

# Land Use Element

## PURPOSE

The Land Use Element identifies goals, policies, and actions that will guide growth, preservation of land, location and intensity of development, and neighborhood design and defining characteristics.

## OVERVIEW

The Land Use Element sets the community's vision and values in motion. This element provides a long-range planning guide for development in Newport Beach (City) and serves as the central organizing element for the General Plan as a whole. It directs the placement and character of future development and guides where people live, work, shop, play, and socialize. The community's quality of life largely depends on how each of these fit together in a coherent pattern to create a sense of place that fosters health and well-being.

Development and the distribution of different land uses influences every aspect of the lives of residents, employees, and visitors. From the local economy and transportation systems to housing availability, and the protection of coastal and natural resources, the Land Use Element impacts community health and livability. The City's Land Use Element provides guidance regarding the ultimate pattern of development for the City by designating the general distribution, location, and extent (including standards for population density and building intensity) of the uses of land for housing, business, industry, agriculture, open space and recreation, public facilities, solid and liquid waste, and other categories of public and private uses.

### Existing Development in Newport Beach

Newport Beach is primarily a residential community, offering significant recreational and open space opportunities. Much of what defines Newport Beach and what is valued by the community can be seen through its built environment. The majority of residential uses consist of traditional single family residential houses. Areas near key corridors and near the coast provide more variety in residential development, offering duplexes, triplexes, condominiums, and apartments. Increased density on smaller residential lots is common in coastal areas in southern California where coastal neighborhoods tend to exhibit walkable and urban development patterns, due in part to the finite nature of land availability.

Non-residential development varies from offices, commercial services, public facilities, institutional, and industrial uses. Non-residential development is primarily concentrated in Newport Center, the Airport Area, West Newport Mesa, Corona del Mar, and along the coast. These areas offer essential services for residents and visitors alike providing retail and dining opportunities, entertainment, employment, and more.

Together, parks and open space make up the second largest use of land by area in Newport Beach, constituting 30% of total land. These land uses are generally undeveloped, but contain some low-intensity development to accommodate community rooms, restrooms, and other type of facilities. Newport Beach has an abundance of parks and open space, and these parks are relatively evenly distributed. More densely developed areas, such as Balboa Peninsula and the western part of Newport Beach, have much smaller parks than the central parts of Newport Beach and Newport Coast, but are surrounded by water, beaches, and other types of recreational opportunities.

### Geography and Planning Area

Newport Beach is in the Southern California region within the western edge of Orange County, adjacent to the Pacific Ocean. It is generally bordered by Costa Mesa to the northwest, Irvine to the northeast, and unincorporated portions of Orange County and Laguna Beach to the southeast. Newport Beach is surrounded by natural landscape, including ecological preserves and marine conservation areas, State parks, and the Pacific Ocean.

The City's Planning Area is the identified boundary and extent for which the General Plan provides policies. As shown in Figure 1, Planning Area and Sphere of Influence, the Planning Area includes the areas within the existing City boundary, including waterways and its Sphere of Influence. The Sphere of Influence is considered in the development of the Land Use Element because it encompasses the area most likely to be the ultimate physical boundaries and service area of local government agencies, as determined by the Local Agency Formation Commission of Orange County (Orange LAFCO).

The City's SOI is a 492.85-acre area located west of Newport Beach adjacent to the Santa Ana River and the Cities of Huntington Beach and Costa Mesa. The area is referred to as the Randall Preserve but was formerly known as Banning Ranch. The Randall Preserve is an important open space resource for Newport Beach. A portion of the Randall Preserve is under the stewardship of the Mountains Recreation and Conservation Authority with the intent of preserving and restoring the natural habitat and increasing public access for recreational purposes. The oil field within Banning Ranch, known as the Banning Ranch Remainder, was acquired by the Coastal Alliance Corridor (previously Banning Ranch Conservancy) and the Trust for Public Land renamed as the Banning Ranch Remainder. The Banning Ranch Remainder is a 13-acre carve out from the Randall Preserve property. This land is privately owned and is intended for the consolidation of oil operations.

# GOALS, POLICIES, ACTIONS

Newport Beach is a unique coastal, residential community that values its high quality of life, community bonds and the balancing of needs of residents, businesses, and visitors. The Element's goals and policies are designed to:

- Support the livability of existing neighborhoods;
- Support residential opportunities that accommodate the City's share of the Regional Housing Needs Assessment;
- Promote new uses that are complementary to already existing neighborhoods and uses;
- Achieve distinct and economically vital business and employment districts;
- Correlate land uses with supporting infrastructure and public services; and
- Sustain Newport Beach's natural setting.

The Land Use Element's goals and policies are grouped into five categories to address the following:

1. **Development Capacity Limits:** including goals and policies that establish development capacities through the City's Land Use Plan, which depicts the general distribution of land use designations throughout Newport Beach; specific use categories for each parcel within defined Statistical Areas, which are referred to "Anomaly Locations"; and housing opportunities overlay which captures additional development capacity from the adopted 6<sup>th</sup> Cycle Housing Element.
2. **Defining Neighborhood and Land Use Character:** including goals and policies that promote a development pattern that retains and complements the City's residential neighborhoods, commercial, industrial districts, open spaces, and natural environment.
3. **Accommodating Planned Housing and Opportunities:** including goals and policies that provide for the management of growth and change at an area specific level for existing neighborhoods, districts, corridors, and public and civic uses.
4. **Guiding Future Change:** including goals and policies that focus on needed improvements to public facilities such as water and energy infrastructure, transportation facilities, and parks and recreation amenities to support new development.
5. **Interagency Coordination:** including goals and policies that focus on inter and intra agency coordination related to land use planning, permitting, and development review.

The Land Use Element is comprised of several maps and boundaries. Statistical areas (LU3 through LU15) show land use designations with associated densities/intensities and anomaly sites Table ID. In addition, this element establishes planning sub-areas that identify specific boundaries within the City that have a unique sense of identity and/or are planned areas of growth. These planning-subareas include Airport Area, Balboa Village, Banning Ranch, Cannery McFadden, Corona del Mar, Mariner's Mile, Newport Center, Old Newport Boulevard, Airport Area, West Coast Highway, and West Newport Mesa and are pictured in Figure LU17, Planning Sub-Areas.

Additionally, policies in this element reference focus areas which are established in response to areas of additional housing capacity in the adopted Housing Element. These areas include Coyote Canyon, Dover/Westcliff, Airport Environs, West Newport Mesa, and Newport Center. Although these areas overlap with planning sub-areas, policies related to focus areas apply to differing boundaries than policies applicable to planning sub-areas. For area specific policies, refer to section “Accommodating Planned Housing and Opportunities for Change.”

### Development Capacity Limits

A primary component of the Land Use Element is the establishment of land use designations to classify and distinguish the various land uses (e.g., residential, commercial, public/semi-public) within the City. The City of Newport Beach has a unique approach to classifying and distinguishing various land uses by establishing development capacity limits. Development capacity limits regulate density or intensity by establishing a maximum of permitted development.

Development capacity limits are important to guide growth in the city and ensure that new development fits with the community’s vision for Newport Beach. There are three development capacity limits in the Land Use Element established by Land Use Designations, anomaly locations, and the housing opportunities overlay.

### Land Use Designations

There are seven primary uses organized into the following categories: Residential, Commercial, Commercial Office, Industrial, Airport Supporting, Mixed-Use, and Public/Semi-Public/Institutional. Within these seven use categories, there are 30 individual land use designations (e.g. Multiple Residential or RM and General Commercial or CG) with unique development capacity. Table LU-1, Land Use Designations establishes the land use designations and includes a summary of the types of uses for each land use designation, and, for specific categories, the densities/intensities to be permitted can be found in Table LU1, Land Use Designations. Each parcel has a Land Use Designation with a development capacity limit regulated in two ways:

1. **Density/Intensity.** Maximum density or intensity expressed as dwelling units per acre for residential designations or floor area ratio for non-residential designations (e.g., 36 dwelling units per acre or floor area ratio of 0.5).
2. **Total Units.** Maximum number of dwelling units per acre for residential land use designations. (e.g., a parcel or selected parcels have an overall permitted development capacity of 42 dwelling units).

Parcels with residential land use designations have development limits based on either density or a total number of dwelling units, but not both. To better track development capacity limits at the parcel level, the city has 49 defined statistical areas with corresponding maps. In compliance with Sections 65302–65302(a) of the California Government Code, the statistical area maps, Figures LU# through LU#, detail the development capacity for each parcel in the city.

### *Anomaly Locations*

An anomaly location is one or more parcels (site) which has unique development regulations. While every parcel has a Land Use Designation, the development capacity limit for an anomaly site is not regulated by the Land Use Designation. Development capacity limits for anomaly sites are regulated in four ways:

1. **Maximum Building Size [Square Feet (SF)].** Total square footage allowed (e.g. a site has an overall permitted development capacity of 200,000 square feet).
2. **Total Units.** A total number of specified unit counts, such as dwelling units, hotel rooms, tennis courts, theatre seats (e.g., a site has an overall permitted development capacity of 150 hotel rooms).
3. **Intensity.** Minimum or Maximum floor area ratio (e.g., floor area ratio of 0.3 to 0.5).
4. **Required Uses.** Specific types of development that must be included (e.g., 600,000 sf of office and 20,000 sf of retail).

An anomaly site can be regulated by a combination of these limits. For example, an anomaly site may have development limit of 100,000 square feet and a maximum number of 200 hotel rooms. The location of anomaly sites is incorporated in statistical area maps. Refer to Figures LU# through LU# for the location of the anomaly sites and development capacity limits are reflected in Table LU-2, Anomaly Locations. The development capacity limits in Table LU-2 reflect a point-in-time capacity at the time of adoption, and are tracked and updated separately, as necessary by staff.

### *Housing Opportunities Overlay*

The Housing Opportunities Overlay applies to sites identified in the City's adopted Housing Element and general areas within identified focus areas to accommodate the City's overall allocation of the Regional Housing Needs Assessment. Development capacity limits for parcels identified as part of the housing opportunity focus areas are cumulative, meaning they are in addition to the development capacity limits permitted by the Land Use Designation. Development capacity limits for housing opportunity sites are regulated in two ways:

1. **Density.** A range of permitted density within each focus area (e.g. 20 to 50 dwelling units per acre).
2. **Total Units.** The maximum total number of dwelling units permitted to be developed within a focus area (e.g. 2,577 total dwelling units).

Development projects may apply the minimum or maximum density but, the overall number of dwelling units permitted within the focus area shall not exceed the established limit. Figure 3-2 through Figure 3-7 of the Program Environmental Impact Report, Project Description of the Housing Element, establish the boundary and extend of the focus area for the housing opportunities overlay and Table LU-3 establishes the capacity permitted in the focus areas. The development capacity limits in Table LU-3 reflect a point-in-time capacity at time of adoption,

and are tracked and updated separately, as necessary by staff. Policies for each focus areas are identified in the “Accommodating Planned Housing and Opportunities for Change” section.

*LU-1: A City that manages growth and change through land use decisions that are consistent with the General Plan.*

- **LU-1.1: Land Use Plan.** (Policy LU 4.1) Support land use development consistent with the Land Use Plan which includes Figure LU1, and Figure LU4 through Figure LU16. Figure LU1, Land Use Diagram depicts the general distribution of uses throughout the City and Figure LU4 through Figure LU16 are Statistical Area maps that depict specific use categories and development capacity for each parcel within the defined Statistical Areas. Table LU 1 (Land Use Plan Designations) specifies the primary land use categories, types of uses, and, for specific categories, the densities/intensities to be permitted. The permitted densities/intensities or amount of development for land use designations for which this is not included in Table LU 1, are specified on the Land Use Plan, Figure LU4 through Figure LU16. These are intended to convey maximum and, in some cases, minimums that may be permitted on any parcel within the designation or as otherwise specified by Table LU 2 (Anomaly Locations). The density/intensity ranges exclude increases allowed through the applications of density bonus laws and are calculated based on actual land area, actual number of dwelling units in fully developed residential areas, and development potential in areas where the General Plan allows additional development. To determine the permissible development, the user should:
  - a. Identify the parcel and the applicable land use designation on the Land Use Plan, Figure LU4 through Figure LU16
  - b. Refer to Figure LU4 through Figure LU16 and Table LU 1 to identify the permitted uses and permitted density or intensity or amount of development for the land use classification. Where densities/intensities are applicable, the maximum amount of development shall be determined by multiplying the area of the parcel by the density/intensity.
  - c. For anomalies identified on the Land Use Map by a symbol, refer to the most-recently updated Table LU 2 to determine the precise development capacity limits.
  - d. For additional area specific policies and development capacity for residential development, refer to Section “Accommodating Planned Housing and Opportunities for Change.” (Imp 2.1, 5.1, 10.2)
- **LU-1.2: Conversion of Units for Anomaly Locations.** Allow the conversion of specified units to square feet in Table LU 2, Anomaly Locations. Table LU 2 either assigns 1,000 square feet of floor area for each hotel room or indicates the number of hotel rooms allowed on the site as well as the number of theater seats allowed on certain sites. For the purposes of this policy, the rate of 1,000 square feet per hotel room and 15 square feet per theater seat shall be used.
- **LU-1.3: Transfer of Development Rights.** (Policy LU 4.2) Permit the transfer of development rights from a property to one or more other properties when:
  - a. The donor and receiver sites are within the same Statistical Area.

- b. The reduced density/intensity on the donor site provides benefits to the City such as, but not limited to, the (1) provision of extraordinary open space, public visual corridor(s), parking or other amenities; (2) preservation of a historic building or property or natural landscapes; (3) improvement of the area's scale and development character; (4) consolidation of lots to achieve a better architectural design than could be achieved without lot consolidation; and/or (5) reduction of local vehicle trips and traffic congestion;
  - c. The increment of growth transferred to the receiver site complements and is in scale with surrounding development, complies with community character and design policies contained in this Plan, and does not materially degrade local traffic conditions and environmental quality.
  - d. Transfer of Development Intensity/Density in Newport Center is governed by Policy LU 19.4 (Transfers of Development Intensity/Density). (Imp 2.1, 5.1, 10.2)
- **LU-1.4: Amendments to Development Capacity Limits.** Permit ministerial amendments to Table LU 1, Table LU 2, and Table LU 3 to facilitate modifications to and transfers of development capacity limits to accurately track development capacity limits, in accordance with Chapter 423 of the Newport Beach Charter.
- **LU-1.5: Residential Supply.** (Policy LU 6.2.1) Accommodate a diversity of residential units that meets the needs of Newport Beach's population and fair share of regional needs in accordance with the Land Use Plan's designations, applicable density standards, design and development policies, and the adopted Housing Element. (Imp 1.1, 2.1, 25.1)
- **LU-1.6: Prohibition of New Residential Subdivisions.** (Policy LU 4.2) Unless otherwise directed by State law, prohibit new residential subdivisions that would result in additional dwelling units unless authorized by an amendment of the General Plan (GPA). Lots that have been legally merged through the Subdivision Map Act and City Subdivision Code approvals are exempt from the GPA requirements and may be re-subdivided to the original underlying legal lots. This policy is applicable to all Single Unit, Two Unit, and Multiple Unit Residential land use categories. (Imp 6.1)
- **LU-1.7: Housing Opportunities Overlay.** (Adapted from Policy LU 4.4) Support the development of housing in the Housing Opportunity Overlay Zones consistent with the densities and development limits identified in the Zoning Code and in Figure LU 18 Table LU-3. (Imp 25.1, 8.2)



## Defining Neighborhood and Land Use Characteristics

Well planned and thoughtfully designed neighborhoods contribute to quality of life for residents and support community-wide needs. Newport Beach has distinct neighborhoods that together contribute to the charm and unique sense of place of the city. Newport Beach's neighborhoods and districts makeup up a citywide identity that is unique to the Southern California region. Planned development can be accommodated in a manner that supports and contributes to the unique qualities of each neighborhood, village, and district that makeup this identity. All neighborhoods should be well-maintained and have diverse, cohesive development that contributes to and maintains its distinct and unique identity. Planned development in established neighborhoods should integrate sophisticated urban design that is compatible with neighborhood characteristics to blend with the surrounding urban fabric. Planned development in changing communities should contribute to Newport Beach's livability by thoughtfully planning the design, location, and types of land uses permitted to result in vibrant and balanced communities.

Goals and policies related to the defining neighborhood and land use characteristics should provide for the maintenance and enhancement of Newport Beach and new development should complement and reinforce these characteristics. Neighborhood and land use characteristics listed in Table LU 1 Land Use Plan Categories, are broadly described as follows:

**Residential Neighborhoods:** Residential neighborhoods in Newport Beach offer distinct characteristics and amenities that vary across the city. Neighborhoods offer many residents variety in architecture access to the coast, pristine views, has distinct neighborhoods that together contribute to the charm and unique sense of place of the city. Residential neighborhoods should be of high-quality design. Design standards should consider compatibility with existing neighborhoods including the scale of development, privacy, and amenities. Residential neighborhoods should contribute to Newport Beach's livability by thoughtfully planning the location and types of housing permitted.

**Commercial Districts:** Commercial districts, centers, and corridors create opportunities for shopping, employment, socialization, and provide essential services and goods for the community. The design of commercial districts, centers and corridors is important for shaping how residents and visitors use, access, and interact with these types of establishments.

**Mixed-Use Districts:** Mixed-use districts contribute to balanced communities through the integration of residential, employment, commercial, recreation, and service-oriented uses. These uses contribute to a high quality of life for residents and local businesses, such as, increased walkability, creating vibrant spaces, economic development, and access to amenities. Mixed-use districts should be paired with high-quality design to contribute to neighborhood character and flexibility in uses that is responsive to market demands.

**Office and Business Districts:** Well-planned and designed office and business districts can provide a high-quality working environment for employees and serve the surrounding community. Office and business parks should integrate a campus-style environment through design elements that promote connectivity, common spaces such courtyards, and encourage pedestrian activity. Office and business districts located adjacent to residential uses should



encourage a mix of community-serving commercial uses to serve nearby residents and expand the use of the area outside of regular work-day hours.

**Industrial Districts:** Co-location of industrial and residential uses can be a good way to provide more homes, create and protect local employment, and foster innovation. New innovations in materials and technologies are making industry cleaner, greener, and quieter. Industrial districts should be encouraged to support changing neighborhoods, while providing a dynamic mix of uses that are both sensitive to and supportive of residents and employees. While maintaining Newport Beach's values and community character, industrial districts can provide an opportunity for uses that support innovation, creativity, and the arts in existing industrial areas in response to market demands.

**Public, Semi-Public, and Institutional Uses:** Public, semi-public and institutional uses such as governmental service and public or private facilities including educational, cultural, social, religious, recreational, and medical which are essential for every city, providing places where neighbors gather, children play and learn, and important decisions are made. The location and availability of these uses are vital in supporting a sense of community and social well-being by providing places for people to gather, access social services, and opportunities for education and physical activity. High quality architecture and sophisticated urban design in public and institutional uses can contribute to facilities and spaces that enhance the community's quality of life and connect residents to their city.

*LU-2: Well-balanced land uses with adequate community services and supporting infrastructure that support livability, residential opportunities, promote new complementary uses, sustain and enhance economic vitality, and sustain the natural environment.*

- **LU-2.1: Visitor Serving Uses.** (Policy LU 2.6) Provide uses that serve visitors to Newport Beach's ocean, harbor, open spaces, and other recreational assets, while integrating them to protect neighborhoods and residents. (Imp 1.1, 2.1, 5.1, 24.1)
- **LU-2.2: Adequate Infrastructure.** (Policy LU 2.8) Accommodate the types, densities and intensities, and mix of land uses that can be adequately supported by transportation and utility infrastructure (water, sewer, storm drainage, energy, and so on) and public services (schools, parks, libraries, seniors, youth, police, fire, and similar facilities and services). (Imp 1.1, 10.2, 11.1)
- **LU-2.3: Adequate Community Supporting Uses.** (Policy LU 6.1.1) Accommodate schools, government administrative and operational facilities, fire stations and police facilities, religious facilities, schools, cultural facilities, museums, interpretative centers, and hospitals to serve the needs of Newport Beach's residents and businesses. (Imp 1.1, 2.1)
- **LU-2.4: Waterfront Access.** (Policy LU 3.6) Use public beaches for public recreational uses and prohibit uses on beaches that interfere with public access and enjoyment of coastal resources. Encourage the expansion and improvement of access to the waterfront and

water-related uses that provide important links to waterfront uses such as beaches, launching facilities, public docks, and other similar public water area uses. (Imp 1.1, 5.1)

- **LU-2.5: Sustainable and Complete Community.** (Policy LU 2.2) Emphasize the development of uses that enable Newport Beach to continue as a self-sustaining community and minimize the need for residents to travel outside of the community for commercial, goods and services, and employment. (Imp 1.1, 24.1)
- **LU-2.6: Natural Resources.** (Policy LU 1.3) Protect the natural setting that contributes to the character and identity of Newport Beach and the sense of place it provides for its residents and visitors. Preserve open space resources, beaches, harbor, parks, bluffs, preserves, and estuaries as visual, recreational, and habitat resources. (Imp 1.1)
- **LU-2.7: Public Views.** (Policy LU 1.6) Protect and, where feasible, enhance significant scenic and visual resources that include open space, mountains, canyons, ridges, ocean, and harbor from public vantage points.
- **LU-2.8: Oil and Gas Facilities.** (Adapted from Policy LU 2.7) Prohibit the construction of new onshore oil processing, refining, or transportation facilities, including facilities designed to transport oil from offshore tracts, with the exceptions of slant drilling from onshore oil fields or for the consolidation and more efficient production of wells. (Imp 2.1, 5.1)

*LU-3: A city that values an aesthetically pleasing built environment.*

#### *Maintenance*

- **LU-3.1: Property Maintenance.** (Policy LU 5.5.2) Encourage and, where subject to redevelopment, require owners of visually unattractive or poorly maintained commercial and industrial properties to upgrade existing structures and properties to improve their visual quality. (Imp 26.1)
- **LU-3.2: Neighborhood Maintenance.** (Policy LU 5.1.4) Promote the maintenance of existing residential units through code enforcement and promotion of County and local rehabilitation programs and public education. This may include providing information, guidance, and assistance where feasible. (Imp 23.3, 25.1, 26.1, 29.1)
- **LU-3.3: Public Facilities Maintenance.** Maintain public facilities and properties by upgrading existing structures and properties to improve their visual quality. (Imp 8.1, 23.2)

#### *Design and Streetscape*

- **LU-3.4: Buffering Residential Areas.** (Adapted from Policy LU 5.2.2) Require buffers between nonresidential and residential areas to minimize potential impacts using landscaping and decorative walls, etc. (Imp 2.1)
- **LU-3.5: Compatible Interfaces.** (Policy LU 5.1.2) Require that the height of development in nonresidential and higher-density residential areas transition as it nears lower-density residential areas to minimize conflicts at the interface between the different types of development. (Imp 2.1)

- **LU-3.6: Mixed Use and Commercial Districts Pedestrian-Oriented Architecture and Streetscapes.** (Policy LU 5.3.5) Require that buildings located in pedestrian-oriented commercial and mixed-use districts be designed to define the public realm, activate sidewalks and pedestrian paths, and provide “eyes on the street” in accordance with the following principles:
  - Location of buildings along the required front street setback , to visually form a continuous or semi-continuous wall with buildings on adjacent parcels along the sidewalk;
  - Inclusion of commercial uses characterized by a high level of customer activity on the ground floor such as cafés, restaurants, retail, etc.; to ensure successfully active operations, provide for transparency on the street facing building facade, human-scale floor-to-floor height on ground floor building, , and locate deliveries, and trash storage and collection in a location that minimizes impact to pedestrian activity and is screened or in enclosed locations, not visible from the public right-of-way;
  - Articulation and modulation of street-facing elevations to promote interest and character;
  - Inclusion of outdoor seating or other amenities that activate the commercial frontage and extend interior uses to the sidewalk, where feasible; and
  - Minimization of driveways that interrupt the continuity of street facing building elevations, prioritizing their location to side streets and alleys where feasible. (Imp 2.1)

*LU-4: Distinct neighborhoods and villages that accommodate planned development while maintaining their unique character*

- **LU-4.1: Citywide Identity.** Recognize and support the qualities that unique define Newport Beach’s neighborhoods and districts that promote a citywide identity that is unique to the Southern California region. Planned development can be accommodated in a manner that supports and contributes to the unique qualities of each neighborhood, village, and district that makeup this identity. (Imp 1.1)
- **LU-4.2: Unique Environment.** (Policy LU 1.1) Maintain and enhance the different villages, neighborhoods, business districts, including areas along the harbor frontage that define Newport Beach through neighborhood preservation. Locate and design development in a way that to reflects Newport Beach’s topography and, architectural diversity while emphasizing the City’s coastal orientation, including public views. (Imp 1.1)
- **LU-4.3: Harbor and Waterfront Uses.** (Policy LU 2.5) Preserve the uses of the Newport Harbor and the waterfront that contribute to the charm and character of Newport Beach and provide needed support for residents, boaters, and visitors, with appropriate regulations necessary to protect the interests of all users as well as adjoining residents. (Imp 1.1, 2.5, 5.1, 21.4, 24.1)
- **LU-4.4: Updates to Regulatory Plans.** Regularly update established specific plans with design standards to guide development towards a mix of uses, including housing,

commercial areas, parks, and other uses, as applicable, and maintain consistency with adopted specific plans. (Imp 3.1)

- **LU-4.5: Infrastructure Planning.** Plan for public services, facilities, and utilities upgrades for areas anticipated for new development and require new development to incorporate adequate infrastructure. (Imp 1.1, 13.1, 18.1, 19.1, 20.1, 22.1, 23.1, 23.5, 30.2)
- **LU-4.6: Neighborhoods, Districts, and Corridors.** (Policy LU 3.1) Maintain Newport Beach's pattern of residential neighborhoods, business and employment districts, commercial centers, and corridors.. (Imp 1.1)
- **LU-4.7: Compatible Development.** (Policy LU 5.6.1) Require that buildings and properties be designed to ensure compatibility within and as interfaces between neighborhoods, districts, and corridors. (Imp 2.1)
- **LU-4.8: Form and Environment.** (Policy LU 5.6.2) Require that new and renovated buildings be designed to avoid the use of styles, colors, and materials that unusually impact the design character and quality of their location such as abrupt changes in scale, building form, architectural style, and the use of surface materials that raise local temperatures, result in glare and excessive illumination of adjoining properties and open spaces, or adversely modify wind patterns. (Imp 2.1)
- **LU-4.9: Ambient Lighting.** (Policy LU 5.6.3) Require that outdoor lighting be located and designed to prevent spillover onto adjoining properties or significantly increase the overall ambient illumination of their location. (Imp 2.1)
- **LU-4.10: Conformance with the Natural Environmental Setting.** (Policy LU 5.6.4) Require that sites be planned and buildings designed in consideration of the property's topography, landforms, drainage patterns, natural vegetation, and relationship to the Bay and coastline, maintaining the environmental character that distinguishes Newport Beach. (Imp 2.1, 8.1)

*LU-5: Residential neighborhoods that are well-designed and contribute the livability and quality of life of residents*

*Single-unit dwellings*

- **LU-5.1: Character and Quality of Residential Single-Unit Properties.** (Policy LU 5.1.6) Require that residential front setbacks and other areas visible from the public street be attractively landscaped, trash containers enclosed, and driveway and parking paving minimized to maintain character and quality of properties. (Imp 2.1, 7.1, 8.2)
- **LU-5.2: Renovation and Replacement of Existing Residential Units.** (Policy LU 5.1.7) Require residential units that are renovated and rebuilt in existing single-unit neighborhoods adhere to the principles for new developments, as specified by Policy LU-5.11 (Character and Quality of Residential Units). Consider the appropriateness of establishing single-unit residential design guidelines and/or standards and review procedures for neighborhoods impacted by significant changes in building scale and character. (Imp 2.1, 8.2)

### *Multi-unit dwellings*

- **LU-5.3: Character and Quality of Residential Multi-Unit Properties.** (Adapted from Policy LU 5.1.9) Establish requirements for elevation, façade, and other design components of multi-unit residential facing public streets to convey high-quality architectural character. (Imp 2.1, 7.1, 8.2)
- **LU-5.4: Ground Floor Treatment.** (Adapted from Policy LU 5.1.9) Create requirements for ground-floor multi-unit residential setbacks and elevation to create privacy and security and create room for landscaping, porches, and stoops. (Imp 2.1, 8.2)
- **LU-5.5: Open Space Requirements.** (Adapted from Policy LU 5.1.9) Require multi-unit residential development to incorporate common open spaces. (Imp 7.1, 8.2, 30.2)

### *All Residential Neighborhoods*

- **LU-5.6: High-quality Design for Residential Properties.** (Adapted from Policy LU 5.1.5) Maintain high-quality design of residential units through requirements related to building masses, elevations, scale, etc. for new and redeveloped units. (Imp 2.1, 4.1, 7.1, 8.2, 26.1)
- **LU-5.7: Range of Residential Choices.** (Policy LU 2.3) Provide opportunities for the development of residential units that respond to community and regional needs in terms of density, size, location, and cost. Implement goals, policies, programs, and objectives identified within the City's Housing Element. (Imp 1.1, 8.1, 25.1)
- **LU-5.8: Neighborhood Supporting Uses.** (Policy LU 6.2.5) Allow for the integration of uses within residential neighborhoods that support and are complementary to their primary function as a living environment such as schools, parks, community meeting facilities, religious facilities, and comparable uses. These uses shall be designed to ensure compatibility with adjoining residential addressing such issues as noise, lighting, and parking. (Imp 2.1)
- **LU-5.9: Accessory Dwelling Units.** (Policy LU 6.2.4) Support and promote the development of accessory dwelling units and junior accessory dwelling units in all zones that will allow residential units, to provide a more affordable housing option that helps the City meet its housing production goals while minimizing the need to rezone for additional future capacity. (Imp 2.1)
- **LU-5.10: Residential Neighborhood Identity.** Encourage and support residential neighborhood identity through the establishment of objective design and development standards that will distinguish neighborhoods from others in the City. (Imp 1.1, 1.3)
- **LU-5.11: Character and Quality of Residential Properties.** (Adapted from Policy LU 5.1.5) Require that residential units be designed to sustain the high level of architectural design quality that characterizes Newport Beach's neighborhoods in consideration of the following principles:
  - Articulation and modulation of building masses and elevations to avoid the appearance of "box-like" buildings;

- Compatibility with neighborhood development in density, scale, and street facing elevations;
- Architectural treatment of all elevations visible from public places;
- Entries and windows on street facing elevations to visually “open” the house to the neighborhood; and
- Orientation to desirable sunlight and views. (Imp 2.1)
- **LU-5.12: Gated Communities.** (Policy LU 6.2.10) Discourage the creation of new private entry gates in existing residential neighborhoods that currently do not have a gate located at the entrance of the community. (Imp 9.1, 29.1)
- **LU-5.13: Allowing Rebuilding.** (Policy LU 6.2.2) Legal nonconforming residential structures shall be brought into conformity in an equitable, reasonable, and timely manner as rebuilding occurs. Limited renovations that improve the physical quality and character of the buildings may be allowed. Rebuilding after catastrophic damage or destruction due to a natural event, an act of public enemy, or accident may be allowed in limited circumstances that do not conflict with the goals of the Land Use Element. (Imp 2.1, 7.1)

*LU-6: Commercial districts and centers are well-planned and exhibit a high level of architectural and landscape quality*

- **LU-6.1: Site Planning and Building Design.** (Adapted from Policy LU 5.2.1) Establish requirements for new development, building, and site design to complement existing development through massing, landscaping, ground floor treatments, and other design elements. (Imp 2.1)
- **LU-6.2: Alley Design.** (Adapted from Policy LU 5.2.3) Encourage the enhancement of building facades facing alley's through landscape, murals, lighting, or other façade design elements to improve aesthetic quality while maintaining service access. (Imp 20.1)
- **LU-6.3: Publicly Accessible Open Space.** Consider establishing a development threshold to require commercial developments to provide amenities such as publicly accessible common open space. (Imp 8.2, 30.2)

*LU-7: Mixed-use districts are designed and planned to ensure compatibility among a variety of uses*

- **LU-7.1: Mixed-Use Building Design.** Establish design standards for mixed-use buildings to ensure compatibility with surrounding development through building materials and features, massing and elevation treatments, entryways, and other design features. (Imp 2.1, 8.1, 8.2)
- **LU-7.2: Pedestrian Connectivity.** (Adapted from LU 6.14.6) Encourage the design mixed-use development in either a horizontal or vertical format that is functionally integrated with



pedestrian paths and connections between and to adjacent areas. For vertical mixed-use development, encourage commercial uses on the ground-floor (Imp 2.1, 8.1, 8.2).

- **LU-7.3: Districts Integrating Residential and Nonresidential Uses.** (Adapted from Policy LU 5.3.4) Discourage fragmentation of residential and nonresidential uses by ensuring mixed-use districts provide sufficient acreage for each use, where feasible. (Imp 2.1, 6.1)
- **LU-7.4: Ground Floor Treatment.** Establish standards to require pedestrian-oriented buildings and public right-of-way design, by providing for the design of building frontage, sidewalks, outdoor seating and other street furniture, etc. (Imp 2.1)
- **LU-7.5: Parking Location.** (Adapted from Policy LU 5.3.6) Locate open parking lots away from streets with screening such as landscaping and architectural walls. (Imp 2.1)

*LU-8: Office and business parks exhibit a high-quality image, are attractive, and provide quality working environments for employees and services for the community*

- **LU-8.1: Site Planning** (Adapted from Policy LU 5.4.1). Establish site planning requirements for new and renovated office development to form a cohesive campus environment. (Imp 2.1)
- **LU-8.2: Signage.** (Adapted from Policy LU 5.4.1) Require a common signage program for tenant identification and wayfinding. (Imp 8.2, 16.4)
- **LU-8.3: Streetscape Design.** (Adapted from Policy LU 5.4.1) Establish standards for streetscapes and lighting to promote pedestrian activity within office and business parks. (Imp 8.2, 20.1)
- **LU-8.4: Building Design.** (Adapted from Policy LU 5.4.2) Establish design standards for business parks and offices to convey a unified, high-quality aesthetic character, including building massing and elevation, facades, color palette, and other design elements. (Imp 2.1)

*LU-9: Industrial districts that provide flexibility to incorporate community-serving uses and encourage transition to co-locate employment, residential, and creative and artistic uses.*

- **LU-9.1: Site Planning.** (Adapted from Policy LU 5.5.1) Establish site planning and design standards to require industrial development to incorporate extensive on-site landscaping, decorative walls, and other elements to screen areas used for operations. (Imp 2.1, 8.2)
- **LU-9.2: Building Design.** Create design standards for building elevations, signage, lighting, odors, truck access, and other components to minimize impacts to adjacent residential uses. (Imp 2.1, 8.2)
- **LU-9.3: Redeveloped Property Design.** Establish requirements for redeveloped industrial sites to upgrade properties to improve visual quality. (Imp 8.2, 26.1)



- LU-9.4: Require landscaping as a health-based buffer between new residential and emitting industries. (Imp 2.1, 8.2)
- LU-9.5: **Redevelopment of Properties.** Support redevelopment and innovative strategies for the adaptive reuse of industrial structures to provide for a wide range of uses including live/work spaces and other flexible spaces that support innovation and creativity. (Imp 8.2, 25.1)
- LU-9.6: **Priority Uses.** Encourage the transition from industrial uses to resident-serving commercial uses and mixed-use residential development, to support planned housing development. (Imp 8.2, 25.1)

*LU-10: Public and institutional uses that enhance the quality of life for residents and are located and designed to complement Newport Beach's neighborhoods.*

- LU-10.1: **Compatibility of Uses.** Require compatibility of new public and institutional facilities with adjacent land uses, supported by transportation and utility infrastructure. (Imp 16.8, 20.1, 26.1)
- LU-10.2: **Redevelopment of Facilities.** (Adapted from Policy LU 6.1.2) Allow for the development of new public and institutional facilities, including facilities for major healthcare providers, provided that the use, development, enhancement, and maintenance of facilities are compatible with adjoining land uses, environmentally suitable, and can be supported by transportation and utility infrastructure. (Imp 1.1, 14.2, 22.1–23.2)
- LU-10.3: **Building Design of City Buildings.** (Policy LU 6.1.3) Ensure that the City's public buildings, sites, and infrastructure are designed to be compatible in scale, mass, character, and architecture with the district or neighborhood in which they are located, following the design and development policies for private uses specified by this Plan. Design impacts on adjoining uses shall be carefully considered in development, addressing such issues as lighting spillover, noise, hours of operation, parking, local traffic impacts, and privacy. (Imp 22.1–23.2)
- LU-10.4: **Building Design of Non-City Public Buildings.** (Policy LU 6.1.4) Encourage school and utility districts and other government agencies that may be exempt from City land use control and approval to plan their properties and design buildings at a high level of visual and architectural quality that maintains the character of the neighborhood or district in which they are located and in consideration of the design and development policies for private uses specified by this Plan. (Imp 14.1, 14.15)

## Accommodating Planned Housing and Opportunities for Change

The goals and policies included in this subsection apply to distinct areas and places in Newport Beach. These are applied to Planning sub-areas or focus areas.

Planning sub-areas have individual characteristics that must be considered to accommodate planned development, redevelopment, and re-use. The planning sub-areas consists of districts and corridors. Focus areas correspond to housing opportunity overlay sites to accommodate housing opportunity sites. While some of these areas overlap, the extent of the boundaries are different; therefore, policies are distinctly applied to either a focus area or planning sub-area. Policies that apply to a focus area are identified by "F.A.", otherwise, they are planning sub-area specific. The following provides an overview of the areas.

### Planning Sub-areas

There are seven Planning sub-areas as shown in Figure LU17, Planning Sub-areas. Within the planning sub-areas there are districts and corridors. Districts are uniquely identifiable by their common functional role, mix of uses, density/intensity, physical form and character, and/or environmental setting. They represent common gathering places for commerce, employment, entertainment, culture, and living. Districts include, West Newport Mesa, Balboa Peninsula, Newport Center/Fashion Island, Airport Area.

Corridors share common characteristics of Districts by their identifiable functional role, land use mix, density/intensity, physical form and character, and/or environmental setting. They differ in their linear configuration, generally with shallow-depth parcels located along arterial streets. They are significantly impacted by traffic and their shallow depths make them unsuitable for development that requires large building footprints and extensive parking. While there are many corridors that traverse the City, the key corridors that present opportunities for change include Corona del Mar, Old Newport Boulevard, Mariners' Mile, and West Coast Highway. The corridor-wide policies in Goal LU-12 within this section apply to these corridors.

### Focus Areas

Housing opportunity sites are intended to create consistency with the Housing Element's focus areas, as identified by the housing overlay zoning districts overlay zones, ensuring an adequate number of sites are available Citywide to accommodate the City's allocation of the Regional Housing Needs Assessment. Housing opportunity sites may overlap with districts or corridors in the Planning sub-areas; however, policies within these areas are specific to the boundary extent identified and established by the Housing Overlay Zoning district overlay zones, refer to Figures 3-2 through 3-6 in the Program Environment Impact Report. The focus areas include Airport Area Environs, Coyote Canton, Dover-Westcliff, Newport Center, West Newport Mesa. The policies in Goal LU-11 within this section apply to all housing opportunity sites.

New development can be accommodated in a way that maintains, defines, and enhances the characteristics of the planning sub-area or focus area and creates longstanding neighborhoods that contribute to local needs and the identity of Newport Beach. Opportunities for new development and improvements to the physical environment that benefit residents,

businesses, and visitors should be supported consistent with the envisioned characteristics of the following Planning Sub-areas and/or Focus Areas:

- **Airport Area:** Airport Area/Airport Area Environs offers opportunity to accommodate employment, housing, and residential-serving uses in a dynamic setting. This area must support flexible land use planning for the reuse and repurposing of existing nonresidential uses while allowing for a variety of housing opportunities inclusive of workforce housing proximate to jobs, transportation, supporting commercial, and services. The intent is to support and provide neighborhood parks or other recreational opportunities, and other public services. Development in this area should contribute to a cohesive urban, mixed-use character where residents and visitors can live, work, shop, access services, and play. New housing in the area will support existing and new employers and improve access to jobs for residents. Land use design and placement must carefully consider compatibility among uses, as well as strategies to minimize exposure to noise and poor air quality. When paired with community-serving amenities as well as public realm improvements, residents will have access to key resources, creating a balanced and vibrant community.
- **Balboa Peninsula:** The Balboa Peninsula comprises a series of districts linked by the Newport Boulevard and Balboa Boulevard commercial and residential corridor. These include Lido Village, Cannery Village, McFadden Square, Balboa Village, and surrounding residential neighborhoods. The area serves residents and visitors through a mix of uses within the core commercial districts; encourages marine-related uses; supports residential neighborhoods; and preserves properties of historical and architectural significance.
- **Corona del Mar:** The Corona del Mar corridor is a key commercial corridor in the City offering retail, restaurants, offices, and more for the local community and visitors alike. The corridor's main street characteristics create opportunities for an enhanced pedestrian environment.
- **Coyote Canyon:** Coyote Canyon's larger land area creates opportunity for a residential neighborhood that blends homes with natural open spaces and parks. Future development should consider needed site remediation to ensure that Coyote Canyon is a safe and healthy community. Housing design and placement should minimize potential exposure to noise and air pollution from Highway 73. The community should be designed to work with nature, connecting wildlife to the natural environment, while providing a variety of housing types, resulting in a quiet and peaceful community.
- **Dover/Westcliff:** Dover/Westcliff creates new housing opportunities alongside offices, commercial uses such as retail, residential uses, schools, and recreational facilities. New development should prioritize adequate pedestrian connections to ensure that new and existing residents have access to key community amenities such as parks and nearby schools.
- **Mariners' Mile:** The Mariners' Mile corridor provides highway-oriented commercial retail, essential marine-related commercial uses, visitor serving uses, commercial uses, and limited residential. The area provides opportunity for infill development and a pedestrian-friendly commercial retail district.

- **Newport Center/Fashion Island:** Newport Center's shopping, offices, civic center, and entertainment offer great potential for a balanced community through the expansion of housing and recreational opportunities in a pedestrian-oriented environment.
- **Old Newport Boulevard:** Bordering West Newport Mesa, the Old Newport Boulevard corridor contains a mix of commercial and office uses. Many of the offices are medical offices that benefit from close proximity to Hoag Hospital, providing supportive and complementary services. This area presents opportunity to build off the vision of West Newport Mesa as a mixed-use medical district that serves residents, businesses, and visitors alike.
- **West Coast Highway:** The West Coast Highway corridor has a mix of commercial and residential uses. Commercial uses serve residents along the corridor, nearby residents, and visitors. West Newport Highway presents opportunity for revitalization through the concentration of commercial uses to enhance economic vitality and improve the appearance of the area.
- **West Newport Mesa:** West Newport Mesa has the potential to integrate new housing opportunities in a mixed use setting that builds off the areas proximity to Hoag Hospital. With Hoag Hospital as a community anchor, new development in West Newport Mesa presents opportunities for medical offices, services, and research facilities in combination with housing opportunities to house a skilled workforce. Building upon the existing residential, commercial, institutional, and industrial uses, new development in West Newport Mesa can help create a mixed-use medical district that serves residents, businesses, and visitors alike. The proximity of the coast and nearby planned open space combined with key employment opportunities, the grid street pattern, and flat topography presents advantages for those that chose to walk and bicycle. New development and enhancements in the public realm can enhance the pedestrian experience, creating access to key employment, amenities, and services in a vibrant and thriving community. Additionally, within West Newport Mesa, West Coast Highway corridor has a mix of commercial and residential uses. Commercial uses serve residents along the corridor, nearby residents, and visitors. West Coast Highway presents opportunity for revitalization through the concentration of commercial uses to enhance economic vitality and improve the appearance of the area.

### *Housing Opportunities in all Focus Areas*

#### *LU-11: Housing Opportunity Sites: A City with sufficient housing opportunities*

- **LU-11.1: Residential Uses and Residential Densities (F.A).** (Policy LU 4.5) Residential use of any property included within an established housing opportunity overlay zoning district is allowed regardless of and in addition to the underlying land use category or density limit established through Table LU 1 and Table LU 2, or any other conflict in the Land Use Element. A general plan amendment is not required to develop a residential use within an established housing opportunity zoning overlay district. The maximum density specified for the various overlay districts is an average over the entire property or project site. For

example, a portion of a development site may be developed at a higher density than specified by the overlay provided other portions of the site are developed at lower densities such that the average does not exceed the maximum. Density calculations and total units identified by the housing opportunity overlay zoning district do not include units identified as pipeline units or units permitted pursuant to State density bonus law. (Imp 2.1)

- **LU-11.2: Continuation of Existing Development (F.A).** (Policy LU 4.6) Residential opportunities established by the housing opportunity overlay zoning districts are in addition to existing uses allowed by the General Plan. Properties within the established overlay zones are not required to be developed for mixed-use or residential. Existing uses may continue to operate provided they are legally established and consistent with policies and regulations related to legal nonconforming uses. The adoption of housing opportunity overlay districts shall not affect existing rights to use the property. (Imp 2.1)
- **LU-11.3: Redevelopment and Transfer of Development Rights (F.A).** (Policy LU 4.7) Within an established housing opportunity overlay, the intensity of existing allowed uses of a site may be reconstructed on the site as part of a mixed-use development provided the gross floor area allowed by the General Plan is not increased, unless it is increased through a General Plan amendment or density bonus concession. The intensity of existing uses may be converted to other uses allowed by the underlying General Plan land use category provided that average daily trips and peak hour traffic trips are not increased above the trips from the existing allowed use. For example, office intensity may be converted to retail or service commercial, restaurants, or other nonresidential uses provided the General Plan land use category allows these uses. Nonresidential intensity not included as a component of a future residential project will remain within the General Plan allocations on a statistical area-wide basis. The City Council may transfer the intensity of a use to another site within the Statistical Area consistent with Policy LU 1.3 (Transfer of Development Rights) or Policy LU 27.1 (Airport Compatibility). (Imp 2.1)
- **LU-11.4: Local Workforce Housing.** Encourage and facilitate workforce housing that is affordable to a range of work and household income levels, including first responders, to increase opportunities for people to live and work in Newport Beach. (Imp 2.1, 25.1, 29.1)
- **LU-11.5: Affordable Housing.** Study, and where possible, implement ways to facilitate the development of affordable housing through the provision of regulatory and financial incentives. (Imp 2.1, 8.2, 25.1)

## *Corridors*

*LU-12: Corridors that are compatible with surrounding uses, are well-designed and attractive, minimize traffic impacts, and provide adequate parking.*

- **LU-12.1: Efficient Parcel Utilization.** (Policy LU 6.16.1) Promote the clustering of commercial and hotel uses by the aggregation of individual parcels into larger development sites through incentives such as intensity or height increases, or comparable techniques. (Imp 2.1, 24.1)

- **LU-12.2: Private Property Improvements.** (Policy LU 6.16.2) Work with property owners to encourage the upgrade of existing commercial development including repair and/or repainting of deteriorated building surfaces, well-designed signage that is incorporated into the architectural style of the building, and expanded landscaping. (Imp 24.1)
- **LU-12.3: Property Access.** (Policy LU 6.16.3) Minimize driveways and curb cuts that interrupt the continuity of street-facing building elevations in pedestrian-oriented districts and locations of high traffic volumes, prioritizing their location on side streets and alleys, where feasible. (Imp 2.1)
- **LU-12.4: Shared Parking Facilities.** (Policy LU 6.16.4) Work with property owners and developers to encourage the more efficient use of parcels for parking that can be shared by multiple businesses. (Imp 16.10)
- **LU-12.5: Compatibility of Business Operation with Adjoining Residential.** (Policy LU 6.16.5) Work with local businesses to ensure that commercial, office, and other uses do not adversely impact adjoining residential neighborhoods. This may include strategies addressing hours of operation, employee loitering, trash pickup, truck delivery hours, customer arrivals and departures, and other activities. (Imp 8.2)
- **LU-12.6: Design Compatibility with Adjoining Residential.** (Policy LU 6.16.6) Require that building elevations facing adjoining residential units be designed to convey a high-quality character and ensure privacy of the residents, and that properties be developed to mitigate to the maximum extent feasible impacts of lighting, noise, odor, trash storage, truck deliveries, and other business activities. Building elevations shall be architecturally treated and walls, if used as buffers, shall be well-designed and landscaped to reflect the area's residential village character. (Imp 2.1)

*LU-13: Corona del Mar: A pedestrian-oriented village serving as the center of community commerce, culture, and social activity.*

- **LU-13.1: Shared Parking Structures.** (Policy LU 6.20.2) Accommodate the development of structures that provide parking for multiple businesses along the corridor, provided that the ground floor of the street frontage is developed for pedestrian-oriented commercial and visitor-serving uses. (Imp 2.1, 16.10)
- **LU-13.2: Expanded Parking.** (Policy LU 6.20.3) Accommodate the redevelopment of residential parcels immediately adjoining commercial uses that front onto Coast Highway for surface parking, provided that adequate buffers are incorporated to prevent impacts on adjoining residential. (Imp 2.1)
- **LU-13.3: Pedestrian-Oriented Streetscapes.** (Policy LU 6.20.4) Work with business associations, tenants, and property owners to implement streetscape improvements that contribute to the corridor's pedestrian character. (Imp 20.1)
- **LU-13.4: Expanded Parking Opportunities.** (Policy LU 6.20.6) Work with local businesses and organizations to explore other methods to provide parking convenient to commercial uses, such as a parking district or parking on publicly owned lands. (Imp 16.10)

- **LU-13.5: Parking Improvements** (Adapted from Policy LU 3.3). Support enhancement of public improvements and parking. (Imp 1.1, 2.1, 5.1)
- **LU-13.6: Rebuilding of Nonconforming Structures.** (Policy LU 6.13.5) Permit existing commercial buildings that exceed the permitted development intensities to be renovated, upgraded, or reconstructed to their pre-existing intensity and, at a minimum, pre-existing number of parking spaces. (Imp 2.1)

*LU-14: Mariners' Mile: A corridor that reflects the Newport Bay waterfront, supports and respects adjacent residential neighborhoods, and exhibits a high quality visual image.*

- **LU-14.1: Bay Fronting Properties.** (Policy LU 6.19.2) Encourage marine-related and visitor-serving commercial, restaurant, hotel, institutional, and recreational uses, and allow residential uses above the ground floor on parcels with a minimum frontage of 200 lineal feet where a minimum of 50 percent of the permitted square footage shall be devoted to nonresidential uses on bay fronting parcels designated as MU-W1 on Figure LU 26, sub-area A. No more than 50 percent of the waterfront area between the Arches Bridge and the Boy Scout Sea Base may be developed with mixed-use structures. (Imp 2.1, 5.1, 24.1)
- **LU-14.2: Marine-Related Businesses.** (Policy LU 6.19.3) Protect and encourage facilities that serve marine-related businesses and industries unless present and foreseeable future demand for such facilities is already adequately provided for in the area. Encourage coastal-dependent industrial uses to locate or expand within existing sites and allow reasonable long-term growth. (Imp 2.1, 5.1, 24.1)
- **LU-14.3: Revitalization of Uses.** (Policy LU 3.3) Support revitalization of existing properties for commercial, visitor-serving, and marine-related uses, integrated with residential. (Imp 1.1, 25.1, 26.1)
- **LU-14.4: Parking.** (Policy LU 6.19.5) Require adequate parking and other supporting facilities for charters, yacht sales, visitor-serving, and other waterfront uses. (Imp 2.1, 5.1)
- **LU-14.5: Shared Parking.** Encourage the identification of shared parking facilities to accommodate charters.
- **LU-14.6: Corridor Identity and Quality.** (Policy LU 6.19.6) Implement landscape, signage, lighting, sidewalk, pedestrian crossing, and other amenities consistent with the Mariners' Mile Specific Plan District and Mariners' Mile Strategic Vision and Design Plan. (Imp 20.1)
- **LU-14.7: Architecture and Site Planning.** (Policy LU 6.19.7) While a diversity of building styles is encouraged, the form, materials, and colors of buildings located along the Newport Harbor front should be designed to reflect the area's setting and nautical history. (Imp 8.1, 8.2)
- **LU-14.8: Integrating Residential-Site Planning Principles.** (Policy LU 6.19.8) Permit properties developed for residential to locate the units along the Harbor frontage provided that portions of this frontage are developed for (a) retail, restaurant, or other visitor-serving uses and (b) plazas and other open spaces that provide view corridors and access from



Coast Highway to the Harbor. The amount of Harbor frontage allocated for each use shall be determined by the City during the Site Development review process. (Imp 2.1, 5.1)

- **LU-14.9: Harbor and Bay Views and Access.** (Policy LU 6.19.9) Require that buildings be located and sites designed to provide clear views of and access to the Harbor and Bay from the Coast Highway and Newport Boulevard rights-of-way in accordance with the following principles, as appropriate:
  - Clustering of buildings to provide open view and access corridors to the Harbor
  - Modulation of building volume and masses
  - Variation of building heights
  - Inclusion of porticoes, arcades, windows, and other “see-through” elements in addition to the defined open corridor
  - Minimization of landscape, fencing, parked cars, and other nonstructural elements that block views and access to the Harbor
  - Prevention of the appearance of the public right-of-way being walled off from the Harbor
  - Inclusion of setbacks that in combination with setbacks on adjoining parcels cumulatively form functional view corridors
  - Encouragement of adjoining properties to combine their view corridors that achieve a larger cumulative corridor than would have been achieved independently (Imp 2.1)
- **LU-14.10: Waterfront Promenade.** (Policy LU 6.19.10) Require that development on the bay frontage implement amenities that ensure access for coastal visitors. Pursue development of a pedestrian promenade along the Bayfront. (Imp 2.1, 20.2)

*LU-15: Old Newport Boulevard: A corridor of uses and services that support Hoag Hospital and nearby residential neighborhoods.*

- **LU-15.1: Priority Uses.** (Policy LU 6.18.1) Accommodate uses that serve adjoining residential neighborhoods, provide professional offices, and support Hoag Hospital. (Imp 2.1)
- **LU-15.2: Property Design.** (Policy LU 6.18.3) Require that buildings be located and designed to orient to the Old Newport Boulevard frontage, while the rear of parcels on its west side shall incorporate landscape and design elements that are attractive when viewed from Newport Boulevard. (Imp 2.1)
- **LU-15.3: Streetscape Design and Connectivity.** (Policy LU 6.18.4) Develop a plan for streetscape improvements and improve street crossings to facilitate pedestrian access to Hoag Hospital and discourage automobile trips. (Imp 20.1)
- **LU-15.4: Rebuilding of Nonconforming Structures.** (Policy 6.13.5) Permit existing commercial buildings that exceed the permitted development intensities to be renovated, upgraded, or reconstructed to their pre-existing intensity and, at a minimum, pre-existing number of parking spaces. (Imp 2.1)

*LU-16: West Coast Highway: A gateway corridor with connections to the Orange Coast River Park, as well as commercial clusters that serve local residents and coastal visitors at key intersections, interspersed with compatible residential development.*

- **LU-16.1: West Coast Highway Corridor Improved Visual Image and Quality.** (Policy LU 6.17.2) Implement streetscape improvements to enhance the area's character and image as a gateway to Newport Beach and develop a stronger pedestrian environment at the commercial nodes. (Imp. 20.1)
- **LU-16.2: West Coast Highway Corridor Streetscape.** (Policy LU 6.17.3) Require that upgraded and redeveloped properties incorporate landscaped setbacks along arterial streets to improve their visual quality and reduce impacts of the corridor's high traffic volumes (Imp. 2.1)

### *Districts*

*LU-17: Airport Area: A connected and complete community that supports residents and businesses*

- **LU-17.1: Residential and Supporting Uses.**<sup>1</sup> (Policy LU 6.15.5) Notwithstanding residential development permitted by the Housing Opportunity Overlay Zone, accommodate the development of a maximum of 2,200 multi-family residential units applied to properties located in MU-H2 (Mixed-Use Horizontal 2) as documented in Table LU1, including work force housing, and mixed-use buildings that integrate residential with ground level office or commercial uses, along with supporting retail, grocery stores, and parklands. Residential units may be developed only as the replacement of underlying permitted nonresidential uses. When a development phase includes a mix of residential and nonresidential uses or replaces existing industrial uses, the number of peak hour trips generated by cumulative development of the site shall not exceed the number of trips that would result from development of the underlying permitted nonresidential uses. However, a maximum of 550 units may be developed as infill on surface parking lots or areas not used as occupiable buildings on properties within the Conceptual Development Plan Area depicted in Figure LU23, provided that the parking is replaced on site. (Imp 2.1)
- **LU-17.2: Specific Plan Development.** Develop a specific plan to cohesively and comprehensively guide development of Airport Area consistent with the policies of the General Plan. The Specific Plan should include provisions requiring new developments to coordinate with the school district to provide school-related needs including but not limited to, future site(s) for new school(s), designated bus stops, cross-walks, etc. (Imp 3.1)

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<sup>1</sup> The units and development capacities identified in this policy reflect a point-in-time count. For up-to-date development capacities, refer to Table LU1 and Table LU2.

- **LU-17.3: Bicycle Master Plan.** Implement and expand upon the recommendations of the 2014 Bicycle Master Plan to connect cyclists and enhance connectivity through the Airport Area. (Imp 14.4, 16.11, 20.1)
- **LU-17.4: Community Serving Uses.** Support community-serving commercial uses to help create a balance of land uses, to increase resident access to and make Newport Beach a self-sustaining community with essential resources. (Imp 8.2, 12.1)
- **LU-17.5: Infill Residential.** (Policy LU 6.15.12) Require development agreements for all projects that include infill residential units identified in Policy LU 17.1 (Residential and Supporting Uses). The Development Agreement shall define the improvements and public benefits to be provided by the developer in exchange for the City's commitment for the number, density, and location of the housing units. (Imp. 3.1, 4.1, 13.1)
- **LU-17.6: Regulatory Plans.** (Policy LU 6.15.10) Require the development of a regulatory plan for each residential village, which shall contain a minimum of 10 acres, to coordinate the location of new parks, streets, and pedestrian ways; set forth a strategy to accommodate neighborhood-serving commercial uses and other amenities; establish pedestrian and vehicular connections with adjoining land uses; and ensure compatibility with office, industrial, and other nonresidential uses.
- **LU 17.7: Location of Parks.** (Policy LU 6.15.14) Require that each neighborhood park is clearly public in character and is accessible to all residents of the neighborhood. Each park shall be surrounded by public streets on at least two sides (preferably with on-street parking to serve the park), and shall be linked to residential uses in its respective neighborhood by streets or pedestrian ways.
- **LU 17.8: Aircraft Notification.** (Policy LU 6.15.15) Require that all neighborhood parks be posted with a notification to users regarding proximity to John Wayne Airport and aircraft overflight and noise. (Imp 23.2).
- **LU 17.9: Standards.** (Policy LU 6.15.16) Require developers of multi-unit residential developments on parcels 8 acres or larger to provide on-site recreational amenities. For these developments, 44 square feet of on-site recreational amenities shall be provided for each dwelling unit in addition to the requirements under the City's Park Dedication Ordinance and in accordance with the Parks and Recreation Element of the General Plan. On-site recreational amenities can consist of public urban plazas or squares where there is the capability for recreation and outdoor activity. These recreational amenities may also include swimming pools, exercise facilities, tennis courts, and basketball courts. Where there is insufficient land to provide on-site recreational amenities, the developer shall be required to pay cash in-lieu that would be used to develop or upgrade nearby recreation facilities to offset user demand as defined in the City's Park Dedication Fee Ordinance. The acreage of on-site open space developed with residential projects may be credited against the parkland dedication requirements where it is accessible to the public during daylight hours, visible from public rights-of-way, and is of sufficient size to accommodate recreational use by the public. However, the credit for the provision of on-site open space shall not exceed 30 percent of the parkland dedication requirements. (Imp 2.1, 3.1, 4.1, 30.2)

*LU-18: Balboa Peninsula: A series of pedestrian-oriented districts with a mix of visitor-serving, marine-related, retail, live/work, and residential uses*

*Planning Sub-area-wide*

- **LU-18.1: Urban Form.** (Policy LU 6.8.1) Establish development patterns that promote the reinforcement of Balboa Peninsula's pedestrian scale and urban form as a series of distinct centers/ nodes and connecting corridors. (Imp 1.1)
- **LU-19.2: Component Districts.** (Policy LU 6.8.2) Lido Village and McFadden Square should be emphasized as the primary activity centers of the northern portion of the Peninsula, linked by corridors of commercial and visitor-serving uses along Newport Boulevard and a mix of marine-related and residential uses on the Bay frontage. These surround a residential core in the inland section of Cannery Village. Balboa Village will continue to serve as the primary center of the lower Peninsula, surrounded by residential neighborhoods along and flanking Balboa Boulevard. (Imp 1.1)
- **LU-19.3: Marine-Related Businesses.** (Policy LU 6.8.3) Protect and encourage marine-related businesses to locate and expand on the Peninsula unless present and foreseeable future demand for such facilities is already adequately provided for in the area. (Imp 2.1, 24.1)
- **LU-19.4: Shared Parking Facilities.** (Policy LU 6.8.4) Encourage the development of shared parking facilities and management programs among private property owners that provides for adequate parking for residents, guests, and business patrons. (Imp 16.10).
- **LU-19.5: Historic Character.** (Policy LU 6.8.6) Preserve the historic character of Balboa Peninsula's districts by offering incentives for the preservation of historic buildings and requiring new development to be compatible with the scale, mass, and materials of existing structures, while allowing opportunities for architectural diversity. (Imp 2.1)
- **LU-19.6: Rebuilding Nonconforming Structures..** (Policy LU 6.13.5) Permit existing commercial buildings that exceed the permitted development intensities to be renovated, upgraded, or reconstructed to their pre-existing intensity and, at a minimum, pre-existing number of parking spaces in Balboa Village and Cannery Village. (Imp 2.1)

*Lido Village*

- **LU-19.7: Priority Uses.** (Policy LU 6.9.1) Encourage uses that take advantage of Lido Village's location at the Harbor's turning basin and its vitality and pedestrian character, including visitor-serving and retail commercial, small lodging facilities (bed and breakfasts, inns), and mixed-use buildings that integrate residential with commercial uses. (Imp 2.1, 24.1)

### *Cannery Village*

- **LU-19.8: Priority Uses.** (Policy LU 6.10.1) Allow multi-unit residential and mixed-use buildings that integrate residential above commercial retail or live-work units throughout Cannery Village, specifically within interior parcels. Require mixed-use, live-work, or commercial buildings to be developed on corner parcels. (Imp 2.1)
- **LU-19.9: Priority Uses on Bayfront Parcels.** (Policy LU 6.11.1) Accommodate water-oriented commercial uses that support harbor recreation and fishing activities, and mixed-use structures with residential above ground-level water-oriented uses, specifically within bayfront parcels designated as MU-WU, **FigureLU19**, sub-area E. (Imp. 2.1,8.1, 21.2)

### *McFadden Square*

- **LU-19.10: Priority Uses.** (Policy LU 6.12.1) Accommodate visitor- and local-serving uses that take advantage of McFadden Square's waterfront setting including specialty retail, restaurants, and small scale overnight accommodations, as well as mixed-use buildings that integrate residential with ground level commercial on parcels designated as MU-WU, **FigureLU19**, sub-area E. (Imp 2.1)

### *Balboa Village*

- **LU-19.11: Priority Uses.** (Adapted from Policy LU 6.13.1 and 6.13.2) Encourage local- and visitor-serving retail commercial and mixed-use buildings that integrate residential with ground-level retail or office uses on properties designated as MU-V, Figure LU20, in sub-area B and prioritize water-dependent, marine-related retail and services and visitor-serving retail along bayfront parcels on parcels designated as CV(0.75), Figure LU20 in sub-area A. (Imp. 2.1, 24.1)
- **LU-19.12: Commercial Properties.** (Policy LU 6.13.3) Promote re-use of isolated commercial properties on Balboa Boulevard for residential units. (Imp 2.1)
- **LU-19.13: Streetscapes.** (Policy LU 6.13.4) Promote enhancements to and maintenance of Balboa Village's streetscapes to enhance the area's visual quality and character as a pedestrian-oriented environment. (Imp 20.1)
- **LU-19.14: Enhancing Balboa Village's Visibility and Character.** (Policy LU 6.13.6) Provide incentives for owners to improve their properties, to develop commercial uses that serve adjoining residential neighborhoods, and retain and develop marine-related uses along the harbor frontage. (Imp 24.1)

*LU-19: Newport Center/Fashion Island: A high-quality downtown that supports residents, businesses, and visitors*

- **LU-19.1: Community Amenities.** Expand upon the civic presence of Newport Center by supporting new community centers, publicly accessible open space, trails, recreational facilities, and other community amenities. (Imp 16.11, 23.1, 23.2)
- **LU-19.2: Community Identity.** Foster community identity through the support of community-identifying signage and public art. (Imp 29.2)
- **LU-19.3: Priority Uses.** Support the development of uses that contribute to a balanced community with regional commercial and office uses along with resident -serving commercial such as grocery stores, medical offices, as well as housing such as live/work and affordable housing options. (Imp 8.2)
- **LU-19.4: Transfers of Development Intensity/Density.** (Policy LU 6.14.3) Allow development intensity/density to be transferred within Newport Center, subject to the approval of the City with the finding that the transfer is consistent with the intent of the General Plan and that the transfer will not result in any adverse traffic impacts. (Imp. 2.1)
- **LU-19.5: Development Scale.** (Policy LU 6.14.4) Reinforce the original design concept for Newport Center by concentrating the greatest building mass and height in the northeasterly section along San Joaquin Hills Road, where the natural topography is highest and progressively scaling down building mass and height to follow the lower elevations toward the southwesterly edge along East Coast Highway. (Imp 2.1, 3.1, 4.1)
- **LU-19.6: Urban Form.** (Policy LU 6.14.5) Encourage development be located and designed to orient to the inner side of Newport Center Drive, establishing physical and visual continuity that diminishes the dominance of surface parking lots and encourages pedestrian activity. (Imp 2.1, 3.1, 4.1)
- **LU-19.7: Pedestrian Connectivity and Amenity.** (Policy LU 6.14.6) Encourage that pedestrian access and connections among uses within the district be improved with additional walkways and streetscape amenities concurrent with the development of expanded and new uses. (Imp 3.1, 4.1)
- **LU-19.8: Fashion Island Architecture and Streetscapes.** (Policy LU 6.14.7) Encourage that new development in Fashion Island complement and be of equivalent or higher design quality than existing buildings. Reinforce the existing promenades by encouraging commercial expansion that enhances the storefront visibility to the promenades and provides an enjoyable commercial and pedestrian experience. Additionally, new buildings shall be located on axes connecting Newport Center Drive with existing buildings to provide visual and physical connectivity with adjoining uses, where practical. (Imp 3.1, 4.1)
- **LU-19.9: Fashion Island Parking Structures.** (Policy LU 6.14.9) Require new parking structures in Fashion Island to be located and designed in a manner that is compatible with the existing pedestrian scale and open feeling of Newport Center Drive. The design of new parking structures in Fashion Island shall incorporate elements (including landscaping) to soften their visual impact. (Imp 8.2)

#### *LU-20: West Newport Mesa: A live/work community connected to key resources*

- **LU-20.1: Priority Uses.** (Policy LU 6.6.1) Prioritize the accommodation of medical-related and supporting facilities on properties abutting the Hoag Hospital complex [areas designated as “CO-M (0.5)” (Figure LU18, Sub-Area A)] with opportunities for new residential units [areas designated as “RM(18/ac)”] and supporting general and neighborhood-serving commercial services [“CG(0.75)” and “CN(0.3)”] respectively (Imp 2.1)
- **LU-20.2: Pedestrian Network.** (Adapted from Policy LU 6.17.2) Upgrade the pedestrian network by utilizing existing right-of-way and seeking additional right-of-way for wider, non-contiguous sidewalks and parkway areas, and for closing gaps in the sidewalk network. (Imp 16.3, 16.7)
- **LU-20.3:** Consider opportunities to increase pedestrian connectivity across Superior Avenue. (16.3, 16.7)
- **LU-20.4: Land Use Pattern.** (Policy LU 3.3) Support consolidation of commercial and visitor-serving commercial uses, and new residential opportunities (Imp. 1.1, 2.1, 5.1)
- **20.5: Access to Randall Preserve.** Enhance streets connecting to Randall Preserve through streetscape improvements and wayfinding signage, if a connection from West Newport Mesa to Randall Preserve is established.

#### *Other Area Specific Policies*

#### *LU-21: Coyote Canyon: A community that balances homes with the natural environment*

- **LU-21.1 Regulatory Plans (F.A.):** Consider the development of a planned community or specific plan for Coyote Canyon to create site-specific development standards and community-supportive commercial opportunities consistent with the policies of the General Plan. (Imp 3.1)
- **LU-21.2: Noise and Pollution Mitigation (F.A.).** Enforce the highest building code standards to ensure that new development is built to protect residents from potential noise and pollution from Highway 73. (Imp 26.1)
- **LU-21.3: Site Assessment (F.A.).** Requires property owners to conduct site assessments prior to development to identify potential contamination, including soil, groundwater, and vapor investigations. (Imp 2.1, 8.2)
- **LU-21.4: Remediation Requirements (F.A.).** Require developers to submit detailed remediation plans, outlining cleanup methods and monitoring protocols. (Imp 8.2)
- **LU-21.5: Distancing from Highway 73 (F.A.).** Require housing development to be located at least 500 feet from Highway 73. (Imp 2.1)
- **LU-21.6: Open Space Location (F.A.).** Locate and orient open space areas (courtyards, patios, balconies, etc.) as far away from Highway 73, where possible. (Imp 2.1)



- **LU-21.7: Landscaping Requirements (F.A.).** Require native and naturalized non-invasive species plants with habitat value be used as landscaping facing Highway 73 to act as a natural buffer from the highway and create new wildlife connectivity opportunities. (Imp 2.1)
- **LU-21.8: Open Space Connectivity (F.A.).** Expand upon the City's network of trails through new trail connections that create an integrated network of open space to support habitat, open space, and recreation. (Imp 16.11)
- **LU-21.9: Habitat Restoration (F.A.).** Perform habitat restoration, including invasive species removal and native and non-invasive planting when establishing new trails to increase habitat connectivity. (Imp 14.12, 14.13, 14.16, 29.3)

*LU-22 Dover/Westcliff: A mixed-use community connected to citywide resources*

- **LU-22.1: Priority Uses (F.A.).** Encourage mixed-use buildings that integrate residential with commercial or office uses on the ground floor. (Imp 2.1)
- **LU 22.2: Pedestrian Connectivity (F.A.).** Identify enhancements for pedestrian access to nearby amenities such as Castaways Park and the Bay. (Imp 16.11, 20.1, 23.2)
- **LU-22.3: Shared Parking (F.A.).** Consider shared parking and park-once strategies to enhance the pedestrian experience and efficiently utilize land. (Imp 16.10)
- **LU-22.4: Pedestrian Safety (F.A.).** Require adequate and visible pedestrian access through all surface parking lots and parking structures. (Imp 2.1)
- **LU-22.5: Pedestrian Access (F.A.).** Consider enhanced pedestrian access along Dover Drive between Westcliff Drive and Cliff Drive. (Imp 16.11, 20.1)

*Guiding Future Change*

Land uses must be carefully balanced to help meet the comprehensive needs of the community, while considering potential impacts of development, existing community challenges, infrastructure needs, and the processes by which these changes will occur. As new development occurs, this often results in needed improvements to public facilities such as water and energy infrastructure, transportation facilities, and parks and recreation amenities. New development should enhance local character and build upon community needs, while ensuring that existing community challenges are not exacerbated. Local permitting processes can help facilitate development and the infrastructure and resources needed to support such development. While development is necessary to accommodate changing communities, ensuring the efficient use of land is essential to preserve natural resources and maintain the City's economic base.

**Infrastructure:** Maintaining adequate water, power, and transportation infrastructure is crucial for servicing existing and new development. However, population growth and environmental change can make this more challenging. A larger population and increased energy and water demand can strain infrastructure capacity, and hazards such as extreme heat, flooding, and fire

can lead to damage or disrepair. Infrastructure can be adapted, upgraded, and designed to integrate emerging technologies to be more resilient to these impacts.

**Development Review and Permitting:** Permitting new development to achieve the goals of the General Plan hinges on an effective system for processing development permits. Ensuring staff have the capacity and resources to guide development review application to final approval can enhance the efficiency of the process. Well-organized coordination between different departments and agencies can streamline operations, leading to more successful project outcomes.

**Balanced Community Needs:** Utilizing land in an efficient manner is important for the local economy, environment, and creating balanced communities. Development should be planned carefully to accommodate community needs while preserving natural resources. Efficient use of land and balanced communities need enhanced focus on the public realm to create opportunities for pedestrian activity, high quality architecture, and enhanced landscaping and streetscapes that seamlessly blend development and the public realm.

**Environmental Justice:** It is important that all of Newport Beach's neighborhoods have access to a clean and healthy environment and have equal access to the various resources needed in everyday life. As development occurs, it is important that environmental justice consider existing and potential challenges that may occur and that have the potential to raise environmental justice issues.

*LU-23: Infrastructure that supports new development, maintains and improves existing development, and is adaptable to new technologies*

- **LU-23.1: Land Use Changes.** Coordinate with public works to plan capital improvements to support land use changes. (Imp 1.1, 14.16)
- **LU-23.2: Priority Projects.** Prioritize planned development for infrastructure improvements in the capital improvement program (CIP) process. (Imp 1.1)
- **LU-23.3: Infrastructure Coordination.** Robust coordination with public utilities to provide necessary infrastructure for new development. (Imp 1.1, 14.16)

*LU-24: A prompt and efficient system for development permit processing*

- **LU-24.1: Permit Processing Review.** Conduct an assessment of development permit processing system to identify barriers to efficient processing and potential improvements. (Imp 8.1, 10.2)
- **LU-24.2: Performance Metrics.** Develop performance metrics for development permit processing. (Imp 8.2, 9.1)
- **LU-24.3: City Resources.** Identify resources to increase City staff's capacity to process development permits. (Imp 30.1)
- **LU-24.4: Supporting New Development.** Robust coordination with public utilities to provide necessary infrastructure for new development. (Imp 1.1, 14.16)

*LU-25: Efficient use of land to create livable neighborhoods and support economic development*

- **LU-25.1: Economic Assessment.** Conduct an economic assessment of converting vacant office space for other uses. (Imp 24.1)
- **LU-25.2: Adaptive Reuse Incentives.** Develop incentives to encourage adaptive reuse of underutilized buildings. (Imp 2.1)
- **LU-25.3: Curbside Parking.** Evaluate the pricing of curbside parking to determine if prices ensure adequate parking space availability. (Imp 8.2, 16.10)
- **LU-25.4: Parking Study.** Assess the economic impact of parking standards on new development. (Imp 16.10)
- **LU-25.5: Flexible Parking Types.** Identify and establish creative solutions and flexible standards to address parking challenges. (Imp 8.2)
- **LU-25.6:** Continue to promote the Balboa Peninsula Trolley to increase ridership. (Imp 29.1)
- **LU-25.7: Economic Health.** (Policy LU 1.5) Support the local economy through the identification and development of housing opportunities, as well as adequate commercial, office, medical, industrial, and marine oriented uses that provide employment and local revenue opportunities to support high quality community services for residents, businesses, and visitors. (Imp 1.1, 24.1)

*LU-26: A city with healthy communities for all*

- **LU-26.1: Bicycle Plan Implementation.** Implement and expand upon the recommendations of the 2014 Bicycle Master Plan to enhance connectivity and reduce air pollution from transportation sources. (Imp 14.4, 16.11, 20.1)
- **LU-26.2: Innovative Uses.** Support the incorporation of live/work units and spaces for arts and innovation that allow residents to own and operate office, professional, and commercial uses. (Imp 8.2, 25.1)
- **LU-26.3: Minimize Land Use Conflicts with Surrounding Cities.** Coordinate with the City of Irvine and the City of Costa Mesa on land use planning to identify opportunities to reduce and minimize existing or potential land use conflicts. (Imp 14.1)
- **LU-26.4: Building Code.** Enforce building code standards in new construction that provide for healthier indoor air quality. (Imp 26.1)
- **LU-26.5: Management of Hazardous Substances.** Implement standards dealing with the safe management of hazardous substances in close coordination with the Department of Toxic Substance Control. The standards should require soil testing at development sites where contamination is suspected, address safe household hazardous and universal waste disposal and ensure compliance with hazardous substance regulations and safe transport of hazardous materials. Use of the latest technologies available should be considered when conducting remediation in order to expedite the cleansing process and do the least harm to the environment. (Imp 8.2, 14.16)

- **LU-26.6: Regulatory Compliance.** Support local, County, State, and Federal environmental regulations to increase penalties for toxic releases and accidents to prevent lax adherence to regulations. (Imp 14.3, 14.7, 14.14, 14.16, 26.1)

### Interagency Coordination

There are many agencies involved in land use planning, permitting, and development review, which requires close coordination between the City and influencing agencies within and outside of the City's Planning Area. The City's Planning Area is the identified boundary and extent for which the General Plan provides policies.

**Sphere of Influence:** As shown in Figure X, Planning Area and Sphere of Influence, the City's Sphere of Influence (SOI) is a 487-acre area located west of Newport Beach and adjacent to the Santa Ana River and the Cities of Huntington Beach and Costa Mesa. While outside the City's boundaries, this area has the potential to one day be annexed into the City. The area was formerly known as Banning Ranch, but has since been divided into two key areas known as the Randall Preserve and the Banning Ranch Remainder. The Randall Preserve consists of the majority of the site and is under the stewardship of the Mountains Recreation and Conservation Authority with the intent of preserving and restoring the natural habitat and increasing public access for recreational purposes. The Banning Ranch Remainder is a 13-acre oil field carved out from the Randall Preserve property that was acquired by the Coastal Alliance Corridor (previously Banning Ranch Conservancy) and the Trust for Public Land renamed as the Banning Ranch Remainder. This land is privately owned and is intended for the consolidation of oil opera. For more information about the SOI, see Appendix X (Land Use Existing Conditions and Background Analysis).

**John Wayne Airport:** The City is also abuts John Wayne Airport along the northern-most city boundary. Orange County owns and operates John Wayne Airport, the only commercial-service airport in the county. General aviation, commercial aircraft and private jets share the airport's runway, terminal, and storage facilities. The airport spans more than 510 acres and operates two runways. The 2,887-foot runway serves general aviation, and the 5,700-foot main runway serves both commercial and general aviation aircraft. The Orange County Airport Land Use Commission (AELUP) establishes standards to protect the public from aircraft noise and potential aircraft accidents, to prevent development from encroaching in navigable airspace, and to prevent activities or facilities that could be unfavorable for airport operations. Given the regulations of the AELUP and the limitations imposed on lands in the Airport Area, future land use changes must consider potential conflicts with the AELUP and the operations of the airport.

**California Coastal Commission:** Newport Beach is also within the coastal zone, which is governed by the California Coastal Commission (CCC)—the State agency that implements the California Coastal Act. The CCC reviews and certifies a city's Local Coastal Program (LCP) for consistency with the policies of the California Coastal Act. The LCP acts as the standard regulatory and permitting guide for development in the coastal zone within Newport Beach and its Sphere of Influence, with the exception of Newport Coast and Banning Ranch. The LCP acts

in tandem with the adopted Land Use Element, which provides specific densities and number of permitted units for select parcels.

*LU-27: A City with mutually beneficial land use conservation and development*

- **LU-27.1: Airport Compatibility.** (Policy LU 6.15.3) Require that all development be constructed in conformance with the height restrictions set forth by the Federal Aviation Administration (FAA), Federal Aviation Regulations (FAR) Part 77, and Caltrans Division of Aeronautics, and that residential development shall be allowed only on parcels with noise levels of less than John Wayne Airport 65 dBA CNEL noise contour area as shown in Figure N5 of the Noise Element of the General Plan, unless and until the City determines, based on substantial evidence, that the sites wholly within the 65 dBA CNEL noise contour shown in Figure N5 are needed for the City to satisfy its Sixth Cycle RHNA mandate. Nonresidential uses are, however, encouraged on parcels located wholly within the 65 dBA CNEL contour area. (Imp 2.1, 3.1, 4.1, 14.3)
- **LU-27.2: Compliance with Airport Environs Land Use Plan.** (Policy LU 6.15.15) Refer the adoption or amendment of the General Plan, Zoning Code, specific plans, and Planned Community development plans for land within the John Wayne Airport planning area, as established in the JWA Airport Environs Land Use Plan (AELUP), to the Airport Land Use Commission (ALUC) for Orange County for review, as required by Section 21676 of the California Public Utilities Code. In addition, refer all development projects that include buildings with a height greater than 200 feet above ground level to the ALUC for review. (Imp 14.3)
- **LU-27.3: Heliport/Helistop Requirements.** (Policy LU 5.6.5) Require that all applicants for the construction or operation of a heliport or helistop comply with state permit procedures, file a Form 7480 (Notice of Landing Area Proposal) with the Federal Aviation Administration (FAA), and comply with all conditions of approval imposed by the FAA, Caltrans/Division of Aeronautics and Airport Land Use Commission (ALUC) for Orange County. (Imp 14.9)
- **LU-27.4: Development with the SOI.** (Policy LU 6.4.10) Require that any development within the SOI achieve high levels of environmental sustainability that reduce pollution and consumption of energy, water, and natural resources to be accomplished through land use patterns and densities, site planning, building location and design, transportation and utility infrastructure design, and other techniques. Among the strategies that should be considered are the concentration of development, reduction of vehicle trips, use of alternative transportation modes, maximized walkability, use of recycled materials, capture and re-use of storm water on-site, water conserving fixtures and landscapes, architectural elements that reduce heat gain and loss, and preservation of wetlands and other habitats. (Imp 3.1, 4.1, 7.1, 16.8, 17.1, 19.1)
- **LU-27.5: Regulatory Plans.** (Policy LU 6.4.11) Require the preparation of a master development or specific plan for any development on the Banning Ranch specifying lands to be developed, preserved, and restored, land uses to be permitted, parcelization, roadway and infrastructure improvements, landscape and streetscape improvements, development

regulations, architectural design and landscape guidelines, exterior lighting guidelines, processes for oil operations consolidation, habitat preservation and restoration plan, sustainability practices plan, financial implementation, and other appropriate elements. (Imp 3.1, 4.1)

- **LU-27.6: Coordination with California Coastal Commission.** Maintain and update the Local Coastal Plan and Implementation Program as necessary to ensure the City retains project review and permitting authority in the Coastal Zone. (14.6)
- **LU-27.7: Compatibility of Non-City Public Uses.** (Policy LU 6.1.4) Encourage school and utility districts and other government agencies that may be exempt from City land use control and approval to plan their properties and design buildings at a high level of visual and architectural quality that maintains the character of the neighborhood or district in which they are located and in consideration of the design and development policies for private uses specified by this Plan. (Imp 14.1, 14.15)
- **LU-27.8: Coordination with State and Federal Agencies.** (Policy LU 6.5.6) Work with appropriate state and federal agencies to identify wetlands and habitats to be preserved and/or restored and those on which development will be permitted. (Imp 14.7, 14.11)

*LU-28: Sphere of Influence: A regional natural resource that is preserved for future generations*

- **LU-28.1: Primary Use.** (Policy LU 6.3.1) Open space, including significant active community parklands that serve adjoining residential neighborhoods. (Imp 2.1, 23.1, 23.5, 30.2)
- **LU-28.2: Habitat and Wetlands.** (Policy LU 6.5.3) Restore and enhance wetlands and wildlife habitats, in accordance with the requirements of state and federal agencies. (Imp 3.1, 4.1, 14.7, 14.11)
- **LU-28.3: Relationship of Development to Environmental Resources.** (Policy LU 6.5.4) Development should be located and designed to preserve and/or mitigate for the loss of wetlands and drainage course habitat. It shall be located to be contiguous and compatible with existing and planned development along its eastern property line, preserving the connectivity of wildlife corridors, and set back from the bluff faces, along which shall be located a linear park to provide public views of the ocean, wetlands, and surrounding open spaces. Exterior lighting shall be located and designed to minimize light trespass from developed areas onto the bluffs, riparian habitat, arroyos, and lowland habitat areas. (Imp 3.1, 4.1)
- **LU-28.4: Public Views of the Property.** (Policy LU 6.5.5) Development shall be located and designed to prevent residences on the property from dominating public views of the bluff faces from Coast Highway, the ocean, wetlands, and surrounding open spaces. Landscape shall be incorporated to soften views of the site visible from publicly owned areas and public view points. (Imp 3.1, 4.1)
- **LU-28.5: Coordination with State and Federal Agencies.** (Policy LU 6.5.6) Work with appropriate state and federal agencies to identify wetlands and habitats to be preserved and/or restored and those on which development will be permitted. (Imp 14.7, 14.11)