

Attachment D

Ordinance No. 2022-19 to Approve PCA

ORDINANCE NO. 2022-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING AN AMENDMENT TO THE NEWPORT BEACH COUNTRY CLUB PLANNED COMMUNITY DEVELOPMENT PLAN (PC-47) FOR THE TENNIS CLUB AT NEWPORT BEACH LOCATED AT 1602 EAST COAST HIGHWAY (PA2021-260)

WHEREAS, Section 200 of the City of Newport Beach (“City”) Charter vests the City Council with the authority to make and enforce all laws, rules, and regulations with respect to municipal affairs subject only to the restrictions and limitations contained in the Charter and the State Constitution, and the power to exercise, or act pursuant to any and all rights, powers and privileges, or procedures granted or prescribed by any law of the State of California;

WHEREAS, in 2012, the City Council approved an application by Golf Realty Fund, Managing Owner (“Applicant”) for the reconstruction of the 3,725-square-foot tennis clubhouse, reduction of tennis courts from 24 to seven courts, construction of a 27-room boutique hotel with 9,700 square feet of ancillary uses, five single-family residential units, and a development agreement for the property (“2012 Entitlements”) located at 1602 East Coast Highway, and legally described as Parcels A, B, C, and D of Parcel Map No. 2016-151 (commonly referred as the “Tennis Club Site” or “Property”);

WHEREAS, on November 20, 2018, the Zoning Administrator approved Coastal Development Permit No. CD2017-039, authorizing the redevelopment of the Property consistent with the 2012 Entitlements (2012 Entitlements and Coastal Development Permit No. CD2017-039 are collectively referred to as the “Approved Project”);

WHEREAS, the Applicant is requesting an amendment to the Approved Project to allow an increase in the number of future tennis courts from seven to eight, an increase in the number of future hotel rooms from 27 to 41, an increase to the gross floor area of ancillary hotel uses by 4,686 square feet, three attached condominium units and two single family residences in-lieu of five single-family residences, and an amendment to the 2012 Development Agreement to account for the aforementioned changes to the Approved Project along with extending the term for an additional 10 years (“Project”);

WHEREAS, the following approvals are requested or required in order to implement the Project:

- General Plan Amendment (“GPA”) – An amendment to Anomaly No. 46 of Table LU2 of the 2006 Newport Beach General Plan Land Use Element to document the conversion of 17 tennis courts to 27 hotel rooms authorized by City Council Resolution No. 2012-10, and the addition of 14 hotel rooms for a total of 41 rooms and one tennis courts for a total of eight tennis courts;
- Local Coastal Program Implementation Plan Amendment (“LCPA”) – An amendment to Section 21.26.055(S)(2) (Planned Community Coastal Zoning District Development Standards, Newport Beach Country Club (PC-47, Tennis Club) of the Newport Beach Municipal Code (“NBMC”) to modify the permitted uses and development standards allowed on the Property;
- Planned Community Development Plan Amendment (“PCDP Amendment”) – An amendment to Planned Community Development Plan No. 47 (Newport Beach Country Club Planned Community) to amend land use regulations and development standards on the Property;
- Major Site Development Permit Amendment (“SDA”) – An amendment to the existing site development review in accordance with PC-47 and Section 20.52.080 (Permit Review Procedures, Site Development Reviews) of the NBMC for the construction of the Project;
- Coastal Development Permit Amendment (“CDPA”) – A coastal development permit for the demolition of existing structures, further subdivision on the Property, and implementation of the Project;
- Vesting Tentative Tract Map Amendment (“VTMA”) – An amendment to Vesting Tentative Tract Map No. 15347 pursuant to Title 19 (Subdivisions) of the NBMC for a lot reduction created for the Approved Project and inclusion of the condominium ownership;
- Limited Term Permit Amendment (“XP”) – A limited term permit to allow temporary use of structures during construction on the Property, pursuant to Section 20.52.040 of the NBMC;
- Development Agreement Amendment (“DA”) – A second amendment to the Development Agreement (DA2008-001), between the Applicant and the City, pursuant to Sections 15.45.020(A)(2)(c) (Buildings and Construction, Development Agreements Required, Development Agreement Required) and

15.45.070 (Buildings and Constructions, Development Agreements, Amendment/Cancellation) of the NBMC, which would provide vested rights to develop the Project for an additional 10 years and provide negotiated public benefits to the City; and

- Addendum to previously adopted Mitigated Negative Declaration No. ND2010-008 (SCH2010091052) (“Addendum”) – Pursuant to the California Environmental Quality Act (“CEQA”), the Addendum addresses reasonably foreseeable environmental impacts resulting from the Project;

WHEREAS, the Property is designated Mixed-Use Horizontal 3/Parks and Recreation (MU-H3/PR) by the City of Newport Beach General Plan and is located within the Newport Beach Country Club Planned Community (PC-47) Zoning District;

WHEREAS, the Property is designated Mixed-Use Horizontal/Parks and Recreation (MU-H/PR) by the Coastal Land Use Plan and is located within the Newport Beach Country Club Planned Community (PC-47) Coastal Zone District;

WHEREAS, the Planning Commission held a public hearing on September 8, 2022, in the City Council Chambers, located at 100 Civic Center Drive, Newport Beach, California, at which time the Planning Commission considered the Project. A notice of time, place and purpose of the hearing was given in accordance with California Government Code Section 54950 *et seq.* (“Ralph M. Brown Act”), and Chapters 15.45 (Development Agreements), 19.12 (Tentative Map Review), 20.56 (Planning Community District Procedures), 20.62 (Public Hearings) and 21.62 (Public Hearings) of the NBMC. Evidence, both written and oral, was presented to, and considered by, the Planning Commission at this hearing;

WHEREAS, at the hearing, the Planning Commission adopted Resolution No. PC2022-022 (5 ayes, 1 absent, 1 recusal) recommending approval of the Project to the City Council; and

WHEREAS, a public hearing was held by the City Council on September 27, 2022, in the City Council Chambers, located at 100 Civic Center Drive, Newport Beach, California. A notice of time, place and purpose of the hearing was given in accordance with the Ralph M. Brown Act, and Chapters 15.45 (Development Agreements), 19.12 (Tentative Map Review), 20.56 (Planning Community District Procedures), 20.62 (Public Hearings) and 21.62 (Public Hearings) of the NBMC. Evidence, both written and oral, was presented to, and considered by, the City Council at this hearing.

NOW THEREFORE, the City Council of the City of Newport Beach ordains as follows:

Section 1: The City Council has considered the recommendation of the Planning Commission and determined that modifications to the Project made by the City Council, if any, are not major changes that require referral back to commission for consideration and recommendation.

Section 2: An amendment to PC-47, which is the zoning document for the Property, is a legislative act. Neither PC-47, Chapter 20.66 (Planning and Zoning, Amendments) and Chapter 20.56 (Planning and Zoning, Planned Community District Procedures) of Title 20 (Planning and Zoning) of NBMC, or Article 2 (Adoption of Regulations) of Chapter 4 (Zoning Regulations) of Division 1 (Planning and Zoning) of Title 7 (Planning and Land Use) of the California Government Code set forth any required findings for either approval or denial of such amendments. Nevertheless, amending PC-47 to change the development standards as it relates to the Tennis Club is consistent with the purpose of the Planned Community Districts as specified in Section 20.56.010 (Planned Community District Procedures – Purpose) of the NBMC for the reasons set forth below:

1. The Project is consistent with the intent and purpose of PC-47 in that the tennis club, hotel, and residential uses and their development standards have already been allowed and in place on the Property. The proposed changes to the building height, setbacks, and parking standards in order to accommodate the Project are within the development standards in place for the Approved Project.
2. PC-47 provides guidelines for architectural design to include coordinated and cohesive architecture which exhibits quality that is keeping with the surrounding area in Newport Center. The Project includes additional hotel rooms and two attached residential condominium loft buildings. The proposed additions have consistent architecture with the Approved Project, which has cohesive architectural features that include smooth plaster exterior siding, clay-tile roofs, and stone veneer exterior accent finishes.
3. PC-47 permits structures to be a maximum of 50 feet in height. The Project includes two attached residential condominium loft buildings which features condominiums on the third level atop of a two-level hotel building. The loft buildings are proposed at a maximum of 46 feet high and comply with the height

limit. All other structures are consistent with the maximum heights prescribed in PC-47.

Section 3: The City Council hereby approves the Newport Beach Country Club Planned Community Development Plan Amendment, as set forth in Exhibit “1,” which is attached hereto and incorporated herein by reference and finds that the amendment to PC-47 complies with the purpose set forth in Section 20.56.010 (Purpose) of the NBMC, with all other provisions of the existing Planned Community District Regulations and exhibits remaining unchanged and in full force and effect.

Section 4: The recitals provided in this ordinance are true and correct and are incorporated into the substantive portion of this ordinance.

Section 5: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 6: An Addendum to Mitigated Negative Declaration No. ND2010-008 (MND) was prepared for the Proposed Project in compliance with the California Environmental Quality Act (“CEQA”) set forth in California Public Resources Code Section 2100 *et seq.*; CEQA’s implementing regulations set forth in CCR Title 14, Division 6 Chapter 3 (“CEQA Guidelines”) and City Council Policy K-3 (Implementation Procedures for the California Environmental Quality Act) to ensure that the Proposed Project will not result in new or increased environmental impacts. On the basis of the MND and entire environmental review record, the additional tennis court, hotel rooms, ancillary hotel uses, and conversion of 3 single-family residences to condominium units will not result in any new significant impacts that were not previously analyzed in the MND. The Addendum confirms and provides substantial evidence that the potential impacts associated with this Project would either be the same or less than those described in the MND, or as mitigated by applicable mitigation measures in the MND. In addition, there are no substantial changes to the circumstances under which the Project would be undertaken that would result in new or more severe environmental impacts than previously addressed in either the MND, nor has any new information regarding the potential for new or more severe significant environmental impacts been identified. Therefore, in accordance with Section 15164 of the CEQA Guidelines, the City Council adopted Resolution No. 2022-____, thereby adopting an addendum to the previously adopted MND. Resolution 2022-____, including all findings contained therein, is hereby incorporated by reference.

Section 7: Except as expressly modified in this ordinance, all other sections, subsections, terms, clauses and phrases set forth in the NBMC or other planned community shall remain unchanged and shall be in full force and effect.

Exhibit 1

Newport Beach Country Club
Planned Community Development Plan

Adoption: March 27, 2012, Ordinance No. 2012-2

Amendment: October 11, 2022, Ordinance No. __

TABLE OF CONTENTS

1.0	Introduction and Purpose	4
2.0	General Conditions and Regulations.....	5
3.0	Land Use and Development Regulations.....	10
3.1	Golf Club	10
	A. Golf Course.....	10
	B. Golf Clubhouse and Ancillary Uses.....	10
	1. Building Area	10
	2. Building Height	10
	3. Permitted Ancillary Uses.....	10
	4. Parking	11
	5. Fencing.....	11
3.2	Tennis Club	11
	A. Tennis Courts.....	11
	1. Number of Courts	11
	B. Tennis Clubhouse and Ancillary Uses.....	12
	1. Building Area	12
	2. Building Height	12
	3. Permitted Ancillary Uses.....	12
	4. Parking	12
3.3	The Villas Residential	12
	1. Number of Units Detached Residential	13
	2. Development Standards Attached Residential	14
3.4	The Bungalows Hotel	14
	1. Number of Units Rooms	14
	2. Permitted Ancillary Uses.....	14
	3. Building Area	15
	4. Building Height	15
	5. Building Setbacks	15
	6. Parking	15
3.5	Signs	15
	A. Sign Allowance	15
	B. Sign Standards	16
4.0	Site Development Review	17
4.1	Purpose	17
4.2	Application.....	17
4.3	Findings.....	17
4.4	Contents	18
4.5	Public Hearing – Required Notice	18
4.6	Expiration and Revocation Site Plan Review Approvals.....	19

4.7	Fees	19
4.8	Minor Changes by the Community Development Director.....	19

LIST OF EXHIBITS

Exhibit Name	Exhibit Number
Vicinity Aerial Map.....	A
Conceptual Master Site Plan.....	B

LIST OF TABLES

Table Name	Page
The Villas Development Standards	13

1.0 INTRODUCTION AND PURPOSE

The Newport Beach Country Club Planned Community District (the PCD) is composed of the Golf Club, Tennis Club, Bungalows and Villas facilities, totaling approximately 133 140 acres. The PCD has been developed in accordance with the Newport Beach General Plan and is consistent with the Local Coastal Land Use Plan.

The purpose of this PCD is to provide for the classification and development of coordinated, cohesive, comprehensive planning project with limited mixed uses, including the private ~~G~~golf ~~C~~club, ~~T~~tennis ~~C~~club, ~~27 short-term rental units~~ **41-room boutique hotel** called the ~~Bungalows~~ with a spa/fitness area **center and ancillary uses**, and 5 semi-custom single-unit residential dwellings **units** called the ~~Villas~~.

Whenever the regulations contained in the PCD Regulations conflict with the regulations of the Newport Beach Municipal Code, the regulations contained in the PCD Regulations shall take precedence. The Newport Beach Municipal Code shall regulate all development within the PCD when such regulations are not provided within the PCD Regulations.

2.0 GENERAL CONDITIONS AND REGULATIONS

1. Alcoholic Beverage Consumption

The consumption of alcoholic beverages within the PCD shall be in compliance with the State of California Department of Alcoholic Beverage Control and the Newport Beach Municipal Code. A use permit shall be required if the establishment operates past 11:00 p.m. any day of the week and a minor use permit shall be required if the establishment operates until 11:00 p.m. any day of the week.

2. Amplified Music

All amplified music played after 10:00 p.m. within the PCD shall be confined within the interior of a building unless a Special Events Permit is obtained.

3. Archaeological/Paleontological Resources

Development of the site is subject to the provisions of City Council Policies K-5 and K-6 regarding archaeological and paleontological resources.

4. Architectural Design

All development shall be designed with high quality architectural standards and shall be compatible with the surrounding uses. The development should be well-designed with coordinated, cohesive architecture and exhibiting the highest level of architectural and landscape quality in keeping with the PCD's prominent location in the Newport Center Planning Area. Massing offsets, variation of roof lines, varied textures, openings, recesses, and design accents on all building elevations shall be provided to enhance the architectural style. Architectural treatments for all ancillary facilities (i.e. storage, truck loading and unloading, and trash enclosures) shall be provided.

5. Building Codes

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

6. Exterior Storage Areas

There shall be no exterior storage areas permitted with the exception of the greenskeeper/maintenance area which shall be enclosed by a minimum six-foot plastered block wall.

7. Flood Protection

Development of the subject property will be undertaken in accordance with the flood protection policies of the City.

8. Grading and Erosion Control

Grading and erosion control measures shall be carried out in accordance with the provisions of the Newport Beach Excavation and Grading Code and shall be subject to permits issued by the Community Development Department.

9. Gross Floor Area

Gross floor area shall be defined as the total area of a building including the surrounding exterior walls.

10. Height and Grade

The height of any structure within the PCD shall not exceed fifty (50) feet, unless otherwise specified. The height of a structure shall be the vertical distance between the highest point of the structure and the grade directly below. In determining the height of a sloped roof, the measurement shall be the vertical distance between the grade and the midpoint of the roof plane, provided that no part of the roof shall be extend more than five (5) feet above the permitted height in the height limitation zone, and any amendments shall be subject to the review and approval of the Community Development Director

11. Landscaping/Irrigation

Landscaping and irrigation shall be provided in all areas not devoted to structures, parking lots, driveways, walkways, and tennis courts to enhance the appearance of the development, reduce heat and glare, control soil erosion, conserve water, screen adjacent land uses, and preserve the integrity of PCD. Landscaping and irrigation shall consist of a combination of trees, shrubs, groundcover and hardscape improvements. Landscaping shall be prepared in accordance with the Landscaping Standards and Water-Efficient Landscaping Sections of the Newport Beach Municipal Code and installed in accordance with the approved landscape plans prepared by a licensed landscape architect.

12. Lighting – Outdoor

All new outdoor lighting shall be designed, shielded, aimed, located and maintained to shield adjacent uses/properties and to not produce glare onto adjacent uses/properties. Lighting plans shall be prepared in compliance with the Outdoor Lighting Section of the

Newport Beach Municipal Code and shall be prepared by a licensed electrical engineer. All lighting and lighting fixtures that are provided shall be maintained in accordance with the approved lighting plans.

13. Lighting – Parking & Walkways

All lighting and lighting fixtures that are provided shall be maintained in accordance with the approved lighting plans. Light standards within parking lots shall be the minimum height required to effectively illuminate the parking area and eliminate spillover of light and glare onto adjoining uses/properties and roadways.

Parking lots and walkways accessing buildings shall be illuminated with a minimum of 0.5 foot-candle average on the driving or walking surface during the hours of operation and one hour thereafter. Lighting plans shall be prepared in compliance with the Outdoor Lighting Section of the Newport Beach Municipal Code and shall be prepared by a licensed electrical engineer.

If the applicant wishes to deviate from this lighting standard, a lighting plan may be prepared by the applicant and submitted to the Community Development Director for review and approval.

14. Loading Areas for Non-Residential Uses

All loading and unloading of goods delivery shall be performed onsite. Loading platforms and areas shall be screened from public view.

15. Parking Areas

Parking spaces, driveways, maneuvering aisles, turnaround areas, and landscaping areas of the parking lots shall be kept free of dust, graffiti, and litter. All components of the parking areas including striping, paving, wheel stops, walls, and light standards of the parking lots shall be permanently maintained in good working condition. Access, location, parking space and lot dimensions, and parking lot improvements shall be in compliance with the Development Standards for Parking Areas Section of the Newport Beach Municipal Code.

16. Property Owner Approval

Written property owner approval shall be required for the submittal of any site development review application and/or prior to grading and/or building permit issuance.

17. Outdoor Paging

Outdoor paging shall be permitted at the Golf Club to call individuals to the tees and at the Tennis Club to call points during tennis tournaments.

18. Sewage Disposal

Sewage disposal service facilities for the PCD will be provided by Orange County Sanitation District No. 5 and shall be subject to applicable regulations, permits and fees as prescribed by the Sanitation District.

19. Screening of Mechanical Equipments

All new mechanical appurtenances (e.g., air conditioning, heating, ventilation ducts and exhaust vents, swimming pool and spa pumps and filters, transformers, utility vaults and emergency power generators) shall be screened from public view and adjacent land uses. The enclosure design shall be approved by the Community Development Department. All rooftop equipment (other than vents, wind turbines, etc.) shall be architecturally treated or screened from off-site views in a manner compatible with the building materials prior to final building permit clearance for each new or remodeled building. The mechanical appurtenances shall be subject to sound rating in accordance with the Exterior Noise Standards Section of the Newport Beach Municipal Code. Rooftop screening and enclosures shall be subject to the applicable height limit.

20. Screening of the Villas residential units from tennis courts

Adequate buffering between the Villas **residential units** and tennis courts shall be provided and subject to the Site Development Review process. The exterior perimeter of the tennis courts facing Granville Condominiums, Granville Drive, and the Tennis Clubhouse parking lot shall be screened by a minimum ten-foot-high chain link fence covered by a wind screen. Wind screen shall be maintained in good condition at all time.

21. Screening of the Villas' Pool/Spa Equipment

All pool and/or spa equipment shall be enclosed by a minimum five-foot high block wall plastered or otherwise textured to match the building.

22. Special Events

Temporary special community events, such as such as PGA Senior Classic golf tournaments, Team Tennis, Davis Cup Matches, and other similar events, are permitted in the PCD, and are subject to the Special Events Chapter of the Newport Beach Municipal Code. Temporary exterior storage associated with approved special events may be permitted provided it is appropriately screened and regulated with an approved Special Event Permit.

23. Temporary Structures and Uses

Temporary structures and uses, including modular buildings for construction-related activities are permitted.

24. Trash Container Storage for Residential Dwellings

Trash container storage shall be out of view from public places, and may not be located in the required parking areas. If trash container storage areas cannot be located out of public view, they shall be screened from public view. Screening shall consist of fences, walls, and landscaping to a height at least 6 inches above the tops of the containers.

25. Trash Enclosures for Non-Residential Uses

All trash enclosures for non-residential uses shall be provided and in accordance with the Solid Waste and Recyclable Materials Storage of the Newport Beach Municipal Code.

26. Tennis Club Site Phasing Plan-

The phasing plan for the tennis club site which consists of the tennis club, ~~villas~~ **residential units** and ~~bungalows~~ **hotel rooms** shall be subject to a site development review process.

27. Water Service

Water service to the PCD will be provided by the City of Newport Beach and will be subject to applicable regulations, permits and fees as prescribed by the City.

3.0 LAND USE AND DEVELOPMENT REGULATIONS

3.1 Golf Club

Refer to Exhibit B - Conceptual Master Site Plan for the general location and placement of the golf course and clubhouse.

A. **Golf Course**

An 18-hole championship golf course and related facilities (i.e. putting green, driving range, snack bar, starter shack, restroom facilities, etc.).

B. **Golf Clubhouse and Ancillary Uses**

1. Building Area

The maximum allowable gross floor area for a golf clubhouse building shall be 56,000 square feet, exclusive of any enclosed golf cart storage areas ramp and washing area. The greens keeper/maintenance buildings, snack bar, separate golf course restroom facilities, starter shack, and similar ancillary buildings are exempt from this development limit.

2. Building Height

The maximum allowable building height for the Golf Clubhouse shall be 50 feet and shall be measured in accordance with the Height and Grade definition of Section 2.0 General Conditions and Regulation of the PCD.

3. Permitted Ancillary Uses

The following ancillary uses are allowed:

- Golf shop
- Administrative Offices
- Dining, and event areas
- Kitchen & Bar areas
- Banquet Rooms
- Men and Women's Card Rooms
- Health and fitness facility
- Restroom and Locker facilities
- Golf Club storage areas
- Employee lounge/lunch areas
- Meeting rooms
- Golf Cart Parking Storage and Washing Area

- Separate Snack Bar
- Separate Starter Shack
- Separate Golf Course Restrooms
- Hand Carwash Area
- Greenskeeper Maintenance Facility
- Temporary Construction Facilities
- Guard House
- Others (subject to an approval of the Community Development Director)

4. Parking

Parking for the Golf Course and Golf Clubhouse shall be in accordance with following parking ratios (source: from Table 2 of the Circulation and Parking Evaluation by Kimley-Horn and Associates, Inc., September 2009 for Newport Beach Country Club – Clubhouse Improvement Project):

Golf Course: 8 spaces per hole

Golf Clubhouse:

Dining, assembly & meeting rooms: 1 per 3 seats or 1 per 35 square feet

Administrative Office: 4 per 1,000 square feet

Pro Shop: 4 per 1,000 square feet

Maintenance Facility: 2 per 1,000 square feet

Health and Fitness Facility: 4 per 1,000 square feet

The design of the parking lot and orientation of vehicular aisles and parking spaces shall be subject to the review and approval of the City Traffic Engineer and Community Development Director.

5. Fencing

Golf Course perimeter fencing shall be wrought-iron with a maximum permitted height of six (6) feet.

3.2 Tennis Club

Refer to Exhibit B - Conceptual Master Site Plan for the general location and placement of the tennis courts and clubhouse.

A. **The Tennis Courts**

1. Number of courts

The maximum allowable tennis courts shall be ~~seven~~ **eight** lighted tennis courts (~~six~~ **seven** lighted championship courts and one lighted stadium-center court).

B. Tennis Clubhouse and Ancillary Uses

1. Building Area

The maximum allowable gross floor area for the Tennis Clubhouse shall be 3,725 square feet.

2. Building Height

The maximum allowable building height for the Tennis Clubhouse shall be 30 feet and shall be measured in accordance with the Height and Grade definition of Section 2.0 General Conditions and Regulations of the PCD.

3. Permitted Ancillary Uses

The following ancillary uses are allowed:

- Tennis Shop
- Administrative Offices
- Concessions
- Restroom and Locker facilities
- Storage areas
- Spectator seating
- Others (subject to an approval of the Community Development Director)

4. Parking

Parking for the Tennis Clubhouse and Courts shall be a minimum of ~~28~~ **32** parking spaces.

3.3. The Villas Residential

Refer to Exhibit B - Conceptual Master Site Plan for the general location and placement of the ~~villas~~ **units**.

A. Detached Residential (The Villas)

1. Number of Units

The maximum allowable number of single-family residential units shall be ~~five (5)~~ **two (2)**.

2. Development Standards

The following development standards shall apply to the Villas:

The Villas Development Standards Table

Villa Designation	Villa A TTM Lot #1	Villa B TTM Lot #2
Lot Size	5,000 square feet minimum	
Lot Coverage (Maximum)	70%	65%
Building Height	39 feet, measured in accordance with the Height and Grade definition of Section 2.0 General Conditions and Regulations	
Building Side Yard Setbacks	3 feet minimum	
Building Front and Rear Yard Setbacks	5 feet minimum	
Enclosed Parking Space for Each Unit	2	2
Open Guest Parking Space for Each Unit	One space - could be located on the private driveway – No overhang to the private street/cul-de-sac is allowed	

B. Attached Residential

1. Number of Units

The maximum allowable number of attached residential units shall be three (3).

2. Building Setbacks

The building setback shall be a minimum of five (5) feet from any property line.

3. Building Height

The maximum allowable building height for attached residential units to be located atop of the 2-story hotel buildings shall be 46 feet, measured in accordance with the Height and Grade definition of Section 2.0 General Conditions and Regulations.

4. Parking

Parking for the attached residential units shall be a minimum of 3 enclosed parking spaces and one guest parking space per unit.

3.4. The Bungalows Hotel

Refer to Exhibit B - Conceptual Master Site Plan for the general location and placement of the bungalows, concierge and guest center, and spa facility.

1. Number of Units Rooms

The maximum allowable number of the Bungalows **rooms** shall be ~~27~~ **41**, to be built in a clustered setting of single and two-story buildings.

2. Permitted Ancillary Uses

The following ancillary uses are allowed:

- **Administrative Offices**
- Concierge office and guest meeting facility
- **Performance Therapy Center**
- **Spa and Fitness Center**
- Swimming pool and Jacuzzi
- ~~Spa facility that includes treatment rooms, fitness areas, and snack bar serving drinks, snacks and light breakfast and lunch items~~

- **Yoga Pavilion**

3. Building Area

The maximum allowable gross floor area for the ~~bungalows~~ **hotel rooms** shall be ~~28,300~~ **47,484** square feet with a 2,200 square foot concierge & guest center, **4,686 square feet of ancillary hotel uses**, and a 7,500 square-foot spa facility.

4. Building Height

The maximum allowable building height for the ~~bungalows~~ **hotel rooms** shall be 31 feet, measured in accordance with the Height and Grade definition of Section 2.0 General Conditions and Regulations of the PCD.

5. Building Setbacks

The **building** setback ~~requirement~~ shall be a minimum of 5 feet from any property line.

6. Parking

Parking for the ~~bungalows~~ **hotel rooms** shall be a minimum of ~~34~~ **41** parking spaces located in proximity to the use.

3.5 Signs

A. **Sign Allowance**

1. One (1) single or double-faced, ground-mounted entrance identification sign shall be allowed at Newport Beach Tennis Club's main entrance (Country Club Drive and Irvine Terrace). Total maximum signage area shall not exceed seventy-five (75) square feet and shall not exceed five (5) feet in height.
2. One (1) single or double-faced, ground-mounted entrance identification sign shall be allowed at or near the vicinity of the Newport Beach Country Club's secondary entrance (Granville). Total maximum signage area shall not exceed seventy-five (75) square feet and shall not exceed five (5) feet in height.
3. Building identification signs shall be allowed; one for each street frontage. If freestanding, this sign type shall not exceed a maximum height of five (5) feet in height. The maximum signage area shall not exceed seventy (70) square feet.
4. Vehicular and pedestrian directional signs shall be allowed. This sign type may occur as a single-faced or double-faced sign. The

sign shall be sized to allow for proper readability given the number of lines of copy, speed of traffic, setback off the road and viewing distance. This sign type shall not exceed a maximum of six (6) feet in height.

5. One (1) single or double faced, ground-mounted identification sign shall be allowed at the entrance road to the Bungalows. Total maximum signage area shall not exceed seventy-five (75) square feet and shall not exceed five (5) feet in height and fifteen (15) feet in length.

B. Sign Standards

1. The design and materials of all permanent signs in the Newport Beach Country Club Planned Community District shall be in accordance with Sign Section 3.5, unless otherwise approved by the Community Development Director.
2. All permanent signs shall be subject to a sign permit issued by the Community Development Department.
3. All signs shall be subject to the review of the City Traffic Engineer to ensure adequate sight distance in accordance with the provisions of the Newport Beach Municipal Code.
4. Sign illumination is permitted for all sign types. No sign shall be constructed or installed to rotate, gyrate, blink or move, or create the illusion of motion, in any fashion.
5. All permanent signs together with the entirety of their supports, braces, guys, anchors, attachments and décor shall be properly maintained, legible, functional and safe with regards to appearance, structural integrity and electrical service.
6. Temporary signs that are visible from any public right-of-way shall be allowed up to a maximum of sixty (60) days and subject to a temporary sign permit issued by the Community Development Department.
7. If the applicant wishes to deviate from the sign standards identified herein, a comprehensive sign program may be prepared or a modification permit application may be submitted for review and consideration by the Zoning Administrator in accordance with the applicable provisions of the Newport Beach Municipal Code.

4.0 SITE DEVELOPMENT REVIEW

4.1 Purpose

The purpose of the Site Development Review process is to ensure new development proposals within the Newport Beach Country Club Planned Community Development are consistent with the goals and policies of the General Plan, provisions of this Planned Community Development Plan, the Development Agreement and the findings set forth below in sub-section 4.3.

4.2 Application

An approval of Site Development Review application by the Planning Commission shall be required for the construction of any new structure prior to the issuance of a grading or building permit or issuance of an approval in concept for Coastal Commission. Signs, tenant improvements to any existing buildings, kiosks, and temporary structures are exempt from the site development review process and subject to the applicable City's permits. The decision of Planning Commission is the final, unless appealed in accordance with the Newport Beach Municipal Code.

4.3. Findings

In addition to the general purposes set forth in sub-section 4.1 and in order to carry out the purposes of this chapter as established by said section, the Site Development Review procedures established by this Section shall be applied according to and in compliance with the following findings:

1. The development shall be in compliance with all other provisions of the Planned Community District Plan;
2. The development shall be compatible with the character of the neighboring uses and surrounding sites and shall not be detrimental to the orderly and harmonious development of the surroundings and of the City;
3. The development shall be sited and designed to maximize the aesthetic quality of the project as viewed from surrounding roadways and properties, with special consideration given to the mass and bulk of buildings and the streetscape on Coast Highway; and

4. Site plan and layout of buildings, parking areas, pedestrian and vehicular access ways, landscaping and other site features shall give proper consideration to functional aspects of site development.

4.4. Contents

The Site Development Review application shall include all of the information and materials specified by the Community Development Director and any additional information review by the Planning Commission in order to conduct a thorough review of the project in question. The following plans/exhibits may include, but not limited to the following:

1. An aerial map showing the subject property, adjacent properties and identifying their uses.
2. Comprehensive elevations and floor plans for new structures with coordinated and complimentary architecture, design, materials and colors.
3. A parking and circulation plan showing golf cart and pedestrian paths in addition to streets and fire lanes.
4. A comprehensive, cohesive and coordinated preliminary landscape plan.
5. A comprehensive, cohesive and coordinated lighting plan showing type, location and color of all exterior lighting fixtures.
6. Comprehensive text and graphics describing the design philosophy for the architecture, landscape architecture, material and textures, color palette, lighting, and signage.
7. Text describing drainage and water quality mitigation measures.
8. A statement that the proposed new structure is consistent with the goals, policies, and actions of the General Plan and Planned Community Development Plan.

4.5 Public Hearing –Required Notice

A public hearing shall be held on all site development review applications. Notice of such hearing shall be mailed not less than ten (10) days before the hearing date, postage prepaid, using addresses from the last equalized assessment roll or, alternatively, from such other records as contain more recent addresses, to owners of property within a radius of three hundred (300) feet of the exterior boundaries of the subject property. It shall be the responsibility of the applicant to obtain and provide to the City the names and addresses of owners as required by this Section. In addition to the mailed notice, such hearing shall be posted in

not less than two (2) conspicuous places on or close to the property at least ten (10) days prior to the hearing.

4.6 Expiration and Revocation Site Development Review Approvals

1. Expiration. Any site development review approved in accordance with the terms of this planned community development plan shall expire within twenty-four (24) months from the effective date of final approval as specified in the Time Limits and Extensions Section of the Newport Beach Municipal Code, unless at the time of approval the Planning Commission has specified a different period of time or an extension is otherwise granted.
2. Violation of Terms. Any site development review approved in accordance with the terms of this planned community development plan may be revoked if any of the conditions or terms of such site development review are violated or if any law or ordinance is violated in connection therewith.
3. Public Hearing. The Planning Commission shall hold a public hearing on any proposed revocation after giving written notice to the permittee at least ten (10) days prior to the hearing, and shall submit its recommendations to the City Council. The City Council shall act thereon within sixty (60) days after receipt of the recommendation of the Planning Commission.

4.7. Fees

The applicant shall pay a fee as established by Resolution of the Newport Beach City Council to the City with each application for Site Development Review under this planned community development plan.

4.8 Minor Changes by the Director

1. The following minor changes to an approved site plan may be approved by the Director in compliance with Section 20.54.070 (Changes to an approved project) of the Newport Beach Municipal Code:
 - a) Minor relocation of any proposed structure.
 - b) Reduction in the square footage of any structure and a commensurate reduction in required parking, if applicable.
 - c) Reconfiguration of the golf clubhouse parking lot, including drive aisles and/or parking spaces, subject to review and approval of the City Traffic Engineer.
 - d) Reconfiguration of parking lot landscaping.
 - e) Modification of the approved architectural style.
 - f) Any other minor change to the site plan provided it does not

increase any structure area, height, number of units, number of hotel rooms, and/or change of use.

2. Any proposed changes that are not deemed minor shall be subject to review and approval by the Planning Commission.

Exhibit A



Exhibit B

