



CITY OF

NEWPORT BEACH

City Council Staff Report

August 26, 2025
Agenda Item No. 9

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Ordinance No. 2025-17: Approving the Third Amendment to
Development Agreement No. DA2012-003 for the Uptown Newport
Planned Community located at 4321 Jamboree Road (PA2025-0010)

ABSTRACT:

For the City Council's consideration is the adoption of Ordinance No. 2025-17, for the Third Amendment to the Development Agreement No. DA2012-003 (DA) for the Uptown Newport Planned Community in the Airport Area (Project) to extend the existing light industrial land uses currently operating as Tower Semiconductor (TowerJazz) located within the future Phase 2 of Uptown Newport Planned Community (PC-58) by 3.5 years, from March 12, 2027, to September 12, 2030. The ordinance was introduced and considered at the July 22, 2025, City Council meeting.

RECOMMENDATIONS:

- a) Find that all significant environmental concerns for the Project have been addressed in the previously certified Environmental Impact Report No. ER2012-001 (SCH No. 2010051094), First Addendum No. ER2012-001, and Second Addendum No. ER2020-001; and
- b) Conduct second reading and adopt Ordinance No. 2025-17, *An Ordinance of the City Council of the City of Newport Beach, California, Approving the Third Amendment to Development Agreement No. DA2012-003 for the Property at 4321 Jamboree Road Located Within Uptown Newport Planned Community (PA2025-0010).*

DISCUSSION:

The applicant, on behalf of TowerJazz, proposes amending Section 4.5 (Light Industrial Land Uses) of the DA to extend the closure date for TowerJazz facility by 3.5 years, from March 12, 2027, to September 12, 2030. The proposed amendment does not affect nor make any additional changes to the DA, other than extending the light industrial use beyond the intended expiration date. No changes are required to PC-58 as the DA is the controlling legal document entered by the City of Newport Beach and the property owners that specified the timeline of development for the entire planned community. The existing light industrial use will continue operating as a legal, nonconforming use pursuant to the Newport Beach Municipal Code.

On July 22, 2025, the City Council conducted a noticed public hearing on the Project. After taking public testimony, the City Council voted unanimously to introduce the ordinance and pass it to a second reading.

If the ordinance is adopted, it will take effect 30 days after adoption.

FISCAL IMPACT:

No fiscal impact directly related to Third Amendment to DA.

ENVIRONMENTAL REVIEW:

All significant environmental concerns for the proposed Project have been addressed in the previously certified Environmental Impact Report No. ER2012-001 (SCH No. 2010051094), First Addendum No. ER2012-001, and Second Addendum No. ER2020-001, and the City of Newport Beach intends to use said documents for the above noted Project, and further that there are no additional reasonable alternative or mitigation measures that should be considered in conjunction with said Project. The previously prepared environmental documents for the Uptown Newport Planned Community project are available for public review at www.newportbeachca.gov/CEQA.

Additionally, a CEQA Consistency Memorandum has been prepared by PlaceWorks (Exhibit "A" of Attachment No. A) and determined that the proposed Project is consistent with the Uptown Newport Planned Community (PC-58) and within the scope of previously prepared CEQA documents. No additional environmental review pursuant to CEQA is required.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENT:

Attachment A – Ordinance No. 2025-17: Third Amendment to DA2012-003