' Mile: re-use of underperforming properties for retail, visitor-serving, and marine-related uses, integrated with residential

Corona del Mar: enhancement of public improvements and parking (*Imp 1.1, 2.1, 5.1*)

LU 3.4 Banning Ranch

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

LU 3.5 Coastal-Dependent and Related Businesses

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

LU 3.6 Waterfront Access

Use public beaches for public recreational uses and prohibit uses on beaches that interfere with public access and enjoyment of coastal resources. Encourage the expansion and improvement of access to the waterfront and water-related uses that provide important links to waterfront uses such as beaches, launching facilities, public docks, and other similar public water area uses. (*Imp 1.1, 5.1*)

LU 3.7 Natural Resource or Hazardous Areas

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

LU 3.8 Project Entitlement Review with Airport Land Use Commission

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

Land Use Diagram

Goal

LU 4

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

Policies

LU 4.1 Land Use Diagram

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

To determine the permissible development, the user should:

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

Table LU1 Land Use Plan Categories

<i>Land Use Category</i>	<i>Uses</i>	<i>Density/ Intensity</i>
RESIDENTIAL NEIGHBORHOODS		
SINGLE UNIT RESIDENTIAL		
Single Unit Residential Detached—RS-D	The RS-D category applies to a range of detached single-family residential dwelling units on a single legal lot and does not include condominiums or cooperative housing.	Not applicable
Single Unit Residential Attached—RS-A	The RS-A category applies to a range of attached single-family residential dwelling units on a single legal lot and does not include condominiums or cooperative housing.	Not applicable
TWO UNIT RESIDENTIAL—RT	The RT category applies to a range of two family residential dwelling units such as duplexes and townhomes.	Not applicable
MULTIPLE RESIDENTIAL		
Multiple Residential—RM	The RM designation is intended to provide primarily for multi-family residential development containing attached or detached dwelling units.	Units per acre or cumulative amount of development as specified on the Land Use Figures
Multiple Residential Detached—RM-D	The RM-D designation is intended to provide primarily for multi-family residential development exclusively containing detached dwelling units.	Units per acre or cumulative amount of development as specified on the Land Use Figures
COMMERCIAL DISTRICTS AND CORRIDORS		
NEIGHBORHOOD COMMERCIAL—CN	The CN designation is intended to provide for a limited range of retail and service uses developed in one or more distinct centers oriented to primarily serve the needs of and maintain compatibility with residential uses in the immediate area.	Floor area to land area ratio or cumulative development indicated on Land Use Plan.
CORRIDOR COMMERCIAL—CC	The CC designation is intended to provide a range of neighborhood-serving retail and service uses along street frontages that are located and designed to foster pedestrian activity.	Floor to land area ratio or cumulative development indicated on Land Use Plan.
GENERAL COMMERCIAL—CG	The CG designation is intended to provide for a wide variety of commercial activities oriented primarily to serve citywide or regional needs.	Floor area to land area ratio or cumulative development indicated on Land Use Plan.
RECREATIONAL AND MARINE COMMERCIAL—CM	The CM designation is intended to provide for commercial development on or near the bay in a manner that will encourage the continuation of coastal-dependent and coastal-related uses, maintain the marine theme and character, encourage mutually supportive businesses, encourage visitor-serving and recreational uses, and encourage physical and visual access to the bay on waterfront commercial and industrial building sites on or near the bay.	Floor area to land area ratio or cumulative development indicated on Land Use Plan.
VISITOR SERVING COMMERCIAL—CV	The CV designation is intended to provide for accommodations, goods, and services intended to primarily serve visitors to the City of Newport Beach.	Floor area to land area ratio or cumulative development indicated on Land Use Plan.

Table LU1 Land Use Plan Categories

<i>Land Use Category</i>	<i>Uses</i>	<i>Density/ Intensity</i>
VISITOR SERVING COMMERCIAL – LIDO VILLAGE—CV-LV	The CV-LV category is intended to allow for a range of accommodations (e.g. hotels, motels, hostels), goods, and services intended to primarily serve visitors to the City of Newport Beach. A fire station is allowed in its current location. Limited Use Overnight Visitor Accommodations and residences are not allowed	As specified by Table LU2
REGIONAL COMMERCIAL—CR	The CR designation is intended to provide retail, entertainment, service, and supporting uses that serve local and regional residents. Typically, these are integrated into a multi-tenant development that contains one or more “anchor” uses to attract customers. Automobile sales, repair, and service facilities, professional offices, single-destination, and other highway-oriented uses are not permitted.	As specified by Table LU2
COMMERCIAL OFFICE DISTRICTS		
GENERAL COMMERCIAL OFFICE—CO-G	The CO-G designation is intended to provide for administrative, professional, and medical offices with limited accessory retail and service uses. Hotels, motels, and convalescent hospitals are not permitted.	Floor area to land area ratio or cumulative development indicated on Land Use Plan.
MEDICAL COMMERCIAL OFFICE—CO-M	The CO-M designation is intended to provide primarily for medical-related offices, other professional offices, retail, short-term convalescent and long-term care facilities, research labs, and similar uses.	Floor area to land area ratio of 0.75, except as specified on the Land Use Plan.
REGIONAL COMMERCIAL OFFICE—CO-R	The CO-R designation is intended to provide for administrative and professional offices that serve local and regional markets, with limited accessory retail, financial, service, and entertainment uses.	As specified by Table LU2
INDUSTRIAL DISTRICTS		
GENERAL INDUSTRIAL—IG	The IG designation is intended to provide for a wide range of moderate to low intensity industrial uses, such as light manufacturing and research and development, and limited ancillary commercial and office uses.	Floor area to land area ratio of 0.75, except as specified on the Land Use Plan.
AIRPORT SUPPORTING DISTRICTS		
AIRPORT OFFICE AND SUPPORTING USES—AO	The AO designation is intended to provide for the development of properties adjoining the John Wayne Airport for uses that support or benefit from airport operations. These may include professional offices, aviation retail, automobile rental, sales, and service, hotels, and ancillary retail, restaurant, and service uses.	Floor area to land area ratio of 0.5, except for warehousing which may be developed at a floor area to land ratio of 0.75.
MIXED-USE DISTRICTS		
MIXED USE VERTICAL—MU-V	The MU-V designation is intended to provide for the development of properties for mixed-use structures that vertically integrate housing with retail uses including retail, office, restaurant, and similar nonresidential uses. For mixed-use structures, commercial uses characterized by noise, vibration, odors, or other activities that would adversely impact on-site residential units are prohibited. Sites may also be developed exclusively for retail or office uses in accordance with the CN, CC, CG, or CO-G designations.	Mixed-Use buildings: floor area to land ratio of 1.5; where a minimum floor area to land ratio of 0.35 and maximum of 0.5 shall be used for nonresidential purposes and a maximum of 1.0 for residential. Nonresidential buildings: floor area to land area ratio of 0.75.

Table LU1 Land Use Plan Categories

<i>Land Use Category</i>	<i>Uses</i>	<i>Density/ Intensity</i>
MIXED-USE HORIZONTAL— MU-H	The MU-H designation is intended to provide for the development of areas for a horizontally distributed mix of uses, which may include general or neighborhood commercial, commercial offices, multi-family residential, visitor-serving and marine-related uses, and/or buildings that vertically integrate residential with commercial uses.	
Mixed-Use Horizontal 1— MU-H1	<p>The MU-H1 designation provides for a horizontal intermixing of uses.</p> <p>For properties located on the inland side of Coast Highway in the Mariners’ Mile Corridor, (a) the Coast Highway frontages shall be developed for marine-related and highway-oriented general commercial uses in accordance with CM and CG designations; and (b) portions of properties to the rear of the commercial frontage may be developed for free-standing neighborhood-serving retail, multi-family residential units, or mixed-use buildings that integrate residential with retail uses on the ground floor in accordance with the CN, RM , CV, or MU-V designations respectively.</p> <p>Properties located in the Dover Drive/Westcliff Drive area may also be developed for professional offices or mixed-use buildings that integrate residential with retail or office uses on the ground floor in accordance with the CO and MU-V designations respectively.</p>	<p>Commercial or Office only: floor area to land ratio of 0.5.</p> <p>Multi-Family Residential only: 20.1–26.7 units per acre.</p> <p>Mixed-Use Buildings: floor area to land ratio of 1.5; where a minimum floor area to land ratio of 0.25 and maximum of 0.5 shall be used for nonresidential purposes and a maximum of 1.0 for residential.</p>
Mixed-Use Horizontal 2— MU-H2	The MU-H2 designation applies to properties located in the Airport Area . It provides for a horizontal intermixing of uses that may include regional commercial office, multi-family residential, vertical mixed-use buildings, industrial, hotel rooms, and ancillary neighborhood commercial uses.	<p>Residential: maximum of 2,200 units as replacement of existing office, retail, and/or industrial uses at a maximum density of 50 units per adjusted gross acre, of which a maximum of 550 units may be developed as infill.</p> <p>Nonresidential Uses: as defined by Table LU2</p>
Mixed-Use Horizontal 3— MU-H3	The MU-H3 designation applies to properties located in Newport Center . It provides for the horizontal intermixing of regional commercial office, hotel, multi-family residential and ancillary commercial uses. Within the Tennis Club, residential uses may be developed as single-family units.	<p>Residential: maximum of 450 units</p> <p>Hotel: 65 rooms in addition to those specified in Table LU2</p> <p>Other: Nonresidential: As specified by Table LU2</p>

Table LU1 Land Use Plan Categories

Land Use Category	Uses	Density/ Intensity
Mixed-Use Horizontal 4— MU-H4	The MU-H4 designation applies to properties where it is the intent to establish the character of a distinct and cohesively developed district or neighborhood containing multi-family residential with clusters of mixed-use and/or commercial buildings in such locations as the interior parcels of Cannery Village and 15th Street on Balboa Peninsula . Permitted uses include (a) Multi-Family Residential, (b) General or Neighborhood Commercial, and/or (c) Mixed-Use structures, where the ground floor shall be restricted to nonresidential uses along the street frontage such as retail sales and restaurants and the rear and upper floors used for residential including seniors units and overnight accommodations (comparable to MU-V). Mixed-use or commercial buildings shall be required on parcels at street intersections and are permissible, but not required, on other parcels.	Mixed-Use Buildings: floor area to land area ratio of 1.5, where a minimum floor area to land area ratio of 0.25 and maximum 0.5 shall be used for retail uses and maximum of 1.0 for residential. Commercial only: floor area to land area ratio of 0.5. Multi-Family Residential only: 20.1–26.7 units per net acre.
MIXED-USE WATER RELATED—MU-W	The MU-W designation is intended to provide for commercial development on or near the bay in a manner that will encourage the continuation of coastal-dependent and coastal-related uses in accordance with the Recreational and Marine Commercial (CM) designation, as well as allow for the integrated development of residential.	
Mixed-Use Water 1— MU-W1	The MU-W1 designation is applied to waterfront locations along the Mariners’ Mile Corridor in which marine-related, visitor-serving, commercial and residential uses are intermixed with buildings that provide residential uses above the ground floor. Permitted uses include those permitted by the CM, CV, Multi-Family Residential (MFR), and Vertical Mixed-Use (MU-V) designations. A minimum of 50% of the permitted square footage shall be used for the CM or CV land uses. No more than 50% of the waterfront area between the Arches Bridge and the Boy Scout Sea Base may be developed with mixed-use structures. A master or specific plan shall be required to ensure that the uses are fully integrated and impacts from their differing functions and activities are fully mitigated.	Mixed-Use Buildings: floor area to land ratio of 1.25; where a minimum floor area to land ratio of 0.35 and maximum of 0.5 shall be used for nonresidential purposes and the number of residential units shall not exceed the cumulative total for Multi-Family Residential specified below. Commercial only: floor area to land area ratio of 0.5. Multi-Family Residential only: 12 units per acre, with the number of units calculated based on a maximum of 50% of the property.

Table LU1 Land Use Plan Categories

<i>Land Use Category</i>	<i>Uses</i>	<i>Density/ Intensity</i>
Mixed-Use Water 2— MU-W2	The MU-W2 designation is applied to waterfront locations in which marine-related uses may be intermixed with buildings that provide residential on the upper floors. Permitted uses include those permitted by the CM, CV, and MU-V designations. Free-standing residential shall not be permitted.	Mixed-Use Buildings: floor area to land ratio of 1.25; where a minimum floor area to land ratio of 0.35 and maximum of 0.5 shall be used for nonresidential purposes and maximum of 0.75 for residential. In Lido Marina Village, the maximum floor area to land ratio shall be 1.5; where a minimum floor area to land ratio of 0.35 and maximum of 0.7 shall be used for nonresidential purposes and a maximum of 0.8 for residential. Nonresidential buildings: floor area to land area ratio of 0.5.
PUBLIC, SEMI-PUBLIC, AND INSTITUTIONAL		
PUBLIC FACILITIES—PF	The PF designation is intended to provide public facilities, including public schools, cultural institutions, government facilities, libraries, community centers, public hospitals, and public utilities.	Not applicable.
PRIVATE INSTITUTIONS—PI	The PI designation is intended to provide for privately owned facilities that serve the public, including places for religious assembly, private schools, health care, cultural institutions, museums, yacht clubs, congregate homes, and comparable facilities.	Floor to land area ratio or cumulative development indicated on Land Use Plan.
OPEN SPACE—OS	The OS designation is intended to provide areas for a range of public and private uses to protect, maintain, and enhance the community's natural resources.	Open spaces may include incidental buildings, such as maintenance equipment and supply storage, which are not traditionally included in determining intensity limits.
OPEN SPACE/ RESIDENTIAL VILLAGE— OS(RV)	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.	Priority: Open spaces, habitat restoration, and parks. Alternative: Maximum of 1,375 residential units, 75,000 sf of retail commercial, and 75 hotel rooms.

Table LU1 Land Use Plan Categories

<i>Land Use Category</i>	<i>Uses</i>	<i>Density/ Intensity</i>
PARKS AND RECREATION—PR	The PR designation applies to land used or proposed for active public or private recreational use. Permitted uses include parks (both active and passive), golf courses, marina support facilities, aquatic facilities, tennis clubs and courts, private recreation, and similar facilities.	Not applicable for public uses. Private uses in this category may include incidental buildings, such as maintenance equipment sheds, supply storage, and restrooms, not included in determining intensity limits. For golf courses, these uses may also include support facilities for grounds maintenance employees. Other types of buildings and developments are limited as specified in Table LU2.
TIDELANDS AND SUBMERGED LANDS—TS	The TS designation is intended to address the use, management, and protection of tidelands and submerged lands of Newport Bay and the Pacific Ocean immediately adjacent to the City of Newport Beach. The designation is generally not applied to historic tidelands and submerged lands that are presently filled or reclaimed.	Not applicable.

Calculation of floor area shall not include parking structures.

Land Use Element

Table LU2 Anomaly Locations					
<i>Anomaly Number</i>	<i>Statistical Area</i>	<i>Land Use Designation</i>	<i>Development Limit (sf)</i>	<i>Development Limit (Other)</i>	<i>Additional Information</i>
1	L4	MU-H2	460,095	471 Hotel Rooms (not included in total square footage)	
2	L4	MU-H2	1,052,880		
2.1	L4	MU-H2	18,810		11,544 sf restricted to general office use only (included in total square footage)
3	L4	CO-G	734,641		
4	L4	MU-H2	250,176		
5	L4	MU-H2	32,500		
6	L4	MU-H2	46,044		
7	L4	MU-H2	81,372		
8	L4	MU-H2	442,775		
9	L4	CG	120,000	164 Hotel Rooms (included in total square footage)	
10	L4	MU-H2	31,362	349 Hotel Rooms (not included in total square footage)	
11	L4	CG	11,950		
12	L4	MU-H2	457,880		
13	L4	CO-G	288,264		
14	L4	CO-G/MU-H2	860,884		
15	L4	MU-H2	228,214		
16	L4	CO-G	344,231		
17	L4	MU-H2	33,292	304 Hotel Rooms (not included in total square footage)	
18	L4	CG	225,280		
19	L4	CG	228,530		
21	J6	CO-G	687,000		Office: 660,000 sf; Retail: 27,000 sf
		CV		300 Hotel Rooms	
22	J6	PI	85,000		Residential Care Facility for the Elderly (RCFE)
23	K2	PR	15,000		
24	L3	IG	89,624		
25	L3	PI	84,585		
26	L3	IG	33,940		
27	L3	IG	86,000		
28	L3	IG	110,600		
29	L3	CG	47,500		
30	M6	CG	54,000		
31	L2	PR	75,000		
32	L2	PI	34,000		
33	M3	PI	163,680		Administrative Office and Support Facilitates: 30,000 sf Community Mausoleum and Garden Crypts: 121,680 sf Family Mausoleums: 12,000 sf
34	L1	CO-R	484,348		
35	L1	CO-R	199,095		
36	L1	CO-R	227,797		

Table LU2 Anomaly Locations

Anomaly Number	Statistical Area	Land Use Designation	Development Limit (sf)	Development Limit (Other)	Additional Information
37	L1	CO-R	131,201	2,050 Theater Seats (not included in total square footage)	
38	L1	CO-M	443,627		
39	L1	MU-H3	408,084		
40	L1	MU-H3	1,426,634	425 Hotel Rooms (included in total Square Footage)	
41	L1	CO-R	327,671		
42	L1	CO-R	286,166		
43	L1	CV		611 Hotel Rooms	
44	L1	CR	1,619,525	1,700 Theater Seats (not included in total square footage)	
45	L1	CO-G	162,364		
46	L1	MU-H3/PR	3,725	24 Tennis Courts	Residential permitted in accordance with MU-H3.
47	L1	CG	105,000		
48	L1	MU-H3	337,261		
49	L1	PI	45,208		
50	L1	CG	25,000		
51	K1	PR	20,000		
52	K1	CV		479 Hotel Rooms	
53	K1	PR	567,500		See Settlement Agreement
54	J1	CM	2,000		
55	H3	PI	119,440		
56	A3	PI	1,343,238	990,349 sf Upper Campus 577,889 sf Lower Campus	In no event shall the total combined gross floor area of both campuses exceed the development limit of 1,343,238 sq. ft.
57	Intentionally Blank				
58	J5	PR	20,000		
59	H4	MU-W1	247,402	144 Dwelling Units (included in total square footage)	
60	N	CV	*3,035,000	2,150 Hotel Rooms (2,960,000 square feet for hotel rooms and related commercial uses identified in Newport Coast LCP) 75,000 square feet for Day Use Commercial	Newport Coast LCP Planning Area 13 <i>*Correction per Planning Commission Resolution 2030 adopted October 6, 2016</i>
61	N	CV	125,000		Newport Coast LCP Planning Areas 3B and 14
62	L2	CG	2,300		
63	G1	CN	66,000		
64	M3	CN	74,000		
65	M5	CN	80,000		
66	J2	CN	138,500		
67	D2	PI	20,000		
68	L3	PI	71,150		
69	K2	CN	75,000		
70	D2	RM-D			Parking Structure for Bay Island (No Residential Units)
71	L1	CO-G	11,630		

Table LU2 Anomaly Locations					
Anomaly Number	Statistical Area	Land Use Designation	Development Limit (sf)	Development Limit (Other)	Additional Information
72	L1	CO-G	8,000		
73	A3	CO-M	350,000		
74	L1	PR	56,000		
75	L1	PF			City Hall, and the administrative offices of the City of Newport Beach, and related parking, pursuant to Section 425 of the City Charter.
76	H1	CO-G		0.5 FAR	1.0 FAR permitted, provided all four legal lots are consolidated into one parcel to provide unified site design
77	H4	CV	240,000	157 Hotel Rooms (included in total square footage)	
78	B5	CM	139,840		
79	H4	CG		0.3/0.5	Development limit of 19,905 sq.ft. permitted, provided all six legal lots are consolidated into one parcel to provide unified site design
80	K1	MU-W2	Nonresidential Development: 131,290	49 Residential Units	For mixed-use development, residential floor area shall not exceed a 1:1 ratio to nonresidential floor area
81	K1	RM		296 Residential Units	
82	Reserved				
83	Reserved				
84	Reserved				
85	B5	CV-LV	103,470 sf of hotel		Accessory commercial floor area is allowed in conjunction with a hotel and it is included within the hotel development limit. Municipal facilities are not restricted or included in any development limit.

LU 4.2 Prohibition of New Residential Subdivisions

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

LU 4.3 Transfer of Development Rights

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

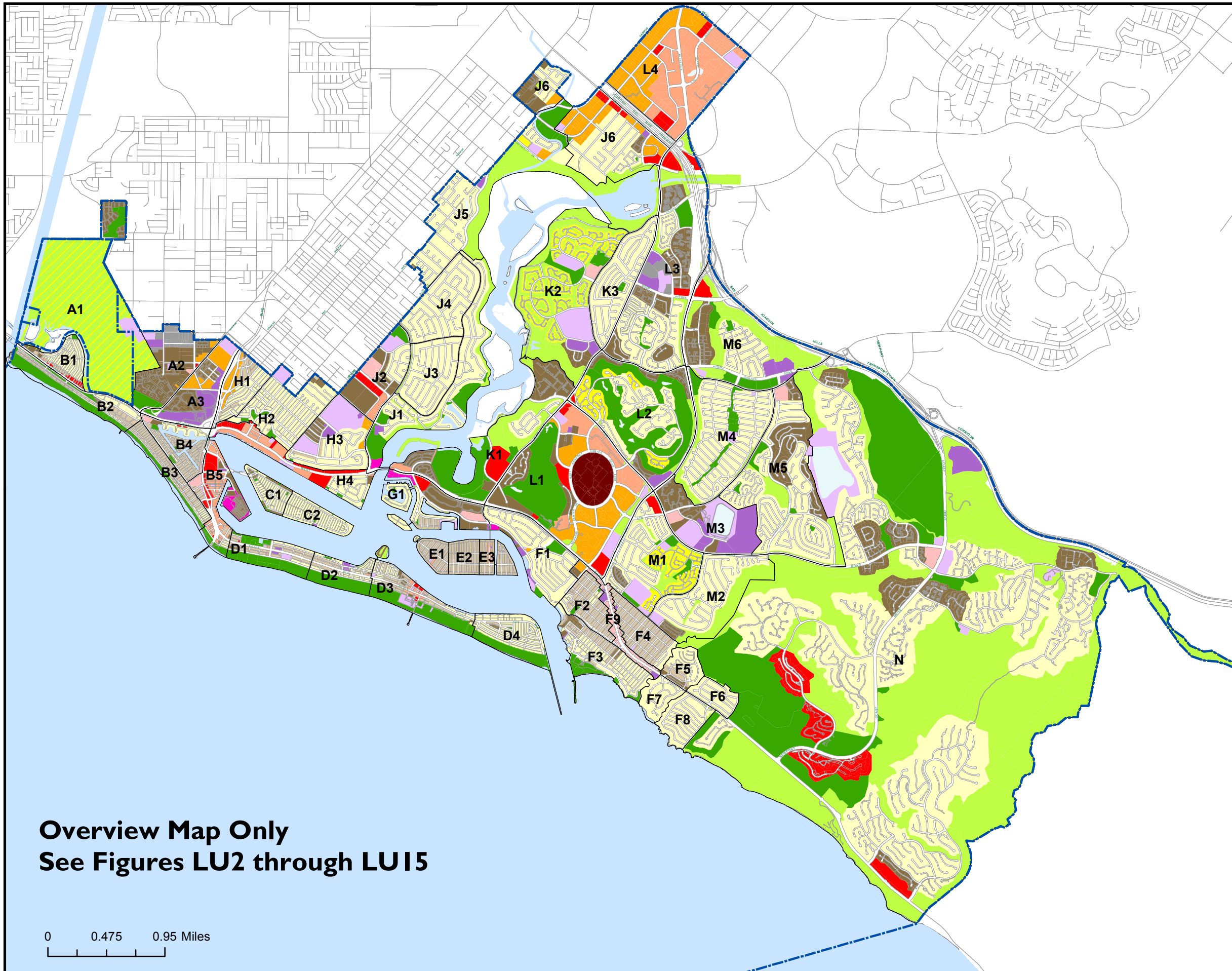
- a. The donor and receiver sites are within the same Statistical Area.
- b. The reduced density/intensity on the donor site provides benefits to the City such as, but not limited to, the (1) provision of extraordinary open space, public visual corridor(s), parking or other amenities; (2) preservation of a

- historic building or property or natural landscapes; (3) improvement of the area's scale and development character; (4) consolidation of lots to achieve a better architectural design than could be achieved without lot consolidation; and/or (5) reduction of local vehicle trips and traffic congestion;
- c. The increment of growth transferred to the receiver site complements and is in scale with surrounding development, complies with community character and design policies contained in this Plan, and does not materially degrade local traffic conditions and environmental quality.
 - d. Transfer of Development Rights in Newport Center is governed by Policy 6.14.3 (*Imp 2.1, 5.1, 10.2*)

Figure LU1 General Plan Overview Map

11x17 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure LU1
 GENERAL PLAN
 OVERVIEW MAP



Overview Map Only
See Figures LU2 through LUI5

0 0.475 0.95 Miles

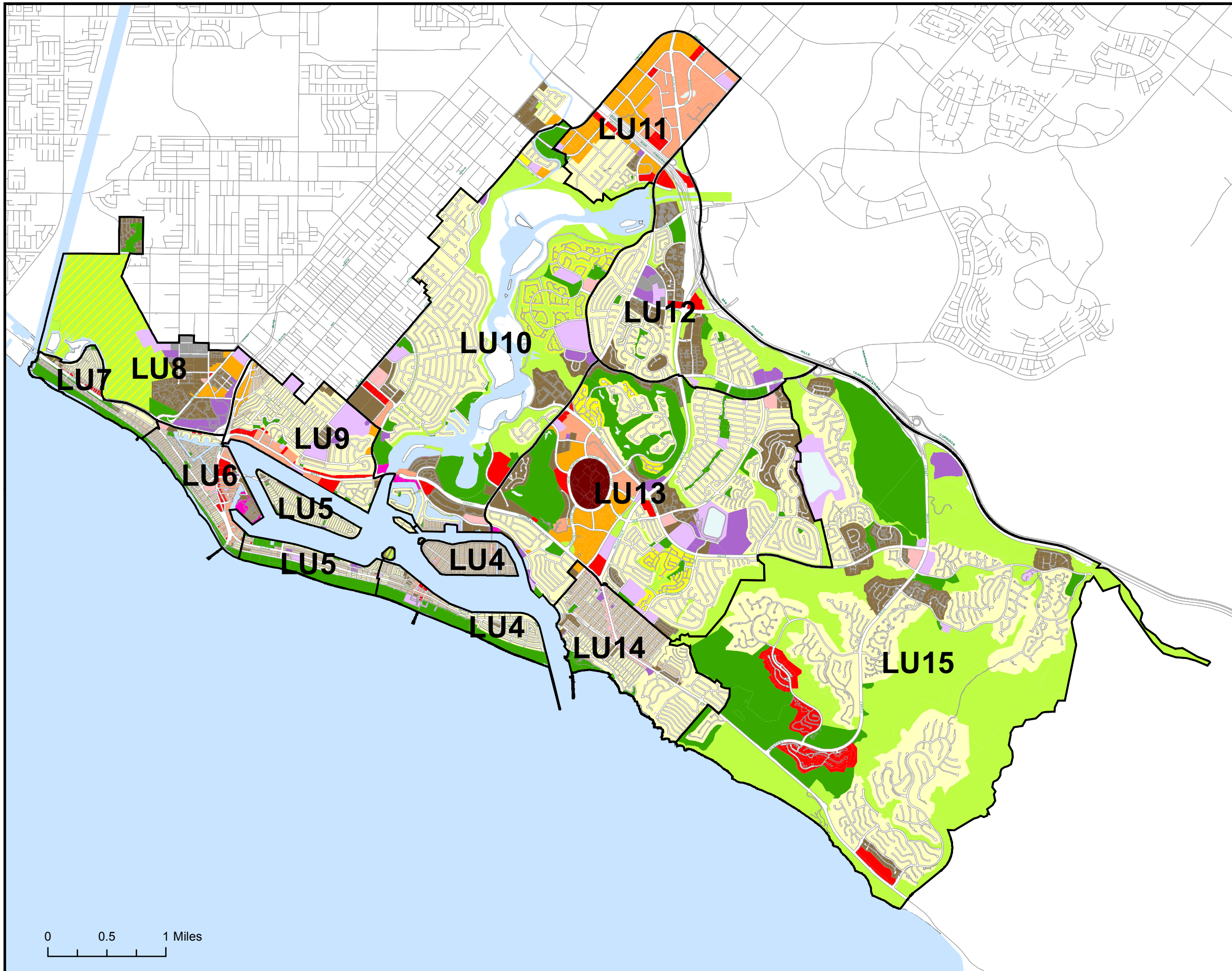
- Residential Neighborhoods**
- RS-D Single-Unit Residential Detached
 - RS-A Single-Unit Residential Attached
 - RT Two-Unit Residential
 - RM Multiple Unit Residential
 - RM-D Multiple-Unit Residential Detached
 - RM/OS Multiple-Unit Residential / Open Space
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 - CC Corridor Commercial
 - CG General Commercial
 - CV Visitor Serving Commercial
 - CV-LV Visitor Serving Commercial Lido Village
 - CM Recreational and Marine Commercial
 - CR Regional Commercial
- Commercial Office Districts**
- CO-G General Commercial Office
 - CO-M Medical Commercial Office
 - CO-R Regional Commercial Office
- Industrial Districts**
- IG Industrial
- Airport Supporting Districts**
- AO Airport Office and Supporting Uses
- Mixed -Use Districts**
- MU-V Mixed Use Vertical
 - MU-H Mixed Use Horizontal
 - MU-W Mixed Use Water Related
- Public, Semi-Public and Institutional**
- PF Public Facilities
 - PI Private Institutions
 - PR Parks and Recreation
 - OS Open Space
 - OS(RV) Open Space / Residential Village (Residential uses, if not acquired as permanent open space)
 - TS Tidelands and Submerged Lands
- City of Newport Beach Boundary
 Statistical Area Boundary



Figure LU2 Index Map

11x17 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure LU2
 INDEX MAP



- Residential Neighborhoods**
- RS-D Single-Unit Residential Detached
 - RS-A Single-Unit Residential Attached
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 - RM Multiple Unit Residential
 - RM-D Multiple-Unit Residential Detached
 - RM/OS Multiple-Unit Residential / Open Space
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 - TS Tidelands and Submerged Lands
- City of Newport Beach Boundary
 Statistical Area Boundary

0 0.5 1 Miles





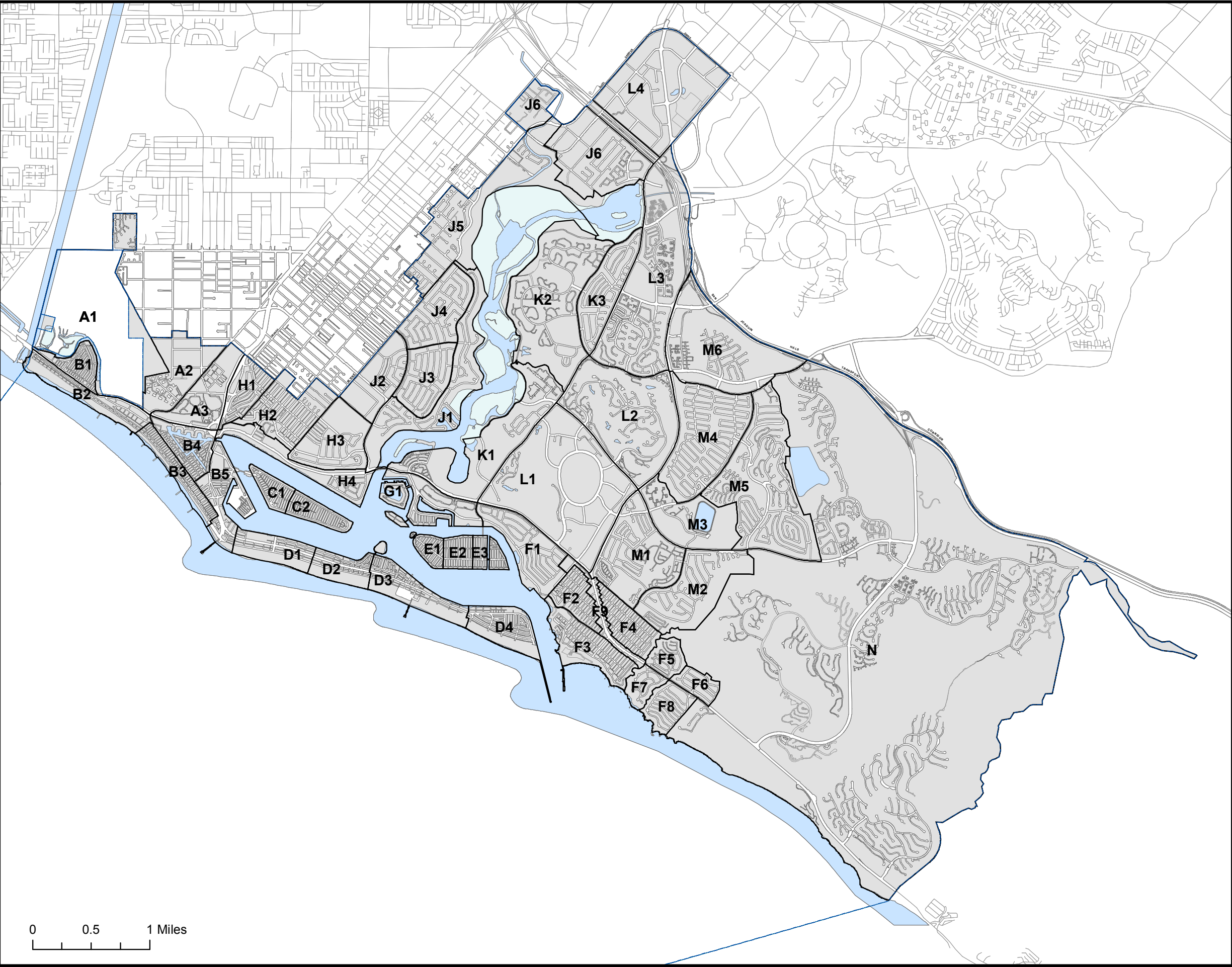
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Figure LU3 Statistical Area Map

11x17 color

CITY of NEWPORT BEACH
GENERAL PLAN
Figure LU3
STATISTICAL AREA
MAP

-  City of Newport Beach Boundary
-  Statistical Area Boundary



0 0.5 1 Miles

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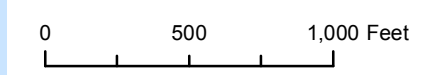
Figure LU4 Statistical Area D3, D4, E1-E3
11x17 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure LU4
 STATISTICAL AREA
 D3, D4, E1-E3



- Residential Neighborhoods**
- RS-D Single-Unit Residential Detached
 - RS-A Single-Unit Residential Attached
 - RT Two-Unit Residential
 - RM Multiple Unit Residential
 - RM-D Multiple-Unit Residential Detached
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 - CC Corridor Commercial
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 - CV Visitor Serving Commercial
 - CM Recreational and Marine Commercial
 - CR Regional Commercial
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 - CO-R Regional Commercial Office
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- IG Industrial
- Airport Supporting Districts**
- AO Airport Office and Supporting Uses
- Mixed -Use Districts**
- MU-V Mixed Use Vertical
 - MU-H Mixed Use Horizontal
 - MU-W Mixed Use Water Related
- Public, Semi-Public and Institutional**
- PF Public Facilities
 - PI Private Institutions
 - PR Parks and Recreation
 - OS Open Space
 - TS Tidelands and Submerged Lands
- City of Newport Beach Boundary**
- Statistical Area Boundary**
- Land Use Delineator Line**
- Refer to anomaly table**

CC Resolution No.	GPA No.	Project No.	Adopting Date	Description
*California Coastal Commission Approval				
2013-34	GP2011-009	PA2011-196	04/09/2013 (11/15/2013*)	Change RT to MU-V for property located at 514 Ocean Front E.
2010-107	GP2010-007	PA2010-052	09/14/2010	Change PI 1.0 to CV 1.0 for property located at 600 E. Bay Avenue; Change MU-V to CV 0.5 for properties located at 105 Main Street and 707 E. Ocean Front
2010-50	GP2009-001	PA2009-067	05/25/2010	Change PR to RS-D for property located at 2000-2016 East Balboa Boulevard

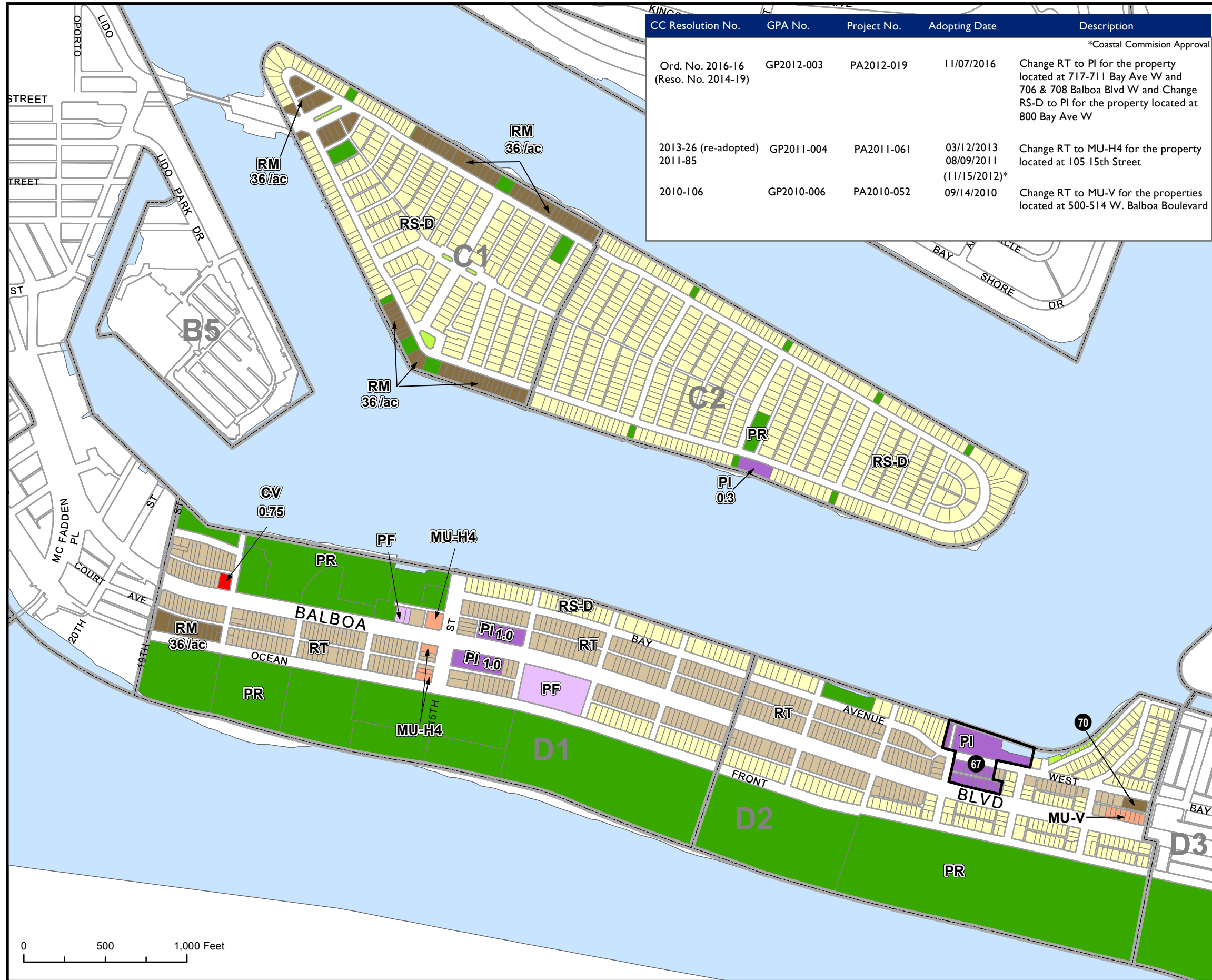


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Figure LU5 Statistical Area C1, C2, D1, D2
11 X 17 color

CITY of NEWPORT BEACH
GENERAL PLAN
 Figure LU5
STATISTICAL AREAS
 C1, C2, D1, D2

CC Resolution No.	GPA No.	Project No.	Adopting Date	Description
Ord. No. 2016-16 (Reso. No. 2014-19)	GP2012-003	PA2012-019	11/07/2016	*Coastal Commission Approval Change RT to PI for the property located at 717-711 Bay Ave W and 706 & 708 Balboa Blvd W and Change RS-D to PI for the property located at 800 Bay Ave W
2013-26 (re-adopted) 2011-85	GP2011-004	PA2011-061	03/12/2013 08/09/2011 (11/15/2012)*	Change RT to MU-H4 for the property located at 105 15th Street
2010-106	GP2010-006	PA2010-052	09/14/2010	Change RT to MU-V for the properties located at 500-514 W. Balboa Boulevard



Residential Neighborhoods

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Commercial Districts and Corridors

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- CR Regional Commercial

Commercial Office Districts

- CO-G General Commercial Office
- CO-M Medical Commercial Office
- CO-R Regional Commercial Office

Industrial Districts

- IG Industrial

Airport Supporting Districts

- AO Airport Office and Supporting Uses

Mixed -Use Districts

- MU-V Mixed Use Vertical
- MU-H Mixed Use Horizontal
- MU-W Mixed Use Water Related

Public, Semi-Public and Institutional

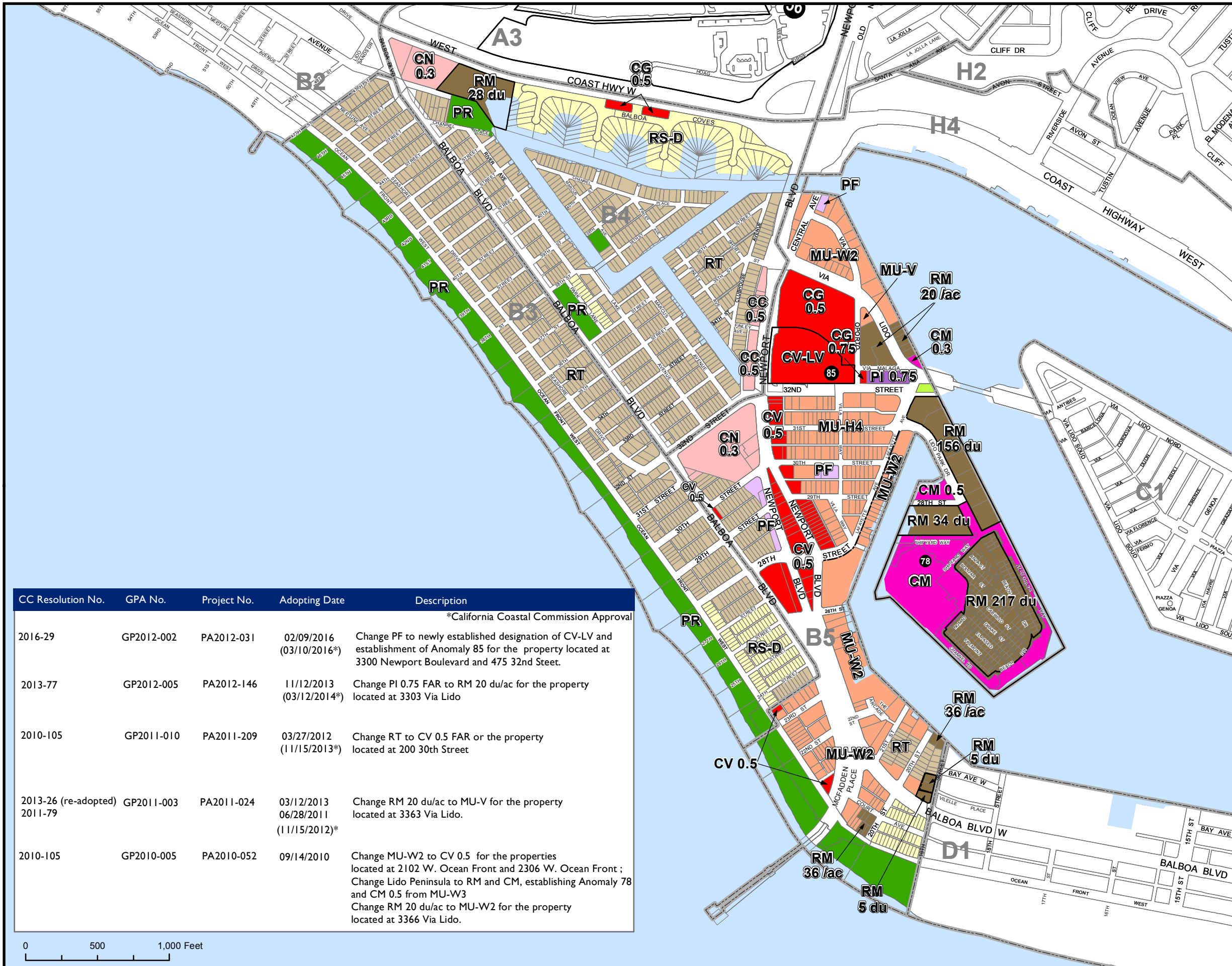
- PF Public Facilities
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- PR Parks and Recreation
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- TS Tidelands and Submerged Lands

City of Newport Beach Boundary
 Statistical Area Boundary
 Land Use Delineator Line
 Refer to anomaly table

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Figure LU6 Statistical Area B3, B4, B5
11 X 17 color

CITY of NEWPORT BEACH
GENERAL PLAN
Figure LU6
STATISTICAL AREA
B3, B4, B5



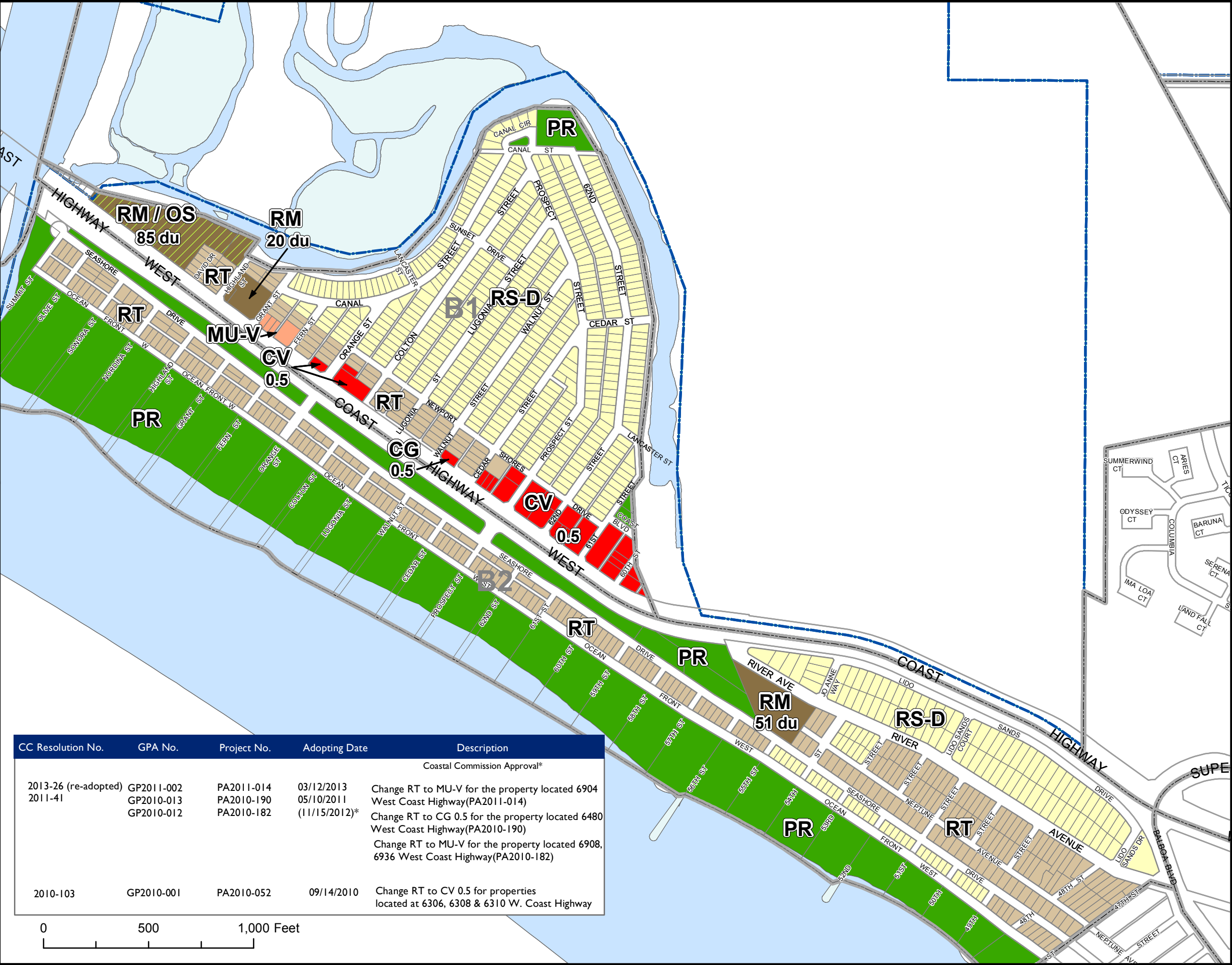
CC Resolution No.	GPA No.	Project No.	Adopting Date	Description
				*California Coastal Commission Approval
2016-29	GP2012-002	PA2012-031	02/09/2016 (03/10/2016*)	Change PF to newly established designation of CV-LV and establishment of Anomaly 85 for the property located at 3300 Newport Boulevard and 475 32nd Street.
2013-77	GP2012-005	PA2012-146	11/12/2013 (03/12/2014*)	Change PI 0.75 FAR to RM 20 du/ac for the property located at 3303 Via Lido
2010-105	GP2011-010	PA2011-209	03/27/2012 (11/15/2013*)	Change RT to CV 0.5 FAR for the property located at 200 30th Street
2013-26 (re-adopted) 2011-79	GP2011-003	PA2011-024	03/12/2013 06/28/2011 (11/15/2012)*	Change RM 20 du/ac to MU-V for the property located at 3363 Via Lido.
2010-105	GP2010-005	PA2010-052	09/14/2010	Change MU-W2 to CV 0.5 for the properties located at 2102 W. Ocean Front and 2306 W. Ocean Front ; Change Lido Peninsula to RM and CM, establishing Anomaly 78 and CM 0.5 from MU-W3 Change RM 20 du/ac to MU-W2 for the property located at 3366 Via Lido.

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 - OS Open Space
 - TS Tidelands and Submerged Lands
- City of Newport Beach Boundary
- Statistical Area Boundary B4
- Land Use Delineator Line
- Refer to anomaly table

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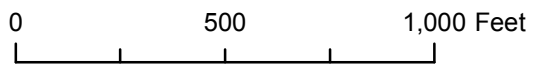
Figure LU7 Statistical Area B1, B2
11 X 17 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure LU7
 STATISTICAL AREAS
 B1, B2



- RS-D Single-Unit Residential Detached
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- TS Tidelands and Submerged Lands
- City of Newport Beach Boundary
- Statistical Area Boundary
- Land Use Delineator Line
- Refer to anomaly table

CC Resolution No.	GPA No.	Project No.	Adopting Date	Description
Coastal Commission Approval*				
2013-26 (re-adopted) 2011-41	GP2011-002	PA2011-014	03/12/2013	Change RT to MU-V for the property located 6904 West Coast Highway(PA2011-014)
	GP2010-013	PA2010-190	05/10/2011	Change RT to CG 0.5 for the property located 6480 West Coast Highway(PA2010-190)
	GP2010-012	PA2010-182	(11/15/2012)*	Change RT to MU-V for the property located 6908, 6936 West Coast Highway(PA2010-182)
2010-103	GP2010-001	PA2010-052	09/14/2010	Change RT to CV 0.5 for properties located at 6306, 6308 & 6310 W. Coast Highway

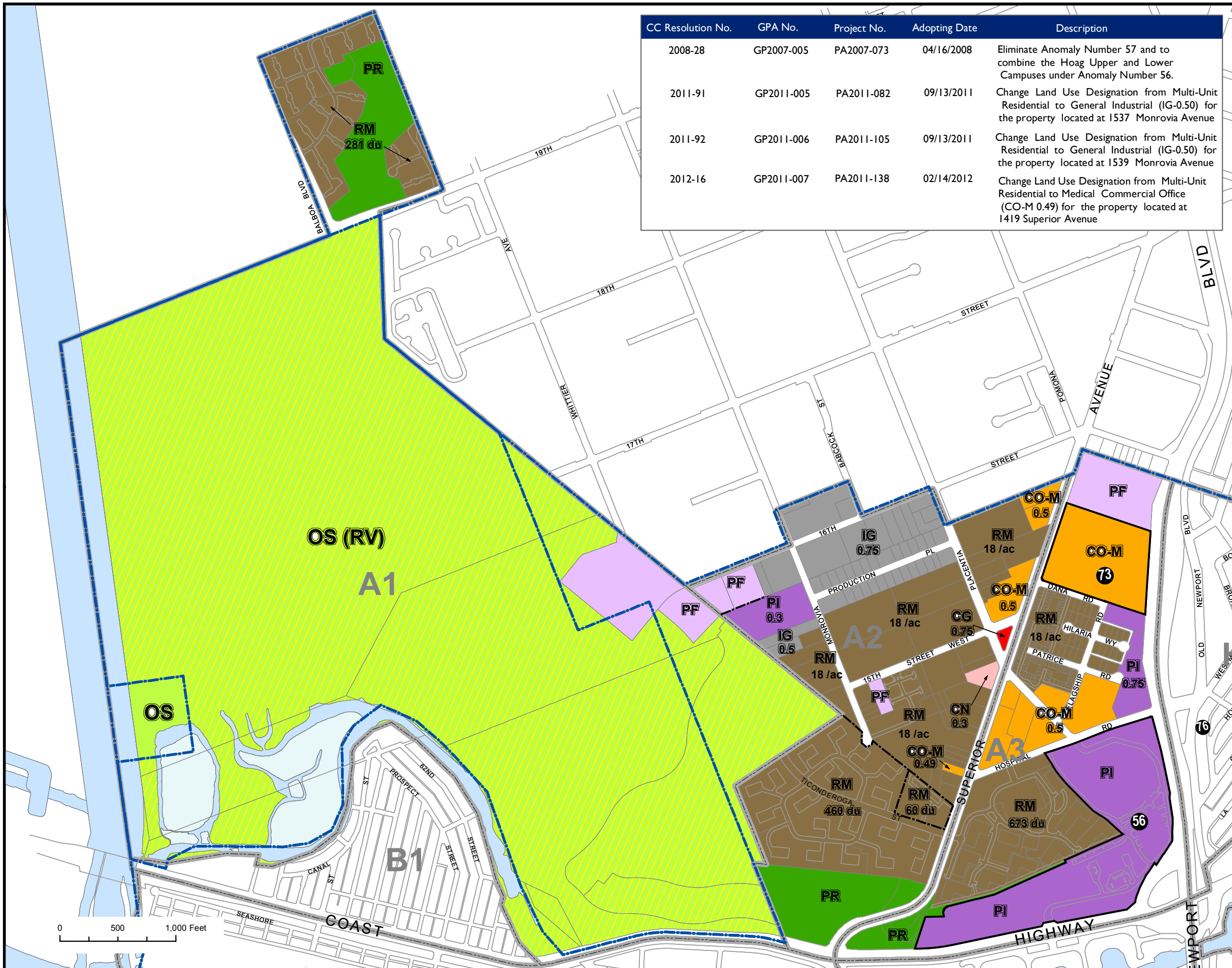


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Figure LU8 Statistical Area A1 - A3
11 X 17 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure LU8
 STATISTICAL AREAS
 A1 - A3

CC Resolution No.	GPA No.	Project No.	Adopting Date	Description
2008-28	GP2007-005	PA2007-073	04/16/2008	Eliminate Anomaly Number 57 and to combine the Hoag Upper and Lower Campuses under Anomaly Number 56.
2011-91	GP2011-005	PA2011-082	09/13/2011	Change Land Use Designation from Multi-Unit Residential to General Industrial (IG-0.50) for the property located at 1537 Monrovia Avenue
2011-92	GP2011-006	PA2011-105	09/13/2011	Change Land Use Designation from Multi-Unit Residential to General Industrial (IG-0.50) for the property located at 1539 Monrovia Avenue
2012-16	GP2011-007	PA2011-138	02/14/2012	Change Land Use Designation from Multi-Unit Residential to Medical Commercial Office (CO-M 0.49) for the property located at 1419 Superior Avenue



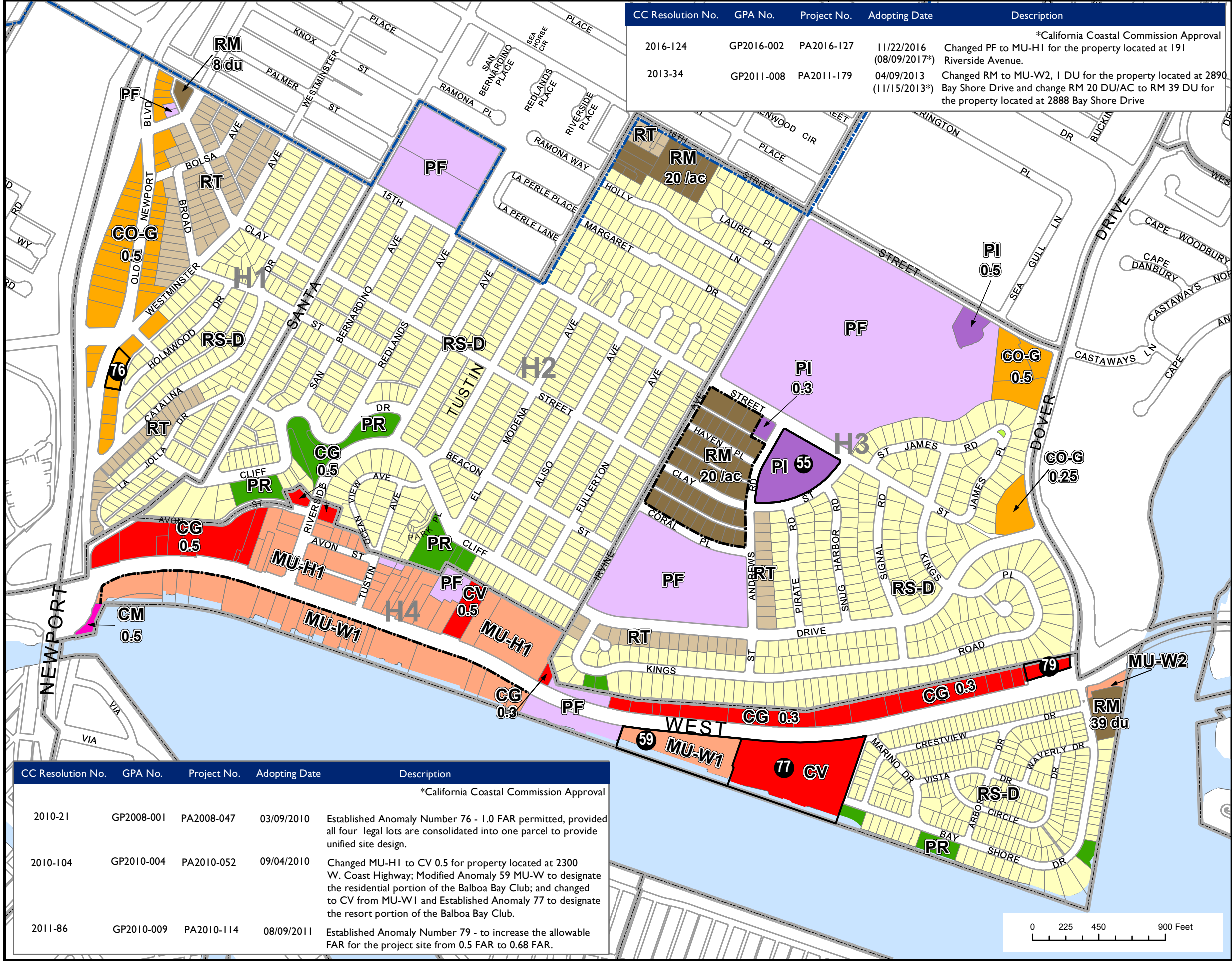
- Residential Neighborhoods**
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 - TS Tidelands and Submerged Lands
- Map Symbols**
- City of Newport Beach Boundary
 - Statistical Area Boundary
 - Land Use Delineator Line
 - Refer to anomaly table

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Figure LU9 Statistical Area H1 – H4
11 X 17 color

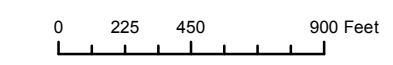
CITY of NEWPORT BEACH
GENERAL PLAN
Figure LU9
STATISTICAL AREAS
H1 - H4

CC Resolution No.	GPA No.	Project No.	Adopting Date	Description
2016-124	GP2016-002	PA2016-127	11/22/2016 (08/09/2017*)	Changed PF to MU-H1 for the property located at 191 Riverside Avenue.
2013-34	GP2011-008	PA2011-179	04/09/2013 (11/15/2013*)	Changed RM to MU-W2, 1 DU for the property located at 2890 Bay Shore Drive and change RM 20 DU/AC to RM 39 DU for the property located at 2888 Bay Shore Drive



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- City of Newport Beach Boundary
Statistical Area Boundary
Land Use Delineator Line
Refer to anomaly table

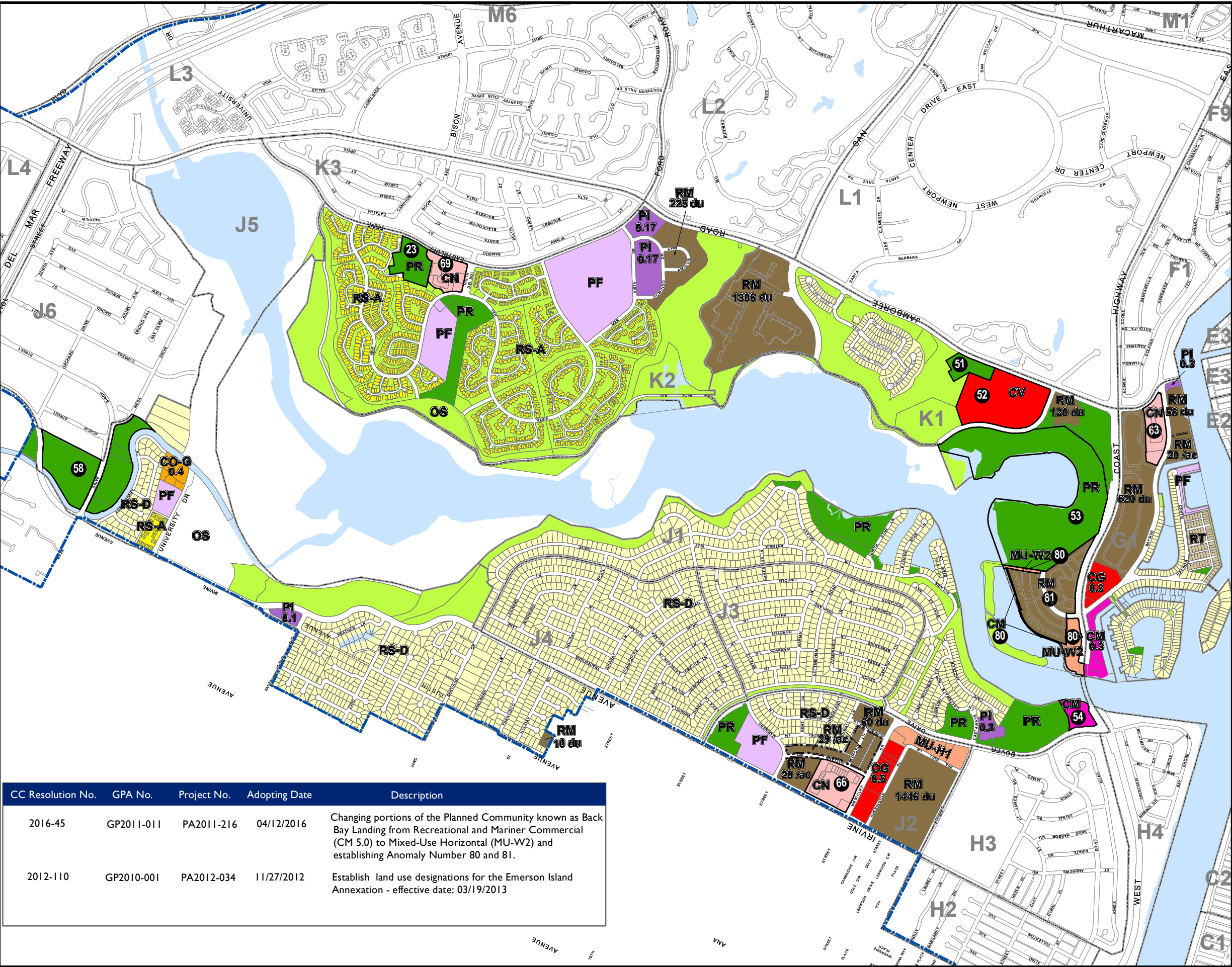
CC Resolution No.	GPA No.	Project No.	Adopting Date	Description
2010-21	GP2008-001	PA2008-047	03/09/2010	Established Anomaly Number 76 - 1.0 FAR permitted, provided all four legal lots are consolidated into one parcel to provide unified site design.
2010-104	GP2010-004	PA2010-052	09/04/2010	Changed MU-H1 to CV 0.5 for property located at 2300 W. Coast Highway; Modified Anomaly 59 MU-W to designate the residential portion of the Balboa Bay Club; and changed to CV from MU-W1 and Established Anomaly 77 to designate the resort portion of the Balboa Bay Club.
2011-86	GP2010-009	PA2010-114	08/09/2011	Established Anomaly Number 79 - to increase the allowable FAR for the project site from 0.5 FAR to 0.68 FAR.



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Figure LU10 Statistical Area G1, J1 – J5, K1, K2
11 X 17 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure LU10
 STATISTICAL AREAS
 G1, J1 - J5, K1, K2



- Residential Neighborhoods**
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 - TS Tidelands and Submerged Lands
- City of Newport Beach Boundary
 Statistical Area Boundary
 Land Use Delineator Line
 Refer to anomaly table

CC Resolution No.	GPA No.	Project No.	Adopting Date	Description
2016-45	GP2011-011	PA2011-216	04/12/2016	Changing portions of the Planned Community known as Back Bay Landing from Recreational and Mariner Commercial (CM 5.0) to Mixed-Use Horizontal (MU-W2) and establishing Anomaly Number 80 and 81.
2012-110	GP2010-001	PA2012-034	11/27/2012	Establish land use designations for the Emerson Island Annexation - effective date: 03/19/2013



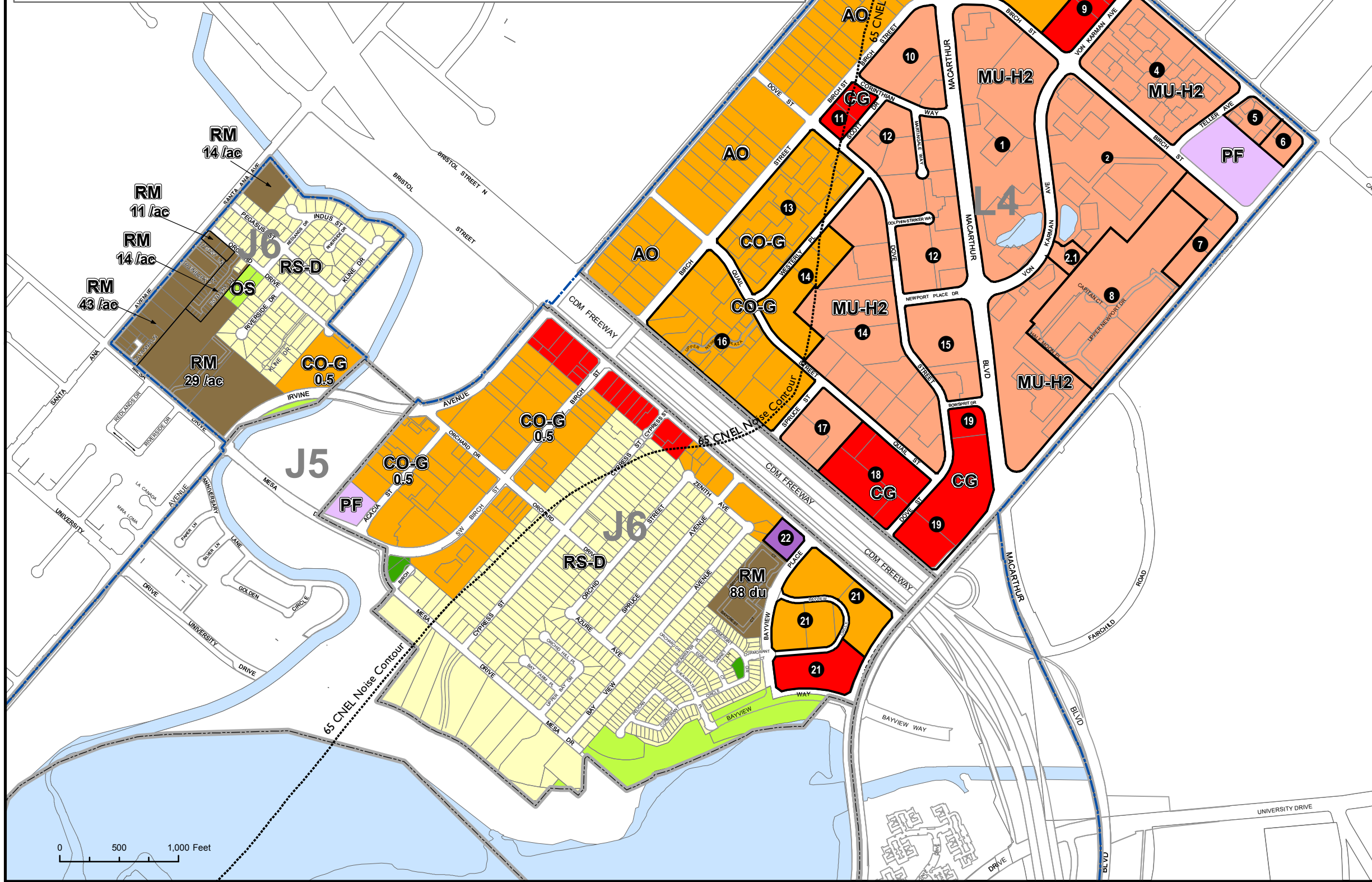
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Figure LU11 Statistical Area J6, L4

11 X 17 color

CITY of NEWPORT BEACH
GENERAL PLAN
Figure LU11
STATISTICAL AREAS
J6, L4

CC Resolution No.	GPA No.	Project No.	Adopting Date	Description
2019-14	GP2015-004	PA2015-210	02/12/2019	Change land use designation from General Commercial Office (CO-G) to Private Institutions (PI) and amend Anomaly No. 22 to allow 85,000 square feet for Residential Care Facility for the Elderly located at 101 Bayview place.
2011-21	GP2007-009	PA2007-213	02/22/2011	Increase the maximum allowable development limit by 11,544 square feet and create anomaly No. 2.1 for 4300 Von Karman.



Residential Neighborhoods

- RS-D Single-Unit Residential Detached
- RS-A Single-Unit Residential Attached
- RT Two-Unit Residential
- RM Multiple-Unit Residential
- RM-D Multiple-Unit Residential Detached

Commercial Districts and Corridors

- CN Neighborhood Commercial
- CC Corridor Commercial
- CG General Commercial
- CV Visitor Serving Commercial
- CM Recreational and Marine Commercial
- CR Regional Commercial

Commercial Office Districts

- CO-G General Commercial Office
- CO-M Medical Commercial Office
- CO-R Regional Commercial Office

Industrial Districts

- IG Industrial

Airport Supporting Districts

- AO Airport Office and Supporting Uses

Mixed -Use Districts

- MU-V Mixed Use Vertical
- MU-H Mixed Use Horizontal
- MU-W Mixed Use Water Related

Public, Semi-Public and Institutional

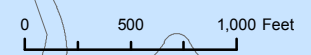
- PF Public Facilities
- PI Private Institutions
- PR Parks and Recreation
- OS Open Space
- TS Tidelands and Submerged Lands

City of Newport Beach Boundary

Statistical Area Boundary **L4**

Land Use Delineator Line

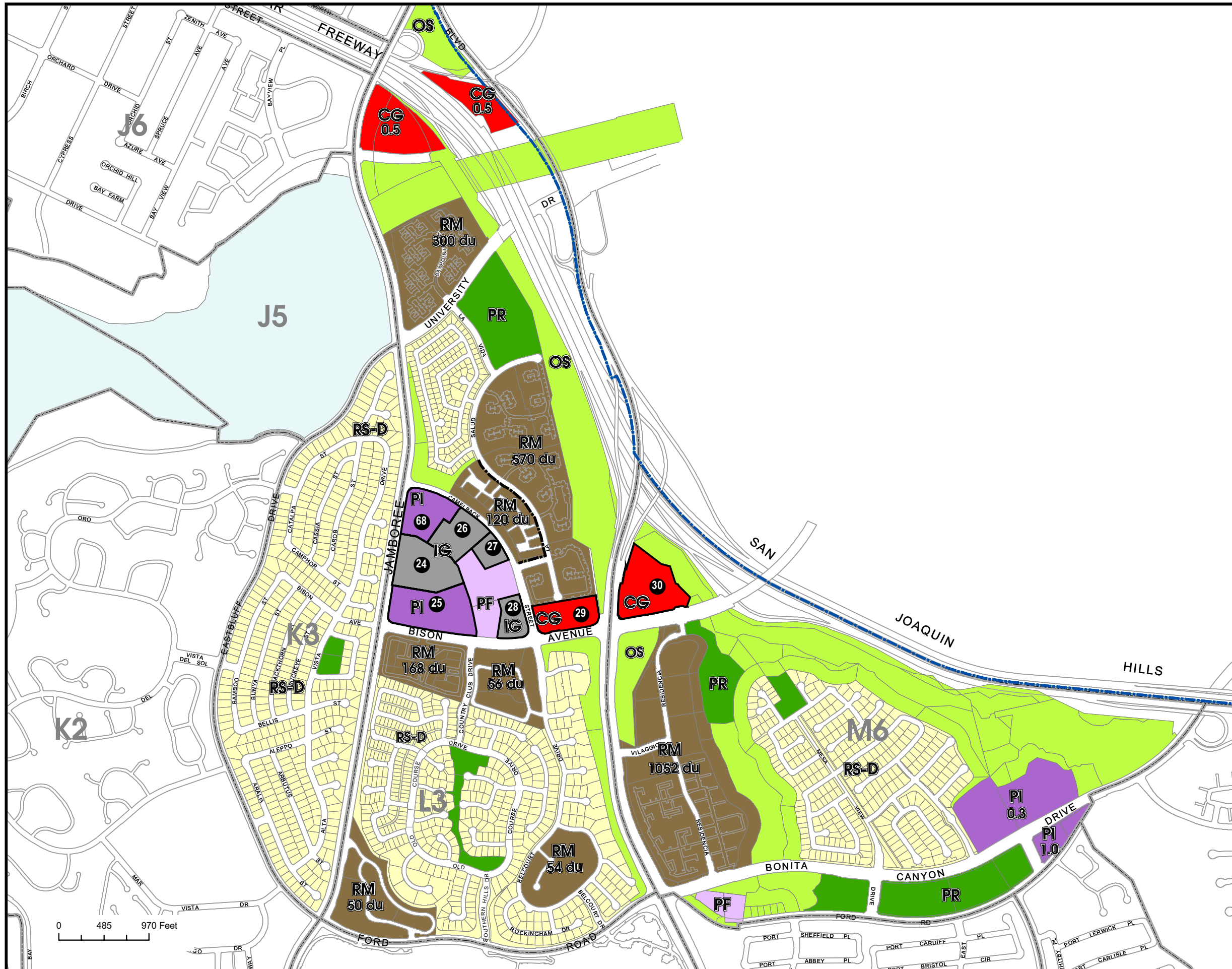
Refer to anomaly table



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Figure LU12 Statistical Area K3, L3, M6
11 X 17 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure LU12
 STATISTICAL AREAS
 K3, L3, M6



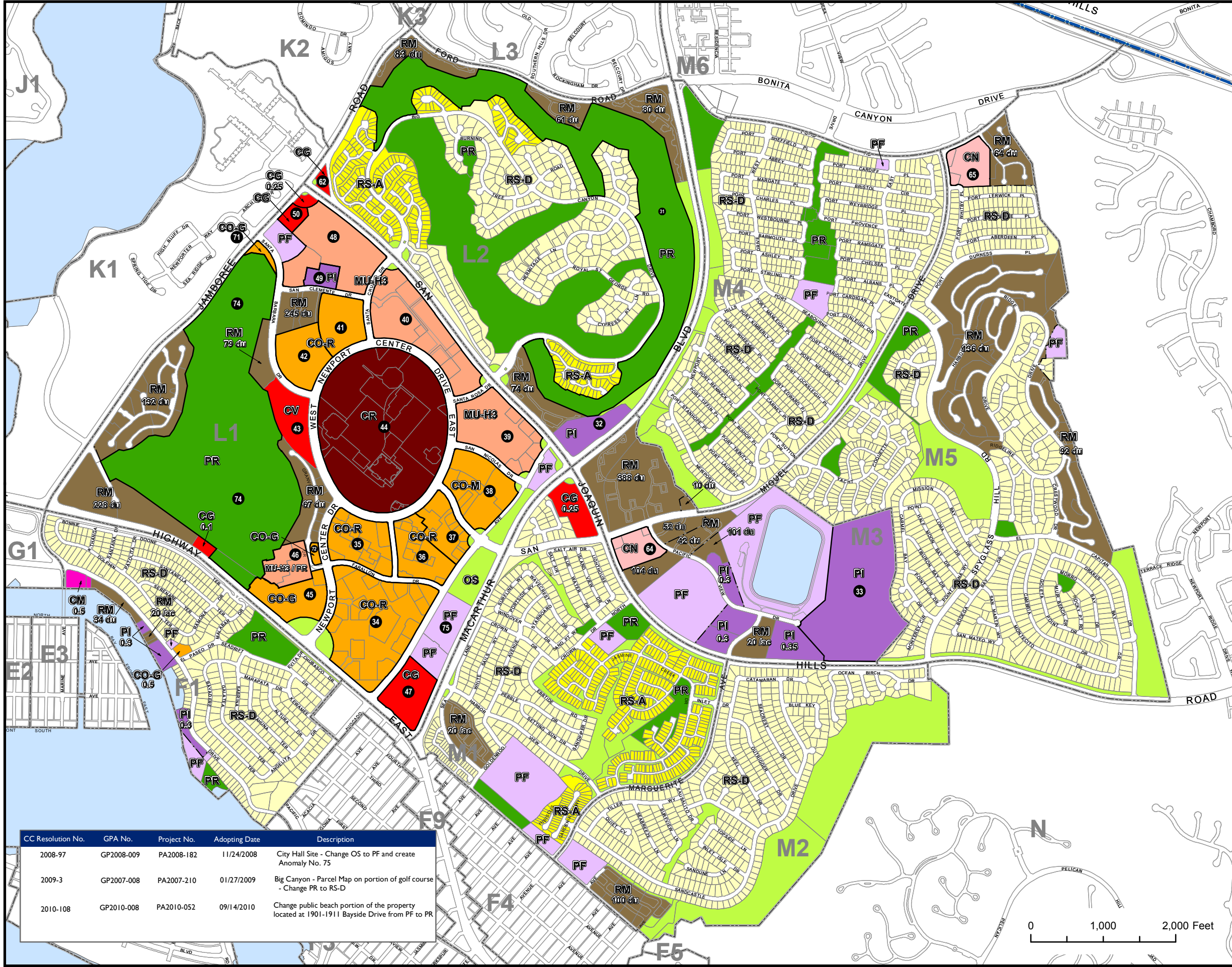
- Residential Neighborhoods**
- RS-D Single-Unit Residential Detached
 - RS-A Single-Unit Residential Attached
 - RT Two-Unit Residential
 - RM Multiple Unit Residential
 - RM-D Multiple-Unit Residential Detached
- Commercial Districts and Corridors**
- CN Neighborhood Commercial
 - CC Corridor Commercial
 - CG General Commercial
 - CV Visitor Serving Commercial
 - CM Recreational and Marine Commercial
 - CR Regional Commercial
- Commercial Office Districts**
- CO-G General Commercial Office
 - CO-M Medical Commercial Office
 - CO-R Regional Commercial Office
- Industrial Districts**
- IG Industrial
- Airport Supporting Districts**
- AO Airport Office and Supporting Uses
- Mixed -Use Districts**
- MU-V Mixed Use Vertical
 - MU-H Mixed Use Horizontal
 - MU-W Mixed Use Water Related
- Public, Semi-Public and Institutional**
- PF Public Facilities
 - PI Private Institutions
 - PR Parks and Recreation
 - OS Open Space
 - TS Tidelands and Submerged Lands
- Map Symbols**
- City of Newport Beach Boundary
 - Statistical Area Boundary K3
 - Land Use Delineator Line
 - Refer to anomaly table



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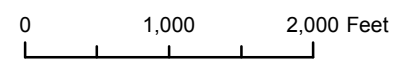
Figure LU13 Statistical Area F1, L1, L2, M1 – M5
11 X 17 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure LU13
 STATISTICAL AREAS
 F1, L1, L2, M1-M5



- Residential Neighborhoods**
- RS-D Single-Unit Residential Detached
 - RS-A Single-Unit Residential Attached
 - RT Two-Unit Residential
 - RM Multiple Unit Residential
 - RM-D Multiple-Unit Residential Detached
- Commercial Districts and Corridors**
- CN Neighborhood Commercial
 - CC Corridor Commercial
 - CG General Commercial
 - CV Visitor Serving Commercial
 - CM Recreational and Marine Commercial
 - CR Regional Commercial
- Commercial Office Districts**
- CO-G General Commercial Office
 - CO-M Medical Commercial Office
 - CO-R Regional Commercial Office
- Industrial Districts**
- IG Industrial
- Airport Supporting Districts**
- AO Airport Office and Supporting Uses
- Mixed -Use Districts**
- MU-V Mixed Use Vertical
 - MU-H Mixed Use Horizontal
 - MU-W Mixed Use Water Related
- Public, Semi-Public and Institutional**
- PF Public Facilities
 - PI Private Institutions
 - PR Parks and Recreation
 - OS Open Space
 - TS Tidelands and Submerged Lands
- City of Newport Beach Boundary**
- Statistical Area Boundary**
- Land Use Delineator Line**
- Refer to anomaly table**

CC Resolution No.	GPA No.	Project No.	Adopting Date	Description
2008-97	GP2008-009	PA2008-182	11/24/2008	City Hall Site - Change OS to PF and create Anomaly No. 75
2009-3	GP2007-008	PA2007-210	01/27/2009	Big Canyon - Parcel Map on portion of golf course - Change PR to RS-D
2010-108	GP2010-008	PA2010-052	09/14/2010	Change public beach portion of the property located at 1901-1911 Bayside Drive from PF to PR



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Figure LU14 Statistical Area F2 – F8

11 X 17 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure LU14
 STATISTICAL AREAS
 F2-F8



- Residential Neighborhoods**
- RS-D Single-Unit Residential Detached
 - RS-A Single-Unit Residential Attached
 - RT Two-Unit Residential
 - RM Multiple-Unit Residential
 - RM-D Multiple-Unit Residential Detached
- Commercial Districts and Corridors**
- CN Neighborhood Commercial
 - CC Corridor Commercial
 - CG General Commercial
 - CV Visitor Serving Commercial
 - CM Recreational and Marine Commercial
 - CR Regional Commercial
- Commercial Office Districts**
- CO-G General Commercial Office
 - CO-M Medical Commercial Office
 - CO-R Regional Commercial Office
- Industrial Districts**
- IG Industrial
- Airport Supporting Districts**
- AO Airport Office and Supporting Uses
- Mixed -Use Districts**
- MU-V Mixed Use Vertical
 - MU-H Mixed Use Horizontal
 - MU-W Mixed Use Water Related
- Public, Semi-Public and Institutional**
- PF Public Facilities
 - PI Private Institutions
 - PR Parks and Recreation
 - OS Open Space
 - TS Tidelands and Submerged Lands
- City of Newport Beach Boundary**
- Statistical Area Boundary** F2
- Land Use Delineator Line**
- Refer to anomaly table**



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Figure LU15 Statistical Area N
11 X 17 color

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CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure LU15
 STATISTICAL AREAS
 N



- Residential Neighborhoods**
- RS-D Single-Unit Residential Detached
 - RS-A Single-Unit Residential Attached
 - RT Two-Unit Residential
 - RM Multiple Unit Residential
 - RM-D Multiple-Unit Residential Detached
- Commercial Districts and Corridors**
- CN Neighborhood Commercial
 - CC Corridor Commercial
 - CG General Commercial
 - CV Visitor Serving Commercial
 - CM Recreational and Marine Commercial
 - CR Regional Commercial
- Commercial Office Districts**
- CO-G General Commercial Office
 - CO-M Medical Commercial Office
 - CO-R Regional Commercial Office
- Industrial Districts**
- IG Industrial
- Airport Supporting Districts**
- AO Airport Office and Supporting Uses
- Mixed -Use Districts**
- MU-V Mixed Use Vertical
 - MU-H Mixed Use Horizontal
 - MU-W Mixed Use Water Related
- Public, Semi-Public and Institutional**
- PF Public Facilities
 - PI Private Institutions
 - PR Parks and Recreation
 - OS Open Space
 - TS Tidelands and Submerged Lands
- Map Symbols**
- City of Newport Beach Boundary
 - Statistical Area Boundary
 - Land Use Delineator Line
 - Refer to anomaly table

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

Goals and policies provide for the maintenance and enhancement of Newport Beach’s residential neighborhoods, commercial districts, employment centers, corridors, and open spaces, assuring that new development complements and reinforces these characteristics. In addition to those listed below, community design policies are defined in LU 6.0 to reflect the specific community character objectives for a number of the City’s districts and corridors.

Residential Neighborhoods

Goal

LU 5.1

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

Policies

ALL NEIGHBORHOODS

LU 5.1.1 Compatible but Diverse Development

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

LU 5.1.2 Compatible Interfaces

Require that the height of development in nonresidential and higher-density residential areas transition as it nears lower-density residential areas to minimize conflicts at the interface between the different types of development. *(Imp 2.1)*

LU 5.1.3 Neighborhood Identification

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

LU 5.1.4 Neighborhood Maintenance

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

SINGLE-FAMILY DETACHED AND TWO-UNIT NEIGHBORHOODS

LU 5.1.5 Character and Quality of Single-Family Residential Dwellings

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

Articulation and modulation of building masses and elevations to avoid the appearance of “box-like” buildings

Compatibility with neighborhood development in density, scale, and street facing elevations

Architectural treatment of all elevations visible from public places

Entries and windows on street facing elevations to visually “open” the house to the neighborhood

Orientation to desirable sunlight and views (*Imp 2.1*)



Illustrates articulation of single-family residential building volume, variation of rooflines, street orientation, well-defined entries, landscaping, parkways, and minimization of driveway paving.

LU 5.1.6 Character and Quality of Residential Properties

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

LU 5.1.7 Renovation and Replacement of Existing Residential Units

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

LU 5.1.8 Parking Adequacy

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

Multi-Family Neighborhoods

LU 5.1.9 Character and Quality of Multi-Family Residential

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

Building Elevations

Treatment of the elevations of buildings facing public streets and pedestrian ways as the principal façades with respect to architectural treatment to achieve the highest level of urban design and neighborhood quality

Architectural treatment of building elevations and modulation of mass to convey the character of separate living units or clusters of living units, avoiding the appearance of a singular building volume

Provide street- and path-facing elevations with high-quality doors, windows, moldings, metalwork, and finishes



Illustrates multi-family residential infill townhomes, rowhouses, and apartments. Modulation of building volume and heights, articulated elevations, and orientation of residential units to the street.

Ground Floor Treatment

Where multi-family residential is developed on large parcels such as the Airport Area and West Newport Mesa:

Set ground-floor residential uses back from the sidewalk or from the right-of-way, whichever yields the greater setback to provide privacy and a sense of security and to leave room for stoops, porches and landscaping

Raise ground-floor residential uses above the sidewalk for privacy and security but not so much that pedestrians face blank walls or look into utility or parking spaces

Encourage stoops and porches for ground-floor residential units facing public streets and pedestrian ways

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



Illustrates multi-family residential with lobbies and entry gates located on each street and pedestrian-way frontage.

Roof Design

Modulate roof profiles to reduce the apparent scale of large structures and to provide visual interest and variety.

Parking

Design covered and enclosed parking areas to be integral with the architecture of the residential units' architecture.

Open Space and Amenity

Incorporate usable and functional private open space for each unit.

Incorporate common open space that creates a pleasant living environment with opportunities for recreation. (*Imp 2.1*)

Commercial Districts

Goal

LU 5.2

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

Policies

LU 5.2.1 Architecture and Site Design

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

- Seamless connections and transitions with existing buildings, except where developed as a free-standing building
- Modulation of building masses, elevations, and rooflines to promote visual interest
- Architectural treatment of all building elevations, including ancillary facilities such as storage, truck loading and unloading, and trash enclosures
- Treatment of the ground floor of buildings to promote pedestrian activity by avoiding long, continuous blank walls, incorporating extensive glazing for transparency, and modulating and articulating elevations to promote visual interest
- Clear identification of storefront entries
- Incorporation of signage that is integrated with the buildings' architectural character
- Architectural treatment of parking structures consistent with commercial buildings, including the incorporation of retail in the ground floors where the parking structure faces a public street or pedestrian way
- Extensive on-site landscaping, including mature vegetation to provide a tree canopy to provide shade for customers
- Incorporation of plazas and expanded sidewalks to accommodate pedestrian, outdoor dining, and other activities
- Clearly delineated pedestrian connections between business areas, parking, and to adjoining neighborhoods and districts (paving treatment, landscape, wayfinding signage, and so on)
- Integration of building design and site planning elements that reduce the consumption of water, energy, and other nonrenewable resources (*Imp 2.1*)



Illustrates pedestrian-activated commercial "village" character with buildings fronting onto wide sidewalks and plazas, outdoor dining, modulation and articulation of building elevations, integrated signage, orientation of storefronts to the pedestrian, and streetscape amenities.

LU 5.2.2 Buffering Residential Areas

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

Incorporation of landscape, decorative walls, enclosed trash containers, downward focused lighting fixtures, and/or comparable buffering elements;

Attractive architectural treatment of elevations facing the residential neighborhood;

Location of automobile and truck access to prevent impacts on neighborhood traffic and privacy. (*Imp 2.1*)

LU 5.2.3 Alley Design

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

Mixed-Use Districts and Neighborhoods

Goal

LU 5.3

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

Policies

LU 5.3.1 Mixed-Use Buildings

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

Design and incorporation of building materials and features to avoid conflicts among uses, such as noise, vibration, lighting, odors, and similar impacts

Visual and physical integration of residential and nonresidential uses

Architectural treatment of building elevations and modulation of their massing

Separate and well-defined entries for residential units and nonresidential businesses

Design of parking areas and facilities for architectural consistency and integration among uses

Incorporation of extensive landscape appropriate to its location; urbanized streetscapes, for example, would require less landscape along the street frontage but integrate landscape into interior courtyards and common open spaces (*Imp 2.1*)



Illustrates mixed-use buildings that integrate ground floor retail and upper floor residential. Modulated building volumes and articulated elevations, separate entries for retail and residential, and orientation of the building to pedestrian-oriented streets.

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

Require that 100 percent of the ground floor street frontage of mixed-use buildings be occupied by retail and other compatible nonresidential uses, unless specified otherwise by policies LU 6.1.1 through LU 6.20.6 for a district or corridor. *(Imp 2.1)*

LU 5.3.3 Parcels Integrating Residential and Nonresidential Uses

Require that properties developed with a mix of residential and nonresidential uses be designed to achieve high levels of architectural quality in accordance with policies LU 5.1.9 and LU 5.2.1 and planned to ensure compatibility among the uses and provide adequate circulation and parking. Residential uses should be seamlessly integrated with nonresidential uses through architecture, pedestrian walkways, and landscape. They should not be completely isolated by walls or other design elements. *(Imp 2.1)*

LU 5.3.4 Districts Integrating Residential and Nonresidential Uses

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

All Commercial and Mixed-Use Districts

LU 5.3.5 Pedestrian-Oriented Architecture and Streetscapes

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

Location of buildings along the street frontage sidewalk, to visually form a continuous or semi-continuous wall with buildings on adjacent parcels

Inclusion of retail uses characterized by a high level of customer activity on the ground floor; to insure successful retail-type operations, provide for transparency, elevation of the first floor at or transitioning to the sidewalk, floor-to-floor height, depth, deliveries, and trash storage and collection

Articulation and modulation of street-facing elevations to promote interest and character

Inclusion of outdoor seating or other amenities that extend interior uses to the sidewalk, where feasible

Minimization of driveways that interrupt the continuity of street facing building elevations, prioritizing their location to side streets and alleys where feasible
(*Imp 2.1*)



Illustrates pedestrian-oriented characteristics of commercial and mixed-use projects, with transparent and articulated building elevations, wide sidewalks, and streetscape amenities.

LU 5.3.6 Parking Adequacy and Location

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

Office and Business Parks

Goal

LU 5.4

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

Policies

LU 5.4.1 Site Planning

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

Location of buildings around common plazas, courtyards, walkways, and open spaces

Incorporation of extensive on-site landscaping that emphasizes special features such as entryways

Use of landscape and open spaces to break the visual continuity of surface parking lots

Common signage program for tenant identification and wayfinding

Common streetscapes and lighting to promote pedestrian activity

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



Illustrates massing of industrial and commercial buildings around pedestrian-oriented plazas and open spaces, inclusion of extensive landscape, common signage and streetscapes, and modulation of building volumes and articulation of elevations.

LU 5.4.2 Development Form and Architecture

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

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

Industrial Districts

Goal

LU 5.5

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

Policies

LU 5.5.1 Site Planning and Building Design

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

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

LU 5.5.2 Property Maintenance

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

All Neighborhoods, Districts, and Corridors**Goal****LU 5.6**

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

Policies**LU 5.6.1 Compatible Development**

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

LU 5.6.2 Form and Environment

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

LU 5.6.3 Ambient Lighting

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

LU 5.6.4 Conformance with the Natural Environmental Setting

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

LU 5.6.5 Heliport/Helistop Compatibility

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

Neighborhoods, Districts, and Corridors (“Places That Distinguish Newport Beach”)

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

Public and Institutional Uses and Districts

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

Goal

LU 6.1

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

Policies

LAND USES

LU 6.1.1 Adequate Community Supporting Uses

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

LU 6.1.2 Siting of New Development

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

DESIGN AND DEVELOPMENT

LU 6.1.3 Architecture and Planning that Complements Adjoining Uses

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

LU 6.1.4 Compatibility of Non-City Public Uses

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

STRATEGY

LU 6.1.5 Hoag Hospital

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

Residential Neighborhoods

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

Residential neighborhoods first began to develop on the Peninsula, West Newport, Balboa Island, and Lido Isle. These early neighborhoods following a traditional subdivision pattern of homes on streets designed in a linear grid and are generally pedestrian-oriented and include alleyways. Some of these older residential areas are within close proximity of commercial and visitors serving uses and are impacted by limited parking, noise, and traffic generated by commercial and visitor activities.

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

Land Use Element

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

There are approximately 125 homeowners associations in Newport Beach. These associations govern the maintenance of common areas and the administration of Covenants, Conditions, and Restrictions (CC&Rs). Many of these associations are active in the City's decision-making process and may have unique development standards that are not enforced by the City.



Newport Beach includes a variety of residential neighborhoods

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

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

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

Goal**LU 6.2**

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

Policies**LU 6.2.1 Residential Supply**

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

LU 6.2.2 Allowing Rebuilding

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

LU 6.2.3 Residential Affordability

Encourage the development of residential units that are affordable for those employed in the City. (*Imp 25.1*)

LU 6.2.4 Accessory Units

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

LU 6.2.5 Neighborhood Supporting Uses

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

LU 6.2.6 Home Occupations

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

LU 6.2.7 Care Facilities

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

LU 6.2.8 Manufactured Housing

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

LU 6.2.9 Private Open Spaces and Recreational Facilities

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

LU 6.2.10 Gated Communities

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

Districts

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

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

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

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

Banning Ranch

Located within the City's Sphere of Influence (SOI), the Banning Ranch area encompasses approximately 518 acres, of which 465 acres (includes 47 acres of water features) are under the jurisdiction of Orange County, and 53 acres within the jurisdiction of the City of Newport Beach.

Banning Ranch is located in the western-most portion of the Newport Beach Planning Area, north of Coast Highway and the Newport Shores residential community, immediately east of the Santa Ana River, and west and south of residential and industrial uses. The eastern portion of the site is higher in elevation and contains the western edge of Newport Mesa that slopes gently from east to west. Bluffs form the western edge of the mesa, and are located in the central portion of the Banning Ranch area. The western portion of the site, which is lower in elevation, historically contained a tidal marsh associated with the Semeniuk Slough and Santa Ana River.



Aerial view of the Banning Ranch area

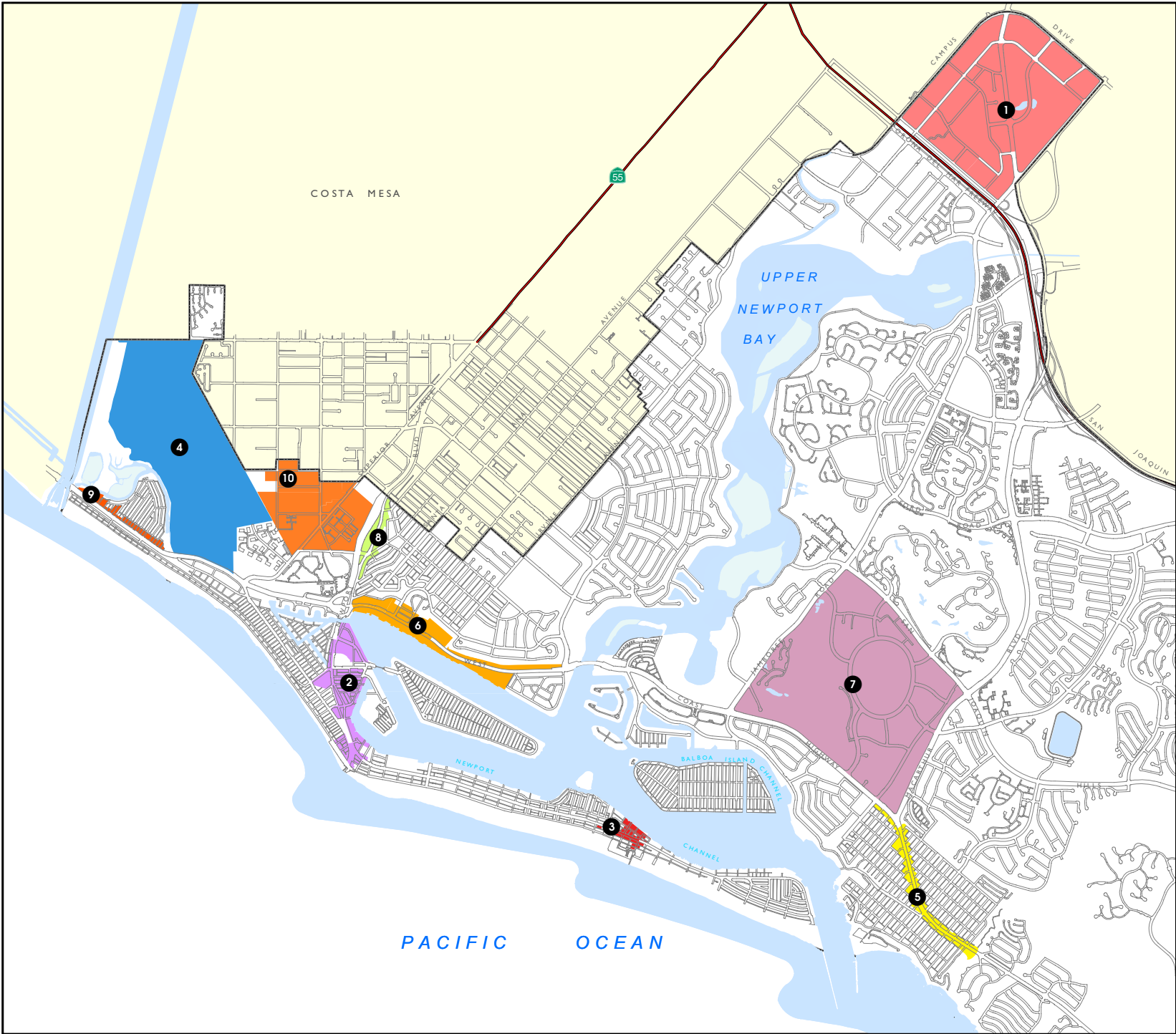
Currently, the Banning Ranch area is primarily undeveloped with some historic oil extraction infrastructure located in the central and southern portions of the site that includes wells, pipelines, buildings, improved and unimproved roads, and open storage pipes and machinery. Oil extraction activities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

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

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

Figure LU16 Planning Sub-Areas

Pg 1—8.5x11 color



CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure LU16
PLANNING SUB-AREAS

- Legend**
- 1 Airport Area
 - 2 Balboa Peninsula, Lido Village, Cannery Village, McFadden Square
 - 3 Balboa Village
 - 4 Banning Ranch
 - 5 Corona del Mar
 - 6 Mariner's Mile
 - 7 Newport Center, Fashion Island
 - 8 Old Newport Boulevard
 - 9 West Newport Highway
 - 10 West Newport Mesa

0 0.5 1 Miles

Source: City of Newport Beach and EIP Associates
 PROJECT NUMBER: 10579-01
 Date: 3/24/06



Pg 2—8.5x11 color

<i>Rank</i>	<i>Acres</i>
1	69
2	96
3	118
<i>Total</i>	<i>283</i>

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

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

Policy Overview

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

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

Goal

LU 6.3

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

Policies

LAND USES (designated as "OS[RV]")

LU 6.3.1 Primary Use

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

STRATEGY

LU 6.3.2 Acquisition for Open Space

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

Goal

LU 6.4

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

Policies

LAND USES

LU 6.4.1 Alternative Use

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

Figure LU17 Banning Ranch Development Constraints

Pg 1—8.5x11 color

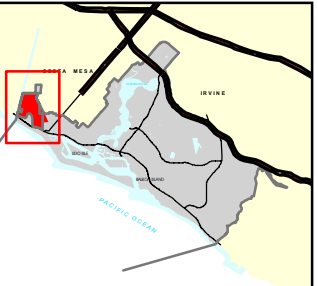


CITY OF NEWPORT BEACH
 GENERAL PLAN
 Figure LU17
**BANNING RANCH
 DEVELOPMENT
 CONSTRAINTS**

- Legend**
- Sub-Area
 - Bluff*
 - Earthquake Setback Zone
 - Habitat Value Ranking**
 - Habitat Restoration Area

Notes:
 * Bluff includes 100 foot buffer
 ** Resource permitting required and/or areas where additional surveys are required to determine significance of resources; includes a 50 foot buffer

Banning Ranch=518 acres
 Development Constraints=302 acres
 Total Buildable Area=216 acres



0 500 1,000 Feet

Source: City of Newport Beach and EIP Associates
 PROJECT NUMBER: 10579-01
 Date: 3/24/06



Pg 2—8.5x11 color

DEVELOPMENT DENSITY/INTENSITY AND CAPACITY

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

LU 6.4.2 Residential

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

LU 6.4.3 Retail Commercial

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

LU 6.4.4 Overnight Accommodations

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

DESIGN AND DEVELOPMENT

LU 6.4.5 Planned Residential Village

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

LU 6.4.6 Approaches for a Livable Neighborhood

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

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

LU 6.4.7 Neighborhood Structure and Form

Establish a “village center” containing local serving commercial, community parks, community meeting facilities, hotel, and/or other amenities as the focal

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)*

LU 6.4.8 Open Space Network and Parklands

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

LU 6.4.9 Circulation

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

LU 6.4.10 Sustainable Development Practices

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

STRATEGY

LU 6.4.11 Comprehensive Site Planning and Design

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

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

PERMITTED USES

LU 6.5.1 Oil Operations

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

LU 6.5.2 Active Community Park

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

LU 6.5.3 Habitat and Wetlands

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

DESIGN AND DEVELOPMENT

LU 6.5.4 Relationship of Development to Environmental Resources

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

LU 6.5.5 Public Views of the Property

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

STRATEGY

LU 6.5.6 Coordination with State and Federal Agencies

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

West Newport Mesa

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

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

Northern portions of the area are largely developed with light manufacturing, research and development, and business park uses. In many respects, these transition with comparable patterns of

development in the Westside Costa Mesa area to the north. A number of Newport Beach’s marine-related businesses have relocated to the area over recent decades as coastal land values have escalated. Most of the properties are developed for single business tenants and have little landscape or architectural treatment, typical of older industrial districts of Southern California.



Office and commercial buildings in West Newport Mesa

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

The area’s considerable mix of uses is not always complementary, nor at its edges where it abuts residential neighborhoods and other uses.

Visioning process participants indicated that the West Newport Mesa area would benefit from revitalization. The development of additional medical offices and other facilities supporting Hoag Hospital and additional residential units were widely endorsed. Participants were divided in their support for the retention of industrial uses.

Policy Overview

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

Goal

LU 6.6

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

Policies

LAND USES (refer to Figure LU18)

LU 6.6.1 Hospital Supporting Uses Integrated with Residential Neighborhoods

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

LU 6.6.2 Residential Types

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

STRATEGY

LU 6.6.3 Cohesive and Integrated Medical Campus Development

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

LU 6.6.4 Livable Residential Neighborhood

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

Goal**LU 6.7**

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

Policies

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

LU 6.7.1 Primary Uses

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

LU 6.7.2 Marine Based Businesses

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

Balboa Peninsula

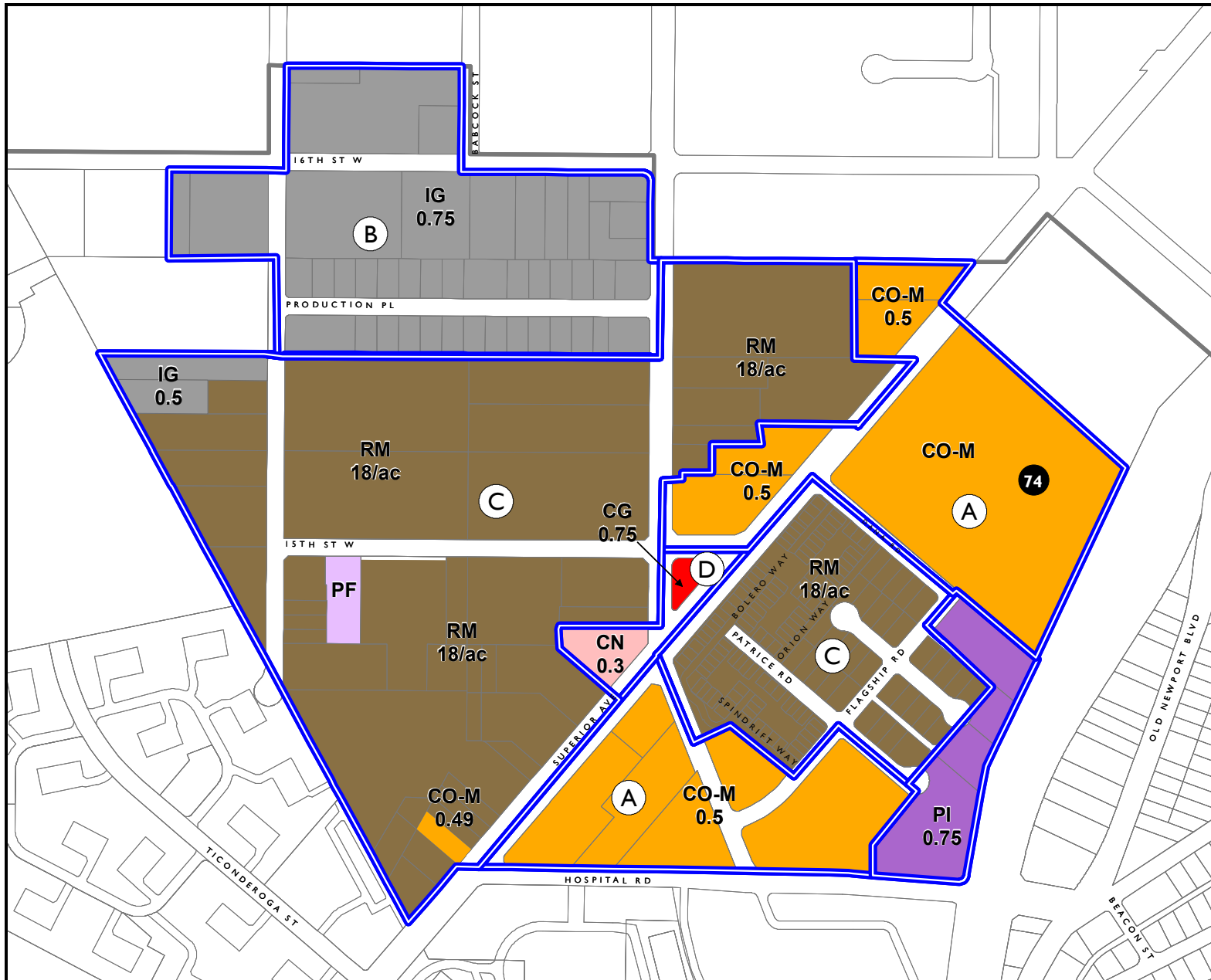
The Balboa Peninsula comprises a series of districts linked by the Newport Boulevard/Balboa Boulevard commercial and residential corridor. These include Lido Village, Cannery Village, McFadden Square, Balboa Village, and surrounding residential neighborhoods.

Figure LU18 West Newport Mesa

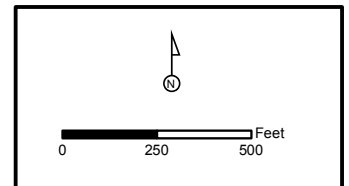
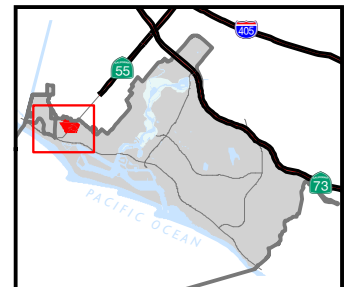
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CITY of NEWPORT BEACH
GENERAL PLAN

Figure LU18
WEST NEWPORT MESA



- Sub-Area
- Tidelands and submerged lands
- City Boundary
- Highway
- Refer to anomaly table



Source: City of Newport Beach and EIP Associates
PROJECT NUMBER: 10579-01
Date: 12/12/06

LAND USE POLICY

- Medical-Related Uses
- General Industrial
- Multi-Family Residential
- Neighborhood and General Commercial



Pg 2—8.5x11 color

Lido Village

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

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

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



Movie theater in Lido Village



Pedestrian-oriented retail use in Lido Village

Cannery Village

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



Cannery Village

A Specific Plan has been developed, but multiple property ownerships have hindered cohesive and integrated development.

McFadden Square

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

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



Retail use in McFadden Square



Residential in McFadden Square

Much of the McFadden Square area is pedestrian-oriented, with storefronts facing the street, the presence of signage at a pedestrian scale, and outdoor furniture, providing a pleasant environment for

visitors. However, certain areas present difficulty for pedestrian street crossing. Specifically the intersection of Newport and Balboa Boulevards, known as the “Mixmaster,” is one such crossing, as the roadway configuration at this location allows traffic flow from different directions and the street is wide.

Balboa Village

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

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



Visitor-serving retail in Balboa Village



Housing in Balboa Village

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

Participants in the Visioning process indicated that Lido Village, Cannery Village, McFadden Square, and Balboa Village need continuing revitalization, and the City could be proactive in creating a vision for reinforcement of Lido Village and McFadden Square as primary activity nodes, with the interior of Cannery Village allocated for residential or mixed-use development. The integration of uses in these areas and the harbor and bay was emphasized. While overnight lodging was not supported in the

Visioning process survey and public meetings, in the opinion of the General Plan Advisory Committee smaller bed and breakfast and boutique hotels could be designed and scaled to complement the pedestrian-oriented village character of Lido Village, McFadden Square, and Balboa Village, as well as help the City’s fiscal balance through the revenue that would be contributed.

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

Policy Overview

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

Areawide

Goal

LU 6.8

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

Policies

LU 6.8.1 Urban Form

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

LU 6.8.2 Component Districts

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

LU 6.8.3 Marine-Related Businesses

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

LU 6.8.4 Shared Parking Facilities

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

LU 6.8.5 Quality of Place/Streetscapes

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



Illustrates streetscape amenities including wide sidewalks, trees providing shade for pedestrians, benches and outdoor seating, and pedestrian-scaled signage and lighting.

LU 6.8.6 Historic Character

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

LU 6.8.7 Property Improvement

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

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

Goal

LU 6.9

A pedestrian-oriented village environment that reflects its waterfront location, providing a mix of uses that serves visitors and local residents.

Policies

LAND USES

LU 6.9.1 Priority Uses

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

LU 6.9.2 Discouraged Uses

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

Cannery Village

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

Goal





LU 6.10

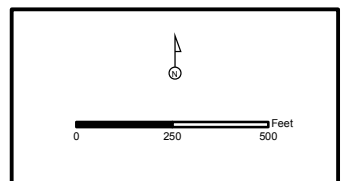
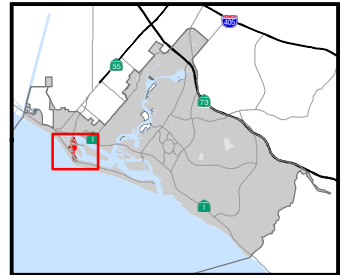
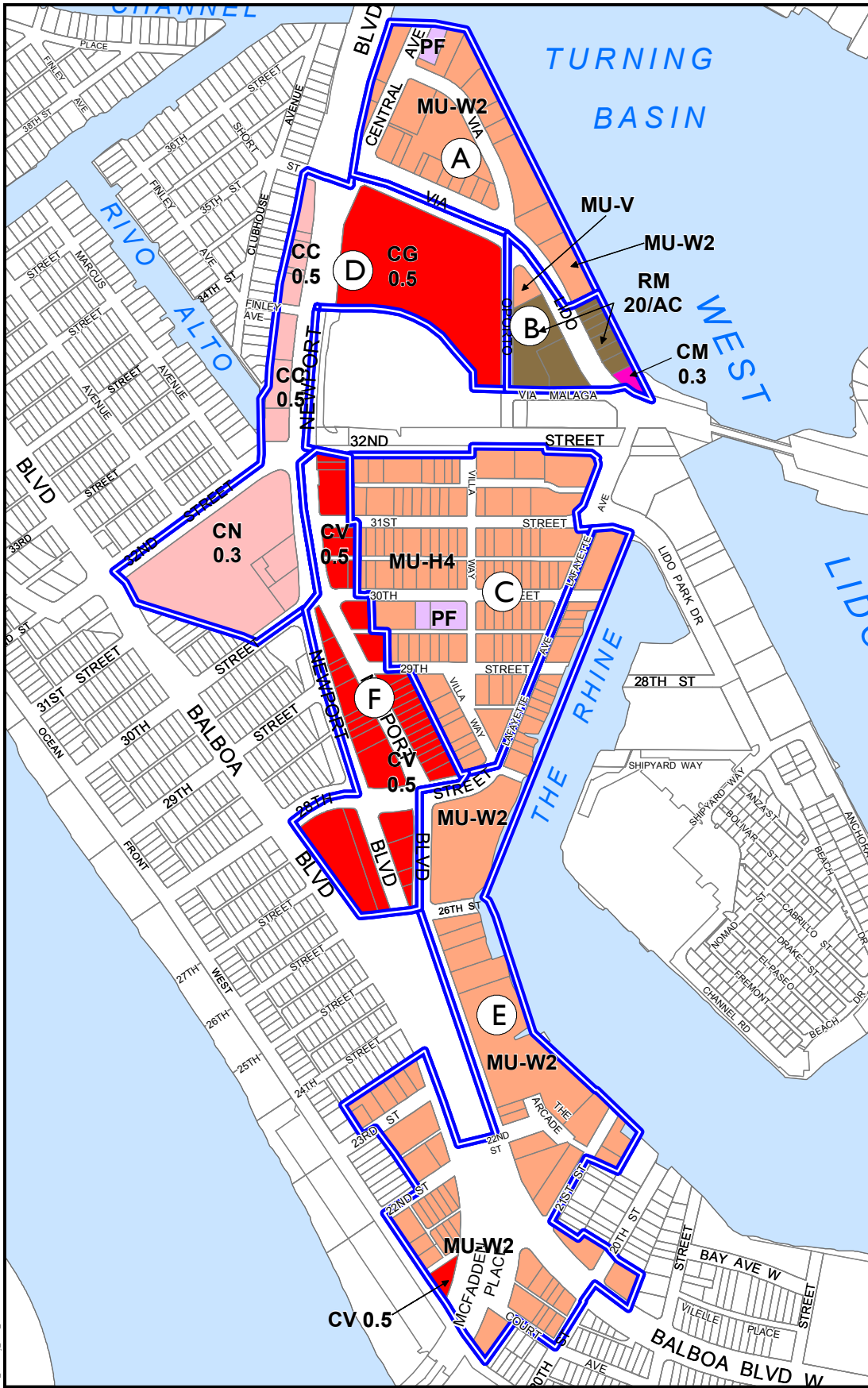
A pedestrian-oriented residential neighborhood that provides opportunities for live/work facilities and supporting retail uses.

Figure LU19 Balboa Peninsula Lido Village/Cannery Village/McFadden Square

Pg 1—8.5x11 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure LU19
 BALBOA PENINSULA
 LIDO VILLAGE/
 CANNERY VILLAGE/
 MC FADDEN SQUARE

-  Sub-Area
-  Tidelands and submerged lands
-  City Boundary
-  Highway




Source: City of Newport Beach and EIP Associates
 PROJECT NUMBER: 10579-01
 Date: 08/03/06

LAND USE POLICY	
(A) Mixed Uses, Visitor-Serving and Retail Commercial, Overnight Lodging Facilities	(D) General and Neighborhood Commercial
(B) Multi-Family Residential / Mixed Use Vertical	(E) Visitor-Serving and Marine-Related Commercial or Mixed Use
(C) * Mixed Use Permitted in any Location and Required at Street Intersections, * Multi Family Residential and Townhomes - any location except Intersections * Intersections: Mixed Use or Commercial	(F) Visitor-Serving Commercial



Pg 2—8.5x11 color



Policies

LAND USES

LU 6.10.1 Priority Uses

Allow multi-family residential and mixed-use buildings that integrate residential above retail or live-work units throughout Cannery Village. Require mixed-use, live-work, or commercial buildings to be developed on corner parcels. *(Imp 2.1)*

DESIGN AND DEVELOPMENT

LU 6.10.2 Residential Character and Architecture

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

LU 6.10.3 Specific Plan Guidelines

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

Bayfront Parcels *[designated as "MU-W2," Figure LU19, Sub-Area E]*

Goal

LU 6.11

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

Policies

LAND USES

LU 6.11.1 Priority Uses

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

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

Goal

LU 6.12

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

Policies

LAND USES

LU 6.12.1 Priority Uses

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

DESIGN AND DEVELOPMENT

LU 6.12.2 Specific Plan Guidelines

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

Balboa Village

Goal

LU 6.13

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

Policies

PRIORITY USES *(refer to Figure LU20)*





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

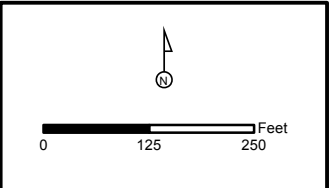
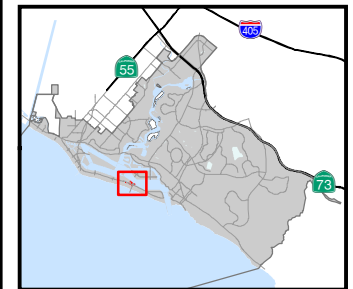
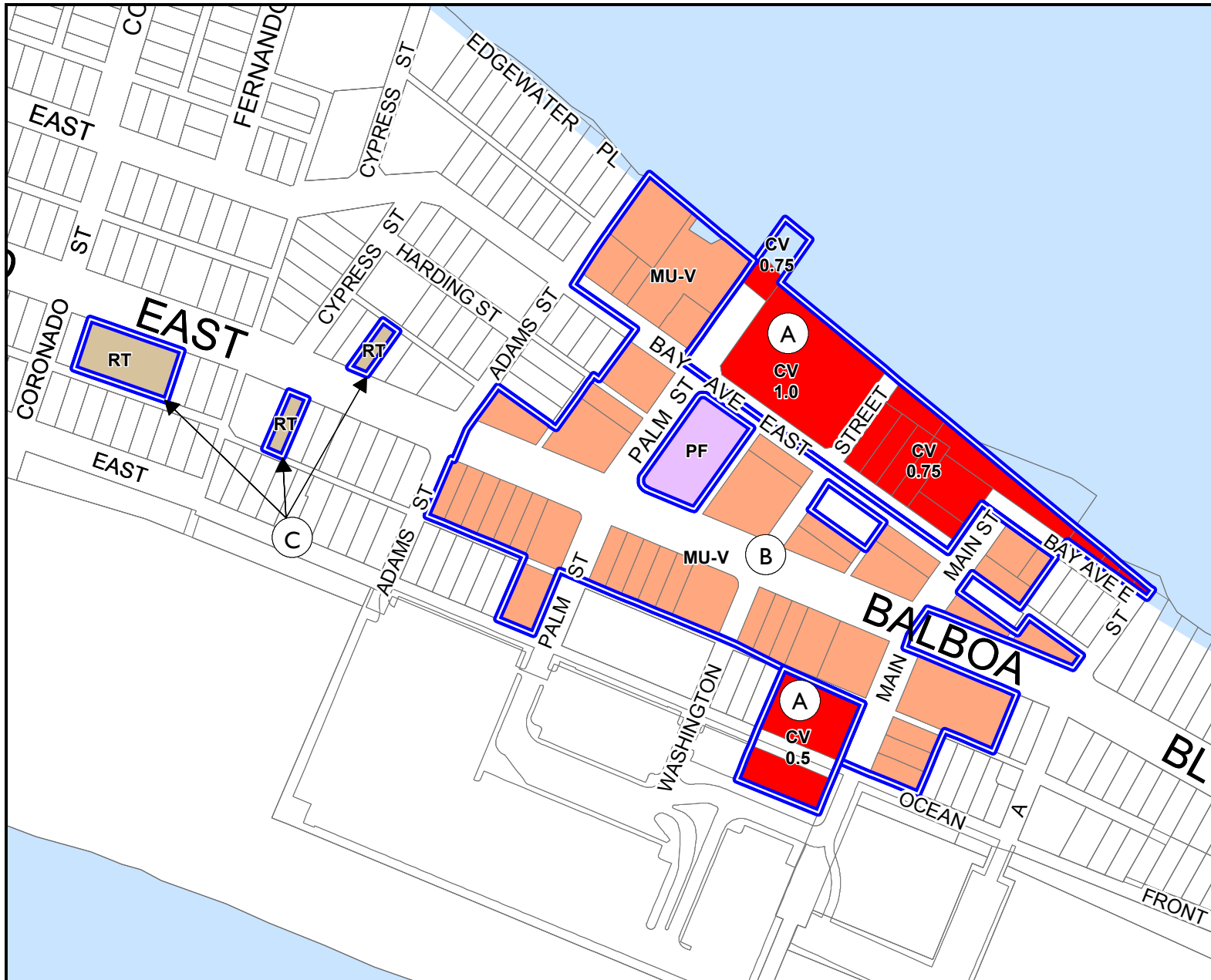
Encourage local- and visitor-serving retail commercial and mixed-use buildings that integrate residential with ground-level retail or office uses on properties. *(Imp 2.1)*

Figure LU20 Balboa Village

Pg 1—8.5x11 color

Legend

-  Sub-Area
-  Tidelands and submerged lands
-  City Boundary
-  Highway



Source: City of Newport Beach and EIP Associates
 PROJECT NUMBER: 10579-01
 Date: 12/12/06

LAND USE POLICY

- (A)** Visitor-Serving Commercial
- (B)** Commercial or Mixed-Use (Housing above Retail or Office)
- (C)** Two-Family Residential



Pg 2—8.5x11 color

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

Prioritize water-dependent, marine-related retail and services and visitor-serving retail. (*Imp 2.1, 24.1*)

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

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

DESIGN AND DEVELOPMENT

LU 6.13.4 Streetscapes

Promote the completion of enhancements to Balboa Village’s streetscapes to enhance the area’s visual quality and character as a pedestrian-oriented environment. (*Imp 20.1*)

STRATEGY

LU 6.13.5 Rebuilding of Nonconforming Structures

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

LU 6.13.6 Enhancing Balboa Village’s Viability and Character

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

Newport Center/Fashion Island

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

Interspersed in the Newport Center area are two hotels, public and semi-public uses including the Newport Beach Police and Fire Departments and Orange County Museum of Art, and entertainment uses (along the perimeter of Newport Center Drive). It is also the location of a transportation center, located at San Joaquin Hills Road and MacArthur Boulevard. Multi-family residential is located east of the Police Department. Lands adjacent to Coast Highway and Jamboree Road are developed for the Newport Beach Country Club and Balboa Bay Tennis Club, with adjoining single-family attached residential uses.



Newport Center commercial, office, hotel, and residential

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

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

Policy Overview

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

Goal

LU 6.14

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

Policies

LAND USES [refer to Figure LU21]

LU 6.14.1 Fashion Island [*“CR” designation*]

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

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

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

DESIGN AND DEVELOPMENT

LU 6.14.3 Transfers of Development Rights

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

LU 6.14.4 Development Scale

Reinforce the original design concept for Newport Center by concentrating the greatest building mass and height in the northeasterly section along San Joaquin Hills Road, where the natural topography is highest and progressively scaling down building mass and height to follow the lower elevations toward the southwesterly edge along East Coast Highway. (*Imp 2.1, 3.1, 4.1*)

LU 6.14.5 Urban Form

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

LU 6.14.6 Pedestrian Connectivity and Amenity

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

LU 6.14.7 Fashion Island Architecture and Streetscapes

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

STRATEGY**LU 6.14.8 Development Agreements**

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

LU 6.14.9 Fashion Island Parking Structures







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

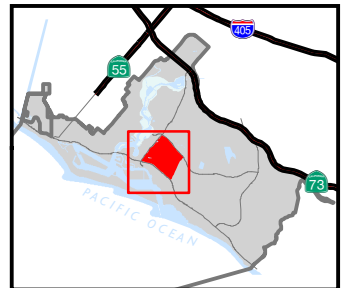
Figure LU21 Newport Center/Fashion Island

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CITY of NEWPORT BEACH
GENERAL PLAN

Figure LU21
NEWPORT CENTER/
FASHION ISLAND

-  Sub-Area
-  Tidelands and submerged lands
-  City Boundary
-  Land Use Delineator Line
-  Highway
-  Refer to Anomaly table

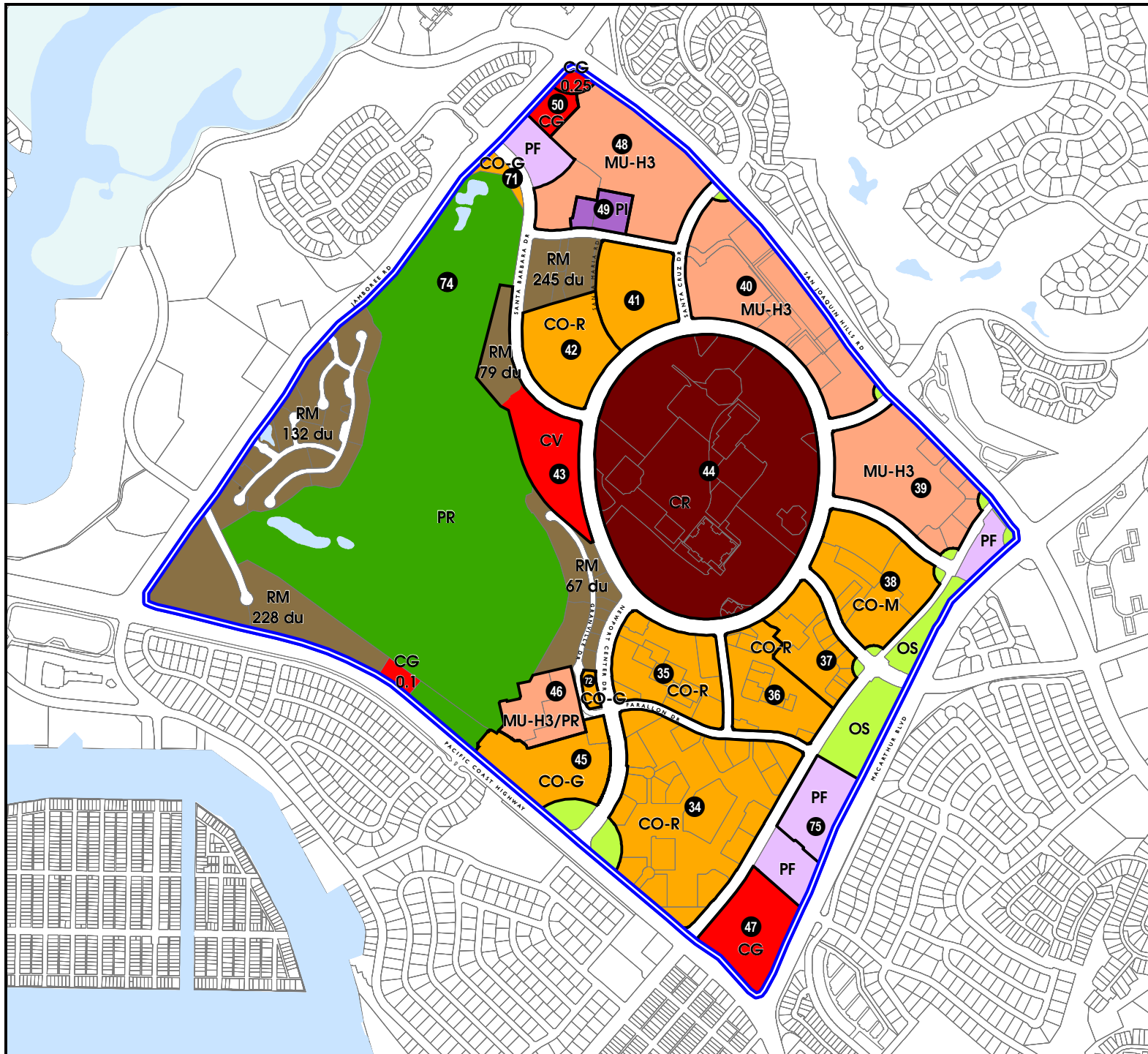


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0 250 500 1,000 1,500 Feet

Source: City of Newport Beach and EIP Associates
PROJECT NUMBER: 10579-01
Date: 12/12/06



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Airport Area

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

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



Office in Airport Area



Hotel in Airport Area

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

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

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

Policy Overview

The General Plan provides for the development of office, industrial, retail, and airport-related businesses in the Airport Area, as well as the opportunity for housing and supporting services. The latter would be developed as clusters of residential villages centering on neighborhood parks and interconnected by pedestrian walkways. These would contain a mix of housing types and buildings that integrate housing with ground-level convenience retail uses and would be developed at a sufficient scale to achieve a “complete” neighborhood. Housing and mixed-use buildings would be restricted from areas exposed to noise levels of 65 dBA CNEL and higher. Over time, commercial and industrial properties located in the Campus Tract would be revitalized including street frontage landscape and other improvements.

Goal

LU 6.15

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

Policies

URBAN FORM AND STRUCTURE [refer to Figure LU22]

LU 6.15.1 Land Use Districts and Neighborhoods

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

LU 6.15.2 Underperforming Land Uses

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

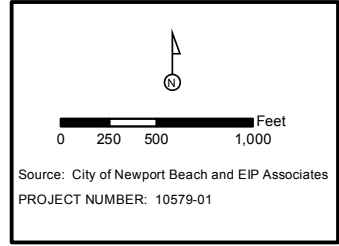
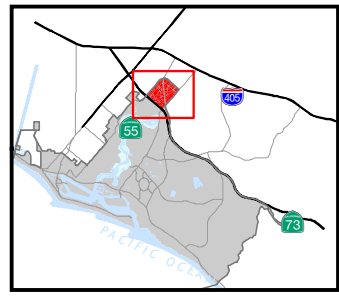
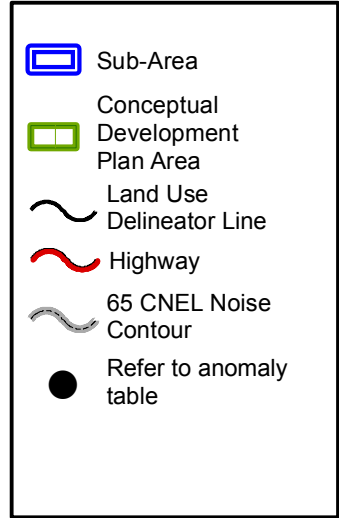
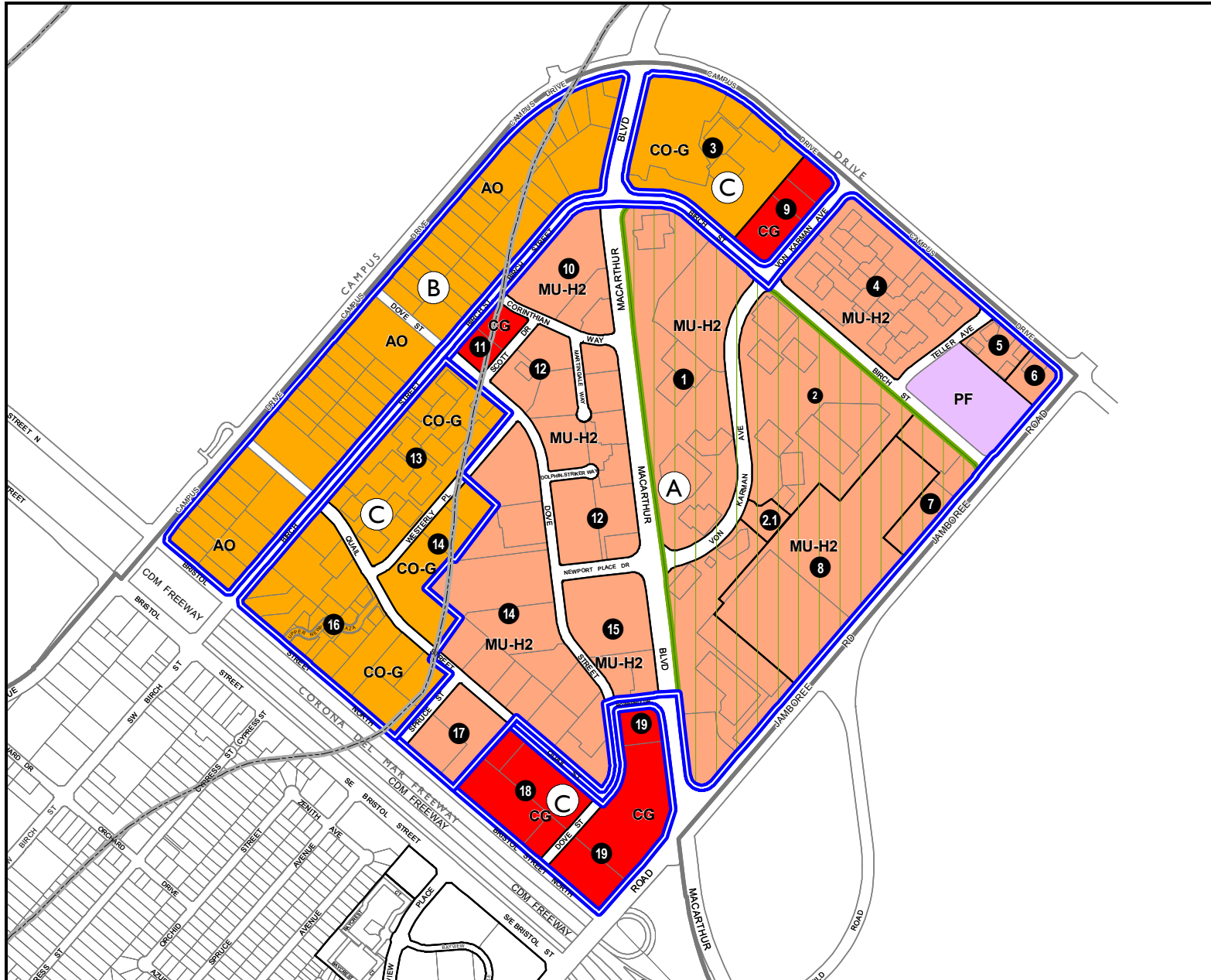
LU 6.15.3 Airport Compatibility

Require that all development be constructed in conformance with the height restrictions set forth by Federal Aviation Administration (FAA), Federal Aviation Regulations (FAR) Part 77, and Caltrans Division of Aeronautics, and that residential development be located outside of the 65 dBA CNEL noise contour specified by the 1985 JWA Master Plan. (*Imp 2.1, 3.1, 4.1, 14.3*)

Figure LU22 Airport Area

Pg 1—8.5x11 color

CITY of NEWPORT BEACH
GENERAL PLAN
**FIGURE LU22
AIRPORT AREA**



LAND USE POLICY		
(A)	Underlying Uses: Office, Hotel, Supporting Retail, Residential Village: Housing and Mixed-Use (with Guidelines for Design and Development)	(C)
(B)	Airport-Supporting Businesses	(C)
		(C)



Figure_LU22_Airport_Area.mxd February/2011

Pg 2—8.5x11 color

Mixed-Use Districts [Subarea C, "MU-H2" designation]

PRIMARY/UNDERLYING LAND USES

LU 6.15.4 Priority Uses

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

RESIDENTIAL VILLAGES LAND USES

LU 6.15.5 Residential and Supporting Uses

Accommodate the development of a maximum of 2,200 multi-family residential units, including work force housing, and mixed-use buildings that integrate residential with ground level office or retail uses, along with supporting retail, grocery stores, and parklands. Residential units may be developed only as the replacement of underlying permitted nonresidential uses. When a development phase includes a mix of residential and nonresidential uses or replaces existing industrial uses, the number of peak hour trips generated by cumulative development of the site shall not exceed the number of trips that would result from development of the underlying permitted nonresidential uses. However, a maximum of 550 units may be developed as infill on surface parking lots or areas not used as occupiable buildings on properties within the Conceptual Development Plan Area depicted on Figure LU22 provided that the parking is replaced on site. (*Imp 2.1*)

MINIMUM SIZE AND DENSITY

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

Allow development of mixed-use residential villages, each containing a minimum of 10 acres and centered on a neighborhood park and other amenities (as conceptually illustrated in Figure LU23). The first phase of residential development in each village shall encompass at least 5 gross acres of land, exclusive of existing rights-of-way. This acreage may include multiple parcels provided that they are contiguous or face one another across an existing street. At the discretion of the City, this acreage may also include part of a contiguous property in a different land use category, if the City finds that a sufficient portion of the contiguous property is used to provide functionally proximate parking, open space, or other amenity. The "Conceptual Development Plan" area shown on Figure LU22 shall be exempt from the 5-acre minimum, but a conceptual development plan described in Policy LU 6.15.11 shall be required. (*Imp 2.1, 3.1, 4.1*)

LU 6.15.7 Overall Density and Housing Types

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

LU 6.15.8 First Phase Development Density

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

LU 6.15.9 Subsequent Phase Development Location and Density

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

STRATEGY AND PROCESS**LU 6.15.10 Regulatory Plans**

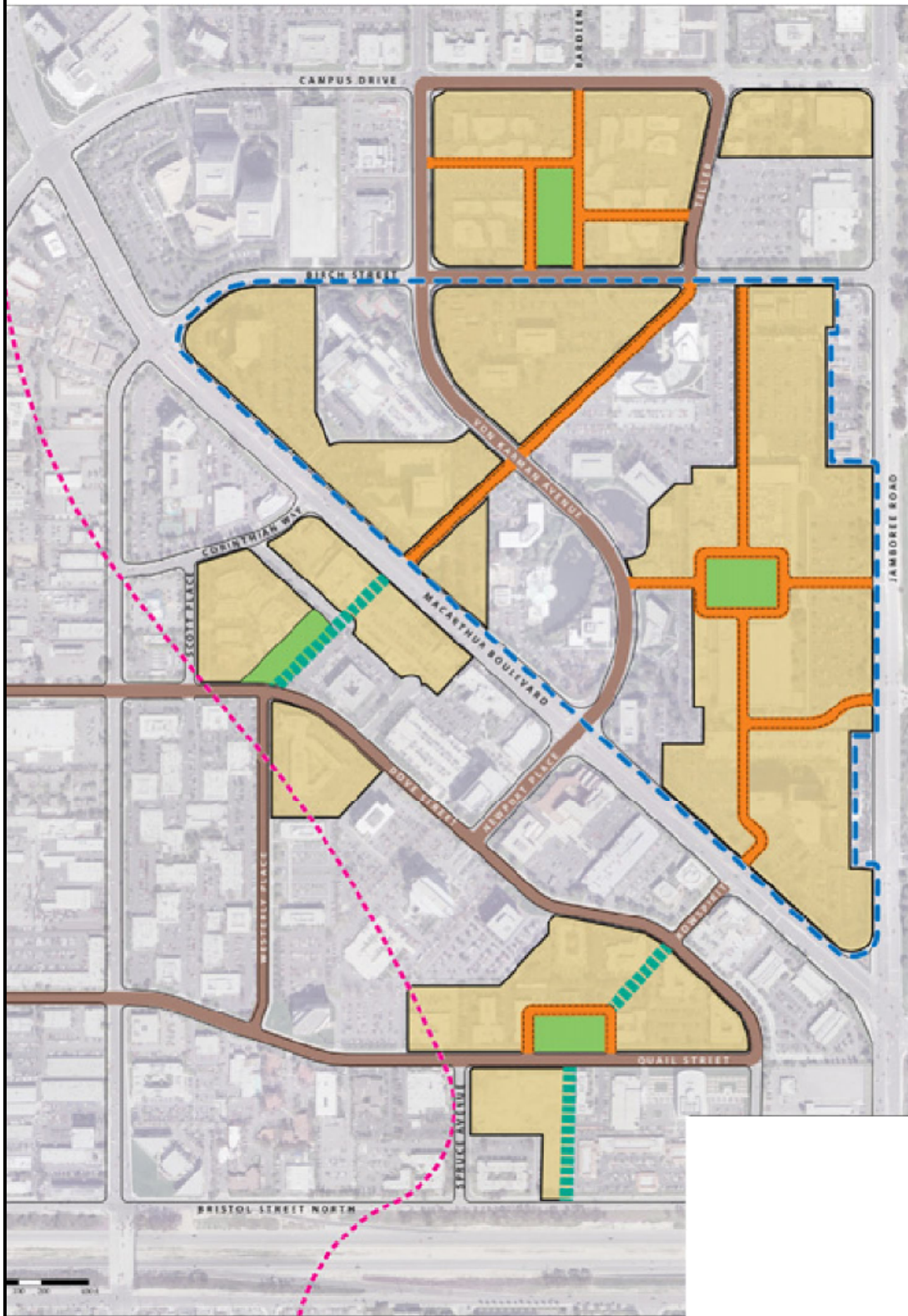
Require the development of a regulatory plan for each residential village, which shall contain a minimum of 10 acres, to coordinate the location of new parks, streets, and pedestrian ways; set forth a strategy to accommodate neighborhood-serving commercial uses and other amenities; establish pedestrian and vehicular connections with adjoining land uses; and ensure compatibility with office, industrial, and other nonresidential uses. *(Imp 2.1, 3.1, 4.1, 13.1)*

Figure LU23 Airport Area Residential Villages Illustrative Concept Diagram

Pg 1—8.5x11 color

CITY of NEWPORT BEACH
GENERAL PLAN

Figure LU23
AIRPORT AREA RESIDENTIAL
VILLAGES ILLUSTRATIVE
CONCEPT DIAGRAM



Legend

- OPPORTUNITY SITES
- PROPOSED OPEN SPACES
- IMPROVED RESIDENTIAL STREETS
- PROPOSED RESIDENTIAL STREETS
- PROPOSED PEDESTRIAN WAYS
- 65 CNEL NOISE CONTOUR*
- CONCEPTUAL PLAN REQUIRED

* The 65 CNEL Noise Contour is shown for illustrative purposes only.



Source: ROMA Design Group
PROJECT NUMBER: 10579-01
Date: 08/03/06



Pg 2—8.5x11 color

LU 6.15.11 Conceptual Development Plan Area

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

LU 6.15.12 Development Agreements

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

DESIGN AND DEVELOPMENT

Neighborhood Parks

LU 6.15.13 Standards

To provide a focus and identity for the entire neighborhood and to serve the daily recreational and commercial needs of the community within easy walking distance of homes, require dedication and improvement of at least 8 percent of the gross land area (exclusive of existing rights-of-way) of the first phase development in each neighborhood, or ½ acre, whichever is greater, as a neighborhood park. This requirement may be waived by the City where it can be demonstrated that the development parcels are too small to feasibly accommodate the park or inappropriately located to serve the needs of local residents, and when an in-lieu fee is paid to the City for the acquisition and improvement of other properties as parklands to serve the Airport Area.

In every case, the neighborhood park shall be at least 8 percent of the total Residential Village Area or one acre in area, whichever is greater, and shall have a minimum dimension of 150 feet. Park acreage shall be exclusive of existing or new rights-of-way, development sites, or setback areas. A neighborhood park shall satisfy some or all of the requirements of the Park Dedication Ordinance, as prescribed by the Recreation Element of the General Plan. (*Imp 2.1, 3.1, 4.1, 23.1, 30.2*)



Illustrates integration of public parks in high density residential developments. Parks are surrounded by streets and incorporate a diversity of active and passive recreational facilities

LU 6.15.14 Location

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

LU 6.15.15 Aircraft Notification

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

On-Site Recreation and Open Space

LU 6.15.16 Standards

Require developers of multi-family residential developments on parcels 8 acres or larger to provide on-site recreational amenities. For these developments, 44 square feet of on-site recreational amenities shall be provided for each dwelling unit in addition to the requirements under the City’s Park Dedication Ordinance and in accordance with the Parks and Recreation Element of the General Plan. On-site recreational amenities can consist of public urban plazas or squares where there is the capability for recreation and outdoor activity. These recreational amenities may also include swimming pools, exercise facilities, tennis courts, and basketball courts. Where there is insufficient land to provide on-site recreational amenities, the developer shall be required to pay cash in-lieu that would be used

to develop or upgrade nearby recreation facilities to offset user demand as defined in the City's Park Dedication Fee Ordinance.

The acreage of on-site open space developed with residential projects may be credited against the parkland dedication requirements where it is accessible to the public during daylight hours, visible from public rights-of-way, and is of sufficient size to accommodate recreational use by the public. However, the credit for the provision of on-site open space shall not exceed 30 percent of the parkland dedication requirements. *(Imp 2.1, 3.1, 4.1, 30.2)*

Streets and Pedestrian Ways

LU 6.15.17 Street and Pedestrian Grid

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

LU 6.15.18 Walkable Streets

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



Illustrates pedestrian oriented multi-family residential streets with wide sidewalks, on-street parking, parkways, and units fronting onto streets.

LU 6.15.19 Connected Streets

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

LU 6.15.20 Pedestrian Improvements

Require the dedication and improvement of new pedestrian ways as conceptually shown on Figure LU23. The alignment is tentative and may change as long as the path provides the intended connectivity. For safety, the full length of pedestrian ways shall be visible from intersecting streets. To maintain an intimate scale and

to shade the path with trees, pedestrian ways should not be sized as fire lanes. Pedestrian ways shall be open to the public at all hours. (*Imp 16.11*)

Parking and Loading

LU 6.15.21 Required Spaces for Primary Uses

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

Relationship of Buildings to Street

LU 6.15.22 Building Massing

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

LU 6.15.23 Sustainable Development Practices

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

Campus Tract [“AO” designation Sub-Area B]

LAND USES

LU 6.15.24 Primary Uses

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

STRATEGY

LU 6.15.25 Economic Viability

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

LU 6.15.26 Automobile Rental and Supporting Uses

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

LU 6.15.27 Site Planning and Architecture

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

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

LU 6.15.28 Priority Uses

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

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

LU 6.15.29 Priority Uses

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

Corridors

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

While the City is crossed by a number of commercial corridors, the General Plan’s policies focus on those in which change is anticipated to occur during the next 20 years. Additionally, they provide guidance for the maintenance of a number of corridors in which it is the objective to maintain existing types and levels of development.

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

Goal

LU 6.16

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

Policies

LU 6.16.1 Efficient Parcel Utilization

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

LU 6.16.2 Private Property Improvements

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

LU 6.16.3 Property Access

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

LU 6.16.4 Shared Parking Facilities

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

LU 6.16.5 Compatibility of Business Operations with Adjoining Residential Neighborhoods

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

LU 6.16.6 Design Compatibility with Adjoining Residential Neighborhoods

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

West Newport

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

Land Use Element

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

A portion of the mobile homes are situated along Semeniuk Slough and the Army Corps restored wetlands, while a number of the single-family homes outside the area are also located along the Slough. A mobile home park containing older units, many of which appear to be poorly maintained, is located on the westernmost parcels and a portion of the tidelands. This site serves as the “entry” to the City and as a portal to the proposed Orange Coast River Park.

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



Residential in West Newport



Commercial in West Newport

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

Policy Overview

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

Goal

LU 6.17

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

Policies

LAND USES [refer to Figure LU24]

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

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

STRATEGY

LU 6.17.2 Improved Visual Image and Quality

Implement streetscape improvements to enhance the area’s character and image as a gateway to Newport Beach and develop a stronger pedestrian environment at the commercial nodes. (*Imp 20.1*)

LU 6.17.3 Streetscape

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





Old Newport Boulevard

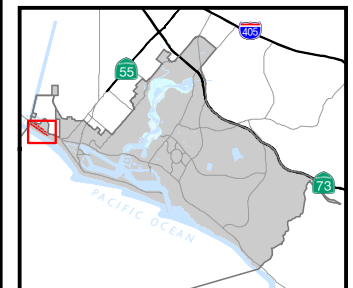
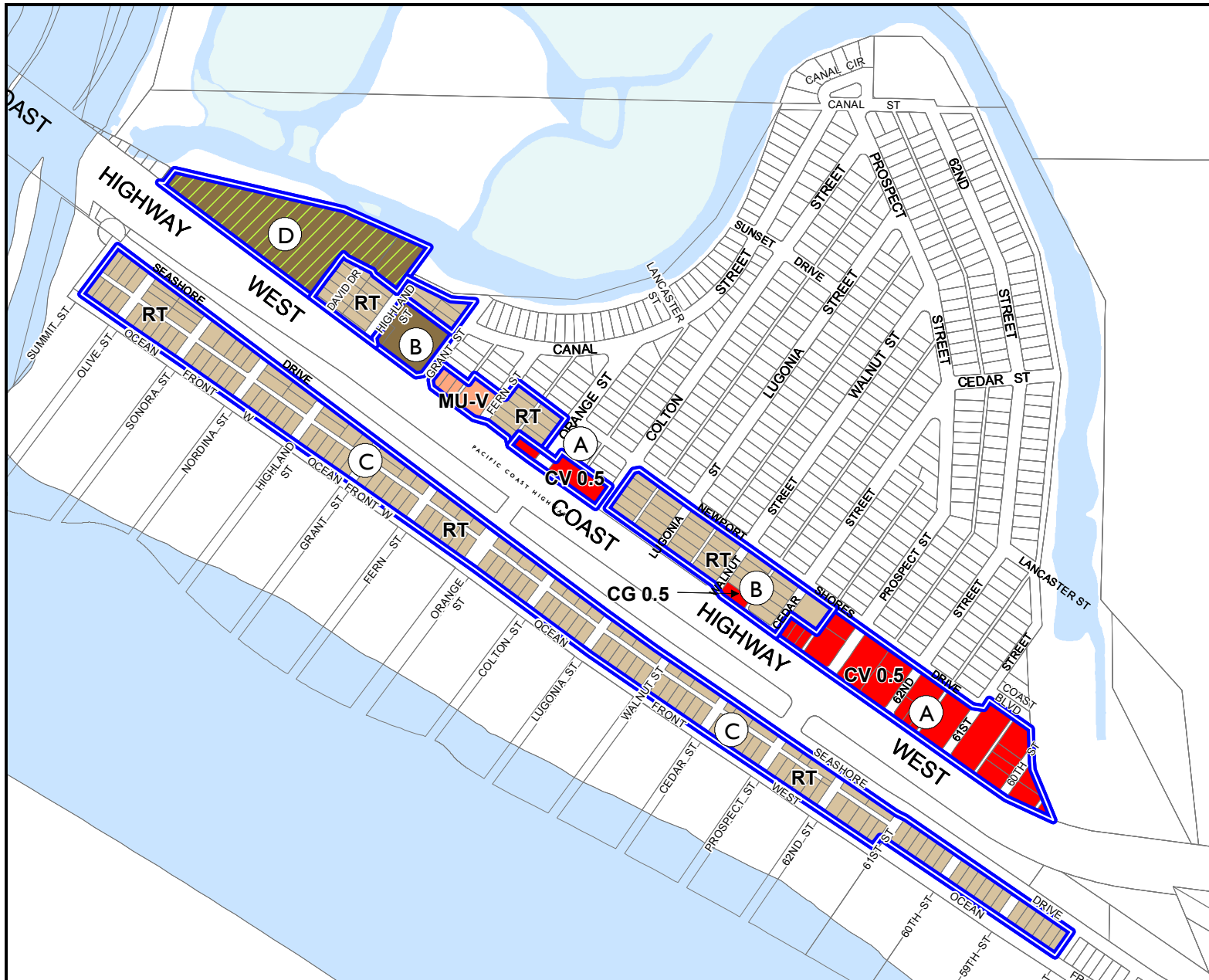
Old Newport Boulevard was formerly the primary roadway leading into the city from the north, containing a diversity of highway-oriented retail and office uses. Shifting of vehicle trips to the parallel (new) Newport Boulevard reduced the corridor’s traffic volumes and economic vitality, resulting in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

Figure LU24 West Newport

Pg 1—8.5x11 color

Legend

-  Sub-Area
-  Tidelands and submerged lands
-  City Boundary
-  Highway



0 125 250 Feet

Source: City of Newport Beach and EIP Associates
 PROJECT NUMBER: 10579-01
 Date: 12/12/06

LAND USE POLICY

- A** Commercial Node - Local and Visitor-Serving Uses
- B** Multi-Family Residential and General Commercial
- C** Two-Family Residential
- D** Multi-Family Residential or Open Space (Staging Area for River Park)



Pg 2—8.5x11 color



Office and retail on Old Newport Boulevard

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

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

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

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

Policy Overview

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

Goal

LU 6.18

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

Policies

LAND USES [designated as “CO-G(0.5),” refer to Figure LU25]

LU 6.18.1 Priority Uses

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

LU 6.18.2 Discouraged Uses

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

DESIGN AND DEVELOPMENT

LU 6.18.3 Property Design

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

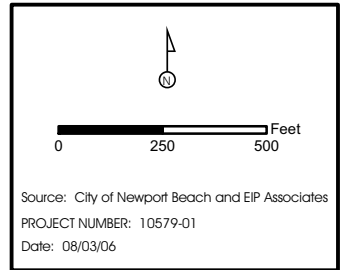
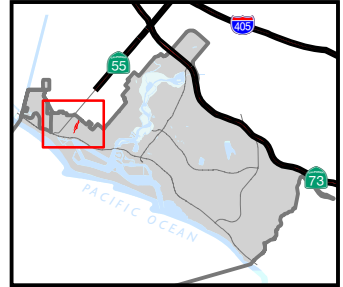
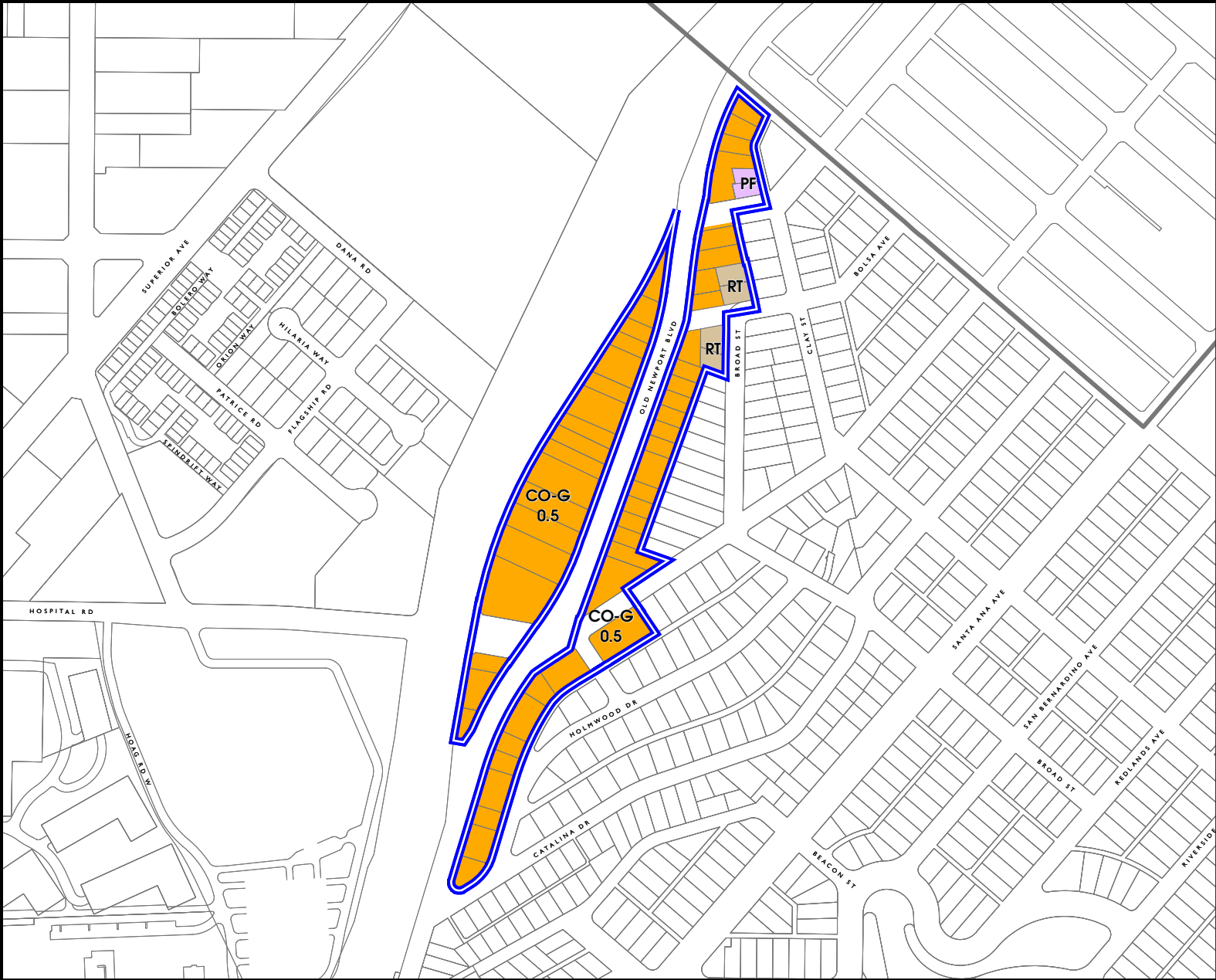
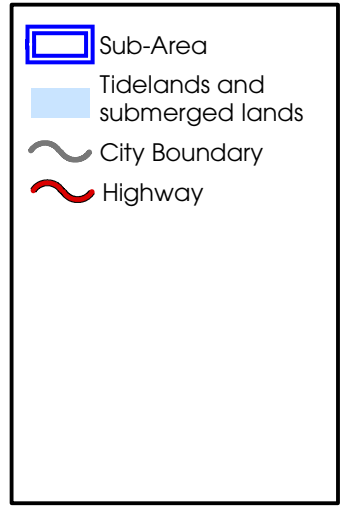
LU 6.18.4 Streetscape Design and Connectivity

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

Figure LU25 Old Newport Boulevard

Pg 1—8.5x11 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure LU25
 OLD NEWPORT BLVD



LAND USE POLICY

Office and Medical-Related Uses with Neighborhood-Oriented Convenience Commercial



N:/GIS/Projects/NewportBeach_10579/OldNewportC Blvd.mxd

Pg 2—8.5x11 color

Mariners' Mile

Mariners' Mile is a heavily traveled segment of Coast Highway extending from the Arches Bridge on the west to Dover Drive on the east. It is developed with a mix of highway-oriented retail and marine-related commercial uses. The latter are primarily concentrated on bay-fronting properties and include boat sales and storage, sailing schools, marinas, visitor-serving restaurants, and comparable uses. A large site is developed with the Balboa Bay Club and Resort, a hotel, private club, and apartments located on City tidelands. A number of properties contain nonmarine commercial uses, offices, and a multi-story residential building.



Harbor, retail, and visitor-serving uses in Mariners' Mile

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

The Mariners' Mile Strategic Vision and Design Plan provides for the area's evolution as a series of districts serving visitors and local residents. Along the northern portion of Coast Highway in the vicinity of Tustin Avenue, Riverside Avenue, and Avon Street, it provides for a pedestrian-friendly retail district. In the western and easternmost segments, the Plan provides for the infill of the auto-

oriented retail and visitor-serving commercial uses. Along the Harbor frontage, the Vision and Design Plan emphasizes the development of Harbor-related uses and proposes a continuous pedestrian promenade to create a vibrant public waterfront. Throughout the corridor, the Plan proposes to upgrade its visual character with new landscaping and streetscape amenities, as well as improvements in private development through standards for architecture and lighting.

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

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

Policy Overview

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

Goal

LU 6.19

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

Policies

STRUCTURE

LU 6.19.1 Differentiated Districts

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

LAND USES (refer to Figure LU26)

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

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

LU 6.19.3 Marine-Related Businesses

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

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

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

LU 6.19.5 Parking

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

DESIGN AND DEVELOPMENT

Corridor

LU 6.19.6 Corridor Identity and Quality

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

Harbor-Fronting Properties

LU 6.19.7 Architecture and Site Planning

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

LU 6.19.8 Integrating Residential-Site Planning Principles

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

LU 6.19.9 Harbor and Bay Views and Access

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

Clustering of buildings to provide open view and access corridors to the Harbor

Modulation of building volume and masses

Variation of building heights

Inclusion of porticoes, arcades, windows, and other "see-through" elements in addition to the defined open corridor

Minimization of landscape, fencing, parked cars, and other nonstructural elements that block views and access to the Harbor

Prevention of the appearance of the public right-of-way being walled off from the Harbor





Inclusion of setbacks that in combination with setbacks on adjoining parcels cumulatively form functional view corridors

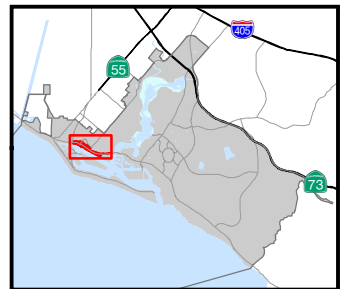
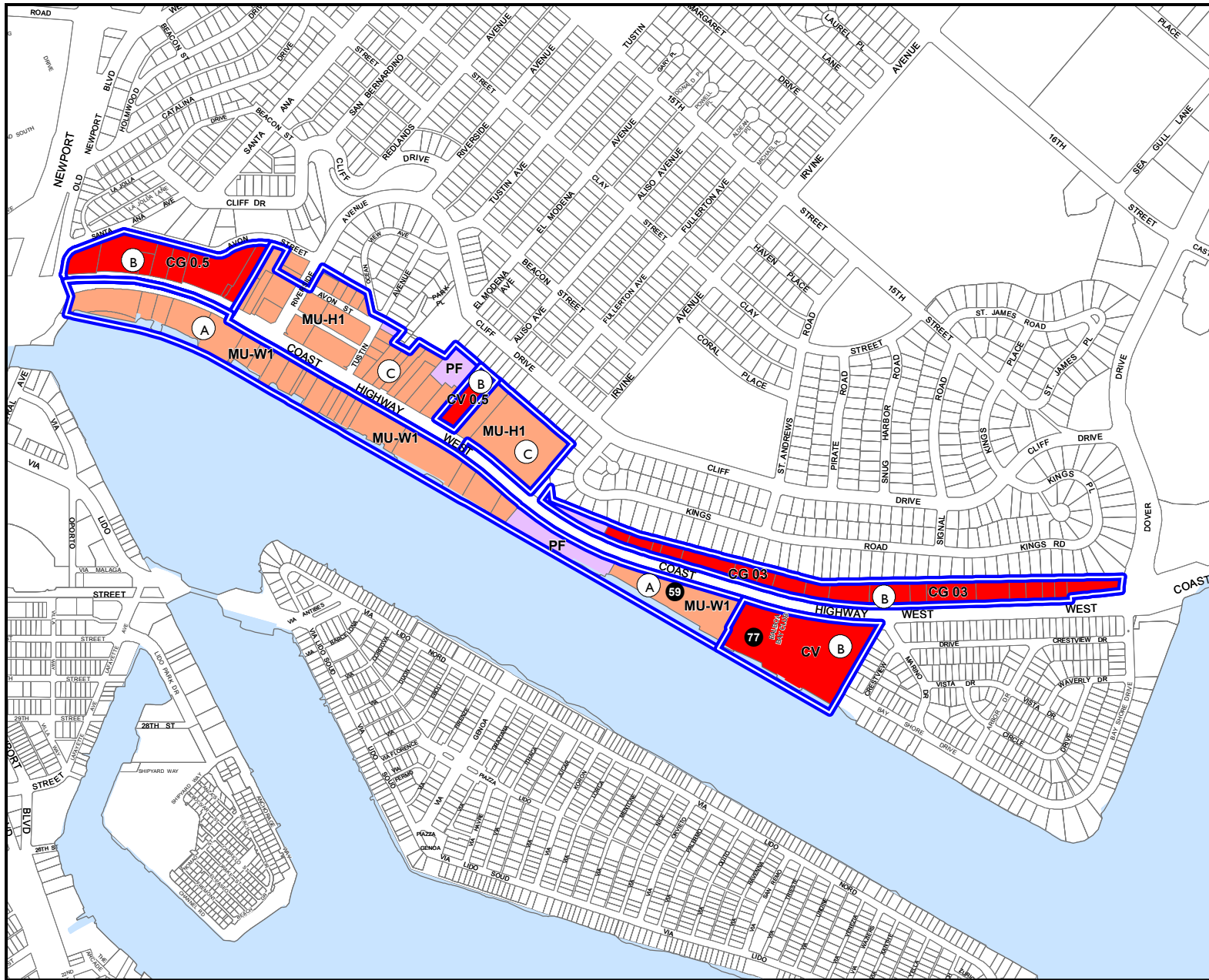
Encouragement of adjoining properties to combine their view corridors that achieve a larger cumulative corridor than would have been achieved independently

Figure LU26 Mariners' Mile

Pg 1—8.5x11 color

Legend

-  Sub-Area
-  Tidelands and submerged lands
-  City Boundary
-  Highway



0 125 250 500 750 Feet

Source: City of Newport Beach and EIP Associates
 PROJECT NUMBER: 10579-01
 Date: 12/12/06

LAND USE POLICY

- A** Harbor and Marine-Related Commercial, Institutional Use, Housing and Mixed-Use on Maximum of 50% of Parcels with 200' Lineal Frontage
- B** Commercial
- C** Neighborhood-Serving Retail, Mixed-Use Buildings (Housing Above Retail), Multi-Family Residential, with Retail on Highway Frontage



Pg 2—8.5x11 color

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

LU 6.19.10 Waterfront Promenade

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

Community/Neighborhood Village

LU 6.19.11 Pedestrian-Oriented Village

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

LU 6.19.12 Properties Abutting Bluff Faces

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

STRATEGY

LU 6.19.13 Lot Consolidation on Inland Side of Coast Highway

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

LU 6.19.14 Parking Lot Relocation

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

LU 6.19.15 Postal Distribution Center Relocation

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

LU 6.19.16 Parking and Supporting Facilities for Waterfront Uses

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

Corona del Mar

The Corona del Mar corridor extends along Coast Highway between Avocado Avenue and Hazel Drive. It is developed with commercial uses and specialty shops that primarily serve adjoining residential neighborhoods, with isolated uses that serve highway travelers and coastal visitors. Among

the area’s primary uses are restaurants, home furnishings, and miscellaneous apparel and professional offices including architectural design services. Almost half of the commercial uses are located in multi-tenant buildings with retail on the ground floor and professional services above. Other uses include the Sherman Library and Gardens, a research library and botanical garden open to the public, and an assisted-living residential complex.

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



Views of Corona del Mar along Pacific Coast Highway

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

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

Policy Overview

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

Goal

LU 6.20

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

Policies

LAND USES [designated as “CC,” refer to Figure LU27]

LU 6.20.1 Primary Uses

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

LU 6.20.2 Shared Parking Structures

Accommodate the development of structures that provide parking for multiple businesses along the corridor, provided that the ground floor of the street frontage is developed for pedestrian-oriented retail uses. (*Imp 2.1, 16.10*)

LU 6.20.3 Expanded Parking

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

DESIGN AND DEVELOPMENT

LU 6.20.4 Pedestrian-Oriented Streetscapes

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

STRATEGY

LU 6.20.5 Complement the Scale and Form of Existing Development

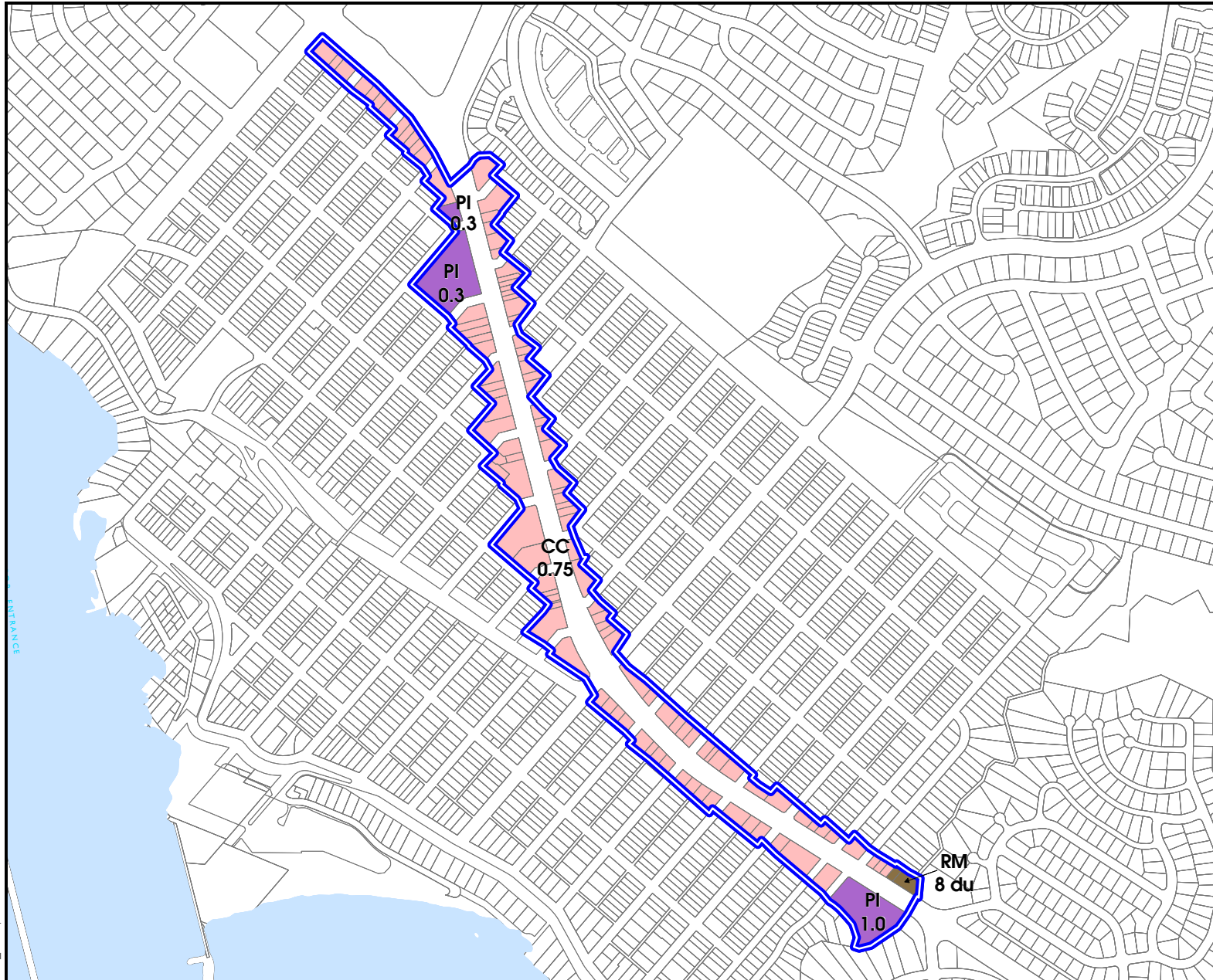
Permit new commercial development at a maximum intensity of 0.75 FAR, but allow existing commercial buildings that exceed this intensity to be renovated, upgraded, or reconstructed to their pre-existing intensity and, at a minimum, pre-existing number of parking spaces. (*Imp 2.1*)

LU 6.20.6 Expanded Parking Opportunities

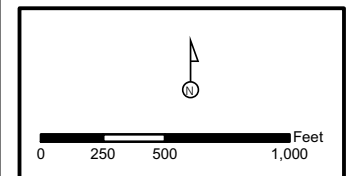
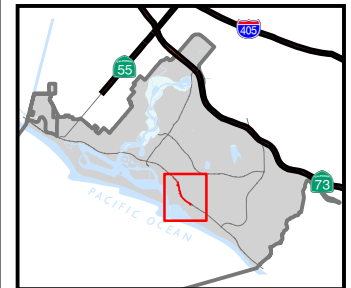
Work with local businesses and organizations to explore other methods to provide parking convenient to commercial uses, such as a parking district or relocation of the City parking lot at the old school site at 4th Avenue and Dahlia Avenue. (*Imp 16.10*)

Figure LU27 Corona Del Mar

Pg 1—8.5x11 color



- Sub-Area
- Tidelands and submerged lands
- City Boundary
- Highway



Source: City of Newport Beach and EIP Associates
PROJECT NUMBER: 10579-01
Date: 08/03/06

LAND USE POLICY

- Retail and Office on Coast Highway
- Possible Acquisition of Adjoining Residential Lots For Parking
- Shared Parking Facilities with Street-Facing Retail





CHAPTER 4 Harbor and Bay Element



HARBOR AND

A Hospitable, Navigable

Introduction

Newport Bay, including the Upper Bay and Newport Harbor in the Lower Bay, is a vital component of Newport Beach's natural resources, community identity, and economy. Some aspects of the Harbor and Bay Element that address public access, water quality and the environment and administration are also covered in the Natural Resources, Recreation, Safety and Circulation Elements. These overlapping policies or goals are noted within each Element. In addition, some land use policies relating to the waterfront uses along Lower Bay and Newport Harbor are also discussed in the Land Use Element.

Over the decades, public and private initiatives have enhanced and improved the natural resources of the Lower Bay to create what is today a world class small craft harbor. The natural and manmade resources of the Bay were once home to an economy that saw commercial fishing, fish canning, and industrial shipbuilding coexist with recreational boaters, restaurants, and waterfront homes. Today, fish canning and shipbuilding industrial uses are gone, while a wide range of recreational boating activities such as sport fishing, kayaking, diving, wind surfing, sailboat racing, excursion and entertainment boat activities, as well as visitor serving commercial and recreational uses and waterfront residences, are the main land uses located along the harbor. These different users of coastal lands and the water can lead to competing interests and demands, which are magnified by rising land values and a changing economic climate. Several issues presently face the harbor and bay areas. These include the following:

- Economic pressures to replace marine uses and harbor support facilities and services with residential uses.

- Balancing access to and benefits of marine uses such as recreational boating activities and marine commercial uses with associated impacts such as noise, traffic, parking, and disturbances to sensitive environmental resources and habitats.
- Increasing demand to accommodate larger vessels in the harbor, leaving limited affordable berthing and dry storage options for smaller boats and vessels.
- Need to improve administration of Harbor Resources
- Difficulty in obtaining permits to perform routine maintenance dredging.
- Seasonal presence of large population of California Sea Lions, causing noise, pollution, property damage, and odors.

BAY ELEMENT

Pleasure-Boating Harbor

Goals and Policies

The goals and policies pertaining to harbor issues are intended to guide the content of regulations related to development of, and the activities conducted on, the water. Additional goals and policies recognize the important component of land use decisions related to waterfront property around Newport Harbor. The aim of the Harbor and Bay Element goals and policies are to preserve the diversity and charm of existing uses without unduly restricting the rights of the waterfront property owner. Goals and policies within the Harbor and Bay Element have been organized to address both water and land related issues, provision of public access, water quality and environmental issues, visual characteristics, and the administration of the Harbor and Bay.

Diversity of Land Uses

Goal

HB 1

Preservation of the diverse uses of the Harbor and the waterfront that contribute to the charm and character of Newport Bay, and that provide needed support for recreational boaters, visitors, and residents.



Cannery Village Boardwalk

Policies

HB 1.1 Preservation and Enhancement of Water-Dependent and Related Uses

Preserve and enhance the following uses that contribute to the diversity and charm of Newport Bay, and the balance among them:

- Water-dependent and water-related recreational activities such as boating, sailing, wind surfing, fishing, kayaking, rowing, paddle boarding, and swimming.
- Water dependent and water-related commercial activities such as passenger/sightseeing boats, passenger-fishing boats, boat rentals and sales, entertainment boats, boat/ship repair and maintenance, and harbor maintenance facilities.
- Water-enhanced commercial uses such as restaurants and retail stores.
- Water-related public recreation and education areas and facilities such as beaches, piers, view parks and nautical museums and related public areas providing access to, and views of, Newport Harbor.
- Coastal residential communities. (*Imp 2.1, 14.3, 14.6, 21.1, 24.1*)

HB 1.2 Waterfront Public Spaces

Encourage the creation of waterfront public spaces and beaches, with adjacent water access and docking facilities that serves as the identity and activity “centers” of Newport Harbor for special events of community/regional interest. (*Imp 20.1, 20.2, 20.3*)

Goal

HB 2

Retention of water-dependent and water-related uses and recreational activities as primary uses of properties fronting on the Harbor.

Policies

HB 2.1 Design of New Development

Site and design new development to avoid impacts to existing and potential water-dependent and water-related uses. (*Imp 2.1, 7.1, 8.1*)

HB 2.2 Land Use Changes

Consider the impact on water-dependent and water-related land uses when reviewing proposals for land use changes, considering both the subject property and adjacent properties. (*Imp 2.1, 14.6, 24.1*)

HB 2.3 Marine Support Uses

Encourage the preservation and enhancement of existing marine support uses serving the needs of existing waterfront uses and the boating community. (*Imp 2.1, 14.3, 14.6, 21.1*)

HB 2.4 Harbor Related Private Uses

Accommodate private sector uses, such as vessel assistance, that provide emergency, environmental enhancement and other services that are not provided by the public sector and that are essential to the operation of a working harbor. (*Imp 21.3, 21.4*)

HB 2.5 Waterfront Facilities

Encourage development of waterfront facilities that accommodate displaced water-dependent uses. (*Imp 2.1, 14.3*)

HB 2.6 Public Access Facilities

Ensure that new or improved public access facilities are compatible with existing, permitted land uses and consistent with the availability of supporting infrastructure, such as parking and restrooms. (*Imp 2.1, 21.1*)



Basin Marine Shipyard

Goal

HB 3

Enhanced and updated waterfront commercial areas.

Policies

HB 3.1 Building Improvements and Programs

Preserve and/or enhance existing water-enhanced, water-related and water-dependent commercial uses and marine oriented commercial areas through building improvements and programs that preserve the design and character of the Harbor. *(Imp 2.1, 24.1)*

HB 3.2 Re-Use of Properties

Discourage re-use of properties that result in the reduction of water-dependent commercial uses. Allow the re-use of properties that assure water-dependent uses remain, especially in those areas with adequate infrastructure and parcels suitable for redevelopment as an integrated project. *(Imp 2.1, 14.3, 24.1)*

HB 3.3 Land Use Regulations

In establishing land use regulations, consider the operational characteristics of land uses that support the Harbor, and whether such uses can be relocated to inland locations and/or if technological advances will eliminate the need for such support uses in the foreseeable future. *(Imp 2.1, 14.3, 21.1)*

Diversity of Water Uses

Goal

HB 4

Preservation of existing commercial uses in the Harbor to maintain and enhance the charm and character of the Harbor and to provide support services for visitors, recreational boaters, and other water-dependent uses.

Policies

HB 4.1 Passenger Vessels

Support continued operation of passenger/sightseeing boats, passenger fishing boats (“day boats”), and long-term boat rentals and sales. *(Imp 2.1, 21.1)*

HB 4.2 Small Vessels

Support continued short-term rental of small boats while encouraging vendors to teach customers how to safely operate the watercraft. *(Imp 2.1, 21.1, 21.3)*



Recreational kayaks

HB 4.3 Entertainment and Tour Vessels

Support continued operation of entertainment and tour boats subject to reasonable regulations designed to ensure the operations don't have an adverse impact, such as unsafe navigation, impaired water quality, reduced visual quality, excessive noise, unsafe street traffic conditions, or parking shortages on the environment and land uses surrounding the harbor. *(Imp 14.3, 21.3)*

Goal

HB 5

A variety of vessel berthing and storage opportunities.

Policies

HB 5.1 Marinas and Dry Boat Storage Facilities

Protect and, where feasible through the use of new designs and technology, enhance and expand marinas and dry boat storage facilities. *(Imp 2.1, 21.1)*

HB 5.2 Berthing and Moorings

Provide a variety of berthing and mooring opportunities throughout Newport Harbor, reflecting state and regional demand for slip size and affordability. *(Imp 2.1, 21.1)*

HB 5.3 Anchorages

Provide anchorages in designated federal areas that minimize interference with safe navigation and where shore access and support facilities are available. *(Imp 2.1, 21.1)*

HB 5.4 Piers

Authorize, pursuant to permit, license, or lease, new and existing piers and docks bayward of waterfront residential properties, subject to appropriate conditions that ensure compatibility with residential uses. *(Imp 2.1, 21.1)*

HB 5.5 Temporary Rental of Moorings

Facilitate access to vacant moorings for temporary rental use. (*Imp 2.1, 21.1*)

HB 5.6 Mooring Transfers

Foster public access to moorings by enforcing and refining the derelict boat ordinance and regulating transfers by permit holders. (*Imp 2.1, 21.1*)

HB 5.7 Live Aboard Vessels

Allow “live-aboard” vessels, subject to a reasonable maximum number of renewable annual permits, and provide for regulation and vessel inspection. (*Imp 2.1, 21.1*)

Public Access

Goal

HB 6

Provision and maintenance of public access for recreational purposes to the City’s coastal resources (Goal R9).

Policies

HB 6.1 Provision of Public Coastal Access

Provide adequate public access to the shoreline, beach, coastal parks, trails, and bay, and acquire additional public access points to these areas and provide parking, where possible. (Policy R9.1) (*Imp 2.1, 5.1, 20.2*)

HB 6.2 Long Range Plan for Public Trails and Walkways

Develop and implement a long-range plan for public trails and walkways to access all appropriate commercial areas of the harbor, as determined to be physically and economically feasible, including:

- Extend the Lido Marina Village boardwalk across all of the waterfront commercial properties in Lido Village
- Provide a continuous waterfront walkway along the Rhine Channel connecting Cannery Village and McFadden Square waterfront commercial areas with Las Arenas Beach at 19th Street
- Provide a walkway connecting the Lido Village area with Mariners’ Mile
- Provide a continuous walkway along the Mariners’ Mile waterfront from the Coast Highway/Newport Boulevard Bridge to the Balboa Bay Club. (Policy CE 5.1.14) (*Imp 23.1, 23.2*)



Walkway and bikeway along Promontory Bay

HB 6.3 Provision of Visitor Facilities in Newport Harbor

Encourage the provision of guest slips, moorings, waste pump-out stations, and anchorages in Newport Harbor. Coordinate work with the Orange County Harbor, Beaches, and Parks Department to provide such facilities where appropriate and feasible. (Policy R8.3) (*Imp 14.3, 23.1*)

HB 6.4 Enhancement of Guest and Public Facilities

Protect and, where feasible, expand, and enhance:

- Waste pump-out stations
- Vessel launching facilities
- Low-cost public launching facilities
- Marinas and dry boat storage facilities
- Guest docks at public facilities, yacht clubs and at privately owned marinas, restaurants and other appropriate locations
- Facilities and services for visiting vessels
- Facilities necessary to support vessels berthed or moored in the harbor, such as boat haul out facilities
- Existing harbor support uses serving the needs of existing waterfront uses, recreational boaters, the boating community, and visiting vessels. (Policy R8.5) (*Imp 2.1, 23.1*)

HB 6.5 Water Transportation Services and Support Facilities

Enhanced and maintained public water transportation services and expanded public water transportation uses and land support facilities. (Goal CE 5.2) (*Imp 16.12*)

HB 6.6 Marine Terminals

Coordinate the location of marine terminals with other components of the transportation system to ensure convenient multi-modal access and adequate parking. (Policy CE 5.2.1) (*Imp 16.12*)

HB 6.7 Expanded Water Transportation Modes

Promote opportunities to expand water transportation modes, such as water based shuttle services and water taxis. (Policy CE 5.2.2). (*Imp 16.12*)

Water Quality and The Environment

Goal

HB 7

Protection and management of Upper Newport Bay commensurate with the standards applicable to our nation’s most valuable natural resources. (Goal NR 16)

Policies

HB 7.1 Funding Support for Upper Newport Bay Ecosystem Restoration Project

Support and secure federal funding for the Upper Newport Bay Ecosystem Restoration Project to restore the Upper Newport Bay to its optimal ecosystem. (Policy NR 16.1) (*Imp 14.12, 14.13, 14.14*)

HB 7.2 Management of Upper Newport Bay Ecological Reserve (UNBER)¹

Support and implement cooperative management of the Upper Newport Bay Ecological Reserve by cooperating with Orange County, California Department of Fish and Game, U.S. Fish and Wildlife Service, local universities and colleges, nonprofits, and volunteer organizations to improve resource management, implement resource enhancement projects, and expand opportunities for passive public access, recreation, and education. (Policy NR 16.3) (*Imp 14.3, 14.7, 14.11, 14.16*)

HB 7.3 Management of Upper Newport Bay Ecological Reserve

Assist the County of Orange in its management of the Upper Newport Bay Nature Reserve, including the Peter and Mary Muth Center, to enhance the Reserve’s natural resources, passive public access (especially along the West Bay) and public education programs. (Policy NR 16.4) (*Imp 14.3, 23.4*)

¹ The Upper Newport Bay Ecological Reserve’s official designation by the State of California may change to become “State Marine Park.” Until such time as that occurs, the Newport Beach community will continue to refer to UNBER as an “Ecological Reserve.”



Rocky intertidal reefs at Little Corona

HB 7.4 Public Uses within Upper Newport Bay Ecological Reserve

Maintain public use of the Upper Newport Bay Ecological Reserve to the extent such use is consistent with the preservation of sensitive resources. (Policy NR 16.5) (*Imp 2.1, 23.1*)

HB 7.5 Water-Related Education and Research within Upper Newport Bay

Promote facilities in and around Upper Newport Bay to adequately serve as water quality and estuarine education and research programs. (Policy NR 16.6) (*Imp 2.1, 23.1*)

HB 7.6 Water Quality Study

Retain qualified and objective water quality consultants to thoroughly review all scopes of work for any proposed water quality study: (a) to be conducted, sponsored or considered by the Watershed Management Committee (or any subcommittee or successor entity) in making any decision affecting water quality in Newport Beach; (b) related to water quality in the San Diego Creek and Santa Ana/Delhi Channel watersheds; and (c) that is relevant to any aspect of the establishment or enforcement of any order of the RWQCB including the Total Maximum Daily Loads (TMDL) for Upper Newport Bay.. (Policy NR 3.22) (*Imp 8.1, 17.1*)

Goal

HB 8

Enhancement and protection of water quality of all natural water bodies, including coastal waters, creeks, bays, harbors and wetlands. (Goal NR3)

Policies

- HB 8.1 Chemical Uses Impacting Water Quality**
Support regulations limiting or banning the use insecticides, fertilizers, and other chemicals which are shown to be detrimental to water quality. (Policy NR 3.1) *(Imp 8.1)*
- HB 8.2 Water Pollution Prevention**
Promote pollution prevention and elimination methods that minimize the introduction of pollutants into natural water bodies. (Policy NR 3.2) *(Imp 6.1, 8.1, 17.1, 18.1, 19.1)*
- HB 8.3 Ground Water Contamination**
Suspend activities and implement appropriate health and safety procedures in the event that previously unknown groundwater contamination is encountered during construction. Where site contamination is identified, implement an appropriate remediation strategy that is approved by the City and state agency with appropriate jurisdictions. (Policy NR 3.3) *(Imp 6.1)*
- HB 8.4 Storm Drain Sewer System Permit**
Require all development to comply with the regulations under the City's municipal separate storm sewer system permit under the National Pollutant Discharge Elimination System. (Policy NR 3.4) *(Imp 8.1, 19.1)*
- HB 8.5 Natural Water Bodies**
Require that development not result in the degradation of natural water bodies. (Policy NR 3.5) *(Imp 6.1, 19.1)*
- HB 8.6 Watershed Runoff Quality Control**
Represent Newport Beach by participating in watershed-based runoff reduction, water quality control, and other planning efforts with the California Regional Water Quality Control Board (RWQCB), the County of Orange, and upstream cities. Promote regulation of upstream dischargers (cities, Orange County, residential and commercial uses) in the San Diego Creek and Santa Ana/Delhi Channel watersheds. (Policy NR 3.6) *(Imp 14.3, 14.16)*
- HB 8.7 Newport Beach Water Quality Ordinance**
Update and enforce the Newport Beach Water Quality Ordinance. (Policy NR 3.7) *(Imp 20.14) (Imp 8.1)*
- HB 8.8 Permit Review Process**
Develop and maintain a water quality checklist to be used in the permit review process to assess potential water quality impacts. (Policy NR 3.8) *(Imp 17.1)*

- HB 8.9 Water Quality Management Plan**
Require new development applications to include a Water Quality Management Plan (WQMP) to minimize runoff from rainfall events during construction and post-construction. (Policy NR 3.9) *(Imp 7.1)*
- HB 8.10 Best Management Practices**
Implement and improve upon Best Management Practices (BMPs) for residences, businesses, development projects, and City operations. (Policy NR 3.10) *(Imp 8.1, 17.1, 18.1, 19.1)*
- HB 8.11 Site Design and Source Control**
Include site design and source control BMPs in all developments. When the combination of site design and source control BMPs are not sufficient to protect water quality as required by the National Pollutant Elimination System, structural treatment BMPs will be implemented along with site design and source control measures. (NR 3.11) *(Imp 7.1)*
- HB 8.12 Reduction of Infiltration**
Include equivalent BMPs that do not require infiltration, where infiltration of runoff would exacerbate geologic hazards. (Policy NR 3.12) *(Imp 6.1, 19.1)*
- HB 8.13 Natural Wetlands**
Promote the use of natural wetlands to improve water quality. (Policy NR 3.13) *(Imp 6.1, 19.1)*
- HB 8.14 Runoff Reduction on Private Property**
Retain runoff on private property to prevent the transport of pollutants into recreational waters, to the maximum extent practicable. (Policy NR 3.14) *(Imp 17.1)*
- HB 8.15 Street Drainage Systems**
Require all street drainage systems and other physical improvements created by the City, or developers of new subdivisions, to be designed, constructed, and maintained to minimize adverse impacts on water quality. Investigate the possibility of treating or diverting street drainage to minimize impacts to water bodies. (NR 3.15) *(Imp 7.1)*
- HB 8.16 Siting of New Development**
Require that development be located on the most suitable portion of the site and designed to ensure the protection and preservation of natural and sensitive site resources that provide important water quality benefits. (Policy NR 3.16) *(Imp 3.1 6.1)*

HB 8.17 Parking Lots and Rights-of-Ways

Require that parking lots and public and private rights-of-way be maintained and cleaned frequently to remove debris and contaminated residue. (Policy NR 3.17) *(Imp 2.1)*

HB 8.18 Water Quality Education

Effectively communicate water quality education to residents and businesses, including the development of a water quality testing lab and educational exhibits at various educational facilities. (Policy NR 3.18) *(Imp 29.1)*

HB 8.19 Natural Drainage Systems

Require incorporation of natural drainage systems and stormwater detention facilities into new developments, where appropriate and feasible, to retain stormwater in order to increase groundwater recharge. (Policy NR 3.19) *(Imp 7.1)*

HB 8.20 Impervious Surfaces

Require new development and public improvements to minimize the creation of and increases in impervious surfaces, especially directly connected impervious areas, to the maximum extent practicable. Require redevelopment to increase area of pervious surfaces, where feasible. (Policy NR 3.20) *(Imp 6.1)*

HB 8.21 Water-Related Education and Research within Upper Newport Bay

Promote facilities in and around Upper Newport Bay to adequately serve as water quality and estuarine education and research programs. (Policy NR 16.6) *(Imp 2.1, 23.1)*

HB 8.22 Animal Impacts on Water Quality

Limit feeding animals and depositing food or fish parts in Newport Bay. (Policy NR 3.21) *(Imp 8.1, 21.1)*

Visual Character

Goal

HB 9

A variety of beach/bulkhead profiles that characterize its recreational, residential, and commercial waterfronts.

Policies

HB 9.1 Design of New or Renovated Bulkheads

Balance private property rights, natural harbor tidal and current forces and other coastal processes (such as erosion and accretion) and harbor aesthetics with

other policies when considering designs for new or renovated bulkhead permits. *(Imp 2.1, 5.1)*

HB 9.2 Protection of Beach Profile

Permit and design bulkheads and groins to protect the character of the existing beach profiles and to restore eroded beach profiles found around the Harbor and island perimeters, and the safe navigation and berthing of vessels. *(Imp 2.1, 5.1)*

HB 9.3 Structures Impacting Visual Resources

Limit structures bayward of the bulkhead line to piers, floats, groins, appurtenances related to marine activities, and public walkways. *(Imp 2.1, 5.1)*

HB 9.4 Abandoned Vessels

Utilize City, county, state, and federal regulations to remove derelict, abandoned and unseaworthy vessels from City controlled tidelands promptly. *(Imp 14.3, 14.6, 21.1, 21.4)*

Administration

Goal

HB 10

Coordination between the City, county, state, and federal agencies having regulatory authority in the Harbor and Bay.

Policies

HB 10.1 Joint City/County Study

Prepare and fund a joint City/County study that would do the following:

- Identify the respective services provided by the City and County in Newport Harbor
- Determine the cost of those services
- Identify opportunities for the City and County to realign resources to provide services at reduced costs
- Identify the sources of revenue available to defray the cost of those services
- Identify potentially feasible methods of providing those services with volunteers rather than with public agency personnel (NR 11.2) *(Imp 21.4)*

HB 10.2 Review and Update of Harbor Standards and Regulations

Periodically review and update as appropriate all Harbor planning, design, engineering, and environmental criteria, standards, requirements and processes. *(Imp 9.1, 21.1, 21.4)*

HB 10.3 Harbor Area Management Plan

Develop a Harbor Area Management Plan that will provide a comprehensive approach to the management of the resources of Newport Bay such as protection of eelgrass and other natural resources, dredging for navigation, and continued use of private piers. (Policy NR 11.1) (*Imp 21.1*)

Goal

HB 11

Adequate harbor access for coastal-dependent harbor maintenance equipment and facilities.

Policies

HB 11.1 Harbor Maintenance Equipment and Facilities

Provide harbor access for harbor maintenance equipment and facilities, including dredging, dock demolition, repair, and construction, mooring services, debris and spill management equipment, and general harbor construction, maintenance and repair. (*Imp 14.3, 14.6, 21.1, 21.4*)

HB 11.2 Interagency Cooperation

Work with other controlling agencies within the Harbor, and/or the Bay, to define an area that can support harbor maintenance facilities and equipment. (*Imp 14.3, 14.6, 21.1, 21.4*)

Goal

HB 12

Balance between harbor revenues and expenses.

Policies

HB 12.1 Tideland Revenue

Receive a market rate of return from all tideland users to recapture all related City investment, services, and management costs. (*Imp 30.2*)

HB 12.2 Alternative and Supplemental Funding

Provide alternative and supplemental Harbor funding, including seeking federal and state grants and loans for boater safety, education, maintenance, and capital improvements of the Harbor. (*Imp 30.2*)

HB 12.3 Tideland Leases and Permits

Review the administration of tidelands leases and permits, and consider accepted Best Management Practices to assist in redevelopment, maintenance,

and financing of waterfront developments, and to reflect market value in the lease rates. (*Imp 30.2*)

HB 12.4 Tideland Permit Fees

Receive full cost recovery for permit processing. (*Imp 21.1*)

Goal

HB 13

Maintain and enhance deep water channels and ensure they remain navigable by boats. (Goal NR 14)

Policies

HB 13.1 Sediment Management within Newport Bay

Develop a comprehensive sediment management program that provides for safe navigation and improved water quality. (Policy NR 13.1) (*Imp 14.3, 14.11, 21.1*)

HB 13.2 Cooperation with U.S. Army Corps of Engineers

Cooperate with the U.S. Army Corps of Engineers in their maintenance and delineation of federal navigational channels at Newport Harbor in the interest in providing navigation and safety. (Policy NR 13.2) (*Imp 14.11*)

HB 13.3 Permit Processing

Secure blanket permits or agreements through the U.S. Army Corps of Engineers and the California Coastal Commission to expedite permit processing for residential and commercial dock owners in the Bay. (Policy NR 14.3) (*Imp 14.6, 14.11*)

HB 13.4 Shoreline Protection Alternatives

Encourage the use of nonstructural methods, such as dune restoration and sand nourishment, as alternatives to shoreline protective structures. (Policy S 2.5) (*Imp 8.1, 21.2*)

HB 13.5 Maintenance of Beach Width and Elevations

Develop and implement a comprehensive beach replenishment program to assist in maintaining beach width and elevations. Analyze monitoring data to determine nourishment priorities, and try to use nourishment as shore protection, in lieu of more permanent hard shoreline armoring options. (Policy S 3.3) (*Imp 8.1, 21.2*)

HB 13.6 Beach Width Monitoring

Monitor beach width and elevations and analyze monitoring data to establish approximate thresholds for when beach erosion or deflation will reach a point

that it could expose the backshore development to flooding or damage from storm waves. (Policy S 3.2) (*Imp 28.1*)

HB 13.7 Emergency Use of Coastal Facilities

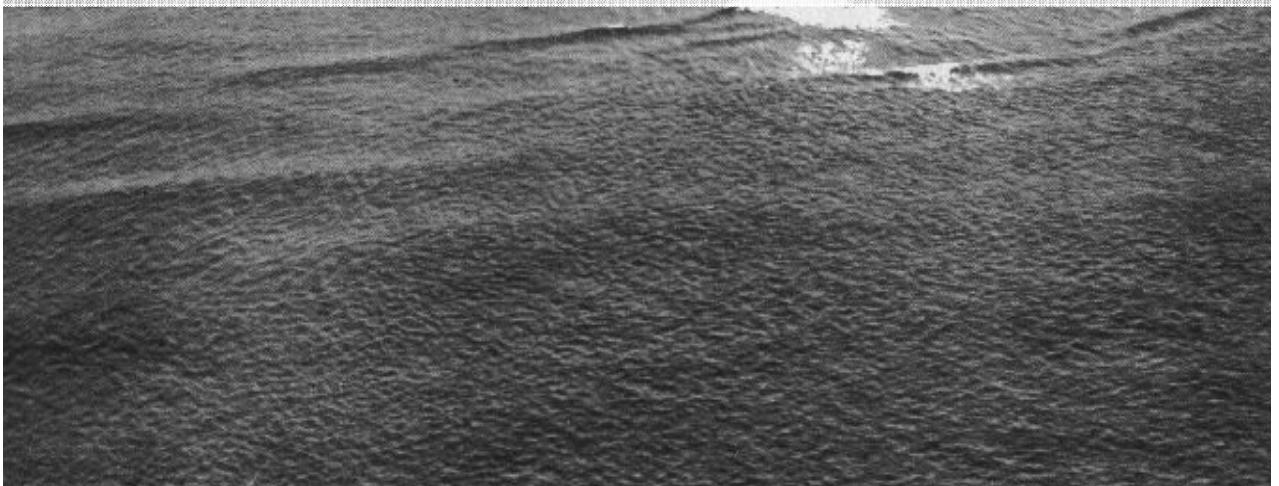
Establish procedures and public/private cooperation and communication for the emergency use of coastal facilities and equipment in advance of flood, storm, pollution, dredging, vessel sinking, and other events, supplementing other safety and rescue bases and equipment. (Policy S 9.8) (*Imp 28.2*)

For the adopted and certified 6th Cycle Housing Element, please click here:

[http://www.newportbeachca.gov/PLN/Housing_Element_Update/HE_FinalDraft_09012022/Final 6th Cycle Housing Element \(September 2022\).pdf](http://www.newportbeachca.gov/PLN/Housing_Element_Update/HE_FinalDraft_09012022/Final%206th%20Cycle%20Housing%20Element%20(September%202022).pdf)



CHAPTER 6 Historical Resources Element



HISTORICAL

Valued Landmarks, Sites, and Structures

Introduction

This Element addresses the protection and sustainability of Newport Beach's historic and paleontological resources. Goals and policies presented within this Chapter are intended to recognize, maintain, and protect the community's unique historical, cultural, and archeological sites and structures. Preserving and maintaining these resources helps to create an awareness and appreciation of the City's rich history.

For many years, Newport Beach's scenic location, attractive neighborhoods, and active commercial areas have continued to place many of the City's original buildings, paleontological resources, and historical sites under extreme development pressures. Many of the community's early structures and archeological sites have since been demolished or altered. However, a significant number of historical sites and buildings have been preserved that are representative of the community and the region. Many of these historical resources have been recognized as being of statewide or national importance. The preservation of these sites has been the result of active efforts by residents, community groups, private organizations and the City of Newport Beach.

It is important to continue to protect Newport Beach's heritage and to identify and safeguard historical resources worthy of protection and ensure that new development enhances rather than alters or eliminates reminders of Newport Beach rich heritage.

Context—Early History

The community of Newport Beach has a rich and diverse history. The picturesque coastline of the community and its close proximity to the water have played a large role in the development of the City. Early inhabitants thousands of years ago were aboriginal hunters and gatherers who were first drawn to this area by the rich bounty of the bay and ocean. The most recent native people were the Tongva (Gabrielinos) and the Acjachemem (Juanenos), who lived in small villages around the bay.

In July of 1769, the expedition led by the Spaniard Gaspar de Portola reached the boundaries of present-day Orange County. Father Junipero Serra, a member of the expedition, dedicated the Mission of San Juan Capistrano, Orange County's first permanent settlement, on November 1, 1776. The Mission's chapel and adjoining structure were the first signs of civilization erected upon the Santa

RESOURCES ELEMENT

That Are Historically Significant

Ana Region. Decades later in the 1800s, land holdings of the Capistrano Mission were parceled out as Spanish and Mexican land grants to war heroes and aristocratic families. Later, many Spanish and Mexican landowners were forced to sell large tracts of their land. The most prominent landowners of the area, Don Sepulveda and Don Bernardo Yorba, men whose combined holdings comprised Newport Beach's upper bay and lower bay, sold their tracts to American entrepreneurs by the names of Flint, Bixby, Irvine and McFadden. The first stirring of commerce began in the community of Newport Beach in 1870, when a small stern wheeler from San Diego named "The Vaquero" made its first trip to a marshy lagoon to exchange lumber for hides, tallow, livestock and grain. James McFadden and ranch owner James Irvine named the landing on the bay "Newport." The McFadden brothers brought in lumber from Northern California and shipped out produce from local farmers on a shallow draft steam schooner named Newport.

In 1888, James McFadden, due to the treacherous harbor entrance, moved the isolated settlement to the peninsula and built a wharf that extended to deep water where large steamers could dock. In 1891 the McFadden brothers completed a railway connection to Santa Ana. Shipping activity increased dramatically and for the next eight years, the McFadden Wharf area was a booming commercial and shipping center and a company town began to grow. However, in 1899, the federal government allocated funds for major improvements to a new harbor at San Pedro, which was served by the Southern Pacific Railroad and would become Southern California's major seaport. The McFadden Wharf and railroad was sold to a beet-sugar producer in Los Alamitos who six months later sold to the Southern Pacific Railroad signaling the end of Newport as a commercial shipping center.

In 1902, James McFadden sold his Newport town site and about half of the Peninsula to William S. Collins, who saw Newport Bay's resort and recreation potential. Collins took on Henry E. Huntington

as a partner in the Newport Beach Company. Huntington had acquired the Pacific Electric railway system and used it to promote new communities outside of Los Angeles.



As recently as 1947, lands surround Newport's Upper Bay were developed tenant farms. Newport Beach 75: A Diamond Jubilee History, James P. Felton. Photo courtesy of the Irvine Company

Soon after, the Pacific Electric Railroad established itself in Newport Beach in 1905, connecting the City of Los Angeles by rail. Rapid transit “Red Cars” brought new visitors to the waterfront, and small hotels and beach cottages were developed that catered to the tourist industry. Between 1902 and 1907, many of Newport Beaches’ waterfront communities were subdivided, including West Newport, East Newport, Bay Island, Balboa, Corona del Mar, Balboa Island and Port Orange (at old Newport Landing), and in August 1906, residents in the booming bay town voted to incorporate. On September 1, 1906, Newport Beach became the fifth city to incorporate in Orange County. Newport Heights and Corona del Mar were annexed in 1917. In the 1920s, the City and County began work to improve the harbor entrance and create navigable channels in the bay. Between 1934 and 1936, the federal government and the County Harbor District undertook work around the harbor. They

dredged the Lower Bay, extended jetties, and created the present day contour of Newport Harbor. In 1936, community members dedicated the City's main harbor. During World War II, the harbor became a vital hub as naval ships were built and repaired in its coastal waters. Servicemen stationed at the Santa Ana Army Air Base came to Balboa to visit the entertainment hot spots. After the war, many of these men returned to build their homes in Newport Beach and the surrounding area.

The Santa Ana freeway, built in the 1950s, triggered further growth. During this time, housing development began to spread north and eastward from the waterfront to the hills and mesa areas. The community's economic industry changed, as the fishing industry, once the backbone of Newport Beach's economy, gradually declined to be replaced with new businesses and commercial centers. Beginning in 1967 and through the 1970s and 1980s, the building of shopping centers such as Fashion Island, hotels, high-scale restaurants, offices, and many new homes led to the creation of the active employment, retail, and residential areas that characterize much of Newport Beach today.³ While Newport Beach is no longer a small resort community, the bay and beach continue to play an important role in the community's character and economy and the City continues to be a destination for visitors.

Relevant and Related Programs

FEDERAL PROGRAMS

The *National Historic Preservation Act (NHPA) of 1966* is a federal law that establishes the legal and administrative context to encourage preservation of historic resources associated with the country's history and heritage. The NHPA establishes criteria for inclusion into the National Register of Historic Places (NRHP) which is an inventory of the United States' historic resources maintained by the National Park Service. Structures and features must usually be at least 50 years old to be considered for listing on the NRHP, barring exceptional circumstances.

Properties listed in the NRHP, or determined eligible for listing, must meet certain criteria for historical significance and possess integrity of form, location, and setting.

STATE PROGRAMS

The California Register of Historical Resources (CRHR) was created to identify resources deemed worthy of preservation on a state level and was modeled closely after the NRHP. The criteria are nearly identical to those of the NRHP but focus upon resources of statewide, rather than national, significance. The CRHR automatically includes resources listed on the NRHP as are State Landmarks and Points of Interest.

³ History of Newport Beach. Newport Beach Real Estate. Webpage: <http://www.realestatenewportbeach.com/relocation/history.php>

California Health and Safety Code (Sections 7050.5, 7051, and 7054)

These sections collectively address the illegality of interference with human burial remains (except as allowed under applicable sections of the Public Resources Code), as well as the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project, treatment of the remains prior to, during and after evaluation, and reburial procedures.

California Senate Bill 297 (1982)

This bill addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the Native American Heritage Commission to resolve disputes regarding the disposition of such remains.

LOCAL REGULATIONS—NEWPORT BEACH CITY COUNCIL POLICY MANUAL

Historical Resources

Reflective of Newport's unique history, several properties in the City exhibit significant heritage distinction. Twelve sites have been listed or designated eligible for listing on the National Register of Historic Places or California Register of Historical Resources, or otherwise listed as historic or potentially historic in the California Historic Resources Information System (CHRIS) maintained by the Office of Historic Preservation (Figure HR1).

Nationally Recognized Resources

Four properties within the City have been listed on the National Register of Historic Places.

- **Balboa Inn**—Built in 1929, the Balboa Inn is representative of Spanish Colonial Revival architecture and beachfront tourist development.
- **Balboa Pavilion**—Constructed in 1905, the Balboa Pavilion has been the site of numerous social and cultural activities over the turn of the century. It is one the state's last surviving examples of great waterfront recreational pavilions.

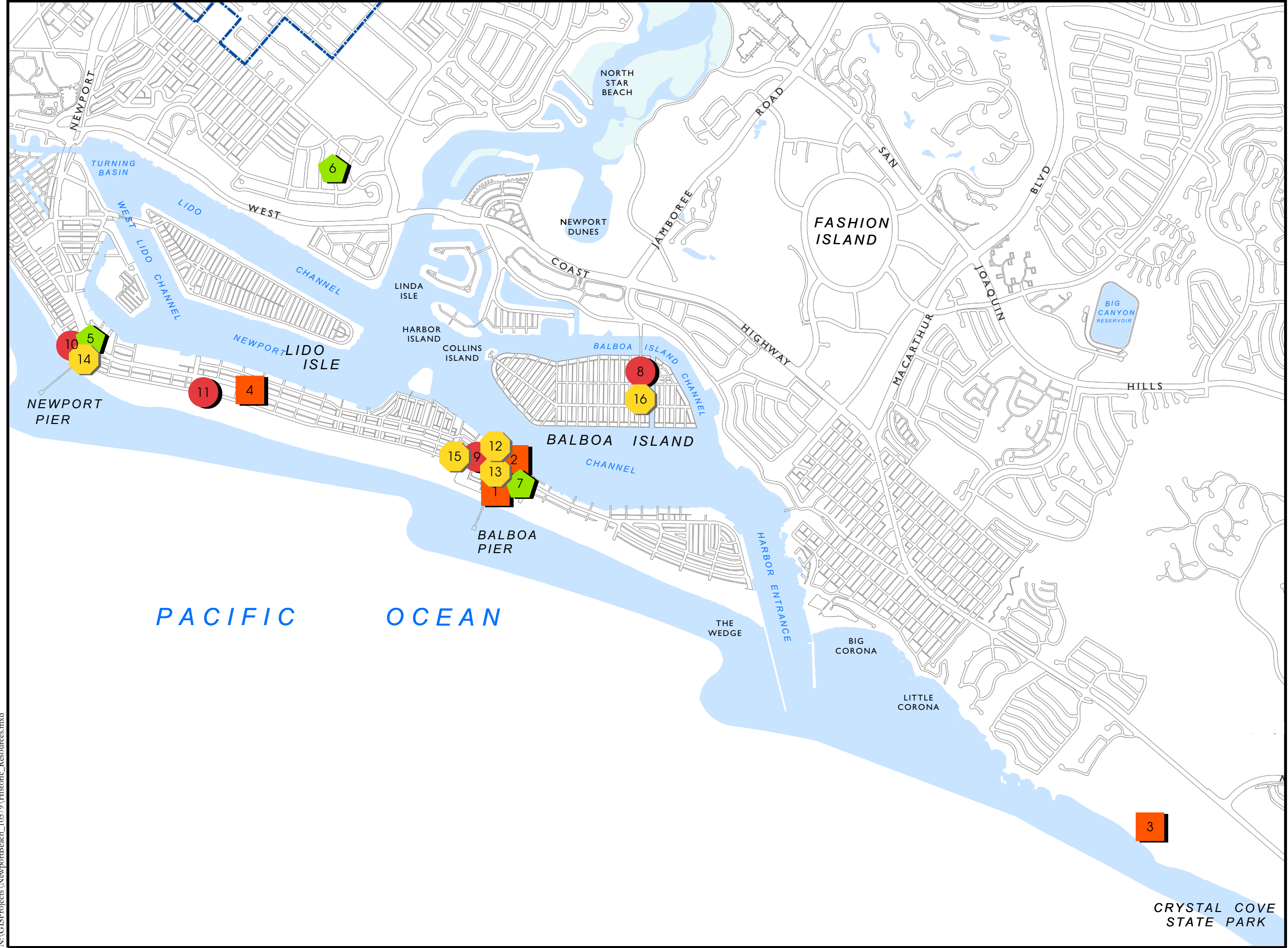


One of the City's first landmarks was the Balboa Pavilion constructed in 1905. Today it is listed on the National and State Historic Registers. (Newport Beach 75: A Diamond Jubilee History. Photo courtesy of Phil Tozer)

Figure HR1 Historical Resources

Pg 1—8.5x11 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure HR1
**HISTORIC
 RESOURCES**



- Sites on National Register of Historic Places
- 1 Balboa Inn
 - 2 Balboa Pavilion
 - 3 Crystal Cove Historic District
 - 4 Lovell Beach House
- California Historical Landmarks
- 5 McFadden Wharf
 - 6 Old Landing
 - 7 Site of First Water-to-Water Flight
- Other Historic Sites or Potentially Historic Sites in the CHRIS Database
- 8 Balboa Island Fire House #4
 - 9 Bank of Balboa/Bank of America
 - 10 B K Stone Building
 - 11 Our Lady Mount Carmel
- Other Historic Sites in the City Register
- 12 Balboa Saloon
 - 13 Balboa Theater
 - 14 Dory Fishing Fleet
 - 15 Rendezvous Ballroom Site
 - 16 Wilma's Patio (formerly Pepper's Restaurant)

0 0.125 0.25 0.5
Miles

Source: City of Newport Beach and EIP Associates
 PROJECT NUMBER: 10579-01
 Date: 9/12/06



Pg 2—8.5x11 color

- **Crystal Cove Historic District**—The Crystal Cove Historic District is a 12.3-acre coastal portion of the 2,791-acre Crystal Cove State Park. The federally listed Historic District is an enclave of 46 vintage rustic coastal cottages originally built in the 1920s and 1930’s that are nestled around the mouth of Los Trancos Creek. It is one of the last remaining examples of early twentieth century Southern California coastal development.
- **Lovell Beach House**—Built in 1926, the Lovell Beach House was designed by Rudolf Schindler and is considered the first pure International Style house built in America.

State-Recognized Resources

In addition, four properties within the City have been listed as California Historical Landmarks.

- **Old Landing**—Established by Captain Dunnells in the 1870s, it was the site of the first shipping business in Newport Bay.
- **Site of First Water-to-Water Flight**—Commemorates the May 10, 1912, flight of pioneer pilot Glenn L. Martin who flew from the waters of the Pacific Ocean at Balboa to Catalina Island; on a primitive hydroplane; the first water-to-water flight. Today a plaque at the foot of the Balboa Pier honors the memory of Glenn Martin.
- **McFadden Wharf**—The site of the original wharf built in 1888 by the McFadden brothers.
- **Balboa Pavilion**—described above

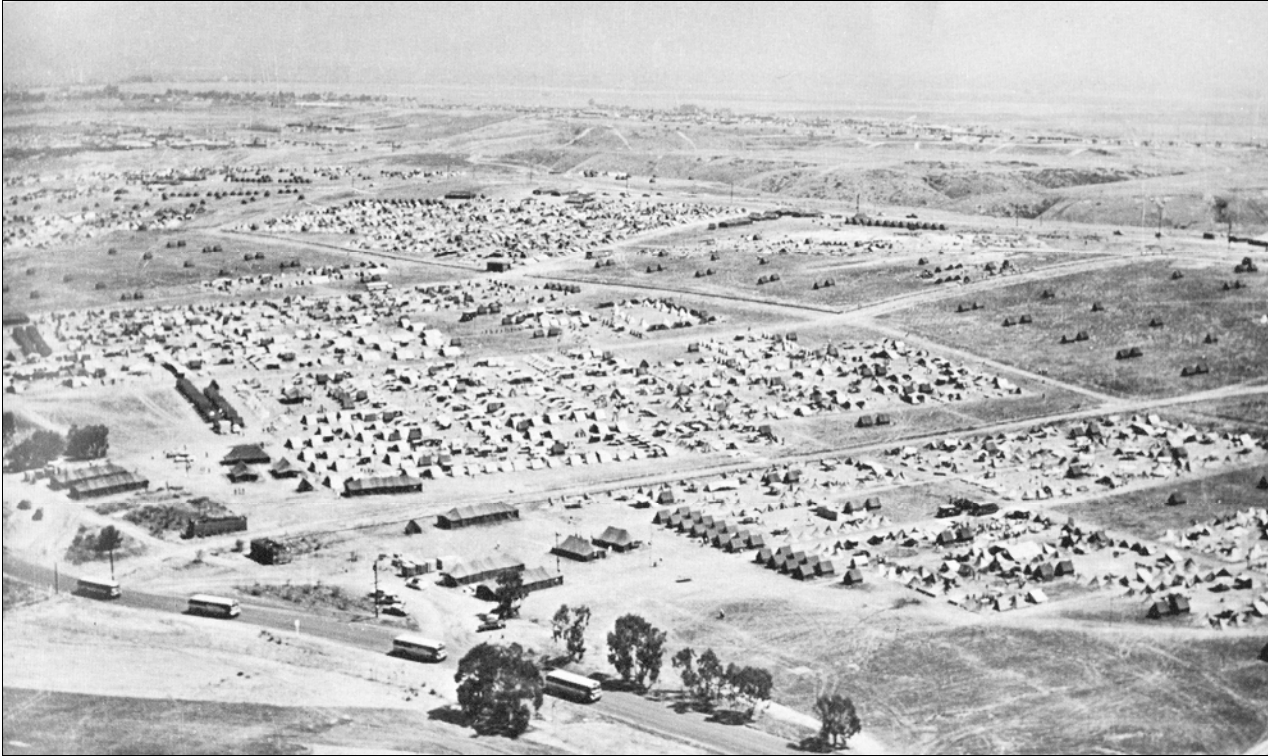
Four additional properties are also listed in the CHRIS database:

- **B.K. Stone Building**—one of the oldest commercial structures in Newport Beach.
- **Balboa Island Firehouse No. 4**—early police and fire station for the Balboa Peninsula
- **Bank of Balboa/Bank of America**—Bank of Balboa, Bank of America, provided services from 1928 to 1984 (now demolished)
- **Our Lady of Mount Carmel Church**

Locally Recognized Resources

Properties that are not listed on the NRHP or CRHR may also be considered historical resources. The City of Newport Beach has established the Newport Beach Register of Historical Property (“City Register”) to recognize structures or properties of local historical or architectural significance. The City has listed seven properties in the City Register in recognition of their local historical or architectural significance, as described above. In addition to the Balboa Pavilion and the Balboa Inn, which are also listed in the NRHP and CRHR, the City Register includes the following:

- **Rendezvous Ballroom Site**—A popular Balboa Dance Hall that featured numerous famous Big Bands of the 1930s and 1940s. It was destroyed by fire in 1966.
- **Wilma’s Patio (formally Pepper’s Restaurant)**—Located on Balboa Island, the exposed structural components of Wilma’s Patio are timbers used in the original Balboa Island Bridge and McFadden Wharf.
- **Balboa Theater**—Built in 1928, the Balboa Theater is a former vaudeville theater that at one time housed an infamous speakeasy during the prohibition period. Currently, the theater is under renovation.



In 1953, the International Boy Scout Jamboree was held where Newport Center and Fashion Island are now located. Thousands of tents were pitched in the area reachable only by a two-lane muddy trail.

- **Balboa Saloon**—The 1924 building is representative of the nautical history and Main Street commercial masonry style of Newport Beach.
- **Dory Fishing Fleet**— The Dory Fishing Fleet is located adjacent to Newport Pier. The fleet and open-air fish market have operated at this location since the founding of the fleet in 1891 by Portuguese fishermen. The last remaining fleet of its type, it is a historical landmark designated by the Newport Beach Historical Society. It is a City Council policy that an area immediately west of the Newport Pier be reserved for the Newport Dory Fishing Fleet.

Additionally, in 1991, City Council established an Ad Hoc Historic Preservation Advisory Committee (AHHPAC) to investigate the historic resources of the community and make recommendations regarding preservation. The AHHPAC completed its assignment on May 12, 1992, and reported its findings, which included a



A memorial plaque located at what is now Fashion Island commemorates the event

Historic Resource Inventory of 61 properties, to City Council June 8, 1992. The inventory categorized the properties surveyed in five hierarchical “classes” of significance:

- **Class 1**—Major Historic Landmark
- **Class 2**—Historic Landmark
- **Class 3**—Local Historic Site
- **Class 4**—Structure of Historic Interest
- **Class 5**—Point of Historic Interest

Under this system, Class 1 to Class 3 would be eligible to use the State Historic Building Code; Class 4 and Class 5 properties would be listed for recognition purposes only. The inventory was never officially adopted by the City, and the structures were never placed on the City Register, but the inventory still serves as a useful guide to potentially historic properties that may have historic or cultural significance to the City.

Goals and Policies

Goal

HR 1

Recognize and protect historically significant landmarks, sites, and structures.

Policies

HR 1.1 Historical Resources Inventory

Maintain and periodically update the Newport Beach Register of Historical Property for buildings, objects, structures, and monuments having importance to the history or architecture of Newport Beach and require photo documentation of inventoried historic structures prior to demolition. (*Imp 9.1, 10.1, 29.2*)

HR 1.2 Preservation or Re-Use of Historical Structures

Encourage the preservation of structures listed on the National Register of Historic Places and/or the list of California Historical Landmarks, and/or the Newport Beach Register of Historical Property. Provide incentives, such as grading reductions or waivers of application fees, permit fees, and/or any liens placed by the City to properties listed in the National or State Register or the Newport Beach Register of Historical Property in exchange for preservation easements. (*Imp 8.2, 29.2*)

HR 1.3 Historical Landmarks

Encourage the placement of historical landmarks, photographs, markers, or plaques at areas of historical interest or value. Create a Landmark Plan that will recognize and designate culturally important heritage sites that are eligible for

the placement of historical landmarks or plaques. The Plan will also identify funding opportunities to support the program such as development fees, corporate or civic sponsorships, donations, or utilizing General Funds. *(Imp 8.2, 9.1, 10.1, 29.2)*

HR 1.4 Adaptive Re-use

Encourage alternatives to demolition of historical sites or structures by promoting architecturally compatible rehabilitation or adaptive re-use. Provide incentives such as permit and application fee waivers, flexible building requirements and free technical advice by person(s) qualified in historical preservation. *(Imp 8.2, 29.2)*

HR 1.5 Historical Elements within New Projects

Require that proposed development that is located on a historical site or structure incorporate a physical link to the past within the site or structural design, if preservation or adaptive reuse is not a feasible option. For example, incorporate historical photographs or artifacts within the proposed project or preserve the location and structures of existing pathways, gathering places, seating areas, rail lines, roadways, or viewing vantage points within the proposed site design. *(Imp 29.2)*

HR 1.6 Documentation

Require that, prior to the issuance of a demolition or grading permit, developers of a property that contains an historic structure as defined by CEQA retain a qualified consultant to record the structure in accordance with U.S. Secretary of Interior guidelines (which includes drawings, photographs, and written data) and submit this information to the Newport Beach Historical Society, Orange County Public Library, and City Planning Department. *(Imp 8.2)*

HR 1.7 Offer for Relocation of Historic Structure

Require that, prior to the demolition of a historic structure, developers offer the structure for relocation by interested parties. *(Imp 8.2)*

Goal

HR 2

Identification and protection of important archeological and paleontological resources within the City.

Policies

HR 2.1 New Development Activities

Require that, in accordance with CEQA, new development protect and preserve paleontological and archaeological resources from destruction, and avoid and mitigate impacts to such resources. Through planning policies and permit conditions, ensure the preservation of significant archeological and

paleontological resources and require that the impact caused by any development be mitigated in accordance with CEQA. *(Imp 11.1)*

HR 2.2 Grading and Excavation Activities

Maintain sources of information regarding paleontological and archeological sites and the names and addresses of responsible organizations and qualified individuals, who can analyze, classify, record, and preserve paleontological or archeological findings.

Require a qualified paleontologist/archeologist to monitor all grading and/or excavation where there is a potential to affect cultural, archeological or paleontological resources. If these resources are found, the applicant shall implement the recommendations of the paleontologist/archeologist, subject to the approval of the City Planning Department. *(Imp 11.1)*

HR 2.3 Cultural Organizations

Notify cultural organizations, including Native American organizations, of proposed developments that have the potential to adversely impact cultural resources. Allow representatives of such groups to monitor grading and/or excavation of development sites. *(Imp 11.1)*

HR 2.4 Paleontological or Archaeological Materials

Require new development to donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within Newport Beach, or Orange County, whenever possible. *(Imp 11.1)*

For the adopted Circulation Element, please click here:
<https://newportbeachca.gov/home/showpublisheddocument/72126/637969491946670000>



CHAPTER 8 Recreation Element

RECREATION

Recreational Opportunities for Highlight Newport Beach's

Introduction

The City's parks, bicycle and pedestrian trails, recreational facilities, and coastal resources such as beaches play an important role in the physical, mental, social, and environmental health of Newport Beach residents. These facilities are important land use components in an urban environment, providing both visual relief from the built environment and contributing to residents' quality of life through recreation and aesthetic value.

California state law requires that recreational issues be discussed in the General Plan. Since 1973, Newport Beach has had a Recreation and Open Space Element that was most recently amended in 1998. With the update of this General Plan, only policies related to recreation are included within this element, while open space policies are contained within the Natural Resources Element.

The primary purpose of the Recreation Element is to ensure that the balance between the provision of sufficient parks and recreation facilities are appropriate for the residential and business population of Newport Beach. Specific recreational issues and policies contained in this Recreation Element include: parks and recreation facilities, recreation programs, shared facilities, coastal recreation and support facilities, marine recreation, and public access.

Context

PARKS AND RECREATIONAL FACILITIES

The City has approximately 278 acres of developed parks. Newport Beach's parklands range in size from mini-parks such as the Lower Bay Park (0.1 acre) to the 39-acre Bonita Canyon Sports Park. The existing park facilities are shown in Figure R1. School facilities also provide indoor and outdoor recreational opportunities in the City, while greenbelts and open space areas provide passive recreational opportunities or open space relief. These park and recreation facilities are described below. Additionally, bikeways, jogging trails, pedestrian trails, recreation trails, and regional equestrian trails are also available in Newport Beach.

ELEMENT

Residents and Visitors That Environmental Assets

Park Types

Community Park—Community parks serve the entire City and are easily accessible via arterial roads. Community parks are those with improvements such as community buildings, parking, swimming, facilities for picnicking, active sports, and other facilities that serve a larger population. Community Parks may have a particular theme or orientation such as active sports or aquatic facilities.

Mini Park—Mini parks are smaller parks which may take one of two different forms. Most mini parks are less than one acre in size, serve a quarter-mile radius, and are located within a neighborhood, separate from major or collector roads. Some mini parks serve the entire City and are located as urban trail heads along major trails or streets.

Neighborhood Park—Neighborhood parks serve all ages and are generally one to eight acres in size. They are located adjacent to public schools when possible. Neighborhood parks contain a wide variety of improvements which can include turf areas, active sport fields and courts, community buildings, play apparatus and picnic facilities. Other improvements might include senior centers, youth centers, and aquatic facilities.

View Park—View parks are smaller passive parks designed to take advantage of a significant view. They are often located on coastal bluffs to focus upon ocean or bay views. Most view parks are between one-half to three acres in size and serve the entire City. View parks are generally improved with landscaping, walkways, and benches.

Greenbelt—Greenbelts in public or private ownership are included in this category. They may include areas with some recreational facilities, although the primary function of the area is passive open space.



Children's play area at West Newport Park

Open Space—Open space includes passive and active open space areas which do not function as public parks but do provide open space relief. Such areas may or may not be accessible to the general public.

Public Beach—Public beaches serve a number of local and regional functions. In some neighborhoods, beaches function as neighborhood or community parks. Easy accessibility, lack of entrance fees and a lack of other available parks has contributed to this function. Public beaches all include sandy beach areas adjacent to the bay or ocean and may include active sports, snack bars, showers, drinking fountains, restrooms, walkways, docks, benches, shade trees and parking areas. From observation, it has been determined that active beach recreation takes place within about 100 feet of the water's edge. Therefore, this Element treats this seaward 100 feet of the public beaches in the City as active recreation acreage.

School—Public schools are a part of the recreation system in the City because field and playground areas can serve the general public during weekends and after school.

Circulation and Improvement and Open Space Agreement

Some of the City's parks and open space areas consist of dedicated lands through the Circulation and Improvement and Open Space Agreement (CIOSA). This agreement is between the City of Newport Beach and The Irvine Company, and has allowed building entitlements for The Irvine Company in exchange for payments for circulation projects, an interest free loan, and land for open space and potential senior housing sites for the City. The amount of open space land dedication was substantially more than what would have been required under the City's Park Dedication Ordinance.

Six sites have been dedicated under CIOSA in Newport Beach, and include: Back Bay View Park, Newport Village (formerly Newport Center Park), Newporter Knoll, Freeway Reservation, Upper Castaways, and Harbor Cove. Another site, located at Jamboree Road and MacArthur Boulevard, will be dedicated upon issuance of a Certificate of Occupancy for final CIOSA project.

Figure R1 Existing Recreational Facilities

Pg 1—11x17 color

CITY of NEWPORT BEACH
GENERAL PLAN
Figure R1
EXISTING RECREATIONAL FACILITIES

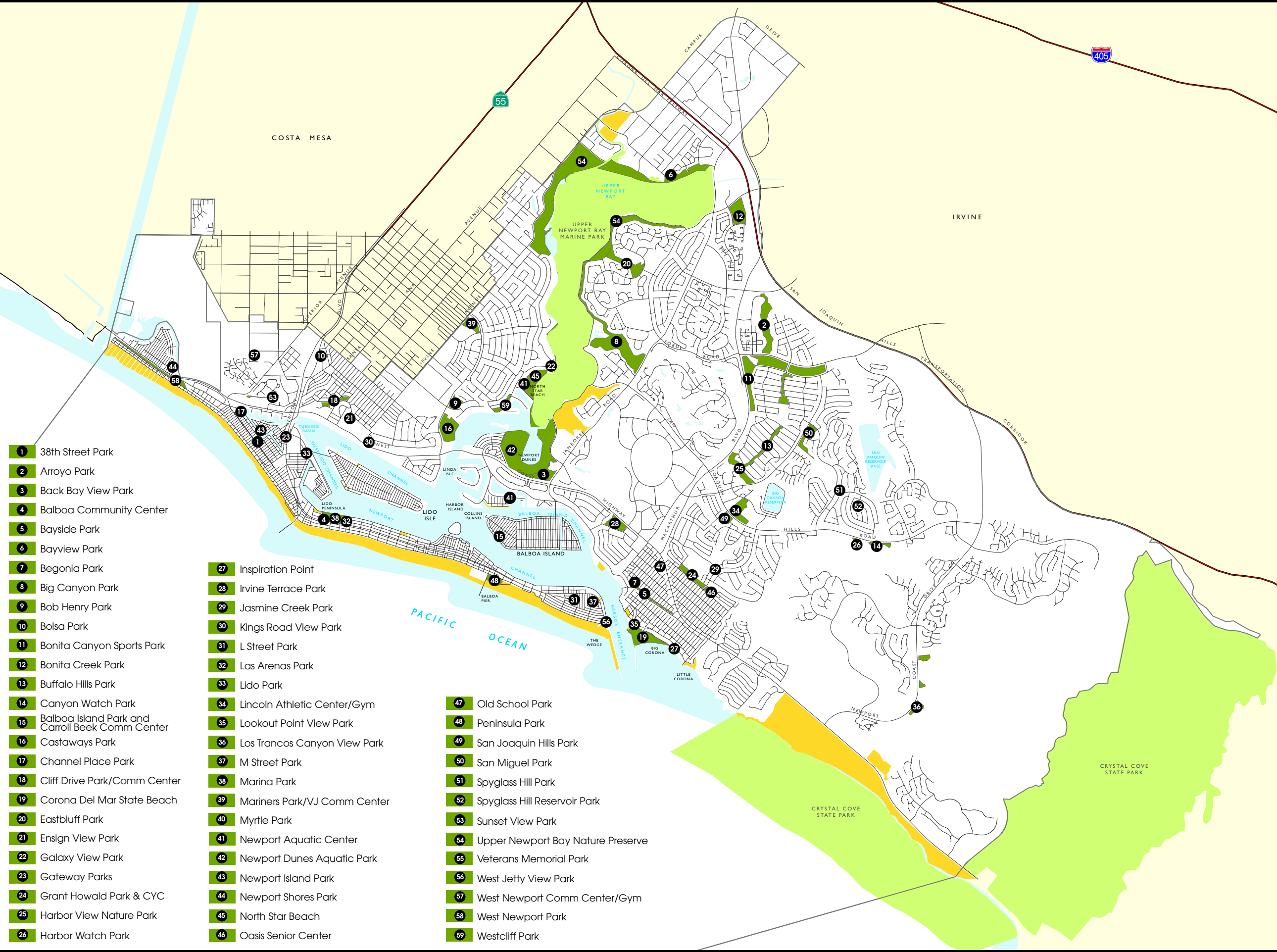
Legend

- Park
- Public Beach

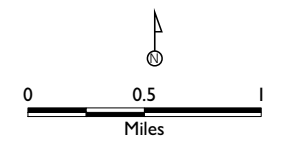
Marine Protected Areas

- Crystal Cove State Park
- Upper Newport Bay State Marine Park

- City Boundary
- County Boundary



- | | | |
|---|--|---|
| 1 38th Street Park | 27 Inspiration Point | 47 Old School Park |
| 2 Arroyo Park | 28 Irvine Terrace Park | 48 Peninsula Park |
| 3 Back Bay View Park | 29 Jasmine Creek Park | 49 San Joaquin Hills Park |
| 4 Balboa Community Center | 30 Kings Road View Park | 50 San Miguel Park |
| 5 Bayside Park | 31 L Street Park | 51 Spyglass Hill Park |
| 6 Bayview Park | 32 Las Arenas Park | 52 Spyglass Hill Reservoir Park |
| 7 Begonia Park | 33 Lido Park | 53 Sunset View Park |
| 8 Big Canyon Park | 34 Lincoln Athletic Center/Gym | 54 Upper Newport Bay Nature Preserve |
| 9 Bob Henry Park | 35 Lookout Point View Park | 55 Veterans Memorial Park |
| 10 Bolsa Park | 36 Los Trancos Canyon View Park | 56 West Jetty View Park |
| 11 Bonita Canyon Sports Park | 37 M Street Park | 57 West Newport Comm Center/Gym |
| 12 Bonita Creek Park | 38 Marina Park | 58 West Newport Park |
| 13 Buffalo Hills Park | 39 Mariners Park/VJ Comm Center | 59 Westcliff Park |
| 14 Canyon Watch Park | 40 Myrtle Park | |
| 15 Balboa Island Park and Carroll Beek Comm Center | 41 Newport Aquatic Center | |
| 16 Castaways Park | 42 Newport Dunes Aquatic Park | |
| 17 Channel Place Park | 43 Newport Island Park | |
| 18 Cliff Drive Park/Comm Center | 44 Newport Shores Park | |
| 19 Corona Del Mar State Beach | 45 North Star Beach | |
| 20 Eastbluff Park | 46 Oasis Senior Center | |
| 21 Ensign View Park | | |
| 22 Galaxy View Park | | |
| 23 Gateway Parks | | |
| 24 Grant Howald Park & CYC | | |
| 25 Harbor View Nature Park | | |
| 26 Harbor Watch Park | | |



Source: City of Newport Beach, 2005
PROJECT NUMBER: 10579-01
Date: 3/24/06



Pg 2—11x17 color

Recreational Facilities

The City's parks contain a variety of recreational facilities, with areas available for organized sports including soccer fields, baseball diamonds, tennis courts, volleyball courts, and basketball courts. Recreational opportunities exist for children in many of the play areas in the City's parks. Biking and walking trails are also popular recreational amenities. Swimming pools are available to the public at aquatic facilities at the Marian Bergeson Aquatic Center and Newport Harbor High School through joint use agreements with the Newport-Mesa Unified School District. Additional recreational resources in the City include three community centers, several multipurpose recreation centers, a senior center, and two gymnasium facilities. Locations of these recreational facilities are also shown on Figure R1. Private facilities, including yacht clubs, golf courses, and country clubs are also facilities that serve residents of Newport Beach.



Peninsula Park offers opportunities for organized sports

Sharing of Parks and Recreation Facilities

Public schools within the City under the jurisdiction of the Newport-Mesa Unified School District contain a number of important recreation facilities. Currently, after-school recreational use of these facilities is utilized by youth and adult residents through joint use agreements between the school district and the City.

Parkland Dedication Standards

Parkland dedication standards associated with the *Quimby Act* and the Newport Beach Subdivision Code are applicable to development in the City. As required under California Government Code, the *Quimby Act* provides for the dedication of parkland, or the payment of fees in lieu of land, by developers as a requirement for residential development. The Act requires the provision of three acres of park area per 1,000 persons residing within a subdivision, unless the amount of existing neighborhood and community park area exceeds that limit, in which case the City may adopt a higher standard not to exceed five acres per 1,000 residents.

Chapter 19.52, Park Dedication and Fees of the City’s Municipal Code provides for the dedication of land, the payment of fees in lieu thereof or a combination of both, for park or recreational purposes in conjunction with the approval of residential development. Newport Beach’s park dedication requirement is five acres per 1,000 persons. 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 park dedication ordinance also provides for credit to be given, at the discretion of the City Council, for the provision of private recreation facilities within a new residential development or for the provision of park and recreation improvements to land dedicated for a public park. If allowed, the private facilities or public improvements are credited against the dedication of land and/or the payment of in-lieu fees. The ordinance is not applicable to non-residential subdivisions.

MARINE RECREATION AND FACILITIES

Throughout its history, Newport Beach has been a major marine recreational center. There are over eight miles of sandy beaches that provide opportunities for sunbathing, volleyball, swimming, surfing, windsurfing, and other recreational activities. Newport Bay and Harbor are used for a wide variety of recreational activities, including boating, diving, excursions, fishing, kayaking, paddle boarding, parasailing, rowing, sailing, swimming, and windsurfing.

Coastal Recreation Opportunities



Newport Beach's beaches are a popular destination



Public dock at 15th Street

As previously discussed, public beaches serve a number of local and regional functions, while providing the largest coastal recreation opportunity within Newport Beach. Public beaches all include sandy beach areas adjacent to the bay or ocean and may include active sports, snack bars, showers, drinking fountains, restrooms, walkways, docks, benches, shade trees and parking areas. Public beaches are shown in Figure R1.

Other coastal recreation opportunities include two recreational piers, provided by the City. The 800-foot Newport Pier is located at the end of Newport Boulevard (McFadden Place) in McFadden Square. The 950-foot Balboa Pier is located at the end of Main Street in Balboa Village.

Additionally, the City provides ten public docks in the harbor, which can be used for boat launching and fishing. The Newport Aquatic Center property is also co-owned by the City and County, but is

leased and privately operated by the Center. Located on Northstar Beach, the Newport Aquatic Center provides an opportunity for the public and members to kayak and canoe in Upper Newport Bay as well as advanced training facilities for world-class athletes.



Trail in Crystal Cove Park

The county and the state own four recreational areas in Newport Beach, as shown in Figure R1. The privately operated 100-acre Newport Dunes Aquatic Park provides opportunities for camping, boating, canoeing, kayaking, swimming and other water and beach activities. The 752-acre Upper Newport Bay State Marine Park (formerly Ecological Reserve) and 140-acre Upper Newport Bay Nature Preserve provide opportunities for canoeing, kayaking, horseback riding, biking, and hiking. Lastly, the Crystal Cove State Park also provides coastal recreation

opportunities with 3.5 miles of beach and 2,000 acres of undeveloped woodland which is popular for hiking and horseback riding. Approximately 240 acres is located within the City. The offshore waters are designated as an underwater park. Crystal Cove is used by mountain bikers inland and scuba and skin divers underwater. The beach is popular with swimmers and surfers. Visitors can explore tidepools and sandy coves.

Commercial areas adjacent to beaches and the bay play an important role in providing and enhancing recreational activities. A large number of businesses provide recreational services to residents and visitors that include charter, entertainment and excursion vessels, sports equipment rentals, launching facilities, amusement facilities, and shops and restaurants.

Shoreline Access

The public's right to access recreational features such as the Pacific Ocean beaches, Lower Newport Bay/Harbor, and Upper Newport Bay are important. According to the City's Local Coastal Plan, there are two basic types of public access: vertical access (access to the shoreline), and lateral access (access along the shoreline). Newport Beach has developed an extensive system of access to ocean beaches and the bay. Virtually all of the Pacific Ocean shoreline beaches are public and the bay is accessible via public beaches, parks, street ends, shoreline trails, walkways, and boardwalks.

Needs

Although the City of Newport Beach appears largely built out, there are a number of vacant parcels available for future development. The General Plan Land Use Element projects additional population increases through infill development, intensification of existing uses, and annexations. Therefore, in addition to any unmet park and recreation needs of the present population, the demand for recreation facilities will grow. In addition, the Land Use Element allows for higher density development within the City, where opportunities for different types of park and recreational facilities may arise.

Specific citywide and service area needs for parks and recreational facilities, as well as marine recreation and facilities, are described below.

CITYWIDE ISSUES AND NEEDS

Parks and Recreational Facilities

In June 2005, it is estimated that a total of 415.6 acres of parklands are needed within the City to accommodate the current population of 83,120 residents (utilizing the City standard of 5 acres per 1,000 population). As shown in Table 1, below, there are an existing total of 286.4 acres of parks and 90.4 acres of active beach recreation within Newport Beach with a combined total of 376.8 acres. Thus, this represents a total deficit of 38.8 acres of combined park and beach acreage citywide. Seven of the twelve service areas are experiencing a deficit in this combined recreation acreage. Three planned parks in West Newport, Newport Center, and Newport Coast would help alleviate the citywide park deficit. In addition to a deficit in combined park and beach recreation acreage, there is also an overall shortage in active playfields throughout Newport Beach. Many of the service areas within the City, as discussed in greater detail below, may have a park surplus but are still experiencing a deficit in active playfields. Also, it is difficult to provide playfields because of the large amount of land required for sports fields, the lack of suitable vacant land, and the high cost of such land within the City.

The citywide parks and recreation facilities needs described below have been identified through the following: (1) community surveys (administered from December 1996 to February 1997), (2) data shown in Table R1 (Parkland Acreage Needs), and (3) monitoring of the use of recreation programs and facilities.

<i>Service Area</i>	<i>Existing Park Acreage: June 2005</i>				
	<i>Park Acres Needed</i>	<i>Park Acres Existing</i>	<i>Active Beach Recreation Acreage</i>	<i>Combined Park/Beach Acreage</i>	<i>Deficit (-) Excess (+)</i>
1. West Newport	64.7	9.1	34	43.1	-21.6
2. Balboa Peninsula	25.5	6.5	44	50.5	+25.0
3. Newport Heights/Upper Bay	64.3	50.2	0	50.2	-14.1
4. Santa Ana Heights	3.2	6.8	0	6.8	+3.6
5. Lower Bay	17.3	0.1	0	0.1	-17.2
6. Balboa Island	17.9	0.3	1	1.3	-16.6
7. Eastbluff	31.3	71.0	0	71.0	+39.7
8. Big Canyon	13.9	0	0	0	-13.9
9. Newport Center	10.9	19	0	19	+8.1
10. Corona del Mar	44.4	23.9	11.4	35.3	-9.1
11. Harbor View	72.2	99.5	0	99.5	+27.3
12. Newport Coast*	50	58.1*	0	-50	
Totals	415.6 a	286.4	90.4 b	376.8	-38.8**

* Newport Coast includes public and private parks, including 14 acres of Newport Ridge park dedicated for public use upon City acceptance.

**Private Park Area is 58.1 ac. Newport Coast parks use and maintenance are subject to the terms of the Pre-Annexation Agreement.

**Deficit/excess acreage if no additional parks are built.

^a 83,120 x 5 ac. per thousand = 415.6 ac.

^b Includes beach area where active recreation takes place (i.e., typically within 100 feet of the water). In addition, there are 174 acres of passive beach open space, 136 acres of open space land in the Upper Bay Ecological reserve, and an undetermined amount of water open space in the Upper Bay and Newport Harbor.

Identified Issues and Needs

Sports Fields—Perhaps the fastest growing recreational demand in Newport Beach is the need for additional sports fields, especially lighted facilities available for after-work sports leagues. This need stems from the evolving nature of sports activities, diversity of sports that residents are involved in, growing participation of girls in a number of field sports, the lengthening of seasons for many sports and consequent season overlap, the need for sports facilities for the physically challenged, and the continuing high level of participation in company sports leagues such as coed softball. Meeting this need will be a challenge because of the large amount of area required for sports fields, the lack of suitable vacant land in the City, and the high cost of such land. In addition, school districts are adding new teams to accommodate the diversity of sports students are interested in, making it more difficult for the City’s Recreation Department to use school sports fields to provide public recreation opportunities.

Indoor Facilities—The community surveys emphasized the need for additional gymnasium or other indoor sports facilities, such as for basketball, volleyball, and gymnastics. With the exception of the West Newport Community Center, all of the current indoor facilities owned by the City are small and consist of one or two small classrooms. There is a need for community centers with large meeting and multipurpose rooms that can be programmed for many different classes and activities. Additional indoor facilities should be planned for the long-term, located preferably within a community-level park.

Community Pool Facilities—The need surveys showed a strong desire for additional adult and youth swimming pool and aquatic sports facilities and programs. The City does not own a swimming pool and currently offers all aquatics programs to the community at one of two high school pools. There is a growing demand through the schools for additional aquatic programs serving the students, thereby limiting the amount of time the City can operate programs for the general public.

Sharing of School Facilities—Public schools within the City administered by the Newport-Mesa Unified School District contain a number of important indoor and outdoor recreation facilities. After-school recreational use of these facilities including playfields, swimming pools, gymnasiums, and other facilities could be utilized by other non-school age residents of Newport Beach to maximize the recreational opportunities available. However, as schools evolve in function, the City’s Recreation Department may lose use of these school facilities.

Other Facilities—Other identified facility needs include bike and pedestrian trails, lighted tennis courts, dog parks, tot lots/playgrounds, golf driving range, public marine recreational and educational facilities, and public restrooms.

Temporary Events—Temporary events such as festivals are held at parks and recreation facilities within the City. During these events, access to and use of these facilities could be impacted.

Marine Recreation and Facilities

The citywide marine recreation and facilities needs described below have been identified through community surveys (administered from December 1996 to February 1997), through the data in Table R1 (Parkland Acreage Needs), and through monitoring of the use of recreation programs and facilities.

Identified Issues and Needs

Boating Facilities—Although not as great as the need for sports fields, there is a substantial demand for public boat launching facilities, sailing facilities, marine sanitation facilities, and guest slips. In addition, there is a continuing high level of interest in crew rowing and outrigger paddling activities and facilities.

Shoreline Access—Throughout Southern California, access to the shoreline is restricted to the public due to private residential communities. Although most of the shoreline in Newport Beach is publicly owned and accessible, there are a few private residential communities that impede public access to and along the shoreline.

Temporary Events—Newport Beach’s coastal areas have long been the venue for temporary events, including film production, surfing contests, volleyball tournaments, runs, races, concerts, boat shows, and other such competitions, exhibitions, and events. Also, a number of view parks have become popular locations for large private gatherings. The nature and frequency of such events can impact access to the shoreline and other coastal resources.



Additional boating facilities are an identified need in Newport Beach.

SERVICE AREAS

The City has been divided into service areas, as shown in Figure R2, for the purposes of park planning and to equitably administer parkland dedications and fees provided by residential development. Two of the 12 service areas within the City, Newport Center and Harbor View, have no identified park and recreation needs, as discussed below.

Service Area 9—Newport Center. There is park surplus within this service area. The Back Bay View Park was completed in the summer of 2005, and a new passive park, Newport Center Park, is planned for development sometime after 2006.

Service Area 11—Harbor View. There is a surplus in park area, and the Harbor View Service Area contains substantial active and passive recreation facilities. The City’s efforts should be focused on maintaining and/or upgrading existing facilities, such as Grant Howald Park, Arroyo Park, and Bonita Canyon Sports Park.

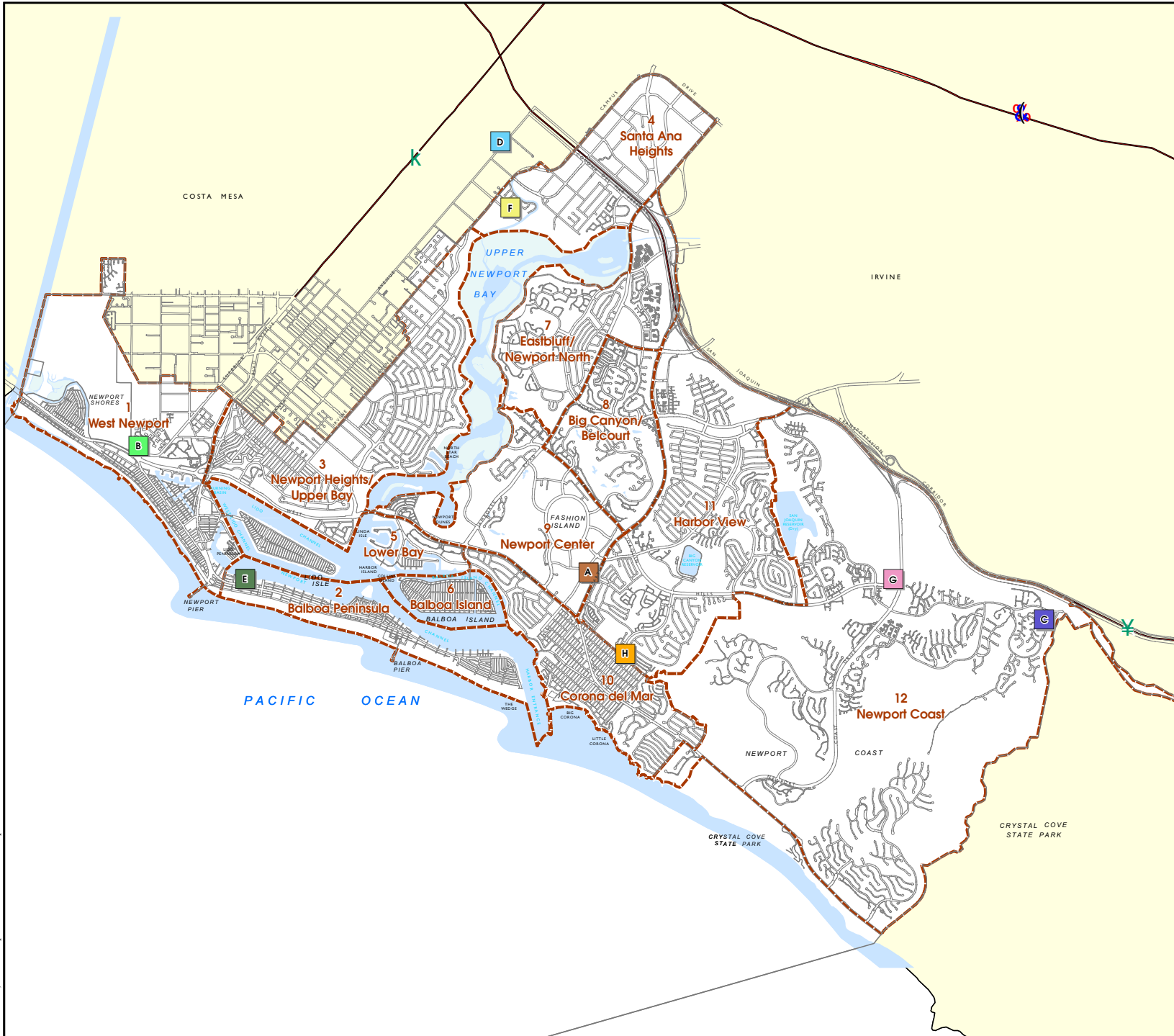
Parks and Recreational Facilities

Service area parks and recreational facilities needs described below have been identified through community surveys (administered from December 1996 to February 1997), through the data in Table R1 (Parkland Acreage Needs), and through monitoring of the use of recreation programs and facilities.

Figure R2 Proposed Park and Recreational Facilities

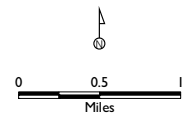
Pg 1—8.5x11 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure R2
**PROPOSED PARK
 AND
 RECREATIONAL FACILITIES**



- A Newport Center Park
- B Sunset Ridge Park
- C Ridge Park Road Park
- D Santa Ana Heights Pocket Park*
- E Marina Park
- F Santa Ana Heights Community Center
- G Newport Coast Community Center**
- H Oasis Senior Center**
- Service Area Boundary
- City Boundary
- Highway
- County Boundary

* Exact location of proposed 20-30 acre park to be determined
 ** Renovation of existing facility



Source: City of Newport Beach and EIP Associates
 Date: 3/23/06



Pg 2—8.5x11 color

Identified Issues and Needs

Service Area 1—West Newport. Most of West Newport’s recreation land is in beaches. There is a deficit of 21.6 acres, and a need for sports fields within a new community or neighborhood-level park. There is a future park site identified in this service area, Sunset Ridge Park which is designated as an active park to include ball fields, picnic areas, a playground, parking, and restrooms. Additionally, an active community park (possibly lighted) should be developed in Banning Ranch, regardless of the ultimate development of the site, to accommodate the Service Area and Citywide needs for active sports fields.

Service Area 2—Balboa Peninsula. Like West Newport, most of the peninsula’s recreation area is in beaches. This area has little vacant land for development and the population is expected to remain stable. Although there is currently a surplus in park acreage, any future park needs can be satisfied via the renovation and upgrading of facilities, such as those at Las Arenas Park and Peninsula Park. Additional active park facilities are desirable, along with support facilities such as restrooms, showers, and drinking fountains. There is also a need for additional boat launching and mooring facilities, as well as pedestrian pathways to and along the Bay. Future development of the City’s Marina Park property could provide for the existing community center and the City’s current sailing and boating facilities on the site to be renovated and expanded.

Service Area 3—Newport Heights/Harbor Highlands. This area is largely built out and contains several important park and recreation facilities. Substantial school recreation facilities, including Newport Harbor High School, Ensign Junior High, Mariners Elementary, and Newport Heights Elementary, compensate for the deficiency in total park area.

Service Area 4—Santa Ana Heights/Airport Commercial. There is currently a park surplus, and the present two-acre Bayview Park and the proximity of the Upper Bay recreation area provide substantial recreational opportunities for this area. There is also a planned pocket park and the City is planning a joint use community center project with the YMCA and there is the possibility that the Caltrans site may be a future park location. However, this service area is experiencing a shortfall in active playfields. In addition, the population within this service area is expected to increase under the General Plan. Future development however will be subject to special provisions that require the provision of on-site recreational amenities, and dedication of land or payment of in-lieu fees.

Service Area 5—Lower Bay. This area contains Lido Isle and the Bayside Drive area and is largely built out. Although there is a deficiency in park area, the service area has substantial private recreational and boating facilities. It is also adjacent to Area 3 (Newport Heights) where there are extensive recreational facilities. Because of these factors and the fact there is little or no vacant land suitable for park use, the provision of additional parkland is probably not feasible in this area.

Service Area 6—Balboa Island. This area is similar, in terms of recreation needs and conditions with a deficiency in park area, to Area 5 above. However, Balboa Island contains more public recreational facilities in the form of public beach area, the Carroll Beek Community Center, and Balboa Island Park (a mini-park). The acquisition of additional parkland is probably not feasible in this area.

Service Area 7—Eastbluff/North Ford. Although there is a numerical excess of existing parkland in this area, most of the land is limited to passive use, such as Big Canyon Park. Additional sports fields and other active facilities will be needed to satisfy the recreational demands from new development.

However, this Service Area is adjacent to Service Area 11 Harbor View, which contains the 47.6 acre public park in Bonita Canyon that is available to all Newport Beach residents.

Service Area 8—Big Canyon/Belcourt. Although there are substantial private facilities, there are no public recreation facilities in this area; thus, there is park deficiency. However, this Service Area is adjacent to Service Area 11 Harbor View, which contains the 47.6 acre public park in Bonita Canyon that is available to all Newport Beach residents.

Service Area 10—Corona del Mar. Although there is a deficiency in park area, existing active and passive facilities should meet present and future need, provided these facilities are renovated and upgraded to meet demand for sports fields and active recreation.

Service Area 12—Newport Coast. This area is deficient in public facilities, but exceeds the City park ratio standard if its extensive private facilities are included. Currently, a public park is under design (estimated to be completed by 2008) near the end of Ridge Park Road. Newport Ridge park, largely owned and operated by the Newport Ridge Community Association, includes land that the City operates as an active ballfield along with the site of the Newport Coast Community Center that will include community meeting rooms and a gymnasium. The City's Recreation Department does not offer programs at the privately-owned parks. The youth of the Newport Coast Service Area participate in programs outside of the service area.

Goals and Policies

Park and Recreation Facilities

Goal

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.



Neighborhood Park








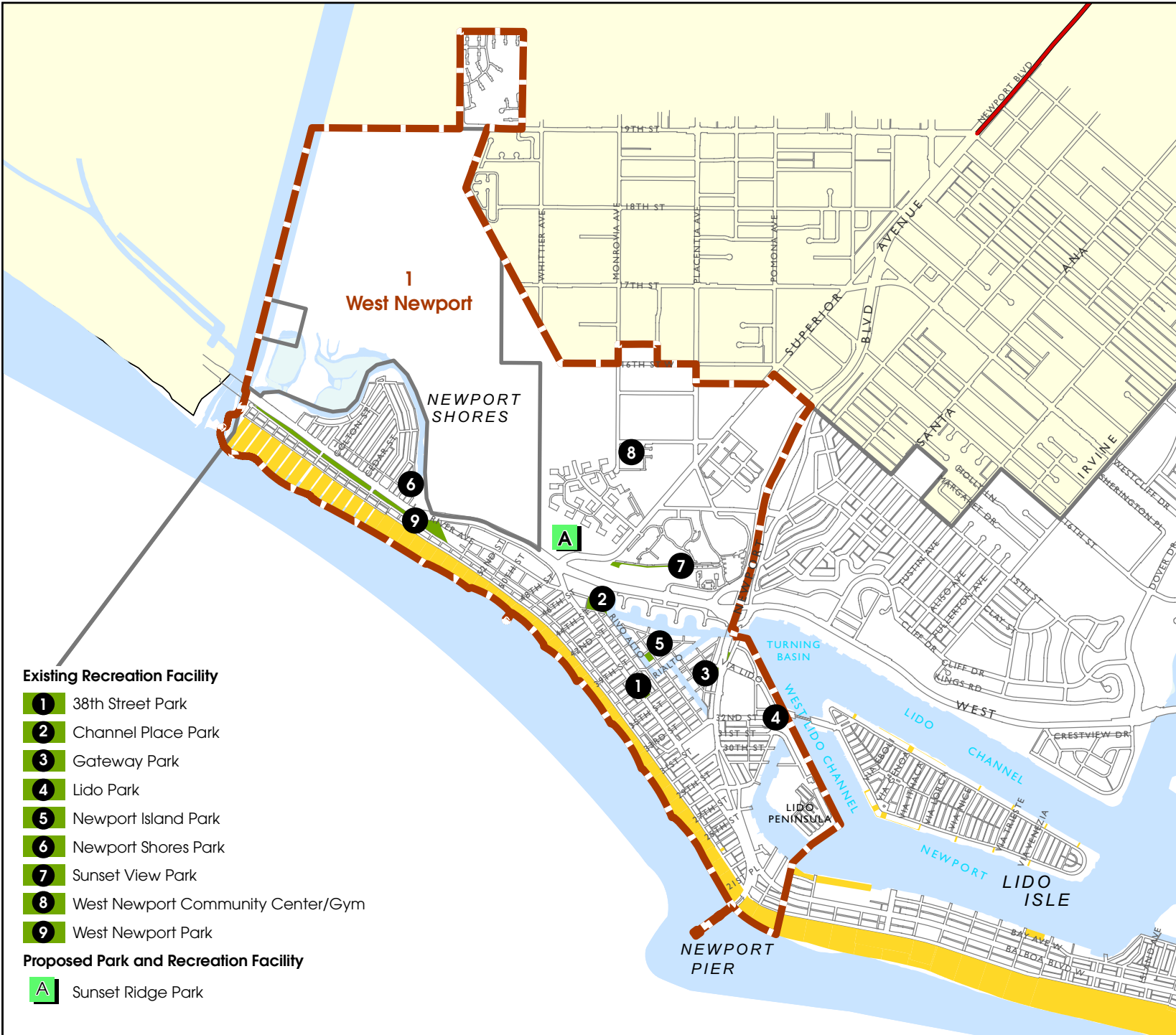
Children's play area

Figure R3 Service Area 1

Pg 1—8.5x11 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure R3
**SERVICE AREA 1
 RECREATION AND
 OPEN SPACE PLAN**

- Legend**
-  Service Area
 -  Upper Newport Ecological Reserve
 -  Public Beach
 -  City Boundary
 -  County Boundary

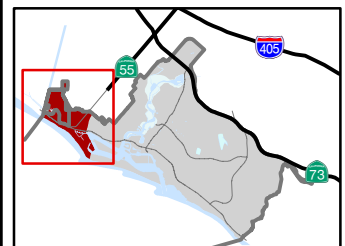


Existing Recreation Facility

-  38th Street Park
-  Channel Place Park
-  Gateway Park
-  Lido Park
-  Newport Island Park
-  Newport Shores Park
-  Sunset View Park
-  West Newport Community Center/Gym
-  West Newport Park

Proposed Park and Recreation Facility

-  Sunset Ridge Park



0 0.25 0.5
Miles

Source: City of Newport Beach and EIP Associates
 Date: 6/15/06








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Figure R4 Service Area 2
Pg 1—8.5x11 color

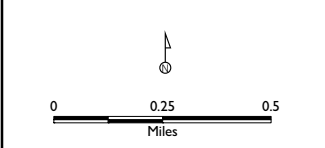
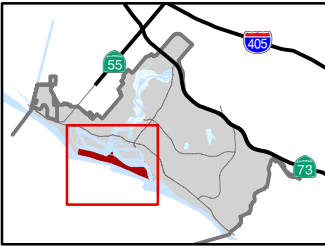
CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure R4
**SERVICE AREA 2
 RECREATION AND
 OPEN SPACE PLAN**

Legend

-  Service Area
-  Public Beach
-  Upper Newport Ecological Reserve
-  City Boundary
-  County Boundary



- Existing Recreation Facility**
-  1 Balboa Community Center
 -  2 L Street Park
 -  3 Las Arenas Park
 -  4 M Street Park
 -  5 Marina Park
 -  6 Peninsula Park
 -  7 Veterans Memorial Park
 -  8 West Jetty View Park
- Proposed Park and Recreation Facility**
-  A Marina Park



Source: City of Newport Beach and EIP Associates
 Date: 6/15/06



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Figure R5 Service Area 3
Pg 1—8.5x11 color

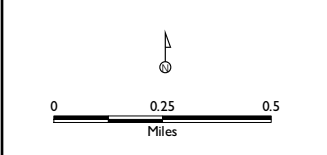
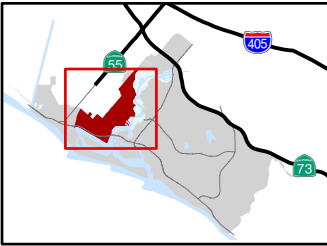
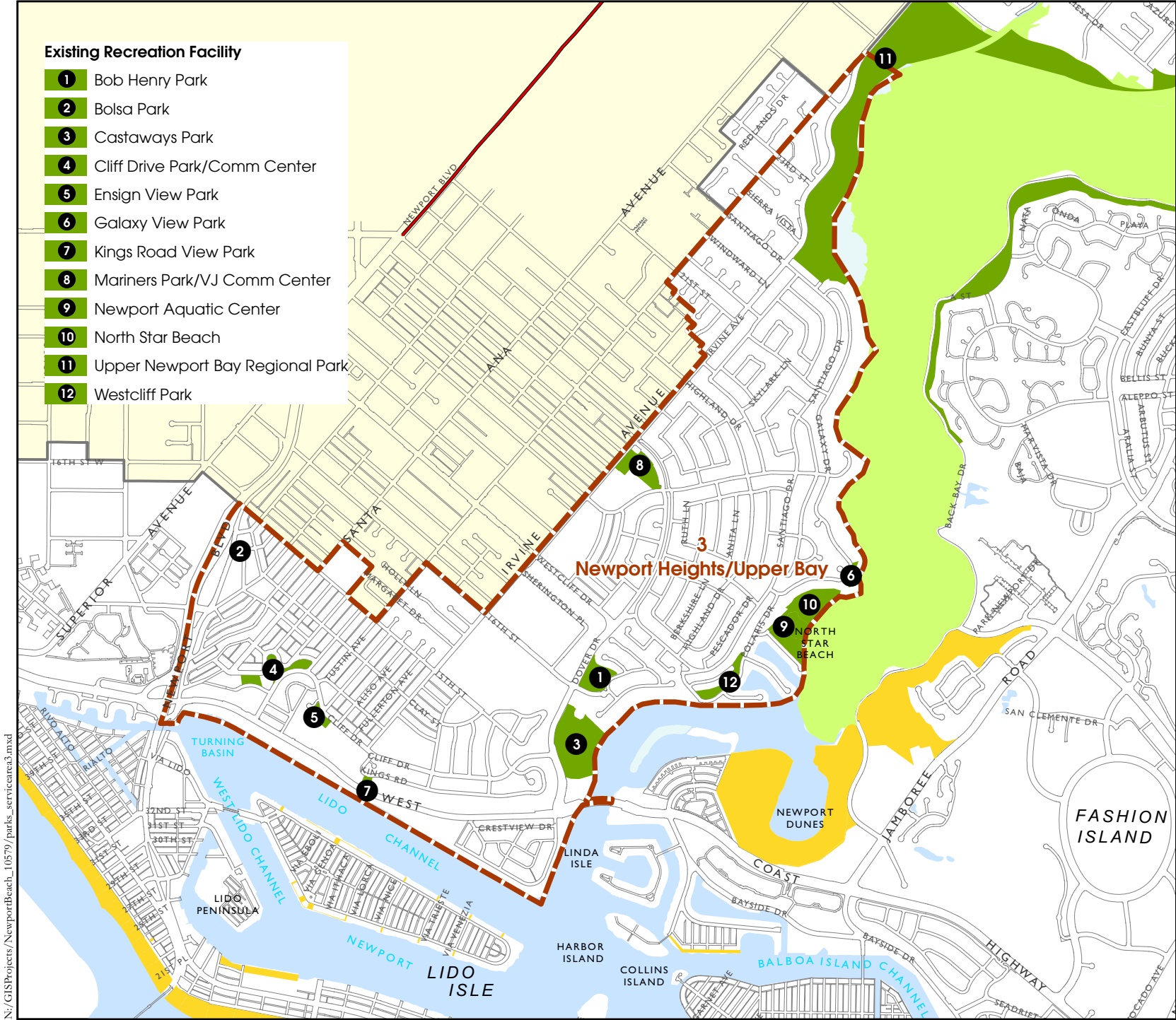
CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure R5
**SERVICE AREA 3
 RECREATION AND
 OPEN SPACE PLAN**

Existing Recreation Facility

- 1** Bob Henry Park
- 2** Bolsa Park
- 3** Castaways Park
- 4** Cliff Drive Park/Comm Center
- 5** Ensign View Park
- 6** Galaxy View Park
- 7** Kings Road View Park
- 8** Mariners Park/VJ Comm Center
- 9** Newport Aquatic Center
- 10** North Star Beach
- 11** Upper Newport Bay Regional Park
- 12** Westcliff Park

Legend

-  Service Area
-  Public Beach
-  Upper Newport Ecological Reserve
-  City Boundary
-  County



Source: City of Newport Beach and EIP Associates
 Date: 5/31/06



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Figure R6 Service Area 4
Pg 1—8.5x11 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure R6
**SERVICE AREA 4
 RECREATION AND
 OPEN SPACE PLAN**

Existing Recreation Facility





- 1** Bayview Park
- 2** Upper Newport Bay Regional Park

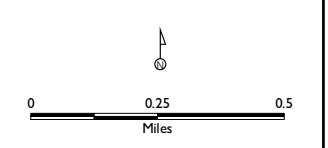
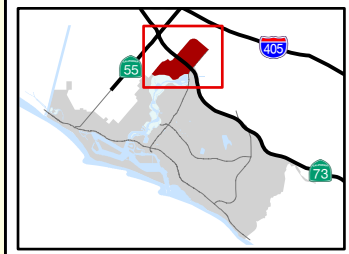
Proposed Park

- A** Santa Ana Heights Community Park
- B** Santa Ana Heights Pocket Park*

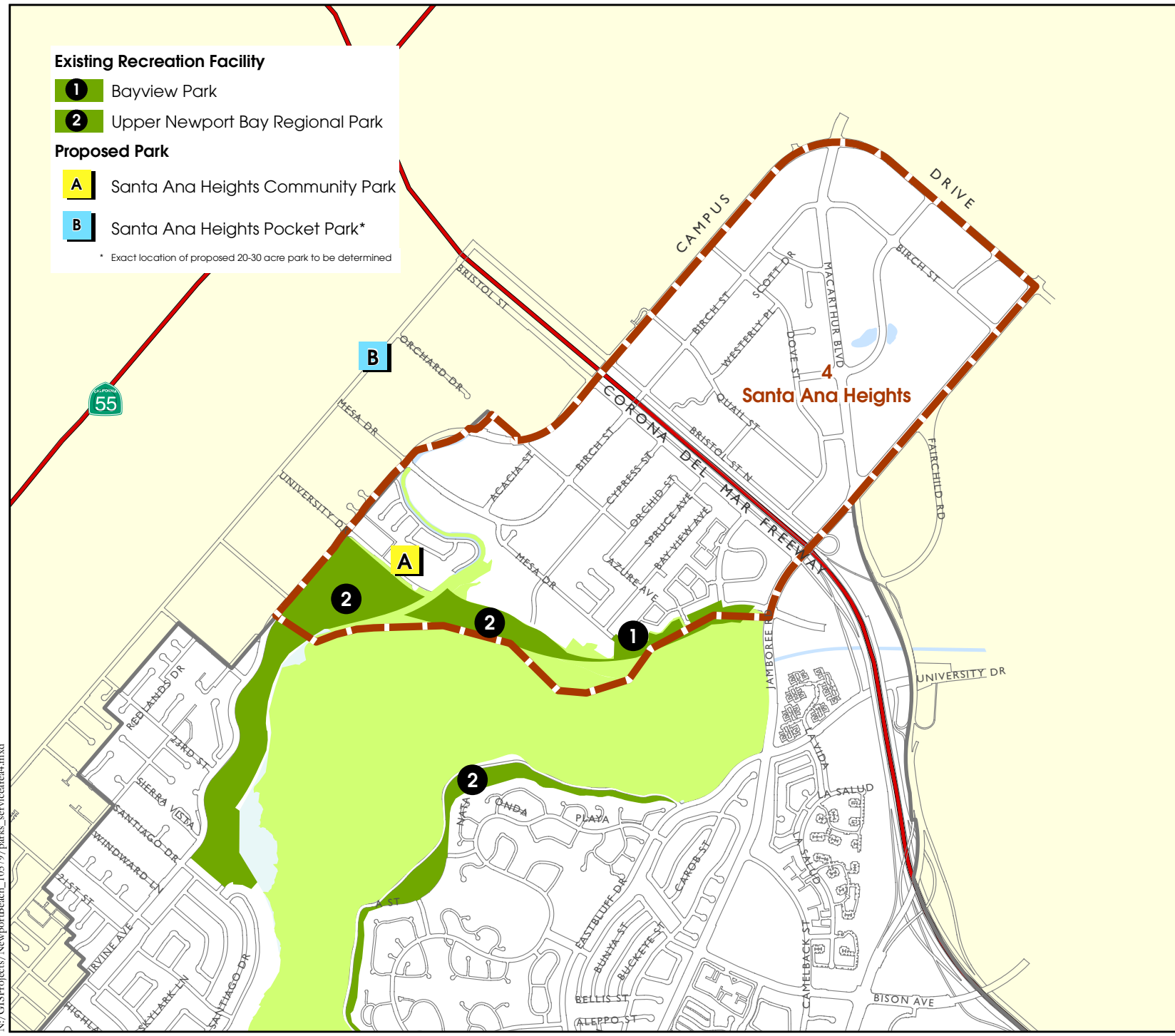
* Exact location of proposed 20-30 acre park to be determined

Legend

-  Service Area
-  Upper Newport Ecological Reserve
-  City Boundary
-  County



Source: City of Newport Beach and EIP Associates
 Date: 6/13/06








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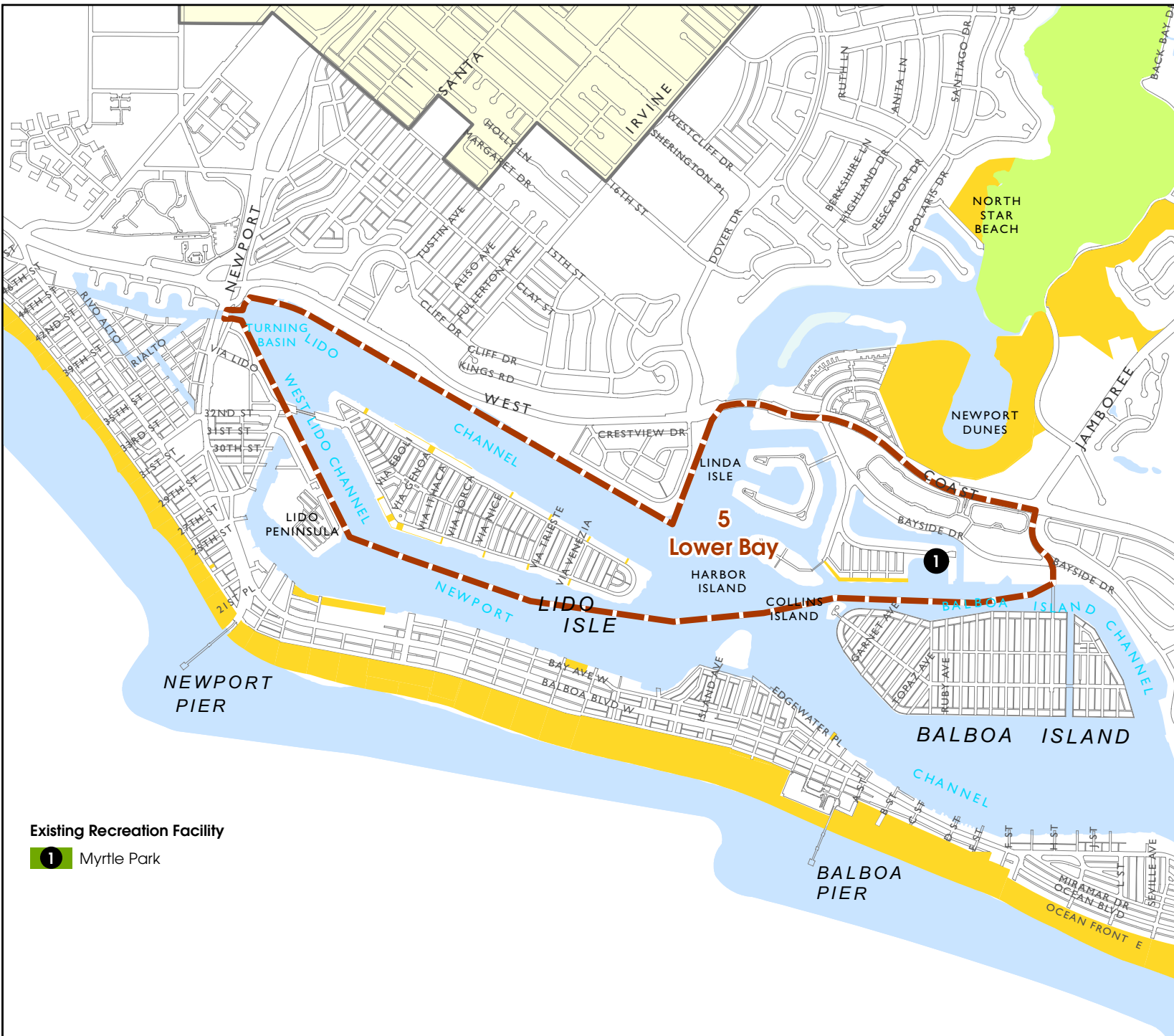
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Figure R7 Service Area 5
Pg 1—8.5x11 color

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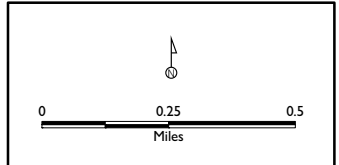
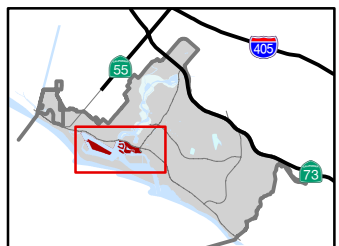
CITY of NEWPORT BEACH
GENERAL PLAN
Figure R7
**SERVICE AREA 5
RECREATION AND
OPEN SPACE PLAN**

- Legend**
-  Service Area
 -  Public Beach
 -  Upper Newport Ecological Reserve
 -  City Boundary
 -  County Boundary



Existing Recreation Facility

1 Myrtle Park



Source: City of Newport Beach and EIP Associates
Date: 6/13/06







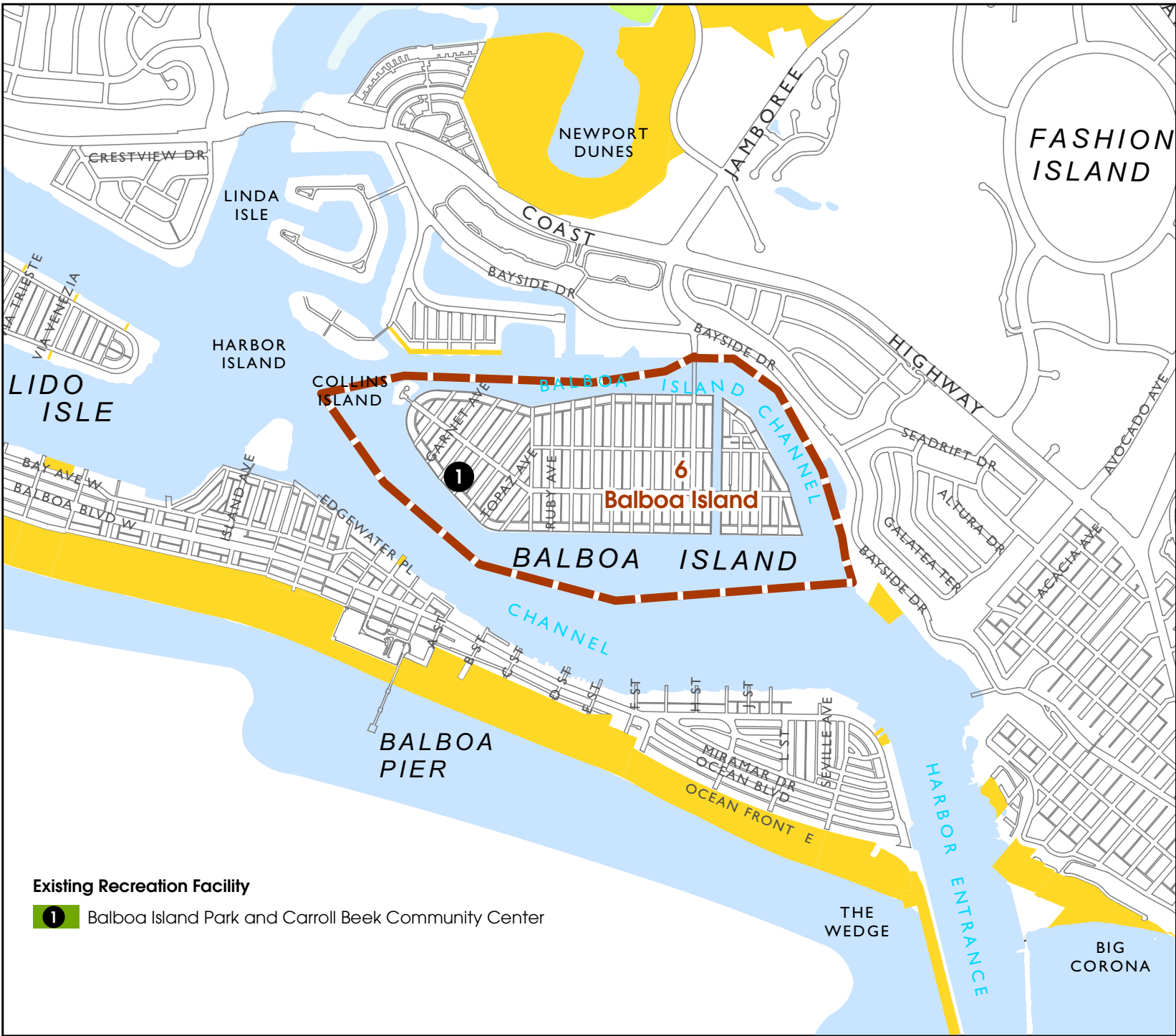
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Figure R8 Service Area 6
Pg 1—8.5x11 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure R8
**SERVICE AREA 6
 RECREATION AND
 OPEN SPACE PLAN**

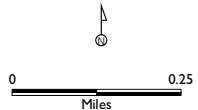
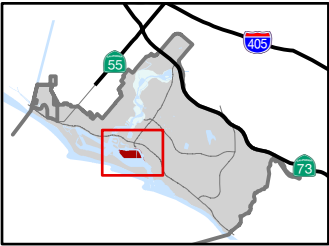
Legend

-  Service Area
-  Public Beach
-  City Boundary
-  County



Existing Recreation Facility

-  Balboa Island Park and Carroll Beek Community Center



Source: City of Newport Beach and EIP Associates
 Date: 5/31/06



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Figure R9 Service Area 7
Pg 1—8.5x11 color

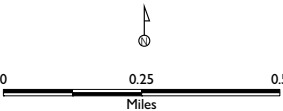
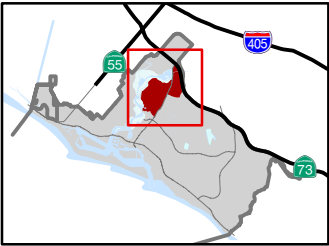
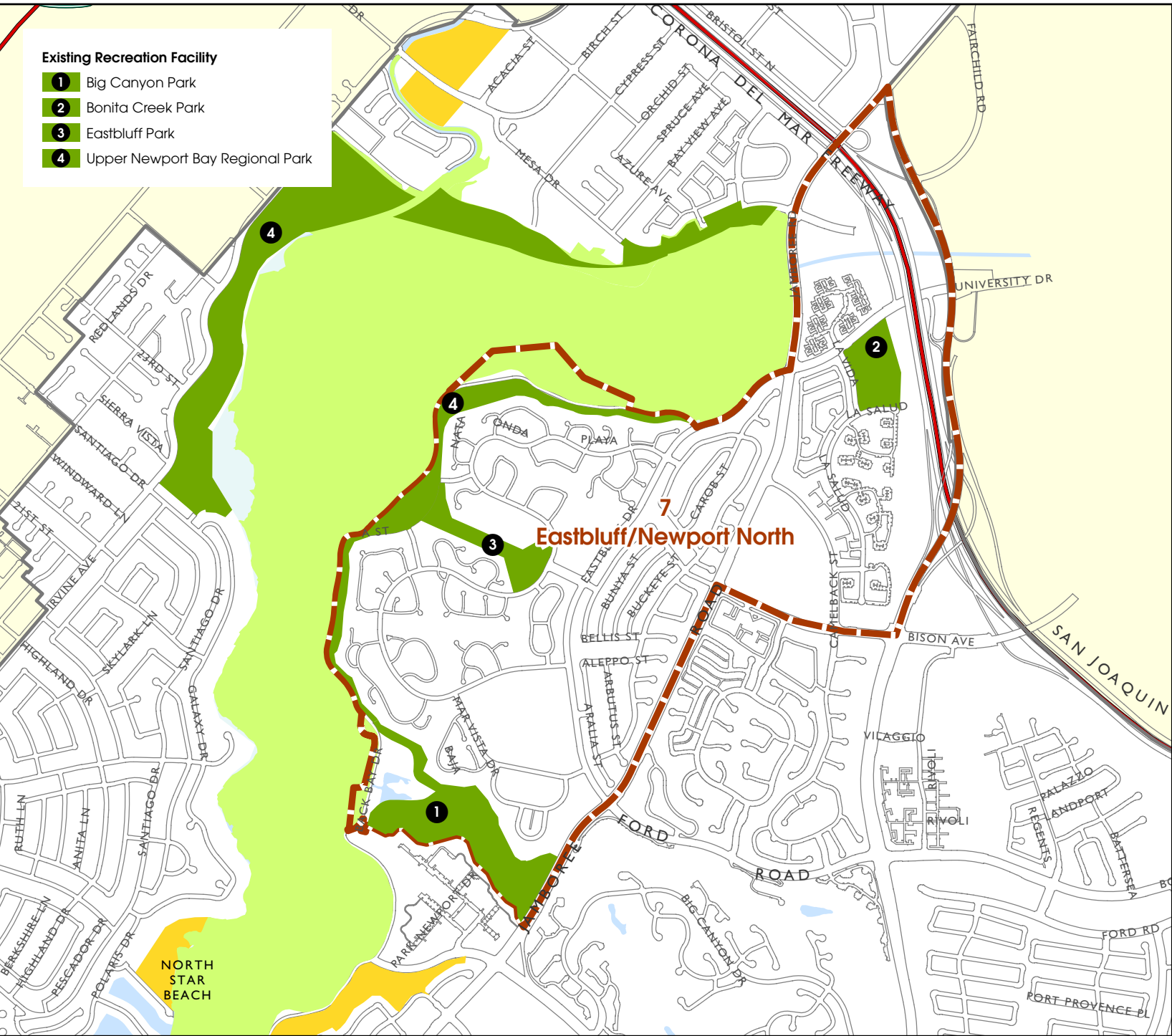
CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure R9
**SERVICE AREA 7
 RECREATION AND
 OPEN SPACE PLAN**

Existing Recreation Facility

- 1** Big Canyon Park
- 2** Bonita Creek Park
- 3** Eastbluff Park
- 4** Upper Newport Bay Regional Park

Legend

-  Service Area
-  Public Beach
-  Upper Newport Ecological Reserve
-  City Boundary
-  County Boundary



Source: City of Newport Beach and EIP Associates
 Date: 6/13/06








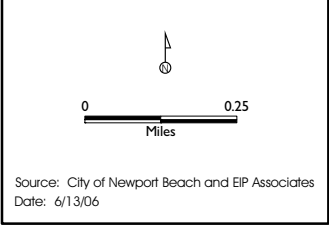
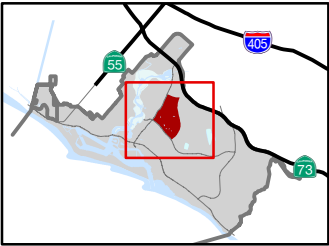
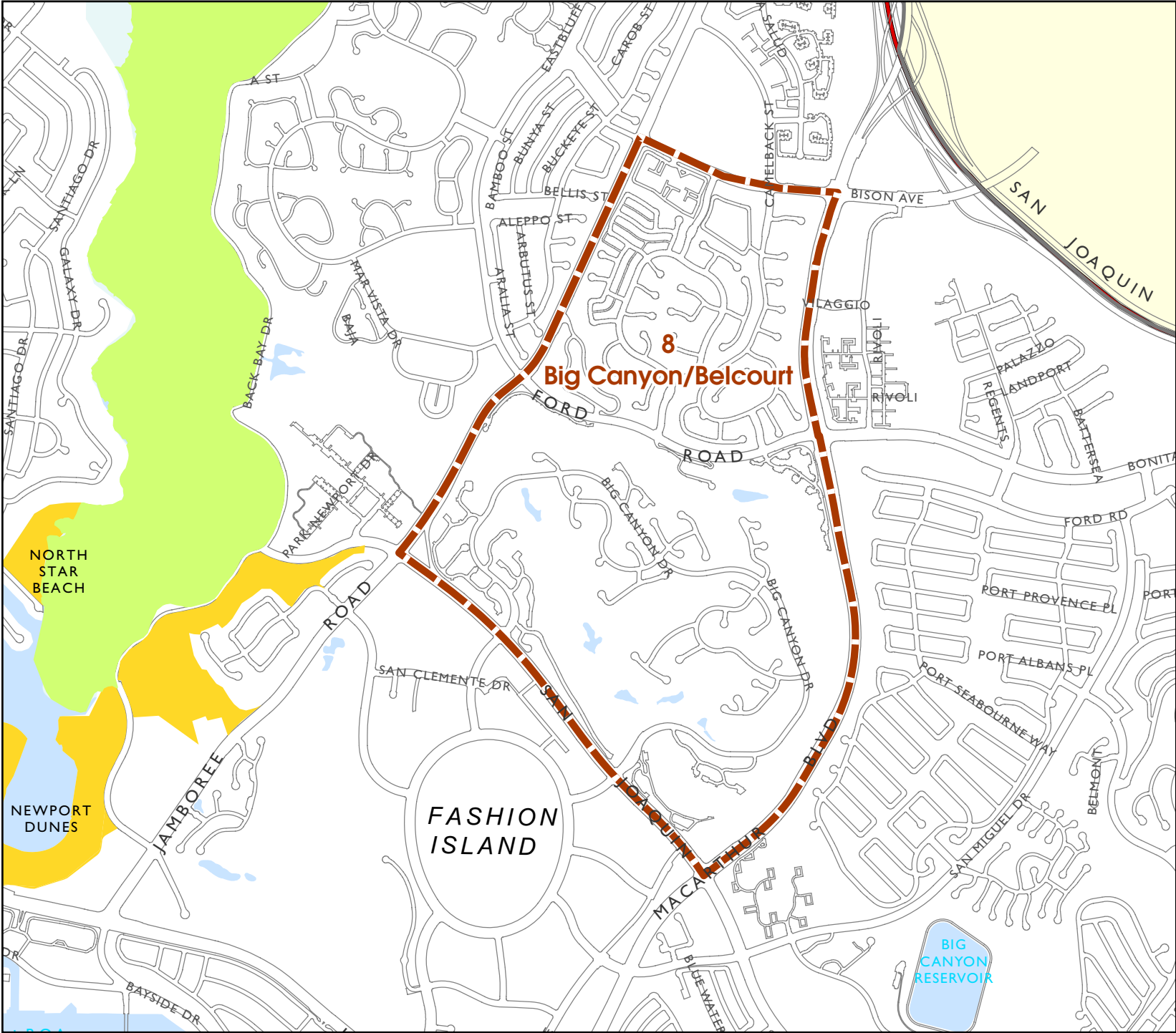
Pg 2—8.5x11 color

Figure R10 Service Area 8

Pg 1—8.5x11 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure R10
**SERVICE AREA 8
 RECREATION AND
 OPEN SPACE PLAN**

- Legend**
-  Service Area
 -  Public Beach
 -  Upper Newport Ecological Reserve
 -  City Boundary
 -  County Boundary



Source: City of Newport Beach and EIP Associates
 Date: 6/13/06



Pg 2—8.5x11 color

Figure R11 Service Area 9

Pg 1—8.5x11 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure R11
**SERVICE AREA 9
 RECREATION AND
 OPEN SPACE PLAN**

Existing Recreation Facility

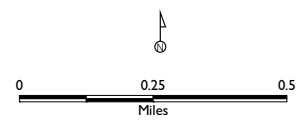
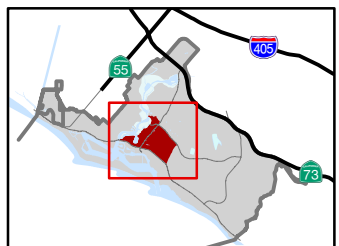
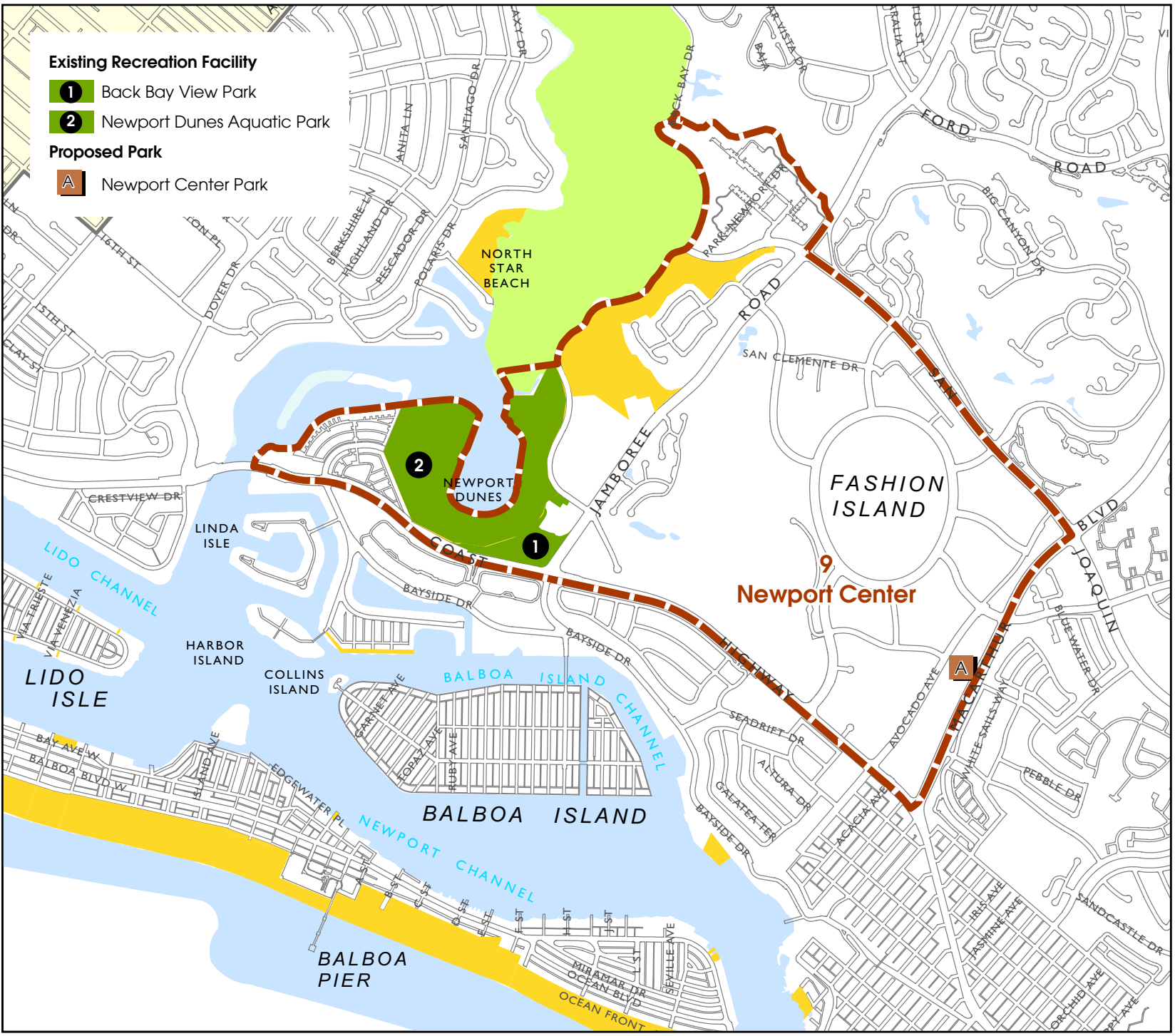
- 1** Back Bay View Park
- 2** Newport Dunes Aquatic Park

Proposed Park

- A** Newport Center Park

Legend

- Service Area
- Public Beach
- Upper Newport Ecological Reserve
- City Boundary
- County Boundary



Source: City of Newport Beach and EIP Associates
 Date: 6/12/06








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Figure R12 Service Area 10

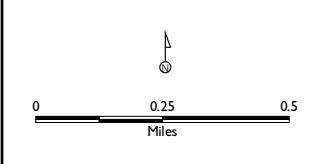
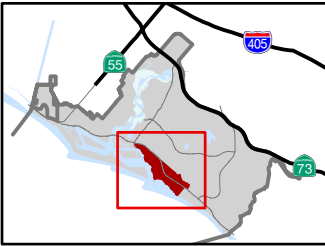
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CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure R12
**SERVICE AREA 10
 RECREATION AND
 OPEN SPACE PLAN**

- Legend**
-  Service Area
 -  Public Beach
 -  Crystal Cove State Park
 -  City Boundary
 -  County



- Existing Recreation Facility**
-  1 Bayside Park
 -  2 Begonia Park
 -  3 Corona Del Mar State Beach
 -  4 Inspiration Point
 -  5 Irvine Terrace Park
 -  6 Lookout Point View Park
 -  7 Old School Park



Source: City of Newport Beach and EIP Associates
 Date: 7/13/06



Pg 2—8.5x11 color




Figure R13 Service Area 11
Pg 1—8.5x11 color

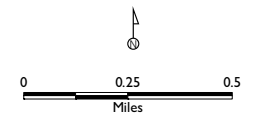
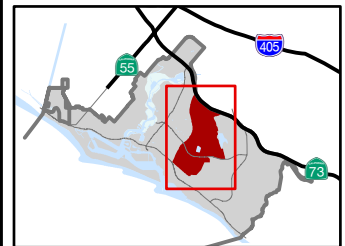
CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure R13
**SERVICE AREA 11
 RECREATION AND
 OPEN SPACE PLAN**

Existing Recreation Facility

- 1** Arroyo Park
 - 2** Bonita Canyon Sports Park
 - 3** Buffalo Hills Park
 - 4** Grant Howald Park & CYC
 - 5** Harbor View Nature Park
 - 6** Jasmine Creek Park
 - 7** Lincoln Athletic Center/Gym
 - 8** Oasis Senior Center
 - 9** San Joaquin Hills Park
 - 10** San Miguel Park
 - 11** Spyglass Hill Park
 - 12** Spyglass Hill Reservoir Park
 - A** Oasis Senior Center*
- * Renovation of existing facility

Legend

-  Service Area
-  City Boundary
-  County



Source: City of Newport Beach and EIP Associates
 Date: 7/13/06



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Policies

R 1.1 New Residential Subdivisions

Require developers of new residential subdivisions to provide parklands at five acres per 1,000 persons, as stated in the City's Park Dedication Fee Ordinance, or to contribute in-lieu fees for the development of public recreation facilities meeting demands generated by the development's resident population, as required in the City's Park Dedications Fees Ordinance. (*Imp 8.1, 23.5, 30.2*)

R 1.2 High-Density Residential Developments

Require developers of new high-density residential developments on parcels eight acres or larger, to provide on-site recreational amenities. For these developments, 44 square feet of on-site recreational amenities shall be provided for each dwelling unit in addition to the requirements under the City's Park Dedications and Fees Ordinance. On-site recreational amenities can consist of public urban plazas or squares where there is the capability for recreation and outdoor activity. These recreational amenities can also include swimming pools, exercise facilities, tennis courts, and basketball courts. Where there is insufficient land to provide on-site recreational amenities, the developer shall be required to pay the City of Newport Beach cash in-lieu that would be used to develop or upgrade nearby recreation facilities to offset user demand as defined in the City's Park Dedications and Fees Ordinance.

The acreage of on-site open space developed with residential projects may be credited against the parkland dedication requirements where it is, for example, accessible to the public during daylight hours, visible from public rights-of-way, and of sufficient size to accommodate recreational use by the public. (*Imp 2.1, 6.1, 8.1, 23.5, 30.2*)

R 1.3 Park Fee Update

Update the park fee assessed to new residential development in lieu of dedicating park land on a regular basis. (*Imp 23.5, 30.2*)

R 1.4 Density Bonuses

Consider development of incentives such as density bonuses for private commercial, office, and other developments to provide usable open space such as rooftop courts, pocket parks, public plazas, jogging trails, and pedestrian trails. (*Imp 2.1*)

R 1.5 Parkland Acquisition Criteria

Use the following criteria when considering acquisition for parkland:

- a. City's identified current and projected needs for recreation and sports facilities
- b. City's needs for recreation facilities based on location of existing facilities

- c. The preservation of natural resources, historic and cultural areas
- d. Ease of accessibility
- e. Usability of proposed parklands considering topography and other landform constraints
- f. Consistency with established parks and recreational facility Goal
- g. Fiscal impact on General Fund for any immediately needed refurbishments and on-going maintenance
- h. The existence of a deficiency in a particular Service Area (*Imp 23.1*)

R 1.6 Surplus School Site Suitability

In the event that surplus school sites become available for parkland acquisition, site desirability should be evaluated using the following criteria:

- a. Does the school site currently provide recreational facilities that have been identified to meet local or community-wide needs?
- b. Are other public lands in the vicinity of the school site inadequate to meet the identified existing or foreseeable needs of the community for recreation or open space purposes?
- c. Is the school site a more economical or otherwise more feasible alternative than other parcels which are available as potential sites in the area? (*Imp 23.1*)

R 1.7 Private Parkland

Coordinate with the appropriate home owners association to conduct City recreation programs on private parkland. (*Imp 39.2*)



One Ford Road community park

R 1.8 Passive Parks

Use underutilized City rights-of-way located on Ocean Boulevard and Bayside Drive in Corona del Mar as passive parks that are accessible for public use. (*Imp 23.1, 23.2*)

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.

Parks

1. Newport Center Service Area: Develop Newport Center Park as a passive park
2. West Newport Service Area: Develop 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

Recreation Facilities

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*)

R 1.10 Update of Priority for Facility Provision

Review the list of identified community park and recreation needs on a regular basis, and update them as priorities for facilities change. (*Imp 23.1*)

R 1.11 Update of Priority Usage

Review policies regularly for priority usage of facilities to ensure fair and balanced assignments. Priority hierarchy shall be weighted for programs that are inclusive in nature and provide for the recreational enrichment of community's youth, adults, groups, and businesses. Scheduling shall be done in a manner that accommodates both the needs of organized activities as well as casual use by residents. Consideration shall also be given to the proper maintenance and revitalization of facilities when scheduling programs and activities. (*Imp 23.1*)

R 1.12 Aircraft Overflight and Noise

Require that all public parks located within the noise impact zones as defined in the 1985 JWA Master Plan for John Wayne Airport be posted with a notification to users regarding aircraft overflight and noise. (*Imp 23.2*)

Goal

R 2

Maintenance and Preservation—Maintenance and preservation of existing parks and recreation facilities.

Policies

R 2.1 Enhancement of Facilities

Use funding from the City’s Park Dedication Fee Ordinance to enhance existing parks and recreation facilities. *(Imp 30.2)*

R 2.2 Preservation of Public Parkland

Protect public parkland from non-recreational uses; any loss of parkland through governmental action shall be replaced in-kind. *(Imp 23.1)*

R 2.3 Preservation of Public Beaches

Preserve all public beaches for public only purposes. *(Imp 23.1)*

Goal

R 3

Accessibility of Facilities—Accessible parks and recreation facilities to persons with disabilities.

Policies

R 3.1 Adequate Access

Ensure that parks and recreation facilities include provisions for adequate access for persons with disabilities and that existing facilities are appropriately retrofitted to include such access as required by the *Americans with Disabilities Act*. *(Imp 23.1)*

R 3.2 Provision of Beach Wheelchairs

Provide beach wheelchairs commensurate with demand. *(Imp 23.1)*

R 3.3 Facility Design

Design guardrails on parks, piers, trails, and public viewing areas to take into consideration the views at the eye level of persons in wheelchairs. *(Imp 23.1)*

Recreation Programs

Goal

R 4

Provision of Recreation Programs—Provision of a variety of seasonal and year-round recreational programs designed to meet the needs of all residents, including children, seniors, and persons with special needs.

Policies

R 4.1 Provision of Recreation Services

Provide high quality recreational services through professionally-trained recreational personnel to program participants. *(Imp 23.4)*

R 4.2 Compatible Recreation Activities

Provide a variety of compatible recreational activities within a given location. *(Imp 23.4)*

R 4.3 Variety of Programs

Provide a variety of quality programs offered in safe and secure environments for the community's youth that enhance and extend the learning day, promote health and wellness, encourage expansion of skills, and reinforce self esteem, good character, and positive behavior. *(Imp 23.3, 23.4)*



Recreational use of Newport Harbor

R 4.4 Youth Sports Programs

Prioritize outdoor City-sponsored youth sports programs that are inclusive in nature, not for profit, and recreational in focus at City facilities. *(Imp 23.3, 23.4)*

R 4.5 Variety of Adult Recreational Programs

Provide a variety of quality enrichment and recreational programs for the adult population that promote health and wellness; development and/or enhancement of skills and talents; extend learning opportunities; promote

sportsmanship; and provide unique opportunities to engage in new activities. *(Imp 23.3, 23.4)*

R 4.6 Self Sustaining Adult Recreational Programs

Design adult programs to be self sustaining in nature, covering all direct expenses and administrative overhead costs. *(Imp 23.4)*

R 4.7 Senior Programs

Provide quality services and programs which meet social, recreational and health needs of the senior population. *(Imp 23.4)*

R 4.8 Optimization of Senior Programs

Maintain and form partnerships with other organizations in order to optimize the services and programs available to seniors in this community. *(Imp 14.16, 23.4)*

R 4.9 Priority Usage of Senior Programs

Give priority usage to senior programs before other uses are allowed in facilities that are designated for senior services. *(Imp 23.3, 23.4)*

Shared Facilities

Goal

R 5

Joint Use Facilities—Maximized use of the community’s recreational resources by coordinating with the agencies responsible for non-city recreational facilities and open space.

Policies

R 5.1 Non-City Facilities and Open Space

Utilize non-City recreational facilities and open space (e.g., Newport-Mesa Unified School District, county, and state facilities) to supplement the park and recreational needs of the community. Maintain the use of existing shared facilities, and expand the use of non-city facilities/amenities where desirable and feasible. *(Imp 14.2, 14.3, 14.8, 23.2)*

R 5.2 School Districts

Expand and maintain existing joint use agreements with Newport-Mesa Unified School District for use of facilities that will enhance the provision of parks and recreational facilities for residents. *(Imp 14.2, 23.1)*

- R 5.3 New Joint-Use Agreements**
Develop additional long-term, joint-use agreements with other public and private agencies to assure recreation facilities for future generations. (*Imp 14.2, 14.3, 14.8, 23.1*)
- R 5.4 Maintenance of Existing Facilities**
Maintain existing joint use of facilities for City-operated recreational programs on City-owned properties that are used for other purposes, as needed. (*Imp 23.1, 23.4*)
- R 5.5 Public Facilities**
Design public facilities to incorporate recreational elements such as children’s play areas, rooftop courts, pocket parks, and usable public plazas. (*Imp 23.1*)
- R 5.6 New Joint-Use Facilities**
Explore use of government-owned surplus or remnant parcels for public park use. (*Imp 14.3, 14.8, 23.1*)

Coastal Recreation and Support Facilities

Goal

R 6

Provision of Coastal Recreational Opportunities—Protection and enhancement of a wide-range of recreational opportunities along the coast and beaches.

Policies

- R 6.1 Protection of Recreational Opportunities**
Protect recreational opportunities along the coast and beaches from non-recreational uses. Where feasible, expand and enhance recreational opportunities along the coast and beaches. (*Imp 23.1, 21.4*)



Bicycling and other recreational use of Newport Beach's beaches

R 6.2 Interagency Coordination

Cooperate with the State Department of Parks and Recreation, the State Department of Fish and Game, and Orange County to protect, expand, and enhance opportunities for recreational activities at county and state beaches and parks. *(Imp 14.3, 14.7, 14.8)*

R 6.3 Recreational Commercial Uses

Allow recreational commercial uses in commercial areas adjacent to beaches and the bay. *(Imp 2.1)*



Commercial recreational use of Newport Harbor

Goal

R 7

Provision of Adequate Support Facilities—Adequate support facilities serving recreational opportunities within the coastal zone.

Policies

R 7.1 Public Coastal Access

Protect public coastal access recreational opportunities through the provision of adequate support facilities and services. (*Imp 23.1, 23.2*)

R 7.2 Facilities and Services Location

Distribute support facilities and services in coastal areas to avoid overcrowding and overuse by the public. (*Imp 2.1, 23.1*)

R 7.3 Flexibility of Facilities and Services Location

Maintain the ability to distribute, remove and relocate support facilities and services in coastal areas in response to changes in demographics and recreational interests while continuing to provide comparable facilities and levels of service. (*Imp 2.1, 23.1*)

R 7.4 Facilities and Services Location Outside of City Facilities

Cooperate with the State Department of Parks and Recreation, the State Department of Fish and Game, Orange County, and private organizations to protect, expand and enhance support facilities and services at county and state beaches and parks. (*Imp 14.3, 14.7, 14.8, 23.1*)

Marine Recreation

Goal

R 8

Provision of Marine Recreation Facilities—Provision and maintenance of marine recreation-related facilities that enhance the enjoyment of the City's natural resources.



Active beach recreation

Policies

R 8.1 Existing Facilities

Utilize existing City marine recreational facilities, including piers, docks, bays, beaches and educational and support facilities such as the intercollegiate rowing facilities, marine ways and services, launching facilities, pump-out stations, parking facilities, restrooms, showers, drinking fountains, and concessions. (*Imp 21.1, 23.2*)



Water recreation opportunities

R 8.2 Provision of New Facilities

Provide additional marine recreational, educational and support facilities and opportunities as feasible. (*Imp 21.1, 23.1*)

R 8.3 Interagency Coordination to Provide New Facilities

Encourage the provision of guest slips, moorings, waste pump-out stations, and anchorages in Newport Harbor. Coordinate work with the Orange County Harbor, Beaches, and Parks Department to provide such facilities where appropriate and feasible. (Policy HB6.3) (*Imp 14.3, 21.1, 23.1*)

R 8.4 Marine Safety

Provide for marine safety such as lifeguards, harbor patrol, police, traffic, and parking enforcement. (*Imp 23.1, 21.4*)



Involving youth in beach safety—Junior Lifeguards

R 8.5 Support Facilities

Protect and, where feasible, expand, and enhance:

- Waste pump-out stations
- Vessel launching facilities, including nonmotorized sail boat launch facilities in Lower Newport Bay
- Low-cost public launching facilities
- Marinas and dry boat storage facilities
- Guest docks at public facilities, yacht clubs and at privately owned-marinas, restaurants and other appropriate locations
- Facilities and services for visiting vessels
- Facilities necessary to support vessels berthed or moored in the harbor, such as boat haul out facilities
- Existing harbor support uses serving the needs of existing waterfront uses, recreational boaters, the boating community, and visiting vessels (Policy HB6.4) (*Imp 21.1, 23.1*)

R 8.6 Public Recreational Access

Provide shore moorings and offshore moorings as an important source of low-cost public recreational access to the water and harbor. (*Imp 21.1, 23.1*)

R 8.7 Marine Recreational Programs

Protect and enhance specific programs that utilize the harbor, bay, and ocean such as the City's sailing program and junior lifeguard program. (*Imp 23.4, 21.4*)

Public Access

Goal

R 9

Provision of Public Access—Provision and maintenance of public access for recreational purposes to the City's coastal resources. (Goal HB6)

Policies

R 9.1 Provision of Public Coastal Access

Provide adequate public access to the shoreline, beach, coastal parks, trails, and bay, acquire additional public access points to these areas and provide parking, where possible. (Policy HB6.1) (*Imp 2.1*)

R 9.2 Waterfront Public Walkways

Expand waterfront public walkways per policies in the Circulation Element. (Policies CE5.1.14, HB6.2) (*Imp 2.1, 16.11, 20.2*)

R 9.3 Sign Program

As part of a uniform coastal access signing program, provide information to direct the public to parking areas, restrooms, and other support facilities. (*Imp 20.1, 20.2*)

R 9.4 Bay/Harbor Encroachments

Protect public access to coastal resources from bay/harbor encroachments such as piers, floats, and bulkheads. (*Imp 2.1*)

R 9.5 Private/Gated Communities

Protect public access to coastal resources from encroachment from private/gated communities. (*Imp 2.1*)

R 9.6 Special Events

Require that impacts to public access, recreation, and coastal resources be minimized as a result from special events. (*Imp 2.1, 5.1, 9.1, 26.1*)



CHAPTER 9 Arts and Cultural Element



ARTS AND

An Active and Vital Arts

Introduction

Arts and cultural activities play an important role in community life and have been a valued component of Newport Beach for over 125 years. Newport Beach has a wide range of art and cultural organizations, resources, attractions, and activities that are a source of community pride and enrichment. These achievements have evolved over time and have been the result of the dedication and involvement of numerous individuals, groups, and organizations. However, without intervention, coordination, preservation and promotion, art and cultural activities and resources can easily be lost through destruction, indifference, or through unintended land use decisions or policies.

The goals and policies of the Arts and Culture Chapter are intended to be a guide for meeting the future cultural needs of the community. Future challenges in Newport Beach require maximizing the community's cultural arts potential by coordinating with various community groups, businesses, agencies, citizens and the City to create an active and cohesive cultural and arts programs. The Chapter is intended to serve as a mechanism for integrating these resources in order to provide improved and expanded arts and cultural facilities and programs to the community.

Community Organizations and Programs

CULTURAL ARTS ORGANIZATIONS AND PROGRAMS

Newport Beach’s nonprofit arts community includes a broad array of organizations, and a substantial number of arts programs and activities. There is a diverse range of artistic disciplines and a strong focus on programs for children and youth. Through its grant program, the City of Newport Beach distributes funds to arts organizations on a yearly basis, which enables them to expand their cultural programs offered in the community. Through its Department of Recreation and Senior Services, the City also provides year-round educational programs for adults and children in music, dance, arts and crafts, and drama.

CULTURAL ELEMENT

and Cultural Community

Newport Beach’s arts community also contains various private and nonprofit arts organizations and arts groups. These groups include the Newport Beach Film Festival, Newport Theatre Arts Center, Baroque Music Festival, Newport Beach Arts Foundation, and the Newport Beach Theatre Company.

CITY OF NEWPORT BEACH ARTS COMMISSION

The City of Newport Beach Arts Commission acts in an advisory capacity to the City Council on all matters pertaining to artistic, aesthetic, and cultural aspects of the City. Established in 1972, as the Newport Beach Arts Committee and in 1974 in the City Charter as the Newport Beach City Arts Commission, the Commission recommends to the City Council ordinances, rules, and regulations as it may deem necessary for the administration and preservation of the arts, performing arts, and historical, aesthetic, and cultural aspects of the community.

The Arts Commission, working with staff in the Cultural Arts Office, provides free or low-cost programs for cultural enrichment including temporary art exhibits at City Hall and the Central Library, juried art exhibitions, permanent art collections for City facilities, summer concert in the park series, arts lectures for the public, cultural festivals, and performances, educational seminars and workshops.

The Arts Commission also participates in the designation of historical landmarks, and reviews design elements for public sculpture, fountains, murals, benches, and other fixtures.

PERFORMING AND VISUAL ARTS FACILITIES

The primary performing arts facilities in Newport Beach are those that are associated with local cultural arts organizations and programs. They include the Newport Theatre Arts Center and the Orange County Museum of Art, which has an auditorium that seats 120 people. Local schools have auditoriums and other facilities that can be used as performing arts spaces, such as Loats Auditorium at Newport Harbor High School. In addition, the Balboa Performing Arts Theater Foundation has plans to rebuild the historic Balboa Theater in Balboa Village which will seat approximately 350 people.



Nakayoshi—Good Friends. Located in front of the Central Library, this Japanese friendship statue was a gift from Newport Beach's sister City Okazaki, Japan. It depicts two children embracing and sits on a large granite base with a plaque describing the piece and declaring the citizens of Newport Beach and Okazaki as friends.

Civic facilities in Newport Beach, such as the library and City Hall, have exhibition spaces that display the work of local artists. The Central Library visual arts gallery displays different exhibitions of local artists bi-monthly. The library also hosts a variety of programs for adults, including Sunday musicals, art exhibitions, author appearances, lecture series, book discussions, and Internet workshops.

MUSEUMS

In addition to the numerous galleries throughout the City, Newport Beach is also home to a variety of museums. Located in Newport Center, the Orange County Museum of Art features modern and contemporary art. The museum houses a permanent collection of paintings, sculpture, photography, and changing installations, all documenting California's artistic heritage.



Newport Beach Film Festival

The Newport Harbor Nautical Museum focuses on industrial and recreational history and features local photographs, artifacts, and memorabilia. Sherman Library for California History, located in Corona del Mar, features detailed exhibits on the history of the Pacific southwest, as well as a public garden.

The Newport Sports Collection Museum, located in Newport Center offers several educational programs to motivate youth to stay in school and be active in athletics.

EVENTS AND FESTIVALS

Various festivals and events occur throughout the year in Newport Beach. Some of these attractions include the Newport Beach Jazz festival, Concerts in the Parks hosted by the City Arts Commission, Newport Beach Festival of the Arts, Shakespeare by the Sea, Balboa Island Art Walk, Southern California Plein Air

Painter's Association (SoCalPAPA), yearly Sandcastle contest, the countywide Imagination Celebration, and the Newport Beach Film Festival.

LIBRARIES

The Newport Beach Public Library system consists of a Central Library and three branches that provide a permanent collection of books, periodicals and other materials in addition to hosting events, lectures, educational programs and other community enrichment activities. The Central Library is located at 1000 Avocado Avenue and the branch libraries are located in Corona del Mar and the Balboa Peninsula. The Mariners Library branch, which includes shared use with the Mariners Elementary School, opened in April 2006.

As of 2006, four libraries serve 84,098 active borrowers and circulate 1,475,025 items annually. Many resources are also available through specialized databases licensed to the Newport Beach Public Library, and with a library account, can be accessed from remote locations 24 hours a day.

Goals and Policies

Participation in Culture and Arts

Goal

CA 1

Active and vital arts, cultural, and literary activities and programs that enrich the community.

Policies

CA 1.1 Public Projects

Encourage the incorporation of public art into major public projects that enhance the City's community character as well as its built environment, through public art donations, and working with local artists, students, and community groups to create public art projects. (*Imp, 23.3, 29.2*)

CA 1.2 Private Projects

Encourage the incorporation of public art into larger commercial projects that enhance the City's community character as well as its built environment. (*Imp 2.1*)

CA 1.3 Promotion of Cultural Arts

Build public awareness and encourage participation in the City's arts, cultural, and literary activities. (*Imp 29.1*)

CA 1.4 Events and Programs

Encourage the continuation and expansion of cultural arts events and programs such as those at the Orange County Museum of Art, Newport Theatre Arts Center and Balboa Theater, as well as festivals, seminars, workshops, concerts in the parks, and community cultural festivals. *(Imp 29.1)*

CA 1.5 Arts Education

Partner with the community to encourage and strengthen arts education for children, youth, adults and seniors in the City. *(Imp 29.1)*

Provision of Physical Facilities

Goal

CA 2

Adequate physical facilities and venues that support cultural art and literary programs.

Policies

CA 2.1 Shared Venues

Explore opportunities to accommodate current or emerging cultural arts programs within existing and new facilities by working with community groups for sharing of performance and exhibit space and considering the potential for new facilities. *(Imp 9.1, 29.1, 29.2)*

CA 2.2 Theaters

Maintain the Newport Theatre Arts Center and encourage rebuilding of the Balboa Theater. *(Imp 9.1, 29.1, 29.2)*

CA 2.3 Library Facilities

Improve and enhance existing library facilities, collections, and computer facilities. *(Imp 23.2)*

Funding

Goal

CA 3

Establish a broad range of public and private funding sources to support cultural arts goals and activities.

Policies**CA 3.1 Public and Private Sources**

Support the efforts of non-profit, private and community organizations to apply for public and private grants and promote donations to support art, cultural, and literary activities. *(Imp 29.1, 29.2)*

CA 3.2 Volunteer Opportunities

Promote and support volunteer opportunities for public involvement in arts, cultural, and literary programs and events. *(Imp 29.1, 29.2)*

CA 3.3 Additional Resources

Utilize cultural resources outside of Newport Beach. Continue to promote the Newport Beach Sister City Association and other cultural exchange programs. *(Imp 29.1, 29.2)*

CA 3.4 Cultural Tourism

Promote cultural tourism in Newport Beach to attract visitors and tourists interested in cultural events. *(Imp 29.1, 29.1)*

CA 3.5 Funding

Provide funding for the arts in Newport Beach. *(Imp 29.2)*



CHAPTER 10 Natural Resources Element



NATURAL

Protecting Newport Beach's

Introduction

The primary objective of the Natural Resources Element is to provide direction regarding the conservation, development, and utilization of natural resources. It identifies Newport Beach's natural resources and policies for their preservation, development, and wise use. This element addresses: water supply (as a resource) and water quality (includes bay and ocean quality, and potable drinking water), air quality, terrestrial and marine biological resources, open space, archaeological and paleontological resources, mineral resources, visual resources, and energy.

A commitment to sustainable development through the efficient use and conservation of natural resources is important to meet the needs of current and future residents of Newport Beach. Commitment to conservation secures ongoing availability of finite resources such as an ample supply of safe water, diversity of biological resources, and available energy resources. This assurance contributes substantially to the physical and psychological health and well-being of the community and strengthens the vitality of the local and regional economic base.

Context

WATER SUPPLY

Water supply is an important resource that needs to be used efficiently. Water service within Newport Beach is provided by the City, Irvine Ranch Water District (IRWD), and Mesa Consolidated Water District (Mesa). Generally, Newport Beach provides water service to approximately 13.5 square miles of the City; IRWD serves approximately nine square miles; and Mesa serves less than one square mile.

Domestic water for the City is supplied by both groundwater and imported surface water. Currently, about 64 percent of the water supplied to both the City and Mesa's service area is from groundwater from the Orange County Groundwater Basin (administered by the Orange County Water District or

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Environmental Quality

OCWD), and the remaining 36 percent of water supply is provided by the Metropolitan Water District (MWD), which delivers surface water imported from the Colorado River and State Water Project. This ratio can change year to year based on the OCWD's administration of the Basin's supply. Approximately 35 percent of IRWD's current water supply is purchased from MWD, with the remaining 65 percent coming from groundwater.

The future supply projection assumes that the City will continue to produce groundwater and purchase local water from MWD, which is projected to meet 100 percent of the City's imported water needs until the year 2030. Beyond that, improvements associated with the State Water Project supply, additional local projects, conservation, and additional water transfers would be needed to adequately provide surface water to the City. The Groundwater Replenishment System (GRS), a joint venture by OCWD and the Orange County Sanitation District (OCSD), will help reduce Orange County and Newport Beach's reliance on imported surface water by taking treated wastewater and injecting it into the groundwater basin. GRS will be online by 2007, and will produce approximately 70,000 acre feet of water per year. OCWD projects that there would be sufficient groundwater supplies to meet any future demand requirements in Newport Beach. IRWD's treated and clear groundwater supplies are also expected to be a significant source of potable water supply in the future. MWD water will be required for supplemental supply as well as peak and emergency conditions.

In an effort to effectively manage water resources, the City's service area participates in regional water management programs that assist in the development of resource mixes that balance water supply sources and meet future local and regional water requirements. In addition, all service providers focus on demand management efforts that promote efficient water use and effective management of imported and local water supplies through a variety of water conservation programs.

The City also began purchasing recycled water from OCWD and IRWD in 1999, and has identified and approached all cost-effective end users in the City that could potentially use recycled water, and uses a combination of incentives to encourage recycling. The City has maximized opportunities for end users of recycled water and could only increase users if a neighboring water agency provided the reclaimed water to the City. Both Mesa and IRWD encourage water recycling as well. Currently, reclaimed water makes up 20 percent of IRWD’s total water supply.

WATER QUALITY

Newport Beach’s greatest resources are its coastline and bay. Urban runoff from the surrounding watershed impacts not only the biological diversity and functionality of Newport Bay and the surrounding coastal waters, but also its water quality. This runoff includes various pollutants, such as fecal materials from pets, oil and grease, fertilizers, and other urban-based pollutants. The City also has traditionally been concerned regarding these issues and has embarked on a number of programs to improve its quality.



China Cove Beach, Corona del Mar

Total Maximum Daily Loads (TMDLs)—

Newport Bay receives urban runoff from the Newport Bay watershed, and is designated as “water quality-limited” for four impairments under the federal *Clean Water Act’s* Section 303(d). Being “water quality-limited” means that a water body is “not reasonably expected to attain or maintain water quality standards” without additional regulation. The law requires that US EPA develop TMDLs for each

impaired water body in the nation, which specifies the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards. A TMDL may also include a plan for bringing an impaired water body back within standards. TMDLs have been developed for the following substances in Newport Beach: sediment, nutrients, fecal coliform, and toxic pollutants.

National Pollution Discharge Elimination System (NPDES)—Additionally, Newport Beach operates a municipal separate storm sewer system (MS4) permit under the NPDES. MS4 permits require an aggressive water quality ordinance, specific municipal practices, and the use of best management practices (BMPs) in many development-related activities to further reduce the amount of contaminants in urban runoff. MS4 permits also require local agencies to cooperatively develop a public education campaign to inform people about what they can do to protect water quality.

Sanitary Sewer Overflows—Newport Beach owns and operates a wastewater collection system that collects residential and commercial wastewater and transports it for treatment to the Orange County Sanitation District. Portions of the City receive wastewater service from IRWD. Residences and businesses hook up private lateral lines to the City’s collection lines. Private and public lines and the City’s pump stations have the potential to cause sanitary sewer overflows (SSOs), which may lead to several beach closures in and around Newport Beach each year. Most SSOs in the area are caused by line blockages from grease and root clogs, or maintenance failures of plumbing associated with pump

stations. The City regulates the disposal of grease and other insoluble waste, and follows a defined Sewer System Master Plan to replace or reline older wastewater lines and upgrade pump stations.

AIR QUALITY

Newport Beach is located within the South Coast Air Basin (Basin), named so because its geographical formation is that of a basin, with the surrounding mountains trapping the air and its pollutants in the valleys or basins below. Due to the typical daily wind pattern, much of the Basin is flushed of high levels of air pollutants on most spring and early summer days. From late summer through the winter months, the flushing is less pronounced because of lighter wind speeds.

Mobile sources account for the majority of the air pollutant emissions within the Basin. Both the Federal and state governments have established ambient air quality standards for outdoor concentrations of various pollutants in order to protect public health. The South Coast Air Quality Management District (SCAQMD) is responsible for bringing air quality within the Basin into conformity with the national and state standards.

In an effort to monitor the various concentrations of air pollutants throughout the Basin, the SCAQMD has divided the region into 27 source receptor areas (SRAs). Newport Beach is located within SRA 18, which encompasses the North Coastal Orange County area. The air pollutants for which national and state standards have been promulgated and which are most relevant to air quality planning and regulation include ozone, carbon monoxide (CO), nitrogen dioxide (NO₂), and sulfur dioxide (SO₂). As of 2003, SRA 18 did not exceed state or national standards for any criteria pollutant monitored.

Toxic air contaminants are also a concern in the air basins, but are different than the “criteria” pollutants listed above in that ambient air quality standards have not been established for them, largely because there are hundreds of air toxics and their effects on health tend to be local rather than regional. These contaminants include chemical substances that may be emitted from a variety of common sources including gasoline stations, motor vehicles, dry cleaners, painting and industrial operations, etc.

Land use patterns and density of development affect the amount of air pollutants that are generated by communities. Newport Beach is a low-density community, where the distance between uses is greater than in high-density communities. As a result, there are fewer public transportation routes and vehicles, and an increase in the number of motor vehicle trips and associated air pollutant emissions. Newport Beach is also a jobs-rich City, which increases the potential for emissions to be generated as employees or residents have to commute long distances to and from their homes and work.

The City’s Municipal Code does address air quality by establishing a special fund to receive revenue distributed by the SCAQMD. The SCAQMD imposes an additional vehicle registration fee, of which the City is eligible to receive a portion, to implement mobile source air pollution reduction programs.

Aircraft Pollution

Aircraft operations at the John Wayne Airport (JWA) contribute air pollutants that affect residents and visitors of Newport Beach. Specifically, aircraft engines emit water vapor, carbon dioxide, small amounts of nitrogen oxides (NO_x), hydrocarbons, carbon monoxide, sulfur gases, and soot and metal particles formed by the high temperature combustion of jet fuel during flight. NO_x emissions are a

precursor to the formation of ground-level ozone, also known as smog. Ozone affects human pulmonary and respiratory health. Also, NO_x reacts in the atmosphere to form secondary particulate matter (PM_{2.5}), which also causes detrimental health effects. In addition, NO_x, ozone, and PM adversely affect the environment in various ways including visibility impairment, crop damage, and acid rain.

Aircraft engine emissions prescribed by the International Civil Aviation Organization (ICAO) were adopted by the Environmental Protection Agency (EPA) for the United States in 1997. The City of Newport Beach does not have any specific regulations governing aircraft engine emissions.

BIOLOGICAL RESOURCES

A variety of diverse, valuable, and sensitive biological resources occur within the City of Newport Beach. The terrestrial and marine resources that are present in the City are described below.

Terrestrial Resources

Many plant habitats can be found in Newport Beach that includes scrub, chaparral, grassland, and riparian habitats. Additionally, Newport Beach contains vernal pools, seeps, and wet meadows. Other plant habitats present in Newport Beach include annual grasslands, ruderal areas that are generally a result of disturbances caused by humans, and ornamental landscaping that consist of introduced trees, shrubs, flowers, and turf grass.

Sensitive Terrestrial Species

The California Department of Fish and Game (CDFG) California Natural Diversity Database (CNDDDB) and the California Native Plant Society's Electronic Inventory of Rare and Endangered Vascular Plants of California identifies occurrences of federal- or state-listed or proposed endangered or threatened species, federal Species of Concern, species categorized as federal Species of Concern, California Species of Concern, or otherwise sensitive species or habitat that may occur within or in the immediate vicinity of Newport Beach. These species are protected under state and federal regulations. The databases indicate that there are three listed plant species that occur or have the potential to occur within the City of Newport Beach: San Fernando Valley spineflower, salt marsh bird's beak, and Crownbeard.

Eleven listed wildlife species occur or have the potential to occur within the City of Newport Beach: San Diego fairy shrimp, Tidewater goby, California black rail, light-footed clapper rail, western snowy plover, California least tern, southwestern willow flycatcher, coastal California gnatcatcher, least Bell's vireo, Belding's savannah sparrow, and pacific pocket mouse.

In addition, other sensitive species include 27 sensitive wildlife species and 24 sensitive plant species that occur or potentially occur within the Newport Beach area.



Tide pools

Marine Resources

The marine resources of the City and surrounding ocean waters are very diverse. They include plants and animals of marshes and wetlands living in Upper Newport Bay, the developed channels, beaches, and hardscape of Lower Newport Bay (Newport Harbor), and the intertidal and subtidal landforms (sandy beaches, rocky intertidal, sandy subtidal, and subtidal reefs) along the coast of Newport Beach between the Santa Ana River and the boundary between the City and Laguna Beach. Many of these areas

are considered wetland habitat by the state of California and federal wetland definitions are protected by a no-net loss wetlands policy.

Sensitive Marine Species

Several species of marine mammals are present in the waters near the shore along the Newport coastline. All marine mammals are protected by the Marine

Mammal Protection Act

Protected marine mammals that are most likely to appear in the City are: California sea lion, Harbor seal, California gray whale, Killer whale, Common dolphin, Pacific white sided dolphin, and Dall’s porpoise.



Sea Lions can be found along the Newport Beach coastline

Eelgrass (*Zostera marina*), a flowering, marine vascular plant, is considered a sensitive marine resource due to its nursery function for invertebrates and fishes, and because it is considered critical foraging habitat for the federal- and state-listed California least tern. Eelgrass is protected by the Southern California Eelgrass Mitigation Policy, which requires impacts to this species be avoided, minimized or compensated.

Other sensitive marine resources (shown in Figure NR1) include eelgrass restoration areas, Giant kelp, California Grunion, and California halibut.

Environmental Study Areas

Undeveloped areas supporting natural habitats that may be capable of supporting sensitive biological resources within the City are also referred to as Environmental Study Areas (ESAs) by the Local Coastal Plan. An ESA may support species and habitats that are sensitive and rare within the region or may function as a migration corridor for wildlife. The portions of the ESAs within the Coastal Zone

that contain sensitive or rare species are referred to as Environmentally Sensitive Habitat Areas (ESHAs), as defined by the *California Coastal Act*. ESHAs are areas in which “plant or animal life or their habitats are either rare or are especially valuable because of their special nature or role in an ecosystem that could easily be disturbed or degraded by human activities and developments.” The *California Coastal Act* requires that ESHAs be protected against any significant disruption of habitat values. Only uses dependent on those resources are allowed within ESHAs and adjacent development must be sited and designed to prevent impacts that would significantly degrade the ESHA and must be compatible with the continuance of the ESHA.

There are 28 identified ESAs within the City of Newport Beach, as shown in Figure NR2: (1) Semeniuk Slough, (2) North Star Beach, (3) West Bay, (4) Upper Newport Bay State Marine Park (formerly Ecological Reserve), (5) De Anza Bayside Marsh Peninsula, (6) San Diego Creek, (7) East Bluff Remnant, (8) Mouth of Big Canyon, (9) Newporter North, (10) Buck Gully, (11) Morning Canyon, (12) Newport Beach Marine Life Refuge, (13) Castaways, (14) Banning Ranch, (15) Newport Coast Open Space, (16) Los Trancos, Pelican Hill, (17) Ridge Park, (18) Irvine Coast Marine Life Refuge, (19) Newport Harbor Entrance Channel, (20) Bonita Canyon Creek Watershed, (21) San Joaquin Reservoir, (22) Arroyo Park, (23) Coyote Canyon, (24) MacArthur and Bison, (25) MacArthur and San Miguel, (26) MacArthur and San Joaquin Hills, (27) Spyglass Hill, (28) and Non-Coastal Buck Gully. Many of these sites contain one or more sensitive plant communities, and many species of wildlife. Some



Morning Canyon Environmental Study Area

of the ESAs also contain endangered species of plants and animals. Most of these ESAs are protected as parks, conservation areas, nature preserves, and other open space areas. However, each of these ESAs is subjected to various threats from the surrounding urban environment that include degraded water quality, traffic, noise, public access, development encroachment, erosion and sedimentation, dredging or filling, stormwater runoff, invasive species, and feral animals.

Newport Harbor

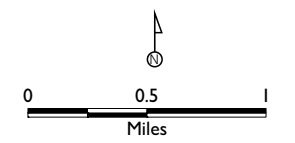
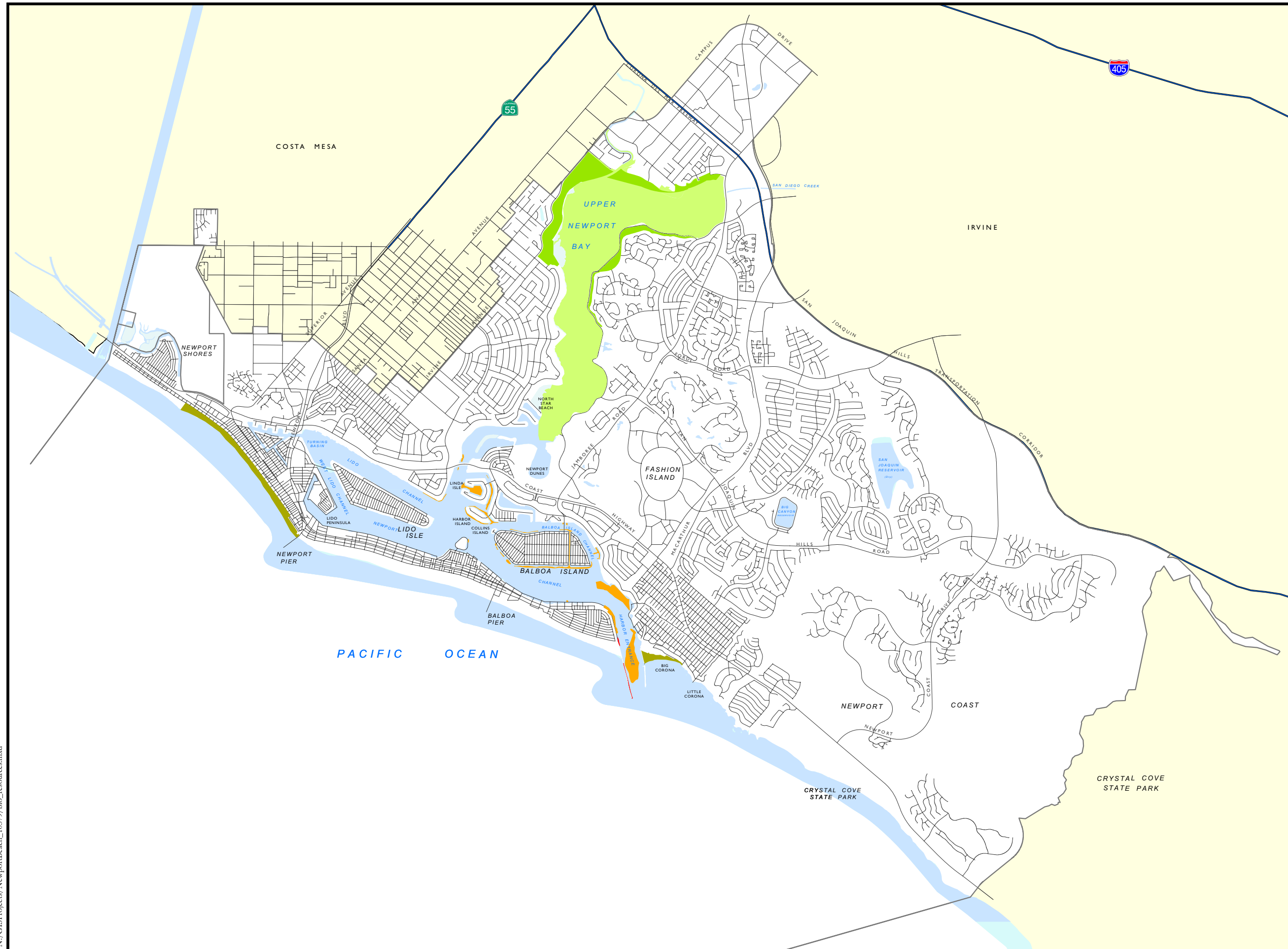
Newport Harbor is home to valuable habitat such as eelgrass and mudflats that support a wide range of species, and also provides the public with recreational boating opportunities. There is a need to protect the biological habitat, and continue to serve the needs of the recreational boating community by ensuring compatibility between these uses of Newport Harbor. The City believes the best way to meet this objective is to develop a comprehensive plan for the management of the Harbor, with the support and cooperation of the County of Orange, US National Fish and Wildlife Service, National Marine Fisheries Service, US Army Corps of Engineers, California Coastal Commission, Regional Water Quality Control Board, recreational boating community, environmental community, and public.

Figure NR1 Biological Resources

Pg 1—11x17 color

CITY of NEWPORT BEACH
 GENERAL PLAN
**Figure NR1
 BIOLOGICAL
 RESOURCES**

- Legend**
- Eelgrass Bed
 - Giant Kelp Bed
 - Historic Grunion Spawning Area
 - Upper Newport Bay Nature Preserve
 - Upper Newport Beach State Marine Park
 - City Boundary
 - County



Source: City of Newport Beach, 2005
 PROJECT NUMBER: 10579-01
 Date: 6/29/06

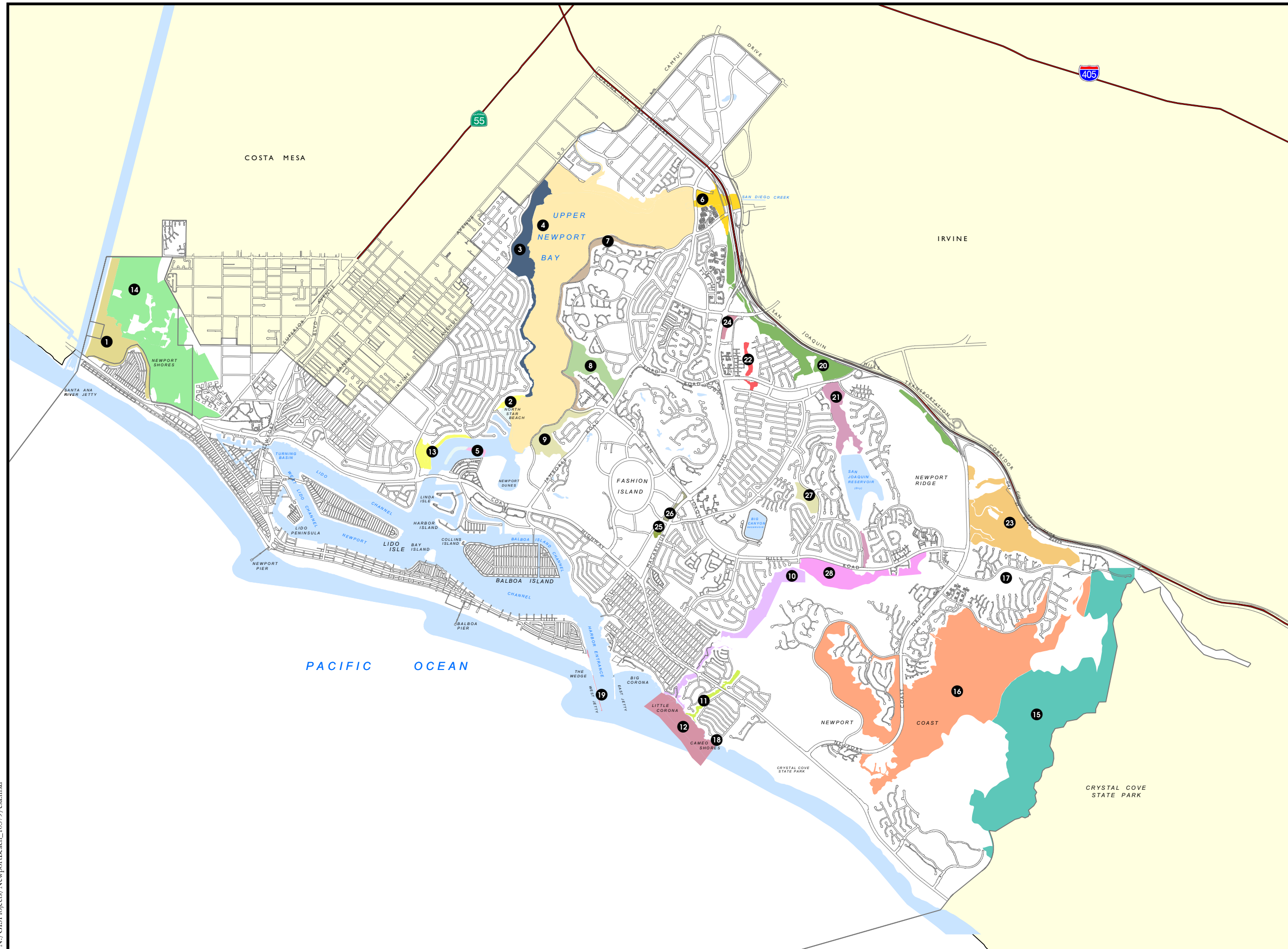


Pg 2—11x17 color


Figure NR2 Environmental Study Areas

Pg 1—11x17 color

CITY of NEWPORT BEACH
 GENERAL PLAN
Figure NR2
ENVIRONMENTAL
STUDY AREAS



- 1 Semnuik Slough
- 2 Northstar Beach
- 3 West Bay
- 4 Upper Newport Bay State Marine Park and Upper Newport Bay Nature Preserve
- 5 De Anza Bayside Marsh Peninsula
- 6 San Diego Creek
- 7 Eastbluff Remnant
- 8 Big Canyon
- 9 Newporter North
- 10 Buck Gully
- 11 Morning Canyon
- 12 Newport Beach Marine Life Refuge
- 13 Castaways
- 14 Banning Ranch
- 15 Newport Coast
- 16 Los Trancos, Pelican Hill
- 17 Ridge Park
- 18 Irvine Coast Marine Life Refuge
- 19 Giant Kelp Bed in Newport Harbor Entrance Channel
- 20 Bonita Canyon Creek Watershed
- 21 San Joaquin Reservoir
- 22 Arroyo Park
- 23 Coyote Canyon
- 24 MacArthur and Bison
- 25 MacArthur/SanMiguel
- 26 MacArthur/SanJoaquin
- 27 Spyglass Hill
- 28 Non-Coastal Buck Gully


 0 0.5 1
 Miles

Source: City of Newport Beach, 2005
 PROJECT NUMBER: 10579-01
 Date: 7/13/06



Pg 2—11x17 color

Upper Newport Bay

The City Council has consistently supported the concept of developing, in cooperation with CDFG and the County of Orange, a facility on Shellmaker Island that would serve as a center for water quality and ecosystem education as well as water quality testing and research. The proposed facility, Back Bay Science Center (BBSC), includes a County-operated water quality lab, facilities for CDFG personnel involved in the management of the Upper Newport Bay State Marine Park (formerly Ecological Reserve), space and exhibits for estuarine, ecosystem and water quality education and research programs, a wetland demonstration marsh and ecological interpretive stations. The City has taken the lead role in the planning, design and construction of the Back Bay Science Center using Oil Spill Settlement Proceeds designated for that purpose. The City, CDFG, County, and UCI have entered into a cooperative agreement that identifies the maintenance and operational responsibilities of the parties involved.

The Upper Newport Bay State Marine Park (formerly Ecological Reserve), one of few remaining estuaries in Southern California, is home to nearly 200 species of birds, including several endangered species, as well as numerous species of mammals, fish, and plants. It is an important stopover for migrating birds on the Pacific Flyway and up to 30,000 birds can be seen here on any day during the winter months. The Upper Newport Bay State Marine Park (formerly Ecological Reserve) is contiguous to 140 acres of County owned uplands on the north and northwest that was, in 2000, designated as the Upper Newport Bay Nature Preserve, which includes an educational facility known as the Muth Center. The State Marine Park and Nature Preserve are shown in Figure NR1.

The Upper Newport Bay State Marine Park (formerly Ecological Reserve) is an extremely valuable natural resource that must be carefully managed to (a) protect and enhance the habitat of the endangered species; (b) protect and enhance the various ecologies within and adjacent to the State Marine Park; (c) ensure that the public's access to and use of the State Marine Park does not adversely impact the flora or fauna; (d) maximize the public's understanding and awareness of the resource and recreational value of the State Marine Park; and (e) promote direct community involvement in resource protection and enhancement.

Natural Communities Conservation Plan (NCCP)

In July of 1996, the City became a signatory agency in the Orange County Central-Coastal NCCP Subregional Plan. The plan covers nearly 38,000 acres in coastal southern California and is a collaboration of federal and state resource agencies, local governments, special districts, and private property owners. The NCCP uses a multi-species habitat conservation approach rather than a species specific approach resulting in the preservation of some of the most valuable native habitats while freeing other properties for development. As a signatory agency, the City is responsible for enforcing mitigation measures and other policies identified in the NCCP/Habitat Conservation Plan Implementation Agreement for properties located within the City Limit that are part of the NCCP Subregional Plan.

OPEN SPACE RESOURCES

Open space may be defined as areas generally free from development or developed with low intensity uses. Open space is generally non-urban in character and may have utility for the following: park and

recreation purposes; conservation of land, water, or other natural resources; or for historic or scenic purposes. Most of the City's open space resources are located along the coast and in the eastern half of the City. Newport Beach's open space resources consist of undeveloped areas such as the Environmental Study Areas as described above, the Newport Bay, and Newport Harbor. Other resources include the City's many undeveloped canyons and hillsides located primarily in the Newport Coast area. The beaches, parks, and the Crystal Cove State Park also represent some other open space resources. Some of these resources are not preserved as parks or dedicated open spaces; however, local, state, and federal regulations help protect, preserve, and restore lands containing hillsides, sensitive biological resources, coastal beaches, and sensitive coastal bluffs.



Upper Newport Bay is an important open space resource for the City

Circulation and Improvement and Open Space Agreement (CIOSA)

Some of the City's open space areas consist of dedicated lands through CIOSA. This agreement is between the City of Newport Beach and The Irvine Company, and has allowed building entitlements for The Irvine Company in exchange for payments of required proposed projects, an interest free loan, and land for open space and potential senior housing sites for the City. The amount of open space land dedication was substantially more than what would have been required under the City's Park Dedication Ordinance.

Six sites have been dedicated under CIOSA in Newport Beach, and include: Back Bay View Park, Newport Center Park (formerly Newport Village), Freeway Reservation, Upper Castaways, Harbor Cove, and Newporter Knoll Grant Deeds. Another site, located at Jamboree Road and MacArthur Boulevard will also be dedicated as open space upon issuance of a Certificate of Occupancy for the final CIOSA project.

ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES

Fossils in the central Santa Ana Mountains represent the oldest formations in Orange County at 145 to 175 million years old. Changes in geological land formations over time, brought upon by tectonic activity, have resulted in a mix of aquatic and terrestrial fossils underlying the City. The Miocene-age rock units (26 million years ago [mya] to 7 mya), particularly in the Newport Coast area, are considered to be of high-order paleontological significance (6 to 9 on a scale of 1 to 10).

Other deposits found in the Newport Beach area include a variety of marine mammals, sea birds, mollusks, and a variety of vertebrate animals typically associated with the Ice Age (2.5 mya to 15,000 years ago). Local paleontological sites, particularly near the Castaways, have yielded fossils of Ice Age horses, elephants, bison, antelopes, and dire wolves. Also, a number of localities in the portions of the Vaqueros formation that underlie the Newport Coast area have yielded a variety of invertebrate and vertebrate fossils, and are also considered to be of high-order paleontological significance. Other areas with significant fossils and known paleontological deposits include the Banning Ranch area, which contains at least fourteen documented sites of high significance, and Fossil Canyon, in the North Bluffs area, which is considered a unique paleontological locality.

Newport Beach also contains many significant archaeological sites. The Upper Newport Bay area has yielded some evidence for the earliest human occupation of Orange County and date to about 9,500 years before present. Over fifty sites have been documented in the Newport Beach area, including the Newport Coast area and Banning Ranch, many yielding substantial information regarding the prehistory of the City and County, and have included human burials. At least two and possibly three distinct cultural groups inhabited the area, including the Tongva and Acjachemem tribes, although the boundaries of their tribal territories are unclear.

MINERAL RESOURCES

Historically, drilling for oil in this part of Orange County began as early as 1904, and oil production became the primary mineral extraction activity in and around the City. Two separate production and reserve areas exist within the City's Sphere of Influence: Newport Oil Field, which lies under the Pacific Ocean but has land-based tanks and extraction pumps just outside the municipal boundary in west Newport and West Newport Oil Field, which is located in the Banning Ranch area. The Newport Oil Field is estimated to have oil reserves of approximately 35 million barrels (Mbbbl) and produces approximately 39.2 thousand cubic feet of gas per year. The West Newport oil field produces approximately 16.8 thousand cubic feet of gas per year with a daily production per oil well of approximately 4 bbl/d and a yearly production of approximately 107 thousand bbl/d.

The concentration of active wells lies within the West Newport and Newport production areas. As of 2002, there were approximately 65 wells (plus four injection wells) producing oil and natural gas in the Newport production area, 3 methane gas collection/recovery systems designed to reduce noxious odor on the Hoag Hospital Campus and Pacific Coast Highway in the Newport production area, and 65 oil wells in the West Newport area (out of 862 total wells). Of the 65 wells in the West Newport area, 15 are directionally drilled (not counting the one injection well) to extract oil from the offshore Newport oil field and are operated by the City, 48 are operated by West Newport Oil Company (29 of

which are not currently used for production but have not been abandoned (classified as “shut in”), and 2 by South Coast Oil.

Thirty-three abandoned oil wells are located in numerous sites throughout the City, concentrated along the northwest boundary. Additionally, other than oil and gas resources, there is no active mining within the Newport Beach area. Mineral Resource Zones (MRZ) within the City are either classified as containing no significant mineral deposits (MRZ-1), or the significance of mineral deposits has not been determined (MRZ-3).

Section 1401 of the City’s Charter does not allow new drilling, or production or refining of oil, gas, or other hydrocarbon substances within the City. However, the Section does not prohibit these activities within any area annexed to the City after the effective date of the Charter if these activities were already in operation. The City’s Charter and Municipal Codes do allow for slant drilling activities for oil, gas, tar, and other hydrocarbon substances within a designated area of Newport Beach.

VISUAL RESOURCES

Visual resources are an important component of the quality of life of any geographic area. The City of Newport Beach is located in a unique and dynamic physical setting and enjoys views of the rolling green hills of Crystal Cove State Park to the east, and spectacular ocean views to the southwest, including those of the open waters of the ocean and bay, sandy beaches, rocky shores, wetlands, canyons, and coastal bluffs. From higher elevations within the City, views to the north include the rolling hills of the San Joaquin Corridor, and in the distance, the Santa Ana Mountains.



The West Bay Environmental Study Area contributes to the visual resources of Newport Beach

The West Bay Environmental Study Area contributes to the visual resources of Newport Beach. Specifically, the City’s habitat areas and open spaces are among the contributing visual resources, including the Semeniuk Slough, North Star Beach, West Bay, Upper Newport Bay State Marine Park (formerly Ecological Reserve) and DeAnza/Bayside Marsh Peninsula, and San Diego Creek. Coastal views are also provided from a number of streets and highways and, due to the grid street pattern in West Newport, Balboa Peninsula, Balboa Island, and Corona del Mar, many north-south tending streets provide view corridors to the ocean and bay.

Coastal canyons and gullies in the eastern portion of the City known as the Newport Coast/Ridge area, typify the topographic landforms that render significant views of the City, including Buck Gully, Morning Canyon, Los Trancos, Muddy Canyon, and Pelican Hill. The City’s coastal bluffs along the shoreline, facing the wetlands, and surrounding Upper Newport Bay are also important scenic resources. Other valuable resources include the City’s more than 441 acres of parkland and passive open space, including the Crystal Cove State Park, and State Route 1, which is identified as Eligible for State Scenic Highway designation.

The City has historically been sensitive to the need to protect and provide access to these scenic resources and has developed a system of public parks, piers, trails, and viewing areas. The City’s development standards, including bulk and height limits in the area around the bay, have helped preserve scenic views and regulate the visual and physical mass of structures consistent with the unique character and visual scale of Newport Beach. Located throughout Newport Beach, the City’s many small “view parks” are intentionally designed to take advantage of significant views. In addition, the City provides policies in the Municipal Code and Local Coastal Plan that protect public views, which is defined as views from public vantage points. As for the City’s coastal and other bluffs, while many have been preserved as parkland and other open space, most have been subdivided and developed over the years, including Newport Heights, Cliff Haven, Irvine Terrace, and Corona Del Mar.

ENERGY CONSERVATION

Natural Gas. Southern California Gas Company (SCG) provides natural gas service for the City. Natural gas is a “fossil fuel” and is a non-renewable resource. Most of the major natural gas transmission pipelines within the City are owned and operated by SCG. SCG has the capacity and resources to deliver gas except in certain situations that are noted in state law. As development occurs, SCG will continue to extend its service to accommodate development and supply the necessary gas lines.

Electricity. Electricity is provided on an as-needed basis to customers within existing structures in the City. Southern California Edison Company (SCE) is the distribution provider for electricity in Newport Beach. Currently, SCE has no immediate plans for expansion of infrastructure, as most of the City is built out. However, every year SCE expands and improves existing facilities according to demand.

Goals and Policies

Water Supply

Goal

NR 1

Minimized water consumption through conservation methods and other techniques.

Policies

NR 1.1 Water Conservation in New Development

Enforce water conservation measures that limit water usage, prohibit activities that waste water or cause runoff, and require the use of water-efficient landscaping and irrigation in conjunction with new construction projects.
(Imp 2.1, 7.1, 17.1)

NR 1.2 Use of Water Conserving Devices

Establish and actively promote use of water conserving devices and practices in both new construction and major alterations and additions to existing buildings. This can include the use of rainwater capture, storage, and reuse facilities. *(Imp 6.1, 7.1, 17.1)*

NR 1.3 Tiered Water Rates

Explore the appropriateness of implementing tiered water rates. *(Imp 17.1)*

NR 1.4 Alternative Conservation Measures

Explore implementation of alternative conservation measures and technology as they become available. *(Imp 7.1, 17.1, 18.1)*

NR 1.5 Education

Establish educational programs on water conservation. *(Imp 17.1, 29.1)*

NR 1.6 Services for Lower Income Households

New developments which provide housing for lower income households that help meet regional needs shall have priority for the provision of available and future resources or services, including water and sewer supply and services. (HE 2.2.8) *(Imp 17.1)*

Goal

NR 2

Expanded use of alternative water sources to provide adequate water supplies for present uses and future growth.

Policies

NR 2.1 Recycled Water Use

Increase the use of recycled water in the City by continuing to provide financial incentives, staff assistance, and training opportunities for customers, and expand recycled water infrastructure and programs, when feasible. *(Imp 17.1)*

NR 2.2 Advanced Water Treatment Processes

Use alternative water sources for the City's water supply by implementing advanced water treatment processes such as brackish groundwater and seawater desalination programs, when feasible. *(Imp 17.1)*

Water Quality

Goal

NR 3

Enhancement and protection of water quality of all natural water bodies, including coastal waters, creeks, bays, harbors, and wetlands. (Goal HB 8)

Policies

NR 3.1 Chemical Uses Impacting Water Quality

Support regulations limiting or banning the use insecticides, fertilizers, and other chemicals which are shown to be detrimental to water quality. (Policy HB 8.1) *(Imp 6.1, 17.1)*

NR 3.2 Water Pollution Prevention

Promote pollution prevention and elimination methods that minimize the introduction of pollutants into natural water bodies. (Policy HB 8.2) *(Imp 6.1, 8.1, 17.1, 18.1, 19.1)*

NR 3.3 Ground Water Contamination

Suspend activities and implement appropriate health and safety procedures in the event that previously unknown groundwater contamination is encountered during construction. Where site contamination is identified, implement an appropriate remediation strategy that is approved by the City and the state agency with appropriate jurisdiction. (Policy HB 8.3) *(Imp 6.1)*

NR 3.4 Storm Drain Sewer System Permit

Require all development to comply with the regulations under the City's municipal separate storm drain system permit under the National Pollutant Discharge Elimination System. (Policy HB 8.4) *(Imp 8.1, 19.1)*

NR 3.5 Natural Water Bodies

Require that development does not degrade natural water bodies. (Policy HB 8.5) *(Imp 6.1, 19.1)*

NR 3.6 Watershed Runoff Quality Control

Represent Newport Beach by participating in watershed-based runoff reduction, water quality control, and other planning efforts with the California Regional Water Quality Control Board (RWQCB), the County of Orange, and upstream cities. Promote regulation of upstream dischargers (cities, Orange County, residential and commercial uses) in the San Diego Creek and Santa Ana/Delhi Channel watersheds. (Policy HB 8.6) *(Imp 14.3, 14.16)*

- NR 3.7 Newport Beach Water Quality Ordinance**
Update and enforce the Newport Beach Water Quality Ordinance. (Policy HB 8.7) (*Imp 8.1*)
- NR 3.8 Permit Review Process**
Develop and maintain a water quality checklist to be used in the permit review process to assess potential water quality impacts. (Policy HB 8.8) (*Imp 17.1*)
- NR 3.9 Water Quality Management Plan**
Require new development applications to include a Water Quality Management Plan (WQMP) to minimize runoff from rainfall events during construction and post-construction. (Policy HB 8.9) (*Imp 7.1*)
- NR 3.10 Best Management Practices**
Implement and improve upon Best Management Practices (BMPs) for residences, businesses, development projects, and City operations. (Policy HB 8.10) (*Imp 8.1, 17.1, 18.1, 19.1*)
- NR 3.11 Site Design and Source Control**
Include site design and source control BMPs in all developments. When the combination of site design and source control BMPs are not sufficient to protect water quality as required by the National Pollutant Discharge Elimination System (NPDES), structural treatment BMPs will be implemented along with site design and source control measures. (Policy HB 8.11) (*Imp 7.1*)
- NR 3.12 Reduction of Infiltration**
Include equivalent BMPs that do not require infiltration, where infiltration of runoff would exacerbate geologic hazards. (Policy HB 8.12) (*Imp 6.1, 19.1*)
- NR 3.13 Natural Wetlands**
Promote the use of natural wetlands to improve water quality. (Policy HB 8.13) (*Imp 6.1, 19.1*)
- NR 3.14 Runoff Reduction on Private Property**
Retain runoff on private property to prevent the transport of pollutants into natural water bodies, to the maximum extent practicable. (Policy HB 8.14) (*Imp 17.1*)
- NR 3.15 Street Drainage Systems**
Require all street drainage systems and other physical improvements created by the City, or developers of new subdivisions, to be designed, constructed, and maintained to minimize adverse impacts on water quality. Investigate the possibility of treating or diverting street drainage to minimize impacts to water bodies. (Policy HB 8.15) (*Imp 7.1*)

- NR 3.16 Siting of New Development**
 Require that development be located on the most suitable portion of the site and designed to ensure the protection and preservation of natural and sensitive site resources that provide important water quality benefits. (Policy HB 8.16) *(Imp 2.1, 6.1)*
- NR 3.17 Parking Lots and Rights-of-Way**
 Require that parking lots and public and private rights-of-way be maintained and cleaned frequently to remove debris and contaminated residue. (Policy HB 8.17) *(Imp 2.1)*
- NR 3.18 Water Quality Education**
 Effectively communicate water quality education to residents and businesses, including the development of a water quality testing lab and educational exhibits at various educational facilities. (Policy HB 8.18) *(Imp 29.1)*
- NR 3.19 Natural Drainage Systems**
 Require incorporation of natural drainage systems and stormwater detention facilities into new developments, where appropriate and feasible, to retain stormwater in order to increase groundwater recharge. (Policy HB 8.19) *(Imp 6.1)*
- NR 3.20 Impervious Surfaces**
 Require new development and public improvements to minimize the creation of and increases in impervious surfaces, especially directly connected impervious areas, to the maximum extent practicable. Require redevelopment to increase area of pervious surfaces, where feasible. (Policy HB 8.20) *(Imp 6.1, 7.1)*
- NR 3.21 Animal Impacts on Water Quality**
 Limit feeding animals and depositing food or fish parts in Newport Bay. (Policy HB 8.22) *(Imp 8.1, 21.1)*
- NR 3.22 Water Quality Study**
 Retain qualified and objective water quality consultants to thoroughly review all scopes of work for any proposed water quality study: *(a)* to be conducted, sponsored or considered by the Watershed Management Committee (or any subcommittee or successor entity) in making any decision affecting water quality in Newport Beach; *(b)* related to water quality in the San Diego Creek and Santa Ana/Delhi Channel watersheds; and *(c)* that is relevant to any aspect of the establishment or enforcement of any order of the RWQCB including the Total Maximum Daily Loads (TMDL) for Upper Newport Bay. (Policy HB 7.6) *(Imp 8.1, 17.1)*

Goal

NR 4

Maintenance of water quality standards through compliance with the total maximum daily loads (TMDLs) standards.

Policies

NR 4.1 Total Maximum Daily Loads

Develop and implement the TMDLs established by the RWQCB, Santa Ana Region and guided by the Newport Bay Watershed Executive Committee (WEC). (*Imp 6.1, 17.1, 18.1, 19.1*)

NR 4.2 Funding for Restoration and Dredging Projects

Secure funding for the Upper Newport Bay Ecosystem Restoration Project and long-term funding for successor dredging projects for Upper and Lower Newport Bay. (*Imp 14.3, 14.7, 14.11, 14.12*)

NR 4.3 Restore Natural Hydrologic Conditions

Preserve, or where feasible, restore natural hydrologic conditions such that downstream erosion, natural sedimentation rates, surface flow, and groundwater recharge function near natural equilibrium states. (*Imp 6.1, 14.11, 14.3, 19.1*)

NR 4.4 Erosion Minimization

Require grading/erosion control plans with structural BMPs that prevent or minimize erosion during and after construction for development on steep slopes, graded, or disturbed areas. (*Imp 6.1*)

Goal

NR 5

Sanitary Sewer Outflows—Minimal adverse effects to water quality from sanitary sewer outflows.

Policies

NR 5.1 City Sewer Management and Master Plans

Implement the Sewer System Management Plan and the Sewer Master Plan. (*Imp 18.1*)

NR 5.2 Waste Discharge Permits

Require waste discharge permits for all food preparation facilities that produce grease. (*Imp 18.1*)

NR 5.3 Sewer Pump Stations

Renovate all older sewer pump stations and install new plumbing according to most recent standards. *(Imp 18.1)*

NR 5.4 Waste Discharge Permits

Comply with the RWQCB's Waste Discharge Requirements (WDRs) associated with the operation and maintenance of the City's sewage collection system. *(Imp 18.1)*

Air Quality

Goal

NR 6

Reduced mobile source emissions.

Policies

NR 6.1 Walkable Neighborhoods

Provide for walkable neighborhoods to reduce vehicle trips by siting amenities such as services, parks, and schools in close proximity to residential areas. *(Imp 1.2, 2.1)*

NR 6.2 Mixed-Use Development

Support mixed-use development consisting of commercial or office with residential uses in accordance with the Land Use Element that increases the opportunity for residents to live in proximity to jobs, services, and entertainment. *(Imp 1.2, 2.1)*

NR 6.3 Vehicle-Trip Reduction Measures

Support measures to reduce vehicle-trip generation such as at-work day care facilities, and on-site automated banking machines. *(Imp 1.2, 2.1)*

NR 6.4 Transportation Demand Management Ordinance

Implement the Transportation Demand Management (TDM) Ordinance, which promotes and encourages the use of alternative transportation modes, and provides those facilities such as bicycle lanes that support such alternate modes. *(Imp 7.3, 16.8, 16.11)*

NR 6.5 Local Transit Agency Collaboration

Collaborate with local transit agencies to: develop programs and educate employers about employee rideshare and transit; establish mass transit mechanisms for the reduction of work-related and non-work-related vehicle trips; promote mass transit ridership through careful planning of routes,

headways, origins and destinations, and types of vehicles; and develop bus shelters, bicycle lanes, and other bicycle facilities. *(Imp 14.4, 14.9, 16.8, 29.1)*

NR 6.6 Traffic Signal Synchronization

Encourage synchronization of traffic signals throughout the City and with adjoining cities and counties to allow free flow of traffic. *(Imp 14.1, 16.7)*

NR 6.7 City Fleet Vehicles

Implement the program to replace existing vehicles in the City fleet with clean vehicles that are commercially available and will provide needed services. *(Imp 30.1)*

NR 6.8 Accessible Alternative Fuel Infrastructure

Support the development of alternative fuel infrastructure that is available and accessible to the public, and provide incentives for alternative fuel vehicles. *(Imp 14.3, 14.5)*

NR 6.9 Education on Mobile Source Emission Reduction Techniques

Provide education to the public on mobile source emission reduction techniques such as using alternative modes of transportation. *(Imp 29.1)*

Goal

NR 7

Reduced air pollutant emissions from stationary sources.

Policies

NR 7.1 Fuel Efficient Equipment

Support the use of fuel efficient heating equipment and other appliances. *(Imp 14.15)*

NR 7.2 Source Emission Reduction Best Management Practices

Require the use of Best Management Practices (BMP) to minimize pollution and to reduce source emissions. *(Imp 7.1)*

NR 7.3 Incentives for Air Pollution Reduction

Provide incentives to promote siting or to use clean air technologies and building materials (e.g., fuel cell technologies, renewable energy sources, UV coatings, hydrogen fuel). *(Imp 2.1, 6.1, 7.1)*

NR 7.4 Use of Blowers

Consider eliminating the use of leaf blowers by the City, and discourage their use on private property. *(Imp 8.2)*

Goal

NR 8

Reduced air pollutant emissions from construction activities.

Policies

NR 8.1 Management of Construction Activities to Reduce Air Pollution

Require developers to use and operate construction equipment, use building materials and paints, and control dust created by construction activities to minimize air pollutants. *(Imp 7.1)*

Goal

NR 9

Reduced air pollution emissions from aircraft ground operations at John Wayne Airport.

Policies

NR 9.1 Efficient Airport Operations

Work with John Wayne Airport to minimize air pollution generated by stationary and nonstationary sources. *(Imp 14.3)*

NR 9.2 Aircraft and Equipment Emission Reduction

Work with John Wayne Airport to encourage development and use of reduced emission ground service equipment and transit vehicles. *(Imp 14.3)*

Biological Resources

Goal

NR 10

Protection of sensitive and rare terrestrial and marine resources from urban development.



Semeniuk Slough

Policies

NR 10.1 Terrestrial and Marine Resource Protection

Cooperate with the state and federal resource protection agencies and private organizations to protect terrestrial and marine resources. (*Imp 14.7, 14.11, 14.12, 14.16*)

NR 10.2 Orange County Natural Communities Conservation Plan

Comply with the policies contained within the Orange County Natural Communities Conservation Plan. (*Imp 2.1*)

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,*)

NR 10.4 New Development Siting and Design

Require that the siting and design of new development, including landscaping and public access, protect sensitive or rare resources against any significant disruption of habitat values. (*Imp 2.1*)

NR 10.5 Development in Areas Containing Significant or Rare Biological Resources

Limit uses within an area containing any significant or rare biological resources to only those uses that are dependent on such resources, except where application of such a limitation would result in a taking of private property. If application of this policy would likely constitute a taking of private property, then a non-resource-dependent use shall be allowed on the property, provided development is limited to the minimum amount necessary to avoid a taking and the development is consistent with all other applicable resource protection

policies. Public access improvements and educational, interpretative and research facilities are considered resource dependent uses. *(Imp 2.1)*

NR 10.6 Use of Buffers

Maintain a buffer of sufficient size around significant or rare biological resources, if present, to ensure the protection of these resources. Require the use of native vegetation and prohibit invasive plant species within these buffer areas. *(Imp 2.1)*

NR 10.7 Exterior Lighting

Shield and direct exterior lighting away from significant or rare biological resources to minimize impacts to wildlife. *(Imp 2.1)*

NR 10.8 Standards for Buck Gully and Morning Canyon

Prepare natural habitat protection regulations for Buck Gully and Morning Canyon for the purpose of providing standards to ensure both the protection of the natural habitats in these areas and of private property rights. Include standards for the placement of structures, native vegetation/fuel modification buffers, and erosion and sedimentation control structures. *(Imp 2.1, 6.1)*

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)*

NR 10.10 Giant Kelp Reforestation

Support reforestation programs for giant kelp. *(Imp 14.3, 14.11, 14.12, 21.1)*

NR 10.11 Tide Pool Exhibits

Support the construction of tide pool exhibits away from ocean beaches to provide an educational alternative to the tide pools at Corona del Mar State Beach and Crystal Cove State Park. *(Imp 2.1, 21.1)*



Tide pools in Corona del Mar

Goal

NR 11

Protection of environmental resources in Newport Harbor while preserving and enhancing public recreational boating activities.

Policies

NR 11.1 Harbor Area Management Plan

Develop a Harbor Area Management Plan that will provide a comprehensive approach to the management of the resources of Newport Bay, such as protection of eelgrass and other natural resources, dredging for navigation, and continued use of private piers. (Policy HB 10.3) (*Imp 21.1*)

NR 11.2 Joint City/County Study

Prepare and fund a joint City/County study that would (a) identify the respective services provided by the City and County in Newport Harbor, (b) determine the cost of these services, (c) identify opportunities if any, for the City and County to realign resources to provide services at reduced costs, (d) identify the sources of revenue available to defray the cost of those services, and (e) identify potential feasible methods of providing those services other than with public agency personnel such as volunteers. (Policy HB 10.1) (*Imp 21.4*)

NR 11.3 Eelgrass Protection

Avoid impacts to eelgrass (*Zostera marina*) to the extent feasible. Mitigate losses of eelgrass in accordance with the Southern California Eelgrass Mitigation Policy. Encourage the restoration of eelgrass in Newport Harbor at appropriate sites, where feasible. (*Imp 21.1*)



Eelgrass (Zostera marina) in Newport Beach

NR 11.4 Interagency Coordination on Establishing Eelgrass Restoration Sites

Cooperate with the County of Orange, the U.S. Army Corps of Engineers, and resource agencies to establish eelgrass restoration sites. *(Imp 14.3, 14.7, 14.11, 14.13, 14.16)*

NR 11.5 Eelgrass Mitigation

Allow successful eelgrass restoration sites to serve as mitigation sites for City projects and as a mitigation bank from which eelgrass mitigation credits will be issued to private property owners for eelgrass removal resulting from dock and channel dredging projects. *(Imp 14.3, 14.7, 14.11, 14.12, 21.1)*

Goal

NR 12

Protection of coastal dune habitats.

Policies

NR 12.1 Exotic Vegetation Removal and Native Vegetation Restoration

Require the removal of exotic vegetation and the restoration of native vegetation in dune habitat. *(Imp 2.1)*

NR 12.2 Dune Habitat Protection

Design and site recreation areas to avoid impacts to dune habitat areas, and direct public access away from these resources through methods such as well-defined footpaths, boardwalks, protective fencing, and signage. *(Imp 23.1, 23.2)*



Coastal dune habitat

NR 12.3 Beach Sand Removal

Limit earthmoving of beach sand in dune habitat areas to projects necessary for the protection of coastal resources and existing development. *(Imp 6.1)*

Goal

NR 13

Protection, maintenance, and enhancement of Southern California wetlands.

Policies

NR 13.1 Wetland Protection

Recognize and protect wetlands for their commercial, recreational, water quality, and habitat value. *(Imp 1.2, 2.1, 21.1)*

NR 13.2 Wetland Delineation

Require a survey and analysis with the delineation of all wetland areas when the initial site survey indicates the presence or potential for wetland species or indicators. Wetland delineations will be conducted in accordance with the definitions of wetland boundaries established by California Department of Fish and Game, and/or United States Fish and Wildlife Service. *(Imp 14.7, 14.11, 14.12)*

Goal

NR 14

Maintain and enhance deep water channels and ensure they remain navigable by boats. (Goal HB 13)

Policies

NR 14.1 Newport Bay Dredging

Support and assist in the management of dredging within Newport Bay. (Policy HB 13.1) *(Imp 14.3, 14.11, 21.1)*

- NR 14.2 Interagency Coordination for Federal Navigational Channels**

Cooperate with the U.S. Army Corps of Engineers in their maintenance and delineation of federal navigational channels at Newport Harbor in the interest in providing navigation and safety. (Policy HB 13.2) *(Imp 14.11)*
- NR 14.3 Permit Processing**

Secure blanket permits or agreements through the U.S. Army Corps of Engineers and the California Coastal Commission to expedite permit processing for residential and commercial dock owners in the Bay. (Policy HB 13.3) *(Imp 14.6, 14.11)*
- NR 14.4 Wetland or Estuary Capacity**

Require that any project that includes diking, filling or dredging of an estuary must maintain the capacity of the wetland or estuary as required by state and federal law. *(Imp 6.1, 14.11)*
- NR 14.5 New Structure Design**

Require that all structures permitted to encroach into open coastal waters, wetlands, and estuaries be sited and designed to be consistent with the natural appearance of the surrounding area. *(Imp 2.1, 6.1)*

Goal

NR 15
 Proper disposal of dredge spoils to avoid disruption to natural habitats.

Policies

- NR 15.1 Dredging Projects**

Monitor dredging projects within the region to identify opportunities to reduce disposal costs and utilize dredge spoils for beach nourishment. *(Imp 10.2, 14.1, 14.16)*
- NR 15.2 Regional Sediment Management**

Participate in regional sediment management by maintaining records of the number of channelized streams, miles of channelization in streams, volumes of sediment extracted from stream channels and debris basins, and the grain size distribution of the extracted sediments. *(Imp 10.1, 14.11, 14.16)*
- NR 15.3 Interagency Coordination for Future Dredging Projects**

Work with appropriate agencies to secure sediment disposal site(s) for future dredging projects. *(Imp 14.31, 14.11, 14.16)*

Goal

NR 16

Protection and management of Upper Newport Bay commensurate with the standards applicable to our nation’s most valuable natural resources. (Goal HB 7)



Upper Newport Bay Ecological Reserve

Policies

- NR 16.1 Funding Support for Upper Newport Bay Ecosystem Restoration Project**
Support and secure federal funding for Upper Newport Bay ecosystem restoration to restore the Upper Newport Bay to a more ideal ecosystem. (Policy HB 7.1) (*Imp 14.12, 14.13, 14.14*)
- NR 16.2 Big Canyon Creek Restoration Project**
Coordinate the Big Canyon Creek Restoration Project so that its outcomes are consistent with goals for Upper Newport Bay established by Orange County and the Department of Fish and Game. (*Imp 14.3, 14.7*)
- NR 16.3 Management of Upper Newport Bay Ecological Reserve (UNBER)⁴**
Support and implement cooperative management of the Upper Newport Bay Ecological Reserve by cooperating with Orange County, California Department of Fish and Game, U.S. Fish and Wildlife Service, local universities and colleges, nonprofits, and volunteer organizations to improve resource management, implement resource enhancement projects, and expand opportunities for passive public access, recreation, and education. (Policy HB 7.2) (*Imp 14.3, 14.7, 14.11, 14.16*)

⁴ The Upper Newport Bay Ecological Reserve’s official designation by the state of California may change to become “State Marine Park.” Until such time as that occurs, the Newport Beach community will continue to refer to UNBER as an “Ecological Reserve.”

NR 16.4 Management of Upper Newport Bay Ecological Reserve

Assist the County of Orange in its management of the Upper Newport Bay Nature Reserve, including the Peter and Mary Muth Center, to enhance the Reserve’s natural resources, passive public access (especially along the West Bay) and public education programs. (Policy HB 7.3) *(Imp 14.3, 23.4)*

NR 16.5 Public Uses within Upper Newport Bay Ecological Reserve

Maintain public use of the Upper Newport Bay Ecological Reserve to the extent such use is consistent with the preservation of sensitive resources. (Policy HB 7.4) *(Imp 2.1, 23.1)*

NR 16.6 Water-Related Education and Research within Upper Newport Bay

Promote facilities in and around Upper Newport Bay to adequately serve as water quality and estuarine education and research programs. (Policy HB 7.5) *(Imp 2.1, 23.1)*

Open Space Resources

Goal

NR 17

Maintenance and expansion of designated open space resources.



Banning Ranch Environmental Study Area

Policies

NR 17.1 Open Space Protection

Protect, conserve, and maintain designated open space areas that define the City’s urban form, serve as habitat for many species, and provide recreational opportunities. *(Imp 1.2, 2.1)*

NR 17.2 Other Uses of Public Sites Designated for Open Space

Consider conversion of public sites designated for open space to other uses only when the conversion will meet a significant need, and there are no alternative sites that could feasibly meet that need. *(Imp 1.2, 2.1)*

NR 17.3 New Open Space Areas

Consider opportunities to expand designated open space areas within the City. *(Imp 1.2, 2.1)*

Archaeological and Paleontological Resources

Goal

NR 18

Protection and preservation of important paleontological and archaeological resources.

Policies

NR 18.1 New Development

Require new development to protect and preserve paleontological and archaeological resources from destruction, and avoid and minimize impacts to such resources in accordance with the requirements of CEQA. Through planning policies and permit conditions, ensure the preservation of significant archeological and paleontological resources and require that the impact caused by any development be mitigated in accordance with CEQA. *(Imp 7.1)*

NR 18.2 Maintenance of Database Information

Prepare and maintain sources of information regarding paleontological or archaeological sites and the names and addresses of responsible organizations and qualified individuals who can analyze, classify, record, and preserve paleontological and archaeological findings. *(Imp 10.1)*

NR 18.3 Potential for New Development to Impact Resources

Notify cultural organizations, including Native American organizations, of proposed developments that have the potential to adversely impact cultural resources. Allow qualified representatives of such groups to monitor grading and/or excavation of development sites. *(Imp 14.16)*

NR 18.4 Donation of Materials

Require new development, where on site preservation and avoidance are not feasible, to donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within Newport Beach or Orange County, whenever possible. *(Imp 11.1)*

Mineral Resources

Goal

NR 19

Minimized impacts from oil and gas drilling activities.



West Newport oil field operations

Policies

NR 19.1 New Extraction Activities

Prohibit drilling for exploration work of any kind, production or refining of oil, gas, or other hydrocarbon substances as provided in the City Charter and Municipal Code. *(Imp 2.1)*

NR 19.2 Existing Extraction Activities

Allow existing wells to be used, if needed, for water injection systems that increase oil extraction. *(Imp 9.1, 14.16)*

NR 19.3 New Offshore Drilling Activities and Exploration Work

Oppose new offshore oil, gas, and other hydrocarbon drilling activities and exploration work. *(Imp 9.1, 14.16)*

NR 19.4 New Onshore Support Facilities

Prohibit onshore support facilities for offshore oil, gas, and other hydrocarbon drilling, but allow support facilities for new or existing slant drilling operations as permitted by the City Charter and Municipal Code. *(Imp 2.1)*

NR 19.5 Consolidation of Existing Uses

Encourage consolidation of existing oil, gas, and other hydrocarbon activities to decrease the number of wells within the City limits and/or their impact on the surrounding area. *(Imp 2.1)*

NR 19.6 Slant Drilling

Permit slant drilling in accordance with the City Charter and Municipal Code. *(Imp 8.1)*

Visual Resources

Goal

NR 20

Preservation of significant visual resources.

Policies

NR 20.1 Enhancement of Significant Resources

Protect and, where feasible, enhance significant scenic and visual resources that include open space, mountains, canyons, ridges, ocean, and harbor from public vantage points, as shown in Figure NR3. *(Imp 2.1)*

NR 20.2 New Development Requirements

Require new development to restore and enhance the visual quality in visually degraded areas, where feasible, and provide view easements or corridors designed to protect public views or to restore public views in developed areas, where appropriate. *(Imp 20.3)*

NR 20.3 Public Views

Protect and enhance public view corridors from the following roadway segments (shown in Figure NR3), and other locations may be identified in the future:

- Avocado Avenue from San Joaquin Hills Road to Coast Highway
- Back Bay Drive
- Balboa Island Bridge
- Bayside Drive from Coast Highway to Linda Island Drive
- Bayside Drive at Promontory Bay
- Coast Highway/Santa Ana River Bridge
- Coast Highway/Newport Boulevard Bridge and Interchange
- Coast Highway from Newport Boulevard to Marino Drive (Bayshores)
- Coast Highway/Newport Bay Bridge

Figure NR3 Coastal Views

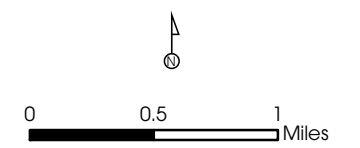
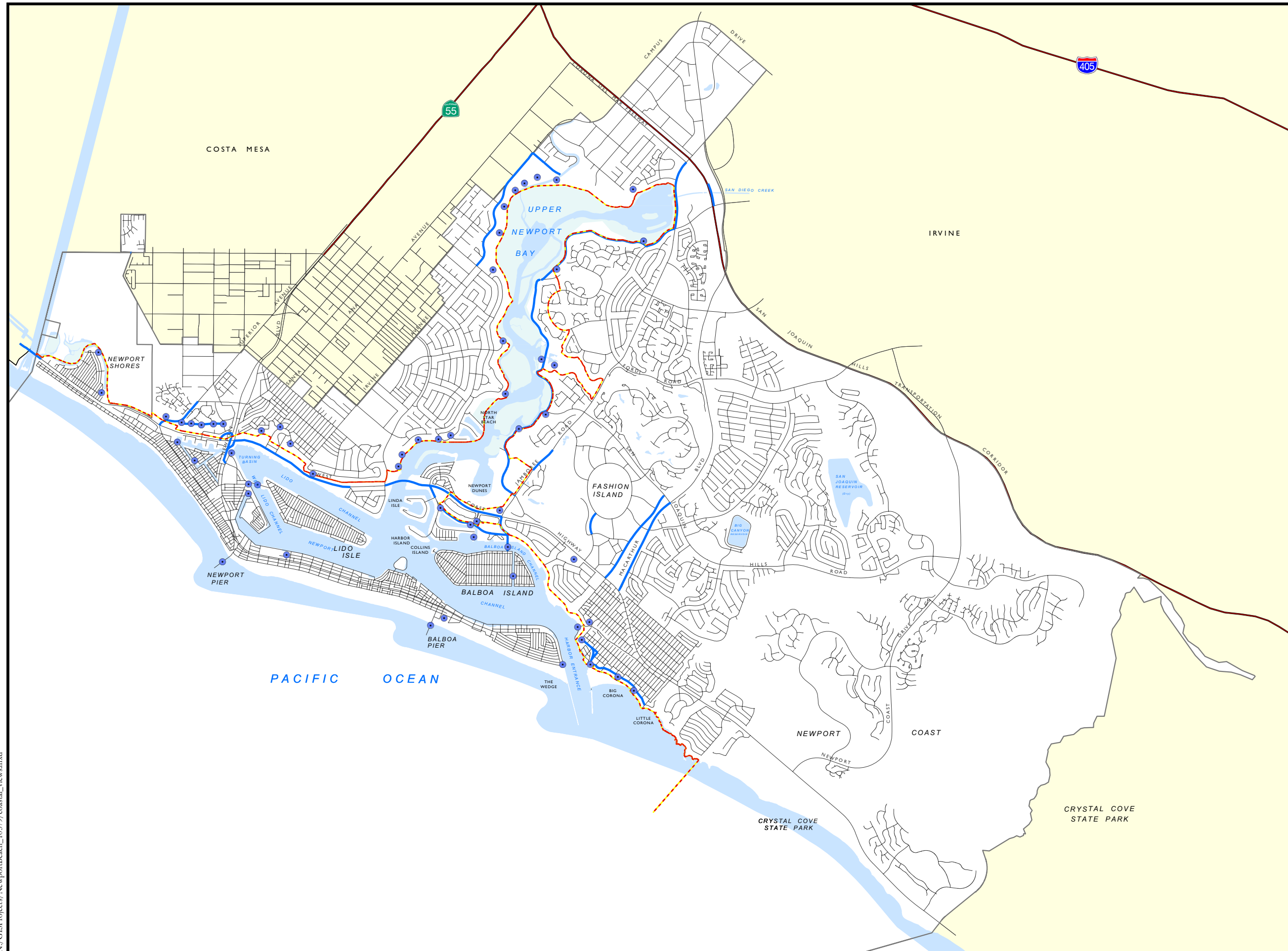
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CITY of NEWPORT BEACH
GENERAL PLAN

Figure NR3
COASTAL VIEWS

Legend

- Public View Point
- Coastal View Road
- Shoreline Height Limitation Zone
- City Boundary
- County



Source: City of Newport Beach, 2005
PROJECT NUMBER: 10579-01
Date: 07/24/06



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- Coast Highway from Jamboree Road to Bayside Drive
- Coast Highway from Pelican Point Drive to city limits
- Eastbluff Drive from Jamboree Road to Backbay Drive
- Irvine Avenue from Santiago Drive to University Drive
- Jamboree Road from Eastbluff Drive/University Drive to Bayview Way
- Jamboree Road in the vicinity of the Big Canyon Park
- Jamboree Road from Coast Highway to Bayside Drive
- Lido Isle Bridge
- MacArthur Boulevard from San Joaquin Hills Road to Coast Highway
- Marguerite Avenue from San Joaquin Hills Road to Fifth Avenue
- Newport Boulevard from Hospital Road/Westminster Avenue to Via Lido
- Newport Center Drive from Newport Center Drive E/W to Farallon Drive/Granville Drive
- Newport Coast from Pelican Hill Road North to Coast Highway
- Ocean Boulevard
- Pelican Hills Road South
- San Joaquin Hills Road from Newport Ridge Drive to Spyglass Hill Road
- San Miguel Drive from San Joaquin Hills Road to MacArthur Boulevard
- State Route 73 from Bayview Way to the easterly City limit
- Superior Avenue from Hospital Road to Coast Highway
- University Drive from Irvine Avenue to the Santa Ana—Delhi Channel
- Vista Ridge Road from Ocean Heights to Altezza Drive (*Imp 2.1, 20.3*)

NR 20.4 Public View Corridor Landscaping

Design and site new development, including landscaping, on the edges of public view corridors, including those down public streets, to frame, accent, and minimize impacts to public views. (*Imp 2.1*)

NR 20.5 Public View Corridor Amenities

Provide public trails, recreation areas, and viewing areas adjacent to public view corridors, where feasible. (*Imp 2.1, 16.11, 23.2*)

Goal

NR 21

Minimized visual impacts of signs and utilities.

Policies

NR 21.1 Signs and Utility Siting and Design

Design and site signs, utilities, and antennas to minimize visual impacts. *(Imp 2.1)*

NR 21.2 Illegal Signs and Legal Nonconforming Signs

Implement programs to remove illegal signs and amortize legal nonconforming signs. *(Imp 2.1, 26.1)*

NR 21.3 Overhead Utilities

Support programs to remove and underground overhead utilities, in new development as well as existing neighborhoods. *(Imp 2.1, 14.13)*

Goal

NR 22

Maintain the intensity of development around Newport Bay to be consistent with the unique character and visual scale of Newport Beach.

Policies

NR 22.1 Regulation of Structure Mass

Continue to regulate the visual and physical mass of structures consistent with the unique character and visual scale of Newport Beach. *(Imp 2.1)*

Goal

NR 23

Development respects natural landforms such as coastal bluffs.

Policies

NR 23.1 Maintenance of Natural Topography

Preserve cliffs, canyons, bluffs, significant rock outcroppings, and site buildings to minimize alteration of the site's natural topography and preserve the features as a visual resource. *(Imp 2.1)*

NR 23.2 Bluff Edge Setbacks

Maintain approved bluff edge setbacks for the coastal bluffs within the communities of Castaways, Eastbluff, Park Newport, Newporter North (Harbor Cove), and Bayview Landing and neighborhoods from Jamboree Road to Corona del Mar, north of Bayside Drive, to ensure the preservation of scenic resources and geologic stability. *(Imp 2.1)*

- NR 23.3 Open Space Dedication or Preservation for New Planned Communities**

Require new planned communities to dedicate or preserve as open space the coastal bluff face and an area inland from the edge of the coastal bluff adequate to provide safe public access and to avoid or minimize visual impacts. *(Imp 2.1, 3.1, 4.1)*
- NR 23.4 New Development on Blufftops**

Require all new blufftop development located on a bluff subject to marine erosion to be set back based on the predominant line of development. This requirement shall apply to the principal structure and major accessory structures such as guesthouses and pools. The setback shall be increased where necessary to ensure safety and stability of the development. *(Imp 2.1)*
- NR 23.5 New Accessory Structures on Blufftops**

Require new accessory structures, such as decks, patios and walkways, that do not require structural foundations to be sited at least 10 feet from the edge of bluffs subject to marine erosion. Require accessory structures to be removed or relocated landward when threatened by erosion, instability or other hazards. *(Imp 2.1)*
- NR 23.6 Canyon Development Standards**

Establish canyon development setbacks based on the predominant line of existing development for Buck Gully and Morning Canyon. Do not permit development to extend beyond the predominant line of existing development by establishing a development stringline where a line is drawn between nearest adjacent corners of existing structures on either side of the subject property. Establish development stringlines for principle structures and accessory improvements. *(Imp 2.1, 6.1)*
- NR 23.7 New Development Design and Siting**

Design and site new development to minimize the removal of native vegetation, preserve rock outcroppings, and protect coastal resources. *(Imp 2.1)*

Energy Conservation

Goal

NR 24
 Increased energy efficiency in City facilities and operations and in private developments.

Policies

NR 24.1 Incentives for Energy Conservation

Develop incentives that encourage the use of energy conservation strategies by private and public developments. *(Imp 7.1)*

NR 24.2 Energy-Efficient Design Features

Promote energy-efficient design features. *(Imp 7.1)*

NR 24.3 Incentives for Green Building Program Implementation

Promote or provide incentives for “Green Building” programs that go beyond the requirements of Title 24 of the California Administrative Code and encourage energy efficient design elements as appropriate to achieve “green building” status. *(Imp 7.1)*

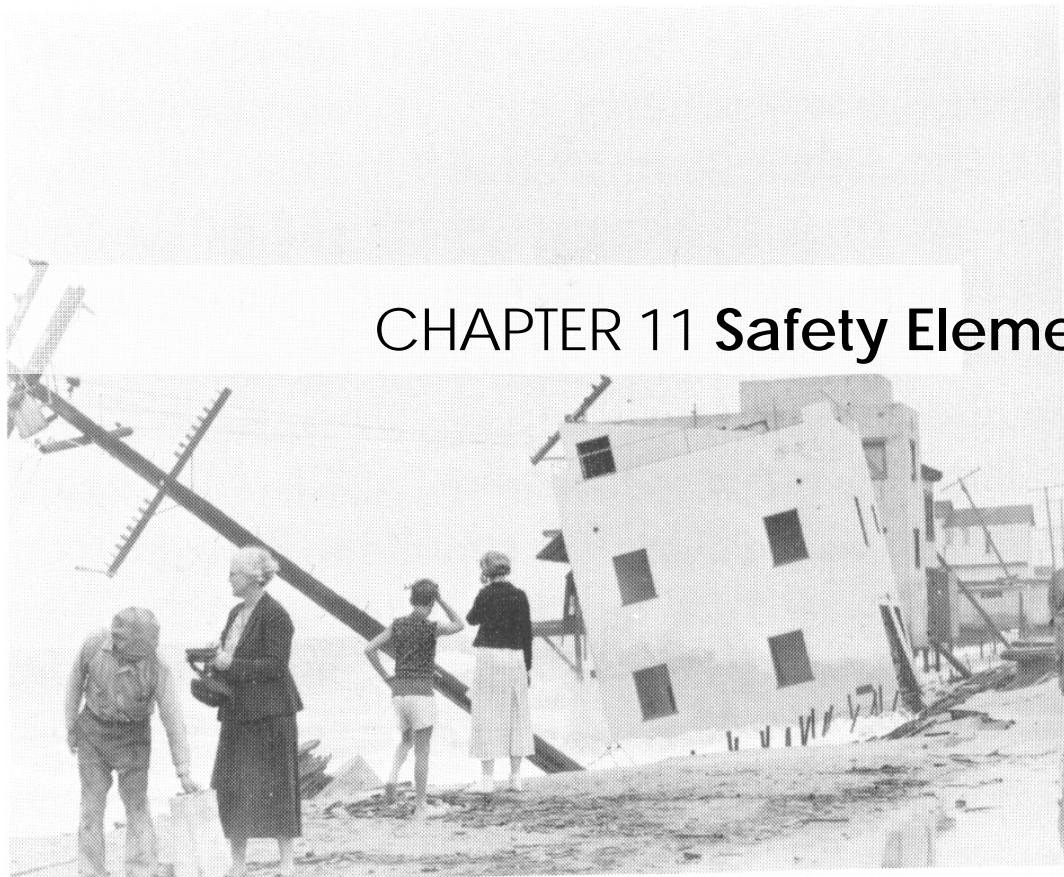
NR 24.4 Incentives for Provision of LEED Certified Buildings

Provide incentives for implementing Leadership in Environmental and Energy Design (LEED) certified building such as fee waivers, bonus densities, and/or awards recognition programs. *(Imp 2.1, 7.1)*

NR 24.5 New Methane Extraction Activities

Allow new methane extraction activities to reduce reliance on fossil fuels. *(Imp 2.1)*

CHAPTER 11 **Safety Element**



SAFETY

A Safe and Healthy Community That Protects

Introduction

The primary goal of the Safety Element is to reduce the potential risk of death, injuries, property damage, and economic and social dislocation resulting from natural and human-induced hazards. This Safety Element recognizes and responds to public health and safety risks that could cause exposure to the residents of Newport Beach. Implementation of city, county, and state emergency response and mutual aid plans will enable the community to avert or minimize impacts to the extent practical and feasible, as well as allow restoration of the City in a timely manner after an event.

This element specifically addresses coastal hazards, geologic hazards, seismic hazards, flood hazards, wildland and urban fire hazards, hazardous materials, aviation hazards, and disaster planning. As discussed below, the type and location of hazards have been identified in this element, as well as policies and programs to minimize impacts.

Context

COASTAL HAZARDS

Newport Beach is susceptible to low-probability but high-risk events such as tsunamis, and two, more common, isolated hazards such as storm surges and coastal erosion. Each of these has a potential to

significantly impact Newport Beach residents and the built environment. Figure S1 shows potential tsunami inundation areas, and areas subject to coastal erosion.

Tsunamis and Rogue Waves

Newport Beach is generally protected from most distantly generated tsunamis by the Channel Islands and Point Arguello, except for those generated in the Aleutian Islands, off the coast of Chile, and possibly off the coast of Central America. Nevertheless, since the early 1800s, more than thirty tsunamis have been recorded in Southern California, and at least six of these caused damage in the area, although not necessarily in Newport Beach. Tsunamis generated in the Alaskan region take approximately six hours to arrive in the Southern California area, while tsunamis generated off the Chilean coast take 12 to 15 hours. Given those timeframes, coastal communities in Southern California can receive adequate warning, allowing them to implement evacuation procedures.

ELEMENT

Its Residents and Visitors from Natural

Alternatively, very little warning time, if any, can be expected from locally generated tsunamis. Locally generated tsunamis caused by offshore faulting or landsliding immediately offshore from Newport Beach are possible, and these tsunamis have the potential to be worst-case scenarios for the coastal communities in Orange County. Modeling off the Santa Barbara coast suggests that locally generated tsunamis can cause waves between 2 and 20 meters (6 to 60 feet) high, and that these could impact the coastline with almost no warning, within minutes of the causative earthquake or slump. Areas within Newport Beach that are most likely to be impacted by a tsunami include West Newport, Balboa Peninsula, Lido Isle, Balboa Island, and Upper Newport Bay.

Rogue waves are very high waves that arise unexpectedly in the open ocean. These waves are difficult to plan for as they are unpredictable. Rogue waves have historically impacted the Orange County coast and have the potential to impact Newport Beach in the future.

Storm Surges

Unlike tsunamis, which can occur anytime, storm surges are associated with inclement weather. Given that during inclement weather a lot less people are expected to be at the beach, storm surges are more likely to impact residents than tourists, and the potential number of casualties can be expected to be significantly less. The most common problem associated with storm surges is flooding of low-lying areas, including structures. This is often compounded by intense rainfall and strong winds. If a storm surge occurs during high tide, the flooded area can be significant. Coastal flooding in Newport Beach occurred in the past when major storms, many of these El Niño Southern Oscillation events, impacted the area. Storm surging associated with a tropical storm has been reported only once in the history of Newport Beach, in 1939. This suggests that the hazard of cyclone-induced storm surges has a low probability of occurrence.

Coastal Erosion

Newport Beach has a variety of coastal features ranging from replenished beach sands in West Newport, to steep bluffs comprised of sandstone and siltstone to the south of Corona del Mar. Significant coastal bluff retreat, bluff-top erosion, gullying, and beach erosion are occurring along the eastern Newport shoreline, and the rates of erosion are dependent on the underlying geologic units and their different responses to the weathering effects of water (including rain and waves), gravity, and wind. Coastal erosion occurs as a result of natural processes such as long-shore drift, storm surge, and sea level rise. Sea bluff erosion occurs as a result of processes that impact both the bottom and top of the cliffs. Pounding of the waves during high tide and storm surges causes considerable damage to the bottom of the bluffs. If the sediments exposed in this zone are soft and highly erodible, eventual collapse of the bluff can occur as it is undercut by wave action. Uncontrolled surface runoff, if allowed to flow over the top of the bluffs, can cause extensive erosion in the form of rills and gullies. During wet years, large canyons can develop quickly, often as a result of a single storm. Unchecked foot and vehicular traffic and rodent burrowing can also cause significant damage at the top of the bluffs. Increased irrigation associated with agricultural and residential watering can lubricate fine-grained layers in the sediments or bedrock forming the cliffs, leading to failure as a result of landsliding.



Coastal bluff erosion along the Newport Beach coastline

The protection of the beaches from coastal erosion, through effective structural devices and sand replenishment, provides more than just a wider beach; it serves as a buffer zone that provides protection from tsunami run-up or storm surges, especially in areas where there are no dune deposits in front of residential or commercial development.

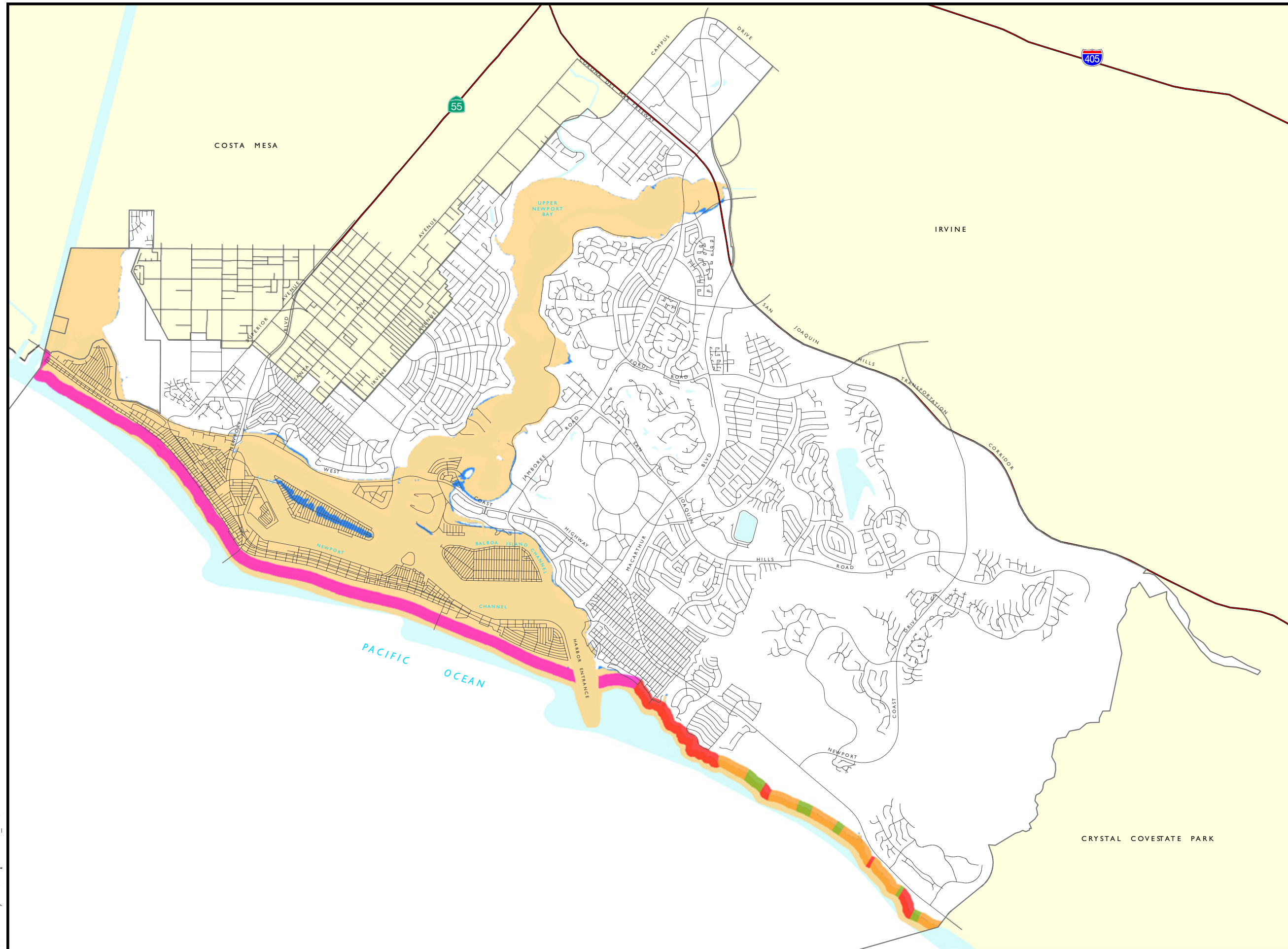
GEOLOGIC HAZARDS

The geologic diversity of Newport Beach is strongly related to tectonic movement along the San Andreas Fault and its broad zone of subsidiary faults. This, along with sea level fluctuations related to changes in climate, has resulted in a landscape that is also diverse in geologic hazards. Geologic hazards are generally defined as surficial earth processes that have the potential to cause loss or harm to the community or the environment.

Figure S1 Coastal Hazards

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**Figure S1
COASTAL
HAZARDS**



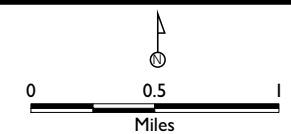
Legend

Coastal Erosion Hazards

- Sandstone member of Monterey Formation; most resistant bluff-forming unit. Prone to landsliding or mass wasting where undercut by wave action, especially at points. Fails as large blocks.
- Siltstone member of Monterey formation; very fissile and fractured; tends to form an apron of talus at the base of slopes
- Pleistocene marine terrace deposits; prone to landsliding along steep cuts (i.e. Highway 1), and to erosion by rilling and gulying along bluffs
- Beach and eolian sand covering the gently sloping to level beaches. Continuously reworked by wave and wind action

Tsunami Inundation at Extreme High Tide

- 100-year Zone (Inundation Elevation=13.64 feet)
- 500-year Zone (Inundation Elevation=15.24 feet)



Source: City of Newport Beach, and Earth Consultants, 2003.
PROJECT NUMBER: 10579-01
Date: 03/24/06



Pg 2—8.5x11 color

Slope failures

Slope failures often occur as elements of interrelated natural hazards in which one event triggers a secondary event such as a storm-induced mudflow. Slope failure can occur on natural and man-made slopes. The City's remaining natural hillsides and coastal bluff areas are generally vulnerable to slope failures that include: San Joaquin Hills; and bluffs along Upper Newport Bay, Newport Harbor, and the Pacific Ocean. Despite the abundance of landslides and new development in the San Joaquin



Geologic hazards such as slope failures occur in Newport Beach

Hills, damage from slope failures in Newport Beach has been small compared to other hillside communities. This can probably be attributed to the development of strict hillside grading ordinances, sound project design that avoid severely hazardous areas, soil engineering practices, and effective agency review of hillside grading projects.

Compressible Soils

Compressible soils underlie a significant part of the City, typically in the lowland areas and in canyon bottoms. These are generally young sediments of low density with variable amounts

of organic materials. Under the added weight of fill embankments or buildings, these sediments will settle, causing distress to improvements. Low-density soils, if sandy in composition and saturated with water, will also be susceptible of the effects of liquefaction during a moderate to strong earthquake.

Expansive Soils

Some of the geologic units in the Newport Beach area, including both surficial soils and bedrock, have fine-grained components that are moderate to highly expansive. These materials may be present at the surface or exposed by grading activities. Man-made fills can also be expansive, depending on the soils used to construct them.

SEISMIC HAZARDS

The City of Newport Beach is located in the northern part of the Peninsular Ranges Province, an area that is exposed to risk from multiple earthquake fault zones. The highest risks originate from the Newport-Inglewood fault zone, the Whittier fault zone, the San Joaquin Hills fault zone, and the Elysian Park fault zone, each with the potential to cause moderate to large earthquakes that would cause ground shaking in Newport Beach and nearby communities. Earthquake-triggered geologic effects also include surface fault rupture, landslides, liquefaction, subsidence, and seiches. Earthquakes can also lead to urban fires, dam failures, and toxic chemical releases, all man-related hazards. Figure S2 shows areas within Newport Beach that are subject to liquefaction and landslides.

Liquefaction

Strong ground shaking can result in liquefaction. Liquefaction, a geologic process that causes ground failure, typically occurs in loose, saturated sediments primarily of sandy composition. Areas of Newport susceptible to liquefaction and related ground failure (i.e. seismically induced settlement) include areas along the coastline that includes Balboa Peninsula, in and around the Newport Bay and Upper Newport Bay, in the lower reaches of major streams in Newport Beach, and in the floodplain of the Santa Ana River. It is likely that residential or commercial development will never occur in many of the other liquefiable areas, such as Upper Newport Bay, the Newport Coast beaches, and the bottoms of stream channels. However, other structures (such as bridges, roadways, major utility lines, and park improvements) that occupy these areas are vulnerable to damage from liquefaction if mitigation measures have not been included in their design.

Seismically Induced Slope Failure

Strong ground motions can also worsen existing unstable slope conditions, particularly if coupled with saturated ground conditions. Seismically induced landslides can overrun structures, people or property, sever utility lines, and block roads, thereby hindering rescue operations after an earthquake. Much of the area in eastern Newport Beach has been identified as vulnerable to seismically induced slope failure. Approximately 90 percent of the land from Los Trancos Canyon to State Park boundary is mapped as susceptible to landsliding by the California Geologic Survey. Additionally, the sedimentary bedrock that crops out in the San Joaquin Hills is locally highly weathered. In steep areas, strong ground shaking can cause slides or rockfalls in this material. Rupture along the Newport-Inglewood Fault Zone and other faults in Southern California could reactivate existing landslides and cause new slope failures throughout the San Joaquin Hills. Slope failures can also be expected to occur along stream banks and coastal bluffs, such as Big Canyon, around San Joaquin Reservoir, Newport and Upper Newport Bays, and Corona del Mar.

FLOOD HAZARDS

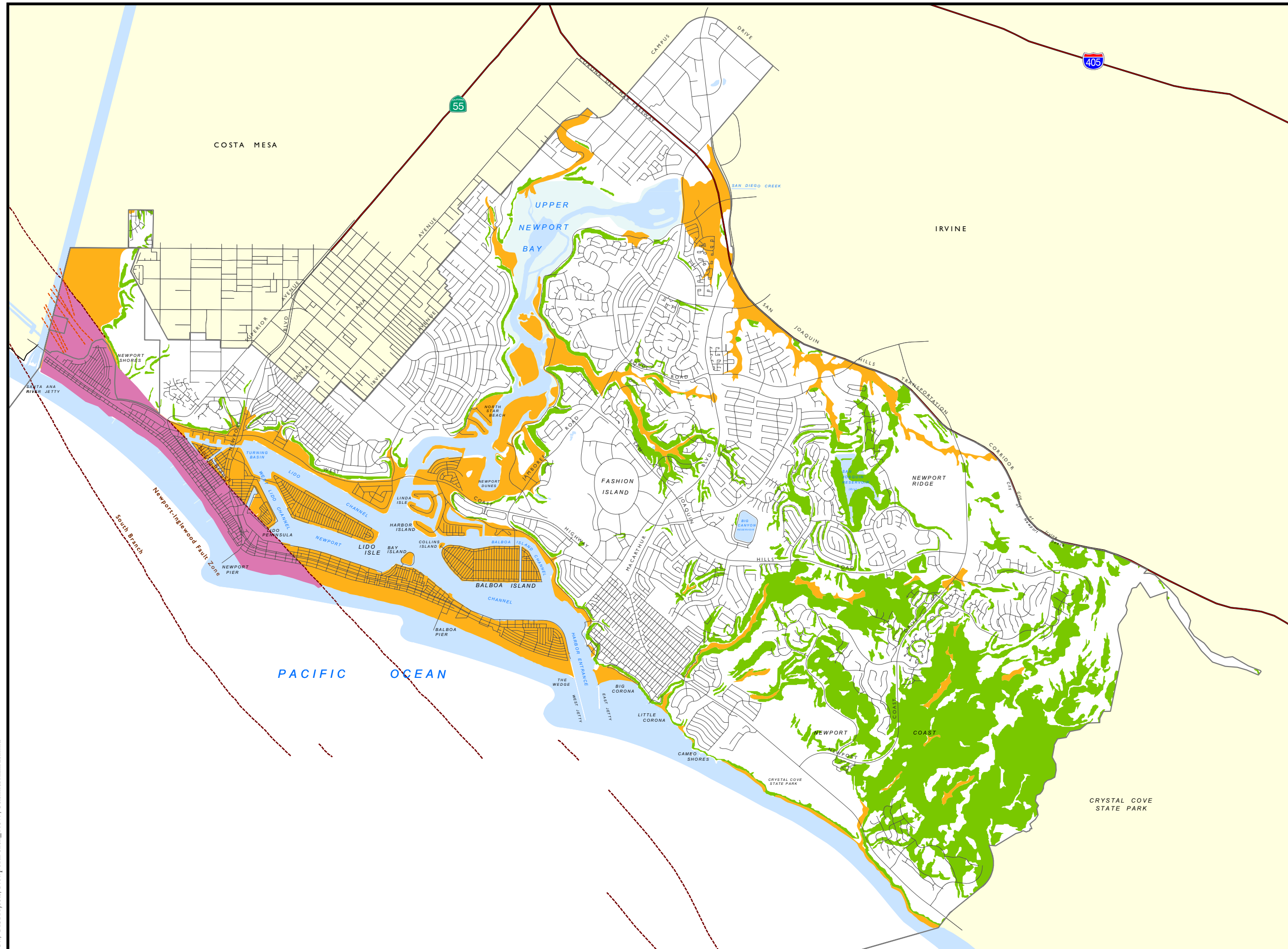
Flooding can be a destructive natural hazard, and is a recurring event. Flood hazards in Newport Beach can be classified into two general categories: flash flooding from small, natural channels; and more moderate and sustained flooding from the Santa Ana River and San Diego Creek.

The 100- and 500-year flood zones have been identified by the Federal Emergency Management Agency, and include the low-lying areas in West Newport at the base of the bluffs, the coastal areas which surround Newport Bay and all low-lying areas adjacent to Upper Newport Bay. 100- and 500-year flooding is also anticipated to occur along the lower reaches of Coyote Canyon, in the lower reaches of San Diego Creek and the Santa Ana Delhi Channel, and in a portion of Buck Gully. Most flooding along these second- and third-order streams is not expected to impact significant development. However, flooding in the coastal areas of the City will impact residential and commercial zones along West Newport, the Balboa Peninsula and Balboa Island and the seaward side of Pacific Coast Highway. Figure S3 shows the 100- and 500-year flood zones.

Figure S2 Seismic Hazards

Pg 1—8.5x11 color

**Figure S2
SEISMIC
HAZARDS**



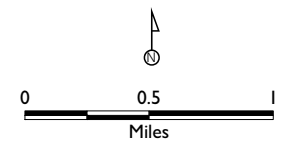
Legend

- City Boundary
- Areas with liquefaction potential
- Areas with landslide potential
- Fault Disclosure Zone for real-estate disclosure purposes

Fault Line

- Major fault traces as mapped by Morton, 1999. Presumed active, except where shown otherwise based on geological studies
- Southward projection of active fault traces based on a subsurface study on the west bank of the Santa Ana River

- Highway
- Local Road
- County



Source: City of Newport Beach and Earth Consultants, 2003
PROJECT NUMBER: 10579-01
Date: 06/07/06



Pg 2—8.5x11 color

In addition, seismically induced inundation, which refers to flooding that results when water retention structures fail due to an earthquake, can also occur in the City. Portions of Newport Beach are threatened by flooding from Prado Dam, Santiago Creek Reservoir, Villa Park Reservoir, San Joaquin Reservoir, Big Canyon Reservoir, and Harbor View Reservoir. Seismically induced inundation can also occur if strong ground shaking causes structural damage to aboveground water tanks. Currently, there are no above-ground water tanks in the City.

Various flood control measures have helped mitigate flood damage in the City, including reservoirs in the San Joaquin Hills and Santa Ana Mountain foothills, and channel alterations for the Santa Ana River. These structures help regulate flow in the Santa Ana River, San Diego Creek, and smaller streams and hold back some of the flow during intense rainfall period that could otherwise overwhelm the storm drain system in Newport Beach.

FIRE HAZARDS

Wildland Fires

The City of Newport Beach defines a wildland fire hazard area as any geographic area that contains the type and condition of vegetation, topography, weather, and structure density that potentially increases the possibility of wildland fires. The eastern portion of the City and portions of the Newport Beach region and surrounding areas to the north, east, and southeast include grass- and brush-covered hillsides with significant topographic relief that facilitate the rapid spread of fire, especially if fanned by coastal breezes or Santa Ana winds. Fire susceptibility in Newport Beach is shown in Figure S4.



Fire in the Back Bay in 2000

In those areas identified as susceptible to wildland fire, the Fire Department enforces locally developed regulations which reduce the amount and continuity of fuel (vegetation) available, firewood storage, debris clearing, proximity of vegetation to structures and other measures aimed at “Hazard Reduction.”

New construction and development are further protected by local amendments to the Uniform Building Code. These amendments, which are designed to increase the fire resistance of a building, include: protection of exposed eaves, noncombustible construction of exterior walls, protection of openings, and the requirement for Class “A” fireproof roofing throughout the City. Additionally, a “Fuel Modification” plan aimed at reducing fire encroachment into structures from adjacent vegetation must be developed and maintained.

Additional measures include: protection of exposed eaves, noncombustible construction of exterior walls, protection of openings, and the requirement for Class “A” fireproof roofing throughout the City. Additionally, a “Fuel Modification” plan aimed at reducing fire encroachment into structures from adjacent vegetation must be developed and maintained.

Urban Fires

Many factors contribute to an area being at risk of structural fires in terms of the local fire departments capabilities to control them, including the construction size and type, built-in protection, density of construction, street widths, and occupancy size. The City’s daytime population levels may also add to the congestion and difficulty of ingress and egress of emergency response vehicles.

Many of the structures in the older portions of the City, some dating back to the 1930s, are susceptible to urban fires. These areas were built to older building standards and fire codes, made from non-fire-resistive construction materials, and built with no internal sprinklers and other fire safety systems in place. These areas include Balboa Peninsula, Balboa Island, and Corona del Mar. Newport Beach has over 30 high-rise buildings that were constructed since the 1960s, four of which are not sprinklered: 3121 West Coast Highway, 601 Lido Park Drive, 400 Newport Center Drive, and 611 Lido Park Drive.

Geography is also a factor to fire safety in the City. Upper and Lower Newport Bay essentially divide the City into two regions, with approximately one-third of the Fire Department assets located west of the bay, and the remaining assets east of the bay. Connection between these two sides is provided by only a limited number of roadways (Pacific Coast Highway in the south, Bristol Street and the 73 Freeway on the north), making it difficult for fire stations on both sides of the bay to support each other during multiple alarm emergencies. Failure of the bridge connectors on any of these roadways as a result of an earthquake, for example, would hinder emergency response from fire stations in east Newport Beach and Newport Coast into the densely populated areas of the City west and south of the bay.

Earthquake-induced fires have the potential to be the worst-case fire-suppression scenarios for a community because an earthquake can cause multiple ignitions distributed over a broad geographic area. There are some older sections in Newport Beach where due to ground failure, breaks in the gas mains and the water distribution system could lead to a significant fire-after-earthquake situation.

The City of Newport Beach has adopted the 2001 California Fire Code with City amendments and some exceptions. These provisions include construction standards in new structures and remodels, road widths and configurations designed to accommodate the passage of fire trucks and engines, and requirements for minimum fire flow rates for water mains.

HAZARDOUS MATERIALS

The state of California defines hazardous materials as substances that are toxic, ignitable or flammable, reactive, and/or corrosive. The state also defines hazardous materials as substances that show high acute or chronic toxicity, is carcinogenic (causes cancer), has bioaccumulative properties (accumulates in the body's tissues), is persistent in the environment, or is water reactive. The primary concern associated with a hazardous materials release is the short and/or long-term effect to the public from exposure to the hazardous material. The best way to reduce the liability for a hazardous material release is through regulation governing the storage, use, manufacturing and handling of hazardous materials. These regulations are typically issued by the United States Environmental Protection Agency (EPA), but various local agencies are tasked with the responsibility of monitoring those facilities that use, store, transport, and dispose hazardous materials for compliance with the federal guidelines, or if applicable, with more stringent state guidelines. Following is a summary of hazardous material found in Newport Beach.




Figure S3 Flood Hazards

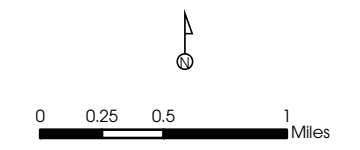
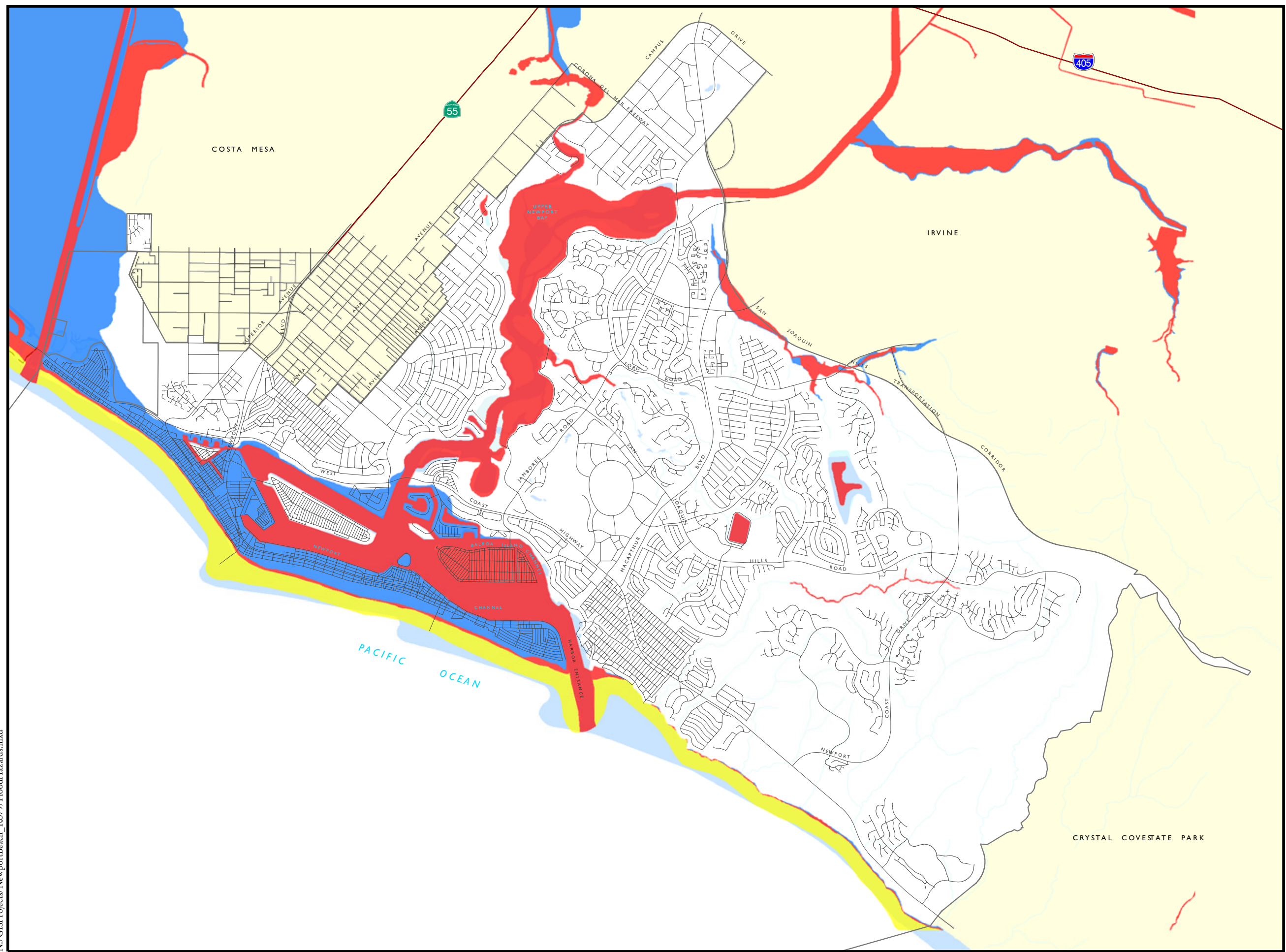
Pg 1—8.5x11 color

CITY of NEWPORT BEACH
GENERAL PLAN

Figure S3
FLOOD HAZARDS

Legend

-  Special Flood Hazard Areas
Inundated by 100-year flood
-  Areas of 500-year flood; areas of
100-year flood with average
depths of less than 1 foot or with
drainage areas less than 1 square
mile; and areas protected by
levees from 100-year flood
-  Zone VE, Coastal flood zone with
velocity hazard (wave action);
base flood elevations determined.



Source: City of Newport Beach, 2006
PROJECT NUMBER: 10579-01
Date: 03/17/06



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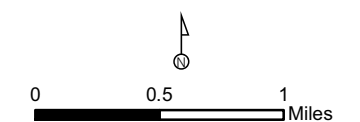
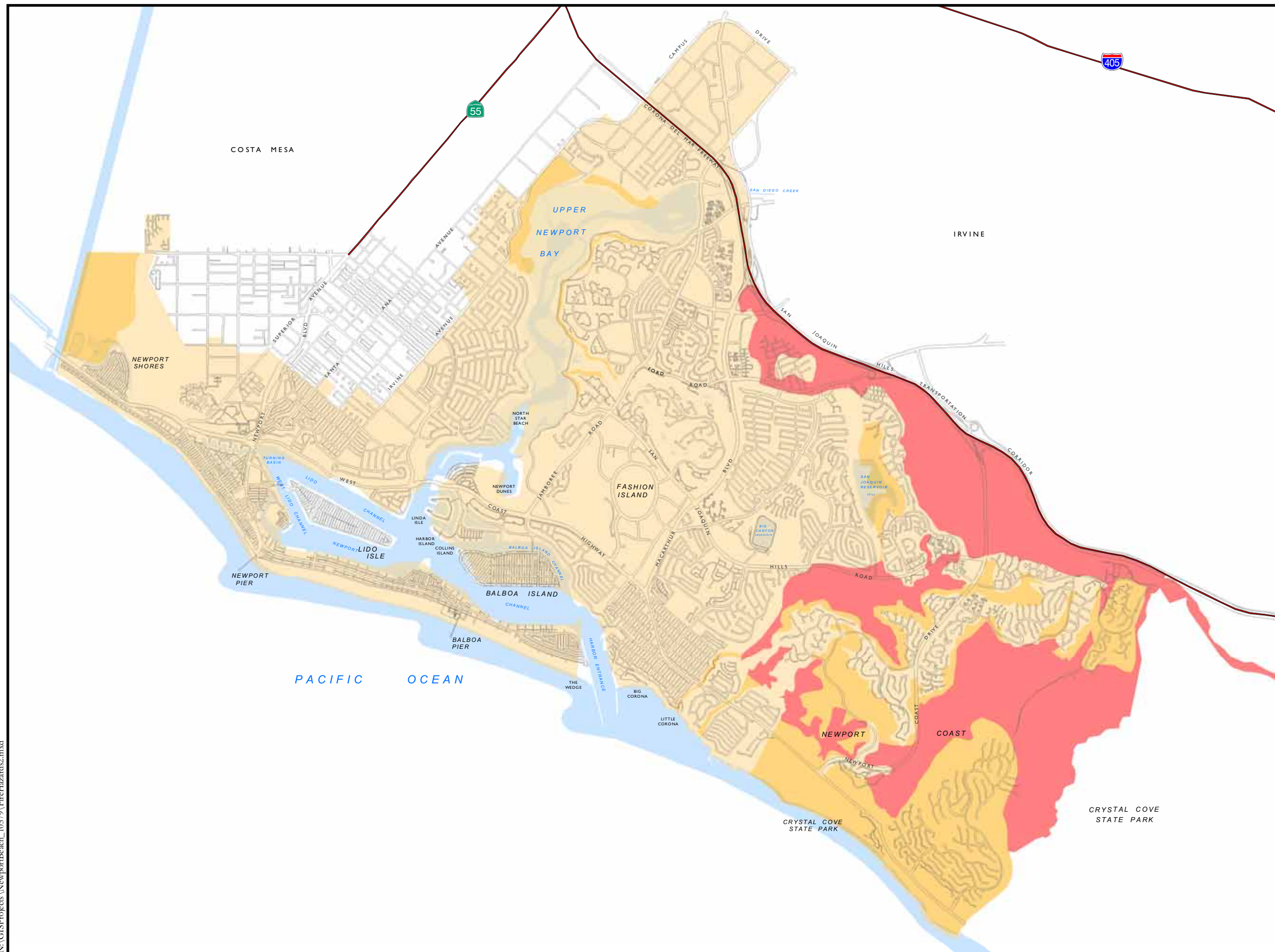
Figure S4 Wildfire Hazards
Pg 1—8.5x11 color

Figure S4
WILDFIRE HAZARDS

Fire Susceptibility

- High*
- Moderate
- Low/None

* Contains no "Very High Fire Hazard Severity Zones" pursuant to Government Code 51179.



Source: City of Newport Beach and Earth Consultants, 2003
PROJECT NUMBER: 10579-01
Date: 9/18/06



Pg 2—8.5x11 color

Toxic Release Inventory

According to the EPA records, there is one facility in the Newport Beach area that is listed in the most recently available Toxics Release Inventory (TRI). TRI sites are known to release toxic chemicals into the air. The EPA closely monitors the emissions from these facilities to ensure that their annual limits are not exceeded. The South Coast Air Quality Management District also issues permits to facilities that emit chemicals, both toxic and nontoxic, into the atmosphere. These facilities include restaurants, hotels, dry-cleaners, and other small businesses.

Hazardous Waste

According to the most recent EPA and City data available, there are two large quantity generators and approximately 115 small quantity generators in the Newport Beach area. The number of small quantity generators is expected to increase with increasing development in the City, since this list includes businesses like gasoline stations, dry cleaners, and photo-processing shops.

Leaking Underground Storage Tanks

According to data from the State Water Resources Control Board, 76 underground storage tank leaks have been reported in the Newport Beach area. Of these, 47 sites have been either cleaned up or deemed to be of no environmental consequence, leaving 29 cases that are still open and in various stages of the remediation process. None of the leaks that have been reported in the City have impacted a drinking source of ground water. The Orange County Environmental Health Department provides oversight and conducts inspections of all underground tank removals and installation of new tanks.

Oil Fields

There is one oil field in the City of Newport Beach and one in its Sphere of Influence. Hazardous materials are often associated with these facilities, usually as a result of poor practices in the early days of exploration, when oil cuttings, brine water, and other by-products were dumped onto the ground. The development of oil fields for residential or commercial purposes typically involves a detailed study to identify any areas impacted by oil or other hazardous materials, and the remediation of the property prior to development.

Methane Gas Mitigation Districts

Natural seepages of gas occur in the western and southwestern portions of the City. Methane gas associated with an abandoned landfill has also been reported near the City's northwestern corner. The City has implemented a series of mitigation measures to reduce the hazard associated with methane gas.

Hazards Overlay

Given the mixed-use character of Newport Beach, where residential and commercial uses reside relatively close to one another or often co-exist, facilities that generate, use, or store hazardous

materials are often located near residential areas or near critical facilities, with the potential to impact these areas if hazardous materials are released into the environment at concentrations of concern.

AVIATION HAZARDS

John Wayne Airport (JWA) generates nearly all aviation traffic above the City of Newport Beach. On an average business day, 300 commercial and commuter flights (150 departures and 150 arrivals) arrive at and depart from JWA. Newport Beach borders the southeastern portion of JWA. More than 95 percent of all airplanes take off and ascend over the City. Accidents with one or more fatalities involving commercial aircraft are rare events. However, in the event of an aviation hazard, pilots are instructed to follow Newport Bay away from residential or developed area. Any potential impact will be significantly reduced by coordinated response operations of all available emergency services. The airport is protected by an on-site airport fire service as required by the Federal Aviation Administration (FAA) regulations. This service is provided by Orange County Fire Station No. 33. In addition, the Orange County Fire Services Area Plan Annex contains a Marine (Air/Sea) Disaster Response Plan that establishes protocols for marine disasters in the harbor or ocean from either aircraft or boating accidents. This plan, which includes a county-wide mutual aid response to a disaster, would be implemented by the Newport Beach Fire Department.

Three areas found to be of increased vulnerability to aviation hazards in the City are Balboa Peninsula, Balboa Island, and Upper Newport Bay. As previously discussed under Urban Fires, Balboa Island is susceptible to fire hazards due to the fact that structures were built prior to implementation of stringent fire codes. Additionally, access and egress is limited to a small bridge. In the event of a fire caused by an aviation accident, it could spread quickly.

An aviation accident in Upper Newport Bay could create a significant ecological and economic hazard to the environment. The recreational value of the City of Newport Beach with its more than 9,000 registered boats could be dramatically affected, and an aviation accident could significantly pollute the waterways.

DISASTER PLANNING








Any potential hazard in the City resulting from a manmade or natural disaster may result in the need for evacuation of few or thousands of citizens of Newport Beach. Homeland Security has brought disaster awareness to the forefront of the minds of the community, safety officials, and City staff. The City of Newport Beach is currently using the Standardized Emergency Management System for emergency response in the City, where depending on the type of incident, several different agencies and disciplines may be called upon to assist with emergency response. Agencies and disciplines that can be expected to be part of an emergency response team include medical, health, fire and rescue, police, public works, and coroner. Additionally, policies and plans from the Orange County Operational Area Mutual Aid Plan, the state's Mutual Aid Plan, and the state's Fire and Rescue Mutual Aid System would be implemented.

Within the Newport Beach Fire Department (NBFD), the Disaster Preparedness Coordinator has updated the City's Emergency Management Plan, including the development and implementation of disaster training for employees. The Emergency Management Plan describes the different levels of emergencies, the local emergency management organization, and the specific responsibilities of each

Figure S5 JWA Clear Zone/Runway Protection Zones and Accident Potential Zones
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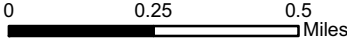
CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure S5
**JWA CLEAR ZONE/RUNWAY
 PROTECTION ZONES AND
 ACCIDENT POTENTIAL ZONES**

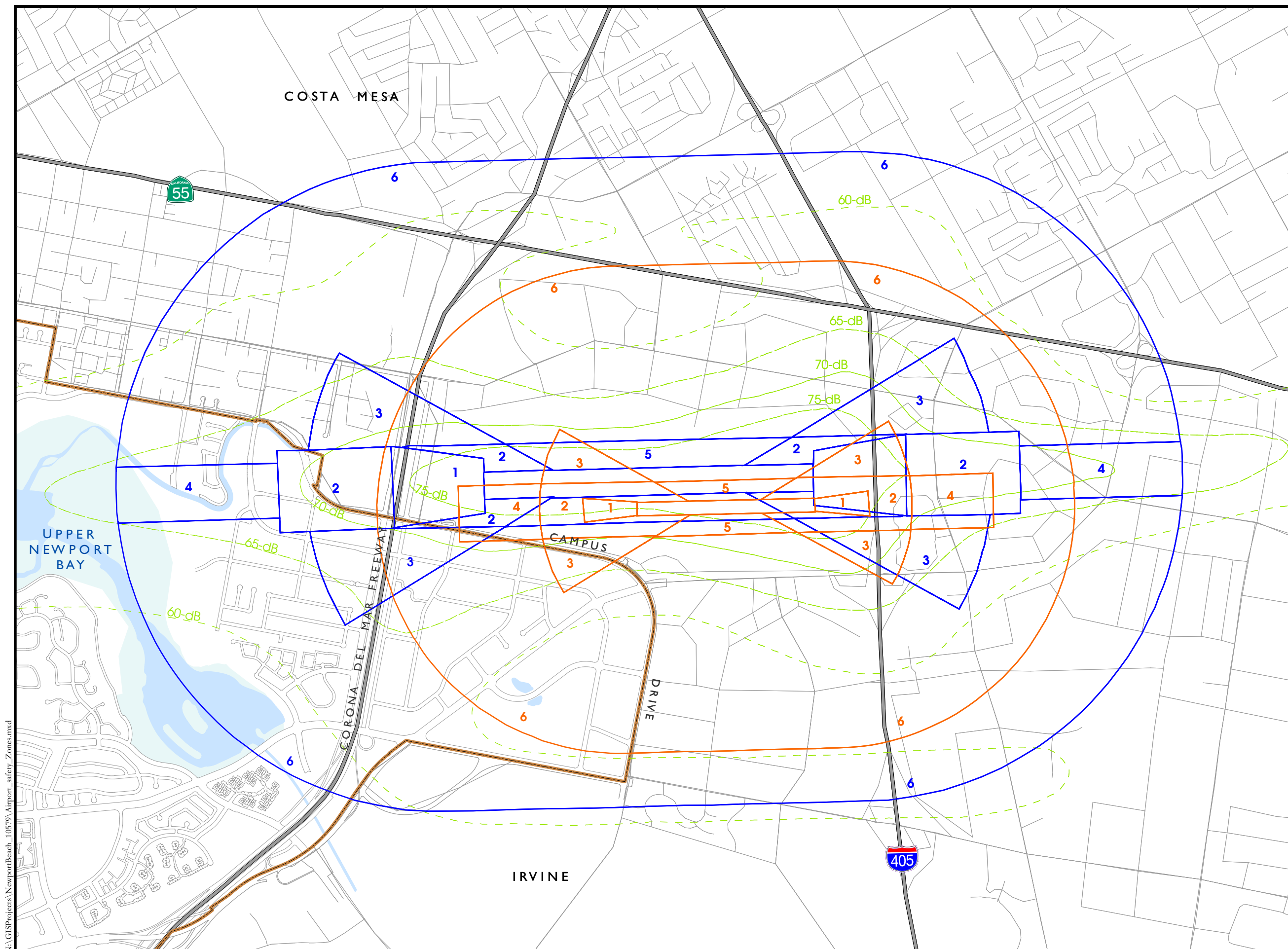
Legend

-  Safety Compatibility Zones for Runway 1L and 19R (a medium general aviation runway as described in the California Airport Land Use Planning handbook, January 2002)
-  Safety Compatibility Zones for Runway 1R and 19L (a short general aviation runway as described in the California Airport Land Use Planning handbook, January 2002)
-  AELUP Noise Contours
-  Water Body
-  City Boundary
-  Highway
-  Right of Way

Safety Compatibility Zones

1. Runway Protection Zone
2. Inner Approach/Departure Zone
3. Inner Turning Zone
4. Outer Approach/Departure Zone
5. Sideline Zone
6. Traffic Pattern Zone



 Source: Airport Land Use Commission for Orange County, 2006
 PROJECT NUMBER: 10579-01
 Date: 6/20/06



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participating agency, government office, and City staff. A Citywide drill, which involves implementation of the Plan, is conducted annually.

Currently, NBFD provides basic life support (BLS), advanced life support (ALS) and emergency transportation utilizing the fire engines and ladder trucks housed in the Department's eight fire stations along with the paramedics housed in three of those stations. While the NBFD has the immediate capability of providing ALS service at three simultaneous incidents, there is an occasional need for additional ALS units. Additional ALS service is provided by nearby and adjoining public agencies by means of cooperative automatic aid agreements. Emergency transportation beyond the capability of the department is provided by private ambulance companies.

Mass casualty incidents, those incidents usually involving three or more critical patients require the implementation of the Orange County Fire Services Operational Plan Annex "Multi-Casualty Incident Response Plan." This Plan is an organizational plan that aids in assigning treatment teams and quickly moving patients off scene to appropriate receiving centers in an expeditious and organized manner. The multi-casualty plan is intended to be implemented during any multi casualty incident, such as multiple vehicle accidents, aviation accidents, hazardous materials incidents, high-rise fires, and so forth. Although the system has been designed to be used with as few as three patients, it can be expanded to an infinite number as it becomes necessary.

Lastly, in the event of a disaster, the City's Emergency Operations Center can be opened. The center has undergone a series of considerable upgrades and improvements. Training for the residents within the City continues through the Community Emergency Response Team program. The continued development of the community's disaster preparedness efforts will aid the residents of Newport Beach in an areawide disaster by fostering a citywide culture of "preparedness."

LOCAL HAZARD MITIGATION PLAN

The most current Local Hazards Mitigation Plan (LHMP) is, and as updated from time to time will continue to be, incorporated in the Safety Element. The Safety Element and the LHMP are complementary documents that work together to achieve the ultimate goal to reduce the impacts on the community from a disaster.

Goals and Policies

Coastal Hazards: Minimization of Tsunamis and Rogue Wave Hazards

Goal

S 1

Protection of people and property from the adverse effects of coastal hazards related to tsunamis and rogue waves.

Policies

S 1.1 Evacuation Routes

Review local and distant tsunami inundation maps for Newport Beach and adjacent coastal communities as they are developed to identify susceptible areas and plan evacuation routes. *(Imp 28.2)*

S 1.2 Evacuation Response Plans

Participate in any regional effort to develop and implement workable response plans that the City's emergency services can adopt immediately for evacuation in the case of a tsunami warning. *(Imp 14.1, 28.2)*

S 1.3 Beach Replenishment

Maintain beach width, critical protection against tsunami run-up for structures along the oceanfront, through such projects as the Surfside-Sunset/West Newport Beach Replenishment Program. *(Imp 22.1, 23.2)*

S 1.4 Education Program

Develop and implement a tsunami educational program for residents, visitors, and people who work in the susceptible areas. *(Imp 29.1)*

S 1.5 Tsunami Research

Support tsunami research in the Newport Beach offshore and Newport Bay areas. *(Imp 28.1)*

Coastal Hazards: Minimization of Storm Surge and Seiche Hazards

Goal

S 2

Protection of people and property from the adverse effects of coastal hazards related to storm surges and seiches.

Policies

S 2.1 Wave Up-Rush and Impact Reports

Prepare and periodically update (every 5 years) comprehensive wave up-rush and impact reports for shoreline and coastal bluff areas subject to wave action that will be made available to applicants for new development on a beach or coastal bluff property. *(Imp 28.1)*

S 2.2 Shoreline Management Plans

Develop and implement shoreline management plans for shoreline areas subject to wave hazards and erosion. Shoreline management plans should provide for the protection of private property, public improvements, coastal access, public opportunities for coastal recreation, and coastal resources. *(Imp 21.2)*

S 2.3 Use of Temporary Shoreline Protection

Utilize temporary sand dunes in shoreline areas to protect buildings and infrastructure from wave up-rush, while minimizing significant impacts to coastal access and resources. *(Imp 21.2)*

S 2.4 Use of Existing Shoreline Protection

Encourage the use of existing sand dunes with native vegetation as a protective device in beach areas. *(Imp 21.2)*

S 2.5 Shoreline Protection Alternatives

Encourage the use of nonstructural methods, such as dune restoration and sand nourishment, as alternatives to shoreline protective structures. (Policy HB 13.4) *(Imp 8.1, 21.2)*

S 2.6 Maintenance of Storm Drains

Maintain and regularly clean out storm drains in low lying areas, as necessary, such that flood waters can be effectively conveyed away from structures. *(Imp 18.1)*

S 2.7 Residential Design

Require new or remodeled residential structures in areas susceptible to storm surge to raise floor elevations as required by building codes. *(Imp 7.1)*

Coastal Hazards: Minimization of Coastal Erosion Hazard**Goal****S 3**

Protection of people and property from the adverse effects of coastal erosion.

Policies**S 3.1 Coastal Hazard Studies**

Prepare and periodically update comprehensive studies of seasonal and long-term shoreline change, episodic and chronic bluff retreat, flooding, and local changes in sea levels, and other coastal hazard conditions. *(Imp 28.1)*

S 3.2 Beach Width Monitoring

Monitor beach width and elevations and analyze monitoring data to establish approximate thresholds for when beach erosion or deflation will reach a point that it could expose the backshore development to flooding or damage from storm waves. (Policy HB 13.6) *(Imp 28.1)*

S 3.3 Maintenance of Beach Width and Elevations

Develop and implement a comprehensive beach replenishment program to assist in maintaining beach width and elevations. Analyze monitoring data to determine nourishment priorities, and try to use nourishment as shore protection, in lieu of more permanent hard shoreline armoring options. (Policy HB 13.5) *(Imp 8.1, 21.2)*

S 3.4 Minimization of Shoreline Process Effects

Maintain existing groin fields and jetties and modify as necessary to eliminate or mitigate adverse effects on shoreline processes. *(Imp 21.1)*

S 3.5 Protection of Coastal-Dependent Uses

Permit revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls and other structures altering natural shoreline processes or retaining walls when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. *(Imp 21.1)*

S 3.6 Siting of Shoreline Protective Devices

Design and site protective devices to minimize impacts to coastal resources, minimize alteration of natural shoreline processes, provide for coastal access, minimize visual impacts, and eliminate or mitigate adverse impacts on local shoreline sand supply. *(Imp 21.1)*

S 3.7 Shoreline Protective Devices on Public Land

Discourage shoreline protective devices on public land to protect private property/development. Site and design any such protective devices as far landward as possible. *(Imp 21.1)*

S 3.8 Shoreline Protective Device Use

Limit the use of protective devices to the minimum required to protect existing development and prohibit their use to enlarge or expand areas for new development or for new development. “Existing development” for purposes of this policy shall consist only of a principle structure, e.g. residential dwelling, required garage, or second residential unit, and shall not include accessory or ancillary structures such as decks, patios, pools, tennis courts, cabanas, stairs, landscaping etc. *(Imp 2.1)*

S 3.9 Shoreline Protection for New Development

Require property owners to record a waiver of future shoreline protection for new development during the economic life of the structure (75 years) as a condition of approval of a coastal development permit for new development on a beach or shoreline that is subject to wave action, erosion, flooding, landslides, or other hazards associated with development on a beach or bluff. Shoreline protection may be permitted to protect existing structures that were legally constructed prior to the certification of the LCP, unless a waiver of future shoreline protection was required by a previous coastal development permit. *(Imp 2.1)*

S 3.10 Bluff Stabilization

Site and design new structures to avoid the need for shoreline and bluff protective devices during the economic life of the structure (75 years), unless an environmentally acceptable design to stabilize the bluff and prevent bluff retreat is devised. *(Imp 2.1)*

S 3.11 New Development Impact on Coastal Erosion

Require that applications for new development with the potential to be impacted or impact coastal erosion include slope stability analyses and erosion rate estimates provided by a licensed Certified Engineering Geologist or Geotechnical Engineer. *(Imp 7.1)*

S 3.12 Minimization of Coastal Bluff Recession

Require new development adjacent to the edge of coastal bluffs to incorporate drainage improvements, irrigation systems, and/or native or drought-tolerant vegetation into the design to minimize coastal bluff recession. *(Imp 7.1)*

Seismic and Geologic Hazards: Minimization of Seismic and Geologic Hazards

Goal

S 4

Adverse effects caused by seismic and geologic hazards are minimized by reducing the known level of risk to loss of life, personal injury, public and private property damage, economic and social dislocation, and disruption of essential services.

Policies

S 4.1 Updating of Building and Fire Codes

Regularly update building and fire codes to provide for seismic safety design. *(Imp 7.1)*

S 4.2 Retrofitting of Essential Facilities

Support and encourage the seismic retrofitting and strengthening of essential facilities such as hospitals and schools to minimize damage in the event of seismic or geologic hazards. *(Imp 27.1)*

S 4.3 Unreinforced Masonry Buildings

Require the retrofitting of unreinforced masonry buildings during remodels to minimize damage in the event of seismic or geologic hazards. *(Imp 7.1, 27.1)*

S 4.4 New Essential Facility Siting

Regulate the location of new essential facilities within areas that would directly be affected by seismic or geologic hazards, in accordance with state law. *(Imp 2.1)*

S 4.5 New Essential Facility Siting

Regulate the location of new sensitive facilities such as schools, hospitals, and facilities for the elderly population, within 500 feet to active and potentially active faults, in accordance with state law. *(Imp 2.1)*

S 4.6 Maintenance of Existing Essential Facilities

Ensure that existing essential facilities that have been built in or on seismic and geological hazards are upgraded and maintained in order to prevent and reduce loss. *(Imp 27.1)*

S 4.7 New Development

Conduct further seismic studies for new development in areas where potentially active faults may occur. *(Imp 2.1, 27.1)*

Flood Hazards: Protection from Flooding Risks

Goal

S 5

Protection of human life and public and private property from the risks of flooding

Policies

S 5.1 New Development Design within 100-year Floodplains

Require that all new development within 100-year floodplains incorporate sufficient measures to mitigate flood hazards including the design of onsite drainage systems that are connected with the City's storm drainage system, gradation of the site such that runoff does not impact adjacent properties, and buildings are elevated. *(Imp 6.1)*

S 5.2 Facility Use or Storage of Hazardous Materials Standards

Require that all new facilities storing, using, or otherwise involved with substantial quantities of onsite hazardous materials within flood zones comply with standards of elevation, anchoring, and flood proofing, and hazardous materials are stored in watertight containers. *(Imp 7.1)*

S 5.3 Minimization of Flood Hazard Risk

Require stormwater detention basins, where appropriate, to reduce the potential risk of flood hazards. *(Imp 6.1)*

Fire Hazards: Protection from Wildfire and Urban Fire Risk

Goal

S 6

Protection of human life and property from the risks of wildfires and urban fires.

Policies

S 6.1 Review Adequacy of Infrastructure

Review the adequacy of the water storage capacity and distribution network, in the event of a natural disaster, on a regular basis. *(Imp 17.1, 28.2)*

S 6.2 Development in Interface Areas

Apply hazard reduction, fuel modification, and other methods to reduce wildfire hazards to existing and new development in urban wildland interface areas. *(Imp 8.1)*

S 6.3 New Development Design

Site and design new development to avoid the need to extend fuel modification zones into sensitive habitats. *(Imp 2.1, 6.1)*

S 6.4 Use of City-Approved Plant List

Use fire-resistive, native plant species from the City-approved plant list in fuel modification zones abutting sensitive habitats. *(Imp 2.1, 8.1)*

S 6.5 Invasive Ornamental Plant Species

Prohibit invasive ornamental plant species in fuel modification zones abutting sensitive habitats. *(Imp 2.1, 8.1)*

S 6.6 Database Maintenance of Interface Areas

Maintain a database of parcels in urban wildland interface areas. *(Imp 28.1)*

S 6.7 Properties within Interface Areas

Conduct regular inspections of parcels in the urban wildland interface areas and direct property owners to bring their property into compliance with fire inspection standards. *(Imp 28.2)*

S 6.8 Update Building and Fire Codes

Regularly update building and fire codes to provide for fire safety design. *(Imp 7.1)*

S 6.9 Retrofitting of Nonsprinklered Buildings

Encourage owners of nonsprinklered properties, especially high- and mid-rise structures, to retrofit their buildings and include internal fire sprinklers. *(Imp 8.1)*

Hazardous Materials: Minimization of Hazardous Materials Exposure

Goal

S 7

Exposure of people and the environment to hazardous materials associated with methane gas extraction, oil operations, leaking underground storage tanks, and hazardous waste generators is minimized.

Policies

S 7.1 Known Areas of Contamination

Require proponents of projects in known areas of contamination from oil operations or other uses to perform comprehensive soil and groundwater contamination assessments in accordance with American Society for Testing and Materials standards, and if contamination exceeds regulatory action levels, require the proponent to undertake remediation procedures prior to grading and development under the supervision of the County Environmental Health Division, County Department of Toxic Substances Control, or Regional Water Quality Control Board (depending upon the nature of any identified contamination). *(Imp 7.1, 8.1)*

S 7.2 Development Design within Methane Gas Districts

Ensure that any development within identified methane gas districts be designed consistent with the requirements of the Newport Beach Municipal Code. *(Imp 7.1)*

S 7.3 Education

Educate residents and businesses about how to reduce or eliminate the use of hazardous materials, including using safer non-toxic equivalents. *(Imp 29.1)*

S 7.4 Implementation of Remediation Efforts

Minimize the potential risk of contamination to surface water and groundwater resources and implement remediation efforts to any resources adversely impacted by urban activities. *(Imp 6.1, 17.1, 18.1, 19.1)*

S 7.5 Siting of Sensitive Uses

Develop and implement strict land use controls, performance standards, and structure design standards including development setbacks from sensitive uses such as schools, hospitals, day care facilities, elder care facilities, residential uses, and other sensitive uses that generate or use hazardous materials. *(Imp 2.1)*

S 7.6 Regulation of Companies Involved with Hazardous Materials

Require all users, producers, and transporters of hazardous materials and wastes to clearly identify the materials that they store, use, or transport, and to notify the appropriate City, County, state, and federal agencies in the event of a violation. *(Imp 28.1)*

Aviation Hazards: Protection from Aviation-Related Hazards

Goal

S 8

Residents, property, and the environment are protected from aviation-related hazards.

Policies

S 8.1 Firefighter Training Program

Provide a formalized Aircraft Rescue Fire Fighting training program (including airport and aircraft familiarization, fuel fire extinguishment, hazards associated with airplanes and aircraft cargo, safety procedure, aviation communications, evacuation, and rescue operations) for all firefighters and Chief Fire Officers in Newport Beach. *(Imp 28.2)*

S 8.2 Emergency Personnel Awareness Training

Provide Aircraft Rescue Fire Fighting awareness training for all Newport Beach emergency personnel on a regular basis. *(Imp 28.2)*

S 8.3 Implementation of Interagency Policies

Implement policies outlined in the Orange County Fire Services Operational Area Mutual Aid Plan, and the California Fire Service and Rescue Emergency Mutual Aid Plan. *(Imp 14.3, 28.2)*

S 8.4 Mutual Aid Agreements

Develop clear mutual aid agreements and Memoranda of Understanding with the airport fire service, county emergency and law enforcement agencies, United States Coast Guard, private ferry providers, and other potential resources. *(Imp 14.3, 28.2)*

S 8.5 Limit John Wayne Airport Expansion

Oppose any facility expansions that would increase air operations at John Wayne Airport, except those described in the Settlement Agreement Extension. *(Imp. 14.3)*

S 8.6 John Wayne Airport Traffic Pattern Zone

Use the most currently available John Wayne Airport (JWA) Airport Environs Land Use Plan (AELUP) as a planning resource for evaluation of land use compatibility and land use intensity in areas affected by JWA operations. In particular, future land use decisions within the existing JWA Clear Zone/Runway Protection Zone (Figure S5) should be evaluated to minimize the risk to life and property associated with aircraft operations. *(Imp. 14.3)*

Disaster Planning: Adequate Disaster Planning

Goal

S 9

Effective emergency response to natural or human-induced disasters that minimizes the loss of life and damage to property, while also reducing disruptions in the delivery of vital public and private services during and following a disaster.



The Newport Beach Harbor Patrol is available to assist in the event of a disaster

Policies

- S 9.1 Review and Update Emergency Plans**
Review and update, as necessary, the City’s Emergency Management Plan on an annual basis. *(Imp 28.2)*
- S 9.2 Emergency Management System Training**
Conduct annual training sessions using adopted emergency management systems. Coordinate with other urban area jurisdictions to execute a variety of exercises to test operational and emergency plans. *(Imp 28.2)*
- S 9.3 Participation in Mutual Aid Systems**
Maintain participation in local, regional, state, and national mutual aid systems to ensure appropriate resources are available for response and recovery during and following a disaster. *(Imp 14.3, 28.2)*
- S 9.4 Familiarity with National and State Response Plans**
Ensure that all Newport Beach personnel are familiar with the National Incident Management System, the National Response Plan, the State of California Master Mutual Aid Agreement, the Orange County Operational Area Mutual Aid Plan, and any other relevant response plans consistent with their position in the City’s Emergency Management Plan. *(Imp 28.2)*
- S 9.5 Emergency and Disaster Education Programs**
Sponsor and support education programs pertaining to emergency/disaster preparedness and response protocols and procedures. Distribute information about emergency preparedness to community groups, schools, religious institutions, transient occupancy establishments, and business associations. *(Imp 28.2, 29.1)*
- S 9.6 Hazard Mitigation Plan**
Maintain and update as necessary the most current Local Hazards Mitigation Plan (LHMP) as part of the Safety Element. The LHMP advocates the use of programs and projects that, when implemented, will reduce the impacts on the community from a disaster.
- S 9.7 Existing Development within 100-year Flood Zones**
Implement flood warning systems and evacuation plans for areas that are already developed within 100-year flood zones. *(Imp 28.2)*
- S 9.8 Emergency Use of Coastal Facilities**
Establish procedures and public/private cooperation and communication for the emergency use of coastal facilities and equipment in advance of flood,

storm, pollution, dredging, vessel sinking, and other events, supplementing other safety and rescue bases and equipment. (Policy HB 13.7) (*Imp 28.2*)

S 9.9 Effective Emergency Evacuation Programs

Develop, implement, and maintain an effective evacuation program for Balboa Peninsula and other areas of risk in the event of a natural disaster. (*Imp 14.3, 28.2*)



CHAPTER 12 Noise Element



NOISE

Protecting Newport Beach Residents

Introduction

The Noise Element of a General Plan is a tool for including noise control in the planning process in order to maintain compatible land use with environmental noise levels. This Noise Element identifies noise sensitive land uses and noise sources, and defines areas of noise impact for the purpose of developing policies to insure that Newport Beach residents will be protected from excessive noise intrusion.

The Noise Element follows the revised state guidelines in Section 46050.1 of the Health and Safety Code. The element quantifies the community noise environment in terms of noise exposure contours for both near and long-term levels of growth and traffic activity. The information contained in this document provides the framework to achieve compatible land uses and provide baseline levels and noise source identification for local noise ordinance enforcement.

Background

Sound is created when objects vibrate and produce pressure variations that move rapidly outward into the surrounding air. The main characteristics of these air pressure waves are amplitude, which we experience as a sound's "loudness" and frequency, which we experience as a sound's "pitch." The standard unit of sound amplitude is the decibel (dB), which is a measure of the physical magnitude of the pressure variations relative to the human threshold of perception. The human ear's sensitivity to sound amplitude is frequency-dependent and thus a modification is usually made to the decibel to

account for this; A-weighted decibels (dBAs) incorporate human sensitivity to a sound's frequency as well as its amplitude.

Noise is generally defined as unwanted sound, aspects of which can negatively affect the physiological or psychological well-being of individuals or communities. A typical noise environment consists of a base of steady ambient noise that is the sum of many distant and indistinguishable noise sources. Superimposed on this background noise is the sound from individual local sources. These can vary from an occasional aircraft or train passing by to virtually continuous noise from, for example, traffic on a major highway. Noise in excessive levels can affect our living environment and quality of life.

Several quantitative indicators are commonly used to gauge the likelihood that environmental noise would have an adverse effect on a community. These indicators consider that the most disruptive aspects of noise are strongly associated with the average acoustical energy content of the sound over

ELEMENT

from Excessive Noise Intrusion

the time it occurs and/or with the time of day when the sound occurs. The indicators used in the Noise Element are as follows:

- L_{eq} , the equivalent energy noise level, is the average acoustic energy content of noise for a stated period of time. Thus, the L_{eq} of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure. For evaluating community impacts, this indicator is not affected by whether the noise occurs during the day or the night.
- CNEL, the Community Noise Equivalent Level, is a 24-hour average L_{eq} with a 10 dBA “weight” added to noise during the hours of 10:00 P.M. to 7:00 A.M., and a 5 dBA “weight” added during the hours of 7:00 P.M. to 10:00 P.M. to account for increased noise sensitivity in the evening and nighttime.

Noise environments and consequences of human activities are usually well represented by median noise levels during the day, night, or over a 24-hour period. Environmental noise levels are generally considered low when the CNEL is below 55 dBA, moderate in the 55 to 70 dBA range, and high above 70 dBA. Examples of low daytime levels are isolated natural settings that can provide noise levels as low as 20 dBA, and quiet suburban residential streets that can provide noise levels around 40 dBA. Noise levels above 45 dBA at night can disrupt sleep. Examples of moderate level noise environments are urban residential or semi-commercial areas (typically 55 to 60 dBA) and commercial locations (typically 60 dBA). People may consider louder environments adverse, but most will accept the higher levels associated with more noisy urban residential or residential-commercial areas (60 to 75 dBA) or dense urban or industrial areas (65 to 80 dBA). Additional examples of sound levels and loudness in indoor and outdoor environments are shown in Table N1.

Table N1 Representative Environmental Noise Levels

<i>Common Outdoor Activities</i>	<i>Noise Level (dBA)</i>	<i>Common Indoor Activities</i>
	—110—	Rock Band
Jet Fly-over at 100 feet		
	—100—	
Gas Lawnmower at 3 feet		
	—90—	
		Food Blender at 3 feet
Diesel Truck going 50 mph at 50 feet	—80—	Garbage Disposal at 3 feet
Noisy Urban Area During Daytime		
Gas Lawnmower at 100 feet	—70—	Vacuum Cleaner at 10 feet
Commercial Area		Normal Speech at 3 feet
Heavy Traffic at 300 feet	—60—	
		Large Business Office
Quiet Urban Area During Daytime	—50—	Dishwasher in Next Room
Quiet Urban Area During Nighttime	—40—	Theater, Large Conference Room (background)
Quiet Suburban Area During Nighttime		
	—30—	Library
Quiet Rural Area During Nighttime		Bedroom at Night, Concert Hall (background)
	—20—	
		Broadcast/Recording Studio
	—10—	
Threshold of Human Hearing	—0—	Threshold of Human Hearing

SOURCE: California Department of Transportation 1998

Context

TRANSPORTATION NOISE SOURCES

The most common sources of noise in urban areas are transportation-related. These include automobiles, trucks, motorcycles, boats, and aircraft. Motor vehicle noise is of concern because it is characterized by a high number of individual events which often create a sustained noise level and its proximity to areas sensitive to noise exposure. Residential land uses and other sensitive receptors should be protected from excessive noise from these sources.

Freeway/Highway

Newport Beach has the Corona Del Mar Freeway (State Route 73) and San Joaquin Hills Transportation Corridor (SJHTC) within its borders. State Route 73 runs in a northwest/southeast direction through the City's northern section. The portion of State Route 73 that cuts through the northern portion of the City is below grade from the adjacent land uses. There are a few residences in close proximity to this freeway.

The SJHTC runs in a northwest/southeast direction through the City's northeastern boundary connecting with the State Route 73 at Jamboree Road. SJHTC is considered a highway from Jamboree Road south to Bonita Canyon, and then it becomes a toll road. At various locations, the highway will be at grade with or elevated above the adjacent land uses. There are existing residences that are in close proximity to this highway; however, these residences have already included noise mitigation measures to sufficiently attenuate the noise from SJHTC.

Major and Minor Arterial Roadways

Traffic noise on surface streets is a significant source of noise within the community. The major sources of traffic noise in Newport Beach are Coast Highway, Jamboree Road, and MacArthur Boulevard. Many of the residential uses located along these roadways include some level of noise attenuation, provided by either a sound barrier or grade separation. Other residential uses, primarily



Traffic is a source of noise within Newport Beach

older units, built near these arterial roadways do not have any attenuation from noise other than the distance between the roadway and the residential structure. The noise attenuation features for new residences are reviewed on a project-by-project basis. This means that as residential projects are proposed near the major roadways within Newport Beach, future noise levels are evaluated and noise mitigation strategies are developed as necessary to meet City standards.

Noise levels along roadways are determined by a number of traffic characteristics. Most important

is the average daily traffic (ADT). Additional factors include the percentage of trucks, vehicle speed, the time distribution of this traffic and gradient of the roadway.

Water Vehicles

Newport Beach has the largest small boat harbor in Southern California. Thousands of boats operate near noise-sensitive residential uses that border much of Newport Bay, and noise associated with these boats can be a problem to these residences. Of particular concern are the charter boats which generate engine noise and noise from the occupants, as well as use loudspeakers or live entertainment.

Aircraft Operations

Many residents of Newport Beach are impacted by noise generated by commercial and general aviation aircraft departing John Wayne Airport (JWA). Owned and operated by Orange County, JWA serves both general aviation and scheduled commercial passenger airline and cargo operations. JWA experienced a total of 349,936 aircraft operations (arrivals and departures) in 2005 and of those, 246,920 were general aviation operations, 87,130 were air carrier operations, 15,729, were air taxi (commuter) operations and 157 were military operations. Newport Beach is located immediately south of JWA and is under the primary departure corridor. Although aircraft noise can be heard throughout Newport Beach, the highest noise levels are experienced just south of JWA, in the Airport Area, Santa Ana Heights Area, Westcliff, Dover Shores, the Bluffs, and Balboa Island, and are generated by aircraft departures.

Newport Beach has, since the mid-1970s, actively engaged in efforts to minimize the impact of the airport on our residents and their quality of life. The City's initial efforts focused on involvement in route authority proceedings conducted by the Civil Aviation Board and litigation challenging County decisions that could increase the level or frequency of noise events. In 1985, the City, County, Stop Polluting Our Newport (SPON), and the Airport Working Group (AWG) entered into an agreement (1985 JWA Settlement Agreement) to resolve Federal Court litigation initiated by the County. The 1985 JWA Settlement Agreement required the County to reduce the size of the terminal, cap the number of parking spaces, limit the number of "average daily departures," and limit the number of passengers served each year at JWA (expressed in terms of "million annual passengers" or "MAP") to 8.4 MAP after construction of the new terminal.

After two years of discussion among the parties to the Settlement Agreement, the City Council and County Board of Supervisors approved Settlement Agreement amendments that eliminated noisier aircraft, increased the maximum number of noise regulated and air cargo average daily departures, increased the service level limit from 8.4 to 10.3 MAP until January 1, 2011, and then 10.8 MAP afterwards, and increased the maximum number of passenger loading bridges from 14 to 20. The 2002 Amendments also eliminated the floor area restrictions on the terminal and the "cap" on public parking spaces.

City Council approval of the 2002 Amendments was contingent on receipt of a letter from the FAA confirming that the 2002 Amendments were consistent with the *Airport Noise and Capacity Act* (ANCA) and other relevant laws, regulations and grant assurances made by the County. In December 2002, the FAA sent a letter confirming compliance and in January 2003, a judge approved the stipulation of the parties reflected by the 2002 Amendments. The FAA letter confirming the validity of the 2002 Amendments is a precedent for future amendments that increase air transportation service without impacting airport safety or the quality of life of residents in Newport Beach and other affected communities.

Other aircraft operations related to helicopter operations at Hoag Hospital are also a concern. Helicopter flights are noisy, and there are residential uses located in close proximity to the hospital. The helipad is located on the roof of the emergency area of the hospital. Finally, Newport Beach is exposed to noise from airplanes towing banners along the beach.

NONTRANSPORTATION NOISE SOURCES (STATIONARY NOISE SOURCES)

There are many stationary noise sources within the boundaries of Newport Beach. Some of these stationary noise sources include restaurant/bar/entertainment establishments, mixed-use structures, mechanical equipment, and use of recreational facilities. The impacts of nontransportation noise sources are most effectively controlled through the enforcement and application of City stationary noise ordinances or regulations.

Restaurant/Bar/Entertainment Establishments

Numerous restaurants, bars, and entertainment establishments in Mariners' Mile, Corona del Mar, the Peninsula, and Balboa Island have been subject to noise complaints in the past. Noise complaints have been made due to the close proximity of these establishments to residential uses, the potentially high noise levels that these establishments are able to produce, and the late hours of operation.

Mixed Use Developments (Commercial/Residential)

In a mixed use building, a portion of it may be used as commercial (i.e. office space, restaurant, market, dry cleaner, etc.) and the remaining portion may be used for residential purposes. Such mixed uses can range from a small retail structure with a residence unit on the second floor (as seen on parts of Balboa Island and the Balboa Peninsula) to larger commercial properties that include a residential component. Requiring that the commercial portion conform to the more strict residential noise standards would make operating the commercial facility difficult. However, applying the commercial noise standards to the entire project would make the noise exposure levels at the residential portion of the building potentially too high. Mixed use projects represent a unique noise environment and it is important that a program be developed that allows mixed use to operate with a minimum amount of conflict.

Mechanical Equipment Noise

Various Heating Ventilating and Air Conditioning (HVAC) installations and occasional pool and spa pumps can be noise intrusions. Noise intrusions from HVAC equipment has been a problem in the past, especially in areas such as Balboa Island, Lido Island, and the Peninsula where the homes are very close together, and in commercial areas as well when abutting residential areas. However, the City's Municipal Code now requires a permit before installation of new HVAC equipment. Permits are only granted when a sound rating of the proposed equipment does not exceed standards, or is installed with a timing device that will deactivate the equipment during the hours of 10:00 P.M. to 7:00 A.M. if the standards are exceeded.

Just because HVAC equipment sound ratings are reviewed during plan check, as well as tested in the field after installation, it can still be problematic over time. As equipment ages and sometimes suffers from lack of maintenance, noise from the equipment can increase. Because of this, the City still deals with HVAC equipment noise on a complaint basis, in order insure ongoing compliance with the standards of the Code.

Recreational Activities

Another source of stationary noise in Newport Beach is recreational activities such as league and youth sporting games, as well as recreational rowers in Newport Harbor. These activities are sometimes scheduled during early morning hours on the weekends and can be a source of noise intrusion on nearby residences. Types of noise generated include people shouting and whistles/horns blowing. Some sporting events also utilize loudspeakers.

Noise Disturbance

Residential party noise, boat party noise, barking dogs, and landscape maintenance tools are disturbing to residents, but are difficult to attenuate, and difficult to control. Complaints about noise disturbances are typically dealt with through code enforcement.

- **Residential Party Noise**—Residential party noise, particularly on Balboa Peninsula and in the West Newport area has been an ongoing problem. There are many difficulties in trying to control party noise. If a noise limit is established for enforcement using a quantitative measure, the code enforcer would be required to make noise measurements of the intrusive noise. Often, the disturbing levels of noise that were generated by a party are reduced once a code enforcer arrives on the premises to make measurements. Therefore, party noise level measurements may be an impractical means of party noise enforcement since it is often not possible to accurately capture the loud noise levels being generated by the party. Historically, police officers use their judgment for identifying and controlling party noise problems. Additionally, a recently adopted ordinance addressing police services has been effective in curbing party-related noise.
- **Boat Party Noise**—Charter boats, generally larger in size and carrying large numbers of paid passengers, have also been a source of noise. These boats can control on-deck noise by means of eliminating outside loudspeakers. The City recently amended its Municipal Code to provide greater regulations of charter boat operations.
- **Barking Dogs**—Dog barks can be characterized as being impulsive and startling or continuous and sustained. In either event, it can be a major source of noise disturbance. When dogs are outdoors, it is very difficult to attenuate the noise.
- **Landscape Maintenance Tools**—Tools used to maintain landscaping in Newport Beach can also be a source of noise. The most commonly-used tools, which are very difficult to attenuate the noise from, include edgers, blowers, and lawn mowers.

NOISE-SENSITIVE RECEPTORS

Newport Beach has a number of public and private educational facilities, hospitals, convalescent homes, day cares, and other facilities that are considered noise sensitive. However, the primary noise-sensitive use within the City is residential use. The noise exposure of these sensitive uses varies from low, in quiet residential areas, to high, in areas adjacent to the freeway.

COMMUNITY NOISE CONTOURS

Noise contours for all of the major noise sources in Newport Beach, which include motor vehicles on roadways and freeways, and aircraft at JWA, were developed for existing conditions and future conditions. Existing noise contours were determined from the 2003 traffic levels and existing aircraft

levels for these sources, and are expressed in terms of the CNEL. Existing noise contours are shown in Figure N1 through Figure N3.

Future noise conditions for roadways are presented for the 20 year time period ending 2025 and were derived from projected traffic levels for that horizon year. These noise contours are based on complete buildout of the General Plan, and are shown in Figure N4 through Figure N6. These future noise contours will assist in setting policies for establishing new land uses and appropriate mitigation for properties that will continue to be exposed to higher noise levels.

The aircraft noise contours that are used for planning purposes by the County of Orange and Airport Land Use Commission are found in the Airport Environs Land Use Plan (AELUP) and are derived from the 1985 Master Plan for JWA and the accompanying EIR 508. These noise contours are based on fleet mix and flight level assumptions developed in EIR 508, and are shown in Figure N5.

Noise contours represent lines of equal noise exposure, just as the contour lines on a topographic map are lines of equal elevation. The contours shown on the maps are the 60, 65, and 70 dB CNEL noise levels. The noise contours represent the maximum possible traffic noise levels at locations within them (i.e., they do not account for building placement or traffic speeds, nor the attenuating effects of walls, structures, and terrain features that might intervene between the roads and any location of interest) and should be used as a guide for land use planning. The 60 dB CNEL contour defines the Noise Referral Zone. This is the noise level for which noise considerations should be included when making land use policy decisions that effect existing and proposed noise-sensitive developments. The 65 dB CNEL contour describes the area for which new noise sensitive developments will be permitted only if appropriate mitigation measures are included such that the standards contained in this Element are achieved.

The JWA AELUP (last amended in 2002) only allows residential uses and other noise-sensitive uses within a 65 dBA contour if the interior noise standard of 45 dBA CNEL can be maintained with an accompanying dedication of a navigation easement for noise to the airport proprietor applicable to single-family residences. The AELUP also strongly recommends that if any residential uses are allowed within a 60 dBA CNEL contour that sufficient sound attenuating methods are used to maintain a 45 dBA CNEL interior noise level.

TYPICAL NOISE ATTENUATION METHODS

Noise impacts can typically be abated using four basic methods: (1) reducing the sound level of the noise generator, (2) interrupting the noise path between the source and receiver, (3) increasing the distance between the source and receiver, and (4) insulating the receiver with building materials and construction methods more resistant to noise intrusion.

Quieting certain noise sources may often be successfully achieved through design or the use of mufflers. However, a local government has limited direct control of transportation noise at the source. This control lies with the state and federal agencies that have this responsibility. The most effective method available to the City to mitigate transportation noise and reduce the impact of the noise onto the community is through comprehensive planning that includes noise as planning criteria, the inclusion of noise mitigation in project planning and design, and improved building noise reduction characteristics.

Noise may also be minimized by strategically placing a noise barrier (wall, berm, or combination wall/berm), the most common way of alleviating traffic noise impacts. Generally, effective noise shielding requires a continuous, solid barrier with a mass which is large enough to block the line of sight between source and receiver. Variations may be appropriate in individual cases based on distance, nature, and orientation of buildings behind the barrier, and a number of other factors. Garage or other structures may be used to shield dwelling units and outdoor living areas from non-aircraft noise.

The effects of noise may also be minimized by separating or isolating the noise source from the potential receiver. Wide buffers along freeways, for example, may reduce the noise level affecting adjacent noise sensitive land uses. These buffer areas may be developed with less sensitive uses.

Building interior noise levels can also be reduced by protecting the receiver with acoustical structures, enclosures, or construction techniques. Windows and doors are the most important paths for sound to enter a structure. Use of sound insulating doors and double paned windows can provide substantial reductions of interior noise levels. Because these features have little effect in reducing noise when they are left open, installation of air conditioning for adequate ventilation may be required.

Noise exposure criteria should be incorporated into land use planning to reduce future noise and land use incompatibilities. This is achieved by specifying acceptable noise exposure ranges for various land uses throughout the City. These criteria are designed to integrate noise considerations into land use planning to prevent noise/land use conflicts. Table N2 presents criteria used to assess the compatibility of proposed land uses with the noise environment.

The noise/land use compatibility matrix presented in Table N2 presents broad ranges of compatibility and are intended to be flexible enough to apply to a wide range of projects and environments. For example, a project in a large undeveloped area may be evaluated differently than an infill project in a densely developed area of the City. But in no case would it be desirable for any land use to have noise exceeding the highest “normally compatible” noise level shown in the matrix. This matrix is intended to be used as one of the many factors used in the land use planning process. It should be noted that California requires that interior noise levels in multi-family residential uses not exceed 45 LDN (day-night noise level); it is commonly used as an interior standard for all residential uses, but is not required under the California Administrative Code, Title 24, and Part 2.









In addition to the noise/land use compatibility guidelines contained in the General Plan Noise Element, the City of Newport Beach has adopted Community Noise Control policies and standards as part of its Municipal Code in order to limit unnecessary, excessive and annoying noise in the City. These noise standards are displayed in Table N3.

The most effective method to control community noise impacts from non-transportation noise sources is through application of Municipal Code standards. The noise levels established by the Municipal Code assure that noise from mechanical equipment, and other types of non-transportation noise are not excessive in residential and other noise-sensitive areas.

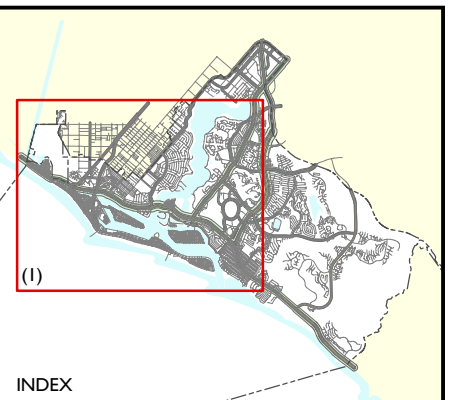
Figure N1 Existing Noise Contours (1)


Pg 1—11x17 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure N1
**EXISTING
 NOISE CONTOURS**

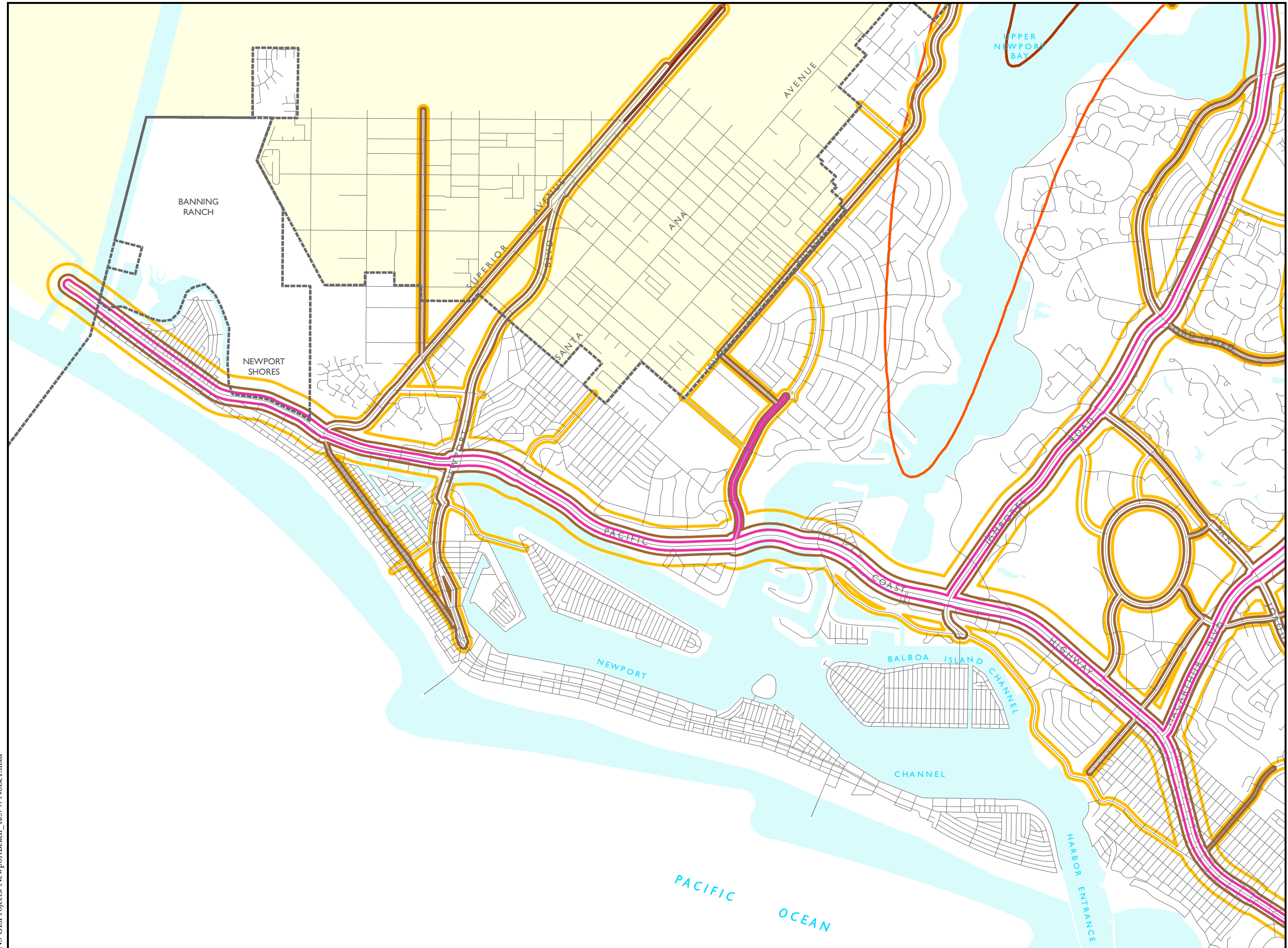
- Roadway Noise Contours
-  70 CNEL
 -  65 CNEL
 -  60 CNEL
- AELUP Noise Contours
-  70 CNEL
 -  65 CNEL
 -  60 CNEL
-  City Boundary
 -  John Wayne Airport

The noise contours represent the maximum possible traffic noise levels at locations within them (i.e., they do not account for building placement or traffic speeds, nor include the attenuating effects of walls, structures, and terrain features that might intervene between the roads and any location of interest).



0  Miles









Source: City of Newport Beach, Mestre Greve Associates and EIP Associates
 PROJECT NUMBER: 10579-01
 Date: 4/17/06



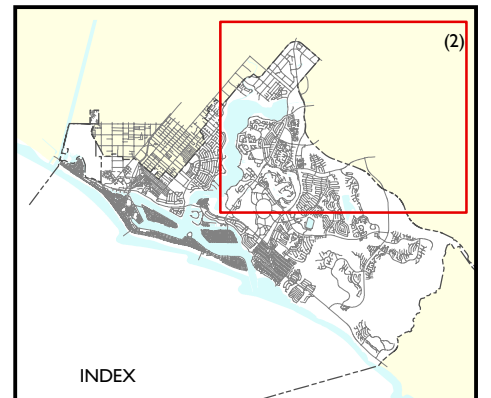
Pg 2—11x17 color


Figure N2 Existing Noise Contours (2)
Pg 1—11x17 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure N2
**EXISTING
 NOISE CONTOURS**

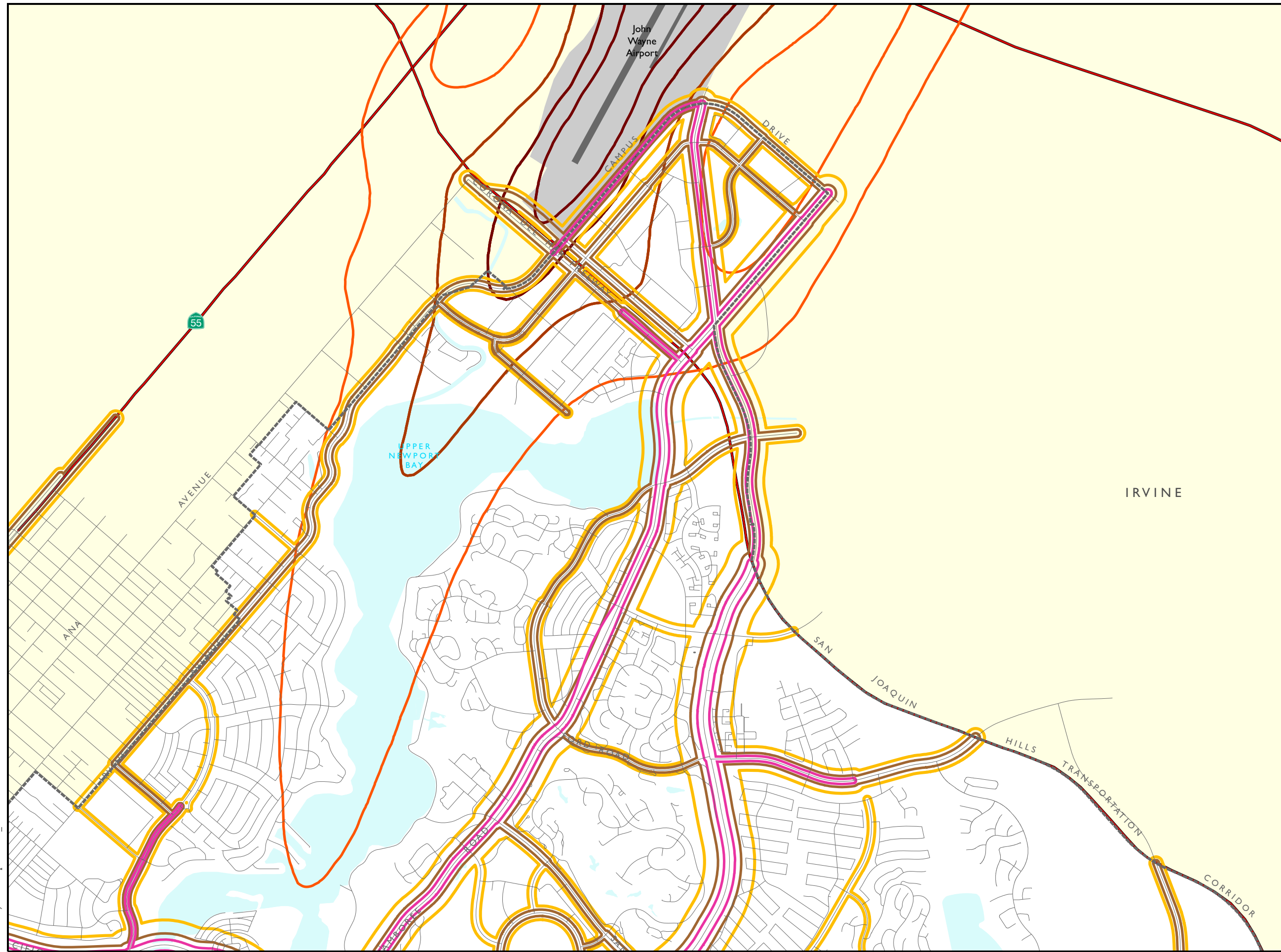
- Roadway Noise Contours
-  70 CNEL
 -  65 CNEL
 -  60 CNEL
- AELUP Noise Contours
-  70 CNEL
 -  65 CNEL
 -  60 CNEL
-  City Boundary
 -  John Wayne Airport

The noise contours represent the maximum possible traffic noise levels at locations within them (i.e., they do not account for building placement or traffic speeds, nor include the attenuating effects of walls, structures, and terrain features that might intervene between the roads and any location of interest).



0  Miles

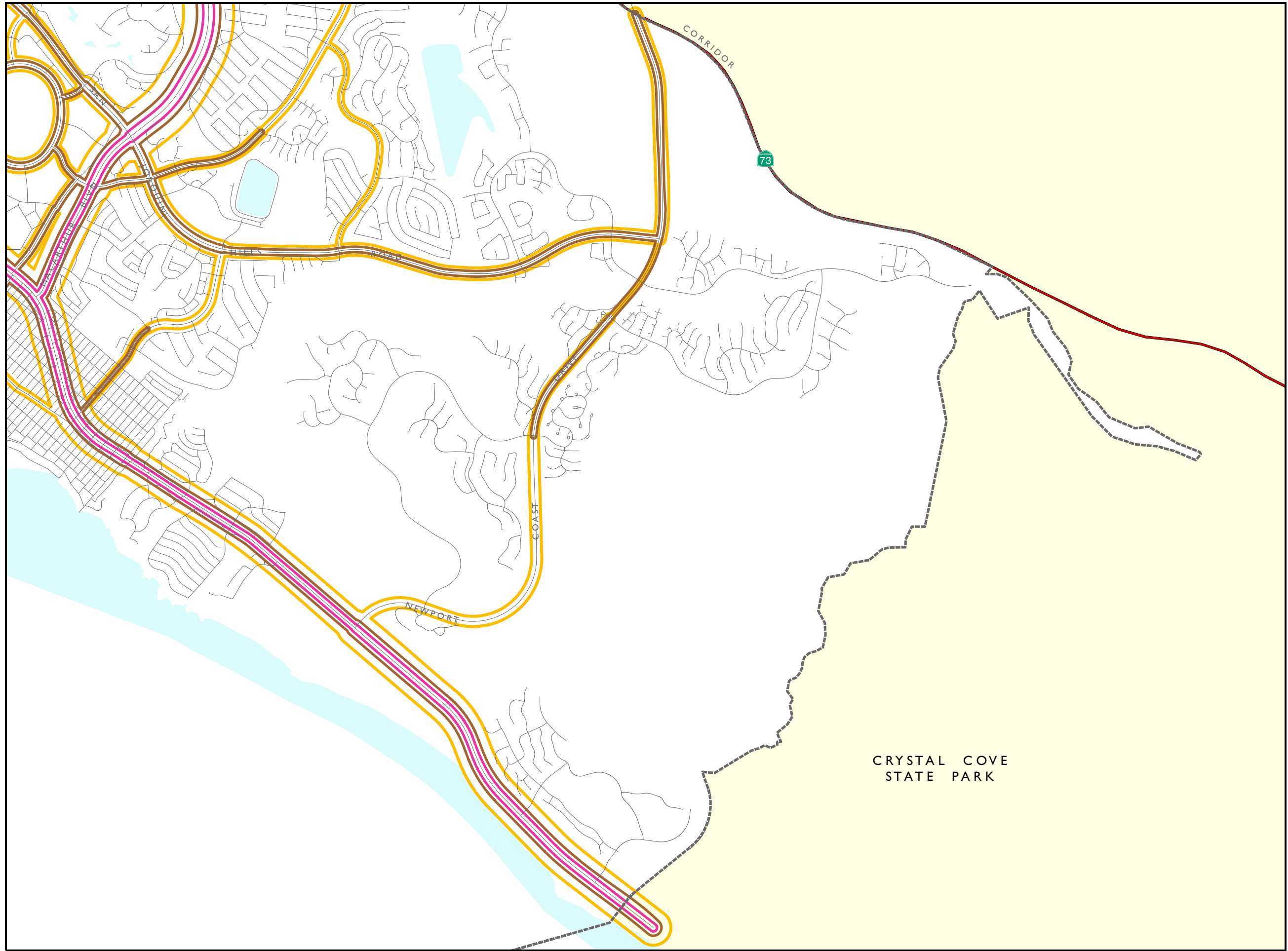
Source: City of Newport Beach, Mestre Greve Associates and EIP Associates
 PROJECT NUMBER: 10579-01
 Date: 4/20/06



Pg 2—11x17 color

Figure N3 Existing Noise Contours (3)
Pg 1—11x17 color

N:/GIS/Projects/NewportBeach_10579/Noise1.mxd



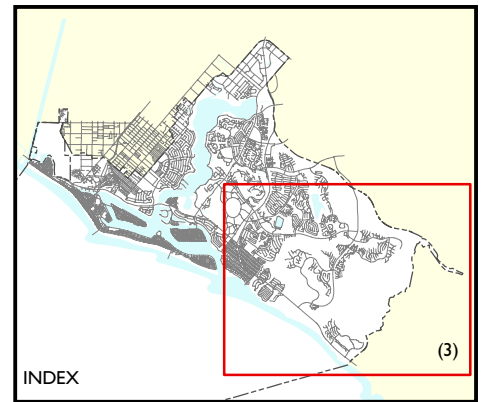
CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure N3
**EXISTING
 NOISE CONTOURS**

Roadway Noise Contours

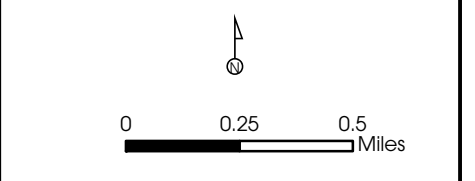
- 70 CNEL
- 65 CNEL
- 60 CNELB

----- City Boundary

The noise contours represent the maximum possible traffic noise levels at locations within them (i.e., they do not account for building placement or traffic speeds, nor include the attenuating effects of walls, structures, and terrain features that might intervene between the roads and any location of interest).



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Source: City of Newport Beach, Mestre Greve Associates and EIP Associates
 PROJECT NUMBER: 10579-01
 Date: 4/17/06






Pg 2—11x17 color




Figure N4 Future Noise Contours (1)
Pg 1—11x17 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure N4
**FUTURE
 NOISE CONTOURS**

Roadway Noise Contours

-  70 CNEL
-  65 CNEL
-  60 CNEL

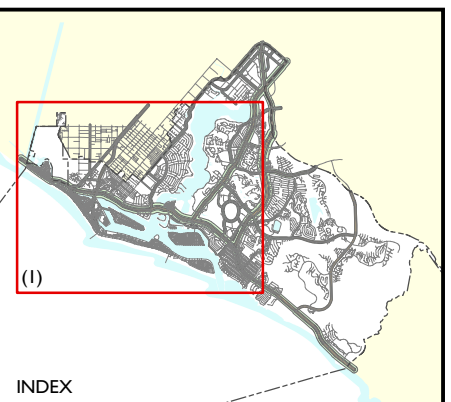
AELUP Noise Contours


-  70 CNEL
-  65 CNEL
-  60 CNEL

 City Boundary

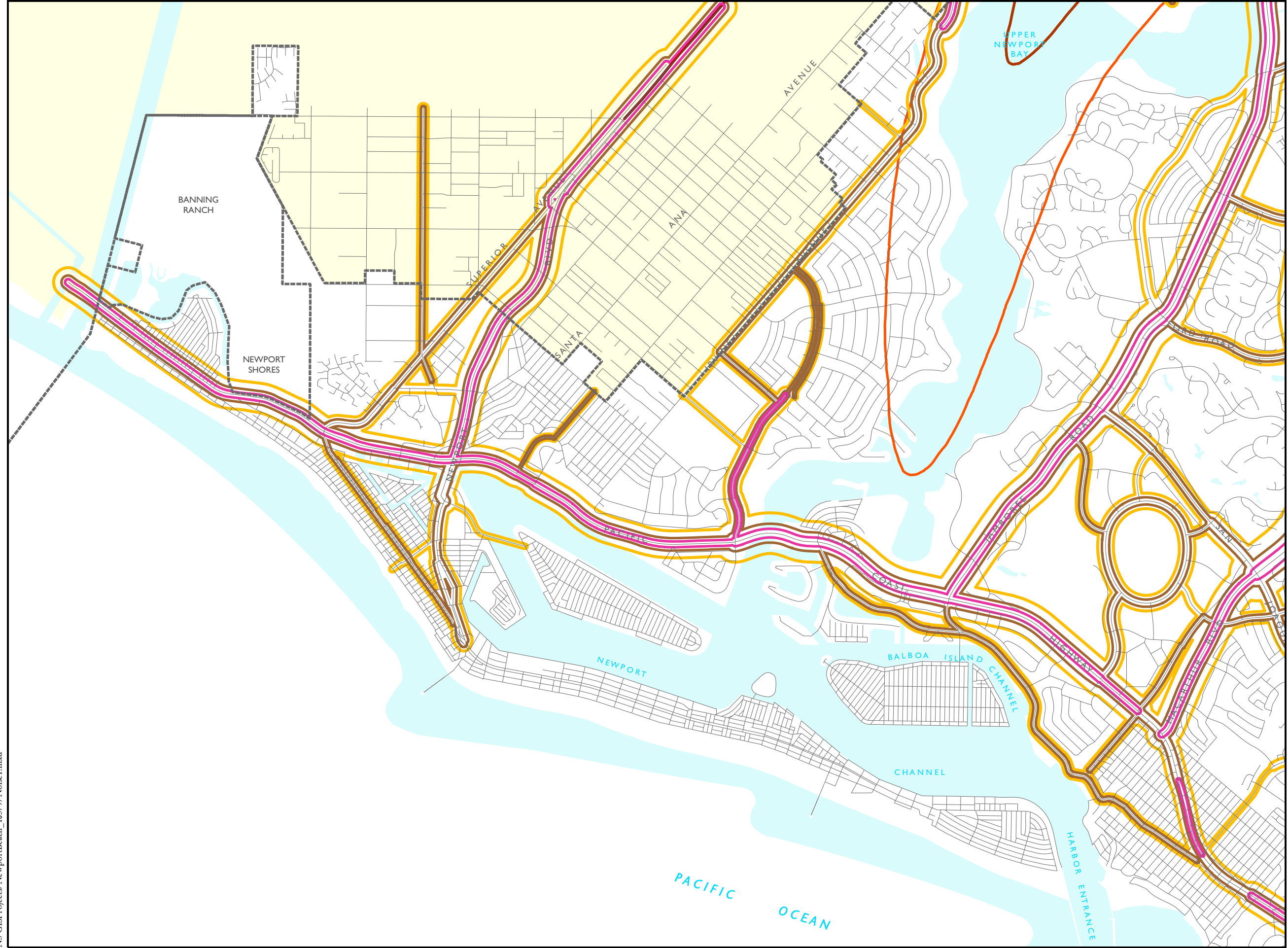
 John Wayne Airport

The noise contours represent the maximum possible traffic noise levels at locations within them (i.e., they do not account for building placement or traffic speeds, nor include the attenuating effects of walls, structures, and terrain features that might intervene between the roads and any location of interest).



0  Miles









Source: City of Newport Beach, Mestre Greve Associates and EIP Associates
 PROJECT NUMBER: 10579-01
 Date: 4/17/06



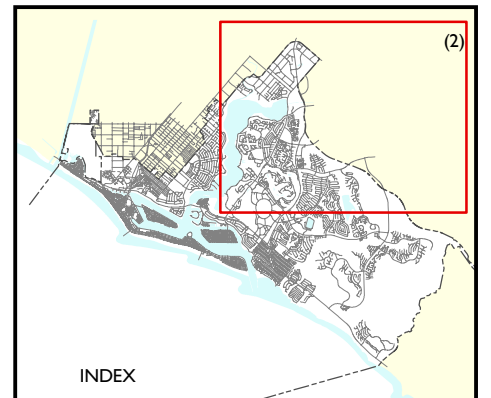
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Figure N5 Future Noise Contours (2)
Pg 1—11x17 color

CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure N5
**FUTURE
 NOISE CONTOURS**

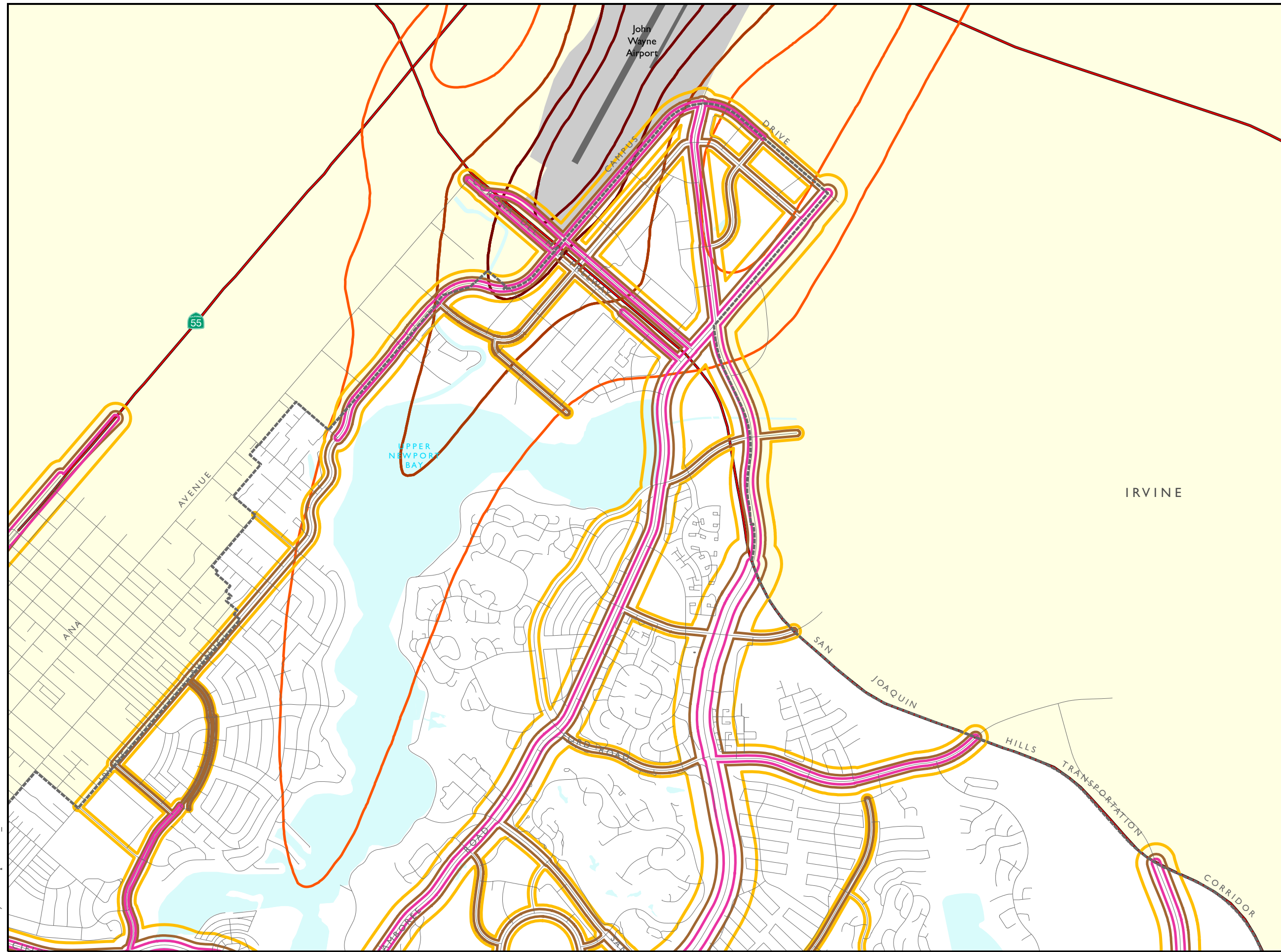
- Roadway Noise Contours
-  70 CNEL
 -  65 CNEL
 -  60 CNEL
- AELUP Noise Contours
-  70 CNEL
 -  65 CNEL
 -  60 CNEL
-  City Boundary
 -  John Wayne Airport

The noise contours represent the maximum possible traffic noise levels at locations within them (i.e., they do not account for building placement or traffic speeds, nor include the attenuating effects of walls, structures, and terrain features that might intervene between the roads and any location of interest).



0  Miles

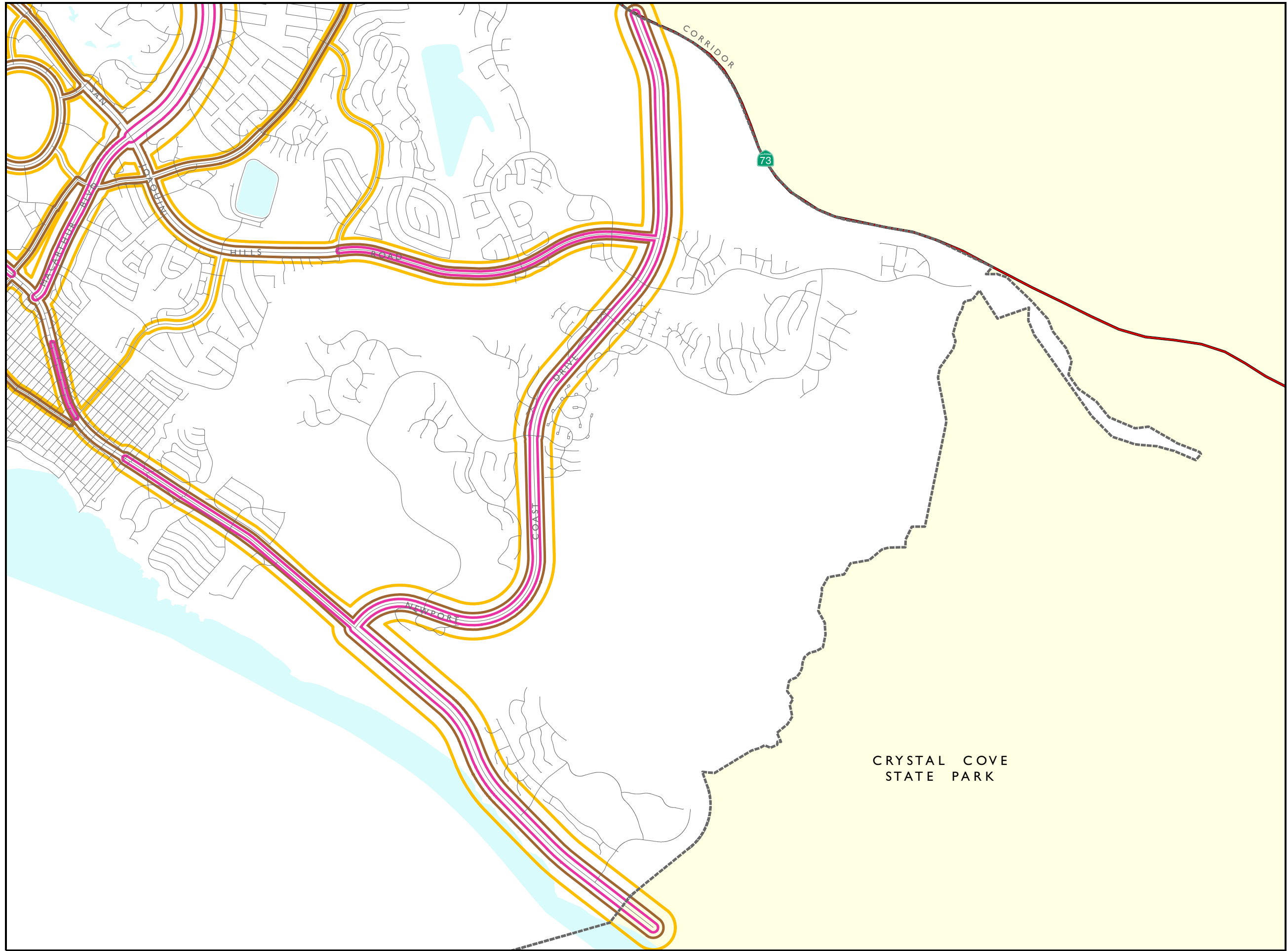
Source: City of Newport Beach, Mestre Greve Associates and EIP Associates
 PROJECT NUMBER: 10579-01
 Date: 4/20/06



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Figure N6 Future Noise Contours (3)
Pg 1—11x17 color

N:/GIS/Projects/NewportBeach_10579/Noise1.mxd

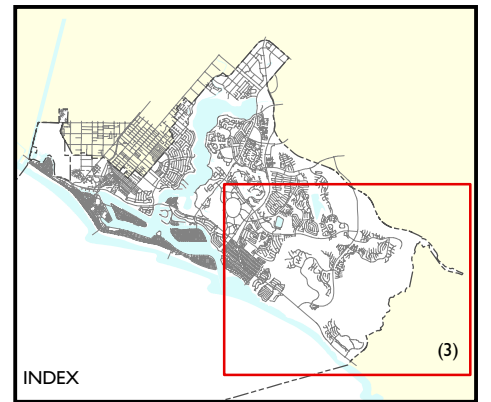


CITY of NEWPORT BEACH
 GENERAL PLAN
 Figure N6
**FUTURE
 NOISE CONTOURS**


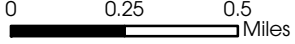
Roadway Noise Contours

- 70 CNEL
- 65 CNEL
- 60 CNELB
- City Boundary

The noise contours represent the maximum possible traffic noise levels at locations within them (i.e., they do not account for building placement or traffic speeds, nor include the attenuating effects of walls, structures, and terrain features that might intervene between the roads and any location of interest).



INDEX


 0 0.25 0.5
 Miles

Source: City of Newport Beach, Mestre Greve Associates and EIP Associates
 PROJECT NUMBER: 10579-01
 Date: 4/17/06



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Table N2 Land Use Noise Compatibility Matrix

<i>Land Use Categories</i>		<i>Community Noise Equivalent Level (CNEL)</i>						
<i>Categories</i>	<i>Uses</i>	<55	55-60	60-65	65-70	70-75	75-80	>80
Residential	Single Family, Two Family, Multiple Family	A	A	B	C	C	D	D
Residential	Mixed Use	A	A	A	C	C	C	D
Residential	Mobile Home	A	A	B	C	C	D	D
Commercial Regional, District	Hotel, Motel, Transient Lodging	A	A	B	B	C	C	D
Commercial Regional, Village District, Special	Commercial Retail, Bank, Restaurant, Movie Theatre	A	A	A	A	B	B	C
Commercial Industrial Institutional	Office Building, Research and Development, Professional Offices, City Office Building	A	A	A	B	B	C	D
Commercial Recreational Institutional Civic Center	Amphitheatre, Concert Hall Auditorium, Meeting Hall	B	B	C	C	D	D	D
Commercial Recreation	Children's Amusement Park, Miniature Golf Course, Go-cart Track, Equestrian Center, Sports Club	A	A	A	B	B	D	D
Commercial General, Special Industrial, Institutional	Automobile Service Station, Auto Dealership, Manufacturing, Warehousing, Wholesale, Utilities	A	A	A	A	B	B	B
Institutional	Hospital, Church, Library, Schools' Classroom	A	A	B	C	C	D	D
Open Space	Parks	A	A	A	B	C	D	D
Open Space	Golf Course, Cemeteries, Nature Centers Wildlife Reserves, Wildlife Habitat	A	A	A	A	B	C	C
Agriculture	Agriculture	A	A	A	A	A	A	A

SOURCE: Newport Beach, 2006

Zone A: Clearly Compatible—Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.

Zone B: Normally Compatible**—New construction or development should be undertaken only after detailed analysis of the noise reduction requirements and are made and needed noise insulation features in the design are determined. Conventional construction, with closed windows and fresh air supply systems or air conditioning, will normally suffice.

Zone C: Normally Incompatible—New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of noise reduction requirements must be made and needed noise insulation features included in the design.

Zone D: Clearly Incompatible—New construction or development should generally not be undertaken.

Table N3 Noise Standards					
<i>Land Use Categories</i>		<i>Allowable Noise Levels (dBA)</i>			
<i>Categories</i>	<i>Uses</i>	<i>Interior ^{a,b}</i>		<i>Exterior ^{a,b}</i>	
		<i>Interior Noise Level (Leq) 7am to 10pm</i>	<i>Interior Noise Level (Leq) 10 pm to 7 am</i>	<i>Exterior Noise Level (Leq) 7am to 10pm</i>	<i>Exterior Noise Level (Leq) 10 pm to 7 am</i>
Residential	Single Family, Two Family, Multiple Family (Zone I)	45	40	55	50
	Residential Portions of Mixed Use Developments (Zone III)	45	40	60	50
Commercial Industrial	Commercial (Zone II)	N/A	N/A	65	60
	Industrial or Manufacturing (Zone IV)	N/A	N/A	70	70
Institutional	Schools, Day Care Centers, Churches, Libraries, Museums, Health Care Institutions (Zone I)	45	40	55	50

SOURCE: EIP Associates, 2006

^a If the ambient noise level exceeds the resulting standard, the ambient shall be the standard.

^b It shall be unlawful for any person at any location within the incorporated area of the City to create any noise or to allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such a person which causes the noise level when measured on any other property, to exceed either of the following:

- The noise standard for the applicable zone for any fifteen-minute period;
- A maximum instantaneous noise level equal to the value of the noise standard plus twenty dBA for any period of time (measured using A-weighted slow response).
- In the event the ambient noise level exceeds the noise standard, the noise standard applicable to said category shall be increased to reflect the maximum ambient noise level.
- The noise standard for the residential portions of the residential property falling within one hundred feet of a commercial property, if the intruding noise originates from that commercial property.
- If the measurement location is on a boundary between two different noise zones, the lower noise level standard applicable to the noise zone shall apply.

Goals and Policies

Noise and Land Use Compatibility

Goal

N 1

Noise Compatibility—Minimized land use conflicts between various noise sources and other human activities.

Policies**N 1.1 Noise Compatibility of New Development**

Require that all proposed projects are compatible with the noise environment through use of Table N2, and enforce the interior and exterior noise standards shown in Table N3. *(Imp 2.1)*

N 1.2 Noise Exposure Verification for New Development

Applicants for proposed projects that require environmental review and are, located in areas projected to be exposed to a CNEL of 60 dBA and higher, as shown on Figure N4, Figure N5, and Figure N6 may conduct a field survey, noise measurements or other modeling in a manner acceptable to the City to provide evidence that the depicted noise contours do not adequately account for local noise exposure circumstances due to such factors as, topography, variation in traffic speeds, and other applicable conditions. These findings shall be used to determine the level of exterior or interior, noise attenuation needed to attain an acceptable noise exposure level and the feasibility of such mitigation when other planning considerations are taken into account. *(Imp 2.1)*

N 1.3 Remodeling and Additions of Structures

Require that all remodeling and additions of structures comply with the noise standards shown in Table N3. *(Imp 7.1)*

N 1.4 New Developments in Urban Areas

Require that applicants of residential portions of mixed-use projects and high density residential developments in urban areas (such as the Airport Area and Newport Center) demonstrate that the design of the structure will adequately isolate noise between adjacent uses and units (common floor/ceilings) in accordance with the California Building Code. *(Imp 7.1)*

N 1.5 Infill Projects

Allow a higher exterior noise level standard for infill projects in existing residential areas adjacent to major arterials if it can be shown that there are no feasible mechanisms to meet the exterior noise levels. The interior standard of 45 dBA CNEL shall be enforced for any new residential project. *(Imp 2.1, 7.1)*

N 1.6 Mixed-Use Developments

Encourage new mixed-use developments to site loading areas, parking lots, driveways, trash enclosures, mechanical equipment, and other noise sources away from the residential portion of the development. *(Imp 7.1, 8.1)*

N 1.7 Commercial/Entertainment Uses

Limit hours and/or require attenuation of commercial/entertainment operations adjacent to residential and other noise sensitive uses in order to minimize excessive noise to these receptors. *(Imp 2.1, 8.1, 8.2)*

N 1.8 Significant Noise Impacts

Require the employment of noise mitigation measures for existing sensitive uses when a significant noise impact is identified. A significant noise impact occurs when there is an increase in the ambient CNEL produced by new development impacting existing sensitive uses. The CNEL increase is shown in the table below. *(Imp 2.1, 7.1)*

<i>CNEL (dBA)</i>	<i>dBA increase</i>
55	3
60	2
65	1
70	1
Over 75	Any increase is considered significant

Transportation-Related Noise

Goal

N 2

Minimized motor vehicle traffic and boat noise impacts on sensitive noise receptors

Policies

N 2.1 New Development

Require that proposed noise-sensitive uses in areas of 60 dBA and greater, as determined the analyses stipulated by Policy N1.1, demonstrate that they meet interior and exterior noise levels. *(Imp 2.1)*

N 2.2 Design of Sensitive Land Uses

Require the use of walls, berms, interior noise insulation, double paned windows, or other noise mitigation measures, as appropriate, in the design of new residential or other new noise sensitive land uses that are adjacent to major roads. Application of the Noise Standards in Table N3 shall govern this requirement. *(Imp 7.1)*

N 2.3 Limiting Hours of Truck Deliveries

Limit the hours of truck deliveries to commercial uses abutting residential uses and other noise sensitive land uses to minimize excessive noise unless there is no feasible alternative. Any exemption shall require compliance with nighttime (10:00 P.M. to 7:00 A.M.) noise standards. *(Imp 2.1, 8.1)*

N 2.4 Interagency Coordination to Enforce Standards

Encourage the enforcement of State Motor Vehicle noise standards for cars, trucks, and motorcycles through coordination with the California Highway Patrol and Newport Beach Police Department. *(Imp 14.16, 14.17)*

N 2.5 Boating Activities

Enforce compliance of all boating activities with the noise standards defined in the Municipal Code. *(Imp 26.1)*

N 2.6 Barrier Construction Funding

Establish a program to secure funding for the construction of noise barriers to protect private outdoor yard areas along arterial roadways where existing homes are exposed to noise levels above the City noise standards and develop a priority program for the construction of such barriers. A potential source of such funding may be a fee for new projects, which generate new traffic within the City, as well as road improvement funds where road improvements are made. The amount of these fees should be proportional to the amount of the new traffic that is caused by the new project. It should be recognized that noise barriers will not always be feasible mitigation to roadway noise. Noise barriers are most feasible for single-family homes where the rear yards are adjacent to the roadway. The feasibility of other situations should be evaluated on a case-by-case basis. *(Imp 30.2)*

Goal**N 3**

Protection of Newport Beach residents from the adverse noise impacts of commercial air carrier operations at John Wayne Airport as provided in the City Council Airport Policy.

Policy**N 3.1 New Development**

Ensure new development is compatible with the noise environment by using airport noise contours no larger than those contained in the 1985 JWA Master Plan, as guides to future planning and development decisions. *(Imp 2.1, 3.1, 4.1)*

N 3.2 Residential Development

Require that residential development in the Airport Area be located outside of the 65 dBA CNEL noise contour no larger than shown in the 1985 JWA Master Plan and require residential developers to notify prospective purchasers or tenants of aircraft overflight and noise. *(Imp 2.1, 3.1, 4.1)*

N 3.3 Avigation Easement

Consider requiring the dedication of avigation easements in favor of the County of Orange when noise sensitive uses are proposed in the JWA planning area, as established in the JWA Airport Environs Land Use Plan (AELUP). *(Imp 2.1, 3.1, 4.1)*

N 3.4 Existing Noise Restrictions

Take any action necessary to oppose any attempt to modify the existing noise restrictions, including the existing curfew and the General Aviation Noise Ordinance. *(Imp 9.1)*

N 3.5 Additional Facilities at John Wayne Airport

Take any action necessary to oppose any attempt to construct a second air carrier runway including the acquisition of land necessary to provide required separation of the existing air carrier runway and any proposed facility. *(Imp 9.1)*

N 3.6 Existing Level of General Aviation Operations

Support any plan or proposal that maintains, and oppose any plan or project that proposes any significant changes to the existing level of general aviation operations and general aviation support facilities. *(Imp 9.1)*

N 3.7 Remote Monitoring Systems

Support preservation or enhancement of the existing remote monitoring systems (RMS) and the public reporting of the information derived from the RMS. *(Imp 9.1)*

N 3.8 Meeting Air Transportation Demand

Support means of satisfying some of Orange County's air transportation demand at airports other than John Wayne Airport or through alternative means of transportation. *(Imp 14.3)*

N 3.9 John Wayne Airport Amended Settlement Agreement

Take all steps necessary to preserve and protect the validity of the John Wayne Airport Amended Settlement Agreement, including the following:

- Oppose, or seek protection from any federal legislative or regulatory action that would or could affect or impair the County's ability to operate John Wayne Airport consistent with the provisions of the John Wayne Airport

Amended Settlement Agreement or the City's ability to enforce the Amended Settlement Agreement.

- Approving amendments of the John Wayne Airport Settlement Agreement to ensure continued validity provided amendments are consistent with the City Council Airport Policy, do not materially impair the quality of life, and are in the long-term best interests of Newport Beach residents.
- Continuing to monitor possible amendment of the *Airport Noise and Capacity Act of 1990* as well as various FAA Regulations and Advisory Circulars that relate to aircraft departure procedures. (*Imp 14.3*)

N 3.10 Community and Public Agency Support

Take steps necessary to secure broad-based support for all aspects of the City Council Airport Policy. (*Imp 14.3, 29.1*)

Nontransportation-Related Noise

Goal

N 4

Minimization of Nontransportation-Related Noise—Minimized nontransportation-related noise impacts on sensitive noise receptors.

Policy

N 4.1 Stationary Noise Sources

Enforce interior and exterior noise standards outlined in Table N3, and in the City's Municipal Code to ensure that sensitive noise receptors are not exposed to excessive noise levels from stationary noise sources, such as heating, ventilation, and air conditioning equipment. (*Imp 7.1*)

N 4.2 New Uses

Require that new uses such as restaurants, bars, entertainment, parking facilities, and other commercial uses where large numbers of people may be present adjacent to sensitive noise receptors obtain a use permit that is based on compliance with the noise standards in Table N3 and the City's Municipal Code. (*Imp 2.1*)

N 4.3 New Commercial Developments

Require that new commercial developments abutting residentially designated properties be designed to minimize noise impacts generated by loading areas, parking lots, trash enclosures, mechanical equipment, and any other noise generating features specific to the development to the extent feasible. (*Imp 2.1*)

- N 4.4 Limiting Hours of Recreational Activities**
Limit hours when recreational activities in parks and the harbor can take place.
(Imp 9.1, 23.4)
- N 4.5 Sound-Amplifying Equipment**
Regulate the use of sound-amplifying equipment through the City’s Municipal Code. *(Imp 2.1, 8.2)*
- N 4.6 Maintenance or Construction Activities**
Enforce the Noise Ordinance noise limits and limits on hours of maintenance or construction activity in or adjacent to residential areas, including noise that results from in-home hobby or work related activities. *(Imp 7.1, 8.1)*
- N 4.7 Nuisances**
Regulate the control of nuisances, such as residential party noise, boat party noise, private fireworks, and barking dogs, through the City’s Municipal Code. *(Imp 8.1, 26.1)*
- N 4.8 Mechanized Landscaping Equipment**
Regulate the use of mechanized landscaping equipment. *(Imp 8.1)*

Construction Noise

Goal

N 5
Minimized excessive construction-related noise.

Policies

- N 5.1 Limiting Hours of Activity**
Enforce the limits on hours of construction activity. *(Imp 8.1)*



CHAPTER 13 **Implementation Program**



IMPLEMENTATION

The following implementation programs constitute the principal set of actions and procedures necessary to carry out the goals and policies of the City of Newport Beach General Plan. They are generally described and do not reiterate the policies' specific standards or requirements that must be addressed in implementation, such as permitted development densities and required parkland acreage dedication. Consequently, in implementing the programs it is necessary to review the Plan's policies to assure that they are fully addressed. For the convenience of the General Plan's users, each implementation program is numbered and referenced at the close of each relevant Element policy (Imp __).

The programs described herein may change over time to reflect available funding or as new approaches are used in the future. To this end, the General Plan Progress Report required to be prepared annually, as described in Imp 1.3 below, should review the continuing applicability of the programs and update this list as necessary. Such modifications would not necessitate a formal amendment of the General Plan, unless they substantively alter the Plan's goals or policies.

Development Management System

The City of Newport Beach's Development Management System encompasses the policy and regulatory documents and procedures that guide land use development and resource conservation in accordance with the goals and policies specified by the General Plan.

1. GENERAL PLAN

Overview

The City of Newport Beach General Plan was prepared and adopted in accordance with the procedural and substantive requirements of California Government Code §65300 et seq. It serves as the statement of official policy for Newport Beach's long term physical development and addresses all elements statutorily required by the Code including Land Use, Housing, Circulation, Conservation, Open Space, Public Safety, and Noise. To avoid redundancy, the subjects of the Conservation and Open Space Element have been merged into the Natural Resources Element. Parks and Recreation, under statute a component of the Open Space Element, has been prepared as a separate element to reflect its importance. As a municipality is permitted to incorporate other elements that pertain to its

PROGRAM

unique characteristics or visions, the Newport Beach General Plan also includes Harbor and Bay, Arts and Cultural, and Historic Resources Elements. Though optional by statute, once adopted they hold equal weight under the law as the mandated elements.

Goals and policies of the General Plan are applicable to all lands within the jurisdiction of the City of Newport Beach. Consistent with state statutes (§65300), the General Plan also specifies policies for the adopted Sphere of Influence (SOI), encompassing Banning Ranch, which represent the City's long-term intentions for conservation and development of the property should it be annexed to Newport Beach. Until that time, uses and improvements of the property are subject to the County of Orange General Plan.

Programs

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.

When the City or any external agency responsible for the planning or implementation of public works within the City prepares its annual list of proposed public works and its five-year Capital Improvement Program (CIP), these must be submitted to the Planning Commission for review for conformity with the adopted General Plan (Government Code §65401). Additionally, when the City acquires property for public purposes, such as streets and parks, the Planning Commission is required to review this action and report on its consistency with the General Plan (§65402).

Imp 1.2 Update and Revise the General Plan to Reflect Changing Conditions and Visions

While there are no specific deadlines for updates and revisions of the General Plan, state guidelines urge that it be maintained to reflect current conditions, issues, and visions. The State Office of Planning and Research (OPR) is required to notify a city when its general plan has not been revised within eight years. If the plan has not been revised within ten years, OPR must also notify the Attorney General, who will notify the City of the legal risks for failure to maintain a legally adequate plan. An exception is the Housing Element, which is required to be revised at least every five years (Code §65588) and certified by the State Department of Housing and Community Development (HCD). Historically, this deadline has been extended on a number of occasions due to delays in the preparation of the regional housing allocation by the responsible regional agency, the Southern California Association of Governments (SCAG).

While comprehensive revisions occur infrequently in recognition of the long-term role of the General Plan, it is important to monitor its relevance and applicability to local needs and issues as they evolve over time. At least once every five years the City should review the economic markets for commercial, industrial, and housing development; identify trends that impact or provide opportunities for the City; assess the Plan's land use diagram, policies, and standards for their effectiveness in addressing these; evaluate traffic conditions and their correlation with land use development; and amend these where desired and necessary. All amendments must be analyzed pursuant to Charter Section 423 to determine if they must be submitted to the electorate.

As many of the General Plan's implementation programs, particularly the Public Infrastructure and Services Plans and Public Service Programs, are dependent on available funding and evolve over time to reflect changing community needs, they should be reviewed and updated at least once each three years to assure their continuing relevancy. This is a technical revision that would not necessitate a formal amendment of the General Plan, provided that they do not alter its policies, and would best be accomplished as an integral component of the Annual General Plan Progress Report (see Imp 1.3).

Revisions and updates of the General Plan should be made in accordance with the General Plan's Vision Statement, or as modified by future public input. Fundamentally, this should sustain the City's intentions to be a residential community, balanced with supporting retail uses, job opportunities, and visitor and recreational services and amenities. Amendments to accommodate the City's "fair-share" of regional housing demand will be considered in context of these visions and the goals stipulated by this Plan. Increments of additional growth will be linked to the provision of adequate supporting transportation systems, infrastructure, and public services.

Imp 1.3 Prepare Annual General Plan Progress and Housing Element Implementation Reports

The California Government Code §65400(b)(1) requires all cities and counties to submit an annual General Plan Progress Report to their “legislative bodies,” the State Office of Planning and Research (OPR), and the State Department of Housing and Community Development (HCD). The purpose of the report is to provide information on the status of the General Plan and the progress made in implementing its programs and goals including the adequacy of transportation, utility infrastructure, and public services to support entitled projects. Additionally, the Report must specify the degree to which the approved general plan complies with the General Plan Guidelines published by the Governors Office of Planning and Research (OPR) and the date of its last revision.

As required by State Housing Element Law, the City is also required to monitor all housing programs and complete a detailed annual Housing Element Implementation Report that documents the City’s progress in fulfilling its share of the Regional Housing Needs Assessment; the status of the implementation of each of the housing programs of the City’s Housing Plan; and reviews actions and programs adopted to remove or mitigate governmental constraints on the development of housing for all income levels.

2. ZONING CODE

Overview

The City of Newport Beach Zoning Code, Title 20 of the Municipal Code, is one of the primary means of implementing the General Plan. Unlike the long-term perspective of the General Plan, the Zoning Code anticipates the immediate uses of the land. Areas within the SOI are governed by the County of Orange Zoning Code, until annexation to the City, when they would be subject to the City’s Code.

While state statutes do not require consistency between the General Plan and Zoning Code for charter cities, such as Newport Beach, most court decisions in the state pertaining to the regulation of land use development in such communities have set the General Plan as the standard by which development entitlements that have been legally challenged have been measured. This is based on the premise that effective implementation of a general plan necessitates mutually reinforcing actions, such as a consistent zoning code. Newport Beach’s practice has been to maintain consistency between its General Plan and Zoning Code.

Programs

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.

In accordance with state statutes, the Zoning Code shall be amended “within a reasonable time” of the adoption of the updated General Plan. While a specific time frame is not specified, it is common practice for communities to revise their zoning within a 12- to 18-month time period.

In summary, map and text amendments may be necessary to accomplish the following:

- a. Review and revise land use classifications to reflect the General Plan’s policies for permitted uses, densities/intensities, and development standards. These need to reflect the new types of land use categories, including those that provide for the vertical and horizontal mixing of housing with commercial, office, visitor-serving and other non-residential land uses.
- b. Add standards to implement policies addressing community character and design and development for each land use category and as defined for sub-areas.
- c. Review and amend, where necessary, Code requirements and standards pertaining to the location and design of development to protect terrestrial and marine environmental resources; protect development and populations for the risks of environmental hazards such as earthquakes, tsunamis, methane gas, and excessive noise; and maintain the integrity and quality of Newport Harbor and the Upper Bay.
- d. Review and amend the Code, as necessary, to achieve specific objectives of the General Plan such as lot consolidation to improve the economic viability of commercial uses, retention of marine-related businesses, development of affordable housing, and implementation of more environmentally sustainable buildings and site planning. These may be accomplished through development requirements and/or incentives.
- e. Review and amend the Code, as necessary, to assure that developer requirements for the dedication of lands for roadway improvements, parklands, and other elements defined by General Plan policies are fulfilled, including specifications and procedures for which in-lieu fees may be contributed.

3. SPECIFIC PLANS

Overview

Specific plans are tools for the systematic implementation of the General Plan and intended to implement and regulate land use and development within a specific project boundary, subject to the substantive and procedural requirements of §65450 through §65450 of the California Government Code. Specific plans are regulatory documents adopted by ordinance and, to date, have been incorporated into Newport Beach’s Zoning Code. Therefore, all development standards contained therein are enforceable by law.

Specific plans that have been adopted by the City of Newport Beach, generally, are more limited in their scope and application than authorized by the California Government Code. Principally, they are more specific than underlying the parallel zoning requirements in their definition of development standards and design guidelines to reflect the unique characteristics of their planning area. Some prescribe programs for visual enhancement and streetscape improvements. Adopted specific plans at the time of the approval of the updated General Plan include Newport Shores, Mariner’s Mile, Cannery Village/McFadden Square, Santa Ana Heights, Central Balboa, and Old Newport Boulevard.

A “placeholder” is included in the Code for the anticipated future preparation of a specific plan for Corona del Mar. However, the updated General Plan does not specify a specific implementation structure or regulating document for Corona del Mar or most other areas.

As a component of the revision of the Newport Beach Zoning Code for consistency with the General Plan (Imp 2.1, above), development regulations for designated Specific Plan areas of the City shall be reviewed and amended as necessary.

Programs

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.

4. DEVELOPMENT PLANS/PLANNED COMMUNITIES

Overview

The City of Newport Beach provides for a “Planned Community” (PC) designation for the development of large properties, usually under one ownership, with the objective of producing a well-defined and cohesive district that integrates one or more type of housing unit and supporting uses that meets standards of density, open space, light and air, pedestrian and vehicular access, and traffic circulation similar to comparable residential and commercial districts in the City, as well as reflects the unique environmental setting of the property. These define specific development standards that are customized to reflect the unique attributes of the property and its surroundings.

Programs

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.

5. LOCAL COASTAL PROGRAM

Overview

Implementation of *California Coastal Act* policies is accomplished primarily through a Local Coastal Program (LCP) that contains a Coastal Land Use Plan (CLUP) and Implementation Plan (IP). The CLUP sets forth goals, objectives, and policies that govern the use of land and water in the coastal zone within the City of Newport Beach, with the exception of Newport Coast and Banning Ranch. Newport Coast is governed by the previously certified and currently effective Newport Coast segment of the Orange County Local Coastal Program. Banning Ranch is a Deferred Certification Area (DCA) due to unresolved issues related to land use, public access, and the protection of coastal resources. The IP consists of the zoning ordinances, zoning district maps, and other legal instruments necessary to implement the land use plan.

Programs

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.

6. SUBDIVISION ORDINANCE

Overview

The City of Newport Beach Subdivision Ordinance, Title 19 of the Municipal Code, regulates and controls the division of land within the City in accordance with the *Subdivision Map Act* and Government Code §66411. The Subdivision Ordinance regulates the design and improvement of

subdivisions, requires dedications of public improvements, establishes development impact fees and mitigation programs, and requires conformity with the provisions of the City’s General Plan. This includes the review and approval of lot size and configuration, street alignments, street grades and widths, traffic access, drainage and sanitary facilities, lands dedicated for public uses (e.g., schools and parks) and open spaces, and other measures as may be necessary to insure consistency with or implementation of the General Plan.

Programs

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.

7. BUILDING AND CONSTRUCTION CODE

Overview

Building construction in the City is regulated by Title 15 of the Newport Beach Municipal Code, “Buildings and Construction.” This encompasses the 1994 Uniform Code for Building Conservation; 1997 Uniform Administrative Code; Uniform Housing Code; California Swimming Pool, Spa, and Hot Tub Code; the 2001 California Building Code; California, Mechanical Code, and California Plumbing Code; the 2004 California Electrical Code; Newport Beach Excavation and Grading Code; Newport Beach Flood Damage Protection; and the Newport Beach Construction Site Fencing and Screening. Additionally, Title 15 includes regulations for Earthquake Hazard Reduction in Existing Buildings, Sign Code, House Moving, Abatement of Substandard Buildings, Undergrounding of Utilities, Fair Share Traffic Contribution, Traffic Phasing, Major Thoroughfare and Bridge Fee Program, Development Agreements, Flood Damage Protection, Methane Gas Mitigation, Wireless Telecommunications Facilities, and Santa Heights Redevelopment. The City applies the most recently updated codes by state, federal, and professional organizations. The Fair Share Traffic Contribution ordinance and accompanying resolution determine the total unfunded cost of completing the City’s Circulation Element and allocate this cost to future development based on traffic generation rates.

Programs

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.

Imp 7.2 Revise Fair Share Traffic Contribution Ordinance

The updated Circulation Element will require revisions of the City’s Fair Share Traffic Contribution Ordinance, Chapter 15.38, for consistency, with periodic updates as necessary for funding consideration changes (including the implications of regional improvements such as those contained in the Orange County Master Plan of Arterial Highways and the traffic contribution of adjacent cities such as Irvine, Huntington Beach, Costa Mesa, and Laguna Beach). This ordinance and accompanying resolution determine the total unfunded cost of completing the City’s Circulation Element and allocate this cost to future development based on traffic generation rates.

Imp 7.3 Review and Update Transportation Demand Ordinance

The Transportation Demand Management (TDM) Ordinance should be periodically reviewed and updated to address the needs of new development types and land use mixes, especially as mixed use development is implemented in areas such as Newport Center and the Airport Area.

8. OTHER CODES AND ORDINANCES

Overview

General Plan policies are also implemented through a diversity of other codes and ordinances of the City of Newport Beach. Relevant sections of the Municipal Code may include, but are not limited to, the following:

- Title 6, Health and Sanitation
- Title 9, Fire Code
- Title 10, Offenses and Nuisances
- Title 11, Recreational Activities
- Title 12, Vehicles and Traffic
- Title 13, Streets, Sidewalks, and Public Properties
- Title 17, Anchorage and Mooring Regulations

Programs

Imp 8.1 Review Codes and Ordinances for Consistency with the General Plan and Update Periodically

On adoption of the General Plan, relevant codes and ordinances of the City shall be reviewed for their consistency and revisions prepared where necessary. These shall be updated periodically to reflect state-of-the-art practices and technologies. Representative of the issues addressed by General Plan policy that should be reviewed are the following:

- a. Requirements for live-aboard vessels pertaining to the integrity, quality, and safety of Harbor uses, environmental protection, and impacts on the public, waterfront owners/lessees, and adjoining properties
- b. Regulation and transfer of mooring permit applications and titles
- c. Standards for the design and siting of bulkheads, pier, and similar structures to address their potential visual impacts
- d. Standards and policies specified by the Noise Element to protect sensitive noise receptors, residents and businesses from unwanted noise impacts from traffic, JWA operations, construction activities, truck deliveries, special events, charter and entertainment boats, and similar sources

Imp 8.2 Prepare New Codes, Ordinances, and Guidelines

The updated General Plan shall be reviewed and evaluated for the need to adopt new codes and ordinances that implement its policies and standards. Among those that may be considered for their appropriateness are the following:

- a. A “commercial-residential” interface ordinance that regulates use, activity, and design of commercial properties located on shallow parcels directly abutting residential neighborhoods
- b. Design guidelines for the renovation or reconstruction of housing in existing neighborhoods to assure that they complement the character of existing development; these may be applied to specific neighborhoods or citywide
- c. An ordinance or guidelines for the preservation of historic buildings and/or properties; this shall be developed in consideration of guidelines published by the State Historic Preservation Office
- d. An ordinance managing parking in commercial and mixed-use corridors and districts characterized by deficient parking; this may provide for the establishment of parking districts in which new parking may be developed in public or private shared facilities or structures or other facilities, as well as procedures for the funding of these improvements

9. CITY COUNCIL POLICY MANUAL

Overview

Many regulatory policies established by the City Council are adopted by ordinance and included in the Municipal Code. However, other policies also are established which by their nature do not require adoption by ordinance. These policy statements adopted by resolution of the City Council are

consolidated within the Newport Beach City Council Policy Manual. This Manual contains numerous polices that establish rules and guidelines for City administration, planning, public works and utilities, environmental protection, city services, and coastal activities. These policies help to guide residents and city staff in the direction that Council will take on certain matters. City Council Policies are set at Council Meetings and are reviewed annually.

Programs

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.

10. DATABASE MANAGEMENT AND DEVELOPMENT TRACKING AND MONITORING

Overview

Among the responsibilities of the City's Management Information Systems (MIS) Division is the maintenance of a centralized database development and support system. This is supplemented by the development and maintenance of data by individual City departments. This includes the Geographic Information System (GIS) that allows data to be connected to all parcels in the City, facilitating analysis and display of information geographically.

Tracking new development as it is approved will enable the City, property owners, and the public to easily and quickly know how much development potential remains for a property or an area. Incorporation of the data base in GIS format on the city's web page would facilitate public access and review. In addition, adoption and voter approval of the updated General Plan will modify the development capacities in the City, and these will be used as the basis for the review of project applications and determination of the need for voter approval pursuant to Charter Section 423.

Programs

Imp 10.1 Maintain Up-to-Date Comprehensive Database

Data that is likely to change over a comparatively short time period, such as built land use and traffic should be updated on a continuing basis, while data that is stable, such as seismic hazard zones, can be updated on a less frequent basis. In its annual budgeting process, priority should be placed on expenditures for the compilation of data that informs the City's development decisions, public works improvements, services, and programs.

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.

11. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Overview

Chapter 20.90.050 of the Newport Beach Municipal Code requires that a project that is not exempt from the *California Environmental Quality Act* (CEQA) shall be reviewed and either a Negative Declaration or an Environmental Impact Report (EIR) shall be prepared. The City’s Implementation Procedures for CEQA are presented in the City Council Policy Manual, Policy “K.3.” These specify the activities that are subject to, not subject to, and exempt from CEQA; content and procedures for Initial Studies, Negative Declarations, and Environmental Impact Reports; processes for consultant assistance in the preparation of environmental studies and documents; fees for CEQA processing; and authorities of the Planning Director.

In conformance with CEQA requirements, a “Program” EIR was prepared and certified for the updated City of Newport Beach General Plan. Some of the provisions that might have been defined as mitigation measures have been incorporated as policies of the General Plan, so that the requirements are specified in one document.

The Program EIR is written to the level of specificity of the General Plan’s Land Use Plan’s goals, policies, and programs. It may serve as a reference in the preparation of CEQA-required environmental documents for implementation of the General Plan, subsequent Specific Plans, Precise Plans, capital improvements, and other actions that are consistent with the General Plan.

Programs

Imp 11.1 CEQA Review Development and Entitlement Applications

Applications for entitlement and development in the City of Newport Beach shall be subject to review in accordance with the City Council Policy Manual Implementation Measures for CEQA. Environmental analyses shall include assessment of the project’s consistency with General Plan policies pertaining to each environmental topic under discussion. To the extent permitted by state law and court decisions, the General Plan Program EIR can be used as citywide framework from which project EIRs can be tiered. The Program EIR shall not be used for any project that is more intense than, or inconsistent, with the General Plan.

12. FISCAL IMPACT ANALYSIS

Overview

A Fiscal Impact Model has been developed that documents the balance of costs of public services and revenues to be derived resulting from the mix of land uses permitted by the General Plan. These are assigned to each category of land use, single family residential, multi-family residential, retail

commercial, and office development, for example. As the analyses conclude, the mix of uses is highly inter-related and the fiscal benefits of individual land uses cannot be considered independently.

Programs

Imp 12.1 Evaluate Fiscal Benefits of Development Proposals and Annexations

Significant development projects and General Plan Amendments shall be evaluated for their net fiscal impacts on the City of Newport Beach. This will use the Fiscal Impact Model developed for the General Plan and identify all costs for public services and revenues to be derived. The City shall decide the type, scale, and mix of uses that shall be subject to fiscal review.

Imp 12.2 Maintain and Update Fiscal Impact Model

To ensure that the Fiscal Impact Model continues to be a useful tool for evaluating development proposals, annexations, and related actions, the City should maintain and regularly update the base information in the model.

13. DEVELOPMENT AGREEMENTS

Overview

In accordance with Chapter 15.45 of the Newport Beach Municipal Code, development agreements may be prepared as contractual agreements between the City and developers to provide assurances to each party regarding the uses to be entitled, rules of development, and public benefits of the development project. The Code stipulates that a development agreement specify the duration of the agreement, permitted uses of the property, density or intensity of use, maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes, if required. The agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions and may specify the timing and phasing of construction.

The uses and development standards specified by a development agreement must be consistent with the General Plan and/or, where appropriate, Specific Plan and Local Coastal Program.

Programs

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.

Governance

The Governance portion of the General Plan Implementation Program describes the institutional processes through which key policy decisions related to land use development, capital improvements, and resource conservation will be made and carried out.

14. INTERAGENCY COORDINATION

Overview

Implementation of the General Plan's goals and policies requires the cooperation and coordination of the City with a diversity of local, state, and federal agencies and private and semi-private institutions. The following summarizes many of the interagency coordination procedures directly related to the General Plan's policies that are currently being carried out or anticipated in the short-term. These will be supplemented by other ongoing programs and new strategies that will be defined during the life span of the General Plan's implementation.

Programs

Imp 14.1 Adjoining Cities

The City of Newport Beach has established "borders committees" to collaborate with the cities of Irvine, Huntington Beach, and Costa Mesa to address planning, development, transportation, and other issues that jointly impact the communities. Newport Beach will also work with surrounding jurisdictions and agencies to coordinate and test emergency preparedness and response plans.

Imp 14.2 Coordinate with School Districts

The City of Newport Beach and the school districts serving the City, including the Newport-Mesa Unified School District, Santa Ana Unified School District, and Laguna Unified School District, shall work together on the identification and acquisition of potential school sites and expansion of existing facilities; monitoring and management of traffic conditions at school locations; CEQA-required documentation for residential projects; and joint-use agreements for public recreational uses of school properties.

Imp 14.3 Coordinate with Orange County

The City of Newport Beach and Orange County should continue to collaborate in numerous programs affecting land use and development, affordable housing, transportation, infrastructure, resource conservation, environmental quality, management of Newport Harbor and Upper Newport Bay; and John Wayne Airport operations and improvement plans.

Imp 14.4 Coordinate with Orange County Transportation Authority (OCTA)

The Orange County Transportation Authority (OCTA) is a multi-modal transportation agency serving Orange County. It is responsible for countywide bus and paratransit service, Metrolink commuter rail

service, the 91 Express Lanes toll facility, freeway, street and road improvement projects, motorist aid services, and regulation of taxi operations. Through the adopted Measure M, a voter-approved half-cent sales tax for transportation improvements, OCTA allocates funding for specific transportation improvement projects in three major areas—freeways, streets, roads and transit. OCTA also secures funding for regional and local agencies from state and federal agencies. The City of Newport Beach will implement General Plan policies by doing the following:

- Working with OCTA to support the implementation of needed regional Master Plan improvements that will benefit mobility within the City
- Soliciting funding from OCTA for local transportation, transit, parking, bikeway, and other related improvements as such revenues are available in the future
- Periodically reviewing the adequacy of transit service in Newport Beach and coordinating with OCTA to provide transit support facilities including park-and-ride lots, bus stops, shelters, and related facilities
- Coordinating with OCTA to establish or modify bus stop locations to provide adequate access to local residents and to destinations for external uses, as well as efficient and safe traffic operations
- Requesting the OCTA to assess the need for the expansion of fixed-route service and efficient transportation to future transportation facilities
- Coordinating with OCTA to provide expanded summertime bus and/or shuttle service to reduce visitor traffic
- Coordinating with OCTA to provide programs to issue monthly bus passes locally and provide special programs for subsidizing passes for the disadvantaged

Imp 14.5 State of California Department of Housing and Community Development

The California Department of Housing and Community Development (HCD) is responsible for the certification of Newport Beach's Housing Element (see Development Management System above). Each five years, the City shall update the Element based on input received from the HCD and regional agency (Southern California Association of Governments) regarding the City's "fair share" of regional housing demand. The focus of the update will be on the provision of adequate sites and programs for affordable housing.

Imp 14.6 Coordinate with California Coastal Commission

The California Coastal Commission is responsible for the implementation of the *California Coastal Act of 1976*. As described above (Development Management System), the City's Local Coastal Program's (LCP) Land Use Plan (CLUP) had been certified at the time of the adoption of the updated General Plan. The City shall work with the Coastal Commission to amend the CLUP to be consistent with the General Plan and pursue certification of the Implementation Plan. The City shall ensure that on certification, applications for development shall be reviewed by the City for consistency with the certified LCP and *California Coastal Act of 1976*.

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.

Imp 14.8 Coordinate with the California Department of Parks and Recreation

The California Department of Parks and Recreation is responsible for the management of state parks and beaches under its jurisdiction. In Newport Beach, this includes Corona del Mar State Beach and Crystal Cove State Park. Cooperate in maintaining and expanding, where appropriate, recreational opportunities along the coast and marine recreation related facilities.

Imp 14.9 Coordinate with the California Department of Transportation

The California Department of Transportation (Caltrans) is responsible for the planning, construction, and maintenance of state highways and freeways, including SR 73 and Newport Boulevard (SR 55) between Finley Avenue and the City boundary. Coast Highway in Newport Beach, excluding the portion from Newport Coast Drive to Jamboree Road, is currently a state highway and Caltrans maintains authority over its right-of-way and standards for improvements. The General Plan recommends that the City discuss and negotiate with Caltrans for the relinquishment of Coast Highway through the City as a State Highway and begin these discussions at the earliest possible time.

Imp 14.10 Transportation Corridor Agencies (TCA)

The Transportation Corridor Agency (TCA) oversees the San Joaquin Hills (SR-73) Toll Road. It is governed by a Board of Directors made up of elected officials from cities and county districts that are adjacent to the toll roads, whom are appointed by the respective cities. The San Joaquin Hills Toll Road was built as a state highway, owned and maintained by Caltrans and the TCA is responsible for public oversight, toll policies, operations, and financing. The City shall coordinate its local roadway improvements that impact and are impacted by the Toll Road with the TCA.

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.

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.

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.

Imp 14.14 Coordinate with Environmental Protection Agency

The US Environmental Protection Agency (EPA) is responsible for protecting human health and the environment. Other responsibilities include developing and enforcing regulations that implement environmental laws enacted by Congress; cooperating with the US EPA, in collaboration with other resource agencies, in the protection of terrestrial and marine resources; and working with the EPA to secure sediment disposal sites for future dredging projects.

Imp 14.15 Coordinate with United States Postal Service

The United States Postal Service (USPS) maintains a distribution facility in Mariner’s Mile. Newport Beach should work with the USPS for the possible relocation of this postal distribution facility to enable its reuse for parking or retail activity. The City should assist in the identification of potential alternative sites that are accessible to residents and do not adversely impact neighborhood character.

Imp 14.16 Other Agencies.

There are numerous other agencies that have jurisdiction and/or are involved in the development, capital improvement, and conservation programs of the City of Newport Beach. The following lists some of these key agencies:

- Energy and telecommunications service providers such as Southern California Edison Company and Southern California Gas Company
- Santa Ana Regional Water Quality Control Board
- Metropolitan Water District
- South Coast Air Quality Management District
- Southern California Association of Governments
- California State Parks
- National Marine Fisheries Service

15. ANNEXATION

Overview

Lands may be annexed into the City of Newport Beach with the approval of the Local Agency Formation Commission (LAFCO) and registered voters within the area to be annexed or property owners, based on land valuation, where there are no residents.

During the approval process the City must identify its intended zoning for the area, which must be consistent with the General Plan; review of the environmental impacts of annexation; identify the costs and adequacy of government services; evaluate the ability of the City to provide the services to the annexed area and sufficiency of revenue demonstrated; and establish a program and compensation defined for the transfer of existing facilities, such as parks and libraries, and capital improvements from the County to the City.

A fiscal impact study should be conducted for any proposed annexation that identifies all costs of services, the revenue to be derived, and the net effect on the City's overall fiscal balance. In practice, this will be accomplished through the Fiscal Impact Model developed for the General Plan update. Unincorporated lands within Newport Beach's sphere of influence should be considered for annexation.

Programs

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.

Public Infrastructure Plans

A diversity of public and quasi-public agencies is responsible for the provision of infrastructure and services for Newport Beach's residents and businesses. These include agencies both under the jurisdiction and independent of the City. Each is responsible for the planning and funding of improvements to assure that existing and projected future needs of Newport Beach's residents are

met. The General Plan provides information to each agency regarding the City's intended distribution and density/intensity of future growth that should serve as the basis for the updating of Public Improvement Plans that specify the type, amount, cost, and phasing of public improvements and facilities necessary to support future population and employment development.

16. MOBILITY INFRASTRUCTURE AND TRAFFIC MANAGEMENT

Overview

The City's Department of Public Works is responsible for the planning, engineering, and improvement of streets throughout the City, except the portions of Coast Highway and Newport Boulevard that are designated State Highways, State Route 73, and streets within gated residential communities. It is anticipated that the City will assume responsibility for Coast Highway in the future. Required improvements are reviewed annually, prioritized, and funded by the City's Capital Improvement Program (CIP).

Programs

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.

Imp 16.2 Monitor Traffic Conditions and Plan for and Fund Improvements

The City shall monitor, design and manage roadway conditions and maintain streets. Periodically, the City shall conduct traffic counts at key intersections and roadways (average daily traffic counts and peak hour intersection counts). The City shall strive to maintain Level of Service "D" as specified in General Plan policies. Street improvements in the City's Capital Improvement Program shall be reviewed and updated regularly to meet and maintain the adopted traffic level of service standards and be consistent with Measure M and State Congestion Management Program requirements.

Imp 16.3 Construct Street and Highway Improvements

The City shall construct necessary improvements to street intersections to attain acceptable Levels of Service, as defined in the Circulation Element. These shall be implemented as needed based on the list of impacted intersections included in the General Plan EIR, and also in accordance with development project traffic impact studies. Intersections with improvements necessary for buildout conditions are delineated on Figure CE-3 of the Circulation Element.

Imp 16.4 Monitor Roadway Conditions and Operational Systems

The City shall monitor and maintain City streets and thoroughfares. The City shall develop and follow a schedule for periodic review of City streets with respect to pavement, signage, signalization, and

comparable elements. If inadequacies are found, the City will perform or contract with a consultant to perform maintenance of roadway features.

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.

Imp 16.6 Local/Neighborhood Access Roads

The City shall undertake studies of residential neighborhoods on a case by case basis to identify local circulation patterns and principal access points in order to assess the opportunities and needs to restrict, divert, or mitigate arterial traffic intrusion. Such studies should include an assessment of the traffic impacts on the entire neighborhood and the participation of neighborhood residents to prepare a consensus plan of neighborhood traffic control. In addition, the City shall maintain standards that ensure safe and efficient access for emergency vehicles to residential, commercial, and industrial areas.

Imp 16.7 Traffic Control

Traffic congestion shall be reduced through reasonable methods utilizing conventional and innovative methods for traffic control. Traffic signal timing standards, in addition to serving drivers, should adequately provide for pedestrian crossings. Traffic signal interconnect systems shall be maintained and upgraded to efficiently coordinate and control traffic flows on arterial streets. The City shall identify and incorporate intelligent transportation systems as a logical method to improve peak hour traffic flow.

The special issue of summertime traffic should be monitored and evaluated periodically. The City should continue to evaluate and implement, if appropriate, summertime traffic control measures and/o alternative transportation modes to reduce the impact of high volume summer traffic.

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.

Imp 16.9 Manage Truck Operations

Maintain and enforce a system of truck routes on specified arterial streets to control trucking and delivery operations within the City. Periodically review the truck route system and make changes as required to ensure that it adequately serves the City and protects areas of the City from truck traffic intrusion. Work with regional agencies as they continue to assess goods movement in Orange County.

Imp 16.10 Improve Parking Supply and Management

Parking Management Programs shall be considered for commercial and residential areas of the City with inadequate parking, such as Corona del Mar and the Balboa Peninsula. This may consider the development of public parking lots or structures, street parking permitting, valet programs, and similar techniques as feasible. Existing public parking lots should be evaluated for their accessibility, utilization, and proximity to the uses they support. Possible relocation should be considered where they do not effectively support surrounding land uses.

Funding for public parking facilities may be derived from the establishment of parking districts, supported by local businesses and organizations, including Business Improvement Districts. In-lieu fee programs shall be considered to fund the development of public parking.

The City shall work with commercial, office, and institutional property owners to encourage the use of parking areas on weekends and holidays in conjunction with transit services.

Imp 16.11 Maintain Trails

Newport Beach should continue to develop and maintain non-motorized transportation systems as a viable alternative to vehicular travel and to help satisfy local recreational needs, and should include trails and facilities that traverse the citywide area. A system of route designations for bicycles, equestrians, and pedestrians, as well as support facilities shall be maintained in cooperation with adjacent jurisdictions, where appropriate.

Imp 16.12 Marine Transportation

The City shall conduct a study to evaluate the feasibility of marine transportation services as a supplement to automobile use. Marine transportation docking, buildings, and support facilities such as parking throughout the coastal areas of the City shall be evaluated and modified as necessary and feasible to coordinate with the surrounding transportation system.

17. WATER

Overview

Water service in the City of Newport Beach is provided by the City, Irvine Ranch Water District, and Mesa Consolidated Water District. Each agency maintains master plans for services, facilities, maintenance, and improvements necessary to support existing and projected population growth and development. Conservation practices and requirements to meet regional, state, and federal water quality regulations are included within the respective plans. Each agency maintains a capital improvements program for the provision of water system improvements, special projects, and ongoing maintenance. Water demands are monitored and periodically the plans are updated to account for any service issues and regulatory changes.

Programs

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.

18. SEWER

Overview

Sanitation service and sewerage in the City of Newport Beach are provided by the City, Irvine Ranch Water District (IRWD), and Costa Mesa Sanitation District (CMSD). Each agency maintains master plans for services, collection and treatment facilities, maintenance, and improvements necessary to support existing and projected population growth and development. Wastewater from these service areas, as well as greater Orange County, is collected, treated, and disposed by the Orange County Sanitation District (OCSD).

Programs

Imp 18.1 Maintain and Implement Sewer Master Plan

Information regarding the General Plan’s development capacities shall be forwarded to the IRWD, CMSD, and OCSD as the basis for their consideration of the adequacy of existing and planned improvements to meet the needs of existing and future populations. These master plans should review the adequacy of facilities in areas in which new growth or substantive changes in use are targeted. Required facility improvements shall be defined and budgeted by the respective agencies, including the City’s five year and annual Capital Improvement Programs.

19. STORM DRAINAGE

Overview

Storm drainage systems in the City of Newport Beach are maintained by the City, Orange County, and local community associations. In general, the County is responsible for maintaining the regional flood

control system, while the City is responsible for local improvements, excepting Newport Coast. Drainage improvements are coordinated between the City's Public Works Department and County's Public Resources and Facilities Department. Each maintains master and capital improvement plans for storm drainage improvements, special projects, and ongoing maintenance. These must also conform to regional, state, and federal regulatory requirements, including controls of the discharge from municipal storm sewer systems.

Programs

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.

20. PUBLIC STREETSCAPE IMPROVEMENT PLANS

Overview

The City has completed streetscape improvements for Balboa Village and Corona del Mar, including street trees and plantings, medians, decorative paving materials, lighting, and benches. Specific Plans for other areas and General Plan policies provide for the implementation of additional streetscape improvements.

Programs

Imp 20.1 Design, Fund, and Construct Streetscape Improvements

For areas designated by the General Plan to achieve an active pedestrian environment or improvement of their image and quality, design plans and financing plans should be prepared for the appropriate streetscape improvements. These may include the Airport area's residential villages, Mariner's Mile, West Newport Mesa, and West Newport (highway), as well as a comprehensive plan for Balboa Peninsula that links its districts along Newport/Balboa Boulevard from Lido Village to Balboa Village. Where the public streetscapes are integral to new residential and mixed-use neighborhoods, their implementation shall be the responsibility of private developers, in conformance with legislative nexus requirements. For other areas, funding may be derived from fees imposed by a local business improvement district, capital improvement funds, and other sources.

Imp 20.2 Design, Fund, and Construct Waterfront Promenade

The planned waterfront promenade on Newport Harbor should be designed, sources of funding identified, and constructed as feasible. Where private properties are redeveloped, promenade improvements shall be integrated with the new construction and be the responsibility of the developer.

Imp 20.3 Fund and Construct Public View Sites

The City shall develop a plan for the development of public view sites and amenities specified by Policies NR 20.3 and 20.5. The location, types, and of improvements and a financing plan shall be specified, which may include such elements as observation decks or plazas, benches, markers and signage, telescopes, lighting, and landscape.

21. HARBOR RESOURCES PLANNING AND MANAGEMENT

Overview

The City's Harbor Resources Division is responsible for tidelands administration including management of pier and mooring permits, harbor dredging, pumpout stations, Balboa and Corona Del Mar parking lots, Marine Life Refuge, Balboa Yacht Basin, harbor debris pickup, and mooring liveaboards.

Programs

Imp 21.1 Review and Update Harbor and Tidelands Improvement Plans

The Harbor Resources Division shall review its goals and policies to assure that the plans, proposed improvements, and operations for the Harbor and tidelands are consistent.

Imp 21.2 Develop Harbor Area Management Plan

Develop a harbor area management plan (HAMP) that provides a comprehensive approach to the management of Newport Bay's resources, including restoration of marine habitats such as kelp beds and fisheries, and boat anchorages, marinas, and other development activities. Improvements in the Harbor shall be located and designed to facilitate boating and other coastal recreational activities, while protecting important marine habitats, prevent water pollution, maintain the Harbor's hydrologic functions, protect coastal landforms and dunes, minimize sand transport, and be compatible with adjoining residential neighborhoods. This will require coordination with the Orange County Harbors, Beaches, and Parks Department and Harbor Patrol Division and U.S. Army Corps of Engineers relative to their respective jurisdictions.

Among the improvements that shall be considered is the identification of an area that can support Harbor maintenance facilities and equipment. This shall be coordinated with the Orange County Harbor Patrol Division, California Coastal Commission, and other jurisdictional agencies. In addition, the Division shall review procedures for the transfer of mooring titles to assure their equitable use.

Imp 21.3 Events Management and Programs

The City shall continue to coordinate Harbor event planning in collaboration with the Harbor Commission and Orange County Harbor Patrol. Special operating standards shall be established for the Christmas Boat Parade and other activities that are seasonal, recurring, and unique to the Harbor,

but which may require special controls on access, parking, noise, and other factors to minimize impacts on residential and other users.

The City shall review the need to require vendors to provide a safety program that educates boaters and property owners on safe boating and berthing practices. The program could be integrated with permit/lease enforcement to protect the public health and safety and the rights of other users and owners/lessees.

The City shall continue to work with various community and business associations such as the Balboa Village Merchants and Owners Association, Mariner's Mile Business Owners Association, and the Newport Pier Association as well as the vessel owners/operators to provide for the parking needs of the patrons of sportfishing boats, passengers and sightseeing vessels, and boat rentals.

Imp 21.4 Harbor Operations and Management

The City shall prepare and fund a joint City/County study that will evaluate the costs and efficiency of current services provided by the City and County in Newport Harbor and opportunities to realign these to reduce costs.

Public Service Facility Plans

Agencies responsible for the provision of public services for Newport Beach's residents and businesses shall maintain plans and fund improvements to assure that they adequately meet existing and projected future needs. The Public Facilities Plans shall specify the type, amount, cost, and phasing of public improvements and facilities that will support existing land uses and growth accommodated by the updated General Plan.

22. POLICE AND FIRE

Overview

The Newport Beach Police and Fire Departments provide public safety services to the City's residents, business, and visitors. Until such time that Banning Ranch may be annexed, police and fire services will be primarily provided by the Orange County Sheriff's Department and Orange County Fire Authority respectively, although the City will continue to provide response services through established mutual aid agreements.

Programs

Imp 22.1 Maintain and Enhance Police and Fire Facilities

The City of Newport Beach Police and Fire Departments shall maintain, periodically update, and implement their plans for facilities, equipment, and personnel to provide service to the community. On annexation of new areas, police and fire service responsibilities would be transferred to the City. The Police and Fire Departments shall monitor their operations, emergency response times, and number of incidents (rates of crime and fire calls) and periodically review the need to expand existing

and/or construct new facilities to assure an acceptable level of service. Physical improvements shall be incorporated in the City's CIP.

23. PARKS AND RECREATION

Overview

The Newport Beach Recreation and Senior Services Department and General Services Department are responsible for the development and operation of public parks in the City of Newport Beach. These encompass parks, greenbelts, beaches, and community centers, as well as joint use of public school grounds. In addition, the county and state own and operate four recreational facilities in the City. The City collects fees and/or requires dedication of land for parks in accordance with the *Quimby Act*, based on the standard of five acres of park for each 1,000 residents. The City oversees the development of new and improvement of existing parklands and facilities. The Recreation Element of the General Plan identifies specific needs for service areas throughout the City. Banning Ranch is the single largest property available for the development of a new park, should it be annexed to the City. In most other cases, new parklands will occur within the fabric of existing development.

Programs

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.

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.

Imp 23.3 Assess Recreation Needs

Periodically, the City shall evaluate the recreation needs of Newport Beach's residents. Existing programs should be reviewed and scored according to their adequacy and programs desired by residents but not currently or inadequately provided should be identified. This may be accomplished

through surveys of park users, homeowner organizations, and other residents. Results of the survey would be used defining future programs to be provided at local parks and beaches.

Imp 23.4 Maintain Recreation Programs for Newport Beach's Residents

Recreational programs will be provided to serve the needs of Newport Beach's residents as identified by the needs assessment and prioritized by the Parks, Beaches, and Recreation Commission. Periodically the City shall review and update as necessary its fees for recreation programs to assure that they are adequate to cover ongoing costs. This may include a comparative assessment of the fees imposed by other jurisdictions.

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.

Public Services and Programs

Services to support the needs of the City of Newport Beach's residents, businesses, and visitors are provided by a diversity of City departments, other public agencies, and private organizations. The following summarizes the principal programs that implement the General Plan's policies. These do not encompass all of the programs that are administered by each department or agency, which may include other activities unrelated to the Plan's policies. Inherently, the scope of these programs will change often during the General Plan's implementation due to evolving needs and available funding. The list of programs in this section should be reviewed and updated regularly.

24. ECONOMIC DEVELOPMENT

Overview

The City of Newport Beach administers programs to promote economic activity within the City to maintain a healthy economy, provide revenue for high quality municipal services and infrastructure maintenance and improvements, and preserve the City's unique commercial villages. The City Council's policy states that these will serve the overriding purpose of protecting the quality of life of Newport Beach's residents, in recognition of the balance of economic development objectives with the protection of the environment and health and safety of the community.

Priority improvement areas include Mariner's Mile, Corona del Mar, Balboa Village, West Coast Highway, Lido Village, Cannery Village, and McFadden Square. To achieve these, Council policy established the Economic Development Committee (EDC), which places a priority on cooperative relationships with the Chambers of Commerce, Conference and Visitors Bureau, Building Industry Association, Business Improvement Districts, other business groups, and individual business and property owners.

Programs

The economic development implementation actions below summarize the principal components of the Economic Strategic Plan prepared as a companion piece to the General Plan. The reader should refer to that document for more information.

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.

25. HOUSING PROGRAMS

Overview

Newport Beach's Planning Department administers a number of policies and programs identified in the Housing Element that promote the preservation, conservation, and improvement of housing within the community; support the development of a variety of housing for all economic segments; support the needs of special needs households and existing homeowners; preserve existing affordable housing; and support equal housing opportunities for all residents.

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.

26. CODE ENFORCEMENT

Overview

The City of Newport Beach enforces Building and Zoning Ordinances to assure the protection and preservation of public health and safety, residential neighborhood character, and the overall quality of life for Newport Beach's residents.

Programs

Imp 26.1 Enforce Codes and Ordinances

Newport Beach shall continue to administer health and safety, zoning, and other codes and ordinances that implement the General Plan. While enforcement procedures normally occur on a complaint basis, the City may consider the appropriateness of pro-active inspection of areas of the

City in which there has been a high frequency of prior complaints. Among the purposes for which this may be initiated by the City are the removal of illegal signs and control of retail commercial, restaurant, entertainment, and comparable uses that directly abut residential neighborhoods.

27. PROPERTY MAINTENANCE AND ENHANCEMENT

Overview

While code enforcement is the primary tool used by the City to assure compliance of private property owners with Newport Beach's codes and regulations, there are a number of other programs directed at property maintenance and improvement.

Programs

Imp 27.1 Seismic Compliance

The City shall support and encourage the seismic retrofitting and strengthening of essential facilities, especially facilities that have been constructed in areas subject to ground rupture, high levels of earth shaking, and tsunamis. The retrofitting of unreinforced masonry buildings during remodels to minimize damage in the event of a seismic or geologic hazard shall continue to be required.

28. EMERGENCY PREPAREDNESS AND RESPONSE

Overview

The City of Newport Beach Police and Fire Departments maintain programs for emergency preparedness, response, and recovery.

Programs

Imp 28.1 Maintain Hazards Data Base

The Police and Fire Departments shall maintain data bases regarding the type and occurrence of criminal activities and natural hazards (e.g., tsunami inundation, wildfire hazards, flooding, seismic, landslide, subsidence, and other) that may impact the City as the basis for the planning of facilities, personnel assignments, and emergency response programs.

Imp 28.2 Maintain Emergency Preparedness, Response, and Recovery Programs

The Police and Fire Department shall maintain, and periodically update, and implement their plans for emergency preparedness, response, and disaster recovery. This shall include cooperative and mutual aid agreements with adjoining jurisdictions, the County of Orange, and state and federal agencies and participation in disaster simulations.

29. COMMUNITY INVOLVEMENT

Overview

Newport Beach provides opportunities for its residents and businesses to be engaged in its culture and life through education about community services, programs, and initiatives and participation in a diversity of community events. Additionally, numerous opportunities are provided for public input and advice in the City's decision-making processes through the diversity of appointed boards, commissions, and committees. Among these are the Board of Library Trustees; City Arts Commission; Civil Service Board; Parks, Beaches, and Recreation Commission; Planning Commission; Harbor Commission; Aviation Committee; Economic Development Committee; Coastal/Bay, Water Quality Citizens' Advisory Committee; Environmental Quality Affairs Citizen Advisory Committee; Newport Coast Advisory Committee; and, constituted for the purposes of the updated General Plan, the General Plan Advisory Committee. Additional committees may be formed for limited or extended time periods to address specific issues. These boards, commissions, and committees and City Council meetings provide opportunities for public input at any of their meetings, in conformance with state law.

Programs

Imp 29.1 Educate the Community

The City shall continue to make information available to inform residents and businesses within the City regarding its services, programs, and key community issues. Representative of the range of information that may be presented include: land use zoning and development processes; development fees; code compliance; property and building maintenance and improvement techniques; financial assistance and affordable housing programs, public transportation; ride-sharing, energy conservation methods, waste reduction and recycling programs; hazards and emergency/disaster preparedness, evacuation, and response protocols and procedures; natural resources and their value; educational and cultural events and venues; parks and recreation, health and safety, and seniors and youth programs; and access to government services and elected officials. This information may be presented in flyers and newsletters that are distributed to households in the City, on the City's Web Page, by cable television broadcasts, in workshops with homeowners associations and business organizations; and general community presentations and workshops.

Imp 29.2 Support of the Arts, Culture, and Historic Resources

The City shall continue to work with the Arts Commission and local community groups and organizations to incorporate donated or privately funded arts elements and exhibits in public buildings and facilities such as City Hall and the Central Library. The City shall also work with local groups advocating for the preservation of historic sites and buildings. Procedures for the review of modification and/or demolition of these resources shall be defined.

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.

Financing

The financing strategy defines the sources and uses of funds for the public improvements and services described in the Public Improvement Plans and Public Services Programs. In addition to those defined herein, any development specific plan will incorporate a detailed financing plan as stipulated by state law.

30. MUNICIPAL BUDGETING

Overview

The General Fund is the portion of Newport Beach's operating budget that funds the majority of City services. This fund is used to account for fiscal resources which are dedicated to the general government operations of the City. Examples of the services funded by the General Fund include Police and Fire Services; Refuse Collection; Public Library; Recreation Programs; much of the City's expenditures on street maintenance; Planning and Building, and Engineering services; as well as the general administration of the City. In addition, many Capital Improvements are funded by the General Fund.

The General Fund and its activities are primarily supported by property, sales, and transient occupancy taxes. In addition, the other revenue sources supporting General Fund activities include: Licenses, Fees and Permits; Intergovernmental Revenues; Charges for Services; Fines, Forfeitures and Penalties; Revenue from the Use of Money and Property; Contributions; and Other Miscellaneous Revenue. By far, the City's largest revenue source is property taxes. The second largest single revenue source is Sales Tax, followed by Transient Occupancy Tax.

Programs

Imp 30.1 Maintain Annual Budgets for City Services and Improvements

The City shall annually budget for the provision of services to Newport Beach's residents and businesses. This shall define their costs, sources of revenue, and estimates of revenues to be received including any necessary changes in fees. As part of the budget, the City will adopt a Capital Improvement Plan (CIP) that provides funds for capital facilities including arterial highways; local streets; storm drains, bay and beach improvements; park and facility improvements; water and wastewater system improvements; and planning programs.

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's 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.

31 COMMUNITY FACILITIES AND SPECIAL ASSESSMENT DISTRICTS

Overview

Assessment districts are established for the funding of streets, water, sewerage, storm drainage, schools, parks, and other infrastructure and services required to support development. Costs are distributed and fees assessed on all development in the district. When applied to developed properties, a vote of the property owners is required for implementation.

Actions

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.



CHAPTER 14 **Glossary**



GLOSSARY

Access—A way of approaching or entering a property, including ingress (the right to enter) and egress (the right to leave).

Accrete—To add new material gradually to pre-existing material; opposite of erode.

Accretion—Enlargement of a beach area caused by either natural or artificial means. Natural accretion on a beach is the build-up or deposition of sand or sediments by water or wind. Artificial accretion is a similar build-up due to human activity, such as the accretion due to the construction of a groin or breakwater, or beach fill deposited by mechanical means.

Acres, Net—The portion of a site that can actually be built upon. The following generally are not included in the net acreage of a site: public or private road right-of-way, public open space, and floodways.

ADT—See Average Daily Traffic

Air Basin—One of 14 self-contained regions in California minimally influenced by air quality in contiguous regions.

Air Pollutant Emissions—Discharges into the atmosphere, usually specified in terms of weight per unit of time for a given pollutant from a given source.

Air Pollution—The presence of contaminants in the air in concentrations that exceed naturally occurring quantities and are undesirable or harmful.

Airport-related Business—A use that supports airport operations including, but not limited to, aircraft repair and maintenance, flight instruction, and aircraft chartering.

Air Quality Standards—The prescribed level of pollutants in the outside air that cannot be exceeded legally during a specified time in a specified geographical area.

Alley—A narrow service way, either public or private, that provides a permanently reserved but secondary means of public access not intended for general traffic circulation. Alleys typically are located along rear property lines.

Alluvial—Soils deposited by stream action.

Alquist-Priolo Earthquake Fault Zoning Act—California state law that mitigates the hazard of surface faulting to structures for human occupancy.

Ambient—Surrounding on all sides; used to describe measurements of existing conditions with respect to traffic, noise, air and other environments.

Ambient Noise Level—The combination of noise from all sources near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.

Anaerobic Soil—Soil that is devoid of interstitial oxygen. In wetlands this condition most normally occurs because of the sustained presence of water, which limits contact with the atmosphere.

Anchorage Area—A water area outside of navigation channels designated for the temporary anchorage of vessels, using their own anchoring tackle.

Annexation—The incorporation of a land area into an existing city with a resulting change in the boundaries of that city.

Apartment—(1) One or more rooms of a building used as a place to live, in a building containing at least one other unit used for the same purpose. (2) A separate suite, not owner occupied, that includes kitchen facilities and is designed for and rented as the home, residence, or sleeping place of one or more persons living as a single housekeeping unit.

Appealable Area—That portion of the coastal zone within an appealable area boundary adopted pursuant to Section 30603 of the *California Coastal Act* and approved by the Coastal Commission and depicted on the Permit and Appeal Jurisdiction Map.

Approach Zone—The air space at each end of a landing strip that defines the glide path or approach path of an aircraft and which should be free from obstruction.

Aquifer—An underground bed or layer of earth, gravel, or porous stone that contains water.

Area; Area Median Income—As used in California housing law with respect to income eligibility limits established by the U.S. Department of Housing and Urban Development (HUD), “area” means metropolitan area or nonmetropolitan county. In non-metropolitan areas, the “area median income” is the higher of the county median family income.

Armor—To fortify a topographical feature to protect it from erosion (e.g., constructing a wall to armor the base of a sea cliff).

Arterial—A major street carrying the traffic of local and collector streets to and from freeways and other major streets, with controlled intersections and generally providing direct access to nonresidential properties.

Artificial Hard Structure—Docks, floats, boat bottoms, bulkheads, seawalls, and other hard surfaces that provide attachment surfaces for marine organisms.

ASBS—Area of Special Biological Significance designation by the California Water Resources Control Board for a coastal habitat that is susceptible to the effects of waste discharge.

Assisted Housing—Generally multi-family rental housing, but sometimes single-family ownership units, whose construction, financing, sales prices, or rents have been subsidized by federal, state, or local housing programs, including, but not limited to, federal Section 8 (new construction, substantial rehabilitation, and loan management set-asides), federal Sections 213, 236, and 202, federal Section 221(d)(3) (below-market interest rate program), federal Section 101 (rent supplement assistance), CDBG, FmHA Section 515, multi-family mortgage revenue bond programs, local redevelopment and in lieu fee programs, and units developed pursuant to local inclusionary housing and density bonus programs.

Average Daily Traffic (ADT)—Number of vehicles (cars, trucks, etc.) on a road over a 24-hour period (measured in vehicles per day).

A-Weighted Decibel or dB(A)—A numerical method of rating human judgment of loudness. The A-weighted scale reduces the effects of low and high frequencies in order to simulate human hearing.

Backbeach (Dry Beach)—The sand area inundated only by storm tides or extreme high tides. These areas supply sands to the dune system.

Base Flood Elevation—The highest elevation, expressed in feet above sea level, of the level of flood waters expected to occur during a 100-year flood (i.e., a flood that has one percent likelihood of occurring in any given year).

Beach Nourishment Program—Plan for conducting a series of beach nourishment projects at a specific location, typically over a period of 50 years. The program would be based on establishing the technical and financial feasibility of beach nourishment for the site and would include plans for obtaining funding and sources of sand for its duration.

Beach Nourishment Project—Placement of sand on a beach to form a designed structure in which an appropriate level of protection from storms is provided and an additional amount of sand (advanced fill) is installed to provide for erosion of the shore prior to the anticipated initiation of a subsequent project. The project may include dunes and/or hard structures as part of the design.

Beach—The expanse of sand, gravel, cobble or other loose material that extends landward from the low water line to the place where there is distinguishable change in physiographic form, or to the line of permanent vegetation. The seaward limit of a beach (unless specified otherwise) is the mean low water line.

Bed and Breakfast—Usually a dwelling unit, but sometimes a small hotel, that provides lodging and breakfast for temporary overnight occupants, for compensation.

Bedrock—Solid rock underlying soil and younger rock layers; generally the oldest exposed geological unit.

Berm—A nearly horizontal portion of the beach or backshore formed by the deposit of material by wave action. Some beaches have no berms and others may have one or several.

Berth—A generic term defining any location, such as a floating dock, slip, mooring and the related water area (berthing area) adjacent to or around it, intended for the storage of a vessel in water.

Best Management Practices (BMPs)—Schedules of activities, prohibitions of practices, operation and maintenance procedures, and other management practices to prevent or reduce the conveyance of pollution in stormwater and urban runoff, as well as, treatment requirements and structural treatment devices designed to do the same.

Bicycle Lane (Class II facility)—A corridor expressly reserved for bicycles, existing on a street or roadway in addition to any lanes for use by motorized vehicles.

Bicycle Path (Class I facility)—A paved route not on a street or roadway and expressly reserved for bicycles traversing an otherwise unpaved area. Bicycle paths may parallel roads but typically are separated from them by landscaping.

Bicycle Route (Class III facility)—A facility shared with motorists and identified only by signs, a bicycle route has no pavement markings or lane stripes.

Bikeways—A term that encompasses bicycle lanes, bicycle paths, and bicycle routes.

Biodiversity—A term used to quantitatively or qualitatively describe the species richness and abundance of plants and animals within an ecosystem.

Biological Community—A naturally occurring group of different plant and animals species that live in a particular environment.

Bluff Edge—The upper termination of a bluff, cliff, or seacliff: In cases where the top edge of the bluff is rounded away from the face of the bluff as a result of erosional processes related to the presence of the steep bluff face, the bluff line or edge shall be defined as that point nearest the bluff beyond which the downward gradient of the surface increases more or less continuously until it reaches the general gradient of the bluff. In a case where there is a steplike feature at the top of the bluff face, the landward edge of the topmost riser shall be taken to be the bluff edge. Bluff edges typically retreat landward due to coastal erosion, landslides, development of gullies, or by grading (cut). In areas where the bluff top or bluff face has been cut or notched by grading, the bluff edge shall be the landward most position of either the current or historic bluff edge. In areas where fill has been placed near or over the historic bluff edge, the original natural bluff edge, even if buried beneath fill, shall be taken to be the bluff edge.

Bluff Face—The portion of a bluff between the bluff edge and the toe of the bluff.

Bluff Top Retreat (or cliff top retreat)—The landward migration of the bluff or cliff edge, caused by marine erosion of the bluff or cliff toe and subaerial erosion of the bluff or cliff face.

Bluff, Coastal—A bluff overlooking a beach or shoreline or that is subject to marine erosion. Many coastal bluffs consist of a gently sloping upper bluff and a steeper lower bluff or sea cliff. The term “coastal bluff” refers to the entire slope between a marine terrace or upland area and the sea. The term “sea cliff” refers to the lower, near vertical portion of a coastal bluff. For purposes of establishing jurisdictional and permit boundaries coastal bluffs include, (1) those bluffs, the toe of which is now or was historically (generally within the last 200 years) subject to marine erosion; and (2) those bluffs, the toe of which is not now or was not historically subject to marine erosion, but the toe of which lies within an area otherwise identified as an Appealable Area.

Bluff—A high bank or bold headland with a broad, precipitous, sometimes rounded cliff face overlooking a plain or body of water. A bluff may consist of a steep cliff face below and a more sloping upper bluff above.

Breach—A breakthrough of part, or all, of a protective wall, beach sand barrier, beach berm, or the like by ocean waves, river or stream flow, mechanical equipment, or a combination of these forces. Breaching is sometimes purposefully done to protect a region from river overflow.

Breakwater—A structure or barrier protecting a shore area, harbor, anchorage, or basin from waves, usually constructed as a concrete or riprap (rock wall) structure.

Buffer—A strip of land designated to protect one type of land use from another incompatible use. Where a commercial district abuts a residential district, for example, additional use, yard, or height restrictions may be imposed to protect residential properties. The term may also be used to describe any zone that separates two unlike zones, such as a multi-family housing zone between single-family housing and commercial uses.

Building—Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods, or materials of any kind or nature.

Building Height—The vertical distance from the average contact ground level of a building to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the mean height level between eaves and ridge for a gable, hip, or gambrel roof. The exact definition varies by community. For example, in some communities building height is measured to the highest point of the roof, not including elevator and cooling towers.

Buildout; Build-out—Development of land to its full potential or theoretical capacity as permitted under current or proposed planning or zoning designations. (see “Carrying Capacity (3).”)

Bulkhead Line—Harbor land/water perimeter lines established in Newport Harbor by the federal government, which define the permitted limit of filling or solid structures that may be constructed in the Harbor.

Bulkhead—Vertical walls built into and along the Harbor shoreline preventing the erosion of land into the water and to protect the land from wave, tide and current action by the water, similar to a “retaining wall” on land. Bulkheads may be directly bordered by water, or may have sloped stones (riprap) or sand beach between the bulkhead and the water and land areas.

Busway—A vehicular right-of-way or portion thereof—often an exclusive lane—reserved exclusively for buses.

California Environmental Quality Act (CEQA)—A state law (California Public Resources Code Section 21000 et seq.) requiring state and local agencies to regulate activities with consideration for environmental protection. If a proposed activity has the potential for a significant adverse environmental impact, an Environmental Impact Report (EIR) must be prepared and certified as to its adequacy before taking action on the proposed project. General Plans usually require the preparation of a “Program EIR.”

California Housing Finance Agency (CHFA)—A state agency, established by the *Housing and Home Finance Act of 1975*, authorized to sell revenue bonds and generate funds for the development, rehabilitation, and conservation of low- and moderate-income housing.

California Least Tern—An endangered bird species that nests on beaches and in salt marshes along California; smallest of the terns.

Caltrans—California Department of Transportation.

Canyon Edge—The upper termination of a canyon: In cases where the top edge of the canyon is rounded away from the face of the canyon as a result of erosional processes related to the presence of the canyon face, the canyon edge shall be defined as that point nearest the canyon beyond which the downward gradient of the surface increases more or less continuously until it reaches the general gradient of the canyon. In a case where there is a steplike feature at the top of the canyon face, the landward edge of the topmost riser shall be taken to be the canyon edge.

Capital Improvement Program (CIP)—A proposed timetable or schedule of all future capital improvements (government acquisition of real property, major construction project, or acquisition of long lasting, expensive equipment) to be carried out during a specific period and listed in order of priority, together with cost estimates and the anticipated means of financing each project. Capital improvement programs are usually projected five or six years in advance and should be updated annually.

Carbon Dioxide—A colorless, odorless, non-poisonous gas that is a normal part of the atmosphere.

Carbon Monoxide—A colorless, odorless, highly poisonous gas produced by automobiles and other machines with internal combustion engines that imperfectly burn fossil fuels such as oil and gas.

Caulerpa Algae—An invasive Mediterranean seaweed introduced to southern California in 2000 that has a potential to cause severe ecological damage to coastal and nearshore waters.

CDFG—California Department of Fish and Game (also known as DFG).

Census—The official decennial enumeration of the population conducted by the federal government.

Channel—A water area in Newport Harbor designated for vessel navigation, with necessary width and depth requirements, and which may be marked or otherwise designated on federal navigation charts, as well as in other sources.

Charter Vessel—A vessel used principally for charter purposes, a “charter” being a rental agreement, generally for a period of one day or more.

City—City, with a capital "C," generally refers to the government or administration of a city. City, with a lower case "c" may mean any city.

City Council—The governing board of the City. The five-member elected council is responsible to the electorate for keeping pace with changing community needs, for establishing the quality of municipal services through the open conduct of public affairs, and for encouraging constructive citizen participation.

Clast—An individual constituent, grain, or fragment of a sediment or rock, produced by the mechanical weathering (disintegration) of a larger rock mass.

Cliff—A high, very steep to perpendicular, or overhanging face of rock.

Cluster Development—Development in which a number of dwelling units are placed in closer proximity than usual, or are attached, with the purpose of retaining an open space area.

CNDDDB—California Natural Diversity Database.

Coastal Access—The ability of the public to reach, use or view the shoreline of coastal waters or inland coastal recreation areas and trails.

Coastal Commission—The California Coastal Commission, the state agency established by state law responsible for carrying out the provisions of the *California Coastal Act* and for review of coastal permits on appeal from local agencies.

Coastal Development Permit (CDP)—A permit for any development within the coastal zone that is required pursuant to subdivision (a) of Section 30600.

Coastal Plan—The California Coastal Zone Conservation Plan prepared and adopted by the California Coastal Zone Conservation Commission and submitted to the Governor and the Legislature on December 1, 1975, pursuant to the *California Coastal Zone Conservation Act of 1972* (commencing with Section 27000).

Coastal Zone—That land and water area of California from the Oregon border to the border of the Republic of Mexico, specified on the maps identified and set forth in Section 17 of that chapter of the Statutes of the 1975/76 Regular Session enacting this division, extending seaward to the state's outer limit of jurisdiction, including all offshore islands, and extending inland generally 1,000 yards from the mean high tide line of the sea. In significant coastal estuarine, habitat, and recreational areas it extends inland to the first major ridgeline paralleling the sea or five miles from the mean high tide line of the sea, whichever is less, and in developed urban areas the zone generally extends inland less than 1,000 yards. The coastal zone does not include the area of jurisdiction of the San Francisco Bay Conservation and Development Commission, established pursuant to Title 7.2 (commencing with Section 66600) of the Government Code, nor any area contiguous thereto, including any river, stream, tributary, creek, or flood control or drainage channel flowing into such area.

Coastal-dependent Development or Use—Any development or use which requires a site on, or adjacent to, the sea to be able to function at all.

Coastal-related Development—Any use that is dependent on a coastal-dependent development or use.

Collector—A street for traffic moving between arterial and local streets, generally providing direct access to properties.

Collector Roadway—A collector roadway is a two-to-four-lane, unrestricted access roadway with capacity ranging from 7,000 VPD to 20,000 VPD. It differs from a local street in its ability to handle through traffic movements between arterials.

Community Care Facility—Any facility, place, or building which is maintained and operated to provide non-medical residential care, day treatment, adult day care, or foster family agency services for children, adults, or children and adults, including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, and abused or neglected children, and includes residential

facilities, adult day care facilities, day treatment facilities, foster family homes, small family homes, social rehabilitation facilities, community treatment facilities, and social day care facilities.

Community Development Block Grant (CDBG)—A grant program administered by the U.S. Department of Housing and Urban Development (HUD) on a formula basis for entitlement communities, and by the State Department of Housing and Community Development (HCD) for non-entitled jurisdictions. This grant allots money to cities and counties for housing rehabilitation and community development, including public facilities and economic development.

Community Noise Equivalent Level (CNEL)—The average equivalent sound level during a 24-hour day, obtained after addition of five decibels to sound levels in the evening from 7 p.m. to 10 p.m. and after addition of 10 decibels to sound levels in the night after 10 p.m. and before 7 a.m. See also "A-Weighted Decibel."

Community Redevelopment Agency (CRA)—A local agency created under California Redevelopment Law, or a local legislative body that has elected to exercise the powers granted to such an agency, for the purpose of planning, developing, re-planning, redesigning, clearing, reconstructing, and/or rehabilitating all or part of a specified area with residential, commercial, industrial, and/or public (including recreational) structures and facilities. The redevelopment agency's plans must be compatible with adopted community general plans.

Compatibility—The characteristics of different uses or activities that permit them to be located near each other in harmony and without conflict. The designation of permitted and conditionally permitted uses in zoning districts are intended to achieve compatibility within the district. Some elements affecting compatibility include: intensity of occupancy as measured by dwelling units per acre; pedestrian or vehicular traffic generated; volume of goods handled; and such environmental effects as noise, vibration, glare, air pollution, or the presence of hazardous materials. On the other hand, many aspects of compatibility are based on personal preference and are much harder to measure quantitatively, at least for regulatory purposes.

Condominium—A building, or group of buildings, in which units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

Congestion Management Plan (CMP)—A mechanism employing growth management techniques, including traffic level of service requirements, development mitigation programs, transportation systems management, and capital improvement programming, for the purpose of controlling and/or reducing the cumulative regional traffic impacts of development. AB 1791, effective August 1, 1990, requires all cities, and counties that include urbanized area, to adopt and annually update a Congestion Management Plan.

Congregate Care Housing—Generally defined as age-segregated housing built specifically for the elderly that provides services to its residents, the minimum of which is usually an on-site meal program, but which may also include housekeeping, social activities, counseling, and transportation. There is generally a minimum health requirement for acceptance into a congregate facility as most do not offer supportive health care services, thus differing from a nursing home. Residents usually have their own bedrooms and share common areas such as living rooms, dining rooms, and kitchens; bathrooms may or may not be shared.

Conservation—The management of natural resources to prevent waste, destruction, or neglect.

Contour—A line on a topographic map or bathymetric (depth) chart representing points of equal elevation with relation to a datum (point or set of points). Contour lines are usually spaced into intervals for easier comprehension and utilization.

Council of Governments (COG)—A regional planning and review authority whose membership includes representation from all communities in the designated region. The Southern California Association of Governments (SCAG) is an example of a COG in Southern California.

Coverage—The proportion of the area of the footprint of a building to the area of the lot on which its stands.

Cretaceous—A period of geologic time spanning 136-64 million years ago.

Critical Facility—Facilities housing or serving many people which are necessary in the event of an earthquake or flood, such as hospitals, fire, police, and emergency service facilities, utility "lifeline" facilities, such as water, electricity, and gas supply, sewage disposal, and communications and transportation facilities.

Cul-de-sac—A short street or alley with only a single means of ingress and egress at one end and with a turnaround at its other end.

Cumulative Effect (Cumulative Impacts)—The incremental effects of an individual project shall be reviewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

Current—A flow of water in a particular direction. Such flows can be driven by wind, temperature or density differences, tidal forces, and wave energy. Currents are often classified by location, such as longshore current, surface current, or deep ocean currents. Different currents can occur in the same general area, resulting in different water flows, for example, a rip current can flow perpendicular to the shore through the surf zone, a long shore current may flow southerly, parallel to the coast and a seasonal deep water current may flow to the north.

Day-Night Average Level (L_{dn})—The average equivalent sound level during a 24-hour day, obtained after addition of 10 decibels to sound levels in the night after 10:00 P.M. and before 7:00 A.M. See also "Community Noise Equivalent Level."

Decibel (dB)—A unit for describing the amplitude of sound, as it is heard by the human ear. See also "A-Weighted Decibel," "Community Noise Equivalent Level," and "Day-Night Average Level."

Dedication—The turning over by an owner or developer of private land for public use, and the acceptance of land for such use by the governmental agency having jurisdiction over the public function for which it will be used. Dedications for roads, parks, school sites, or other public uses often are made conditions for approval of a development by a city.

Dedication, In lieu of—Cash payments that may be required of an owner or developer as a substitute for a dedication of land, usually calculated in dollars per lot, and referred to as in lieu fees or in lieu contributions.

Demolition—The deliberate removal or destruction of the frame or foundation of any portion of a building or structure for the purpose of preparing the site for new construction or other use.

Density—The number of families, individuals, dwelling units or housing structures per unit of land; usually density is expressed "per acre." Thus, the density of a development of 100 units occupying 20 acres is 5 units per acre.

Density Bonus—The allocation of development rights that allow a parcel to accommodate additional square footage or additional residential units beyond the maximum for which the parcel is zoned, usually in exchange for the provision or preservation of an amenity at the same site or at another location.

Density Transfer—A way of retaining open space by concentrating densities, usually in compact areas adjacent to existing urbanization and utilities, while leaving unchanged historic, environmentally sensitive, or hazardous areas.

Developable Acres, Net—The portion of a site that can be used for density calculations. Some communities calculate density based on gross acreage. Public or private road rights-of-way are not included in the net developable acreage of a site.

Developable Land—Land that is suitable as a location for structures and that can be developed free of hazards to, and without disruption of, or significant impact on, natural resource areas.

Developer—An individual who or business which prepares raw land for the construction of buildings or causes to be built physical building space for use primarily by others, and in which the preparation of the land or the creation of the building space is in itself a business and is not incidental to another business or activity.

Development—The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure; any mining, excavation, landfill or land disturbance, and any use or extension of the use of land.

Development Impact Fees—A fee or charge imposed on developers to pay for the costs to the city of providing services to a new development.

Development Plan—A plan, to scale, showing uses and structures proposed for a parcel or multiple parcels of land. It includes lot lines, streets, building sites, public open space, buildings, major landscape features, and locations of proposed utility services.

Development Rights—The right to develop land by a landowner that maintains fee-simple ownership over the land or by a party other than the owner who has obtained the rights to develop. Such rights usually are expressed in terms of density allowed under existing zoning. For example, one development right may equal one unit of housing or may equal a specific number of square feet of gross floor area in one or more specified zone districts.

Disturbed—A term used to identify a biological habitat that has been altered by natural or man-made events.

Dock—A structure generally linked to the shoreline, to which a vessel may be secured. A dock may be fixed to the shore, on pilings, or floating in the water.

Dominant—The major plant or animal species in a community.

Downcoast—In the United States usage, it is the coastal direction generally trending toward the south; also the way in which current flows.

DPR—California Department of Parks and Recreation.

Dry Storage—Dry storage of vessels includes all on-land storage of vessels including vessels normally stored in open or enclosed rack structures, on trailers, on cradles, on boat stands, or by other means.

Dune—Ridges or mounds of loose, wind-blown material usually sand. A dune structure often has a back and foredune area. Stable dunes are often colonized by vegetation.

Duplex—A detached building under single ownership that is designed for occupation as the residence of two families living independently of each other.

Dwelling—A structure or portion of a structure used exclusively for human habitation.

Dwelling Unit—One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the unit for the exclusive use of a single family maintaining a household.

Dwelling, Multi-family—A building containing two or more dwelling units for the use of individual families maintaining households; an apartment or condominium building is an example of this dwelling unit type.

Dwelling, Single-family Attached—A one-family dwelling attached to one or more other one-family dwellings by a common vertical wall; duplexes and townhomes are examples of this dwelling unit type.

Dwelling, Single-family Detached—A dwelling which is designed for and occupied by not more than one family and surrounded by open space or yards and which is not attached to any other dwelling by any means.

DWR—California Department of Water Resources.

Easement—A limited right to make use of a land owned by another, for example, a right of way across the property.

Ebb Tide—The period of tide between high water and the succeeding low water; a falling tide (opposite = flood tide).

Economic Base—The production, distribution, and consumption of goods and services within a planning area.

Eelgrass—A marine flowering plant (*Zostera marina*) that is found primarily in coastal bays and estuaries on soft substrate.

Elderly Housing—Typically one- and two-bedroom apartments or condominiums designed to meet the needs of persons 62 years of age and older or, if more than 150 units, persons 55 years of age and older, and restricted to occupancy by them. (See “Congregate Care.”)

El Niño—A term used to describe a cyclic weather pattern caused by changes in tropical ocean current patterns that result in worldwide changes in weather patterns.

Element—A division of the General Plan referring to a topic area for which goals, policies, and programs are defined (e.g., land use, housing, circulation).

Emergency Shelter—A facility that provides immediate and short-term housing and supplemental services for the homeless. Shelters come in many sizes, but an optimum size is considered to be 20 to 40 beds. Supplemental services may include food, counseling, and access to other social programs. (See “Homeless” and “Transitional Housing.”)

Eminent Domain—The authority of a government to take, or to authorize the taking of, with compensation, private property for public use.

Emission Standard—The maximum amount of pollutant legally permitted to be discharged from a single source, either mobile or stationary.

Endangered Species—A species of animal or plant is endangered when its prospects for survival and reproduction are in immediate jeopardy from one or more causes.

Energy Facility—Any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other source of energy.

Entertainment/Excursion Vessels—Commercial vessels engaged in the carrying of passengers for hire for hire for the purposes of fishing, whale watching, diving, educational activities, harbor and coastal tours, dining/drinking, business or social special events and entertainment.

Environment—The sum of all external conditions and influences affecting the life, development, and survival of an organism.

Environmental Impact Report (EIR)—A report required of general plans by the *California Environmental Quality Act* and which assesses all the environmental characteristics of an area and determines what effects or impacts will result if the area is altered or disturbed by a proposed action. (See “California Environmental Quality Act.”)

Environmental Study Area (ESA)—Relatively large, undeveloped areas containing natural habitats and may be capable of supporting sensitive biological resources.

Environmentally Sensitive Habitat Area (ESHA)—Any area in which plant or animal life or their habitat are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and development (PRC 30107.5).

Eocene—A period of geologic time spanning 54-38 million years ago.

Ephemeral—Short-lived (e.g., an ephemeral stream only flows immediately after rainfall).

Equilibrium Beach Width—The mean distance between the shoreline and backbeach line at which sand contributions and losses are balanced.

Equivalent Sound Level (LEQ)—The sound level corresponding to a steady noise level over a given sample period with the same amount of acoustic energy as the actual time varying noise level. The energy average noise level during the sample period.

Erode—The gradual wearing away and removal of land surface by various agents such as waves; opposite of accrete.

Erosion—The wearing away of land by natural forces. On a beach, the carrying away of beach material by wave action, currents or the wind.

Estuarine System—Deepwater tidal habitats and adjacent tidal wetlands that are usually semi-enclosed by land but have open, partly obstructed, or sporadic access to the ocean, with ocean water at least occasionally diluted by freshwater runoff from the land. The upstream and landward limit is where ocean-derived salts measure less than 0.5 parts per thousand during the period of average annual low flow.

Estuary—The region near a river mouth in which the fresh water of the river mixes with the salt water of the sea.

Evaluation—Process by which a project's performance is determined relative to criteria developed for this purpose.

Exaction—A contribution or payment required as an authorized precondition for receiving a development permit; usually refers to mandatory dedication (or fee in lieu of dedication) requirements found in many subdivision regulations.

Exclusion Area—That portion of the coastal zone within an exclusion area boundary adopted pursuant to the *California Coastal Act* and approved by the Coastal Commission after the effective date of the delegation of development review authority and depicted on the certified Permit and Appeal Jurisdiction Map. Development within this area is excluded from coastal development permit requirements if certain criteria identified in the adopted exclusion are met.

Exclusion Areas Map—A map depicting those areas where specified development types are excluded from the coastal development permit requirements.

Fast-food Restaurant—Any retail establishment intended primarily to provide short-order food services for on-site dining and/or take-out, including self-serve restaurants (excluding cafeterias where food is consumed on the premises), drive-in restaurants, and formula restaurants required by contract or other arrangement to offer standardized menus, ingredients, and fast-food preparation.

Fault, Active—A fault that has moved within the last 11,000 years and that is likely to move again within the next 100 years.

Fault, Inactive—A fault which shows no evidence of movement in the last 11,000 years and no potential for movement in the relatively near future.

Fault, Potentially Active—A fault that last moved within the Quaternary Period (the last 2,000,000 to 11,000 years) before the Holocene Epoch (11,000 years to the present); or a fault that, because it is judged to be capable of ground rupture or shaking, poses an unacceptable risk for a proposed structure.

Fault—A rock fracture accompanied by displacement.

Feasible—Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Federal Coastal Act—The federal *Coastal Zone Management Act of 1972* (16 U.S.C. 1451, et seq.), as amended.

FEMA—Federal Emergency Management Agency.

Fen—A unique type of wetland characterized by a saturated substrate dominated by organic material in which acidic conditions (pH < 7) prevail. Contrast with a bog, which has a saturated substrate dominated by organic material in which basic conditions (pH > 7) prevail.

FHWA—Federal Highway Administration.

Fill—Earth or any other substance or material, including pilings placed for the purposes of erecting structures thereon, placed in a submerged area.

Finding(s)—The result(s) of an investigation and the basis upon which decisions are made. Findings are used by government agents and bodies to justify action taken by the entity.

Fire Flow—A rate of water flow that should be maintained to halt and reverse the spread of a fire.

Fire Hazard Zone—An area where, due to slope, fuel, weather, or other five related conditions, the potential loss of life and property from a fire necessitates special fire protection measures and planning before development occurs.

Fire-resistive—Able to withstand specified temperatures for a certain period of time, such as a one-hour fire wall; not fire-proof.

First Public Road Paralleling the Sea—The road that is nearest the sea, as defined in this chapter, and that meets all of the following criteria:

1. The road is lawfully open and suitable for uninterrupted use by the public
2. The road is maintained by a public agency
3. The road contains an improved all-weather surface open to motor vehicle traffic in at least one direction
4. The road is not subject to any restrictions on use by the public except during an emergency or for military purposes
5. The road connects with other public roads providing a continuous access system and generally parallels and follows the shoreline of the sea so as to include all portions of the sea where the physical features such as bays, lagoons, estuaries and wetlands cause the waters of the sea to extend landward of the generally continuous coastline

Fiscal Impact Analysis—A projection of the direct public costs and revenues resulting from population or employment change to the local jurisdiction(s) in which the change is taking place. Enables local governments to evaluate relative fiscal merits of general plans, specific plans, or projects.

Flood Insurance Rate Map (FIRM)—For each community, the official map on which the Federal Insurance Administration has delineated areas of special flood hazard and the risk premium zones applicable to that community.

Flood, Regulatory Base—Flood having a one percent chance of being equaled or exceeded in any given year (100-year flood).

Floodplain—A lowland or relatively flat area adjoining the banks of a river or stream which is subject to a one percent or greater chance of flooding in any given year (i.e., 100-year flood).

Floodway—The channel of a watercourse or river, and portions of the flood plain adjoining the channel, which are reasonably required to carry and discharge the base flood of the channel.

Floor Area Ratio (FAR)—The gross floor area of all buildings on a lot divided by the lot area; usually expressed as a numerical value (e.g., a building having 5,000 square feet of gross floor area located on a lot of 10,000 square feet in area has a floor area ratio of 0.5:1).

Forebeach (Wet Beach)—The sand area affected regularly by tides and wave action.

Foreshore (or Beach Face)—Region of the coast extending from the berm crest (or the highest point of wave wash at high tide) to the low-water mark that is measured at low tide.

Formation—A unit of rock that is distinctive and persistent over a large area.

Fossiliferous—Rock units containing fossils.

Frequency—The number of times per second that a sound pressure signal oscillates about the prevailing atmosphere pressure. The unit of frequency is the hertz. The abbreviation is Hz.

General Plan—A legal document that takes the form of a map and accompanying text adopted by the local legislative body. The plan is a compendium of policies regarding the long-term development of a jurisdiction. The state requires the preparation of seven elements or divisions as part of the plan: land use, housing, circulation, conservation, open space, noise, and safety. Additional elements pertaining to the unique needs of an agency are permitted.

Geographic Information System (GIS)—A GIS is a computer system capable of assembling, storing, manipulating, and displaying geographically referenced information. A GIS allows analysis of spatial relationships between many different types of features based on their location in the landscape.

Geohazard—A risk associated with geologic processes or events.

Giant Kelp—A large brown seaweed (*Macrocystis pyrifera*) that grows primarily on rocky substrate and forms a underwater “forest” in which a diverse group of algae, invertebrates, and fishes are found.

Global Positioning System (GPS)—A satellite-based navigational system.

Goal—The ultimate purpose of an effort stated in a way that is general in nature and immeasurable; a broad statement of intended direction and purpose (e.g., "Achieve a balance of land use types within the city").

Grade—The degree of rise or descent of a sloping surface.

Gravity Walls—Massive, self-supporting walls which resist horizontal wave forces through their sheer mass.

Greenbelt—An open area that may be cultivated or maintained in a natural state surrounding development or used as a buffer between land uses or to mark the edge of an urban or developed area.

Grid—City of Newport 2,000 x 3,000-foot aerial reference grid.

Groin—A shoreline protection structure built, usually perpendicular to the shoreline, to trap nearshore sediment or retard erosion of the shore. A series of groins acting together to protect a section of beach is known as a groin system or groin field.

Ground Failure—Mudslide, landslide, liquefaction (see this Glossary), or the compaction of soils due to ground shaking from an earthquake.

Ground Shaking—Ground movement resulting from the transmission of seismic waves during an earthquake.

Groundwater—Subsurface water occupying the zone of saturation usually found in porous rock strata and soils.

Group Quarters—A dwelling that houses unrelated individuals.

Growth Management—Techniques used by government to control the rate, amount, and type of development.

Habitat—The physical location or type of environment in which an organism or biological population lives or occurs.

Harbor Lines—All established Bulkhead, Pierhead, and Project Lines as defined within Newport Harbor by the federal, state, county and city governments.

Harbor Maintenance Uses, Equipment, and Facilities—All uses, and their related equipment, vessels, docking and land storage facilities and access which provide: dredging and beach replenishment; demolition, repair and new construction of docks, piers, bulkheads and other in-and-over-water structures; mooring maintenance and repair; waterborne debris and pollution control, collection and removal. This category also includes environmental, survey or scientific vessels and related equipment based, or on assignment, in Newport Harbor: All vessels under this definition may also be referred to as “work boats.”

Harbor Permit Policies—City of Newport Beach City Council Policy Manual Section H-1, governing permits for structures bayward of the bulkhead line, and related parking, sanitary, utility and related support requirements

Harbor Regulations—Title 17 of the Newport Beach Municipal Code governing structures, uses and activities within the Harbor.

Hardscape Habitat—Hard surfaces of pilings, docks, floats, wharves, seawalls, bulkheads, jetties, and rock groins, and natural intertidal and subtidal reefs that are colonized by marine organisms

Hazardous Materials—An injurious substance, including pesticides, herbicides, toxic metals and chemicals, liquefied natural gas, explosives, volatile chemicals and nuclear fuels.

HCD—California Department of Housing and Community Development.

HDC—Nonprofit Housing Development Corporation.

Headland (Head)—A high, steep-faced projection extending into the sea, usually marking an area of fairly stable and rigid landform.

High Occupancy Vehicle—Vehicle transporting more than one person (at least one passenger, in addition to the driver).

Historic Building or Structure—See Historic Resource.

Historic District—A geographic area which contains a concentration of historic buildings, structures, or sites united historically, culturally, or architecturally.

Historic Preservation—The preservation of historically significant structures and neighborhoods until such time as, and in order to facilitate, restoration and rehabilitation of the building(s) to a former condition.

Historic Resource—Any object, building, structure, site, area, place, record, or manuscript which is historically or archeologically significant, or which is significant in the architectural, engineering, scientific, economic, agriculture, educational, social, political, military, or cultural history of the City of Newport Beach and/or California and/or the United States.

Holocene—n geologic time, less than 11,000 years ago; also called Recent.

HOME—Home Investment Partnership Act.

Homeless—Persons and families who lack a fixed, regular, and adequate nighttime residence. Includes those staying in temporary or emergency shelters or who are accommodated with friends or others with the understanding that shelter is being provided as a last resort. California Housing Element law, §65583(c)(1) requires all cities and counties to address the housing needs of the homeless. (See “Emergency Shelter” and “Transitional Housing.”)

Hotel—A facility in which guest rooms or suites are offered to the general public for lodging with or without meals and for compensation, and where no provisions is made for cooking in any individual guest room or suite. (See “Motel.”)

Household—According to the U.S. Census, a household is all persons living in a dwelling unit whether or not they are related. Both a single person living in an apartment and a family living in a house are considered households.

Household Income—The total income of all the people living in a household. Households are usually described as very low income, low income, moderate income, and upper income for that household size, based on their position relative to the regional median income.

Housing Affordability—Based on state and federal standards, housing is affordable when the housing costs are no more than 30 percent of household income.

Housing Unit—A room or group of rooms used by one or more individuals living separately from others in the structure, with direct access to the outside or to a public hall and containing separate toilet and kitchen facilities.

HUD—U.S. Department of Housing and Urban Development.

Hydric Soil—A type of soil with characteristics resulting from prolonged saturation and chemically reducing conditions such as occurs under anaerobic conditions.

Hydrology—The dynamic processes of the water within an environment including the sources, timing, amount, and direction of water movement.

Hydrophytic Vegetation—Plants that have adapted to living in aquatic environments. These plants are also called hydrophytes. In wetlands, hydrophytic species occur where at least the root zone of the plant is seasonally or continually found in saturated or submerged soil.

Impact—The effect of any direct man-made actions or indirect repercussions of man-made actions on existing physical, social, or economic conditions.

Implementation Measure—An action, procedure, program, or technique that carries out general plan policy.

In Situ—A Latin phrase meaning "in place." Archaeologically it refers to an artifact or object being found in its original, undisturbed position.

Income Categories—Four categories for classifying households according to income based on the median income for each County. The categories are as follows: Very Low (0-50% of County median); Low (50-80% of County median); Moderate (80-120% of County median); and Upper (over 120% of County median).

Industrial—The manufacture, production, and processing of consumer goods. Industrial is often divided into "heavy industrial" uses, such as construction yards, quarrying, and factories; and "light industrial" uses, such as research and development and less intensive warehousing and manufacturing.

Infrastructure—The physical systems and services which support development and population, such as roadways, railroads, water, sewer, natural gas, electrical generation and transmission, telephone, cable television, storm drainage, and others.

Intensity—A measure of the amount or level of development often expressed as the ratio of building floor area to lot area (floor area ratio) for commercial, business, and industrial development, or units per acre of land for residential development (also called "density").

Intersection—A location where two or more roads meet or cross at grade.

Intertidal—Located between the low and high tide tidal extremes.

Invertebrates—Animals without backbones.

Issue—A problem, constraint, or opportunity requiring community action.

Jetty—On open seacoasts, a structure extending away from the shore, which is designed to prevent shoaling of a channel and to direct and confine the stream or tidal flow. Jetties are built at the mouths of rivers, harbors, or tidal inlets to help deepen and stabilize the access channel.

Jobs/Housing Balance; Jobs/Housing Ratio—The jobs/housing ratio divides the number of jobs in an area by the number of employed residents. A ratio of 1.0 indicates a balance. A ratio greater than 1.0 indicates a net in-commute of employed persons; less than 1.0 indicates a net out-commute of employed persons.

Lacustrine System—Wetlands and deepwater habitats (1) situated in a topographic depression or dammed river channel; (2) lacking trees, shrubs, persistent emergents, emergent mosses, or lichens with greater than 30% area coverage; and (3) whose total area exceeds 8 hectares (20 acres); or area less than 8 hectares if the boundary is active wave-formed or bedrock or if water depth in the deepest

part of the basin exceeds 2 meters (6.6 ft) at low water. Ocean-derived salinities are always less than 0.5 parts per thousand.

Lagoon—A shallow body of water, such as a pond or lake, usually located near or connected to the sea.

Land Use—A description of how land is occupied or used.

Land Use Plan—The relevant portions of a local government's general plan, or local coastal element which are sufficiently detailed to indicate the kinds, location, and intensity of land uses, the applicable resource protection and development policies and, where necessary, a listing of implementing actions.

Landslide—A general term for a falling or sliding mass of soil or rocks.

Launching Facility—A generic term referring to any location, structures (ramps, docks) and equipment (cranes, lifts, hoists, etc.) where vessels may be placed into, and retrieved from the Harbor waters.

LCP—See Local Coastal Program.

Leeward—The direction toward which the wind is blowing.

Liquefaction—A process by which water-saturated granular soils transform from a solid to a liquid state due to groundshaking. This phenomenon usually results from shaking from energy waves released in an earthquake.

Littoral Cell—A region that encompasses most features affecting sediment transport. The boundaries of the cell are usually delineated by river drainage areas, promontory headlands, or submarine canyons on the periphery, the continental shelf-continental slope boundary on the seaward side and by inland ridges and river inlets on the landward side. Sediment within these cells generally travel seaward by river drainage, southward (downcoast) by longshore currents, and are eventually lost to the continental slope area or submarine canyon.

Littoral Drift—The sedimentary material moved in the littoral zone under the influence of waves and currents; consisting of silt, sand, gravel, cobbles, and other beach material.

Littoral Transport—The movement of sediment in the littoral zone by waves, currents, and tides. This includes movement parallel (longshore transport) and perpendicular (on-offshore transport) to the shore.

Littoral Zone—The region where waves, currents, and winds interact with the land and its sediments. This region comprises a backshore, foreshore, inshore, and offshore and is broken down into littoral cells.

Littoral—Of or pertaining to a shore, especially of the sea.

Liveaboard—Any person who uses a vessel as a domicile as that term is defined in Section 200 of the Elections Code of California, including permanently or on a temporary basis for a period exceeding 3 days.

Local Agency Formation Commission (LAFCO)—A five or seven-member commission within each county that reviews and evaluates all proposals for formation of special districts, incorporation of cities, annexation to special districts or cities, consolidation of districts, and merger of districts with

cities. Each county's LAFCO is empowered to approve, disapprove, or conditionally approve such proposals.

Local Coastal Program—A local government's (a) land use plans, (b) zoning ordinances, (c) zoning district maps, and (d) within sensitive coastal resources areas, other implementing actions, which, when taken together, meet the requirements of, and implement the provisions and policies of, the *California Coastal Act* at the local level.

Local Government—Any chartered or general law city, chartered or general law county, or any city and county.

Local Street—A street providing direct access to properties and designed to discourage through-traffic.

Longshore Current—A flow of water in the breaker zone, moving essentially parallel to the shore, usually generated by waves breaking at an angle to the shoreline.

Longshore—Parallel to and near the shoreline.

LOS—Level of Service, a descriptor of traffic operating conditions based on an intersection's volume-to-capacity ratio.

Lot—The basic unit of land development. A designated parcel or area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed, or built upon as a unit.

Major Arterial—A Major arterial highway is typically a six-lane divided roadway. A Major arterial is designed to accommodate 45,000 to 65,000 vehicles per day. Major arterials carry a large volume of regional through traffic not handled by the freeway system.

Marina—A berthing facility (other than moorings or anchorage) in which five or more vessels are wet-stored (in water) and/ or dry-stored (on land/racks or on floating docks).

Marine Conservation Area—A "state marine conservation area," is a non-terrestrial marine or estuarine area that is designated so the managing agency may achieve one or more of the following:

1. Protect or restore rare, threatened, or endangered native plants, animals, or habitats in marine areas
2. Protect or restore outstanding, representative, or imperiled marine species, communities, habitats, and ecosystems
3. Protect or restore diverse marine gene pools
4. Contribute to the understanding and management of marine resources and ecosystems by providing the opportunity for scientific research in outstanding, representative, or imperiled marine habitats or ecosystems
5. Preserve outstanding or unique geological features
6. Provide for sustainable living marine resource harvest

Marine Park—A "state marine park," is a nonterrestrial marine or estuarine area that is designated so the managing agency may provide opportunities for spiritual, scientific, educational, and recreational opportunities, as well as one or more of the following:

1. Protect or restore outstanding, representative, or imperiled marine species, communities, habitats, and ecosystems

2. Contribute to the understanding and management of marine resources and ecosystems by providing the opportunity for scientific research in outstanding, representative, or imperiled marine habitats or ecosystems
3. Preserve cultural objects of historical, archaeological, and scientific interest in marine areas
4. Preserve outstanding or unique geological features

Marine Protected Area (MPA)—A named discrete geographic area that has been designated by law, administrative action, or voter initiative to protect or conserve marine life and habitat.

Marine Reserve—A “state marine reserve,” is a nonterrestrial marine or estuarine area that is designated so the managing agency may achieve one or more of the following:

1. Protect or restore rare, threatened, or endangered native plants, animals, or habitats in marine areas
2. Protect or restore outstanding, representative, or imperiled marine species, communities, habitats, and ecosystems
3. Protect or restore diverse marine gene pools
4. Contribute to the understanding and management of marine resources and ecosystems by providing the opportunity for scientific research in outstanding, representative, or imperiled marine habitats or ecosystems

Marine Sales and Service Uses & Vessels—Uses and vessels, as well as related equipment, which provide repair, maintenance, new construction, parts and supplies, fueling, waste removal, cleaning, and related services to vessels berthed in, or visiting, Newport Harbor. Typical service uses include, but are not limited to, all uses and vessels described under Section 20.05.050 of the City of Newport Beach Municipal Code.

Marine System—Open ocean overlying the continental shelf and coastline exposed to waves and currents of the open ocean shoreward to (1) extreme high water of spring tides; (2) seaward limit of wetland emergents, trees, or shrubs; or (3) the seaward limit of the Estuarine System, other than vegetation. Salinities exceed 30 parts per thousand.

Marine Terrace—A flat or gentle seaward sloping wave-cut bench, which is a remnant of an old coastline. Marine terraces are conspicuous along most of the California coast where uplift has occurred.

Market Value—For purposes of determining “substantial improvement,” the replacement cost as determined by its replacement value according to the valuation figures established by the City of Newport Beach.

Maximum Credible Earthquake (MCE)—The largest possible earthquake that could reasonably occur along recognized faults or within a particular seismic source.

Mean High Water—The 19-year average of all high water heights (if the tide is either semidiurnal or mixed) or the higher high water heights if the tide is diurnal. For diurnal tides high water and higher high water are the same.

Mean Higher High Water—The 19-year average of only the higher high water heights.

Mean Low Water—The 19-year average of all low water heights (if the tide is either semidiurnal or mixed) or the lower low water heights if the tide is diurnal. For diurnal tides low water and lower low water are the same.

Mean Lower Low Water—The 19-year average of only the lower low water heights.

Mean Sea Level—The 19-year average height of the surface of the sea for all stages of the tide, usually determined from hourly height readings (see NGVD of 1929).

Median Income—The annual income for each household size which is defined annually by the federal Department of Housing and Urban Development. Half of the households in the region have incomes above the median and half are below.

Mesa—An isolated, relatively flat geographical feature, often demarcated by canyons (from Spanish mesa, table).

MGD—Million gallons per day.

Miocene—A period of geologic time spanning 27-26 million years ago.

Mitigate—To ameliorate, alleviate, or avoid to the extent reasonably feasible.

Mitigation Measures—Measures imposed on a project consistent with Section 15370 of the State Guidelines for Implementation of the *California Environmental Quality Act* to avoid, minimize, eliminate, or compensate for adverse impacts to the environment.

Mitigation—As defined in Section 15370 of the State Guidelines for Implementation of the *California Environmental Quality Act*, mitigation includes the following:

1. Avoiding the impact altogether by not taking a certain action or parts of an action.
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
3. Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
5. Compensating for the impact by replacing or providing substitute resources or environments."

Monitoring—The systematic collection of physical, biological, or economic data or a combination of these data in order to make decisions regarding project operation or to evaluate project performance. Monitoring is typically required for beach nourishment projects and habitat restoration projects.

Mooring Area—An area designated for a group of moorings.

Mooring—A device consisting of a floating ball, can, or other object that is secured permanently to the Harbor bottom by an anchor system for purposes of securing a vessel.

MS4—Municipal Separate Storm Sewer Systems.

MWD—Metropolitan Water District of Southern California.

MWDOC—Municipal Water District of Orange County.

National Flood Insurance Program (NFIP)—The National Flood Insurance Program, managed by FEMA, makes Federally-backed flood insurance available in communities that agree to adopt and enforce floodplain management ordinances to reduce future flood damage.

National Geodetic Vertical Datum of 1929 (NGVD)—A fixed reference for elevations, equivalent to the 1929 Mean Sea Level Datum. The geodetic datum is fixed and does not take into account the changing stands of sea level. NGVD should not be confused with mean sea level (see Mean Sea Level).

National Historic Preservation Act—A 1966 federal law that establishes a National Register of Historic Places and the Advisory Council on Historic Preservation, and that authorized grants-in-aid for preserving historic properties.

National Register of Historic Places—The official list, established by the National Historic Preservation Act, of sites, districts, buildings, structures, and objects significant in the nation's history or whose artistic or architectural value is unique.

Nearshore Zone—An indefinite zone extending seaward from the shoreline well beyond the breaker zone; it defines the area of nearshore currents.

Newport Bay—The terms “Newport Bay” and “Newport Harbor” are often used interchangeably. However, Newport Bay is an estuary consisting of the Lower Newport Bay (south of Pacific Coast Highway) and the Upper Newport Bay (north of Pacific Coast Highway). Newport Harbor generally refers to all the water area within Lower Newport Bay and within the Upper Newport Bay, exclusive of the Upper Newport Bay Ecological Reserve.

Newport Bay—The terms “Newport Bay” and “Newport Harbor” are often used interchangeably. However, Newport Bay is an estuary consisting of the Lower Newport Bay (south of Pacific Coast Highway) and the Upper Newport Bay (north of Pacific Coast Highway). Newport Harbor generally refers to all the water area within Lower Newport Bay and within the Upper Newport Bay, exclusive of the Upper Newport Bay Marine Park.

NMFS—National Marine Fisheries Service.

Noise—Any undesired audible sound.

Noise Attenuation—The ability of a material, substance, or medium to reduce the noise level from one place to another or between one room and another. Noise attenuation is specified in decibels

Noise Exposure Contours—Lines drawn about a noise source indicating constant energy levels of noise exposure. CNEL and L_{dn} are the metrics utilized to describe community noise exposure.

Noise Referral Zones—Such zones are defined as the area within the contour defining a CNEL level of 60 decibels. It is the level at which either state or federal laws and standards related to land use become important and, in some cases, preempt local laws and regulations. Any proposed noise sensitive development which may be impacted by a total noise environment of 60 dB CNEL or more should be evaluated on a project specific basis.

Noise Sensitive Land Use—Those specific land uses which have associated indoor and/or outdoor human activities that may be subject to stress and/or significant interference from noise produced by community sound sources. Such human activity typically occurs daily for continuous periods of 24 hours or is of such a nature that noise is significantly disruptive to activities that occur for short

periods. Specifically, noise sensitive land uses include: residences of all types, hospitals, rest homes, convalescent hospitals places of worship and schools.

Non-Attainment—The condition of not achieving a desired or required level of performance. Frequently used in reference to air quality.

Non-conforming Structure—A structure that was lawfully erected, but which does not conform with the property development regulations prescribed in the regulations for the district in which the structure is located by reason of adoption or amendment of this code or by reason of annexation of territory to the City.

Non-conforming Use—A use of a structure or land that was lawfully established and maintained, but which does not conform with the use regulations or required conditions for the district in which it is located by reason of adoption or amendment of this code or by reason of annexation of territory to the City.

Nourishment—The process of replenishing or enlarging a beach. It may be brought about naturally by longshore transport or artificially by the deposition of dredged materials.

NPDES—National Pollutant Discharge Elimination System.

NPS—National Park Service.

NPS—Nonpoint source pollution or polluted runoff.

OC—Orange County.

OCFCD—Orange County Flood Control District.

Offer to Dedicate (OTD)—An OTD is a document, recorded against the title to a property, which is an offer of dedication to the people of California of an easement over the property or a portion of the property. Generally, an OTD allows for specific uses in of the area of the property involved (for example, allowing the public to walk across the area). The offer conveys an easement in perpetuity only upon its acceptance on behalf of the people by a public agency or by a nonprofit private entity approved by the executive director of the Coastal Commission.

Offshore—Off or away from the shore. This area extends from beyond the breaker zone to the outer limit of the littoral zone and beyond.

Oil Seep—Natural springs where liquid hydrocarbons (mixtures of crude oil, tar, natural gas, and water) leak out of the ground.

Onshore (Inshore)—The region between the seaward edge of the foreshore and the seaward edge of the breakers or waves.

Open Coastal Waters—The area composed of submerged lands at extreme low-water of spring tide extending seaward to the boundaries of the Exclusive Economic Zone (12-200 miles). This includes navigation channels, turning basins, vessel berthing, anchorage, and mooring areas of Newport Bay.

Open Space—Any parcel or area of land or water essentially unimproved and set aside, designated, dedicated, or reserved for public or private use or enjoyment.

Glossary

Ordinance—A law or regulation set forth and adopted by a governmental authority, usually a city or county.

Overcrowding—As defined by the California Department of Housing and Community Development, a household with greater than one person per room, excluding bathrooms, kitchens, hallways, and porches.

Overlay—A land use designation on the Land Use Map, or a zoning designation on a zoning map, that modifies the basic underlying designation in some specific manner.

Palustrine System—All non-tidal wetlands dominated by trees, shrubs, persistent emergents, emergent mosses, or lichens, and all such tidal wetlands where ocean-derived salinities are below 0.5 parts per thousand. This category also includes wetlands lacking such vegetation but with all of the following characteristics: (1) area less than 8 hectares (20 acres); (2) lacking an active wave-formed or bedrock boundary; (3) water depth in the deepest part of the basin less than 2 meters (6.6 ft) at low water; and (4) ocean-derived salinities less than 0.5 parts per thousand.

Para-transit—Refers to transportation services that operate vehicles, such as buses, jitneys, taxis, and vans for senior citizens, and/or mobility-impaired.

Parcel—A lot or tract of land.

Parking, Shared—A public or private parking area used jointly by two or more uses.

Parking Area, Public—An open area, excluding a street or other public way, used for the parking of automobiles and available to the public, whether for free or for compensation.

Parking Management—An evolving TDM technique designed to obtain maximum utilization from a limited number of parking spaces. Can involve pricing and preferential treatment for HOVs, non-peak period users, and short-term users. (see “High Occupancy Vehicle” and “Transportation Demand Management.”)

Parking Ratio—The number of parking spaces provided per 1,000 square of floor area, e.g., 2:1 or “two per thousand.”

Permit and Appeal Jurisdiction Map—A map depicting those areas where the Coastal Commission retains permit and appeal jurisdiction.

Permit—Any license, certificate, approval, or other entitlement for use granted or denied by any public agency.

Person—Any individual, organization, partnership, limited liability company, or other business association or corporation, including any utility, and any federal, state, local government, or special district or an agency thereof.

Pier, Private—A pier used for private recreational purposes by the owner(s) or occupant(s) of the abutting upland property without payment of a separate rental or lease fee, except for permit fees to City.

Pier, Public—A pier used for public recreational purposes provided by a public agency.

Pier—A fixed structure extending from the shore into a body of water.

Pierhead Line—Harbor water area perimeter lines established in Newport Harbor by the federal government that define the permitted limit of fixed pier, floating dock and other in-water structures which may be constructed in the Harbor.

Pile—A long, heavy timber or section of concrete or metal driven or drilled into the earth or seabed to serve as a support or protection.

Planned Community—A large-scale development whose essential features are a definable boundary; a consistent, but not necessarily uniform, character; overall control during the development process by a single development entity; private ownership of recreation amenities; and enforcement of covenants, conditions, and restrictions by a master community association.

Planning Area—The Planning Area is the land area addressed by the General Plan. Typically, the Planning Area boundary coincides with the Sphere of Influence which encompasses land both within the City limits and potentially annexable land.

Planning Commission—A group of people appointed by the city council that administer planning and land use regulations for the city and provide recommendations on a wide array of land use and land use policy issues.

Pleistocene—A period of geologic time spanning 2 million - 11,000 years ago.

Pliocene—A period of geologic time spanning 7-2 million years ago.

Pocket Beach—A small beach formed between two points or headlands, often at the mouth of a coastal stream. Pocket beaches are common throughout the California coastline.

Policy—Statements guiding action and implying clear commitment found within each element of the general plan (e.g., "Provide incentives to assist in the development of affordable housing").

Pollution—The presence of matter or energy whose nature, location, or quantity produces undesired environmental effects.

Pollution, Non-Point—Sources for pollution that are less definable and usually cover broad areas of land, such as agricultural land with fertilizers that are carried from the land by runoff, or automobiles.

Pollution, Point—In reference to water quality, a discrete source from which pollution is generated before it enters receiving waters, such as a sewer outfall, a smokestack, or an industrial waste pipe.

Predominant Line of Development—The most common or representative distance from a specified group of structures to a specified point or line (e.g. topographic line or geographic feature). For example, the predominant line of development for a block of homes on a coastal bluff (a specified group of structures) could be determined by calculating the median distance (a representative distance) these structures are from the bluff edge (a specified line).

Primary Arterial—Typically a four-lane divided roadway. A Primary arterial is designed to accommodate 30,000 to 40,000 VPD. A Primary arterial's function is similar to that of a Principal or Major arterial; the chief difference is capacity.

Principal Arterial—Typically an eight-lane divided roadway. A Principal arterial is designed to accommodate 60,000 to 75,000 vehicles per day (VPD). Principal arterials carry a large volume of regional through traffic not handled by the freeway system.

Program—A coordinated set of specific measures and actions (e.g., zoning, subdivision procedures, and capital expenditures) the local government intends to use in carrying out the policies of the general plan.

Project Lines—Harbor water area channel lines of the improvements constructed by the federal government in 1935-1936, and as shown on navigation charts of Newport Harbor. Also referred to as the “Federal Channel.” (see Newport Beach City Design Criteria and Standard Drawings for Harbor Construction).

Public Trust Lands—Public Trust lands shall be defined as all lands subject to the Common Law Public Trust for commerce, navigation, fisheries, recreation, and other public purposes. Public Trust Lands include tidelands, submerged lands, the beds of navigable lakes and rivers, and historic tidelands and submerged lands that are presently filled or reclaimed and which were subject to the Public Trust at any time (from California Code of Regulations, Section 13577; see tidelands and submerged lands).

Public View Corridors—The line of sight—as identified as to height, width, and distance—of an observer looking toward an object of significance (e.g., ocean or bay); the route that attracts the viewer’s attention.

Public Works—

1. All production, storage, transmission, and recovery facilities for water, sewerage, telephone, and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities
2. All public transportation facilities, including streets, roads, highways, public parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and stations, bridges, trolley wires, and other related facilities. For purposes of this division, neither the Ports of Hueneme, Long Beach, Los Angeles, nor San Diego Unified Port District nor any of the developments within these ports shall be considered public works.
3. All publicly financed recreational facilities, all projects of the California Coastal Conservancy, and any development by a special district
4. All community college facilities

Qualified Biologist—A person who has earned a minimum of a Bachelor of Science degree in biology or a related field from an accredited college or university and has demonstrated field experience evaluating land use impacts on marine or wildlife species and their habitats. Biologists who conduct wetland delineations shall have completed the U.S. Army Corps of Engineers’ ”Reg. IV” wetland delineation training, or the equivalent, and shall have the demonstrated ability to independently conduct wetland delineations.

Quaternary—A period of geologic time comprising the past 2 million years; includes the Pleistocene and Holocene ages.

Recreation, Active—A type of recreation or activity which requires the use of organized play areas, including, but not limited to: softball, baseball, football and soccer fields, tennis and basketball courts, and various forms of children’s play equipment.

Recreation, Passive—Type of recreation or activity which does not require the use of organized play areas.

Redevelop—To demolish existing buildings; or to increase the overall floor area existing on a property; or both; irrespective of whether a change occurs in land use.

Redevelopment—Redevelopment, under the California Community Redevelopment Law, is a process with the authority, scope, and financing mechanisms necessary to provide stimulus to reverse current negative business trends, remedy blight, provide job development incentives, and create a new image for a community. It provides for the planning, development, redesign, clearance, reconstruction, or rehabilitation, or any combination of these, and the provision of public and private improvements as may be appropriate or necessary in the interest of the general welfare. In a more general sense, redevelopment is a process in which existing development and use of land is replaced with new development and/or use.

Reflection—Redirection of a wave when it impinges on a steep beach, cliff or other barrier;

Regional—Pertaining to activities or economies at a scale greater than that of a single jurisdiction, and affecting a broad homogeneous area.

Regional Housing Needs Assessment (RHNA)—The Regional Housing Needs Assessment (RHNA) is based on California projections of population growth and housing unit demand and assigns a share of the region’s future housing need to each jurisdiction within the SCAG (Southern California Association of Governments) region. These housing need numbers serve as the basis for the update of the Housing Element in each California city and county.

Regional Housing Needs Plan—A quantification by a COG or by HCD of existing and projected housing need, by household income group, for all localities within a region.

Regional Park—A park typically 150-500 acres in size focusing on activities and natural features not included in most other types of parks and often based on a specific scenic or recreational opportunity.

Rehabilitation—The upgrading of a building previously in a dilapidated or substandard condition, for human habitation or use.

Research and Development Use—A use engaged in study, testing, design, analysis, and experimental development of products, processes, or services.

Residential—Land designated in the City or County General Plan and zoning ordinance for buildings consisting only of dwelling units. May be improved, vacant, or unimproved. (See “Dwelling Unit.”)

Restoration—The replication or reconstruction of a building's original architectural features, usually describing the technique of preserving historic buildings.

Retaining Wall—A wall used to support or retain an earth embankment or area of fill.

Rvetment—A sloped retaining wall; a facing of stone, concrete, blocks, rip-rap, etc. built to protect an embankment, bluff, or development against erosion by wave action and currents.

Rezoning—An amendment to the map and/or text of a zoning ordinance to effect a change in the nature, density, or intensity of uses allowed in a zoning district and/or on a designated parcel or land area.

Right-of-Way—A strip of land acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary or storm sewer, or other similar uses.

Rill—The channel of a small stream or gully.

Rip Current—A strong surface current flowing seaward from the shore. It usually appears as a visible band of agitated water and is the return movement of water piled up on the shore by incoming waves and wind. With the seaward movement concentrated in a limited band its velocity is accentuated. Rip currents can pull inexperienced swimmers and waders into deeper water away from the shore. Since a rip current is usually quite narrow, the most effective way to get out of it is to swim perpendicular to the direction of the flow (in most cases, parallel to the beach). Rip currents can often develop adjacent to a jetty or groin.

Riparian—Consists of trees, shrubs, or herbs that occur along watercourses or water bodies. The vegetation is adapted to flooding and soil saturation during at least a portion of its growing season.

Riprap—A protective layer or facing of rock, concrete blocks, or quarystone, placed to prevent erosion, scour, or sloughing of an embankment or bluff.

Risk—The danger or degree of hazard or potential loss.

Riverine System—All wetlands and deepwater habitats contained within a channel except those wetlands (1) dominated by trees, shrubs, persistent emergents, emergent mosses, or lichens, and (2) which have habitats with ocean-derived salinities in excess of 0.5 parts per thousand.

RWQCB—California Regional Water Quality Control Board.

Sand Source—Resource of sand that can be economically used for beach nourishment. The sand must meet the requirements for size distribution and cleanliness and its removal and transfer must not create unacceptable environmental effects. The source may be on land, offshore, in a nearby inlet, or in a navigational channel, a shoal, or other area in which sand accumulates.

Sandstone—A rock composed predominantly of sand grains that have undergone cementation.

Santa Ana Regional Water Quality Control Board—California Regional Water Quality Control Board, Santa Ana Region.

Scarp (Beach Scarp)—An almost vertical slope along the beach caused by wave erosion. It may vary in height from a few inches to several feet or more, depending on wave action and the nature and composition of the beach.

SCWC—Southern California Water Company.

Sea Cliff—A vertical or very steep cliff or slope produced by wave erosion, situated at the seaward edge of the coast or the landward side of the wave-cut platform, and marking the inner limit of beach erosion.

Sea Level—The height of the ocean relative to land; tides, wind, atmospheric pressure changes, heating, cooling, and other factors cause sea-level changes.

Sea—The Pacific Ocean and all harbors, bays, channels, estuaries, salt marshes, sloughs, and other areas subject to tidal action through any connection with the Pacific Ocean, excluding nonestuarine

rivers, streams, tributaries, creeks, and flood control and drainage channels. Sea does not include the area of jurisdiction of the San Francisco Bay Conservation and Development Commission, established pursuant to Title 7.2 (commencing with Section 66600) of the Government Code, including any river, stream, tributary, creek, or flood control or drainage channel flowing directly or indirectly into such area.

Seas (Waves)—Waves caused by wind at the place and time of observation. (see swell).

Seawall—A structure separating land and water areas, primarily designed to prevent erosion and other damage due to wave action. It is usually a vertical wood or concrete wall as opposed to a sloped revetment.

Second Units—Auxiliary residential units on a lot with an existing primary residential unit. Second units may lack full facilities, such as kitchens.

Secondary Arterial—A four-lane roadway (often undivided). A Secondary arterial distributes traffic between local streets and Major or Primary arterials. Although some Secondary arterials serve as through routes, most provide more direct access to surrounding land uses than Principal, Major, or Primary arterials. Secondary arterials carry from 20,000 to 30,000 VPD.

Section 8 Rental Assistance Program—A federal (HUD) rent-subsidy program that is one of the main sources of federal housing assistance for low-income households. The program operates by providing “housing assistance payments” to owners, developers, and public housing agencies to make up the difference between the “Fair Market Rent” of a unit (set by HUD) and the household’s contribution toward the rent, which is calculated at 30 percent of the household’s adjusted gross monthly income (GMI). “Section 8” includes programs for new construction, existing housing, and substantial or moderate housing rehabilitation.

Sediment Budget—An account of the sand and sediment along a particular stretch of coast; the sources, sinks, rates of movement, or the supply and loss of sediment.

Sediment—Grains of soil, sand, or rock that have been transported from one location and deposited at another.

Seiche—A standing wave oscillation in an enclosed waterbody that continues (in a pendulum fashion) after the cessation of the originating force. Seiches can be caused by tidal action or an offshore seismic event.

Seismic—Caused by or subject to earthquakes or earth vibrations.

Sensitive Coastal Resource Areas—Those identifiable and geographically bounded land and water areas within the coastal zone of vital interest and sensitivity. Sensitive coastal resource areas include the following:

1. Special marine and land habitat areas, wetlands, lagoons, and estuaries as mapped and designated in Part 4 of the coastal plan.
2. Areas possessing significant recreational value.
3. Highly scenic areas.
4. Archaeological sites referenced in the California Coastline and Recreation Plan or as designated by the State Historic Preservation Officer.
5. Special communities or neighborhoods that are significant visitor destination areas.

6. Areas that provide existing coastal housing or recreational opportunities for low- and moderate-income persons.
7. Areas where divisions of land could substantially impair or restrict coastal access.

Sensitive Species—Includes those plant and animal species considered threatened or endangered by the U.S. Fish and Wildlife Service and/or the California Department of Fish and Game according to Section 3 of the federal *Endangered Species Act*.

Endangered—any species in danger of extinction throughout all, or a significant portion of, its range.

Threatened—a species likely to become an endangered species within the foreseeable future throughout all, or a portion of, its range. These species are periodically listed in the Federal Register and are, therefore, referred to as "federally listed" species.

Sewer—Any pipe or conduit used to collect and carry away sewage from the generating source to a treatment plant.

Shore Mooring—A mooring for small boats that is located in the nearshore perimeter of the Harbor and its islands, perpendicular to the shoreline. One end of the mooring line is attached to a point on or adjacent to the perimeter bulkhead, and the other end is attached to a mooring buoy located in the water, inside the pierhead line.

Shore Protection—Structures or sand placed at or on the shore to reduce or eliminate upland damage from wave action or flooding during storms.

Shore—Narrow strip of land in immediate contact with the sea, including the zone between high and low water. A shore of unconsolidated material is usually called a beach.

Shoreline Armoring—Protective structures such as vertical seawalls, revetments, riprap, revetments, and bulkheads built parallel to the shoreline for the purposes of protecting a structure or other upland property.

Shoreline—Intersection of the ocean or sea with land; the line delineating the shoreline on National Ocean Service nautical charts and surveys approximates the mean low water line from the time the chart was prepared.

Significant Effect—A beneficial or detrimental impact on the environment. May include, but is not limited to, significant changes in an area's air, water, and land resources.

Single-family Dwelling, Attached—A building containing two dwelling units with each unit having its own foundation on grade.

Single-family Dwelling, Detached—A building containing one dwelling unit on one lot.

Site—A parcel of land used or intended for one use or a group of uses and having frontage on a public or an approved private street. A lot.

Site Plan—The development plan for one or more lots on which is shown the existing and proposed conditions of the lot including: topography, vegetation, drainage, floodplains, marshes and waterways; open spaces, walkways, means of ingress and egress, utility services, landscaping, structures and signs, lighting, and screening devices; any other information that reasonably may be required in order that an informed decision can be made by the approving authority.

SLC—State Lands Commission

Slope—Land gradient described as the vertical rise divided by the horizontal run, and expressed in percent.

Slough—To erode the uppermost layer of soil, or to crumble and fall away from the face of a cliff.

Solid Waste—Unwanted or discarded material, including garbage with insufficient liquid content to be free flowing, generally disposed of in landfills or incinerated.

Southern California Association of Governments (SCAG)—The Southern California Association of Governments is a regional planning agency which encompasses six counties: Imperial, Riverside, San Bernardino, Orange, Los Angeles, and Ventura. SCAG is responsible for preparation of the Regional Housing Needs Assessment (RHNA).

Special District—Any public agency, other than a local government, formed pursuant to general law or special act for the local performance of governmental or proprietary functions within limited boundaries. Special district includes, but is not limited to, a county service area, a maintenance district or area, an improvement district or improvement zone, or any other zone or area, formed for the purpose of designating an area within which a property tax rate will be levied to pay for a service or improvement benefiting that area.

Special Needs Groups—Those segments of the population which have a more difficult time finding decent affordable housing due to special circumstances. Under state planning law, these special needs groups consist of the elderly, handicapped, large families, female-headed households, farmworkers and the homeless.

Specific Plan—Under Article 8 of the Government Code (Section 65450 et seq.), a legal tool for detailed design and implementation of a defined portion of the area covered by a General Plan. A specific plan may include all detailed regulations, conditions, programs, and/or proposed legislation which may be necessary or convenient for the systematic implementation of any General Plan element(s).

Speed, Critical—The speed that is not exceeded by 85 percent of the cars observed.

Sphere of Influence—The probable ultimate physical boundaries and service area of a local agency (city or district) as determined by the Local Agency Formation Commission (LAFCO) of the County.

Spit—A small, naturally formed point of land or a narrow shoal projecting into a body of water from the shore.

Standards—(1) A rule or measure establishing a level of quality or quantity that must be complied with or satisfied. The California Government Code (Section 65302) requires that General Plans describe the objectives, principles, “standards,” and proposals of the General Plan. Examples of standards might include the number of acres of park land per 1,000 population that the community will attempt to acquire and improve. (2) Requirements in a zoning ordinance that govern building and development as distinguished from use restrictions; for example, site-design regulations such as lot area, height limit, frontage, landscaping, and floor area ratio.

Stationary Source—A non-mobile emitter of pollution.

Storm Surge—A rise above normal water level on the open coast due to the action of wind stress on the water surface. Storm surge resulting from a hurricane also includes the rise in level due to atmospheric pressure reduction as well as that due to wind stress.

Stream—A topographic feature that at least periodically conveys water through a bed or channel having banks. This includes watercourses having a surface or subsurface flow that supports or has supported riparian vegetation.

Structure—Includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Subdivision—The division of a lot, tract or parcel of land that is the subject of an application for subdivision.

Subdivision Map Act—Division 2 (Sections 66410 et seq.) of the California Government Code, this act vests in local legislative bodies the regulation and control of the design and improvement of subdivisions, including the requirement for tentative and final maps. (See "Subdivision.")

Submarine Canyon—A steep-sided underwater valley commonly crossing the continental shelf and slope.

Submerged Lands—Submerged lands shall be defined as lands which lie below the line of mean low tide (from California Code of Regulations, Section 13577; see Public Trust Lands).

Subsidence—The sudden sinking or gradual downward settling and compaction of soil and other surface material with little or no horizontal motion. Subsidence may be caused by a variety of human and natural activities, including earthquakes.

Subsidize—To assist by payment of a sum of money or by the granting of terms or favors that reduce the need for monetary expenditures. Housing subsidies may take the forms of mortgage interest deductions or tax credits from federal and/or state income taxes, sale, or lease at less than market value of land to be used for the construction of housing, payments to supplement a minimum affordable rent, and the like.

Substantial Damage—Damage of any origin sustained by a structure whereby the cost of restoring the structure to the condition existing before damage would equal or exceed 50 percent of the market value before the damage occurred.

Substantial Repair—Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before such repair, reconstruction, or improvement. This term includes structures that have incurred "substantial damage" regardless of the actual repair work performed. For purposes of coastal development permitting, a substantial improvement to a structure qualifies the proposed development as new development.

Subtidal—Marine habitat that is permanently below the extreme low tide line.

Summer Season—Begins the day before the Memorial Day weekend and ends the day after the Labor Day weekend; alternatively, June 15th to September 15th.

Surf Zone—Area between the outermost breaking waves and the limit of wave uprush.

Surfgrass—A type of marine flowering plant that forms meadows on rocky shorelines and shallow rocky subtidal reefs.

SWRCB—State Water Resources Control Board.

Talus—A pile of rock debris at the base of a cliff.

Tectonic—Related to the earth's surface.

Temporary Event—An activity or use that constitutes development as defined in this LCP but which is an activity or function which is or will be of limited duration and involves the placement of non-permanent structures; and/or involves the use of sandy beach, parkland, filled tidelands, water, streets, or parking areas which are otherwise open and available for general public use.

Terrace—A gently sloping platform cut by wave action.

Terrestrial—Land-related.

Tidal Epoch (National Tidal Datum Epoch)—The specific 19-year period adopted by the National Ocean Service as the official time segment over which tide observations are taken and averaged to form tidal data, such as Mean Lower Low Water. The 19-year period includes an 18.6 year astronomical cycle that accounts for all significant variations in the moon and sun that cause slowly varying changes in the range of tides. A calendar day is 24 hours and a “tidal day” is approximately 24.84 hours. Due to the variation between calendar day and tidal day, it takes 19 years for these two time cycles to establish a repeatable pattern. Thus, if the moon is full today, then the moon will be full again on this day of the year 19 years from today. The present tidal epoch used is 1983—2001.

Tidal Prism—The total amount of water that flows into a harbor or estuary or out again with movement of the tide, excluding any freshwater flow.

Tidal Range—Difference between consecutive high and low (of higher high and lower low) waters. (see Tides).

Tidal Wave—Wave movement of the tides. Often improperly used for tsunamis (see Tsunami).

Tide—The periodic rising and falling of the water that results from gravitational attraction of the moon and sun, and other astronomical bodies, acting upon the rotating earth. The California coast has a mixed tidal occurrence, with two daily high tides of different elevations and two daily low tides, also of different elevations. Other tidal regimes are diurnal tides, with only one high and one low tide daily, and semidiurnal, with two high and two low tides daily, with comparatively little daily inequality between each high or each low tide level

Tidelands—Tidelands shall be defined as lands that are located between the lines of mean high tide and mean low tide (from California Code of Regulations, Section 13577; see Public Trust Lands).

Topography—Configuration of a surface, including its relief and the position of natural and man-made features.

Total Maximum Daily Load (TMDL)—The maximum amount of a pollutant that can be discharged into a water body from all sources (point and non-point) and still maintain water quality standards. Under *Clean Water Act* section 303(d), TMDLs must be developed for all water bodies that do not meet water quality standards after application of technology-based controls. TMDL also refers

to the written, quantitative analysis and plan for attaining and maintaining water quality standards in all seasons for a specific waterbody and pollutant.

Traffic Model—A mathematical representation of traffic movement within an area or region based on observed relationships between the kind and intensity of development in specific areas. Many traffic models operate on the theory that trips are produced by persons living in residential areas and are attracted by various non-residential land uses.

Transit—The conveyance of persons or goods from one place to another by means of a local, public transportation system.

Transportation Demand Management (TDM)—A strategy for reducing demand on the road system by reducing the number of vehicles using the roadways and/or increasing the number of persons per vehicle. TDM attempts to reduce the number of persons who drive alone on the roadway during the commute period and to increase the number in carpools, vanpools, buses and trains, walking, and biking. TDM can be an element of TSM (see below).

Transportation Systems Management (TSM)—Individual actions or comprehensive plans to reduce traffic congestion by increasing the efficiency of the transportation system itself. Examples would include improved traffic signal timing, coordination of multiple traffic signals, or spot improvements that increase capacity of the roadway system.

Treatment Works—Has the same meaning as set forth in the federal *Water Pollution Control Act* (33 U.S.C. 1251, et seq.) and any other federal act that amends or supplements the federal *Water Pollution Control Act*.

Trip—A one-way journey that proceeds from an origin to a destination via a single mode of transportation; the smallest unit of movement considered in transportation studies. Each trip has one origin (often the “production end,” sometimes from home, but not always), and one destination (“attraction end”).

Tsunami—A long period wave, or seismic sea wave, caused by an underwater disturbance such as a volcanic eruption or earthquake. Commonly misnamed a Tidal Wave.

Turbidity—A measure of the extent to which water is stirred up or disturbed, as by sediment; opaqueness due to suspended sediment.

Turning Basin—An area, often designated on nautical charts, connected to a channel that is large enough to allow vessels to maneuver or turn around.

Undertow—A seaward current near the bottom on a sloping inshore zone, caused by the return, under the action of gravity, of the water carried up on the shore by waves. Commonly misnamed a Rip Current.

Uniform Building Code (UBC)—A standard building code which sets forth minimum standards for construction.

Upcoast—In the United States usage, the coastal direction, generally trending toward the north, from which a current comes. Sediment will often deposit on the upcoast side of a jetty, groin, or headland, reducing the amount of sediment that is available for transport further downcoast.

Updrift—The direction opposite that of the predominant movement of littoral materials.

Urban Design—The attempt to give form, in terms of both beauty and function, to selected urban areas or to whole cities. Urban design is concerned with the location, mass, and design of various urban components and combines elements of urban planning, architecture, and landscape architecture.

Urban Open Space—The absence of buildings or development, usually in well-defined volumes, within an urban environment.

USACE—U.S. Army Corps of Engineers.

USC—United States Code.

USFWS—United States Fish and Wildlife Service (also known as FWS).

Vernal Pools—Vernal pools are low depressions that typically are flooded and saturated above a hardpan or claypan for several weeks to a few months in the winter and spring.

Vessel—Watercraft, such as boats, ships, small craft, barges, etc. whether motorized, sail-powered or hand-powered, which are used or capable of being used as a means of transportation, recreation, safety/rescue, service or commerce on water. This includes all vessels of any size (other than models) homeported, launched/retrieved, or visiting in Newport Harbor, arriving by water or land, and registered or unregistered under state or federal requirements.

Warehousing Use—A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, excluding bulk storage of materials that are flammable or explosive of that present hazards or conditions commonly recognized as offensive.

Water Course—Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine or wash in which water flows in a definite channel, bed and banks, and includes any area adjacent thereto subject to inundation by reason of overflow or flood water.

Water Dependent Use—Those uses that are tied to and require water, including fishing and other vessel rental and charter, water transportation, water public safety and enforcement, marinas, boatyards, yacht/sailing/boating/fishing clubs, watersports instructional and educational facilities, public and guest docking facilities, and landside support uses, dredging, marine construction, and harbor service and maintenance uses and related equipment.

Water Related Use—Those uses that relate to but do not require water, including nautical museums, bait and tackle shops, boat charter, rental, sales, storage, construction and/or repair, marine-related retail sales, and marine-related industry.

Water Transportation Use—This group of uses includes in-harbor and coastal/offshore ferry services, in-harbor water taxi services, docking, parking, offices, and other water and land support facilities.

Water-Enhanced Use—Those waterfront or waterfront-adjacent land uses and activities, including restaurants and residential uses that derive economic, aesthetic and other amenity benefits from proximity to and views of water and water-based activities, but which do not need direct access and proximity to the water in order to accomplish their basic functional and economic operation.

Watershed—The geographical area drained by a river and its connecting tributaries into a common source. A watershed may, and often does, cover a very large geographical region.

Wave Climate—The range of wave parameters (Height, period and direction) characteristic of a coastal location.

Wave Height—The vertical distance from a wave trough to crest.

Wave Length (Wavelength)—The horizontal distance between successive crests or between successive troughs of waves.

Wave Period—The time for a wave crest to traverse a distance equal to one wavelength, which is the time for two successive wave crests to pass a fixed point.

Wave Run-up—The distance or extent that water from a breaking wave will extend up a beach or structure.

Wave—A ridge, deformation, or undulation of the surface of a liquid. On the ocean, most waves are generated by wind and are often referred to as wind waves.

Wave-cut Platform—The near-horizontal plane cut by wave action into a bedrock formation at the shoreline.

Wetland—Land which may be covered periodically or permanently with shallow water and includes saltwater marshes, freshwater marshes, open or closed brackish water marshes, mudflats, and fens. Wetlands are lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this classification, wetlands must have one or more of the following attributes:

1. At least periodically, the land supports predominantly hydrophytes
2. The substrate is predominantly undrained hydric soil
3. The substrate is non-soil and is saturated with water or covered by shallow water at some time during the growing season of each year

Wildlife Corridor—The concept of habitat corridors addresses the linkage between large blocks of habitat that allow the safe movement of medium to large mammals from one habitat area to another. The definition of a corridor is varied but corridors may include such areas as greenbelts, refuge systems, underpasses, and biogeographic landbridges, for example.

Windward—The direction from which the wind is blowing.

Zoning—A police power measure, enacted primarily by units of local government, in which the community is divided into districts or zones within which permitted and special uses are established as are regulations governing lot size, building bulk, placement, and other development standards. Requirements vary from district to district, but they must be uniform within the same district. The zoning ordinance consists of a map and text.

Zoning Code—Title 20 of the City of Newport Beach Municipal Code, as amended.

Zoning District—A geographical area of a city zoned with uniform regulations and requirements.

Zoning Map—The officially adopted zoning map of the city specifying the uses permitted within certain geographic areas of the city.

Zostera Marina—See eelgrass.