

**BANNING - NEWPORT RANCH**

**PLANNED COMMUNITY DISTRICT REGULATIONS**

Amendment No. 825  
Adopted October 9, 1995  
Resolution No. 95-115

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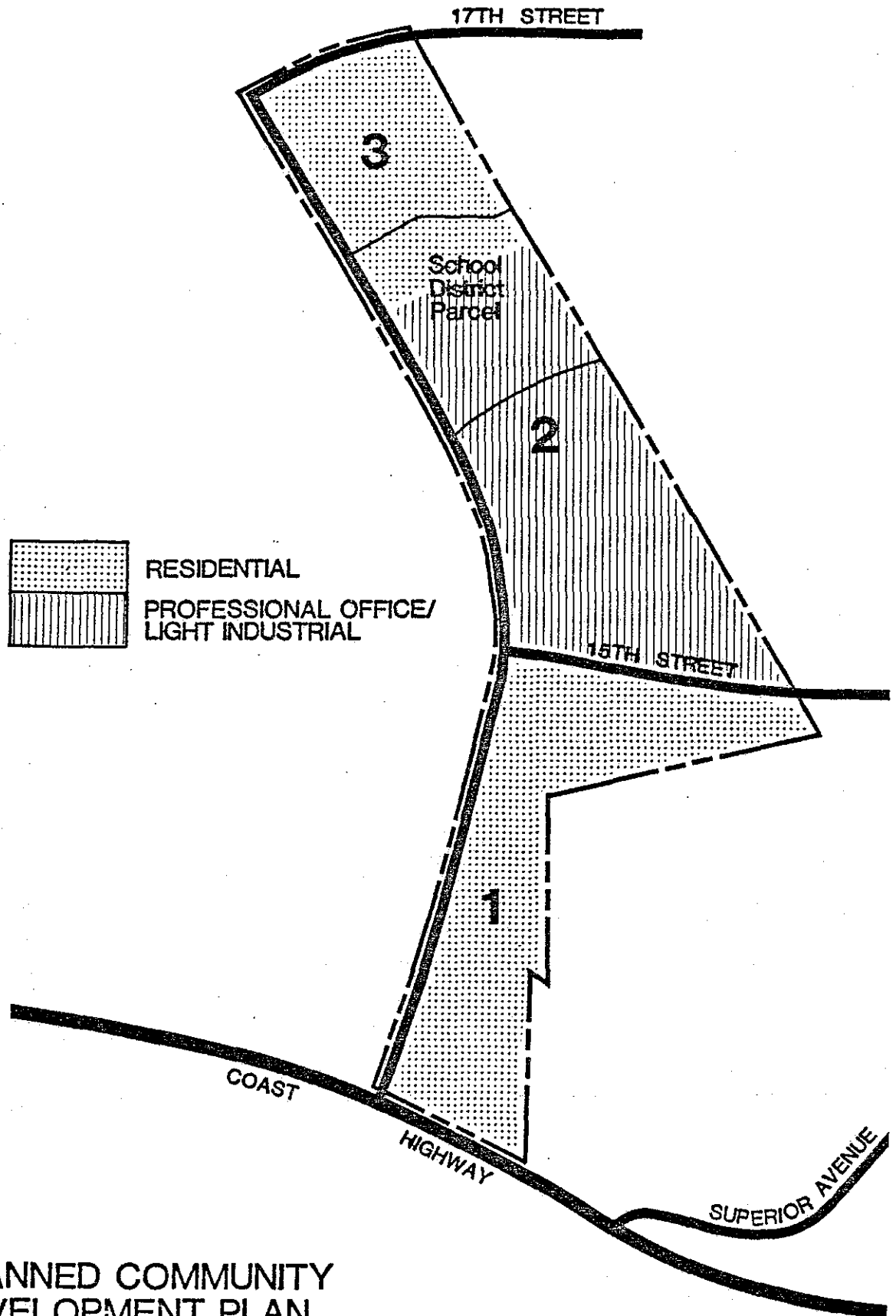
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## INTRODUCTION

The Banning-Newport Ranch Planned Community District for the City of Newport Beach has been developed in accordance with the Newport Beach General Plan.

The purpose of this Planned Community District is to provide a method whereby property may be classified and developed for light industrial, professional and business office, and residential uses. The specifications of this district are intended to provide land use and development standards supportive of the development proposal contained herein while insuring compliance with the intent of all applicable regulatory codes.

Whenever the regulations contained herein conflict with the regulations of the Newport Beach Municipal Code, the regulations contained herein shall take precedence. The Municipal Code shall regulate this development when such regulations are not provided within these district regulations. All development within the Planned Community boundaries shall comply with all provisions of the Uniform Building Code and the various mechanical codes related thereto. This district provides zoning regulations for those portions of the property within the City of Newport Beach and serves as pre-annexation zoning for those portions under the jurisdiction of the County of Orange.



PLANNED COMMUNITY  
DEVELOPMENT PLAN

**BANNING-NEWPORT RANCH**

BEECO, LTD.



MAP NOT TO SCALE

# SECTION I. STATISTICAL ANALYSIS (for analysis purposes only)

| Land Use                                                                  | Gross Acres            | Buildable <sup>1</sup> Acres | Dwelling Units Density (Gross/Buildable) | Square Feet <sup>2</sup>                        |
|---------------------------------------------------------------------------|------------------------|------------------------------|------------------------------------------|-------------------------------------------------|
| <u>Area 1:</u><br>Residential <sup>3</sup>                                | 27.9                   | 20.7 <sup>4</sup>            | <u>238</u><br>8.5/11.5                   |                                                 |
| <u>Area 2:</u><br>Professional<br>Office/Light<br>Industrial <sup>5</sup> | 30.3                   | 25.4                         |                                          | 235,600<br>(office)<br>164,400<br>(industrial)  |
| <u>Area 3:</u><br>Residential <sup>6</sup>                                | 17.3                   | 14.6                         | <u>168</u><br>9.7/11.5                   |                                                 |
| Project Total:                                                            | 75.5<br>gross<br>acres | 60.7<br>buildable<br>acres   | 406<br>dwelling units                    | 400,000<br>square feet<br>office/<br>industrial |

<sup>1</sup> Buildable acreage is equal to the total site area within the project boundary excluding streets, park dedication, areas with existing natural slopes greater than 2:1, and natural flood plains.

<sup>2</sup> Net floor area.

<sup>3</sup> Dwelling Units allowed in area 1 may be transferred to Area 3 subject to the density limitations of Area 3.

<sup>4</sup> Buildable acreage may be less due to park dedication.

<sup>5</sup> No more than 176,600 square feet of office and 123,400 square feet of industrial for a total of 300,000 square feet of development may be constructed prior to dedication to the City of Newport Beach and partial improvement of Bluff Road between 17th Street and 19th Street.

<sup>6</sup> Dwelling units allowed in Area 1 may be transferred to Area 3 up to a maximum density limit of 15 dwelling units per buildable acre subject to the approval of the Planning Commission.

## SECTION II. GENERAL NOTES

### 1. Project Description

The Planned Community District encompasses 75.5 gross acres. The Planned Community District has been developed for Residential and Light Industrial Professional Office uses. All future uses will be in compliance with these designations.

### 2. Park Requirement

- a. Residential development within Areas 1 and 3 will be required to comply with the Park Dedication Ordinance through a combination of land and/or fees.
- b. A park of approximately five acres in size shall be located between Coast Highway, 15th Street, Superior Avenue, and Bluff Road with the specific size, location and design to be finalized at the tentative tract map stage.
- c. The park shall be completed concurrent with occupancy of the first residential unit.
- d. A greenbelt shall be established adjacent to Newport Crest. The greenbelt shall be an average of 30 feet wide and be maintained by the applicant or successor in interest.

### 3. Development Phasing

- a. No More than 176,600 square feet of office and 123,400 square feet of industrial development for a total of 300,000 square feet of development in Area 2 shall be constructed until such time as Balboa Boulevard (Bluff Road) has been dedicated to the City of Newport Beach and partially improved from 17th to 19th Street.
- b. As a condition of the first tentative tract map, all rights-of-way owned by the applicant and required to widen the northerly one-half of Coast Highway to current master plan standards in the West Newport area will be dedicated to the City of Newport Beach. The dedications will be subject to leases and encumbrances of record.
- c. The following traffic concerns should be reviewed and specifically addressed during tentative tract map deliberations:
  - Phasing of development and associated traffic impacts on Costa Mesa streets;
  - Extension of Whittier Avenue into the project site;
  - Timing of site access and connections to 16th and 17th Streets related to extension of Balboa Boulevard (Bluff Road) to 19th Street, construction of the

19th Street bridge over the Santa Ana River; and assessment of deficiencies and planned improvements in the area adjacent to the project site.

4. Circulation System Improvements

- a. The Circulation System Improvements listed below shall be provided per the requirements of the Traffic Phasing Ordinance:

| <u>Location</u>                                                    | <u>System Improvements</u>                                                                                                                                                                                                   |
|--------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A. Coast Highway at Orange Street. . . . .                         | Add a third westbound through lane                                                                                                                                                                                           |
| B. Coast Highway at Prospect Street. . . . .                       | Add a third westbound through lane                                                                                                                                                                                           |
| C. Coast Highway at Bluff Road. . . . .                            | Create intersection to add: <ol style="list-style-type: none"> <li>1. Eastbound left turn lane</li> <li>2. Third westbound through lane</li> <li>3. Three lanes southbound on Bluff Road and two lanes northbound</li> </ol> |
| D. Coast Highway at Superior Avenue/<br>Balboa Boulevard . . . . . | Reconstruct intersection per current City plans                                                                                                                                                                              |
| E. Coast Highway at Dover Drive . . . . .                          | Reconstruct intersection per current CalTrans improvement project                                                                                                                                                            |
| F. Coast Highway at Bayside Drive . . . . .                        | Reconstruct intersection per current CalTrans improvement project                                                                                                                                                            |
|                                                                    | Convert the northbound Bayside Drive through and right turn lane to a combination left, through and right turn lane                                                                                                          |
|                                                                    | Modify traffic signal phasing the split Bayside Drive signal phasing                                                                                                                                                         |

| <u>Location</u>                               | <u>System Improvements</u>                                                                                                                                                                                                                                                       |
|-----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| G. Coast Highway at Jamboree Road . . . . .   | <p>Modify southbound Jamboree Road to provide:</p> <ol style="list-style-type: none"> <li>1. One left turn lane</li> <li>2. Two through lanes</li> <li>3. Two right turn lanes</li> </ol> <p>Add a third westbound through lane</p> <p>Add a second westbound left turn lane</p> |
| H. Newport Blvd. at Hospital Road . . . . .   | Add a second northbound left turn lane                                                                                                                                                                                                                                           |
| I. Coast Highway . . . . .                    | Add a 3rd eastbound through lane to Coast Highway from westerly of Bluff Road to easterly of Superior Avenue. This lane is needed to provide capacity to handle the a.m. peak hour traffic.                                                                                      |
| M. Riverside Drive at Coast Highway . . . . . | Restripe southbound Riverside Drive to add a second right turn lane                                                                                                                                                                                                              |

b. Project-related arterial improvements shall be constructed to City standards according to the following percentages of improvement:

- Bluff Road (Balboa Boulevard extension) from Coast Highway to 19th (55%)
- 15th Street from Bluff Road to Monrovia Avenue (60%). In conjunction with adjacent development, 100% of 15th Street improvement shall be constructed.
- 17th Street from Bluff Road to the eastern property line (60%)

c. That prior to the approval of any tentative tract map or issuance of any building and/or grading permit to the Planning Commission shall approve a "Development Phasing Program" for the project site that provides for the construction of the Circulation System Improvements indicated above and all "committed" project improvements assumed in the preparation of the Traffic Study dated, March, 1982.

## 5. Pedestrian Bridge

The applicants shall participate in 50% of all costs related to the provision of a pedestrian and bicycle bridge over Coast Highway opposite West Newport Park. Also the applicants



shall provide a sidewalk from 15th Street extended to Superior Avenue on the north side of Coast Highway and provide facilities necessary to install a crosswalk at 15th Street extended and Coast Highway.

6. Views

Views to the west and south shall be preserved for a person standing on the lower balcony level of the Newport Crest development. To the extent feasible, building located to the north of Newport Crest shall be terraced below existing view horizons that are established by a person standing on the lower balcony level of the Newport Crest development.

7. Ticonderoga Street

Ticonderoga Street is to be extended to 15th Street as a private street serving Newport Crest, Seawind, and Banning-Newport Ranch Area 1 subject to appropriate hearings on the conversion of existing Ticonderoga Street from its present public street status to that of a private street.

8. Coast Highway/Riverside Drive

In conjunction with the development of the Banning-Newport Ranch, the removal of parking at the intersection of Coast Highway/Riverside Drive is an unacceptable circulation system improvement.

9. Public Services - Fire Protection

A fire station shall be reserved within the City of Newport Beach General Plan and the P-C District. Prior to the approval of any tentative tract map the City Council shall approve a Master Plan of Fire Protection Services. The applicants shall deed all land and pay 25% of the funds needed to provide a new fire station - Building and Equipment - in the event the Master Plan identifies a site on the Banning Newport Ranch.

10. Drainage

A comprehensive master plan of drainage for the entire P-C District shall be prepared and approved by the Public Works Department in conjunction with the first tentative tract map.

Where feasible, all drainage northerly of the most northwesterly corner of the existing Newport Crest development shall be drained through the oil lease area and not toward Coast Highway in a manner to be approved by the Public Works Department.

11. Geology

Prior to the approval of any subdivision of land in the Banning-Newport Ranch P-C District an independent third-party analysis of geologic hazards of all identified known active faults shall be accomplished and approved by the City's Building Department. This analysis shall be incorporated into any subdivision of land, grading permit and the location of any structure. (Stringent standards shall be included in the analysis.)

12. Water Service

Water within the Planned Community will be furnished by the City of Newport Beach. A comprehensive master plan of water supply for the area shall be prepared and approved by the Public Works Department prior to filing the first tentative tract map. Master Plan facilities determined to be necessary to service the P.C. District shall be provided by the developer.

13. Sewage Disposal

Sewage disposal facilities within the Planned Community will be provided by the City of Newport Beach Orange County Sanitation District No. 6. A comprehensive master plan of sewerage for the area shall be prepared and approved by the Public Works Department prior to filing the first tentative tract map. Master Plan facilities determined to be necessary to serve the P.C. District shall be provided by the developer. Prior to the issuance of any building permits it shall be demonstrated to the satisfaction the Planning Department that adequate sewer facilities will be available.

14. Grading and Erosion

Grading and erosion control shall be carried out in accordance with the provisions of the City of Newport Beach Grading Ordinance and shall be subject to permits issued by the Building and Planning Departments.

A. The grading plan shall include a complete plan for temporary and permanent drainage facilities, to minimize any potential impacts from silt, debris, and other water pollutants.

B. The grading permit shall include, if required, a description of haul routes, access points to the site and watering and sweeping program designed to minimize impacts of the haul operation.

C. An erosion and dust control plan shall be submitted and approved by the Building Department.

D. The velocity of the concentrated run-off from any project shall be evaluated and erosive velocities controlled as part of the project design.

E. Grading shall be conducted in accordance with plans prepared by a Civil Engineer based on recommendations of a soil engineer and an engineering geologist subsequent to the completion of a comprehensive soil and geological investigation of the site.

15. Lighting

Parking-lot lighting shall be developed in accordance with City Standards subject to the review and approval of the Planning Department. Parking lot lighting shall be designed in a manner so as to minimize impacts on adjacent uses. Nighttime lighting shall be limited to that necessary for security and shielded from any adjacent residential uses.

16. Screening

All mechanical appurtenances on building rooftops, utility vaults and emergency power generators shall be screened from view in a manner compatible with the building materials, and noise associated with said generators shall be attenuated to acceptable levels in receptor areas. The latter shall be based upon the recommendations of a qualified acoustical engineer, and be approved by the Planning Department.

17. Archaeological/Paleontological

Prior to the issuance of grading permits, the site shall be examined to determine the existence and extent of archaeological and paleontological resources in accordance with adopted City Policies.

18. Landscaping

All landscaping within the Planned Community shall be installed in accordance with landscape plans, subject to the review and approval of the Planning Department and Parks, Beaches, and Recreation Department. Such plans shall include the following:

- a. A landscaping and irrigation plan for each tract to be developed shall be prepared by a licensed landscape architect. The landscape plan shall integrate and phase the installation of landscaping with the proposed construction schedule. (Prior to the occupancy of any structure, the licensed landscape architect shall certify to the Planning Department that the landscaping has been installed in accordance with the prepared plan.)
- b. The landscape plan shall include a maintenance program which controls the use of fertilizers and pesticides.
- c. The landscape plan shall emphasize the use of drought-resistant native vegetation and be irrigated via a system designed to avoid surface runoff and over-watering.

- d. The landscape plan shall emphasize fire-retardant vegetation.
  - e. Street trees shall be provided along the public streets as required by the Public Works Department and the Parks, Beaches and Recreation Department.
  - f. Landscaping shall be regularly maintained free of weeds and debris. All vegetation shall be regularly trimmed and kept in a healthy condition.
  - g. Plant materials used for screening purposes shall consist of shrubs and trees, either lineal or massed, which are of sufficient size and height to screen or interrupt views or parking areas.
  - h. Earth berms shall be contoured and natural in appearance.
  - i. The landscape plan along with the design of contoured earth berms shall be approved by the Traffic Engineer to insure that proper sight distances are maintained along the circulation system improvements for motor vehicles, bicycles, and pedestrians.
- 19. All development in Area 2 shall provide for weekly vacuum sweeping for all parking areas.
  - 20. Final design of any development in Area 2 shall provide for the incorporation of water-saving devices for project lavatories and other water using facilities.
  - 21. Prior to the occupancy any building in Area 2, a program for the sorting of recyclable material from other solid wastes shall be developed and approved by the Planning Department.
  - 22. Fire Department access shall be approved by the Fire Department.
  - 23. All buildings in Area 2 shall be equipped with fire suppression systems approved by the Fire Department
  - 24. The proposed development in Area 2 shall incorporate an internal security system (i.e., security guards, alarms, access limits after hours) that shall be reviewed by the Police and Fire Departments and approved by the Planning Department.
  - 25. Final design of on-site pedestrian circulation in any tract shall be reviewed and approved by the Public works Department and the Planning Department.
  - 26. Prior to approval of the tentative tract maps for the office and industrial development, a housing impact assessment shall be developed by the City with the active involvement of the developer.

27. Prior to approval of the tentative tract maps for the office and industrial development, the City shall encourage where feasible, the development of housing that is feared to the affordability range of the projected labor force.
- 28, The Planning Commission, prior to approval of the tentative tract maps for the residential development, shall encourage the allocation of 10% of the proposed residential units to affordable housing for low and moderate income households (as defined in the Newport Beach Housing Element).

### SECTION III. DEFINITIONS

The following definitions refer to the permitted uses in the Development Standards contained in this Ordinance.

1. Cluster Unit Development

A combination or arrangement of attached or detached dwellings and their accessory structures on contiguous or related building sites where the yards and open spaces are combined into more desirable arrangements of open space and where the individual sites may have less area than the required average for the district but the density of the overall development meets the required standard.

2. Buildable Acreage

Buildable Acreage shall mean the entire site area within the project boundary excluding streets, park dedication, areas with existing natural slopes greater than 2:1, and natural flood plains.

3. Conventional Subdivision

Conventional Subdivision on a Planned Community Concept shall mean a conventional subdivision of detached dwellings and their accessory structures on individual lots where the lot size may be less than the required minimum for the district but where the density for the entire subdivision meets the required standards and where open space areas are provided for the enhancement and utilization of the overall development.

4. Special Landscaped Street

Special Landscaped Streets shall be those roads on the Master Plan of Streets and Highways. The landscape requirements for special landscaped streets and for the remaining streets are described in the following text.

5. 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 contained herein.

#### **SECTION IV. RESIDENTIAL, AREAS 1 AND 3**

It is the intent of Area 1 and Area 3 to provide residential housing and related community facilities.

##### **A. Uses Permitted**

1. Cluster-unit developments, as defined in Section III, Definitions
2. Single-family dwellings attached or detached
3. Custom lots
4. Conventional Subdivisions
5. Condominiums/Townhomes
6. Temporary model complex and appurtenant uses
7. Community recreational facilities
8. Signs (as per City Code and as provided in Section VII of this Planned Community Text)
9. Security Gates and/or Guard Houses
10. Off-street parking for a contiguous commercial development subject to a use permit

##### **B. Attached Residential Standards**

###### **1. Maximum Height Limits**

- a. All buildings shall not exceed a maximum ridge height of 32 feet or on average height of 28 feet.
- b. Chimneys and vents shall be permitted as set forth in Section 20.02.060 of the Municipal Code.

###### **2. Setbacks from Public Streets**

A minimum setback of 15 feet shall apply to all structures other than garages adjacent to public streets; except that balconies and patios may encroach six (6) feet into the required setback.

Detached garages shall be separated from main residential structures a minimum of eight (8) feet. This shall be measured from face of finished wall to face of finished wall.

Garages with direct access shall be setback from five (5) to seven (7) feet or a minimum of twenty (20) feet measured from back of curb, or in the event that sidewalks are constructed, from back of sidewalk.

Architectural features such as but not limited to cornices, eaves, and wing walls may extend two and one-half (2 1/2) feet into the required setback from a public street.

3. Setbacks from Other Property Lines and Structures

A. A minimum front yard setback of five (5) feet shall be required. This setback shall be measured from the back of curb or in the event that sidewalks are constructed, from back of sidewalk.

B. All main residential structures shall be a minimum of eight (8) feet apart. This shall be measured from face of finished wall to face of finished wall.

4. Side Yard Setback

Five (5) feet.

The above standards shall be required unless one of the following conditions prevails:

A. Structures which abut a plaza, park, mall or other permanent open green space may abut the common property line and have openings onto same, provided the open spaces are not in public ownership.

B. Where there are no openings on a given side, that side may be placed on the property line and may abut a structure on an adjoining lot.

C. An attached or detached garage or carport may abut a side property line or another structure, provided no openings are located on the abutting surfaces.

Dwellings may orient toward the streetside property line or the opposite property line in order to take advantage of view conditions.

5. Rear Yard Setback

Fifteen (15) feet. However, the Planning Director may, upon submittal of a tentative subdivision map, review said map in view of setbacks listed in this ordinance and/or sound planning principals and shall either approve, modify, disapprove the setbacks shown, or refer the matter to the Planning Commission for a determination. In the case of modification or disapproval, the applicant may appeal to the Planning Commission for further consideration.



6. Fences, Hedges and Walls

Fences shall be limited to a maximum height of eight (8) feet, except within the front yard setback where fences, hedges, and walls shall be limited to six (6) feet. Wing walls, where an extension of a residential or accessory structure is to be constructed may be eight (8) feet in height. At street intersections, no such appurtenance shall exceed two (2) feet in height measured from curb height within the triangle bounded by the right-of-way lines and a connection line drawn between points thirty (30) feet distant from the intersection of the right-of-way lines prolongs.

7. Trellis

Open trellis and beam construction shall be permitted to attach the garage to the dwelling structure and may also extend from the dwelling to within three (3) feet of the side or rear property line. In side yards, the maximum height shall be eight (8) feet.

Trellis and beam construction shall be so designed as to provide a minimum of 50 percent of the total trellis area as open space for the penetration of light and air to the covered area.

8. Architectural Features

Architectural features such as, but not limited to cornices, eaves, and wing walls may extend two and one-half (2 1/2) feet into any front, side or rear yard setback.

9. Parking

A minimum of 3.0 parking spaces per unit shall be required. One of the required spaces may be permitted on the driveway of the residence, providing that said driveway has a minimum depth of twenty (20) feet, measured from back of curb, or in the event that sidewalks are constructed, from back of sidewalk. In addition to driveway parking spaces, a minimum of 0.5 guest parking spaces shall be provided per unit. Said guest parking spaces may be provided on-street or in bays, and their location shall be reviewed and approved by the Planning Director and the City Traffic Engineer.

10. Maximum Site Area Coverage

The maximum site coverage permitted shall be fifty (50) percent of the net site area. For purposes of this Planned Community, site coverage shall include all areas under roof but shall not include trellis areas.

C. Detached Residential Standards

1. Minimum Lot Size

The minimum lot size permitted shall be 5,000 square feet.

2. Maximum Building Height

All buildings shall not exceed a maximum height of 32 feet or an average height of 28 feet.

3. Setbacks

The following setbacks shall apply to all structures excluding garden walls or fences.

A. Front Yard

A minimum setback of ten (10) feet for the dwelling unit shall be maintained. This shall be measured from back of curb, or in the event that sidewalks are constructed, from back of sidewalk.

B. Side Yard

Side yard setbacks shall be a minimum of five (5) feet.

C. Rear Yard

A minimum of ten (10) feet shall be maintained for the rear yards.

D Setbacks - Garages

Garages with direct access shall be setback from five (5) to seven (7) feet or a minimum of twenty (20) feet measured from back of curb, or in the event that sidewalks are constructed, from back of sidewalk. A minimum of five (5) feet for side-on garages shall be maintained.

4. Fences, Hedges, and Walls

Fences shall be limited to a maximum height of eight (8) feet except within the front yard setback where fences, hedges and walls shall be limited to six (6) feet. Wing walls, where an extension of a residential or accessory structure is to be constructed may be eight (8) feet in height. At street intersections, no such appurtenance shall exceed two (2) feet in height measured from curb height within the triangle bounded by the right-of-way lines and a connecting line drawn between points thirty (30) feet distant from the intersection of the right-of-way lines prolonged.

5. Trellis

Open trellis and beam construction shall be permitted to attach the garage to the dwelling structure and may also be extended from the dwelling to within three (3) feet of the side or rear property line. In side yards, the maximum height shall be eight (8) feet.

Trellis areas shall not be considered in calculating lot area coverage; however, trellis areas shall not exceed 25 percent of the remaining open space of a developed lot.

Trellis and beam construction shall be so designed as to provide a minimum of 50 percent of the total trellis area as open space for the penetration of light and air to the covered area.

6. Parking

Parking for residential uses shall be in the form of not less than two (2) parking spaces per dwelling unit.

7. Maximum Site Area Coverage

The maximum site area coverage for any residential lot shall be 60 percent of such lot.

8. Architectural Features

Architectural features, such as but not limited to cornices, eaves, and wing walls may extend two and one-half (2 1/2) feet into any front, side, or rear yard setback.

## SECTION V. PROFESSIONAL OFFICE/LIGHT INDUSTRIAL, AREA 2

It is the intent of Area 2 to permit a combination of business and professional offices, and light industrial land uses.

### A. Uses Permitted

The following uses shall be permitted in Area 2

1. Administrative and professional offices
2. Institutional, financial and governmental facilities
3. Civic and cultural facilities
4. Training Centers
5. Product Fabrication
6. Printing and Reproductive Services
7. Light Manufacturing
8. Research and testing firms
9. Wholesale businesses, including storage and warehousing
10. Retail sales and service of a convenience nature
11. Other uses, which in the opinion of the Planning Commission are of similar nature to the above.
12. Signs (as per City Code and as provided in Section VII of this Planned Community Text)
13. Accessory buildings and uses including retail sales which are incidental to permitted uses

### B. Uses Requiring Use Permit

The following uses shall be permitted subject to the securing of a use permit:

1. Drive up teller units

2. Restaurants, including outdoor, drive-in or take-out restaurants; bars and theater/nightclubs.
3. Wholesale bakeries
4. Machine shops
5. Cabinet and Carpentry shops
6. Bottling Plants
7. Automobile Service Stations
8. Other uses, which in the opinion of the Planning Commission are of similar nature to the above and not permitted in Section V, Sub-Section A, of this Planned Community Text.

C. Development Standards

1. Building Height

All buildings and appurtenant structures shall be limited to a maximum height of thirty-two (32) feet, provided however that a structure may exceed thirty-two (32) feet up to a maximum of fifty (50) feet subject to the approval of a Use Permit.

2. Off Street Parking

A. Off street parking requirements shall be as provided in Section 20.30 of the Newport Beach Municipal Code.

B. Compact spaces may account for up to twenty five (25) percent of the total parking spaces and handicapped parking shall comprise 1% of the total spaces, all subject to the approval of the City Traffic Engineer.

3. Landscaping

All landscaping in Area 2 shall be as specified in the General Notes

4. Floor Area Limit

The total gross floor area contained in all buildings on a building site in Area 2 shall not exceed two times the buildable area of said site; provided however that floor area devoted to parking within a building shall not be considered in determining the total floor area allowed; and provided, further, that in no event shall any building exceed the height limit or maximum gross floor area for the total of Area No. 2.

## SECTION VI. SIGNS.

It is intended that the following sign criteria be utilized as a policy guideline regulating signs on a uniform basis for the Planned Community District.

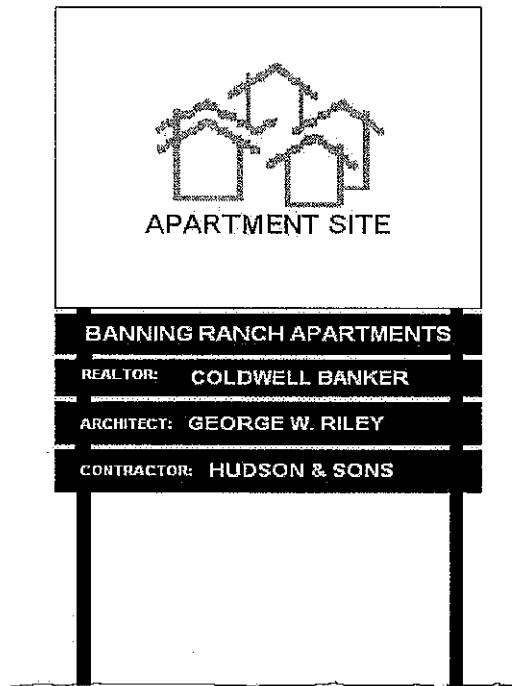
### A. Temporary Signs (prior to and during construction)

#### 1. Future Facility Signs

A sign which informs the viewer, through graphic symbol and verbal reinforcements, of the type of facility planned for the site. (See Appendix A)

**Appendix A**

**Future Facility Sign Specifications**



**FUTURE FACILITY SIGN:** A sign which informs the viewer, through symbol and verbal reinforcement, of the type of facility planned for a community.

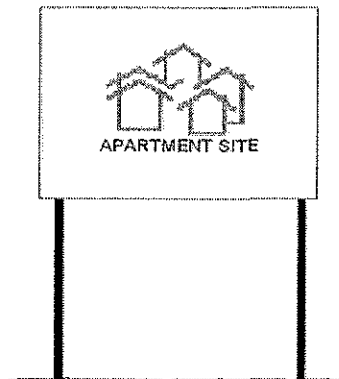
**POLICY:** The sign shall identify facilities which are planned as a part of a planned community and are to be constructed in the immediate future. General symbols, designed to identify and not to advertise, will represent the same type of facilities in the community. May be double-faced if required.

**LOCATION:** Always installed on the site of the facility and oriented to the nearest street. One sign to be utilized for each street fronting on the site.

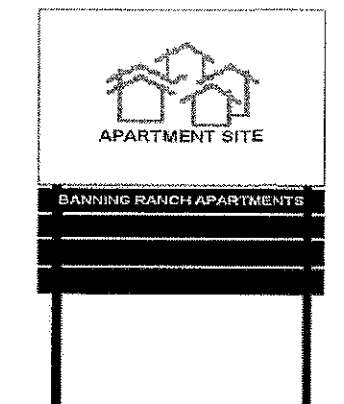
**LONGEVITY:** From the time the site has been zoned for the facility until construction and/or leasing is completed.

**SIGN SURFACE AREA:** 96 square feet maximum (including 4 “rider” panels).

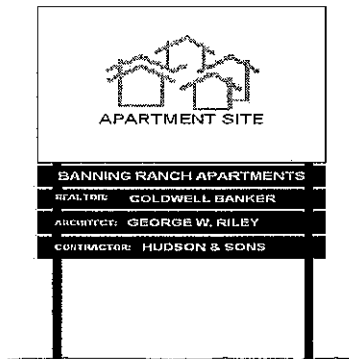




Phase 1 represents a site which has been zoned for the respective facility.



Phase 2 represents a site which has been leased or sold to a client. At this time the name of the facility is added to the structure on a rider panel.



Phase 3 is initiated when construction begins. (When construction is completed, the Architect and Contractor panels should be removed.)

**Appendix B**

**General Landscape Requirements**

A. General Notes

1. All landscaping shall be conducted in accordance with the provisions in Section II. General Note 18 of these Planned Community District Regulations.

2. All landscaping shall be maintained in an orderly fashion. Periodic inspections will be made as directed by the Planning Director, and reports submitted with regard to the condition of maintenance. If suggestions of improvement are made which are within the realm of the Maintenance Standards, work shall be corrected within a reasonable period of time prescribed by the Planning Director.

B. Special Landscaped Streets

Special landscaped streets shall be those roads on the Master Plan of Streets and Highways. The entire area between the curb and the building setback line will be landscaped, except for any driveway in said area.

C. Front Yard Setback Area

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, consistent with an approved Landscape Plan.

D. Side Yard and Rear Yard Setback Areas

1. All unpaved areas not utilized for parking and storage shall be landscaped utilizing ground cover and/or shrub and tree materials in accordance with the approved Landscape Plan. Undeveloped areas proposed for future expansion shall be maintained in a weed free condition, but need not be landscaped.

2. Boundary landscaping is required on all interior property lines where the contiguous areas are not jointly developed. Said landscaping shall be placed along the entire length of these property lines or be of sufficient length to accommodate the number of required trees, in accordance with the approved Landscape Plan.

E. Parking Areas

Trees shall be placed throughout parking areas, according to criteria adopted in the approved Landscape Plan. Planting of trees may be in groups and need not necessarily be in regular spacing. Trees should be limited in variety and selection should be repeated to provide continuity.

F. Sloped Banks

All sloped banks greater than 5 to 1, or 6 feet in vertical height and adjacent to public right-of-way shall be stabilized, planed and irrigated with full coverage in accordance with landscaped planned submitted to and approved by the Planning Director.

G. Storage Areas

1. All outdoor storage shall be visually screened from access streets and adjacent properties. Said screening shall form a complete opaque screen up to a height prescribed in the approved Landscape Plan.

2. Outdoor storage shall be meant to include company owned and operated motor vehicles, with the exception of passenger vehicles. Regulations for "outdoor storage" areas do not generally apply to "parking areas" as used in this Planned Community Text.

3. Combinations of plantings can be used to soften "hard materials" and to give a continuity to planting

4. 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 and adjacent properties. 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, or be of an approved method of display.

J. Pedestrian Access

It is required of developments in the neighborhood - commercial and professional office - light industrial areas to submit a plan of pedestrian access to the Planning Department 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, as such walkways are proposed or necessary.

K. Earth Berms

Earth berms, where used, shall be rounded and natural in character, designed to obscure automobiles and to add interest to the site. In cases where the ratio of width and height of berm creates a bank greater than 3 to 1, shrubs or walls can be used and will be subject to approval of the Planning Director, as part of the Landscape Plan.

L. Landscape Plant Vocabulary

It is the intent of this standard to provide flexibility and diversity in plant selection yet maintain a limited variety to give greater unity to the development. At the direction of the Planning Director and the Director of Parks, Beaches, and Recreation material lists and a street tree master plan shall be developed in conjunction with the Landscape Plan to aid in this development.

M. Maintenance

1. All planting areas are to be kept free of weeds and debris.
2. Lawn and ground covers are to be kept trimmed and/or mowed regularly.
3. All plantings are to be kept in a healthy and growing condition. Fertilization, cultivation and tree pruning are to be carried out as part of regular maintenance.
4. Irrigation systems are to be kept in working condition. Adjustments and cleaning of the systems should be part of a regular maintenance.
5. Stakes, guys and ties on the trees should be checked regularly for correct function; ties will be adjusted to avoid creating abrasions or girdling to the stems.
6. Damage to plantings created by vandalism, accident or acts of nature shall be corrected within a reasonable period of time.

## **Appendix C**

### **Mitigation Measures**

## MITIGATION MEASURES

The following mitigation measures are adopted in conjunction with General Plan Amendment 81-1:

1. Mitigation measures in the following areas are included in the P-C Development Plan and/or the General Plan, and are hereby incorporated by reference:
  - a) Geologic Hazards
  - b) Drainage
  - c) Parks
  - d) Development Phasing
  - e) Circulation System Improvement
  - f) Pedestrian Bridge
  - g) Views
  - h) Ticonderoga Street
  - i) Public Services - Fire Protection
2. The City shall explore all practical and feasible methods of reducing pollutants and silt to the tidal channel and shall consider incorporating said methods in future tract map approvals.
3. A Transportation Management Plan shall be developed for all office and industrial development and shall meet the approval of the Planning Commission prior to tentative tract map approval, unless otherwise relegated to future review by action of the Planning Commission. Measures to be considered include:
  - Preferential parking for ride-sharing vehicles
  - Transit subsidy, at least to extent of value of parking otherwise provided by employers
  - Flextime and staggered work hours and work schedules
  - Promotion of pedestrian and bicycle traffic carpool/vanpool/subscription and bus/charter bus programs (both internal and external to the company)
  - Transit system coordination
  - Other programs offering the prospect of reduced or shifted travel patterns



4. In conjunction with circulation improvements, the following shall be implemented:

- Backbone bikeway along Coast Highway
- Backbone bikeway on Balboa Boulevard (Bluff Road)

The following shall be developed at the tentative map stage:

- On-street pedestrian facilities and a compatible internal pedestrian circulation system
5. Tentative tract maps and all future developments shall anticipate future transit service routes and provide adequate roadway width to accommodate bus stops and bus benches.
  6. To reduce motor vehicles use and associated mobile source emissions, pedestrian and bicycle trails shall be provided on the tentative tract maps.
  7. Transportation management plans and energy conservation design standards shall be implemented at the tentative tract level.
  8. Detailed noise studies shall be conducted at the tentative tract map stage for on-site and off-site impacts of the project. The cumulative impacts of this project and regional growth on West Newport will be evaluated and noise wall fund shall be established to mitigate for these impacts on West Newport.
  9. Use of reclaimed wastewater to save fresh water shall be studied at the tentative tract level and incorporated into project plans if feasible.
  10. Increased police costs shall be offset by project revenues.
  11. Specific mitigation measures related to schools shall be developed at the tentative tract map stage if necessary.
  12. Design of the industrial/office area shall coordinate uses to the east and create a gateway to the site.
  13. Vegetation shall be used in screen interfaces between various uses.
  14. Building and grading shall blend with the landform to create a “natural” appearance, particularly as viewed from Pacific Coast Highway.
  15. Building design shall consider the roofscape as viewed from Newport Crest and include feasible mitigation measures such as screening air-conditioning equipment, locating equipment at ground level, etc.

16. Residential areas shall be designed to encourage bicycle and pedestrian travel.
17. Residential units shall be sited to maximize opportunities for solar heating.
18. Residential units shall incorporate architectural techniques to further the objectives of energy conservation.
19. On site waste storage facilities and programs to minimize waste transportation and disposal costs be provided.
20. Programs to educate residents as to methods and importance of energy conservation shall be initiated.
21. Office and industrial buildings shall be located to maximize pedestrian access.
22. The site shall be analyzed prior to locating building air intakes, to maximize ventilation efficiency.
23. Buildings shall be designed to incorporate natural ventilation within building circulation systems.
24. Each project shall establish ventilation systems capable of shutting down during non-business hours.
25. Each project shall select and locate building heating systems to maximize conservation.
26. Each project shall incorporate building lighting systems to produce optimal energy conservation opportunities.
27. Water conservation design features shall be incorporated into building construction.
28. Exposed slopes shall be planted as soon as possible to reduce erosion.
29. Prior to construction of any project, the availability of water shall be verified by the serving agency.
30. A watering system shall be designed which minimizes water consumption; such as drip irrigation or tensiometers.
31. A lighting plan be submitted for review by the Police Department and Public Works Department to ensure adequate lighting of pedestrian walkways and parking areas.