# Attachment No. PC 1

October 9, 2025, Planning Commission
Staff Report

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# CITY OF NEWPORT BEACH
# PLANNING COMMISSION STAFF REPORT

October 9, 2025
Agenda Item No. 2

**SUBJECT:** General Plan Update – Introduction of Draft Elements (PA2022-080)
- Land Use Element
- Safety Element

**SITE LOCATION:** Citywide

**APPLICANT:** City of Newport Beach

**PLANNER:** Benjamin M. Zdeba, AICP, Planning Manager
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## PROJECT SUMMARY

This report to the Planning Commission outlines the progress made on the City of Newport Beach's ongoing comprehensive update to its General Plan, last revised in 2006. Following delays due to the State-mandated 6th Cycle Regional Housing Needs Assessment (RHNA), the City resumed its broader update process in 2022 with the formation of the General Plan Update Steering Committee (GPUSC) and the General Plan Advisory Committee (GPAC), including various subcommittees to review each Element. The update process consists of four phases; Phase 1 (Background Analysis + Visioning) is complete, and Phase 2 (Policy Development + General Plan Amendment) is nearly finalized. City staff, working closely with the GPAC, GPUSC, and consultant Dudek, developed draft goals and policies based on existing conditions reports and community input gathered through digital platforms and workshops. The Land Use Element and Safety Element are both required elements pursuant to State General Plan Law. Initial drafts have been prepared and are ready for broader community review.

City staff seeks preliminary feedback from the Commission before the draft is released for wider public review. Final drafts will return for formal endorsement by the Planning Commission in late 2025 or early 2026.

## RECOMMENDATION

1) Receive a brief presentation from City staff, receive and file the draft Land Use Element and Safety Element; and either

   a) Form an ad hoc committee to review the draft Elements and provide comments for the Planning Commission's consideration at a meeting in November 2025; or

   b) Have Planning Commissioners review individually and be prepared to discuss and provide feedback to City staff at a meeting in November 2025.

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## BACKGROUND

A General Plan is a long-term document that acts as a guide for future development and is used as the foundation for decision-making on the physical development of a community. It contains goals that set values and direction, policies that guide decision-making, and programs to carry out the actions needed to achieve the goals. The General Plan is required by State law and is used by local governments to make decisions about land use, housing, transportation, infrastructure, and parks, among other issues. While planning horizons vary, it typically sets direction for the next 20-30 years. The City of Newport Beach (City) General Plan was last comprehensively updated in 2006 – nearly 20 years ago.

In 2019, the City Council initiated its comprehensive review and update; however, due to the challenging and unprecedented 6th Cycle Regional Housing Needs Assessment (RHNA), City staff was directed to pivot focus toward the Housing Element and Circulation Element. With the adoption and certification of the Housing Element in 2022, staff continued toward implementing the Housing Element but returned focus to the comprehensive update.

In early 2022, as the Housing Element was wrapping up, the City Council formed and seated the three-member General Plan Update Steering Committee (GPUSC), which is chaired by Nancy Gardner. The primary purpose of the GPUSC is to guide the larger General Plan Advisory Committee (GPAC) and to report to the City Council. The GPAC was formed and seated in early 2023, is currently made up of 24 community members appointed by the City Council and chaired by Jeremy Evans and Arlene Greer. To help ensure efficient effective review and input for all the elements, the GPAC formed subcommittees to review each of them.

The effort is broken into four primary phases, as depicted in Figure 1 below. Phase 1 (Background Analysis + Visioning) was completed late 2024 and Phase 2 (Policy Development + General Plan Amendment) is in progress but nearly complete.


*Figure 1, Phased approach of the General Plan Update.*

To get to the point of having initial drafts of the General Plan Elements available for review, City staff worked extensively with the GPAC Subcommittees, the GPAC, and the GPUSC. This started with the review of existing conditions and background analysis reports for each element. These documents are considered a "snapshot in time" to identify current condition in Newport Beach under each topical area as well as what needs to be addressed from a State requirement standpoint. Each subcommittee then worked on identifying a potential refresh for the individual elements and helped to create "ideas to support" them. These ideas were shared with the community through digital engagement on the City's website for the effort (https://www.newportbeachca.gov/gpupdate), as well as at community workshops.

Based on the feedback received, City staff alongside consultant Dudek refined the ideas shared as actual goals and accompanying policy statements in furtherance of each. The draft goals and policies were then shared with internal City staff from various departments for review prior to finalizing them as initial draft elements.

These initial drafts are now being reviewed by the individual responsible Subcommittee, as well as the full GPAC and the GPUSC prior to being shared with the City's boards, commissions, and committees for further input. After they are shared, City staff will begin to advertise the drafts for additional public input from the broader community. Ultimately, the drafts will be refined and shared back to the boards, commissions, and committees for consideration of support.

## DISCUSSION

The Land Use Element and Safety Element are required General Plan Elements. They are vital to promoting and enhancing land use and a development pattern that is both safe and efficient while upholding the excellent quality of life that has been long established in Newport Beach.

The draft Land Use Element is considered a refresh and reorganization of the currently adopted Element, with additional goals and policies attributed to the Focus Areas for housing development identified by the 6th Cycle Housing Element. These include:

- Airport Environs Area;
- West Newport Mesa;
- Dover-Westcliff;
- Newport Center; and
- Coyote Canyon.

The draft Safety Element is also considered a refresh of the current version and has been updated to comply with the latest requirements. As an important note, the draft Safety Element has been reviewed by CAL FIRE, as well as the California Board of Forestry and Fire Protection and has been reviewed and accepted pursuant to California Government Code Section 65302.5, giving clearance for its eventual adoption by the City Council.

The enclosed drafts are considered first drafts of the updated General Plan and are not fully formatted with graphics and exhibits. As referenced above, the Existing Conditions and Background Analysis Reports prepared for each element serve as contextual information that will be provided alongside the goals and policies for reference (Attachment Nos. PC 3 and PC 4).

The purpose of this item is to introduce the draft elements. City staff would like to ensure the Planning Commission is able to provide initial feedback prior to releasing them for broader public review and input. The Planning Commission may wish to provide feedback verbally at this meeting or it may consider forming an ad hoc committee to provide a more formal comment.

In early 2026, City staff will bring back final refined drafts of these Elements, as well as the remainder of the comprehensively updated General Plan for formal review by the Planning Commission to consider recommending adoption by the City Council.

Environmental Review

This action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in a physical change to the environment, directly or indirectly.

Public Notice

This matter has been noticed in accordance with the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

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Submitted by:

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**ATTACHMENTS**

PC 1 Draft Land Use Element
PC 2 Draft Safety Element
PC 3 Land Use Existing Conditions and Background Analysis Report
PC 4 Safety Existing Conditions and Background Analysis Report

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# Attachment No. PC 1

Draft Land Use Element

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# 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 (SOI). The SOI 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 County LAFCO).

The City's SOI, formerly referred to as Banning Ranch, 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. It is an important open space resource for Newport Beach. A portion was acquired by the Coastal Corridor Alliance (previously Banning Ranch Conservancy and the Trust for Public Land to create the Randall Preserve, which 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 carve out from the Randall Preserve property. This land is privately owned and is intended for the consolidation of oil operations.

# GOALS, POLICIES, AND 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 6th 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 Other Opportunities for Change**: 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 includes several maps and boundaries. The maps of the statistical areas (LU3 through LU15) show land use designations with associated densities/intensities and anomaly sites which are detailed in Table LU 2. 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 the 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 6th Cycle Housing Element. These areas include Coyote Canyon, Dover/Westcliff, Airport Environs, West Newport Mesa, and Newport Center. Although some of 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 Other 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. The development capacity limits in the Land Use Element are established by the Land Use Designations, Statistical Area maps and Anomaly Locations (collectively, the Land Use Plan), and the housing opportunities overlay.

### *Land Use Designations*

The seven primary uses are organized into the following seven 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 Location is not regulated by the Land Use Designation. Development capacity limits for Anomaly Locations 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 Location can be regulated by a combination of these limits. For example it may have a development limit of 100,000 square feet and a maximum number of 200 hotel rooms. The location of each is incorporated in the Statistical Area Maps. Refer to Figures LU# through LU# for the location of the Anomaly Locations 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 Plan. 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 extent 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 Other 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 consists of Figure LU1, and Figure LU4 through Figure LU16 together with Table LU 1 and Table LU 2. 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 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 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 , 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 for development capacity for residential development not listed in the Land Use Plan, refer to Section "Accommodating Planned Housing and Other 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, ensure the rate established by Council Policy A-18 is used (1,000 square feet per hotel room and 15 square feet per theater seat).

- 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**. Allow staff-administered ministerial updates 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 Section 423 of the City Charter. Any such update should include a clear reference to the related action.
- 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 and 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 villages and neighborhoods that together contribute to the charm and unique sense of place of the City. Newport Beach's villages, neighborhoods and districts make 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 make up 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 Designations, are broadly described as follows:

**Residential Neighborhoods:** Residential neighborhoods in Newport Beach offer distinct characteristics and amenities that vary across the city. Neighborhoods offer residents variety in architecture, access to the coast, and pristine views. The many distinct neighborhoods 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

walkability and 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, 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, beaches, 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, libraries, 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**. (Adapted from 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. Without extending the Oceanfront Boardwalk, 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, beaches, and harbor from public vantage points.
- LU-2.8: **Oil and Gas Facilities**. (Adapted from Policy LU 2.7) Prohibit the construction of new oil processing, refining, or transportation facilities, including facilities designed to transport oil from offshore tracts, with the exceptions of the City's slant drilling from onshore locations 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 different qualities that define Newport Beach's neighborhoods, villages, and districts to promote a Citywide identity that is unique to the Southern California region. Accommodate planned development in a manner that supports and contributes to the unique qualities of each neighborhood, village, and district that make up 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 review and consider updating any longstanding or newly 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, including the provision of equestrian trails and uses as described in the Santa Ana Heights Specific Plan. (Imp 3.1)
- LU-4.5: **Infrastructure Planning**. Ensure cross-departmental coordination in a manner that helps to plan for public services, facilities, and utilities upgrades for areas anticipated for new development and require new development to incorporate adequate infrastructure to the extent feasible. (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, color, 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, beaches 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 to 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 to 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, libraries, 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, act of a 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 5.2.1Establish 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 alleys through landscape, 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: **Landscape Buffers**. 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 reasonable development of new public and institutional facilities, including facilities for major healthcare providers, assuming 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 eight 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, Balboa Island, Newport Center/Fashion Island, and 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 Western Entry Corridor. The corridor-wide policies in Goal LU-12 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 Housing Element Implementation Program Environment Impact Report. The focus areas include Airport Area Environs, Coyote Canyon, Dover-Westcliff, Newport Center, and 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.

**Planning Sub-Area and Focus Area Descriptions**

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:** The Airport Area/Airport Area Environs offers an 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 Island:** Balboa Island is comprised of three manmade islands – Balboa Island, Little Balboa Island, and Collins Island – accessible by bridge, the Balboa Island Ferry, and public docks. Although it is predominantly residential, the main street, Marine Avenue, is lined with iconic retail and service uses, art galleries, and restaurants offering commercial opportunities for the local community and visitors alike. The concrete pedestrian path encircling "The Island" is one of its most known features, providing recreation and important access to the waterfront.
- **Balboa Peninsula:** The Balboa Peninsula comprises a series of districts linked by the Newport Boulevard and Balboa Boulevard commercial and residential corridors. 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 an 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 residential uses. The area presents an opportunity for thoughtful infill development and related enhancements that foster a pedestrian-friendly mixed use district while contributing to a high-quality visual image that respects its surrounding context.
- **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.

### *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, the Statistical Area maps, 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 commercia land 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: Mariner's Mile: A mixed-use corridor that reflects the Newport Bay waterfront, supports and respects residential uses, promotes pedestrian activity, 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, including infill development, 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 improvements, and other amenities that enhance the pedestrian experience consistent with the 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 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, the pre-existing number of parking spaces. (Imp 2.1)

*LU-16: West Coast Highway: A gateway corridor with connections to the Santa Ana Bike Trail and Randall Preserve, 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**.[1] (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 the 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)
- 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 Uptown Newport. (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

[1] 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.

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-areawide*

- 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-18.2: **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-183: **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-18.4: **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-18.5: **Historic Character**. (Policy LU 6.8.6) Preserve the historic character of the 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-18.6:**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-18.7: **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-18.8: **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-18.9: **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-18.10: **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-W2, FigureLU19, Sub-area E. (Imp 2.1)

*Balboa Village*

- LU-18.11: **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 designated as CV(0.75), Figure LU20 in sub-area A. (Imp. 2.1, 24.1)
- LU-18.12: **Commercial Properties**. (Policy LU 6.13.3) Promote re-use of isolated commercial properties on Balboa Boulevard for residential units. (Imp 2.1)
- LU-18.13: **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-18.14: **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: Balboa Island: A walkable, compact coastal district with residential, visitor-serving, and community-oriented uses*

- LU-19.1: **Priority Uses.** 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-W2 on Marine Avenue, and prioritize water-dependent, marine-related retail and services and visitor-serving retail on properties designated as MU-W2 on Agate Avenue.
- LU-19.2: **Streetscapes.** Support enhancements and maintenance of Balboa Island's streetscapes to enhance the area's visual quality and character as a pedestrian-oriented environment.
- LU-19.3: **Enhancing Balboa Island's Visibility and Character.** Provide incentives for owners to improve their properties without compromising the longstanding "cottage-style" development. For commercial properties, encourage uses that serve adjoining residential neighborhoods, and retain and develop marine-related uses along the harbor frontage.
- LU-19.4: **Pedestrian-Oriented Coastal District.** Protect, maintain, and enhance the waterfront walkway that surrounds Balboa Island's perimeter.

- LU-19.5: **Parking Management.** Periodically review and implement creative parking management strategies that help to alleviate congestion on Balboa Island accounting for seasonal fluctuation while supporting alternative modes of transportation, such as the Balboa Island Ferry.

### *LU-20: Newport Center/Fashion Island: A high-quality downtown that supports residents, businesses, and visitors*

- LU-20.1: **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-20.2: **Community Identity**. Foster community identity through the support of community-identifying signage and public art. (Imp 29.2)
- LU-20.3: **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-20.4: **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-20.5: **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-20.6: **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-20.7: **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-20.8: **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-20.9: **Fashion Island Parking Structure**s. (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-21: West Newport Mesa: A live/work community connected to key resources*

- LU-21.1: **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-21.2: **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-21.3: Consider opportunities to increase pedestrian connectivity across Superior Avenue. (Imp 16.3, 16.7)
- LU-21.4: **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)
- LU-21.5: **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 Focus Area Specific Policies*

### *LU-22: Coyote Canyon: A community that balances homes with the natural environment*

- LU-22.1 **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-22.2: **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-22.3: **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-22.4: **Remediation Requirements (F.A.).** Require developers to submit detailed remediation plans, outlining cleanup methods and monitoring protocols. (Imp 8.2)
- LU-22.5: **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-22.6: **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-22.7: **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-22.8: **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-23 Dover/Westcliff: A mixed-use community connected to Citywide resources*

- LU-23.1: **Priority Uses (F.A.)**. Encourage mixed-use buildings that integrate residential with commercial or office uses on the ground floor. (Imp 2.1)
- LU 23.2**: Pedestrian Connectivity (F.A.)**. Identify enhancements for pedestrian access to nearby amenities such as Castaways Park, future development on Lower Castaways Park, and the Bay. (Imp 16.11, 20.1, 23.2)
- LU-23.3: **Shared Parking (F.A.).** Consider shared parking and park-once strategies to enhance the pedestrian experience and efficiently utilize land. (Imp 16.10)
- LU-23.4: **Pedestrian Safety (F.A.).** Require adequate and visible pedestrian access through all surface parking lots and parking structures. (Imp 2.1)
- LU-23.5**: Pedestrian Access (F.A.)**. Consider enhanced pedestrian access along Dover Drive between Westcliff Drive and Cliff Drive. (Imp 16.11, 20.1)
- LU-23.6: **Family-Oriented Uses.** Support and encourage a mix of uses that help meet the needs of families, including educational opportunities like the Environmental Nature Center, daycares, parks, and other similar uses. (Imp 2.1)



## 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 to consider existing and potential challenges that may occur and that have the potential to raise environmental justice issues.

*LU-24: Infrastructure that supports new development, maintains and improves existing development, and is adaptable to new technologies*

- LU-24.1: **Land Use Changes**. Coordinate with all involved City departments to plan capital improvements to support land use changes. (Imp 1.1, 14.16)
- LU-24.2: **Priority Projects.** Prioritize planned development for infrastructure improvements in the capital improvement program (CIP) process. (Imp 1.1)
- LU-24.3: **Infrastructure Coordination**. Require robust coordination with public utilities to provide necessary infrastructure for new development. (Imp 1.1, 14.16)

- LU-24.4: **Consistency with Plans**. Ensure the CIP is consistent with the General Plan, applicable specific plans, and other similar regulatory plans through interdepartmental coordination.

*LU-25: A prompt and efficient system for development permit processing*

- LU-25.1: **Permit Processing Review**. Conduct an assessment of the development permit processing system to identify barriers to efficient processing and potential improvements. (Imp 8.1, 10.2)
- LU-25.2: **Performance Metrics**. Develop performance metrics for development permit processing. (Imp 8.2, 9.1)
- LU-25.3: **City Resources**. Identify resources to increase City staff's capacity to process development permits. (Imp 30.1)
- LU-25.4: **Supporting New Development**. Conduct robust intra- and inter- departmental coordination to provide necessary infrastructure for new development. (Imp 1.1, 14.16)

*LU-26: Efficient use of land to create livable neighborhoods and support economic development*

- LU-26.1: **Economic Assessment**. Conduct an economic assessment of converting vacant office space for other uses. (Imp 24.1)
- LU-26.2: **Adaptive Reuse Incentives**. Develop incentives to encourage adaptive reuse of underutilized buildings. (Imp 2.1)
- LU-26.3: **Curbside Parking.** Evaluate the pricing of curbside, metered parking to determine if prices ensure adequate parking space availability. (Imp 8.2, 16.10)
- LU-26.4: **Parking Study**. Assess the economic impact of parking standards on new development. (Imp 16.10)
- LU-26.5: **Flexible Parking Types**. Identify and establish creative solutions and flexible standards such as shared parking to address parking challenges. (Imp 8.2)
- LU-26.6: **Managing Public Parking Supply**. Periodically review best practices related to parking management and consider the use of new and emerging technology that will assist the City in managing the existing public parking supply, especially in higher-demand areas with seasonal fluctuations, such as the Balboa Peninsula.
- LU-26.7: **Increasing Access**. Consider opportunities to expand the Balboa Peninsula Trolley to other areas throughout Newport Beach to provide access to other parts of the city through micro-transit. (Imp 24.1)
- LU-26.8: **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-27: A city with healthy communities for all*

- LU-27.1: **Bicycle Plan Implementation**. Implement the recommendations of the 2014 Bicycle Master Plan to enhance connectivity and reduce air pollution from transportation sources and expand upon these recommendations to address emerging needs such as electric bicycles. (Imp 14.4, 16.11, 20.1)
- LU-27.2: **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-27.3: **Minimize Land Use Conflicts with Surrounding Cities**. Coordinate with surrounding cities and the County on land use planning to identify opportunities to reduce and minimize existing or potential land use conflicts that may cause a pollution burden, including that resulting from water run-off, in Newport Beach. (Imp 14.1)
- LU-27.4: **Building Code**. Enforce building code standards in new construction that provide for healthier indoor air quality. (Imp 26.1)
- LU-27.5: **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-27.6: **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 that was carved out from, and is not part of, the Randall Preserve property acquired by the Coastal Corridor Alliance (previously Banning Ranch Conservancy) and the Trust for Public Land. The Remainder is privately owned and is intended for the consolidation of oil operations. For more information about the SOI, see Appendix X (Land Use Existing Conditions and Background Analysis). Notably, any changes to the City's SOI must involve and be coordinated through the Local Area Formation Commission (LAFCO) of Orange County.

**John Wayne Airport:** The City 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 parially 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 City has not yet updated their LCP to incorporate Newport Coast and this area is still under the County of Orange's permitting authority. The LCP acts in tandem with the adopted Land Use Element, which provides specific densities and number of permitted units for select parcels.

### *LU-28: A City with mutually beneficial land use conservation and development*

- LU-28.1: **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-28.2: **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-28.3: **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-28.4: **Development within 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-28.5: **Regulatory Plans**. (Policy LU 6.4.11) Require the preparation of a master development or specific plan for any development on the Randall Preserve 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-28.6: **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-28.7: **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-28.8: **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-28.9: **Coordination with County of Orange.** Coordination with the California Coastal Commission and the County of Orange to update the Newport Beach LCP and incorporate Newport Coast to obtain permitting authority throughout Newport Beach.

*LU-29: Sphere of Influence: A regional natural resource that is preserved for future generations*

- LU-29.1**: Primary Use**. (Policy LU 6.3.1) Encourage open space, including significant active and passive community parklands and public access that serve adjoining residential neighborhoods. (Imp 2.1, 23.1, 23.5, 30.2)
- LU-29.2: **Habitat and Wetlands**. (Policy LU 6.5.3) Encourage the restoration and enhancement of wetlands and wildlife habitats, in accordance with the requirements of state and federal agencies. (Imp 3.1, 4.1, 14.7, 14.11)
- LU-29.3: **Relationship of Development to Environmental Resources**. (Policy LU 6.5.4) Encourage development that is located and designed to preserve and/or mitigate for the loss of wetlands and drainage course habitat. Encourage a linear park to provide public views of the ocean, wetlands, and surrounding open spaces and exterior lighting that is located and designed to minimize light trespass from developed areas onto the bluffs, riparian habitat, arroyos, and lowland habitat areas. Development along its eastern property line shall be contiguous and compatible so as to preserve the connectivity of wildlife corridors and set back from the bluff faces.. (Imp 3.1, 4.1)
- LU-29.4: **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-29.5: **Expansion of the City's Sphere of Influence**. Assess opportunities to revise the City's Sphere of Influence (SOI) and, where appropriate, coordinate with the Local Agency Formation Commission (LAFCO) of Orange County. This may include assessment of the SOI to consider the removal of the Randall Preserve or the addition of the Santa Ana Country Club[2].



[2] The Santa Ana Country Club (SACC), located off Santa Ana Avenue, is an approximately 125-acre private golf facility in the Santa Ana Heights (Baywood Heights) area of the City. Founded in 1901, SACC was at one time located on the Upper Castaways site. SACC is currently within unincorporated Orange County and within the City of Costa Mesa's Sphere of Influence.

## Table LU 1. Land Use Designations

| Land Use Category | Uses | Density/Intensity |
|---|---|---|
| Residential Neighborhoods | | |
| Single Unit Residential<br>Detached (RS-D) | The RS-D category applies to a range of detached single- family residential dwelling units on a single legal lot and does not include condominiums or cooperative housing. | Not applicable |
| Single Unit Residential<br>Attached (RS-A) | The RS-A category applies to a range of attached single-unit residential dwelling units on a single legal lot and does not include condominiums or cooperative housing. | Not applicable |
| Two Unit Residential (RT) | The RT category applies to a range of two-unit residential dwelling units such as duplexes and townhomes. | Not applicable |
| Multiple Residential (RM) | The RM designation is intended to provide primarily for multi-unit residential development containing attached or detached dwelling units. | Units per acre or cumulative amount of development as specified on the Land Use Figures |
| Multiple Residential<br>Detached (RM-D) | The RM-D designation is intended to provide primarily for multi-unit residential development exclusively containing detached dwelling units. | Units per acre or cumulative amount of development as specified on the Land Use Figures |
| Commercial Districts and Corridors | | |
| Neighborhood Commercial (CN) | The CN designation is intended to provide for a limited range of retail and service uses developed in one or more distinct centers oriented to primarily serve the needs of and maintain compatibility with residential uses in the immediate area. | Floor area to land area ratio or cumulative development indicated on Land Use Plan. |

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| Corridor Commercial (CC) | The CC designation is intended to provide a range of neighborhood-serving retail and service uses along street frontages that are located and designed to foster pedestrian activity. | Floor to land area ratio or cumulative development indicated on Land Use Plan. |
| General Commercial (CG) | The CG designation is intended to provide for a wide variety of commercial activities oriented primarily to serve citywide or regional needs. | Floor area to land area ratio or cumulative development indicated on Land Use Plan. |
| Recreational and Marine Commercial (CM) | The CM designation is intended to provide for commercial development on or near the bay in a manner that will encourage the continuation of coastal-dependent and coastal-related uses, maintain the marine theme and character, encourage mutually supportive businesses, encourage visitor-serving and recreational uses, and encourage physical and visual access to the bay on waterfront commercial and industrial building sites on or near the bay. | Floor area to land area ratio or cumulative development indicated on Land Use Plan. |
| Visitor Serving Commercial (CV) | The CV designation is intended to provide for accommodations, goods, and services intended to primarily serve visitors to the City of Newport Beach. | Floor area to land area ratio or cumulative development indicated on Land Use Plan. |
| Visitor Serving Commercial<br>Lido Village (CV-LV) | The CV-LV category is intended to allow for a range of accommodations (e.g. hotels, motels, hostels), goods, and services intended to primarily serve visitors to the City of Newport Beach. Limited Use Overnight Visitor Accommodations and residences are not allowed | |
| Regional Commercial (CR) | The CR designation is intended to provide retail, entertainment, service, and supporting uses that serve local and regional residents. Typically, these are integrated into a multi-tenant development | |

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| | that contains one or more “anchor” uses to attract customers.<br><br>Automobile sales, repair, and service facilities, professional offices, single-destination, and other highway-oriented uses are not permitted. | |
| Commercial Office Districts | | |
| General Commercial Office (CO-G) | The CO-G designation is intended to provide for administrative, professional, and medical offices with limited accessory retail and service uses. Hotels, motels, and convalescent hospitals are not permitted. | Floor area to land area ratio or cumulative development indicated on Land Use Plan. |
| Medical Commercial Office (CO-M) | The CO-M designation is intended to provide primarily for medical-related offices, other professional offices, retail, short-term convalescent and long-term care facilities, research labs, and similar uses. | Floor area to land area ratio of 0.75, except as specified on the Land Use Plan. |
| Regional Commercial Office (CO-R) | The CO-R designation is intended to provide for administrative and professional offices that serve local and regional markets, with limited accessory retail, financial, service, and entertainment uses. | As specified by Table LU2 |
| Industrial Districts | | |
| General Industrial (IG) | The IG designation is intended to provide for a wide range of moderate to low intensity industrial uses, such as light manufacturing and research and development, and limited ancillary commercial and office uses. | Floor area to land area ratio of 0.75, except as specified on the Land Use Plan. |
| Airport Supporting Districts | | |
| Airport Office and Supporting Uses (AO) | The AO designation is intended to provide for the development of properties adjoining the John Wayne Airport for uses that support or benefit from airport operations. These may include professional offices, | Floor area to land area ratio of 0.5, except for warehousing which may be |

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| | aviation retail, automobile rental, sales, and service, hotels, and ancillary retail, restaurant, and service uses. | developed at a floor area to land ratio of 0.75. |
| Mixed-Use Districts | | |
| Mixed Use Vertical (MU-V) | The MU-V designation is intended to provide for the development of properties for mixed-use structures that vertically integrate housing with retail uses including retail, office, restaurant, and similar nonresidential uses. For mixed-use structures, commercial uses characterized by noise, vibration, odors, or other activities that would adversely impact on-site residential units are prohibited. Sites may also be developed exclusively for retail or office uses in accordance with the CN, CC, CG, or CO-G designations. | **Mixed-Use buildings:** floor area to land ratio of 1.5; where a minimum floor area to land ratio of 0.35 and maximum of 0.5 shall be used for nonresidential purposes and a maximum of 1.0 for residential.<br><br>**Nonresidential buildings:** floor area to land area ratio of 0.75. |
| Mixed Use Horizontal (MU-H) | The MU-H designation is intended to provide for the development of areas for a horizontally distributed mix of uses, which may include general or neighborhood commercial, commercial offices, multi-family residential, visitor-serving and marine-related uses, and/or buildings that vertically integrate residential with commercial uses. | |
| Mixed-Use Horizontal 1 (MU-H1) | The MU-H1 designation provides for a horizontal intermixing of uses.<br><br>For properties located on the inland side of Coast Highway in the Mariners' Mile Corridor, (a) the Coast Highway frontages shall be developed for marine-related and highway-oriented general commercial uses in accordance with CM and CG designations; and<br><br>(b) portions of properties to the rear of the commercial frontage may be developed for | **Commercial or Office only:** floor area to land ratio of 0.5. Multi-Family Residential only:<br><br>20.1–26.7 units per acre.<br><br>**Mixed-Use Buildings:** floor area to land ratio of 1.5; where a minimum floor area to land ratio of 0.25 and maximum of 0.5 shall be used for |

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| | free-standing neighborhood-serving retail, multi-family residential units, or mixed-use buildings that integrate residential with retail uses on the ground floor in accordance with the CN, RM , CV, or MU-V designations respectively.<br><br>Properties located in the Dover Drive/Westcliff Drive area may also be developed for professional offices or mixed-use buildings that integrate residential with retail or office uses on the ground floor in accordance with the CO and MU-V designations respectively. | nonresidential purposes and a maximum of 1.0 for residential. |
| Mixed-Use Horizontal 2 (MU-H2) | The MU-H2 designation applies to properties located in the Airport Area. It provides for a horizontal intermixing of uses that may include regional commercial office, multi- family residential, vertical mixed-use buildings, industrial, hotel rooms, and ancillary neighborhood commercial uses | **Residential:** maximum of 2,200 units as replacement of existing office, retail, and/or industrial uses at a maximum density of 50 units per adjusted gross acre, of which a maximum of 550 units may be developed as infill.[1]<br><br>**Nonresidential Uses:** as defined by Table LU2 |
| Mixed-Use Horizontal 3 (MU-H3) | The MU-H3 designation applies to properties located in Newport Center. It provides for the horizontal intermixing of regional commercial office, hotel, multi-unit residential and ancillary commercial uses. Within the Tennis and Pickleball Club, residential uses may be developed as single- unit units. | **Residential:** maximum of 540 units<br><br>**Hotel:** 65 rooms in addition to those specified in Table LU2[1]<br><br>**Other: Nonresidential:** As<br><br>specified by Table LU2 |
| Mixed-Use Horizontal 4 (MU-H4) | The MU-H4 designation applies to properties where it is the intent to establish the character of a distinct and cohesively developed district or neighborhood | **Mixed-Use Buildings:** floor area to land area ratio of 1.5, where a minimum floor area to land area ratio |

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| | containing multi-unit residential with clusters of mixed-use and/or commercial buildings in such locations as the interior parcels of Cannery Village and 15th Street on Balboa Peninsula. Permitted uses include (a) Multi-Unit Residential, (b) General or Neighborhood Commercial, and/or (c) Mixed-Use structures, where the ground floor shall be restricted to nonresidential uses along the street frontage such as retail sales and restaurants and the rear and upper floors used for residential including seniors units and overnight accommodations (comparable to<br><br>MU-V). Mixed-use or commercial buildings shall be required on parcels at street intersections and are permissible, but not required, on other parcels. | of 0.25 and maximum 0.5 shall be used for retail uses and maximum of 1.0 for residential.<br><br>**Commercial only:** floor area to land area ratio of 0.5.<br><br>**Multi-Unit Residential only:** 20.1–26.7 units per net acre. |
| Mixed-Use Water Related (MU-W) | The MU-W designation is intended to provide for commercial development on or near the bay in a manner that will encourage the continuation of coastal-dependent and coastal-related uses in accordance with the Recreational and Marine Commercial (CM) designation, as well as allow for the integrated development of residential. | |
| Mixed-Use Water 1<br><br>(MU-W1) | The MU-W1 designation is applied to waterfront locations along the Mariners' Mile Corridor in which marine- related, visitor-serving, commercial and residential uses are intermixed with buildings that provide residential uses above the ground floor. Permitted uses include those permitted by the CM, CV, Multi-Unit Residential (RM), and Vertical Mixed-Use (MU-V) designations. A minimum of 50% of the permitted square footage shall be used | **Mixed-Use Buildings:** floor area to land ratio of 1.25; where a minimum floor area to land ratio of 0.35 and maximum of 0.5 shall be used for nonresidential purposes and the number of residential units shall not exceed the cumulative total for Multi- Unit |

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| | for the CM or CV land uses. No more than 50% of the waterfront area between the Arches Bridge and the Boy Scout Sea Base may be developed with mixed-use structures. A master or specific plan shall be required to ensure that the uses are fully integrated and impacts from their differing functions and activities are fully mitigated. | Residential specified below.<br><br>**Commercial only:** floor area to land area ratio of 0.5.<br><br>**Multi-Unit Residential only:** 12 units per acre, with the number of units calculated based on a maximum of 50% of the property. |
| Mixed-Use Water 2<br><br>(MU-W2) | The MU-W2 designation is applied to waterfront locations in which marine-related uses may be intermixed with buildings that provide residential on the upper floors.<br><br>Permitted uses include those permitted by the CM, CV, and MU-V designations. Free-standing residential shall not be permitted. | **Mixed-Use Buildings:** floor area to land ratio of 1.25; where a minimum floor area to land ratio of 0.35 and maximum of 0.5 shall be used for nonresidential purposes and maximum of 0.75 for residential.<br><br>In Lido Marina Village, the maximum floor area to land ratio shall be 1.5; where a minimum floor area to land ratio of 0.35 and maximum of 0.7 shall be used for nonresidential purposes and a maximum of 0.8 for residential.<br><br>**Nonresidential buildings:** floor area to land area ratio of 0.5 |
| Public, Semi-Public, and Institutional | | |
| Public Facilities (PF) | The PF designation is intended to provide public facilities, including public schools, cultural institutions, government facilities, | Not applicable. |

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| | libraries, community centers, public hospitals, and public utilities. | |
| Private Institutions (PI) | The PI designation is intended to provide for privately owned facilities that serve the public, including places for religious assembly, private schools, health care, cultural institutions, museums, yacht clubs, congregate homes, and comparable facilities. | Floor to land area ratio or cumulative development indicated on Land Use Plan. |
| Open Space (OS) | The OS designation is intended to provide areas for a range of public and private uses to protect, maintain, and enhance the community's natural resources. | Open spaces may include incidental buildings, such as maintenance equipment and supply storage, which are not traditionally included in determining intensity limits |
| Open Space/Residential Village | The OS(RV) designation is intended for the preservation of Banning Ranch (most of which is now referred to as the "Randall Preserve") as open space, restoration of wetlands and other habitats, development of a community park, and consolidation of oil extraction and processing facilities.<br><br>The designation permits the development of a planned residential community that integrates a mix of single-family detached, single-family attached, two family, and/or multi-family residential, with supporting schools, parks, community services, local-serving convenience commercial uses and services, and open spaces. A master or specific plan is required to depict the uses, street and infrastructure improvements, open spaces, development standards, design guidelines, and financial plan. | **Priority:** Open spaces, habitat restoration, and parks.<br><br>Alternative: Maximum of 1,375 residential units, 75,000 sf of retail commercial, and 75 hotel rooms.[1] |

| | | |
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| Parks and Recreation (PR) | The PR designation applies to land used or proposed for active public or private recreational use. Permitted uses include parks (both active and passive), golf courses, marina support facilities, aquatic facilities, tennis clubs and courts, private recreation, and similar facilities. | Not applicable for public uses. Private uses in this category may include incidental buildings, such<br>as maintenance equipment<br>sheds, supply storage, and restrooms, not included in determining intensity limits.<br>For golf courses, these uses may also include support facilities for grounds maintenance employees.<br>Other types of buildings and developments are limited as specified in Table LU2. |
| Tidelands and Submerged Lands (TS) | The TS designation is intended to address the use, management, and protection of tidelands and submerged lands of Newport Bay and the Pacific Ocean immediately adjacent to the City of Newport Beach. The designation is generally not applied to historic tidelands and submerged lands that are presently filled or reclaimed. | Not applicable. |
| Notes:<br>[1] Development capacity limits are carried over from the 2006 Land Use Element update. The units identified are not newly assigned.<br>• Calculation of floor area shall not include parking structures. | | |

## Table LU 2. Anomaly Locations

| Anomaly Number | Statistical Area | Land Use Designation | Development Limit (sf) | Development Limit (Other) | Additional Information |
|---|---|---|---|---|---|
| 1 | L4 | MU-H2 | 460,095 | 471 Hotel Rooms (not included in total square footage) | |
| 2 | L4 | MU-H2 | 1,052,880 | | |
| 2.1 | L4 | MU-H2 | 18,810 | | 11,544 sf restricted to general office use only (included in total square footage) |
| 3 | L4 | CO-G | 734,641 | | |
| 4 | L4 | MU-H2 | 250,176 | | |
| 5 | L4 | MU-H2 | 32,500 | | |
| 6 | L4 | MU-H2 | 46,044 | | |
| 7 | L4 | MU-H2 | 81,372 | | |
| 8 | L4 | MU-H2 | 442,775 | | |
| 9 | L4 | CG | 120,000 | 164 Hotel Rooms (included in total square footage) | |
| 10 | L4 | MU-H2 | 31,362 | 349 Hotel Rooms (not included in total square footage) | |
| 11 | L4 | CG | 11,950 | | |
| 12 | L4 | MU-H2 | 457,880 | | |
| 13 | L4 | CO-G | 288,264 | | |
| 14 | L4 | CO-G/MU-H2 | 860,884 | | |
| 15 | L4 | MU-H2 | 228,214 | | |
| 16 | L4 | CO-G | 344,231 | | |

| Anomaly Number | Statistical Area | Land Use Designation | Development Limit (sf) | Development Limit (Other) | Additional Information |
|---|---|---|---|---|---|
| 17 | L4 | MU-H2 | 33,292 | 304 Hotel Rooms (not included in total square footage) | |
| 18 | L4 | CG | 225,280 | | |
| 19 | L4 | CG | 228,530 | | |
| 21 | J6 | CO-G | 687,000 | | Office: 660,000 sf; Retail: 27,000 sf |
| | | CV | | 300 Hotel Rooms | |
| 22 | J6 | PI | 85,000 | | Residential Care Facility for the Elderly (RCFE) |
| 23 | K2 | PR | 15,000 | | |
| 24 | L3 | IG | 89,624 | | |
| 25 | L3 | PI | 84,585 | | |
| 26 | L3 | IG | 33,940 | | |
| 27 | L3 | IG | 86,000 | | |
| 28 | L3 | IG | 110,600 | | |
| 29 | L3 | CG | 47,500 | | |
| 30 | M6 | CG | 54,000 | | |
| 31 | L2 | PR | 75,000 | | |
| 32 | L2 | PI | 34,000 | | |
| 33 | M3 | PI | 163,680 | | Administrative Office and Support Facilitates: 30,000 sf<br>Community Mausoleum and Garden Crypts: 121,680 sf<br>Family Mausoleums: 12,000 sf |

| Anomaly Number | Statistical Area | Land Use Designation | Development Limit (sf) | Development Limit (Other) | Additional Information |
|---|---|---|---|---|---|
| 34 | L1 | CO-R | 484,348 | | |
| 35 | L1 | CO-R | 197,010 | | |
| 36 | L1 | CO-R | 227,797 | | |
| 37 | L1 | CO-R | 131,201 | 2,050 Theater Seats (not included in total square footage) | |
| 38 | L1 | CO-M | 443,627 | | |
| 39 | L1 | MU-H3 | 408,084 | | |
| 40 | L1 | MU-H3 | 1,426,634 | 425 Hotel Rooms (included in total Square Footage) | |
| 41 | L1 | CO-R | 327,671 | | |
| 42 | L1 | CO-R | 286,166 | | |
| 43 | L1 | CV | | 611 Hotel Rooms | |
| 44 | L1 | CR | 1,619,525 | 1,700 Theater Seats (not included in total square footage) | |
| 45 | L1 | CO-G | 162,364 | | |
| 46 | L1 | MU-H3/PR | 3,725 | 24 Tennis Courts | Residential permitted in accordance with MU-H3. |
| 47 | L1 | CG | 105,000 | | |
| 48 | L1 | MU-H3 | 337,261 | | |
| 49 | L1 | MU-H3 | 16,000 | 90 Dwelling Units | |
| 50 | L1 | CG | 25,000 | | |
| 51 | K1 | PR | 20,000 | | |
| 52 | K1 | CV | | 479 Hotel Rooms | |
| 53 | K1 | PR | 567,500 | | See Settlement Agreement |

| Anomaly Number | Statistical Area | Land Use Designation | Development Limit (sf) | Development Limit (Other) | Additional Information |
|---|---|---|---|---|---|
| 54 | J1 | CM | 2,000 | | |
| 55 | H3 | PI | 119,440 | | |
| 56 | A3 | PI | 1,343,238 | 990,349 sf Upper Campus; 577,889 sf Lower Campus | In no event shall the total combined gross floor area of both campuses exceed the development limit of 1,343,238 sq. ft. |
| 57 | Intentionally Blank | | | | |
| 58 | J5 | PR | 20,000 | | |
| 59 | H4 | MU-W1 | 247,402 | 144 Dwelling Units (included in total square footage) | |
| 60 | N | CV | *3,035,000 | 2,150 Hotel Rooms (2,960,000 square feet for hotel rooms and related commercial uses identified in Newport Coast LCP) 75,000 square feet for Day Use Commercial | Newport Coast LCP Planning Area 13 **Correction per Planning Commission Resolution 2030 adopted October 6, 2016* |
| 61 | N | CV | 125,000 | | Newport Coast LCP Planning Areas 3B and 14 |
| 62 | L2 | CG | 2,300 | | |
| 63 | G1 | CN | 66,000 | | |
| 64 | M3 | CN | 74,000 | | |
| 65 | M5 | CN | 80,000 | | |
| 66 | J2 | CN | 138,500 | | |
| 67 | D2 | PI | 25,000 | | |
| 68 | L3 | PI | 71,150 | | |
| 69 | K2 | CN | 75,000 | | |

| Anomaly Number | Statistical Area | Land Use Designation | Development Limit (sf) | Development Limit (Other) | Additional Information |
|---|---|---|---|---|---|
| 70 | D2 | RM-D | | | Parking Structure for Bay Island (No Residential Units) |
| 71 | L1 | CO-G | 11,630 | | |
| 72 | L1 | CO-G | 8,000 | | |
| 73 | A3 | CO-M | 350,000 | | |
| 74 | L1 | PR | 56,000 | | |
| 75 | L1 | PF | | | City Hall, and the administrative offices of the City of Newport Beach, and related parking, pursuant to Section 425 of the City Charter. |
| 76 | H1 | CO-G | | 0.5 FAR | 1.0 FAR permitted, provided all four legal lots are consolidated into one parcel to provide unified site design |
| 77 | H4 | CV | 240,000 | 157 Hotel Rooms (included in total square footage) | |
| 78 | B5 | CM | 139,840 | | |
| 79 | H4 | CG | | 0.3/0.5 | Development limit of 19,905 sq. ft. permitted, provided all six legal lots are consolidated into one parcel to provide unified site design |
| 80 | K1 | MU-W2 | Nonresidential Development 131,290 | 49 Residential Units | For mixed-use development, residential floor area shall not exceed a 1:1 |

| Anomaly Number | Statistical Area | Land Use Designation | Development Limit (sf) | Development Limit (Other) | Additional Information |
|---|---|---|---|---|---|
| | | | | | ratio to nonresidential floor area |
| 81 | K1 | RM | | 296 Residential Units | |
| 82 | L1 | RM | | 28 Dwelling Units | |
| 83 | Reserved | | | | |
| 84 | Reserved | | | | |
| 85 | B5 | CV-LV | 118,573 sf of hotel | | Accessory commercial floor area is allowed in conjunction with a hotel and it is included within the hotel development limit. Municipal facilities are not restricted or included in any development limit. |
| 86 | L4 | MU-H2 | Nonresidential Development 297,572 | 329 dwelling units | |

## Table LU 3. Housing Opportunities Overlay

| Focus Area[1] | Density/Intensity | Development Capacity | Additional Information |
|---|---|---|---|
| Airport Environs | 20 to 50 dwelling units per gross acre | 2,577 total dwelling units | |
| West Newport Mesa | 20 to 50 dwelling units per gross acre | 1,107 total dwelling units | |
| Newport Center | 20 to 50 dwelling units per gross acre | 2,439 total dwelling units | |
| Dover/Westcliff | 20 to 50 dwelling units per gross acre | 521 total dwelling units | |
| Coyote Canyon | 20 to 60 dwelling units per gross acre | 1,530 total dwelling units | |

Notes:

[1] For the extent of the focus area boundaries refer to Figures 3-3 through 3-7 of the Program Environmental Impact Report, Project Description. of the Housing Element.

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SOURCE: California Geological Survey 2024; City of Newport Beach; SCAG 2024;

DUDEK

0 2,000 4,000 Feet

**LU-1**

Planning Area and Sphere of Influence

City of Newport Beach General Plan Update

- City of Newport Beach Boundary

**Land Use Designation Class**

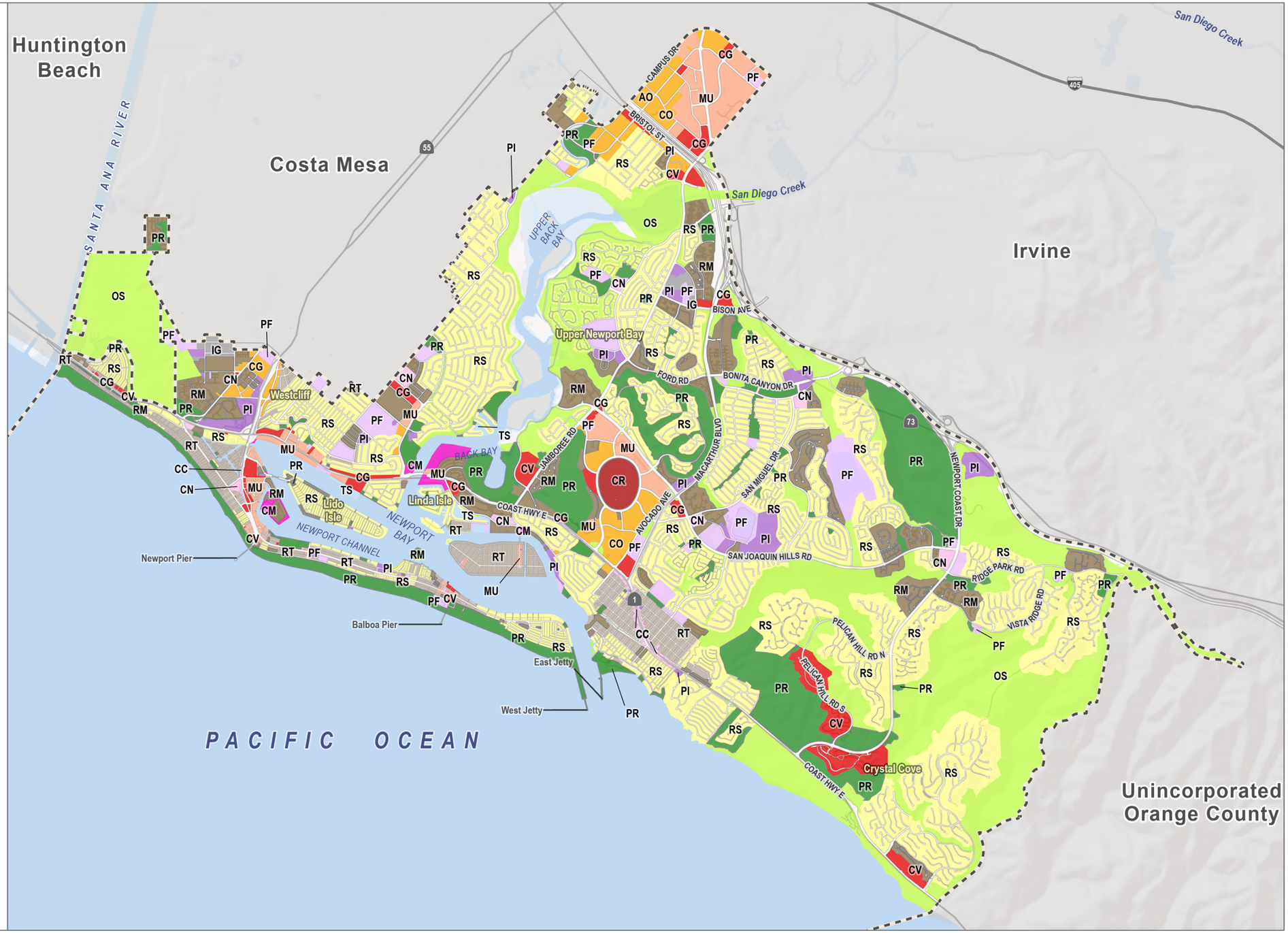
- Airport Office and Supporting Uses (AO)
- Mixed-Use (MU)
- Private Institutions (PI)
- Public Facilities (PF)
- General Industrial (IG)
- Open Space (OS)
- Parks and Recreation (PR)
- Tidelands and Submerged Lands (TS)

**Residential**

- Single Unit Residential Attached (RS)
- Two Unit Residential (RT)
- Multiple-Unit Residential (RM)

**Commercial**

- Corridor/Neighborhood Commercial (CC/CN)
- Recreational and Marine Commercial (CM)
- Commercial Office (CO)
- General Commercial (CG); Visitor Serving Commercial (CV)
- Regional Commercial (CR)




SOURCE: City of Newport Beach 2024;

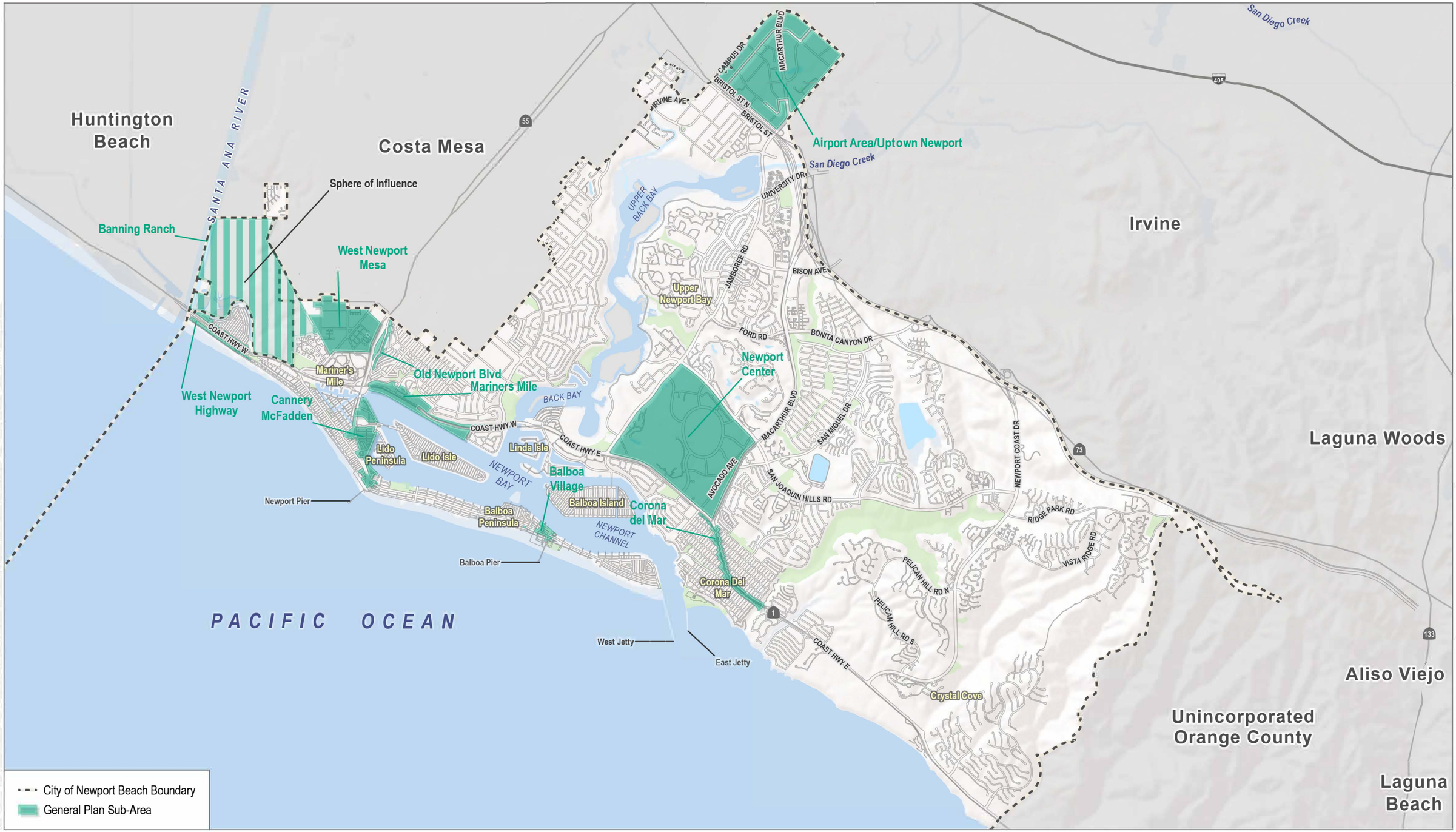
DUDEK

0 2,000 4,000 Feet

**LU-2**

General Plan Land Use Overview

City of Newport Beach General Plan Update




SOURCE: California Geological Survey 2024; City of Newport Beach; SCAG 2024;

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**LU-17**

## Planning Sub-Areas

City of Newport Beach General Plan Update

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# Attachment No. PC 2

Draft Safety Element

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# Safety Element

## PURPOSE

The purpose of the Safety Element is to identify, adapt, reduce, prepare for, respond to, and recover from the potential risk and occurrences of natural and human-made hazards.

## OVERVIEW

The purpose of the Safety Element is to identify, adapt, reduce, prepare for, respond to, and recover from the potential risk and occurrences of natural and human-made hazards.

It describes the potential for natural and human-caused hazards in Newport Beach and the potential short- and long-term risk to human life and property, as well as the economic and social consequences of those hazards. Hazards evaluated to inform the update to the Safety Element include coastal hazards, seismic and geologic hazards, flooding, fire, hazardous materials, aviation hazards, and extreme heat. This section also provides goals and policies that can help the City of Newport Beach (City) adapt to and prepare for hazards, improving the community's resilience and overall safety.

### Local Hazard Mitigation Plan

The City's Local Hazard Mitigation Plan works in tandem with this Safety Element to assess and address hazards. Local Hazard Mitigation Plans must meet certain Federal requirements, whereas Safety Elements follow State requirements. Both plans include policies and actions for the City to undertake, which means that consistency across plans is important. As allowed by California Government Code Section 65302.6, this Safety Element adopts the Local Hazard Mitigation Plan and all future updates by reference; the Local Hazard Mitigation Plan can be found on the City's website here: https://www.newportbeachca.gov/how-do-i/find/disaster-preparedness-information

# VULNERABLE POPULATIONS

Safety Elements must consider subsets of the population that may be particularly vulnerable to hazards. This section assesses vulnerable populations as it relates to each hazard addressed in this Safety Element and compares the local and regional proportion of vulnerable populations to the statewide averages to contextualize the City's vulnerability relative to the region and the State. Table 1 provides the local and regional share of health indicators as based on vulnerable subpopulations. How vulnerability applies to each hazard is described within this section.

**Table 1. Populations Vulnerable to Hazards**

| Vulnerable Population Health Indicators | Location | |
|---|---|---|
| | Newport Beach | Orange County |
| Disability | 3.6% | 5.3% |
| Older Adults[1] | 23.6% | 16.4% |
| Young Children[2] | 3.9% | 5.9% |
| Uninsured Adults[3,4] | 4.4% | 10.7% |
| Households without Car Access | 4.0% | 4.4% |
| Limited Car Access | 4.0% | 4.4% |
| Renter - Severe Housing Cost Burden[5] | 22.2% | 26.9% |
| Homeowner - Severe Housing Cost Burden[6] | 13.1% | 11.4% |
| Limited English Speaking[7] | 3.5% | 19.3% |
| Asthma | 8.1% | 8.3% |
| Outdoor Workers | 4.6% | 6.2% |

**Source:** Public Health Alliance. 2022. "The California Healthy Places Index." https://map.healthyplacesindex.org/.
**Legend:** Quartile 1 = Good, Quartile 2 = Moderate, Quartile 3 = Poor, Quartile 4 = Challenged
**Note:** The table is colored to indicate how the City of Newport Beach and Orange County compare to other California cities and counties on average, not to indicate that certain traits are overall "good" or "bad."

1 People aged 65 and over.
2 People aged 5 and under.
3 Percent of adults aged 18 to 64 without health insurance
4 Pregnant and nursing women are not included in the table due to lack of data.
5 Renters who pay more than 50% of their income toward housing costs.
6 Homeowners who pay more than 50% of their income toward housing costs.
7 Percent of people aged 5 and older who speak English less than very well.

### Coastal Hazards

Vulnerability to coastal hazards, including coastal flooding, rogue waves, tsunamis, and slower-moving hazards such as cliff erosion, is primarily a function of proximity to the coast. However, other factors like difficulty evacuating and challenges rebuilding after damage from flooding means that people with disabilities, older adults, households without cars, people with limited English proficiency, renters, and people who are housing-cost burdened are also vulnerable to coastal hazards. **Table 1** illustrates the percentages of these vulnerable populations in Newport Beach relative to Orange County as a whole.

### Geologic and Seismic Hazards

Vulnerability to geologic and seismic hazards depends on location. Buildings located in areas with heightened risk of earthquake, landslide, liquefaction, or other geologic and seismic events, and people living in such areas, are naturally more susceptible to damage and heightened risk of injury or loss of life. Furthermore, certain groups may have more difficulty recovering after a major seismic or geologic event or have more difficulty accessing information about emergencies. These groups include low-income households, especially renters; people over the age of 65; people with disabilities; and those who have limited English proficiency. **Table 1** outlines the percentages of these populations in Newport Beach relative to Orange County as a whole.

### Flooding Hazards

Flooding impacts can be exacerbated due to difficulty evacuating or challenges with recovery after a flood. Older adults or people with disabilities may have limited access to transportation options, increasing their reliance on transportation agencies or others during an evacuation. Low-income or housing-cost-burdened households, particularly renters without rental insurance, can face greater challenges recovering from flooding events and may face greater risk of displacement if their residence is damaged by floodwaters. **Table 1** outlines the percentage of these populations in Newport Beach relative to Orange County as a whole.

### Fire Hazards

Vulnerability to wildfire is exacerbated for those who have difficulty evacuating, are sensitive to smoke, or face recovery challenges. This group includes people over 65; those with disabilities, limited car access, and respiratory conditions like asthma; low-income households; and young children. In Newport Beach, older adults and severely cost-burdened homeowners and renters are particularly at risk. **Table 1** outlines the percentages of these populations in Newport Beach relative to Orange County as a whole.

### Hazardous Materials Management

Populations vulnerable to hazardous materials exposure are those whose health is more sensitive to exposure to toxic chemicals. These groups include young children, pregnant and nursing women, and older adults.

People without healthcare access are also more vulnerable because of financial barriers to seeking treatment for adverse health impacts. The most common of these groups in Newport Beach is older adults. **Table 1** outlines the percentages of these populations in Newport Beach relative to Orange County as a whole.

### Aviation Hazards

Vulnerability to aviation hazards does not depend on population characteristics. Rather, vulnerability is a function of exposure to those hazards, which can be learned about more in the JWA Airport Environs Land Use Plan. Specific vulnerable subpopulations are not described in Table 1.

### Extreme Heat

Extreme heat vulnerability can be exacerbated for people who are especially sensitive to its impacts, like young children or older adults, and those who are more exposed to its effects, such as unsheltered individuals and outdoor workers. Additionally, households without air conditioning are more vulnerable to heat waves or other extreme heat events, but due to low data availability, this group was not included in the table below. In Newport Beach, older adults are the most common population vulnerable to extreme heat. **Table 1** outlines the percentages of vulnerable populations in Newport Beach relative to Orange County as a whole.

# GOALS, POLICIES, AND ACTIONS

### Coastal Hazards

Coastal communities face challenges related to flooding from tsunamis, rogue waves, king tides, storm surges, and seiches that continues to intensify as sea levels rise. Further, with more frequent and intense storms, it is important that the City and its residents are prepared for precipitation-related flood risks, especially residents in close proximity to the coast. Although infrastructure can protect the community in the event of flooding, it is also important that existing and planned development is resilient and that the community is aware of how to protect themselves and their property.

Additionally, projects and programs to manage the shoreline require up-to-date data for flood-prone locations and the direction and rate of sand and bluff erosion, among other information on changing conditions. Current, high-quality data allows for a more tailored, responsive approach to managing the shoreline.

**Tsunamis and Rogue Waves**

Tsunamis and rogue waves are low-probability but high-risk hazards.

Locally generated tsunamis, caused by offshore faulting or coastal landsliding, could result in extensive loss of life and property in Newport Beach. California Department of Conservation tsunami maps updated in 2021 indicate that key areas of the city susceptible to tsunamis include West Newport, Balboa Peninsula, Lido Isle,

Balboa Island, and the Upper Newport Bay.[1] Port and harbor areas of Newport Beach are susceptible to not only tsunami inundation but tsunami currents, which are strong and erratic currents produced by tsunamis that can damage infrastructure and property, particularly floating vessels.[2]

Rogue waves are very large waves that arise unexpectedly in the open ocean. Their erratic nature and unpredictability present challenges for planning and evacuation.

**Storm Surges**

Storm surges are associated with low-pressure weather systems, such as hurricanes, and other events involving high winds and rainfall. During storm surges, the water level increases, which can result in coastal flooding, potentially causing damage to low-lying areas and existing structures. If a storm surge occurs during a high tide, flooding can be significant.

The likelihood of a storm surge in Newport Beach is low, although there have been two recent occurrences of storm surges during king tides in July 2020 and August 2023.

Storm surging associated with a tropical storm has been reported only once in the history of Newport Beach, in 1939. In 2023, Hurricane Hilary, which had degraded to tropical storm status by the time it reached Orange County, delivered heavy rainfall and winds to Newport Beach. The city only experienced some localized flooding and debris flows, but pump crews and berms dug up at beaches prevented any substantial impacts. No storm surge was recorded as a result of the storm.

**Sea-Level Rise**

Global average sea levels have risen 3.98 inches since 1992 and are predicted to continue to rise.[3] As sea levels rise near Newport Beach, the risk of flooding during storms is exacerbated. **Figure 1**, Citywide Coastal Flood Risk, shows the possible extent of coastal flooding during an average storm event under the selected Coastal Storm Modeling System (CoSMoS) scenarios in 2030, 2050, and 2100. **Figure 2**, Newport Harbor Coastal Flood Risk, shows the same data for the Newport Harbor area.

To understand potential coastal flood risk in the near term and long term, the following CoSMoS scenarios were selected for mapping: 0.8 feet of sea-level rise by 2030, 1.6 feet by 2050, and both 4.1 and 4.9 feet by



[1] Department of Conservation. 2021. "Tsunami Hazard Area Map, Orange County." Produced by the California Geological Survey and the California Governor's Office of Emergency Services. Mapped at multiple scales.

[2] The SAFRR Tsunami Modeling Working Group. 2013. "Modeling for the SAFRR Tsunami Scenario—Generation, Propagation, Inundation, and Currents in Ports and Harbors." Chapter D in *The SAFRR (Science Application for Risk Reduction) Tsunami Scenario*, U.S. Geological Survey Open-File Report 2013–1170, 136 pp. http://pubs.usgs.gov/of/2013/1170/d/.

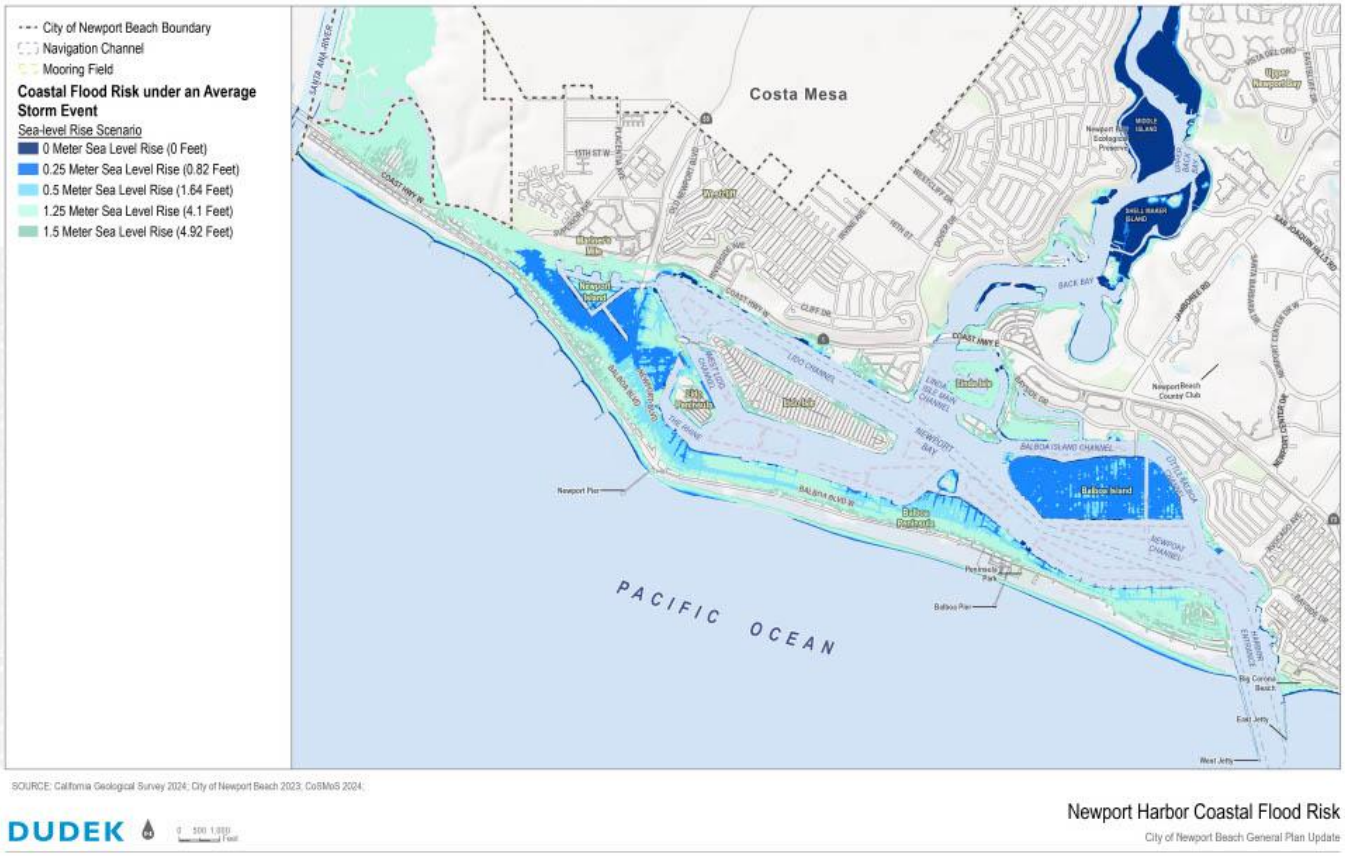
[3] NASA. 2022. "Tracking 30 years of Sea Level Rise." https://earthobservatory.nasa.gov/images/150192/tracking-30-years-of-sea-level-rise

2100. Two levels were selected for 2100 due to the potential for variations in sea-level rise, which are highly dependent on the rate of global greenhouse gas emission reductions that occur through 2100. All of these scenarios are medium to medium-high risk aversion scenarios, meaning there is between a 1-in-20 and 1-in-200 chance that sea-level rise meets or exceeds projections. Areas that could flood during an average storm with 0.8 feet of sea-level rise include almost all of Balboa Island and the western portion of Balboa Peninsula, emanating outward from Newport Island and the surrounding channels. With 1.6 feet of sea-level rise, flooding could extend to much of the central portion of Balboa Peninsula, covering land northeast of Balboa Boulevard and west of Marina Park. With 4.1 to 4.9 feet of sea-level rise, neighborhoods and beaches near the Santa Ana River jetty, Balboa Coves, Mariner's Mile, many islands in Newport Harbor, and parts of Balboa Peninsula, Corona del Mar State Beach, and Little Corona del Mar Beach could flood.

Many of Newport Beach's most developed areas, densely populated neighborhoods, and vibrant business communities are at risk of flooding during an average storm, even with a small amount of sea-level rise. This flooding could be more severe during unusually large storms, which are likely to become more frequent.

**Figure 1. Citywide Coastal Flood Risk**

**Figure 2. Newport Harbor Coastal Flood Risk**




## Beach and Cliff Erosion

The city's beaches are an essential part of the community, providing recreational opportunities, driving tourism, supporting natural ecosystems, and protecting inland areas from flooding and tsunamis. In addition to causing coastal flooding, the higher tides and storm surges associated with sea-level rise can erode beaches and cliffs at faster rates. Bluffs are an important part of the city's landscape, developed with homes and other uses, providing valuable views, and offering natural habitat for many plant and animal species.

Because Newport Beach is lined with both sandy beaches and coastal bluffs, coastal erosion has the potential to affect multiple areas within Newport Beach. Efforts to minimize erosion and the loss of sand will help protect the shoreline and maintain beaches.

CoSMoS predicts the future position of cliff-top edges and shorelines as they relate to wave patterns under different sea-level-rise scenarios. The land formations in and around Upper Newport Bay and the coastal cliffs and bluffs in and proximate to Corona del Mar are vulnerable to damage from erosion or complete loss due to landslides. Forecasted cliff retreat is especially extensive along Ocean Boulevard near Inspiration Point and the

Cameo Shores neighborhood. Some cliff areas are protected by anti-erosion infrastructure and may not experience as much erosion as they would otherwise; however, infrastructure requires regular maintenance. Refer to the Safety Existing Conditions and Background Analysis for location and scenario-specific figures.

**Sand Nourishment**

Sand nourishment, the practice of adding sand to eroding beaches, is primarily used to combat coastal erosion and to ensure continued recreational opportunities in the face of growing concern due to rising sea levels and increased storm intensity. In Newport Beach, these projects are especially important to address erosion, support tourism, protect ecosystems, and prevent groundwater intrusion and flooding. Groundwater and flood protection enhancements occur because wider beaches act as natural barriers by reducing saltwater intrusion and absorbing wave energy to protect inland areas. Increased beach width can also enhance groundwater recharge by promoting precipitation infiltration. The City strives for sand replenishment activities to be regularly undertaken every 5 to 7 years, but at times certain areas of the City experience irregular frequencies for sand replenishment activity. In some cases, infrastructure such as groins and breakwaters can also be used to provide additional support for sand loss reduction by minimizing downdrift erosion.

*Goal S-1: A community that is resilient to coastal flooding*

- Policy S-1.1: Prioritize the development and adoption of a well vetted and comprehensive Sea Level Rise Plan consistent with relevant state and federal legislation and appropriately update the Local Coastal Program, including the Land Use Plan and Implementation Plan, as reasonably necessary. The Sea Level Rise Plan should at least consider:
    - Preservation of private property rights
    - Preservation and migration of inter-tidal habitats
    - Preservation of public access
    - Protecting and retrofitting critical infrastructure, such as water and wastewater infrastructure
    - Triggers and pathways related to the magnitude and timing of sea level rise (Imp. 5.1) (Policy HBB-1.2.1)
- Policy S-1.2: Collaborate with neighboring coastal local governments, regional agencies, and State agencies ahead of and during the Local Coastal Program update and during coastal infrastructure projects to ensure implementation success. (Imp. 14.1, Imp. 14.3, Imp. 14.6, Imp. 14.12, Imp. 14.16)
- Policy S-1.3: Develop funding and financing strategies as part of Senate Bill 272 compliance before 2034. Consider long-term reserve funds, financing districts, tideland revenue fee structures, and State

and Federal funding opportunities to pursue coastal resilience projects and better protect the harbor, beaches, and community from flooding. (Imp. 5.1, Imp. 24.1, Imp. 30.1, Imp. 30.2, Imp. 31.1)

- Policy S-1.4: Encourage the use of nature-based solutions as alternatives to traditional infrastructure. (Imp. 8.1, 21.2) (Policy HBB-3.2.4)
- Policy S-1.5: During Emergency Operations Plan updates, reevaluate protocol for the coordinated emergency use of public and private coastal facilities and equipment (i.e., partnerships for allowed use of docks) in advance of flood, storm, pollution, dredging, vessel sinking, and other potentially hazardous events to supplement existing safety and rescue operations. (Imp. 28.2) (Policy HBB-3.2.7)

*Goal S-2: Beaches that are maintained and protected from erosion*

- Policy S-2.1: Coordinate with the U.S. Army Corps of Engineers to develop and implement a comprehensive beach replenishment program to assist in maintaining beach width and elevations. Analyze monitoring data to determine nourishment priorities, and try to use nourishment as shore protection, in lieu of more-permanent hard shoreline armoring options. (Imp. 8.1, Imp. 14.12, Imp. 21.2) (Policy HBB 3.2.5)
- Policy S-2.2: Investigate shoreline management pilot projects to test solutions on a smaller scale. (Imp. 5.1, Imp. 21.2)
- Policy S-2.3: Work with regional governments to create potential partnerships and explore cross-boundary projects that benefit the region. (Imp. 5.1, Imp. 14.1, Imp. 14.12) (Policy NR-7.1.1)
- Policy S-2.4: Ensure a high standard for the quality of sand used for beach nourishment to support recreation and minimize impacts to marine life. (Imp. 5.1, Imp. 14.12)

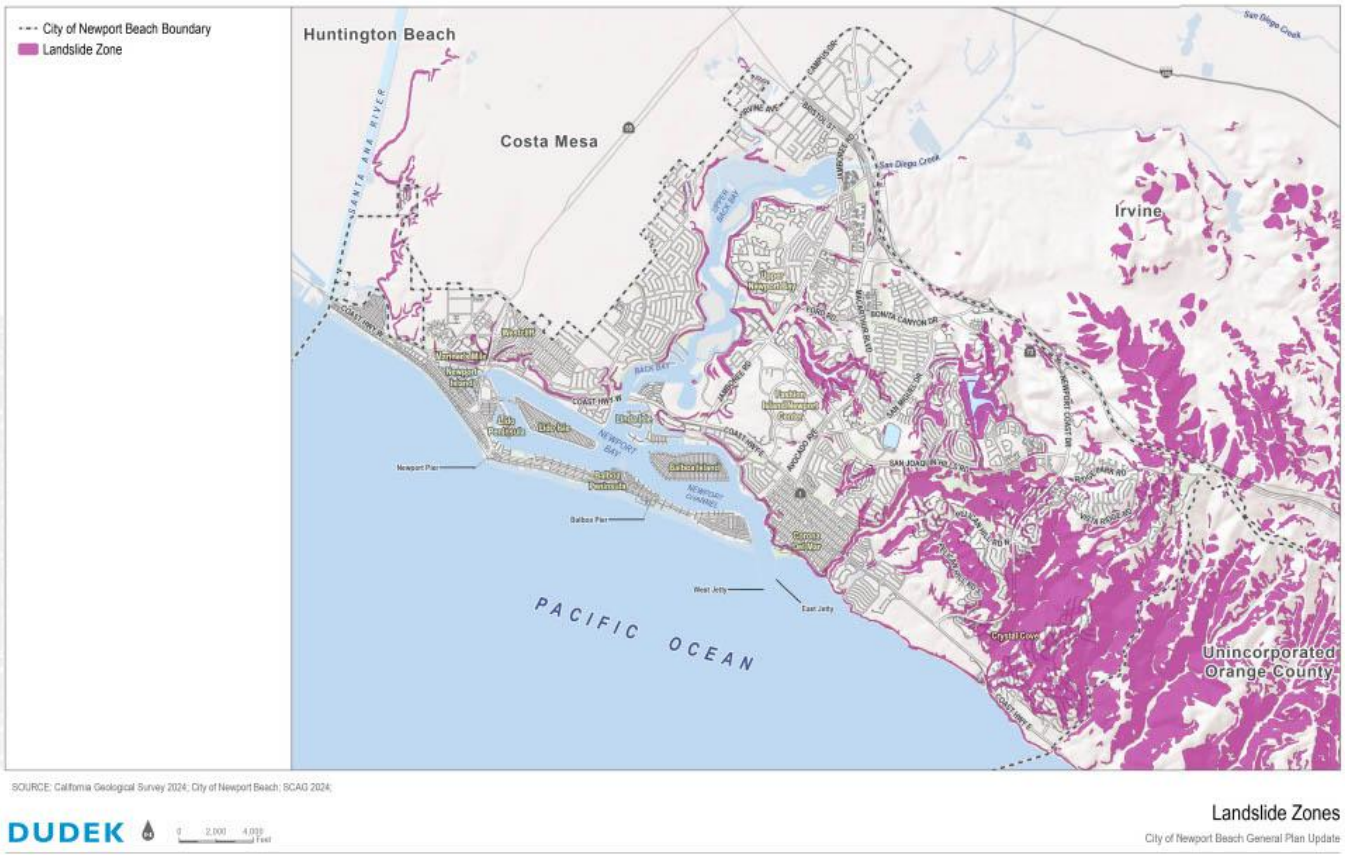
*Goal S-3: Current and accessible data and information on flooding, beach erosion, and bluff erosion*

- Policy S-3.1: Provide information about flooding reduction strategies, such as elevating critical uses and infrastructure, to at-risk property owners. (Imp. 29.1) (Policy HBB-1.2.2)
- Policy S-3.2: Monitor progress of sand nourishment and sand retention projects. (Imp. 28.1) (Policy NR-7.1.3)
- Policy S-3.3: Work with non-profits, educational institutions, and interested community members to collect king tide monitoring data to identify location, severity, and frequency of flooding. (Imp. 14.16, Imp. 28.1) (Policy HBB 1.2.3)
- Policy S-3.4: Develop an open-access online dashboard that may display project implementation or spatial data such as flooding, beach, and bluff monitoring data. (Imp. 28.1)

## Geologic and Seismic Hazards

Geologic hazards in Newport Beach include slope failures, compressible soils, and expansive soils, all of which can damage property and pose risks to life. Slope failures often occur when one hazard triggers another, such as a storm-induced mudflow. Vulnerable areas include the San Joaquin Hills neighborhood and bluffs along Upper Newport Bay, Newport Harbor, and the Pacific Ocean. However, few slope failures have impacted hillside structures, in part due to the City's Excavation and Grading Code (Newport Beach Municipal Code Chapter 15.10). **Figure 3**, Landslide Zones, indicates areas prone to landslides.

**Figure 3. Landslide Zones**




Liquefaction occurs when soil loses its strength and behaves like a liquid. This can occur during earthquakes, but depends on soil saturation, soil types, and the geologic processes that formed the soil. Water-saturated soils with similar particle or grain size in a given area are most susceptible to liquefaction. **Figure 4**, Liquefaction Zones, shows the locations of soils that are susceptible to liquefaction and resulting ground failure in the event of an earthquake.

**Figure 4. Liquefaction Zones**


Some areas of Newport Beach have moderately to highly expansive soils, both at the surface and exposed by grading. These soils can cause significant structural damage, including heaving and cracking of foundations, roads, sidewalks, and walls.

Newport Beach is located in the northern part of the Peninsular Ranges Province, an area that is exposed to risk from multiple earthquake fault zones. The highest risks originate from the Newport-Inglewood fault zone, the Whittier fault zone, the San Joaquin Hills fault zone, and the Elysian Park fault zone, each with the potential to cause moderate to large earthquakes that would cause ground shaking in Newport Beach and nearby communities.

Earthquake-triggered geologic effects also include surface fault rupture, landslides, liquefaction, subsidence, and seiches. Earthquakes can also lead to urban fires, dam failures, and toxic chemical releases.

### *Goal S-4: Buildings and utilities that are protected from seismic and geologic hazards*

Although difficult to predict, seismic and geologic events pose a risk to physical structures. To achieve resilience, new buildings are held to higher standards, and existing buildings can be modified to minimize structural damage.

- Policy S-4.1: Regularly update building and fire codes to provide seismic safety design for new development and retrofits. (Imp. 2.1)
- Policy S-4.2: Perform a building audit and subsequent seismic or geologic studies to guide seismic or geologic retrofits for existing essential facilities. (Imp. 27.1)
- Policy S-4.3: Continue to require retrofits of unreinforced masonry buildings during remodels. (Imp. 27.1)
- Policy S-4.4: Provide informational materials and technical assistance to property owners of pre-1950 buildings interested in seismic retrofits for homes and/or businesses. (Imp. 27.1)
- Policy S-4.5: Regulate the location of new essential facilities within areas that would directly be affected by seismic or geologic hazards, and all other hazards such as Fire Hazard Severity Zones (FHSZ) and FEMA flood zones, in accordance with State law. (Imp. 2.1)
- Policy S-4.6: Regulate the location of new sensitive facilities such as schools, hospitals, and facilities for the older adult population to be at a distance of at least 500 feet from active and potentially active faults, in accordance with State law. (Imp. 2.1)

### *Goal S-5: Stabilized bluffs to minimize erosion and prevent landslides in developed areas*

- Policy S-5.1: Assess and reduce site-specific landslide vulnerabilities when necessary and during development. Prioritize studies and slope stabilization efforts in areas recently impacted by wildfires or along potential evacuation routes. (Imp. 2.1, Imp. 28.1)
- Policy S-5.2: Consider incentives for existing development to implement preventative measures for bluff erosion. (Imp. 2.1)

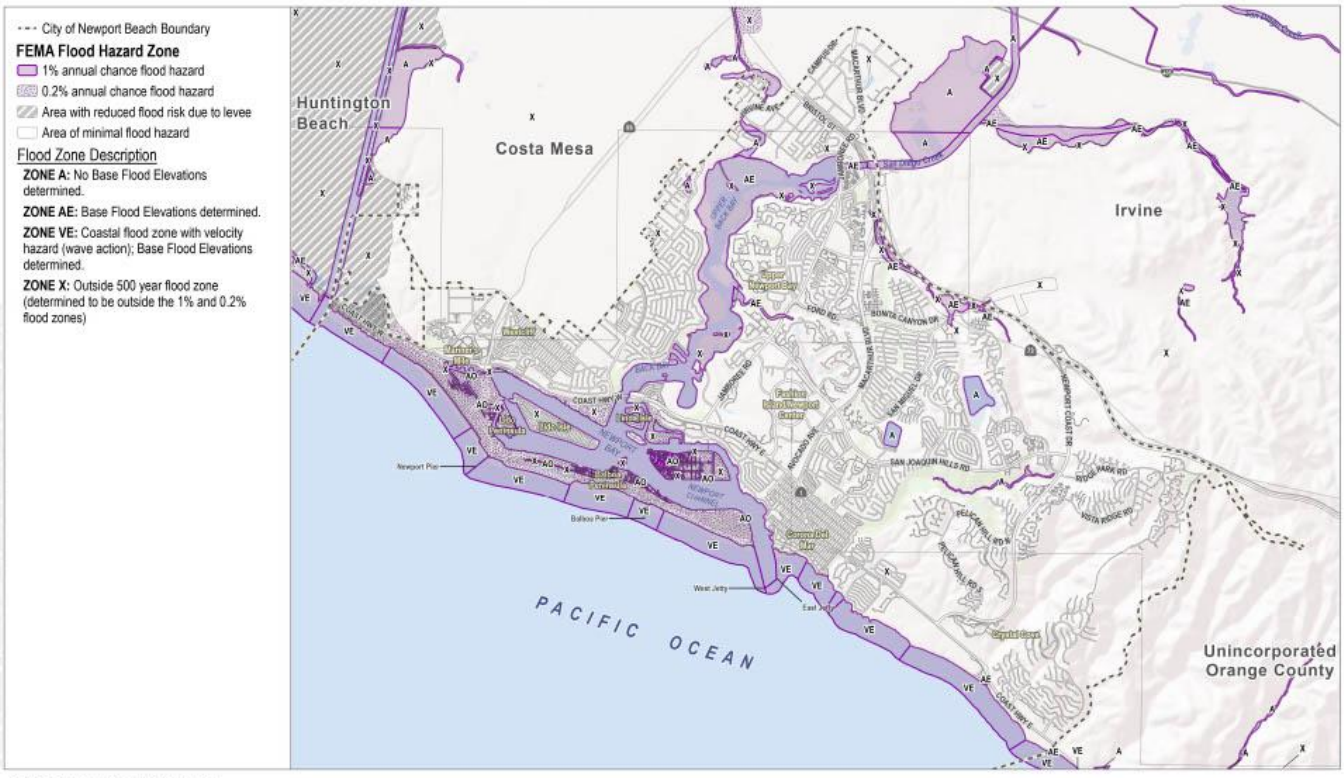
## Flooding Hazards

Although the risk is minimal, some areas of the city that are not along the coast are still vulnerable to flooding. Inland flooding can occur due to flash flooding from small, natural channels or more moderate and sustained flooding from the Santa Ana River and San Diego Creek. Although most flood risks exists in areas closest to the shoreline, it is important that inland flooding potential is also considered for the protection of existing and planned development. Extreme storms, including atmospheric rivers, can produce intense precipitation that

leads to both coastal and inland flooding. Between 1979 and 2013, 72 atmospheric rivers made landfall along the Southern California coast, an average of 2 to 3 events per year. The frequency of atmospheric river events may increase in the future, and these events are predicted to deposit upward of 40% more precipitation during atmospheric river events compared to historical conditions.

The Federal Emergency Management Agency (FEMA) identifies **100- and 500-year flood zones**, which include the low-lying areas in West Newport at the base of the bluffs, the coastal areas that surround Newport Bay, all low-lying areas adjacent to Upper Newport Bay, along the lower reaches of Coyote Canyon, in the lower reaches of San Diego Creek, and in a portion of Buck Gully. Flood zones in the coastal areas of Newport Beach present the most significant potential impacts to residential and commercial zones along Balboa Peninsula, the islands, and low-lying areas surrounding the harbor and Upper Newport Bay. **Figure 5** shows the 100- and 500-year flood zones. It is also important to note that many factors can contribute to how and where flooding impacts occur and that people outside of 100-year flood zones account for more than 25% of National Flood Insurance Program claims for flood loss and receive approximately one-third of disaster assistance.

**Figure 5. FEMA Flood Zones**



*Goal S-6: A community that is resilient to and protected from inland flooding*

- Policy S-6.1: Preserve, where possible, natural watercourses or provide naturalized drainage channels within the city. Where feasible, implement restoration and rehabilitation opportunities. (Imp. 6.1, Imp. 8.1) (Policy NR-6.2.1)
- Policy S-6.2: Coordinate the needs of stormwater pollution management with the overlapping (and sometimes competing) habitat management, flood management, capital improvement projects, development, aesthetic, and other open space needs. (Imp. 6.1, Imp. 8.1) (Policy NR-6.2.2)
- Policy S-6.3: Maintain flood management standards for development, public facilities, and infrastructure located within an officially designated 100-year floodplain. Ensure development is designed in a manner that does not negatively impede or redirect floodwaters or raise anticipated flood heights. (Imp. 6.1, Imp. 8.1)
- Policy S-6.4: Require incorporation of natural drainage systems and stormwater detention facilities into new developments, where appropriate and feasible, to retain stormwater in order to increase groundwater recharge. (Imp. 6.1, Imp. 8.1) (Policy NR-6.2.3)
- Policy S-6.5: Maintain storm drainage facilities and periodically update the Storm Drain Master Plan. Consider master plan coordination with Local Coastal Program development. (Imp. 5.1, Imp. 19.1)
- Policy S-6.6: Monitor updates to FEMA flood maps to maintain up-to-date information. (Imp. 28.1)

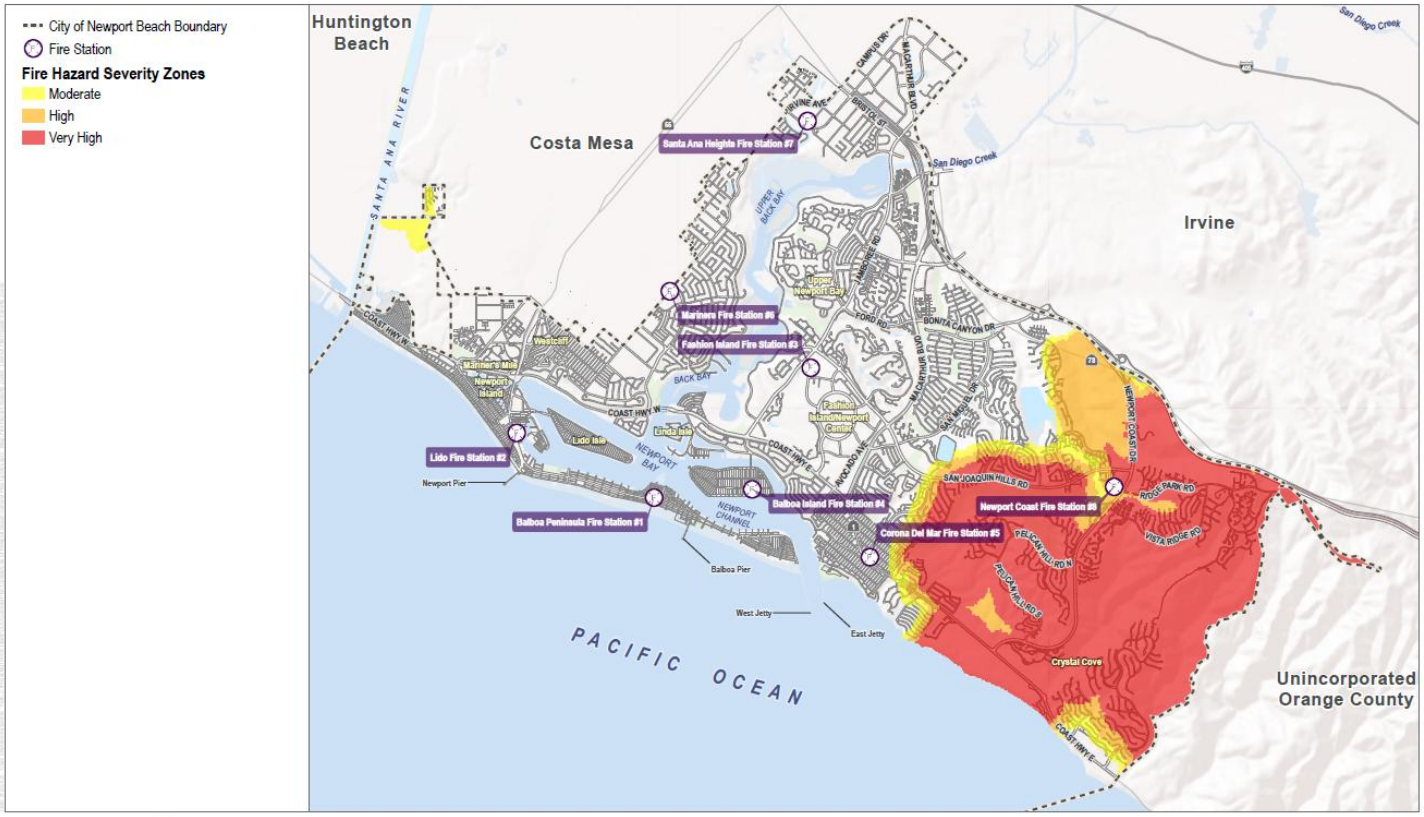
### Fire Hazards

As with all of California's coastal environments, fire risk is endemic to Newport Beach. The city's urban forest and surrounding open spaces increase wildfire hazard in areas known as the wildland–urban interface, which is where wildlands and urban or suburban areas meet. Fire hazard is also impacted by factors like fuel loading, slope, and fire weather.

To identify fire hazards, the Office of the State Fire Marshal has issued Very High, High, and Moderate Fire Hazard Severity Zones (FHSZs) in accordance with California Government Code Section 51178. The City adopted the 2025 Moderate, High, and Very High FHSZs through Ordinance 2025-11 on August 26, 2025. **Figure 6** shows the FHSZs in the City's jurisdiction as well as the current location of fire stations. **Figure 7** shows the land use designations within the FHSZs. The San Joaquin Hills and Shore Cliffs are within or adjacent to these areas. Neighboring Crystal Cove State Park to the east of Newport Beach is also characterized as a FHSZ but is within the State responsibility area. There is also a small portion of Northwestern Newport Beach, around Talbert Regional Park and the Frank and Joan Randall Preserve, that constitutes a moderate fire hazard

severity zone. Because urban and wildfire hazards can impact communities across Newport Beach, fire hazard reduction strategies and limits to new development or redevelopment may be necessary. In Newport Beach, homes located in a FHSZ are subject to certain Building Code regulations related to building materials for new, rebuilt, or significantly remodeled structures. There are also weed abatement, hazard reduction, and fuel modification programs administered by the City that monitor and maintain vegetation in high-risk areas within Newport Beach.[4] Continued attention to fire hazard is important to protect the community.

**Figure 6. Fire Hazard Severity Zones**

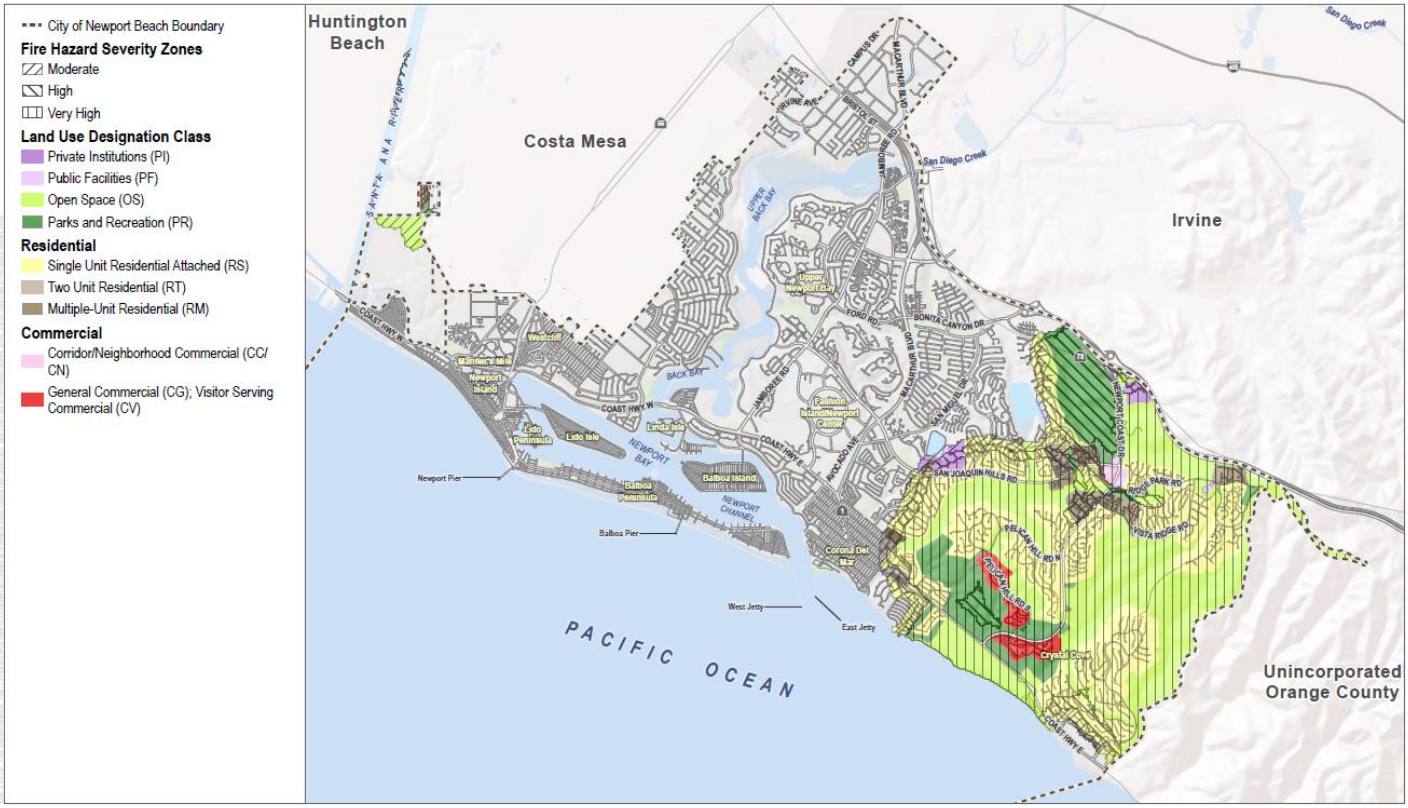







[4] City of Newport Beach. 2023. "Wildland-Urban Interface." https://www.newportbeachca.gov/government/departments/fire/fire-prevention-division/wildland-urban-interface.

**Figure 7. Land Uses within Fire Hazard Severity Zones**

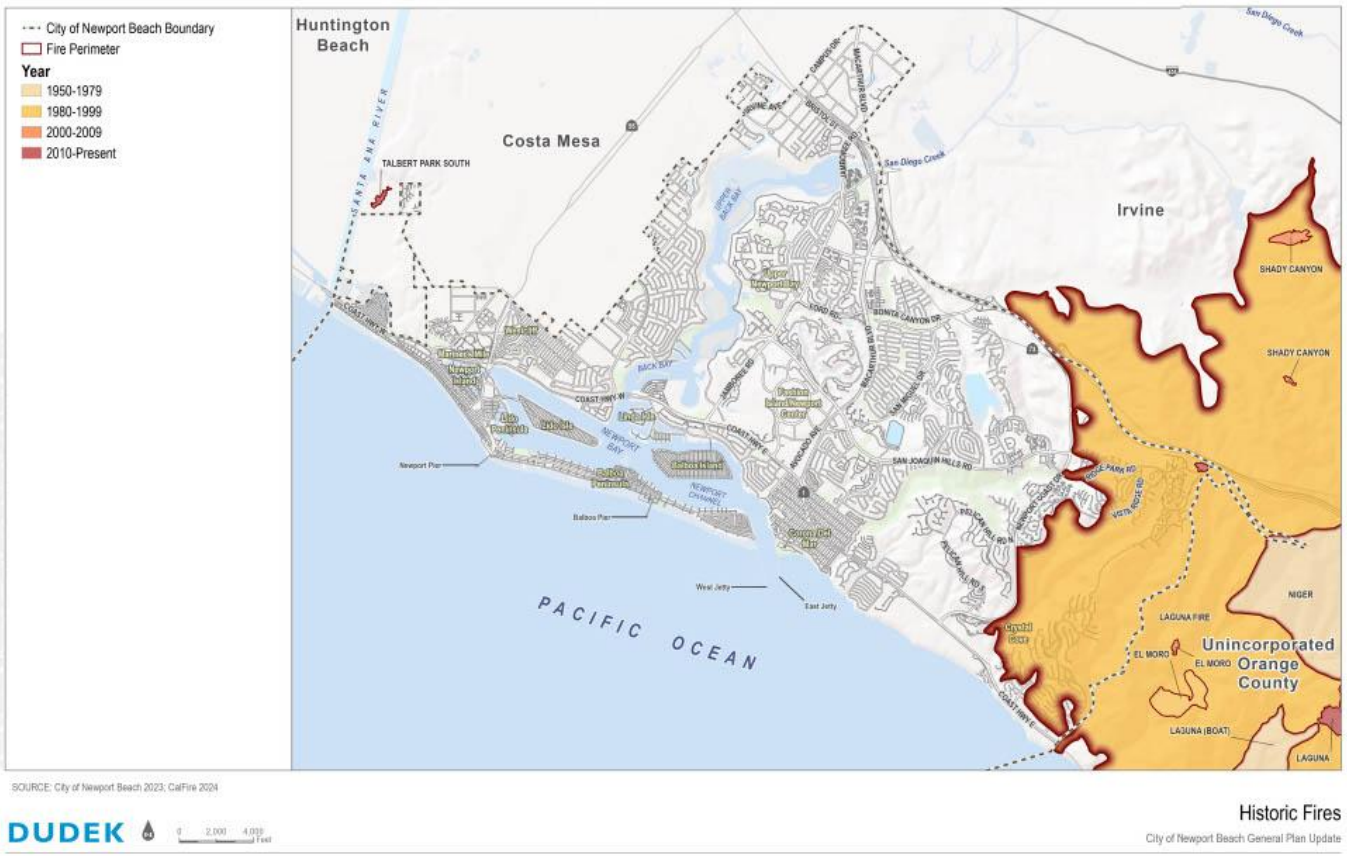



Fire history is another important factor to consider. **Figure 8** shows the local history of fires within and adjacent to Newport Beach. Of those mapped, the largest fire was the Laguna Beach Fire of 1993, which burned more than 14,000 acres across Crystal Cove State Park, Laguna Beach, Irvine, and Newport Beach; it caused an estimated $528 million in damages.[5] Although fires have occurred in the years since the Laguna Beach Fire, many of these have been contained before they could spread further.



[5] Orange County Fire Department. n.d. *Orange County Firestorm 1993 October 26–November 4*. https://www.ocfa.org/Uploads/Transparency/OCFA-AAR-Orange%20County%20Firestorm.pdf.

**Figure 8. Historic Fires**




Due to increased drought and extreme heat, future projections using statistical models show that the number of acres burned statewide by wildfire may increase by over 75% for fires not driven by Santa Ana winds and by 60% for Santa Ana wind–driven fires under a high greenhouse gas emissions scenario. Under a moderate emissions scenario, the rate of increase in burn area is projected to slow slightly, as cooler conditions decrease the available fuel for wildfires.

*Goal S-7: Reduced and well-managed urban and wildland fire hazards*

- Policy S-7.1: Prohibit increases in allowed residential density in the VHFHSZ. (Imp. 2.1)
- Policy S-7.2: Require that all site plans, subdivision plans, and building plans be reviewed by the Newport Beach Fire Department to ensure compliance with appropriate fire regulations, such as California Fire Safe Regulations. (Imp. 8.1)

- Policy S-7.3: Continue to enforce vegetation management and defensible space requirements in VHFHSZs pursuant to current statutes and regulations. Provide homeowners with assistance or resources as available. (Imp. 26.1)
- Policy S-7.4: Promote and incentivize development to occur outside of VHFHSZs. Development in the city's FHSZs shall meet the most recent version of the California Fire Code and California Building Code. A fire protection plan that describes ways to minimize potential for loss from wildfire exposure, including project-specific fuel modification methods and maintenance that achieves compliance with State requirements for defensible space, shall be required. (Imp. 7.1, Imp. 8.1)
- Policy S-7.5: Require that new developments have adequate fire flow as defined by the most recent California Fire Code. (Imp. 8.1, Imp. 17.1)
- Policy S-7.6: Landscape plans in the VHFHSZ shall be reviewed and accepted by the Newport Beach Fire Department prior to installation. These plans shall meet current minimum standards required by all applicable statutes and regulations, as well as by the Newport Beach Municipal Code. (Imp. 7.1)
- Policy S-7.7: Coordinate with the California Department of Forestry and Fire Protection, landowners, and other allied agencies to develop a community wildfire protection plan (CWPP) that facilitates the mitigation of wildfire hazards and enhances the protection of life, property, and the environment. The CWPP may consider fire hazard reduction projects and other specific initiatives, for example preparedness education. During CWPP development, consider strategies to ensure long-term maintenance. (Imp. 14.16, Imp. 22.1)
- Policy S-7.8: Maintain the city's urban forest to limit fire hazard. Prioritize vegetation management based on fire pathway and fuel modeling along with best available technology. (Imp. 16.6, Imp. 16.11, Imp. 20.1, Imp. 23.2)
- Policy S-7.9: Maintain Newport Beach Fire Department's high Insurance Services Office Public Protection Classification score. (Imp. 22.1)
- Policy S-7.10: Ensure continued coordination between the Newport Beach Fire Department and Water Department regarding fire protection, water supply, and emergency service capacity during new development review and major citywide planning efforts, such as urban water management plan development. (Imp. 17.1)

- Policy S-7.11: Coordinate to ensure maintenance and upgrades of utility infrastructure to reduce fire hazard, such upgrades could include undergrounding of electric wires, which should also receive regular maintenance. (Imp. 14.11)
- Policy S-7.12: Collaborate with regional partners to limit increases in insurance rates for homeowners, and report to residents on progress. (Imp. 14.1, Imp. 14.3, Imp. 14.16)
- Policy S-7.13: Encourage communities to become Firewise USA designated. (Imp. 28.2)

### Hazardous Materials Management

Hazardous materials are substances that are toxic, ignitable or flammable, reactive, and/or corrosive. These include substances that are carcinogenic, that can accumulate in the body's tissues (i.e., are bioaccumulative), are persistent in the environment, or are water-reactive. Exposure to hazardous materials can cause detrimental short-term and/or long-term health effects. Hazardous materials have the potential to negatively impact public health and safety and degrade the environment if not properly managed. Although hazardous materials are primarily regulated by State and Federal agencies, local governments play a pivotal role in hazard planning, enforcement, and inspection of hazardous waste generators and in increasing public awareness.

**Toxic Releases**

According to U.S. Environmental Protection Agency records, there are two facilities in the Newport Beach area that are listed in the Toxics Release Inventory, one near its border with the City of Irvine and one near its border with the City of Costa Mesa. The facilities are Jazz Semiconductor (computers/electronics products) and Hixson Metal Finishing (fabricated materials sector). The California Environmental Protection Agency closely monitors the emissions from these facilities to ensure that their annual limits are not exceeded.

**Hazardous Waste**

Hazardous waste generators include small quantity (SQGs) and large quantity generators (LQGs). SQGs generate less than 1,000 kilograms of hazardous waste per month, and LGQs generate more than 1,000 kilograms per month.

Approximately 88 SQGs and 17 LQGs operate in Newport Beach. These include pharmacies, gas stations, hospitals, industrial operations, and others.

**Underground Storage Tanks**

According to data from the State Water Resources Control Board, 97 underground storage tank leaks have been reported in the Newport Beach area over the last approximately 40 years. Of these, 96 sites have been

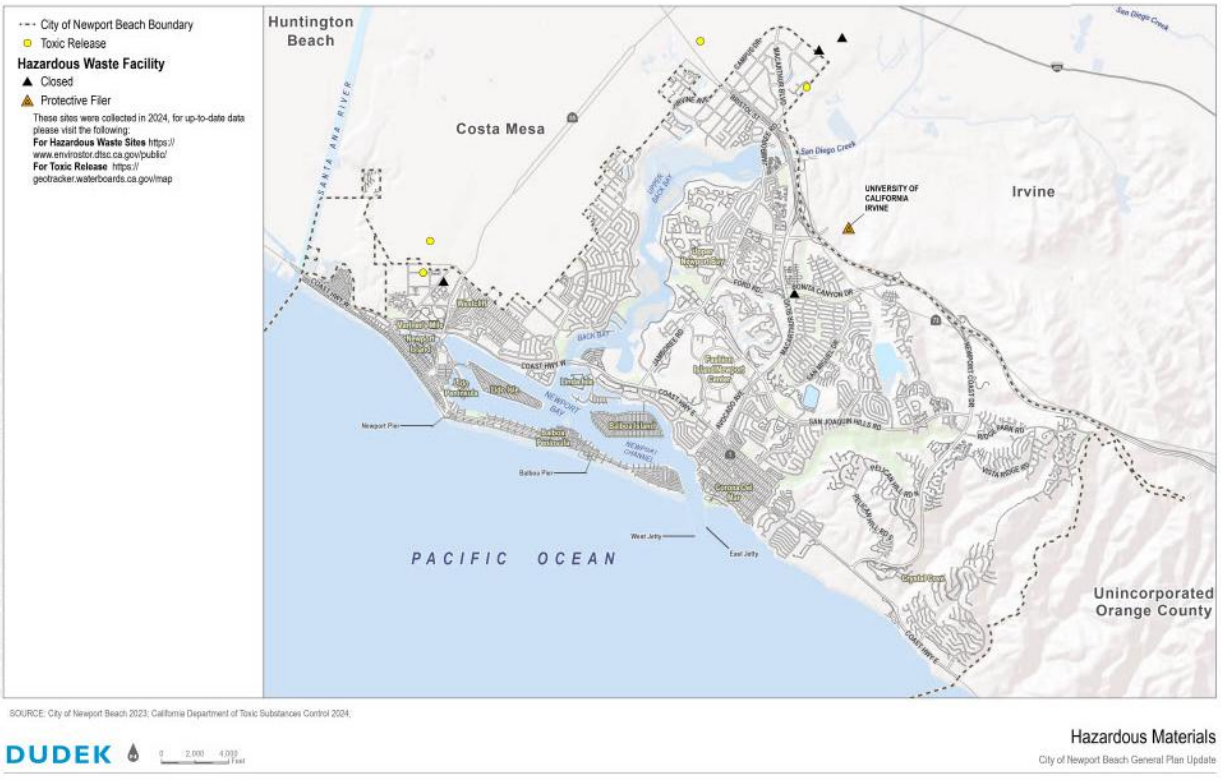
either cleaned up or deemed to be of no environmental consequence, leaving 1 case that is still open and in the process of remediation.[6] The Orange County Environmental Health Department provides oversight and conducts inspections of all underground tank removals and new tank installations.

**Oil and Gas Wells**

Gas and oil wells can pose significant risks to human and environmental health due to the potential for leaks of toxic substances. Active wells are regulated by the State Department of Conservation Geologic Energy Management Division (CalGEM), and idle wells (wells that have not operated for 2 or more years) are addressed through their Idle Well Program, which involves permanently sealing idle wells. More information about State programs can be found at the CalGEM website, linked here. More local information about managing oil resources can be found in the "Mineral and Oil Resources" section of the Natural Resources Element.

**Figure 9** shows the locations of toxic release facilities, hazardous waste generators, the remaining leaking underground storage tank, and oil fields.

**Figure 9. Toxic and Hazardous Materials**




[6] SWRCB (State Water Resources Control Board). 2023. "GeoTracker – Electronic Submittal of Information (ESI)." https://www.waterboards.ca.gov/water_issues/programs/ust/.

### Goal S-8: A community protected from impacts of hazardous materials

- Policy S-8.1: Assess soil and groundwater on sites with known contamination from oil production or other uses prior to redevelopment. (Imp. 11.1)
- Policy S-8.2: Coordinate enforcement efforts with the County of Orange, the California Department of Health Services, the Santa Ana Regional Water Quality Control Board, South Coast Air Quality Management District, and any other agencies providing oversight for investigation, remediation, or management of hazardous materials. (Imp. 14.3, Imp. 14.16)
- Policy S-8.3: Conduct outreach and engagement to raise awareness of household hazardous waste disposal practices. (Imp. 29.1)
- Policy S-8.4: Monitor hazardous waste permitting and management databases. Coordinate information across departments to raise awareness. (Imp. 28.1)

### Aviation Hazards

Although hazardous incidents associated with air transportation are extremely rare, aircraft accidents have the potential to be severe. The County of Orange owns and operates John Wayne Airport (JWA), the only commercial-service airport in the county. General aviation, commercial aircraft, and private jets share the airport's runway, terminal, and storage facilities.

JWA currently handles about 11.3 million passengers annually and about 130 commercial flights per day. The airport is located along the northern boundary of Newport Beach, and residential and commercial properties are located directly south of the airport's primary departure pattern for commercial and general aviation aircraft. The airport produces noise in the vicinity of the airport and its general aviation flight path. Additionally, the airport contributes to air pollution in the vicinity of the airport. In special or emergency circumstances, planes may even dump fuel, which can be hazardous if exposed to populated areas. This occurred in Cudahy in 2020, although these events are rare and not in line with Federal Aviation Administration procedures, which call for fuel to be dumped over designated unpopulated areas at higher altitudes, allowing fuel to atomize and disperse before reaching the ground.

To the extent practicable, and consistent with the JWA Settlement Agreement, there are actions the City can take to influence airport operations and help protect future residents from noise and air pollution.[7] The City's Aviation Committee, which meets quarterly, was formed to assist the City in implementing Council Policy A-17, or Airport Policy, and to continue to advocate for the JWA Settlement Agreement, which was extended twice,

[7] John Wayne Airport. 2024. "Settlement Agreement." https://www.ocair.com/about/administration/settlement-agreement/

in 2003 and 2014, as a result of City Council and community groups' efforts. Newport Beach and several other cities located along the airport's arrival and departure corridors have publicly agreed to oppose any expansion of JWA, including additional or extended runways, or more commercial aircraft use.

The increase in the use of drones (a small unmanned aerial vehicle) is also recognized as a concern for aviation safety as this technology evolves into the future.

*Goal S-9: A community protected from airport-related hazards*

- Policy S-9.1: Participate in the planning process for John Wayne Airport (JWA)-related projects, including any future updates to the JWA Airport Environs Land Use Plan (AELUP). Continue to ensure new development land use intensity and compatibility align with the most currently available JWA AELUP to minimize potential safety impacts on residents. (Imp. 14.3)
- Policy S-9.2: Continue to advocate for restricting airport expansion or operational changes that could increase noise or air pollution. (Imp. 14.3)
- Policy S-9.3: Study and consider adopting regulations concerning emerging technologies such as drones and aerial taxis. (Imp. 8.1)
- Policy S-9.4: Support the provision of aircraft rescue training for first responders. (Imp. 22.1)

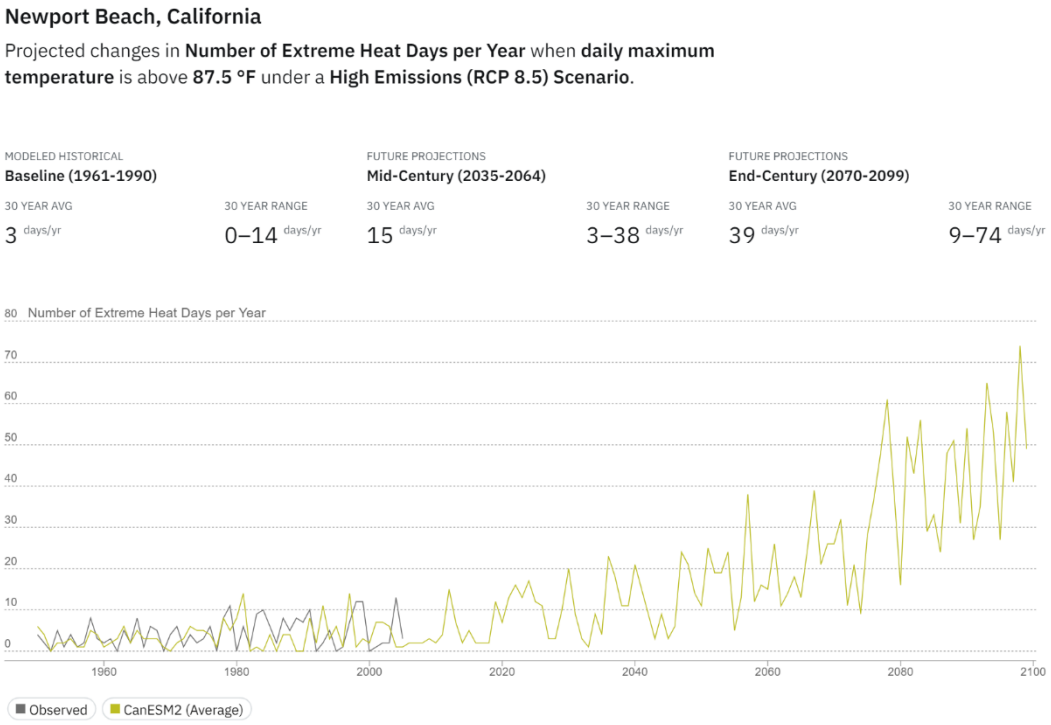
### Extreme Heat

Extreme heat is an emerging hazard that should be monitored as extreme weather conditions continue to change, even in a coastal community with cooling offshore winds and many shade-providing trees. Extreme heat days are relative to a location's average temperature, so in Newport Beach an extreme heat day is considered a day that exceeds 87.5°F. Historically, this happens about 3 days per year, but by 2050 this is projected to occur an average of 11 days per year under a high greenhouse gas emissions scenario (see **Figure 10)**.[8] As summer temperatures continue to get hotter and heat waves become more common, the city must adapt to changing temperatures to protect the health of residents and visitors, particularly vulnerable populations. Strategies such as air conditioning, home weatherization, and increased shade in public areas can help the community stay cool on hot days.



[8] California Energy Commission. 2023. "Cal-Adapt Extreme Heat Days & Warm Nights." https://cal-adapt.org/tools/extreme-heat.

**Figure 10. Extreme Heat Day Projections**




Source: Cal-Adapt. Data: LOCA Downscaled CMIP5 Climate Projections (Scripps Institution of Oceanography), Gridded Observed Meteorological Data (University of Colorado Boulder), LOCA Derived Products (Geospatial Innovation Facility).

*Goal S-10: A built environment adapted to provide relief from extreme heat*

- Policy S-10.1: Improve cooling centers with resilience improvements like battery backup power and amenities that promote a sense of community and socialization. (Imp. 23.2, Imp. 23.4)
- Policy S-10.2: Explore potential for additional cooling centers to fill gaps in service. Consider how demand may not be met for vulnerable populations or may not be equitably spaced throughout the city. (Imp. 23.3, Imp. 28.2)
- Policy S-10.3: Publicize home weatherization programs or other opportunities to adapt homes to higher temperatures. (Imp. 29.1, Imp. 29.3)
- Policy S-10.4: Evaluate tree canopy cover in parks and the public right-of-way, considering shade and priority active transportation corridors. (Imp. 20.1, Imp. 23.1)
- Policy S-10.5: Review cool pavement technology effectiveness and consider a cool pavement pilot program. (Imp. 16.3)

## Emergency Preparedness, Response, and Recovery

The following section discusses Newport Beach's notification system, evacuation system, response plan, mutual aid, shelters and cooling centers, and recovery programs.

**Notification System**

Communication systems are an essential component of emergency preparedness and response. Alert and warning systems quickly inform the public of imminent dangers. Effective communication systems can help facilitate response efforts, connect people to resources, and educate people about emergency preparedness and response. These systems include the Integrated Public Alert and Warning System, the Emergency Alert System, the Wireless Emergency Alert, the California State Warning Center, the National Weather Service, Alert Orange County (AlertOC), Newport Beach Cable TV, and outdoor emergency sirens, covering various emergencies and jurisdictional levels.[9]

In addition to these, Newport Notified is an alert system managed by the Newport Beach Police Department that is designed to distribute both general and emergency information from the Police Department to the local community. Its primary function is to inform residents about safety-related issues, including traffic updates and community news.

Outdoor emergency sirens, located at strategic locations near the coast, can also be activated in the event of an emergency, such as a tsunami, to signal to residents and visitors to check local TV Channel 3 and radio station 107.9 FM KWVE for further instructions.

**Evacuation and Response**

Because no two disasters are ever the same, high-quality public safety requires significant planning and preparation to support a variety of needs in a variety of conditions. Public safety must consider needed facilities, equipment, staff, training, public education, planning, and post-disaster recovery. Adequate planning and preparation lead to strong response and recovery from hazard events, including fire, flooding, coastal hazards such as tsunamis and rogue waves, earthquakes, geologic hazards such as landslides, and extreme heat.

The City has developed and implemented a response plan for evacuation of low-lying areas in the event of a tsunami warning. This effort includes the installation of warning sirens, signs identifying evacuation routes,



[9] City of Newport Beach. 2022. *Emergency Operations Plan*. https://www.newportbeachca.gov/how-do-i/find/disaster-preparedness-information.

and public education training. See Evacuation Route Analysis to see the evacuation route analysis and maps for both tsunami and wildfire.

Cities are required to assess water supply availability in the event of significant fire or geologic hazards. An analysis of "peakload water supply," detailed in the Peakload Water Supply Analysis, indicates that if an earthquake, severe fire, or other catastrophic event impairs the city water supply or delivery of water, short-term emergency water can be supplied by neighboring water districts. Furthermore, in the event of a drought, the city has sufficient water supply for multiple years. In the event of a multiple-year drought, the City will implement demand management measures as part of the Water Shortage Contingency Plan, with more aggressive measures reserved for more severe droughts.[10]

**Essential and Public Facilities**

The city has essential and public facilities that are important to protect from hazards. Essential facilities are those that are needed in the event of an emergency or during the immediate recovery after an emergency.

**Planning and Mutual Aid**

The California emergency resource management system relies on a statewide mutual aid organization to provide additional resources to local governments when needed. Newport Beach has entered the California Disaster and Civil Defense Master Mutual Aid Agreement, enabling the City and other public agencies, political subdivisions, and municipal corporations to offer mutual assistance during emergencies.

The Newport Beach Emergency Council oversees the preparedness of City departments. Additionally, the Newport Beach Fire Department is part of the California Fire and Rescue Mutual Aid System, operating under the California Fire Service and Rescue Emergency Mutual Aid Plan. Likewise, the City Police Department is part of the California Law Enforcement Mutual Aid System, operating under the California Law Enforcement Mutual Aid Plan.

The City also has mutual aid agreements with the neighboring Cities of Irvine and Laguna Beach, which establishes procedures to share emergency management personnel, facilities, operational functions, and technology.

The City also plans for hazards through various planning documents that serve functions separate from the Safety Element. For example, the Emergency Operations Plan develops protocols for emergency response, and the Local Hazard Mitigation Plan fulfills Federal requirements.



[10] City of Newport Beach. 2020. *Water Shortage Contingency Plan.* https://www.newportbeachca.gov/government/departments/utilities/water-services

**Recovery Programs**

Chapter 15.12 of the Newport Beach Municipal Code establishes standard City procedures when residents or businesses are making repairs to reoccupy structures damaged in a natural or human-made hazard. This system uses visual inspections and clear and concise placards placed on building entrances to ensure safety for all involved. Recovery efforts within Newport Beach are able to occur more efficiently by having this type of standard established ahead of a disaster.

The City participates in the National Flood Insurance Program, managed by FEMA, which enables property owners to purchase flood insurance. As a condition of participation, the City has adopted and implemented local floodplain management regulations that reduce the risk of future flooding. When FEMA updates flood risk maps, Newport Beach and other participating cities must update their regulations accordingly.

*Goal S-11: Tested and effective communication systems for emergency preparedness and response*

- Policy S-11.1: Promote Newport Notified as an emergency communications channel in addition to AlertOC, social media, and other communication channels. (Imp. 29.1)
- Policy S-11.2: Regularly conduct testing of communication protocols with neighboring local governments. (Imp. 14.1)
- Policy S-11.3: Coordinate with neighboring local governments and regional agencies ahead of planning improvements to emergency communication systems. (Imp. 14.1, Imp. 14.3)
- Policy S-11.4: Document experiences with early warning systems after emergency events where they have been used to assess opportunities for improvements. (Imp. 28.2)

*Goal S-12: High-quality public safety, emergency preparedness, and response services*

- Policy S-12.1: Conduct public engagement and education for a variety of hazards and emergency resources. Use multiple platforms and methods, including digital options like the City website, physical options like flyers or bulletin boards, and in-person methods like trainings or tabling at community events. Coordinate with Community Emergency Response Team (CERT) to recruit volunteers and facilitate public education of hazards and circulate information on evacuation best practices and notification systems to ensure that residents have the latest information on evacuation routes and centers. Consider methods that vary depending on the expected spatial extent of hazard impacts, such as engaging parts of the community that are most at risk of a respective hazard. (Imp. 29.1)

- Policy S-12.2: Collaborate with homeowners associations to continue to promote emergency preparedness resources and practices—for example, incorporating a neighborhood-scale buddy system into CERT trainings. (Imp. 29.1)
- Policy S-12.3: Develop resources for visitors in tsunami zones to quickly communicate evacuation procedures. Consider signage, web resources, and collaboration with local businesses. (Imp. 29.1)
- Policy S-12.4: Continue to maintain cooperative and mutual aid agreements with adjoining local governments, the County of Orange, and State and Federal Agencies. (Imp. 28.2)
- Policy S-12.5: Conduct regular testing of emergency operation protocols. (Imp. 28.2)
- Policy S-12.6: Update the Local Hazard Mitigation Plan every 5 years in line with Federal and State guidance and incentives. (Imp. 28.2)
- Policy S-12.7: Review the Emergency Operations Plan every year and revise as necessary. (Imp. 28.2)
- Policy S-12.8: Maintain public facilities with equipment and supplies to serve as evacuation centers or shelters. (Imp. 28.2)
- Policy S-12.9: Develop and promote an occupational pipeline program for future lifeguards. (Imp. 23.4)
- Policy S-12.10: Explore opportunities for providing workforce housing for first responders. (Imp. 25.1)
- Policy S-12.11: Coordinate with the Army Corp of Engineers, County of Orange, Irvine Ranch Water District, and Serrano Irrigation District to provide input on plans related to the risk of dam failure.
- Policy S-12.12: Maintain up-to-date standards for Fire Department trainings as well as trainings for all first-responders.

*Goal S-13: Evacuation routes and centers that are maintained to provide functionality during hazardous conditions*

- Policy S-13.1: Collaborate with neighboring local governments or regional agencies in future studies of evacuation routes, emergency response capacity, and access points. (Imp. 14.1, Imp. 14.3, Imp. 14.4, Imp. 16.1, Imp. 28.1)
- Policy S-13.2: When reviewing new discretionary residential developments, enforce the most recent California Fire Code as it relates to roadway design, street addressing, and signage. If the development has only one point of access, consider the potential for additional access points. (Imp. 8.1, Imp. 16.6)
- Policy S-13.3: During regular road maintenance, or when possible and deemed necessary, improve existing roads to meet standards for minimum road widths, surface, grade, radius, and turnarounds as

defined by the most recent California Fire Code, to ensure emergency vehicle access is possible. (Imp. 16.6)

- Policy S-13.4: When possible and deemed necessary, require non-conforming developments to provide upgrades and maintenance to meet the most recent California Fire Code standards, including road standards and vegetative hazards.
- Policy S-13.5: Consider feasibility of non-automobile options (i.e., bikes, e-bikes or scooters, boats) when conducting tsunami evacuation planning or studies. Integrate findings into infrastructure planning and outreach. (Imp. 28.2)

### Public Safety

For people to feel comfortable and enjoy their communities, it is important that they feel safe. Providing a sense of comfort and safety in the public realm can be achieved through design and development that encourages "eyes on the street." This concept uses place-based design in public spaces to increase community awareness, build social cohesion, improve community bonds, enhance a sense of safety, and increase social interaction. Designing for safety can include regular maintenance of parks, lighting, trash, and streets, which requires a high level of fiscal responsibility. Further, communities with a balanced mix of uses such as residential, retail, employment, and a diversity of land uses, can draw people at all hours of the day, increasing "eyes on the street" and community safety.

Many aspects of public safety are dealt with by the Police Department, which has its own strategic planning, programs, and actions that are often better suited for adaptable and efficient response than a general plan's overarching approach. However, components of urban design, such as promoting "eyes on the street," can contribute to a sense of comfort and safety.

#### *Goal S-14: A community where residents, employees, and visitors feel a sense of comfort and safety*

- Policy S-14.1: Continue to maintain vegetation and trash receptacles in parks and public spaces to ensure sightlines are maintained and spaces are inviting. (Imp. 20.1, Imp. 23.2)
- Policy S-14.2: During plan development and subsequent enhancement projects for parks and public spaces, consider improvements to promote sightlines and appropriate lighting. (Imp. 20.1, Imp. 20.3, Imp. 23.1, Imp. 23.2)
- Policy S-14.3: When an emerging safety concern is identified, evaluate the extent of safety concerns, locations of areas of concern, and potential design and development issues that could be addressed through policy and code updates. (Imp. 14.16)

# Attachment No. PC 3

Land Use Existing Conditions and
Background Analysis Report

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# Land Use Element Existing Conditions and Background Analysis

# General Plan Update

**JUNE 2024**

*Prepared for:*

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# Table of Contents

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## TABLES



## FIGURES

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# Acronyms, Abbreviations, Key Terms

| Acronym/Abbreviation/Term | Expanded Form |
|---|---|
| AELUP | Airport Environs Land Use Plan |
| CCC | California Coastal Commission |
| City | City of Newport Beach |
| FAR | floor area ratio |
| Imp. | Implementation Plan |
| LCP | Local Coastal Program |
| Orange LAFCO | Local Agency Formation Commission of Orange County |
| RHNA | Regional Housing Needs Assessment |

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# 1 Executive Summary

Land use planning guides the ultimate pattern of development for Newport Beach and interacts with all other elements of planning by designating the general distribution of different land uses, including residential, commercial, industrial, agricultural, and open space. Therefore, thoughtful and equitable land use planning decisions provide opportunities to improve public health, reduce infrastructure costs, enhance local economies, and address long-term environmental issues such as climate change and water resources. Because Newport Beach is largely developed, the City of Newport Beach General Plan Land Use Element focuses on strategically accommodating population and employment growth while preserving its distinguishing and valued qualities. Policies and goals of the Land Use Element directly affect the establishment and maintenance of the neighborhoods, districts, corridors, and open spaces that distinguish and contribute to Newport Beach's livability, vitality, and image.

This existing conditions and background analysis (report) provides an overview of land use in Newport Beach, including adopted land use policies, and State, regional, and local regulatory and programmatic requirements, such as the Airport Environs Land Use Plan for John Wayne Airport and the Newport Beach Local Coastal Plan. In addition, this report assesses existing land uses and development in Newport Beach, the General Plan's land use designations, and how projected land use and development needs compare. The assessment compares existing development to the maximum development capacity permitted under the land use designations.

There are currently 30 land use designations in Newport Beach, classified into seven primary use categories: Residential Neighborhoods; Commercial Districts and Corridors; Commercial Office Districts; Industrial Districts; Airport Supporting Districts; Mixed-Use Districts; and Public, Semi-Public, and Institutional. The Land Use Element defines each land use designation and specifies the primary land use categories, types of uses, and the densities/intensities to be permitted throughout Newport Beach.

One of the primary influences to the updated Land Use Element is the Housing Element Implementation Plan, which has a separate but parallel amendment to the adopted Land Use Element to support housing production in areas identified by the adopted Housing Element. The Implementation Plan will provide increased housing capacity for approximately 8,000 housing units. If approved, additional land use changes may be needed to support future residents.

Although future planned residential units present an opportunity to increase community-serving uses, such as retail, employment, and entertainment, additional planned growth must consider a balanced approach. Changes in land use that would be considered "significant increases" could require voter approval that could prove challenging. Further, changes in land use may be limited due to the portions of Newport Beach that are in the coastal zone and because of Newport Beach's proximity to John Wayne Airport. Although there are constraints, potential land use changes can strategically capitalize on planned improvements, such as public facilities. Further, the update to the adopted Land Use Element could prioritize the types of development that the community most values and help identify strategies to facilitate such development.

Changes to the adopted Land Use Element through the General Plan Update process should consider strategies for facilitating development in a manner that increases opportunities for existing and future residents, providing a balance of appropriately planned land uses that prioritize the aspirations of the community, and ensuring that land uses will meet existing and planned needs without making implementation infeasible.

# 2 Introduction

Land use planning is one of the most important tools and determinants in improving public health, enhancing local economies, addressing long-term environmental issues, addressing safety issues, conserving land for parkland, and guiding development to support projected populations and shifting demographics of Newport Beach residents. As the community continues to grow and development opportunities are limited, planning for land in Newport Beach will need to balance the community's vision with regulatory consideration for accommodating the City of Newport Beach's (City) fair share of housing needs in Southern California.

## 2.1 Overview

This report provides an overview of the provisions of the Land Use Element from the City's adopted General Plan. This includes a description of the framework for consistency with local, State, and Federal regulations; ongoing amendments to the adopted Land Use Element; existing development distribution compared to land use designations in Newport Beach; and a high-level overview of needs and key issues and opportunities for land use planning and decisions.

## 2.2 Purpose and Process

A Land Use Element designates the proposed general distribution, location, and extent of the uses of land for housing, business, industry, open space (including agriculture, natural resources, recreation, and enjoyment of scenic beauty), education, public buildings and grounds, solid and liquid waste disposal facilities, greenways, and other categories of public and private uses of land. It serves as the central organizing element for the General Plan as a whole, and it reflects land use distributions and conforms to the goals and policies of all other elements in the General Plan. For example, the Land Use Element must accommodate specific land uses identified in the Natural Resources Element, and identify waterways used for flood management identified in the Safety Element. Specific goals and policies related to land uses from other elements in the City's adopted General Plan are identified in Chapter 3, General Plan Review.

The process for updating the Land Use Element is multifaceted. There are several statutory requirements and related considerations that must be examined to develop appropriate policies that address identified needs and opportunities while balancing the community's vision for and preserving the character of Newport Beach. This existing conditions and background report is the first step in updating the adopted Land Use Element. It identifies the current land distribution; development patterns; ongoing amendments; and local, State, and Federal regulatory requirements to identify issues and opportunities from a data-driven perspective. Community engagement and visioning are critical components of updating a General Plan. During the final steps before developing a Land Use Element, the needs and opportunities identified in related General Plan elements, including the Vision Statement, are considered to inform and create the goals and policies of the Land Use Element.

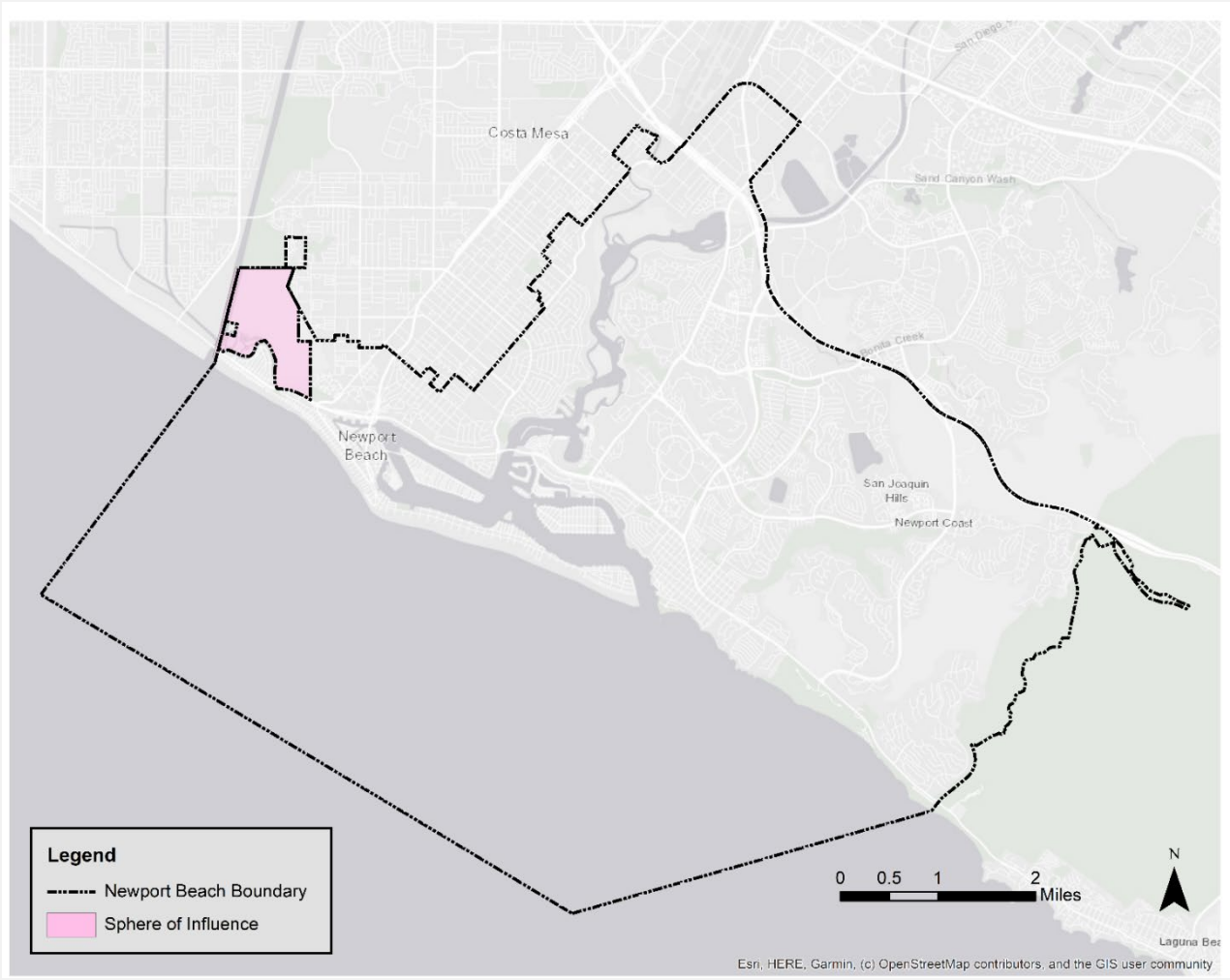
## 2.3 Geography and Planning Area

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). Section 5.1.7, Sphere of Influence, provides a description of existing developed land uses within the Sphere of Influence.

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. Although the landscape provides open space and recreational opportunities and promotes public health, it also constraints the City from identifying such areas for the development of housing and employment-generating land uses.

**Figure 1**. Planning Area and Sphere of Influence.




**Source:** City of Newport Beach GIS data. https://www.newportbeachca.gov/government/departments/city-manager-s-office/information-technology-city-division/gis-mapping/data-catalog

# 3 General Plan Review

The City's adopted General Plan is organized into 10 chapters, or "elements." Each element of the General Plan presents an overview of its scope; a summary of conditions; and planning issues, goals, and policies. Although the General Plan consists of individual elements, each of which addresses a specific area of concern, it also embodies a comprehensive and integrated planning approach. As such, a summary of the components included in the City's adopted Land Use Element, as well as an overview of other elements of the General Plan that have goals and policies that overlap with those of the Land Use Element, are provided in the sections that follow. Information for this chapter is based on the City of Newport Beach General Plan, adopted in 2006.

## 3.1 Land Use

Consistent with State law, the City's Land Use Element provides guidance regarding the ultimate pattern of development for Newport Beach 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, public facilities, and other categories of public and private uses. The primary purpose of the Land Use Element is to identify the goals, policies, and standards of the General Plan that will guide the physical growth of Newport Beach. As such, it is based on and correlates with the policies from all General Plan elements into a set of coherent development policies, which serve as the central organizing element for the General Plan as a whole.

The Land Use Element includes three main components:

- **Introduction:** The introduction includes the purpose and general objectives of the Land Use Element, as well as the overall relationship between the element's development policies and the policies from all elements of the General Plan as a whole.
- **Existing Land Use Overview:** Newport Beach's unique physical setting, which offers many visual, recreational, and environmental resources, has influenced the type and form of diverse land uses within the community. This section of the Land Use Element provides an overview of Newport Beach's existing land use patterns, and briefly summarizes the general development patterns for Newport Beach's existing residential, retail, office, industrial, and recreational and open space uses.
- **Goals and Policies:** The overall focus of the Land Use Element is a conservative growth strategy emphasizing the importance of maintaining neighborhoods, districts, corridors, and open spaces that distinguish and contribute to the City's livability, vitality, and image. As such, rather than generally distinguishing a range of densities permitted within a land use designation, the adopted Land Use Element approaches its policies for development of individual parcels as inseparable from those that address how they will fit together to create places that are valued by the City's residents. The Land Use Element contains 29 goals with accompanying development policies that aim to guide land use development within Newport Beach. The goals and policies in the Land Use Element pertain to how existing development is going to be maintained and enhanced, and new development will occur.

  Goals and corresponding policies are grouped into seven categories to address the following:

  - ***Role and Character of Newport Beach*** *("Who We Are"):* including goals and policies that address Newport Beach's unique environment, Citywide identity, natural resources, growth management, economic health, and public views.

- ***Uses to Be Accommodated*** *("What Uses Contribute to Our Community?"*): including goals and policies for a diversity of uses that support the needs of residents, sustain and enhance the economy, provide job opportunities, serve visitors that enjoy the City's diverse recreational amenities, and protect its important environmental setting, resources, and quality of life.
- ***Organization and Form of Uses*** *("How Are Land Uses Distributed?"):* including goals and policies that promote a development pattern that retains and complements the City's residential neighborhoods, commercial and industrial districts, open spaces, and natural environment.
- ***Land Use Plan and Diagram***: including goals and policies that establish the City's Land Use Plan, which depicts the general distribution of uses throughout Newport Beach; specific use categories for each parcel within defined Statistical Areas; and the Land Use Plan categories, which specify the primary land use categories, types of uses, and, for certain categories, the densities/intensities that may be permitted on any parcel within the land use designations. The permitted densities/intensities or amount of development for certain land use categories are not generally determined and are instead specified on the Land Use Plan Statistical Area map, which conveys maximum and, in some cases, minimums that may be permitted on any parcel within the designation. Additionally, the Land Use Plan and Diagram determine precise development limits for certain parcels, which are referred to "Anomaly Locations."
- ***Community Character*** *("Maintaining the Character of Our Neighborhoods and Districts"):* including goals and policies that provide for the maintenance and enhancement of Newport Beach's residential neighborhoods, commercial districts, employment centers, corridors, and open spaces, ensuring that new development complements and reinforces these characteristics.
- ***All Neighborhoods, Districts, and Corridors:*** including goals and policies that support neighborhoods, districts, and corridors that contain a diversity of uses and buildings that are mutually compatible and enhance the quality of Newport Beach's environment.
- ***Neighborhoods, Districts, and Corridors*** *("Places That Distinguish Newport Beach")*: including goals and policies that provide for the management of growth and change of existing neighborhoods, districts, corridors, and public and civic uses.

## 3.2 Harbor and Bay

The Harbor and Bay Element are intended to guide the content of regulations related to development of, and the activities conducted on, the water, as well as land-use decisions related to waterfront property around Newport Harbor. Goals and policies within the Harbor and Bay Element aim to preserve the diversity and charm of existing uses without unduly restricting the rights of waterfront property owners, and are organized to address water- and land-related issues, provision of public access, water quality and environmental issues, visual characteristics, and the administration of Newport Harbor and Newport Bay.

Goals and policies in the Harbor and Bay Element that are related to those in the Land Use Element include the following:

Goal HB 1: Preservation of the diverse uses of the Harbor and the waterfront that contribute to the charm and character of Newport Bay, and that provide needed support for recreational boaters, visitors, and residents. (*See corresponding policies HB 1.1 and HB 1.2*)

Goal HB 2: Retention of water-dependent and water-related uses and recreational activities as primary uses of properties fronting on the Harbor. (*See corresponding policies HB 2.1 through HB 2.6*)

Goal HB 3: Enhanced and updated waterfront commercial areas. (*See corresponding policies HB 3.1 through HB 3.3*)

Policy HB 5.1: Marinas and Dry Boat Storage Facilities: Protect and, where feasible through the use of new designs and technology, enhance and expand marinas and dry boat storage facilities. (Imp. 2.1, 21.1)

Goal HB 6: Provision and maintenance of public access for recreational purposes to the City's coastal resources (Goal R9). (See corresponding policies HB 6.1 through HB 6.5)

Policy HB 7.4: Public Uses within Upper Newport Bay Ecological Reserve: Maintain public use of the Upper Newport Bay Ecological Reserve to the extent such use is consistent with the preservation of sensitive resources. (Policy NR 16.5) (Imp. 2.1, 23.1)

Policy HB 8.16: Siting of New Development: Require that development be located on the most suitable portion of the site and designed to ensure the protection and preservation of natural and sensitive site resources that provide important water quality benefits. (Policy NR 3.16) (Imp. 3.1 6.1)

Policy HB 9.3: Structures Impacting Visual Resources Limit structures bayward of the bulkhead line to piers, floats, groins, appurtenances related to marine activities, and public walkways. (Imp 2.1, 5.1)

Goal HB 11: Adequate harbor access for coastal-dependent harbor maintenance equipment and facilities. (*See corresponding policies HB 11.1 and HB 11.2*)

## 3.3 Housing

The General Plan Housing Element addresses issues, goals, and policies related to ensuring an adequate supply of housing opportunities for all residents. Unlike the other General Plan elements, State law sets forth specific regulations regarding the content and breadth of the Housing Element. Typically Housing Elements must be updated every 8 years in response to Regional Housing Needs Assessment cycles established by the State Department of Housing and Community Development. In accordance with State law, the City adopted the 6th Cycle Housing Element for the 2021–2029 planning cycle in September 2022, and received final certification in October 2022.

Under State law, a Land Use Element must designate the proposed general distribution and general location and extent of the uses of the land for housing. Because the Housing Element describes the specific goals, policies, and programs to assist the City in achieving its long-term housing objectives, numerous goals and policies relate to those in the Land Use Element, including the following:

Policy HP 1.1: Identify a variety of sites to accommodate housing growth need by income categories to serve the needs of the entire community. (See corresponding policy actions 1A through 1K)

Policy HP 4.1: Mitigate potential governmental constraints to housing production and affordability by increasing the City's role in facilitating construction of market-rate housing and affordable housing for all income groups. (See corresponding policy actions 4E, 4H through 4L)

Policy HP 6.1: Encourage approval of housing opportunities for senior citizens and other special needs populations.

Policy HP 7.1: Support fair and equal housing opportunities, and environmental justice considerations for all housing opportunities in the City.

## 3.4 Historical Resources

The City's Historical Resources Element addresses the protection and sustainability of Newport Beach's historic and paleontological resources. Goals and policies included in the Historical Resources Element are intended to recognize, maintain, and protect the community's unique historical, cultural, and archeological sites and structures. As such, goals and policies in the Historical Resources Element relate to those in the Land Use Element that involve maintaining the character of neighborhoods and districts, including the following:

Policy HR 1.2: Preservation or Re-Use of Historical Structures: Encourage the preservation of structures listed on the National Register of Historic Places and/or the list of California Historical Landmarks, and/or the Newport Beach Register of Historical Property. Provide incentives, such as grading reductions or waivers of application fees, permit fees, and/or any liens placed by the City to properties listed in the National or State Register or the Newport Beach Register of Historical Property in exchange for preservation easements. (Imp. 8.2, 29.2)

Policy HR 1.4: Adaptive Re-use: Encourage alternatives to demolition of historical sites or structures by promoting architecturally compatible rehabilitation or adaptive re-use. Provide incentives such as permit and application fee waivers, flexible building requirements and free technical advice by person(s) qualified in historical preservation. (Imp. 8.2, 29.2)

Policy HR 1.5: Historical Elements within New Projects: Require that proposed development that is located on a historical site or structure incorporate a physical link to the past within the site or structural design, if preservation or adaptive reuse is not a feasible option. For example, incorporate historical photographs or artifacts within the proposed project or preserve the location and structures of existing pathways, gathering places, seating areas, rail lines, roadways, or viewing vantage points within the proposed site design. (Imp. 29.2)

## 3.5 Circulation

The City's Circulation Element, which was last updated in October 2022, addresses the movement of people and goods via automobiles, transit, bicycles, and other modes. It addresses key issues, such as trip reduction; parking; bicycle, pedestrian, and equestrian access; traffic flow; transportation improvements and funding; traffic safety; and enhancement of public water transportation services. Under State law, the Circulation Element must correlate with the Land Use Element. As such, the goals and policies in the Circulation Element are balanced with the goals and policies of the Land Use and Housing Elements to provide a correlation between land use and transportation planning. In the City's General Plan, several goals and policies in the Circulation Element demonstrate connectivity between land uses in Newport Beach or provide direction for new development to respond to any changes in land use. Some examples of goals in the Circulation Element that correspond to access of certain land uses are the following:

Goal CE 1.1: An overall transportation system that facilitates the movement of people and goods within and through the City of Newport Beach and accommodates conservative growth within the City of Newport Beach but is not expanded primarily to accommodate growth in the surrounding region.

Goal CE 2.1: A roadway system with no significant gaps that provides for the efficient movement of goods and people in the City of Newport Beach, while maintaining the community's character and its residents' quality of life.

Goal CE 2.4: Truck routes that support goods movement to and from land use in the City while minimizing adverse impacts to residents or businesses.

Examples of policies in the Circulation Element that correlate with the Land Use Element include the following:

Policy CE 1.1.2: Integrated System of Multiple Modes: Provide an integrated transportation system that supports the land use plan set forth in the Land Use Element. (Imp. 2.1)

Policy CE 5.2.5: Travel Mode Connectivity: Ensure all active transportation networks are linked and provide connectivity between transit, transit centers, and other major land uses such as village areas, commercial centers, activity nodes, recreation facilities, schools, parks, and institutions so that residents can travel within the community without driving. (Imp. 16.8, 16.11, 20.1)

Policy CE 7.1.6: Public Right of Way Curbside Management: Review areas with commercial uses (such as retail, restaurant, and hospitality) to incorporate strategies to accommodate novel use of curb side right of way to reduce passenger car use through drop-off or valet and accommodate rideshare as well as delivery activities where appropriate. (Imp. 16.10)

Policy CE 8.1.5: Expanded Parking in Corona del Mar: Permit conversion of Corona del Mar residential lots adjacent to commercial areas and commercial lots for parking to support commercial uses. Encourage continued use of existing parking on residential zoned lots, as well as existing shared parking lots. (Imp. 2.1, 8.1, 8.2, 24.1)

Policy CE 8.1.7: Avon Street Municipal Parking Lot Relocation: Consider relocation of the Avon Street municipal lot to better serve commercial uses in Mariners' Mile. (Imp. 2.1, 16.10)

Policy CE 8.1.8: Public Use of Private Parking Facilities: Encourage the use of commercial, office, and institutional parking areas for use as public parking to serve coastal recreational areas during weekends and holidays, in conjunction with public transit or shuttles where appropriate. (Imp. 8.1, 8.2, 16.10)

Policy CE 8.1.12: Parking for Marine Recreational Users: Provide adequate parking as necessary in the vicinity of visitor serving marine uses, including marinas, water transportation terminals, boat ramps, as well as parking suitable for service vehicles in commercial marinas and berthing areas. (Imp. 16.12)

## 3.6 Recreation

The City's Recreation Element addresses the provision of parklands and recreation programs. Specific recreational issues and policies contained in the Recreation Element include parks and recreation facilities, recreation programs, shared facilities, coastal recreation and support facilities, marine recreation, and public access. The primary purpose of the Recreation Element is to ensure that the balance between the provision of sufficient parks and recreation facilities are appropriate for the residential and business population of Newport Beach. The City's Land Use Element projects additional population increases through infill development, intensification of existing uses, and annexations. In addition, the Land Use Element allows for higher-density development within Newport Beach where opportunities for different types of park and recreational facilities may arise. Therefore, the Recreation Element includes policies that aim to address any unmet park and recreation needs of the present population and the future demand for recreation facilities. Examples of goals and policies in the Recreation Element that are related to the Land Use Element include the following:

Goal R 1: Provision of Facilities: Provision of adequate park and recreation facilities that meet the recreational needs of existing and new residents of the community. (*See corresponding Policies R 1.1 and R 1.2*)

Policy R 2.2: Preservation of Public Parkland: Protect public parkland from non-recreational uses; any loss of parkland through governmental action shall be replaced in-kind. (Imp. 23.1)

Policy R 5.6: New Joint-Use Facilities: Explore use of government-owned surplus or remnant parcels for public park use. (Imp. 14.3, 14.8, 23.1)

Policy R 2.2: Preservation of Public Parkland: Protect public parkland from non-recreational uses; any loss of parkland through governmental action shall be replaced in-kind. (Imp. 23.1)

Policy R 6.1: Preservation of Public Parkland: Protect recreational opportunities along the coast and beaches from nonrecreational uses. Where feasible, expand and enhance recreational opportunities along the coast and beaches. (Imp. 23.1, 21.4)

Policy R 6.3: Recreational Commercial Uses: Allow recreational commercial uses in commercial areas adjacent to beaches and the bay. (Imp. 2.1)

Policy R 7.2: Facilities and Services Location: Distribute support facilities and services in coastal areas to avoid overcrowding and overuse by the public. (Imp. 2.1, 23.1)

Policy R 8.2: Provision of New Facilities: Provide additional marine recreational, educational and support facilities and opportunities as feasible. (Imp. 21.1, 23.1)

## 3.7 Natural Resources

The City's Natural Resources Element provides direction regarding the conservation, development, and utilization of natural resources. The Natural Resources Element addresses water supply (as a resource) and water quality (includes bay and ocean quality, and potable drinking water), air quality, terrestrial and marine biological resources, open space, mineral resources, visual resources, and energy, and provides goals and policies for their preservation, development, and wise use. Several policies in the Natural Resources Element, such as those that affect siting and development, public uses and open space, and preservation of visual resources, relate to those in the Land Use Element, including the following:

Policy NR 6.1: Walkable Neighborhoods: Provide for walkable neighborhoods to reduce vehicle trips by siting amenities such as services, parks, and schools in close proximity to residential areas. (Imp. 1.2, 2.1)

Policy NR 6.2: Mixed-Use Development: Support mixed-use development consisting of commercial or office with residential uses in accordance with the Land Use Element that increases the opportunity for residents to live in proximity to jobs, services, and entertainment. (Imp. 1.2, 2.1)

Policy NR 10.5: Development in Areas Containing Significant or Rare Biological Resources: Limit uses within an area containing any significant or rare biological resources to only those uses that are dependent on such resources, except where application of such a limitation would result in a taking of private property. If application of this policy would likely constitute a taking of private property, then a non-resource-dependent use shall be allowed on the property, provided development is limited to the minimum amount necessary

to avoid a taking and the development is consistent with all other applicable resource protection policies. Public access improvements and educational, interpretative and research facilities are considered resource dependent uses. (Imp. 2.1)

Policy NR 10.9: Development on Banning Ranch: Protect the sensitive and rare resources that occur on Banning Ranch. If future development is permitted, require that an assessment be prepared by a qualified biologist that delineates sensitive and rare habitat and wildlife corridors. Require that development be concentrated to protect biological resources and coastal bluffs, and structures designed to not be intrusive on the surrounding landscape. Require the restoration or mitigation of any sensitive or rare habitat areas that are affected by future development. (Imp 2.1, 14.7, 14.11, 14.12)

Policy NR 16.5: Public Uses within Upper Newport Bay Ecological Reserve. Maintain public use of the Upper Newport Bay Ecological Reserve to the extent such use is consistent with the preservation of sensitive resources. (Policy HB 7.4) (Imp. 2.1, 23.1)

Goal NR 17: Maintenance and expansion of designated open space resources. (See corresponding Policies NR 17.1 through NR 17.3)

Goal NR 20: Preservation of significant visual resources. (See corresponding Policies Nr 20.1 through NR 20.5).

Goal NR 22: Maintain the intensity of development around Newport Bay to be consistent with the unique character and visual scale of Newport Beach.

Goal NR 23: Development respects natural landforms such as coastal bluffs.

## 3.8 Safety

The primary goal of the City's Safety Element is to reduce the potential risk of death, injuries, property damage, and economic and social dislocation resulting from natural and human-induced hazards. The Safety Element specifically addresses coastal hazards, geologic hazards, seismic hazards, wildland and urban fire hazards, hazardous materials, disaster planning, aviation hazards, and flood hazards, and identifies areas subject to flooding. The Safety Element also includes policies and programs to minimize impacts, including several policies that provide direction for new development and existing land uses that aim to respond to adverse effects resulting from natural and human-induced hazards. Examples of Safety Element policies that are related to those in the Land Use Element include the following:

Policy S 3.5: Protection of Coastal-Dependent Uses: Permit revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls and other structures altering natural shoreline processes or retaining walls when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. (Imp. 21.1)

Policy S 4.4: New Essential Facility Siting: Regulate the location of new essential facilities within areas that would directly be affected by seismic or geologic hazards, in accordance with state law. (Imp. 2.1)

Policy S 4.5: New Essential Facility Siting: Regulate the location of new sensitive facilities such as schools, hospitals, and facilities for the elderly population, within 500 feet to active and potentially active faults, in accordance with state law. (Imp. 2.1)

Policy S 5.1: New Development Design within 100-year: Require that all new development within 100-year floodplains incorporate sufficient measures to mitigate flood hazards including the design of onsite drainage systems that are connected with the City's storm drainage system, gradation of the site such that runoff does not impact adjacent properties, and buildings are elevated. (Imp. 6.1)

Policy S 6.3: New Development Design: Site and design new development to avoid the need to extend fuel modification zones into sensitive habitats. (Imp. 2.1, 6.1)

Policy S 7.5: Siting of Sensitive Uses: Develop and implement strict land use controls, performance standards, and structure design standards including development setbacks from sensitive uses such as schools, hospitals, day care facilities, elder care facilities, residential uses, and other sensitive uses that generate or use hazardous materials. (Imp. 2.1)

Policy S 8.5: Limit John Wayne Airport Expansion: Oppose any facility expansions that would increase air operations at John Wayne Airport, except those described in the Settlement Agreement Extension. (Imp. 14.3)

Policy S 8.6: John Wayne Airport Traffic Pattern Zone: Use the most currently available John Wayne Airport (JWA) Airport Environs Land Use Plan (AELUP) as a planning resource for evaluation of land use compatibility and land use intensity in areas affected by JWA operations. In particular, future land use decisions within the existing JWA Clear Zone/Runway Protection Zone (Figure S5) should be evaluated to minimize the risk to life and property associated with aircraft operations. (Imp. 14.3)

Policy S 9.7: Existing Development within 100-year Flood Zones: Implement flood warning systems and evacuation plans for areas that are already developed within 100-year flood zones. (Imp. 28.2)

## 3.9 Noise

The City's Noise Element identifies noise-sensitive land uses and noise sources, and defines areas of noise impact. Goals and policies within the Noise Element provide a framework to ensure that Newport Beach residents will be protected from excessive noise intrusion. These policies are designed to maintain compatible land uses and environmental noise levels. Examples of goals and policies in the Noise Element that integrate noise considerations into land use planning include the following:

Policy N 1.1: Noise Compatibility of New Development: Require that all proposed projects are compatible with the noise environment through use of Table N2, and enforce the interior and exterior noise standards shown in Table N3. (Imp. 2.1)

Policy N 1.4: New Developments in Urban Areas: Require that applicants of residential portions of mixed-use projects and high density residential developments in urban areas (such as the Airport Area and Newport Center) demonstrate that the design of the structure will adequately isolate noise between adjacent uses and units (common floor/ceilings) in accordance with the California Building Code. (Imp. 7.1)

Policy N 1.7: Commercial/Entertainment Uses: Limit hours and/or require attenuation of commercial/ entertainment operations adjacent to residential and other noise sensitive uses in order to minimize excessive noise to these receptors. (Imp. 2.1, 8.1, 8.2)

Policy N 2.2: Design of Sensitive Land Uses: Require the use of walls, berms, interior noise insulation, double paned windows, or other noise mitigation measures, as appropriate, in the design of new residential or other new noise sensitive land uses that are adjacent to major roads. Application of the Noise Standards in Table N3 shall govern this requirement. (Imp. 7.1)

Policy N 3.1: New Development: Ensure new development is compatible with the noise environment by using airport noise contours no larger than those contained in the 1985 JWA Master Plan, as guides to future planning and development decisions. (Imp. 2.1, 3.1, 4.1)

Policy N 3.2: Residential Development: Require that residential development proximate to John Wayne Airport shall not be located on parcels wholly within the John Wayne Airport 65 dBA CNEL noise contour 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 such contour area are needed for the City to satisfy its Sixth Cycle RHNA mandate. Require developers of residential or mixed-use land uses with a residential component to notify prospective purchasers or tenants of aircraft noise. Additionally, require outdoor common areas or recreational areas of residential or mixed-used developments to be posted with signs notifying users regarding the proximity to John Wayne Airport and the presence of operating aircraft and noise. (Imp. 2.1, 3.1, 4.1)

Policy N 4.2: New Uses: Require that new uses such as restaurants, bars, entertainment, parking facilities, and other commercial uses where large numbers of people may be present adjacent to sensitive noise receptors obtain a use permit that is based on compliance with the noise standards in Table N3 and the City's Municipal Code. (Imp. 2.1)

# 4 Regulatory Review

Land Use Elements are mandated by State General Plan requirements, and there are also State, regional, and local policies, programs, and regulations that support and influence Land Use Elements. This chapter outlines key requirements, policies, and programs as they relate to the Land Use Element.

## 4.1 State

Land Use Elements are a required element of General Plans. They designate the proposed general distribution, location, and extent of the uses of land for housing, business, industry, open space, and other categories of public and private uses of land. In addition to State land use regulations, other regulations can influence land use.

### 4.1.1 Land Use Element Guidelines

Land Use Elements and their requirements are mandated by the State, although there are certain aspects that the State recommends or incentivizes. The California Governor's Office of Planning and Research is required to adopt and periodically revise the State General Plan Guidelines for the preparation and content of General Plans for all cities and counties in California, consistent with Government Code Section 65302, which establishes the content, statutory requirements, and consultation for the General Plan.

The guidelines provided by the Office of Planning and Research focus on the importance of the Land Use Element to implement policies from other elements related to land use. For example, elements related to conservation, noise, and circulation should serve as guides for establishing a pattern of land use that minimizes the exposure of residents to excessive noise. Additionally, the guidelines emphasize the needs for a land use plan to implement the Regional Housing Needs Allocation and consider population growth and trends, community and regional demographics, the local mix of jobs and housing, economic trends, and infrastructure needs. Government Code Sections 65302–65302(a) specifically required the Land Use Element to designate the proposed general distribution, location, and extent of land uses, and need to provide a diagram or diagrams for the following:

- Housing, business, and industry
- Open space, including agricultural land, watersheds, natural resources, and recreation
- Recreation facilities and opportunities
- Educational facilities
- Public buildings and grounds
- Future solid and liquid waste facilities
- Greenways
- Timberland Preserve Zone lands
- Areas subject to flooding, identified by either flood plain mapping prepared by the Federal Emergency Management Agency or the California Department of Water Resources, or mapped flood areas adopted by the local community on Flood Insurance Rate Maps

- Military land use compatibility and impacts to military readiness
- Other categories of public and private uses of land, such as marine protected areas

Through the update of the adopted Land Use Element, the Land Use Element will designate and provides a diagram or diagrams identifying the proposed distribution, location, and extent of land uses, as applicable.

### 4.1.2 California Coastal Commission

The California Coastal Act is a State law that governs development in the coastal zone, and the California Coastal Commission (CCC) is the State agency that implements the California Coastal Act. The CCC maintains regulatory authority and permitting jurisdiction over the use of land and water in the coastal zone until a local government prepares a Local Coastal Program (LCP) that includes both a Land Use Plan and an Implementation Plan. Generally, the Land Use Plan is either a portion of a city's General Plan or a distinct plan that indicates the kinds, locations, and intensities of land uses in that city's coastal zone and includes resource protection and development policies. The Implementation Plan is made up of zoning ordinances and maps that implement and further delineate the policies of the Land Use Plan, and it can be a distinct ordinance or part of a city's larger zoning code. After approval of the LCP by the local government, the CCC reviews the LCP for consistency with the policies of the California Coastal Act and certifies it. Once a local government's LCP is certified, the CCC delegates permitting authority for development within the coastal zone to that local government. The LCP is the standard regulatory and permitting guide for development in a city's coastal zone. The Newport Beach LCP was certified by the CCC in 2017 and is further discussed in Section 4.3.3.

## 4.2 Regional

Regional influences can help to inform local land use policies and decisions. A variety of agencies, uses, regulations, and resources at the regional scale influence land use in Newport Beach and are further discussed in this section.

### 4.2.1 Airport Land Use Compatibility

In 1967 the California State Legislature authorized the creation of Airport Land Use Commissions to protect the public health and safety within areas around public airports.[1] The specific commissions are established at the county level, governed by Public Utility Code Section 21670, which must create an Airport Land Use Compatibility Plan that will provide for the orderly growth of each public airport and the area surrounding the airport within the jurisdiction of the commission, in accordance with Public Utility Code Section 21675(a). Local General Plans and zoning must be consistent with Airport Land Use Compatibility Plans.

Although there is no airport within the City's boundaries, John Wayne Airport abuts the City's northern-most boundary, referred to as "Airport Area" in the adopted Land Use Element. The Orange County Airport Land Use Commission's John Wayne Airport: Airport Environs Land Use Plan[2] (AELUP) provides guidelines, land use policies, and actions for the development of land in the Airport Area to protect public health and safety. The AELUP establishes standards to protect the public from aircraft noise and potential aircraft accidents, to prevent

1 California Department of Transportation: https://dot.ca.gov/programs/aeronautics/airport-land-use-planning.
2 Orange County Airport Land Use Commission. 2008. Airport Environs Land Use Plan for John Wayne Airport. April 17, 2008. https://files.ocair.com/media/2021-02/JWA_AELUP-April-17-2008.pdf?VersionId=cB0byJjdad9OuY5im7Oaj5aWaT1FS.vD.

development from encroaching in navigable airspace, and to prevent activities or facilities that could be unfavorable for airport operations.

Standards in the AELUP that impact land use include the following:

- **Noise.** Noise contours established by the AELUP provide guidance on the types of land uses that are appropriate given the noise levels. Sensitive uses, such as residential uses and certain community facilities that may contain sensitive populations, should be avoided in areas with higher noise levels, unless the building uses materials and is designed in a manner to attenuate noise to appropriate levels.
- **Hazards.** Zones are established by the AELUP to identify areas with the greatest potential for aircraft accidents. To minimize the risk for loss of life and property, residential uses are prohibited in these areas, and intensity of any use developed should be minimized.
- **Height Restrictions.** To maintain navigable airspace, the height, location, and visibility of development must be considered. Per Federal Aviation Regulation Part 77, Section 77.13(a), notice to the Federal Aviation Administration is required for any proposed structure more than 200 feet above ground level.

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.

### 4.2.2 Water Supply

Per the City's 2020 Urban Water Management Plan, the City's water supply comes from a combination of imported water, which includes water from the Colorado River and the State Water Project; recycled water; and local groundwater, with groundwater from the Orange County Basin comprising the largest share.[3] In fiscal year 2019/2020, water supplies consisted of 68% groundwater, 28.5% imported water, and 3.5% recycled water. By 2045, groundwater is expected to total 82% of water supply, followed by imported water (14.5%) and recycled water (3.5%). This indicates a growing reliance on groundwater and a shrinking dependence on imported water. However, the City's 2020 Urban Water Management Plan also refers to the Metropolitan Water District of Southern California's Seawater Desalination Program, which provides incentives for developing new seawater desalination projects in the Metropolitan Water District of Southern California's service area. Desalination projects would help to reduce reliance on imported water and increase local resilience.

Water service is provided by the City Utilities Department, which is responsible for operation and maintenance, wastewater, and the storm drain system. The Utilities Department and Public Works Department work collaboratively to plan water supply and distribution system improvements. The City's water service area covers approximately 11 square miles, bounded by the Pacific coast and surrounding cities of Huntington Beach, Costa Mesa, Laguna Beach, and Irvine. Although the City's water service area covers most of the City's boundaries, some areas lie outside the service area and are served by Irvine Ranch Water District (IRWD) and Mesa Water District (Mesa Water). Additionally, the City operates a wellfield with a total capacity of 10,900 gallons per minute (gpm), 15 recycled water connections, 6 inter-agency emergency interconnections and manages about 300-mile water mains system with 26,765 service connections.[4]

[3] City of Newport Beach. 2020. *2020 Urban Water Management Plan: Final Draft*. May 2020. https://www.newportbeachca.gov/government/departments/utilities/water-services.

[4] Ibid.

Water use within the City's service area has been relatively stable, with an average of 15,413 acre-feet per year, of which potable water use accounted for 97%. Of this usage in fiscal year 2019/2020, residential use comprised 58.9%; commercial, institutional, and industrial comprised 18.2%; and large landscape/irrigation comprised 18.1%; with the remaining other uses comprising 4.8%. In compliance with SB 7 as part of the Seventh Extraordinary Session (SBx7-7), known as the Water Conservation Act of 2009, the City more than met its 2020 water use target of 207 gallons per-capita per day, achieving an average of 160 gallons per-capita per day.

To plan for the event of water shortage due to drought, a catastrophic event (e.g., earthquake), or other circumstances, the City has created a Water Shortage Contingency Plan, the most recent in 2020, to help maintain adequate, reliable supplies and reduce impacts of supply interruptions. The Water Shortage Contingency Plan provides real-time water supply availability assessments and strategic steps to respond to actual conditions.[5]

## 4.3 Local

Local regulations are essential for the implementation of land use elements. Zoning is perhaps the most common tool used to implement land uses in a manner that aligns with goals and policies.

### 4.3.1 Zoning Ordinance

Zoning ordinances are essential regulatory tools that implement the General Plan. Although Land Use Elements designate the type, intensity, location, and character of land uses allowed throughout a city, a city's Zoning Code regulates specifically how land may be developed to achieve that vision. The City's zoning rules are located in Title 20 of the Newport Beach Municipal Code. The Zoning Code contains standards to regulate aspects of development, including use, standards for development (such as size and height of buildings), standards for design (such as site and building design), administration and procedures for reviewing and approving development projects, and performance standards. The City's Zoning Code was last comprehensively updated in 2010, with subsequent amendments.

### 4.3.2 Charter Section 423

On November 7, 2000, the City's electorate approved Measure S, which amended the Newport Beach City Charter by adding Section 423. Section 423 of the City Charter requires voter approval of "major amendments" to the Newport Beach General Plan. A "major amendment" is defined as an amendment "that significantly increases the maximum amount of traffic that allowed uses could generate, or significantly increases allowed density or intensity." Section 423 provides further clarity by defining "significant increases" to include "over 100 peak hour trips (traffic), or over 100 dwelling units (density), or over 40,000 square feet of floor area (intensity)."

In accordance with Section 423, a major amendment to the General Plan cannot take effect unless it has been submitted to the voters and approved by a majority of those voters. Charter Section 423 encourages the City Council to adopt implementing guidelines that are consistent with its purpose and intent. Proposed amendments to the General Plan must first be considered and approved by the City Council.

[5] City of Newport Beach. 2021. *2020 Water Shortage Contingency Plan*. June 2021. https://www.newportbeachca.gov/government/departments/utilities/water-services.

### 4.3.3 Local Coastal Program and Implementation Plan

The CCC maintains regulatory authority and permitting jurisdiction over the use of land and water in the coastal zone until a local government prepares an LCP that includes both a Land Use Plan and an Implementation Plan. The Newport Beach LCP was certified by the CCC in 2017[6] and has been amended regularly to clarify and update existing policies and to incorporate new policies to reflect emerging planning issues and the best available science. 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. While Newport Coast is within the City's boundary, the Newport Beach LCP does not address Newport Coast. This is because prior to the annexation of Newport Coast into the City of Newport Beach, Newport Coast was addressed in the County of Orange LCP, which was developed and certified by the CCC in 1988. As the Newport Coast segment of the County of Orange LCP has not been updated since its certification, it is still the regulatory document for areas in the Coastal Zone in Newport Coast.

In accordance with Title 21 of the Newport Beach Municipal Code, where conflicts may arise between the City's LCP and the adopted ordinance or element of the General Plan, the Coastal Land Use Plan shall prevail, but shall not be interpreted to allow development to exceed limits established by the General Plan or its implementing ordinance. The Land Use Plan of the LCP contains three key chapters: Land Use and Development, Public Access and Recreation, and Coastal Resource Protection. The Land Use and Development Chapter addresses land use.

### 4.3.4 Concurrent Land Use Amendment

In addition to the aforementioned local programs and policies that influence the adopted Land Use Element, the City is currently undertaking a parallel but separate amendment to its adopted Land Use Element. The concurrent Land Use Element amendment is part of the Housing Element Implementation Plan to support housing production in the focus areas identified by the adopted Housing Element. Proposed policies of the draft Land Use Element amendment include the following:

- Rezoning to Accommodate Housing Opportunities - Rezoning in five key areas to accommodate densities between 20 and 50 dwelling units per acre in the Airport Area Environs, West Newport Mesa, Newport Center, and Dover/Westcliff areas and between 20 and 60 dwelling units per acre in the Coyote Canyon area.

- Residential Uses and Residential Densities - Clarifying that the densities established for the areas are an average over the entirety of a project site and that while some phases of a development may vary in density, the maximum established is applied as an average across the project site.

- Continuation of Existing Development – Confirming that existing uses allowed by the General Plan may continue operating in conformance with existing regulations.

[6] The Land Use Plan portion of the Local Coastal Program (LCP) was first certified by the California Coastal Commission (CCC) in 2005, and the Implementation Plan followed in 2017. An LCP is not considered certified until both the Land Use Plan and Implementation Plan are approved by the CCC.

- Redevelopment and Transfer of Development Rights – Allows for the conversion of uses as long the building floor area is not increased and as long as average daily trips and peak hour traffic trips are not increased beyond the existing allowed use.

Although the concurrent amendment to the adopted Land Use Element is not finalized, the adopted Housing Element identifies five key areas where a Housing Opportunity Overlay Zoning District will be applied to accommodate new housing. . The proposed land use changes create an overlay allowing residential and mixed-uses. Because this is an overlay, existing development opportunities remain. This approach provides opportunity to create balanced communities that provides a variety of services and resources for existing and future residents. These areas and their anticipated housing capacity are detailed in Table 1

**Table 1. Anticipated Housing Opportunity Overlay Zoning District Rezone**

| Area Identified | Anticipated Acreage | Anticipated Housing Capacity (number of units) |
|---|---|---|
| Airport Area Environs | 172 | 2,577 |
| West Newport Mesa | 47 | 1,107 |
| Dover-Westcliff | 20 | 521 |
| Newport Center | 163 | 2,439 |
| Coyote Canyon | 34 | 1,530 |

**Source:** Newport Beach adopted Housing Element.

Due to the increased housing capacity, the Housing Element Implementation Plan's amendment to the adopted Land Use Element will be subject to a vote of the electorate pursuant to Charter Section 423. This concurrent amendment is expected to be on the November 2024 ballot.

## 4.3.5 Specific Plans

Specific Plans act as a form of a land use overlay to implement the goals and policies of General Plans. Specific Plans contain development standards and implementation measures for an identified geographic area, providing standards beyond those established by the base zone. Specific Plans can work in conjunction with the base zone, or can allow uses and provide regulations for uses not permitted by the base zone. California Government Code Sections 65450–65457 establish regulations for what Specific Plans should address. Although charter cities are exempt from the specific plan statutes contained in Government Code §65450-65457, once a charter city adopts a specific plan, the city must make findings of consistency between the specific plan and any proposed tentative subdivision map before the subdivision can be approved. Title 20, Chapter 20.58 of the Newport Beach Municipal Code establishes procedures for the preparing, processing, reviewing, adopting, and amending Specific Plans. The City has one adopted Specific Plan, Santa Ana Heights Specific Plan, which is further detailed in Section 5.2.5.

# 5 Existing Conditions

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. One such example can be seen in the City's Civic Center and Park, which includes City Hall; a public green; the Central Library; a parking structure; and a community park with a pedestrian bridge, art sculptures, and other amenities. The Civic Center serves as a key community amenity, and demonstrates the value that public facilities can offer to a community. Additionally, the City recently approved a new Central Library Lecture Hall, which will further the City's reputation as a community that values arts, education, and civic pride.

This chapter extrapolates data on the existing or "on the ground" land uses based on existing development as well as the planned land uses in accordance with the adopted Land Use Element. This offers insight into how well development has aligned with planned land use, reveals areas that may offer opportunities to continue development patterns, and displays the variety of uses at varying typologies and intensities offered in Newport Beach.

## 5.1 Development

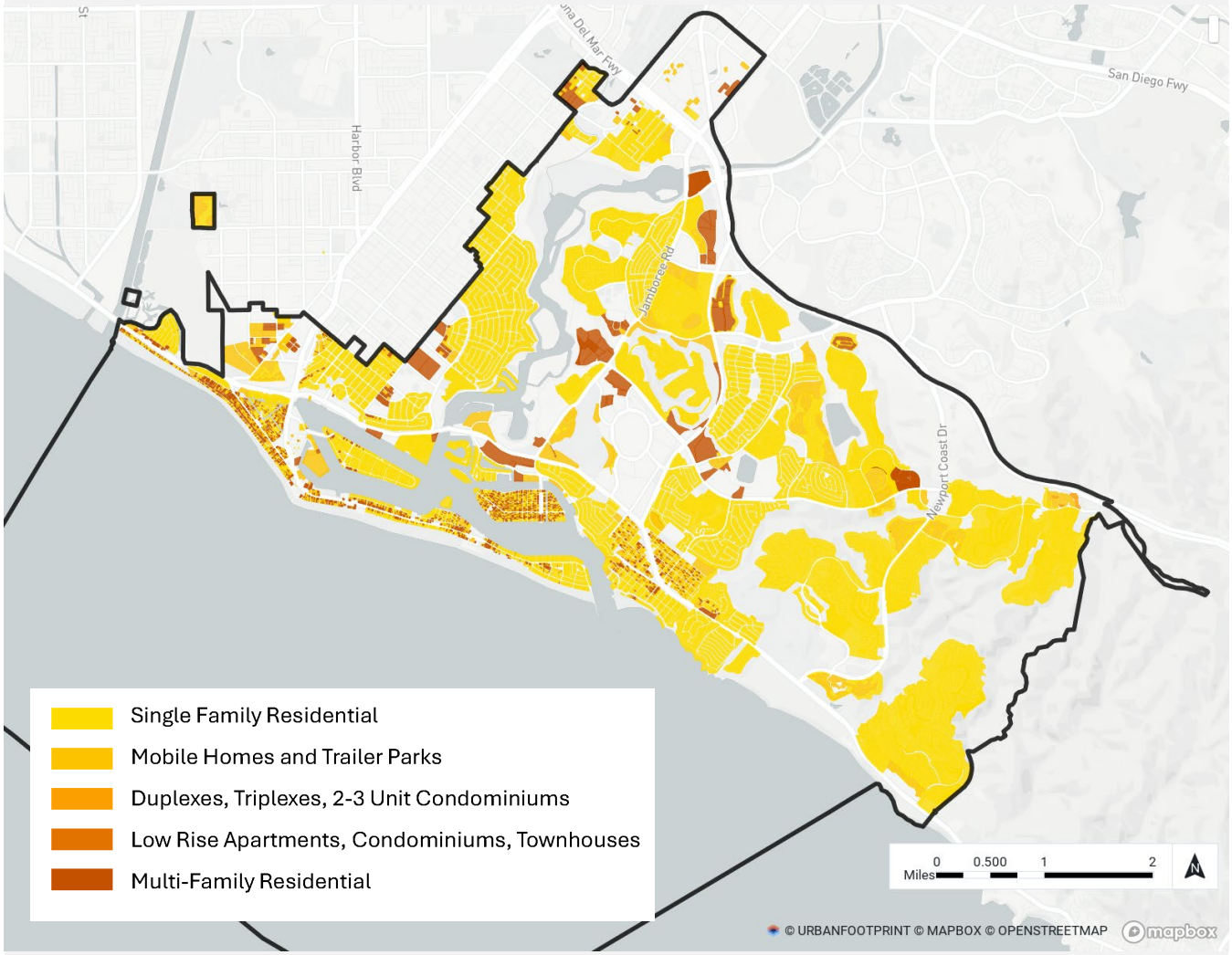
This section assesses the extent, density, and intensity of existing or "on the ground" development in Newport Beach using publicly available 2019 Parcel Data from Southern California Association of Governments.[7] The data reflected builds upon County Assessor Parcel data to identify the use of land, building footprints, and building typologies. Development has occurred since the release of this data, however this is the best available data for such an assessment. Data is reflected in the maps below and shows where key areas of development have occurred.

### 5.1.1 Residential

As shown in Figure 2, Existing Residential Development, Newport Beach is a primarily residential community. 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.

[7] Urban Footprint base canvas parcel data from CoreLogic, "Parcel Reference Data" (https://www.corelogic.com/), compiled from 2023 County Assessor and tax data, and United States Census Bureau's 2020 Census of Population and Housing, 2021 (https://www.census.gov/programs-surveys/decennial-census/decade/2020.html).

**Figure 2.** Existing Residential Development

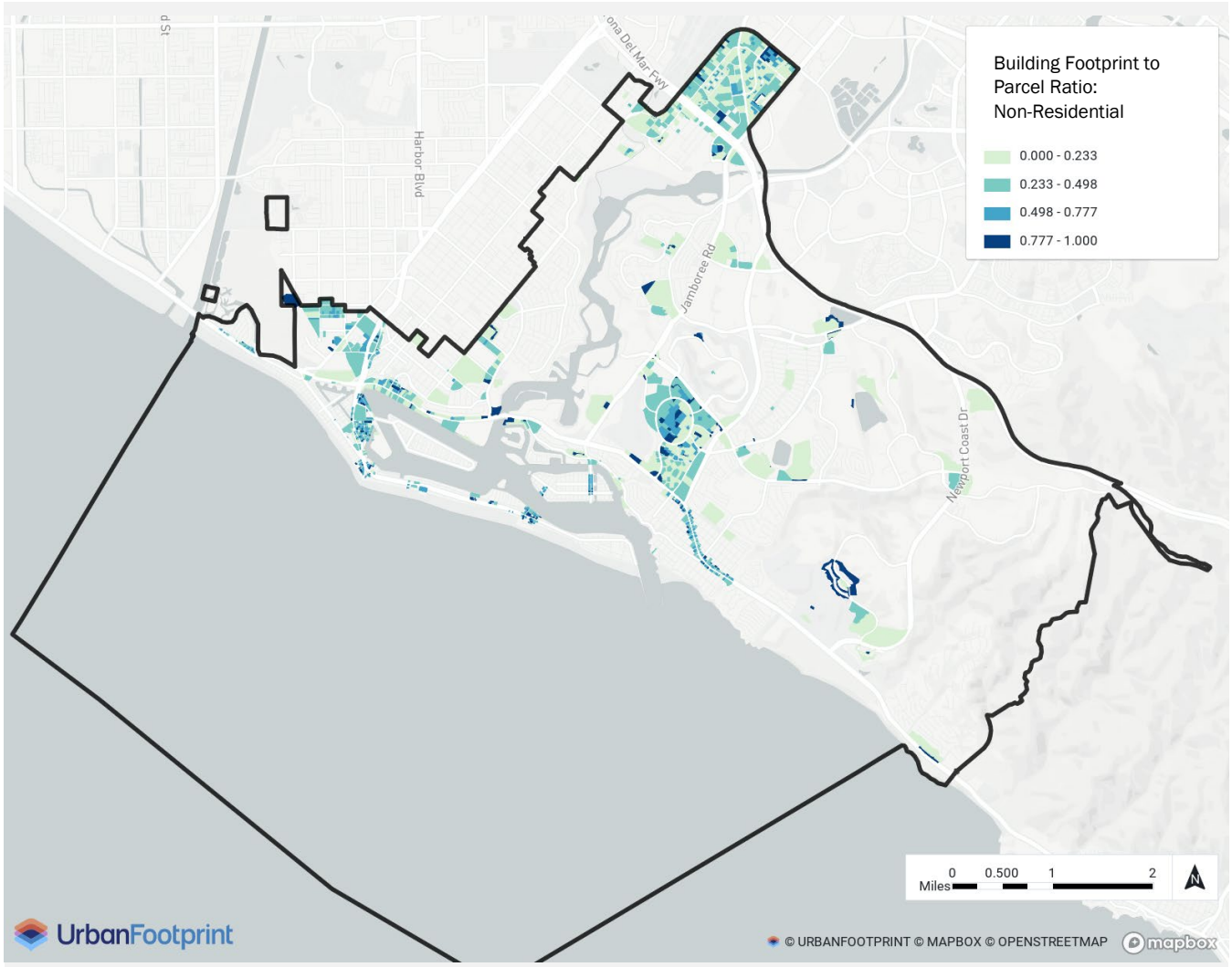



**Source:** SCAG, 2019 Annual Land Use.

## 5.1.2 Non-Residential Development

Non-residential development varies from offices, commercial services, public facilities, institutional, and industrial uses. As shown in Figure 3, Existing Non-Residential Development, non-residential development is concentrated in key areas across Newport Beach. Figure 3 shows the intensity of development through a comparison of the building footprint to the total parcel area, represented as a ratio. 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.

**Figure 3.** Existing Non-Residential Development: Building Footprint to Parcel Ratio.

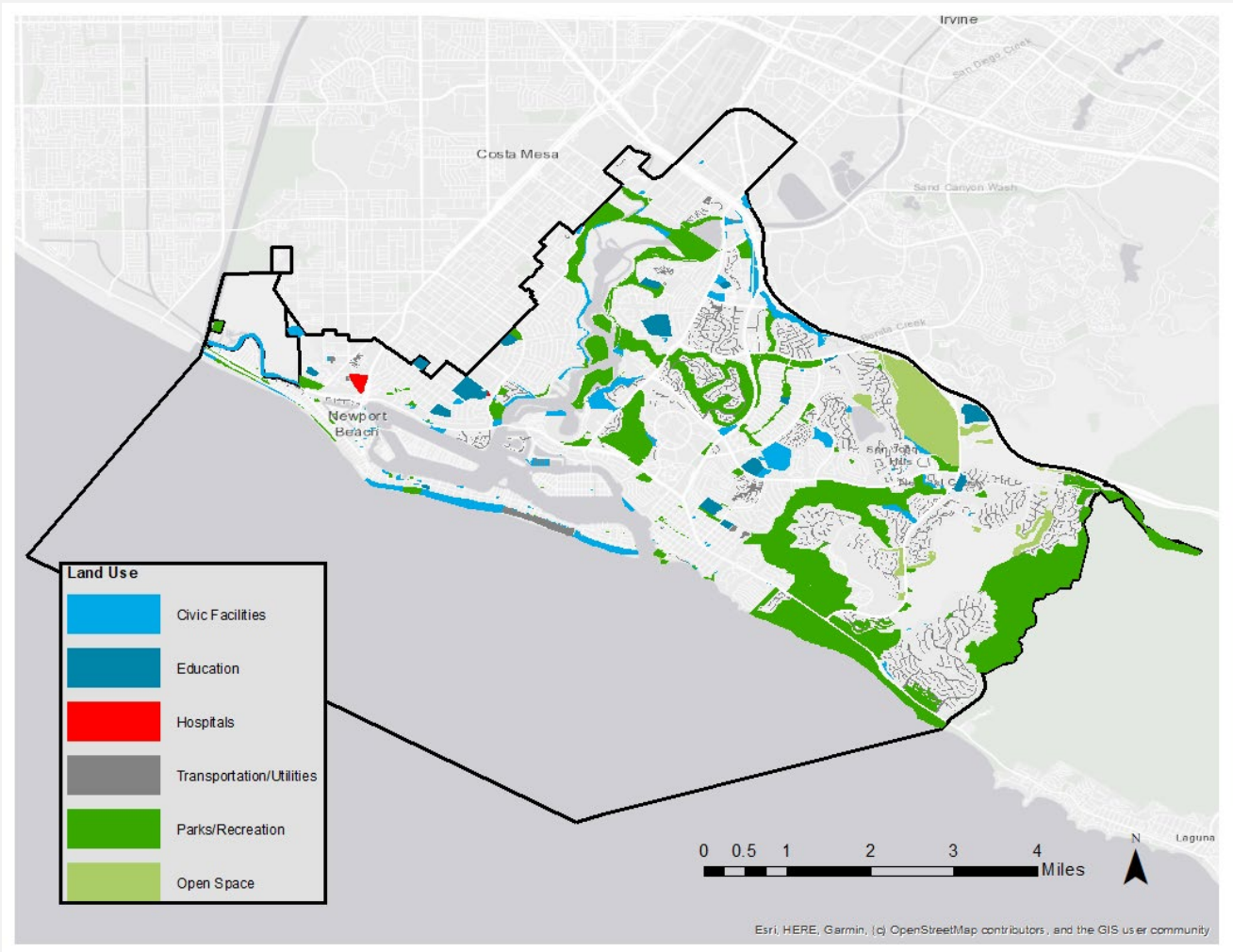



**Source:** SCAG, 2019 Annual Land Use

## 5.1.3 Parks and Open Space

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. Because these parcels are not intended for development, and as such, built development totals are not calculated. As shown in Figure 4, 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 surrounding by water, beaches, and other types of recreational opportunities.

**Figure 4.** Existing Public, Semi-Public, and Institutional Development




**Source:** Dudek, Urban Footprint base canvas parcel data from CoreLogic, Parcel Reference Data 2023

### 5.1.4 Waste Management

The City of Newport Beach, California, provides comprehensive waste collection services for both residential and commercial sectors. Residential waste is collected by the City's waste hauler, CR&R Environmental Services; several franchised haulers provide commercial solid waste collection for Tier 1 waste (municipal solid waste and divertible materials) and Tier 2 waste (construction and demolition debris). For waste disposal, the Newport Beach Transfer Station, located at 592 Superior Avenue, accepts various types of waste including tires, solid waste, hazardous waste, and inert material waste. Other types of waste are handled by Orange County Landfills.

The City has also implemented a new and improved recycling collection program to meet new state mandates from SB 1383 (2022). This includes the recycling of organic waste, including food waste and green waste, for which the City provides separate recycle containers for all homes and requires the recycling of organic waste. The purpose of these new requirements is to reduce organic waste disposal by 75% by 2025 in an effort to abate methane emissions, of which organic waste comprises 20% statewide[8].

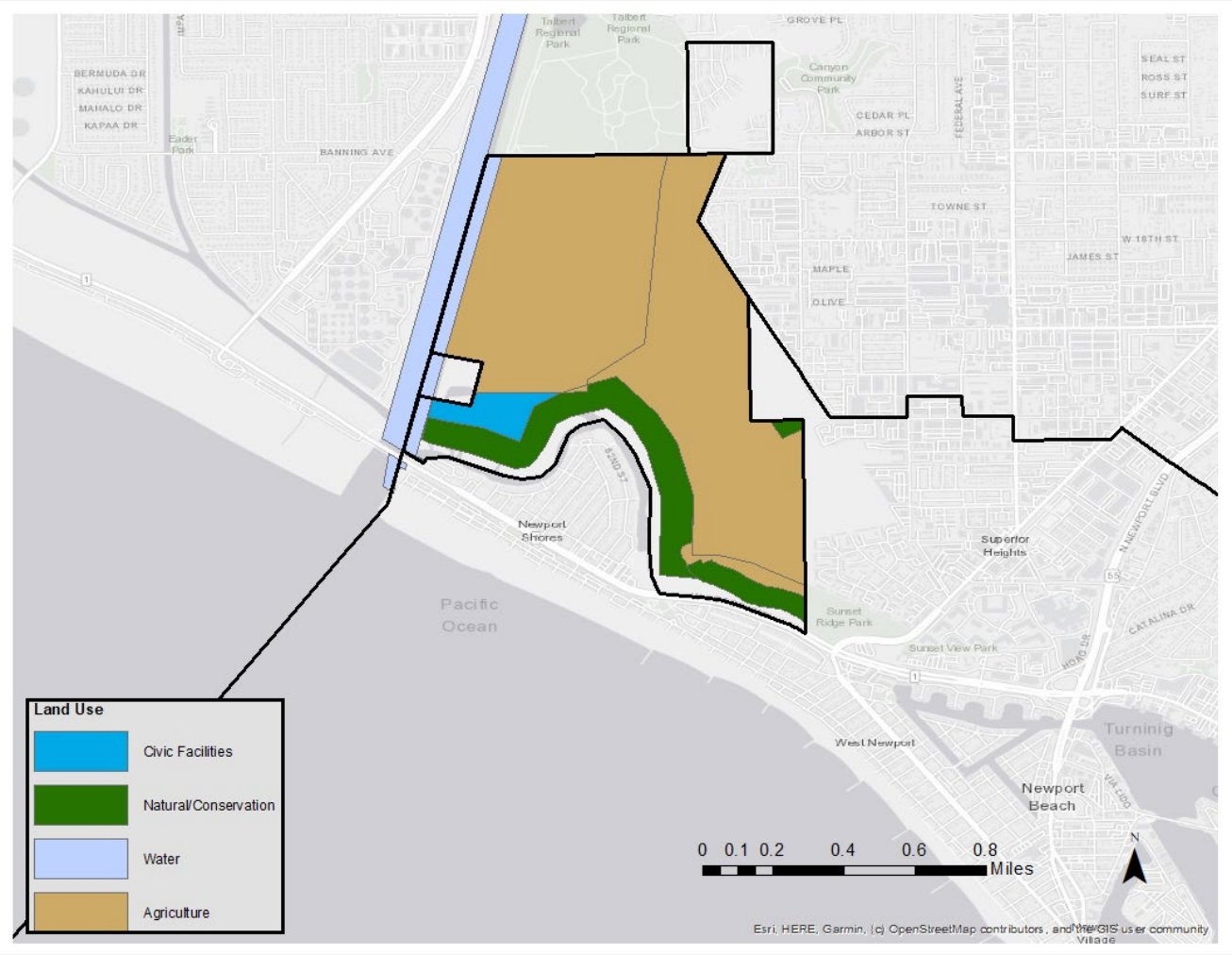
### 5.1.5 Sphere of Influence

The Sphere of Influence (SOI) is considered in the development of the Land Use Element because it encompasses the area most likely to be the ultimate physical boundary and service area of local government agencies, as determined by the Local Agency Formation Commission of Orange County (Orange LAFCO). While cities do not have jurisdiction within the SOI, a city may pre-zone unincorporated territory to determine the zoning that will apply to that territory upon annexation to the city (Cal. GOV. 65859). 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, and is referred to as Banning Ranch in the adopted General Plan. The Randall Preserve is an important open space resource for Newport Beach. Several policies for the acquisition and preservation of the area are included in the adopted General Plan Natural Resources and Land Use Elements. Within the adopted Natural Resources Element, one policy is included for the protection of sensitive and rare resources, and for consideration of the natural resources within Banning Ranch if development were to occur (NR 10.9 Development on Banning Ranch). Policies within the adopted Land Use Element also identify Banning Ranch as a priority site for acquisition of and preservation as an open space amenity for Newport Beach residents (LU 3.4, 6.3.2); and several policies include considerations and direction for the uses allowed, development and design priorities, and prohibited activities in the event the site would be annexed and/or if acquisition of the property for the preservation of open space is unsuccessful (LU 2.7, 6.4.5, 6.4.10, 6.4.11, and 6.5.2). As shown in Figure 5, Existing Land Uses and Development in Sphere of Influence, it includes agriculture, civic facilities, natural/conservation, and water uses, but has no buildings or developed land.

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.

[8] City of Newport Beach. n.d. "Trash & Recycling." https://www.newportbeachca.gov/government/departments/public-works/municipal-operations/trash-recycling

**Figure 5.** Existing Use of Land in Sphere of Influence




**Source:** Dudek, Urban Footprint base canvas parcel data from CoreLogic, Parcel Reference Data 2023

## 5.2 Land Use Designations

There are 30 land use designations for the City, each of which fall under one of seven primary use categories. These designations are defined in the Land Use Element, which specifies the primary land use categories, types of uses, and the densities/intensities to be permitted, and depicts the specific use categories for each parcel throughout Newport Beach. Figure 6, Total Percentage of Acreage per Land Use Designation Category, provides a visual breakdown of acreage based on the following land use designations:

- Residential Neighborhoods
- Commercial Districts and Corridors
- Commercial Office Districts
- Industrial Districts
- Airport Supporting Districts
- Mixed-Use Districts
- Public, Semi-Public, and Institutional

Table 2, Land Use Designation Categories, provides a detailed breakdown of total acres and percentage of acreage relative to the City's total for each land use designation listed in the General Plan, as well as a description of each land use designation, including density and intensity ranges, where applicable. Of the seven categories, the Public, Semi-Public, and Institutional and the Residential categories comprise the most acreage in Newport Beach. Together, both categories cover 89.8% of Newport Beach's total acreage, reflecting the City's primary nature as a residential community surrounded by natural landscapes, as reflected in Figure 7, Land Use Designations in Newport Beach. The Public, Semi-Public, and Institutional category accounts for the most acreage covered, which has enabled the City to offer numerous natural and recreational spaces for its residents and visitors.

The density and intensity ranges provided for all land use categories, with the exception of Mixed-Use, are not provided in the adopted General Plan, and are provided based on ranges identified in the land use GIS data. Within the GIS data, two areas amounting to approximately 3 acres of land within Newport Beach are identified as a Multiple Residential/Open Space (RM/OS) land use designation, which is not listed in the adopted Land Use Element and may need to be included as part of this update.

### Table 2. Land Use Designation Categories

| Land Use Designation | Description | Total Acres | Percent of City's Land |
|---|---|---|---|
| **Residential Neighborhoods** | | **5,616.50** | **43.27%** |
| Multiple Residential (RM) | Intended for multi-family residential developments with attached and/or detached dwelling units.<br>*(Density range 11 to 43 units per acre or fixed capacity for specific locations.)* | 986.36 | 7.59% |
| Multiple Residential Detached (RM-D) | Intended for multi-family residential developments with detached dwelling units.<br>(*Fixed capacity for specific locations from 23 units to 144 units.*) | 64.26 | 0.49% |

## Table 2. Land Use Designation Categories

| Land Use Designation | Description | Total Acres | Percent of City's Land |
|---|---|---|---|
| Single Unit Residential Attached (RS-A) | Intended for attached single-family residential developments on a single lot, and does not include condominiums or cooperative housing.<br>*(Fixed capacity at 1 unit per lot.)* | 176.85 | 1.36% |
| Single Unit Residential Detached (RS-D) | Intended for detached single-family residential developments on a single lot, and does not include condominiums or cooperative housing.<br>*(Fixed capacity at 1 unit per lot.)* | 4,012.82 | 30.91% |
| Two Unit Residential (RT) | Intended for two-family residential developments, which may include duplexes and townhomes.<br>*(Fixed capacity at 2 units per lot.)* | 376.21 | 2.89% |
| **Commercial Districts and Corridors** | | **552.86** | **4.25%** |
| Corridor Commercial (CC) | Intended for neighborhood-serving retail and service uses along street frontages to encourage pedestrian activity.<br>*(Floor area ratio [FAR] from 0.5 to 0.75.)* | 20.85 | 0.16% |
| General Commercial (CG) | Intended for commercial activities that serve Citywide and/or general needs.<br>*(FAR ranges from 0.1 to 0.75 or cumulative development for specific sites.)* | 120.06 | 0.92% |
| Neighborhood Commercial (CN) | Intended for a limited range of retail and service uses developed in one or more distinct centers oriented to primarily serve the needs of and maintain compatibility with nearby residential uses.<br>*(FAR of 0.3 or cumulative development for specific sites.)* | 57.06 | 0.43% |
| Recreational and Marine Commercial (CM) | Intended for commercial development on waterfront commercial and industrial building sites on or near Newport Bay.<br>*(FAR ranges from 0.3 to 0.5 or cumulative development for specific sites.)* | 52.74 | 0.4% |
| Regional Commercial (CR) | Intended for shopping centers with one or more anchor retail, entertainment, and related uses for local and regional residents and visitors.<br>*(Cumulative development for a specific site.)* | 74.75 | 0.57% |
| Visitor Serving Commercial (CV) | Intended for commercial uses that primarily serve visitors.<br>*(FAR range of 0.5 to 1 or cumulative development for a specific site.)* | 221.92 | 1.7% |
| Visitor Serving Commercial – Lido Village (CV-LV) | Intended for several commercial uses in the Lido Village area that primarily serve visitors.<br>*(Cumulative development for a specific site.)* | 5.48 | 0.04% |

## Table 2. Land Use Designation Categories

| Land Use Designation | Description | Total Acres | Percent of City's Land |
|---|---|---|---|
| **Commercial Office Districts** | | **306.45** | **2.36%** |
| General Commercial Office (CO-G) | Intended for administrative, professional, and medical offices with limited accessory retail and service uses.<br>*(FAR from 0.25 to 0.75 or cumulative development for specific sites.)* | 170.25 | 1.31% |
| Medical Commercial Office (CO-M) | Intended for medical-related offices, retail, care facilities, research labs, and similar uses.<br>*(FAR from 0.45 to 0.5 or cumulative development for specific sites.)* | 45.76 | 0.35% |
| Regional Commercial Office (CO-R) | Intended for administrative and professional offices that serve local and regional markets, with limited accessory retail, financial, service, and entertainment uses.<br>(C*umulative development for specific sites.)* | 90.44 | 0.69% |
| **Industrial Districts** | | **41.66** | **0.32%** |
| General Industrial (IG) | Intended for moderate- to low-intensity industrial uses, such as light manufacturing, and limited ancillary commercial and office uses.<br>(*FAR from 0.5 to 0.75 or cumulative development for specific sites.)* | 41.66 | 0.32% |
| **Airport Supporting Districts** | | **37.81** | **0.29%** |
| Airport Office and Supporting Uses (AO) | Intended for uses that support or benefit from operations of the John Wayne Airport. May include professional offices, aviation retail, car rental, hotels, ancillary retail, restaurant, and service uses.<br>*(FAR to be 0.5, except for warehousing, which may be developed at a FAR of 0.75.)* | 37.81 | 0.29% |
| **Mixed-Use Districts** | | **383.97** | **2.95%** |
| Mixed-Use Horizontal 1 (MU-H1) | Intended for horizontal mix of uses. Types of uses permitted is context sensitive. In the Mariners Mile Corridor, Recreational and Marine Commercial (CM) and General Commercial (CG) uses apply, including general and marine-related and highway-oriented uses; in the Dover Drive/Westcliff Drive area, may be developed with a mix of professional offices, retail, and residential uses in accordance with the Commercial Office (CO) and Mixed-Use Vertical (MU-V) designations.<br>MU-H1 designated properties to the rear of the commercial frontage may be developed for free-standing neighborhood-serving retail, multi-family residential units, or mixed-use buildings that integrate residential with retail uses on the ground floor in accordance with the Neighborhood Commercial (CN), Multiple Residential (RM), Visitor Serving Commercial (CV), or Mixed-Use Vertical (MU-V) designations, respectively. | 23.78 | 0.18% |

## Table 2. Land Use Designation Categories

| Land Use Designation | Description | Total Acres | Percent of City's Land |
|---|---|---|---|
| | **Commercial or Office uses** shall not exceed a FAR of 0.5.<br>**Multi-Family Residential** are allowed 20.1 to 26.7 units per acre.<br>***Mixed-use*** *is allowed a FAR of 1.5; where a minimum FAR of 0.25 and a maximum FAR of 0.5 shall be used for non-residential purposes, and a maximum FAR of 1.0 shall be used for residential.* | | |
| Mixed-Use Horizontal 2 (MU-H2) | Intended for horizontal intermixing of uses near the Airport Area, which may include regional commercial office, multi-family residential, vertical mixed-use buildings, industrial, and ancillary neighborhood commercial uses.<br>*(Cumulative non-residential and residential development for specific sites apply.)* | 219.76 | 1.69% |
| Mixed-Use Horizontal 3 (MU-H3) | Intended for horizontal intermixing of uses near Newport Center, which may include commercial office, multi-family residential, and ancillary commercial uses. Within the Tennis Club, residential uses may be developed as single-family units.<br>*(Cumulative development for non-residential and residential uses for specific sites apply.)* | 76.05 | 0.58% |
| Mixed-Use Horizontal 4 (MU-H4) | Intended to establish the character of a distinct and cohesively developed district or neighborhood containing multi-family residential with clusters of mixed-use and/or general and neighborhood commercial uses. Standalone uses are permitted except at street intersections where mixed-use or commercial building is required. In mixed-use structures, uses in accordance with the Mixed-Use Vertical (MU-V) designation apply. | 9.74 | 0.07% |
| | **Mixed-Use** FAR of 1.5; where a minimum FAR of 0.25 and a maximum FAR of 0.5 shall be used for non-residential purposes, and a maximum FAR of 1.0 shall be used for residential.<br>**Commercial uses** shall not exceed a FAR of 0.5.<br>***Multi-Family Residential*** *developments are allowed 20.1 to 26.7 units per acre.* | | |
| Mixed-Use Vertical (MU-V) | Intended to provide for the development of properties for mixed-use structures that vertically integrate housing with retail uses, including retail, office, restaurant, and similar non-residential uses, or as standalone retail or office uses in accordance with the Neighborhood Commercial (CN), Corridor Commercial (CC), General Commercial (CG), or General Commercial Office (CO-G) designations. | 5.37 | 0.04% |
| | **Mixed-use** allows a FAR of 1.5, where a minimum FAR of 0.35 and a maximum FAR of 0.5 shall be used for non-residential purposes, and a maximum FAR of 1.0 shall be used for residential. | | |

## Table 2. Land Use Designation Categories

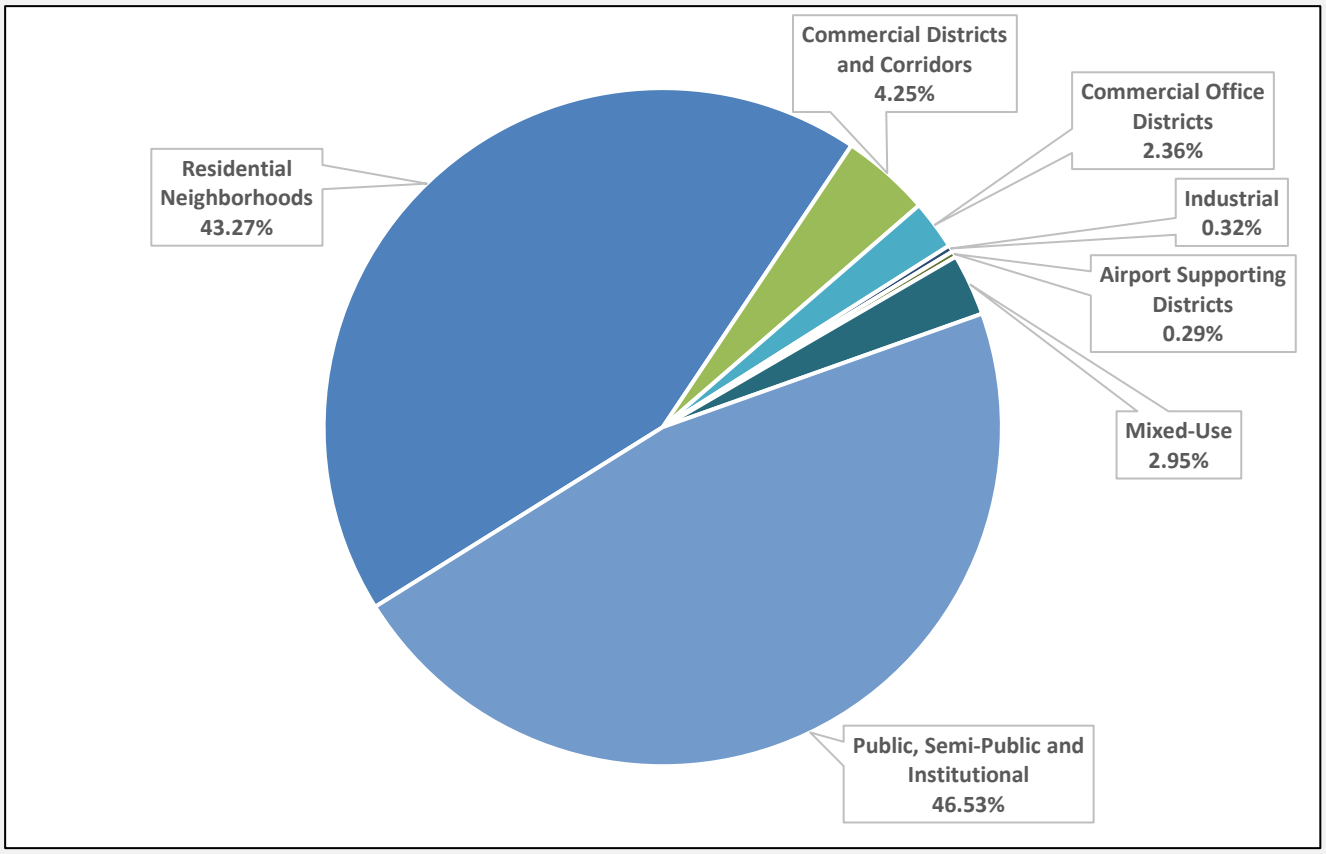
| Land Use Designation | Description | Total Acres | Percent of City's Land |
|---|---|---|---|
| | *Non-residential uses are allowed a FAR of 0.75.* | | |
| Mixed-Use Water 1 (MU-W1) | This designation is applied to waterfront locations along the Mariners' Mile Corridor in which marine-related, visitor-serving, commercial and residential uses are intermixed with buildings that provide residential uses above the ground floor. Permitted uses include those permitted by the Recreational and Marine Commercial (CM), Visitor Serving Commercial (CV), Mixed-Use Vertical (MU-V), and Multiple Residential (RM) designations. A minimum of 50% of the permitted square footage shall be used for the CM or CV land uses, and no more than 50% of the waterfront area between the Arches Bridge and the Boy Scout Sea Base may be developed with mixed-use structures. | 20.12 | 0.15% |
| | *Commercial development may not exceed a FAR of 0.5.*<br>**Residential** development may not exceed 12 units per acre, with the number of units calculated based on a maximum of 50% of the property.<br>***Mixed-use** may not exceed a FAR of 1.25, where a minimum FAR of 0.35 and a maximum FAR of 0.5 shall be used for non-residential purposes, and the number of residential units shall not exceed the cumulative total, as calculated above.* | | |
| Mixed-Use Water 2 (MU-W2) | This designation is intended for waterfront locations where marine-related uses may be intermixed with buildings that provide residential on the upper floors. Permitted uses include those permitted by the Recreational and Marine Commercial (CM), Visitor Serving Commercial (CV), and Mixed-Use Vertical (MU-V) designations. Free-standing residential shall not be permitted. | 29.11 | 0.22% |
| | **Mixed-use** may not exceed a FAR of 1.25, where a minimum FAR of 0.35 and a maximum FAR of 0.5 shall be used for non-residential purposes, and a maximum FAR of 0.75 for residential.<br>**Lido Marina Village** maximum FAR shall be 1.5, where a minimum FAR of 0.35 and a maximum FAR of 0.7 shall be used for non-residential purposes, and a maximum FAR of 0.8 shall be for residential.<br>*Non-residential uses may not exceed a FAR of 0.5.* | | |
| **Public, Semi-Public, and Institutional** | | **6,039.60** | **46.53%** |
| Public Facilities (PF) | Intended for public facilities, which may include public schools, hospitals, cultural institutions, government facilities, libraries, and community centers.<br>*(Cumulative development for specific sites.)* | 444.52 | 3.42% |
| Private Institutions (PI) | Intended for privately owned facilities that serve the public, such as places for religious assembly, private schools, health care, cultural institutions, and comparable facilities. | 221.20 | 1.70% |

## Table 2. Land Use Designation Categories

| Land Use Designation | Description | Total Acres | Percent of City's Land |
|---|---|---|---|
| | *(FAR ranges from 0.1 to 1 or cumulative development for specific sites.)* | | |
| Open Space (OS) | Intended for areas providing a range of public and private uses intended to protect, maintain, and enhance the community's natural resources. | 3,042.46 | 23.44% |
| Open Space/ Residential Village (OS/RV) | Intended for the preservation of Banning Ranch as open space, restoration of wetlands and other habitats, development of a community park, and consolidation of oil extraction and processing facilities.<br>*(Cumulative development for specific site.)* | 520.44 | 4.00% |
| Parks and Recreation (PR) | Intended for active public or private recreational use, which may include active and passive parks, marina support facilities, aquatic facilities, and similar facilities. | 1,783.37 | 13.74% |
| Tidelands and Submerged Lands (TS) | Intended for uses related to tidelands and submerged lands of Newport Bay and the Pacific Ocean immediately adjacent to Newport Beach. | 27.60 | 0.21% |
| | **Total** | **12,978.85** | **99.97%** |

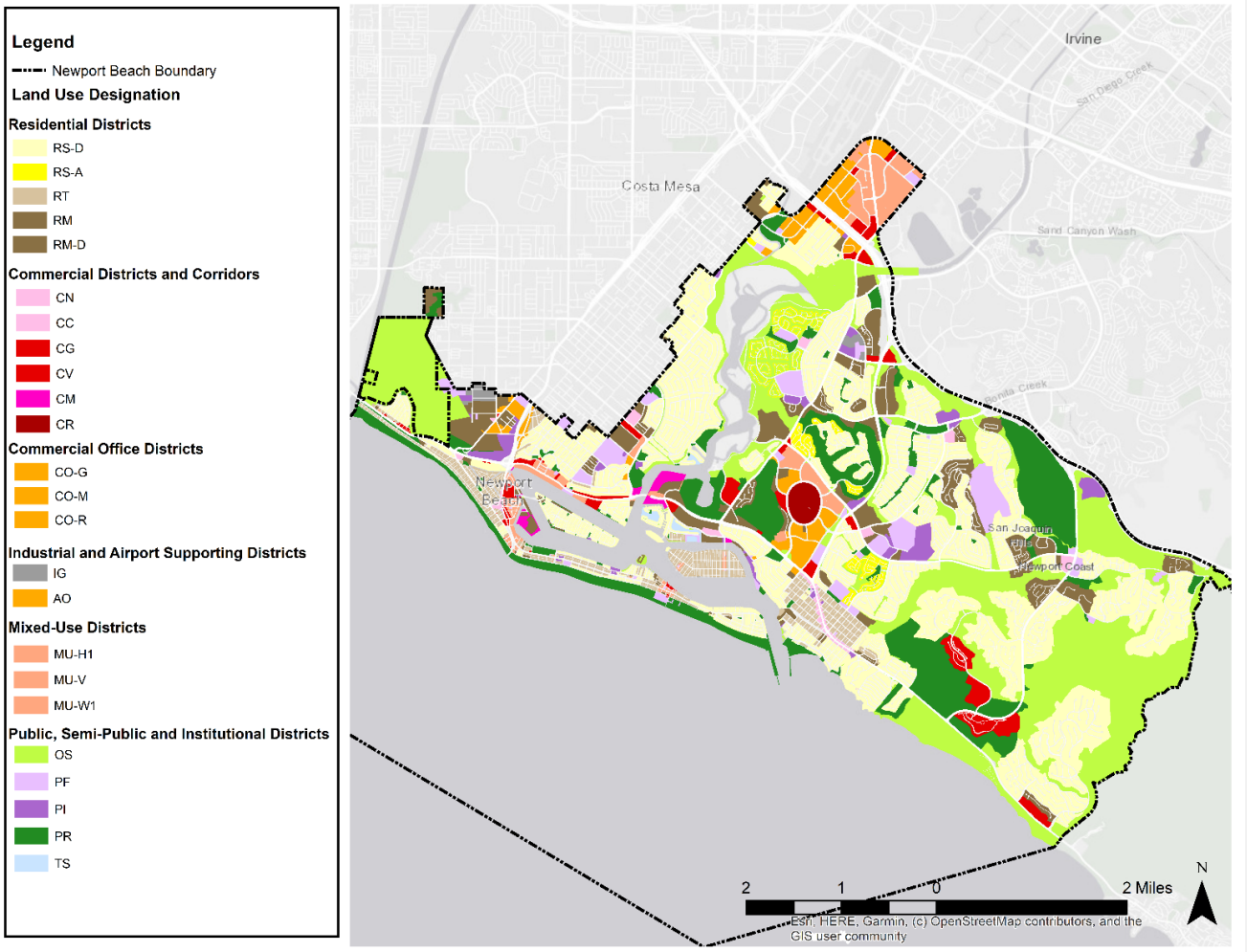
**Source:** City of Newport Beach, 2006, City of Newport Beach General Plan Land Use Element, Newport Beach Land Use GIS data.
**Note**: Totals may not sum due to rounding.

**Figure 6.** Total Percentage of Acreage per Land Use Designation Category




**Source:** Dudek, Newport Beach Land Uses GIS data

**Figure 7.** Land Use Designations in Newport Beach




**Source:** Dudek, Newport Beach Land Uses GIS data

### 5.2.1 Residential

The Single Unit Residential Attached (RS-A) designation, one of five residential land use designations, is the land use that is the most common throughout Newport Beach and accounts for nearly one-third of the City's land. Although most residential land is designated for single-family use, Newport Beach also has a sizable amount of land designated for multi-family uses. All residential land uses have fixed capacities in lieu of density ranges, with the exception of the Multiple Residential (RM) land use designation, which has a range of permitted densities of 11 to 43 dwelling units per acre. Proposed residential overlays include permitted maximum densities ranging from 50 to 60 dwelling units per acre, however, this considers the average density of a project site. Residential uses are predominately single-family homes, with both types of single-unit residential (attached and detached) accounting for nearly one-third of Newport Beach's land. As shown in Figure 7, the residential land use designation is fairly evenly dispersed across Newport Beach. Developed areas are mostly bound by natural barriers, such as bodies of water and open space, and more dense land use designation types are generally located along major and arterial roads.

### 5.2.2 Commercial and Mixed-Use

The most prominent commercial land use designation, including Districts, Corridors, and Commercial Office Districts, is Visitor Serving Commercial (CV), reflecting Newport Beach's prominence as a destination city and the benefits that tourism provides to the local economy. The Visitor Serving Commercial (CV) land use designation occurs near Lower Newport Bay and on the southeastern area of Newport Beach near Crystal Cove State Beach. Commercial land use designations form specific nodes within Newport Beach, with notable locations at Newport Center in the central of Newport Beach, and in the northern area of Newport Beach known as the Airport Area, near John Wayne Airport. Most commercial land use designations provide a FAR range that dictates the permitted intensity of commercial development; however, some designations, such as Regional Commercial (CR), Visitor Serving Commercial – Lido Village (CV-LV), and Regional Commercial Office (CO-R), prescribe specific development capacities based on maximum square footage for commercial development.

Mixed-use land use designations are generally clustered near commercially designated lands. Therefore, mixed uses are generally distributed in the same areas as commercial land uses, with the exception of the eastern area of Newport Beach where there are no mixed-use designations. The Mixed Use Horizontal 2 (MU-H2) land use designation is the most prominent mixed-use land use type and is intended to serve the Airport Area. The MU-H2 designation identifies cumulative non-residential and residential development for specific sites.

### 5.2.3 Industrial and Airport Supporting

The Industrial Districts and Airport Supporting Districts land use designations make up a low percentage of the City's land at 0.36% and 0.29%, respectively. There are three distinct nodes within Newport Beach with these designations: near the Airport Area, near Jamboree Road and Bison Avenue, and near Newport Beach's western boundary near Banning Ranch. Industrial Districts include the General Industrial designation, which provides for a range of industrial uses such as light manufacturing and research and development, and limited ancillary commercial and office uses. The Airport Supporting Districts includes the Airport Office and Supporting Uses designation, which provides for the development of properties adjoining the John Wayne Airport for uses that support or benefit from proximity to the

airport such as professional offices, aviation retail, automobile rental, sales, and service, hotels, and ancillary retail restaurant, and service uses.

### 5.2.4 Public, Semi-Public, and Institutional

Public, Semi-Public, and Institutional lands make up nearly half of Newport Beach, at 46.53%. These areas make up beaches, parks, open spaces, schools, the Civic Center, and the San Joaquin Reservoir, among other public-serving facilities. The amount of land dedicated to these uses is representative of the values of the community, contributing to public health, social wellbeing, and economic vitality. Current land use patterns are indicative of many of the key characteristics that make Newport Beach unique.

The most significant land use designation within the Public, Semi-Public, and Institutional category is Open Space (OS), making up approximately 23% of Newport Beach's land, followed by Parks and Recreation (PR) at approximately 13%, which includes beaches. As show in Figure 7, the Open Space (OS) land use designation is generally distributed throughout Newport Beach, with larger swaths of land on the eastern side where reserves and State parks reside.

### 5.2.5 Specific Plans

The City's adopted Land Use Element identifies Specific Plans for seven areas, including Newport Shores, Central Balboa, Old Newport Boulevard, and Mariners' Mile. These Specific Plans detail additional design guidelines and development standards to support specific visions for these districts. In the Mariners' Mile Specific Plan, for example, regulations supported the district's marine-oriented uses through an emphasis on visitor-serving, neighborhood commercial and marine-oriented uses. Through the October 2010 Comprehensive Zoning Code Update, the Specific Plan districts of Newport Shores, Mariners' Mile, Cannery Village/McFadden Square, Central Balboa, and Old Newport Village were all eliminated and were replaced by existing zones based on the General Plan. This approach applied citywide zones to these areas, as appropriate, to provide a more comprehensive and streamlined approach to development of these areas.

The only remaining City Specific Plan is the Santa Ana Heights Specific Plan, which is Chapter 20.90 (Santa Ana Heights Specific Plan) of the Newport Beach Zoning Code. The area was previously under Orange County's jurisdiction and while the City has permitting jurisdiction in the Santa Ana Heights Specific Plan, any amendments to the specific plan would require coordination with the County. The primary objectives of the Santa Ana Heights Specific Plan are as follows:

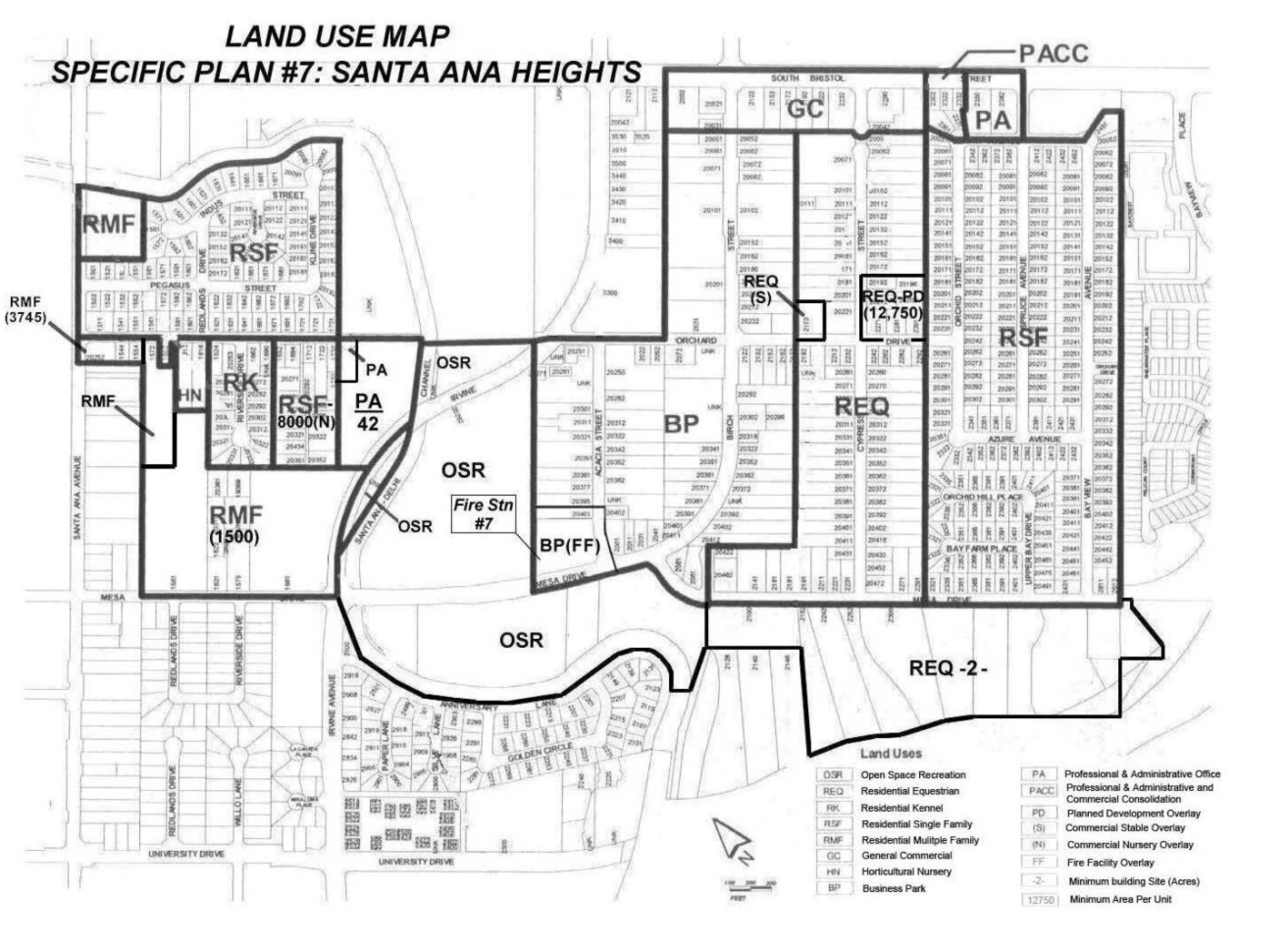
- Encourage the improvement of existing residential and commercial areas
- Provide adequate buffers between residential neighborhoods and adjacent business park and commercial development, including traffic control between these land uses
- Encourage the consolidation of small lots in business park areas
- Provide adequate public facilities to support continued development in the community
- Facilitate the development of increased equestrian opportunities in permitted residential zones
- Enhance the community's overall aesthetic character

The Santa Ana Heights Specific Plan includes 13 land use designations that were created specifically to support these objectives, as follows:

- Open Space and Recreational District: SP-7 (OS/R)
- Residential Equestrian District: SP-7 (REQ)
- Residential Kennel District: SP-7 (RK)
- Residential Single-Family District: SP-7 (RSF)
- Residential Multiple-Family District: SP-7 (RMF)
- Horticultural Nursery District: SP-7 (HN)
- General Commercial District: SP-7 (GC)
- Business Park District: SP-7 (BP)
- Professional and Administrative Office District: SP-7 (PA)
- Professional, Administrative, and Commercial Consolidation District: SP-7 (PACC)
- Planned Development Combining District (PD)
- Commercial Stable Overlay District: (S)
- Commercial Nursery Overlay District: (N)

Figure 8, Land Use Designations in the Santa Ana Heights Specific Planning Area, indicates each parcel's land use.

**Figure 8.** Land Use Designations in the Santa Ana Heights Specific Planning Area




**Source:** City of Newport Beach Municipal Code. Title 20, Chapter 20.90. https://www.codepublishing.com/CA/NewportBeach/#!/NewportBeach20/NewportBeach2090.html#20.90. Retrieved May 2024.

## 5.3 Land Use Needs

The updated Land Use Element will need to consider whether the non-residential needs of existing and planned residents will be met as new development occurs. This will be determined largely through community outreach and engagement, and will focus on identifying the needs of residents Citywide and by village/neighborhood. According to 2023 parcel reference data, there are 45,097 housing units and approximately 39 million square feet of commercial, industrial, and institutional uses in Newport Beach. Although housing compared to the population can indicate the approximate number of people per household, the amount of space dedicated to employment, retail, and community services can indicate how the population is served at a point in time. If approved, the Housing Element Implementation Plan's amendment to the adopted Land Use Element will increase housing capacity by approximately 8,000 units. Although this will not directly result in the development of new units, it is important to consider comparable land use changes that could accommodate the potential for new residents. As the population increases, the number of housing units and employment, retail, and community services may need to increase to maintain the access to resources to which the community is accustomed.

As described in Section 5.1.1 above, the City's housing stock consists of approximately 45,097 total units. The proposed increase in residential capacity identified in the concurrent Land Use Element amendment, as further described in Section 4.3.5, would allow for approximately 8,000 additional units beyond those in the adopted 2006 General Plan. If the entirety of the units identified through the Land Use Element amendment for the Housing Element Implementation Program were developed, this would represent an increase in the current housing stock of approximately 18%. Although planned capacity for development does not mean that development will occur, planned uses should consider a balanced approach to meet existing and planned community needs. This can be supported through the development of Specific Plans for key areas to provide a balanced approach to land use that incorporates area-specific regulations, approval processes, and infrastructure plans.

Through the General Plan Update process land use changes should be considered by all interested parties through a robust outreach and engagement program that considers current and future needs. Further, any land use changes that would be considered to be a "significant increase" under Charter Section 423 should weigh the potential risks and barriers.

# 6 Issues and Opportunities

This chapter identifies key topic areas that present opportunities in terms of land use decisions and potential constraints related to land use. Because Newport Beach is largely built-out, most new development will occur on scattered sites or through redevelopment. Developing a baseline of understanding for what is on the ground compared to what is planned can help identify where opportunities may lie. Further, an understanding of those areas that the community values the most can identify areas that should be protected and preserved. Striking a balance between accommodating growth and maintaining the community's identity will require careful consideration from all interested parties.

## 6.1 Constraints to Land Use Changes

While there is limited vacant land available for development in Newport Beach, development is further constrained by the City's location in the coastal zone and its proximity to the John Wayne Airport. The coastal zone includes all neighborhoods adjacent to the coast and harbor, and extends inland to the areas surrounding Upper Newport Bay. The areas constrained by the John Wayne Airport include areas near the John Wayne Airport both northeast and southwest of the 73 Freeway, referred to as "Airport Area" in the adopted Land Use Element. The AELUP is intended to protect public health and safety as it relates to airport-related hazards, and the LCP ensures that California's coastline is developed in a manner that maintains public access to beaches. Both of these planning areas are subject to additional land use and development restrictions, including additional development review. For these reasons, some land use changes and development may be restricted in the coastal zone and the Airport Area. Given planned densities in the Airport Area, members of the General Plan Advisory Committee (GPAC) have expressed desire for the development of a specific plan to help guide development in the area.

Further, changes to the adopted Land Use Element are limited by Charter Section 423. Any amendment to the Land Use Element that could result in more than 100 new dwelling units or more than 40,000 square feet of floor area would require voter approval. As discussed in Section 5.4, Land Use Needs, if the Housing Element Implementation Plan's amendment to the adopted Land Use Element is approved by voters, a proportional increase in land uses to support employment, retail, and community services would result in a more than 40,000 square feet of floor area. Generating support for major amendments to the adopted General Plan can take time and can be costly.

## 6.2 Opportunities for Land Use Changes

One of the greatest opportunities for changes in land use involves expanding opportunities for community-serving retail, entertainment, and services. Through the adopted Arts and Cultural Element, the recently approved Central Library Lecture Hall, and the variety of arts and culture programs offered, it is apparent that facilities that highlight arts and culture are highly valued in Newport Beach. If there is community desire for land use changes through the General Plan Update, community-serving uses should be considered in a manner that can be realistically achieved.

Any changes in land use should consider building upon ongoing and planned efforts to capitalize on neighborhood improvements, such as the expansion of the Sherman Library and Gardens, an assessment of Corona del Mar to identify enhancement opportunities, and other planned investments, such as capital improvements. Planning land

use changes to go alongside neighborhood investments can help increase the likelihood that the development will occur because surrounding investments can help reduce the cost associated with planned development.

Further opportunities exist through the use of Specific Plans that can be utilized to create complete communities for specific areas where a variety of uses and supportive infrastructure may be needed.

The identification of opportunities for potential land use changes and supporting policies will be determined through outreach and engagement where discourse on community values and aspirations can be fostered.

# 7 Recommendations

The updated Land Use Element presents opportunities for the City and community to develop a plan for growth and preservation that will meet the needs of existing and future residents, employees, businesses, and visitors. The recommendations of this chapter should be expanded upon through coordination with the community through an outreach and engagement program. Further recommendations can be further assessed through data analysis and research of targeted areas.

## 7.1 General Plan Consistency

The adopted General Plan identifies "planning sub-areas" that some in the community would refer to as villages or neighborhoods. The General Plan Update presents an opportunity to comprehensively identify sub-areas, villages, and neighborhoods that already may be identified by many in the community within Newport Beach but that may not be reflected in current data and maps. A comprehensive identification of these areas would need to be developed through coordination with the community. Once developed, such areas could create consistent messaging and a sense of connection to the community while establishing City-recognized boundaries, preventing outside organizations from establishing boundaries the community does not identify with.

## 7.2 Community Priorities

Any proposed land use changes should only be considered with robust community engagement to understand the community's current and anticipated needs. When communities are balanced with a variety of land uses to meet the varying needs of residents, businesses, and visitors, this can result in a thriving community. While, changes in land use alone do not result in development, it is important that the community's values and vision also consider ongoing efforts, such as the expansion of the Sherman Library and Gardens and the analysis of Corona del Mar to identify opportunity areas where there may be interest in land use changes through the General Plan Update. Other considerations could include areas where there are planned capital improvements that could benefit from additional development as a result of land use changes. Such considerations will identify key opportunities where community values hold the greatest propensity for being realized.

## 7.3 Balanced Communities

Although it can be exciting to consider key areas where change could occur, it is important to consider the comprehensive implications of land use changes. Increases in density and intensity often result in needed improvements to public facilities, often related to water, electricity, and transportation facilities. With new facilities comes additional costs, much of which is placed on the prospective developer and the City. Any proposed land use changes should consider the facility upgrades and investments, and their impact on the potential for implementation. If proposed land use changes are significant, they could result in costly needed improvements that could render future development infeasible. Policy considerations include identifying planning tools to implement and identifying focus areas where improvements to support development may be needed. For example, specific plans often provide a comprehensive approach to addressing land use and infrastructure needs at the neighborhood scale and should be considered to build on opportunities where a variety of land uses is expected.

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# Attachment No. PC 4

Safety Existing Conditions and Background Analysis Report

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General Plan Update

# Safety Element Existing Conditions and Background Analysis

**JUNE 2024**

*Prepared for:*

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# Table of Contents

**SECTION** **PAGE NO.**

## TABLES



## FIGURE(S)

# Acronyms, Abbreviations, Key Terms

| Acronym/Abbreviation/Term | Expanded From |
|---|---|
| AB | Assembly Bill |
| AlertOC | Alert Orange County |
| BRIC | Building Resilient Infrastructure and Communities |
| BW-12 | Biggert-Waters Flood Insurance Reform Act of 2012 |
| CAL FIRE | California Department of Forestry and Fire Protection |
| Cal OES | California Governor's Office of Emergency Services |
| CalEPA | California Environmental Protection Agency |
| CCC | California Coastal Commission |
| CDAA | California Disaster Assistance Act |
| CERT | Community Emergency Response Team |
| CGS | California Geological Survey |
| CIP | capital improvement program |
| City | City of Newport Beach |
| CoSMoS | Our Coast, Our Future's Coastal Storm Modeling System |
| CSWC | California State Warning Center |
| DRA | drought risk assessment |
| DWR | California Department of Water Resources |
| EAP | Energy Action Plan |
| EIFD | enhanced infrastructure financing district |
| EOC | Emergency Operations Center |
| EOP | emergency operations plan |
| EPA | U.S. Environmental Protection Agency |
| ESA | Endangered Species Act |
| FEMA | Federal Emergency Management Agency |
| FIRM | Flood Insurance Rate Map |
| GETS | Government Emergency Telecommunications System |
| GHG | greenhouse gas |
| GIS | geographic information system |
| GSA | groundwater sustainability agency |
| GSP | groundwater sustainability plan |
| HMGP | Hazard Mitigation Grant Program |
| HVAC | heating, ventilation, and air conditioning |
| IPAWS | Integrated Public Alert and Warning System |
| IPCC | Intergovernmental Panel on Climate Change |
| JWA | John Wayne Airport |
| LCP | Local Coastal Program |
| LHMP | local hazard mitigation plan |
| NIMS | National Incident Management System |
| NBFD | Newport Beach Fire Department |
| NBMC | Newport Beach Municipal Code |

| Acronym/Abbreviation/Term | Expanded From |
|---|---|
| NCRF | National Coastal Resilience Fund |
| NFIP | National Flood Insurance Program |
| NOAA | National Oceanic and Atmospheric Administration |
| NOI | Notice of Interest |
| NWS | National Weather Service |
| OCCC | Orange County Climate Coalition |
| OCWD | Orange County Water District |
| OPC | California Ocean Protection Council |
| OPR | Office of Planning and Research |
| SB | Senate Bill |
| SCE | Southern California Edison |
| SEMS | Standardized Emergency Management System |
| SQG | small quantity generator |
| SSMP | Sewer System Management Plan |
| SSO | sanitary sewer overflow |
| UHII | Urban Heat Island Index |
| UWMP | urban water management plan |
| WEA | Wireless Emergency Alert |
| WPS | Wireless Priority Service |
| WSCP | Water Shortage Contingency Plan |
| WUI | wildland-urban interface |

# Executive Summary

The Safety Element's general purpose is to protect residents, businesses, structures, infrastructure, and city functions. It fulfills this by providing analysis of natural and human-made hazards and dictating high-level policy to mitigate, prepare for, respond to, and recover from hazards.

The City of Newport Beach's (City) adopted General Plan includes topics that relate to the adopted Safety Element in other adopted elements, most notably the adopted Land Use Element, Natural Resources Element, Harbor and Bay Element, and Housing Element. There are other overlapping planning documents that the City maintains related to the Safety Element. The local hazard mitigation plan (LHMP) is a document that addresses similar topics but, focuses on shorter-term projects and mitigation and fulfills Federal post-disaster funding incentives. There is also the emergency operations plan (EOP), which is a plan for operations in the event of an emergency. The urban water management plan (UWMP) is another important City document that overlaps with water availability for firefighting purposes. Each of these documents should be consistent with the Safety Element analysis and policy.

Safety elements and their requirements are mandated by the State, though there are certain aspects that the State recommends or incentivizes. Across the State, local governments are updating their safety elements to comply with Senate Bill (SB) 379, which mainly responds to the prior unmet need to update safety elements to take into account changing hazards. Other State laws, including Assembly Bill (AB) 747 and SB 99, have added planning requirements related to evacuation. Federally, the LHMP is the main interaction with safety element regulations, but LHMP content does not dictate or require anything within safety elements. However, California's AB 2140 is an incentive-based option that allows local governments to incorporate their LHMP into their safety elements and provides the benefit of State-matching funds for post-disaster funding. There are other regional influences that interact with safety elements, including mutual aid and regional water management, but these should generally be incorporated in safety elements through policies that retain consistency but should not dictate what is included in a safety element.

The City has several hazards present that require analysis and should be addressed in the updated Safety Element. Due to the proximity to the ocean and number of structures along the oceanfront and bay, coastal hazards, including flooding, tsunamis, and more, are one of the most prominent hazards. There is also potential for fire hazards along the eastern portion of the City, and geologic risks spread throughout the City based on physical characteristics of the land. No part of the City is at risk of surface rupture, but there is potential for damages due to ground shaking from earthquakes. Other hazards that present more minimal risk to the City but are still present include hazardous materials, extreme heat, and aviation hazards. In regard to vulnerable populations, older adults are the most prominent population present, but both renters and homeowners experiencing cost burden are also present in relatively high numbers. The City also has several critical facilities, public facilities, and infrastructure that have potential to be impacted by certain hazards differently depending on the facility and where it is located within the City.

The updated Safety Element will build upon the work that has already been done through several different departments at the City. When considering mitigation, the Newport Beach Municipal Code (NBMC) is the strongest implementation pathway. The NBMC dictates development standards and maintenance requirements, among other things, and mitigates many hazards, including fire, flooding, extreme heat, and seismic and geologic hazards. Community education and involvement programs are also available, with the Community Emergency Response Team (CERT) program offering the clearest connection between the community and public safety. There are also

emergency response efforts mainly spearheaded by the fire department and police department that cover notifications, evacuation, mutual aid, and shelters and cooling centers.

When considering a future safe from hazards, there are a variety of issues and opportunities that exist. Barriers to implementation can include funding and competing interests that can cause contradicting actions, such as the development of housing occurring in an area with inherent hazard risks. There are also opportunities to do more, which are most effective with strong support from residents. Certain policies exist that can mitigate the issues present and uplift the opportunities. Overall, the updated Safety Element will pursue policies that meet State requirements, are feasible and favorable to residents, and continue to provide a safer environment in Newport Beach.

# 1 Introduction

Safety elements are a required element of general plans. They address natural and human-caused hazards and the potential short- and long-term risks to human life, property, and economic and social dislocation resulting from hazard events, including air pollution, extreme heat, flooding, geologic hazards, hazardous materials, and wildfires. Because environmental changes affect and potentially exacerbate the impact of hazards, safety elements are also required to address environmental changes within each applicable hazard section.

The City of Newport Beach (City) is currently undertaking a General Plan Update. This report serves as initial technical support for the City's update to the Safety Element. The document provides a high-level overview of the adopted Safety Element, discusses goals and policies that address hazards, and evaluates conditions as they relate to each identified hazard, which populations are most vulnerable to hazards, and how the City is currently addressing these hazards. This report also provides pathways to ensure continuity between goals and policies that may appear in other elements and concludes with recommendations to strengthen and enhance the updated Safety Element as part of the comprehensive General Plan Update. The updated Safety Element will build upon the adopted General Plan's vision of responsive public safety services that are considered to be amongst the best in the nation.

To support the update to the City's Safety Element, this report analyzes the following potential hazards that pose a potential risk in Newport Beach.

## Coastal Hazards

Coastal hazards come in the form of both sudden and gradual threats. Storm surge, tsunamis, and rogue waves can occur rapidly, inundating coastal areas and causing damage to structures and properties. Coastal erosion, which wears away at beaches and coastal bluffs, is caused by wind, rain, and high tides. Sea-level rise is the increase in ocean level. It has the potential to submerge coastal areas, both built and natural environments, as the sea level increases, resulting in beach loss, erosion of foundations of structures, and changes to brackish water ecosystems (e.g., estuaries).

## Seismic Hazards

Seismic hazards are caused by earthquakes and include fault rupture, seismic shaking, liquefaction, and landslide. Earthquakes are caused by the movement of tectonic plates, which are pieces of the earth's crust, when the stress between tectonic plates becomes greater than the friction holding them in place, leading to sudden release of pressure and causing shaking. Earthquakes in which the sea floor is suddenly displaced by the same process can lead to tsunamis.

## Geologic Hazards

Geologic hazards result from surface earth processes that can lead to harm to a community or the environment. They include slope failures, compressible soils, and expansive soils, each of which can lead to issues with the foundations of structures.

### Flooding Hazards

Flooding hazards include inland flooding from heavy precipitation or storms or dam failure. Flooding can sustain damage to structures, utilities, and transportation systems, and can disrupt the natural environment via soil erosion and deforestation. Dam failures can be particularly damaging, as the sudden release of water, flowing at high velocity, can destroy property and cause injury or loss of life.

### Fire Hazards

Wildland fires are a natural feature of forested areas. However, due to farming, urban development, and fire suppression efforts, wildland fires have become a hazard of concern, particularly to communities near forested or other natural areas (i.e., the wildland-urban interface [WUI]).

Urban fires cause damage to buildings or infrastructure. In cases where a fire cannot be contained, the fire may spread to surrounding properties and destroy entire structures. Common causes of urban fires are stoves, short-circuited electrical equipment, breaches in gas pipelines, large transportation accidents, or downed electrical transmission wires.

### Hazardous Materials Management

Hazardous materials events are marked by the release of harmful concentrations of hazardous or toxic substances into the environment. Often these releases are caused by leaks or failure of storage containers or other equipment, which result from industrial accidents, vehicle crashes, and impacts from disasters such as earthquakes or floods.

### Aviation Hazards

Airports create noise and safety hazards that can be detrimental for residents, businesses, and property owners. Typical activities include commercial service, cargo service, and general aviation. Airports and certain types of development can be hazardous when located close together, which is why careful planning must be done to minimize risk and plan for a coordinated response to any potential incident. Noise from airports can negatively impact residents and businesses located nearby; preventing excessive noise impacts is a primary concern for airport planning and operation.

### Extreme Heat

Extreme heat references excessively hot days, heat waves, or multiple days in a row of extreme heat, and warm nights that do not allow people's bodies to cool off and recover. It is commonly the deadliest hazard in the United States, and many of its impacts to human health are difficult to track as it can cause health complications as a result of stress on the body. Extreme heat has become more intense and frequent in recent years and is projected to continue to worsen.

## 1.1 Element Purpose and Update Process

The Safety Element of the General Plan addresses natural and human-caused hazards in Newport Beach and the potential short- and long-term risk to human life, property, and economic and social dislocation. Hazards evaluated to inform the update to the Safety Element include coastal hazards, seismic and geologic hazards, flooding, fire, hazardous materials, aviation hazards, and extreme heat. The changing environment affects and potentially

exacerbates the impact of many hazards; therefore, this is also assessed in consideration of each applicable hazard.

Safety elements must evaluate conditions as they relate to each identified hazard, which populations are most vulnerable to hazards, and how the City is currently addressing these hazards. This assessment, paired with information distilled through the General Plan Update Outreach and Engagement Program, will act as a foundation to inform the development of the goals, policies, and actions of the updated Safety Element, which will provide the City with a roadmap to reduce the potential short- and long-term risk of hazards and their impacts. Goals, policies, and actions of the updated Safety Element should align with other hazard or emergency planning documents and should include a comprehensive hazard planning strategy including mitigation, preparation, response, and recovery.

In addition to the required components, during safety element development or updates, local governments must consult the California Geological Survey (CGS) of the Department of Conservation and provide a draft of their safety elements for review to determine if all known seismic and other geologic hazards have been addressed. Local governments that contain a State fire responsibility area or very high fire hazard severity zone must provide a draft safety element to the State Board of Forestry and Fire Protection to review for potential land use, policy, or strategy changes to reduce fire risk. Newport Beach has a very high fire hazard severity zone within city limits, so this consultation process with the Board of Forestry and Fire Protection is required.

Local governments can also optionally consult the California Governor's Office of Emergency Services (Cal OES), which can assist local governments with developing their safety elements and ensuring consistency with the local hazard mitigation plan (LHMP) and emergency operations plan (EOP). Furthermore, the Office of Planning and Research (OPR) Integrated Climate Adaptation and Resiliency Program can support local governments' compliance with Senate Bill (SB) 379 (see Section 4.2.2 for more information on SB 379).

## 1.1.1 Safety Element Implementation

While the adopted general plan serves as a framework for land use, development, and the future of the city, achieving its objectives and policies requires more specific tools. Implementation of the general plan, including its safety element, relies on specific plans, zoning ordinances, subdivision ordinances, public project consistency requirements, capital improvements, municipal operations, educational resources and engagement, and other mechanisms.

### Specific Plans

Through specific plans, cities can systematically implement the general plan within all or a portion of the planning area. Either the public or private sector may prepare a specific plan, and any interested party may request its adoption, amendment, or repeal. Responsibility for adopting, amending, or repealing a specific plan lies with the city council; specific plans can also be adopted by voter initiative and are subject to referendum. Moreover, specific plans may be adopted by resolution (such as with a general plan) or by ordinance (such as with zoning ordinances), or some combination therein. Specific plans must describe:

- The distribution, location, and extent of land uses, including open space, in the plan area
- The proposed distribution, location, extent, and intensity of public and private infrastructure, including transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities in the plan area

- Standards and criteria for proposed development and conservation, development, and utilization of natural resources
- Implementation measures, including regulations, programs, and public works projects, and financing measures to carry out the above

Specific plans are effective tools for specifying implementation programs to specific geographic areas or sites. They also enable cities to stipulate development timing or schedule infrastructure installation to phase in long-term development described in the general plan. For example, if a safety element contains policies for the implementation of flood-resistant public infrastructure, through a specific plan the city can specify an implementation program for areas with high flood risk and phase in infrastructure improvements over time that align with the development patterns and needs of the area.

Specific plans must be consistent with the general plan; zoning ordinances, subdivisions, public works projects, development agreements, and land projects must be consistent with applicable specific plans.

## Zoning

Zoning provisions classify the specific and immediate uses of land, including which uses are to be permitted, conditionally permitted, and prohibited within specific zones. Safety elements provide for policies to reduce exposure or vulnerability to hazards present in the community; zoning ordinances can be used to translate long-term safety objectives into concrete regulations and land use decisions. Conditional use permits, coastal development permits design review, floodplain zone districts, open-space zoning, planned unit development zoning, local coastal program implementation plans, and specific plan zoning districts are examples of zoning tools that may be used to implement objectives and policies of the safety element.

As a charter city with a population less than two million, the City of Newport Beach is not subject to the requirement that zoning provisions be consistent with the general plan. However, the City has adopted an ordinance stating that all Zoning Code provisions be consistent with the General Plan (NBMC Section 20.10.030). This consistency requirement renders zoning as an effective tool to implement the updated Safety Element.

## Local Coastal Program

The California Coastal Act is a State law that governs development in the coastal zone, and the California Coastal Commission (CCC) is the State agency that implements the California Coastal Act. The CCC maintains regulatory authority and permitting jurisdiction over the use of land and water in the coastal zone until a local government prepares an LCP that includes both a Land Use Plan and an Implementation Plan. Generally, the Land Use Plan is either a portion of a city's General Plan or a distinct plan that indicates the kinds, locations, and intensities of land uses in that city's coastal zone and includes resource protection and development policies. In Newport Beach, the Coastal Land Use Plan is a distinct document. The Implementation Plan is made up of zoning ordinances and maps that implement and further delineate the policies of the Land Use Plan. The Newport Beach LCP was certified by the CCC in 2017[1] and has been amended regularly to clarify and update existing policies and to incorporate new policies to reflect emerging planning issues and the best available science.[2] The Local Coastal Program Implementation Plan sets forth policies and procedures that govern the use of land and water in the coastal zone

1 The Land Use Plan portion of the Local Coastal Program (LCP) was first certified by the CCC in 2005, and the Implementation Plan followed in 2017. An LCP is not considered certified until both the Land Use Plan and Implementation Plan are approved by the CCC.

2 Local governments are allowed up to four major amendments per year.

within City limits, with the exception of Newport Coast. Newport Coast is governed by a previously certified and currently effective Newport Coast segment of the Orange County LCP, which was certified prior to the area's incorporation into the City's jurisdiction.

## Subdivision Regulations

The Subdivision Map Act establishes local subdivision procedures and provides cities and counties with authority to regulate the design and improvement of subdivisions as well as require dedications of public improvements or related impacts fees and require compliance with objectives and policies of the general plan (Government Code Section 66410). Through this authority, cities can promote safety element objectives and policies. As such, subdivisions can be made to support objectives relating to floodplain management, wildland fire safety, and urban forestry, among others.

## Capital Improvements

Capital facilities must be consistent with the general plan, per Government Code Section 66473 and Friends of B Street v. City of Hayward (1980) (106 Cal.App.3d 988). Publicly owned facilities such as streets and roads, water and sewer facilities, public buildings, and parks are each considered capital facilities.

The safety element must address evacuation routes, peakload water supply requirements, flooding, and minimum road widths in relation to fire and geologic hazards; therefore, the safety element should establish policies to ensure the safety of capital facilities when exposed to hazards. Other hazards, such as extreme heat, may not have statutory requirements, but can still be included in the assessment and policy of the safety element. In turn, capital facilities must be designed and implemented to be consistent with the safety element and other general plan elements. Capital facility consistency with the safety element may be assessed during the local planning agency's annual review of the capital improvement plan for consistency with the general plan.

## Municipal Operations

Some aspects of safety relate to ensuring continued or quickly available city operations after a hazard. Through proper planning and organization within the city, critical city functions can be maintained. Additionally, some processes may better serve residents by being streamlined after a hazard. This may take the form of modified operations with remote or virtual functions or reallocation of city staff to promote rebuilding and resilience. There are limited State requirements related to these efforts for cities, but through Executive Order S-04-06, model Continuity of Operations Plans and resources have been developed. Furthermore, several of these efforts have been strengthened with the recent pandemic, which tested what city operations are possible in a virtual or hybrid environment.

## Educational Resources and Engagement

Educational resources are another form of implementation that is not required but that can offer large benefits to the preparedness of residents. Resources and programs can come in multiple forms, including online resources developed by the city or by outside agencies, notifications for financial incentive programs, in-person events or trainings for individual safety, or ongoing programs that provide community benefits through collective action. Each type of engagement has merit that must be balanced with city capacity, hazard priorities, and local interest.

### Measures and Metrics

Implementation measures are vital to realizing general plan goals. Implementation measures are specific actions the local government will take to put the objectives, policies, and strategies of the general plan into practice. They can include step-by-step outlines for strategies, resource allocations, timelines, partners in implementation, monitoring and evaluation, among others. While some implementation measures directly respond to State requirements, others are up to the local government's discretion. In general, implementation measures should consider local needs and should be complimentary and mutually reinforcing (i.e., actions should build on one another to form an integrated program).

In addition to implementation measures, some local governments use implementation metrics, which track progress towards achieving objectives established in the general plan. These metrics can be tracked and updated annually, or on another regular basis, and ideally made available to the public.

## 1.2 Relationship to Other Planning Documents

General plan elements should form an integrated, internally consistent plan. The safety element, being either related to or identified in statute with several other general plan elements, should both avoid redundancy with other elements and maintain consistency with each related element. Table 1 below indicates the relationship between the safety element and other general plan elements adapted from OPR's General Plan Guidelines.

**Table 1. Correlations among Elements**

| Land Use | Harbor and Bay | Housing | Natural Resources | Circulation | Recreation | Noise | Historic Resources | Arts and Cultural |
|---|---|---|---|---|---|---|---|---|
| In statute | Related | Related | In statute | Related | Related | N/A | Related | N/A |

**Source:** OPR (Office of Planning and Research). 2017. "Required Elements." Chapter 4 in *General Plan Guidelines*. https://www.opr.ca.gov/planning/general-plan/guidelines.html#:~:text=OPR%20is%20required%20by%20Government%20Code%20Section%2065040.2,%E2%80%9Chow%20to%E2%80%9D%20resource%20for%20drafting%20a%20general%20plan.
**Note:** N/A = not applicable.

The City's Safety Element directly relates to topics in the Land Use, Harbor and Bay, Housing, Natural Resources, Circulation, Recreation, and Historic Resources Elements of the General Plan. The Safety Element identifies hazards and hazard abatement provisions to guide land use decisions related to zoning, subdivisions, and entitlement permits, including those in or adjacent to coastal zones—the concern of the Harbor and Bay Element. As housing and other structures can be impacted by seismic and geologic hazards, fire, and flooding, the Housing Element depends on the Safety Element to provide strategies to reduce risks associated with these hazards. Natural resources management is implicated in the Safety Element in regard to wildfire and urban fire risk; plant types and fuel modification in developments are addressed in the Safety Element. The Safety Element also addresses emergency response and evacuation routes, which informs the Circulation Element to ensure that streets are sized adequately for fire truck access and other needs of first responders. Recreation, especially coastal recreation, is considered in the Safety Element as an economic activity that natural and human-caused hazards may impact. Lastly, the Historic Resources Element is of concern in as far as historic and paleontological resources may be at risk of impacts from various hazards.

# 2 General Plan Review

## 2.1 Adopted Safety Element

The City's adopted Safety Element identifies natural and human-induced hazards and establishes goals and policies aimed at reducing the potential risk of death, injuries, property damage, and economic and social dislocation resulting from those hazards. The Hazards Assessment Study,[3] which informed the analysis and policies of the Safety Element, evaluated historical hazardous events and a series of scenarios for each hazard's potential impacts in the future. The following hazards were evaluated in the Hazard Assessment Study:

- **Coastal hazards**, including tsunamis and rogue waves, storm surges and seiches, hurricanes and tropical storms, sea-level rise, and coastal erosion
- **Seismic and geologic hazards**, including earthquakes, liquefaction (ground failure such as lateral spreading, flow failure, ground oscillation, loss of bearing strength, and ground lurching), landslides and rockfall, based on locations of fault lines, whether they are active or inactive, sediment deposit location and type, etc.
- **Flooding hazards**, including storm flooding from winter storms, thunderstorms and tropical rains, and flash floods, riverine flooding, and seismically induced inundation from dam failure and aboveground storage tanks
- **Fire hazards,** including vegetation fires (i.e., wildland fires) and structural fires, including those caused by earthquake-induced fires
- **Hazardous materials hazards**, including impacts on air quality from pollutants such as carbon monoxide, nitrogen dioxide, ozone, lead, particulate matter, and sulfur dioxide; drinking water quality impacts caused by toxic chemical release (e.g., ammonia, catechol, hydrogen fluoride, nitric acid, tetrachloroethylene), including leaking underground storage tanks, household hazardous waste and recycling, and oil fields and methane gas seeps, among others
- **Aviation hazards**, including airplane crashes (both cargo and passenger planes) on or near airport property

Since the publication of the adopted Safety Element, several hazard conditions have evolved and require updating in the Safety Element update. The seismic and geologic hazards assessment should be updated with recent reports from CGS to identify hazard levels by geographic area, including new information about fault zones affecting the Newport Beach area. Flooding hazards likely also require updating, as extreme precipitation frequency and intensity has shifted, potentially resulting in different flood zone boundaries. While structural fire hazard exposure may be similar to that of 2006 levels, wildland fire risk has increased and has the potential to impact structures within the City, particularly those that are close to vegetated areas (such as the San Joaquin Hills area).

The adopted Safety Element did not include the potential hazard of extreme heat, which impacts many communities across the Southern California region. Heat waves and other extreme heat events can lead to heat-related illness and even death, particularly for populations sensitive to extreme heat such as young children, pregnant women, older adults, people experiencing homelessness, and people with chronic medical conditions, including heart disease, mental illness, poor blood circulation, and obesity.

[3] City of Newport Beach. 2004. *Technical Background Report*. June 2004. https://www.newportbeachca.gov/government/departments/community-development/planning-division/general-plan-codes-and-regulations/general-plan.

Lastly, neither the Hazard Assessment Study nor the Safety Element evaluated the risk factors associated with the changing environment, which may increase the severity and/or frequency of several hazard categories, including coastal hazards, flooding, fire, and extreme heat. To comply with SB 379 (see Section 4, Regulatory Review), the City must also update its Safety Element to address adaptation and resilience either directly or by incorporating a changing environmental assessment and mitigation actions from its LHMP.

## 2.2 Adopted Land Use Element

The adopted Land Use Element outlines the City's land use policies and strategies. It designates the location and extent of various land uses, balancing residential, commercial, and recreational needs, promoting open space, and maintaining the City's coastal character. It also addresses issues related to sustainable development, transportation, and community aesthetics to guide the City's future growth and development. Furthermore, this element correlates the policies of each of the other General Plan elements into a coherent set of development policies. As such, it is the central organizing element of the General Plan as a whole.

The Land Use Element must take into consideration exposure to hazards, such as flood-prone areas or fault lines, when designating land uses and zoning. Land use planning should also take into account the emergency response services needed for changes in intensity of development or changes in zoning that may result in new housing or commercial development. Lastly, the Land Use Element should align land use and development with resilience strategies identified in the Safety Element.

## 2.3 Adopted Harbor and Bay Element

The adopted Harbor and Bay Element provides the policy framework to guide development and uses on the Newport Harbor and adjacent waterfront properties. The aim is to preserve the diversity of existing uses—including recreational boating activities, visitor-serving commercial, and waterfront residential—while balancing the demand for additional housing and mitigating impacts on the public such as noise, traffic, parking and impacts on sensitive habitats, among others.

Goal 8 of the adopted Harbor and Bay Element is particularly relevant to the Safety Element: "Enhancement and protection of water quality of all natural water bodies, including coastal waters, creeks, bays, harbors, and wetlands."[4] Within this goal, policies address chemical water pollution, groundwater contamination, and storm drain sewer system, among other topics. Similarly, Goal 7 of the adopted Safety Element addresses potential soil and water contamination from hazardous materials that are biproducts of methane gas extraction, oil operations, underground storage tanks, and hazardous waste generators. Such contamination can have an immediate and direct impact on public health and safety as well as natural habitats and water bodies.

The Safety Element also addresses several components of coastal hazards, including impacts of tsunamis and rogue waves, storm surge, and coastal erosion. Included in the adopted Safety Element's policies is protection of coastal-dependent uses through implementation of breakwaters, harbor channels, seawalls, and other infrastructure that aims to reduce risk of erosion, sand loss, and damage to harbor structures.

[4] City of Newport Beach. 2006. "Harbor and Bay Element." In *City of Newport Beach General Plan.* https://www.newportbeachca.gov/government/departments/community-development/planning-division/general-plan-codes-and-regulations/general-plan.

## 2.4 Adopted Circulation Element

The adopted Circulation Element intends to balance the City's future growth, service levels for all travel modes, and community characteristics. As such, the goals and policies therein are balanced with the goals and policies of the Land Use and Housing Elements to ensure that land use and transportation are coordinated efforts. Aside from supporting regional goals of reducing vehicle miles traveled to reduce greenhouse gas (GHG) emissions, the Circulation Element also calls for tsunami warning signs, evacuation planning, and battery back-up systems for traffic signals. As part of evacuation planning, the Circulation Element calls for efficient and safe access for emergency vehicles to all residential, commercial, and industrial areas. These considerations directly link to the Safety Element, which plans for evacuation of residents in the event of a human-made or natural disaster. Policies address evacuation routes, evacuation response plans, and emergency evacuation programs for Balboa Peninsula and other areas during a natural disasters. As such, the Safety Element and Circulation Element must be coordinated in evacuation planning.

## 2.5 Adopted Housing Element

The Housing Element establishes goals, policies, and actions for the preservation, improvement, and development of housing to meet existing and projected housing needs. Housing need is identified in the 2021–2029 Regional Housing Needs Assessment according to several income categories (e.g., low- and moderate-income households). The City must provide for its "fair share" of the regional housing need in its Housing Element while considering economic, environmental, and fiscal factors that may constrain housing development.

The Safety Element may impact the location and design of housing to minimize exposure to natural hazards, such as earthquakes, floods, and wildfires. The Safety Element may also include strategies to enhance community resilience, including energy-efficient housing. On the other hand, the location and intensity of housing development identified in the Housing Element may have implications for emergency response and evacuation planning. Likewise, in the event of a natural disaster, the availability of housing and temporary shelters can be a concern that is considered in the Housing Element.

## 2.6 Adopted Recreation Element

The adopted Recreation Element intends to ensure sufficient parks and recreation facilities are provided for the City's residents and that those parks and recreation facilities are appropriate for the residential and business population. In addition, the Recreation Element addresses recreation programs, shared facilities, coastal recreation and support facilities, marine recreation, and public access. Although the Recreation Element does not specifically address safety from hazards, the Safety Element includes goals and policies to mitigate the risk of geologic hazards, such as liquefaction, flooding, and wildfire, from impacting public infrastructure and facilities, including parks and recreation facilities. Through policies aimed to protect coastal uses, the Safety Element also addresses the development of shoreline management plans, which provide for coastal recreation.

## 2.7 Adopted Natural Resources Element

The adopted Natural Resources Element intends to direct the City's actions regarding the conservation, development, and utilization of natural resources. This Element addresses water supply, water quality (including drinking water), air quality, biological resources, open space, archaeological and paleontological resources, mineral

resources, visual resources, and energy. Moreover, the Natural Resources Element intends to conserve resources and use them efficiently to ensure development in the City is sustainable for future generations and provides for the health and well-being of current residents.

The Safety Element assesses risks from human-made and natural hazards on the built environment and natural environment and provides strategies to minimize those risks. Hazards identified in the Safety Element, such as flooding, wildfire, and geologic hazards, have potential impacts on all of the topics of concern in the Natural Resources Element (water supply and quality, air quality, biological resources, and so on). Additionally, natural resource conservation and utilization practices can affect the risk level of the impacts of hazards. The Natural Resources Element and Safety Element must be coordinated to balance the needs of both natural resource conservation, development, and use, and the need to minimize risk from hazards.

## 2.8 Adopted Noise Element

Noise impacts are not typically in the purview of safety elements. However, it is a concern for aviation hazards, which are assessed in the Safety Element. The John Wayne Airport (JWA) Access and Noise Office monitors compliance with regulations on aircraft noise limits, which places limits on operational capacity, hours of operation, and noise levels.[5]

## 2.9 Adopted Historic Resources Element

In face of development pressures upon historic sites and paleontological resources, the adopted Historic Resources Element intends to preserve early structures and archaeological sites, orient new development towards adaptive re-use of historic sites, and increase awareness of the City's history. Protections against natural and human-caused hazards is outside the scope of the adopted Historic Resources Element. This is where the Safety Element policies relating to minimizing seismic and geologic hazards is relevant. The Safety Element includes policies to update building and fire codes to ensure seismic safety design, requiring the retrofitting of unreinforced masonry buildings, which are prone to damage during seismic and geologic hazards, when undergoing remodels. These provisions must be considered with flexible building requirements provided to historic buildings and other exceptions available to historically significant structures, sites, or landmarks.

[5] John Wayne Airport, Orange County. 2023. "Access & Noise FAQs." https://www.ocair.com/about/administration/access-noise/access-noise-faqs/.

# 3 Regulatory Review

Safety elements are mandated by State requirements, but there are also Federal, State, regional, and local policies, programs, and regulations that support and impact safety elements, which should be considered. These requirements, policies, and programs are outlined in this section.

## 3.1 Federal

### 3.1.1 Local Hazard Mitigation Plan Regulations

The Disaster Mitigation Act of 2000 creates a framework for State, local, and tribal and territorial governments to engage in hazard mitigation planning to receive non-emergency disaster assistance. It promotes a proactive approach to disaster management by encouraging mitigation planning, providing funding for mitigation projects, involving the public and interested parties, and improving coordination among government agencies.

The key provisions of the Act are as follows:

- Mitigation Planning: The Act requires State and local governments to develop and adopt hazard mitigation plans, often called local hazard mitigation plans (LHMPs). These plans outline strategies for identifying, assessing, and reducing the risks posed by various natural and human-made hazards, such as floods, earthquakes, and hurricanes. LHMPs must be updated every 5 years.
- Funding: The Act authorizes the allocation of Federal funds to support hazard mitigation planning and projects. This financial assistance is provided to State and local governments to implement mitigation measures, making communities more resilient to disasters.
- Public Participation: The Act promotes public participation in the planning and decision-making processes related to disaster mitigation. It encourages involving community members and interested parties to ensure that mitigation efforts reflect local needs and priorities.
- Coordination: The Act stresses the importance of coordination among Federal, State, and local agencies, as well as non-governmental organizations, in disaster mitigation efforts. Effective collaboration is seen as essential for successful hazard reduction.
- Building Codes and Standards: The Act encourages the adoption and enforcement of building codes and construction standards that take into account the risks posed by various hazards. This helps ensure that new structures are more resilient to disasters.
- Disaster Resilience: The Act seeks to increase the resilience of critical infrastructure, including transportation systems, utilities, and communication networks, to minimize disruption during disasters.
- Pre-Disaster Mitigation Program: The Act establishes the Pre-Disaster Mitigation Program, which provides grants to support projects that reduce the risk of future disasters. These projects may include structural improvements, land-use planning, and community education initiatives.
- Research and Data Collection: The Act supports research and data collection efforts to better understand and predict natural hazards, as well as assess their potential impact on communities.

The City has addressed disaster mitigation by completing and adopting an LHMP, which analyzes several potential hazards, including earthquakes, floods, tsunamis, wildfires, unstable slopes, and strong winds. The LHMP includes

action items and programs to assist the City in reducing risk and preventing loss from future hazard events and provides resources and information pertinent to disaster mitigation planning. See Section 3.4.1, 2016 Local Hazard Mitigation Plan, for more information.

During Safety Element updates, the LHMP is able to be incorporated by reference as a result of Assembly Bill (AB) 2140. This incorporation allows for policy and background consistency even if the Safety Element does not include all topics or policies included in the LHMP. See Section 3.2.5, AB 2140, for more information about that process.

# 3.2 State

## 3.2.1 OPR Safety Element Guidelines

OPR provides comprehensive guidelines for all required general plan elements, including the safety element, consistent with Government Code Section 65302, which establishes the scope, authority, and requirements for the general plan. The guidelines stress the need for local governments to analyze vulnerability and exposure to various hazards, taking into account the location of critical infrastructure, population density, and land use patterns. Following this analysis, local governments must adopt policies and strategies to mitigate risks and enhance community resilience. This includes promoting land-use patterns that minimize exposure to hazards, encouraging the development of resilient infrastructure, and ensuring that emergency response plans are in place. Moreover, the guidelines underscore the importance of ongoing monitoring and evaluation to assess the effectiveness of safety measures and adapt the general plan as needed to address evolving threats.

The safety element must address the following hazards:[6]

- Seismically induced surface rupture, ground shaking, and ground failure
- Tsunami, seiche, and dam failure
- Slope instability leading to mudslides and landslides;
- Subsidence
- Liquefaction and other known seismic hazards
- Flooding
- Wildland and urban fires
- Climate change

In its safety element, a local government must analyze the above hazards in terms of the community's vulnerability and exposure; identify their location, frequency, and severity; and establish policies and strategies to mitigate risks.

### Adaptation and Resilience

Although adaptation and resilience should be addressed in other elements of city and county general plans, the safety element typically contains the primary discussion of adaptation and resilience. As such, as there are shifts in environmental conditions, safety elements should consider and plan for the environmental conditions possible

[6] OPR (Office of Planning and Research). 2017. "Chapter 4: Required Elements." In *General Plan Guidelines*. https://www.opr.ca.gov/planning/general-plan/guidelines.html#:~:text=OPR%20is%20required%20by%20Government%20Code%20Section%2065040.2,%E2%80%9Chow%20to%E2%80%9D%20resource%20for%20drafting%20a%20general%20plan.

at the end of the planning horizon. For example, policies and strategies should adequately adapt and build resilience to more frequent and severe heat waves, more intense precipitation events, heightened wildfire risk, and coastal flooding and sea-level rise (if applicable), among other risks.

### Consultation Requirements

The guidelines require that cities and counties consult with various government agencies prior to preparing or revising their safety element. Those agencies include CGS and Cal OES, which, during the consultation process, provide updated hazard information known by and available to the department or agency, such as information pertaining to known fault lines or changes in risk level. After the local government has completed its draft safety element, or amendment of its safety element, and prior to adopting the safety element, it must provide the draft to CGS for review to determine if all known seismic and other geologic hazards are addressed, pursuant to Government Code Section 65302.5(a).[7] Additionally, if the local government contains a State fire responsibility area or a very high fire hazard severity zone, the local government must provide a draft of its safety element or amendment to its safety element to the State Board of Forestry and Fire Protection prior to adoption. In this consultation process, the Board may recommend changes to land use and policies or strategies for reducing fire risk. Additional consultation requirements apply to local governments located in the Sacramento and San Joaquin Drainage Districts.

## 3.2.2 SB 379

SB 379 (2017) mandates that cities and counties integrate adaptation into their general plans (typically in the safety element). For cities or counties with an adopted LHMP, starting January 1, 2017, upon the subsequent revision of the LHMP, the city or county must address adaptation strategies in its safety element. If the local government does not have an adopted LHMP, the safety element of the general plan must address adaptation and resilience strategies by January 1, 2022. If a local government has adopted an LHMP or other plan that complies with the above requirements (and others in Government Code Section 65302[g]), the safety element should incorporate the adopted plan by reference and show how each requirement of SB 379 was met.

The update of the safety element pursuant to SB 379 must include the following:

1. A vulnerability assessment that identifies environmental change risks to the local government, including those applicable to specific geographic areas (to inform this assessment, local governments may refer to a number of resources from Federal, State, regional, and local agencies, as listed in Government Code Section 65302[g])
2. A set of adaptation and resilience goals, policies, and objectives
3. A set of feasible implementation measures to carry out those goals, policies, and objectives

Additionally, after the local government revises its safety element to comply with SB 379, upon each revision of the housing element, the planning agency must review the safety element and identify any new information not available previously and, as applicable, revise the safety element.

[7] Government Code, Title 7, Division 1, Chapter 3, Section 65302.5(a). https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=65302.5.&lawCode=GOV.

The City may comply with the requirements of SB 379 by updating its General Plan to include adaptation and resilience strategies. Upon the 7th cycle revision of its Housing Element, the City must review its Safety Element to determine if updates to reflect new information available at that time necessitate a Safety Element revision.

### 3.2.3 AB 747

AB 747 (2019) mandates that local governments' safety elements must be reviewed and updated, upon the next revision of their LHMP, to identify evacuation routes and their capacity, safety, and viability under several emergency scenarios. If a local government has adopted another plan, such as an EOP or LHMP, that complies with the above requirements, the safety element should incorporate the adopted plan by reference and show how each requirement was met.

The adopted Newport Beach Safety Element provides a policy to plan evacuation routes for coastal areas based on tsunami inundation maps. This policy partially responds to AB 747, but other hazard scenarios or strategies may warrant consideration to more comprehensively comply.

### 3.2.4 SB 99

SB 99 (2020) would require the city or county, upon the next revision of the housing element on or after January 1, 2020, to review and update the safety element to include information identifying residential developments in hazard areas that do not have at least two emergency evacuation routes.

### 3.2.5 AB 2140

AB 2140 (2006) authorizes local governments to adopt their LHMP approved by the Federal Emergency Management Agency (FEMA) into the safety element of their general plans. Doing so makes the local government eligible to be considered for part or all of its local-share costs on eligible Public Assistance funding to be provided from the State through the California Disaster Assistance Act (CDAA). For the local government to be eligible, the LHMP must include the following:

1. An initial earthquake performance evaluation of public facilities that provide essential services, shelter, and critical government functions
2. An inventory of potentially hazardous private facilities, such as multiunit, soft story, concrete tilt-up, and concrete frame buildings
3. A plan to reduce risks from private and public facilities during disasters

The Public Assistance funding mechanism described above is applicable after a disaster occurs. The CDAA allows the State to pay up to 18.75% of the local-share costs for Public Assistance projects when the legislature has authorized additional State funding post-disaster. The usual local-share cost is 25% of the total project cost; under the above circumstances, however, local governments that comply with AB 2140 will be eligible to be considered for the remaining 6.25% of the local-share costs to be covered by the State. AB 2140 does not mandate requirements for local governments.

Given LHMPs expire after 5 years, the City's current adopted LHMP (2016) is expired and, therefore, the City is not in compliance with AB 2140. However, if the City were to adopt an updated LHMP, meeting the above requirements, additional funding assistance may become available through this bill if it is incorporated into the Safety Element.

# 3.3 Regional

## 3.3.2 Regional Water Management

Integrated regional water management is a collaborative effort in which cities, counties, water agencies, special districts, non-government organizations, community and environmental groups, disadvantaged communities, and tribes work together to identify and implement water management solutions. The goals of this approach are to increase self-reliance, reduce conflict, build resilience, and achieve social, environmental, and economic goals. The Regional Water Management Planning Act (SB 1672) catalyzed this effort in 2002, followed by the subsequent approval by California voters of $2 billion on bond funds to plan and implement over 1,450 projects across California. These bond measures included Proposition 50 (the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002), Propositions 1E (the Disaster Preparedness and Flood Protection Bond Act of 2006), Proposition 84 (the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006), and Proposition 1 (the Storm Water Grant Program (SWGP), begun in 2014).

In addition, several integrated regional water management grant programs have delivered bond funding since 2002.

- Planning grants fund efforts by regional water management groups to develop, adopt, and update plans to identify strategies and projects to address water management needs, including climate change vulnerability.
- Implementation grants fund project implementation with a wide range of benefits. Thus far these grants have helped fund over 800 integrated regional water management projects.
- Disadvantaged community and tribal involvement grants support the involvement of such communities in integrated regional water management planning and decision-making processes, enabling greater access to funding for projects to benefit these communities.

Under the Sustainable Groundwater Management Act (SGMA) of 2014, local agencies are required to form groundwater sustainability agencies (GSAs) for high- and medium-priority water basins.[8] This constitutes a new structure for managing groundwater resources, led primarily on the local level. As priority designations and boundaries shift over time, new GSAs may be formed, reorganized, consolidated, or withdrawn if a basin is no longer high or medium priority. The planning deadline for California's first round of groundwater sustainability plans (GSPs) was January 31, 2020, for basins subject to critical conditions of overdraft, and January 31, 2022, for all other high- and medium-priority basins.

Local agencies are tasked with coordinating with their GSAs on a basin-wide scale on groundwater management issues. A local agency that decides to become a GSA must perform the duties of the GSA when developing, implementing, and enforcing a groundwater sustainability program. If an area of a high- or medium-priority basin falls outside the management area of the GSA, the county is presumed to be the GSA for that area unless the county opts out of that role.

Newport Beach lies within the Orange County Water District (OCWD). The City, along with other local agencies within OCWD, has participated in developing and implementing an alternative to the GSP, known as a Basin 8-1

[8] DWR (California Department of Water Resources). 2023. "Sustainable Groundwater Management Act (SGMA)." https://water.ca.gov/Programs/Groundwater-Management/SGMA-Groundwater-Management.

Alternative, as allowed under the California Water Code Section 10723 to comply with the SGMA.[9] The Basin 8-1 Alternative plan is updated every 5 years; the last update was in 2017.

# 3.4 Local

## 3.4.1 2016 Local Hazard Mitigation Plan

The LHMP adopted in 2016[10] updates the 2008 Disaster Mitigation Plan, The LHMP analyzes current exposure and vulnerability to natural hazards and describes actions that the City's departments, agencies, organizations, and residents can take to reduce those risks. The LHMP works in conjunction with the General Plan Safety Element and the EOP (see below). While safety elements provide a more high-level framework, emphasizing long-range and comprehensive policies to minimize hazard risk, LHMPs center on shorter-term projects or programs based on quantifiable vulnerability, loss, and risk analysis. The focus of the EOP, as detailed in the following section, is to address methods for conducting emergency operations, mutual aid processes, and roles and responsibilities of agencies, among other items. Given these differing focuses, the City coordinates implementation of the LHMP with the EOP as well as the capital improvement program (CIP) and City Building and Fire Codes.

The criteria for risk assessment the LHMP must fulfill to comply with Federal requirements (44 CFR Part 201 Section 322) are as follows:

- Identify and describe hazards (i.e., natural conditions or phenomenon with potential impacts on the City), including the use of geographic information system (GIS) data as available
- Profile the history of past hazard events, including causes and characteristics
- Assess vulnerability for each hazard, including that of critical facilities within hazardous areas, estimate potential losses, and analyze development trends such as geography and environment, population, land use, housing, employment and industry, and transportation patterns

The City conducted qualitative and quantitative assessment of hazards for the 2016 update of the LHMP, including HAZUS (a GIS-based natural hazard analysis tool developed by FEMA) analyses discussion with the Advisory Committee and in public workshops. The City calculated the score, on a scale of 1 to 9, of potential hazard impacts based on geographic extent, probability of occurrence, and potential risk. The hazards with the highest scores were strong ground shaking (i.e., earthquake), wildfires, and Santa Ana strong winds, followed by surface fault rupture, liquefaction, riverine flooding, coastal flooding, and thunderstorms.

## 3.4.2 Emergency Operations Plan

The EOP is designed as a reference and guidance document that serves as the foundation for disaster response and recovery operations for the City. The EOP complies with the Standardized Emergency Management System (SEMS), the National Incident Management System (NIMS), the Incident Command System, the National Response Framework, and the National Preparedness Guidelines. The authority providing for the EOP at the City level is the

[9] Orange County Water District. n.d. "Groundwater Management Plan, SGMA Alternative Plan, Santa Ana River Watermaster, & Imported Water Recharge Report." https://www.ocwd.com/what-we-do/groundwater-management/groundwater-management-plan/.

[10] City of Newport Beach. 2016. "Local Hazard Mitigation Plan: City of Newport Beach, California." https://ecms.newportbeachca.gov/WEB/DocView.aspx?id=2867550&dbid=0&repo=cnb

Newport Beach Municipal Code (NBMC) Chapter 2.20 (Emergency Services); several authorities on the county, State, and Federal level are applicable, as well.

Contained in the EOP is the emergency organization, operational concepts for managing hazardous events, as well as policies, general procedures, and processes for coordinating with other operational area organizations in the Orange County Operational Area. The EOP does not, however, address hazard-specific emergency responses, scenarios, hazards, or threats; rather, hazard-specific annexes to the EOP, which supplement the base plan, outline specific response activities and response organizations.

While the EOP describes specific emergency preparedness and response organization and operations, the Safety Element addresses these topics in terms of emergency response priorities, strategies, and comprehensive hazard mitigation.

### 3.4.3 Urban Water Management Plan

The urban water management plan (UWMP)[11] was prepared and published in 2020 to meet the requirements of the UWMP Act of 1983 and California Water Code requirements. This UWMP is a comprehensive evaluation of the reliability of Newport Beach's water supply over a long-term horizon (20–25 years) based on an assessment of present and future water supply sources and demands in the City's service area. A new addition to the UWMP is the Water Shortage Contingency Plan (WSCP) (detailed below), which is the City's plan to prepare for and respond to water shortages.

The UWMP projects a 1% decrease in short-term water use (from 2020 to 2025) and a 5.2% increase in long-term water use (from 2025 to 2045) due to factors such as future demographics, water efficiency measures, and long-term weather variability. The City's service area being almost completely build out, with low land use and population increase expected, is a major factor in the low rate of increase in water use. SB X7-7 of 2010 set urban water use reduction targets for 2020 of 20% decrease compared to 2013 levels. The City joined the Orange County 20x2020 Regional Alliance, created to assist in complying with SB X7-7 targets, in collaboration with the Municipal Water District of Orange County, its retail member agencies, and the Cities of Anaheim, Fullerton, and Santa Ana. The City has met its 2020 water use target of 207 gallons per capita per day, having achieved 160 gallons per capita per day.

As noted in the UWMP, the City's water supply in 2020 was a combination of imported water, local groundwater, and recycled water: 68%, 28.5%, and 3.5% respectively. By 2045, water supply is planned to shift to 82% groundwater, 14.5% imported water, and 3.5% recycled water, in keeping with the City's goal of reducing its dependence on imported water. To assess potential drought impacts, the City conducted a drought risk assessment (DRA) as part of its UWMP. The DRA, which assessed the City's ability to supply water under a 5-year drought scenario, concluded that water supplies would be more than adequate.

Safety elements must address peakload water supply requirements, according to Government Code Section 65302(g)(1), in the context of fire and geologic hazards. Peakload water supply requirements describe the supply of water needed to meet both domestic water and firefighting needs during the season and time of day when demand on a water system is at its peak. Therefore, the scope of safety elements regarding water supply is narrower

[11] City of Newport Beach. 2021. *2020 Urban Water Management Plan: Final Draft*. May 2021. https://www.newportbeachca.gov/government/departments/utilities.

than that of the UWMP. The safety element does not engage in long-term water supply planning; however, it may incorporate assessment or findings of the UWMP to support its peakload water supply analysis.

### Water Shortage Contingency Plan

The WSCP[12] is the City's operating manual and strategic planning document to prevent catastrophic service disruptions by engaging in proactive mitigation strategies for water shortage. Further, the prescriptive information and standardized action levels, along with implementation actions, provides the City's governing body, staff, and the public with pre-determined steps to manage a water shortage. To inform these steps, the WSCP included a water supply reliability analysis, which assessed factors that could contribute to water supply constraints, availability of alternative supplies, and the effect these have on meeting customer water demands, as well as assessment of water supplies under various conditions: a normal water year, a single dry water year, and a drought lasting 5 years (supplementing the DRA described above). At the time of analysis, the City found no projected shortage condition due to drought that would trigger customer demand reduction actions.

## 3.4.4 Building Code

The Building Code, contained in Chapter 15 of the NBMC, adopts and incorporates standards and requirements of the 2022 California Building Code. The purpose of the California Building Code, and by extension the Newport Beach Building Code, is to "safeguard public health, safety, and general welfare through structural strength, means of egress facilities, stability, access to persons with disabilities, sanitation, adequate lighting and ventilation and energy conservation; safety to life and property from fire and other hazards attributed to the built environment; and to provide safety to fire fighters and emergency responders during emergency operations."[13] Specifically in regards to the Safety Element, the Building Code aims to mitigate the impacts to buildings of several hazards, including, but not limited to, extreme heat, earthquakes, flooding, and hazardous materials. Towards this, the Building Code includes several important requirements such as cool roof materials, seismic safeguards, and more energy efficient materials, among many other protective standards.

The Building Code applies to new developments, as well as structures that are being significantly repaired or renovated, meaning that the benefits of the Building Code are implemented over a long period of time. Furthermore, though the Building Code may not apply to existing structures, if property owners (residential or non-residential) seek to make significant improvements to the structure, under certain conditions, the City may enforce updated standards in the permitting approval process.

Additionally, the City requires compliance with the California Green Building Standards Code (CALGreen) for new residential and non-residential construction; residential additions or alterations of existing buildings that increase building conditioned area, volume, or size; non-residential additions of 1,000 square feet or greater; and non-residential alterations exceeding $200,000[14]. CALGreen mandates that buildings be designed to include green building and construction measures, specified as mandatory application checklists in the code. Additionally, CALGreen provides application checklists for voluntary green buildings measures.

12 City of Newport Beach. 2021. "2020 Water Shortage Contingency Plan Final Draft." May 2021. https://www.newportbeachca.gov/government/departments/utilities.

13 California Building Code. 2022. Title 24, Part 2, Chapter 1.1.2. https://codes.iccsafe.org/content/CABC2022P1/chapter-1-scope-and-administration

14 State of California. 2022. "CALGreen." https://codes.iccsafe.org/content/CAGBC2022P1/preface . See Section 3.3.1, Green Building Standards Code.

### 3.4.5 Fire Code

To reduce wildfire risk, the City and the Newport Beach Fire Department (NBFD) have implemented a variety of measures and policies to ensure the safety of its residents and infrastructure. These policies apply to specific WUI areas, where property lines interact with wildland or vegetative fuels, and include Very High Fire Hazard Severity Zones and Hazard Reduction Zones, per the California Department of Forestry and Fire Protection (CAL FIRE). The Newport Beach Fire Chief has designated areas of Newport Beach that are most at risk of wildfires as Hazard Reduction Zones, which are residential or commercial areas directly adjacent to natural open space in Newport Beach's eastern area. There are approximately 260 parcels considered Hazard Reduction Zones within the City's jurisdiction, including parcels in the Newport Coast, Morning Canyon, and Big Canyon communities. Affected property owners are subject to additional construction requirements defined in the Newport Beach Fire Code, or Section 9.04.380 of the NBMC, which requires fire-resistant ventilation screening for existing structures in Newport Beach's WUI areas.

Additionally, the NBFD Fire Prevention Division manages a series of vegetation management programs to reduce the risk of wildfires entering Newport Beach and to manage the growth of dry vegetation and weeds that pose as fire hazards. The City's weed abatement program reduces the amount of potential fire hazards through routine inspections of the 82 properties within designated weed abatement parcels. Per Chapter 10.48 of the NBMC, the Fire Marshal may declare a public nuisance and abate weeds, dry grass, brush, poison oak, and all rubbish and refuse on public and private property in Newport Beach. The Fire Prevention Division also manages the City's fuel modification zones, which are specific areas that have been treated to increase a development's resistance to fire and to improve its surrounding defensible space. Similar to the weed abatement program, City staff conduct inspections every spring and fall to ensure affected property owners are in compliance with regulations.

Further, the NBFD has received a top rating from the Insurance Services Office (ISO) for its national Public Protection Classification (PPC) Program. This notable accomplishment places NBFD in an elite category, as less than 1 percent of fire departments nationwide have earned this distinction.

The significance of the Public Protection Classification (PPC) program lies in its recognition of communities that excel in providing effective fire protection services for both citizens and property owners. It serves as a testament to a community's commitment and investment in fire mitigation, which is a proven and reliable predictor of future fire losses. Insurance companies utilize PPC information to establish fair premiums for fire insurance, often offering lower rates in communities that demonstrate superior protection. This creates a tangible economic incentive for communities to enhance and maintain their public fire protection services.

### 3.4.6 Floodplain Management

Floodplain management is Chapter 15.50 of the NBMC, and it covers several flood management methods for flood-prone areas, including restricting uses; protecting developments at the time of construction; limiting natural floodplain alterations; controlling filling, grading, and dredging; and preventing or regulating flood barriers. These measures apply to "Areas of Special Flood Hazard," which are identified by FEMA via the 2019 "Flood Insurance Study for Orange County, California and Incorporated Area." In addition to flooding, mudslides, and flood-related erosion are also protected against as a part of this code.

# 4 Existing Conditions

## 4.1 Hazards

This section assesses available data and information on hazards as they relate to Newport Beach. Topics assessed include coastal hazards, seismic and geologic hazards, flooding hazards, fire, hazardous material management, aviation hazards, and extreme heat.

### 4.1.1 Coastal Hazards

#### Tsunamis and Rogue Waves

Tsunamis and rogue waves are each low-probability but high-risk hazards. Locally generated tsunamis, caused by offshore faulting or coastal landsliding, could result in extensive loss of life and property in Newport Beach. Tsunami maps updated in 2021 from the California Department of Conservation indicate that the largest area of the City susceptible to tsunamis include West Newport, Balboa Peninsula, Lido Isle, Balboa Island, and Upper Newport Bay.[15] Coastline areas consisting of cliffs, however, are protected from the worst impacts of tsunamis. Port and harbor areas of Newport Beach are susceptible to not only tsunami inundation but tsunami currents: strong and erratic currents produced by tsunamis that can damage infrastructure and property, particularly floating vessels.[16]

Tsunami wave heights, also known as forecast amplitudes, are predicted by the National Tsunami Warning Center. The model predicts a high near-shore wave height of 5 feet for distance-source tsunamis and 13 feet for local source tsunamis, originating from the Catalina Fault.[17]

Rogue waves are very high waves that arise unexpectedly in the open ocean. Their erratic nature and unpredictability present challenges for planning and evacuation. Rogue waves have impacted the Orange County coast historically and have the potential to impact Newport Beach in the future.

#### Storm Surges

Storm surges are associated with low-pressure weather systems, such as hurricanes, and other events involving high winds and rainfall. During storm surges, the water level increases, which can result in coastal flooding, potentially causing damage to low-lying areas and existing structures. Moreover, if a storm surge occurs during a high tide, flooding can be significant.

Storm surging associated with a tropical storm has been reported only once in the history of Newport Beach, in 1939. In 2023, Hurricane Hilary, which had degraded to tropical storm status by the time it reached Orange County, delivered heavy rainfall and winds to Newport Beach. The City only experienced some localized flooding and debris

[15] Department of Conservation. 2021. "Tsunami Hazard Area Map, Orange County." Produced by the California Geological Survey and the California Governor's Office of Emergency Services. Mapped at multiple scales.

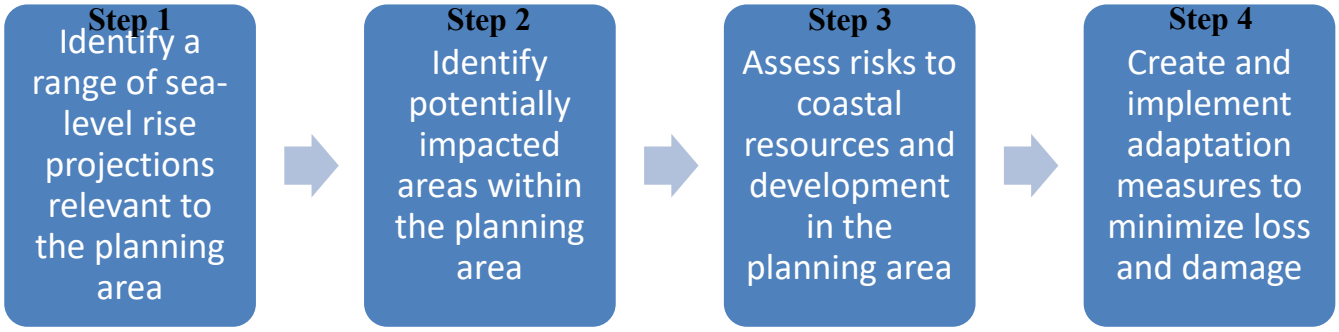
[16] The SAFRR Tsunami Modeling Working Group. 2013. "Modeling for the SAFRR Tsunami Scenario—Generation, Propagation, Inundation, and Currents in Ports and Harbors." Chapter D in *The SAFRR (Science Application for Risk Reduction) Tsunami Scenario,* U.S. Geological Survey Open-File Report 2013–1170, 136 pp. http://pubs.usgs.gov/of/2013/1170/d/.

[17] California Geological Survey. 2014. "CGS Special Report 236 – Tsunami Emergency Response Playbooks and FASTER Tsunami Height Calculation: Background Information and Guidance for Use." https://www.conservation.ca.gov/cgs/tsunami/reports.

flows, but pump crews and berms dug up at beaches prevented any substantial impacts. No storm surge was recorded as a result of the storm.[18] Therefore, the likelihood of storm surge in Newport Beach is low.

#### 4.1.1.1 Projected Sea-Level Rise in Newport Beach

Sea-level rise is a natural process that occurs due to the thermal expansion of sea water from rising ocean temperatures, the melting of Arctic and Antarctic ice sheets, the movement of tectonic plates, and land subsidence. Because thermal expansion and the melting of ice sheets is accelerating, sea levels are rising at an increasingly fast rate.[19] Although it is clear that sea-level rise is occurring and will continue to occur in the future, it is unclear how much sea levels will rise and the extent to which this will cause coastal flooding and cliff and beach erosion. For this reason, the California Coastal Commission (CCC) recommends planning for varying amounts of sea-level rise to protect coastal development based on the expected life span of development. Currently, Appendix A of the City's Local Coastal Program Implementation Plan, certified by CCC in 2017, declares the City's commitment to undertake a proactive program to monitor sea-level rise and also proposes the need to revise development standards in vulnerable areas. This commitment may serve as a preliminary action for the implementation of steps based on CCC's guidance for effective sea-level rise planning in coastal areas. These steps are outlined below.




The first step in planning for sea-level rise is to identify a range of sea-level rise projections relevant to Newport Beach. CCC recognizes the California Ocean Protection Council (OPC) Sea Level Rise Guidance (2018 Update) as the best available sea-level rise projections for California.[20] The OPC estimates amounts of sea-level rise in 2030, 2050, and 2100 based on assumptions about GHG emission trends developed by the Intergovernmental Panel on Climate Change (IPCC) as well as one extreme scenario. The assumptions associated with each scenario are outlined below:

- The low-emissions scenario assumes that emissions will be curbed significantly around the globe in the coming decades. However, the low-emissions trajectory would not begin until around 2050 due to "committed warming." Committed warming refers to the amount of warming resulting from past GHG

18 Orange County Register. 2023. "Tropical Storm Hilary: How Orange County's Cities Fared." August 21, 2023. https://www.ocregister.com/2023/08/21/tropical-storm-hilary-how-orange-countys-cities-fared/.

19 National Climate Assessment. 2014. "Climate Change Impacts in the United States." http://s3.amazonaws.com/nca2014/low/NCA3_Climate_Change_Impacts_in_the_United%20States_LowRes.pdf?download=1.

20 As of late 2023, OPC, in collaboration with the California Ocean Science Trust, is in the process of convening a scientific Task Force to update future sea-level rise scenarios based on two recent reports: the IPCC Sixth Assessment Report, which indicates that projections of extreme sea-level rise (i.e., H++ scenario) are less plausible yet also indicates increased certainty to 2050 sea-level rise projections, and the 2022 Sea-Level Rise Technical Report, which has integrated findings from the IPCC report to better guide planning and decision-making guidance. The following assumptions are based on existing findings and guidance and are subject to change based on future OPC findings and guidance.

emissions that can no longer be avoided. This means that, even if emissions are dramatically reduced in the coming decades, the effects of committed warming will continue to manifest even after reductions are made because natural systems are slow to respond to changes in GHG concentrations.[21] For this reason, OPC does not provide low-emissions sea-level rise projections for 2030 or 2050.

- The high-emissions scenario assumes that global GHG emissions will continue as "business as usual." Because global emissions reductions have not been reduced by any significant amount since IPCC developed the high emissions scenario, the potential for following this high-emissions trajectory is becoming more likely.
- The extreme scenario, also known as the H++ scenario, assumes continued high emissions and the rapid and complete melting of the West Antarctic ice sheet toward the end of the 21st century. The probability of this scenario is unknown, but it is thought to be extremely low. Furthermore, recent IPCC findings suggest this scenario is less plausible due to observations of increased surface mass balance in the Antarctic ice sheet. Nonetheless, OPC recommends considering it when planning for coastal development with extreme risks, such as power plants, hazardous waste sites, and airports.

Under these assumptions, OPC is able to project the amount of sea-level rise resulting from each scenario. Furthermore, OPC has determined the probability of these different sea-level rise projections in 2030, 2050, and 2100, which can help to understand what amounts of sea-level rise are most likely to occur under each scenario. Table 2 shows the projected amounts of sea-level rise for Los Angeles, the closest National Oceanic and Atmospheric Administration (NOAA) tide gauge to Newport Beach. The projection ranges in the "Likely Range" column in Table 2 are most likely to occur, but least severe. For this reason, OPC recommends that projections in the "Likely Range" are appropriate to consider when planning for coastal development with shorter lifespans and higher risk tolerance (i.e., low risk aversion), such as local streets that are not part of evacuation routes, active transportation infrastructure, green infrastructure, parks, and green spaces. The projections in the "1-in-20 Chance" column have a 5% chance of occurring but are more severe than those in the "Likely Range" column. OPC recommends that the "1-in-20 Chance" projections should generally be used to plan for coastal development with medium risk aversion, such as maintenance facilities, industrial buildings, mechanical equipment, piers, and docks. The projections in "1-in-200 Chance" column have a 0.5% chance of occurring but are more severe than the projections in the "1-in-20 Chance" column. OPC recommends that the "1-in-200 Chance" projections should be used to plan for development with medium-high risk aversion, such as homes and businesses, transportation centers, and some subterranean infrastructure. The projections in the "H++ Scenario" column are extreme and their probability of occurring is unknown. Nonetheless, the H++ Scenario projections are important to consider when planning for projects with extreme risk aversion, such as power plants, airports, wastewater treatment plants, and hazardous waste sites.

[21] OPC (California Ocean Protection Council). 2018. *State of California Sea-Level Rise Guidance 2018 Update*. https://opc.ca.gov/webmaster/ftp/pdf/agenda_items/20180314/Item3_Exhibit-A_OPC_SLR_Guidance-rd3.pdf.

**Table 2. Projected Sea-Level Rise in Los Angeles**

| | Likely Range (Low Risk Aversion) | 1-in-20 Chance (Medium Risk Aversion) | 1-in-200 Chance (Medium-High Risk Aversion) | H++ Scenario (Extreme Risk Aversion) | |
|---|---|---|---|---|---|
| | 66% probability SLR is between: | 5% probability SLR meets or exceeds: | 0.5% probability SLR meets or exceeds: | (Probability unknown) | Selected CoSMoS Scenario |
| 2030, High Emissions | 0.2–0.5 ft | 0.6 ft | 0.7 ft | 1.0 ft | 0.8 ft (0.25 m) |
| 2050, High Emissions | 0.5–1.0 ft | 1.2 ft | 1.8 ft | 2.6 ft | 1.6 ft (0.5 m) |
| 2100, Low Emissions* | 0.7–2.1 ft | 3.0 ft | 5.4 ft | None** | 4.1 ft (1.25 m) |
| 2100, High Emissions | 1.3–3.2 ft | 4.1 ft | 6.7 ft | 9.9 ft | 4.9 ft (1.5 m) |

**Source**: OPC. 2018. "State of California Sea-Level Rise Guidance 2018 Update." https://opc.ca.gov/webmaster/ftp/pdf/agenda_items/20180314/Item3_Exhibit-A_OPC_SLR_Guidance-rd3.pdf.
CoSMoS = Our Coast, Our Future's Coastal Storm Modeling System; SLR = sea-level rise; ft = feet; m = meters.

* Low emissions trajectory is only included for 2100 projections because it is likely that the high emissions trajectory will continue until at least 2050 on a global scale due to committed warming.

** The H++ scenario assumes a high emissions trajectory and the complete melting of Antarctic ice sheets. Therefore, a low emissions trajectory projection does not exist for this scenario.

To understand the potential impact of sea-level rise on Newport Beach based on its topography, this analysis uses the Our Coast, Our Future's Coastal Storm Modeling System (CoSMoS), as is recommended by CCC. CoSMoS was developed in partnership with the U.S. Geological Survey and uses the best available data and physical process models to predict coastal flooding extent and duration, wave runup and velocity, cliff retreat, shoreline position, and groundwater intrusion under different sea-level-rise scenarios. CoSMoS models sea-level rise in increments of 0.25 meters up to 5 meters. For this reason, it is not possible to model the precise amounts of projected sea-level rise associated with each of the scenarios listed in Table 2. Therefore, this analysis relies on the selected CoSMoS scenario projections listed in the right column of Table 2. Nearly all of these selected CoSMoS scenario projections fall between the 1-in-20 chance and 1-in-200 chance projections and, therefore, are medium to medium-high risk averse scenarios. The only exception is the 2030 projection of 0.8 feet, which falls between the 1-in-200 chance and H++ scenario projections, making it a high risk adverse scenario. This number was chosen because it is the smallest amount of sea-level rise modeled by CoSMoS other than 0 feet (i.e., the current sea level at the mean high-water line). Therefore, the City will be well prepared even for unlikely high amounts of sea-level rise by planning for the selected CoSMoS scenario projections.

#### 4.1.1.2 Potentially Affected Areas and Populations

The second step in planning for sea-level rise is identifying potentially affected areas. Using CoSMoS, this section identifies areas that would be affected by coastal flooding and cliff and beach erosion under the selected CoSMoS scenarios listed in Table 2.

#### 4.1.1.2.1 Coastal Flooding

As sea levels rise, the potential for coastal flooding increases. This is especially true during storm surges and high tides.[22] For this reason, CoSMoS shows current sea levels and predicts future sea levels at the mean high water line, or the average location of the shoreline during high tide, and enables users to toggle the severity of storm events to demonstrate how more severe storms can cause more widespread flooding. For the sake of simplicity, however, this analysis only considers flooding under average storm conditions. Average storm conditions are equivalent to an annual storm of mild severity.

Figure 1, Coastal Flooding Citywide, shows the possible extent of coastal flooding during an average storm event under the selected CoSMoS scenarios in 2030, 2050, and 2100. The current extent of flooding during an average storm event is shown in light blue. Most of these areas are sandy beaches or wetland areas in Upper Newport Bay. Therefore, few developed areas are currently at risk during such an event. Under the selected CoSMoS scenarios, however, Newport Beach would experience 0.8 feet (0.25 meters) of sea-level rise by 2030, 1.6 feet (0.5 meters) by 2050, and 4.1 to 4.9 feet (1.25 to 1.5 meters) by 2100, depending on whether GHG emissions are reduced globally. The areas that could be flooded during an average storm event with 0.8 feet of sea-level rise are shown in medium blue. These include almost the entirety of Balboa Island and the western portion of Balboa Peninsula. With 1.6 feet of sea-level rise, flooding during an average storm event could extend into the areas shown in dark blue. These areas include much of the central portion of Balboa Peninsula, including the area near Newport Beach Pier. Finally, the areas shown in purple and magenta could flood during an average storm event with 4.1 to 4.9 feet of sea-level rise, respectively. These areas include the neighborhoods and beaches near the Santa Ana River jetty; Balboa Coves; Mariner's Mile; many of the remaining islands in Newport Harbor; and portions of Balboa Peninsula, Corona del Mar State Beach, and Little Corona del Mar Beach. Therefore, many of Newport Beach's most built-out areas, densely populated neighborhoods, and vibrant business communities are at risk of flooding during an average storm even with relatively small amounts of sea-level rise. This flooding could be even more severe during unusually large storm events, which are also likely to increase in frequency.

[22] CCC (California Coastal Commission). 2018. "Consequences of Sea Level Risk for Communities, Coastal Resources, and Development." Chapter 4 in *Sea Level Rise Policy Guidance.* Adopted November 7, 2018. https://documents.coastal.ca.gov/assets/slr/guidance/2018/4_Ch4_2018AdoptedSLRGuidanceUpdate.pdf.

**Figure 1.** Coastal Flooding Citywide

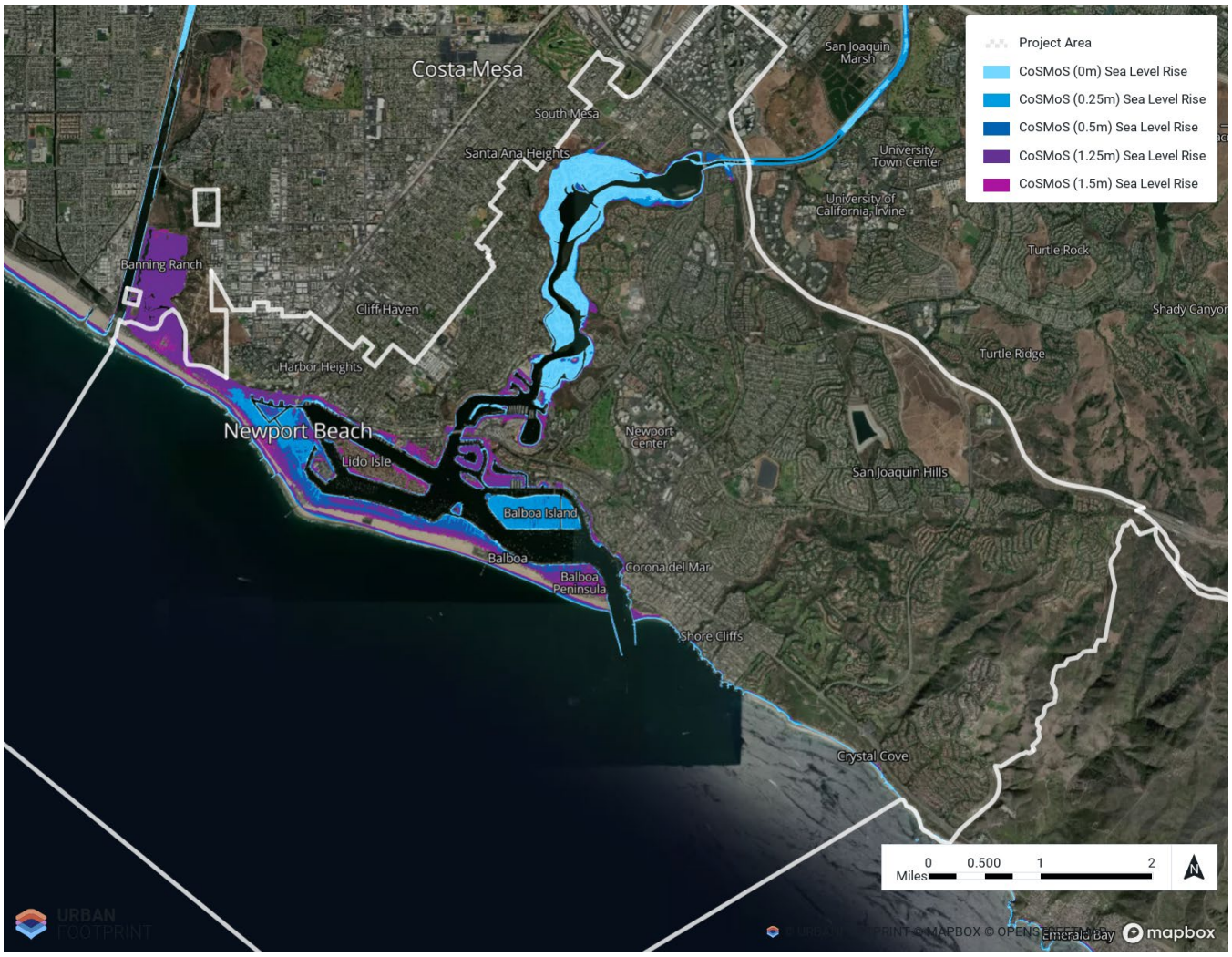



Figure 2, Coastal Flooding in Newport Harbor, and Figure 3, Coastal Flooding in Newport Bay, are subsets of Figure 1. They show the extent of coastal flooding during an average storm event in Newport Harbor and Newport Bay. These are the two areas of Newport Beach where flooding is expected to be most widespread, even under low amounts of sea-level rise.

**Figure 2.** Coastal Flooding in Newport Harbor

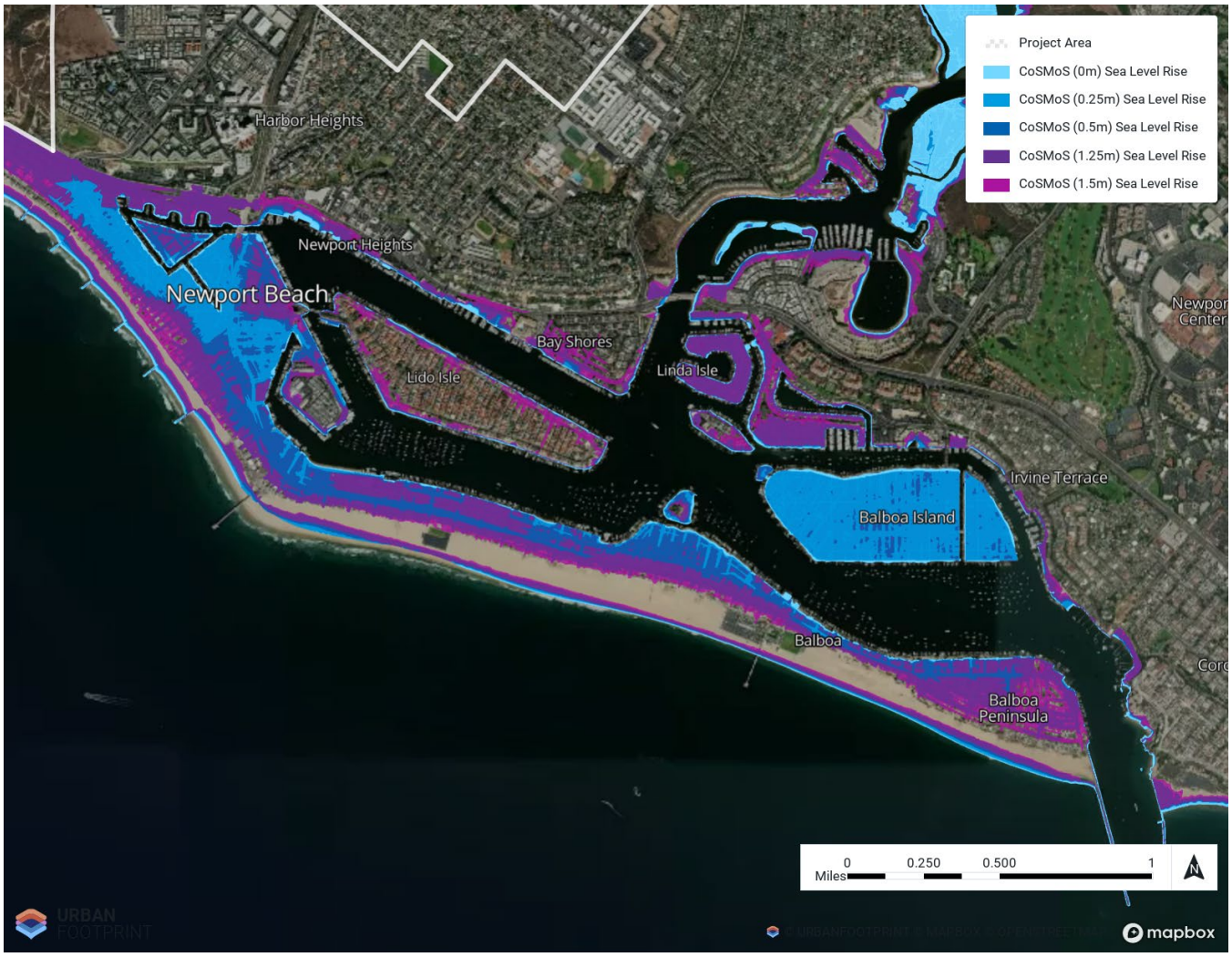
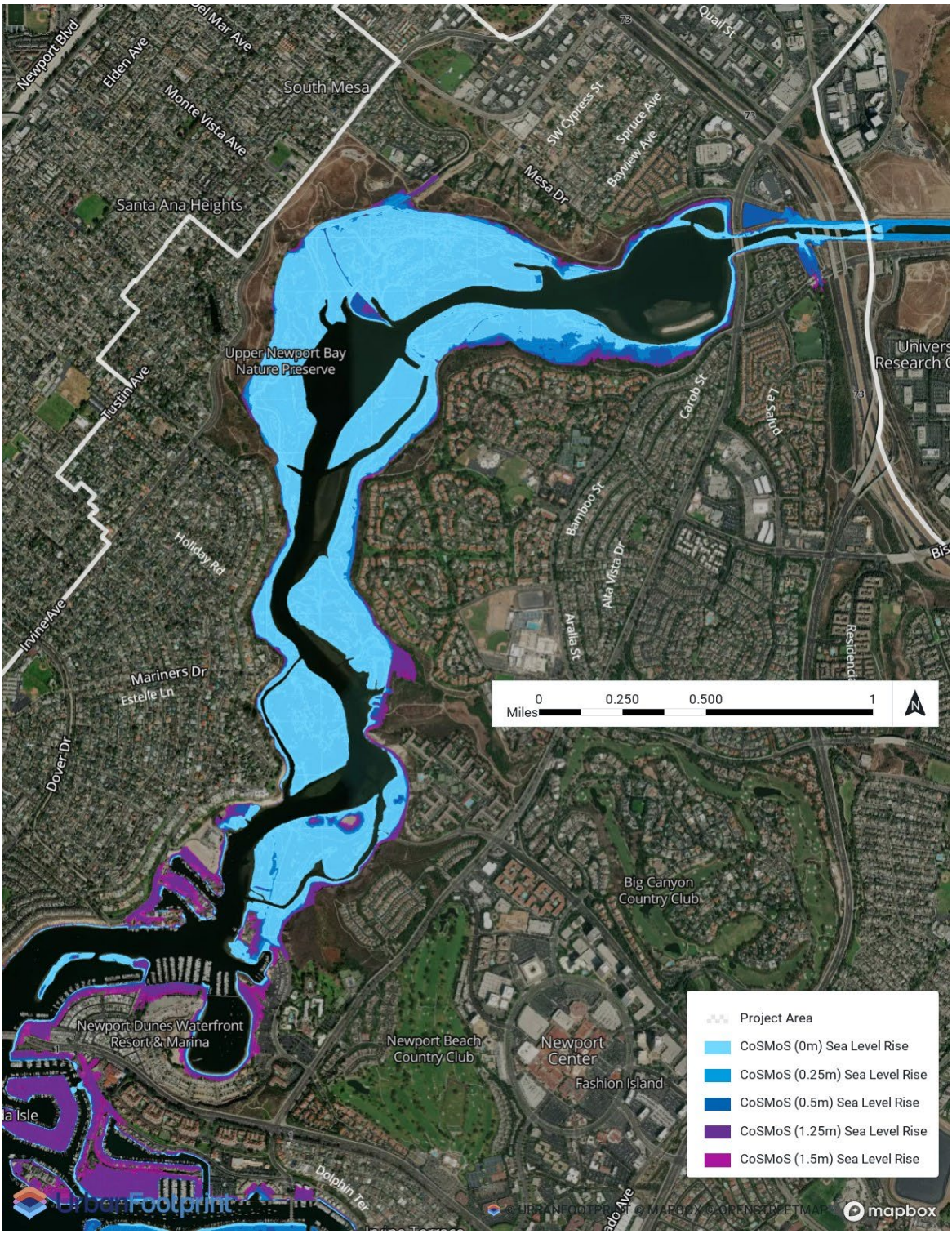


**Figure 3.** Coastal Flooding in Newport Bay



#### 4.1.1.2.2 Beach and Cliff Erosion

In addition to causing coastal flooding, the higher tides and storm surges associated with sea-level rise can erode beaches and cliffs at faster rates.[23] Because Newport Beach is lined with both sandy beaches and coastal bluffs, coastal erosion has the potential to affect many areas within Newport Beach.

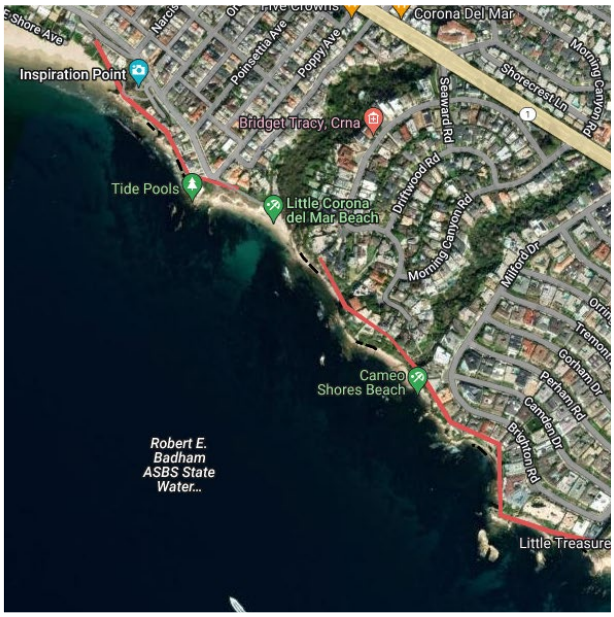
CoSMoS predicts the future position of cliff top edges and shorelines as they relate to wave patterns under different sea-level-rise scenarios and allows users to toggle between the "Hold the Line" and "Beach Nourishment" scenarios. Hold the Line assumes that erosion will not move past anti-erosion measures and into urban infrastructure. Therefore, Hold the Line necessitates the regular maintenance of anti-erosion measures, which are collectively referred to as "cliff armoring." Cliff armoring includes sea walls, vegetation, and rockpiles that break waves before they reach cliff edges. Beach Nourishment assumes that local governments will implement beach nourishment programs in which sand is artificially transported to beaches, as needed. This analysis assumes that the City will continue to maintain coastal infrastructure and implement its beach nourishment program.

Corona del Mar is one of two areas in Newport Beach that has coastal cliffs and, thus, experiences cliff erosion. Figure 4, Cliff Erosion in Corona del Mar, shows the location and extent of cliff retreat in Corona del Mar under the selected CoSMoS scenarios for 2030, 2050, and 2100. As shown in red, the cliff top edge moves farther inland as the amount of sea-level rise increases. Forecasted cliff retreat is especially extensive along Ocean Boulevard near Inspiration Point and the Cameo Shores neighborhood. As demonstrated by the black dashed line, some cliff areas are protected by infrastructure and may not experience as much erosion as they would otherwise.

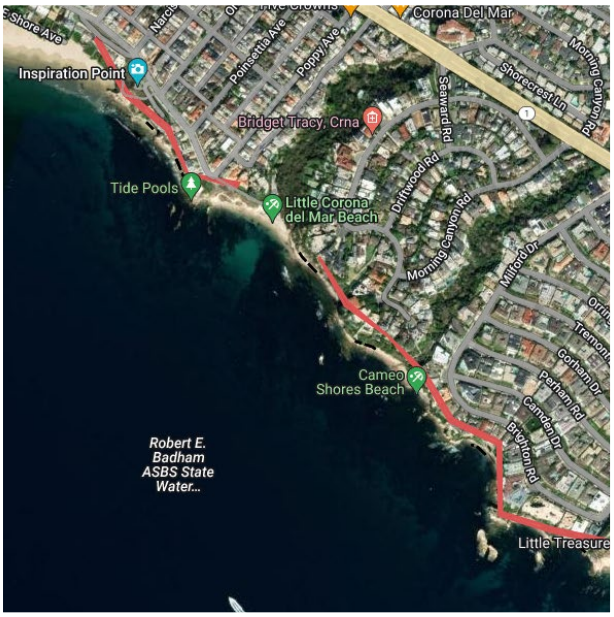
[23] CCC. 2018. "Consequences of Sea Level Risk for Communities, Coastal Resources, and Development." Chapter 4 in *Sea Level Rise Policy Guidance.* Adopted November 7, 2018. https://documents.coastal.ca.gov/assets/slr/guidance/2018/4_Ch4_2018AdoptedSLRGuidanceUpdate.pdf..

**Figure 4.** Cliff Erosion in Corona del Mar

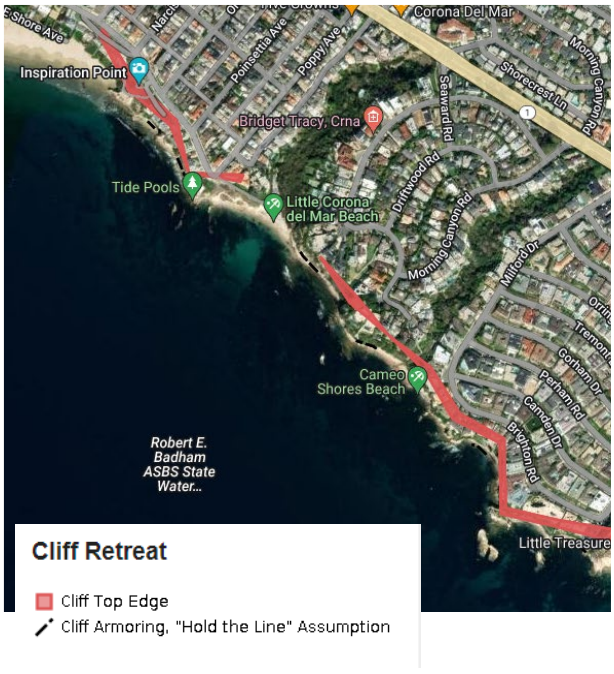
0.25m SLR (2030)



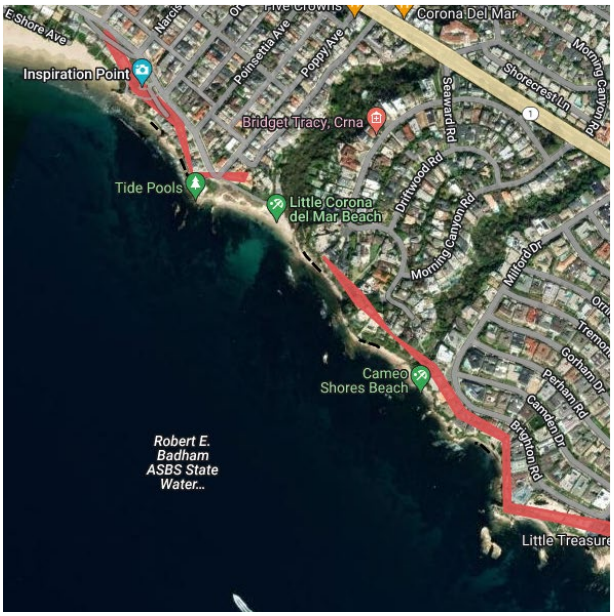

0.5m SLR (2050)




1.25m SLR (2100, low emissions)




1.5m SLR (2100, high emissions)



The second area that experiences cliff erosion is Newport Coast. Figure 5, Cliff Erosion in Newport Coast, shows the location and extent of cliff retreat in Newport Coast under the selected CoSMoS scenarios for 2030, 2050, and 2100. As shown in red, the cliff top edge moves farther inland as the amount of sea-level rise increases. The areas most likely to be affected are Crystal Cove State Park and Pacific Coast Highway near Crystal Cove Shopping Center. Moreover, the coastal cliffs in Newport Coast are largely undeveloped and have little to no infrastructure to hold the line.

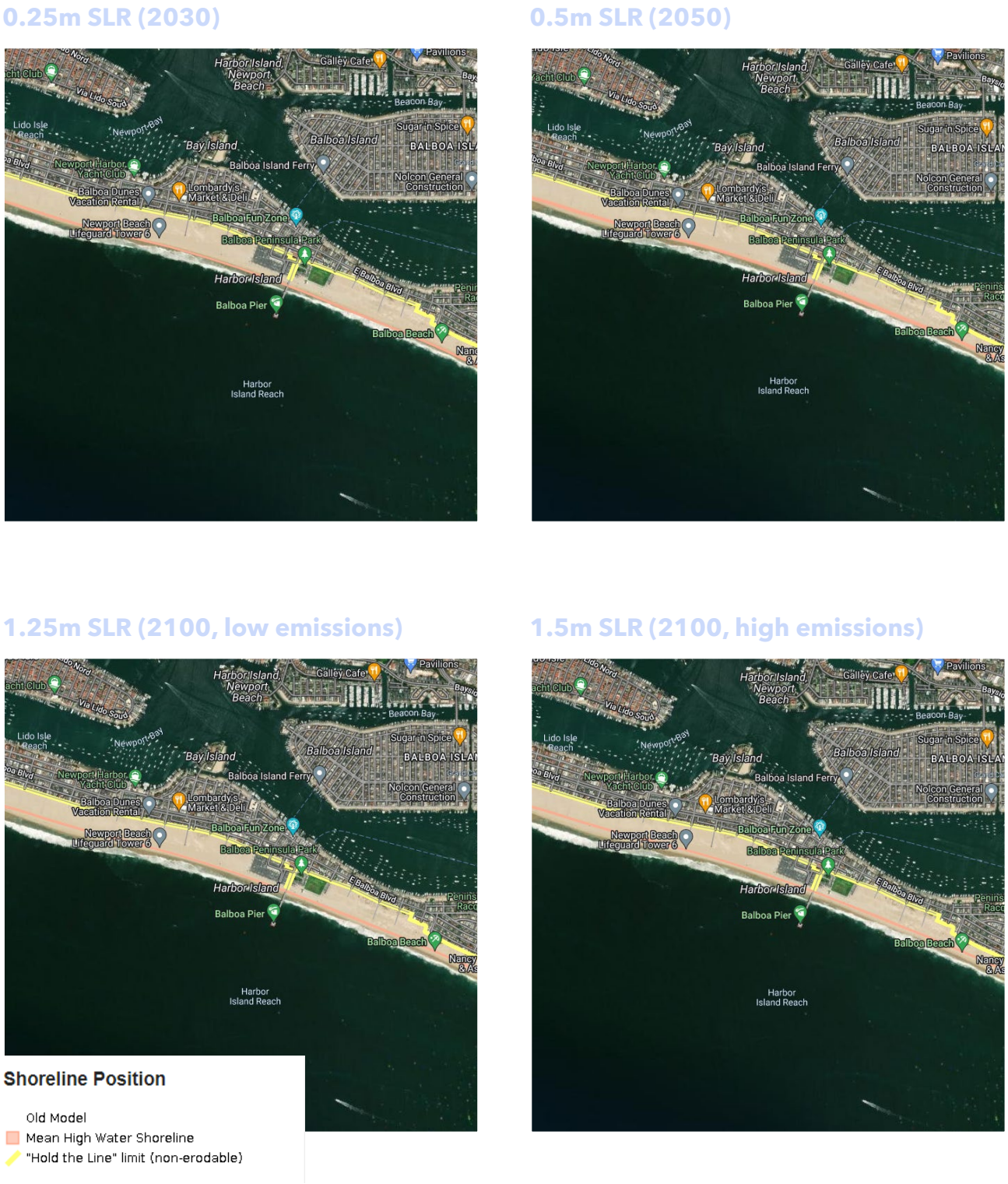
Although sandy beach erosion occurs throughout most of Newport Beach, this section focuses on the beaches north of Newport Beach Pier and on the Balboa Peninsula because they are not lined by cliffs like the beaches in Corona del Mar and Newport Coast are. Figure 6, Beach Erosion North of Newport Beach Pier, shows the location and extent of shoreline retreat north of Newport Beach Pier under the selected CoSMoS scenarios for 2030, 2050, and 2100. As shown in orange, the shoreline (mean high water line) moves farther inland and changes shape as the amount of sea-level rise increases. The beaches in this area tend to experience the worst beach erosion in Newport Beach because they face southwest and are subject to strong currents that move sand northward. This erosion will likely accelerate with greater amounts of sea-level rise, creating smaller beaches in this area.

As shown in Figure 7, Beach Erosion on Balboa Peninsula, the extent of shoreline retreat on Balboa Peninsula is not as severe as on the beaches north of Newport Beach Pier. This is because the beaches on Balboa Peninsula are predominantly south-facing, and currents cannot move sand northward as easily. Nonetheless, Balboa Peninsula will experience more beach erosion as sea levels rise and create smaller beaches. This is particularly the case near the south side of Newport Beach Pier.

**Figure 5.** Cliff Erosion in Newport Coast

**Figure 6.** Beach Erosion North of Newport Beach Pier

**Figure 7.** Beach Erosion on Balboa Peninsula



#### 4.1.1.3 Vulnerability Assessment

The third step in planning for sea-level rise is to assess risks to coastal resources and development. This section assesses the vulnerability of coastal development to coastal flooding and erosion under the selected CoSMoS sea-level rise scenarios.

##### 4.1.1.3.1 Coastal Flooding

Figure 1 shows the areas that would experience coastal flooding during an average storm event under the selected CoSMoS scenarios, but it does not assess potential loss and damage to development that could be caused by this flooding. Table 3, Development Vulnerable to Coastal Flooding, does this by estimating the number of dwelling units and the non-residential building area that could be affected by coastal flooding under each selected CoSMoS scenario. As shown, thousands of dwelling units and millions of square feet in non-residential structures could be affected by flooding even with relatively small amounts of sea-level rise. As the amount of sea-level rise increases, so does the number of affected structures. This flooding could result in costly damage to public and private property, displacement of residents, and structural failure. At worst, this flooding is a threat to public safety that could lead to injury and death.

**Table 3. Development Vulnerable to Coastal Flooding**

| | 2030 | 2050 | 2100 | |
|---|---|---|---|---|
| | 0.25-Meter SLR | 0.5-Meter SLR | 1.25-Meter SLR (low) | 1.5-Meter SLR (high) |
| Residential dwelling units (number) | 5,328 | 6,778 | 10,089 | 10,849 |
| Retail services building area (square feet) | 697,538 | 728,850 | 804,806 | 834,499 |
| Restaurants building area (square feet) | 562,088 | 599,327 | 742,083 | 776,667 |
| Accommodation building area (square feet) | 1,179,121 | 1,217,120 | 1,477,376 | 1,519,865 |
| Arts and entertainment building area (square feet) | 260,616 | 267,601 | 281,820 | 282,421 |
| Other retail building area (square feet) | 623,009 | 669,770 | 749,808 | 768,267 |
| Office services building area (square feet) | 554,635 | 595,427 | 901,830 | 944,177 |
| Education building area (square feet) | 4,720 | 4,720 | 9,681 | 9,681 |
| Medical services building area (square feet) | 269,209 | 305,678 | 564,659 | 568,230 |
| Transportation/warehouses building area (square feet) | 597,464 | 631,324 | 764,523 | 791,723 |
| Wholesale building area (square feet) | 107,063 | 111,414 | 127,601 | 131,453 |

**Source:** Urban Footprint. 2023. "Urban Footprint Base Canvas" https://urbanfootprint.com/platform/built-environment/.
**Note:** SLR = sea-level rise.

The selected CoSMoS scenarios are considered to be between medium and medium-high risk averse, with the exception of the 2030 selected CoSMoS scenario, which is highly risk averse. This means that there is a less than 5% chance that the actual amount of sea-level rise experienced in 2030, 2050, and 2100 will meet or exceed the amount of sea-level rise modeled in the selected CoSMoS scenarios for each year. In other words, the data in Table 3 is likely an overestimate of the number of dwelling units and non-residential building area what will be affected. Nonetheless, it is important to plan for these unlikely yet extremely damaging scenarios.

#### 4.1.1.3.2 Beach and Cliff Erosion

The extent to which beach and cliff erosion will affect existing coastal development varies greatly in different parts of Newport Beach. This is because some beaches and cliffs are more developed or adjacent to development than others.

As shown in Figure 4 the cliffs in Corona del Mar are densely developed with homes, roads, sidewalks, and beach access points. Therefore, cliff erosion in Corona del Mar has the potential to cause significant loss and damage to coastal development. This is especially true under scenarios with greater amounts of sea-level rise. By 2100, cliff erosion could encroach upon many homes in the Cameo Shores neighborhood and parts of Ocean Boulevard. Moreover, it could make it difficult or impossible to access Little Corona Beach.

Unlike Corona del Mar, the cliffs in Newport Coast are mostly undeveloped and are entirely within Crystal Cove State Park. Therefore, there is less potential for cliff erosion to cause loss or damage to homes and other buildings in Newport Coast. As shown in Figure 5, however, cliff erosion could disrupt beach access and encroach upon the portion of East Coast Highway directly in front of Crystal Cove Shopping Center. This is especially likely under either of the 2100 scenarios.

As shown in Figure 6 and 7, beach erosion is projected to increase with sea level rise, potentially threatening coastal development. Moreover, storms with high-energy waves often carry sand away from the dry beach to offshore bars or submerged berms and cause increased erosion of dunes and coastal bluffs[24]. With heightened risk of high-intensity storms, whereas once-a–century water levels are expected to become an annual event, beaches and bluffs are expected to be increasingly vulnerable to erosion[25]. Specifically, Balboa Peninsula, the bluffs along the Upper Newport Bay, and slots and canyons within San Joaquin Hills are areas of significant concern for erosion. One particularly vulnerable area is the public parking lot just north of Newport Beach Pier, which could be affected by beach erosion under higher amounts of sea-level rise.

### 4.1.1.4 Vulnerable Populations

Vulnerability to coastal hazards, including coastal flooding, rogue waves, tsunamis, and slower-moving hazards such as cliff erosion, is primarily a function of proximity to the coast. However, evacuating during catastrophic events is often more difficult for people with disabilities, older adults, households without cars, and people with limited English proficiency. Further, rebuilding or repairing after coastal flooding can be more difficult for renters, who may not receive assistance but would face housing impacts, and people who are housing burdened, who may not be able to pay for repairs. Additionally, during an emergency where response depends on emergency notification and post-disaster resource messaging, people with limited English proficiency can be left out. Table 4 outlines the rate

[24] California Coastal Commission. 2018. “Briefing on shoreline protective devices and their effects on beaches and coastal processes.” https://documents.coastal.ca.gov/reports/2018/8/w6e/W6e-8-2018_report.pdf

[25] Governor’s Office of Planning and Research, California Natural Resources Agency, and California Energy Commission. 2018. “Los Angeles Region Report.” California’s Fourth Climate Change Assessment. https://climateassessment.ca.gov/regions/.

of these populations in Newport Beach, which shows that older adults, severely cost-burdened renters, and severely cost-burdened homeowners are the most prevalent vulnerable populations..

**Table 4. Populations Vulnerable to Coastal Hazards**

| Health Indicator | Location | |
|---|---|---|
| | Newport Beach | Orange County |
| Disability[1] | 3.6% | 5.3% |
| Older Adults[2] | 23.6% | 16.4% |
| Households without Car Access[3] | 4.0% | 4.4% |
| Renter Severe Housing Cost Burden[4] | 22.2% | 26.9% |
| Homeowner Severe Housing Cost Burden[5] | 13.1% | 11.4% |
| Limited English Speaking[6] | 3.46% | 19.3% |

**Source:** Public Health Alliance. 2022. "The California Healthy Places Index." https://map.healthyplacesindex.org/.
**Legend:** Quartile 1 = Good, Quartile 2 = Moderate, Quartile 3 = Poor, Quartile 4 = Challenged
**Note:** The table is colored to indicate how the City of Newport Beach and Orange County compare to other California cities and counties on average, not to indicate that certain traits are overall "good" or "bad."

1 Percent of people who have a disability.
2 Percent of people aged 65 and over.
3 Percent of households without access to a car.
4 Percent of renters who pay more than 50% of their income towards housing costs.
5 Percent of homeowners who pay more than 50% of their income towards housing costs.
6 Percent of people aged 5 and older who speak English less than very well.

## 4.1.2 Seismic and Geologic Hazards

Tectonic movement along the San Andreas Fault and its broad zone of subsidiary faults has resulted in a large degree of geologic diversity in Newport Beach. This, along with sea-level fluctuations, has resulted in a landscape that is also diverse in geologic hazards: surficial earth processes that have the potential to cause loss or harm to the community or the environment.

### 4.1.2.1 Geologic Hazards

#### Slope Failures

Slope failures often occur as elements of interrelated natural hazards in which one event triggers a secondary event such as a storm-induced mudflow. Slope failure can occur on natural and human-made slopes. The City's remaining natural hillsides and coastal bluff areas that are generally vulnerable to slope failures include the San Joaquin Hills and bluffs along Upper Newport Bay, Newport Harbor, and the Pacific Ocean. Recently recorded landslides occurred along the 1900 block of Galaxy Drive on March 3, 2023, impacting three homes and the 1900 block of Galaxy Drive on April 4,2024. Despite the vulnerability to slope failures, relatively few have impacted hillside structures in the City, likely due to implementation of hazard abatement provisions in the City's Excavation and Grading Code (NBMC Chapter 15.10), which requires Chief Building Official inspection of existing slope conditions and determination of hazard level, and sets permit requirements for grading.

### Compressible Soils

Compressible soils underlie a significant part of the City, typically in the lowland areas and in canyon bottoms. These are generally young sediments of low density with variable amounts of organic materials. Under the added weight of fill embankments or buildings, these sediments will settle, causing compression. Low-density soils, if sandy in composition and saturated with water, will also be susceptible of the effects of liquefaction during a moderate to strong earthquake.

### Expansive Soils

Some of the Newport Beach area, including both surficial soils and bedrock, features fine-grained components that are moderate to highly expansive. These materials may be present at the surface or exposed by grading activities. If built upon, expansive soils can cause significant damage to structures, including heaving and cracking to foundations, roads and sidewalks, and walls.

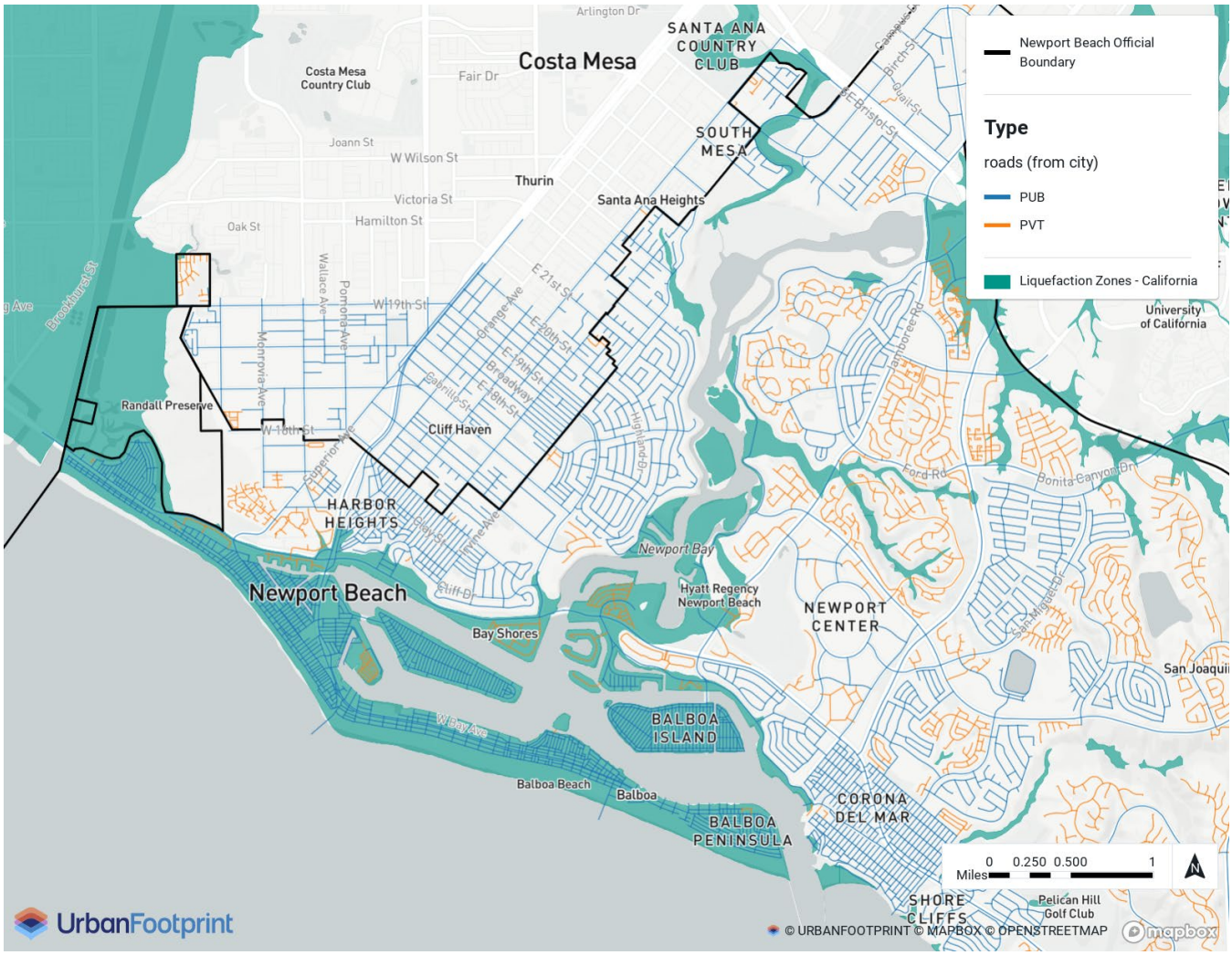
## 4.1.2.2 Seismic Hazards

Newport Beach is located in the northern part of the Peninsular Ranges Province, an area that is exposed to risk from multiple earthquake fault zones. The highest risks originate from the Newport-Inglewood fault zone, the Whittier fault zone, the San Joaquin Hills fault zone, and the Elysian Park fault zone, each with the potential to cause moderate to large earthquakes that would cause ground shaking in Newport Beach and nearby communities. Earthquake-triggered geologic effects also include surface fault rupture, landslides, liquefaction, subsidence, and seiches. Earthquakes can also lead to urban fires, dam failures, and toxic chemical releases, all human-made hazards.

### Liquefaction

Strong ground shaking can result in liquefaction. Liquefaction, a geologic process that causes ground failure, typically occurs in loose, saturated sediments primarily of sandy composition. Areas of Newport Beach susceptible to liquefaction and related ground failure (i.e., seismically induced settlement) include areas along the coastline that includes Balboa Peninsula, in and around the Newport Bay and Upper Newport Bay, in the lower reaches of major streams in Newport Beach, and in the floodplain of the Santa Ana River. It is likely that residential or commercial development will never occur in many liquefiable areas, such as Upper Newport Bay, the Newport Coast beaches, and the bottoms of stream channels; however, other structures (such as bridges, roadways, major utility lines, and park improvements) in these areas are vulnerable to damage from liquefaction. As shown in Figure 8, Liquefaction Zones, the greatest risk of damage resulting from liquefaction is in Balboa Peninsula and Balboa Island, which have been densely developed with residential and commercial structures, roads, and other infrastructure.

**Figure 8**. Liquefaction Zones



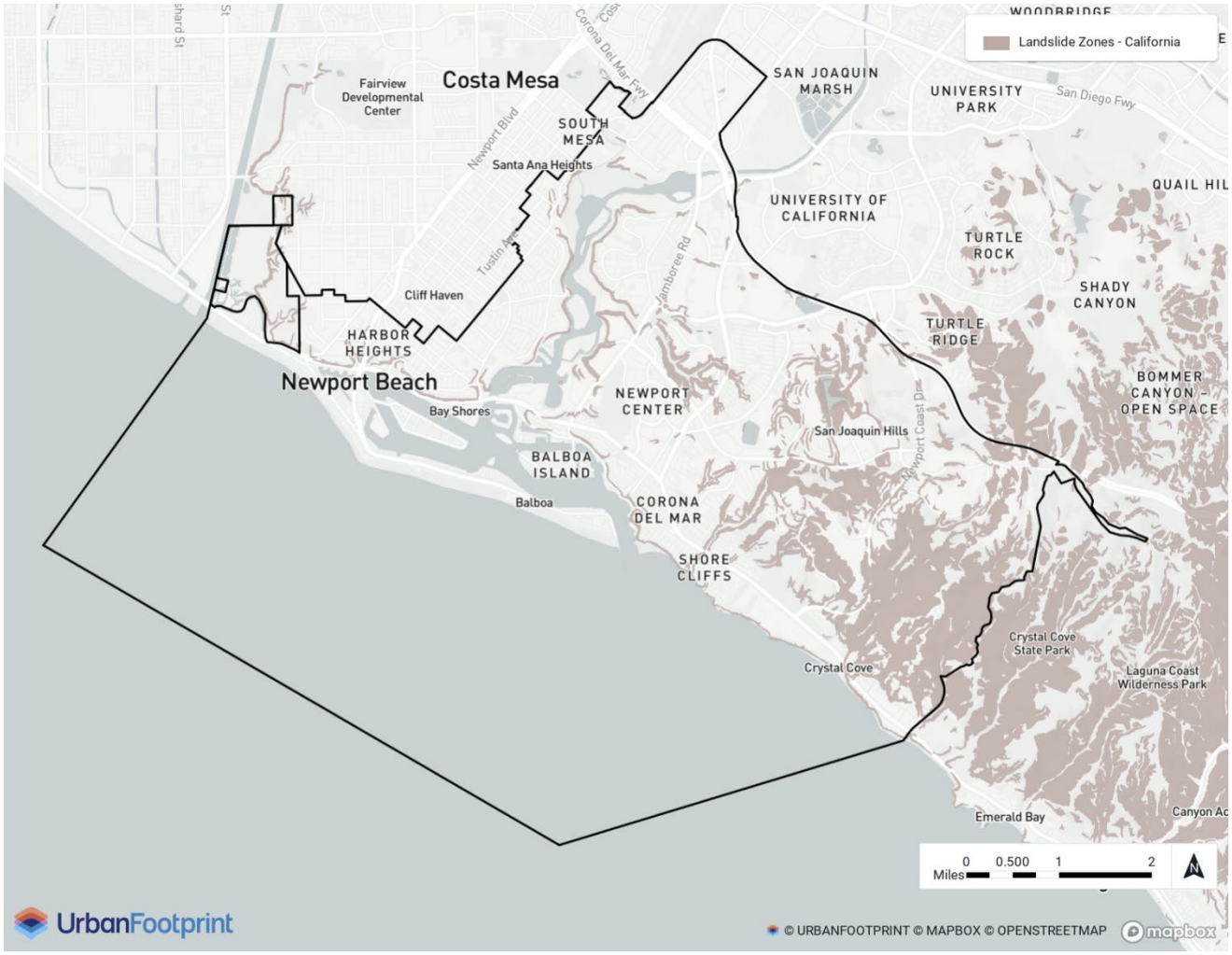

## Slope Failure

Strong ground motions can also worsen existing unstable slope conditions, particularly if coupled with saturated ground conditions. Seismically induced landslides can overrun structures, people, or property, sever utility lines, and block roads, thereby hindering rescue operations after an earthquake. As shown in Figure 9, Landslide Zones, much of the area in eastern Newport Beach, adjacent to Crystal Cove State Park, and west of Newport Coast Drive between San Joaquin Hills Road and Pacific Coast Highway, has been identified as vulnerable to seismically induced slope failure and susceptible to landsliding by CGS.[26] Additionally, the sedimentary bedrock that crops out in the San Joaquin Hills is locally highly weathered. In steep areas, strong ground shaking can cause slides or rockfalls in this material. Rupture along the Newport-Inglewood fault zone and other faults in Southern California could reactivate existing landslides and cause new slope failures throughout the San Joaquin Hills. Slope failures can

[26] California Geologic Survey. 2023. "Landslide Inventory." Department of Conservation. https://www.conservation.ca.gov/cgs/maps-data.

also be expected to occur along stream banks and coastal bluffs, such as Big Canyon, around San Joaquin Reservoir, Newport and Upper Newport Bays, and Corona del Mar.

**Figure 9.** Landslide Zones




## 4.1.2.3 Vulnerable Populations

Vulnerability to geologic and seismic hazards depends on location. Homes and businesses located in areas with heightened risk of earthquake, landslide, liquefaction, or other geologic and seismic events are naturally more susceptible to damage; likewise, people living in such areas have heightened risk of injury or loss of life. Furthermore, certain groups may have more difficulty recovering after a major seismic or geologic event. Populations in this category include low-income households, especially renters. Other sensitivities concern challenges accessing information about emergency response or evacuation, which can be a challenge for people over the age of 65 and those who have limited English proficiency. Evacuation or displacement challenges are also present for people with disabilities. In Newport Beach, older adults and severely cost-burdened homeowners and renters are most common as populations vulnerable to seismic and geologic hazards (Table 5).

**Table 5. Populations Vulnerable to Seismic and Geologic Hazards**

| Health Indicator | Location | |
|---|---|---|
| | Newport Beach | Orange County |
| Renter Severe Housing Cost Burden[1] | 22.2% | 26.9% |
| Homeowner Severe Housing Cost Burden[2] | 13.1% | 11.4% |
| Older Adults[3] | 23.6% | 16.4% |
| Disability[4] | 3.6% | 5.3% |
| Limited English Speaking[5] | 3.46% | 19.3% |

**Source:** Public Health Alliance. 2022. "The California Healthy Places Index." https://map.healthyplacesindex.org/.
**Legend:** Quartile 1 = Good, Quartile 2 = Moderate, Quartile 3 = Poor, Quartile 4 = Challenged
**Note:** The table is colored to indicate how the City of Newport Beach and Orange County compare to other California cities and counties on average, not to indicate that certain traits are overall "good" or "bad."

1 Percent of renters who pay more than 50% of their income towards housing costs.
2 Percent of homeowners who pay more than 50% of their income towards housing costs.
3 Percent of people aged 65 and over.
4 Percent of people who have a disability.
5 Percent of people aged 5 and older who speak English less than very well.

### 4.1.3 Flooding Hazards

Inland flooding can occur due to flash flooding from small, natural channels, or more moderate and sustained flooding from the Santa Ana River and San Diego Creek. FEMA identifies 100- and 500-year flood zones, which include the low-lying areas in West Newport at the base of the bluffs, the coastal areas that surround Newport Bay, all low-lying areas adjacent to Upper Newport Bay, along the lower reaches of Coyote Canyon, in the lower reaches of San Diego Creek, and in a portion of Buck Gully. A 100-year flood zone is an area with a 1% chance or higher chance of experiencing a flood each year and a 500-year flood zone is an area with a 0.2% chance or higher chance of experiencing a flood each year. Most flooding along these second- and third-order streams is not expected to impact significant development. However, flooding in the coastal areas of Newport Beach would impact residential and commercial zones along West Newport, Balboa Peninsula, and Balboa Island, and the seaward side of Pacific Coast Highway. Figure 10 shows the 100- and 500-year flood zones, or areas with a1% and 0.2% chance of flooding each year. It should be noted that since flood level is statistically computed using past data, as more data becomes available, the levels can change. FEMA is required to review community flood maps every five years[27].

Extreme storms, including atmospheric rivers, can produce intense precipitation that leads to both coastal and inland flooding. Between 1979 and 2013, 72 atmospheric rivers made landfall along the Southern California coast, an average of 2 to 3 events per year. The frequency of atmospheric river events may increase in the future and may carry high amounts of water vapor compared to historic conditions. The peak season of atmospheric river occurrence may lengthen, thereby extending the flood-hazard season in California in general. Current global models predict a nearly 40% increase in precipitation during atmospheric river events in Southern California by end-century under a high emissions scenario.[28] These factors increase the risk of severe flooding that has the potential to overwhelm stormwater infrastructure, damage structures and other infrastructure, impair water quality, and lead to localized impacts such as road closures and inundation of homes and businesses.

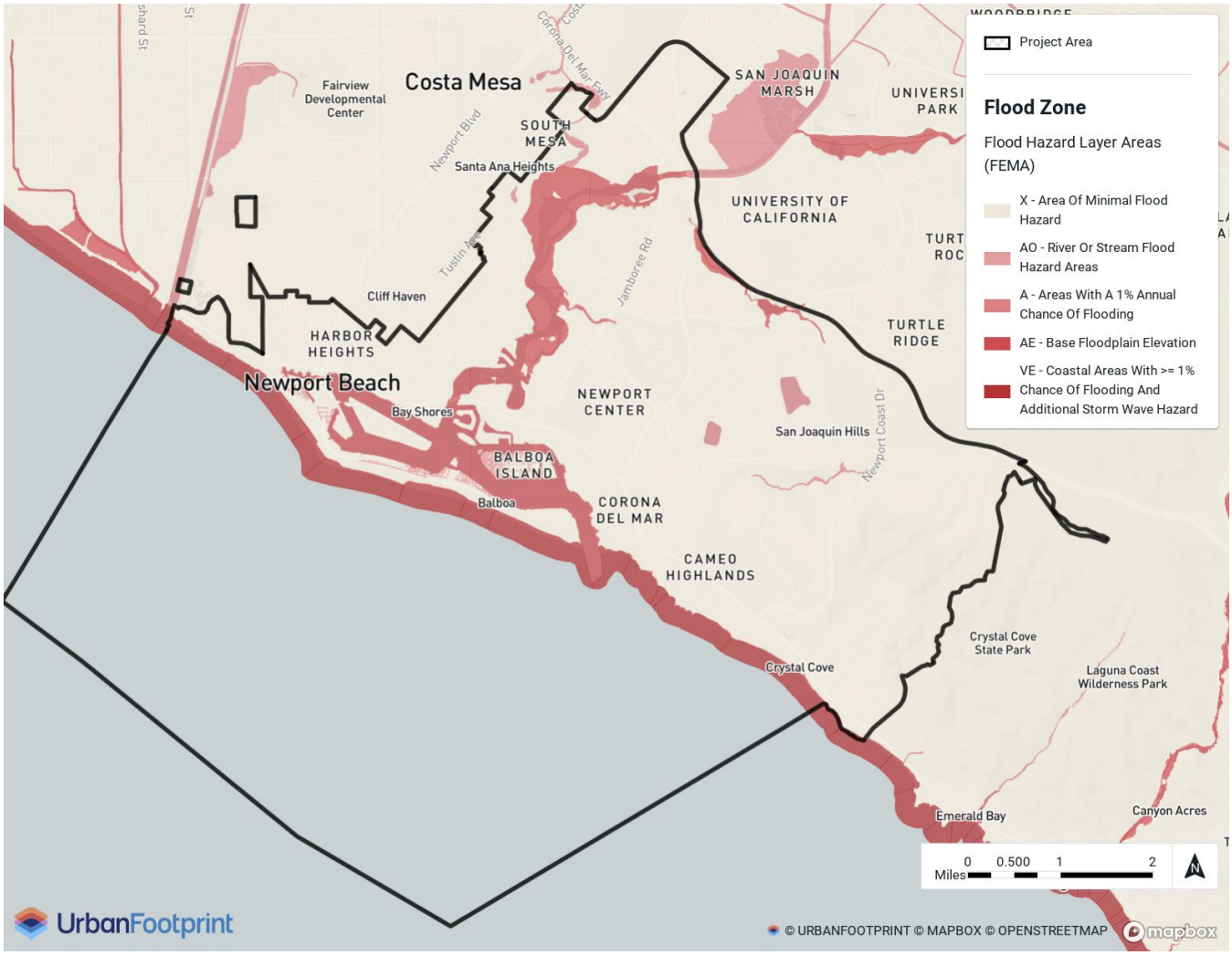
27 FEMA. "Notice to Congress: Monthly Update on Flood Mapping" www.fema.gov/sites/default/files/documents/fema_notice-congress_062023.pdf
28 Governor's Office of Planning and Research, California Natural Resources Agency, and California Energy Commission. 2018. "Los Angeles Region Report." California's Fourth Climate Change Assessment. https://climateassessment.ca.gov/regions/.

Various flood control measures have helped mitigate flood damage in Newport Beach. These include restricting or prohibiting uses that risk water or erosion hazards; requiring uses vulnerable to floods to be constructed to mitigate flood damage; setting standards for filling, grading, dredging, and other activities that can increase flood damage potential; and regulating construction of flood barriers that unnaturally divert flood waters, resulting in increased flood risk elsewhere (see NBMC Chapter 15.50). Recent actions addressing flooding include a cooperative project with the California Department of Transportation to restore flood conveyance capacity in Semeniuk Slough, completed in 2017.

In addition, seismically induced inundation, flooding resulting from water retention structure failure due to an earthquake, can also occur in Newport Beach. Portions of Newport Beach are threatened by flooding from Harbor View Dam, Big Canyon Dam, San Joaquin Reservoir, and Sand Canyon Dam. These dams were constructed either for flood risk reduction or water supply, but strong ground shaking could result in dam failure. Inundation maps from the California Department of Water Resources (DWR)[29] indicate that Sand Canyon, San Joaquin Reservoir, and Big Canyon have "extremely high" potential downstream impacts to life and property, meaning dam failure is expected to cause considerable loss of human life or would result in an inundation area with a population of 1,000 or more. Harbor View Dam is rated as "high," meaning dam failure is expected to cause loss of at least one human life. For all dams except for those with "low" potential downstream impacts, emergency action plans have been prepared by the owner. The Division of Safety of Dams within DWR assesses jurisdictional dams and their related structures, which includes dams owned by public agencies, private organizations, and individual landowners, for safety and performance.

[29] DWR. 2023. "California Dam Breach Inundation Maps." https://fmds.water.ca.gov/maps/damim/.

**Figure 10.** Flood Zones




### 4.1.3.1 Vulnerable Populations

Vulnerability to flooding can be due to physical disabilities or age that make evacuation more challenging or income and ownership status. Low-income households, particularly renters without rental insurance, can face greater challenges recovering from flooding events and can face greater risk of displacement if their residence damaged by floodwaters. Additionally, recovering from flooding events can be more difficult for low-income homeowners or renters who are severely housing burdened (i.e., households who pay 50% or more of their income towards housing costs or rent). In Newport Beach, older adults and severely cost-burdened homeowners and renters are the most common populations vulnerable to flooding (Table 6).

**Table 6. Populations Vulnerable to Flooding**

| Health Indicator | Location | |
|---|---|---|
| | Newport Beach | Orange County |
| Disability[1] | 3.6% | 5.3% |

**Table 6. Populations Vulnerable to Flooding**

| Health Indicator | Location | |
|---|---|---|
| | Newport Beach | Orange County |
| Older Adults[2] | 23.6% | 16.4% |
| Renter Severe Housing Cost Burden[3] | 22.2% | 26.9% |
| Homeowner Severe Housing Cost Burden[4] | 13.1% | 11.4% |

**Sources:** Public Health Alliance. 2022. "The California Healthy Places Index." https://map.healthyplacesindex.org/.
**Legend:** Quartile 1 = Good, Quartile 2 = Moderate, Quartile 3 = Poor, Quartile 4 = Challenged
**Note:** The table is colored to indicate how the City of Newport and Orange County compare to other California cities and counties on average, not to indicate that certain traits are overall "good" or "bad."

1 Percent of people who have a disability.
2 Percent of people aged 65 and over.
3 Percent of renters who pay more than 50% of their income towards housing costs.
4 Percent of homeowners who pay more than 50% of their income towards housing costs.

## 4.1.4 Fire

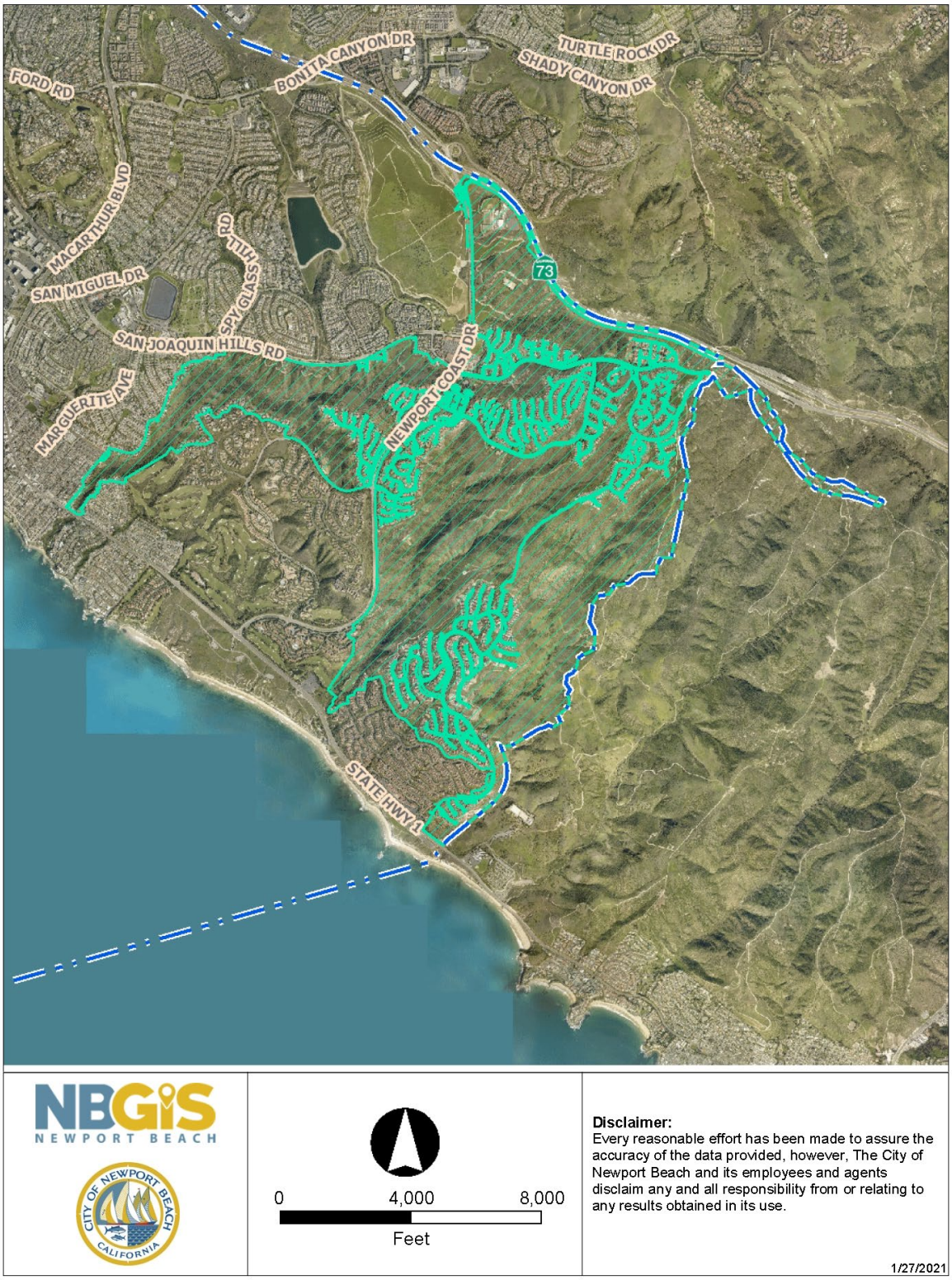
Wildfires could reach Newport Beach through ember cast, which is when firebrands from a wildfire shoot off and are carried by wind currents.[30] According to the CAL FIRE 2022–2023 Regulatory Adoption, neighboring Crystal Cove State Park on the eastern border of Newport Beach is characterized as a Very High Fire Hazard Severity Zone for the local responsibility area and the State responsibility area, meaning properties in the eastern sections of Newport Beach, such as the San Joaquin Hills and Shore Cliffs, are susceptible to wildfire exposure.[31] **Figure 11** shows the Fire Hazard Severity Zones in the City's jurisdiction.

**Figure 12** shows the local history of fires within and adjacent to Newport Beach. Of those mapped, the largest fire was the Laguna Beach Fire of 1993, which burned more than 14,000 acres across Crystal Cove State Park, Laguna Beach, Irvine, and Newport Beach; it caused an estimated $528 million in damages.[32] Although fires have occurred in the years since the Laguna Beach Fire, many of these have been contained before they could spread further.

Future projections using statistical models show an increase in the number of wildfires and burned area in the Southern California region by mid-century under a high emissions scenario. Wildfire burned area is projected to increase over 75% for fires not driven by Santa Ana winds, and 60% for Santa Ana-based fires, under this scenario. By end-of-century, under either a low or high emissions scenario, the rate of increase in burn area is projected to slow slightly, as warmer conditions decrease the available fuel for wildfires.

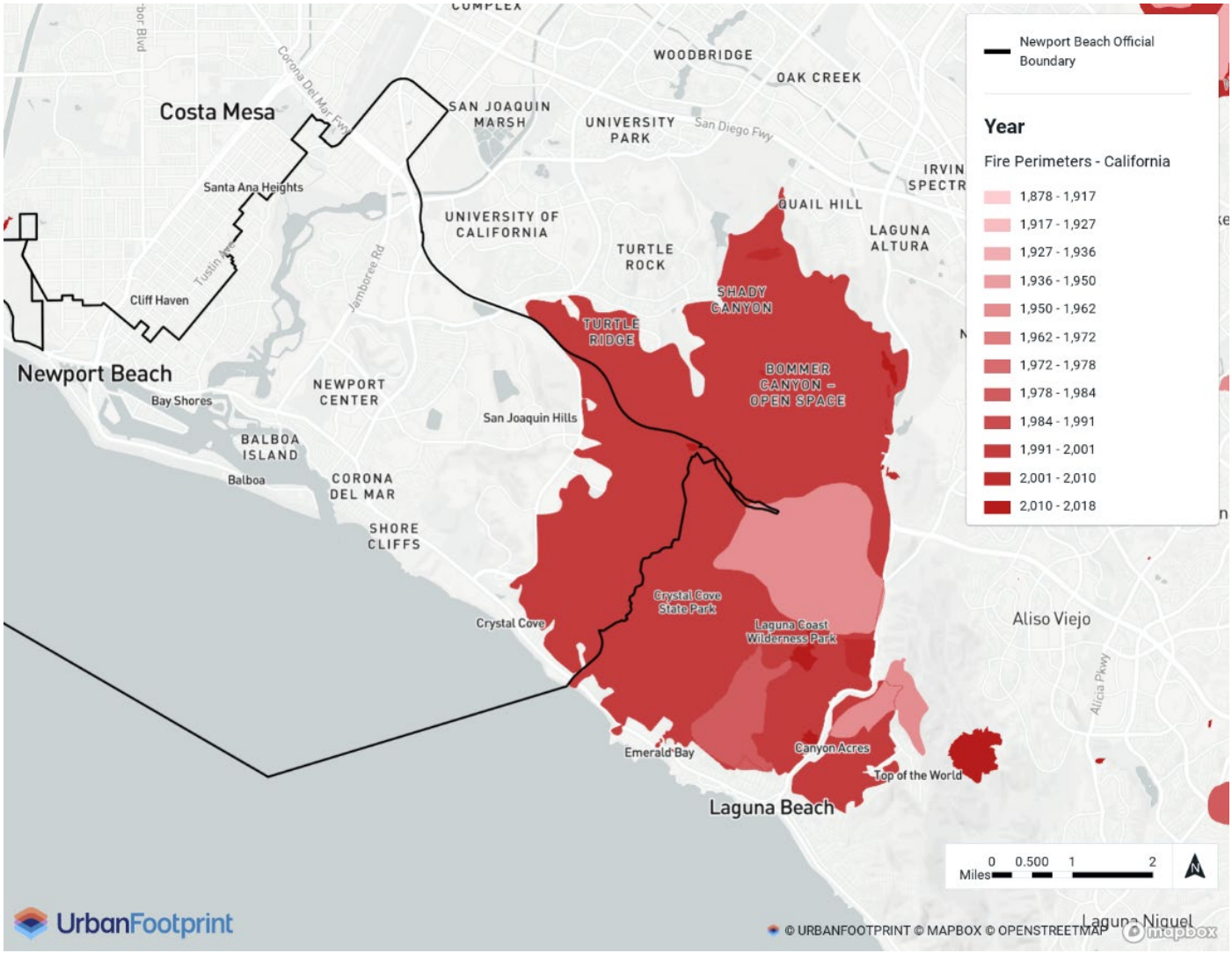
30 As of 2023, CAL FIRE is updating its fire hazard severity mapping. It is anticipated that the hazard zones will expand as a result of ember-cast fires.
31 CAL FIRE. 2023. "Fire Hazard Severity Zones." Accessed 12/7/2023. https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones.
32 Orange County Fire Department. n.d. *Orange County Firestorm 1993 October 26–November 4*. https://www.ocfa.org/Uploads/Transparency/OCFA-AAR-Orange%20County%20Firestorm.pdf.

**Figure 11.** Fire Hazard Severity Zones



In those areas identified as susceptible to wildland fire, NBFD enforces regulations that reduce the amount and continuity of fuel (vegetation) available, firewood storage, debris clearing, proximity of vegetation to structures, and other measures aimed at hazard reduction. These regulations are located in several sections of the NBMC: the City has adopted the 2022 California Fire Code and 2022 California Building Code with local amendments, which include provisions regarding construction standards in new structures and remodels, road widths and configurations designed to accommodate the passage of fire trucks and engines, and requirements for minimum fire flow rates for water mains. Additionally, the City's property development standards include provisions relating to fuel modification, which applies to all development within and adjacent to wildland fire hazard areas, aimed at reducing fire encroachment into structures from adjacent vegetation.

**Figure 12.** Fire Perimeters




Urban fires are also a safety concern. Many factors contribute to an area being at risk of structural damage: fire departments' capabilities to contain and control fires, including the construction size and type, built-in protection, density of construction, street widths, and occupancy size. Many of the structures in the older portions of Newport Beach, some dating back to the 1930s, are susceptible to urban fires. These areas were built to older building

standards and fire codes, made from non-fire-resistive construction materials, and built with no internal sprinklers and other fire safety systems in place. These areas include Balboa Peninsula, Balboa Island, and Corona del Mar.

Through the Building Code and Fire Code, amended in 2022 (see Sections 4.4.1 through 4.4.3 for more detail), the City requires sprinklers to be installed in all new residential structures and buildings, provided the building has a total building area of greater than 5,000 square feet, and in all existing buildings when certain conditions are met, such as certain increases in buildings size or additional stories added above the second floor.

Earthquake-induced fires have the potential to be the worst-case fire-suppression scenarios for a community. An earthquake can cause multiple ignitions distributed over a broad geographic area. Breaks in the gas mains and the water distribution system, for example, could lead to seismically induced fires.

### 4.1.4.1 Vulnerable Populations

Vulnerability to wildfire includes populations who face greater challenges evacuating during wildfire events, those who are sensitive to wildfire smoke, and those who face greater challenges recovering after wildfires. People over the age of 65, people with disabilities, and those with limited car access may face greater difficulties evacuating during wildfires and have greater risk of injury or loss of life. People with respiratory conditions such as asthma, older adults, and young children are more sensitive to the impacts of wildfire smoke. Low-income households face steeper recovery after wildfires, especially in the event of property damage or loss. In Newport Beach, older adults and severely cost-burdened homeowners and renters are most common as populations vulnerable wildfire impacts (Table 7).

**Table 7. Populations Vulnerable to Fire**

| Health Indicator | Location | |
|---|---|---|
| | Newport Beach | Orange County |
| Renter Severe Housing Cost Burden[1] | 22.2% | 26.9% |
| Homeowner Severe Housing Cost Burden[2] | 13.1% | 11.4% |
| Older Adults[3] | 23.6% | 16.4% |
| Young Children[4] | 3.9% | 5.93% |
| Disability[5] | 3.6% | 3.2% |
| Asthma[6] | 8.05% | 8.32% |
| Limited Car Access[7] | 4.0% | 4.4% |

**Source:** Public Health Alliance. 2022. "The California Healthy Places Index." https://map.healthyplacesindex.org/.
**Legend:** Quartile 1 = Good, Quartile 2 = Moderate, Quartile 3 = Poor, Quartile 4 = Challenged
**Note:** The table is colored to indicate how the City of Newport Beach and Orange County compare to other California cities and counties on average, not to indicate that certain traits are overall "good" or "bad."

1 Percent of renters who pay more than 50% of their income towards housing costs.
2 Percent of homeowners who pay more than 50% of their income towards housing costs.
3 Percent of people aged 65 and over.
4 Percent of people aged 5 and under.[5] Percent of people who have a disability.
6 Percent of people with asthma.
7 Percent of households without access to a car.

## 4.1.5 Hazardous Materials Management

Hazardous materials are substances that are toxic, ignitable or flammable, reactive, and/or corrosive. These include substances that show high acute or chronic toxicity, are carcinogenic, have bioaccumulative properties (accumulates in the body's tissues), are persistent in the environment, or are water-reactive. Hazardous materials release can cause short-term and/or long-term effects upon the public from exposure to the hazardous material. Handling, storage, use, and manufacturing of hazardous materials are regulated by, the U.S. Environmental Protection Agency (EPA) at the Federal level and by the California Environmental Protection Agency (CalEPA) along with the Department of Toxic Substances Control and several other agencies with various other regulatory functions (e.g., California Occupational Safety and Health Administration, California Integrated Water Quality System) at the State level. CalEPA oversees the Unified Program, which consolidates these various agencies' programs to ensure regulatory agencies consistently apply Statewide standards when they issue permits, conduct inspections, and engage in enforcement activities. The Newport Beach Fire Department maintains operational permits for facilities with known hazardous materials that exceed their permitted amount of hazardous materials. This includes hazardous materials inventory statements, quantities, locations, and types. These facilities are inspected on an annual basis.

### Toxic Release Inventory

According to the EPA records, there are two facilities in the Newport Beach area that are listed in the Toxics Release Inventory: one near its border with the City of Irvine and one near its border with the City of Costa Mesa. The facilities are Jazz Semiconductor (computers/electronics products) and Hixson Metal Finishing (fabricated materials sector). Between these two facilities, though Hixson Metal Finishing comprises the vast majority, they manage 841.2 thousand pounds of production-related waste. Approximately 34.5 thousand pounds are disposed of on site and off site, with the majority (28.5 thousand pounds) disposed of off site. Moreover, releases disposed of on site are released into the air and comprise primarily of hydrochloric acid, hydrogen fluoride, and ammonia.[33]

CalEPA closely monitors the emissions from these facilities to ensure that their annual limits are not exceeded. The South Coast Air Quality Management District also issues permits to facilities that emit chemicals, both toxic and nontoxic, into the atmosphere. These facilities include restaurants, hotels, dry-cleaners, and other small businesses.

### Hazardous Waste

Approximately 88 small quantity generators (SQGs) operate in the Newport Beach area. SQGs are generators of less than 1,000 kilograms of hazardous waste per calendar month and/or 1 kilogram or less of acute or extremely hazardous waste per calendar month.[34] Although many SQGs are exempt from Federal regulations, the State sets requirements for SQGs regarding hazardous waste management and disposal. There are 17 large quantity generators (LQGs) in Newport Beach. These sites generate more than 1,000 kilograms of hazardous waste, or 1 kilogram of acute hazardous waste, per month, and include pharmacies, gas stations, hospitals, industrial

[33] EPA (Environmental Protection Agency). 2021. "Toxic Release Inventory (TRI) Program." https://www.epa.gov/toxics-release-inventory-tri-program.

[34] DTSC (Department of Toxic Substances Control). 2023. "Households and Small Quantity Generators." https://dtsc.ca.gov/households-and-small-quantity-generators/.

operations, and others[35]. US EPA regulates hazardous waste generation, transportation, treatment, storage, and disposal under the authority of the Resource Conservation and Recovery Act (RCRA), adopted in 1976[36].

CalEPA also publishes data on sea-level rise and hazardous waste facilities.[37] None of the large-quantity hazardous waste generators in Newport Beach are at risk from sea-level rise, according to EPA data.

### Leaking Underground Storage Tanks

The Orange County Environmental Health Department provides oversight and conducts inspections of all underground tank removals and installation of new tanks. According to data from the State Water Resources Control Board, 97 underground storage tank leaks have been reported in the Newport Beach area. Of these, 96 sites have been either cleaned up or deemed to be of no environmental consequence, leaving 1 case that is still open and in the process of remediation.[38]

### Oil Fields

Several oil seeps and oil-stained rock in outcrops led to prospectors drilling for oil in the Newport Beach area as early as 1904. It was not until 1922 when a commercial oil field was developed in the area. Today, there are two oil fields in the area: the Newport field within city limits, and the West Newport oil field within the City's sphere of influence.

In total, the City owns 16 oil wells for oil and gas production, of which 14 are still operational and 1 is used for water injection to increase productivity in operational wells. The oils wells' heads are located in unincorporated County of Orange land and slant drilled under City lands unto the Newport Offshore oil field. There are 33 abandoned oil wells located in numerous sites throughout Newport Beach, concentrated along the northwest boundary.[39] Oil production is approximately 20,000 barrels per year (as of 2020), down from 30,000 barrels in 2009 and 60,000 barrels in the 1980s. Thus, oil production has declined significantly but is still moderately productive. Currently, the City averages $1 million to $1.2 million in oil and gas revenue per year, which is then deposited into the Tidelands Fund, a fund the City holds in trust to be used to support and maintain tidelands.[40]

## 4.1.5.1 Vulnerable Populations

Populations vulnerable to hazardous materials exposure are those whose health is more sensitive to exposure to toxic chemicals. These groups include young children, pregnant and nursing women, and older adults. People without healthcare access are also more vulnerable because of financial barriers to seeking treatment for adverse health impacts. The most common of these groups in Newport Beach are older adults (Table 8).

Note: pregnant and nursing women are not included in the table below due to a lack of data.

35 EPA. 2024. "RCRAInfo Web." https://rcrapublic.epa.gov/rcrainfoweb/action/modules/hd/

36 EPA. 2023. "Summary of the Resource Conservation and Recovery Act." https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act

37 EPA. 2023. "Sea Level Rise & RCRA Hazardous Waste Facilities." https://rcrapublic.epa.gov/rcra-public-web/action/posts/5.

38 SWRCB (State Water Resources Control Board). 2023. "GeoTracker – Electronic Submittal of Information (ESI)." https://www.waterboards.ca.gov/water_issues/programs/ust/.

39 City of Newport Beach. 2006. "Natural Resources Element." In *City of Newport Beach General Plan*https://www.newportbeachca.gov/government/departments/community-development/planning-division/general-plan-codes-and-regulations/general-plan.

40 City of Newport Beach. 2023. "Utilities: Oil and Gas." https://www.newportbeachca.gov/government/departments/utilities/oil-and-gas.

**Table 8. Populations Vulnerable to Hazardous Materials**

| Health Indicator | Location | |
|---|---|---|
| | Newport Beach | Orange County |
| Older Adults[1] | 23.6% | 16.4% |
| Young Children[2] | 3.9% | 5.93% |
| Uninsured Adults[3] | 4.4% | 10.7% |

**Sources:** Public Health Alliance. 2022. "The California Healthy Places Index." https://map.healthyplacesindex.org/.
California Department of Public Health. 2013–2015. "Maternal and Infant Health Assessment." https://www.cdph.ca.gov/Programs/CFH/DMCAH/MIHA/Pages/Data-and-Reports.aspx.
**Legend:** Quartile 1 = Good, Quartile 2 = Moderate, Quartile 3 = Poor, Quartile 4 = Challenged
**Note:** The table is colored to indicate how the City of Newport Beach and Orange County compare to other California cities and counties on average, not to indicate that certain traits are overall "good" or "bad."
1 Percent of people aged 65 and over.
2 Percent of people aged 5 and under.
3 Percent of adults aged 18 to 64 without health insurance.

## 4.1.6 Aviation Hazards

Airports are typically categorized by type of activities, including commercial service, cargo service, and general aviation. Airports and certain types of development can be hazardous when located close together, which is why careful planning must be done to minimize risk and plan for a coordinated response to any potential incident. Although hazardous incidents associated with air transportation are extremely rare, aircraft accidents have the potential to be severe.

Orange County owns and operates JWA, 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.[41]

JWA currently handles about 11.3 million passengers annually and about 130 commercial flights per day. The airport is located along the northern boundary of Newport Beach and residential and commercial properties are located directly below the airport's primary departure pattern for commercial and general aviation aircraft. Noise, traffic, and aircraft emissions are adverse impacts to residents and businesses adjacent to JWA. Monitoring and mitigating the airport's operations and related impacts are priorities for the City.

The Newport Beach City Council and several other cities located along the airport's arrival and departure corridors have publicly agreed to oppose the following:[42]

- Any expansion of JWA beyond its current physical footprint;
- A second commercial runway or the extension of the existing runway;
- Any significant reduction in general aviation operations / facilities, which could allow for more commercial aircraft use; and
- Any detrimental change to air carrier or general aviation noise ordinances.

41 John Wayne Airport, Orange County. 2023. "JWA Overview." https://www.ocair.com/about/news-info/jwa-overview/.
42 City of Newport Beach. 2023. "John Wayne Airport Operations." https://www.newportbeachca.gov/government/departments/city-manager-s-office/john-wayne-airport.

The City's Aviation Committee, which meets quarterly, was formed to assist the City in implementing Council Policy A-17, or Airport Policy, and to continue to advocate for the JWA Settlement Agreement, which was extended twice, in 2003 and 2014, as a result of City Council and community groups' efforts.

Members of the General Plan Advisory Committee (GPAC) have noted that drone safety is also a topic of consideration with regards to aviation as well as fire response.

#### 4.1.6.1 Vulnerable Populations

Vulnerability to aviation hazards does not depend on population characteristics. Rather, vulnerability is a function of exposure to those hazards, which is based on proximity to JWA and its flight path.

### 4.1.7 Extreme Heat

Extreme heat is a hazard that was not included in the adopted Safety Element but is an emerging hazard, even in a coastal community with a high rate of shade like Newport Beach. Extreme heat days are relative to location, so in Newport Beach an extreme heat day is considered a day that exceeds 87.5°F. Historically, this happens about 3 days per year, but by 2050 this is projected to occur on average 11 days per year when using the high emissions scenario.[43] Members of the GPAC have noted that there have been instances of recent temperatures that exceeded 100°F and that preventable measures such as cooling areas, light street paving, light roof colors, and other measures should be considered.

#### 4.1.7.1 Vulnerable Populations

Vulnerability to extreme heat can include people who are especially sensitive to its impacts, like young children or older adults. It can also relate to high exposure, for example outdoor workers. In Newport Beach, older adults are the most common population vulnerable to extreme heat (Table 9).

**Table 9. Populations Vulnerable to Extreme Heat**

| Health Indicator | Location | |
|---|---|---|
| | Newport Beach | Orange County |
| Older Adults[1] | 23.6% | 16.4% |
| Young Children[2] | 3.9% | 5.93% |
| Outdoor Workers[3] | 4.56% | 6.15% |

**Sources:** Public Health Alliance. 2022. "The California Healthy Places Index." https://map.healthyplacesindex.org/.
California Department of Public Health. 2013–2015. "Maternal and Infant Health Assessment." https://www.cdph.ca.gov/Programs/CFH/DMCAH/MIHA/Pages/Data-and-Reports.aspx.
**Legend:** Quartile 1 = Good, Quartile 2 = Moderate, Quartile 3 = Poor, Quartile 4 = Challenged
**Note:** The table is colored to indicate how the City of Newport Beach and Orange County compare to other California cities and counties on average, not to indicate that certain traits are overall "good" or "bad."

1 Percent of people aged 65 and over.
2 Percent of people aged 5 and under.
3 Percent of outdoor workers.

43 California Energy Commission. 2023. "Cal-Adapt Extreme Heat Days & Warm Nights." https://cal-adapt.org/tools/extreme-heat.

# 4.2 Infrastructure

## 4.2.1 Stormwater and Wastewater

Harbor and bay regulations adopted by the City require that pollution be prevented in association with development and that safeguards be maintained to prevent pollution. The City also operates programs to protect the quality of water in the harbor and bay, such as a street sweeping and education programs about proper waste disposal.. Street and drainage improvements are identified through the City's CIP.

In compliance with Federal requirements under the Clean Water Act, the City adopted an ordinance to improve water quality by preventing and controlling stormwater runoff. In part, the ordinance sets forth requirements for all new development and significant redevelopment within Newport Beach, establishes a scope of inspections and compliance enforcement, and establishes discharge permit procedures. Additionally, the City adopted an ordinance to update its Subdivision Code to implement the adopted General Plan. The updated Subdivision Code includes drainage and flood protection requirements (NBMC Section 19.24.090).

The City's 2019 Sewer System Management Plan (SSMP)[44] provides goals relating to the management, operation, and maintenance of the wastewater collection system and prevention of sanitary sewer overflows (SSOs), which result in wastewater spills and surface water runoff into coastal waters, causing detrimental water quality impacts. SSOs can be caused by extreme precipitation events that overwhelm the capacity of the wastewater collection system. Through the SSMP, the City promulgates design and performance standards for its sanitary sewer systems, pump stations, and other components. Such standards are intended to ensure the proper function of the wastewater collection system. In the event of an SSO, the City's Overflow Emergency Response Plan comes into effect. This plan involves notification procedures to inform primary responders and regulatory agencies of the SSO, a program to coordinate response to the SSO, procedures to address traffic and crowd control and other emergency operations during the SSO, and a program of steps to contain and prevent further discharge of wastewater.

Additionally, to prevent saltwater intrusion into wastewater treatment plants, the City operates and maintains tidal valves, which allow stormwater to drain out under low tide conditions and prevent ocean water from backing up into the stormwater system.

## 4.2.2 Water

Water service in Newport Beach is provided by the City, Irvine Ranch Water District, and Mesa Consolidated Water District. Each agency maintains master plans for services, facilities, maintenance, and improvements necessary to support existing and projected population growth and development. Conservation practices are included within the respective plans.

In response to Executive Order B-29-15 on April 1, 2015, the City adopted in its municipal code (NBMC Chapter 14.17) prohibitions against wasteful practices relating to water use, including using potable water to wash sidewalks and driveways, allowing more-than-incidental runoff when irrigating turf and other ornamental landscapes, and using hoses without automatic shutoff nozzles to wash motor vehicles, among other restrictions. Outside of this action, the City has adopted numerous other ordinances regulating the use of water. This includes

[44] City of Newport Beach. 2019. *Sewer System Management Plan (SSMP)*. September 2019. https://www.newportbeachca.gov/government/departments/utilities/administration/reports.

regulations on water conservation and supply, water-efficient landscaping, and water quality. These regulations establish water conservation and water supply shortage programs, promote the efficient use of water and prevent water waste in landscaping, and prohibit non-stormwater discharges into storm sewers.

Per the City's 2020 UWMP, the City's water supply comes from a combination of imported water, which includes water from the Colorado River and the State Water Project; recycled water; and local groundwater, with groundwater from the Orange County Basin comprising the largest share.[45] In fiscal year 2019/2020, water supplies consisted of 68% groundwater, 28.5% imported water, and 3.5% recycled water. By 2045, groundwater is expected to consist of 82% of water supply, 14.5% imported water, and 3.5% recycled water. This indicates a growing reliance on groundwater and a shrinking dependence on imported water. However, the City's 2020 UWMP also refers to the Metropolitan Water District of Southern California's Seawater Desalination Program, which provides incentives for developing new seawater desalination projects in the Metropolitan Water District of Southern California's service area. Desalination projects would help to reduce reliance on imported water and increase local resilience. As noted in Section 4.1.1, groundwater intrusion may occur under varying sea level rise conditions. This can cause issues related to flooding, but can also negatively affect access to drinking water. This is because, as fresh groundwater used for drinking is pressed toward the surface, it could be exposed to toxins from potentially contaminated areas.

Water use within the City's service area has been relatively stable, with an average of 15,413 acre-feet per year, of which potable water use accounted for 97%. Of this usage in fiscal year 2019/2020, residential use comprised 58.9%; commercial, institutional, and industrial comprised 18.2%; and large landscape/irrigation comprised 18.1%; with the remaining other uses comprising 4.8%. In compliance with SB 7 as part of the Seventh Extraordinary Session (SB X7-7), known as the Water Conservation Act of 2009, the City more than met its 2020 water use target of 207 gallons per capita per day, achieving an average of 160 gallons per capita per day.

To plan for the event of water shortage due to drought, a catastrophic event (e.g., earthquake), or other circumstances, the City has created a WSCP (2020), to help maintain adequate, reliable supplies and reduce impacts of supply interruptions. The WSCP provides real-time water supply availability assessments and strategic steps to respond to actual conditions.[46]

### 4.2.3 Electricity

Electricity is an important aspect of our daily lives, and for some it is vital to preserving medication or running life-saving equipment. This makes energy resilience especially important. The grid can be impacted by several hazards, including high demand during extreme heat, planned public safety power shut offs due to wildfire risk, or other major hazards such as floods or earthquakes impacting infrastructure.

The sources of power for the grid is also changing. Provisions from numerous Senate Bills (SB 1038, SB 1078, SB 1250, SB 107, SB 350, and SB 1393) set the California Renewable Portfolio Standard, a goal to increase the amount of renewable energy that electric utilities procure. By December 31, 2030, 50% of retail electricity sales must be from eligible renewable energy sources. The Renewable Portfolio Standard applies to the electricity utility serving Newport Beach, namely Southern California Edison (SCE). SCE must report procurement of renewable energy sources to the California Energy Commission during each compliance period, of which the most recent was from 2017 to 2020 (followed

[45] City of Newport Beach. 2021. *2020 Urban Water Management Plan: Final Draft*. May 2021. https://www.newportbeachca.gov/government/departments/utilities/water-services.

[46] City of Newport Beach. 2021. *2020 Water Shortage Contingency Plan: Final*. June 2021. https://www.newportbeachca.gov/government/departments/utilities/water-services.

by compliance period 2021 to 2024). The California Public Utilities Commission then determines compliance for each period. SCE has continued to meet each year's Renewable Portfolio Standard target.

Newport Beach is within the SCE service area; thus, the electricity that powers residential and non-residential buildings reflects SCE's power mix in the Southern California region. Table 10 shows SCE's power content label for 2022, which shows the share of various energy sources that composed SCE's total power supply. Power sources can impact when and how quickly power can be supplied to the grid, with certain sources of power being less responsive than others.

## Table 10. Southern California Edison 2022 Power Mix

| Energy Resource | 2022 Power Mix (%) |
|---|---|
| **Renewable Energy Sources** | **35.8** |
| Biomass and Biowaste | 2.1 |
| Geothermal | 4.7 |
| Hydroelectric | 1.1 |
| Solar | 17.0 |
| Wind | 10.8 |
| **Coal** | **2.1** |
| **Large Hydroelectric** | **9.2** |
| **Natural Gas** | **36.4** |
| **Nuclear** | **9.2** |
| **Other** | **0.1** |
| **Unspecified** | **7.1** |

**Source:** Southern California Edison. 2022. Power Content Label. https://www.sce.com/sites/default/files/custom-files/PDF_Files/SCE_2022_Power_Content_Label_B%26W.pdf.

From 2017 to 2022, the share of renewable energy sources in the SCE power mix rose from 29% to 35.8%. The reliance on coal has reduced from 4% in 2017 to 2.1% in 2022; the share of natural gas increased from 34% in 2017 to 36.4% in 2022; and the share of large hydroelectric has decreased from 15% in 2017 to 9.2% in 2022. Energy from nuclear power has been relatively stable.[47]

One way to make the grid more resilient is by reducing the load, or the energy consumption, via energy efficiency improvements or behavioral changes. Through its involvement in the Orange County Cities Energy Partnership, the City coordinates with SCE, the Southern California Gas Company, and neighboring local governments to identify and create projects to improve energy efficiency and sustainability.[48] Actions include installing energy-efficient lighting; heating, ventilation, and air conditioning (HVAC) improvements; installing Energy Star rated appliances; and conducting technical energy audits of the City's major facilities, among others. The City's Energy Action Plan (EAP), finalized in 2013, provides a roadmap for the City to reduce its energy consumption and GHG emissions. Included in the EAP are energy audits of major City facilities, including City Hall, NBFD, Library Services, Municipal Operations, the Police Department, Public Works, and Recreation and Senior Services. Within municipal operations, the EAP

47 SCE (Southern California Edison). 2022. "2022 Power Content Label." https://www.sce.com/sites/default/files/custom-files/PDF_Files/SCE_2022_Power_Content_Label_B%26W.pdf.

48 City of Newport Beach. 2023. "Orange County Cities Energy Partnership." https://newportbeachca.gov/how-do-i-/learn-more-about/energy-conservation/orange-county-cities-energy-partnership.

includes electricity use for water production and wastewater, oil and gas, parks and trees, street lights, traffic control, operations support, and several other general fund activities.[49]

The City's 2013 EAP describes the City's long-term vision for citywide energy efficiency and contains goals, strategies, and examples that demonstrate effective reduction of energy usage and GHG emissions. The EAP is intended to reduce the City's carbon footprint, conserve and reduce energy use in municipal facilities, and raise public awareness on energy conservation and techniques. The document provides data on then-current gas and electric energy consumption of municipal facilities and potential municipal energy efficiency projects, such as the optimization of the Newport Beach Central Library's HVAC system and installation of occupancy sensors for lighting in municipal buildings that were not installed at the time.

The EAP's framework is centered around compliance with AB 32, the California Global Warming Solutions Act of 2006, which requires the State to reduce GHG emissions to 1990 levels by 2020. In the years since the EAP was published, the State of California has enacted numerous policies that build on target reductions established by AB 32. For example, SB 32, which passed in 2016, requires the State to reduce GHG emissions to 40% below 1990 levels by 2030. In December 2022, the California Air Resources Board released its Scoping Plan that aims to reduce GHG emission to at least 85% below 1990 levels by 2045. This new target was enacted as State law under AB 1279, the California Climate Crisis Act.

### 4.2.4 Telecommunication Services

The EOP Concept of Operations describes the Government Emergency Telecommunications System (GETS) and Wireless Priority Service (WPS) as "companion services for priority calling offered by the Cybersecurity and Infrastructure Security Agency (CISA)." GETS provides essential personnel priority access to local and long-distance landline networks during emergency situations, which enables communication during such situations when wireless networks are congested. WPS provides Federal, State, local, tribal, and territorial governments with priority service to phone lines during emergencies when wireless networks may be congested.[50]

### 4.2.5 Urban Forest

Trees offer multiple benefits related to natural hazards, most namely increased shade to reduce extreme heat exposure, improved stability to combat geologic hazards like landslides, and reduced runoff to limit flooding. The City Municipal Operations Tree Division maintains 35,000 trees located on public right-of-way and on public property. Additionally, Parks Maintenance maintains 204 acres of parks, 83 acres of facility landscape, and 377 acres of medians and roadsides (see Section 4.2.6, Essential and Public Facilities, below).

The Urban Heat Island Index (UHII) developed by CalEPA maps the temperature differential over time between urban census tracts and nearby rural reference points. In other words, the UHII shows how much the built environment—roads, buildings, and other infrastructure—increases temperature by absorbing and re-emitting heat from the sun. Urban areas with greater natural landscapes such as urban forests and water bodies tend to have less of an urban heat island effect. Being a coastal city, the urban heat island effect in Newport Beach is also modulated by its proximity to the ocean. However, heat waves and other extreme heat events can still pose a risk to cooler areas that are not accustomed to high temperatures. For example, many homes in Newport Beach are without air

[49] City of Newport Beach. 2013. *Energy Action Plan (EAP)*. July 2013. https://www.newportbeachca.gov/i-am-a/community-member/living-building-green/energy-action-plan-eap.

[50] City of Newport Beach. 2022. "Concept of Operations (ConOps)." Section 3 in *City of Newport Beach 2022 Emergency Operations Plan.*

conditioning units because they are not often needed. For this reason, health impacts from extreme heat events can be greatest in such areas, as was the case in the 2006 California heat wave.[51]

The City's trees and surrounding open spaces also increase the risk of wildfire in areas known as the WUI. These areas are the intersection between wildlands and urban or suburban areas. In Newport Beach, homes located in a WUI have certain Building Code regulations specific to them related to building materials for new, rebuilt, or significantly remodeled structures. There are also weed abatement, hazard reduction, and fuel modification programs that the City runs, which monitor and maintain vegetation in high-risk areas within Newport Beach.[52]

### 4.2.6 Essential and Public Facilities

The City has essential and public facilities that are important to protect from hazards. Essential facilities are those that are needed in the event of an emergency or during the immediate recovery after an emergency. Table 11 outlines essential and public facilities in Newport Beach and if any overlap with potential hazard zones such as FEMA flood zones, tsunami inundation zones, Very High Fire Hazard Severity Zones, landslide zones, liquefaction zones, or Alquist-Priolo fault zones.

**Table 11. Essential and Public Facilities**

| Facility Type | Facility Subtype | Name | Address | Cooling Center | Potentially Impacted By: |
|---|---|---|---|---|---|
| Essential Facility | Fire | Balboa Peninsula Fire Station #1 | 110 East Balboa Boulevard, Newport Beach, California 92661 | No | Liquefaction; tsunami |
| | | Peninsula Fire Station #2 | 2807 Newport Boulevard, Newport Beach, California 92663 | No | Liquefaction; tsunami |
| | | Fashion Island Fire Station #3 | 868 Santa Barbara Drive, Newport Beach, California 92660 | No | N/A |
| | | Balboa Island Fire Station #4 | 124 Marine Avenue, Newport Beach, California 92662 | No | Liquefaction; tsunami; 1.64-foot (0.5-meter) sea-level rise |
| | | Corona Del Mar Fire Station #5 | 410 Marigold Avenue, Newport Beach, California 92625 | No | N/A |
| | | Mariners Fire Station #6 | 1348 Irvine Avenue, Newport Beach, California 92660 | No | N/A |
| | | Santa Ana Heights Fire Station #7 | 20401 Southwest Acacia Street, Newport Beach, California 92660 | No | N/A |
| | | Newport Coast Fire Station #8 | 6502 Ridge Park Road, Newport Beach, California 92657 | No | Fire |

[51] CalEPA (California Environmental Protection Agency). 2023. "Understanding the Urban Heat Island Index." https://calepa.ca.gov/climate/urban-heat-island-index-for-california/understanding-the-urban-heat-island-index/.

[52] City of Newport Beach. 2023. "Wildland-Urban Interface." https://www.newportbeachca.gov/government/departments/fire/fire-prevention-division/wildland-urban-interface.

## Table 11. Essential and Public Facilities

| Facility Type | Facility Subtype | Name | Address | Cooling Center | Potentially Impacted By: |
|---|---|---|---|---|---|
| | Law Enforcement | Newport Beach Police Department | 870 Santa Barbara Drive, Newport Beach, California 92660 | No | N/A |
| | | Harbor Patrol-Marine Operations Bureau (Orange County Sheriff) | 1901 Bayside Drive, Corona del Mar, California 92625 | No | Liquefaction; tsunami |
| | | Cutter Narwhal (US Coast Guard) | 1911 Bayside Drive, Corona del Mar, California 92625 | No | Liquefaction; tsunami |
| | Civic Center | Civic Center/Emergency Operations Center | 100 Civic Center Drive, Newport Beach, California 92660 | Yes | N/A |
| | Hospital | Hoag Hospital – Newport Beach | 1 Hoag Drive, Newport Beach, California 92663 | No | N/A |
| | School | Newport Heights Elementary | 300 East 15th Street, Newport Beach, California 92663 | No | N/A |
| | | Roy O. Anderson Elementary | 1900 Port Seabourne Way, Newport Beach, California 92660 | No | N/A |
| | | Newport Harbor High | 600 Irvine Avenue, Newport Beach, California 92663 | No | N/A |
| | | Newport Elementary | 1327 West Balboa Boulevard, Newport Beach, California 92661 | No | Tsunami |
| | | Newport Coast Elementary | 6655 Ridge Park Road, Newport Beach, California 92657 | No | Fire |
| | | Mariners Elementary | 2100 Mariners Drive, Newport Beach, California 92660 | No | N/A |
| | | Horace Ensign Intermediate | 2000 Cliff Drive, Newport Beach, California 92663 | No | N/A |
| | | Corona del Mar High | 2101 Eastbluff Drive, Newport Beach, California 92660 | No | N/A |
| | | Harbor View Elementary | 900 Goldenrod Avenue, Corona del Mar, California 92625 | No | N/A |
| | | Eastbluff Elementary | 2627 Vista del Oro, Newport Beach, California 92660 | No | N/A |
| | | Abraham Lincoln Elementary | 3101 Pacific View Drive, Corona Del Mar, California 92625 | No | N/A |

## Table 11. Essential and Public Facilities

| Facility Type | Facility Subtype | Name | Address | Cooling Center | Potentially Impacted By: |
|---|---|---|---|---|---|
| Public Facility | Library | Central Library | 1000 Avocado Avenue, Newport Beach, California 92660 | No | N/A |
| | | Balboa Branch Library | 100 East Balboa Boulevard, Newport Beach, California 92661 | No | Liquefaction; tsunami |
| | | Crean Mariners Branch Library | 1300 Irvine Avenue, Newport Beach, California 92660 | No | N/A |
| | | Corona del Mar Branch Library | 410 Marigold Avenue, Corona del Mar, California 92625 | No | N/A |
| | Community Center | Newport Coast Community Center | 6401 San Joaquin Hills Road, Newport Coast, California 92657 | No | Fire |
| | | OASIS Senior Center | 801 Narcissus Avenue, Corona del Mar, California 92625 | Yes | N/A |
| | | Marina Park Community and Sailing Center | 1600 West Balboa Boulevard, Newport Beach, California 92663 | No | Liquefaction; tsunami |
| | | Bonita Creek Community Center | 3010 La Vida, Newport Beach, California 92660 | No | Liquefaction |
| | | Carroll Beek Community Center | 115 Agate Avenue, Newport Beach, California 92662 | No | Liquefaction; tsunami; 1.64-foot (0.5-meter) sea-level rise; 1% chance of flooding and storm wave hazard |
| | | Cliff Drive Community Center | 301 Riverside Avenue, Newport Beach, California 92663 | No | Landslide |
| | | Grant Howald Community Youth Center | 3000 5th Avenue, Corona del Mar, California 92625 | No | N/A |
| | | VJ Community Center | 1300 Irvine Avenue, Newport Beach, California 92660 | No | N/A |
| | | West Newport Community Center | 883 West 15th Street, Newport Beach, California 92663 | No | N/A |

**Note:** N/A = not applicable.
The "Potentially Impacted By" column was populated using Federal Emergency Management Agency flood zones, California Department of Forestry and Fire Protection Very High Fire Hazard Severity Zones, U.S. Geological Survey CoSMoS 3.0 sea-level rise mapping, and California Geological Survey Alquist-Priolo fault zones, tsunami inundation zones, landslide zones, and liquefaction zones.

# 4.3 Emergency Preparedness

Education and engagement are the cornerstone of an effective emergency preparedness program. Local agencies can minimize risk during emergencies by ensuring that the broader community is aware of local emergency preparedness strategies and how to respond in the event of an emergency. There are several methods by which the City can effectively work to ensure that residents and businesses are prepared for emergencies.

## 4.3.1 Education

Education of the public is a key component for reducing the likelihood of certain hazards occurring and preparing residents to respond during an emergency. NBFD posts resources on its website to educate the public about fire risk abatement practices, including a Wildfire Home Risk Assessment scoresheet, evacuation readiness, and links to CAL FIRE's educational video, "Ready, Set, Go!" The Fire Prevention Division also provides safety tips and information regarding causes of fires, escape planning, fire and safety equipment, household equipment for electrical appliances, and outdoors activities such as grilling, fireworks, and sky lanterns.

## 4.3.2 Social Media

The City's social media channels are used to share information pertaining to City matters and act as a supplement to the City's website. Currently, the City maintains four social media accounts: Facebook, X (formerly Twitter), Instagram, and YouTube.

The City's Facebook, X (formerly Twitter), and Instagram accounts share information related to City operations, notices, job postings, events and opportunities, and other community-related news. Posts are generally similar across the three social media feeds and intended to reach different demographics.

The City's YouTube channel is primarily used to share official City video communications, such as City Council meetings, Planning Commission meetings, lectures and programs hosted by the Newport Beach Public Library, and other similar events. Many of these videos are categorized by "playlists"; one such playlist is titled "Emergency Preparedness" and includes educational content for community members. Topics addressed include READY: an emergency preparedness guide, tours of fire stations, among others. The content primarily covers best practices related to the topic, and the content remains relevant despite many of the videos being released years ago.

## 4.3.3 Neighbor-to-Neighbor

The Newport Beach Community Emergency Response Team (CERT) provides educational and training programs to residents, schools, and businesses in emergency and disaster preparation, empowering community members to provide mutual life-saving interventions.[53] CERT is not intended to replace first responder duties; the purpose of CERT is to enable residents to assist one another in times of emergency when emergency response services are overwhelmed, particularly in the event of a major disaster when the number of people impacted, communication failures, and road blockages may temporarily prevent access to emergency services. Training topics include the following:

- General disaster preparedness

[53] City of Newport Beach. 2023. "Community Emergency Response Team (CERT)." https://www.newportbeachca.gov/government/departments/fire-department/life-safety-services-division/community-emergency-response-team-nbcert.

- Disaster psychology and team organization
- Disaster medical operations
- Fire suppression
- Terrorism awareness
- Light search and rescue

The NBFD also conducts a fire cadet program, the NBFD Cadet Program 309, which trains young people ages 15 to 21 in basic fire suppression skills and aptitudes needed to ride on a fire apparatus. One of the purposes of the program is to acquaint young people with fire and emergency response skills and cultivate an interest in fire and emergency services as a profession.

Members of the GPAC have noted that as the aging population grows, additional steps may be needed to ensure that the community is prepared in the event of an emergency. This could be through a sort of neighborhood watch or buddy system, where those in the community work to assist one another.

### 4.3.4 Other Engagement Resources

On occasion, the Newport Beach Public Library provides education on environmental topics that is catered to children and young teens. Hosted in partnership with the Environmental Nature Center, the "Wildlife in Our Own Backyard!" program is a hands-on learning experience that teaches children about nature and the ecosystems within and around Newport Beach. Event details are posted to the Public Library's children's calendar.[54] The library also provides book-lending services that residents can use to check out books on sustainability and resilience topics at no cost.

In addition to resources provided by the City, residents may visit educational centers throughout Newport Beach to learn more about the environment and sustainability and resilience topics. The Environmental Nature Center provides education on ecological responsibility and sustainable living practices through hands-on experiences with nature.[55] The facility contains 15 plant communities native to California, a wildlife habitat, and natural walking trails that serve as the backdrop for the center's many programs, including school field trips, summer nature camps, a nature preschool with a nature-based curriculum, and several community programs and events intended for all ages.

As an official partner, the City collaborated with the Environmental Nature Center to develop programs at Buck Gully Reserve, a 300-acre nature preserve that is currently undergoing restoration by the City and the Irvine Ranch Conservancy.[56] These programs provide the community with an immersive hiking experience and insight about the impacts of human development on the natural environment. Based in Upper Newport Bay, the Newport Bay Conservancy provides individuals of all ages with sustainability-focused education and hands-on experiences that help protect and preserve the bay's wildlife and natural resources. Programs include kayak tours, assisting with restoration projects, routine clean-up days, and community days.

54 Newport Beach Public Library. 2023. "Children's Calendar." Accessed November 27, 2023. https://www.newportbeachlibrary.org/calendar/children-s-calendar.
55 Environmental Nature Center. 2023. "Programs." Accessed November 27, 2023. https://encenter.org/visit-us/programs-2/.
56 Environmental Nature Center. 2016. "Community Partners." Accessed November 27, 2023. https://encenter.org/community-partners/.

Individuals may also learn about sustainable food practices at weekend farmer's markets, including the Newport Pier Farmers Market, held every Saturday from 9 a.m. to 2 p.m., and the Corona del Mar Farmers Market,[57] held every Saturday from 9 a.m. to 1 p.m. Here, visitors can interact with farmers and learn about sustainable growing practices that can be adopted at home.

## 4.4 Emergency Response

Any potential hazard in the City resulting from a human-caused or natural disaster may result in the need for evacuation of few or thousands of residents of Newport Beach. The City is currently using the National Incident Management System (NIMS) for emergency response in Newport Beach, where depending on the type of incident, several different agencies and disciplines may be called upon to assist with emergency response. Agencies and disciplines that can be expected to be part of an emergency response team include medical, health, fire and rescue, police, public works, and coroner. Additionally, policies and plans from the Orange County Operational Area Mutual Aid Plan, the State's Mutual Aid Plan, and the State's Fire and Rescue Mutual Aid System would be implemented.

Within the Newport Beach Police Department, the Emergency Services Coordinator updated the City's Emergency Operations Plan in 2022. The Emergency Operations Plan describes the different levels of emergencies, the local emergency management organization, and the specific responsibilities of each participating agency, government office, and City staff. A citywide drill, which involves implementation of the Emergency Operations Plan, is conducted annually.

Currently, NBFD provides basic life support, advanced life support, and emergency transportation utilizing the fire engines and ladder trucks housed in NBFD's eight fire stations, along with the paramedics housed in three of those stations. While NBFD has the immediate capability of providing advanced life support service at three simultaneous incidents, there is an occasional need for additional advanced life support units. Additional advanced life support service is provided by nearby and adjoining public agencies by means of cooperative automatic aid agreements. Emergency transportation beyond the capability of the department is provided by private ambulance companies.

Mass casualty incidents, those incidents usually involving three or more critical patients, require the implementation of the Orange County Fire Services Operational Plan Annex "Multi-Casualty Incident Response Plan." This organizational plan aids in assigning treatment teams and quickly moving patients off scene to appropriate receiving centers in an expeditious and organized manner. The multi-casualty plan is intended to be implemented during any multi-casualty incident, such as multiple-vehicle accidents, aviation accidents, hazardous materials incidents, high-rise fires, and so forth. Although the system has been designed to be used with as few as three patients, it can be expanded as it becomes necessary.

Lastly, in the event of a disaster, the City's Emergency Operations Center (EOC) can be opened. The center has undergone a series of considerable upgrades and improvements. Training for the residents within the City continues through the CERT program. The continued development of the community's disaster preparedness efforts will aid the residents of Newport Beach in an areawide disaster by fostering a citywide culture of preparedness.

[57] Visit Newport Beach California. 2022. "Explore Newport Beach Farmer's Markets." June 13, 2022. https://www.visitnewportbeach.com/shopping-fashion/article/explore-newport-beach-farmers-markets/.

### 4.4.1 Notification System

Alert and warning systems inform government forces and the public, in a timely manner, of the threat of imminent danger. The City's local government is responsible for warning the population within the jurisdiction of such dangers, but there are also State-level emergency notification systems. Several alert and warning systems may be used for various types of emergencies and at different jurisdictional levels, including the Integrated Public Alert and Warning System (IPAWS), the Emergency Alert System (EAS), the Wireless Emergency Alert (WEA), the California State Warning Center (CSWC), the National Weather Service (NWS), the Alert Orange County (AlertOC) Notification Systems, Newport Beach Cable TV, and emergency warning sirens.[58] Telecommunication systems for times of emergency are described above in Section 5.2.4, Telecommunication Services.

Newport Notified is an alert system managed by the Newport Beach Police Department, designed to distribute both general and emergency information straight from the Police Department to the local community. Its primary function is to inform residents and subscribers about safety-related issues, including traffic updates, crime warnings, and community news. Additionally, it serves as a platform for emergency alerts concerning power failures, evacuations, tsunamis, and other potential dangers that could threaten public safety.

Integrated Public Alert and Warning System IPAWS includes a wide variety of communication technologies—radio, television, wireless devices, sirens, electronic road signs, and other emerging technologies—public safety officials use to send emergency alerts and warnings, increasing the likelihood that individuals will receive those alerts and warnings. Moreover, IPAWS unifies the EAS, WEA, and NOAA Weather Radio, among others. IPAWS is particularly effective for ensuring life-saving alerts reach the whole community, including those with disabilities and those with limited English proficiency.

The Emergency Alert System enables the President and Federal, State, and local governments to disseminate emergency public information and communicate with the general public through commercial broadcast stations. As such, the broadcast industry voluntarily operates the EAS and follows approved EAS plans, standards of practice, and Federal Communications Commission rules and regulations. Those allowed to request an EAS message on the City's behalf are limited to the City Manager, Police Chief, or Fire Chief, who to do so reach out to the Countywide Coordinated Communications Center (County Control One).

The California Emergency Alert Plan establishes message priorities for the EAS:

- Priority 1: Presidential Messages (carried live)
- Priority 2: EAS Operational (Local) Area Programming
- Priority 3: State Programming
- Priority 4: National Programming and News

The Orange County Low Power-1 FM is KWVE, at 107.9 FM. The Orange County Low Power-2 FM is Control One, using a County very-high frequency system. Low power stations transmit emergency information first; voluntarily participating broadcast stations then re-transmit the same emergency message.

[58] City of Newport Beach. 2022. *Emergency Operations Plan*. https://www.newportbeachca.gov/how-do-i/find/disaster-preparedness-information.

The Wireless Emergency Alert system alerts owners of wireless phones or other such mobile devices, who opt into the service, of geographically targeted text alerts of imminent safety threats. Government officials can use WEA to target emergency alerts to specific geographic areas. For example, authorized national, State, and local government authorities may send alerts regarding public safety emergencies, such as evacuation orders or shelter-in-place orders due to severe weather, terrorist threats, or chemical spills. WEA was established in 2008 to comply with the Warning, Alert, and Response Network Act and became operational in 2012.

### California State Warning Center

CSWC is a central information hub for Statewide emergency communications and notifications, staffed with Emergency Notification Controllers, Emergency Services Coordinators, and Program Managers. Thus, CSWC is a comprehensive resources center for emergency management, law enforcement, and key decision-making throughout California. It is responsible for receiving coordinating, verifying, and disseminating information. CSWC coordinates with Cal OES to ensure information is timely and accurate. Example responsibilities include AMBER alerts, critical incident notifications, hazardous materials notifications, and natural disaster monitoring, among several others.

### National Weather Service

NWS works alongside CSWC to provide weather, hydrologic, and climate forecasts and warnings. These warnings are intended to protect life and property and the national economy. NWS warns of events such as flooding, high winds or tornados, extreme heat, rain, and snowstorms, among other events. Through the Common Alert Protocol, NWS shares emergency information with local, State, tribal, national, and non-government emergency services providers.

### AlertOC Notification Systems

AlertOC is a county-wide program, in which the City participates, that provides emergency alerts services to community members, including shelter-in-place instructions, evacuation, and other emergency alerts. Individuals and businesses may subscribe to the service to receive emergency alerts or notifications. The Sheriff's Department uses AlertOC to contact the public in cases of emergency or disaster in the community.

### Newport Beach Cable TV

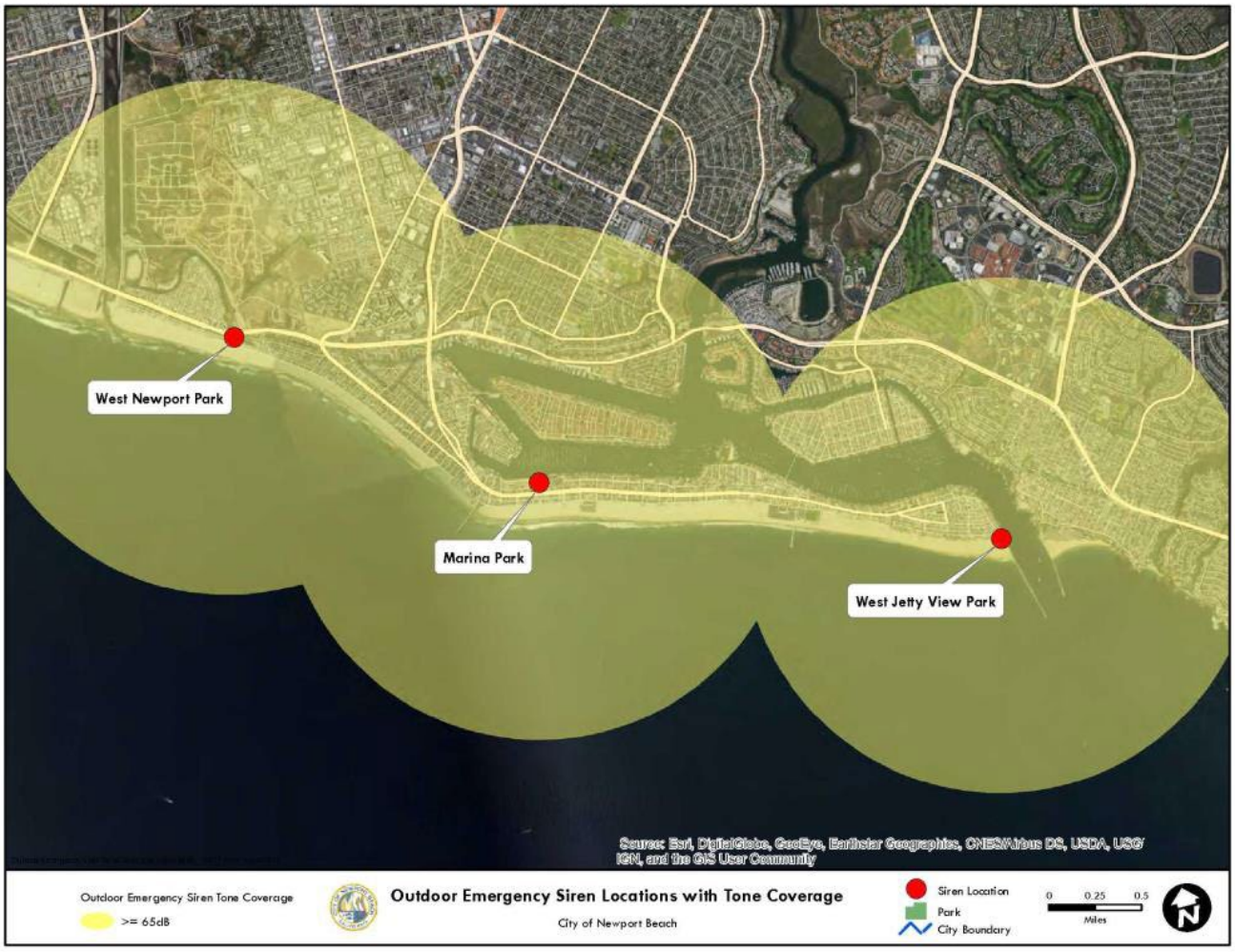
The City maintains its own cable television channel (channel 3) through which it disseminates community emergency information.

### Outdoor Emergency Warning Sirens

The City also has three emergency notification sirens installed at strategic locations (Figure 13).[59] The sirens are located at West Jetty View Park/Wedge, Marina Park on Balboa Boulevard, and West Newport Park, near 60th Street and Seashore Drive. Sirens may be activated for any impending emergency. They are intended to alert and signal the public to check channel 3 and the radio station, 107.9 FM KWVE, for further instructions.

[59] City of Newport Beach. 2023. "Emergency Notification Systems." https://newportbeachca.gov/how-do-i/find/disaster-preparedness-information/emergency-notification-systems#:~:text=The%20sirens%20may%20be%20activated%20for%20ANY%20impending,to%20%28107.9%20FM%2C%20KWVE%29%20and%20await%20further%20instructions.

**Figure 13.** Outdoor Emergency Siren Locations

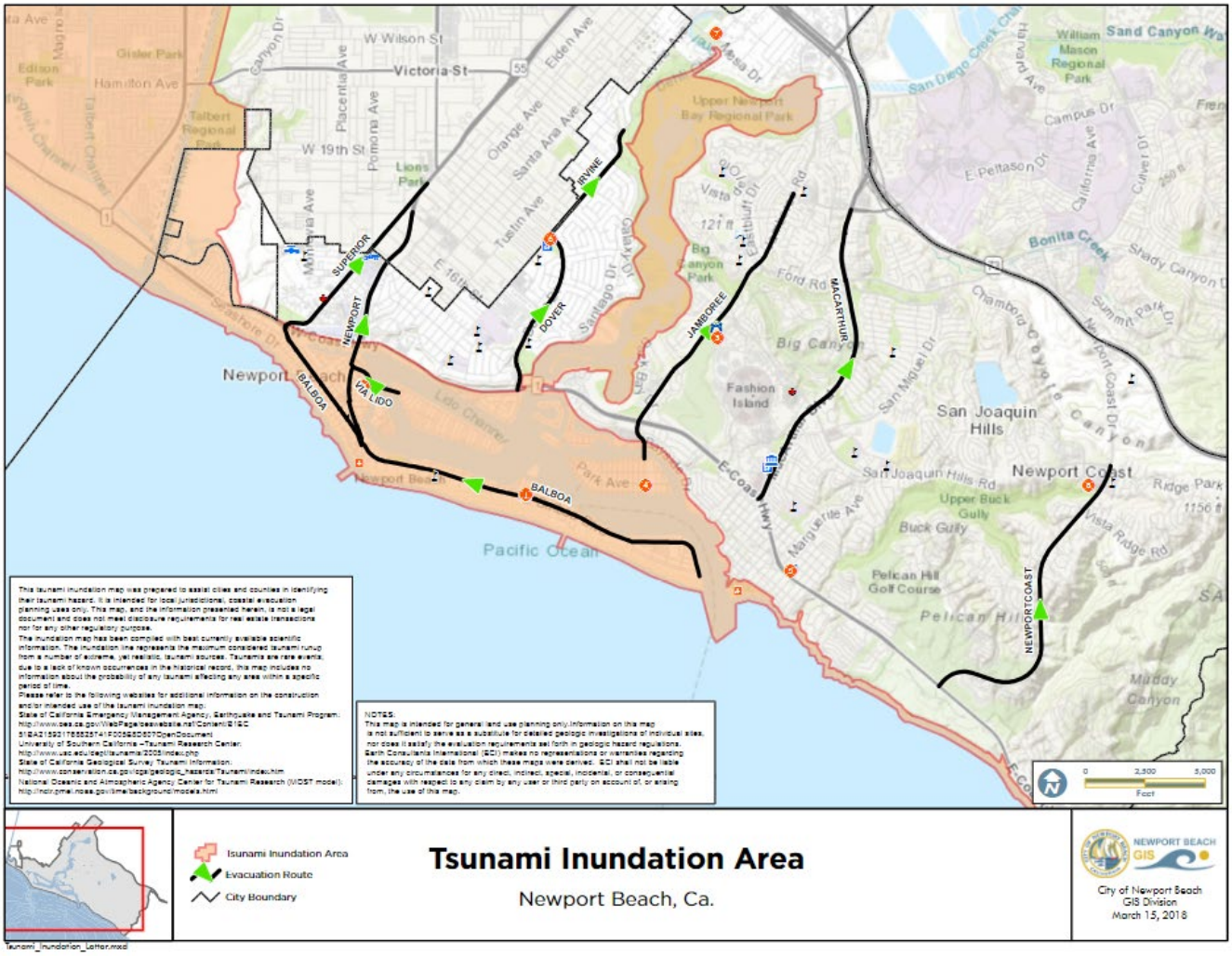



## 4.4.2 Evacuation

For many of the hazards identified in the EOP—seismic hazards, wildfires and urban fires, flooding/dam failure/storm surge, coastal hazards (specifically tsunami), and hazardous materials events—the City designates evacuation as an important response consideration.

The City has developed and implemented a response plan for evacuation of low-lying areas in the case of a tsunami warning. This effort includes the installation of warning sirens, signs identifying evacuation routes, and public education training. **Figure 14** indicates evacuation routes in case of a tsunami.

**Figure 14.** Tsunami Evacuation Routes




Among essential facilities, the 2016 LHMP notes that certain facilities (including preschools and schools, rehabilitation centers, prisons, group care homes, and nursing homes) house populations with special evacuation considerations. These populations may be slower to evacuate during emergencies and therefore may need additional attention and/or resources from Emergency Services. Further, members of the GPAC have noted that the sirens may not be in enough locations to be heard citywide. Additional sirens as well as additional use of sirens should be considered to notify residents of additional hazard events.

## 4.4.3 Mutual Aid

The California emergency resource management system is based on a Statewide mutual aid organization, which ensures that additional resources are provided to local governments when their resources are inadequate or overwhelmed. Local governments may enter into the California Disaster and Civil Defense Master Mutual Aid Agreement, through which political subdivisions, municipal corporations, and public agencies within the State can provide mutual assistance and resources during emergencies.

The City is a signatory of the California Disaster and Civil Defense Master Mutual Aid Agreement, under which the Incident Commander is tasked with requesting additional resources and assistance through the Orange County Operational Area (within Mutual Aid Region 1) at the Operational Area EOC, which supports command-and-control functions of on-scene incident response.[60] NBFD is part of the California Fire and Rescue Mutual Aid System, operating under the California Fire Service and Rescue Emergency Mutual Aid Plan. Likewise, the City Police Department is part of the California Law Enforcement Mutual Aid System, operating under the California Law Enforcement Mutual Aid Plan.[61]

Additionally, the City has a mutual aid agreement with the neighboring Cities of Irvine and Laguna Beach. This mutual aid agreement establishes cooperation to share emergency management personnel, facilities, operational functions, and technology.

### 4.4.4 Shelters and Cooling Centers

Two cooling centers are located in Newport Beach: the OASIS Senior Center and the Civic Center Community Room, each of which are Americans with Disabilities Act accessible. Several additional cooling centers are accessible by Newport Beach residents in the adjacent cities of Costa Mesa and Irvine, all of which are ADA accessible except the Mesa Verde Library in Costa Mesa, where not all areas are accessible by wheelchair.

## 4.5 Recovery Programs

### 4.5.1 City Post-Disaster Procedures

Chapter 15.12 within the NBMC establishes standard City procedures when residents or businesses are making repairs to reoccupy structures damaged in a natural or human-made hazard. This system uses visual inspections and clear and concise placards placed on building entrances to ensure safety for all involved. Recovery efforts within Newport Beach are able to occur more efficiently by having this type of standard established ahead of a disaster.

### 4.5.2 Insurance Requirements

The National Flood Insurance Program (NFIP), managed by FEMA, enables property owners in participating communities to purchase flood insurance. In return, participating communities agree to adopt and implement local floodplain management regulations that contribute to protecting lives and reducing the risk of new construction and substantial improvements from future flooding. The City is a participating community in the NFIP.

When FEMA updates flood risk products, including Flood Insurance Rate Maps (FIRMs), communities participating in the NFIP are required to also update their regulations to incorporate adoption of the new products for regulatory purposes. As of March 2019, the FEMA FIRM for Newport Beach was made effective, indicating locations of high-risk, moderate-to-low risk, and undetermined-risk of flooding.

60 City of Newport Beach. 2022. *Emergency Operations Plan*." https://www.newportbeachca.gov/how-do-i/find/disaster-preparedness-information.

61 Cal OES (California Office of Emergency Services). 2023. "Response Operations." https://www.caloes.ca.gov/office-of-the-director/operations/response-operations/.

Title 44 of the Code of Federal Regulations, Section 60.3, establishes NFIP building performance requirements according to various designated areas of special flood hazards or zones. Chapter 15.50 of the NBMC promulgates measures for reducing flood damage through zoning, building, and public works requirements and special purpose floodplain ordinances.

Due to widespread concerns about rising flood insurance premiums, Congress passed the Homeowner Flood Insurance Affordability Act of 2014, which rolled back some of the changes implemented under the Biggert-Waters Flood Insurance Reform Act of 2012 (BW-12) and recognized additional affordability challenges associated with increased premiums required by BW-12 implementation.

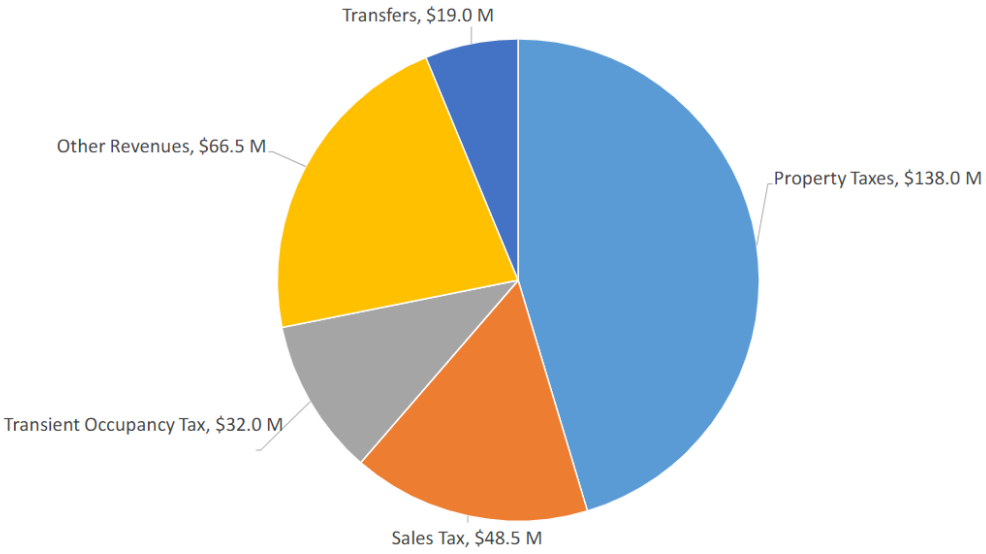
# 5 Issues and Opportunities

## 5.1 Funding

With safety elements, many components of the policy or long-term projects are funding-dependent. This can be both an opportunity and an issue. There are several funding possibilities spanning the general fund, grants, insurance, fees, financing districts, or bonds (detailed below).

### 5.1.1 General Fund

For fiscal year 2023/2024, the City has a revenue budget of $304,058,704, consisting of revenues from property taxes, sales tax, transient occupancy tax, transfers, and other sources (comprising about a quarter of all revenues).[62]




The City recently adopted its fiscal year 2023/2024 through 2028/2029 CIP budget. The adopted CIP includes public facilities improvements, streets and drainage improvement projects, transportation projects, parks maintenance and improvement, harbor projects, beach sand management, water and wastewater infrastructure maintenance and improvements, and utilities undergrounding. Although the City has identified specific projects, the CIP budget is a living document that evolves to reflect community goals and needs. The budget totals approximately $29.4 million in new appropriations and $45.9 million budgeted funds carried over from fiscal year 2022/2023—a grand total of $75.28 million.

It is essential that local government general funds maintain an adequate unrestricted fund balance, which is composed of committed fund balance, assigned fund balance, and unassigned fund balance. The unrestricted fund balance helps to mitigate current and future risks, such as revenue shortfalls and unanticipated expenditures, to

[62] City of Newport Beach. 2023. "City Budget & Salary Information." https://www.newportbeachca.gov/government/departments/finance/city-budget-salary.

ensure stable tax rates.[63] This is of particular interest when it comes to safety. The high degree of uncertainty from year to year around certain natural hazards with the potential to damage infrastructure, such as earthquakes, rogue waves, and extreme precipitation events, necessitates that the City have the budgetary capacity to respond to and repair potential impacts. There are emergency funding opportunities that stem from the State or Federal governments, but these commonly only apply to especially large hazards and may not be available for the City depending on the hazard or emergency.

## 5.1.2 Insurance

Insurance can alleviate the immediate financial shocks that hazards can cause. In some instances, like with FEMA Flood Insurance, home or property insurance can be required, but in many cases it is optional. Insurance can also vary depending on if it is parametric or not. Parametric insurance insures a policyholder against the occurrence of an event and pays a set amount based on the magnitude of the event, while traditional insurance pays out based on the magnitude of the losses. This is an important distinction because parametric insurance can be paid out much quicker, making it better to assist with short-term expenses, while traditional insurance is more useful for long-term rebuilding but can lag behind and cause financial issues in the short-term.

Due to the high cost of covering damages from increasingly frequent and severe wildfires in California, several large home insurance companies have stopped offering home insurance coverage in California altogether, including State Farm, the State's largest home insurance provider. Many other insurance providers continue to offer insurance coverage but refuse to offer coverage to homes in high-risk areas and often refuse to renew insurance policies in areas with increased risk.

Beyond personal insurance, there are instances of Community-Based Insurance which can provide coverage to specific small areas and can be parametric and offer speedy payouts for food, shelter, and quick recovery and do not conform to the same constraints that personal insurance might. Unfortunately, these are generally only in practice as pilot projects funded by large state or federal grants or backstopped through philanthropic entities. Special district fees, state grants, or some combination of funding assistance alongside property owner payments are likely the only pathways to Community-Based Insurance, and it would require strong community support.

## 5.1.3 Grants

### State Funding

The **Climate Ready Program** is administered by CCC and provides grants for projects that use natural systems to help coastal communities adapt to climate change. Through this program, CCC has supported local governments in planning and redesigning their communities in preparation for sea-level rise and has allocated a significant portion of funding to projects that demonstrate benefits to disadvantaged communities.

The **California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act**, or Proposition 68, was passed by California voters in 2018. It funds various grant programs that are administered by several State agencies, including CCC. The grants are intended to fund a variety of natural resource improvement and climate resilience projects,

[63] Government Finance Officers Association. 2023. "Fund Balance Guidelines for the General Fund." https://www.gfoa.org/materials/fund-balance-guidelines-for-the-general-fund.

including coastal climate adaptation efforts. They may be awarded to coastal city governments, such as the City of Newport Beach, to complete projects promoting lower-cost coastal accommodations and climate resilience.

OPC administers several grant programs established through ballot propositions. The **Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act**, or Proposition 84, was passed by California voters in 2006. It led to the creation of the OPC Proposition 84 Grant Program, which is intended to fund a variety of resilience and coastal resource-related projects, including sea-level rise adaptation projects. Similarly, the **Water Quality, Supply, and Infrastructure Improvement Act**, or Proposition 1, was approved by voters in 2014. This led to the establishment of the OPC Proposition 1 Grant Program, which aims to provide funding for multi-benefit coastal restoration and resilience projects.

The **Hazard Mitigation Grant Program** (HMGP) funds plans and projects that reduce the effects of future natural disasters. Cal OES administers these funds through the HMGP Unit. The HMGP accepts Notices of Interest (NOIs) on an ongoing basis; the NOI provides an opportunity for subapplicants, such as State agencies, local governments, special districts, and tribes, to propose mitigation actions to mitigate the risk of future natural hazards. Single-jurisdiction plans are limited to a maximum of $150,000 in funding; multiple-jurisdiction plans may be awarded up to $250,000. The City has a FEMA-approved and locally adopted LHMP, so it is eligible to apply as a subapplicant for this grant.

The **Statewide Flood Emergency Response Grant Program**, provided by DWR, provides funding for public agencies that have primary responsibility for flood emergency response and coordination to improve their capacity to respond to flood emergencies. Grant funds may be used for planning, mapping, training, exercises, emergency management tools development, communications equipment, flood fighting materials and equipment, and development or improvement of emergency response facilities, among others. Application deadlines are ongoing; award amounts vary, but the available funding totals $1,400,000. The grant as no matching funding requirements.

The Coastal Conservancy provides funding through its **Coastal Conservancy Grant program**, awarding between $200,000 and $5,000,000 for projects along the coast and in coastal watersheds to increase availability of beaches, parks, and trails; protect and restore natural lands and habitat; preserve working lands; and increase resilience to climate change impacts. Funds may be used towards feasibility studies, property acquisition, and project planning, including community involvement, design, environmental review, permitting, construction, and project monitoring. No matching funding is required.

The State Water Resources Control Board issues **general fund grants for water resilience infrastructure** to provide technical and financial assistance to local agencies to plan and construct water recycling projects to augment fresh water supplies. Eligible projects include recycled water treatment, storage, distribution, and pumping; indirect potable reuse; and surface water augmentation. The planning grant may be used for costs to determine the feasibility of such projects; construction funding may only be used for construction costs. Awards may total up to $15,000,000, and no matching funds are required. Applications are due June 30, 2025.

## Federal Funding

FEMA's **Building Resilient Infrastructure and Communities** (BRIC) grant program provides funding for hazard mitigation projects that reduce the risk of disasters and natural hazards to public agencies, nonprofits, and tribal governments. The **Flood Mitigation Assistance** (FMA) Program funds projects that reduce the risk of flood damage to buildings insured by the NFIP. Priority projects for funding include risk reduction for acute events and chronic stressors caused by climate change, including infrastructure projects, projects that benefit disadvantaged

communities, projects that incorporate nature-based solutions, climate adaptation and resilience projects, and projects proposed by applicants who adopted and enforce the Statewide Building Code. As the City has adopted the California Building Code, it may be prioritized for funding of project types listed above. The Notice of Funding Opportunity has been delayed until further notice; however, FEMA announced nearly $2 billion dollars will be available for the BRIC grant program and Flood Mitigation Assistance (FMA) program.

NOAA's **National Coastal Resilience Fund** (NCRF) provides funding for projects to increase and strengthen natural infrastructure to protect coastal communities while enhancing habitats for fish and wildlife. NCRF funds projects that restore or expand coastal marshes and wetlands, dune and beach systems, oyster and coral reefs, forests, coastal rivers and floodplains, and barrier islands that minimize the impact of coastal storms and other coastal hazards. Planning and design awards typically range from $100,000 to $1,000,000, and restoration implementation projects range from $1,000,000 to $10,000,000. Non-federal matching funds are not required, but matching contributions are part of the application review process.

The **Community Development Block Grant Program** is administered by the U.S. Department of Housing and Urban Development. It is intended to provide funding to states and local governments to improve communities, especially those of low and moderate incomes. Over a 1-, 2-, or 3-year period, as selected by the grantee, no less than 70% of Community Development Block Grant funds must be used for activities that benefit low- and moderate-income individuals. The City has received funds from the Community Development Block Grant Program for a range of activities relating to economic development, housing and homelessness, and special needs programs. Funds may also be used for construction of public facilities and improvements, such as water and sewer facilities, streets, neighborhood centers, and the conversion of school buildings for eligible purposes, and for activities related to energy conservation and renewable energy resources.

### Private Funding

There are also potential grants or opportunities for private funding through philanthropic organizations, individual community members, or community groups.

## 5.1.4 Assessment Districts

### Climate Resilience Financing Districts

Cities, counties, or special districts can establish climate resilience financing districts as an innovative financing mechanism to fund projects and programs to address climate change, as allowed under SB 852. Districts raise revenue through tax increment funding, voter-approved supplemental property taxes, property benefit assessments, or fees, similar to an enhanced infrastructure financing district (EIFD). Revenues can then be used to fund projects and operating expenses that address climate mitigation, adaptation, or resilience, including sea-level rise, extreme heat and cold, drought, wildfire risk, and flooding risk. Importantly, resilience districts offer a way to sustainably finance resilience projects: in addition to capital costs, funds can be used for maintenance of projects. This enables local governments to secure a long-term funding source and avoid issues with lapses in funding.

Tax increment financing works as follows:

1. The government sets a baseline year for property tax revenue within the identified area.

2. As property values in the area increase due to redevelopment, the tax revenue generated by the increased property values is "incremental"—that is, it is above the baseline year property tax revenue.
3. The incremental tax revenue is then captured by the government and placed into a special fund called the EIFD fund.
4. The government can then use the money in the EIFD fund to finance redevelopment projects within the district.
5. The financing is usually provided through the sale of bonds, which are paid off over a period of years using the incremental tax revenue generated by the district.

Most (95% or more) tax increment funds must go towards capital projects; funding from other sources can be allocated towards other expenses related to projects.

To establish a climate resilience district, cities may adopt a resolution stating their intention to establish a district and define the district's boundaries, project types, needs, and proposed goals. Cities then create a governing board (a public financing authority), like those for EIFDs. A public hearing is required during this process. To finalize the establishment of the resilience district, cities may adopt a resolution providing for the division of taxes.[64]

### Enhanced Infrastructure Financing Districts

EIFDs are special districts that can collect additional tax revenue from any agency or organization in the district with the ability to be taxed (except for county offices of education, school districts, and community college districts). This is known as tax increment financing and involves "freezing" tax revenues in a particular tax year and collecting any additional revenue generated from tax increases that year. This additional revenue can then be shared with the EIFD and used to fund any of the following infrastructure improvements:

- Highways, interchanges, ramps and bridges, arterial streets, parking facilities, and transit facilities
- Sewage treatment and water reclamation plants and interceptor pipes
- Facilities for the collection and treatment of water for urban uses
- Flood control levees and dams, retention basins, and drainage channels
- Childcare facilities
- Libraries
- Parks, recreational facilities, and open space
- Facilities for the transfer and disposal of solid waste, including transfer stations and vehicles
- Brownfield restoration and other environmental mitigation
- Development of projects on a former military base
- Acquisition, construction, and rehabilitation of housing for people of very low, low, and moderate income, as defined in Sections 50105 and 50093 of the Health and Safety Code, for rent or purchase
- Acquisition, construction, and repair of industrial structures for private use
- Transit priority projects, as defined in Section 21155 of the Public Resources Code, that are within a transit-priority area
- Projects that implement a sustainable communities strategy

[64] Civic Well. 2022. "SB 852 – DODD: Climate Resilience Financing Districts." https://civicwell.org/wp-content/uploads/2022/02/SB-852-fact-sheet.pdf.

- Port or harbor infrastructure, as defined by Section 1698 of the Harbors and Navigation Code Community Revitalization and Investment Authorities

### Landscape Maintenance Assessment Districts

This fund accounts for the activities of landscape maintenance assessment districts. A landscape maintenance assessment district collects assessments to pay for landscape maintenance in the assessment area.

## 5.1.5 Fees

**Development impact fees** are a common way to generate revenue to provide infrastructure improvements and public services. They involve collecting a fee directly from developers during the local permitting process. The revenue is then used to finance improvements and services that are usually directly related to the type of fee collected. For example, a water impact fee may be used to improve water infrastructure or support the additional public resources needed to serve new development. The City already collects several impact fees, including a fire impact fee, water impact fee, and sewer impact fee. In addition, the City often requires public benefit fees as part of negotiated development agreements.

Local governments are authorized to implement development impact fees per the Fee Mitigation Act. To do so, they must first complete a nexus study. A nexus study helps to determine what share of impact costs the developer should cover (via the impact fee) based on the level of impact the development will have on public infrastructure and services. By law, a city cannot require developers to pay an impact fee greater than what is determined to be fair by the nexus study, nor can a city require developers to pay an impact fee for something their project will not have an impact on.

Development impact fees can help finance improvements in an area, and they can also deter developers from building there. Therefore, both the costs and benefits of implementing new impact fees should be considered when deciding whether or not to use them to help finance improvements and services. Cities may also consider reducing development impact fees within a specific plan area to attract more development.

**User fees** can be imposed by cities, counties, or special districts to charge fees for facilities and services it provides. These fees intend to cover the cost on the local government of providing those services or facilities, including overhead, capital improvements, and debt service. For example, a city might charge a fee for checking plans for new construction. However, to prevent misuse of fees, the fee cannot exceed the cost of providing the service or for granting a benefit or privilege.

**Regulatory fees** are those paid for the cost of issuing licenses and permits; performing investigations, inspections, and audits; and the administrative enforcement of such activities. An example may be charging a fee to pay for the cost of post-construction stormwater compliance inspections.

## 5.1.6 Bonds

General obligation bonds are issued by public entities to finance large projects. These bonds are backed by property tax revenue, which is used to repay the bond over a 20-to-30-year period. Property tax may be increased to repay the bond, if said increase is used to acquire or improve real property; however, this action requires two-third voter approval.

## 5.2 Regional Climate Collaborative

The Orange County Climate Coalition (OCCC) advocates for a county-wide full transition to renewable energy use and infrastructure, advancing environmental justice and equitable access to renewable energy, and meaningful participation from communities, especially communities of concern. To achieve these goals, OCCC uses education, advocacy, and community organizing to promote the adoption of cities' climate action and adaptation plans and lobbies for all-electric reach codes for new construction and retrofits. OCCC also aims to organize community organizations in communities of concern to lobby and advocate for policies to promote environmental justice. The organization also has two working groups focused on energy and environmental justice, which participating members can join to enhance collaboration on those issues. Associated organizations involved in OCCC include the Citizen's Climate Lobby, Climate Action Campaign, OC Justice Project, OC Young Greens, Orange County 350, Portola Animal and Environmental Protection Club, Reform and Sustain, Santa Ana College Environmental Club, Stand.earth, Sunrise Movement Orange County, and Women for American Values and Ethics. Several organizations partner with OCCC, including the Newport Bay Conservancy, which was established to protect and preserve the Upper Newport Bay. Climate collaboratives offer opportunities for cross-jurisdictional cooperation, knowledge sharing, and can provide pathways to better access grant funding.

## 5.3 Community Buy-In

Community buy-in is essential for safety efforts, as many projects can require large up-front costs or continued maintenance, while programs can often be optional and stretch City staff thin. Community buy-in can come in the form of local organizations leading programs or volunteer citizens assisting with City-led programs to ease the burden placed on the City for optional tasks. Buy-in can also help to supply council members with the political will to commit the City and necessary budget or resources to a certain project. This buy-in is commonly an opportunity for safety-related projects or programs that provide tangible and important health and wellness benefits.

## 5.4 Contradicting Actions

### 5.4.1 Building Housing vs. Avoiding Building in a Hazard Zone

Meeting the demand for additional housing development and mitigating the risk of natural hazard impacts on property and life can come into conflict. Economic and regulatory pressures to rapidly develop new housing stock must be balanced with the need to comprehensively assess risk and implement safety measures, which can delay the housing development process. Developing in hazard-prone areas without necessary safety measures could not only expose development to undue risk, but could also create more demand for emergency response, straining limited City resources. There are also limitations of insurability: properties in risk-prone areas entail greater financial risk for insurance providers and could even be deemed uninsurable.

These constraints might imply that new housing development should avoid risk-prone areas altogether, yet limited land availability and zoning regulations can restrict new housing development. Additionally, demand for housing may be high in risk-prone areas as they can be scenic or in desirable locations, such as hillside areas and places close to the coast.

### 5.4.2 Planting Shade Trees vs. Additional Water Use, Fire Risk, and Maintenance

Shade trees can help reduce the urban heat island effect to enhance comfort and safety on hot days. However, shade trees, especially in arid regions, can require substantial amounts of water for growth and maintenance. Under drought or water shortage conditions, planting additional shade trees or even maintaining existing trees may come into conflict with the need to conserve water resources. One way to decrease trees' water use while increasing tree canopy is to plant low-water-use or drought-tolerant species. Nonetheless, water use may still be an issue.

Shade trees may also exacerbate the spread of wildfire in urban areas. When embers blow from wildlands into developed areas, more fuel available for embers to ignite may lead to a more destructive fire scenario. Alternatively, trees that have grown too close to electrical wires pose a risk of igniting in the event of a short-circuit or another electrical malfunction. Some risk can be mitigated with proper maintenance of trees to ensure adequate space between leaves and branches and electrical wires.

### 5.4.3 Promoting a Lively Waterfront vs. Avoiding Flood Risk, Costs, and Legal and Environmental Implications

Waterfront and harbor areas represent a significant asset for local economic development, drawing tourists, supporting water-based recreation, and being a prime area for other kinds of development, including restaurants and shops. However, coastal flooding, rogue waves, and tsunamis risk damaging or destroying structures and infrastructure supporting waterfront economic activities, potentially resulting in millions of dollars in property damage and costly repairs to infrastructure. Furthermore, the higher the intensity of development in the waterfront area, the greater the cost of repair or rebuilding in the event of a coastal hazard impact.

Waterfront development can also impact fragile coastal habitats, resulting in loss of biodiversity, disruption of natural water flow patterns, and increased vulnerability to storm surges and rising sea levels. Waterfront development must strike a delicate balance between economic interests and environmental preservation. The legal dimensions of these potential conflicts are myriad. Coastal and waterfront development permits require compliance with the California Coastal Act and the local government's Local Coastal Program (LCP). Additionally, CCC requires that LCPs are updated to address preparation and mitigation of impacts of sea-level rise on coastal resources. The Endangered Species Act (ESA) may also be triggered if endangered species are identified in planned waterfront development areas. Developers must meet Federal ESA requirements to mitigate potential impacts upon endangered species, which could restrict development.

### 5.4.4 Retrofitting Homes for Safety vs. Retaining Affordable Housing Stock

Retrofitting homes to withstand natural hazards, such as earthquakes, floods, or hurricanes, is crucial for safeguarding lives and property. However, the costs associated with retrofitting can be substantial, potentially leading to increased housing expenses. This conflict is more pronounced when it comes to affordable housing, as the financial burden of retrofitting homes can be a disproportionate burden on low-income homeowners. Renters could also face increased rents if the home they are renting is retrofitted as the owner attempts to recoup the costs of retrofitting. Balancing the imperative for safety enhancements with the need to maintain affordable housing

stock requires financial incentives and policy interventions, such as subsidies to provide financial assistance for retrofitting homes.

## 5.5 Variable Timeframes

Each of the hazards discussed will change over time in frequency, severity, and risk level. In many cases, atmospheric GHG emissions will increase the risk of more severe impacts from coastal storms, sea-level rise, inland flooding, wildfire, and extreme heat. Given the uncertainty associated with how fast impacts will accelerate and the timing of potential impacts, it is challenging to plan appropriately. Additionally, seismic hazards such as earthquakes are difficult to predict and may cause cascading hazardous impacts from other hazards, including fire and tsunamis, as well as impair emergency response capacity.

Potential human-caused hazards, including hazardous materials and aviation, do not vary as natural hazards do. Rather, their risk-level is a matter of proper maintenance and operation and compliance with Federal and State regulations.

# 6 Recommendations

As a result of the Safety Element update, the City's policies should provide residents and assets better protection from hazards over time. There are many State or Federally required or heavily incentivized plans, policies, and programs described earlier that the City already follows and will continue to follow to protect residents and mitigate hazards. The following recommendations focus on items that would entail new or additional attention to bring the City's safety efforts to a new level.

## 6.1 Responsible Party

In a safety element, there are programs and projects that are implemented by various local departments spanning community development, public works, fire, and police, among others. So, while implementation is occurring, there may be programs or projects that are left behind or are not communicating with each other in a way that maximizes resources and efficiency. Having a responsible party for the Safety Element will help to bring coordination and accountability to the policies and actions contained within it. This does not mean that programs currently run by a certain department would shift hands, but it would add an extra layer of monitoring to the process. By understanding the implementation progress of the Safety Element at any given time, this responsible party would also have the insight to pursue funding opportunities or coordinate across multiple programs to enhance their reach or resources provided. Given the strong connection between resilience and adaptability with a safety element, this recommendation is linked to the recommendation within the Resilience Existing Conditions and Background Analysis to identify a resilience lead to coordinate implementation of resilience and adaptation actions, especially in a manner that implements the updated Safety Element.

Members of the GPAC have noted that adaptation pathways can be used related to safety to assist in policy implementation. Adaptation pathways are a concept that can be applied to how policies are developed and implemented. They allow jurisdictions to base their priorities and actions off of real-world instances of hazards. This means that funding allocations, planning efforts, and implementation next steps can adjust over time. This is valuable because projections vary based on uncertainties within models.

One common example of how pathways can be beneficial are for actions related to sea-level rise, which has a wide variety of potential projected outcomes and uncertainties. There may be policies like beach nourishment that work in certain locations for lower rates of sea-level rise, but over time if sea-level rise occurs at higher rates other alternatives may be necessary. To further this concept and implementation, there may be opportunities to utilize Artificial Intelligence (AI) to help track implementation progress.

## 6.2 Local and Regional Partnerships

Hazards do not respect jurisdictional boundaries, which means that in some cases the actions of neighboring local governments can impact the safety of residents locally. This can look like two cities handling vegetation maintenance differently due to various constraints, leading to additional fire risk in a certain area. It could also mean that a hazard is completely ignored because neither local government feels compelled to take the lead on addressing something. Working with regional entities and/or forging specific Memoranda of Understanding with neighboring cities can be a path toward unified and more effective action.

Partnerships also provide a way to spread responsibilities out, increasing the capacity and potential effectiveness of a program. Mutual aid agreements can help to add capacity without raising costs substantially. There is also a history of

local partnerships between the City and certain organizations, and potential for more in the future depending on the desires of community members. Tree plantings, vegetation maintenance, and other neighbor-to-neighbor programs are great ways to involve engaged local organizations in either long-term programs or one-time events.

## 6.3 Consistent Two-Way Communication

Strong communication pathways are important when working on programs that actively interact with the public. These types of programs can include community engagement, neighbor-to-neighbor or volunteer programming, hazard preparedness educational resources, or incentive program marketing. Regardless, consistent and standard messaging through established City platforms is integral to ensure highly involved residents receive notifications and newly interested community members are able to find information easily. Trusted community voices will help to ensure successful outcomes. The City's website and various social media platforms provide notifications and access to resources, but these can be consolidated or more regularly updated to achieve more successful outcomes.

It is also important to have a method for receiving feedback from community members so that issues within the City can be responded to in the moment, tracked, and more comprehensively addressed over time. This not only applies to engagement programs, but also can be for more general feedback. Dedicated 3-1-1 lines are useful tools for timely response, but may not have organized tracking capabilities. Engagement programs can help to define or prioritize issues, but may not offer historic data on repeat problem locations. More advanced programs and platforms are becoming available for this type of response tracking that can benefit residents in real time and implementing staff over the long-term.

## 6.4 Incentive Programs

Incentives are a powerful tool that can be the reason a resident or business finally decides to make a safety improvement. These programs can take many shapes and forms, providing funding, rebates, technical assistance or even volunteers for building retrofits, tree plantings, vegetation maintenance, or other improvements.

These programs can fill gaps that are often not addressed by city building standards that only apply to new development or renovations. They also have potential to be structured in a way to target benefits toward the most vulnerable people such as older adults and low-income or housing-burdened homeowners or renters. Funding is commonly the limiting factor for this type of program, but even if funding is only available for a single cycle, the benefits of many incentive programs can last for years. There is also potential to emphasize co-benefits with this type of program and combine it with other efforts. For example, a program that incentivizes rooftop solar might also include other energy-efficiency solutions such as double-paned windows that also reduce extreme heat exposure and limit black outs or brown outs.

## 6.5 Pursuit of Funding

There are a number of implementation methods that cities commonly use to meet State requirements for safety elements, but oftentimes actions that are not required or well established can be left out as a result of limited funding. Ensuring that the City has dedicated staff time toward tracking and pursuing funding would help to enhance the types of programs that the City can offer or projects the City can develop.

Projects that often require funding assistance or special funding pathways include large infrastructure projects, projects that provide resilience for only a certain subset of the City (i.e., coastal armoring benefitting one specific part of town), or optional programs that offer incentives. Large infrastructure projects may be best pursued in

conjunction with neighboring local governments and likely require assistance with hefty capital costs. State and Federal grants, as well as bonds, are good options. When considering projects that only provide resilience to a small subset of the City, there are potential options for manipulating funding frameworks so that cost is not placed upon residents and businesses removed from the given hazard, such as Climate Resilience Financing Districts or Community-Based Insurance. Finally, incentive programs are limited by the funding that is available, and without funding pursuits these programs are not able to exist.

Pursuing funding ties together the above recommendations because each plays a role in making the City more competitive for grant funding opportunities that arise or more politically viable for the local actions necessary. By having a responsible party, the City can show the funding entity that they have the capacity needed to implement the work pursuant to the funding. Similarly, partnerships with neighboring local governments or with local organizations or businesses mean that capacity is further enhanced, and benefits transcend jurisdictional boundaries and cover multiple interests. Involvement and proven support from community members further bolsters opportunities.

# 7 Conclusions

When considering how to mitigate, prepare, respond, and recover from hazards, cities can prioritize hazards based on their potential severity and projected frequency of the hazard. Due to the location of the City and its built environment, coastal hazards are the most pressing hazard and should continue to be prioritized in mitigation efforts. Fire, seismic and geologic hazards, and inland flooding are each significant hazards with potential to impact large groups of residents or infrastructure within Newport Beach. Each of these hazards vary in their severity and likelihood, with seismic hazards offering the worst potential damage, but the least predictability. Flooding and fires each are likely to get worse in their intensity and frequency, so that must also be taken into account, while seismic hazards are not anticipated to increase. Extreme heat, hazardous materials, and aviation hazards are each low in their potential impact to the City. While extreme heat is going to occur annually, it is heavily mitigated by Newport Beach's proximity to the beach. Hazardous materials and aviation hazards are also both limited in Newport Beach and are stringently regulated to protect residents from potential emergency situations.

In developing policy and actions, it is also important to consider what people and assets are most at-risk of severe impacts resulting from hazards. In Newport Beach, older adults are by far the most common vulnerable population, but there are also higher than average rates of severely cost-burdened renters and homeowners. Each of these populations is impacted during the recovery stage of hazards, while older adults may also require additional assistance during the response stage. Regarding infrastructure, the City's tsunami risk areas warrant attention to the roadway network in the at-risk area and warning systems. Other infrastructure decisions such as water and the grid must be carefully balanced between providing public services and causing hazards to occur or worsen, as public safety power shutoffs are at times required to reduce fire risk and water conservation measures may be required during times of drought. These conflicting interests mean that the infrastructure system's redundancies and efficiencies are especially important to retain functionality.

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# GENERAL PLAN UPDATE: INTRODUCING THE DRAFT SAFETY ELEMENT AND LAND USE ELEMENT

Planning Commission Meeting

October 9, 2025

Jaime Murillo, AICP, Acting Director of Community Development

# TODAY'S PRESENTATION OVERVIEW

## General Plan 101

- What is a "general plan" and why is it important?

## General Plan Update

- Where are we in the process?

## Introduction of Draft Elements

- What are we doing here today?
  - ❑ Today's recommendation
  - ❑ Next steps

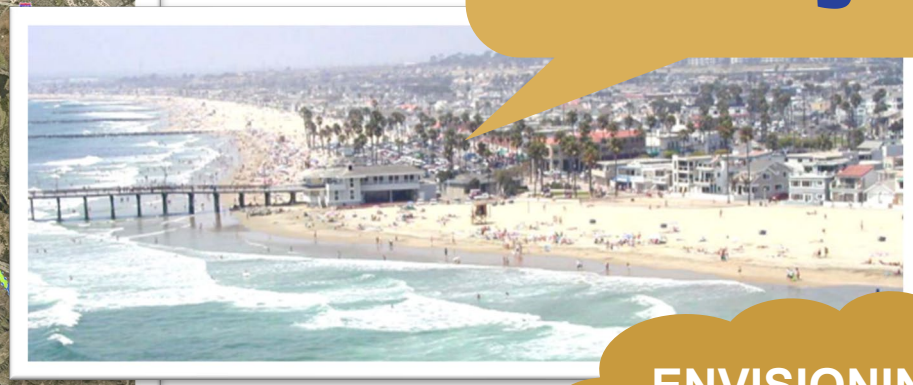
# GENERAL PLAN 101

What is a “general plan” and why is it important?

# WHAT YOU MIGHT HEAR…

A blueprint for the future

A framework for decision making



Our Vision for the future

ENVISIONING OUR FUTURE

When vision and policy come together to create a basis for rational decision making

# WHAT IS THE GENERAL PLAN?

## The General Plan is…

A framework for decision making – an aspirational blueprint of a city that includes goals and policies to guide a city to achieve that community's future vision.

## Why do we have the General Plan?

State law mandates that every city adopt a General Plan. The values and needs can change over time, which requires updating.

## What does the General Plan do?

Looks at issues that affect the entire city, such as how land is used, where buildings are built, location of roads and parks, safety, noise, harbor, art and more.

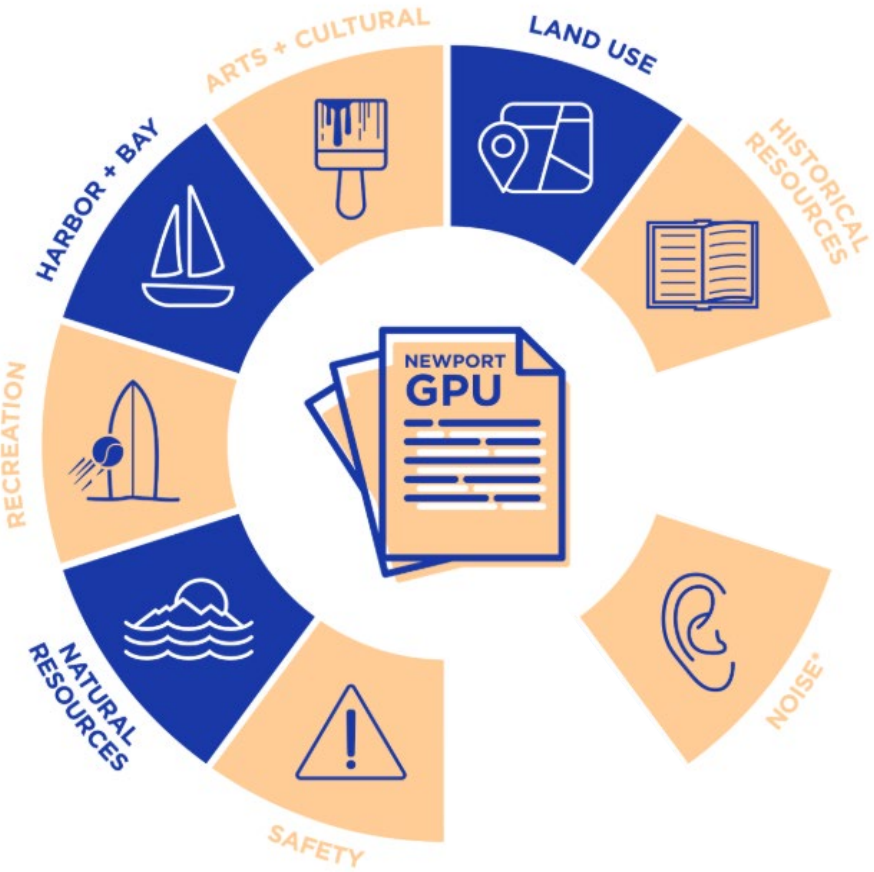
# OUR GENERAL PLAN


- Last comprehensive update was 2006
- 10 Elements
- 7 required by law
- Comprehensive update initiated 2019
- Focused on Housing and Circulation to address RHNA in 2020

# GENERAL PLAN UPDATE

Where are we in the process?

# REMAINING ELEMENTS



# LED BY COMMUNITY MEMBERS

## Council-Appointed Brown Act Committees:

- General Plan Update Steering Committee (3 members)
  - ✓Ensure public outreach
  - ✓Guide the update process
  - ✓Oversee and direct GPAC
  - ✓Provide regular updates to City Council

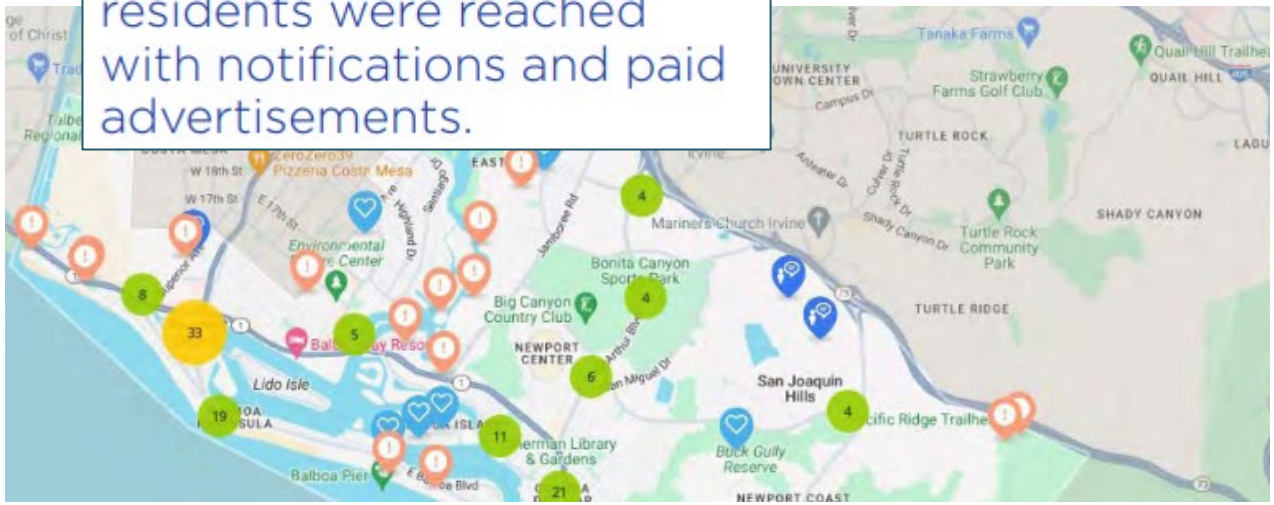
- General Plan Advisory Committee (24 members) with subcommittees formed to work on the various elements
  - ✓Review and guide the changes to General Plan goals and policies
  - ✓Make recommendations to the GPUSC

# APPROACH


PHASE 1
BACKGROUND ANALYSIS + VISIONING
Summer 2023 - Summer 2024
Community Engagement and Outreach Plan
Research and Data Analysis
Online Survey
GPAC + GPUSC Meetings
Pop-up Events
Paid Advertisements
PHASE 2
POLICY DEVELOPMENT + GENERAL PLAN AMENDMENT
Fall 2024 - Spring 2025
Development of General Plan
Online Survey
GPAC + GPUSC Meetings
Community Workshops
Paid Advertisements
PHASE 3
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
Spring 2025
Environmental Analysis
Virtual Open House
In-Person Open House
PHASE 4
HEARINGS
Summer 2025
Adoption Hearings
We are at the tail-end of Phase 2
WEBPAGE, DIGITAL ENGAGEMENT, SOCIAL MEDIA, NEWSLETTERS

# PHASE 1 COMMUNITY OUTREACH


Through pop-up events and digital engagement, **5,987 community members were engaged**. In addition, 45,158 residents were reached with notifications and paid advertisements.




# PHASE 2 COMMUNITY OUTREACH


Through digital engagement and community workshops, **97 community members were engaged**. In addition, 94,108 residents were reached with paid advertisements, social media, and emails.


# INTRODUCTION OF DRAFT ELEMENTS

What are we doing here today?

# ELEMENT DEVELOPMENT

# SAFETY ELEMENT

## State Requirements:

- State-mandated Element
- Evacuation preparedness must be addressed
- Resilience to extreme weather events must be addressed
- California Board of Forestry and Fire Protection has accepted draft

## What's New:

- Preparing for warmer days through shade tree and cool pavement
- Planning for coastal resilience with approach to sea level rise
- Consideration of non-automobile options for evacuations
- Updated fire hazard maps
- Addresses aviation hazards, including emerging tech

# LAND USE ELEMENT

## State Requirements:

- State-mandated Element
- No allowed reduction in residential density for HE sites
- Consistency required with other regulatory documents (LCP)

## What's New:

- Condensed and consolidated to make it more user-friendly
- New policies to help balance planning for HE Focus Areas
- Refreshed list of opportunities for change, including Balboa Island
- Increased opportunities for open space amenities (PAOS)
- Staff-administered updates to tables for transparency

# A DEEPER DIVE: LAND USE ELEMENT

## Key topics covered include:

- Development Limit Capacities
- Defining Neighborhood and Land Use Characteristics
- Accommodating Planned Housing and Opportunities for Change
- Guiding Future Change
- Interagency Coordination

# NEW POLICY HIGHLIGHT: DEVELOPMENT LIMIT CAPACITIES

## LU-1.4: Updates to Development Capacity Limits.

Allows administrative updates to Table LU 1, Table LU 2, and Table LU 3 to facilitate modifications to and transfers of development to accurately track development capacity limits, in accordance with Charter Section 423.

# NEW POLICY HIGHLIGHT: DEFINING NEIGHBORHOOD AND LAND USE CHARACTERISTICS

**LU-9.2, LU-9.3, LU-9.4, LU-9.5, and LU 9.6: Building Design, Redeveloped Property Design, Landscaping, Redevelopment, and Priority Uses.**

Collectively, these policies provide support to encourage re-energizing the City's limited industrial areas with new uses that help to create a sense of vibrancy.

# NEW POLICY HIGHLIGHT: ACCOMMODATING PLANNED HOUSING AND OPPORTUNITIES FOR CHANGE

## *Planning for Focus Area Development*

- **Mariners' Mile.** Vision and policy refreshed based on GPAC and Land Use Subcommittee input.
- **Coyote Canyon.** Supports a high-quality planning document for the redevelopment of the closed landfill site with consideration of providing an open space and trail connectivity.
- **Airport Area.** Direct policy support for establishment of a specific plan, including considerations for the Bicycle Master Plan and community-serving uses (e.g., residential supporting commercial).

# NEW POLICY HIGHLIGHT: GUIDING FUTURE CHANGE

**LU-23.3: Infrastructure Coordination.**

More robust coordination within and across City Departments to provide necessary infrastructure for new development.

**LU-24.1, LU-24.2, LU-24.3, and LU 24.4: Permit Processing Review, Performance Metrics, City Resources, and Supporting New Development.**

Collectively, provide direct policy support for City staff to ensure prompt and efficient processing of development permits.

# NEW POLICY HIGHLIGHT: INTERAGENCY COORDINATION

## Various narrative updates in response to latest at Randall Preserve, formerly Banning Ranch

## LU-27.9: Coordination with County of Orange.

Encourages coordination with County on bringing Newport Coast into the City's Local Coastal Program.

# HOW TO GET INVOLVED

- Attend GPUSC/GPAC meetings
- Visit **www.newportbeachca.gov/GPupdate**
- Attend a future community open house
  - ✓**October 21 and 22**
- Connect with City staff:

**Ben Zdeba**, AICP, Planning Manager
949-644-3253
bzdeba@newportbeachca.gov

# TODAY'S RECOMMENDATION AND NEXT STEPS

## Recommendation:

**Receive and file the draft Elements and determine best approach to review the Elements for Commission feedback at the November 6th PC meeting.**

## Next Steps:

- ❑ Advertise drafts for additional community input starting October 10
- ❑ General Plan Update Open Houses October 21 and 22 (in-person/virtual)
- ❑ **Comments requested on the initial draft by November 17**
- ❑ Work with GPAC/GPUSC to refine draft Elements based on all feedback
- ❑ Return to the Commission for formal recommendation of approval
- ❑ City Council adoption by middle of 2026