



**CITY OF NEWPORT BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
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NEWPORT BEACH, CA 92660
(949) 644- 3209**

Memorandum

To: Planning Division Staff
From: Jaime Murillo, Senior Planner
Date: December 18, 2013
Re: Allowable height of freestanding fireplaces and barbeques when located within
Planned Community Districts

For Planned Community Development Plans that do not include provisions related to the encroachment of freestanding fireplaces and barbeques into setback areas, it has been determined that such improvements may be permitted in setback areas, consistent with the provisions of Section 20.30.110.D.8 of the Zoning Code. However, consistent with the intent of the Zoning Code Section, the height of such structures may be increased consistent with the allowed height of fences and walls permissible under the applicable Planned Community Development Plan.

For example, if a Planned Community Development Plan allows for 8-foot-high fences and walls located within side and rear setbacks, a freestanding fireplace may also be constructed at a height of 8 feet.

BAYVIEW
PLANNED COMMUNITY DEVELOPMENT PLAN
AND DEVELOPMENT STANDARDS

CITY OF NEWPORT BEACH

August 15, 1985

Amendment No. 644
Resolution No. 87-24
Adopted February 9, 1987

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

Planned Community Amendment No. PD2010-004(PA2010-062)
Ordinance No. 2010-12
Adopted July 6, 2010

Planned Community Amendment No. PD2015-005 (PA2015-210)
Ordinance No. 2019-3
Adopted February 26, 2019

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INTRODUCTION

Location

The Bayview project site is located on the southwest corner of the intersections of Bristol Street South and Jamboree Road in the Santa Ana Heights area of unincorporated Orange County. To the north is Bristol Street South and the extension of the Corona del Mar Freeway. West of the site is a residential area of single-family homes. To the south is Upper Newport Bay.

Existing Zoning

- PA/95 PD: Professional Administrative
- CC/90: Community Commercial
- CC/35: Community Commercial
- R1-2975 PD (2975): Single family, 2,975 square feet minimum lot size.
- R2-2, 400: Multi-family, 2,400 square feet minimum area per unit.

B1: Buffer.

The development standards set forth herein will provide for the development of the subject property, in accordance with these standards and those of the City of Newport Beach.

Land Uses

The Bayview development is designated for residential, recreational, commercial, professional, institutional, hotel, and office uses as shown on Exhibit 1.

GENERAL NOTES

1. Water service to the Planned Community District will be provided by the Irvine Ranch Water District or the City of Newport Beach.
2. Sewage Disposal service facilities to the Planned Community will be provided by the Irvine Ranch Water District.
3. Except as otherwise stated in this Planned Community text, the requirement of the Newport Beach Zoning Ordinance shall apply. Where a conflict exists, the Planned Community text shall supersede.
4. The contents of this text notwithstanding, all construction within the Planned Community boundaries shall comply with all provisions of the Uniform Building Code and the various mechanical codes related thereto except as noted in the Preannexation Agreement.
5. A pedestrian and bicycle trail system shall be provided as shown on the approved Tentative Map of Tract No. 12212. The system shall be reviewed and approved by the City of Newport Beach Public Works Department.
6. Affordable housing shall be provided as per the Bayview Preannexation Agreement.
7. Park dedication shall be provided as per the Bayview Preannexation Agreement.

Definitions

The following definitions shall apply to the development of Bayview Planned Community.

1. Gross Acreage shall mean the entire site area within the project boundary as shown on the approved Tentative Map of Tract 12212.
2. Parcel Map Net Area shall mean the entire area within the project boundary line excluding previously dedicated perimeter streets.
3. Building 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 floodplains.
4. Cluster Unit Development shall mean 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 or open spaces and where the individual sites may have less than the required average of the district but the density of the overall development meets the required standard.
5. 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 average for the district but where open space areas are provided for the enhancement and utilization of the overall development.

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BAYVIEW SITE STATISTICS

	<u>Area</u>	<u>Gross Acreage</u>	<u>Maximum D.U.</u>	<u>Maximum Hotel Rooms</u>	<u>Maximum Gross Sq.Ft.</u>
1	Multi-family Residential	6.1	88	-	-
2	Single family Residential	17.4	145	-	-
3	Professional Administrative Office	16.8	-	-	-
•	Office	-	-	-	660,000
•	Retail	-	-	-	27,500
4	Hotel Site	6.3	-	300	-
5	Residential Care Facility for the Elderly	1.6	-	-	85,000
6	Buffer	16	-	-	-
	Total Gross Area	64.2			

AREA 1, MULTIFAMILY RESIDENTIAL

Intent

The inclusion of multi-family residential units in the Bayview Planned Community District provides quality housing opportunities to the general public.

Permitted Uses

1. Single-family dwellings/attached or detached.
2. Noncommercial recreation facilities.
3. Duplexes.
4. Dwelling groups and multiple-family dwellings.
5. Residential condominium projects and community apartment projects.
6. Sewage lift stations.
7. Community care facilities service six or fewer persons.
8. Any other uses that in the opinion of the City of Newport Beach Planning Commission are of a similar nature.
9. Gated community with vehicular access control facilities.

Temporary Uses Permitted

1. Model homes, temporary real estate offices, and signs.
2. Temporary use of a mobile home residence during construction.
3. Real estate signs.

Accessory Uses Permitted

The following accessory uses and structures are permitted when customarily associated with and subordinate to a permitted principal use on the same building site.

1. Garages and carports.
2. Swimming pools and spas.
3. Fences and walls.
4. Signs.
5. Any other accessory use or structure which the Planning Commission finds to be of a similar nature.

Development Standards/Attached Residential

1. **Maximum Height Limits**
All buildings shall not exceed an average of 35 feet.
2. **Setbacks**
A minimum setback of fifteen feet shall apply to all structures other than garages adjacent to public streets; except that balconies and patios may encroach six feet into the required setback.

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

Setbacks shall be measured from the ultimate right-of-way line.

3. **Setbacks from Other Property Lines and Structures**
 - a. A minimum of first-story front yard setback of five 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. The second story front may be constructed adjacent to the back of curb or in the event that sidewalks are constructed, adjacent to back of sidewalk.
 - b. All main residential structures shall be a minimum of eight feet apart. This shall be measured from face of finished wall to face of finished wall.

- c. Detached garages shall be separated from main residential structures a minimum of eight feet. This also shall be measured from face of finished wall to face of finished wall.
 - d. Garages with direct access from private streets shall be set back a minimum of five feet from back of curb, or in the event that sidewalks are constructed, from back of sidewalk.
 - e. A minimum five-foot setback shall occur from the most northerly property line of lots 5, 6, and 7 on the Tentative Map of Tract 1236.
4. Fences, Hedges and Walls
Fences shall be limited to a maximum height of eight feet.
5. 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.
6. Parking
Two covered spaces per unit plus .36 guest parking spaces per unit will be required. 25% of all guest parking may be compact spaces. Guest parking shall be clustered with a minimum of two spaces per cluster.

AREAS 1 AND 2, SINGLE FAMILY RESIDENTIAL

Intent

The R1 designation is established to provide for the development of a medium density single family residential neighborhood. The area provides a method whereby land may be developed to utilize design features which take advantage of modern site planning techniques. The intent is to produce an integrated development project providing an environment of stable, desirable character which will be in harmony with existing and potential development of the surrounding neighborhood.

Permitted Uses

1. Single-family dwellings.
2. Noncommercial recreation facilities.
3. Sewage lift stations.
4. Any other uses that in the opinion of the City of Newport Beach Planning Commission are of a similar nature.
5. Gated community with vehicular access control facilities.

Temporary Uses Permitted

1. Model homes, temporary real estate offices, and signs.
2. Temporary use of a construction trailer.
3. Real estate signs.

Accessory Uses Permitted

The following accessory uses and structures are permitted when customarily associated with and subordinate to a permitted principal use on the same building site.

1. Garages and carports.
2. Swimming pools and spas.
3. Fences and walls.

4. Patio covers.
5. Any other accessory use or structure which the Planning Commission finds to be of a similar nature.

Development Standards

1. Maximum Height Limits
All buildings shall not exceed an average of 35 feet.
2. Building Site Area
The minimum building site area shall be 2,975 square feet.
3. Setbacks
 - a. Front Yard
 - (1) Where garages face the street, the front yard setback shall be a minimum of five feet from back of curb or in the event sidewalks are constructed, minimum of five feet from back of sidewalk.
 - (2) Where garages face the alley the front setback shall be a minimum of eight feet from back of curb or in the event sidewalks are constructed, minimum of eight from back of sidewalk.
 - b. Side Yard
 - (1) Minimum setback of four feet from property line with a ten foot minimum setback between buildings.
 - c. Rear Yard
 - (1) Where garages face the street, the rear yard setback shall be a minimum of eight feet.
 - (2) Where garages face the alley rear setback shall be a minimum of fifteen feet from centerline of alley.
4. Fences, Hedges, and Walls

Fences shall be limited to a minimum height of eight feet except within the front yard setback where fences, hedges and walls shall be limited to three feet.

5. Trellis

Open trellis and beam construction, and patio covers where reciprocal side yard easements exist, shall be permitted within six feet of a residential structure on adjacent property. Trellis and beam construction and patio covers shall be permitted to extend to within three feet of the residential dwelling on the adjacent property if the structure is open on three sides and the total area is 400 square feet or less. Where a corner dwelling exists adjacent to a private street or drive, open trellis and beam construction and patio covers shall be permitted to extend within three feet of a property line except in such cases where an intervening wall exists, such structure may not extend beyond said wall. Limited to 9' 0" in height

6. Parking

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

7. Architectural Features

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

8. Pools, Spas, Air Conditioning and Related Equipment

Where reciprocal easements exist, pools and spas may be located in the reciprocal easement; however, no pool, spa or air conditioning equipment shall be permitted in the reciprocal easement. All pool, spa and air conditioning equipment shall be sound attenuated in such a manner as to achieve a maximum sound level of 55dBA at the property line.

1. Equipment may not cross property line.
2. Pools or spas may cross property line up to easement line.

AREA 3, PROFESSIONAL AND ADMINISTRATIVE OFFICE

Intent

The intent is to provide areas for the development of professional and administrative offices and related uses in locations of close proximity to residential areas. These uses can conveniently serve the public and create a suitable environment for professional and administrative office buildings especially designed for this purpose. Uses in the area have been located on sites large enough to provide for landscaped open spaces and offstreet parking facilities.

The area is intended to be located on heavily traveled streets or adjacent to commercial or industrial districts. The land may be developed to utilize design features which take advantage of modern site planning techniques.

Permitted Uses

1. Professional offices.
2. Administrative offices.
3. Restaurants, bars, theater/nightclubs and delicatessens.
4. Accessory structures and uses necessary and customarily incidental to permitted uses including dry cleaners, barber shops, copy centers, shoe repairs, photo finishing, stationers, convenience markets and onsite liquor sales.
5. Business and real estate signs.
6. Gas stations, auto services, and detailing in parking structures.
7. Health Club.
8. Offstreet parking structures.
9. Landscaped areas, parks, and open space areas when integrated into the development project.
10. Any other uses that in the opinion of the City of Newport Beach Planning Commission are of similar nature.
11. Medical Offices
12. Outpatient surgery facility

Permitted Uses Subject to Use Permit

1. Helistop.

Development Standards

1. Maximum Height Limits

All buildings shall not exceed 95 feet in height. This height shall be measured from first floor elevation (excluding subterranean levels) to ceiling elevation of uppermost floor. An additional fifteen (15') feet height extension is permitted only to accommodate and screen mechanical equipment.

2. Building Site Area

The minimum building site area shall be 10,000 square feet.

Minimum Building Site Width: There is no restriction on building site width.

Minimum Building Site Depth: There is no restriction on building site depth.

Maximum Gross Floor Area: The total gross floor area of the combined two commercial office building structures shall not exceed 660,000 gross square feet.

There is no gross floor area or building coverage restrictions on individual buildings in cluster developments provided that the provisions stated above are met, adequate offstreet parking is provided, and provisions are made for the maintenance of common areas and access to individual building sites. This is subject to the review of the Director of Planning and the Director of Public Works.

3. Setbacks

Front, side, and rear yard setbacks shall each be ten feet from the property line. Distances between buildings shall be in compliance with the Uniform Building Code.

4. Streets and Driveways

Streets and driveways shall provide adequate vehicular circulation for service and emergency vehicles for the project and the area within which it is located. Required widths and improvements shall be established by the recorded Tract Map.

5. Offstreet Parking

Offstreet parking shall be provided in accordance with the approved parking plan and Preannexation Agreement.

6. Trash and Storage Area

All storage of cartons, containers, and trash shall be shielded from view within a building or within an area enclosed by a wall not less than six feet in height.

7. Landscaping

Detailed landscaping and irrigation plans shall be prepared by a licensed landscape architect, licensed landscaping contractor, or architect, and shall be reviewed by the Department of Parks, Beaches, and Recreation and approved by the Director of Planning and Director of Public Works.

AREA 4 HOTEL SITE

Intent

The Community Commercial designation provides areas for commercial uses which offer a wide range of goods and services including those facilities for overnight accommodations, shopping goods, convenience goods and services, and food services.

Permitted Uses

1. Hotels and motels
2. Ancillary structures and uses necessary and customarily incidental to hotels and motels including but not limited to:
 - Retail businesses.
 - Restaurants, bars and theater/nightclubs.
 - Service businesses.
 - Automobile parking lots and structures.
 - Recreation facilities.
 - Day nurseries.
 - Public and private parks and playgrounds.
 - Financial institutions.
 - Public/private utility buildings and structures.
 - Self-service laundry and dry cleaning facilities.
 - Any other uses that in the opinion of the City of Newport Beach Planning Commission are of a similar nature.

Temporary Uses Permitted

1. Commercial coaches.

Permitted Uses Subject to Use Permit

1. Automobile washing.
2. Health Clubs.
3. Helistops.
4. Mini-storage facilities.
5. Public utility exchanges and substations.
6. Any other use which the Planning Commission finds consistent with the purpose and intent of this area.

Permitted Accessory Uses

The following accessory uses and structures are permitted when customarily associated with and subordinate to a permitted principal use on the same building site. buildings.

1. Detached buildings.
2. Fences and walls.
3. Signs.
4. Accessory uses and structures which the Planning Commission finds to be of a similar nature.
5. Onsite liquor sales.

Prohibited Uses

1. Automobile repair garages, fender and body repair, and paint shops.
2. Automobile service stations.
3. Automobile wrecking, junk, and salvage yards.
4. Beverage bottling plants.
5. Cleaning, dyeing, and laundry plants.
6. Ice Production.

7. Rental and sales agencies for agricultural, industrial, and construction equipment.
8. Rental and sales agencies for trailers, boats, trucks, automobiles, and recreational vehicles.
9. Tire retreading.
10. Warehouses, contractor's storage yards, and work and fabricating areas.
11. Welding shops.
12. Wholesale bakeries.

Development Standards

1. Maximum Height Limits

Buildings shall not exceed 90 feet. This height shall be measured from first floor elevation (excluding subterranean levels) to ceiling elevation of uppermost floor. An additional fifteen (15') feet height extension is permitted only to accommodate and screen rooftop mechanical equipment.

2. Building Site Area

There are no specifications for minimum building site area.

3. Offstreet Parking

Offstreet Parking shall be provided in accordance with the and Preannexation Agreement. Any changes to said plan shall be approved by the City of Newport Beach Planning Director.

4. Structural Setbacks

Community Commercial uses which abut:

<u>Use</u>	<u>Front Yard</u>	<u>Side and Rear Yards</u>
Commercial	5 feet	0 feet
Residential	5 feet	20 feet
Professional Administrative	5 feet	0 feet

Street setbacks: Front, side and rear yard setbacks shall each be ten feet from the property line. Distances between buildings shall be in compliance with the Uniform Building Code.

5. Loading

All loading and unloading operations shall be performed on the site and loading platforms and areas shall be screened by a landscape or architectural feature.

6. Trash and Storage Area

All storage of cartons, containers and trash shall be shielded from view within a building or within an area enclosed by a wall not less than 6 feet in height.

7. Landscaping

Detailed landscaping and irrigation plans shall be prepared by a licensed landscape architect, licensed landscaping contractor, or architect, and shall be reviewed by the Department of Parks, Beaches, and Recreation and approved by the Director of Planning and Director of Public Works.

AREA 5 RESIDENTIAL CARE FACILITY FOR THE ELDERLY (RCFE)

Intent

The Residential Care Facility for the Elderly (RCFE) designation provides areas for facilities which serve seniors in need of assisted living, memory care and similar uses. The purpose of this designation is to support an “aging in place” development that offers a range of living arrangements for senior citizens that includes physical and programmed social connectivity, and supportive services.

Permitted Uses Subject to Use Permit

1. RCFE as defined by the State of California including assisted living facilities and memory care services serving the elderly.
2. Any other uses that in the opinion of the Newport Beach Planning Commission are of a similar nature.

Temporary Uses Permitted

1. Temporary uses are subject to the provisions of NBMC Section 20.52.040 (Limited Term Permits) or its successor section.

Permitted Accessory Uses

The following accessory uses and structures are permitted when customarily associated with and subordinate to a permitted principal use on the same building site.

1. Retail businesses as an accessory use to the RCFE.
2. Service businesses as an accessory use to the RCFE.

Prohibited Uses

1. Any use specifically not listed as permitted or conditionally permitted.

Development Standards

1. Maximum Height Limits

Buildings shall not exceed 35 feet. This height shall be measured from first floor elevation (excluding subterranean levels) to ceiling elevation of uppermost floor. An additional ten (10') feet height extension is permitted only to accommodate and screen mechanical equipment.

2. Maximum Square Feet

Floor area limit is 85,000 sq. ft.

3. Building Site Area

Minimum building site area is 1.5 acres

4. Off-Street Parking

Off-street parking shall be provided at a ratio of not less than one space per three beds.

5. Setbacks

Front (Bayview Place): 10 feet

Right Side (Bristol Street): 15 feet

Left Side: 40 feet

Rear: 40 feet

6. Other Development Standards

Unless otherwise approved by the review authority, all other development standards including those related to signs, fences, walls, lighting, noise, solid waste and recycling, and landscaping shall comply with the NBMC Title 20 (Planning and Zoning) and any other applicable titles of the NBMC.

7. Loading

All loading and unloading operations shall be performed on the site and loading platforms and areas shall be screened by a landscape or architectural feature.

8. Trash and Storage Area

All storage of cartons, containers and trash shall be shielded from view within a building or within an area enclosed by a wall not less than 6 feet in height.

9. Landscaping

Detailed landscaping and irrigation plans shall be prepared by a licensed landscape architect, licensed contractor, or architect, and shall be reviewed and approved by the Community Development Director.

6. Structural Setbacks

Community Commercial uses which abut:

<u>Use</u>	<u>Front Yard</u>	<u>Side and Rear Yards</u>
Commercial	5 feet	0 feet
Residential	5 feet	20 feet
Professional Administrative	5 feet	0 feet

Street setbacks: Front, side and rear yard setbacks shall each be ten feet from the property line. Distances between buildings shall be in compliance with the Uniform Building Code.

7. Loading

All loading and unloading operations shall be performed on the site and loading platforms and areas shall be screened by a landscape or architectural feature.

8. Trash and Storage Area

All storage of cartons, containers and trash shall be shielded from view within a building or within an area enclosed by a wall not less than 6 feet in height.

9. Landscaping

Detailed landscaping and irrigation plans shall be prepared by a licensed landscape architect, licensed contractor, or architect, and shall be reviewed by the Department of Parks, Beaches, and Recreation and approved by the Director of Planning and Director of Public Works.

AREA 6, BUFFER

Intent

The Buffer designation is established to provide open space forth purpose of buffering two areas of use that are incompatible, preserving an area with unique or sensitive environmental features, linking other open space areas, or shaping urban form, and for reservation of potential road right-of-way.

Permitted Uses

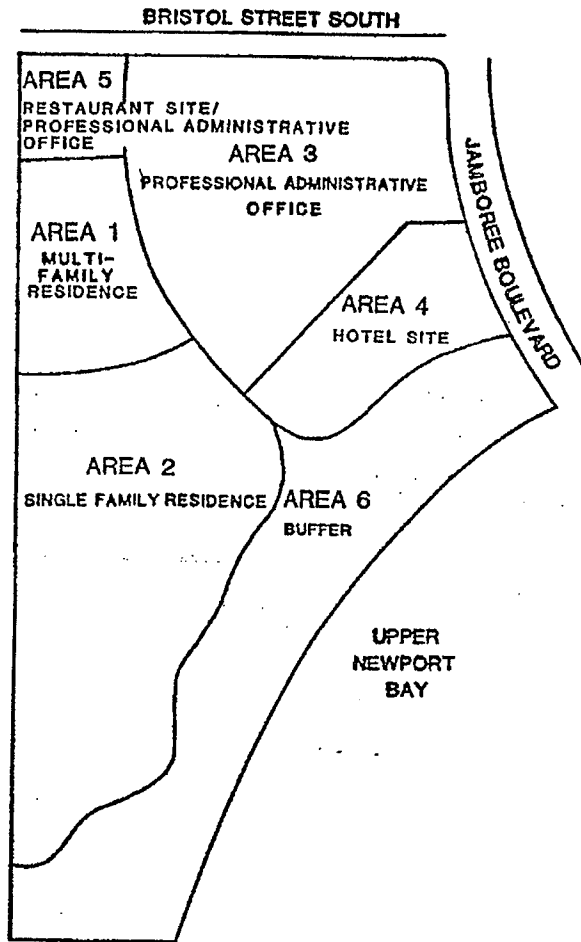
1. Back Bay access.
2. Marine preserves.
3. Passive parks and greenbelts.
4. Riding and hiking trails.
5. Fences.
6. Viewpoints.
7. Wildlife corridors.
8. Any other use that in the opinion of the City of Newport Beach Planning Director is consistent with the above stated uses, purposes, and intent of the area.
9. Roadways.
10. Desilting basins and drainage facilities.
11. Active parks and playgrounds.
12. Overhead or underground utility facilities.
13. Walls or opaque fences over 3-1/2 feet in height.
14. Any other use which the Planning Commission finds consistent with the purpose and intent of this area.

Permitted Accessory Uses

Accessory uses and structures which are customarily associated with and subordinate to a permitted principal use on the same building site and which are consistent with the purpose and intent of this district are permitted.

Site Development Standards

1. Building Site Area
 There is no minimum building site area.
2. Building Height
 The maximum building height shall be 18 feet.
3. Building Setbacks
 Building Setbacks shall be 20 feet from all property lines.
4. Signage
 No signs shall exceed six square feet in area.



ZONING

BAYVIEW

J.M. PETERS CO.

1801 DOVE STREET SUITE 100, NEWPORT BEACH, CALIFORNIA 92660

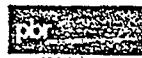
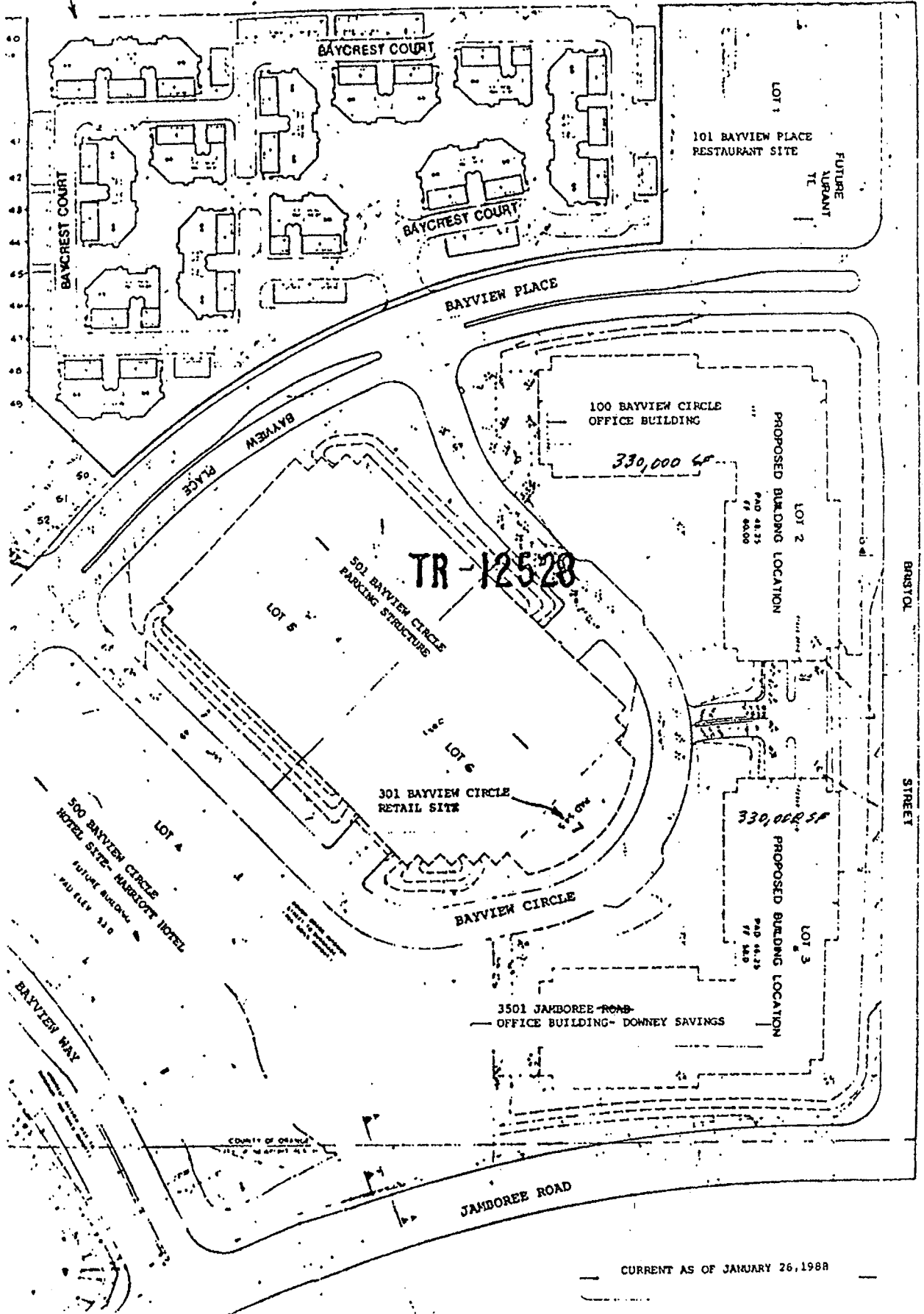


EXHIBIT 1

IR-12502



BAYVIEW PARKING PLAN

Prepared For:

J. M. PETERS COMPANY, INC.
1601 Dove Street
Newport Beach, CA 92660

Prepared By:

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February 21, 1985

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BAYVIEW PARKING PLAN

EXECUTIVE SUMMARY

The summary which follows describes the results of the parking demand study prepared for the Bayview project. The specific design criteria and parking regulations to be incorporated into the conditions of approval for Site Plan and Conditional Use Permit approvals for the project are identified along with the appropriate documentation. The summary is divided into two sections. The first section identifies the areas that modifications to standard County requirements are requested and the second section identifies the specific parking criteria and parking design standards to be used for the Bayview project. Table i addresses the findings necessary for acceptance by the County of the parking criteria addressed in Section Two.

Parking Regulations

- o Section 7-9-145.4(i) "Joint Use of Parking Facilities" of the Orange County Planning Code permits a reduction in total required parking for a project when the joint parking facilities serve two or more uses when the following criteria is complied with:
 - (1) Detail plan required. A detail plan shall be approved by the Director and shall be signed by every owner of an individual use that would use the joint parking facility.
 - (2) Parking demand data. Information shall be provided on the estimated parking demand for all uses at various times throughout the day.
 - (3) Adequate parking required. The permit shall not be approved unless the Director finds that adequate parking will be available for all uses at all times throughout the day.
 - (4) Location of parking. Parking facilities shall be within three hundred (300) feet of the uses they serve.
 - (5) Recorded agreements. The permit approval shall be conditional upon the recording with the County Recorder of an agreement executed by all parties concerned assuring the continued availability of the required number of parking spaces at all times.

Data and supporting information for each of these items can be found in the body of this report and is summarized in Table i.

TABLE 1
JOINT USE PARKING FACILITY

REQUIREMENT TO BE SATISFIED

- (1) Detail plan required. A detail plan shall be approved by the Director and shall be signed by every owner of an individual use that would use the joint parking facility.
- (2) Parking demand data. Information shall be provided on the estimated parking demand for all uses at various times throughout the day.
- (3) Adequate parking required. The permit shall not be approved unless the Director finds that adequate parking will be available for all uses at all times throughout the day.
- (4) Location of parking. Parking facilities shall be within three hundred (300) feet of the uses they serve.
- (5) Recorded agreements. The permit approval shall be conditional upon the recording with the County Recorder of an agreement executed by all parties concerned assuring the continued availability of the required number of parking spaces at all times.

BAYVIEW COMPLIANCE

- (1) This report and supporting attachments is submitted as the detailed plan. The applicant agrees that final design plans will comply with this report.
- (2) Appendix B presents the detailed parking demand study.
- (3) Table 3 in Appendix B presents the time of day forecasted parking demands. The peak demand occurs at 2:00 PM with 2,331 spaces. The 2,443 spaces provided results in 112 excess spaces available with a built in 10% safety margin.
- (4) The Bayview project proposes two multi-level parking structures, two subterranean parking facilities under Office Buildings One and Two and 90 surface spaces at the free standing restaurant site. Figure 3 in Appendix B shows that parking is located within 300 feet of the intended uses.
- (5) The applicant agrees to provide and record an executed agreement by all parties assuring the contained availability of the required number of parking spaces at all times.

- o Section 7-9-145.7 "Alternatives to Offstreet Parking Regulations" of the County Code permit the establishment of alternate parking provisions to any of the off-street parking regulations subject to the approval of a use permit application provided the approving authority finds.

(1) Applicable off-street parking requirements are excessive or inappropriate due to the nature of the specific use involved or because of special circumstances applicable to the property; and

(2) The proposed off-street parking facilities comply with the intent of these regulations as specified by Section 7-9-145.1.

The alternative parking provisions requested for the Bayview project are as follows:

- Establishment of joint use parking facilities for the project.
- Modification of the County's parking standards to permit a reduction in size of standard parking spaces from 9.5' x 19' to 9' x 19' and the use of up to 50% midsize spaces (8.5' x 17') as stipulated in Section 7-9-145.7(b).

PROPOSED BAYVIEW PARKING STANDARDS

- o Parking requirements to be used for the Bayview project are summarized on Table ii.
- o A total of 2,443 parking spaces are to be provided. Table iii summarizes the breakdown of parking by use.
- o Exhibits A-1 thru A-5 in Appendix A to this report provide generalized design criteria to be used in preparation of the final building plans.
- o The use of standard (9.5' x 19'), full size (9' x 19') and midsize (8.5' x 17') spaces are to be permitted. To provide flexibility and minor changes during final plan design preparation the following mix of standard, full size and mid-size parking be permitted.

<u>SPACE</u>	<u>SIZE</u>	<u>RANGE % OF TOTAL</u>	<u>NUMBER OF SPACES</u>
Standard	9.5' x 19'	15 - 17%	366 to 415
Full Size	9.0' x 19'	44 - 41%	1075 to 1002
Midsize	8.5' x 19'	41 - 42%	1002 to 1026
TOTAL SPACES TO BE PROVIDED.....			2,443

TABLE ii

SUMMARY OF RECOMMENDED
PARKING RATES FOR BAYVIEW PROJECT

LAND USE	PARKING RATE
OFFICE (a)	First 125,000 SF – 1 SP/250 SF Next 300,000 SF – 1 SP/300 SF Over 425,000 SF – 1 SP/350 SF
HOTEL	
- Guest Rooms (300 Rooms)	1 space/room
- Restaurants/Lounge/Retail Space	First 4,000 SF – 1SP/200 SF Above 4,000 SF – 1SP/160
- Banquet/Meeting Rooms	1 SP/200 SF (b)
ATHLETIC CLUB	1 SP/300 SF (c)
RETAIL	1 SP/400 SF (d)
RESTAURANT Lounge/Retail	First 4,000 SF – 1 SP/100 SF Above 4,000 SF – 1 SP/80 SF
<u>MEDICAL OFFICE</u>	<u>1 SP/200 SF</u>
<u>OUTPATIENT SURGERY</u>	<u>1 SP/200 SF</u>

(a) Based on Net leaseable Area = Gross Leaseable Area less Corridors, elevator shafts, main lobby, restrooms, equipment rooms, etc.

(b) Based on an average of 1 space/100 Sq. Ft. with 50% utilization by hotel guests and office development resulting in a rate of 1 space/200 Sq. Ft.

(c) Based on County rate of 1 space/150 Sq. Ft. and 50% utilization by hotel guests and office development.

(d) Based on County rate of 1 space/200 Sq. Ft. and 50% utilization by hotel guests and office development.

SF = Square Feet

SP= Space(s)

TABLE iii

SUMMARY OF BAYVIEW PARKING
REQUIREMENT BY USE

LAND USE -----	DESCRIPTION -----	PARKING REQUIREMENT -----
OFFICE (a)	530,772 SF	1802 SPACES
HOTEL		
-Guest Rooms (300 Rooms)	300 rooms	300 SPACES
-Restaurants/ Lounge/Retail Space	18,500 SF	110 SPACES
-Banquet/Meet- ing Rooms	12,000 SF	60 SPACES
ATHLETIC CLUB	13,000 SF	44 SPACES
RETAIL	14,500 SF	37 SPACES
RESTAURANT	8,000 SF	90 SPACES

	TOTAL REQUIRED PARKING -	2443 SPACES

(a) Based on Net leaseable Area = Gross Leaseable Area
less Corridors, elevator shafts, main lobby, rest-
rooms, equipment rooms etc.

SF = Square Feet

BAYVIEW PARKING PLAN

INTRODUCTION

The County of Orange Planning Code permits the establishment of joint use parking facilities containing less than the sum of the parking spaces required for two (2) or more individual uses. This permission is granted under subsection 7-9-145.4(i) "Joint Use of Parking Facilities" of the Planning Code.

The purpose of this document is to provide the necessary documentation to support the recommended parking plan, provide specific parking space design criteria and general location of parking within the project.

PARKING PLAN

The Bayview project proposes a 300 room resort hotel, office development, health club and support retail uses for the complex. A free-standing restaurant is also proposed within the commercial area of the project. Figure 1 presents the site layout of these facilities.

Parking for this complex will be provided at four locations within the project. Two (multi-level) parking structures, two subterranean parking levels under each office building and a surface parking lot serving the free standing restaurant site are proposed. Figure 2 depicts the location of each parking facilities. Table 1 summarizes the level of parking proposed for the project. The mixture of standard, full size, and midsize spaces are presented on Table 2.

The location of standard (9.5' x 19') full size (9' x 19'), and mid size (8.5' x 17') are presented in Appendix A on Exhibits A-1 through A-5.

PARKING REQUIREMENTS

The level of parking required to accommodate the Bayview Project was analyzed in detail and documented to show the adequacy of the proposed level of parking. The detailed analysis is contained in Appendix B.

The results of the parking demand analysis show that a maximum of 2,331 parking spaces will be needed to accommodate the proposed level of development. This level of expected peak parking demand results in an excess of 112 parking spaces (2,443 - 2,331 = 112) on site.

Bd
 BSMACIYAN DANNELL, INC.
 4162 Campus Drive, Suite 8-1
 Newport Beach, California 92660
 (714) 339-9940

SITE PLAN
BAYVIEW
J.M. PETERS CO.
 1001 DOW STREET SUITE 100, NEWPORT BEACH, CALIFORNIA 92660

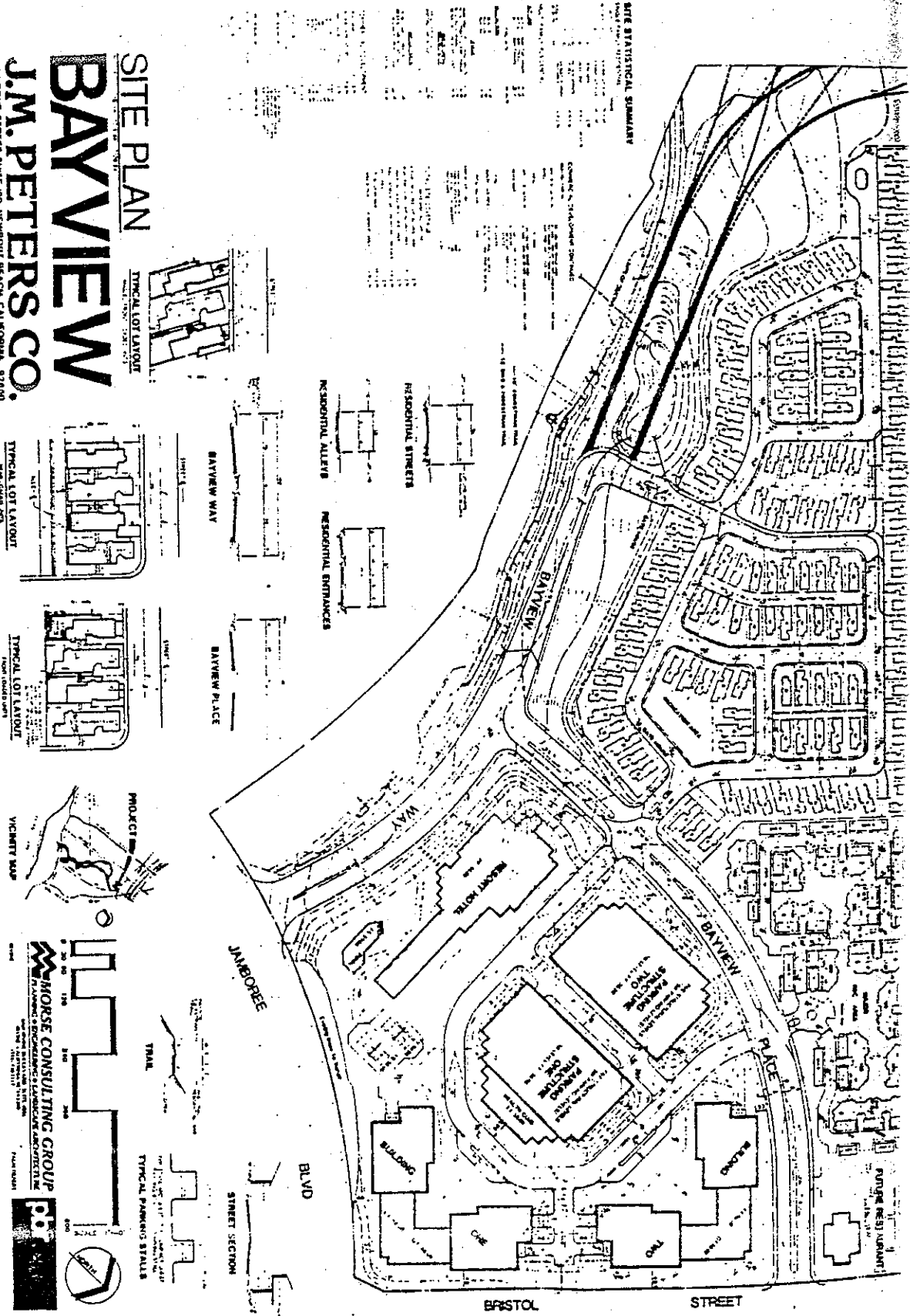


FIGURE 1
SITE PLAN

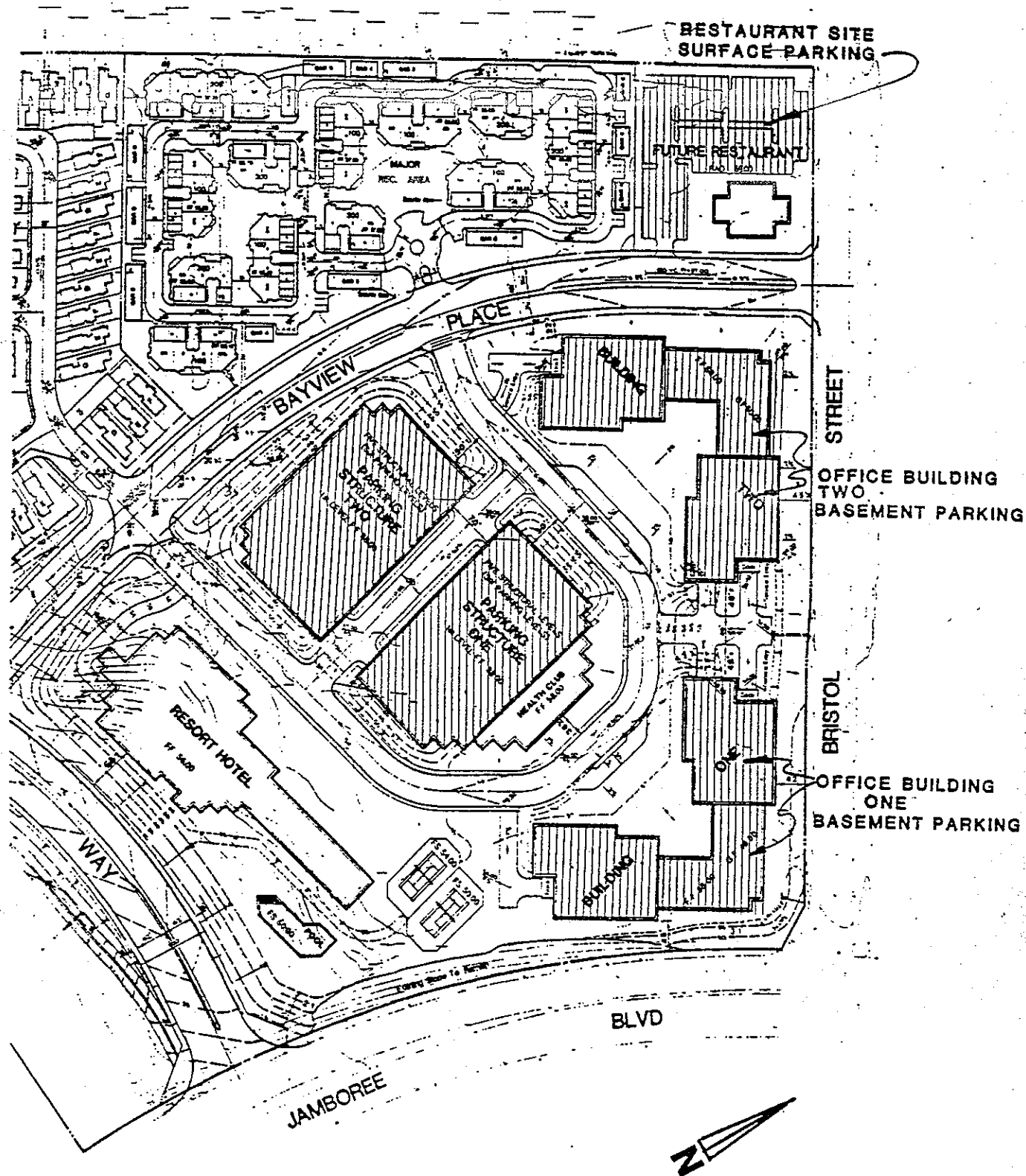


FIGURE 2

LOCATION OF PARKING FACILITIES

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BASMACIYAN-DARNELL, INC.

4262 Campus Drive, Suite B-1
Newport Beach, California 92660

TABLE 1

BAYVIEW PARKING SUMMARY (a)
BY LOCATIONPARKING PROPOSED

Parking Structure One	-	1,123	Spaces
Parking Structure Two	-	884	Spaces
Office Building One Basement Parking	-	173 ±	Spaces
Office Building Two Basement Parking	-	173 ±	Spaces
Restaurant Site	-	90	Spaces
<hr/>			
TOTAL SPACES PROVIDED	-	2,443	Spaces

(a) The parking space allocations are based on the preliminary parking concepts presented in this report. Minor adjustments in location of spaces may occur at one time of final plan preparation.

TABLE 2

BAYVIEW PARKING SIZE SPACE SUMMARY (a)

<u>LOCATION</u>	<u>STANDARD (9.5'x19')</u>	<u>FULL SIZE (9'x19')</u>	<u>MID SIZE (8.5'x17')</u>	<u>TOTAL</u>
Parking Structure One	-	564	559 _±	1,123 _±
Parking Structure Two	-	444	440 _±	884 _±
Office Building One Basement Parking	161 _±	-	12	173 _±
Office Building Two Basement Parking	161 _±	-	12	173 _±
Restaurant Site	90	-	-	90
	-----	-----	-----	-----
TOTAL SPACES	412	1,008	1,023	2,443
	17%	41%	42%	100%

(a) The parking space allocations are based on the preliminary parking concepts presented in this report. Minor adjustments in location of spaces may occur at one time of final plan preparation.

Table 3 summarizes the recommended parking rates and the required Bayview parking using these rates. The parking requirements have been formulated to follow the County of Orange format and were then adjusted to reflect the overlap of uses.

The most significant change in the recommended parking requirements involves the required parking for the office development. The county's requirement for general office space is one space per 250 square feet and does not provide any mechanism for reducing the required parking for larger complexes such as the Bayview project. Studies of similar type projects and the parking requirements of the surrounding jurisdictions (Costa Mesa, Irvine and Newport Beach) have provisions to reduce the amount of required parking as the size of the project increases. Copies of the regulations for each of the adjacent communities are contained in Appendix C.

The recommended parking rates for the office development presented in Table 3 reflects the results of various studies and have been prepared for projects in the area. The application of these rates has been utilized in the various developments immediately north of the project site in the City of Newport Beach. The area bounded by Birch Street on the west, Campus Drive on the north, Jamboree Boulevard on the east and Bristol Street on the south has been developed utilizing these rates and the resulting parking has been found to be more than adequate.

PARKING DESIGN CRITERIA

Exhibits A-1 through A-5 contained in Appendix A provide the preliminary layouts for each parking facility within the project site. In general, the project complies with the County's design requirements with the exception of providing all full size parking spaces with a 9.5 foot width.

The Bayview project proposal requests that the full size space category be divided into a standard size space with a 9.5 foot width and the full size space of 9 foot width. Approximately 161 standard spaces will be located in the basement of Office Buildings One and Two. These spaces (approximately 322 spaces) are intended for short term turnover parking and would more than adequately accommodate the expected demands. In addition 90 standard (9.5' x 19') spaces are proposed for the free standing restaurant. The 412 (322 + 90) standard spaces represent about 17% of the total. The remainder of the full size spaces (9' x 19') represents about 41% (1,008 spaces) of the total parking and are dispersed throughout the parking structures.

The remaining 42% of the parking for the project will consist of midsize (8.5' x 17') spaces. The midsize spaces total 1,023 spaces.

To provide flexibility and minor changes during final design preparation the following parking mix will be utilized.

TABLE 3

SUMMARY OF RECOMMENDED
PARKING RATES AND REQUIREMENTS
FOR BAYVIEW PROJECT

<u>LAND USE</u>	<u>DESCRIPTION</u>	<u>PARKING RATE</u>	<u>PARKING REQUIREMENT</u>
OFFICE (a)	530,772 SF	First 125,000 SF - 1 SP/250 SF Next 300,000 SF - 1 SP/300 SF Over 425,000 SF - 1 SP/350 SF	1802 SPACES
HOTEL			
-Guest Rooms (300 Rooms)	300 rooms	1 space/room	300 SPACES
-Restaurants/ Lounge/Retail Space	18,500 SF	(b)	110 SPACES
-Banquet/Meet- ing Rooms	12,000 SF	(c)	60 SPACES
ATHLETIC CLUB	13,000 SF	(d) 1 SP/300 SF	44 SPACES
RETAIL	14,500 SF	(e) 1 SP/400 SF	37 SPACES
RESTAURANT	8,000 SF	(b)	90 SPACES

TOTAL REQUIRED PARKING - 2443 SPACES

- (a) Based on Net leaseable Area = Gross Leaseable Area less Corridors, elevator shafts, main lobby, restrooms, equipment rooms etc.
- (b) Based on - First 4,000 Sq. Ft. at 1 space/200 Sq. Ft.
Above 4,000 Sq. Ft. at 1 space/160 Sq. Ft.
- (c) Based on an average of 1 space/100 Sq. Ft. with 50% utilization by hotel guests and office development resulting in a rate of 1 space/200 Sq. Ft.
- (d) Based on County rate of 1 space/150 Sq. Ft. and 50% utilization by hotel guests and office development.
- (e) Based on County rate of 1 space/200 Sq. Ft. and 50% utilization by hotel guests and office development.

SF = Square Feet

	SIZE	PERCENT OF TOTAL	NUMBER OF SPACES
Standard Spaces	9.5' x 19'	15 - 17%	366 to 415
Full size Spaces	9.0' x 19'	44 - 41%	1075 to 1002
Midsize Spaces	8.5' x 17'	41 - 42%	1002 to 1026
TOTAL		100 %	2443

Subsection 7-9-145.4(i) of the Planning Code stipulates the parking facilities proposed shall be within 300 feet of the uses they serve. The 300 foot dimension is not specific and therefore requires interpretation and sufficient data to show that this condition is generally satisfied. Figure 3 presents the location of each parking facility and the 300 foot radius from the edge of each parking facility as well as a 300' radius measured from approximately the center of each parking structure. Review of Figure 3 allows the conclusion to be made that all parking is within 300 feet of their intended use.

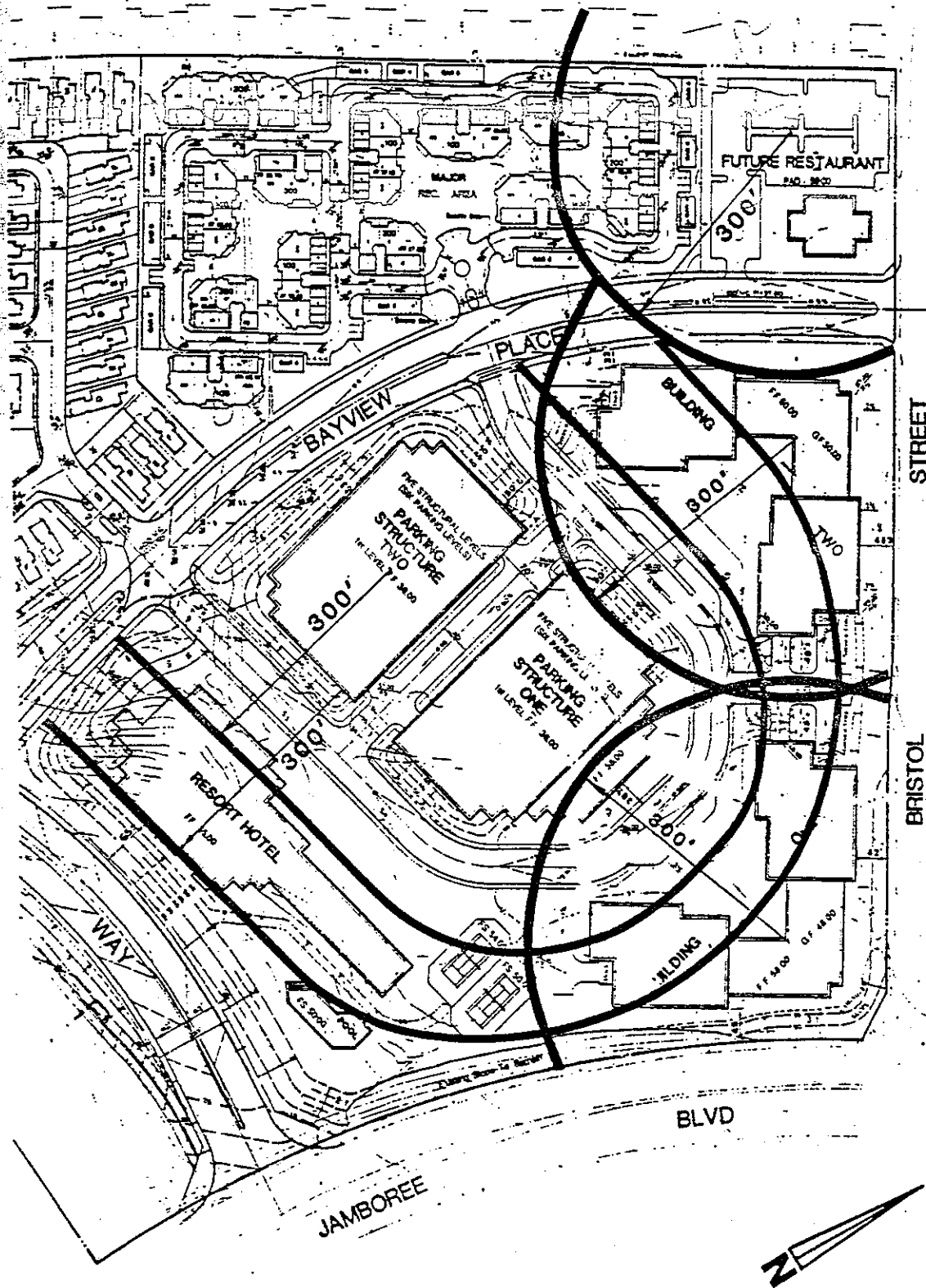


FIGURE 3

**LOCATION OF PARKING FACILITIES
TO INTENDED USES**

**B
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Newport Beach, California 92660