



CITY OF NEWPORT BEACH COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION ACTION REPORT

TO: CITY COUNCIL, CITY MANAGER, AND PLANNING COMMISSION
FROM: Seimone Jurjis, Community Development Director
SUBJECT: Report of actions taken by the Zoning Administrator, and/or Planning Division staff for the week ending July 14, 2023.

ZONING ADMINISTRATOR ACTIONS JULY 13, 2023

- Item 1: Linos Residential Condominiums Tentative Parcel Map and Coastal Development Permit (PA2023-0074)
Site Address: 430 and 430 ½ Fernleaf Avenue
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| Action: Approved by Resolution No. ZA2023-048 | Council District | 6 |
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- Item 2: 20 Balboa Coves LLC Residence Coastal Development Permit (PA2023-0077)
Site Address: 20 Balboa Coves
- | | | |
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| Action: Approved by Resolution No. ZA2023-049 | Council District | 1 |
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COMMUNITY DEVELOPMENT DIRECTOR OR PLANNING DIVISION STAFF ACTIONS (Non-Hearing Items)

- Item 1: Mariners Medical Arts Sign Program (PA2022-0192)
Site Address: 1901 Westcliff Drive
- | | | |
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| Action: Approved | Council District | 3 |
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APPEAL PERIOD: An appeal or call for review may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

RESOLUTION NO. ZA2023-048

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING A TENTATIVE PARCEL MAP AND COASTAL DEVELOPMENT PERMIT FOR TWO (2)-UNIT RESIDENTIAL CONDOMINIUM PURPOSES LOCATED AT 430 AND 430 ½ FERNLEAF AVENUE (PA2023-0074)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Matthew Watson (Applicant), with respect to property located at 430 and 430 ½ Fernleaf Avenue and legally described as Lot 12 of Block 433 in Corona Del Mar (Property), requesting approval of a tentative parcel map and associated coastal development permit (CDP) for condominium purposes.
2. The Applicant requests a tentative parcel map and coastal development permit for a two (2)-unit condominium. A single-unit residence has been demolished, and a new duplex is currently under construction. The tentative parcel map will allow each unit to be sold individually. No waivers of Newport Beach Municipal Code (NBMC) Title 19 (Subdivisions) are proposed. A CDP is required because this property is in the coastal zone (Project).
3. The Property is designated Two (2) Unit Residential (RT) by the General Plan Land Use Plan and is located within the Two (2)-Unit Residential (R-2) Zoning District.
4. The Property is located within the coastal zone. The Coastal Land Use Plan category is RT-D (Two (2)-Unit Residential) – (20.0-29.9 DU/AC) and it is located within the R-2 (Two (2) Unit Residential) Coastal Zone District.
5. A public hearing was held on July 13, 2023, online via Zoom. A notice of the time, place, and purpose of the hearing was given in accordance with the Newport Beach Municipal Code (NBMC). Evidence, both written and oral, was presented to and considered by, the Zoning Administrator at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315 under Class 15 (Minor Land Divisions) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3 because it has no potential to have a significant effect on the environment.
2. The Class 15 exemption allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four (4) or fewer parcels when the division is in conformance with the General Plan and Zoning, no variances or exceptions are required, all services and access to the proposed parcels are available, the parcel was

not involved in a division of a larger parcel within the previous two (2) years, and the parcel does not have an average slope greater than 20 percent. The tentative parcel map is for a two (2)-unit condominium subdivision and will conform to all development standards, and therefore, is eligible for the Class 15 Exemption.

SECTION 3. REQUIRED FINDINGS.

Tentative Parcel Map

The Zoning Administrator determined in this case that the tentative parcel map is consistent with the legislative intent of NBMC Title 19 (Subdivisions) and is approved based on the following findings per NBMC Section 19.12.070 (Required Findings for Action on Tentative Maps):

Finding:

- A. *That the proposed map and the design or improvements of the subdivision are consistent with the General Plan and any applicable specific plan, and with applicable provisions of the Subdivision Map Act and this Subdivision Code.*

Facts in Support of Finding:

1. The Tentative Parcel Map is for two (2)-unit residential condominium purposes. The RT land use designation applies to a range of two (2)-family residential dwelling units such as duplexes and townhomes. The project site was previously developed as a single-unit residence, which has been demolished. A new duplex is currently under construction. The proposed subdivision and improvements will continue to be consistent with the density of the R-2 Zoning District and the current RT General Plan Land Use designation.
2. The Property is not located within a specific plan area.

Finding:

- B. *The site is physically suitable for the type and density of development.*

Facts in Support of Finding:

1. The Property is physically suitable for a duplex because it is regular in shape and size. An existing single-unit residence has been demolished and a new duplex is currently under construction, which complies with all requirements of the NBMC Title 20 (Planning and Zoning) and Title 21 (Local Coastal Program Implementation Plan).
2. The Property is accessible from Fernleaf Avenue and the alley in the rear. Vehicular access is taken from the alley.

3. The Property is adequately served by all existing utilities to accommodate the two new dwelling units being constructed on the property. The proposed subdivision does not alter the anticipated utility demand generated from the site.

Finding:

- C. *That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. However, notwithstanding the foregoing, the decision-making body may nevertheless approve such a subdivision if an environmental impact report was prepared for the project and a finding was made pursuant to Section 21081 of the California Environmental Quality Act that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

Facts in Support of Finding:

1. The Property is located within an existing residential neighborhood that does not contain any sensitive vegetation or habit on-site.
2. This Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315 under Class 15 (Minor Land Divisions) of the CEQA Guidelines. Section 2 of this Resolution is hereby incorporated by reference.

Finding:

- D. *That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.*

Facts in Support of Finding:

1. The Project has been conditioned to require public improvements, including the reconstruction of sidewalks, curbs, and gutters along the Fernleaf Avenue frontage and alley, as needed. Existing private improvements within the Fernleaf Avenue right-of-way must be removed. New turf or drought tolerant landscaping, along with a new 36-inch box street tree in the Fernleaf Avenue public right-of-way, is conditioned to be planted. The utilities will be undergrounded, consistent with Title 19 (Subdivisions) of the Newport Beach Municipal Code (NBMC).
2. The tentative parcel map is for two (2)-unit condominium purposes. All improvements associated with the project will comply with all Building, Public Works, and Fire Codes, which are in place to prevent serious public health problems. Public improvements will be required of the developer per NBMC Section 19.28.010 (General Improvement Requirements) and Section 66411 (Local agencies to regulate and control design of subdivisions) of the Subdivision Map Act. All ordinances of the City and all Conditions of Approval will be complied with.

Finding:

- E. *That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the decision-making body may approve a map if it finds that alternate easements, for access or use, will be provided and that these easements will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record or to easements established by the judgment of a court of competent jurisdiction and no authority is hereby granted to the City Council to determine that the public at large has acquired easements for access through or use of property within a subdivision.*

Fact in Support of Finding:

1. The Public Works Department has reviewed the proposed tentative parcel map and determined that the design of the development will not conflict with easements acquired by the public at large, for access through, or use of the Property within the proposed development because no public easements are located on the Property.

Finding:

- F. *That, subject to the detailed provisions of Section 66474.4 of the Subdivision Map Act, if the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act), the resulting parcels following a subdivision of the land would not be too small to sustain their agricultural use or the subdivision will result in residential development incidental to the commercial agricultural use of the land.*

Facts in Support of Finding:

1. The Property is not subject to the Williamson Act because the subject property is not designated as an agricultural preserve and is less than 100 acres in area.
2. The Property was previously developed for residential use and is located in a Zoning District that permits residential uses.

Finding:

- G. *That, in the case of a "land project" as defined in Section 11000.5 of the California Business and Professions Code: (1) there is an adopted specific plan for the area to be included within the land project, and (2) the decision-making body finds that the proposed land project is consistent with the specific plan for the area.*

Facts in Support of Finding:

1. California Business and Professions Code Section 11000.5 has been repealed by the Legislature. However, this project site is not considered a "land project" as previously

defined in Section 11000.5 of the California Business and Professions Code because the project site does not contain 50 or more parcels of land.

2. The Project is not located within a specific plan area.

Finding:

- H. That, solar access, and passive heating and cooling design requirements have been satisfied in accordance with Sections 66473.1 and 66475.3 of the Subdivision Map Act.*

Fact in Support of Finding:

1. The tentative parcel map and any future improvements are subject to Title 24 of the California Building Code, which requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. The City's Building Division enforces Title 24 compliance through the plan check and inspection process.

Finding:

- I. That the subdivision is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code regarding the City's share of the regional housing need and that it balances the housing needs of the region against the public service needs of the City's residents and available fiscal and environmental resources.*

Fact in Support of Finding:

1. The proposed two (2)-unit condominiums will replace an existing single-unit residence, which is consistent with the R-2 Zoning District. Therefore, the tentative parcel map for condominium purposed will not affect the City in meeting its regional housing need.

Finding:

- J. That the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board.*

Fact in Support of Finding:

1. The Project wastewater is designed to discharge into the existing sewer system and complies with the Regional Water Quality Control Board (RWQCB) requirements.

Finding:

- K. For subdivisions lying partly or wholly within the Coastal Zone, the subdivision conforms with the certified Local Coastal Program and, where applicable, with public access and recreation policies of Chapter 3 of the Coastal Act.*

Fact in Support of Finding:

1. The Property is located within the coastal zone and a CDP is therefore requested in conjunction with the proposed tentative parcel map. The Project complies with the certified Local Coastal Program (LCP) and public access and recreation policies of Chapter Three (3) of the Coastal Act. The Facts in Support of Findings L and M for the Coastal Development Permit (below) are hereby incorporated by reference.

Coastal Development Permit

In accordance with Section 21.52.015 (Coastal Development Permits, Findings, and Decision) of the Newport Beach Municipal Code, the following findings, and facts in support of such findings are set forth:

Finding:

- L. Conforms to all applicable sections of the certified Local Coastal Program.*

Facts in Support of Finding:

1. The Project is for a tentative parcel map for two (2)-unit residential condominium purposes. A single-unit residence has been demolished and a new duplex is under construction. The duplex conforms to all applicable development standards, including floor area limit, setbacks, height, and off-street parking. The proposed subdivision and improvements are consistent with the density of the R-2 Coastal Zoning District.
2. The Property is not located adjacent to a coastal view road, public access way, or public view point as identified in the Coastal Land Use Plan (CLUP) and the project does not have the potential to degrade the visual quality of the Coastal Zone or to result insignificant adverse impacts to public view. The nearest public view point identified by the CLUP is located at Begonia Park, which is approximately 700 feet from the Property.
3. The Property is located in an area known for the potential for seismic activity. All projects are required to comply with the California Building Code and Building Division standards and policies, which includes all required mitigation for seismic hazards.
4. The Project is located approximately 1,400 feet from the water and is not near any natural landforms or environmentally sensitive areas.

Finding:

- M. Conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act if the project is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone.*

Facts in Support of Finding:

1. The Property is not located between the nearest public road and the sea or shoreline. Implementation Plan Section 21.30A.040 (Determination of Public Access/Recreation Impacts) requires that the provision of public access bear a reasonable relationship between the requirement and the project's impact and be proportional to the impact. In this case, the project is a tentative parcel map for two (2)-unit condominium purposes. The Project does not involve a change in land use, density, or intensity that will result in increased demand for public access and recreation opportunities. Furthermore, the Project is designed and sited (appropriate height, setbacks, etc.) so as not to block or impede existing public access opportunities.
2. The Property is approximately 2,300 feet from Corona del Mar State Beach where lateral and vertical coastal access are provided. Approval of the parcel map will not affect public recreation, access, or views.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby finds this project is categorically exempt from the California Environmental Quality Act pursuant to Sections 15315 under Class 15 (Minor Land Divisions) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3 because it has no potential to have a significant effect on the environment.
2. The Zoning Administrator of the City of Newport Beach hereby approves the tentative parcel map and coastal development permit (PA2023-0074), subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.
3. This action shall become final and effective 14 days following the date the Resolution is adopted unless within such time an appeal or call for review is filed with the Community Development Director in accordance with the provisions of Title 21 (Local Coastal Program [LCP] Implementation Plan) of the Newport Beach Municipal Code. The project site is not located within the appeal area of the coastal zone; therefore, final action by the City may not be appealed to the California Coastal Commission.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF JULY 2023.



Benjamin M. Zueba, AICP, Zoning Administrator

EXHIBIT "A"**CONDITIONS OF APPROVAL****Planning Division**

1. The project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the Conditions of Approval.
2. After the recordation of the Parcel Map and prior to building permit final, the Applicant shall apply for a building permit for a description change of the subject project development from "duplex" to "condominium." The development will not be condominiums until this description change permit is final.
3. The Applicant shall comply with all federal, state, and local laws. A material violation of any of those laws in connection with the use may be cause for the revocation of this tentative parcel map.
4. This approval shall expire and become void unless exercised within 24 months from the actual date of review authority approval, except where an extension of time is approved in compliance with the provisions of Title 19 (Subdivisions) and Title 21 of the Newport Beach Municipal Code.
5. Prior to the recordation of the parcel map, an In-Lieu Park Dedication Fee for one (1) additional residential unit shall be paid in accordance with the fee effective at the time of payment.
6. Prior to final inspection of building permit, a Fair Share Fee for one (1) additional residential unit shall be paid in accordance with the fee effective at the time of payment.
7. Prior to the approval of the final map, a "Purpose Statement" shall be added to the map to clarify that the map is for two (2) residential condominium units and how common areas will be owned.
8. To the fullest extent permitted by law, the applicant shall indemnify, defend and hold harmless the City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney's fees, disbursements, and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of **Linus Residence Condominium Parcel Map, but not limited to, Tentative Parcel Map and Coastal Development Permit (PA2023-0074)**. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorney's fees, and other expenses incurred in connection with such claim, action, causes of action, suit, or proceeding whether incurred by the applicant, City, and/or the parties initiating or bringing the such

proceeding. The applicant shall indemnify the City for all of the City's costs, attorney's fees, and damages that which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

Public Works Department

9. A Parcel Map shall be recorded. The Map shall be prepared on the California coordinate system (NAD83). Prior to recordation of the Map, the surveyor/engineer preparing the Map shall submit to the County Surveyor and the City of Newport Beach a digital-graphic file of said map in a manner described in Section 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. The Map to be submitted to the City of Newport Beach shall comply with the City's CADD Standards. Scanned images will not be accepted.
10. Prior to recordation of the parcel map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. Monuments (one inch iron pipe with tag) shall be set On Each Lot Corner unless otherwise approved by the Subdivision Engineer. Monuments shall be protected in place if installed prior to completion of construction project.
11. All improvements shall be constructed as required by Ordinance and the Public Works Department.
12. An encroachment permit shall be required for all work activities within the public right-of-way.
13. Existing broken and/or otherwise damaged concrete curb, gutter and sidewalk panels along the Fernleaf Avenue and any damaged concrete panels along the alley frontage shall be reconstructed.
14. All existing overhead utilities shall be undergrounded.
15. All existing private, non-standard improvements within the public right-of-way and/or extensions of private, non-standard improvements into the public right-of-way fronting the development site shall be removed.
16. Each unit shall be served by its individual water service/meter and sewer lateral/cleanout.
17. All improvements shall comply with the City's sight distance requirement. See City Standard 110-L.
18. The Fernleaf Avenue parkway shall be landscaped with new turf or drought tolerant landscaping.

19. A new 36-inch box City street tree shall be installed within the Fernleaf Avenue parkway fronting the development.
20. In case of damage done to public improvements surrounding the development site by the private construction, additional reconstruction within the public right-of-way could be required at the discretion of the Public Works Inspector.

Fire Department

21. Prior to the recordation of the parcel map, a NFPA 13D fire sprinkler system shall be provided for each unit.
22. Separate meters and fire risers are required for each unit.

Building Division

23. Prior to the recordation of the parcel map, separate utility services are required for each unit.

RESOLUTION NO. ZA2023-049

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING A COASTAL DEVELOPMENT PERMIT TO DEMOLISH AN EXISTING SINGLE-UNIT RESIDENCE AND CONSTRUCT A NEW THREE (3)-STORY SINGLE-UNIT RESIDENCE AND ATTACHED TWO (2)-CAR GARAGE LOCATED AT 20 BALBOA COVES (PA2023-0077)

THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Craig Hampton, Architect concerning property located at 20 Balboa Coves, requesting approval of a coastal development permit.
2. The lot at 20 Balboa Coves is legally described as Lot 20 of Tract 01011.
3. The applicant proposes coastal development permit (CDP) to allow the demolition of an existing single-unit residence and construct a 4,232-square-foot, 3-story, single-unit residence including an attached 477-square-foot 2-car garage. The project includes landscape, hardscape, and subsurface drainage facilities all within the confines of private property. The project also includes a reinforced bulkhead with a cap for coastal hazards protection. The project complies with all development standards and no deviations are requested.
4. The subject property is designated RS-D (Single-Unit Residential Detached) by the General Plan Land Use Element and is located within the R-1 (Single-Unit Residential) Zoning District.
5. The Coastal Land Use Plan category is RSD-A (Single Unit Residential Detached) (0.0 - 5.9 DU/AC) and it is located within the R-1 (Single-Unit Residential) Coastal Zone District.
6. A public hearing was held on July 13, 2023, online via Zoom. A notice of the time, place, and purpose of the hearing was given by the Newport Beach Municipal Code (NBMC). Evidence, both written and oral, was presented to and considered by, the Zoning Administrator at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project is categorically exempt pursuant to Title 14 of the California Code of Regulations Section 15303, Division 6, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (CEQA) under Class 3 (New Construction or Conversion of Small Structures) because it has no potential to have a significant effect on the environment.

2. Class 3 exempts the demolition of up to three (3) single-unit residences and additions of up to 10,000 square feet to existing structures. The proposed project consists of the demolition of one (1) single-unit residence and the construction of a new 4,232-square-foot, single-unit residence, including an attached 477-square-foot, two (2)-car garage.
3. The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, is not a hazardous waste site, and is not identified as a historical resource.

SECTION 3. REQUIRED FINDINGS.

By Section 21.52.015 (Coastal Development Permits, Findings, and Decision) of the Newport Beach Municipal Code, the following findings, and facts in support of such findings are set forth:

Finding:

- A. *Conforms to all applicable sections of the certified Local Coastal Program.*

Facts in Support of Finding:

1. The proposed development complies with applicable residential development standards including, but not limited to, floor area limitation, setbacks, height, and parking.
 - a. The maximum floor area limitation is 4,950 square feet and the proposed floor area is 4,232 square feet.
 - b. The proposed development provides the minimum required setbacks, which are 5 feet along the front property line abutting Balboa Coves, 3 feet along each side property line, and 15 feet along the second front property line abutting the water.
 - c. The highest guardrail is less than 24 feet from the established grade (10.89 feet NAVD88) and the highest ridge is no more than 29 feet from the established grade, which complies with the maximum height requirements.
 - d. The project includes garage parking for a total of two (2) vehicles, complying with the minimum two (2)-car garage parking requirement for single-unit residences with less than 4,000 square feet of habitable floor area.
2. The neighborhood is predominantly developed with two (2)- and three (3)-story, single-unit residences. The proposed design, bulk, and scale of the development are consistent with the existing neighborhood pattern of development.
3. A Coastal Hazards Report and Sea Level Rise Analysis was prepared by PMA Consulting, Inc. dated June 6, 2023, for the project. The maximum bay water elevation

is 7.7 feet NAVD 88 (North American Vertical Datum of 1988 (NAVD 88) and may exceed the current top of bulkhead elevation of 10.6 feet (NAVD 88) during high tide or storm events. The report analyzes future sea level rise scenarios assuming a 3-foot increase in the maximum water level over the next 75 years (i.e., the life of the structure). Therefore, the sea level is estimated to reach approximately 10.8 feet NAVD 88 (the likely range for sea level rise over the 75-year design life of the structure based on low-risk aversion estimates for sea level rise provided by the State of California, Sea Level Rise Guidance: 2018 Update).

4. On March 23, 2021, the City Council approved updated Waterfront Project Design Guidelines and Standards, Harbor Design Criteria Commercial & Residential Facilities. The guidelines require that any bulkhead structure permitted within the years 2021 through 2025 must have a minimum bulkhead elevation of 10.9 feet (NAVD 88) with a design for adaptability elevation of 14.4 feet (NAVD 88). The project has been conditioned to raise the bulkhead to an elevation of 10.9 feet (NAVD 88). PMA Consulting, Inc. has confirmed the bulkhead design can be raised up to 14.4 feet (NAVD 88) if needed and in compliance with the updated guidelines.
5. Once the existing seawall/bulkhead is raised per the report's recommendations, flooding, wave runup, and erosion will not significantly impact this property over the proposed 75-year economic life of the development. Flood shields (sandbags and other barriers) can be deployed across the openings to protect and prevent flooding to the structure. The report concludes that the proposed project will be safe from flooding hazards for the next 75 years with the capped bulkhead. Therefore, the project has been conditioned to raise or cap the bulkhead and include a curb structure up to 10.9 feet (NAVD88).
6. The finished floor elevation of the proposed single-unit residence is 11.18 feet (NAVD88), which complies with the minimum 9.00 feet (NAVD88) elevation standard. The Coastal Hazard Report concludes that the bay water elevation (currently 7.7 feet NAVD88) will not exceed the finished floor elevation of the single-unit residence at 11.18 feet (NAVD88 datum) for the anticipated 75-year life of the structure.
7. Under NBMC Section 21.30.030(C)(3)(i)(iv) (Natural Landform and Shoreline Protection), the property owner will be required to agree with the City waiving any potential right to protection to address situations in the future in which the development is threatened with damage or destruction by coastal hazards (e.g., waves, erosion, and sea level rise). This requirement is included as a condition of approval that will need to be satisfied before the final building permit inspection, respectively.
8. The property owner will also be required to acknowledge any hazards present at the site and unconditionally waive any claim to damage or liability against the decision authority, consistent with NBMC Section 21.30.015(D)(3)(c) (General Site Planning and Development Standards). This requirement is included as a condition of approval that will need to be satisfied before the issuance of building permits, respectively.
9. The property is in an area known for the potential of seismic activity and liquefaction. All projects are required to comply with the California Building Code (CBC) and Building

Division standards and policies. Geotechnical investigations specifically addressing liquefaction are required to be reviewed and approved before the issuance of building permits. Permit issuance is also contingent on the inclusion of design mitigation identified in the investigations. Construction plans are reviewed for compliance with approved investigations and CBC before building permit issuance.

10. The property is located adjacent to coastal waters. A Construction Erosion Control Plan was provided to implement temporary Best Management Practices (BMPs) during construction to minimize erosion and sedimentation and to minimize pollution of runoff and coastal waters derived from construction chemicals and materials. The project design also addresses water quality through the inclusion of a post-construction drainage system that includes drainage and percolation features designed to retain dry weather and minor rain event runoff on-site. Any water not retained on-site is directed to the City's storm drain system.
11. Under Municipal Code Section 21.35.050 (Water Quality and Hydrology Plan), due to the proximity of the development to the shoreline and the development containing more than 75 percent of impervious surface area, a Water Quality Management Plan (WQMP) is required. A preliminary WQMP has been prepared for the project by Thomas M. Ruiz dated, March 30, 2023. The WQMP includes a polluted runoff and hydrologic site characterization, a sizing standard for BMPs, the use of a LID approach to retain the design storm runoff volume on-site, and documentation of the expected effectiveness of the proposed BMPs.
12. Proposed landscaping complies with Implementation Plan Section 21.30.075 (Landscaping). A condition of approval is included that requires drought-tolerant species. Before the issuance of building permits, the final landscape plans will be reviewed to verify invasive species are not planted.
13. The project site is not located adjacent to a coastal view road, public access way, or Coastal Viewpoint as identified in the Coastal Land Use Plan. The nearest coastal viewpoint is on Channel Place Park approximately 500 square feet to the west and Sunset View Park approximately 900 feet north of the site across West Coast Highway. Both are not visible from the site. Due to the distance of the proposed development from the public viewpoints and the project's compliance with height and setbacks, the project will not impact coastal views.

Finding:

- B. Conforms with the public access and public recreation policies of Chapter 3 of the Coastal Act if the project is located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone.*

Facts in Support of Finding:

1. The project site is located between the nearest public road and the sea or shoreline. Implementation Plan Section 21.30A.040 (Determination of Public Access/Recreation Impacts) requires that the provision of public access bear a reasonable relationship

between the requirement and the project's impact, and be proportional to the impact. In this case, the project replaces an existing single-unit residence located on a standard R-1 lot with a new single-unit residence. Therefore, the project does not involve a change in land use, density, or intensity that will result in increased demand for public access and recreation opportunities. Furthermore, the project is designed and sited (appropriate height, setbacks, etc.) so as not to block or impede existing public access opportunities.

2. The project site is located within the existing gated community of Balboa Coves that was developed in the 1950s, prior to the Coastal Act, and does not provide nor inhibit public coastal access opportunities. The project is designed and sited so as not block or impede existing public access opportunities and occurs within the confines of private property. Existing coastal access conditions will not be affected by the project. The nearest vertical coastal access opportunity is currently provided by Channel Place Park and beach to the west, approximately 500 feet away from the subject site.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby finds this project is categorically exempt from the California Environmental Quality Act under Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3 because it has no potential to have a significant effect on the environment.
2. The Zoning Administrator of the City of Newport Beach hereby approves Coastal Development Permit filed as PA2023-0077, subject to the conditions outlined in Exhibit "A," which is attached hereto and incorporated by reference.
3. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal or call for review is filed with the Community Development Director by the provisions of Title 21 Local Coastal Program (LCP) Implementation Plan, of the Newport Beach Municipal Code. Final action taken by the City may be appealed to the Coastal Commission in compliance with Section 21.64.035 (Appeal to the Coastal Commission) of the City's certified LCP and Title 14 California Code of Regulations, Sections 13111 through 13120, and Section 30603 of the Coastal Act.

PASSED, APPROVED, AND ADOPTED THIS 13TH DAY OF JULY 2023.



Benjamin M. Zueba, AICP, Zoning Administrator

EXHIBIT "A"

CONDITIONS OF APPROVAL

1. The development shall be in substantial conformance with the approved site plan, floor plans, and building elevations stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
2. *Before the final building permit inspection, the existing seawall shall be reinforced and capped to 10.90 feet (NAVD 88) and capable to be raised up to 14.4 feet (NAVD 88), in compliance with the City of Newport Beach Waterfront Project Guidelines and Standards, Harbor Design Criteria Commercial & Residential Facilities*
3. *The existing seawall shall be capped and raised by the recommendations provided in the Coastal Hazards Report and Sea Level Rise Analysis prepared by PMA Consulting, Inc. dated June 6, 2023.*
4. *Before the final building permit inspection, an agreement in a form approved by the City Attorney between the property owner and the City shall be executed and recorded waiving rights to the construction of future shoreline protection devices including the repair and maintenance, enhancement, reinforcement, or any other activity affecting the bulkhead, that results in any encroachment seaward of the authorized footprint of the bulkhead or other shoreline protective device. The agreement shall be binding against the property owners and successors and assigns.*
5. *Before the issuance of a building permit, the property owner shall submit a notarized signed letter acknowledging all hazards present at the site, assuming the risk of injury or damage from such hazards, unconditionally waiving any claims of damage against the City from such hazards, and to indemnify and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney's fees, disbursements, and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the development. This letter shall be scanned into the plan set before building permit issuance.*
6. This approval does not authorize any new or existing improvements (including landscaping) on California Coastal Permit Jurisdiction, State tidelands, public beaches, or the public right-of-way. Any improvements located on tidelands, submerged lands, and/or lands that may be subject to the public trust shall require a coastal development permit (CDP) approved by the California Coastal Commission (Coastal Commission). Before the issuance of building permits, the applicant shall provide a copy of said coastal development permit or CDP waiver or documentation from the Coastal Commission that subject improvements are not subject to the permit requirements of the Coastal Act and/or not located within the permit jurisdiction of the Coastal Commission.

7. No demolition or construction materials, equipment debris, or waste, shall be placed or stored in a location that would enter the sensitive habitat, receiving waters, or storm drains or result in impacts to environmentally sensitive habitat areas, streams, the beach, wetlands or their buffers. No demolition or construction materials shall be stored on public property.
8. This Coastal Development Permit does not authorize any development seaward of the private property.
9. The applicant is responsible for compliance with the Migratory Bird Treaty Act (MBTA). In compliance with the MBTA, grading, brush removal, building demolition, tree trimming, and similar construction activities shall occur between August 16 and January 31, outside of the peak nesting period. If such activities must occur inside the peak nesting season from February 1 to August 15, compliance with the following is required to prevent the taking of native birds under MBTA:
 - A. The construction area shall be inspected for active nests. If birds are observed flying from a nest or sitting on a nest, it can be assumed that the nest is active. Construction activity within 300 feet of an active nest shall be delayed until the nest is no longer active. Continue to observe the nest until the chicks have left the nest and activity is no longer observed. When the nest is no longer active, construction activity can continue in the nest area.
 - B. It is a violation of state and federal law to kill or harm a native bird. To ensure compliance, consider hiring a biologist to assist with the survey for nesting birds, and to determine when it is safe to commence construction activities. If an active nest is found, one or two short follow-up surveys will be necessary to check on the nest and determine when the nest is no longer active.
10. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) shall be implemented before and throughout the duration of construction activity as designated in the Construction Erosion Control Plan.
11. The discharge of any hazardous materials into storm sewer systems or receiving waters shall be prohibited. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. A designated fueling and vehicle maintenance area with appropriate berms and protection to prevent spillage shall be provided as far away from storm drain systems or receiving waters as possible.
12. Debris from demolition shall be removed from work areas each day and removed from the project site within 24 hours of the completion of the project. Stockpiles and construction materials shall be covered, enclosed on all sites, not stored in contact with the soil, and located as far away as possible from drain inlets and any waterway.
13. Trash and debris shall be disposed of in proper trash and recycling receptacles at the end of each construction day. Solid waste, including excess concrete, shall be disposed of in adequate disposal facilities at a legal disposal site or recycled at a recycling facility.

14. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new coastal development permit.
15. The project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the conditions of approval.
16. The applicant shall comply with all federal, state, and local laws. A material violation of any of those laws in connection with the use may be caused by the revocation of this Coastal Development Permit.
17. This Coastal Development Permit may be modified or revoked by the Zoning Administrator if determined that the proposed uses or conditions under which it is being operated or maintained are detrimental to the public health, and welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained to constitute a public nuisance.
18. *Before the issuance of building permits, the applicant shall submit a final construction erosion control plan. The plan shall be subject to review and approval by the Building Division.*
19. *Before the issuance of building permits, the applicant shall submit a final drainage and grading plan. The plan shall be subject to review and approval by the Building Division.*
20. *Before issuance of a building permit, a copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans.*
21. *Before issuance of building permits, the final WQHP/WQMP shall be reviewed and approved by the Building Division. The implementation shall comply with the approved CPPP and WQHP/WQMP and any changes could require separate review and approval by the Building Division.*
22. *Before the issuance of building permits, the applicant shall submit a final landscape and irrigation plan. These plans shall incorporate drought-tolerant plantings, non-invasive plant species, and water-efficient irrigation design. The plans shall be approved by the Planning Division.*
23. All landscape materials and irrigation systems shall be maintained by the approved landscape plan. All landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing, and trimming. All landscaped areas shall be kept free of weeds and debris. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance.
24. Construction activities shall comply with Section 10.28.040 of the Newport Beach Municipal Code, which restricts hours of noise-generating construction activities that produce noise to between the hours of 7:00 a.m. and 6:30 p.m., Monday through Friday.

Noise-generating construction activities are not allowed on Saturdays, Sundays, or Holidays.

25. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 and other applicable noise control requirements of the Newport Beach Municipal Code. The maximum noise shall be limited to no more than depicted below for the specified periods unless the ambient noise level is higher:

Location	Between the hours of 7:00 AM and 10:00 PM		Between the hours of 10:00 PM and 7:00 AM	
	Interior	Exterior	Interior	Exterior
Residential Property	45dBA	55dBA	40dBA	50dBA
Residential Property located within 100 feet of a commercial property	45dBA	60dBA	45dBA	50dBA
Mixed Use Property	45dBA	60dBA	45dBA	50dBA
Commercial Property	N/A	65dBA	N/A	60dBA

26. Before the issuance of the building permit, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Division.
27. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by the current property owner or agent.
28. This Coastal Development Permit shall expire unless exercised within 24 months from the date of approval as specified in Section 21.54.060 (Time Limits and Extensions) of the Newport Beach Municipal Code, unless an extension is otherwise granted.
29. To the fullest extent permitted by law, the applicant shall indemnify, defend and hold harmless the City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney’s fees, disbursements, and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City’s approval **of 20 Balboa Coves, LLC including but not limited to, Coastal Development Permit (PA2023-0077)**. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorney’s fees, and other expenses incurred in connection with such claim, action, causes of action, suit, or proceeding whether incurred by the applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all the City's costs, attorneys' fees, and damages, which the City incurs in enforcing the indemnification provisions outlined in this condition. The applicant shall pay to the City upon demand any amount owed to the City under the indemnification requirements prescribed in this condition.



COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915
949-644-3200
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ZONING ADMINISTRATOR ACTION LETTER

Subject: **Mariners Medical Arts Sign Program (PA2022-0192)**
▪ Comprehensive Sign Program

Site Location **1901 Westcliff Drive**

Applicant **Truemark Inc., dba JB3D**

Legal Description **Lot 4 and the southeasterly 110 feet of Lot 3 of Tract 4225.**

On **July 13, 2023**, the Zoning Administrator approved a new comprehensive sign program for an existing medical office building. This approval is in accordance with the provisions of Chapter 20.42 (Sign Standards) of the Newport Beach Municipal Code (NBMC).

LAND USE AND ZONING

- **General Plan Land Use Plan Category:** CG (General Commercial)
- **Zoning District:** CG (General Commercial)

BACKGROUND

The Mariners Medical Arts building (hereafter “Mariners Medical Arts”) was designed by master architect, Richard Neutra, and constructed in 1963. Mariners Medical Arts is considered one of the best examples of Neutra’s medical building typology. In 2008, Chattel Inc. (Chattel) prepared a Historic Resource Assessment of the property and found that the subject property was eligible for listing in the National Register at the statewide level of significance under Criterion C for architecture, California Register under Criterion 3 as an exceptional work of a master architect, and Newport Beach Register as a Class 1 – Major Historic Landmark due to its statewide significance.

The project site is square-shaped and bounded to the north by Westcliff Drive, to both the east and west by other commercial developments, and to the south by Sherington Place. Westcliff Drive is defined as the primary frontage for the site with Sherington Place as the secondary frontage. The building is set back considerably from both Westcliff Drive and Sherington Place, approximately 75 feet and 40 feet respectively, with surface parking provided in the space between. Mariners Medical Arts is comprised of three separate buildings designated as A, B, and C, that are connected through exterior roof canopies. Buildings A and B are single-story while Building C features a second story with an exterior staircase for access. Each building is unique in its overall massing, the number of units grouped within it, and the configuration of the units.

Over the years, the property has fallen into disrepair; however, new owners have acquired the property and are committed to rehabilitating the building. Chattel has reviewed both the

rehabilitation plans and the proposed signage and confirmed the scope of work is in full conformance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*.

COMPREHENSIVE SIGN PROGRAM

The comprehensive sign program includes the following:

Project Identification Freestanding Sign

One (1) freestanding, 6-foot-tall, 14-foot-wide, 90-square-foot, monument sign along the primary frontage. This sign features opaque aluminum cabinets with push through, face illuminated, channel lettering. Additional illumination to wash the face of the address is provided from a hidden fixture.

Project Identification Wall Signs

There is an existing wall sign installed along the primary frontage. A similar, 8-foot-wide by 1-foot-4-inch tall, and 12-square-foot wall-mounted sign will be installed on the second story of Building C and will be visible to motorists on Sherington Place and from the rear surface parking lot. Both signs are non-illuminated.

Tenant Identification Plaques

Metal plaques measuring 1-foot-7-inch-wide by 3-and-1/3 inch-tall, and 1 square foot in area, will be installed on office doors throughout the project site. Each door is allowed a maximum of three plaques.

Suite Identification Numbers

Each office door will have a 12-inch-tall suite identification number.

A comprehensive sign program allows for the flexible application of sign regulations for projects that require multiple signs. This Comprehensive Sign Program allows for the following deviations from Chapter 20.42 (Sign Standards) of the NBMC:

1. Increase in freestanding sign size from 75 square feet to 90 square feet;
2. Alternate proportional dimensions related to the freestanding sign;
3. Elimination of the requirement for a freestanding sign to have an address plate; and
4. Allowance to place wall signs outside of the middle fifty (50) percent of the building or tenant frontage.

This approval is based on the following findings and standards and is subject to the following conditions.

FINDINGS AND STANDARDS FOR APPROVED SIGNS

Finding

- A. *The project is exempt from environmental review under the requirements of the California Environmental Quality Act under Section 15311, Class 11 (Accessory Structures).*

Facts in Support of Finding

1. Class 11 exempts minor structures accessory to existing commercial facilities, including signs. The proposed signs are incidental and accessory to the principal commercial use of the property and do not intensify or alter the use. The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, is not a hazardous waste site, and does not cause a substantial adverse change in the significance of a historical resource.
2. The project's signage was reviewed by Chattel, the City's Historic Preservation Consultant. Chattel concluded that the proposed signage is conformance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*. As such, the project is not expected to cause substantial adverse change to the historic resource (i.e., the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired).

Standard

- B. *The proposed sign program shall comply with the purpose and intent of this Chapter [Chapter 20.42], any adopted sign design guidelines, and the overall purpose and intent of this Section [Section 20.42.120 – Comprehensive Sign Program].*

Facts in Support of Standard

1. In accordance with Subsections (B)(3) and (5) of Section 20.42.120 (Comprehensive Sign Program) of the NBMC, a comprehensive sign program is required whenever signs are proposed to be located on or above the second story on a multi-story building, and whenever an existing multi-tenant development of three or more tenants is being remodeled or rehabilitated to the extent that the value of the work will be greater than twenty (20) percent of the replacement cost of the building. The project site is a multi-tenant building, currently undergoing a major rehabilitation which meets the criteria, and signage is proposed on the second story.

2. A comprehensive sign program provides a means for the flexible application of sign regulations for projects that require multiple signs. A number of deviations are requested, however they are driven by the physical dimensions of the site, the existing architecture of the building, and operational characteristics.
3. The Comprehensive Sign Program proposes a modest amount of signage with only project identification signage visible from the public right-of-way.
4. The Comprehensive Sign Program provides each tenant with adequate identification without a proliferation of signage by using door mounted identification plaques rather than larger, wall mounted, signage. The identification plaques attract and invite rather than demand the public's attention.
5. The Zoning Administrator is allowed to approve increases in sign area up to thirty (30) percent greater than allowed. The 90-square-foot monument size is a 30-percent increase above the 75-square-foot allowance of Table 3-16 (Signs Allowed in Commercial and Industrial Zoning Districts) in Chapter 20.42.070 (Standards for Permanent Signs) of the NBMC.

Standard

- C. *The proposed signs shall enhance the overall development, be in harmony with and relate visually to other signs included in the Comprehensive Sign Program, to the structures and/or developments they identify, and to surrounding development when applicable.*

Facts in Support of Standard

1. The consistent use of materials and a coordinated color palette ensures that the signs visually relate to one another and the building.
2. The project identification monument uses high quality opaque materials, such as aluminum, for the cabinet with push-through, face-illuminated, channel lettering.
3. The Comprehensive Sign Program minimizes the use of illumination, with only the project identification monument featuring lighting. The limited use of illumination ensures the signage will be compatible with nearby development and sensitive receptors, such as the residential use to the rear of the property, across Sherington Place.
4. The proposed signage is designed in the spirit of architect Richard Neutra. It will integrate well with and complement the architectural style of the building but includes subtle differences to not create a false sense of historical development. Chattel notes that while the new wall sign is inspired by the historic signage, it is different in several ways, including the kerning of the letters and placement, which distinguishes it as more contemporary.

Standard

D. The sign program shall address all signs, including permanent, temporary, and exempt signs.

Fact in Support of Standard

The Comprehensive Sign Program addresses all project signage. Temporary and exempt signs not specifically addressed in the sign program shall be regulated by the provisions of Chapter 20.42 (Sign Standards) of the NBMC.

Standard

E. The sign program shall accommodate future revisions that may be required because of changes in use or tenants.

Facts in Support of Standard

1. Typical changes in tenants should not require revisions to the Comprehensive Sign Program, as each office door is provided with ample tenant identification signage.
2. Flexibility has been incorporated into the Comprehensive Sign Program as the Director may approve minor revisions if the intent of the original approval is not affected.

Standard

F. The program shall comply with the standards of this Chapter [Chapter 20.42], except that deviations are allowed about signing area, total number, location, and/or height of signs to the extent that the Comprehensive Sign Program will enhance the overall development and will more fully accomplish the purposes and intent of this Chapter [Chapter 20.42].

Facts in Support of Standard

1. The project identification monument sign is proposed within an existing planter area, adjacent to a driveway, and complies with intersection line of sight requirements.
2. While the project identification monument sign reaches a maximum height of 6 feet, this accounts for only 25-percent of the total sign width. Most of the sign face is at a lower height of 4 foot, 3 inches from grade. The sign forgoes the use of height, opting for a greater width than prescribed in Chapter 20.42.080 subsection (Standards for Specific Types of Permanent Signs) (C)(3)(ii) of the NBMC.
3. The project identification monument is asymmetrical and uses an open base with four supporting legs. This design is a departure from the traditional monument sign which

typically features a solid base or from a pylon sign which typically feature two legs. The design is unique, visually appealing, and reduces the overall mass of the sign.

4. Despite an overall sign area of 90 square feet, the text area accounts for only 12 square feet. As described in Facts 2 and 3, the sign is not a solid mass, and the greater sign area is not excessive or visually imposing.
5. While NBMC Chapter 20.42.080 subsection (C)(11) requires freestanding signs to contain an address plate identifying the subject property, the project identification monument incorporates the address into the sign face. In this case, the address plate is unnecessary.
6. The project identifying wall sign along the primary frontage is existing and located in the corner of a wall plane, adjacent to a walkway. The design and layout of the building lends itself to the placement of this wall sign outside of the middle fifty (50) percent of the building frontage, as the sign is located where pedestrians will pass by and see the signage. Additionally, no work is proposed to the sign, and it would be onerous to require its relocation to the middle fifty (50) percent of the building frontage. The new wall sign, proposed for the second story on the secondary frontage, is inspired by the existing project identifying sign. The new sign is also proposed for a building corner and serves a similar purpose of providing signage in a location where pedestrians will see it as they approach the building.

Standard

G. The approval of a Comprehensive Sign Program shall not authorize the use of signs prohibited by this Chapter [Chapter 20.42].

Fact in Support of Standard

The Comprehensive Sign program does not authorize the use of prohibited signs.

Standard

H. Review and approval of a Comprehensive Sign Program shall not consider the signs' proposed message content.

Fact in Support of Standard

The Comprehensive Sign Program contains no regulations affecting sign message content.

CONDITIONS

1. *Locations, design, materials, and illumination of the signs are limited to the designated areas and shall comply with the limitations specified in the Sign Program Matrix included in Attachment No. ZA 2.*
2. *Signage placement shall comply with City Standard STD 105 for Intersection Line of Sign Requirements.*
3. All signs shall be maintained by Section 20.42.170 (Maintenance Requirements) of the NBMC. Temporary and exempt signs not specifically addressed in the program shall be regulated by the provisions of Chapter 20.42 of the NBMC.
4. In accordance with NBMC Section 20.42.120 (Comprehensive Sign Program) subsection (F), the Community Development Director may approve minor revisions to the Comprehensive Sign Program if the intent of the original approval is not affected. This may include deviations in the tenant configurations, such as combining or dividing suites.
5. Upon demolition or substantial structural and nonstructural changes to the exterior of the development on which this approval is based, this Comprehensive Sign Program shall be rendered nullified, and a new Comprehensive Sign Program shall be obtained.
6. Prior to the issuance of a building permit, a copy of the approval action letter, including conditions of approval and sign matrix, shall be incorporated into the City and field sets of plans.
7. A building permit shall be obtained before the commencement of the construction and/or installation of the signs.
8. To the fullest extent permitted by law, the applicant shall indemnify, defend and hold harmless the City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney's fees, disbursements, and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the Mariner's Medical Arts Sign Program **including, but not limited to Comprehensive Sign Program (PA2022-0192)** and the determination that the project is exempt under the requirements of the California Environmental Quality Act. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorney's fees, and other expenses incurred in connection with such claim, action, causes of action, suit, or proceeding whether incurred by the applicant, City, and/or the parties initiating or bringing the such proceeding. The applicant shall indemnify the City for all the City's costs, attorneys' fees, and damages that the City incurs in enforcing the indemnification

provisions outlined in this condition. The applicant shall pay to the City upon demand any amount owed to the City under the indemnification requirements prescribed in this condition.

APPEAL PERIOD: An appeal or call for review may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered. For additional information on filing an appeal, contact the Planning Division at 949-644-3200.

Prepared by:



Joselyn Perez
Associate Planner

Approved by:



Benjamin M. Zdeba, AICP, Zoning Administrator

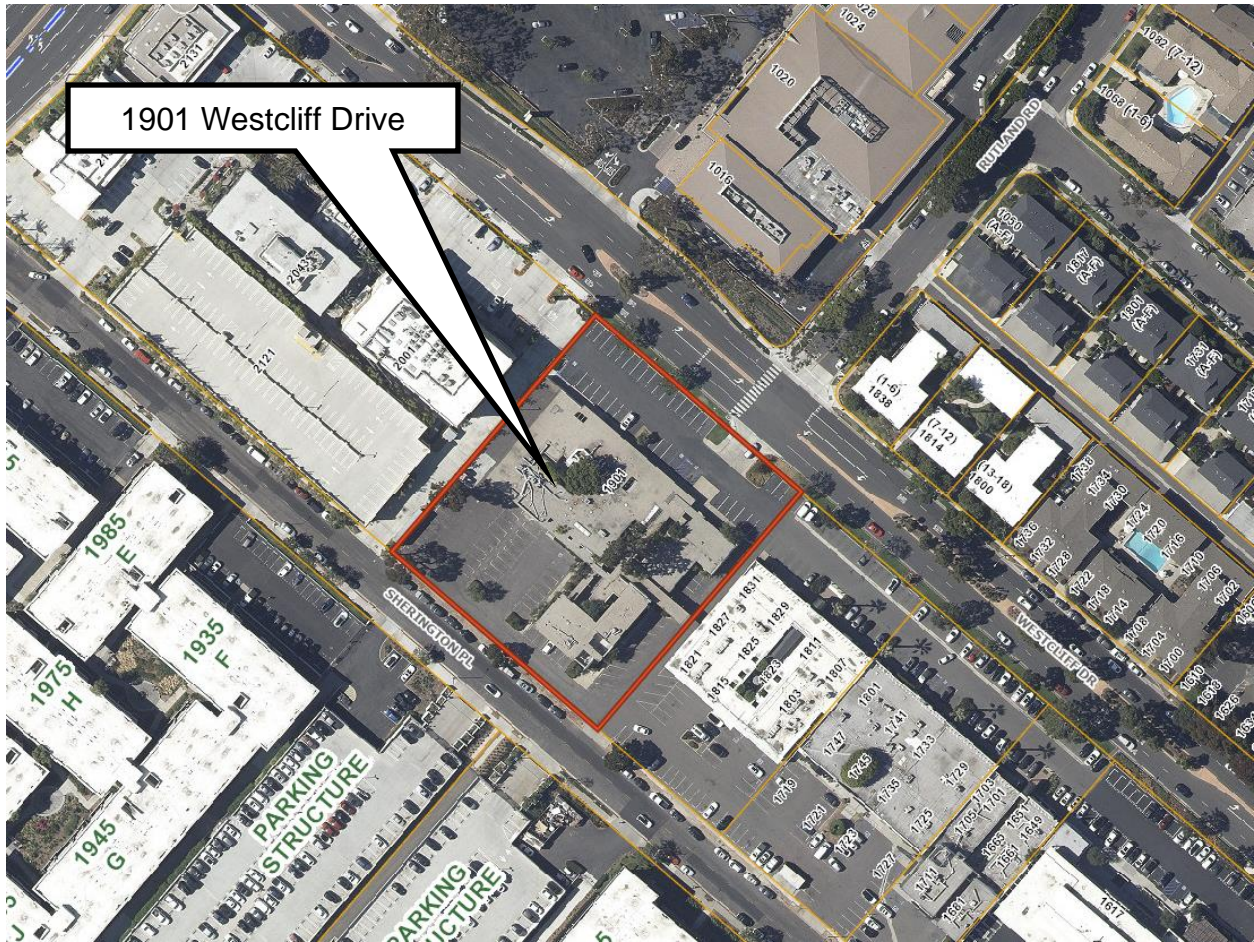
JM/jp

- Attachments: ZA No. 1 Vicinity Map
 ZA No. 2 Comprehensive Sign Program Matrix
 ZA No. 3 Project Plans

Attachment No. ZA 1

Vicinity Map

VICINITY MAP



Comprehensive Sign Program
PA2022-0192

1901 Westcliff Drive

Attachment No. ZA 2

Comprehensive Sign Program Matrix

Mariners Medical Arts Sign Program
1901 Westcliff Drive
Comprehensive Sign Program Matrix (PA2022-0192)

Frontages:

Primary Frontage:

1. Westcliff Drive (North)

Secondary Frontage:

2. Sherington Place (South)

Sign Type		Frontage	Dimensions	Other Specifications
Sign Type A.1	Freestanding	Primary	Maximum Number: 1 Maximum Sign Area: 90 sq. ft. Maximum Letter/Logo Height: 24 inches	- Illumination permitted - Channel letters only
Sign Type A.2	Wall Sign	Primary	Maximum Number: 1 Maximum Sign Area: 12 sq. ft. Maximum Letter/Logo Height: 12 inches	- Nonilluminated only - Existing to remain

Mariners Medical Arts Sign Program (PA2022-0192)
Attachment No. ZA 2

Sign Type A.3	Wall Sign	Secondary	Maximum Number: 1 Maximum Sign Area: 12 sq. ft. Maximum Letter/Logo Height: 12"	<ul style="list-style-type: none"> - Nonilluminated only - Shall not extend above bottom of lowest second story window
Sign Type B.1	Door Sign	NA- installed on office doors	Maximum Number: 3 per door Maximum Sign Height: 4 inches Maximum Sign Area: 1 sq. ft.	<ul style="list-style-type: none"> - Nonilluminated only - Incidental sign pursuant to NBMC chapter 20.42.100 subsection (B)(1)(j)
Sign Type B.2	Door Sign	NA- installed on office doors	Maximum Sign Area: 1 sq. ft.	<ul style="list-style-type: none"> - Nonilluminated only - Incidental sign pursuant to NBMC chapter 20.42.100 subsection (B)(1)(j)

Notes/Requirements:

- a) Sign locations, design, and materials shall be as depicted on approved plans.
- b) Requirements for all signs per Newport Beach Municipal Code (NBMC) Chapter 20.42 (Sign Standards), except as provided in this sign matrix.
- c) Sign Designs shall be consistent with Citywide Sign Design Guidelines Manual.
- d) Pursuant to NBMC Section 20.42.120(F), the Community Development Director may approve minor revisions to this approval if the intent of the original approval is not affected.

Attachment No. ZA 3

Project Plans



1901 Westcliff Drive Mariners Medical Arts

City Submittal Revised 6

06/14/2023

CONTACT INFORMATION

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BURNHAM WARD PROPERTIES

STEPHEN THORP
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THE ARCHITECTURE

A NEUTRA IN NEWPORT



Neutra was a prophet of clean, crisp modernism, and his houses, most of which were built in California, have inspired countless architects and emboldened preservationists.

The facility at 1901 Westcliff Drive was constructed in 1963, and while Neutra had many projects in Orange County, according to his son Dion, Neutra felt this was his most successful. It's also been cited by the Orange County chapter of the American Institute of Architects as one of the county's most significant buildings.

DESIGN PRINCIPLES

AESTHETIC, FEATURES & PERFORMANCE

SEAMLESSLY

INTEGRATED

Well-orchestrated signage systems become integral to the site, the architecture, and the experience. Signage should be woven into the fabric of the site through form, materiality, and use.

THOUGHTFULLY

MODULAR

Over time, the signage system should provide for both variety and flexibility in the ability to update key components of the signs without the need to replace the core elements and structures.

HISTORICALLY

GROUNDED

In accordance with the vision for the project's architectural expression, the signage should utilize clean materials in modern applications to achieve an attitude representing the spirit of place.

SIGN SCHEDULE | 01 of 01

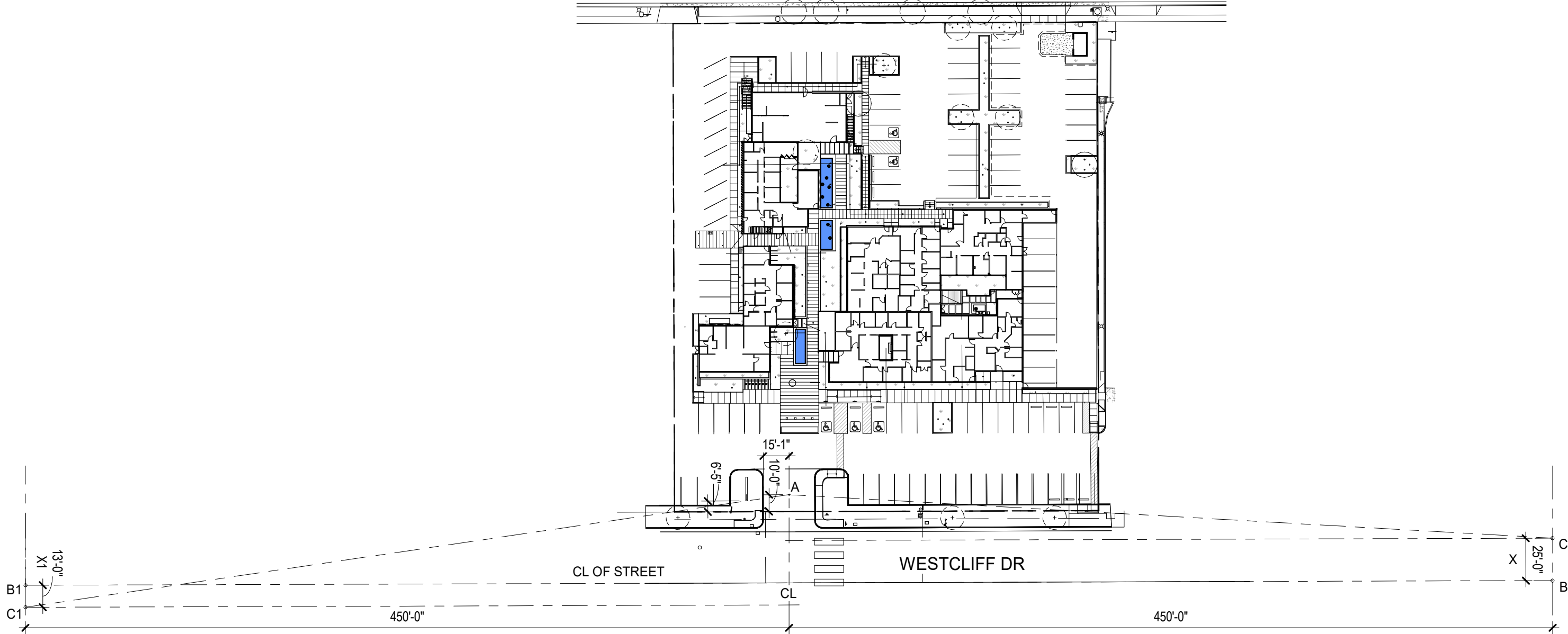
SIGN ID	SIGN TYPE	QUANTITY *	DIMENSIONS	SQUARE FOOT	ILLUMINATION	BACKING/FOUNDATION	NOTES
SIGNAGE							
A1	Project Monument	1	Width: 14'-0" Height: 6'-0"	Sign Area: 90 sqft/side Text Area: 12 sqft/side	Internal	Below-Grade Footing	
A2	Project Identity - Wall	1	Existing Historical Sign	Existing Historical Sign	None, Ambient	N/A	Existing historical sign to remain.
A3	Project Address	1	Width: 8'-0" Height: 6"	Text Area: 4 sqft	None, Ambient	Wall-Mounted	
B1	Tenant Room Plaque	12* Max 3 plaques per tenant	Width: 1'-7" Height: 3 1/2"	Sign Area: 1 sqft Text Area: 0.2 sqft	None, Ambient	N/A	N/A
B2	Suite Number	12*	Existing Historical Sign	Existing Historical Sign	None, Ambient	N/A	Existing historical sign to remain.

* Please note all final quantities and locations will need to be approved by the client and field verified by the sign fabricator prior to fabrication and installation.

The following table is pulled directly from the city code in reference to on-site monument signage. This table is included in this document as reference only, and is not intended to define the final dimensions of the monument sign within

Standard	Requirement	Proposed
Height	6 feet	6 ft
Width	1.5 x height	14'0" ft
Area	75 sf	90 sf
Minimum Letter Height	6"	9"
Base	Solid	Open
Landscaping	75 sf around sign	Seems compliant
Setbacks	5' from street PL 10' min from driveway edge	19'5" from street 10' min from driveway edge

SITE PLAN | Full Sight Line Triangle



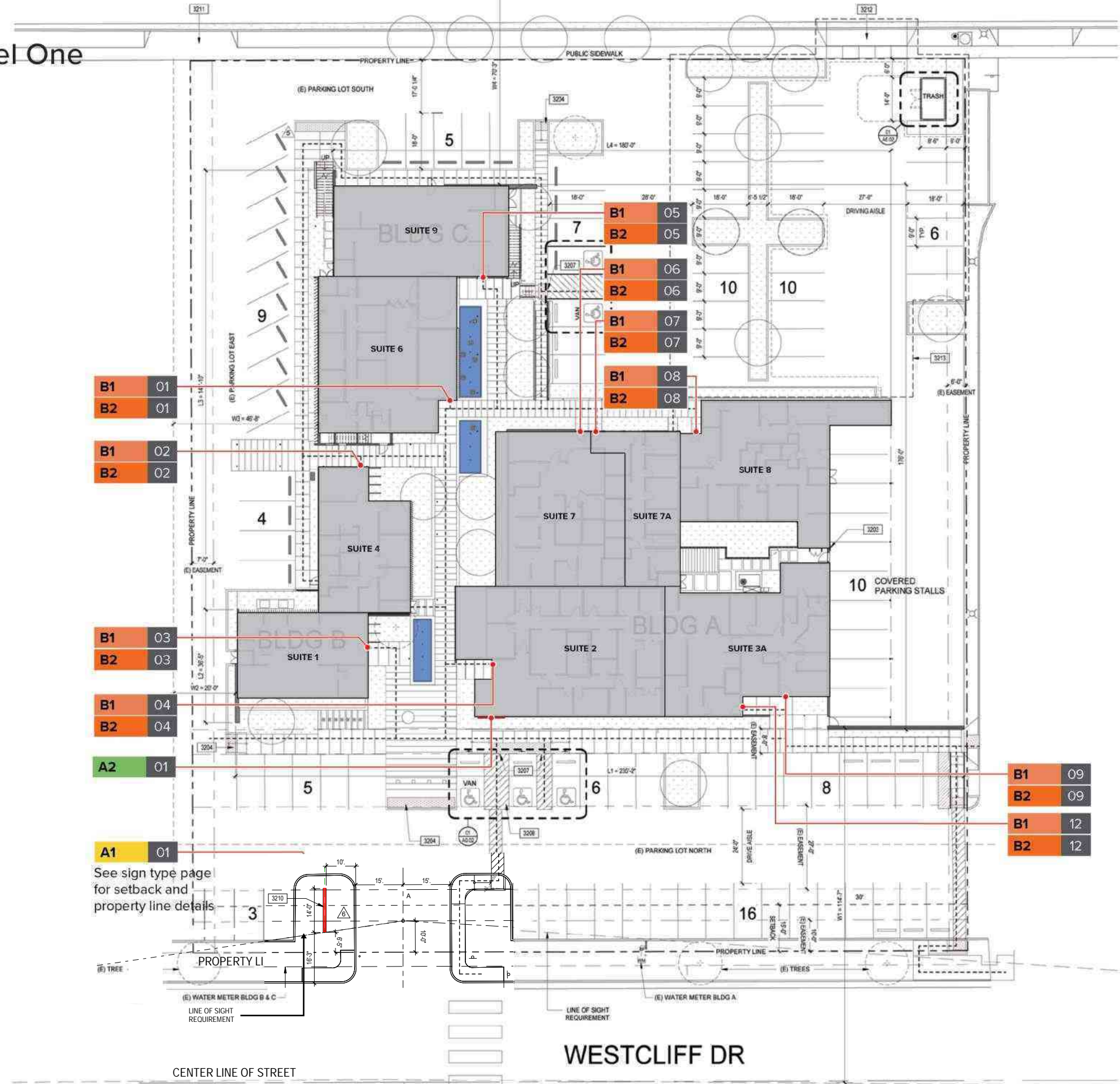
SCALE 1"=60'

SIGN LOCATION PLANS | Level One

#	PROJECT SIGNAGE
A1	Project Monument
A2	Project Identity - Wall
A3	Project Address - Wall
B1	Tenant Room Plaque*
B2	Suite Number**

*Quantities are estimates only, final quantities to be determined by client and tenant needs

**This sign type is existing



1 Location Plan
Scale: 1" = 35'



SIGN LOCATION PLANS | Level Two

#	PROJECT SIGNAGE
A1	Project Monument
A2	Project Identity - Wall
A3	Project Address - Wall
B1	Tenant Room Plaque*
B2	Suite Number**

*Quantities are estimates only, final quantities to be determined by client and tenant needs

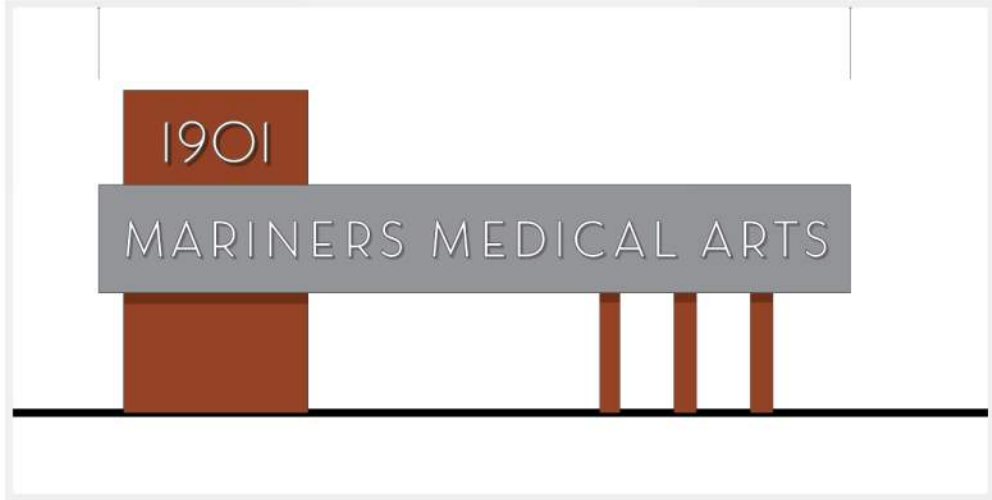
**This sign type is existing



1 Location Plan
Scale: 1" = 35'



Overview | All Sign Types



A1 | Project Identity Monument



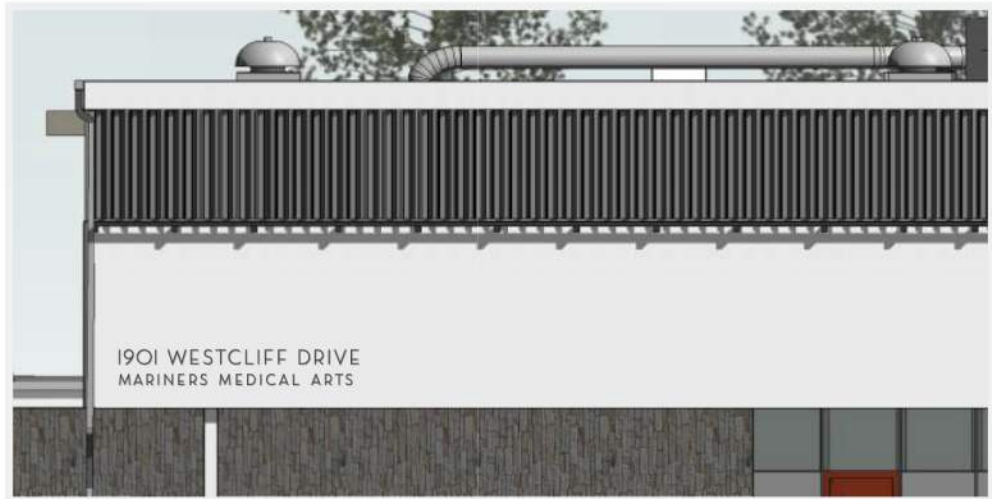
B1 | Tenant Room Plaque



A2 | Project Identity Wall



B2 | Suite Number

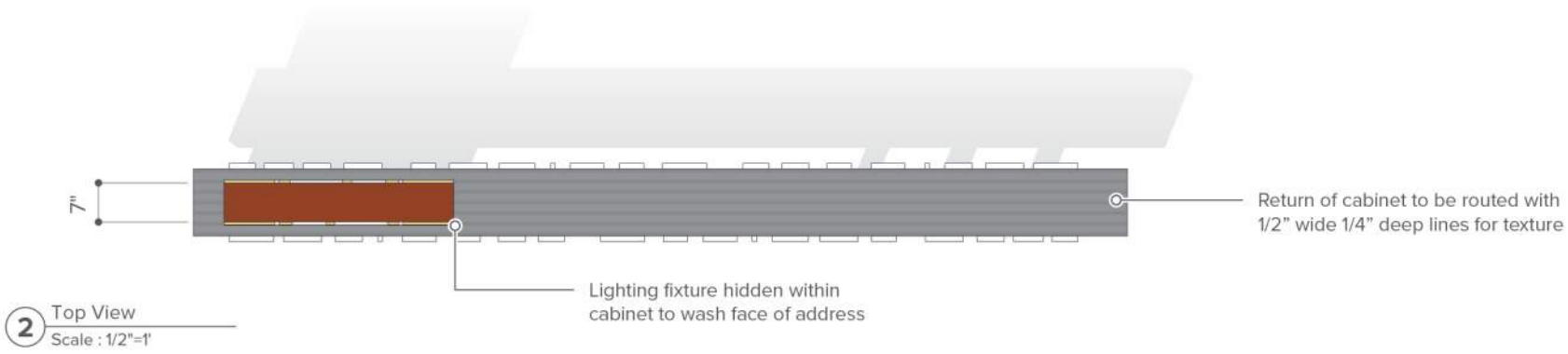


A3 | Project Address

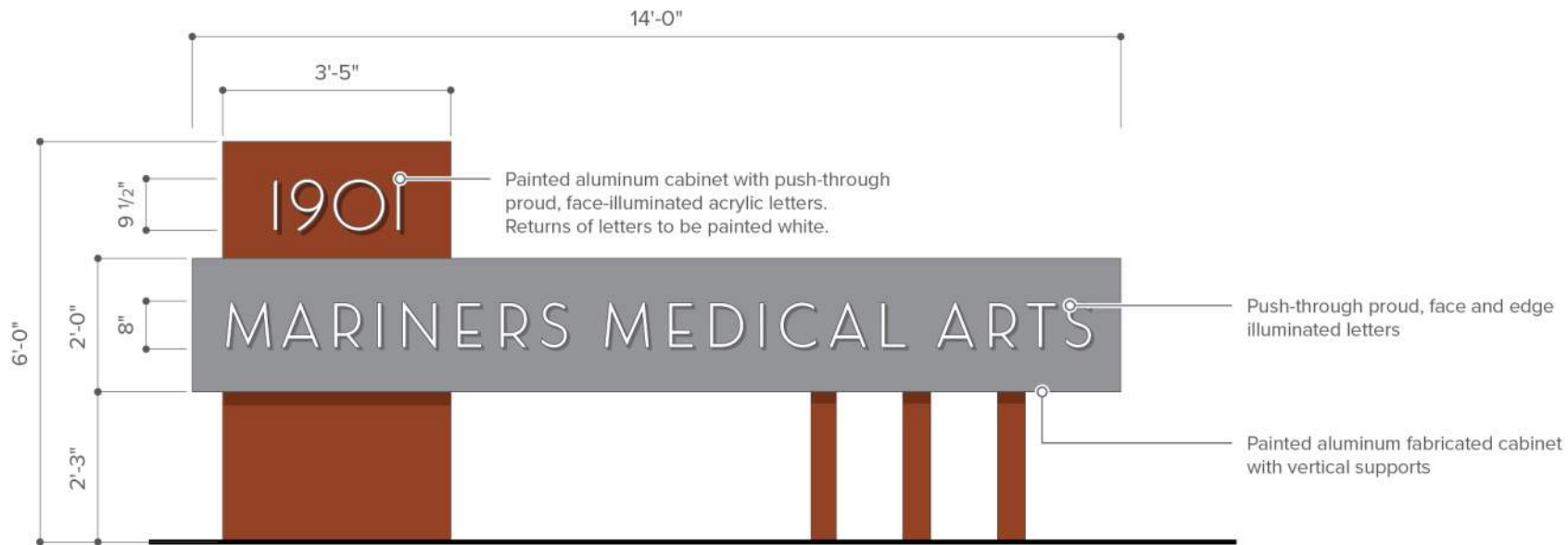
SIGN TYPE A1 | Project Identity Monument



1 Night View
Scale : 1/4"=1'

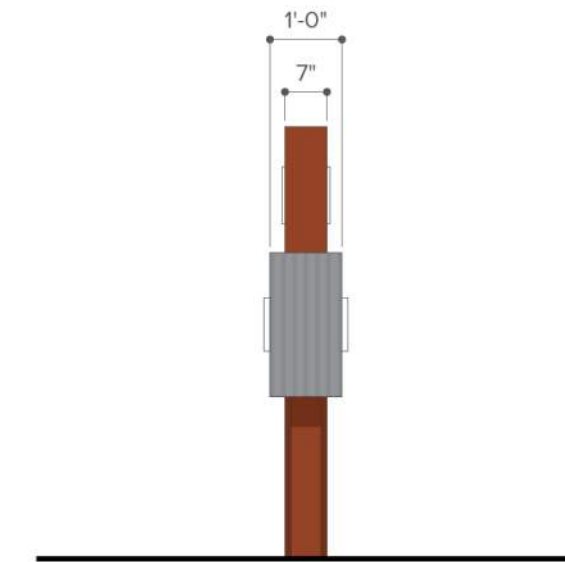


2 Top View
Scale : 1/2"=1'



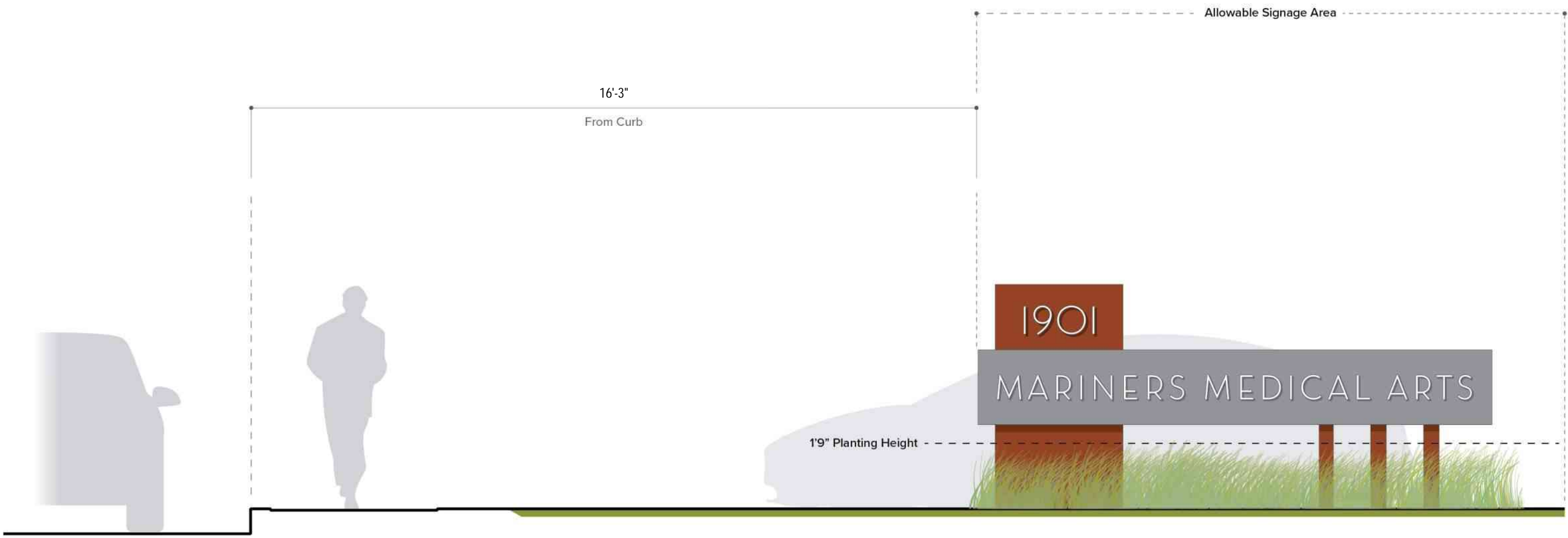
3 Front View
Scale : 3/8"=1'

Proposed Sign Height x Width	6'-0" x 14'-0"
Proposed Sign Area	90 Sq.Ft. (per side)
Sign Text Area	12 Sq.Ft. (per side)
Digital/Media	No
Illumination	Internal



4 Side View
Scale : 3/8"=1'

SIGN TYPE A1 | Project Identity Monument



1 Front View
Scale : 3/8"=1'

SIGN TYPE A1 | Project Identity Monument
Location Details

NOT USED

SIGN TYPE A2 | Project Identity - Wall

*Existing historical sign to remain.
Letters are 1 1/4" Deep*



1 Front View
Scale : NTS

SIGN TYPE A3 | Project Address

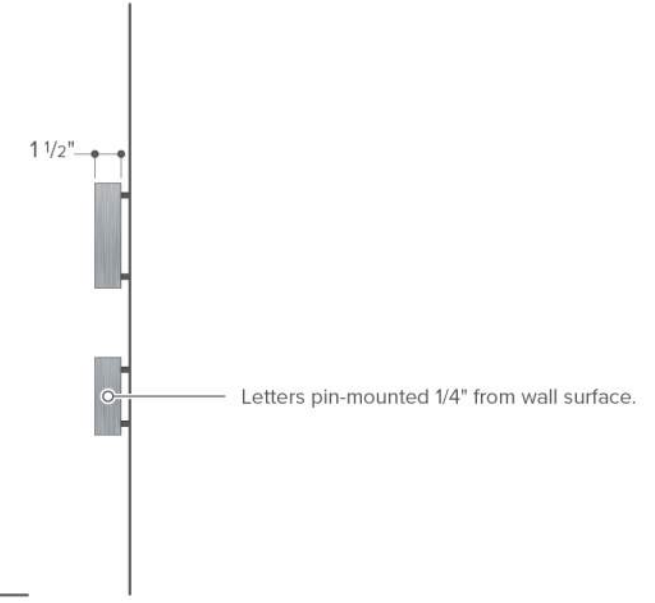
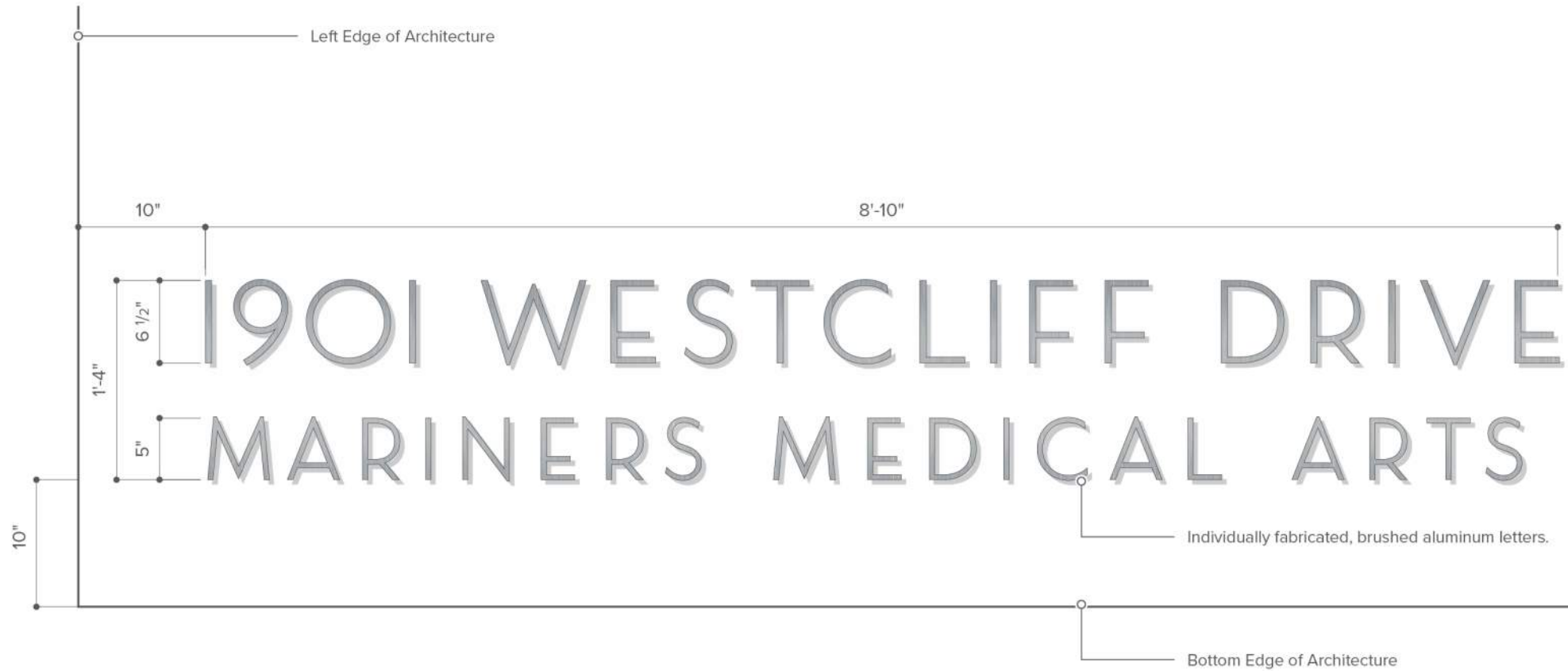


1 South Elevation
Scale : 3/16"=1'

SIGN TYPE A3 | Project Address

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Proposed Sign Height x Width	1'4" x 8'-10"
Proposed Sign Area	12 Sq.Ft. (per sign)
Digital/Media	No
Illumination	Ambient



1 Front View
Scale : 1 1/2"=1'

2 Front View
Scale : 1 1/2"=1'

SIGN TYPE B1 | Tenant Room Plaque

Prototypical Condition One - Right & Left Aligned

Proposed Sign Height x Width	3 1/2" x 1'-7"
Proposed Sign Area	0.46 Sq.Ft. (per sign)
Sign Text Area	0.18 Sq.Ft. (per sign)
Digital/Media	No
Illumination	Ambient



1 Front View
Scale : 1/2"=1'



A Detail
Scale : 3"=1'

SIGN TYPE B1 | Tenant Room Plaque

Prototypical Condition Two - Left Aligned



1 Front View
Scale : 1/2"=1'

B Detail - Side View
Scale : 3"=1'

A Detail - Front View
Scale : 3"=1'

SIGN TYPE B1 | Tenant Room Plaque

Prototypical Condition Three - Multi Tenant



SIGN TYPE B2 | Suite Number

Existing historical sign to remain.



1 Front View
Scale : NTS

THANK YOU

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