



CHAPTER 3 Land Use Element



Land Use Element Amendment

Public Information Meeting

April 10, 2014

Background

- **May 2013** – City Council initiates an amendment to the Land Use Element.
- **July 2013** – 1st meeting of the Land Use Element Amendment Committee
- **July 2013 to April 2014** – Thirteen Committee meetings
- **March 17, 2014** - Draft EIR Released



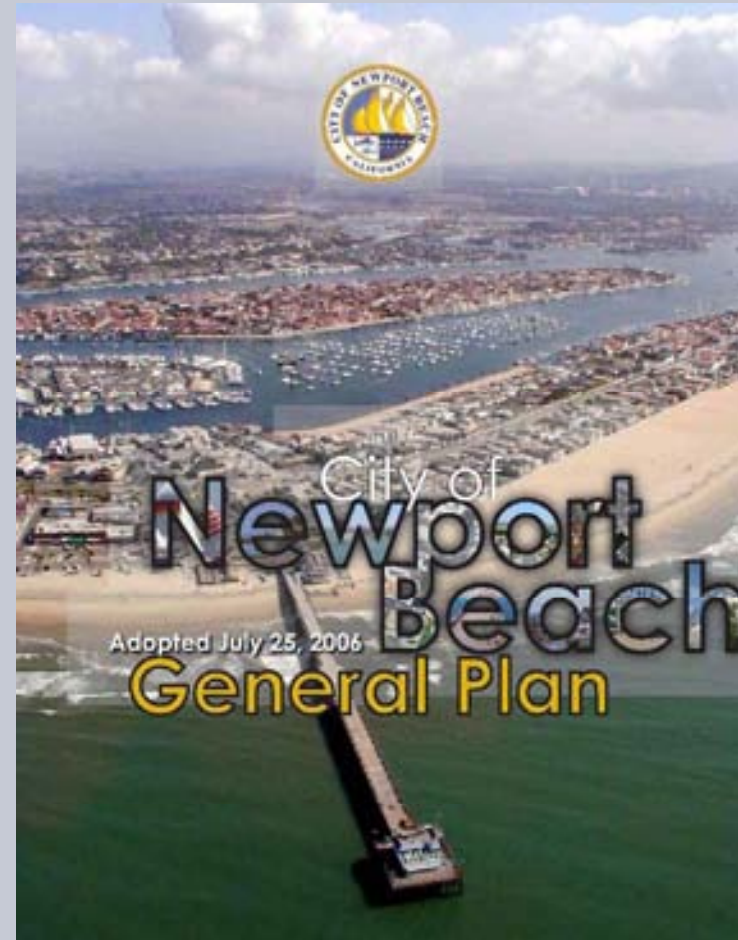
Why Amend the Land Use Element?

Government Code Section 65103(a)

- Each city shall “periodically review, and revise, as necessary, the general plan...to reflect changed circumstances.”

Principle of Adaptability—“A Living and Breathing Document”

- Changing market economy
- Emerging opportunities and best practices to achieve community visions
- New legislation



Why Amend the Land Use Element?

Voter approval is required for any major amendment to the Newport Beach General Plan. A “major amendment” is one that:

- Significantly increases the maximum amount of traffic that allowed uses could generate (over 100 peak hour trips), or
- Significantly increases allowed density (over 100 dwelling units) or intensity (over 40,000 square feet of floor area)



Foundation for Amendment

Consistency with and Build on 2006 General Plan Vision, Goals, and Policies

- **Preserved and enhanced character** as a unique residential community
- **Conservative growth strategy** —Accommodate development that enhances fiscal health and account for market demands, while maintaining and improving the quality of life
- **Changes in use and/or density in areas that are**
 - Economically underperforming
 - Reduce commuting distance between home and jobs
 - Enhance the values distinguishing Newport Beach as a special place to live for its residents



Foundation for Amendment

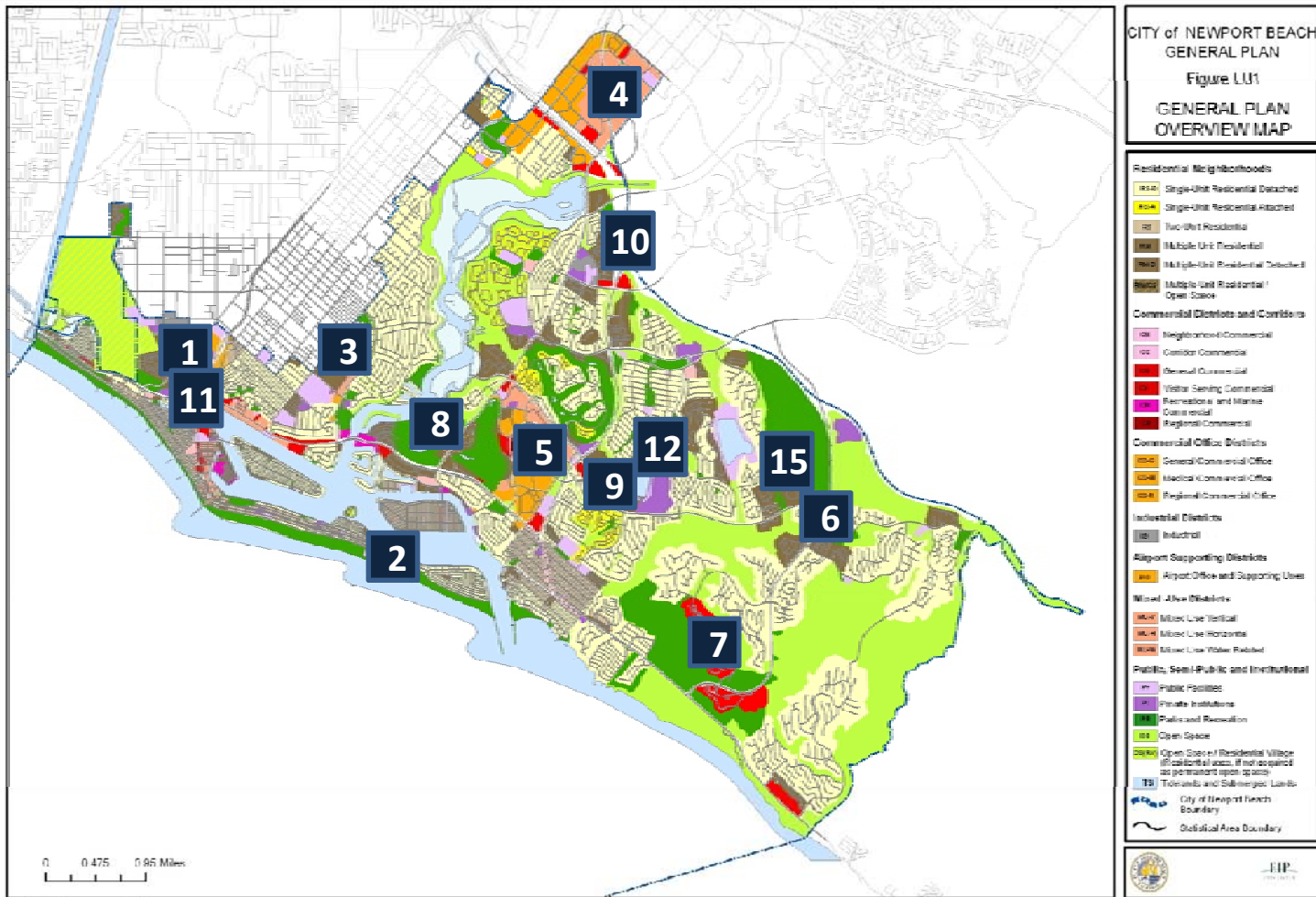
2006 General Plan Opportunities for Change

Consolidation of existing uses; infill and intensification of existing development consistent with area visions and character

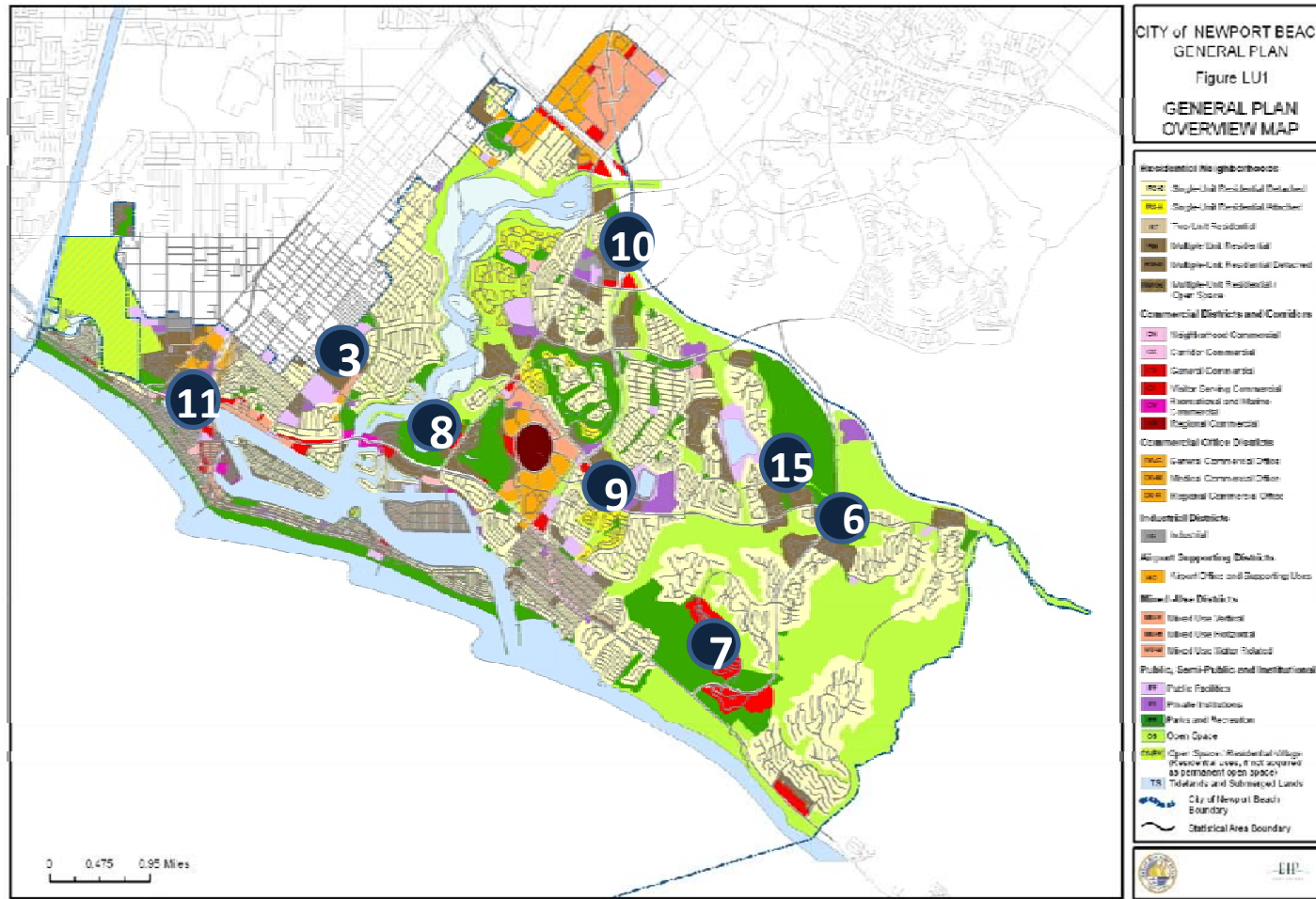
- West Newport
- West Newport Mesa
- John Wayne Airport Area
- Fashion Island/Newport Center
- Balboa Peninsula
- Mariners' Mile



Study Areas – Reference Map



Reduced Capacity



Reduced Capacity

Westcliff Plaza



Newport Coast



Harbor View Center



Gateway Park



Reduced Capacity

Map Reference	Location	2006 General Plan		Existing	Recommendation		
		Designation	Allowable		Designation	Reduction	Remaining
3	Westcliff Plaza	Neighborhood Commercial (CN)	138,500 SF	112,986 SF	No Change	-15,514 SF	+10,000 SF
6	Newport Coast Center	Neighborhood Commercial (CN)	141,787 SF	103,712 SF	No Change	-37,825 SF	+200 SF
7	Newport Coast Hotel	Visitor-Serving Commercial (CV)	2,150 rooms	1,104 rooms	No Change	-1,001 rooms	+45 rooms
8	Bayside Center	Neighborhood Commercial (CN)	66,000 SF	65,284 SF	No Change	-366 SF	+350 SF
9	Harbor View Center	Neighborhood Commercial (CN)	74,000 SF	71,993 SF	No Change	-1,875 SF	+150 SF
10	The Bluffs	General Commercial (CG)	54,000 SF	50,312 SF	No Change	-3,538 SF	+150 SF
11	Gateway Park	Commercial Corridor (CC)	4,356 SF	0 (Park)	Parks and Recreation (PR)	-4,356 SF	0
15	Newport Ridge (various areas)	Multi-Unit Residential (RM) Single Unit Residential Detached (RS-D)	2,550 DUs	2,187 DUs	No Change	-356 DUs	+7 DUs



Increased Capacity



Increased Capacity

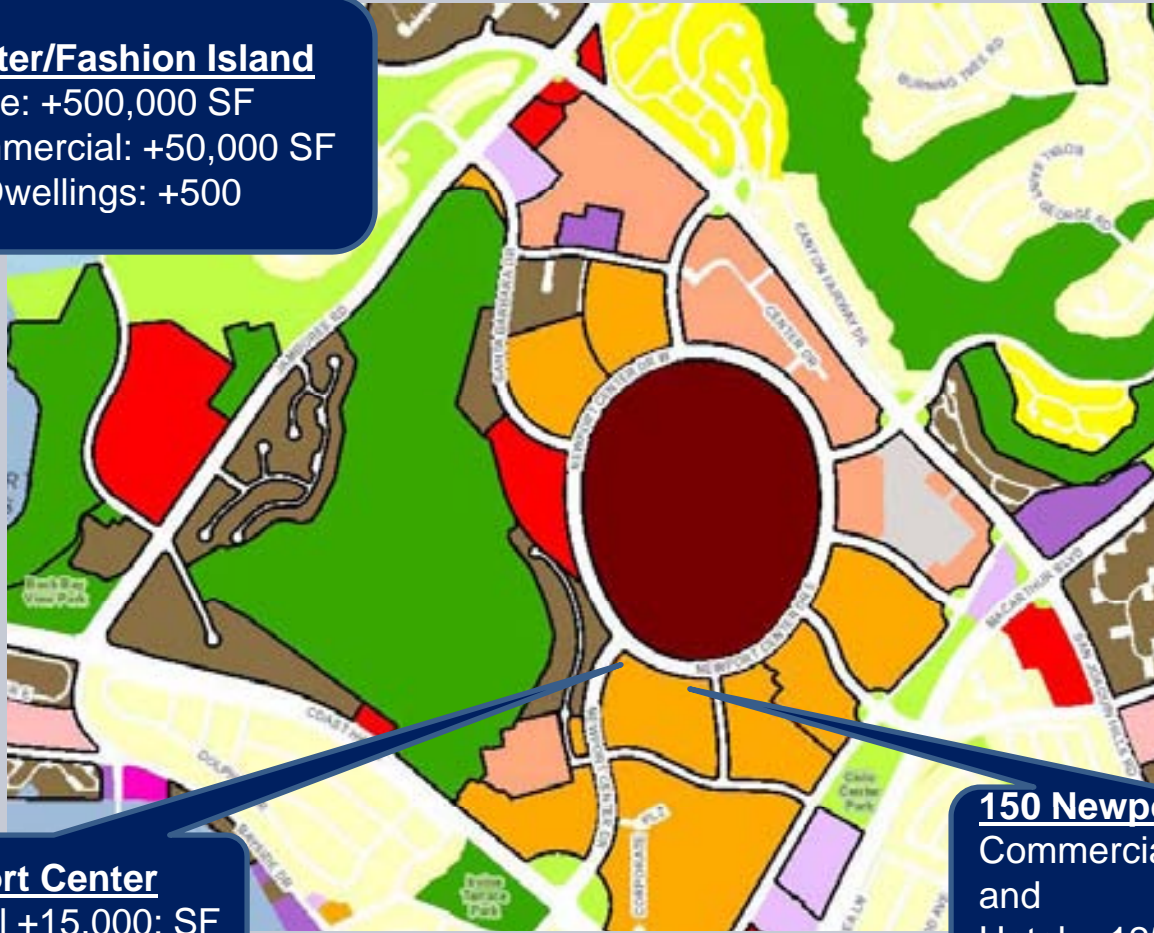
Map Reference	Location	2006 General Plan		Existing	Recommendation		
		Designation	Allowable		Designation	Maximum Capacity	Increase/Decrease
5	Newport Center/Fashion Island	Commercial (CR, CO-R, CO-M, CV), Mixed Use Horizontal (MU-H3), Multi-Unit Residential (RM)	Various	Retail, Office, Residential, Hotel	No Change	Various	Regional Office +500,000 SF; Regional Commercial +50,000 SF; Multi-Family +500 units
17	150 Newport Center Drive	Regional Commercial Office (CO-R)	8,500 SF	8,500 car wash	Mixed Use Horizontal (MU-H3)	125 hotel rooms (24.8 K Commercial)	+125 hotel rooms +24.8 K Commercial
18	100 Newport Center Drive	Regional Commercial Office (CO-R)	17,500 SF	17,500 SF Museum	Mixed Use Horizontal (MU-H3)	32,000 SF	+15,000 SF
12	Harbor Day School	Private Institution	.35 FAR 99,708 SF	55,479 SF	No Change	.40 FAR 113,952 SF	+14,244 SF



Increased Capacity

Newport Center/Fashion Island

Regional Office: +500,000 SF
Regional Commercial: +50,000 SF
Multi-Family Dwellings: +500



100 Newport Center

Commercial +15,000: SF

150 Newport Center

Commercial: +24,000 SF
and
Hotel: +125 Rooms

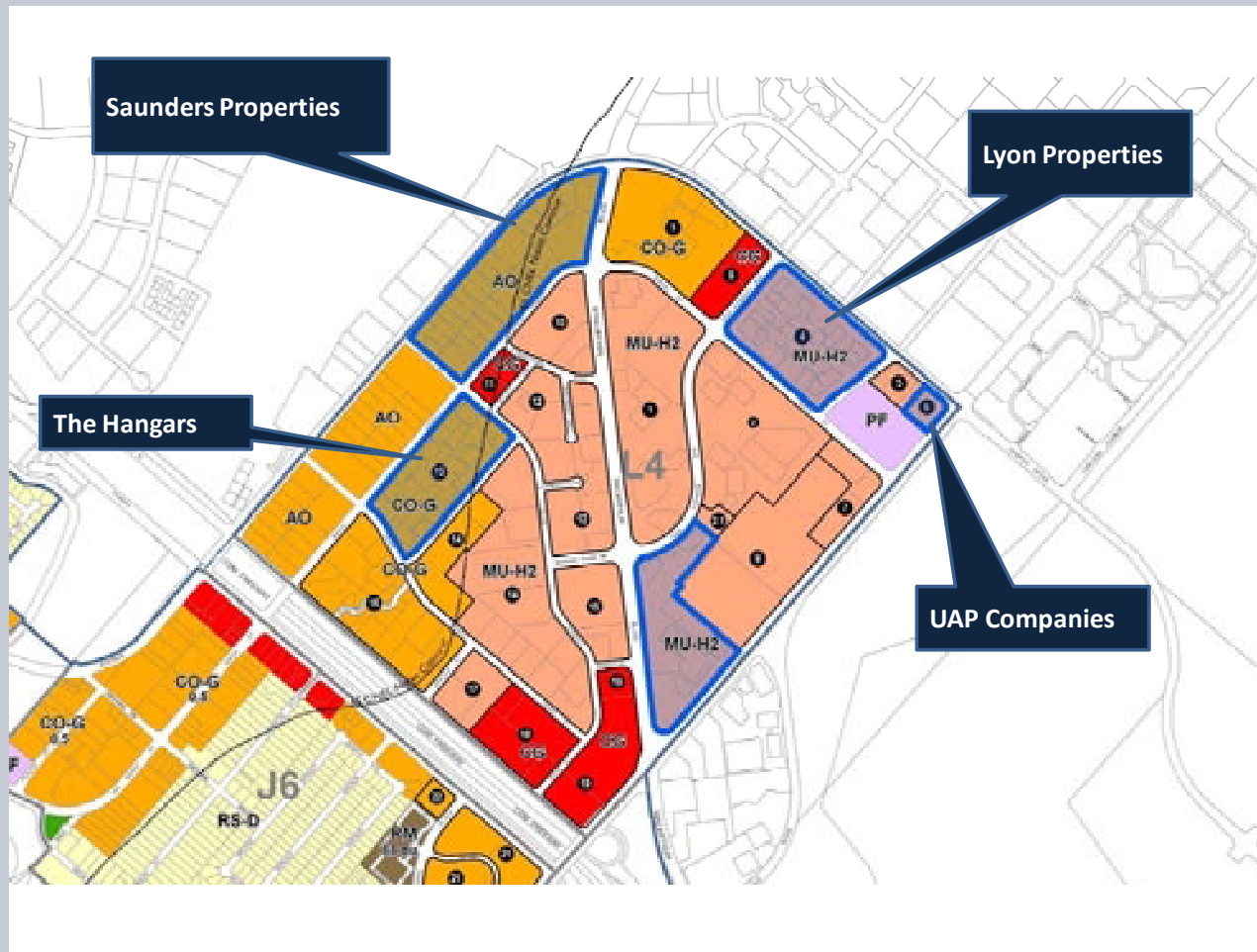


Increased Capacity

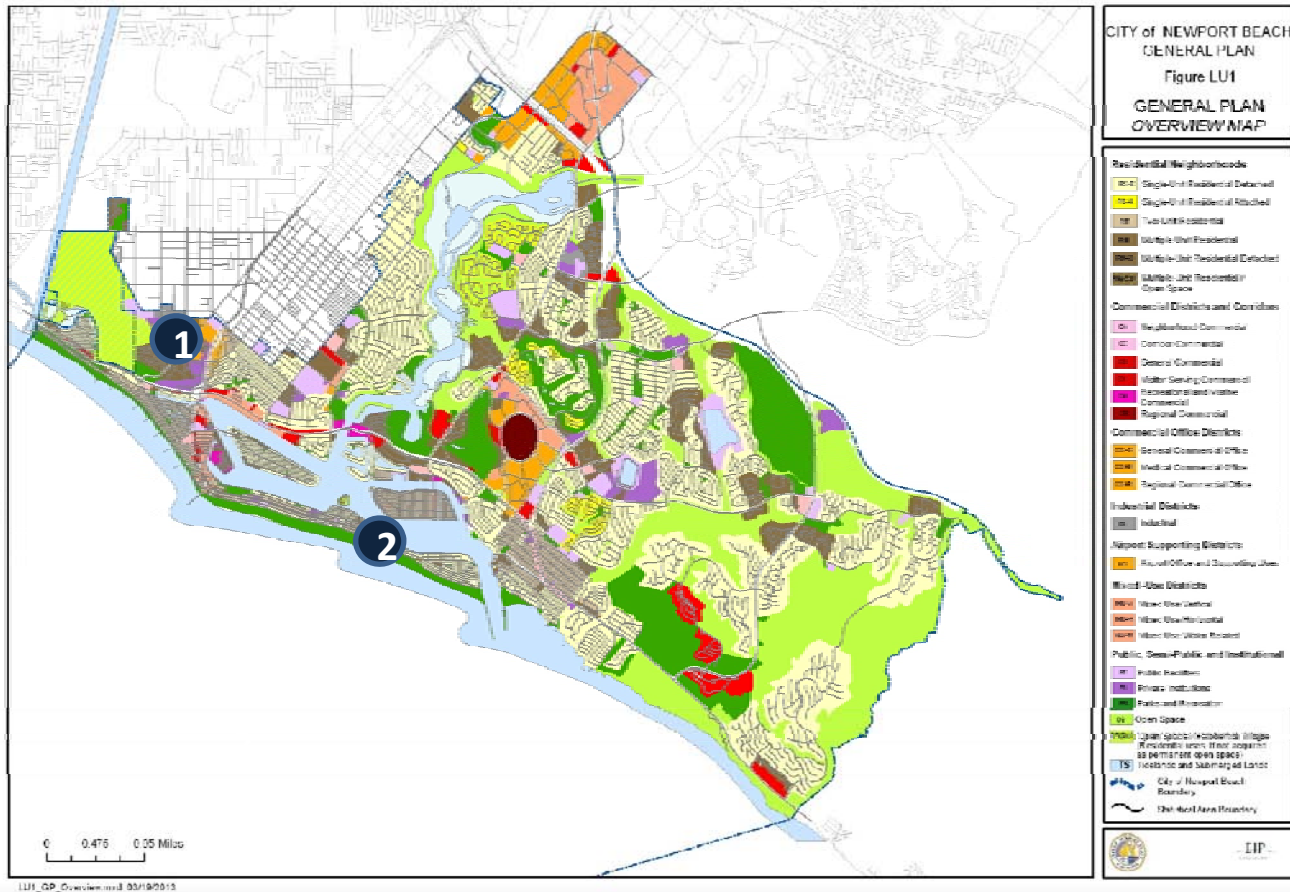
Map Reference	Location	2006 General Plan		Existing	Recommendation		
		Designation	Allowable		Designation	Maximum Capacity	Increase/Decrease
	Saunders Properties	Airport Office and Supporting Uses (AO)	306,923 SF Office	306,923 SF Office	Mixed Use Horizontal (MU-H2)	545,000 SF Office 329 DUs	Office +238,077 SF Residential +329 DUs
	The Hangars	General Commercial Office (CO-G)	288,264 SF Office	288,264 SF Office	General Commercial (CG)	278,264 SF Office/Retail	Retail +11,800 SF
4	Lyon Communities	Mixed Use Horizontal (MU-H2)	250,176 SF Office	250,176 SF Office	No Change	Retail: 85K SF Res: 850 DUs replacement Hotel: 150 Rooms	Retail: +85K SF Res: 850 DUs replacement Hotel: +150 Rooms
	UAP Companies 4699 Jamboree and 5190 Campus	Mixed Use Horizontal (MU-H2)	46,044 SF Office	21,400 SF Office	Mixed Use Horizontal (MU-H2)	Mixed Use: 46,044 SF or Congregate Care: 148,000 SF	Revise Anomaly #6 to allow 2.0 FAR (+101,956 SF) if trip neutral congregate care



Airport Area – Increased Capacity



Land Use Changes



Designation Changes

Map Reference	Location	2006 General Plan		Existing	Proposed Changes	
		Designation	Allowable Density		Designation	Density
1	1526 Placentia (King's Liquor)	Multi-Unit Residential (RM)	18 DU/ Acre	Liquor Store: Retail: 2,700 SF	General Commercial (CG)	0.5 FAR 7,524 SF
2	813 East Balboa Boulevard	Two-Unit Residential (RT)	2 DUs	Day Spa 2,565 SF	Mixed-Use Vertical (MU-V)	1.5 FAR 1,795 SF non-residential; 2 DUs residential



Policy Revisions

- **Reflect legislative changes since 2006**
 - Climate change
 - Complete streets (linked with land use policies addressing walkable neighborhoods and districts)

- **Reflect policy and regulatory documents adopted since 2006**
 - Lido Village Design Guidelines
 - Balboa Village Master Plan
 - Energy Action Plan

- **Reflect best practices**
 - Sustainable environment, economy, social well-being
 - Healthy communities



Policy Revisions

- **Consistency with proposed revisions to Land Use Diagram**
- **Text modifications to improve understandability and usability**
 - Additional detail
 - Clarification
- **Correct errors**



Policy Revisions

SCOPE OF REVISIONS

- Minor modifications of existing policies
- Deleted policies
- New policies



Policy Revisions – Health & Sustainability

- Environmental Health
- Healthy Population
- Recreational Centers
- Locally-Grown Food
- Community Connectivity
- Regulating Sustainable Development
- Existing Structure Reuse
- Sustainable Sites and Land Development
- Revitalization of Obsolete and Underused Properties
- Heat Island Effect
- Orange County Sustainable Communities Strategy



Policy Revisions – CAP Recommendations

LIDO VILLAGE

- Vested Uses
- Lido Village Design Guidelines
- Multi-Modal Village
- Gateway
- Character and Design



BALBOA VILLAGE

- Balance and Mix of Uses Areawide
- Balboa Village Fun Zone
- Streetscapes and Visual Quality
- Balboa Village Design Guidelines



Policy Revisions – CAP Recommendations

WEST NEWPORT

- Improved Visual Image and Quality



CORONA DEL MAR

- Shared Parking Structures



Policy Revisions – Other Recommendations

MARINERS' MILE

- Guiding Development of a District Corridor



AIRPORT AREA

- Transfer of Development Allocations
- Affordable Housing Projects



Glossary & Implementation Programs

- **GLOSSARY: SEVEN NEW TERMS, TWO AMENDED**

- Climate Action Plan, Climate Change, Greenhouse Gas Emissions (GHG), Greenhouse Gas Emission (GHG) Reduction, Infill, LEED Certified, Sustainability
- Compatibility, Policy

- **IMPLEMENTATION: THREE NEW PROGRAMS**

- Prepare a Climate Action Plan,
- Administer the Energy Action Plan,
- Maintain and Implement Energy Management Plans and Encourage Conservation



Environmental Process Overview

Oct. 22, 2013 – Nov. 21, 2013:

- Notice of Preparation scoping period (30 days)

Nov. 5, 2013: Public Scoping Meeting

Mar. 17, 2014 – Apr. 30, 2014:

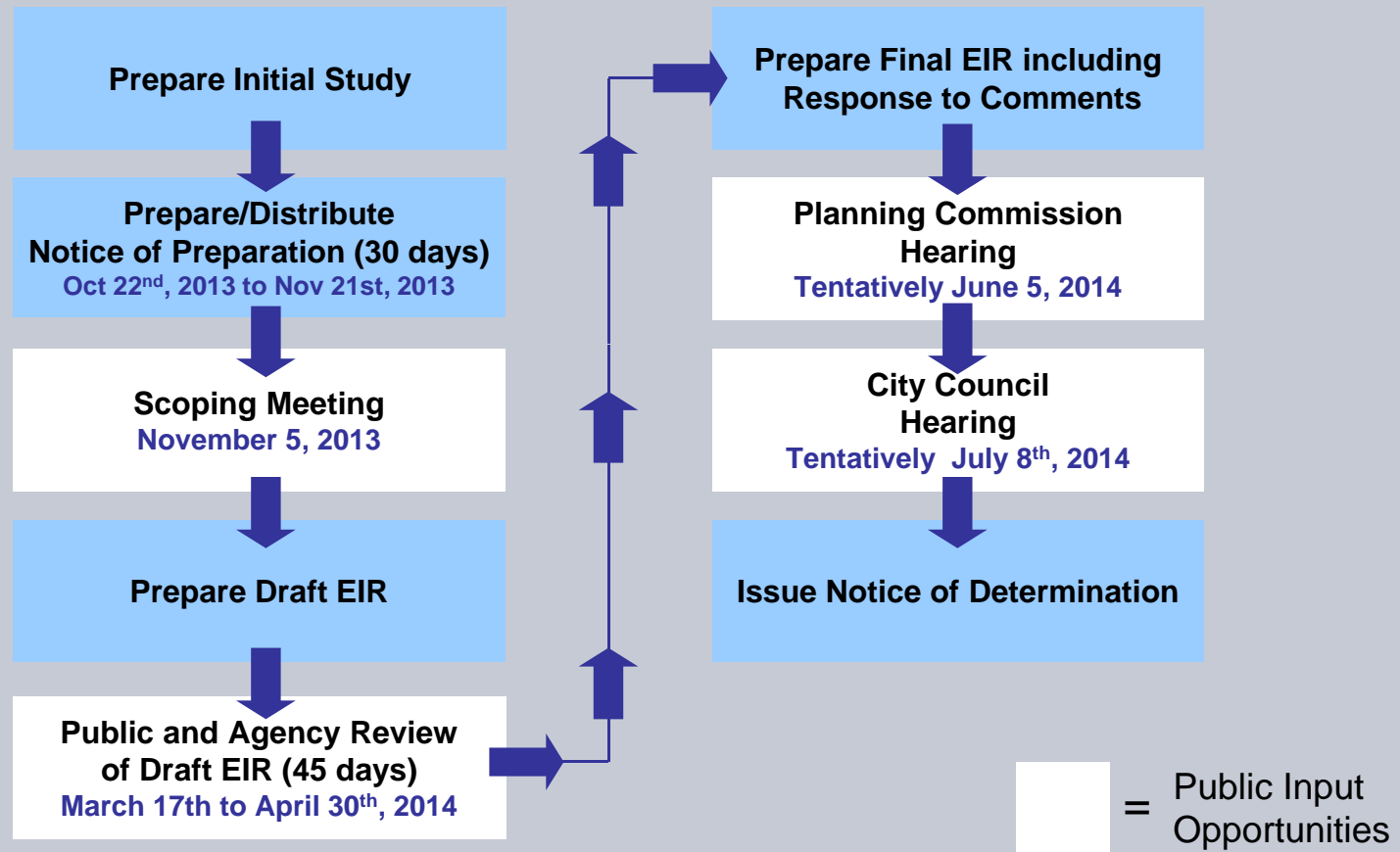
- Draft SEIR public review period (45 days)

Close of public review period: **April 30th, 2014**

Preparation of Final EIR, Facts & Findings, Statement of Overriding Considerations



Environmental Process Overview



Environmental Topics

Potential impacts to the following topics were determined to be *less than significant* in the Initial Study:

- Agriculture and Forestry Resources
- Biological Resources
- Geology and Soils
- Mineral Resources
- Recreation



Approach to Supplemental EIR

“The **SUPPLEMENT** to the EIR need contain **only the information necessary** to make the previous EIR adequate for the project as revised” (CEQA Guidelines Section 15163).

- 2006 General Plan buildout as baseline for analysis
- Environmental impacts consist of the **difference** between original EIR (2006) and proposed LUE Amendment



Environmental Topics

Following impacts were analyzed as potentially significant in the Draft SEIR:

- Aesthetics
 - Air Quality*
 - Cultural Resources*
 - Greenhouse Gas Emissions*
 - Hazards and Hazardous Materials
 - Hydrology and Water Quality
 - Land Use and Planning
 - Noise and Vibration*
 - Population and Housing
 - Public Services
 - Transportation/Traffic*
 - Utilities and Service Systems
- * Technical study prepared



Air Quality – Health Risk

- 2006 General Plan EIR did not evaluate health risk
- LUE Amendment EIR addresses potential health risk per California Air Resource Board (CARB) recommendations
- Project would place residential uses close to State Route 73 and industrial sources in Airport Area
- New Mitigation measure (AQ-1) would health risk assessments per CARB guidelines and appropriate mitigation.
- With mitigation this impact would be less than significant



Significant Unavoidable Impacts

- GHG – City would not achieve long-term GHG reduction goals
(would also be significant for 2006 GP)
- Noise & Vibration - new construction would result in temporary, high vibration levels (also significant for 2006 GP – increment also significant)
- Population & Housing – increase in population beyond SCAG projection (also significant for 2006 GP – increment also significant)
- Transportation & Traffic – cumulative traffic and Caltrans facilities (also significant for 2006 GP – increment also significant)



Greenhouse Gas Emissions

- 2006 General Plan EIR did not evaluate GHG
- Neither 2006 General Plan or Proposed LUE Amendment would achieve State's GHG reduction goals past 2020 (per Executive Order, 80% of 1990 levels).
- Per capita GHG emissions would be reduced in comparison to 2006 GP
- At this time, there is no plan past 2020 that achieves long-term State goals for 2050 reductions



Noise and Vibration

- Intensification of some land uses would result in greater vibration impacts than 2006 General Plan
- Specific construction equipment for future projects is unknown
- No feasible mitigation available to eliminate potential vibration impacts



Population and Housing

- Buildout of LUE Amendment would result in 3,838 more persons than 2006 General Plan (approximately 3.7 percent increase).
- Increase would exceed 2035 SCAG population projections for the City (by almost 18 percent)
- LUE Amendment would slightly improve the jobs-housing balance.



Transportation and Traffic

- Airport Settlement Agreement
 - Project traffic with increased traffic from Airport Settlement Agreement could impact intersection levels of service.
 - EIR analysis of the JWA Airport Settlement Agreement has not been completed
 - Significance cannot be determined as this time
- Project trip generation would worsen operations at freeway mainlines and ramps operating at unacceptable levels of service.



Traffic Impact Analysis Background

Current regional and local background conditions

- Study uses updated Newport Beach Traffic Model version 3.4 – computer model used to project long-range future volumes and distribution of traffic
- Incorporates current traffic and development data from Orange County Transportation Authority and surrounding Cities
- Evaluates intersections and roads using 2013 traffic count data

90 Study Intersections

- 64 in Newport Beach
- 26 in Irvine



TIA Analysis Scenarios

Existing Conditions

2006 General Plan with Existing Lanes

2006 General Plan with Recommended Improvements

General Plan LUE (Proposed Project) with Existing Lanes

General Plan LUE (Proposed Project) with Recommended Improvements

General Plan LUE (Project Alternative), limited study



Traffic Impact Threshold

Intersections

- For most intersections in Newport Beach, LOS = D is acceptable
- LOS = E is acceptable at the following Newport Beach intersections:
 - Airport Area intersections shared with City of Irvine
 - Coast Highway intersections at Dover, Marguerite, and Goldenrod
- For most intersections in Irvine in the study area, LOS = E is acceptable

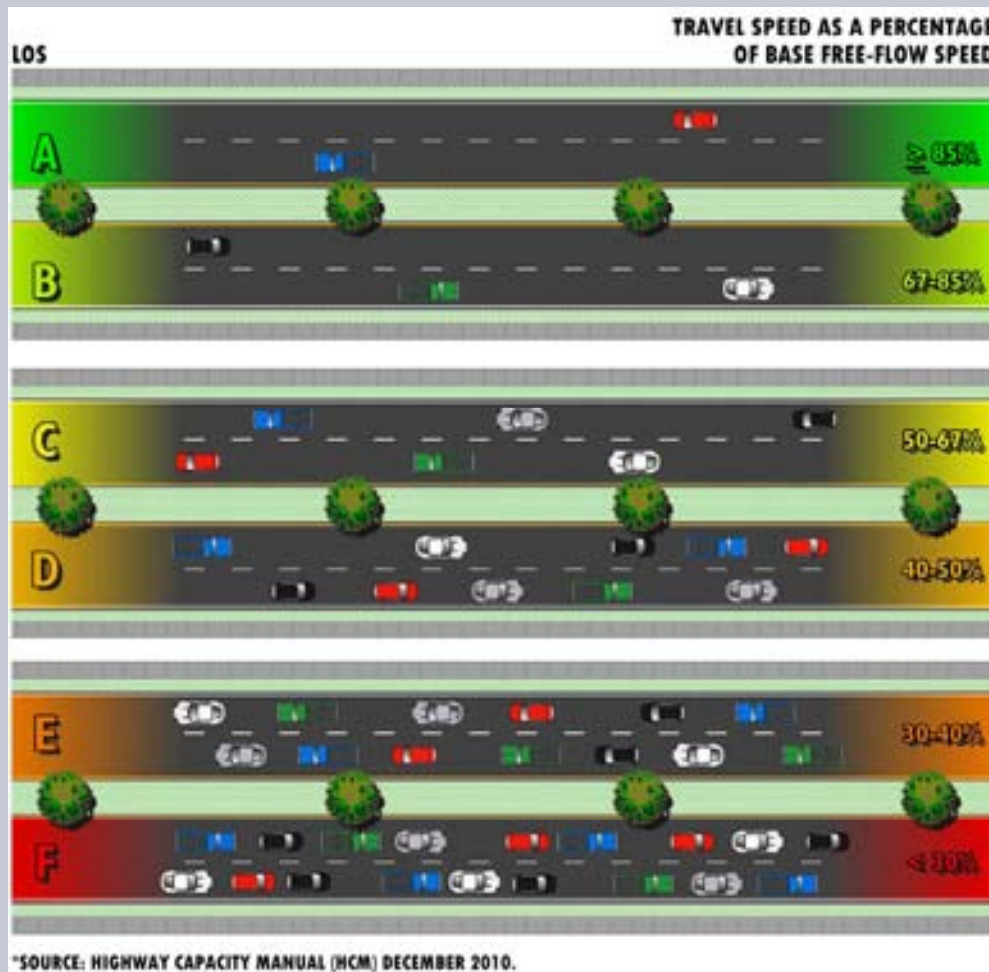
When does Project Traffic cause Impact in Newport Beach?

If Project trips will cause or make worse an unsatisfactory level of service at an intersection, this is an impact.

- 1) If current LOS = D and project traffic causes change to LOS = E or;
- 2) If current LOS = E and project traffic causes .01 change in capacity



Levels of Service



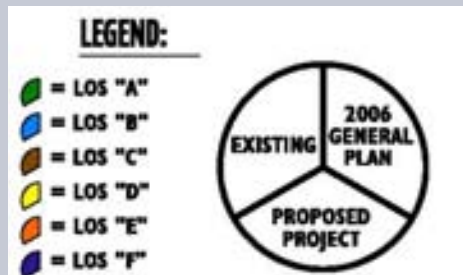
AM Intersection Levels of Service (1 of 3)

AM Peak Hour LOS

When LOS = D is acceptable:
Change from yellow (2006 GP) to orange (PROPOSED PROJECT)
indicates a project impact.

Purple (LOS = F) is unacceptable
for all intersections.

For most intersections in
Newport Beach, orange is
unacceptable.



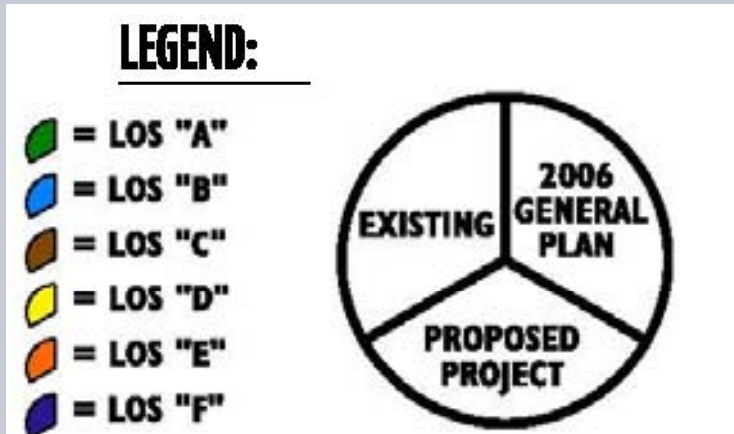
AM Intersection Levels of Service (2 of 3)

AM Peak Hour LOS

When LOS = D is acceptable: Change from yellow (2006 GP) to orange (PROPOSED PROJECT) indicates a project impact.

Purple (LOS = F) is unacceptable for all intersections.

For most intersections in Newport Beach, orange is unacceptable.



AM Intersection Levels of Service (3 of 3)

AM Peak Hour LOS

When LOS = D is acceptable: Change from yellow (2006 GP) to orange (PROPOSED PROJECT) indicates a project impact.

Purple (LOS = F) is unacceptable for all intersections.

For most intersections in Newport Beach, orange is unacceptable.



LEGEND:

-  = LOS "A"
-  = LOS "B"
-  = LOS "C"
-  = LOS "D"
-  = LOS "E"
-  = LOS "F"



PM Intersection Levels of Service (1 of 3)

PM Peak Hour LOS

When LOS = D is acceptable: Change from yellow (2006 GP) to orange (PROPOSED PROJECT) indicates a project impact.

Purple (LOS = F) is unacceptable for all intersections.

For most intersections in Newport Beach, orange is unacceptable.



LEGEND:

- Green circle = LOS "A"
- Blue circle = LOS "B"
- Brown circle = LOS "C"
- Yellow circle = LOS "D"
- Orange circle = LOS "E"
- Purple circle = LOS "F"



PM Intersection Levels of Service (2 of 3)

PM Peak Hour LOS

When LOS = D is acceptable: Change from yellow (2006 GP) to orange (PROPOSED PROJECT) indicates a project impact.

Purple (LOS = F) is unacceptable for all intersections.

For most intersections in Newport Beach, orange is unacceptable.



LEGEND:

-  = LOS "A"
-  = LOS "B"
-  = LOS "C"
-  = LOS "D"
-  = LOS "E"
-  = LOS "F"



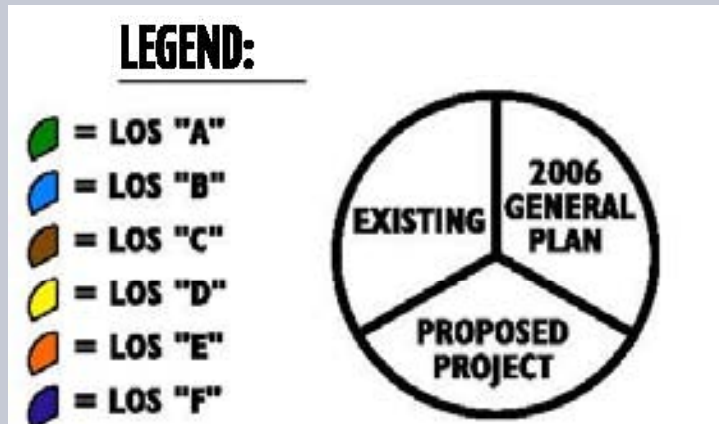
PM Intersection Levels of Service (3 of 3)

PM Peak Hour LOS

When LOS = D is acceptable: Change from yellow (2006 GP) to orange (PROPOSED PROJECT) indicates a project impact.

Purple (LOS = F) is unacceptable for all intersections.

For most intersections in Newport Beach, orange is unacceptable.



Intersection Impact Summary

Impacted* Intersections – With Existing Lane Geometrics

Intersection	Level of Service (LOS)				Impact?	
	2006 GP		GP LUE Amendment			
	AM	PM	AM	PM	AM	PM
Irvine Av. / University Dr.	C	E	C	E	--	Yes
MacArthur Bl. / Ford Dr.	C	E	C	E	--	Yes
Von Karman Av. / Alton Pkwy.	D	E	E	F	--	Yes

*Change in LOS from **E to F** or **.01 increase**

Note: No intersection impacts with 2006 General Plan
Recommended Improvements



Existing Lane Geometrics

For Impacted Intersections with Existing Lane Geometrics:

With 2006 General Plan Recommended Lane Improvements completed, there would be no significant impacts at study area intersections.

For Von Karman Ave. @ Alton Pkwy. = when ATMS is implemented, the intersection operates at an acceptable LOS.

ATMS = Advanced Transportation Management Systems = a fee intended to fund future improvements at a later date to provide additional capacity.



Traffic Impacts – Freeway System

Impacted Caltrans Freeway Mainline Segments:

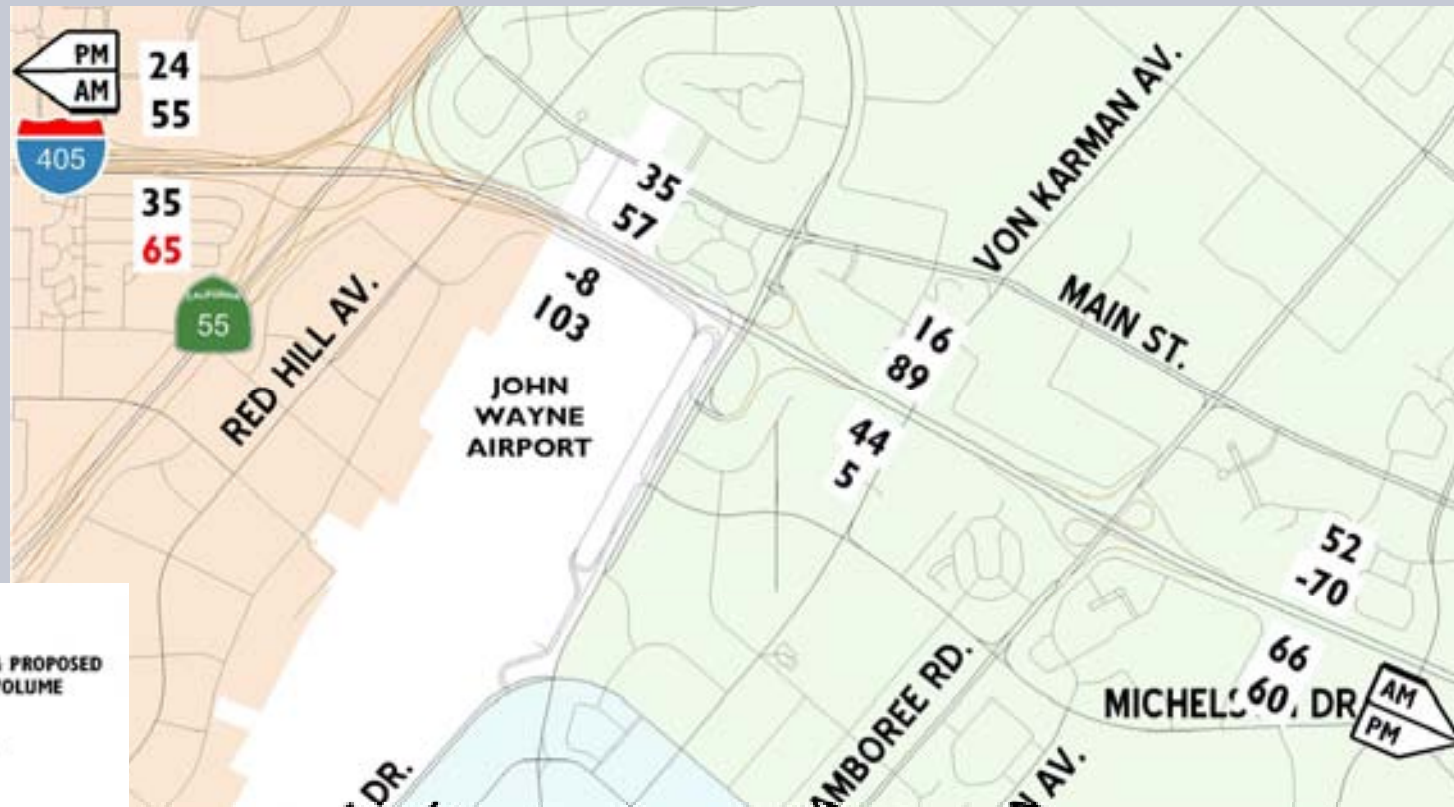
- SB I-405, North of SR-55 Freeway
- NB SR-73, North of Jamboree Road
- NB SR-55, Dyer Road to MacArthur Boulevard
- NB SR-55, MacArthur Boulevard to I-405 Freeway
- NB SR-55, I-405 Freeway to SR-73
- NB SR-55, SR-73 Freeway to Mesa Drive

Impacted Freeway Ramps:

- I-405, SB Loop Off-Ramp at MacArthur Boulevard
- I-405, NB Off-Ramp at MacArthur Boulevard



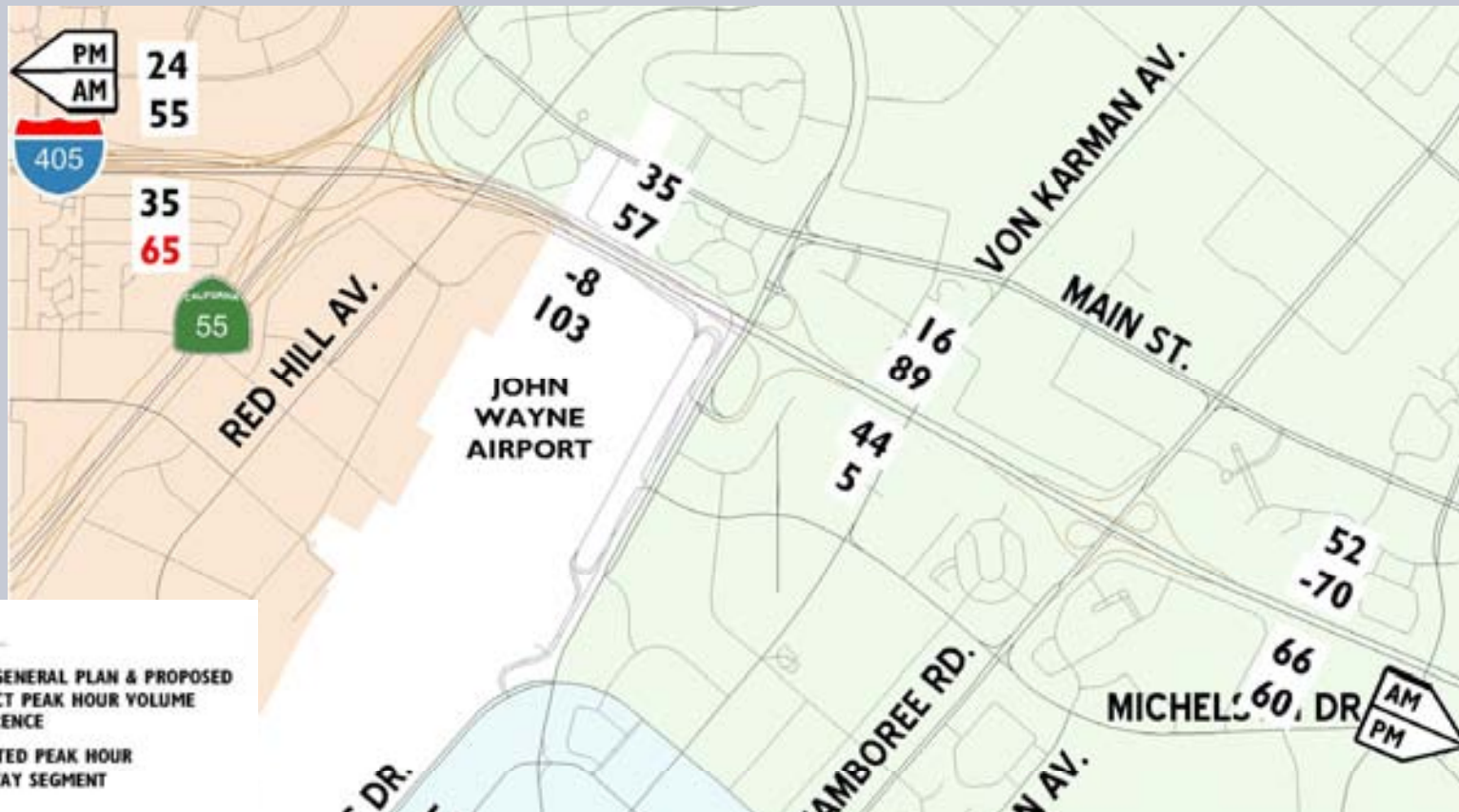
Volume Changes on Freeways (1 of 3)



I-405 Volume Change (GP LUE – 2006 GP)



Volume Changes on Freeways (2 of 3)



SR-73 Volume Change (GP LUE – 2006 GP)



Volume Changes on Freeways (3 of 3)



SR-55 Volume Change (GP LUE – 2006 GP)



Project Alternatives

- Supplemental EIR not mandated to include an evaluation of project alternatives
- City has elected to review project alternatives in light GP LUE Amendment impacts.
- CEQA requirements focus on alternatives that can:
 - Avoid or substantially lessen any significant effect of the project
 - Attain the basic objectives of the project



Project Alternatives

No Project Alternative

- CEQA Guidelines Section 15126.6(e)(c)(A): “When the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the “no project” alternative will be the continuation of the existing plan, policy or operation into the future.”
- Existing 2006 General Plan

No Airport Area Land Use Changes

- Eliminates proposed land use changes to the Airport Area subarea



Project Alternative

No Project Alternative

- Eliminates significant impacts associated with the proposed project
- Meets most project objectives

No Airport Area Alternative

- Environmentally Superior Alternative
- Lessens impacts for all environmental impacts
- Meets most project objectives
- Would not eliminate any significant unavoidable impacts under the proposed project



EIR Comments

Comments on the adequacy of the Draft SEIR will be accepted by the City between March 17, 2014 and **5:00pm on April 30, 2014.**

Please direct any questions and send any comments to:

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Community Development Department
Attention: Gregg Ramirez
100 Civic Center Drive
Newport Beach, California 92658



NEWPORT BEACH GENERAL PLAN LAND USE ELEMENT AMENDMENT

Next Steps

Public Hearings

City Planning Commission

- May 8 (Study Session)
- May 22 (Study Session)
- June 5 (Hearing and Recommendation to the City Council)

City Council

- July 8 (Public Hearing)

Citywide Vote

- November



Questions & Answers





CHAPTER 3 Land Use Element



Land Use Element Amendment

THANK YOU FOR YOUR
ATTENDANCE!

April 10, 2014