

LONG BEACH AIRPORT TERMINAL PLANNED DEVELOPMENT PLAN (PD-12)

Ordinance History: C-5879, 1982; C-6533, 1988; C6779, 1990

I. PURPOSE

This Planned Development Plan for the Long Beach Airport Terminal is intended to establish guidelines for the use and development of these City owned parcels of land. As such it is carrying out the land use policies review and approving site plans for the development of the area, the City Planning Commission shall be guided by the goals and policies of the General Plan and the General Development and Use Standards specified herein. The Commission shall not permit variance from those standards unless it finds that such variance meets the intent of the original standards and is consistent with the overall goals and objectives of the adopted Specific Plan.

II. DEFINITIONS.

For purpose of this ordinance:

A. "OFFICE USE" is defined as:

Use of building for administrative, professional, or clerical tasks.

B. "LIGHT INDUSTRIAL" is defined as:

Use of a building for activities necessary to convert natural resources into finished products, with limited environmental impacts. Such activities include manufacturing of precision and electrical products, assembling of products, storage of non-hazardous materials, and aircraft manufacturing and repair. If administrative offices for light industrial exceeds ten percent of the gross usable floor area, then the office use portion is treated as an office building.

C. "HOTEL" is defined as:

Use of property for rental of rooms, suites or dwelling units for a period of thirty days or less. This includes as accessory uses, retail sales, restaurants, taverns, meeting rooms, conference rooms and banquet rooms and up to fifteen percent of the rooms rented for periods of thirty-one days or more.

D. "GROSS USABLE FLOOR AREA" is defined as:

Gross floor area minus entry lobby, elevator shafts, stairwells, utility cores and shafts, equipment rooms and bathrooms.

III. Uses

A. PERMITTED USES

The following uses shall be permitted within the geographic subareas of the Long Beach Airport Terminal PD as designated on the Land Use Plan attached hereto (Exhibit "A"). This Land Use Plan is general in nature and the boundaries and acreage shall not be considered permanent. The Director of Planning and Building shall have the authority to approve minor modifications.

1. Subarea 1

a. **Uses.** The uses allowed included such uses as, but are not limited to:

- (1) Airport terminal and terminal- and passenger-related services and support facilities including restaurants/food service; car rental; gift shops; travel agencies; and automated bank teller;
- (2) Airport- and aviation-related commercial office, including corporate offices for airport-dependent or airport-associated firms;
- (3) Research, assembly, manufacture, testing and repair of aviation-related components, devices, equipment and systems;
- (4) Other similar and compatible uses approved by the Director of Planning and Building.

b. **Interim Uses:** Interim uses of Subarea 1 shall be limited to aviation services and aviation support services and shall require written approval by the Director of Public Works that such uses shall not conflict with future airport terminal and airport terminal support facilities. Uses permitted as aviation services and aviation support services shall be such as, but not limited to:

- (1) Aircraft tie down facilities for based on transient aircraft;
- (2) Sale, rental, and lease of new and used aircraft (both retail and wholesale);

- (3) Sale of aircraft parts and accessories and related equipment (both retail and wholesale);
- (4) Storage, sale and dispensing of petroleum products;
- (5) Sales of pilot supplies and accessories;
- (6) Sale of aircraft insurance;
- (7) Financing of aircraft;
- (8) Operation of air cargo and air freight activities;
- (9) Flight operations, including ground school, flight training/proficiency, demonstration of aircraft for sale, charter and air taxi service;
- (10) Maintenance, repair, overhaul and modification of aircraft, aircraft engines, airframes, flight systems, instruments, avionics, electronics equipment, propellers and related aircraft components;
- (11) Rental of aircraft storage hangars and open tie down facilities;
- (12) Parachute, fire extinguisher and open tie down facilities;
- (13) Line services for the purpose of meeting the needs of transient aircraft; and
- (14) Such other aviation related uses as may be approved in writing by the Director of Public Works and the Director of Planning and Building.

2. Subarea 2

- a. Uses. The uses allowed include such uses as, but are not limited to:
 - (1) Airport terminal and terminal- and passenger-related services and support facilities, including restaurants/food service; car rental; gift shops; travel agencies; and automated bank teller;
 - (2) Airport- and aviation-related commercial office, including corporate offices for airport-dependent or airport-associated firms;

- (3) Research, assemble, manufacture, testing and repair of aviation-related components, devices, equipment and systems;
- (4) Other similar and compatible uses approved by the Director of Planning and Building.

3. Subarea 3

a. Uses. The uses allowed include such uses as, but are not limited to:

- (1) Basic personal services and retail sales, including accountants; advertising agencies; attorneys; banks and other financial offices; barber shops and beauty salons**; blueprinting, Photostatting and printing shops; book and stationery stores; car rental; corporate headquarters; doctors, dentists; employment agencies; engineers, architects, planners; escrow and real estate companies; gift shops**; hotel and motel; insurance companies; liquor stores**; lunch rooms, cafeterias, cafes, restaurants, photographers, artists; taverns**; travel agencies; training and education; and other similar and compatible uses approved by the Director of Planning and Building. (**Services of this type, if located in this Subarea, will be located within a building devoted to other primary uses, such as an office or hotel.)
- (2) Airport- and aviation-related commercial office, including corporate offices for airport-dependent or airport-associated firms;
- (3) Research, assembly, manufacture, testing and repair of aviation-related components, devices, equipment and systems;
- (4) Other similar and compatible uses approved by the Director of Planning and Building.

b. Existing uses. Existing uses in lease areas may continue and may be expanded to the extent allowed in the lease for the term of the lease, whether or not they conform to these use restrictions. Uses that do not conform to these restrictions shall not be granted new leases or extensions to their existing leases unless the use is changed to conform to these restrictions.

- c. Conditional uses. Entertainment services shall be subject to the Conditional Use Permit provisions of the Zoning Regulations.

IV. DEVELOPMENT REVIEW PROCEDURES

- A. **SITE PLAN REVIEW.** All development proposals within this Planned Development District shall be subject to the Site Plan Review provisions of the Zoning Regulations.

No building permit, lease or commercial use permit shall be issued for any building on the site until a Site Plan Review has been approved, or conditionally approved and all conditions agreed to. Site Plan Review shall review each building project for consistency with the PD requirements, functionality of building layout, consistency with detailed zoning standards and architectural and landscape architectural quality.

In addition to the required plot plan, floor plan, elevations and landscape plan, the application for Site Plan Review shall contain an estimate of the peak-hour trips to be generated by the proportion of the full development requested with the application and identification of the Transportation Demand Management (TDM) measures to be taken to reduce the peak-hour trips.

In the submission of individual buildings, it is recognized that the building sizes may be changed, building locations redistributed or the mix of uses adjusted to meet changing user demands. However, the intensity of development as measured in trips shall not be changed except by the procedure described later in the PD.

V. DEVELOPMENT STANDARDS

- A. **BUILDING SITING.** All buildings shall be arranged on their site to provide views between buildings, to avoid the impression of a wall of buildings adjacent to any public right-of-way and to encourage views of the airport terminal building.
- B. **PARKING STRUCTURES.** All parking structure roofs shall be designed to carry landscaping in planters. The nature and amount of landscaping shall be determined during site plan review. The visible edges of all parking structures shall be made visually attractive through choice of material, landscaping and/or terracing. Vehicular and pedestrian circulation routes shall be clearly indicated. Independent and separate pedestrian access shall be provided from all parking structures to all surrounding principal uses. All parking structures shall be architecturally compatible with the existing terminal building. Exterior facades should be articulated so that there is relief from long uninterrupted horizontal and/or

vertical lines. For the purpose of interpreting these standards, all parking structures shall be considered buildings.

No parking structure shall be located so that the line of sight from Donald Douglas Drive approaching the terminal is disrupted. A special height restriction shall limit any parking structure opposite the terminal building to thirty-two feet. Forty-three feet shall be the maximum height allowed for any other parking structure.

- C. **BUILDING HEIGHTS.** All buildings shall be subject to the conditions contained in the limits mandated by the Federal Aviation Administration so that no building shall exceed the height of the Federal Aviation Administration FAR Part 77. All building heights should be integrated with total design concept and shall be related to the existing and planned developments of the plan area.
- D. **BUILDING SETBACKS.** The setback limitations for buildings facing Lakewood Boulevard and Donald Douglas Drive shall be a minimum of thirty feet from the Lakewood Boulevard property line and ten feet from Donald Douglas Drive.

Buildings along Lakewood Boulevard shall be staggered and separated so as to encourage visual and physical penetration of the Lakewood Boulevard frontage. Not less than twenty feet shall be provided between any two buildings. Front, rear, and sideyards not fronting on Lakewood Boulevard or Donald Douglas Drive shall not be less than five feet in depth.

- E. **BUILDING COVERAGE.** There shall be no minimum or maximum building coverage. The percentage of lot coverage shall be determined by Site Plan Review. Lot coverage shall reflect a proportional development between building, parking and landscaping so that the site creates the impression of a garden office park development without building congestion or excessive paved parking area.
- F. **ACCESSORY AND TEMPORARY STRUCTURES.** No portable buildings, trailer, or other similar portable structures shall be permitted without prior written approval from the Director of the Department of Planning and Building (except construction offices).
- G. **BILLBOARDS AND SIGNS.** No billboards shall be constructed, installed or maintained. Any signs, banners or like displays which may be placed in or upon any building or structure in such a manner as to be visible from the outside thereof, except those approved by the Department of Planning and Building according to the Zoning Regulations, shall be prohibited. Furthermore, no freestanding signs shall exceed eight feet in height.

- H. LANDSCAPING. These landscape guidelines are intended to establish a framework for the site development at the Long Beach Airport Terminal Area and provide the basis for an overall unified treatment, and a high degree of landscape quality throughout the area.

Conceptual landscape plans shall be submitted with the Site Plan Review requests. Detailed landscape and irrigation plans shall be submitted to the Department of Planning and Building for approval prior to issuance of a building permit. Such plan shall be implemented prior to the issuance of a Certificate of Use and Occupancy.

All landscaping and paved areas shall be maintained in a neat and orderly condition with the landscaping in a healthy condition and free of weeds and litter. All paved areas, walls or fences shall be in good repair without broken parts, holes, potholes or litter.

The following shall be the minimum requirements for the provision and maintenance of landscape areas:

1. Irrigation. All landscaped areas shall be provided with irrigation capable of complete coverage of the areas and designed to minimize run-off and other wasting of water. Such system shall be maintained in a fully operational condition.
2. Application. All portions of a lot not paved or occupied by a structure shall be landscaped. All yard areas required by this Plan shall be landscaped unless utilized for a permitted use. These requirements shall apply to buildings and parking facilities constructed subsequent to adoption of this Plan.
3. Landscaping Materials. All landscaped areas shall be landscaped with a mixture of a ground cover, shrubs and trees, and may include decorative rock, sculpture, walkways, patios and/or fountains. Some of the following requirements will only address the quantity of trees to be provided, however the indication of required trees means that a complementary quantity of ground cover and three shrubs per tree shall also be provided.
4. Quantity. Parking lots. One tree shall be provided for each five parking spaces. These trees may be clustered, but a minimum of one cluster for each one hundred feet of a row or double row of parking spaces shall be provided. Trees shall be provided in or bordering the parking area and shall be of a species that provides a broad canopy.
5. Quantity. Parking structures. One tree shall be provided for each twenty-five feet of the perimeter of the structure. These trees may be clustered but one cluster shall be located for each one hundred

- feet along a street frontage. Trees shall border the parking structure and shall be of a species that will obtain a mature height of not less than the height of the structure. The trees shall be of a species or shall be located or trimmed in such a way as to prevent being a means of gaining access to otherwise secured areas.
6. Quantity. Yard areas. Not less than one tree shall be provided for each twenty-five linear feet of street lot line to be located in the abutting yard area.
 7. Quantity. Street trees. Street trees may be required in addition to other required landscaping. Four trees per one hundred lineal feet of street frontage is the minimum amount required along the street frontage. Such trees shall be installed according to Municipal Code Section 21.42.060. Type of tree shall be determined by the Director of Public Works.
 8. Minimum Size. Required trees. At least fifteen gallon, provided that any site with more than one hundred feet of street frontage shall also provide one tree of not less than twenty-four inch box size for each one hundred feet of street frontage.
 9. Minimum Size. Required shrubs. At least five gallon.
 10. Minimum Size. Ground cover. Lawn shall be of sod and shall cover the proposed area; other ground cover shall be planted in such a way as to result in coverage of the area within one year.
 11. Substitutions. If adequate space to plant a fifteen gallon tree is not available, three five gallon shrubs may be substituted for each tree, upon the approval of the Director of Planning and Building. If a significant concentrated planting is more appropriate than linear screen planting, one thirty-six inch box tree may be substituted for three fifteen gallon trees, upon the approval of the Director of Planning and Building. Hydro mulch or seeding for a large lawn may be substituted for sod upon the approval of the Director of Planning and Building.
- I. SCREENING. The following required screening shall apply in all commercial districts:
1. Open Storage. All open storage shall be screened by a solid wall. No material being stored shall be visible above such wall. All such walls shall be screened by vines not less than ten feet on center.
 2. Parking Lots. All parking lots facing a public street shall be screened by a solid wall or compact evergreen hedge, not less than three feet in height, or by a landscaped planter containing five

gallon shrubs not less than three feet on center, or by a landscaped berm not less than three feet in height, or by a landscaped screening plan approved by the Director of Planning and Building.

3. **Parking Structures.** All sides of a parking structure abutting a public street shall be screened by vines or other decorative screening approved by the Director of Planning and Building.
 4. **Loading Areas.** All truck loading areas or docks shall be screened from the public street by a building or masonry wall not less than six feet in height. All loading docks shall be designed so that they can be secured. Such screening walls shall be planted with vines not less than ten feet on center.
- J. **SIDEWALKS.** Sidewalks will be provided along Lakewood Boulevard and at least one side of Donald Douglas Drive. An interior walkway system shall be provided throughout the development to encourage access from public transportation and to provide access to employee service uses such as restaurants and the like. Sidewalks shall generally meander throughout the parkway and setback areas consistent with the landscape plan, with any necessary easements recorded to assure public access. Sidewalks shall be a minimum of five feet in width except adjoining the curb where they shall be a minimum of six feet in width.
- K. **NUISANCES.** No portion of any site within the Long Beach Airport Terminal Area shall be used in such a manner as to create a nuisance to an adjacent site, such as, but not limited to, vibration, sound, electromechanical disturbance and radiation, electromagnetic disturbance, radiation, air or water pollution, dust and emission or odorous, toxic or noxious matter.
- L. **PARKING.** All parking shall conform to the standards of the Long Beach Municipal Code. Pool parking shall be encouraged where multiple buildings use a common parking facility. All building using such pool parking shall be considered as a single facility with parking requirements calculated according to the following standards:
1. Four spaces per one thousand square feet of gross floor area for the first twenty thousand square feet of floor area plus;
 2. Two spaces per one thousand square feet of all gross floor area above twenty thousand square feet of floor area; and
 3. Parking facilities designated for pool use should not be located further than one thousand two hundred feet from any structure or use served (except for car rental storage).

- M. AIR POLLUTION GUIDELINES. All uses shall comply with applicable air pollution regulations including regulations for control of airborne dust during construction.
- N. ARCHITECTURAL STANDARDS. The Long Beach Airport Terminal Areas will contain buildings expected to house commercial and office uses, as well as aviation oriented industrial and service uses. The design of these multiple-use buildings must be sufficiently adaptable so that a unit formerly used for one purpose can economically be converted to another use, and the architectural style must be such that the general public can identify it as the type expected to house the business they are seeking. The architecture will be designed to be aesthetically pleasing while at the same time the design and materials used will be energy-conservation oriented.

Lakewood Boulevard. The developer(s) shall develop and conform to an overall architectural style for the Lakewood Boulevard frontage. An emphasis on compatibility of fenestration and materials is recommended in order to create internally compatible and visually stimulating facades.

Terminal building. The existing terminal building has been designated a City of Long Beach Historic Landmark and shall not be expanded. The unique architectural features of the building (rounded corners, curved walls, tile floors, extensive use of glass) shall be preserved. External improvements to the terminal building (with the exception of exterior refurbishment) shall be limited to the creation of passenger holding room facilities (to include waiting areas, gift shop and food service) and passenger concourse connector(s) with or without security check-in facilities and security office. The existing baggage claim area may be relocated and enlarged to accommodate an increase in space requirements related to an approved increase in flights. The external improvements to the terminal building shall be designed so that the architectural treatment of these facilities will be consistent with and in harmony with the existing terminal building.

Reflective glass. Buildings designed with reflective glass shall submit reflection studies showing sun and reflective glare patterns and their effect on ground and air transportation. Such studies shall be submitted with each proposed structure to be processed for Site Plan Review. Mirrored reflective glass shall not be used as a major façade element. Metal buildings shall not be allowed along the street frontage of any public street.

- O. GRADING AND DRAINAGE GUIDELINES. The grading scheme is basically one of graded building pads above the streets and flood plain

levels. All individual sites or lots must drain into the major overall site drainage systems. No cross lot drainage shall be allowed. All grading and drainage shall be to the satisfaction of the Director of Public Works.

P. SITE AND ROAD IMPROVEMENTS.

1. Access from Lakewood Boulevard. Ingress and egress from Lakewood Boulevard shall be restricted to one principal point of access north of Donald Douglas Drive and one principal point of access south of Donald Douglas Drive. Such principal access points shall allow for feeder circulation connections from lease areas interior to the Lakewood Boulevard frontage. Secondary access points to Lakewood Boulevard shall be allowed for individual uses. Such secondary access shall not allow for vehicular circulation between separate lease areas and shall allow only right turns in and out of the sites. All access proposals shall be reviewed and approved by the Director of Public Works and the Director of Planning and Building.
2. Provisions of improvements. The developer shall provide for any on and off-site improvements necessary to service the development. The developer shall provide for replacement of any public improvement damaged as a result of development of the site. As a further consideration of Site Plan Review approval, for each building, prior to issuance of a building permit, each development shall be required to provide for all on-off-site improvements necessary to access and serve that development, including repairing or replacing damaged, deteriorated or missing curbs, gutters, sidewalks, street trees, street lights and roadways, and providing all other improvements necessary as required through Site Plan Review, to provide access to the site.
3. Site access and circulation plan. A site access and circulation plan shall be provided to the satisfaction of the Director of Planning and Building and the Director of Public Works. Such plan shall be submitted with the Site Plan Review.
4. Recommended road improvements. Based upon detailed traffic studies and analyses of existing and projected future growth in the Long Beach Airport Area, the City has determined that existing development as of 1986 was adequately served by the existing road system in the area, generally at level of service "D" or better. The City has further determined that development since 1986, and projected to full build-out of the area (hereinafter referred to as "new development"), will generate traffic which cannot be accommodated on the existing road system while maintaining level of service "D". Consequently, the City has developed a list of

recommended road improvements (see Exhibit “B” attached to Ordinance No. C-6776 as presently codified in Chapter 18.19 of the Long Beach Municipal Code, entitled Long Beach Airport Traffic Study Area Traffic Fee and Mitigation Requirements, incorporated herein by reference) which are necessary to generally maintain level of service “D” on all major roads in the area given the projected new development. As these roadway improvements will specifically benefit new development, site plan approval for all new development in the area shall be conditioned upon payment of a fair, pro-rata share of the costs of the needed road improvements through a road impact fee, a benefit assessment district, or other appropriate financing mechanisms, or combinations thereof. The pro-rata share of improvement costs shall be based on the number of vehicle trips generated per hour in the peak hours of 4:00 p.m. to 6:00 p.m., and their impact on specific intersections scheduled for improvement.

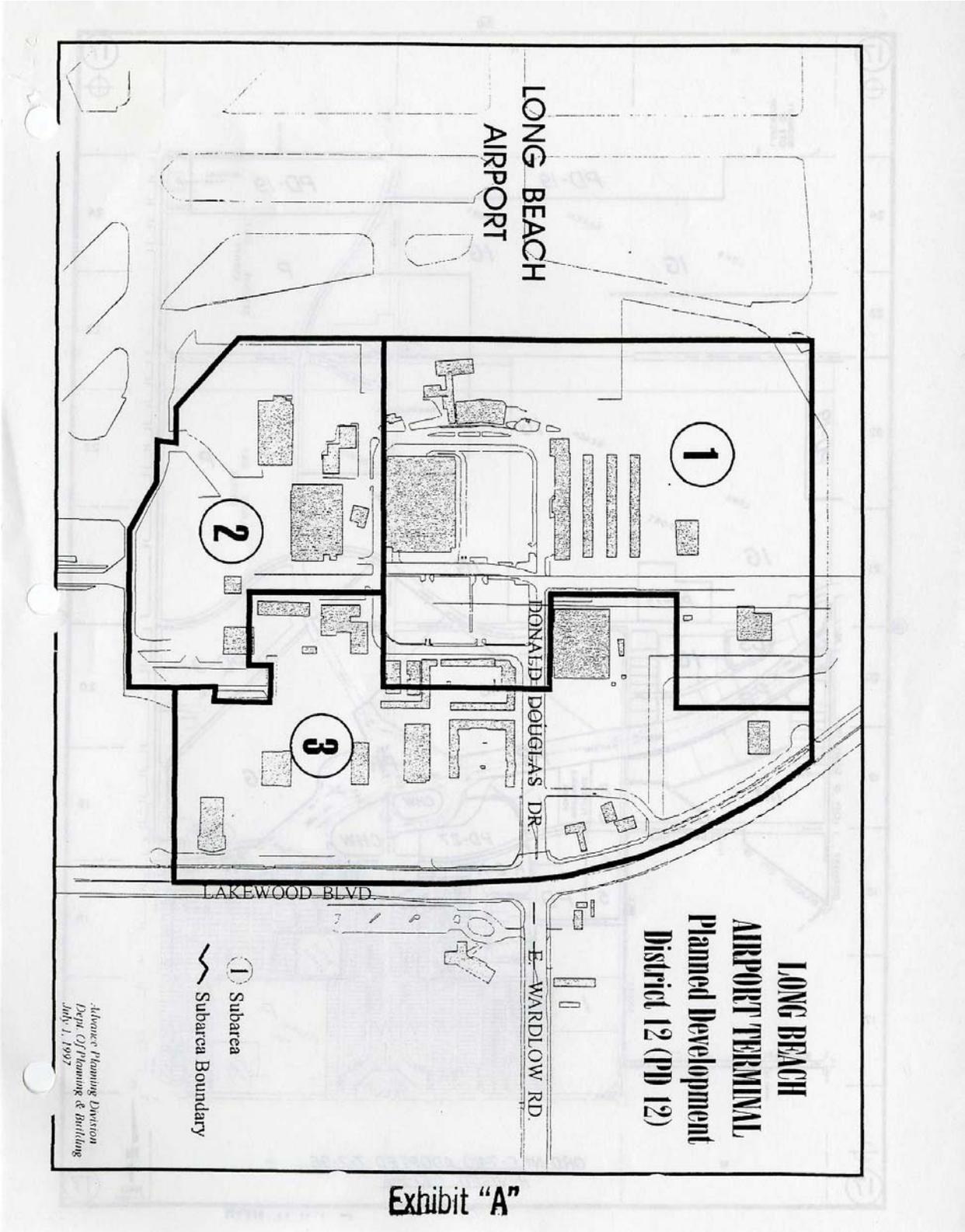
5. Periodic re-evaluation. A periodic reevaluation of the traffic situation will be undertaken to ensure all improvements continue to be necessary in the later phases of development.
6. Trip demand reduction program. As the number of trips utilized in the analysis assumes a twenty percent reduction in the standard number of trips per square foot of use, it is mandatory that an effective trip demand reduction program be incorporated in all development. Thus, each new development is conditioned upon membership in the Long Beach Airport Area Traffic Reduction Association or similar organization, and submittal and implementation of a Traffic Demand Management (TDM) program which is designed to reduce existing work vehicular traffic generation during the evening peak hour by at least twenty percent. The TDM program must contain provisions that mandate the implementation of the TDM program by all subsequent owners and tenants of the improvements.

The program must include specific measures, which, in the judgment of the Director of Public Works, are likely to reduce peak-hour vehicular trips by at least twenty percent, and a monitoring program with an annual report on the success of the program which will be filed with the City by the developer or any successor-in-interest.

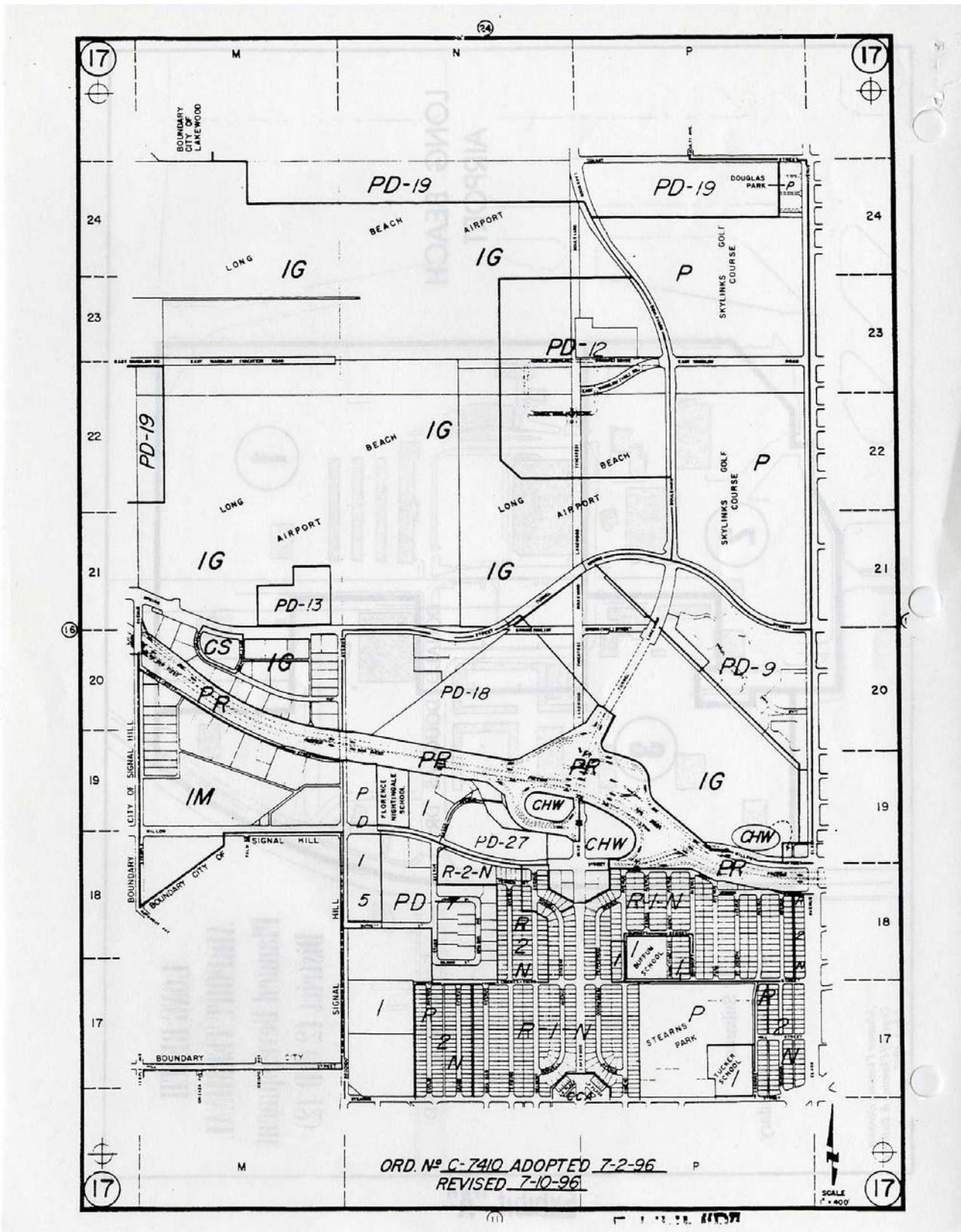
VI. PERMITTED INTENSITY OF NEW DEVELOPMENT

- A. INTENSITY BASED ON PEAK HOUR TRIPS. Intensity of “new development” and use has been identified in each subarea. Each subarea has been allocated a special number “peak-hour” trips. These trips will be

disbursed to subarea tenants on a first-com, first-served basis. Total development of the site in this PD shall be limited to an intensity of development equal to no more than 1,973 vehicle trips to and from the sites in the P.M. peak-trip hour between 4:00 p.m. and 6:00 p.m. and implementation of a



Long Beach Airport Terminal Planned Development Plan (PD-12)



Transportation Demand Management Plan that reduces exiting work trip generation in the evening peak hour by twenty percent. The initial plan for the site that satisfies this trip limitation consists of:

- Aviation manufacturing facilities for 651 employees;
 - 849,000 square feet of office use space;
 - 24,000 square feet of restaurant use space;
 - 300 hotel rooms;
 - 32 commercial airline flights.
1. SUBAREA 1: Further, new development of the site in Subarea 1 shall be limited to 1,162 vehicle trips to and from the Subarea during the peak hour of the P.M. peak hours of 4:00 p.m. to 6:00 p.m. An initial plan that satisfies this limitation consists of airport services facilities (fixed-based operations) for twenty employees and terminal support facilities for twelve commercial airline flights during the P.M. peak.
 2. SUBAREA 2: Further, new development of the site in Subarea 2 shall be limited to aviation manufacturing and service facilities for 560 employees not exceed 206 vehicle trips to and from the Subarea during the peak hour of the P.M. peak hours between 4:00 p.m. and 6:00 p.m.
 3. SUBAREA 3: Further, new development of the site in Subarea 3 shall be limited to 605 vehicle trips to and from the Subarea during the peak hour of the P.M. peak hours of 4:00 p.m. to 6:00 p.m. An initial plan satisfies this limitation consists of 540,000 square feet of office use spaces, 24,000 square feet of restaurant use space, and 300 hotel rooms.
- B. OTHER COMBINATIONS OF USES. Other combinations of amounts of the uses permitted in this PD, which generate and equal or lesser number of trips per hour in the peak hours, may be substituted for this use allocation provided that a revised site plan is approved by the Planning Commission pursuant to Site Plan Review. In calculating the number of trips utilized, all new development within this PD after January 1, 1986, shall be included.
- C. CALCULATION OF TRIPS. This type and intensity of development indicated above is determined by a specified number of trips per hours in the evening peak period of 4:00 p.m. to 6:00 p.m. This number is calculated by multiplying the area in each use by the traffic generation rates as established in the Trip Generation Manual, Fourth Edition, of the

Instituted of Traffic Engineering. The number of trips generated by this calculation shall then be reduced the Traffic Demand Management Plan's trip reduction. The resulting figure is then compared to the permitted peak-hour trips.

- D. **CHANGES IN TRIP ALLOCATIONS.** Changes in the number of trips allocated may be accomplished in the following ways:
1. Increased development intensity through transfer of trips. Trips may be transferred between the Airport Area Planned Development Plan (PD-19: Douglas Aircraft; PD-23: Douglas Center; PD-12: Long Beach Airport Terminal Area; PD-13: Atlantic Aviation; PD-18: Kilroy Airport Center; PD-9: Airport Business Park; PD-15: Redondo Avenue; PD-17: Alamitos Land Company; PD-7: Long Beach Business Park; PD-27: Willow Street Center; and PD-28: Pacific Theaters) provided that:
 2. Not more than twenty percent of the originally authorized trips are added to the receiving PD;
 3. The Director of Public Works finds that the transfer will have no significant detrimental effect upon the level of service at any intersection;
 4. The transfer is implemented by approval by the Planning Commission pursuant to Site Plan Review.
 5. Notice of the Planning Commission hearing for Site Plan Review of the transfer is sent to all owners and lessees, with an interest recorded on the Tax Assessor's rolls, in the Airport Area Planned Development District; and
 6. All authorized transfer of trips shall not be effective until the change is recorded against the property with the Los Angeles County Recorder.
- E. **ADDITIONAL TRIPS.** Additional trips beyond the original allocation may be approved, provided that:
1. The increase will not exceed the original allocation by more than twenty percent;
 2. The applicant shall pay a trip mitigation fee that is pro-rata fair share of the costs of the original Traffic Mitigation Program for the additional trips;
 3. A new analysis of the traffic impacts on all intersections in the Airport Area is undertaken at the expense of the applicant, and

such analysis shows no significant detrimental effect upon the level of service at any intersection or the applicant agrees to pay an additional trip mitigation fee equal to all costs of all additional improvements at all intersections necessary to mitigate the degradation of the level of service caused by the additional trips allocated to the applicant. Degradation of the level of service is reduction to a level of service "E" or "F" unless that level of service was accepted in the original improvement program;

4. The additional trip allocation shall be reviewed by the Planning Commission pursuant to Site Plan Review;
5. Notice of the Site Plan Review hearing is sent to all owners and lessees, with an interest recorded on the Tax Assessor's rolls, in the Airport Area Planned Development District;

F. **APPLICATIONS TO MODIFY DEVELOPMENT INTENSITY.** The City will accept applications for modification of development intensity at any time after the traffic mitigation program is adopted through the enactment of necessary ordinances and establishment of the first assessment district. However, an applicant does not receive first priority for utilizing available trips by merely filing an application. Available trips shall be reserved to an applicant only upon the payment of all necessary traffic mitigation fees for the proposed modification. Because the modification process can take many months to complete, the City may also set aside during the modification process the trips which will be utilized if the application is approved, providing that both of the following conditions are met:

1. The traffic analysis has been completed and the Director of Public Works has prepared an estimate of the necessary traffic mitigation fee; and
2. The applicant has made a good-faith deposit with the City of cash or letter of credit equal to ten percent of the estimated traffic fee, which deposit will be forfeited if the applicant does not proceed with the project or does not diligently pursue the application in accordance with a schedule set forth by the Director of Planning and Building. If this application is approved and the developer meets all traffic mitigation conditions of approval, the deposit will be refunded or credited toward the traffic mitigation fees, at the discretion of the applicant. If the application is denied, the deposit will be refunded to the applicant; and
3. If additional trips have been authorized for one developer in the Airport area, and that authorization required intersection improvements above those required by the traffic mitigation program, and subsequently another developer requests

authorization for additional trips, and those additional trips are found by the Director of Public Works to not degrade any intersections due to the additional improvements paid for by the first developer, then the Director of Public Works shall require the second developer to reimburse the first developer for a pro-rata fair share of the additional improvement costs. Such fees shall be collected from the second developer according to the procedure established for developer fees in the Traffic Mitigation Program. The Director of Public Works shall then notify the first developer, or the successor-in-interest, of the receipt of the funds, and shall authorize disbursement of such funds to the first developer, or successor, that they had actually expended their share of the funds.

The Planning Bureau provides this information for reference and the convenience to the public. The adopted ordinance, together with any amendment thereto, is in the possession of the City Clerk and should be reviewed and considered prior to making any land use decision. Information contained herein is subject to change without notice as a result of updates, corrections or amendments.