PLANNED COMMUNITY DEVELOPMENT STANDARDS

NEWPORT PLACE

Emkay Development Company, Inc.
Newport Beach, California

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ATTACHED EXHIBITS

Exhibit A Land Use [1,5,8, 37, 39]
Exhibit B Grading & Roads [1]
Exhibit C Storm Drain [1]
Exhibit D Sewer & Water [1]
Exhibit E Topography [1]
Exhibit F Traffic Analysis [1]

Planned Community Development Standards for Newport Place
Ordinance No. 1369 adopted by the City of Newport Beach
December 21, 1970

Amendment No. 1 Approved on December 13, 1971 by Resolution No. 7572 (A-305)

Amendment No. 2 Approved on June 12, 1972 by Resolution No. 7706 (A-325)

Amendment No. 3 Approved on October 24, 1972 by Resolution No. 7846 (A-341)

Amendment No. 4 Approved on January 8, 1983 by Resolution No. 7901 (A-349)

Amendment No. 5 Approved on July 23, 1973 by Resolution No. 8054 (A-369)

Amendment No. 6 Approved on June 10, 1974 by Resolution No. 8262 (A-429)

Amendment No. 7 Approved on September 8, 1975 by Resolution No. 8588 (A-450)

Amendment No. 8 Approved on February 9, 1976 by Resolution No. 8693 (A-462)

Amendment No. 9 Approved on April 11, 1977 by Resolution No. 9050 (A-488)

Amendment No. 10 Approved on May 23, 1977 by Resolution No. 9091 (A-490)

Amendment No. 11 Approved on April 10, 1978 by Resolution No. 1003 (A-504)

Amendment No. 12 Approved on July 11, 1978 by Resolution No. 9393 (A-510)

Amendment No. 13 Approved on November 27, 1978 by Resolution No. 9472 (A-514)

Amendment No. 14 Approved on June 11, 1979 by Resolution No. 9563 (A-530)

Amendment No. 15 Approved on March 23, 1982 by Resolution No. 10003 (A-560)

Amendment No. 16 Approved on March 26, 1984 by Resolution No. 84-22 (A-604)

Amendment No. 17 Approved on April 23, 1984 by Resolution No. 84-30 (A-597)

Amendment No. 18 Approved on June 25, 1984 by Resolution No. 84-58 (A-607)

Amendment No. 19 Approved on July 23, 1984 by Resolution No. 84-79 (A-608)

Amendment No. 20 Approved on January 12, 1987 by Resolution No. 87-1 (A-637)

Amendment No. 21 Approved on March 9, 1987 by Resolution No. 87-30 (A-638)

Amendment No. 22 Approved on March 14, 1988 by Resolution No. 88-17 (A-658)

Amendment No. 23 Approved on August 14, 1989 by Resolution No. 89-94 (A-684)

Amendment No. 24 Approved on July 22, 1991 by Resolution No. 91-83 (A-740)

Amendment No. 25 Approved on March 9, 1992 by Resolution No. 92-20 (A-749)

Amendment No. 26 Approved on June 8, 1992 by Resolution No. 92-58 (A-745)

Amendment No. 27 Approved on September 13, 1993 by Resolution No. 93-69 (A-783)

Amendment No. 28 Approved on January 22, 1996 by Resolution No. 96-10 (A-833)

Amendment No. 28.1 Approved on September 9, 1996 by Resolution No. 96-78 (A849)

Amendment No. 28.2 Approved on March 24, 1997 by Resolution 97-25 (A858)

Amendment No. 28.3 Approved on July 28, 1997 by Ordinance No. 97-29 (A861)

Amendment No. 29 Approved on June 18, 1998 by Ordinance No. 98-16 (A 875)

Amendment No. 30 Approved on January 11, 1999 by Ordinance No. 98-28 (A-877)

Amendment No. 31 Approved on February 8, 1999 by Ordinance No. 99-4 (A-880)

Amendment No. 32 Approved on April 12, 1999 by Ordinance No. 99-11 (A-883)

Amendment No. 33 Approved on March 26, 2002 by Ordinance No. 2002-6 (PD2001-002)

Amendment No. 34 Approved on June 14, 2005 by Ordinance No. 2005-8 (PD2004-003)

Amendment No. 35 Approved on September 14, 2010 by Ordinance No.2010-16 (PD2010-002)

Amendment No. 36 Approved on October 25, 2011 by Ordinance No. 2011-24 (PD2011-002)

Amendment No. 37 Approved on November 22, 2011 by Ordinance No. 2011-25 (PD2010-007)

Amendment No. 38 Approved on July 24, 2012 by Ordinance No. 2012-14 (PD 2011-2005).

Amendment No. 39 Approved on November 30, 2021 by Ordinance No. 2021-24 (PD2021-001)

Amendment No. 40 Approved on August 22, 2023 by Ordinance No. 2023-13 (PA2023-0082)

Amendment No. 41 Approved on November 28, 2023 by Ordinance No. 2023-21 (PA2022-0201)

GENERAL NOTES

1. The Newport Project, a planned community development is a project of Emkay Development Company, Inc., a subsidiary of Morrison-Knudsen Company, Inc. The area is most appropriate for commercial and light industrial use because of its central location, ideal topography, availability to four freeways, accessibility to two railroads and its relation to the Orange County Airport. Attached drawings indicate land use, grading and roads, storm drains, water and sewer, topography and traffic analysis. This area was also identified in the 2006 General Plan as a key area for future housing opportunities. [38]

2. Water within the Planned Community area will be furnished by the City of Newport Beach.

3. Sewerage Disposal facilities within the Planned Community area are by the City of Newport Beach.

4. Prior to or coincidental with the filing of any tentative map or use permit, the developer shall submit a master plan of drainage to the Director of Public Works.

5. The height of all buildings and structures shall comply with FAA criteria.

6. Except as otherwise stated in this ordinance, the requirements of the Zoning Code, City of Newport Beach, shall apply.

   The contents of this supplemental text notwithstanding, no construction shall be proposed within the boundaries of this Planned Community District except that which shall comply with all provisions of the Building Code and the various mechanical and electrical codes related thereto.

7. <u>Phasing of Development</u>.

   1,799,941 sq. ft. of development was existing or under construction as of October 1, 1978. The additional allowable development in the total approved development plan is 566,423 square feet. Any further development subsequent to October 1, 1978, in excess of 30% of the additional allowable development, being 169,927 sq. ft. shall be approved only after it can be demonstrated that adequate traffic facilities will be available to handle that traffic generated by the project at the time of occupancy of the buildings involved. Such demonstration may be made by the presentation of a phasing plan consistent with the Circulation Element of the Newport Beach General Plan. (Phasing Plan approved by City Council March 12, 1979 for all development subject to this regulation.)[13]

DEFINITIONS

Advertising Surface:

The total area of the face of the structure, excluding supports.

Area of Elevation:

Total height and length of a building as projected to a vertical plane.

Building Line:

An imaginary line parallel to the street right-of-way line specifying the closest point from this street right-of-way line that a building structure may be located (except for overhangs, stairs and sunscreens).

Public Safety Area:

A strip of land twenty (20) feet in width and running parallel with street rights-of-way.

Right-of-Way Line:

When reference is made to right-of-way line it shall mean the line which is then established on either the adopted Master Plan of Streets and Highways or the filed Tract Map for Minor Roads as the ultimate right-of-way line for roads or streets.

Side and Front of Corner Lots:

For the purpose of this ordinance, the narrowest frontage of a lot facing the street is the front, and the longest frontage facing the intersecting street is the side, irrespective of the direction in which structures face.

Sign:

Any structure, device or contrivance, electric or non-electric and all parts thereof which are erected or used for advertising purposes upon or within which any poster, bill, bulletin, printing, lettering, painting, device or other advertising of any kind whatsoever is used, placed, posted, tacked, nailed, pasted or otherwise fastened or affixed.

Site Area:

The total land area of the land described in the use or other permit.

Special Landscaped Street:

Special landscaped streets are designated as MacArthur Boulevard, Jamboree Road, Bristol Street North and Birch Street. The landscaping requirements for special landscaped streets and for the remaining streets are described in the following text.

Streets - Dedicated and Private:

Reference to all streets or rights-of-way within this ordinance shall mean dedicated vehicular rights-of-way. In the case of private or non-dedicated streets, a minimum setback from the right-of-way line of said streets of ten (10) feet shall be required for all structures. Except for sidewalks or access drives, this area shall be landscaped according to the setback area standards from dedicated streets herein.

STATISTICAL ANALYSIS

PART I. INDUSTRIAL*

A. Building Sites

Site 1A 2.0 acres [3, 9]
Site 3A 21.3 acres [2.4]……23.3 acres [9, 35]

B. Building Area

Site 1A 34,130 sq. ft.....0.8 ac. [3, 9]
**Site 3A 297,798 sq. ft.....6.8 ac. [2, 4, 14, 33]
331,928 sq. ft……7.6 ac. [9, 14, 31, 33, 35]

The following statistics are for information only. Development may include but shall not be limited to the following.

C. Parking (Criteria: 3 spaces/1000 sq. ft. @ 363 sq. ft/space)

Site 1A 102 cars.....0.9 acres [3, 9]
Site 3A 894 cars..... 7.5 ac. [2, 4, 14, 33]

996 cars……...8.4 ac. [9, 14, 31, 33, 35]

D. Landscaped - Open Space

Site 1A.....0.30 acres [3, 9]
Site 3A.....6.5 acres [2,4,14,33]
6.8 acres [9,14,31, 33, 35] Net Open
-3.8 acres……..Space…..3.0 ac. *[14, 31, 33, 35]

* 3.8 acres have been allotted for service stations exclusive of permitted building acres and subject to use permit.

** Industrial Site 3A has been reduced by 20,000 sq. ft. with the reduction allocated to the allowable building area for Parcel No. 3 of Resubdivision 529. The allowable building area for Parcel No. 3 of Resubdivision 529 is now 61,162 sq. ft. [14].
Industrial Site 3A was then increased by 1,590 square feet in 2002 [33].

STATISTICAL ANALYSIS

PART II. COMMERCIAL/PROFESSIONAL & BUSINESS OFFICES

A. Building Sites

Site 1 & 2.....…38.5 acres[1]
Site 2A……...3.9 acres [31]
Site 4.....9.0 acres
Site 5.....7.4 acres[2]
Site 6.....1.9 acres
Site 7.....2.5 acres
Site 8.....1.64 acres
Site 9…….16.9 acres [35]
81.74 acres [20, 35]

B. Building Area

Site 1 & 2……860,884 square feet [5, 14, 17, 30]
Site 2A……109,200 square feet [31]
Site 4.....……..228,214 square feet [32]
Site 5.....……..268,743 square feet [16, 19, 21, 24, 25]
Site 6.....…...42,420 square feet
Site 7.....…….. 55,860 square feet
Site 8.....……54,000 square feet [20]
Site 9…… 288,264 square feet [35]
1,907,585 square feet [21, 30, 31, 32, 33, 35]

The following statistics are for information only. Development may include, but shall not be limited to the following.

C. Typical Building Mix/Site Utilization

Typical site areas for buildings of varying heights are provided for purposes of illustration. Development of any of the Sites indicated may include any number of combinations of building types, characterized by number of stories, within the range of building types indicated for that site.

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[1]Commercial/Professional and Business Office Site 1 and 2 have been reduced by 36,119 feet with the reduction allocated to the allowed building area for Parcels 1 & 2 of Resubdivision 585. The allowable building area for Parcel 1 & 2 of Resubdivision 585 is now 272,711 square feet. [14]

[2]If commercial uses are constructed on Commercial/Professional and Business Office Site 5 which are ancillary to and in the same building as office uses, additional development up to a maximum of 294,600 sq. ft. may be developed, so long as office use does not exceed 268,743 sq. ft. [21, 24, 25]

Site 1 & 2.....860,884 square feet [5, 14, 17, 30]

a. Two Story..... 8.42 acres
b. Three Story..... 5.61 acres
c. Four Story..... 4.21 acres
d. Five Story..... 3.37 acres
e. Six Story..... 2.81 acres

Site 2A……109,200 square feet [31]

a. Two Story……1.25 acres
b. Three Story …….0.84 acres
c. Four Story …….. 0.63 acres
d. Five Story …….. 0.51 acres

Site 4..... 228,214 square feet [32]

a. Two Story.....2.31 acres
b. Three Story..... 1.54 acres
c. Four Story..... 1.15 acres
d. Five Story.....0.92 acres
e. Six Story.....0.77 acres

Site 5.....268,743 square feet [16, 19, 21, 25]

a. Two Story.....1.90 acres
b. Three Story.....1.27 acres
c. Four Story.....0.95 acres
d. Five Story.....0 76 acres
e. Six Story.....0.63 acres
f. Nine Story.....0.50 acres

Site 6 …….. 42,420 square feet

a. Two Story.....0.49 acres
b. Three Story..... 0.32 acres
c. Four Story..... 0.24 acres
d. Five Story.....0.19 acres
e. Six Story..... 0.16 acres

Site 7 ……55,860 square feet

a. Two Story..... 0.64 acres
b. Three Story..... 0.43 acres
c. Four Story.....0.32 acres
d. Five Story.....…...0.26 acres
e. Six Story.....0.21 acres

Site 8.....54,000 square feet [20]

a. Four Story.....0.30 acres

Site 9…….288,264 square feet [35]

a. Two Story…….3.31 acres
b. Three Story…… …..2.21 acres
c. Four Story…… 1.65 acres
d. Five Story…….1.32 acres
e. Six Story……1.10 acres

D. Parking (Criteria: 1 space/225 sq. ft. @ 363 sq. ft/space)

Site 1 & 2..... 3,827 cars..... 31.89 acres [5, 14, 30]
Site 2A …..…. 474 cars*……. 1.26 acres[1] [31]
Site 4..…..... 905 cars..... 7.54 acres [32]
Site 5.….....1,234 cars…..... 6.13 acres [21]
Site 6...…..... 188 cars…….. 1.57 acres
Site 7....…..... 248 cars……... 2.07 acres
Site 8....…..... 231 cars..…….. 1.34 acres [20]
Site 9……..1,281 cars……10.68 acres [35]
8,388 cars 62.48 acres[2] [21,31, 32, 33, 35]

E. Landscaped - Open Space

Site 1 & 2 [5,14]

Gross Site..... 38.5 acres
Parking.....27.17 acres
Net.....11.33 acres

Two Story.....8.42 acres.....2.91 acres
Three Story.....5.61 acres.....5.72 acres
Four Story.....4.21 acres.....7.12 acres
Five Story.....3.37 acres.....7.96 acres
Six Story.....2.81 acres.....8.52 acres

Site 2A [31]

Gross Site ……. 3.9 acres
Parking ……. 1.26 acres
Net ……... 2.68 acres

Two Story ……. 1.25 acres … 1.43 acres.
Three Story …… .84 acres … 1.84 acres

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[3] Includes surface parking and first floor of existing parking structure only, does not include upper levels of parking structure. [31].

Four Story …….. .63 acres … 2.05 acres
Five Story …… .51 acres … 2.17 acres

Site 4 [32]

Gross Site..... 9.00 acres
Parking..... .7.54 acres
Net.....….1.46 acres

Two Story.....2.31 acres..... N/A
Three Story.....1.54 acres..... 0.01 acres
Four Story.....1.15 acres..... 0.40 acres
Five Story..... 0.92 acres..... 0.63 acres
Six Story..... 0.77 acres..... 0.78 acres

Site 5

Gross Site.....7.4 acres
Parking.....6.13 acres
Net.....1.27 acres

Two Story.....1.90 acres..... N/A
Three Story.....1.27 acres..... .00 acres
Four Story.....0 .95 acres..... 0.32 acres
Five Story..... 0.76 acres. ..... 0.51 acres
Six Story..... 0 .63 acres..... 0.64 acres
Nine Story..... 0.50 acres.....0 .77 acres [21]

Site 6

Gross Site.....1.90 acres
Parking.....1.57 acres
Net.....0.33 acres

Two Story..... .49 acres..... N/A
Three Story..... .32 acres..... 0.01 acres
Four Story.....24 acres..... 0.09 acres
Five Story..... .19 acres..... 0.14 acres
Six Story.....16 acres..... 0.17 acres

Site 7

Gross Site.....2.50 acres
Parking....….....2.07 acres
Net.....…..... 0.43 acres

Two Story..... 0.64 acres..... N/A
Three Story..... 0.43 acres..... 00 acres
Four Story..... 0.32 acres..... 0.11 acres
Five Story.....0.26 acres..... 0.17 acres
Six Story..... 0.21 acres..... 0.22 acres

Site 8

Gross Site.....1.64 acres
Parking.....1.34 acres

Net..... .30 acres

Four Story..... .30 acres..... N/A [20]

Site 9 [35]

Gross Site……16.90 acres
Parking……10.68 acres

Net…….. 6.22 acres

Two Story……3.31 acres…… 2.91 acres
Three Story……..2.21 acres…….4.01 acres
Four Story……1.65 acres…….4.57 acres
Five Story……1.32 acres…….4.90 acres
Six Story……..1.10 acres…….5.12 acres

F. Building Height [5, 12, 15, 21, 31]

Maximum building height shall not exceed six (6) stories above ground level except for Parcel No. 1 of Resubdivision No. 585 which shall have a maximum building height of ten (10) stories above ground level, for Parcel No. 2 of Resubdivision No. 585 which shall have a maximum building height of seven (7) stories above ground level, and for Site 5 which shall have a maximum of nine (9) stories/167 feet above ground level. Maximum building height for Professional & Business Office Site 2A shall not exceed 95 feet above ground level.

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STATISTICAL ANALYSIS

PART II RETAIL COMMERCIAL/PERMITTED USES - Part II, Section II, Group II.E

A. Building Sites

Site 1 1.4 acres

The following statistics are for information only. Development may include but shall not be limited to the following.

B. Building Area

Site 1.....10,000 sq. ft. .22 acres

C. Parking (Criteria: 5/spaces/1000 sq. ft.@ 363 sq. ft./ space)

Site 1.....50 cars .41 acres

D. Landscaped - Open Space

Site 1 .77 acres

E. Building Height

Building height of structures shall be limited to a height of thirty-five (35) feet.

STATISTICAL ANALYSIS

PART II COMMERCIAL/RESTAURANTS

A. Building Sites

Site 1 1.80 acres
1.80 acres..... 1.80 acres [5, 20, 37]

The following statistics are for information only. Development may include but shall not be limited to the following.

B. Building Area

Site 1....15,000 square feet .....34 acres
15,000 square feet.....34 acres [5, 20]

C. Parking (Criteria: 300 occupants/10,000 sq. ft.)
1 space/3 occupants
363 sq. ft./space

Site 1 80 cars ..... 1.11 acres
80 cars..... 1.11 acres [5, 20, 37, 39]
Restaurant Site 1 and General Commercial Site 8 have shared parking arrangements per the 1972 Reciprocal Parking & Management Agreement [37]

D. Landscaped - Open Space

Site 1... 0.46 acres
0.46 acres..... 0.46 acres [5, 20, 37]

E. Building Height

Building height of structures shall be limited to a height of thirty-five (35) feet.

STATISTICAL ANALYSIS

PART II COMMERCIAL/HOTEL & MOTEL

A. Building Site [26,31]

Site 1 - 6.35 acres
Site 2B - 3.7 acres [31]
10.05 acres [31]

B. Hotel Room Limit [18,25,31]

Site 1 - 349 rooms[1]
Site 2B - 256 rooms [31, 37]

The following statistics are for information only. Development may include but shall not be limited to the following.

C. Building Area (Site 1 - 349 units @ 400 sq.ft./unit) (Site 2B – 256 units @ 517 net sq. ft./unit).[18, 25, 31, 37]

Site 1 - 3.2 acres - 3.2 acres
Site 2B - 3.0 acres (total enclosed area is 4.5 acres)

D. Parking (Criteria: 1 space/unit @ 363 sq. ft./space)[18, 26, 31, 37]

Site 1 - 349 parking spaces - 2.9 acres
Site 2B - 128 parking spaces[2] 2.5 acres (total)

E. Landscaping - Open Space [18]

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[1]Use permits approved as of November 14, 1983, allow 468 hotel rooms with related restaurant, conference area, and other support facilities. Hotel suites included as part of the hotel room count may be converted to standard hotel rooms consistent with the specified hotel room limit, so long as the approved site plan is maintained. Location and size of restaurant, conference area, and other support facilities may also be revised if the plans meet the intent of the approved site plan and other conditions of approval. [1, 18]

[2] Based on one space/2 guest rooms per Page 20.66-8, Off-Street Parking and Loading Requirements, of the City of Newport Beach Planning and Zoning Code. [31]

The following is intended to show some of the variations possible.

Site 1

One Story Development	-	0.92 acres
Two Story Development	-	2.98 acres
Three Story Development	-	3.67 acres
Four Story Development	-	4.02 acres
Five Story Development	-	4.22 acres
Six Story Development		4.36 acres
Seven Story Development	-	4.46 acres
Eight Story Development	-	4.53 acres
Nine Story Development	-	4.59 acres
Ten Story Development	-	4.64 acres
Eleven Story Development	-	4.67 acres
Twelve Story Development	-	4.71 acres
Thirteen Story Development	-	4.73 acres

The above analysis does not include support facilities utilized in many hotel operations. These facilities would also require parking not reflected in the parking requirement criteria.

F. Building Height [31]

Building height on Site 2B shall not exceed 60 feet. [31]

STATISTICAL ANALYSIS

PART II GENERAL COMMERCIAL PERMITTED USES [8, 9]

Part II, Section II, Group II A & F

A. General Commercial Building Sites [8, 26, 28.3, 31, 37]

Site 1	-	3.0 acres
Site 2	-	1.0 acres [9]
Site 3	-	3.9 acres [9]
Site 4	-	2.0 acres [9]
Site 5	-	2.45 acres[5] [26]
Site 6		5.8 acres [25, 28.3]
Site 7		8.2 acres
Site 8		1.83 acres [37, 39]
		28.18 acres [37, 39]

B. Building Area [26, 27, 28.3, 37]

Site 1	-	35,000 sq. ft.	-	0.80 acres
Site 2[1]	-	11,700 sq. ft.	-	0.27 acres [9]
Site 3[2]	-	49,380 sq. ft.	-	1.13 acres [27]
Site 4[3]	-	20,870 sq. ft.[19]	-	0.57 acres [9]
Site 5[1]	-	31,362 sq. ft.	-	0.72 acres [26]
Site 6		50,000 sq. ft		1.14 acres [28.3]
Site 7		140,720 sq. ft.		3.23 acres [37]
Site 8		19,423 sq. ft.[11] [37]		0.44 acres [37, 39]
		358,455 sq. ft.[37, 39]		8.22 acres [26, 27, 28.3, 37,39]

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5 A recorded reciprocal easement shall be provided for ingress, egress and parking for mutual benefit between Hotel Site 1 and General Commercial Site 5.

6 Restaurants are permitted uses in Sites 1, 2, 3, 5 and 6, subject to a use permit. [9, 23, 26, 27, 28.3]

7 Ibid

8 If the development of General Commercial Site 4 is limited solely to Professional and Business Office use, then the allowable Building Area shall not exceed 30,000 sq. ft. (19)

9 Restaurants are permitted uses in Sites 1,2,3,5

10 257 surface parking spaces; minimum 100 parking spaces in parking structure

11 Of 12,351 square feet, 5,000 square feet shall be allocated for food service uses and 14,423 square feet shall be allocated for general commercial uses. [37, 39]

The following statistics are for information only. Development may include, but shall not be limited to the following. [8]

D. Parking (Criteria 4 spaces/1,000 sq.ft. @ 363 sq.ft./space [9, 26, 28.3]

Site 1	-	140 cars	-	1.17 acres
Site 2	-	47 cars	-	0.39 acres
Site 3	-	193 cars	-	1.61 acres
Site 4	-	100 cars	-	0.83 acres
Site 5	-	167 cars	-	1.39 acres
Site 6	-	250 cars	-	2.08 acres
Site 7	-	353 cars	-	2.94 acres[10] [37]
Site 8	-	143 cars	[12]	1.19 acres [37, 39]
				11.6 acres [39]

E. Landscaping - Open Space [9, 26, 28.3]

Site 1	-	1.03 acres
Site 2	-	0.34 acres
Site 3	-	1.18 acres
Site 4	-	0.60 acres
Site 5 (1 & 2 story)	-	0.24 acres
Site 6	-	2.58 acres
Site 7	-	2.14 acres
Site 8		0.24 acres [37]
	Sub Total	8.35 acres [37]
Site 5 (3 story)	-	0.49 acres
	Sub Total	8.84 acres [37]
Site 5 (4 story)	-	0.75 acres
	Grand Total	9.59 acres [37]

F. Building Height [8, 9, 26, 31, 28.3, 37]

Building height of structures on General Commercial Site 1, 2, 3, 4 , 6, and 8 shall be limited to a height of thirty-five (35 ft.) and on General Commercial Site 5 shall be limited to a height of fifty feet (50 ft.). Height of buildings on Site 7 shall be limited to fifty-five (55) feet except that the vertical projection of a building element intended to provide architectural interest and/or integrate the project identification sign and not for occupancy may be up to seventy-five (75) feet in height.

[12] 65 on-site spaces and 16 off-site spaces [37]

STATISTICAL ANALYSIS

PART II COMMERCIAL/SERVICE STATION**

A. Building Site

Site 1 - 1.2 acres - 1.2 acres

STATISTICAL ANALYSIS

PART III RESIDENTIAL

A. Building Sites

For the purposes of this statistical analysis, 74.43 acres of commercial and industrial sites may be utilized for multi-unit residential development as identified within the Residential Overlay. This acreage is for statistical purposes only. The multi-unit residential site size shall be determined at the time a site development review is approved.

PART I. INDUSTRIAL

Section I. Minimum Site Area

A. Thirty Thousand (30,000) square feet.

B. Exception: [11]

The Planning Commission may authorize an exception to the minimum site area. Application for any such exception shall be made at the time of the filing of a tentative map by the applicant. In order for an exception to be granted, the Planning Commission shall find the following facts with respect thereto:

1. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the vicinity.

2. That the development considerations and intent of this Planned Community Development Standards are substantially met.

Section II. Permitted Uses

Group I. Light Industrial

A. To allow uses primarily engaged in research activities, provided that such activities are confined within a building or buildings that do not contribute excess noise, dust, smoke, vibration, odor, toxic, or noxious matter to the surrounding environment nor contain a

high hazard potential, due to the matter of the product material or processes involved. Such activities may include but shall not be limited to research laboratories and facilities, developmental laboratories and facilities and compatible light manufacturing related to the following list of examples:

1. Bio-Chemical
   Chemical
   Film and Photography
   Medical and Dental
   Metallurgy
   Pharmaceutical
   X-Ray

**Reference Page 4, Part I, Item D.

2. Manufacture, research assembly, testing and repair of components, devices, equipment and systems and parts and components such as but not limited to the following list of examples:

   Coils, Tubes, Semi-Conductors
   Communication, Navigation Control, Transmission and Reception Equipment, Control Equipment and Systems, Guidance Equipment and Systems
   Data Processing Equipment and Systems
   Glass Edging, Beveling, and Silvering
   Graphics, Art Equipment
   Metering Instruments
   Optical Devices, Equipment and Systems
   Phonographs, Audio Units, Radio Equipment and Television Equipment
   Photographic Equipment
   Radar, infra-red and Ultra-Violet Equipment and Systems
   Scientific and Mechanical Instruments
   Testing Equipment

B. To allow the location of offices and areas associated with and accessory to the permitted uses listed under A.

1. Administrative, professional and business offices.

2. Regional or home offices of industries which are limited to a single use.

3. Blueprinting, Photostatting, photo engraving, printing, publishing and bookbinding, provided that no on-site commercial services is associated with said uses.

4. Cafeteria, cafe, restaurant or auditorium.

5. Service stations will be permitted, subject to a use permit provided that no on-site commercial service is associated with said uses.

* & **6. (Transferred to Part II – Commercial, Section II, Group I) [28.2, 35]

C. Service stations subject to a use permit.

Group II. Medium Industrial and Industrial Service and Support Facilities.

A. To allow the location of general manufacturing activities, provided that such activities are confined within a building or buildings and do not contribute excessive noise, dust, smoke, vibration, odor, toxic or noxious matter to the surrounding environment nor contain a high hazard potential due to the nature of the products, material or processes involved.

1. Manufacture and/or assembly of the following or similar products:

Aircraft and Related Components
Clocks and Watches
Coffins
Ceramic Products
Concrete Products
Electrical Appliances
Farm Equipment
Heating & Ventilating Equipment
Linoleum
Machinery & Machine Tools
Musical Instruments
Neon Signs
Novelties
Oil Well Valves & Repairs
Optical Goods
Refrigeration
Screw Machine Products
Sheet Metal Products
Shoes
Silk Screens
Sporting Goods
Springs
Stencils
Toys
Trailers
Trucks

2. The manufacture of products or products made from the following or similar materials:

Aluminum
Iron
Bags, except Burlap Bags or Linoleum
Sacks
Matches

Batteries	Mattresses
Boxes, Paper	Paper
Brass	Steel
Cans	Tin
Copper	Tools
Glass	Wool
Grinding Wheels	Yarn

3. The manufacturing, compounding, processing or treatment of the following or similar items:

Acids, Non-Corrosive	Lubricating Oil
Candles	Pharmaceutical
Cigarettes & Cigars	Products
Detergents	Plastics
Disinfectants	Toiletries
Dye	Vitamin Products
Food Products	Waxes and Polishes

4. Woodworking Shops, such as: (Provided that, if a planer, router, sticker or moulder is maintained, all doors and windows in the outside walls of the room in which said machinery is located shall be kept closed while said machinery is in use.)

   Box
   Furniture
   Wood Products

5. Distribution and Warehousing Plants

B. To allow the location of general manufacturing activities, service industry and activities related to contractor and construction industry, provided that such activities are confined within a building or buildings and do not contribute excessive noise, dust, smoke, vibration, odor, toxic or noxious matter to the surrounding environment nor contain a high hazard potential due to the nature of the products, materials or processes involved.

1. Service industries or those industries providing a service as opposed to the manufacture of a specific product, such as the repair and maintenance of appliances or component parts, tooling, printers, testing shops, small machine shops, shops engaged in the repair, maintenance and servicing of items excluding automobile repair, providing that such industries are not the point of customer delivery or collection.

2. Contractor and construction industries relating to building industry, such as general contractors, electrical contractors, plumbing contractors.

C. To allow a combination of general industry, business and professional offices, and industrial support activities, provided that such activities are confined within a building or

buildings, and do not contribute excessive noise, dust, smoke, vibration, odor, toxic or noxious matter to the surrounding environment nor contain a high hazard potential due to the nature of the products, materials or processes involved.

The industrial support activities shall be defined as and limited to the sale of products or services relating only to the immediate industrial complex. Any activity, which could be classified as retail commercial, shall be restricted to activities strictly accessory and/or supplementary to the industrial community.

1. All uses permitted under A, B, and D.

    a. Business and Professional Offices.
    b. Industrial Support Facilities, to include activities limited to the sale of products or services related to only the industrial complex. Activities of a commercial nature shall be restricted in scope so as to service and to be accessory and/or supplementary to the industrial complex.
    c. Service stations subject to a use permit.

2. Except as herein indicated, the General Development Standards for Industry shall apply.

    a. <u>Sign Area</u>
    Industry Support Facilities and Business and Professional Offices.

    Only one (1) facia mounted identification sign shall be permitted per street frontage for each individual business or office.

    No sign shall exceed an area equal to one and one-half (1-1/2) square feet of sign for each one (1) foot of lineal frontage of the building or store. However, no sign shall exceed two hundred (200) square feet in area per face.

    b. <u>Site Identification Ground Sign</u>

    One (1) site identification sign listing only the name of the site or major tenant on the site shall be allowed. Said sign shall be limited to a maximum height of four (4) feet and a width of eight (8) feet and may be double faced.

    c. <u>Pedestrian Access</u>

    It is required of all developments in the industrial support facility area to submit a plan of pedestrian access to the Planning Division prior to the issuance of building permits. Said plan will detail consideration for pedestrian access to the subject property and to adjacent properties, and shall be binding on subsequent development of the property. The plan shall show all interior walkways and all walkways in the public right of way, if such walkways are proposed or necessary.

D. To allow for the location of a storage facility for new car inventory. Located within Industrial Site 1A between Quail Street on the east, adjacent to Auto Center Sites 2A and 2B on the south, and Bristol Street on the west This use shall be subject to a use permit. [3]

D. (Deleted)[2,4]

Section III. General Development Standards for Industry

Maximum building areas shall be as noted in the Statistical Analysis, Part I.A and Part I.B.

A. Building Height [22]

Building heights of structures shall be limited to a height of thirty-five (35) feet; provided, however, that on Parcel 1 and Parcel 2 of Parcel Map 86-33-34 (Resubdivision No. 529) in Industrial Site 3A, the Planning Commission or the City Council on review or appeal may approve a structure up to a maximum height of 50 feet after the approval of a use permit.

The Planning Commission or City Council in granting any use permit for structures in excess of thirty-five (35) feet shall find that each of the following four points have been complied with:

(a) The increased building height would result in more public visual open space and views than is required by the basic height limit. Particular attention shall be given to the location of the structure on the lot, the percentage of ground cover, and the treatment of all setback and open areas.

(b) The increased building height would result in a more desirable architectural treatment of the building and a stronger and more appealing visual character of the area than is required by the basic height limit.

(c) The increased building height would not result in undesirable or abrupt scale relationships being created between the structure and existing developments or public spaces. Particular attention shall be given to the total bulk of the structure including both horizontal and vertical dimensions.

(d) The structure shall have no more floor area than could have been achieved without the use permit. [22]

B. Setbacks

All setbacks shall be measured from the property line. For the purpose of this ordinance, a street side property line is that line created by the ultimate right-of-way line of the frontage street.

1. Front Yard Setback

Thirty (30) feet minimum, except that unsupported roofs or sunscreens may project six (6) feet into the setback area.

2. Side Yard Setback

Ten (10) feet, except that unsupported roofs and sunscreens may project three (3) feet into the setback area.

In the case of a corner lot, the street side setback shall be thirty (30) feet, except that unsupported roofs and sunscreens may project six (6) feet into the setback area. Interior lot lines for a corner lot shall be considered side lot lines.

3. Rear Yard Setback

No rear yard setback is required except on a through-lot in which case the required front yard setback shall be observed.

C. Site Coverage

Maximum building coverage of fifty (50) percent is allowed. Parking structures shall not be calculated as building area, however, said structures shall be used only for the parking of company vehicles, employee's vehicles, or vehicles belonging to persons visiting the subject firm.

D. Signs

1. Sign Area

Only one (1) single faced or double-faced signs shall be permitted per street frontage. No sign or combination of signs shall exceed one (1) square foot in area for each six-hundred (600) square feet of total site area. However, no sign shall exceed two hundred (200) square feet in area per face. An additional twenty (20) square feet shall be allowed for each additional business conducted on the site.

2. Sale or Lease Sign

A sign, advertising the sale, lease, or hire of the site shall be permitted in addition to the other signs listed in this section. Said sign shall not exceed a maximum area of thirty-two (32) square feet.

3. Ground Sign

All ground signs shall not exceed four (4) feet above grade in vertical height. Also, ground signs in excess of one-hundred fifty (150) square feet in area (single face) shall not be erected in the first twenty (20) feet, as measured from the property line, of any street side setback area. However, the above standards shall not apply to the Community Directional Sign and Special Purpose Sign.

4. Special Purpose Sign

Signs used to give directions to traffic or pedestrians or give instructions as to special conditions shall not exceed a total of six (6) square feet (single face) in area and shall be permitted in addition to the other signs listed in this section.

5. Wall Signs

Wall signs shall not comprise more than ten (10) percent of the area of the elevation upon which the sign is located. Said signs shall be fixture signs; signs painted directly on the surface of the wall shall not be permitted.

In the instance of a multiple tenancy building, each individual industry may have a wall sign over the entrance to identify the industry. Said sign shall give only the name of the company and shall be limited to four (4) inch high letters. Said sign must be oriented toward the parking area for that building.

6. Construction Sign

One (1) construction sign denoting the architects, engineers, contractor, and other related subjects, shall be permitted upon the commencement of construction. Said sign shall conform with the requirements of Item 3 above, Ground Sign, and will be permitted until such time as a final inspection of the building(s) designates said structure(s) fit for occupancy, or the tenant is occupying said building(s), whichever occurs first.

7. Future Tenant Identification Sign

A sign listing the name of the future tenant, responsible agent or realtor, and identification of the industrial complex shall be permitted. Said sign shall conform with the requirements of Item 3 above, Ground Sign, and will be permitted until such time as a final inspection of the building(s) designates said structure(s) fit for occupancy or tenant is occupying said building(s), whichever occurs first.

8. Community Directional and/or Identification Sign

Permanent directional and identification signs, not exceeding two-hundred fifty (250) square feet (single face), shall be permitted but subject to use permit.

E. Sign Standards

1. Signs visible from the exterior of any building may be lighted, but no signs or any other contrivance shall be devised or constructed so as to rotate, gyrate, blink or move in any animated fashion.

2. Signs shall be restricted to advertising only the person, firm, company or corporation operating the use conducted on the site or the products or sold thereon.

3. A wall sign with the individual letters applied directly shall be measured by a rectangle around the outside of the lettering and/or the pictorial symbol and calculating the area enclosed by such line.

4. All signs attached to the building shall be flush mounted.

F. Parking

Adequate off-street parking shall be provided to accommodate all parking needs for the site. The intent is to eliminate the need for any on-street parking.

Required off-street parking shall be provided on the site of the use served, or on a contiguous site or within three hundred (300) feet of the subject site. Where parking is provided on other than the site concerned, a recorded document shall be approved by the City Attorney and filed with the Building and Planning Divisions and signed by the owners of the alternate site stipulating to the permanent reservation of use of the site for said parking.

The following guide shall be used to determine parking requirements:

Office

One (1) space for each 225 square feet of net floor area. The parking requirement may be lowered to one (1) space for each 250 square feet of net floor area upon review and approval of the modification committee.

Manufacture, Research and Assembly

Two (2) parking spaces for each three (3) employees, but in no event less than three (3) spaces for each one thousand (1000) square feet of gross floor area.

Warehouse

Two (2) parking spaces for each three (3) employees, but in no event less than one (1) space for each one thousand (1000) square feet of gross floor area for the first twenty thousand (20,000) square feet; one (1) space for each two thousand (2,000) square feet of gross floor area for the second twenty thousand (20,000) square feet; one (1) space for each four thousand (4,000) square feet of gross floor area for areas in excess of the initial forty thousand (40,000) square feet of floor area of the building.

If there is more than one shift, the number of employees on the largest shift shall be used in determining parking requirements.

G. Landscaping

Detailed landscaping and irrigation plans, prepared by a landscaping architect, licensed contractor of architect shall be submitted to and approved by the Community Development Director prior to issuing of building permit and installed prior to issue of Certificate of Use and Occupancy.

All landscaping referred to in this section shall be maintained in a neat and orderly fashion.

1. Front Yard Setback Area

a. General Statement

Landscaping in these areas shall consist of an effective combination of street trees, trees, ground cover and shrubbery. All unpaved areas not utilized for parking shall be landscaped in a similar manner.

b. Special Landscaped Street

The entire area between the curb and the building setback line shall be landscaped, except for any access driveway in said area.

c. Other Streets

The entire area between the curb and a point ten (10) feet in back of the front property line shall be landscaped, except for any access driveway in said area.

2. Side and Rear Yard Setback Area

a. General Statement

All unpaved areas not utilized for parking and storage, shall be landscaped utilizing ground cover and/or shrub and tree materials.

b. Undeveloped Areas

Undeveloped areas proposed for future expansion shall be maintained in a weed free condition but need not be landscaped.

c. Screening

Areas used for parking shall be landscaped and/or fenced in such a manner as to interrupt or screen said areas from view from access streets, freeways, and adjacent properties. Plant materials used for this purpose shall consist of lineal or grouped masses of shrubs and/or trees.

3. Parking Areas

Trees, equal in number to one (1) per each five (5) parking stalls shall be provided in the parking area.

4. Sloped Banks

All sloped banks greater than 5-1 or 6 feet in vertical height and adjacent to public right-of-way shall be stabilized, planted and irrigated in accordance with plans submitted and approved by Community Development Director.

H. Loading Areas

1. On other than special landscaped streets street side loading shall be allowed provided the loading dock is set back a minimum of seventy (70) feet from the street right-of-way line or one hundred ten (110) from the street centerline, whichever is greater. Said loading area must be screened from view from adjacent streets.

I. Storage Areas

1. All outdoor storage shall be visually screened from access streets, freeways, and adjacent property. Said screening shall form a complete opaque screen up to a point eight (8) feet in vertical height but need not be opaque above that point.

2. Outdoor storage shall be meant to include all company owned and operated motor vehicles, with the exception of passenger vehicles.

3. No storage shall be permitted between a frontage street and the building line.

J. Refuse Collection Areas

1. All outdoor refuse collection areas shall be visually screened from access streets, freeways, and adjacent property by a complete opaque screen.

2. No refuse collection areas shall be permitted between a frontage street and the building line.

K. Telephone and Electrical Service

All "on-site" electrical lines (excluding lines in excess of 12 KV) and telephone lines shall be placed underground. Transformers or terminal equipment shall be visually screened from view from streets and adjacent properties.

L. Sidewalks

The requirement for sidewalks in the Planned Community District may be waived by the Community Development Director if it is demonstrated that such facilities are not needed. However, the City retains the right to require installations of sidewalks if, in the future, a need is established by the City.

M. Nuisances

No portion of the property shall be used is such a manner as to create a nuisance to adjacent sites, such as but not limited to vibration, sound, electro-mechanical disturbance and radiation, electro-magnetic disturbance, radiation, air or water pollution, dust, emission of odorous, toxic or noxious matter.

PART II. COMMERCIAL

Section I. Minimum Site Area

A. Thirty Thousand (30,000) square feet

B. Exception: [11]

The Planning Commission may authorize an exception to the minimum site area. Application for any such exception shall be made at the time of the filing of a tentative map by the applicant. In order for an exception to be granted, the Planning Commission shall find the following facts with respect thereto:

1. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the vicinity.

2. That the development considerations and intent of this Planned Community Development Standards are substantially met.

Section II. Permitted Uses

Group I. Professional and Business Offices.

To allow the location of commercial activities engaged in the sale of products or services relating to and supporting the Development Plan, provided that such activities are confined within a building or buildings.

A. Professional Offices

1. Accountants
2. Attorneys
3. Doctors, dentists, optometrists, oculists, chiropractors and others licensed by the State of California to practice the healing arts.
4. Engineers, architects, surveyors and planners.
5. Any other general professional offices. [30]

B. Business Offices

1. Advertising agencies
2. Banks
3. Economic consultants
4. Employment agencies
5. Escrow offices
6. Insurance agencies
7. Laboratories:
   a. Dental

b. Medical
c. X-Ray
d. Biochemical
e. Film, wholesale only
f. Optometrical

8. Stock Brokers
9. Studios for interior decorators, photographers, artists and draftsmen.
10. Telephone answering services
11. Tourist information and travel agencies and ticket reservation services but not to include any airline terminal services or facilities for the transport of passengers, baggage or freight. [2]
12. Business and trade schools subject to the approval of a Minor Use Permit [29]
13. Any other general business offices. [31]

* & ** 14. Remedial driving instruction and counseling facility, subject to a use permit in each case. [28.2, 35]

*This use shall be limited to Professional and Business Offices Site 9 only. [28.2, 35]

**That all uses, including remedial driving instruction/counseling facilities, located within Professional and Business Offices Site 9 shall be limited to providing services to adult clientele only, any use dedicated to serving school aged and minor children shall be prohibited.[28.2,35]

C. Support Commercial [21]

1. Retail sales and services, so long as said retail sales are of a convenience nature ancillary to the operation and use of office facilities including tobacco stores, card shops, confectionery and newspaper stands, and other uses which, in the opinion of the Planning Commission are of a similar nature. Retail uses shall be located in the basement or on the first floor of a building. Storage for such uses shall be within a building.

2. Service uses which are for building tenants and patrons, such as a car wash and gymnasium/health club facilities. Car washes shall drain into the sanitary sewer system.

3. Restaurants - outdoor restaurants and take-out restaurants - subject to securing a use permit in each case.

Group II. Commercial Uses

A. Automobile Center, subject to a use permit. [28]

1. Automobile dealership selling only new cars. The sale of used cars, automobile repair, and automobile detailing may be permitted in conjunction with the sales of new vehicles but only accessory uses.

2. Service stations subject to the issuance of the use permit and a finding that the use is supportive of the principal uses permitted in the Newport Place Planned Community text.

3. Vehicle storage facility shall be permitted in Hotel Site 2-B subject to the issuance of a use permit.[36]

B. Hotels and Motels, subject to a use permit.

C. State, County and Municipal Facilities [2]

D. Service Stations & Mechanical Car Wash within Service Station Site #1, subject to a use permit. [4]

E. Retail Commercial uses such as:

1. Restaurants, including outdoor, drive-in or take-out restaurants shall be permitted subject to the securing of a use permit. except as noted under "a" and "b" below: [7]

   a. Restaurants, other than outdoor, drive-in or take-out restaurants, shall be permitted in Retail-Commercial Site 1 without a use permit provided that the net floor area of all restaurant uses does not exceed 20% of the net floor area of the retail-commercial center.

   b. Outdoor, drive-in or take-out restaurants shall be designed and located so as to be an integral element of the retail-commercial center and shall not be permitted as a free-standing independent use in any case.

2. Barber shop and beauty parlor
3. Book and stationery store
4. Blueprinting and photostatics
5. Camera shop
6. Delicatessen store
7. Florist
8. Shoe store or repair shop
9. Tailor
10. Tobacco store
11. Office equipment retail and repair
12. Pharmacies
13. Tourist information and travel agencies and ticket reservation services, but not to include any airline terminal services or facilities for the transport of passengers, baggage or freight
14. Instructional dance facility for adults and related retail sales, subject to a use permit (28.1)
15. Other uses similar to the above list

F. General Commercial [8, 9, 23, 26, 28.3, 37]

1. New car dealership, subject to a use permit, including ancillary uses listed under Part II, Section II, Group II, A.
2. Service stations subject to a use permit.
3. Restaurants, including outdoor, drive-in or take-out restaurants, shall be subject to a use permit. Restaurant uses are permitted within General Commercial Sites 1, 2, 3, 5 and 6 not permitted within General Commercial Site 4.
    a. Restaurants, consisting 1,000 square feet of take-out service - limited use, and 4,000 square feet of food service use shall be permitted in General Commercial Site 8 in accordance to the Municipal Code, for General Commercial District Site 8. [37].

4. Hobby, Arts and Crafts, including:
    a. Sporting goods store
    b. Camera store
    c. Art gallery
    d. Craft store
    e. Pet store
    f. Bicycle store
    g. Other uses of similar nature
5. Book and Office Support Stores, including:
    a. Book store
    b. Office supplies
    c. Other uses of similar nature
6. Retail stores and professional service establishments, including:
    a. Pharmacies
    b. Specialty food
    c. Fabric shops
    d. Jewelry shops
    e. Furrier
    f. Formal Wear
    g. Barber and hair styling
    h. Clothing store
    i. Liquor store
    j. Tourist information and travel agencies and ticket reservation services, but not to include any airline terminal services or facilities for the transport of passengers, baggage or freight.
    k. Other uses of similar nature

7. Home and Office Furnishings, including:
    a. Home furniture store
    b. Office furniture store
    c. Interior decorators
    d. Home appliances
    e. Antique store

f. Other uses of similar nature

8. Athletic Clubs, including:
   a. Spa
   b. Health club
   c. Recreation facility
   d. Other uses of similar nature
9. Home improvement stores, including:
   a. Hardware store
   b. Paint store
   c. Wallcovering store
   d. Other uses of similar nature
10. Retail nursery subject to a use permit
11. Institutional, instructional and educational uses, subject to a use permit in each case. (28.3)

*12. Professional and Business Offices - see Part II, Section II, Group I for permitted uses.

*Office uses are permitted within General Commercial Sites 3, 4, 5, 6, and 8 and not permitted within General Commercial Sites 1 and 2. [9, 26, 28.3, 31, 37]

Section III. General Development Standards for Commerce

Maximum building areas and building heights shall be noted in the Statistical Analysis, Part II.A and Part II.B.

A. Setbacks

All setbacks shall be measured from the property line. For the purpose of this ordinance, a street side property line is that line created by the ultimate right-of-way line of the frontage street.

1. Front Yard Setback

Thirty (30) feet minimum; except that unsupported roofs or sunscreens may project six (6) feet into the setback area.

Hotel/Motel uses: Seventeen (17) feet and six (6) inches minimum, provided that the average setback for all buildings along the linear street frontage is thirty (30) feet. [31]

2. Side Yard

Side yard setbacks will be required only when any one of the following conditions exist:

a. Corner lot: Thirty (30) feet (street side setback only), except that unsupported roofs and sunscreens may project three (3) feet into setback area.

Hotel/Motel uses: Fourteen (14) feet and six (6) inches minimum, provided that the average setback for all buildings along the linear street frontage is twenty-seven (27) feet. [31]

b. Where property abuts other than commercially zoned property, a ten (10) foot setback is required. Unsupported roofs and sunscreens may project three (3) feet into the setback area.

Hotel/Motel uses: Ten (10) feet minimum setback for all buildings along the property line. [31]

3. Rear Yard

None required except on a through-lot in which case the required front yard setback shall be observed.

B. Signs

1. Sign Area: General Standard

Building identification shall be limited to a single (1) entity. Building identification signs shall have an area not to exceed 1 1/2 square feet of surface for each one (1) foot of lineal frontage of building. However, no sign shall exceed two hundred (200) square feet per face. Building identification signs shall be limited to two (2) facades.

2. Pole Sign:

One (1) identification pole sign site will be allowed for the following commercial businesses:

a. Restaurant

b. Cocktail lounge and/or bar

c. Motel and hotel

If a pole sign is utilized, it shall be in lieu of other identifications signs allowed by ordinance. Pole signs shall be limited to maximum height of twenty (20) feet and a maximum area of fifty (50) square feet per face, double faced.

3. Wall Sign:

In no event shall an identification sign placed on a wall comprise more than ten (10) percent of the area of the elevation upon which the sign is located. Said signs shall be fixture signs. Signs painted directly on the surface of the wall shall not be permitted.

4. Ground Sign:

An identification ground sign shall not exceed four (4) feet above grade in vertical height. Also, ground signs in excess on one-hundred and fifty (150) square feet in area (single face) shall not be erected in the first twenty (20) feet, as measured from the property line, of any street side setback. However, the above standards shall not apply to the Community Directional Sign and Special Purpose Sign.

5. Multi-Tenant Directory Sign:

One (1) directory sign listing only the name of the firms or businesses on a site shall be allowed. Said sign shall be limited to a maximum height of twenty (20) feet. Panels identifying each individual story shall be no longer than one (1) foot in width and five (5) feet in length.

6. Special Purpose Sign:

Subject to the standards established in Part I, Section III, Item D.4.

7. Construction Sign:

Subject to the standards established in Part I, Section III, Item D.6.

8. Future Tenant Identification:

Subject to the standards established in Part I, Section III, Item D.7.

9. Community Direction and/or Identification Sign:

Subject to the standards established in Part I, Section III, Item C.8.

C. Sign Standards

Except as noted above, the same sign standards as outlined in Sub-Section D, Section III, Part I of this ordinance, shall prevail for developments in this area.

D. Parking

1. Medical and Dental

Five (5) spaces for each doctor or one (1) space for each 200 square feet of gross floor area whichever is greater.

2. Professional Offices

One (1) space for each 225 square feet of net floor area. The parking requirement may be lowered to one (1) space for each 250 square feet of net floor area upon review and approval of the modification committee.

Exceptions: [35]
The following parking requirements are applicable to Professional and Business Office Site No. 9.

- One (1) space for each 281 square feet of net floor area.

- Changes to the on-site parking plans shall be reviewed by the Planning Director.

3. Lodge, Halls, Private Clubs, Union Headquarters

One (1) space for each 75 square feet of gross floor area plus one (1) space for each 250 square feet of gross office floor area.

4. Restaurants, Outdoor, Drive-In and Take-Out Restaurants. [7]

Restaurant parking shall be in accordance with Section ~~20.38.030(d)~~ 20.40.040 of the Newport Beach Municipal Code, except as noted under "b" and "c" below. [37]

b. Restaurants other than outdoor, drive-in or take-out restaurants within Retail-Commercial Sites 1 and 2 shall provide one (1) space for each 200 square feet of net floor area and one (1) loading space for each 10,000 square feet of gross floor area, to the extent that the net floor area of all restaurants does not exceed 20% of the net floor area of the retail-commercial center. In the event that any restaurant causes the total of all restaurant uses in the retail-commercial center to exceed 20% limitation noted above, that entire restaurant and any subsequent restaurants shall provide parking as noted under "a" above.

c. Parking for restaurants (take-out service - limited use, food service with/without alcohol, with/without late hour) within General

Commercial Site 8 shall be in accordance with the Newport Beach Municipal Code [37].

5. Retail Commercial

One (1) space for each 200 square feet of net floor area. One (1) loading space for each 10,000 square feet of gross floor area.

6. Hotels and Motels [6]

Parking for Hotel and Motel guestrooms; all related restaurants, cocktail lounges, banquet and meeting rooms, retail shops; and all employees shall be based on a demonstrated formula to be reviewed and approved by the Planning Commission.

The parking formula shall contain the minimum parking which would be required for each of the separate uses evaluated independently. Any reductions from this minimum parking requirement must be based on the joint usage of the facilities by hotel and motel patrons. [10]

7. General Commercial [8, 9]

a. One (1) space for each 250 sq.ft. of net floor area. One (1) loading space for each 10,000 sq.ft. of gross floor area.

b. If the development of General Commercial Site 3 or 4 is limited solely to Professional and Business Office use, the parking shall be: One (1) space for each 225 sq.ft. of net floor area.

The parking requirements may be lowered to one (1) space for each 250 sq.ft. of net floor area upon review and approval of the modifications committee.

c. Specific parking requirements shall be developed for uses such as furniture stores, athletic clubs, theaters, bowling alleys, home improvement stores, retail nurseries or tire stores based upon functions and occupancies within these uses. Parking shall be in conformance to existing City of Newport Beach requirements for said occupancies, or at a demonstrated formula agreeable to the Community Development Director. In the event that any use described above is converted to another use parking requirements for the new use shall be subject to review by the Community Development Director.

d. For restaurant parking see Part II, Section III, D.4.

E. Landscaping

Detailed landscaping and irrigation plans, prepared by a landscaping architect, licensed landscaping contractor or architect shall be submitted to and approved by the Community Development Director prior to issuing of Building Permits and installed prior to issue of Certificate of Use and Occupancy.

All landscaping referred to in this section shall be maintained in a neat and orderly fashion.

1. Front Yard Setback Area

a. General Statement

Landscaping in these areas shall consist of an effective combination of street trees, trees, ground cover and shrubbery.

c. Special Landscaped Street

The entire area between the curb and the building setback line shall be landscaped, except for any driveway in said area.

c. Other Streets

The entire area between the curb and a point ten (10) feet in back of the front property line shall be landscaped except for any driveway in said area.

2. Side Yard and Rear Yard

a. General Statement

All unpaved areas not utilized for parking and storage, shall be landscaped utilizing ground cover and/or shrub and tree materials.

b. Undeveloped Areas
Undeveloped areas proposed for future expansion shall be maintained in a weed free condition, but need not be landscaped.

c. Screening
Areas used for parking shall be screened from view or have the view interrupted by landscaping and/or fencing from access streets, freeways, and adjacent properties. Plant materials used for screening purposes shall consist of lineal or grouped masses of shrubs and/or trees.

d. Boundary Areas
Boundary landscaping is required on all interior property lines. Said areas shall be placed along the entire length of these property lines or be of sufficient length to accommodate the number of required trees. Trees, equal in number to one (1) tree per twenty-five (25) lineal feet of each property line, shall be planted in the above defined areas in addition to required ground cover and shrub material.

e. All landscaped areas shall be separated from adjacent vehicular areas by a wall or curb, at least (6) inches higher that the adjacent vehicular area.

3. Parking Areas
Trees, equal in number to one (1) per each five (5) parking stalls shall be provided in the surface parking area (31).

F. Loading Areas

1. Street side loading on other than special landscaped streets, shall be allowed providing the loading dock is set back a minimum of seventy (70) feet from the street right-of-way line, or one hundred ten (110) feet from the street center line, whichever is greater. Said loading area must be screened from view from adjacent streets.

G. Storage Areas

1. All outdoor storage shall be visually screened from access streets, freeways and adjacent property. Said screening shall form a complete opaque screen up to a point eight (8) feet in vertical height but need not be opaque above that point.

2. Outdoor storage shall be meant to include all company owned and operated motor vehicles, with the exception of passenger vehicles.

3. No storage shall be permitted between a frontage street and the building line.

H. Refuse Collection Areas

1. All outdoor refuse collection areas shall be visually screened from access streets, freeways and adjacent property. Said screening shall form a complete opaque screen.

2. No refuse collection area shall be permitted between a frontage street and the building line.

I. Telephone and Electrical Service

All "on-site" electrical lines (excluding lines in excess of 12KV) and telephone lines shall be placed underground. Transformer or terminal equipment shall be visually screened from view from streets and adjacent properties.

J. Pedestrian Access

It is required of all developments in the commercial areas to submit a plan of pedestrian access to the Planning Division prior to the issuance of building permits. Said plans will detail consideration for pedestrian access to the subject property and to adjacent properties, and shall be binding on subsequent development of the property. The plan shall show all interior walkways and all walkways in the public right-of-way, if such walkways are proposed or necessary.

PART III. RESIDENTIAL OVERLAY

Section I. Minimum Site Area

None. Pursuant to General Plan Program HP3.2.2, residential development meeting requirements in the following Section IV. A. shall be exempt from the minimum 10-acre site requirement specified in General Plan Policy LU6.15.6.

Section II. Density

1. Minimum – 30 du/acre
2. Maximum – 50 du/acre

Chapter 20.32 of the Zoning Code provides for density bonus which allows affordable housing projects to achieve increased densities up to a maximum 35 percent of the base density. The provision also includes the opportunity for incentives.

Section III. Definitions

Very Low–Income Household: 50 percent or less of the area median income, as adjusted for family size by the United States Department of Housing and Urban Development.

Low-Income Household: 50–80 percent of the area median income, as adjusted for family size by the United States Department of Housing and Urban Development.

Moderate-Income Household: 80–120 percent of the area median income, as adjusted for family size by the United States Department of Housing and Urban Development.

Above Moderate–Income Household: 120+ percent of the area median income, as adjusted for family size by the United States Department of Housing and Urban Development.

Lower-Income Household: Includes all that qualify under low and very- low income definitions.

Section IV. Permitted Residential Uses

A. To allow residential development that supports the City's need for lower-income households. Residential development shall be permitted by right subject to the following requirements:

1. Limited to multi-unit residential development and subject to Site Development Review pursuant to Section 20.52.080 of the Newport Beach Zoning Code.

2. Notwithstanding, the review authority for site development review listed in Table 5-2 of the Newport Beach Zoning Code, the review authority for site development review shall be the Planning Commission.

3. A minimum of 15 percent of the units within the residential development shall be affordable to lower-income households and subject to a 30-year affordability covenant. [40]

4. Densities shall be limited to a minimum of 30 dwelling units per acre and a maximum of 50 dwelling units per acre.

5. Sites shall be located such that any noise, dust, smoke, vibration, odor, toxic or noxious matter that may be generated by existing commercial or industrial uses in the surrounding environment would not negatively impact future residents of the development.

6. Residential dwellings shall be permitted as replacement of existing nonresidential uses. The number of peak hour trips generated by the development of the site shall not exceed the number of trips that would have resulted from the existing development of the underlying permitted nonresidential uses. A standardized set of conversion rates provided by the City Traffic Engineer shall be utilized.

7. Residential development shall be subject to the maximum development allocation for the Airport Area established by General Plan Land Use Policy 6.15.5.

Section V. General Development Standards for Residential

Residential development shall be subject to the development standards applicable to the Multi-Unit (RM) residential zoning district as specified in the Newport Beach Zoning Code, except as specified below:

A. Building Height

Maximum building heights shall be limited to a height limit of 55 feet. The height of a structure can be increased with the approval of a site development review and subject to required findings specified in Section 20.30.060.C.3 of the Newport Beach Zoning Code but shall not penetrate Federal Aviation Regulation (FAR) Part 77, Obstruction—Imaginary Surfaces, for John Wayne Airport unless approved by the Airport Land Use Commission (ALUC), shall be in compliance with FAR Part 77, and comply with the requirements of Section 20.30.060.E of the Newport Beach Zoning Code (Airport Environs Land Use Plan for John Wayne Airport and the Airport Land Use Commission Review Requirements).

B. Floor Area Limit

None.

C. Setbacks

All setbacks shall be measured from the property line. For the purpose of this ordinance, a street side property line is that line created by the ultimate right-of-way line of the frontage street.

1. Street Setback

Thirty (30) feet minimum, except that unsupported roofs or sunscreens may project six (6) feet into the setback area.

2. Interior Setback

Ten (10) feet, except on a through-lot in which case the required street setback shall be observed.

3. Footprint Lots

Except as required by the Building Code there shall be no additional setback requirements for buildings within footprint lots. Provided, however, that buildings within footprint lots shall be so located as to observe the setbacks from streets and existing lot lines required under Part III Section V.C. 1 & 2.

D. Airport Noise Compatibility

1. Residential development shall be located up to the John Wayne Airport 65 dBA CNEL noise contour as shown in Figure N5 of the Noise Element of the General Plan, subject to compliance with Section 20.30.080.F (Residential Use Proximate to John Wayne Airport) of the Newport Beach Municipal Code. Residential development shall be limited to parcels wholly or partially outside the 65 dBA CNEL noise contour, unless and until the City determines, based on substantial evidence, that the sites wholly within such contour area are needed for the City to satisfy its 6th Cycle RHNA mandate. Non-residential uses are encouraged on parcels located wholly within the 65 dBA CNEL contour area. [41]

2. Notice of aircraft overflight and noise shall be posted at all public parks and designated outdoor common and recreational areas.

3. Notice shall be provided to all future residents to inform of potential annoyances or inconveniences associated with residing in proximity to airport operations such as noise, vibration, and odors.

E. Signs

All signage shall be as specified in Chapter 20.42 of the Newport Beach Zoning Code.

F. Amenities and Neighborhood Integration

Due to the potential land use incompatibility with other uses within the established commercial or industrial area, residential development shall incorporate sufficient amenities (e.g., parks, clubhouse, pool, etc.) for the use of the residents and incorporate necessary improvements (e.g., pedestrian walkways, open space, recreational space, pedestrian and bicycle connections) to allow integration into the existing community and larger residential development that may occur in the future. The number and type of amenities required and necessary improvements shall be determined through the Site Development Review process based on the size, density, location, and any other factors deemed relevant.

Affordable units shall be designed and distributed within the residential development as follows:

1. Number of Bedrooms. Affordable units shall reflect the range of numbers of bedrooms provided in the residential development project as a whole;

2. Comparable Quality and Facilities. Affordable units shall be comparable in the facilities provided (e.g., laundry, recreation, etc.) and in the quality of construction and exterior design to the market-rate units;

3. Size. Affordable units may be smaller and have different interior finishes and features than the market-rate units; and

4. Location. Affordable units shall be dispersed throughout the residential development, unless clustering is allowed by the review authority.

G. Parking

Parking shall comply with the requirements and standards specified in Chapter 20.40 of the Newport Beach Municipal Code for multi-unit residential development.

H. Landscape

All landscaping shall comply with the requirements specified in Chapter 20.36 of the Newport Beach Municipal Code for multi-unit residential development, with the following exceptions:

1. Special Landscaped Street

The entire area between the curb and the building setback line shall be landscaped, except for any driveway in said area. Tree size to be no less than 24-inch box.

2. Other Streets

The entire area between the curb and a point ten (10) feet back from the front property line shall be landscaped except for any driveway in said area. Tree size to be no less than 24- inch box.

FOOTNOTES

[1] Planned Community Text Amendment No. 1, dated December 13, 1971, incorporating a revised land use plan.

[2] Planned Community Text Amendment No. 2, dated June 12, 1972, incorporating the following changes:

a. Relocation of Fire Station site.

b. Limitation of tourist information, travel agencies and ticket reservations within Retail Commercial sites.

c. Addition of specific restaurant density within Retail Commercial sites.

[3] Planned Community Text Amendment No. 3, dated October 24, 1972, permitting Auto Centers as an additional use within Industrial Site 2B.

[4] Planned Community Text Amendment No. 4, dated January 8, 1973, incorporating the following changes:

a. Provision for a Mechanical Car Wash within Service Station Site No. 1.

b. Eliminate provision for a Fire Station within Industrial Site 3A.

[5] Planned Community Text Amendment No. 5, dated July 23, 1973, incorporating the following changes:

a. Rearrangement of Office Site 3 and Restaurant Site 2 and reapportionment of land allotted to each.

b. Reduce allowable building area in Office Sites 1 and 2 and increase allowable building area in Office Site 3A.

c. Increase allowable building height in Office Site 3A to 8 stories.

[6] Planned Community Text Amendment No. 6, dated June 10, 1974, establishing parking requirements for Hotels and Motels based on a demonstrated formula.

[7] Planned Community Text Amendment No. 7, dated September 8, 1975, revising off-street parking requirements for restaurants to conform with existing City Standards.

[8] Planned Community Text Amendment No. 8, dated February 9, 1976, permitting General Commercial uses on Auto Center Site 1a and 2b.

FOOTNOTES (Cont.)

[9] Planned Community Text Amendment No. 9, dated April 11, 1977, incorporating the following changes:

a. Expand the permitted uses for General Commercial.

b. Re-designate General Commercial Site 1-A and 2-B to General Commercial Sites 1, 2 and 3.

c. Expand General Commercial Site 3 to include one half of Industrial Site 1A.

d. Convert Industrial Site 2A to General Commercial Site 4.

e. Restrict the allowable building area and the permitted uses for General Commercial Sites 1, 2, 3 and 4.

[10] Planned Community Text Amendment No. 10, dated May 23, 1977, incorporating the following change:

a. Delete the provision added by Resolution No. 8261 adopted by the City Council on June 10, 1974 from Section III, D, 6.

[11] Planned Community Text Amendment No. 11, dated April 10, 1978, incorporating the following change:

a. Establish guidelines for an exception to the minimum site area.

[12] Planned Community Text Amendment No. 12, dated July 11, 1978, incorporating the following change:

a. Revised the allowable building height for Parcel No. 1 of Resubdivision No. 585.

[13] Planned Community Text Amendment No. 13, dated November 27, 1978, incorporating the following change:

a. Requirement that a Phasing Plan be approved by the Planning Commission for seventy (70) percent of the undeveloped allowable building area existing as of October 1, 1978.

[14] Planned Community Text Amendment No. 14, dated June 11, 1979, incorporating the following changes:

a. Reduce the allowable building area of Industrial Site 3A.
b. Reduce the allowable building area of Commercial/Professional and Business Office Site 1 and 2.

FOOTNOTES (Cont.)

[15] Planned Community Text Amendment No. 15, dated March 23, 1981, incorporating the following changes:

a. Specification of a maximum building height of seven (7) stories on Parcel No. 2 of Resubdivision No. 585.

[16] Planned Community Text Amendment No. 16, dated March 8, 1984 incorporating the following change:

a. Increase of 16,154 square feet of office space in Professional and Business Offices Site 5.

[17] Planned Community Text Amendment No. 17, dated April 23, 1984, incorporating the following change:

a. Increase of 1,091 square feet of office space in Professional and Business Offices Sites 1 and 2.

[18] Planned Community Text Amendment No. 18, dated June 25, 1984, incorporating the following changes:

a. Establish a specific limit on hotel rooms in Hotel Sites 1A and 1B.

[19] Planned Community Text Amendment No. 19, dated July 23, 1984, incorporating the following changes:

a. Transfer of 4,130 square feet of allowable building area from General Commercial Site 4 to Professional and Business Offices Site 5.

[20] Planned Community Text Amendment No. 20, dated January 12, 1987, incorporating the following changes:

a. Add Professional and Business Offices Site 8, with 54,000 square feet allowed.

c. Delete Restaurant Site 2A, with 8,400 square feet deleted.

[21] Planned Community Text Amendment No. 21, dated March 9, 1987, incorporating the following change:

a. Increase allowed development in Professional and Business Offices Site 5 to 241,570 square feet; allow additional support retail uses up to 294,600 square feet total; add support commercial as permitted land use. (21)

[22] Planned Community Text Amendment No. 22, dated February 4, 1988, incorporating the following change:

a. Allow structures located within a portion of Industrial Site 3A to be constructed in excess of the 35-foot height limit up to a maximum of 50 feet, subject to the approval of a use permit.

[23] Planned Community Text Amendment No. 23, dated July 6, 1989 incorporating the following change:

a. Allow restaurant uses on General Commercial Site 1, subject to the approval of a use permit in each case.

[24] Planned Community Text Amendment No. 24, dated June 6, 1991, incorporating the following change:

a. Increase the allowable office development in Professional Business Offices, Site No. 5 to 257,287 square feet, and reduce the allowable retail development to 37,315 square feet.

[25] Planned Community Text Amendment No. 25, approved by the City Council on March 9, 1992, incorporating the following change:

a. Increase the allowable office development in Professional Business Offices, Site No. 5 to 268,743 square feet, and reduce the allowable retail development to 25,857 square feet.

[26] Planned Community Text Amendment No. 26, approved by the City Council on June 8, 1992, incorporating the following changes:

a. Redesignate the Sheraton Hotel Site from Hotel Site 1A and 1B to Hotel Site 1 and General Commercial Site 5.

b. Reduce the hotel room entitlement on Hotel Site 1 by 119 rooms and establish a development entitlement of 31,362 square feet for General Commercial Site 5.

c. Establish a height limit of 50 feet within General Commercial Site 5.

d. The Requirement for a reciprocal easement to provide ingress, egress, and parking for mutual benefit between Hotel Site 1 and General Commercial Site 5.

[27] Planned Community Text Amendment No. 27, approved by the City Council on September 13, 1993, incorporating the following changes:

a. Increase the allowable commercial development in General Commercial Site 3 from 48,300 square feet to 49,380 square feet.

b. Delete the provision which counts one square foot of floor area devoted to restaurants as two square feet of permitted commercial floor area in General Commercial Sites 2, 3, and 5.

c. Delete the provision which restricts the maximum amount of gross floor area devoted to restaurants to 8,000 square feet each in General Commercial Sites 3 and 5.

[28] Planned Community Text Amendment No. 28, approved by the City Council on January 22, 1996, incorporating the following changes.

a. Restricting automobile repair and detailing as an accessory use only in conjunction with sales of new vehicles.

d. Eliminate other permitted uses.

[28.1] Planned Community Text Amendment No. 28.1, approved by the City Council on September 9, 1996.

a. To add 'Instructional Dance Facility for Adults and Related Retail Uses' to the list of 'Retail Commercial' uses for Newport Place.

[28.2] Planned Community Text Amendment No. 28.2, approved by the City Council on March 24, 1997, incorporating the following changes:

a. Change the list of permitted uses of "Industrial Site No. 4" to allow establishment of remedial driving instruction and counseling facility.

[28.3] Planned Community Text Amendment No. 28.3, approved by the City Council on August 11, 1997, incorporating the following changes:

a. Redesignate "Retail Commercial Site 1" (MacArthur Square) to "General Commercial Site No. 6."

b. Redesignate "Retail Commercial Site 2" to "Retail Commercial Site 1"

[29] Planned Community Text Amendment No. 29, approved by the City Council on July 27, 1998, incorporating the following change:

a. Permit Business and Trade Schools within Profession and Business Office Site 3A, subject to the approval of a Planning Director's Use Permit.

[30] Planned Community Text Amendment No. 30, approved by the City Council on January 11, 1999, incorporated the following changes:

a. Establish the permitted Gross Floor area for Professional and Business Offices Sites 1 and 2 at 860,884 square feet.

[31] Planned Community Text Amendment No. 31, approved by the City Council on February 8, 1999, incorporating the following changes:

a. Redesignating Auto Center Site 2A to Commercial/Professional & Business Offices Site 2A.

b. Redesignating Industrial Site 2B to Commercial/Hotel & Motel Site 2B.

c. Expand the permitted uses for Professional & Business Offices to include general professional and general business offices.

d. Establish a height limit of 95 feet within Professional & Business Office Site 2A.

e. Establish a height limit of 60 feet within Hotel & Motel Site 2B.

f. Establish a front yard setback for Hotel/Motel "uses a 17 ½ foot minimum, provided that the average setback for all buildings along the linear street frontage is 30 feet.

g. Establish a side yard, corner lot setback for Hotel/Motel uses of a 14 1/2 foot minimum, provided that the average setback for all buildings along the linear street frontage is 27 feet.

h. Establish a side yard setback for Hotel/Motel uses of a ten (10) foot minimum.

i. Provide that landscaping in parking areas be provided in <u>surface</u> parking areas.

[32] Planned Community Text Amendment No. 32, approved by the City Council on April 12, 1999, incorporated the following changes:

a. Establish the permitted gross floor area for Professional and Business Offices Site 4 at 228,214 square feet.

[33] Planned Community Text Amendment No. 33, introduced at the City Council meeting on March 26, 2002 and adopted on the 9th of April 2002:

a. Update The Industrial Statistical Analysis by allowing a 1,590 square foot building addition at the subject property identified as 1811 Quail Street.

[34] Planned Community Text Amendment No. 34,adopted on the 14th of June 2005:

a. Revising the *Land Use Plan, permitted uses,* and *development standards* of the Newport Place Planned Community as they relate to the Newport Lexus Dealership.

[35] Planned Community Text Amendment No. 35, adopted on September 14, 2010:

a. Re-designate Industrial Site 4 to Professional and Business Offices Site 9.

b. Change the parking requirement for office uses within Professional and Business Offices Site No. 9 to one space per 281 square feet, which allows all of the buildings to be occupied with office uses.

c. Add a provision that requires Planning Director review of the parking configuration in Professional and Business Offices Site No. 9.

d. Revising the Land Use Plan, permitted uses and development standards of the Newport Place Planned Community as they relate to the Newport Commerce 16.9 acre site bounded by Birch Street, Dove Street, Westerly Place and Quail Street.

[36] Planned Community Text Amendment No. 36, adopted on October 25, 2011:

a. Add vehicle storage facility as a permitted use on Hotel Site 2-B subject to the issuance of a use permit and a finding that the use is supportive of the principal uses permitted in the Newport Place Planned Community text.

[37] Planned Community Text Amendment No. 37, adopted on November 22, 2011:

a. Change the zoning designation of the subject property from "Restaurant Site 1" to "General Commercial Site 8."

b. A transfer of development rights to allow the transfer of 48 unbuilt hotel units, which equates to Storage Facility at 1301 Quail Street and 1,620 square feet from General Commercial Site 7 (Lexus Dealership at 3901 MacArthur Boulevard) for a total of 5,529 square feet to the subject site, pursuant to Chapter 20.46 (Transfer of Development Rights) of the Municipal Code.

[38] Planned Community Text Amendment No. 38, adopted July 24, 2012, to allow the following changes:

a. To establish a residential development overlay where multi-unit residential developments, which include a minimum of 30 percent of the units affordable to lower income households, are permitted subject to site development review.

b. Revised references to the *Planning Director*, *Planning Department*, and *Building Department*, to *Community Development Director*, *Planning Division*, and *Building Division*, to reflect changes in the City's organizational structure.

[39] Planned Community Text Amendment No. 39, adopted on November 30, 2021:

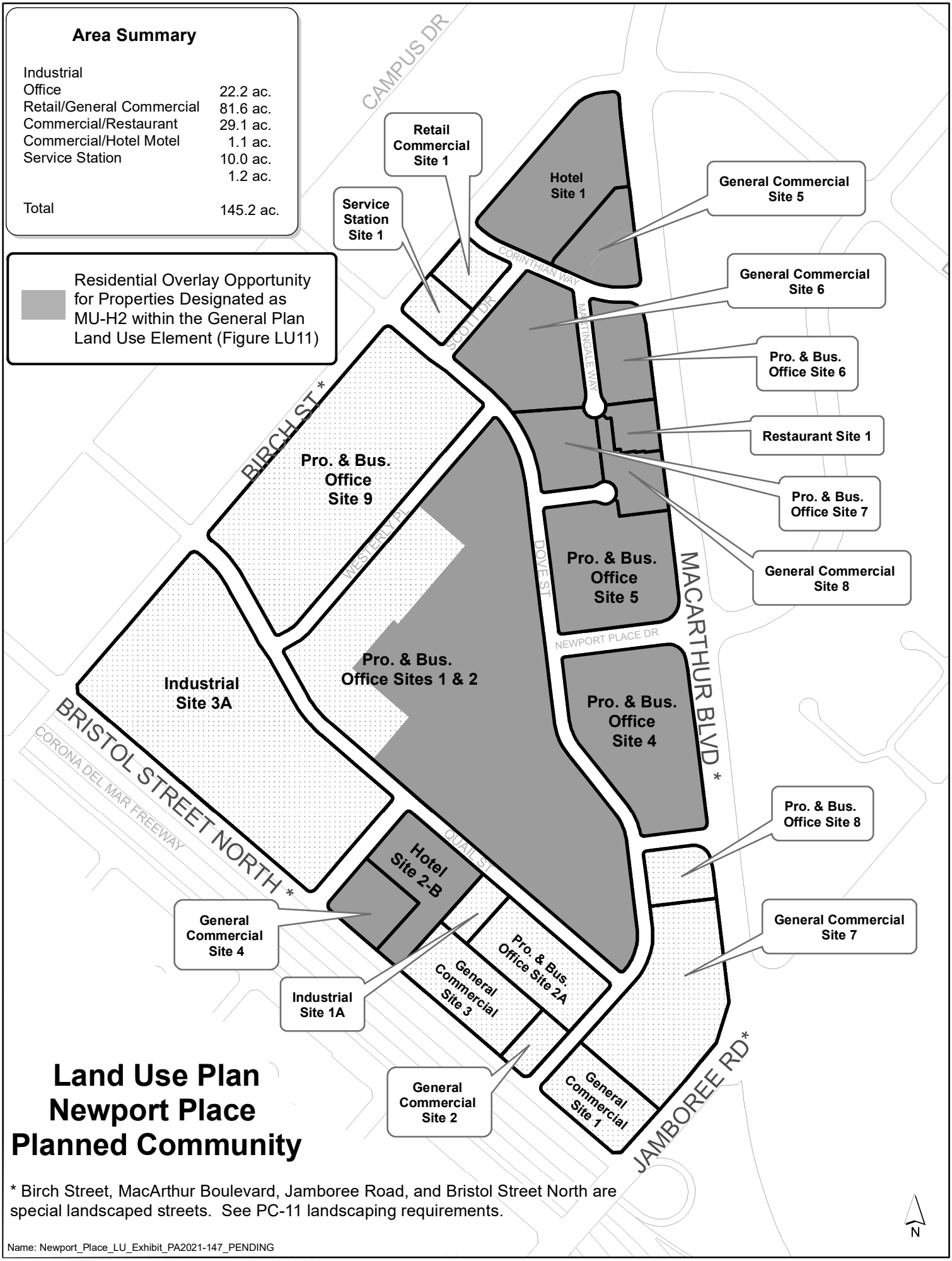
a. Change the zoning designation of 4241 Macarthur from "Restaurant Site 1" to "General Commercial Site 8."

[40] Planned Community Text Amendment No. 40, adopted on August 22, 2023:

a. To revise the minimum affordability housing percentage of the Residential Overlay from 30 percent to 15 percent.

[41] Planned Community Text Amendment No. 41, adopted on November 28, 2023:

a. To allow residential development up to the JWA 65 dBA CNEL noise contour as shown in Figure N5 of the General Plan Noise Element, related to noise in the Airport Area necessary to implement the 6th Cycle Housing Element.



Land Use Plan Newport Place Planned Community

* Birch Street, MacArthur Boulevard, Jamboree Road, and Bristol Street North are special landscaped streets. See PC-11 landscaping requirements.

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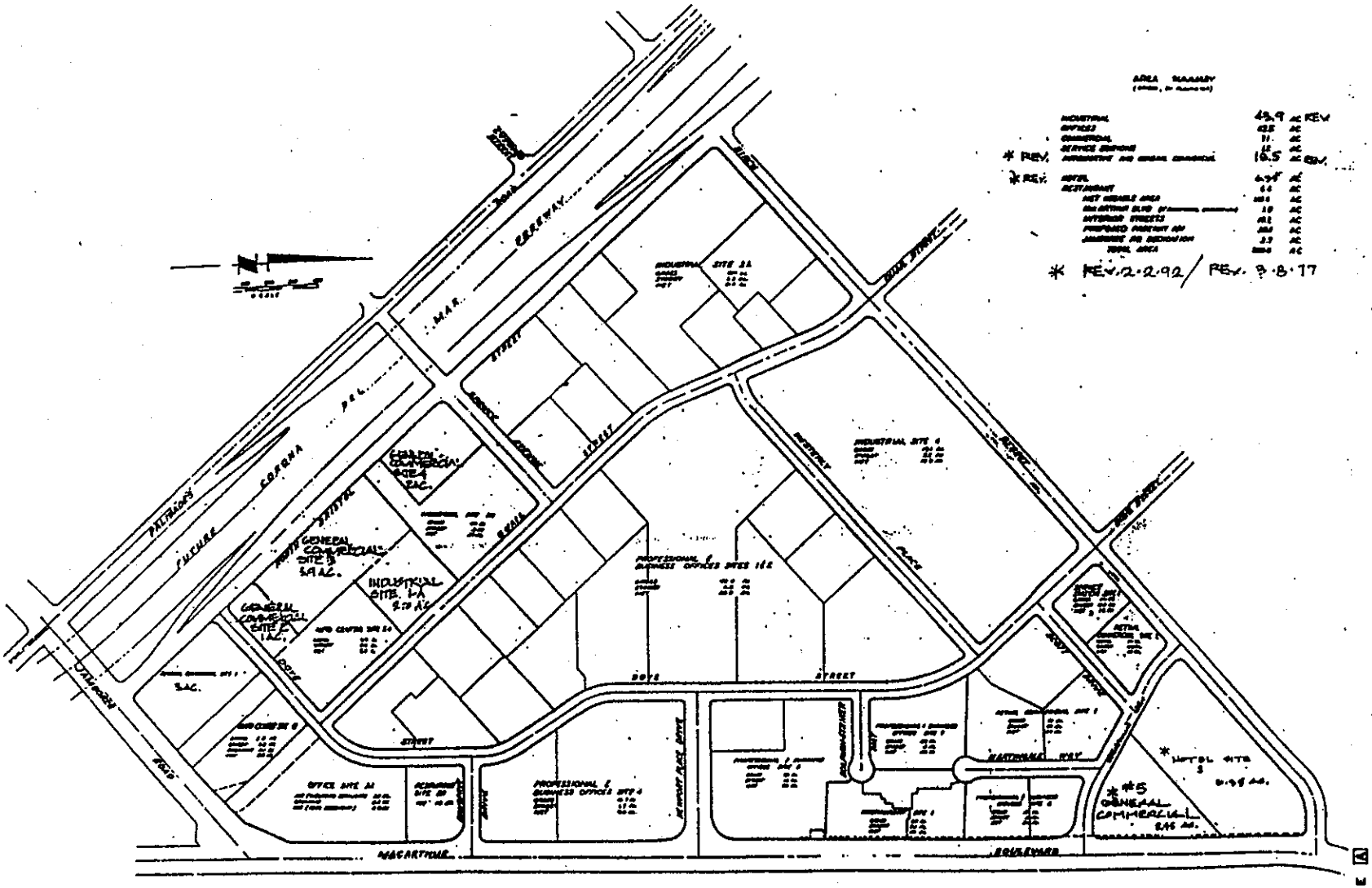


LAND USE

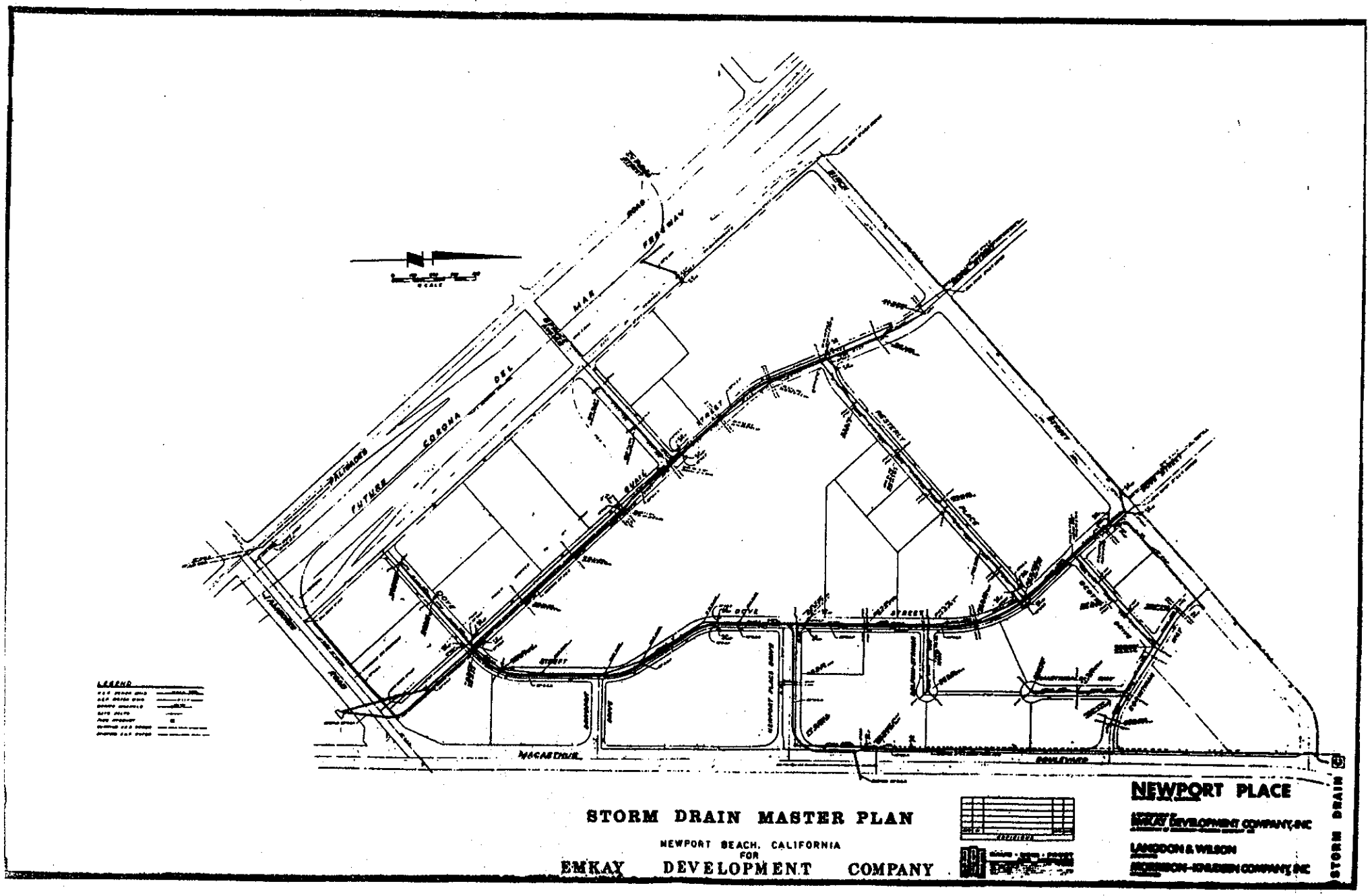
NEWPORT BEACH, CALIFORNIA
FOR
EMKAY DEVELOPMENT AND REALTY COMPANY

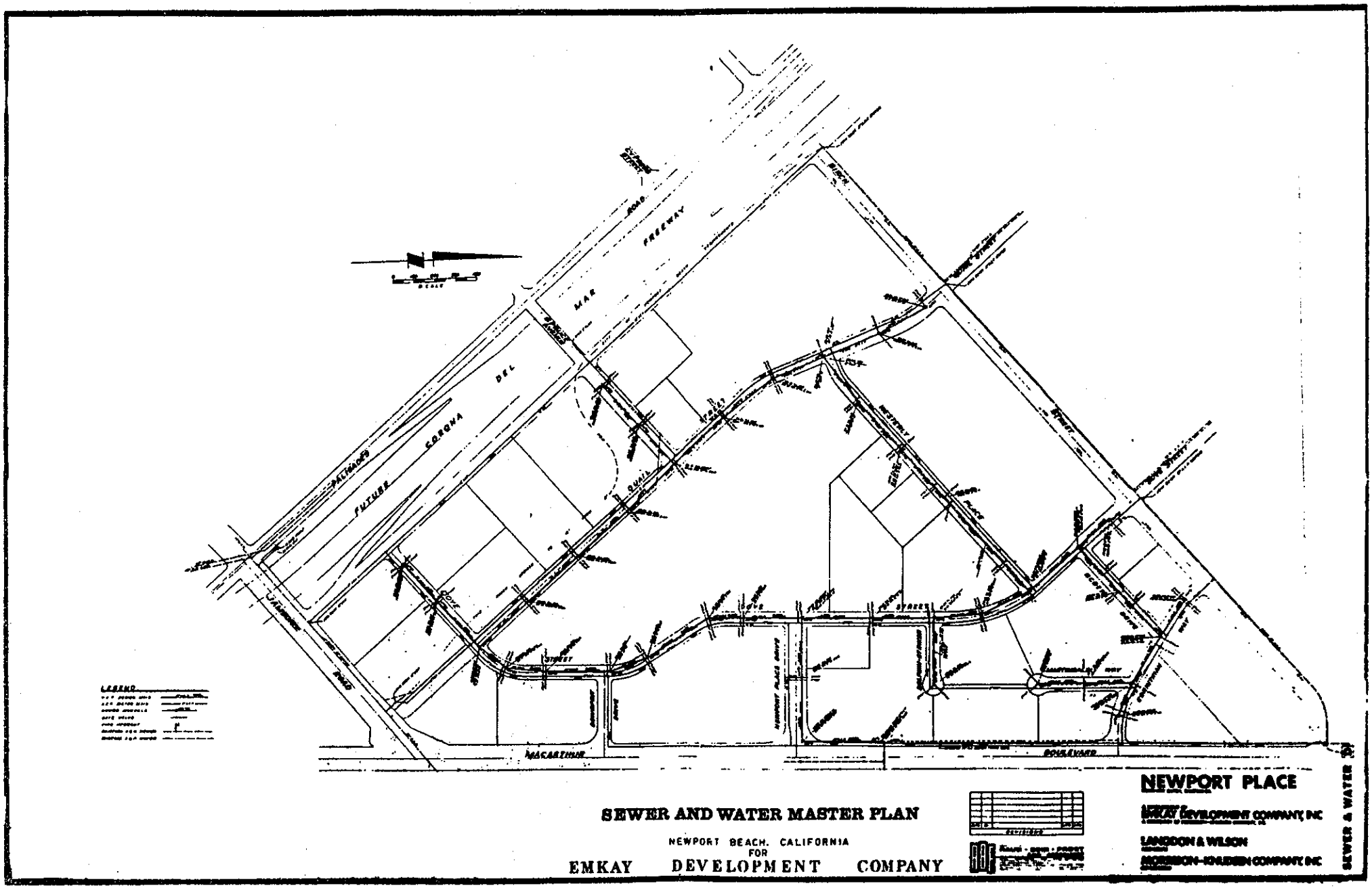
NEWPORT PLACE

EMKAY DEVELOPMENT AND REALTY COMPANY

LANGDON & WILSON

LAND USE A


STORM DRAIN MASTER PLAN
NEWPORT BEACH, CALIFORNIA
FOR
EMKAY DEVELOPMENT COMPANY
NEWPORT PLACE
EMKAY DEVELOPMENT COMPANY, INC
LANGDON & WILSON
MORRISON-KNUDSEN COMPANY, INC
STORM DRAIN
FUTURE CORONA DEL MAR FREEWAY
MACARTHUR
DOVE STREET
LEGEND


SEWER AND WATER MASTER PLAN
NEWPORT BEACH, CALIFORNIA
FOR
EMKAY DEVELOPMENT COMPANY
NEWPORT PLACE
EMKAY DEVELOPMENT COMPANY, INC
LANGDON & WILSON
MORRISON-KNUDSEN COMPANY, INC
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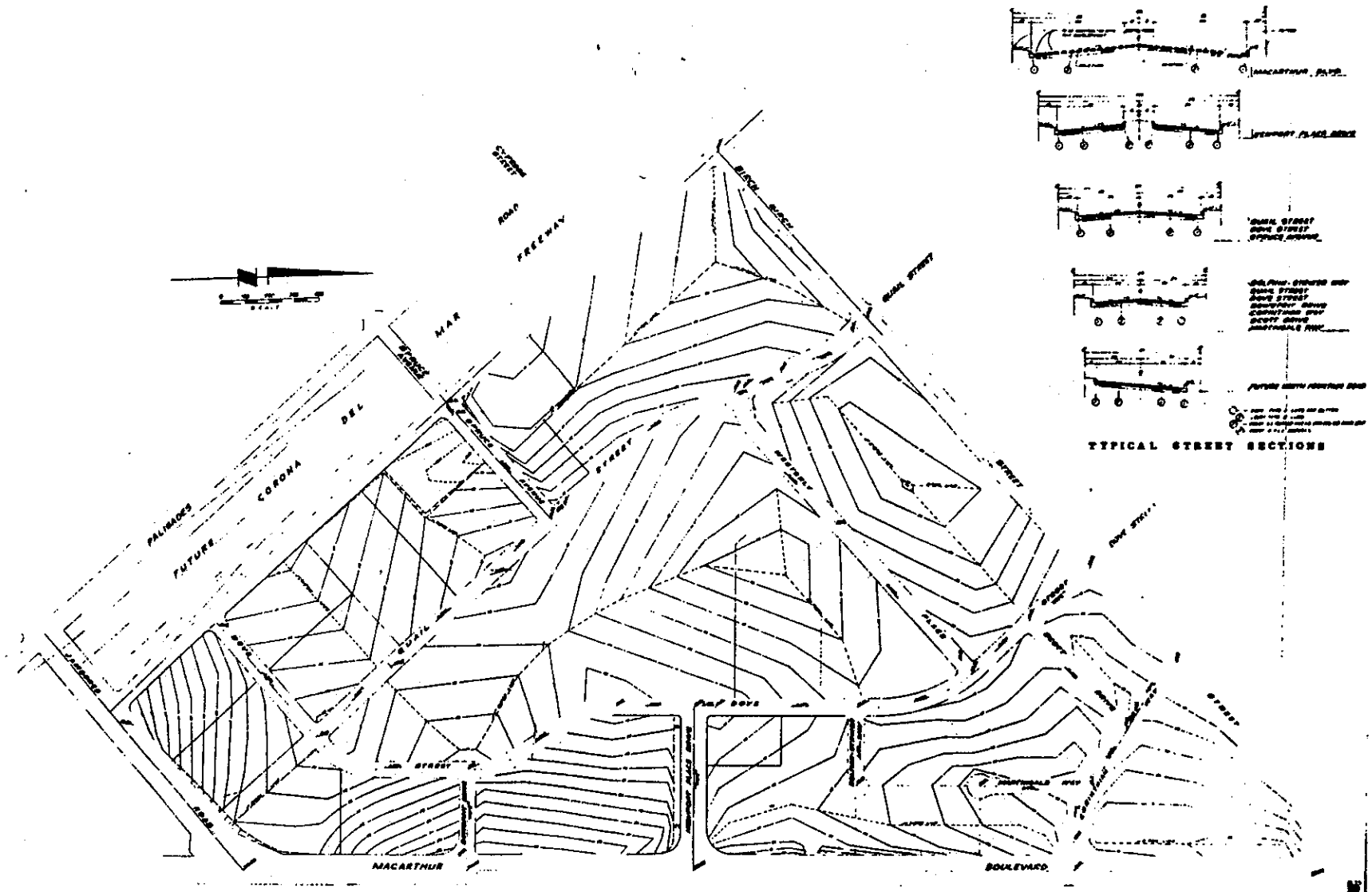


GRADING & ROADS

NEWPORT BEACH, CALIFORNIA
FOR
EMKAY DEVELOPMENT COMPANY

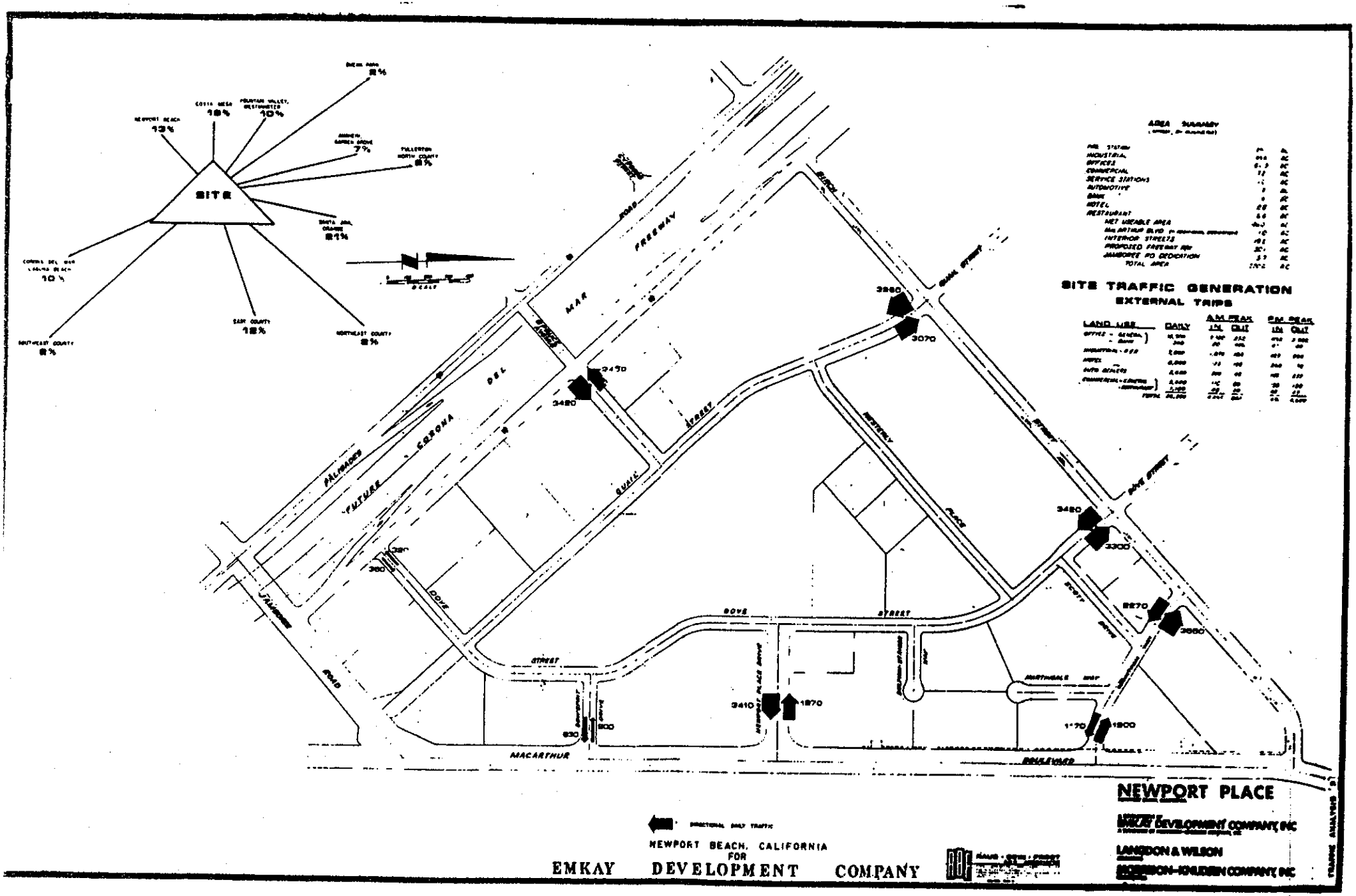
NEWPORT PLACE

EMKAY DEVELOPMENT COMPANY, INC

LANGDON & WILSON

MORRISON-KNUDSEN COMPANY, INC

GRADING, ROADS TE


SITE
NEWPORT BEACH 13%
COSTA MESA 18%
FOUNTAIN VALLEY, WESTMINSTER 10%
7%
FULLERTON NORTH COUNTY 8%
SANTA ANA, ORANGE 21%
EAST COUNTY 12%
NORTHEAST COUNTY 8%
SOUTHEAST COUNTY 8%
10%
SCALE
AREA SUMMARY
INDUSTRIAL
OFFICES
COMMERCIAL
SERVICE STATIONS
AUTOMOTIVE
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HOTEL
RESTAURANT
NET USEABLE AREA
INTERIOR STREETS
PROPOSED FREEWAY R/W
JAMBOREE RD DEDICATION
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FUTURE
PALISADES
QUAIL
STREET
DOVE
STREET
MACARTHUR
BOULEVARD
QUAIL STREET
DOVE STREET
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PLACE
SCOTT
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MARTINGALE WAY
NEWPORT PLACE DRIVE
3260
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1900
830
900
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DIRECTIONAL DAILY TRAFFIC
NEWPORT BEACH, CALIFORNIA
FOR
EMKAY DEVELOPMENT COMPANY
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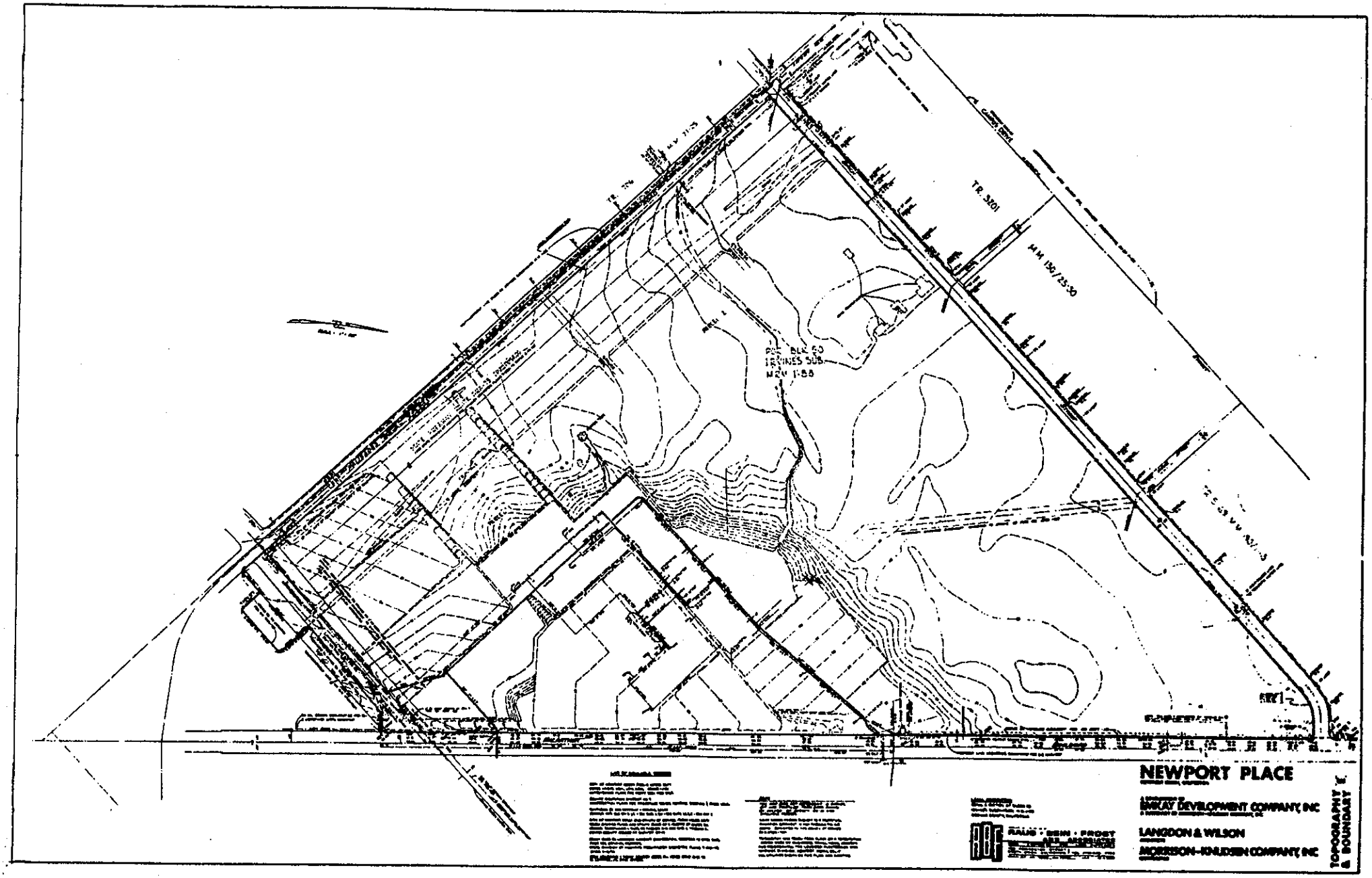
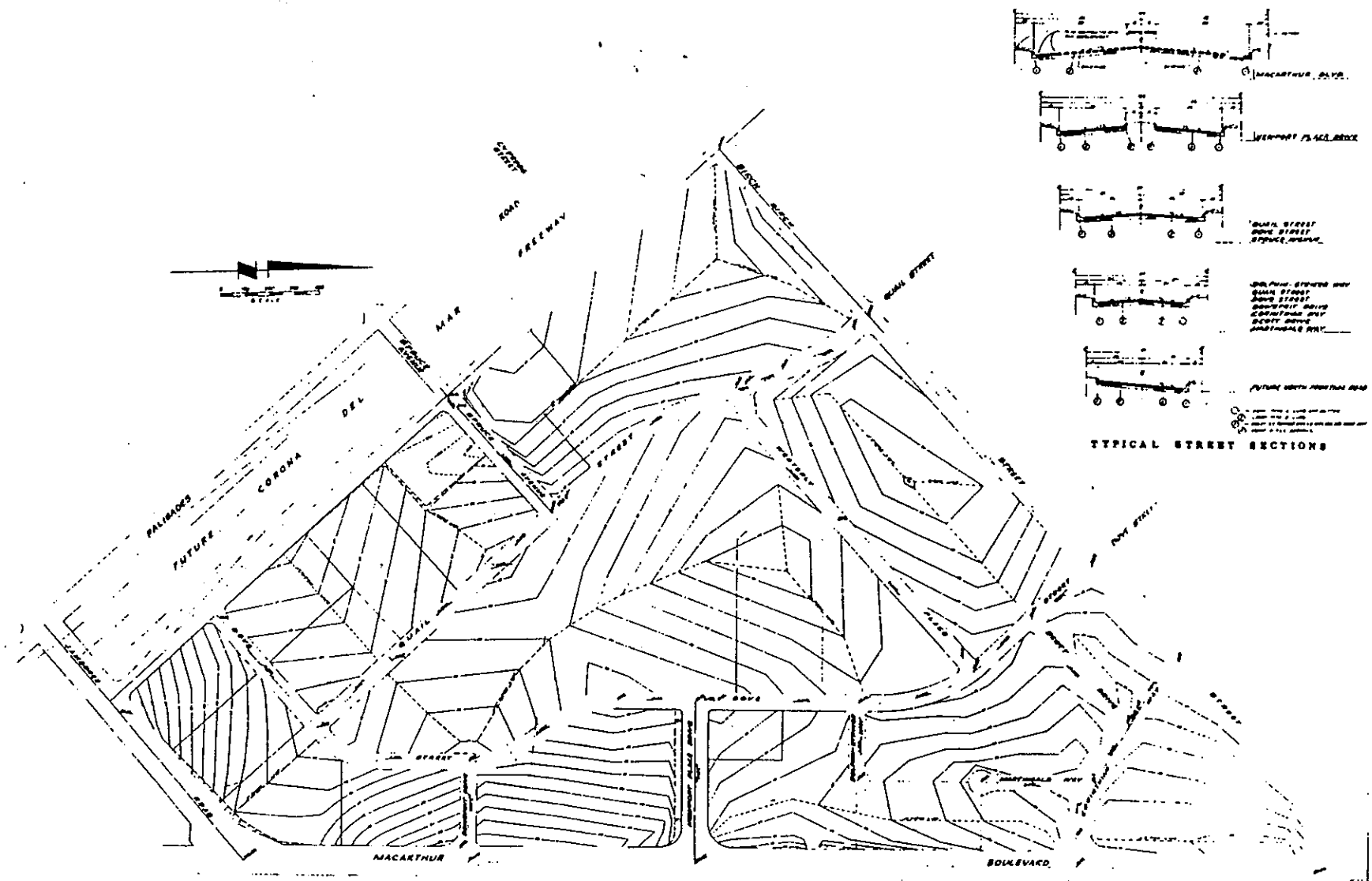
LANGDON & WILSON
MORRISON-KNUDSEN COMPANY, INC
TRAFFIC ANALYSIS


NEWPORT PLACE
EMKAY DEVELOPMENT COMPANY, INC
LANGDON & WILSON
MORRISON-KNUDSEN COMPANY, INC
TOPOGRAPHY & BOUNDARY
TR. 3201
MM 156/25.50
POC BLK 50
IRVINES SUB
MRM 1-88



GRADING & ROADS

NEWPORT BEACH CALIFORNIA
FOR
EMKAY DEVELOPMENT COMPANY

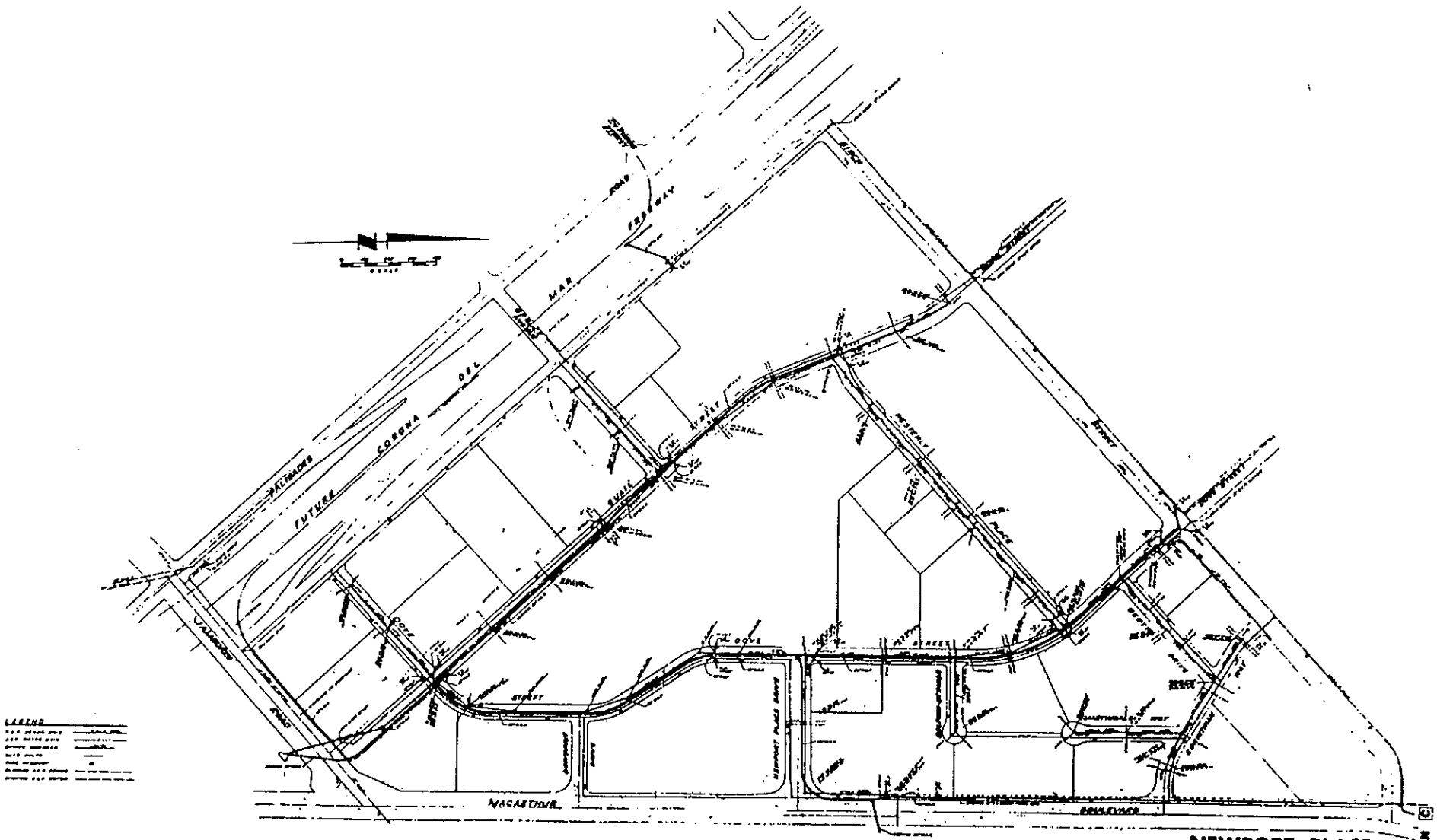
NEWPORT PLACE

EMKAY DEVELOPMENT COMPANY, INC

LANDDON & WILSON

MORRISON-KNUDSEN COMPANY, INC

GRADING, ROADS



STORM DRAIN MASTER PLAN

NEWPORT BEACH, CALIFORNIA
FOR
EMKAY DEVELOPMENT COMPANY

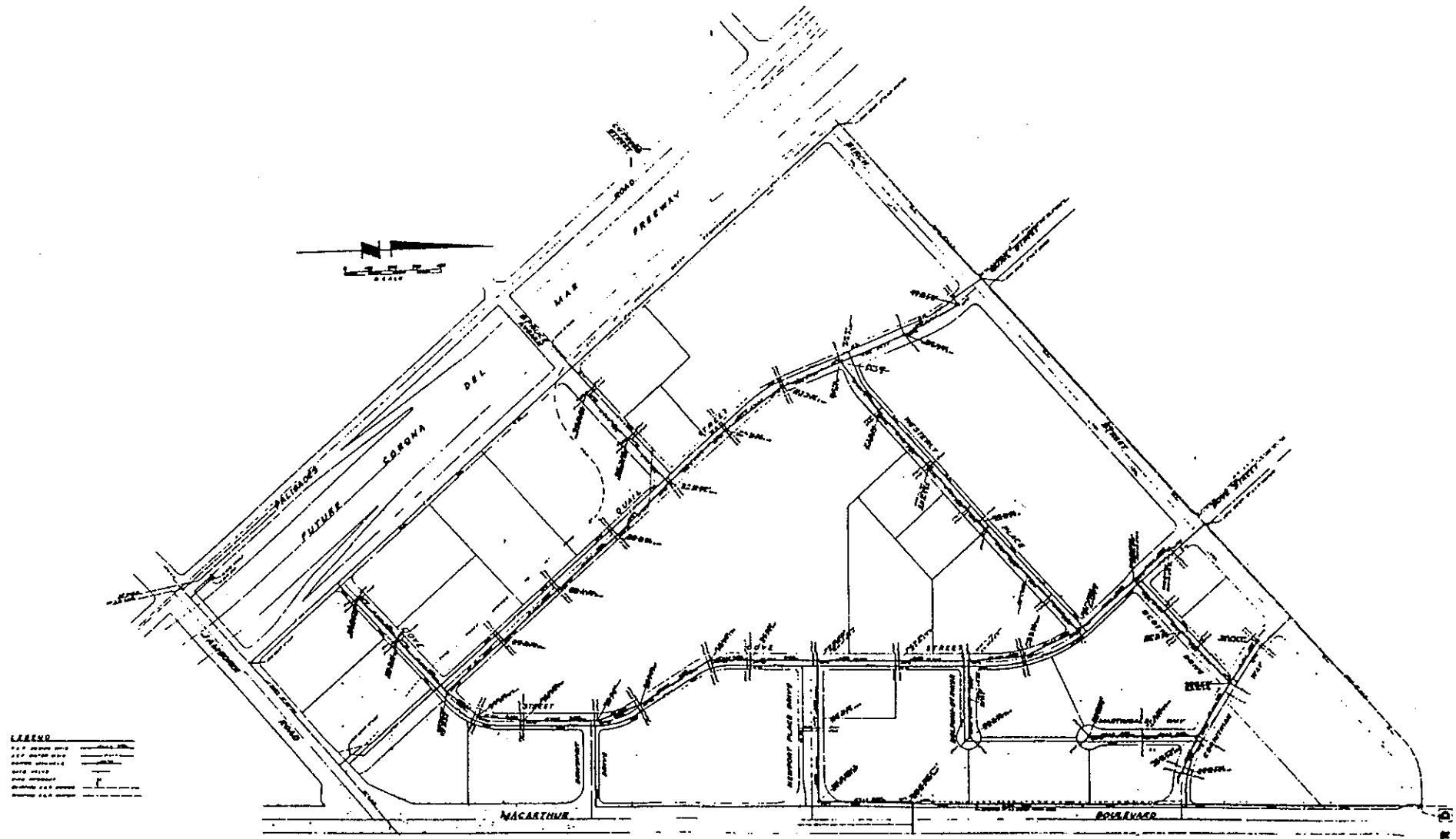
NEWPORT PLACE

EMKAY DEVELOPMENT COMPANY, INC

LANGDON & WILSON

MORRISON-KNUDSEN COMPANY, INC

STORM DRAIN



SEWER AND WATER MASTER PLAN

NEWPORT BEACH, CALIFORNIA
FOR
EMKAY DEVELOPMENT COMPANY

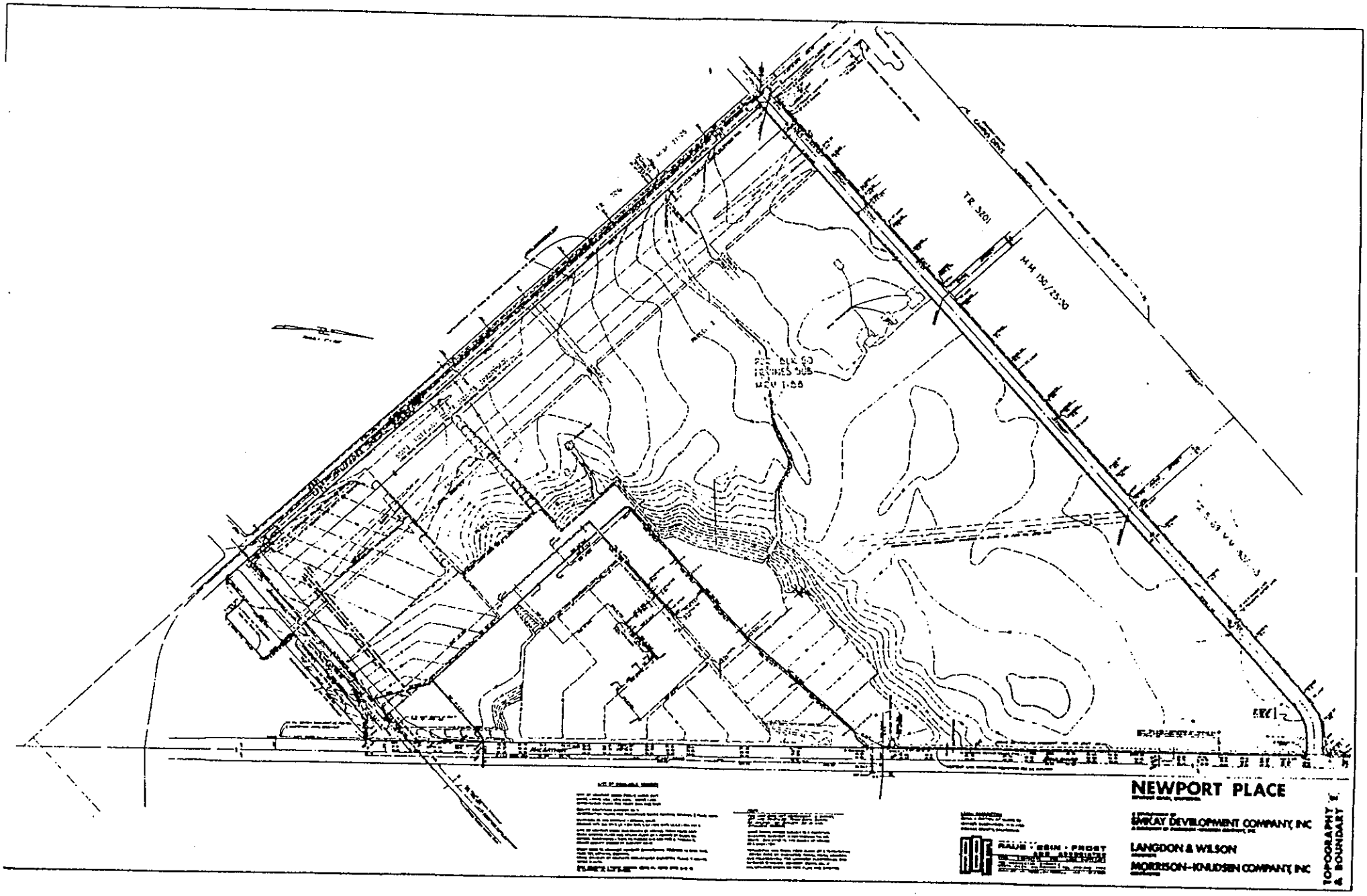
NEWPORT PLACE

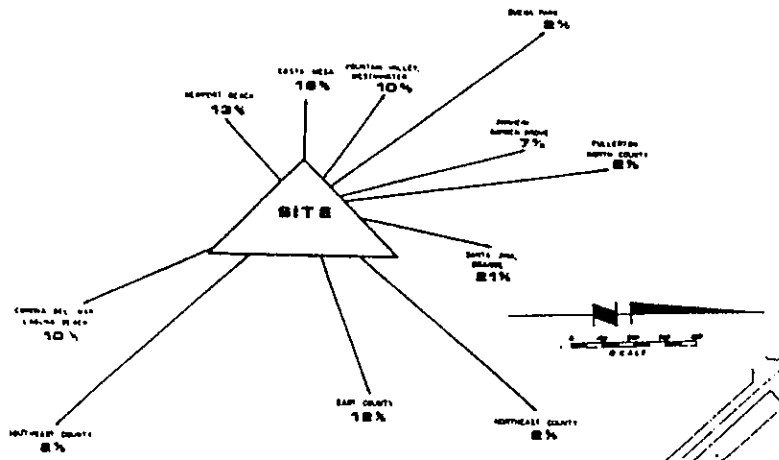
EMKAY DEVELOPMENT COMPANY, INC

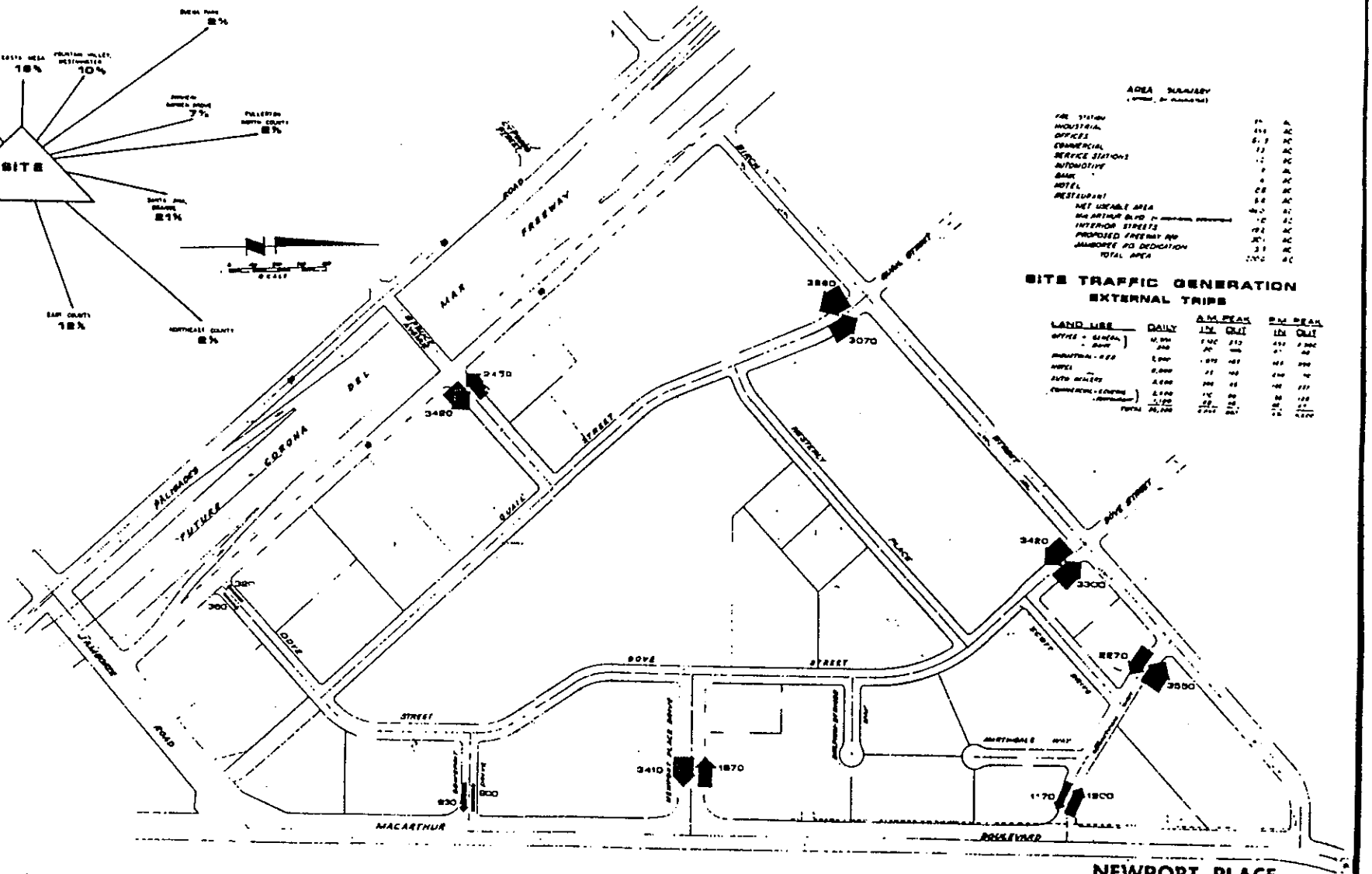
LANGDON & WILSON

MORRISON-KNUDSEN COMPANY, INC

SEWER & WATER D


NEWPORT PLACE
HAWAY DEVELOPMENT COMPANY, INC
LANGDON & WILSON
MORRISON-KNUDSEN COMPANY, INC
TOPOGRAPHY & BOUNDARY





DIRECTIONAL DAILY TRAFFIC

NEWPORT BEACH, CALIFORNIA
FOR
EMKAY DEVELOPMENT COMPANY

NEWPORT PLACE

EMKAY DEVELOPMENT COMPANY, INC

LANGDON & WILSON

MORRISON-KNUDSEN COMPANY, INC

TRAFFIC ANALYSIS