

**CITY OF NEWPORT BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION ACTION REPORT**

**TO:** CITY COUNCIL, CITY MANAGER AND PLANNING COMMISSION  
**FROM:** James W. Campbell, Acting Planning Director  
**SUBJECT:** Report of actions taken by the Zoning Administrator, Planning Director and/or Planning Department staff for the week ending May 20, 2011

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**ACTIONS TAKEN BY THE PLANNING DIRECTOR OR PLANNING DEPARTMENT STAFF**

**Item 1:** Fashion Island Signs – Staff Approval No. SA2011-010 (PA2011-011)  
101 Newport Center Drive

This item was approved on May 19, 2011 Council District 5

**Item 2:** Alternative Setback Determination – Staff Approval No. SA2011-008 (PA2011-083)  
325 Collins Avenue

This item was approved on May 16, 2011 Council District 5

On behalf of James W. Campbell, Acting Planning Director:



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Patrick J. Alford, Planning Manager

**APPEAL PERIOD:** Modification Permit applications do not become effective until 14 days after the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code. Tentative Parcel Map, Condominium Conversion, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code.

*Email* Dana Smith, Assistant City Manager  
Leonie Mulvihill, Assistant City Attorney  
David Keely, Public Works Senior Civil Engineer  
Code Enforcement Division



## COMMUNITY DEVELOPMENT DEPARTMENT

### PLANNING DIVISION

3300 Newport Boulevard, Building C, Newport Beach, CA 92663

(949) 644-3200 Fax: (949) 644-3229

[www.newportbeachca.gov](http://www.newportbeachca.gov)

### **PLANNING DIRECTOR ACTION LETTER**

**Application No.**            **Staff Approval No. SA2011-010 (PA2011-011)**

**Applicant**                    **Irvine Company**

**Site Address**                **(101 Newport Center Drive)  
Fashion Island Signs**

On **May 19, 2011**, the Planning Director approved the following: A request for a Staff Approval to permit two new sign types within the Fashion Island sub-area of the North Newport Center Planned Community. The new sign types would consist of the following: up to six multi-tenant pylon signs to be located within parking areas visible from Newport Center Drive (ring road around Fashion Island) with a maximum height of 18 feet, where the Zoning Code allows 20 feet and a maximum width to 10 feet, where the Zoning Code allows 30 percent of the height of the sign; and multiple building-mounted barricade signs, which would cover the window and door openings of vacant tenant spaces until the spaces are occupied. The property is located in the PC-56 (North Newport Center) District. The approval is based on the following findings and subject to the following conditions:

#### **FINDINGS**

1. Finding: The Land Use Element of the General Plan designates the site as CR (Regional Commercial) use. This designation is intended to provide retail, entertainment, service, and supporting uses that serve local and regional residents. The proposed signs are accessory to the primary uses on the site.
2. Finding: This project has been reviewed, and it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) Guidelines under Section 15311 Class 11 (Accessory Structures), that exempts small accessory structures such as on-premise signs in commercial areas.
3. Finding: The multi-tenant pylon signs and building-mounted barricade signs are consistent with the intent of the North Newport Center Planned Community Text General Sign Standards.

Facts in Support of Finding:

- The sign standards for Fashion Island were based on the sign types existing within the development when the North Newport Center Planned Community Development Plan was adopted.
- Section III, F.1 of the North Newport Center Planned Community text provides standards for signage and allows the Planning Director to approve signs that are not otherwise consistent with the existing General Sign Standards.

4. Finding: The request to approve the proposed new sign types is due to the unique character and location of the Fashion Island Sub-Area.

Facts in Support of Finding:

- Fashion Island is one of seven sub-areas of the North Newport Center Planned Community. It is developed as a major regional retail, dining, and entertainment center, and serves as a day/evening destination for residents and visitors to Newport Beach, as well as, employees within the North Newport Center area.
- Fashion Island is a unique area within the City, because it is the only area designated as Regional Commercial (CR) by the General Plan. It covers a large geographic area bounded by Newport Center Drive, which serves as a "ring road" around the development area. The retail core is developed within the center of the site and parking is provided in parking structures and parking lots located around the interior perimeter of the site. Five major entry drives provide vehicular access at various locations around the "ring road".
- Currently, individual tenant signs are permitted on or near a building or tenant space in the center of the site within the retail core. The multi-tenant pylon signs would be located near the entry drives and would enhance visitors' way-finding ability to locate specific uses and tenants.

5. Finding: The building-mounted barricade signs are not considered billboards.

Facts in Support of Finding:

- In Section 20.42.40 Definitions: "Billboard" of the Zoning Code, a billboard is defined as follows, "a permanent structure used for the display of offsite commercial messages".
- The building-mounted barricade signs would not be permanent signs. They would be temporary signs that are intended to enhance the appearance of vacant tenant spaces and will be removed once the space is no longer

vacant. The size of each sign would be based upon the size of the window or door opening of the vacant tenant space.

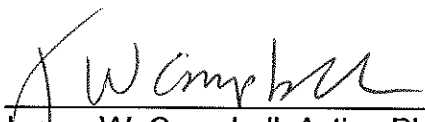
- The intent of the temporary signs would be to inform the public about merchants and services within Fashion Island. The commercial messaging would be considered "on-site" because, for the purposes of this sign type, the overall Fashion Island sub-area is considered a single site.

### Conditions

1. The development shall be in substantial conformance with the approved site plan, details, and elevations, except if noted in the following conditions.
2. Locations of the signs are limited to the designated areas and shall comply with the limitations specified in the Fashion Island New Sign Type Sign/Table Matrix (SA2011-010) included in this approval and any applicable sight distance provisions of Chapter 20.42 of the Newport Beach Municipal Code and the sign regulations of the *North Newport Center Planned Community Development Plan*.
3. The final location of the signs will be reviewed by the City Traffic Engineer and shall conform to City Standard 110-L to ensure that adequate sight distance is provided.
4. Pursuant to Chapter 20.42.060.H of the Municipal Code, illumination of the proposed building-mounted barricade signs and multi-tenant pylon signs shall not create visible glare from any vantage points on the ground or in the immediate area.
5. Anything not specifically approved by this Staff Approval is prohibited and must be addressed in a separate and subsequent Staff Approval review.
6. This approval was based on the particulars of the individual case and does not, in and of itself or in combination with other approvals in the vicinity or Citywide, constitute a precedent for future approvals or decisions.
7. Prior to issuance of building permits, the applicant shall submit to the Planning Department an additional copy of the approved architectural plans for inclusion in the Staff Approval file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to 11 inches by 17 inches. The plans shall accurately depict the elements approved by this Staff Approval and shall highlight the approved elements such that they are readily discernible from other elements of the plans.
8. A building permit shall be obtained prior to commencement of the construction and/or installation of the signs.

9. A copy of this approval letter shall be incorporated into the Building Department and field sets of plans prior to issuance of the building permits.
10. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the **Fashion Island Signs** including, but not limited to, the **Staff Approval No. SA2011-010 (PA2011-011)**. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

**APPEAL PERIOD:** Staff Approval applications do not become effective until 14 days after the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code. For additional information on filing an appeal, contact the Planning Department at 949 644-3200.

By:   
James W. Campbell, Acting Planning Director

JWC/ks

Attachments: PD 1 Vicinity Map  
PD 2 Project Plans  
PD 3 Sign/Table Matrix

# **Attachment No. PD 1**

Vicinity Map

## VICINITY MAP



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Staff Approval No. SA2011-010  
PA2011-011

**(Fashion Island  
101 Newport Center Drive)**

# **Attachment No. PD 2**

Project Plans



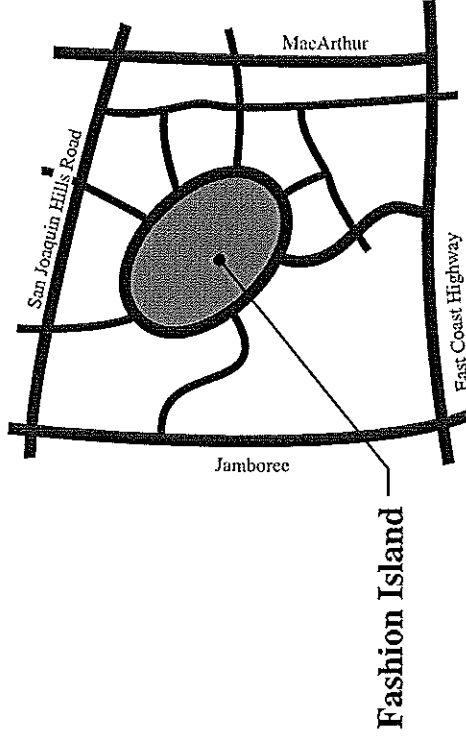
**ADDITIONAL SIGN TYPES  
FOR  
FASHION ISLAND**

**NEWPORT BEACH, CALIFORNIA**

**AS ALLOWED  
BY SECTION III.F.1 OF  
NORTH NEWPORT CENTER  
PLANNED COMMUNITY  
DEVELOPMENT PLAN**

**PROPERTY OWNER:  
IRVINE COMPANY  
CONTACT: MIKE MCKOWN (949) 720-3595  
mmckown@irvinecompany.com**

**PROGRAM DESIGNER:  
BAAB & ASSOCIATES  
CONTACT: DAVID J. BAAB (949) 729-9210  
dbaab@baabcorp.com**



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**MAY 04 2011**

**CITY OF NEWPORT BEACH**

**PROGRAM TITLE**

**PAGE 1**

**FASHION ISLAND**

SIGN TYPE	DESCRIPTION	SIGN CLASSIFICATION PER ZONING ORDINANCE	SIGN LOCATION	MAX. QUANTITY	MAX. SIGN AREA	MAX. HEIGHT OF SIGN ABOVE GROUND	SYMBOLS ALLOWED?	ILLUMINATION PERMITTED?	BUSINESS IDENTIFICATION PERMITTED?
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A	MULTI-TENANT PYLON SIGN	PYLON SIGN	LAND SCAPED IN-PARKING LOT AREAS ADJACENT TO NEWPORT CENTER DRIVE (RING ROAD) WITHIN FASHION ISLAND	6	180 SF	18 FT.	YES	YES	YES
B	BUILDING-MOUNTED BARRICADE SIGN	TEMPORARY SIGN	INFILLING BUILDING OPENINGS AT UNOCCUPIED LEASE SPACES	1 PER OPENING	SIZE OF OPENING	TOP OF OPENING	YES	YES	YES

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**OTHER SIGNS LOCATED IN FASHION ISLAND:**

SIGNS NOT VISIBLE FROM PUBLIC RIGHT-OF-WAYS: NOT LIMITED IN QUANTITY, SIZE, LOCATION, OR DESIGN (PER SECTION III.F.1 OF THE NORTH NEWPORT CENTER PLANNED COMMUNITY DEVELOPMENT PLAN)

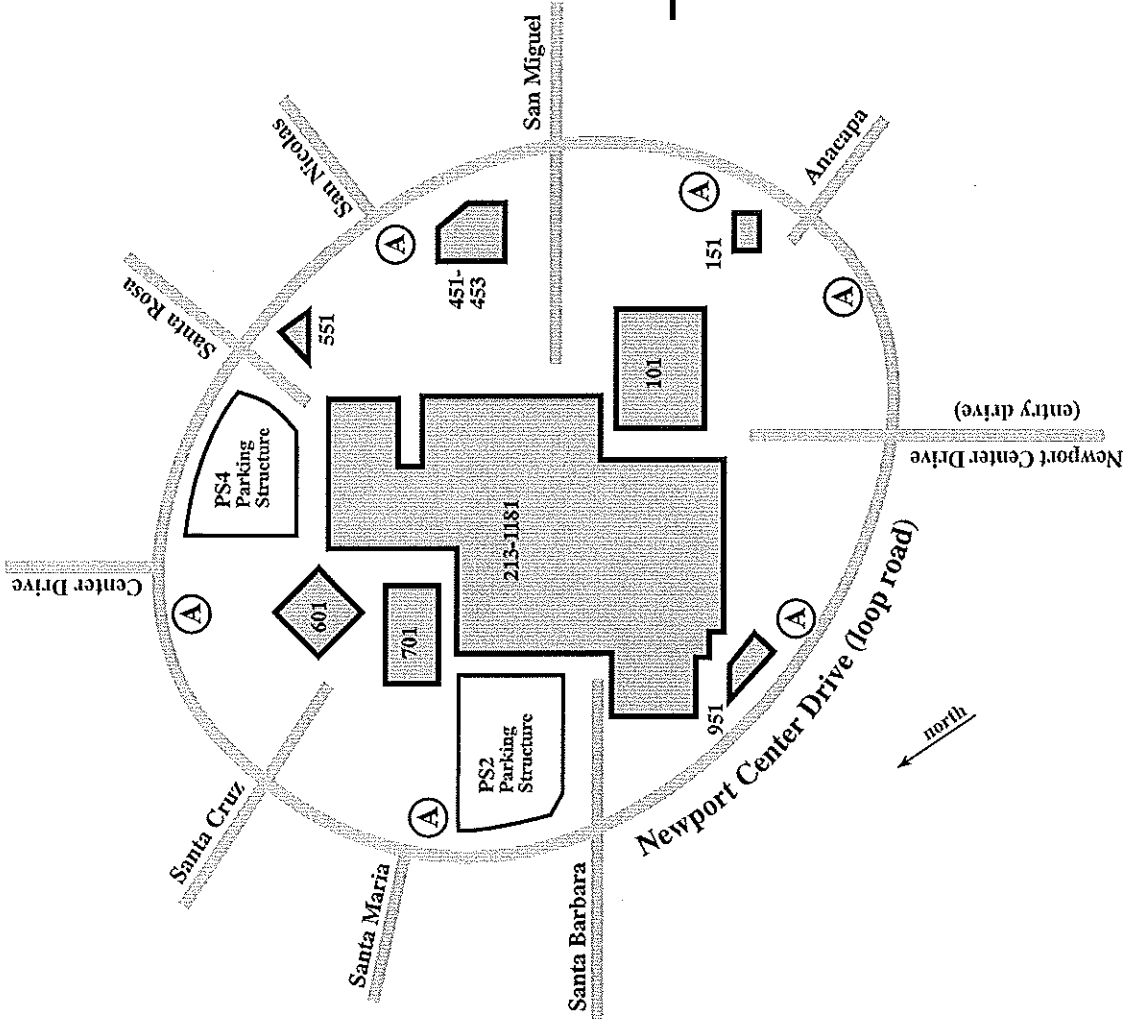
SIGNS VISIBLE FROM PUBLIC RIGHT-OF-WAYS: AS REGULATED IN SECTION III.F.3 OF THE NORTH NEWPORT CENTER PLANNED COMMUNITY DEVELOPMENT PLAN

(FOR ILLUSTRATION PURPOSES ONLY)

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Legend

Ⓐ Sign Type A (general location\*)

— Sign Type B (walls where allowed, if visible from public right-of-way)

\* precise location of pylon signs to be determined with sign permits

SITE PLAN

PAGE 3

FASHION ISLAND

May 3, 2011

(FOR ILLUSTRATION PURPOSES ONLY)

# SIGN TYPE A

## MULTI-TENANT PYLON SIGN

Purpose: To identify tenants to motorists on ring road

Maximum Number: Six

Location: **LANDSCAPED AREAS ADJACENT TO**  
**NEWPORT CENTER DRIVE (RING ROAD)**  
**WITH IN FASHION ISLAND**  
In parking lots as shown on Page 3  
Minimum of zero inches from street right-of-way line,  
as allowed by Section III B of *North Newport Center*  
*Planned Community Development Plan*

Sign Copy: Identification of shopping center, stores and restaurants  
in shopping center, and related terms, such as  
"Island Dining"

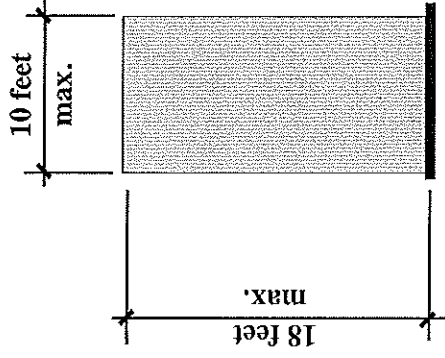
Maximum Size: 18 feet high  
10 feet wide

Maximum Area: 180 square feet

Maximum Letter Height: 3 feet high (measured horizontally, if letters are turned 90°)

Material: Metal cabinet or masonry wall with a solid base

Illumination: External illumination of sign, and/or internal illumination  
of sign copy



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CITY OF NEWPORT BEACH

May 3, 2011

SIGN TYPE A  
ELEVATION / SPECIFICATIONS

PAGE 4A

FASHION ISLAND

(FOR ILLUSTRATION PURPOSES ONLY)

**Purpose:**

To secure openings in building walls at unoccupied lease spaces that are visible from public rights-of-way in a way that enhances the appearance and the economic vitality of the shopping center by mitigating the temporary blank wall spaces and informing the general public about products, services, merchants, and events

**Maximum Number:**

One sign per opening

**Location:**

Infilling openings in building walls at unoccupied lease spaces that are visible from the public rights-of-way

**Sign Copy:**

Identification of shopping center, stores and restaurants in shopping center, products and services sold in shopping center, community event and its sponsors, and other similar information

Sign copy shall not contain off-site commercial messages.

**Maximum Size:**

Size of opening in building wall

**Maximum Area:**

Size of opening in building wall

**Maximum Letter Height:**

3 feet high (measured horizontally, if letters are turned 90°)

**Material:**

Wood or other rigid material

**Illumination:**

Up lighting and down lighting allowed

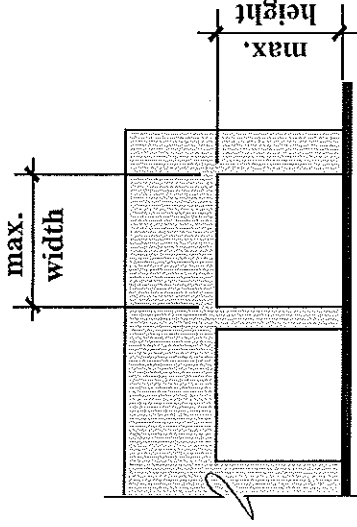
**Term:**

While lease space is under construction; and during the time lease space is unoccupied

# SIGN TYPE B

## BUILDING-MOUNTED BARRICADE SIGN



SIGN TYPE B  
ELEVATION / SPECIFICATIONS

PAGE 4B

FASHION ISLAND

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May 3, 2011

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# **Attachment No. PD 3**

Sign/Table Matrix



# Fashion Island: New Sign Type Matrix

Community Development Department  
 Planning Division  
 3300 Newport Boulevard, Newport Beach, CA 92663  
 (949)644-3200 Telephone, (949)644-3229 Facsimile  
[www.newportbeachca.gov](http://www.newportbeachca.gov)

Staff Approval No. SA2011-0104 (PA2011-011)

New Sign Types	Sign Elements
<p><b>Multi-tenant Pylon Signs</b></p>	<p><u>Maximum Number:</u> 6  <u>Permitted Location:</u> within the landscaped areas of Fashion Island adjacent to Newport Center Drive (ring road). Subject to adequate sight distance requirements (see Conditions of Approval).  <u>Maximum Height:</u> 18 ft  <u>Maximum Width:</u> 10 ft  <u>Maximum Letter/Logo Height:</u> 3 ft (measured horizontally, if letters are turned 90 degrees)  <u>Maximum Area:</u> 180 sq. ft.  <u>Material:</u> metal cabinet or masonry wall  <u>Illumination:</u> external illumination of sign, and/or internal illumination of sign copy(pursuant to Chapter 20.42.060.H of the Municipal Code)  <u>Sign Copy:</u> identification of shopping center, stores, merchants, restaurants, and terms related to the shopping center (such as "Island Dining")</p>
<p><b>Multiple Building-mounted Barricade Signs</b></p>	<p><u>Maximum Number:</u> one sign per window or door opening located within walls of vacant tenant spaces only  <u>Permitted Location:</u> Window and door openings within vacant tenant spaces only  <u>Maximum Duration:</u> all signs shall be removed from tenant space at the time tenant space is occupied  <u>Maximum Letter/Logo Height:</u> 3 ft (measured horizontally, if the letters and/or logo are turned 90 degrees)  <u>Material:</u> signs shall be constructed of wood or other rigid material  <u>Sign Copy:</u> signs shall be limited to advertising products, services, merchants, or activities provided within Fashion Island <u>only</u>  <u>Illumination:</u> up-lighting and down-lighting of the sign area shall be allowed (pursuant to Chapter 20.42.060.H of the Municipal Code)</p>



PLANNING DEPARTMENT  
3300 NEWPORT BOULEVARD  
NEWPORT BEACH, CA 92663  
(949) 644-3200 FAX (949) 644-3229

## Director Determination of Alternative Setback Area Locations

(SA2011-008 PA2011-083)

(Corrected May 23, 2011)

Address: 325 Collins Avenue Date: May 16, 2011

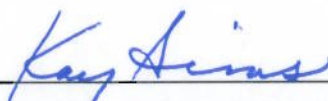
Section 20.30.110 C (Setback Regulations and Exceptions – Alternative setback area location)

In cases where the orientation of an existing lot and the application of the setback area are not consistent with the character or general orientation of other lots in the vicinity, the Director may redefine the location of the front, side, and rear setback areas to be consistent with surrounding properties. The reorientation of setback areas is not applicable to the bluff overlay district.

Pursuant to this section, the Acting Planning Director established the following alternative setbacks:

Yard	Setback	Description
Front	5'	Collins Avenue
Side	3'	opposite Bay Front Alley N.
Side	3'	Bay Front Alley N.
Rear	3'	opposite front

On behalf of James W. Campbell, Acting Planning Director

By:   
Kay Sims, Assistant Planner

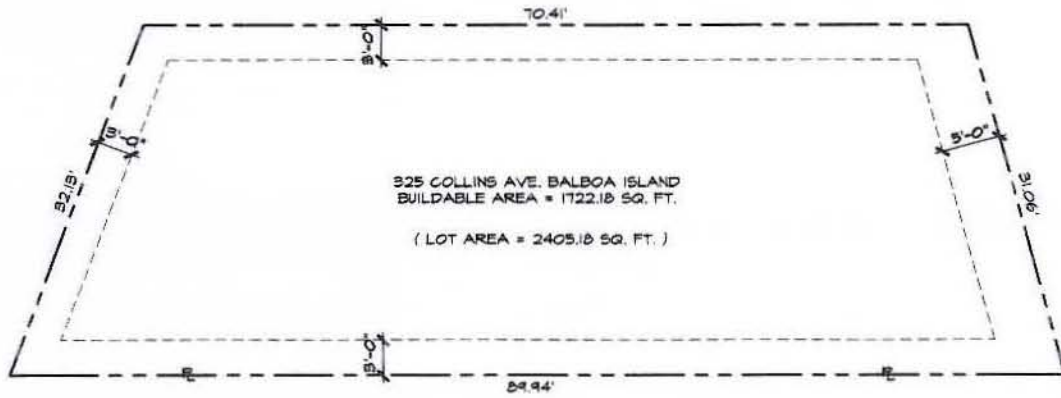
Attachments: Plans (existing and proposed setbacks)



COLLINS AVE.

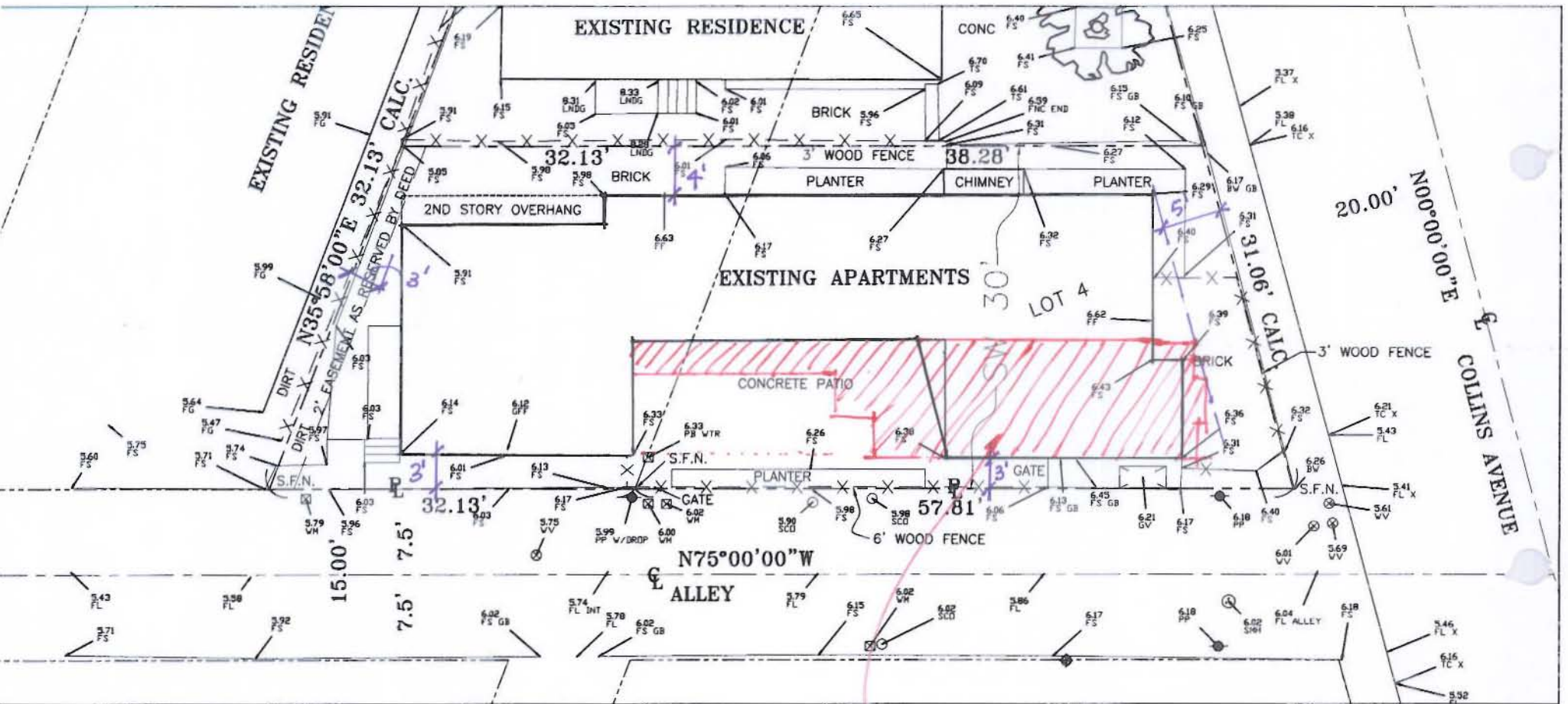


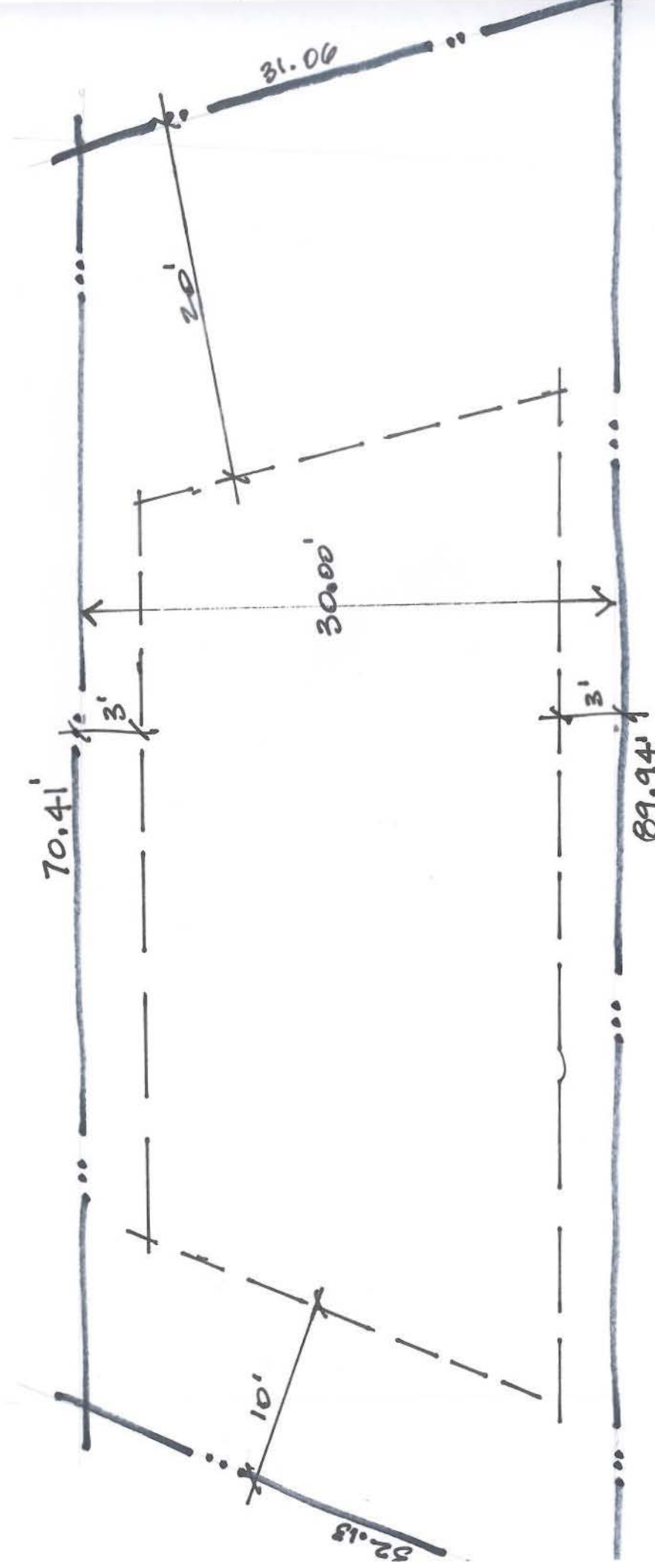
ALLEY



COLLINS AVE.

ALLEY





1204.2 buildable footprint  
 x 1.5  
 -----  
 1806.3 max allowable area

Alley

Bondetti  
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 Balboa Island, CA.

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