Appendices

Appendix C Draft San Joaquin Plaza PCDP Amendment

Appendices

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San Joaquin Plaza (PC 19 Amendment) Planned Community Development Plan

Land Uses, Development Standards & Procedures

San Joaquin Plaza (PC 19 Amendment) Planned Community Development Plan

Land Uses, Development Standards & Procedures

Table of Contents

- I. Introduction
 - A. Introduction and Purpose of Development Plan
 - **B.** San Joaquin Plaza Statistical Analysis
 - C. Planned Community Area Location Map

Chapter 1 (PC Subarea 1)

I. Relationship to Other Regulations

A. Relationship to the Municipal Code

II. Land Use and Development Regulations

- A. Permitted Uses
- B. Development Limits
- C. Transfer of Development

III. Site Development Standards

- A. Permitted Height of Structures
- **B.** Standards for Allowable Heights
- C. Rooftop Appurtenances
- D. Site Walls, Retaining Walls, Garage Walls and Mechanical Screens
- E. Site Setbacks
- F. Floor Area Ratio
- **G.** Lot Coverage
- H. Parking
- I. Landscaping
- J. Lighting
- K. Signs
- L. Residential Open Space Requirements
- M. LEED Certification
- N. Construction and Utility Requirements
- IV. Definitions
- V Site Development Review

Chapter 2 (PC Subarea 2)

- I. San Joaquin Plaza Planned Community District Regulations
 - A. General Notes
 - **B.** Permitted Uses
 - C. Building Location
 - **D.** Building Height
 - E. Parking
 - F. Landscaping
 - G. Loading Areas
 - H. Refuse Collection Areas
 - I. Telephone and Electrical Service
 - J. Signs

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San Joaquin Plaza PC Development Plan Amendment No. 8

I. Introduction

A. Introduction and Purpose of Development Plan

The San Joaquin Plaza Planned Community ("PC") District (PC-19) for the City of Newport Beach is a part of the Newport Center Development in conformance with the Newport Beach General Plan. The General Plan identifies the goal of creating a successful mixed-use district that integrates economic and commercial centers serving the needs of Newport Beach residents and the sub-region, with expanded opportunities for residential development within Newport Center.

As shown on Figure 1, the San Joaquin Plaza PC District is located in the north end of Newport Center where the concentration of building height and mass is greatest. It is generally bounded by Santa Cruz Drive on the east, San Clemente Drive on the south, and Santa Barbara Drive to the west. Surrounding uses include an existing parking structure to the east office buildings to the west, residential apartments to the north and office and residential apartments to the south. The Fashion Island regional mall is approximately ¼ mile to the south. The purpose of the San Joaquin Plaza PC District is to ensure consistency with General Plan policies related to development scale in Newport Center and expectations for high quality development.

This San Joaquin Plaza PC Development Plan is divided into two chapters. Chapter 1 provides land use and development standards for PC Subarea 1 (850 San Clemente Drive) only. Chapter 1 supersedes the Existing PC Development Plan with respect to PC Subarea 1. The land use and development standards in the Existing PC Development Plan shall not apply to PC Subarea 1.

Chapter 2 of this San Joaquin Plaza PC Development Plan provides land use and development standards for PC Subarea 2 (856 San Clemente Drive) only. Chapter 2 consists of the entire Existing PC Development Plan except Section I (*Statistical Analysis*), which shall be superseded by Section I (B) (*San Joaquin Plaza Statistical Analysis*) below. Section II (*General Notes*) and Section III (*Civic, Cultural, Business and Professional Offices*) of the Existing PC Development Plan, which set forth land use and development standards, shall apply to PC Subarea 2 only, and not PC Subarea 1.

B. San Joaquin Plaza Statistical Analysis

The San Joaquin Plaza Planned Community area consists of two distinct subareas:

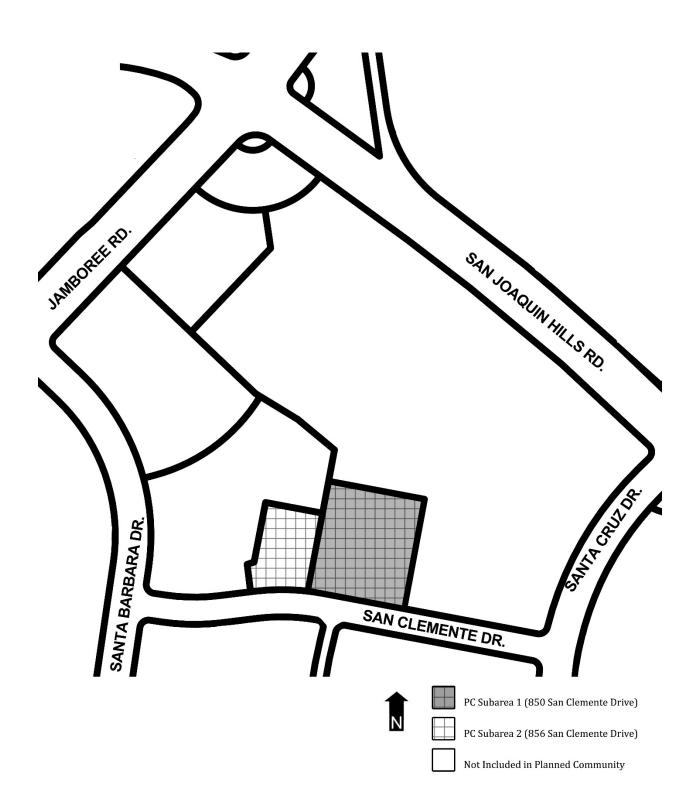
PC Subarea 1 (850 San Clemente Drive)

- a. Site Area: 1.99 acres
- b. Existing Use: Orange County Museum of Art Exhibition Space (23,632 Square Feet)

PC Subarea 2 (856 San Clemente Drive)

- a. Site Area: 0.93 acre
 - a. Existing Use: Orange County Museum of Art Galleries Administrative Offices & Storage (13,670 Square Feet)





Chapter 1 (PC Subarea 1)

I. Relationship to Other Regulations

A. Relationship to the Municipal Code

Whenever the development regulations of this plan conflict with the regulations of the Newport Beach Municipal Code, the regulations contained herein shall prevail. The Municipal Code shall regulate this development whenever regulations are not provided within these district regulations. All words and phrases used in this San Joaquin Plaza PC Development Plan shall have the same meaning and definition as used in the City of Newport Beach Municipal Code unless defined differently in Section V – Definitions.

II. Land Use and Development Regulations – PC Sub Area 1

A. Permitted Uses

1. General

Specific uses are permitted consistent with the definitions provided in Section V of this Development Plan. Uses determined to be accessory or ancillary to permitted uses, or residential support uses to permitted uses are also permitted. The Community Development Director may determine other uses not specifically listed herein, provided they are consistent with the Multi - Residential (RM) Land Use designation.

2. San Joaquin Plaza Subarea 1

- a. Residential
 - i. 100 residential units
- b. Uses that are accessory or ancillary to the permitted residential uses, including residential support uses, are also permitted. These include, but are not limited to, the following:
 - i. Club Rooms
 - ii. Lobby
 - iii. Fitness and Spa
 - iv. Business Services and Building Services
 - v. Rooftop lounge
 - vi. Wine Storage
 - vii. Catering kitchen
 - 1. Resident serving food and beverage services
 - viii. Laundry
 - ix. Conference Rooms
 - x. Similar resident serving uses
- c. Structured Parking, Garage and Facilities

B. Development Limits

The development limits in this Development Plan are consistent with those established by the General Plan.

Development limits may be modified through the approval of a Transfer of Development Rights.

1. San Joaquin Plaza Subarea 1 (850 San Clemente Drive)

Up to 100 residential units are permitted within San Joaquin Plaza Subarea 1. Residential uses are measured on a per unit basis and not by gross floor area. Ancillary uses, such as club rooms,

fitness, lobbies, business services, amenities and building services shall not require parking as they support the primary operations of the residential community and its residents.

C. Transfer of Development Rights

The transfer of development rights among sub-areas of this Planned Community and to/from other areas in the Newport Center/Fashion Island District identified in the General Plan is allowed in accordance with Policy LU 6.14.3 of the General Plan and this Planned Community Development Plan. The transfer of development rights shall be approved, as specified in the General Plan

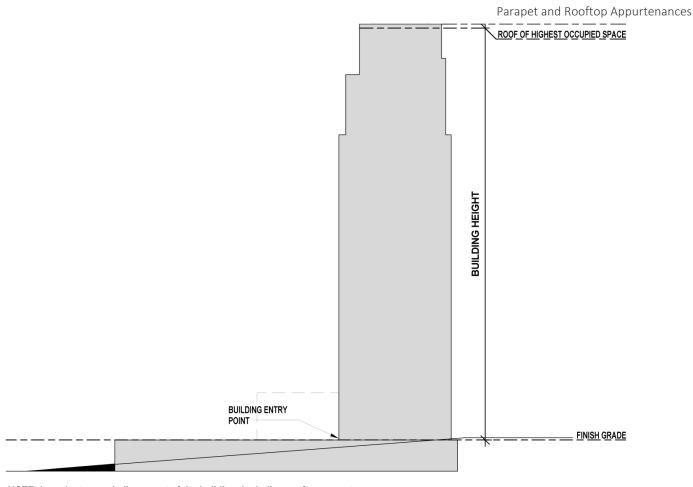
- III. Site Development Standards
- A. Permitted Height of Structures
 - 1. San Joaquin Plaza Subarea 1
- B. Standards for Allowable Heights

The maximum height of all structures shall be 295 feet as measured from finished grade to the roof of the highest appurtenance. Finish grade is defined in Graphic 1, as elevation of main building entry point in relation to mean sea level.

C. Rooftop Appurtenances

Rooftop appurtenances are permitted. Rooftop appurtenances shall demonstrate compliance with conditions related to the AELUP for the John Wayne Airport, consistent with Section III(A)(1)(b). Rooftop appurtenances must be screened from view; the height of rooftop appurtenances shall not exceed the height of the screening. Supports for window washing equipment are permitted, and are not required to be screened from view. No setbacks are required for any rooftop appurtenances





<u>NOTE:</u> In no instance shall any part of the building, including rooftop appurtenances or architectural features, penetrate the FAA (Part 77) imaginary obstruction surface for John Wayne Airport.

Graphic 1 – Example of Building Height and Rooftop Appurtenances

D. Site Walls, Retaining Walls, Garage Walls and Mechanical Screens

- **a.** Site Walls
 - i. Site walls will not exceed 8'-0" from finish grade.
- **b.** Retaining Walls
 - i. Interior: The height of a retaining wall that faces interior to the project is not to exceed 30'-0" from finish grade.
 - ii. Exterior: Retaining walls that face exterior to adjacent properties and San Clemente Drive at property lines, are limited in height to 8'-0" from finish grade not including handrail conditions that may be required above these walls. These handrail requirements may be formed by the retaining wall.
- c. Garage Walls that are exposed will be treated as architectural building façade.
- **d.** Mechanical Screens will be allowed to be of sufficient height to provided coverage of equipment. Required grills, louvers, vents and other functional requirements of building equipment will to the extent possible be incorporated into the building architecture.

E. Site Setbacks

a.	San Clemente Drive	15'-0"
b.	East Property Line (Adjacent to Parking Garage)	5'-0"
c.	North Property Line (Adjacent to San Joaquin Apartments)	5'-0"
d.	West Property Line	5'-0"

F. Floor Area Ratio

- a. Allowable Floor Area for Site is 4.5:1 FAR
- b. Lot Area86,924 Square Feetc. Allowable Area391,000 Square Feet
- G. Lot Coverage

Lot coverage is the percentage of the site area.

а.	Lot Area	86,924 Square Feet
b.	Allowable Lot Coverage is 90%	78,232 Square Feet

H. Parking

Residential parking is based on unit count with each unit receiving 2 parking spaces. Residential guest parking is also based on unit count with .5 spaces per unit. Accessory, ancillary, and support uses for residential developments shall not be included in the calculation of required parking.

Valet parking is allowed subject to the approval of a valet plan by the City Traffic Engineer and Community Development Director.

I. Landscaping

Refer to City of Newport Beach Municipal Code.

J. Lighting

Refer to City of Newport Beach Zoning Code

K. Signs

1. General Sign Standards

A comprehensive sign program may be prepared if the applicant wishes to deviate from the sign standards identified herein. Comprehensive sign programs shall be submitted for review and consideration in accordance with the provisions of the Municipal Code.

2. Restricted Sign Types

Signs visible from public right-of-ways are subject to the following restrictions:

- a. No rotating, flashing, blinking, or signing with animation shall be permitted on a permanent basis.
- b. No signs shall be permitted which imitate or resemble official traffic signs or signals.
- c. No wind signs or audible signs are permitted.

Animated signs visible from public streets are not allowed unless otherwise permitted by the Municipal Code.

3. Sign Standards San Joaquin Plaza Subarea 1

Primary building address numbers shall be visible from the street (and/or pedestrian walkways in the case of necessity), and be located on the building so that they are visible from adjacent frontage roads and designated parking areas. Secondary address signs may be located where appropriate for on-site orientation and safety. All address signs shall have a consistent color, design, and material for any given building. A single letter style is recommended.

Sign Type	Description	Location	Maximum Number	Maximum Sign Size	Maximum Letter / Logo Height
A	Signs mounted on landscape walls (includes ground mounted signs in front of landscaping and landscape walls)	San Joaquin Plaza at San Clemente project entry	4	Determined by project name; letter/logo height not to exceed 36 inches	36 inches
В	Building Sign	On building elevation, awning or parking structure	2 primary and 4 secondary	Determined by name of project; letter/logo height not to exceed: Primary 24 inches, Secondary 16 inches	Primary 24 inches Secondary 16 inches
С	Building Address	On building elevation	4 (additional address signs may be located where appropriate for on-site orientation)	24 inches high	24 inches or as required by Fire Department
D	Advisory Signs	Entry to service	As appropriate for safety and orientation	6 feet high	As required by Fire Department or Building Code for safety purposes

Table 2 – Sign Standards for San Joaquin Plaza Subarea 1

4. Temporary Signs

Temporary signs are permitted. See Definitions.

L. Residential Open Space Requirements

The following open space standards shall apply to residential development projects:

1. Common Outdoor Open Space

The project shall provide common outdoor open space either at grade, podium, common level within the building, or roof level. Common outdoor open space areas shall have a minimum horizontal dimension of 30 feet and may contain active and/or passive areas and a combination of hardscape and landscape features, but a minimum of 10 percent of the common outdoor open space must be landscaped. All common outdoor open space must be accessible to all residents. Projects shall provide a minimum of 5 percent common outdoor open space based on the residential lot area.

2. Common Indoor Open Space

The project shall provide at least one community room of at least 500 square feet for use by all residents of the project. The area should be located adjacent to, and accessible from, common access point. This area may contain active or passive recreational facilities or meeting space, and must be accessible through a common corridor.

3. Private Open Space

At least 50 percent of all dwelling units shall provide private open space, on a balcony, patio, or roof terrace. Private open space shall be a minimum area of 30 square feet and an average horizontal dimension of 6 feet. Balconies should be proportionately distributed throughout the project in relationship to floor levels and sizes of units.

M. LEED Certification

The Building will be designed to meet the criteria of LEED Certification as based on LEED's prototype points and scorecard rating system.

N. Construction and Utility Requirements

1. Archaeological/Paleontological

Grading of the site is subject to the provisions of the City Council Policies K-4 & K-5 regarding archaeological and paleontological resources.

2. Building Codes

Construction shall comply with applicable provisions of the California Building Code and the various other mechanical, electrical and plumbing codes related thereto as adopted by the NBMC.

3. Grading

Grading and excavation of the development area shall be conducted and undertaken in a manner both consistent with grading manual standards and ordinances of the City of Newport Beach and in accordance with a grading and excavation plan approved by the City of Newport Beach Building Division.

4. Telephone, Gas and Electrical Service

All "on-site" gas lines, electrical lines and telephone lines shall be placed underground. Unless prohibited by the utility company, transformer or terminal equipment shall be visually screened from view from streets and adjacent properties.

5. Sewage Service

All new and upgrade on and off-site sewer lines shall be designed in accordance with the Utilities Manager's approval.

6. Storm Water Management

The project shall adhere to the Water Quality Management Plan (WQMP) approved in conjunction with the issuance of building permits. Drainage and water quality assurance measures will be implemented as per the City Public Works and Municipal Separate Storm Sewer System (MS4) requirements. Development of the property will be undertaken in accordance with the flood protection policies of the City.

7. Water service

Water service to the site will be provided by the City of Newport Beach and is subject to applicable regulations, permits and fees as prescribed by the City. The project shall provide the infrastructure for Fire Protection Water Service and Domestic water. Each dwelling unit shall be served by its own individual water meter in accordance with the Public Works Department unless a waiver is approved by the Public Works Department.

IV. Definitions

All words and phrases used in this North San Joaquin Plaza PC shall have the same meaning and definition as used in the City of Newport Beach Municipal Code unless defined differently in this section.

Advisory Sign: Any sign that contains directional or safety information; does not contain advertisements.

Audible Signs: Any sign that uses equipment to communicate a message with sound or music. **Building Elevation:** The exterior wall surface formed by one (1) side of the building.

Building Height: Building height is measured from the roof of the highest occupied space to the exterior finished grade. If the building is on a sloping surface, the height measurement is taken from the building entrance. Exceptions include but are not limited to below grade parking structure entrances, motor courts, and retaining walls.

Floor Area, Gross: The gross floor area for all other permitted uses is the total enclosed area of all floors of a building measured to the outside face of the structural members in exterior walls, including halls, stairways, elevator shafts at each floor level, service and mechanical equipment rooms and basement or attic areas having a height of more than seven feet. Excluded are covered porches, space below building entry or basement, parking, walkways and loading docks, service tunnels, and mechanical shafts. Mechanical spaces, which are inaccessible to tenants, are not counted as square footage.

Monument Sign: Any sign that is supported by its own structure and is not part of or attached to any building.

Parking Structure: Structures containing more than one story principally dedicated to parking. Parking structures may contain accessory, ancillary and resident support uses.

Podium Level: A superposed terrace conforming to a building's plan, a continuous pedestal; a level of vertical segregation linking separate areas.

Project Identification Sign: A free-standing (single or double faced) monument sign containing the project name.

Residential: An area or areas within a structure on a parcel that contains separate or independent living facilities for one or more persons, with area or equipment for sleeping, sanitation or food preparation. Individual residential units may be located on multiple floors and need not be located in contiguous spaces.

Rooftop Appurtenance: Rooftop appurtenances include, but are not limited to, mechanical equipment, stairwell and elevator shaft housing, antennae, window washing equipment, and wireless communication facilities. See Graphic 1 on page 34.

Sign: Any media, including their structure and component parts which are used or intended to be used out-of-doors to communicate information to the public.

Sign Area: The area enclosed by a rectangle drawn around the working, numbers or images composing the sign.

Sign Face: The physical plane and/or surface upon which the working or images are applied. **Sign Letter:** The individual symbols of the alphabet used in forming the words of a message.

Support Uses: Uses within residential developments and parking structures designed, oriented, and intended to primarily serve building occupants. This includes uses such as dry cleaners, coffee vendors, and sundry shops.

Temporary Sign: Any sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, plywood, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed for a limited period of time.

Wind Sign: A series of similar banners or objects of plastic or other light material more than 2 inches in diameter which are fastened together at intervals by wire, rope, cord, string or by any other means, designed to move and attract attention upon being subjected to pressure by wind or breeze.

V. Site Development Review

The purpose of the Site Development Review (SDR) process is to ensure that any new development proposal within Subarea 1 is consistent with the goals and policies of the General Plan and the provisions of the San Joaquin Plaza Planned Community Development Plan. Prior to the issuance of building permits for development within Subarea 1, a SDR application shall be required in accordance with Section 20.52.080 (Site Development Reviews) of the Newport Beach Municipal Code. The Subarea 1 SDR shall be part of this Planned Community Development Plan and shall be reviewed concurrently with the Planned Community Development Plan. The submitted site pans and elevations shall be part of this application.

Chapter 2 (PC Subarea 2)

I. San Joaquin Plaza Planned Community District Regulations

Chapter 2 of this San Joaquin Plaza PC Development Plan provides land use and development standards for PC Subarea 2 (856 San Clemente Drive) only. Chapter 2 consists of the entire Existing PC Development Plan except Section I (*Statistical Analysis*), which shall be superseded by Section I (B) (*San Joaquin Plaza Statistical Analysis*) above. Section II (*General Notes*) and Section III (*Civic, Cultural, Business and Professional Offices*) of the Existing PC Development Plan, which set forth land use and development standards, shall apply to PC Subarea 2 only, and not PC Subarea 1.

A. GENERAL NOTES

- 1. Water within the Planned Community area will be furnished by the City of Newport Beach.
- 2. Sewage disposal facilities within the Planned Community will be provided by Orange County Sanitation District No. 5.
- 3. The subject property is within the City of Newport Beach. The Developer will provide the necessary flood protection facilities under the jurisdiction of the City of Newport Beach.
- 4. Grading and erosion control provisions shall be carried out on all areas of the Planned Community in a manner meeting the approval of the Community Development Director.
- 5. Except as otherwise stated in this Ordinance, the requirements of the Newport Beach Zoning Code shall apply.
- 6. The contents of this supplemental text notwithstanding, no construction shall be proposed within the boundaries of this Planned Community District except that which shall comply with all provisions of Newport Beach's Uniform Building Code and the various mechanical codes related thereto.
- 7. Parking lot lighting shall be subject to the review and approval of the Community Development Director. Parking lot lighting shall be designed in a manner so as to minimize impacts on adjacent residential areas.
- 8. All mechanical appurtenances on building roof tops and utility vaults shall be screened from street level view in a manner meeting the approval of the Community Development Director.
- 9. Prior to the issuance of grading permits, the site shall be examined to determine the existence and extent of archaeological and paleontological resources in accordance with adopted City polices.
- 10. In the event that any non-office facility was to be eliminated from the project, the eliminated facility would be replaced with the equivalent amount of office space.
- 11. That a pedestrian and bicycle trail system be reviewed and approved by the Community Development Director.

San Joaquin Plaza – Planned Community District Regulations 5 12/4/07

II. CIVIC, CULTURAL, BUSINESS AND PROFESSIONAL OFFICES A. INTENT

The intent of this district is to permit the location of a combination of civic, cultural, business and professional office uses, and support commercial activities engaged in the sale of products to the general public.

B. PERMITTED USES

The following shall be permitted:

- 1. Retail sales and service of a convenience nature.
- 2. Administrative and professional offices.
- 3. Restaurants, bars and theater/nightclubs. Subject to Use Permit.
- 4. Institutional, financial and governmental facilities.
- 5. Civic, cultural, commercial recreational and recreational facilities.
- 6. Parking lots, structures and facilities.

C. BUILDING LOCATION

1. All buildings shall be located in substantial conformance with the approved site plan.

D. BUILDING HEIGHT

1. All buildings and appurtenant structures shall be limited to a maximum height of sixtyfive (65) feet.

E. PARKING

- 1. Adequate off-street parking shall be provided to accommodate all parking needs for the site. The intent is to eliminate the need for any on-street parking.
- 2. Required off-street parking shall be provided on the site of the use served, or on a common parking area in accordance with the off-street parking requirements of City of Newport Beach Planning and Zoning Ordinance.
- 3. Parking for the museum shall be based on 3.5 spaces/1,000 square feet of gross floor area.

F. LANDSCAPING

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

- 2. All landscaping referred to in this section shall be maintained in a neat and orderly fashion.
 - a. Screening-Areas used for parking shall be screened from view or have the view interrupted by landscaping, and/or fencing from access streets, and adjacent properties.
 - b. Plant materials used for screening purposes shall consist of lineal or grouped masses of shrubs and/or trees.

G. LOADING AREAS

1. Street side loading shall be allowed providing the loading dock is screened from view from adjacent streets.

H. REFUSE COLLECTION AREAS

- 1. All outdoor refuse collection areas shall be visually screened from access streets, and adjacent property. Said screening shall form a complete opaque screen.
- 2. No refuse collection area shall be permitted between a frontage street and the building line.

I. TELEPHONE AND ELECTRICAL SERVICE

1. All "on site" electrical lines (excluding transmission lines) and telephone lines shall be placed underground. Unless prohibited by the utility company, transformer or terminal equipment shall be visually screened from view from streets and adjacent properties.

J. SIGNS

- 1. Building Address Sign
 - a. Building address numerals shall be a maximum of two (2) feet in height and shall be consistent with the building identification signing.
 - b. Building address number shall face the street (and/or pedestrian walkways in the case of necessity), and be located on the building so that they are visible from adjacent frontage roads and designated parking areas.
- 2. Project/Building Identification Sign
 - a. Project and/or building identification signs are permitted at major entry access drives from adjacent frontage streets, and adjacent to project intersection corners provided that they comply with the City of Newport Beach sight distance requirement 110-L.
 - b. The identification signage is permitted in the form of a free-standing (single or double faced) monument sign. The sign copy shall be restricted to the project or building name and street address. Individual letter heights shall not exceed eighteen (18) inches. The monument sign shall be limited to 5 feet in height and 12 feet in width as depicted on the attached sign drawings.

- 3. Project/Tenant Identification Signs
 - a. Project/tenant identification signs are permitted at major entry access drives from adjacent frontage streets, provided that they comply with the City of Newport Beach sight distance requirement 110-L.
 - b. The project/tenant identification signage is permitted in the form of a free standing (single or double faced) monument sign and may contain the project identification and a maximum of two tenant names. The tenant selection will be determined by the property owner or their designated management company. The tenant name shall not exceed 5 ½ inches in height and the monument sign shall be limited to 6 feet in height and 12 feet in width as depicted on the attached sign drawings.
- 4. Tenant Identification Signs
 - a. Tenant identification signs are permitted and are divided into two (2) categories:
 - b. Primary Tenant Secondary Tenant identification signs are to be wall-mounted graphics, consisting of individually fabricated letters. Box or "can" signs are not permitted. The maximum number of primary tenant signs permitted on any one building elevation is two (2).
 - c. Each secondary tenant shall be limited to one (1) identification sign.
 - d. The maximum letter height of a primary tenant sign shall not exceed twenty-four (24) inches. The maximum letter height of a secondary tenant sign shall not exceed sixteen (16) inches.
 - e. Sign copy shall be restricted to identification of the person, firm, company or corporation operating the use conducted on the site.
- 5. General Sign Standards
 - a. Signs (to include all those visible from the exterior of any building) may be lighted but no sign or any other contrivance shall be devised or constructed so as to rotate, gyrate, blink or move in any animated fashion.
- 6. Temporary Signs
 - a. The following guidelines are intended to produce a consistent sign design for temporary signs within Newport Center. All temporary signs require the approvals of the City of Newport Beach and The Irvine Company.
 - b. Temporary signs are to identify the future site, project or facility under development on individual project sites.
 - c. Information on this sign is limited to:
 - For Sale, For Lease, Future Home of, Building/Project Name, etc. Type or Name of Development - Type and Area of Space Available - Major Tenant or Developer - Financial Institution - General Contractor -Architect - Leasing Agent - Occupancy Date - Phone Number - The Irvine Company or Project Name and Logo
 - ii. Location: One temporary sign is permitted on site for each frontage street. These signs may be single or double-faced and parallel or perpendicular to the roadway.
 - iii. Longevity: Signs can exist from the time of lease or sale of the parcel until construction and/or leasing of the facility is complete.