

## **ORDINANCE NO. 2024-16**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, AMENDING TITLE 20 (PLANNING AND ZONING) OF THE NEWPORT BEACH MUNICIPAL CODE TO IMPLEMENT THE GENERAL PLAN 6<sup>TH</sup> CYCLE HOUSING ELEMENT (PA2022-0245)**

**WHEREAS**, Section 200 of the City of Newport Beach ("City") Charter vests the City Council with the authority to make and enforce all laws, rules, and regulations with respect to municipal affairs subject only to the restrictions and limitations contained in the Charter and the State Constitution, and the power to exercise, or act pursuant to any and all rights, powers, and privileges, or procedures granted or prescribed by any law of the State of California;

**WHEREAS**, California Government Code Section 65580 *et seq.* ("State Housing Element Law") requires each city and county adopt a housing element that identifies and analyzes existing and projected housing needs within their jurisdiction and prepare goals, policies, and programs, and quantified objectives to further the development, improvement, and preservation of housing;

**WHEREAS**, the City's General Plan Land Use Element is a mandatory element that governs the ultimate pattern of development and requires updating every now and then for consistency with other General Plan elements;

**WHEREAS**, every eight years, State Housing Element Law requires the City to update its General Plan Housing Element to identify and analyze existing and projected housing needs for the City along with a housing plan that provides adequate land use capacity to meet those needs;

**WHEREAS**, the City was assigned a Regional Housing Needs Assessment ("RHNA") allocation of 4,845 new units as its projected housing need for the planning period covering 2021-2029 and, as a result, the City worked diligently to prepare its 6<sup>th</sup> Cycle Housing Element in compliance with state law;

**WHEREAS**, preparation of the 6<sup>th</sup> Cycle Housing Element involved extensive public participation with community groups at numerous workshops, as well as meetings with the Planning Commission and City Council, and was assisted by an ad-hoc committee called the Housing Element Update Advisory Committee ("HEUAC") formed and appointed by the City Council;

**WHEREAS**, after several meetings with the State Department of Housing and Community Development (“HCD”) and numerous drafts, the City Council adopted the final 6<sup>th</sup> Cycle Housing Element on September 13, 2022;

**WHEREAS**, HCD certified the City’s 6<sup>th</sup> Cycle Housing Element on October 5, 2022, as statutorily compliant with state law;

**WHEREAS**, Section 4 (Housing Plan) of the 6<sup>th</sup> Cycle Housing Element presents a framework and strategy for meeting the needs of existing and future resident populations in Newport Beach based on the RHNA allocation of 4,845 new housing units, the “fair share” of regional housing need and demand, by planning for units within the following site groupings or “focus areas” that are best suited for residential growth: Airport Area Environs, West Newport Mesa, Newport Center, Dover/Westcliff, and Coyote Canyon;

**WHEREAS**, the 6<sup>th</sup> Cycle Housing Element opportunity sites are to be rezoned per Housing Element Policy Actions 1A through 1F to accommodate the City’s RHNA obligation, including a buffer necessary to address future “no net loss” of available sites and to preclude the need to identify replacement sites during implementation;

**WHEREAS**, the rezoning includes the establishment of overlay zoning districts and accompanying development standards, as well as corresponding amendments to the General Plan Land Use Element and the Local Coastal Program;

**WHEREAS**, to comply with state law, the City has been working diligently to implement the 6<sup>th</sup> Cycle Housing Element no later than February 2025 (“6<sup>th</sup> Cycle Housing Element Implementation”), which requires the following amendments and actions:

- General Plan Amendment (“GPA”) - To revise the necessary goals and/or policies within the City’s Land Use Element to support housing production in the focus areas identified by the 6<sup>th</sup> Cycle Housing Element;
- Amendment to Title 20 (Planning and Zoning) (“ZCA”) - To implement the Land Use Element’s policy changes by allowing housing development as an opportunity and establishing appropriate objective design and development standards for multi-unit residential and mixed-use development projects;

- Local Coastal Program Amendment (“LCPA”) - To revise and create new policies within the City’s Coastal Land Use Plan and update Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code (“NBMC”) to support housing production in the focus areas identified by the 6<sup>th</sup> Cycle Housing Element that are within the Coastal Zone; and
- Program Environmental Impact Report (“PEIR”) (SCH No. 2023060699) - To analyze potential environmental impacts under the California Environmental Quality Act (“CEQA”) related to the 6<sup>th</sup> Cycle Housing Element Implementation, a Draft Housing Element Implementation Program Amendments Program Environmental Impact Report (“Draft PEIR”), to address reasonably foreseeable environmental impacts resulting from the 6<sup>th</sup> Cycle Housing Element Implementation;

**WHEREAS**, the 6<sup>th</sup> Cycle Housing Element Implementation must take effect by February 2025 to avoid significant penalties and loss of local control dictated by state law, which may include, but are not limited to:

- Increased exposure to public and private litigation;
- Loss of permitting authority;
- Financial penalties including monthly fines of up to \$600,0000;
- Loss of eligibility for state and regional funding sources;
- Court receivership;
- Allowing housing developers to bypass the City’s zoning requirements; and
- Increased exposure to monitoring by the newly formed Housing Accountability Unit of HCD;

**WHEREAS**, City staff worked closely with the community through the City Council-appointed General Plan Advisory Committee (“GPAC”) and General Plan Update Steering Committee (“GPUSC”) from March 2023 to August 2023 to draft Land Use Element goals and policies that support 6<sup>th</sup> Cycle Housing Element Implementation, including the ZCA;

**WHEREAS**, the draft GPA that was supported by the GPAC and the GPUSC was posted online along with the draft ZCA on August 30, 2023, with additional public comments and participation at the Planning Commission Study Session on September 21, 2023, and City Council Study Session on February 13, 2024;

**WHEREAS**, the draft GPA was revised and reposted online on January 16, 2024, and March 28, 2024, based on the public’s input;

**WHEREAS**, a public hearing was held by the Planning Commission on April 18, 2024, in the Council Chambers at 100 Civic Center Drive, Newport Beach, California to consider the actions and amendments required for the 6<sup>th</sup> Cycle Housing Element Implementation. A notice of time, place, and purpose of the hearing was given in accordance with Government Code Section 54950 *et seq.* ("Ralph M. Brown Act"), Chapter 20.62 (Public Hearings) and Chapter 21.62 (Public Hearings) of the NBMC. Evidence, both written and oral, was presented to, and considered by the Planning Commission at this hearing;

**WHEREAS**, at the conclusion of the public hearing, the Planning Commission adopted Resolution No. PC2024-006 by a unanimous vote (5 ayes, 2 recusals) recommending the City Council certify the Housing Element Implementation Program Amendments Draft PEIR and approve the 6<sup>th</sup> Cycle Housing Element Implementation;

**WHEREAS**, California Public Utilities Code ("CPUC") Section 21676(b) requires the City to refer the 6<sup>th</sup> Cycle Housing Element Implementation to the Orange County Airport Land Use Commission ("ALUC") to review for consistency with the 2008 John Wayne Airport Environs Land Use Plan ("AELUP");

**WHEREAS**, on May 16, 2024, the ALUC determined the 6<sup>th</sup> Cycle Housing Element Implementation is inconsistent with the AELUP;

**WHEREAS**, pursuant to Sections 21670 and 21676 of the CPUC, the City Council held a duly noticed public hearing on May 28, 2024, and adopted Resolution No. 2024-32 (7 ayes, 0 nays), to notify the ALUC and State Department of Transportation Aeronautics Program of the City's intent to override ALUC's inconsistency finding and on May 29, 2024, the City issued the Notice of Intent to Override ALUC's determination and received two comments in response; and

**WHEREAS**, a public hearing was held on July 23, 2024, by the City Council in the Council Chambers located at 100 Civic Center Drive, Newport Beach, California to consider the 6<sup>th</sup> Cycle Housing Element Implementation, including consideration of certifying the PEIR, adoption of CEQA Findings, Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations. A notice of time, place, and purpose of the hearing was given in accordance with CPUC Section 21676(b), the Ralph M. Brown Act, Chapter 20.62 (Public Hearings), Chapter 20.66 (Amendments), and Chapter 21.62 (Public Hearings) of the NBMC, and City Council Policy K-1 (General Plan and Local Coastal Program) and City Council Policy K-3 (Implementation procedures for the California Environmental Quality Act). Evidence both written and oral, was presented to, and considered by, the City Council at this hearing.

**NOW THEREFORE,** the City Council of the City of Newport Beach ordains as follows:

**Section 1:** The City Council finds amendments to Title 20 (Planning and Zoning) of the NBMC are legislative acts. Neither Title 20 nor State Planning Law set for any required findings for either approval or denial of such amendments. Notwithstanding the foregoing, the ZCA is consistent with the corresponding GPA and LCPA.

**Section 2:** The City Council does hereby make the findings attached hereto as Exhibit "A" and incorporated by reference, and approves the ZCA, as set forth in Exhibit "B," which is attached hereto and incorporated herein by reference.

**Section 3:** The Housing Element Implementation Program Amendments Final PEIR (SCH No. 2023060699) was prepared for the 6<sup>th</sup> Cycle Housing Element Implementation (also referred to as the "Project") in compliance with the California Environmental Quality Act ("CEQA") as set forth in the Public Resources Code Section 21000 *et seq.*, Title 14, Division 6, Chapter 3 of the California Code of Regulations ("CEQA Guidelines"), and City Council Policy K-3 (Implementation Procedures for the California Environmental Quality Act). On July 23, 2024, the City Council adopted Resolution No. 2024-50, to certify the PEIR as complete and adequate, inclusive of all required findings, a statement of overriding considerations, and a mitigation monitoring reporting program. The City Council hereby finds that the action to adopt this Resolution approving the ZCA was considered within the PEIR. Resolution No. 2024-50 is hereby incorporated by reference.

**Section 4:** The recitals provided in this ordinance are true and correct and are incorporated into the substantive portion of this ordinance.

**Section 5:** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**Section 6:** Except as expressly modified in this ordinance, all other sections, subsections, terms, clauses and phrases set forth in the NBMC shall remain unchanged and shall be in full force and effect.

This ordinance was introduced at a regular meeting of the City Council of the City of Newport Beach held on the 23rd day of July, 2024, and adopted on the \_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote, to-wit:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

WILL O'NEILL, MAYOR

**ATTEST:**

LEILANI I. BROWN, CITY CLERK

**APPROVED AS TO FORM:**  
CITY ATTORNEY'S OFFICE

AARON C. HARP, CITY ATTORNEY

Attachments: Exhibit "A" – Findings for Approval  
Exhibit "B" – Title 20 (Planning and Zoning) Housing Opportunity  
(HO) Overlay Zoning Districts

**EXHIBIT “A”**  
**Findings for Approval**

General Finding:

An amendment to the City’s Zoning Code is a legislative act. Neither Title 20 (Planning and Zoning) of the NBMC nor California Government Code Section 65000 *et seq.*, set forth any required findings for approval of such amendments. Notwithstanding the foregoing, the following amendments to the Zoning Code will create internal consistency with the certified 6<sup>th</sup> Cycle Housing Element:

Facts in Support of Finding:

1. The Zoning Code is a tool designed to implement the General Plan. Since the 6<sup>th</sup> Cycle Housing Element Implementation involves an amendment to the General Plan, it is necessary to also amend Title 20 (Planning and Zoning) to achieve its goals and policies.
2. The Zoning Code Amendment (“ZCA”), attached to this ordinance as Exhibit “B” incorporated herein, including the Housing Opportunity (HO) Overlay Zoning Districts with associated development standards, are consistent with the implementation program in the Housing Plan of the Housing Element, as discussed in Resolution No. 2024-\_\_\_\_ under the Findings for the General Plan Amendment. The ZCA will enable the implementation of the Housing Element’s key objective, which is to accommodate the development of housing projects to fulfill City’s “fair share” of regional housing need and demand.

**EXHIBIT “B”**  
**Title 20 (Planning and Zoning)**  
**Housing Opportunity (HO) Overlay Zoning Districts**

Chapter 20.28 (Overlay Zoning Districts) of the NBMC is amended to include a new Section 20.28.050 (Housing Opportunity [HO] Overlay Zoning Districts) as follows:

**Chapter 20.28**

**OVERLAY ZONING DISTRICTS (MHP, PM, B, HO, H)**

Sections:

- 20.28.010 Purposes of Overlay Zoning Districts.**
- 20.28.020 Mobile Home Park (MHP) Overlay Zoning District.**
- 20.28.030 Parking Management (PM) Overlay District.**
- 20.28.040 Bluff (B) Overlay District.**
- 20.28.050 Housing Opportunity (HO) Overlay Zoning Districts.**
- 20.28.060 Height (H) Overlay District.**

Section 20.28.010 (Purposes of Overlay Zoning Districts) is amended to include a new Subsection (D) as follows:

D. HO (Housing Opportunity) Overlay Zoning Districts. The HO Overlay Zoning Districts are intended to accommodate housing opportunities consistent with the Housing Element's focus areas and to ensure the City can meet its allocation of the Regional Housing Needs Assessment (RHNA). The specific areas are identified in Part 8 of this title (Maps).

New Section 20.28.050 (Housing Opportunity [HO] Overlay Zoning Districts) is incorporated into the Chapter as follows:

**20.28.050 Housing Opportunity (HO) Overlay Zoning Districts.**

- A. Applicability. This section applies to properties located in one of the Housing Opportunity (HO) Overlay Zoning Districts, as identified in Part 8 of this title (Maps – NOTE: Maps largely mirror the focus areas in Appendix B of the Housing Element and will be posted once available). This includes the following subareas:
  - 1. HO-1 - Airport Area Environs Area – The Airport Area Environs Area is located north of the Upper Newport Bay Nature Reserve, primarily around the John Wayne Airport.



2. HO-2 - West Newport Mesa Area – The West Newport Mesa Area is located near the southwest corner of the City and primarily consists of industrial properties along 16<sup>th</sup> Street, Production Place, and 15<sup>th</sup> Street.
3. HO-3 - Dover-Westcliff Area – The Dover-Westcliff Area includes property on both sides of West Coast Highway and the west of Dover Drive. Properties in the Lido Village area are included.
4. HO-4 - Newport Center Area – The Newport Center Area is generally bounded by San Joaquin Hills Road, MacArthur Blvd, Coast Highway, and Jamboree Road.
5. HO-5 - Coyote Canyon Area – The Coyote Canyon Area is located on the south side of California State Route 73, at the junction of Newport Coast Drive.

The above listed are general descriptions of each subarea and additional properties may be included with the subarea. To be eligible for the provisions of this chapter, the property must be listed on the HO area map as an “Opportunity Site”.

6. HO-6 - 5<sup>th</sup> Cycle Housing Element Sites – Those sites that are identified as 5<sup>th</sup> Cycle Housing Element sites on Figure B-5 of the 6<sup>th</sup> Cycle Housing Element. See subsection 20.28.050(E) for alternative review process.
- B. Uses Allowed. The following uses shall be permitted in the Housing Opportunity (HO) Overlay Zoning Districts with exception of HO-6 where only the base zoning standards apply:
1. Any use that is permitted or conditionally permitted in the base zone;
  2. Multiple-unit development that meets the density requirements set forth in this section;
  3. Mixed-use development that includes a residential component which complies with the minimum density set forth in this section; and
  4. Residential supporting uses such as leasing/sales/property management offices, fitness facilities, recreation facilities, etc.
- C. Subarea Development Standards.
1.
    1. Development Standards. The following development standards shall apply to any residential or mixed-use project permitted pursuant to this section. Unless otherwise modified by this section, all applicable development standards, including any adopted objective design standards, shall apply.

**TABLE 2-16**  
**DEVELOPMENT STANDARDS FOR HOUSING OPPORTUNITY OVERLAY ZONES**

Development Feature	Housing Opportunity Subareas					
	HO-1	HO-2	HO-3	HO-4	HO-5	HO-6
Development Limit (units) <sup>(1)</sup>	2,577	1,107	521	2,439	1,530	N/A
Lot Size/Dimension	Per Base Zone					
Lot area required per unit (sq. ft.) <sup>(2)</sup>	Minimum: 2,178 (20 du/ac) Maximum: 871 (50 du/ac)	Minimum: 2,178 (20 du/ac) Maximum: 871 (50 du/ac)			Minimum: 2,178 (20 du/ac) Maximum: 726 (60 du/ac) <sup>(10)</sup>	All Standards Per Base Zone
Setbacks						
Front	0 ft. <sup>(3)</sup>	10 ft. <sup>(3)</sup>	10 ft. <sup>(3)(4)</sup>	0 <sup>(3)</sup>	10 ft. <sup>(3)</sup>	
Rear	0	20 ft.	20 ft.	0	20 ft.	
Side	0 <sup>(4)</sup>					
Street Side	0 <sup>(3)</sup>	10 ft. <sup>(3)</sup>	10 ft. <sup>(3)</sup>	0 ft. <sup>(3)</sup>	10 ft. <sup>(3)</sup>	
Height	Per Base Zone unless otherwise identified on the map	65 ft.	65 ft. <sup>(6)</sup>	Per Base Zone <sup>(7)</sup>	65 ft.	
Building Separation	10 ft.					
Floor Area Ratio (FAR)	No restriction <sup>(8)</sup>					
Common Open Space <sup>(9)</sup>	Minimum 75 square feet/dwelling unit. (The minimum dimension [length and width] shall be 15 feet.)					
Private Open Space <sup>(9)</sup>	5% of the gross floor area for each unit. (The minimum dimension [length and width] shall be 6 feet.)					
Fencing	See Section 20.30.040 (Fences, Hedges, Walls, and Retaining Walls).					
Landscaping	See Chapter 20.36 (Landscaping Standards).					
Lighting	See Section 20.30.070 (Outdoor Lighting).					
Outdoor Storage/Display	See Section 20.48.140 (Outdoor Storage, Display, and Activities).					
Parking	See Subsection (D)(3) below and Chapter 20.40 (Off-Street Parking).					
Satellite Antennas	See Section 20.48.190 (Satellite Antennas and Amateur Radio Facilities).					
Signs	See Chapter 20.42 (Sign Standards).					

- (1) Development limits are additional residential development opportunities beyond the base allowances in this Title and General Plan, including projects approved under those base allowances and units identified as pipeline units in the 6<sup>th</sup> Cycle Housing Element (Table B-2). Development limits shall not include density bonus units. Furthermore, eligible units are only counted against the development limits when they are either entitled or are issued a building permit if allowed by right. However, 25% of the development limit within each HO Overlay Zoning District that includes properties within the Coastal Zone shall be reserved until such a time as the City's Local Coastal Program has been amended to allow for housing consistent with the implementation of the 6th Cycle Housing Element. Following the City's Local Coastal Program Amendment, priority for the reserved units will be given to sites located within the Coastal Zone.
- (2) Minimum/maximum allowable density range may be based on an average density of the entire project site, excluding density bonus units.
- (3) Any portion of the building that is over 20 feet in height shall be setback a minimum 20 feet from the street right-of-way.
- (4) Except in the Mixed-Use Mariners Mile (MU-MM) Zoning District wherein residential uses are only allowed beginning 100 feet north of Coast Highway.
- (5) The combined total from both sides shall be 15 feet.
- (6) The height shall be limited to 35 feet in the Shoreline Height Limit Area, as identified in Map H-1.
- (7) "Base Zone" includes all height limitations established by the Sight Plane Ordinance (Ordinance No. 1371 and Ordinance No. 1596).
- (8) The FAR in this table only applies to residential floor area, including any supporting facilities. In mixed-use developments, the FAR for nonresidential is still applicable.
- (9) For purposes of this section, common and private open space in HO-1 may include enclosed shared amenities such as a clubhouse, swimming pool, tennis court, basketball court, racquetball court, weightlifting facility, children's playground equipment, sauna, jacuzzi, day care facility, or any other recreational amenities/facilities as deemed appropriate by the Community Development Director.
- (10) This density is intended for the former Coyote Canyon Landfill site only. The Sage Hill School site is limited to a maximum of 20 dwelling units.

2. Airport Area Environs Area (HO-1). The following development standards shall only apply to projects with the Airport Area Environs Area:

- a. Sound Mitigation. The interior ambient noise level of all new residential dwelling units shall meet applicable standards of the Section 10.26.030 (Interior Noise Standards). An acoustical analysis report, prepared by an acoustical engineer, shall be submitted describing the acoustical design features of the structure that will satisfy the interior noise standard. The residential units shall be constructed, and noise attenuated in compliance with the report.
- b. Advanced Air Filtration. The design of all new residential and mixed-use residential developments shall include advanced air filtration systems to promote cleaner air within living environments.
- c. Notification to Owners and Tenants. A written disclosure statement shall be prepared prior to sale, lease, or rental of a residential unit within the development. The disclosure statement shall indicate that the occupants will be living in an urban type of environment adjacent to an airport and that the noise, odor, and outdoor activity levels may be higher than a typical suburban residential area. The disclosure statement shall include a written

description of the potential impacts to residents of both the existing environment (e.g., noise from planes, commercial activity on the site and vehicles streets) and potential nuisances based upon the allowed uses in the zoning district. Each and every buyer, lessee, or renter shall sign the statement acknowledging that they have received, read, and understand the disclosure statement. A covenant shall also be included within all deeds, leases or contracts conveying any interest in a residential unit within the development that requires: (1) the disclosure and notification requirement stated herein; (2) an acknowledgment by all grantees or lessees that the property is located within an urban type of environment and that the noise, odor, and outdoor activity levels may be higher than a typical suburban residential area; and (3) acknowledgment that the covenant is binding for the benefit and in favor of the City of Newport Beach.

3. West Newport Mesa Area (HO-2). The following development standards shall only apply to projects with the West Newport Mesa Area:

- a. West Newport Mesa Streetscape Master Plan. Any residential or mixed-use residential development shall implement applicable components of the adopted West Newport Mesa Streetscape Master Plan.

4. Coyote Canyon Area (HO-5). The following development standards shall only apply to projects with the Coyote Canyon Area:

- a. Public Park. Any future residential development within this subarea shall include a public park that is no less than 3.5 acres, in aggregate. As part of the review for the overall project, the developer shall provide a detailed description of the public park, including timing, dimensions, and location within the project site.
- b. Public Trails. Any future residential development shall include public trails for the entire subarea that accommodate multiple modes of transit (i.e., walking and bicycling) and connect to nearby community resources, as well as the existing trail system. As part of the review for the overall project, the developer shall provide a detailed description of the trail system, including timing, dimensions, alignment, and location within the project site.

D. General Development Standards. The following development standards shall apply to all projects within the Housing Opportunity zone, regardless of subarea:

- 1. Mixed-use developments. All mixed-use developments shall comply with Section 20.48.130 (Standards for Mixed-Use Projects). In addition, a minimum of 50% of the

floor area of mixed-use developments shall be dedicated to residential uses. For purposes of this section, floor area be defined as all enclosed floor space, but exclude parking garages/spaces, utility areas, and storage areas that are not directly accessible from the interior of a dwelling unit.

2. Landscaped Setbacks. All front and street side setbacks shall be landscaped, except for areas that provide vehicle and pedestrian access to the right-of-way.
3. Residential Off-Street Parking Requirements. Residential parking requirements for projects within the Housing Opportunity Overlay Zones shall be provided in accordance with Table 2-17 below. Parking for all other uses not included in this table shall be provided in accordance with Chapter 20.40 (Off-Street Parking Requirements) of the NBMC.

**TABLE 2-17**  
**RESIDENTIAL OFF-STREET PARKING FOR HOUSING OPPORTUNITY OVERLAY ZONES**

<b>Land Use</b>	<b>Subtype</b>	<b>Parking Requirement</b>
Residential (Rental)	Studio	1.1 spaces per dwelling unit
	1 Bedroom	1.5 spaces per dwelling unit
	2 Bedrooms	1.8 spaces per dwelling unit
	3 Bedrooms	2.0 spaces per dwelling unit
	Visitor Parking	0.3 spaces per dwelling unit
Residential (Ownership)	Studio	1.4 spaces per dwelling unit
	1 Bedroom	1.8 spaces per dwelling unit
	2 Bedrooms	1.8 spaces per dwelling unit
	3 Bedrooms	2.0 spaces per dwelling unit
	Visitor Parking	0.3 spaces per dwelling unit

E. Review Process. Notwithstanding Sections 20.48.130(A) and 20.52.080, any residential or mixed-use development in the HO Overlay Zones that includes a minimum of 20% of the units reserved for very-low- and low-income residents shall not require a Site Development Review, but shall require an affordable housing implementation plan (AHIP) and shall meet all the following criteria:

1. All units designated as affordable to very-low and/or low-income residents shall be subject to a minimum 30-year affordability covenant;
2. Affordable units shall reflect the range of numbers of bedrooms provided in the residential development project as a whole, but may be smaller and have different interior finishes and features than market-rate units;

3. Affordable units shall be comparable in the facilities provided (e.g., laundry, recreation, etc.) and in the quality of construction and exterior design to the market-rate units; and
4. Affordable units shall be dispersed throughout the residential development.

Subsection 20.48.130(B) shall be amended to include a reference to the HO Overlay Zoning Districts as follows:

B. Development Standards. In addition to the development standards provided in this section, development standards for mixed-use projects are provided in:

1. Table 2-10 (Development Standards for MU-V; MU-MM; MU-DW; and MUCV/15th St.);
2. Table 2-11 (Development Standards for MU-W1 and MU-W2 Mixed-Use Zoning Districts);
3. Table 2-16 (Development Standards for Housing Opportunity Overlay Zones); and
4. Other sections in this Part 4 for specific uses that may be part of the proposed mixed-use project.

Part 8. Maps, Chapter 20.80 (Maps) is amended to include new Section 20.80.025 (Housing Opportunity Overlay Zoning Districts maps) as follows:

## **Chapter 20.80**

### **MAPS**

Sections:

- 20.80.010 Area maps.**
- 20.80.020 Bluff overlay.**
- 20.80.025 Housing Opportunity Overlay Zoning Districts maps.**
- 20.80.030 Height limit areas.**
- 20.80.035 Parking Management Overlay District maps.**
- 20.80.040 Setback maps.**

Section 20.80.025 (Housing Opportunity Overlay Zoning Districts maps) is added in its entirety to include an indexing of maps as follows:

HO-1 - Airport Area Environs Area (PDF)

HO-2 - West Newport Mesa Area (PDF)

HO-3 - Dover-Westcliff Area (PDF)

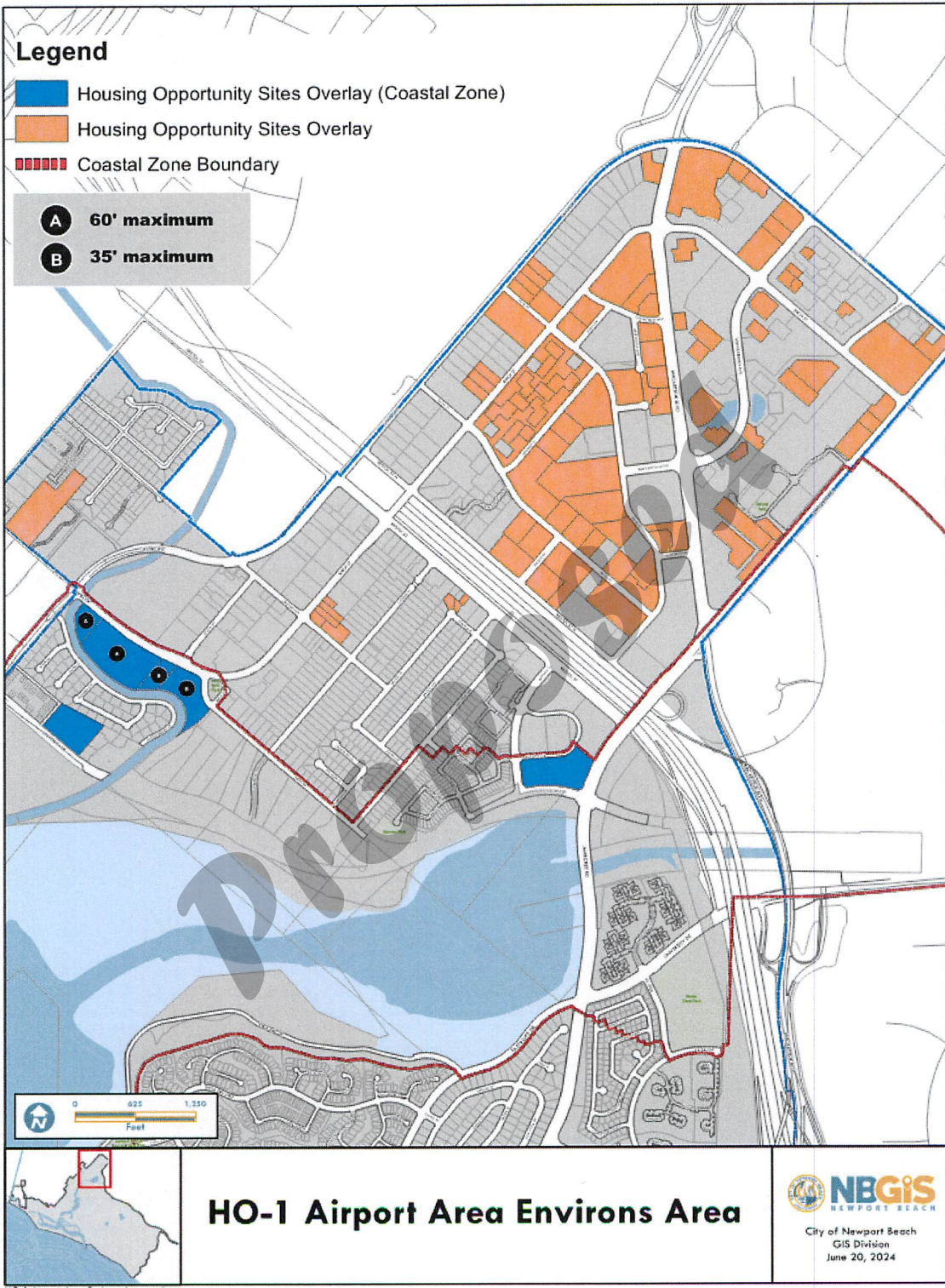
HO-4 - Newport Center Area (PDF)

HO-5 - Coyote Canyon Area (PDF)

HO-6 - 5th Cycle Housing Element Sites (PDF)

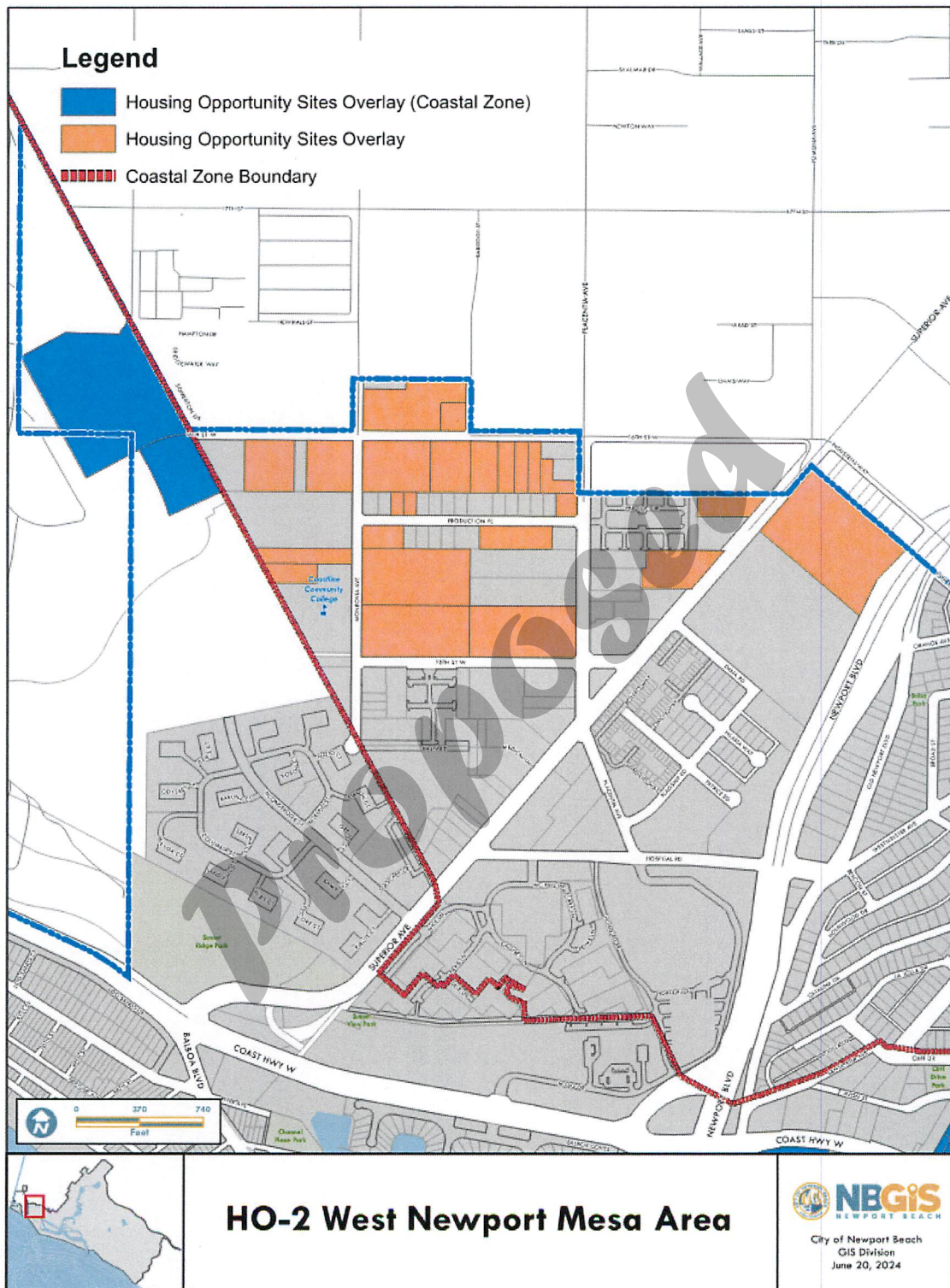
The corresponding maps for each of the Housing Opportunity Overlay Zoning Districts, as indexed in Section 20.80.025 and linked as a PDF, are to be in a similar format to the following series of maps beginning on the next page:

Proposed

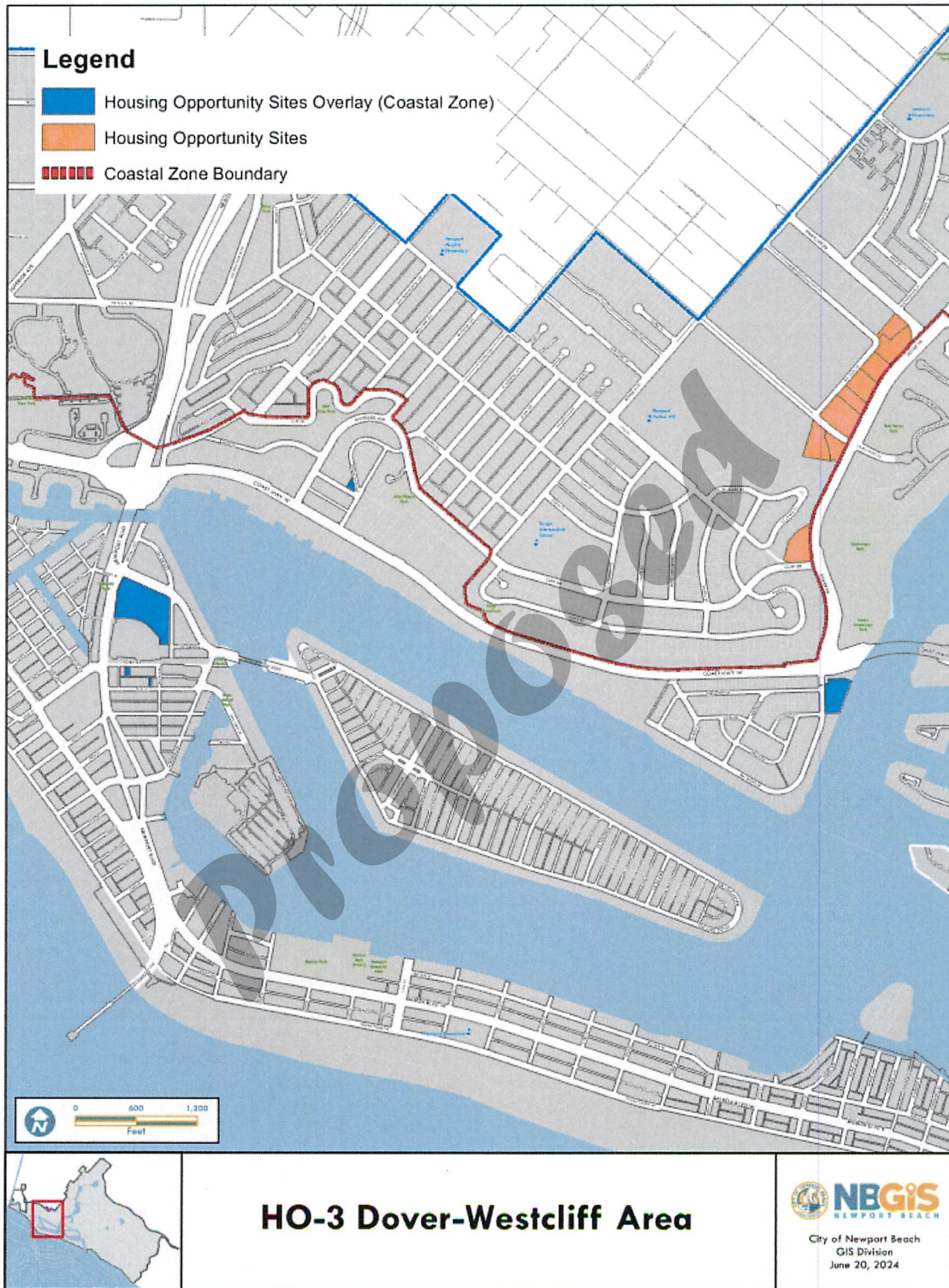


HO-1 Airport Area Environs Area.mxd



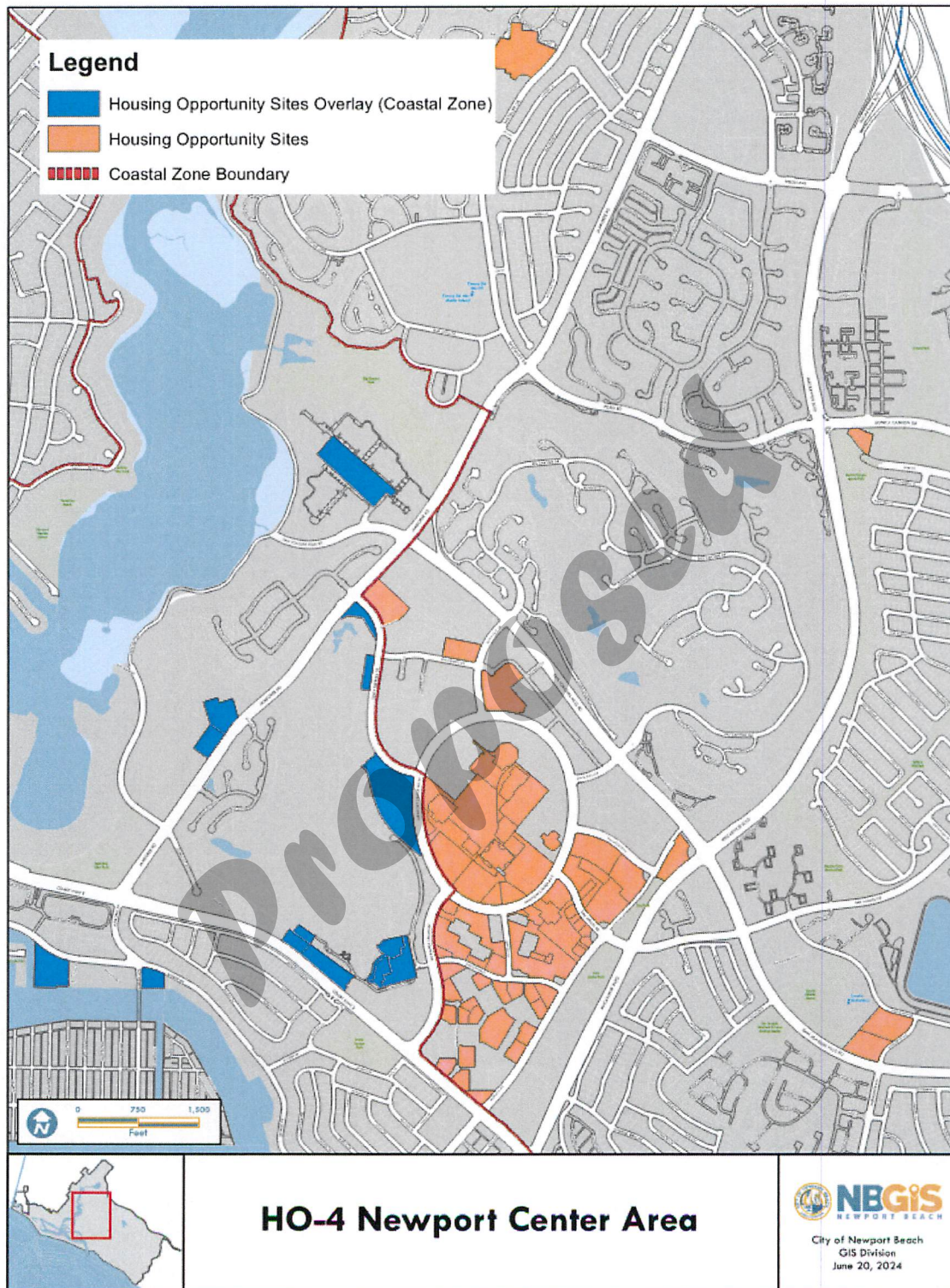




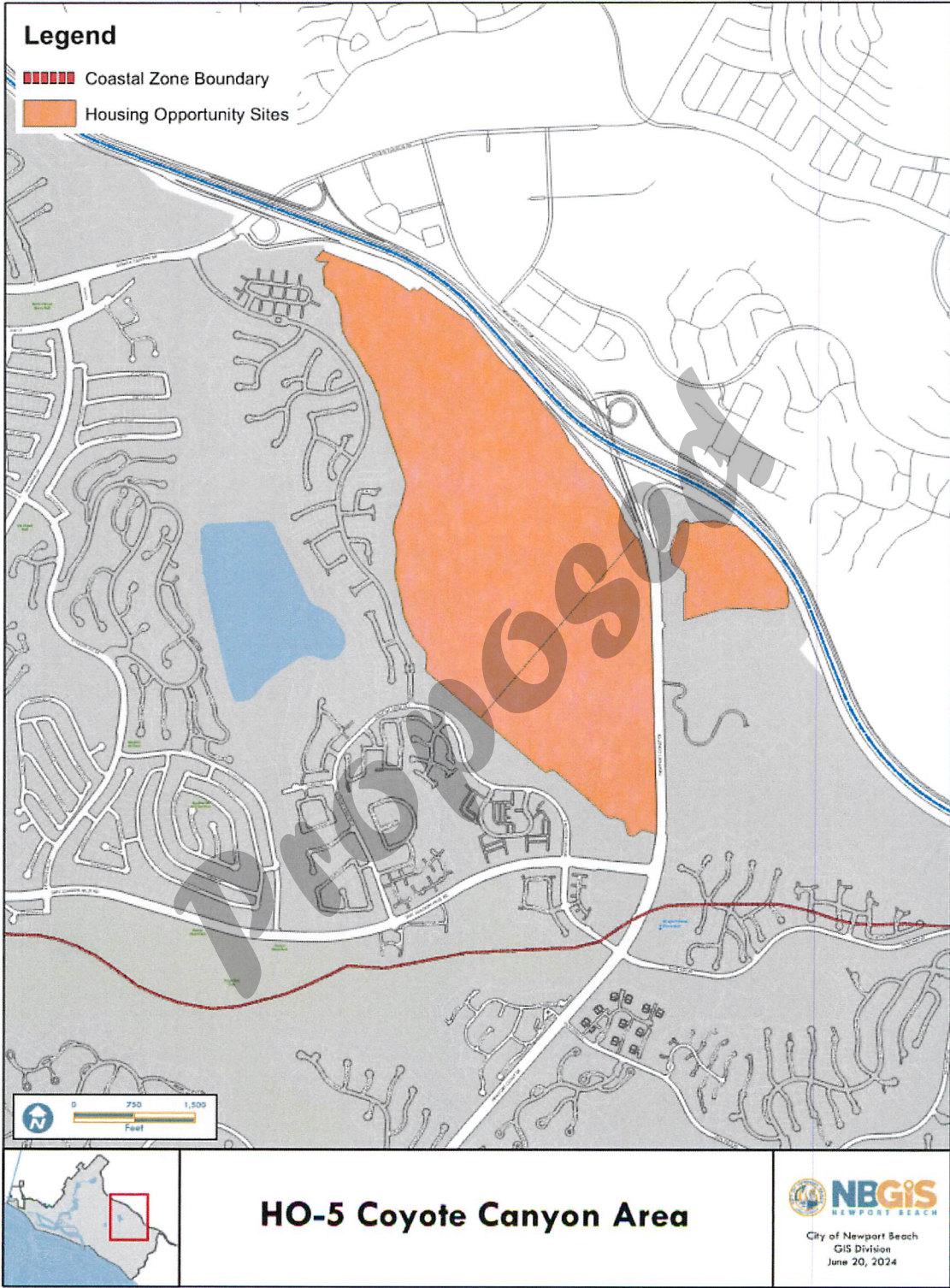


HO-3 Dover-Westcliff Area.mxd

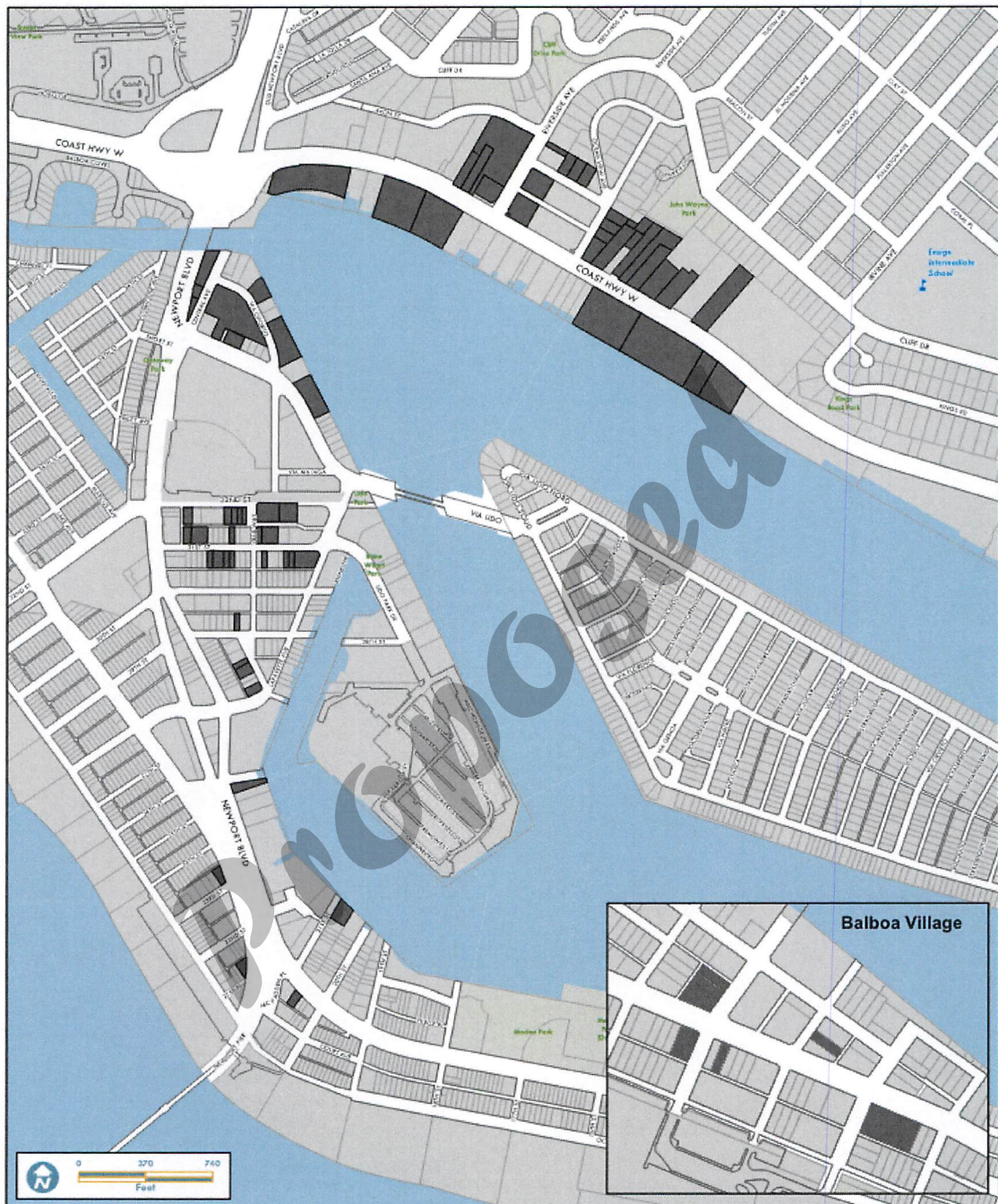












## HO-6 Existing 5th Cycle Sites



City of Newport Beach  
GIS Division  
June 20, 2024