



## CITY OF NEWPORT BEACH COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION ACTION REPORT

TO: CITY COUNCIL, CITY MANAGER, AND PLANNING COMMISSION  
FROM: Seimone Jurjis, Assistant City Manager/Community Development Director  
SUBJECT: Report of actions taken by the Zoning Administrator, and/or Community Development Director for the week ending December 1, 2023.

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### ZONING ADMINISTRATOR PUBLIC HEARING ACTIONS NOVEMBER 30, 2023

- Item 1: Goetz Residential Condominium Conversion, Tentative Parcel Map, and Coastal Development Permit (PA2023-0084)  
Site Address: 2316 Pacific Drive
- |   |                  |   |
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| Action: Approved by Resolution No. ZA2023-070 | Council District | 6 |
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- Item 2: Wickett Residence Coastal Development Permit (PA2023-0140)  
Site Address: 309 East Bay Front
- |   |                  |   |
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| Action: Approved by Resolution No. ZA2023-071 | Council District | 5 |
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- Item 3: Tashima Residence Coastal Development Permit (PA2023-0130)  
Site Address: 32 Beacon Bay
- |   |                  |   |
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| Action: Approved by Resolution No. ZA2023-072 | Council District | 5 |
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- Item 4: Reuben Residence Coastal Development Permit (PA2023-0120)  
Site Address: 1580 East Ocean Front
- |   |                  |   |
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| Action: Approved by Resolution No. ZA2023-073 | Council District | 1 |
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**COMMUNITY DEVELOPMENT DIRECTOR  
OR ZONING ADMINISTRATOR ACTIONS**  
(Non-Hearing Items)

Item 1: Eastbluff Village Center Parking Reduction Staff Approval (PA2023-0124)  
Site Address: 2523 Eastbluff Drive

Action: Approved

Council District 4

**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. ZA2023-070

### **A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, APPROVING CONDOMINIUM CONVERSION, TENTATIVE PARCEL MAP, AND COASTAL DEVELOPMENT PERMIT TO CONVERT AN EXISTING DUPLEX INTO A TWO-UNIT CONDOMINIUM PROJECT LOCATED AT 2316 PACIFIC DRIVE (PA2023-0084)**

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

#### SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Andrew Goetz (Owner), with respect to property located at 2316 Pacific Drive, and legally described as Lot 4, Block 329 in the Corona Del Mar Tract requesting approval of condominium conversion, tentative parcel map, and coastal development permit.
2. The request for a condominium conversion and tentative parcel map to allow an existing duplex to be converted into a two-unit residential condominium. The existing duplex completed construction in 2014 per condominium standards; however, a tentative parcel map was never recorded, and the building permit was finalized as a duplex. The condominium conversion and the tentative parcel map will allow each unit to be sold individually. No waivers of Title 19 (Subdivisions) are proposed. A coastal development permit (CDP) is required because this property is in the Coastal Zone.
3. The property is designated RT (Two Unit Residential) by the General Plan Land Use Element and is located within the R-2 (Two-Unit Residential) Zoning District.
4. The subject property is located within the Coastal Zone. The Coastal Land Use Plan category is RT-D (Two Unit Residential) - (20.0-29.9 DU/AC) and it is located within the R-2 (Two-Unit Residential) Coastal Zone District.
5. A public hearing was held on November 30, 2023, online via Zoom. A notice of 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 categorically exempt pursuant to Title 14 of the California Code of Regulations Sections 15301 and 15315, Division 6, Chapter 3 Guidelines for Implementation of the California Environmental Quality Act (CEQA) under Class 1 (Existing Facilities) and Class 15 (Minor Land Divisions) because it has no potential to have a significant effect on the environment.

2. Class 1 exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The proposed project consists of the conversion of an existing 5,666 square-foot, two-unit dwelling with attached garages and covered parking to condominiums and does not involve new construction that will expand or enlarge the existing units. Minor public improvements may be required of the owner. The conversion of the two-unit dwellings into condominiums will allow the units to be sold separately.
3. Class 15 exempts the division of property in urbanized areas zoned for residential, commercial, or industrial use into four 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 years, and the parcel does not have an average slope greater than 20%. The existing two-unit dwelling is a permitted use and minimal physical improvements are necessary to allow the individual sale of the units. The site has not been subject to a prior subdivision and does not have a slope of greater than 20%.

### SECTION 3. REQUIRED FINDINGS.

#### *Condominium Conversion*

In accordance with Section 19.64.070 (Standards for Condominium Conversions) of the Newport Beach Municipal Code (NBMC), the following findings are set forth:

#### Finding:

- A. *The minimum number and the design and location of off-street parking spaces shall be provided in conformance with the provisions of the Zoning Ordinance in effect at the time of approval of the conversion.*

#### Fact in Support of Finding:

1. As currently constructed and conditioned, each unit will provide a one-car garage and a one -car carport. The four parking spaces provided meet the number of spaces required (two per unit) per Chapter 20.40 (Off-Street Parking) of the NBMC.

#### Finding:

- B. *Each dwelling unit within a building shall have a separate sewer connection to the City sewer.*

Fact in Support of Finding:

1. As constructed and conditioned, each unit will maintain separate sewer connections to the City sewer.

Finding:

*C. Each sewer lateral shall be retrofitted/fitted with a clean out at the property line.*

Fact in Support of Finding:

1. As constructed and conditioned, each unit will provide a separate sewer cleanout located at the property line.

Finding:

*D. Each unit shall maintain a separate water meter and water meter connection.*

Fact in Support of Finding:

1. As constructed and conditioned, each unit will maintain a separate water meter and water meter connection.

Finding:

*E. The electrical service connection shall comply with the requirements of Chapter 15.32 (Underground Utilities) of the Newport Beach Municipal Code.*

Fact in Support of Finding:

1. The existing two-unit dwelling was constructed with an electrical service connection that was, at such time, determined to comply with the requirements of NBMC Chapter 15.32 (Underground Utilities). No upgrades or changes are required to the existing service connections.

Finding:

*F. The applicant for a condominium conversion shall request a special inspection from the Building Division for the purpose of identifying any building safety violations. The applicant shall correct all identified safety violations prior to the approval of a final map for the condominium conversion.*

Fact in Support of Finding:

1. A special inspection form was completed on November 20, 2023, by the Building Inspector. The Building Inspector concluded that the duplex was constructed and finalized with all of the required minimum standards of the Uniform Housing Code as adopted by the City of Newport Beach. The duplex was constructed with all of the required minimum standards of the Uniform Housing Code as adopted by the City of Newport Beach. There are no corrections required.

Finding:

- G. Permanent lot stakes and tags shall be installed at all lot corners by a licensed surveyor or civil engineer unless otherwise required by the City Engineer.*

Fact in Support of Finding:

1. As conditioned, the project will comply with this requirement prior to the recordation of the final parcel map.

Finding:

- H. For residential conversions, the project shall be consistent with the adopted goals and policies of the General Plan, particularly with regard to the balance and dispersion of housing types within the City.*

Facts in Support of Finding:

1. The project site is designated as RT (Two Unit Residential) by the Land Use Element of the General Plan. The existing two-unit dwelling is consistent with the RT land use category, which is intended to provide for two-unit dwelling units such as duplexes and townhomes. Thus, the project is consistent with the adopted goals and policies of the Land Use Element and other Elements of the General Plan.
2. The existing two-unit dwelling will be converted into a two-unit condominium. The residential density on the site will remain the same.

Finding:

- I. The establishment, maintenance, or operation of the use or building applied for shall not, under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.*

Facts in Support of Finding:

1. The application of the project as conditioned will ensure the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood and the City.
2. The requested application is to convert an existing two-unit dwelling into two condominiums for individual sale of the units on property located within the R-2 Zoning District.
3. Public improvements will be required of the Applicant per the Title 19 (Subdivisions) of the NBMC and the Subdivision Map Act.

*Tentative Parcel Map*

In accordance with [Section 19.12.070 \(Required Findings for Action on Tentative Maps\)](#) of the NBMC, the following findings are set forth:

Finding:

*J. 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-unit residential condominium purposes. The two-unit dwellings comply with current condominium standards. The proposed subdivision and improvements are consistent with the density of the R-2 Zoning District and the RT General Plan Land Use Designation.
2. The property is not located within a specific plan area.

Finding:

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

Facts in Support of Finding:

1. The lot is physically suitable for two-unit development because it is regular in shape. The property has been developed with two units since 2014.
2. The subject property is accessible from the alley at the rear and is adequately served by existing utilities.

Finding:

*L. 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.*

Fact in Support of Finding:

1. This project has been reviewed, and it has been determined that it qualifies for a Class 1 and Class 15 categorical exemption pursuant to Title 14 of the California Code of Regulations (Sections 15301 and 15315, Division 6, Chapter 3 Guidelines for Implementation of the California Environmental Quality Act).
  - a. Class 1 exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The proposed project consists of the conversion of an existing 5,666 square-foot, two-unit dwelling with attached garages and covered parking to condominiums and does not involve new construction that will expand or enlarge the existing units. Minor public improvements may be required of the owner. The conversion of the two-unit dwellings into condominiums will allow the units to be sold separately.
  - b. Class 15 exempts the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning; no variances or exceptions are required, and 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 years, and the parcel does not have an average slope greater than 20%. The existing two-unit dwelling is a permitted use and minimal physical improvements are necessary to allow the requested condominium conversion for the individual sale of the units. The site has not been subject to a prior subdivision and does not have a slope of greater than 20%.

Finding:

*M. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.*



Fact in Support of Finding:

1. The Tentative Parcel Map is for residential 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 applicant per Section 19.28.010 (General Improvement Requirements) of the NBMC 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:

- N. 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 design of the development will not conflict with easements acquired by the public at large, for access through, or use of property within the proposed development, because there are no public easements located on the property.

Finding:

- O. The 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 site is developed for residential use and is in a Zoning District that permits residential uses.

Finding:

*P. 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:

*Q. 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 Newport Beach Building Division enforced the Title 24 compliance through the plan check and inspection process.

Finding:

*R. 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 two-unit dwelling is consistent with the R-2 Zoning District which allows two residential units on the property. No changes are proposed to the number of units on site. Therefore, the Tentative Parcel Map for condominium purposes will not affect the City in meeting its regional housing need.

Finding:

*S. 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 two-unit dwelling was designed so that wastewater discharge into the existing sewer system complies with the Regional Water Quality Control Board (RWQCB) requirements.

Finding:

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

Fact in Support of Finding:

1. The subject property is located within the Coastal Zone. A coastal development permit is requested in conjunction with the proposed tentative parcel map and condominium conversion application. The project complies with the certified Local Coastal Program (LCP) and public access and recreation policies of Chapter 3 of the Coastal Act. The Facts in Support of Findings U and V for the *Coastal Development Permit* (below) are hereby incorporated by reference.

*Coastal Development Permit*

In accordance with [Section 21.52.015\(F\) \(Coastal Development Permits - Findings, and Decision\)](#) of the NBMC, the following findings and facts in support of such findings are set forth:

Finding:

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

Facts in Support of Finding:

1. The Tentative Parcel Map is for two-unit residential condominium purposes. The existing 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 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.

3. The property is over 350 feet from the harbor and is not near any natural landforms or environmentally sensitive areas.

Finding:

- V. 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 project site 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 includes the conversion of an existing two-unit dwelling into a two-unit condominium. 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 was designed and sited (appropriate height, setbacks, etc.) so as not to block or impede existing public access opportunities.
2. The property is over 350 feet from the harbor and approval of the parcel map will not affect public recreation, access, or views.

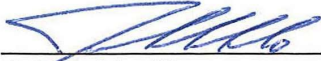
SECTION 4. DECISION.

**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 15301 and 15315 under Class 1 (Existing Facilities) and Class 15 (Minor Land Divisions) of the CEQA Guidelines, California Code of Regulations, Title 14, 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 Condominium Conversion, Tentative Parcel Map, and Coastal Development Permit (PA2023-0084), 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 this Resolution was adopted unless within such time an appeal or call for review is filed with the Director of Community Development in accordance with the provisions of NBMC Title 19 (Subdivisions) and Title 21 (Local Coastal Program Implementation Plan). Final action taken by the City on the coastal development permit may be appealed to the Coastal Commission in compliance with Section 21.64.035 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 30<sup>th</sup> DAY OF NOVEMBER 2023.**



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Jaime Murillo  
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. The applicant shall obtain a building permit for the condominium conversion. The building permit for the condominium conversion shall not receive final inspection until after the recordation of the parcel map.
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 revocation of this approval.
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 (Local Coastal Program Implementation Plan) of the NBMC.
5. To the fullest extent permitted by law, Applicant shall indemnify, defend 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 **Goetz Residential Condominiums** including, but not limited to, **Condominium Conversion, Tentative Parcel Map, and Coastal Development Permit (PA2023-0084)**. 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 Applicant, City, and/or the parties initiating or bringing such proceeding. The Applicant shall indemnify the City for all of the City's costs, attorneys' fees, and damages, which the 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**

6. A Parcel Map shall be recorded. The map shall be prepared on the California coordinate system (North American Datum of 1983, NAVD83). 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 the said map in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County

Subdivisions 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.**

7. 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 (1-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 the construction project.
8. All improvements shall be constructed as required by Ordinance and the Public Works Department.
9. All damaged sidewalk panels, curb, gutter, and street along the Pacific Drive frontage and any damaged concrete alley panels along the alley property frontage shall be reconstructed as determined by the Public Works Department.
10. The existing artificial turf shall be modified to allow for adequate clearance around the tree trunk per the direction of the Public Works Department. The owner shall enter into an artificial turf agreement.
11. Each unit shall be served by its own water meter and sewer lateral and cleanout. Each water meter and sewer cleanout shall be installed with a traffic-grade box and cover.
12. All existing overhead utilities shall be undergrounded.
13. No above-ground improvements are permitted within the 5-foot alley setback area.
14. An encroachment permit is required for all work activities within the public right-of-way.
15. All improvements shall comply with the City's sight distance requirement pursuant to City Standard 105-L.
16. All on-site drainage shall comply with the latest City Water Quality requirements.
17. 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.

### **Building Division**

18. Independent utility services shall be provided for each unit.

19. If fire sprinklers are required now or in the future, then independent fire risers shall be required for each unit.
20. All construction activities shall comply with the California Code of Regulations.



## RESOLUTION NO. ZA2023-071

### A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING A COASTAL DEVELOPMENT PERMIT TO DEMOLISH AN EXISTING CARPORT AT A SINGLE-UNIT DWELLING AND CONSTRUCT A NEW ATTACHED TWO-CAR GARAGE AND ROOM ADDITION AT 309 EAST BAY FRONT (PA2023-0140)

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

#### SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Ryan Oldham of Oldham Architects, concerning property located at 309 East Bay Front and legally described as Lot 31 of Tract No. 742, requesting approval of a coastal development permit.
2. The applicant requests a coastal development permit (CDP) to allow the construction of a 768 square foot addition to an existing two-story 1,948 square foot single-unit residence. The proposed addition includes the demolition of an existing carport and the construction of a new 449 square-foot attached two-car garage with a 319 square foot room addition above. The project also includes interior remodeling and new second and third floor deck areas. A CDP is required because the proposed addition exceeds 10% of the existing gross floor area. The total gross floor area after the addition would be approximately 2,716 square feet. The project complies with all applicable development standards and no deviations are requested. All improvements authorized by this CDP will be located on private property.
3. The subject property is designated Two Unit Residential (RT) by the General Plan Land Use Element and is located within the Two-Unit Residential, Balboa Island (R-BI) Zoning District.
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is Two Unit Residential (RT-E) (30.0 – 39.9 DU/AC) and it is located within the Two-Unit Residential, Balboa Island (R-BI) Coastal Zoning District.
5. A public hearing was held on November 30, 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, construction, or conversion of up to three single-family residences in urbanized areas. The proposed project consists of the demolition of an existing carport, the construction of a new 449 square-foot garage, 319 square feet of living space, interior remodeling, and new outdoor decks.
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(F) (Coastal Development Permits - Findings and Decision) of the NBMC, 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 addition and remodel project complies with applicable residential development standards including, but not limited to, floor area limitation, setbacks, height, and parking.
2. The maximum floor area limitation is 2,720 square feet and the proposed floor area is approximately 2,719 square feet.
3. The proposed project provides the minimum required setbacks, which are 5 feet along the front property line abutting the Newport Bay, 3 feet along each side property line, and 0 feet along the rear property line abutting Crystal Avenue. The existing single-unit dwelling is a non-conforming structure due to setbacks because the existing westerly wall encroaches into the 3-foot side setback area approximately 1 foot and 3 inches. No changes are proposed to the area of encroachment.
4. Section 21.38.040 (Nonconforming Structures) of the NBMC authorizes the expansion of nonconforming structures and the retention of existing nonconforming elements of a structure subject to specific limitations and considerations. The project complies with Section 21.38.040 as follows:
  - a. The project proposes an addition that is approximately 19 percent of the existing floor area, which is below the maximum 75 percent allowance. The 19 percent of existing floor area accounts for NBMC 21.38.40(G)(6), which allows 400 square feet of the garage to be excluded from the calculation.

- b. The addition does not block or impede public access and impair public views as discussed in Facts in Support of Findings A-13, A-14, B-1, and B-2.
  - c. The project site is not located in a Bluff (B) Overlay or Canyon (C) Overlay District. Furthermore, the project site is fully developed and has no habitat value.
  - d. The development, including the addition, has been found to be safe from erosional and coastal hazards for the life of the structure as discussed in Facts in Support of Findings A-8, A-9, A-10, and A-11.
  - e. The project is not located in a visually degraded area and as discussed in Fact in Support Finding A-7, the project, including the addition, is visually compatible with the character of the surrounding area.
  - f. The existing structure is not architecturally or historically significant.
5. The highest guardrail is less than 24 feet from the established grade (7.26 feet NAVD88) and the highest ridge is no more than 29 feet from the established grade, which complies with the maximum height requirements.
6. The project includes a new 449 square foot garage for a total of two vehicles, complying with the minimum two-car garage parking requirement for single-unit dwellings with less than 4,000 square feet of habitable floor area.
7. The neighborhood is predominantly developed with two-story, single-unit dwellings. The proposed design, bulk, and scale of the development are consistent with the existing neighborhood pattern of development.
8. A Coastal Hazards Report and Sea Level Rise Analysis was prepared by GeoSoils, Inc. dated July 7, 2023. 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 9.1 feet (NAVD 88) during high tide or storm events. The report analyzes future sea level rise scenarios assuming a 3.2-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 10.9 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).
9. The finished floor elevation of the existing single-unit dwelling is 8.58 feet (NAVD 88). However, the new area of addition (living area) has a finished floor elevation of approximately 17.5 feet NAVD88 which complies with the minimum 9.00-foot (NAVD 88) elevation standard. Additionally, the project is conditioned to provide waterproofing up to 10.9 feet NAVD88, which would protect the existing first floor of the single-unit dwelling from flooding events and future sea level rise.

10. Most of the streets on Little Balboa Island are approximately 6.5 feet (NAVD88), and flooding on Little Balboa Island is an existing coastal hazard. The public boardwalk is continuous and provides public access around the entire island. The existing bulkhead is owned by the City of Newport Beach; therefore, the adjacent property owner is not able to increase the height of the bulkhead as part of this CDP. If the City adopts comprehensive sea level rise adaptation strategies to protect the public streets and public access areas that are already experiencing flooding, then the property owner will also be protected as a result. As a condition of approval, the property owner will be required to waive their rights to future protection devices and acknowledge coastal hazards present at the site.
11. 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 the CBC before building permit issuance.
12. As conditioned, the project design will address water quality with a construction erosion control plan and a post-construction drainage system that includes drainage and percolation features designed to retain dry weather runoff and minor rain event runoff on-site. Any water not retained on-site will be directed to the City's storm drain system.
13. The closest designated Public Viewpoint is the Park Avenue bridge, located approximately 700 feet to the southwest of the property. Due to the distance of the proposed development from the Public Viewpoint as well as the intervening development between, the project will not be visible from the aforementioned locations and will not result in impacts to coastal views.
14. As a bayfront property, the north elevation of the new development will be visible from the water. The proposed addition complies with all required setbacks which minimize the appearance of building bulk, and the design uses architectural treatments which will enhance views from the water. Further, the RB-I Zoning District allows the construction of three stories, where only two stories and a third-floor roof deck are proposed, thereby reducing the bulk and scale of the structure. Therefore, the project does not have the potential to degrade the visual quality of the Coastal Zone or result in significant adverse impacts on public 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.*

Fact 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 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 results in an addition to an existing single-unit dwelling located on a standard R-BI lot. 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. Vertical access to Little Balboa Island and the East Bay Front boardwalk is available at the Park Avenue bridge that connects Balboa Island to Little Balboa Island. The project is adjacent to the Boardwalk, which provides lateral access around Little Balboa and Balboa Island. The project does not include any new features that would obstruct access along this route.

#### 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 (PA2023-0140), 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 30<sup>TH</sup> DAY OF NOVEMBER, 2023.**



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Jaime Murillo  
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. *Prior to 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 to address the threat of damage or destruction from waves, erosion, storm conditions, landslides, seismic activity, bluff retreat, sea level rise, or other natural hazards that may affect the property, or development of the property, today or in the future. The agreement shall be binding against the property owners and successors and assigns.*
3. *Prior to the final building permit inspection, 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 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 the City's approval of the development. This letter shall be scanned into the plan set before building permit issuance.*
4. *Prior to the issuance of building permits, a waterproofing curb or similar design feature shall be constructed around the proposed residence as an adaptive flood protection device up to a minimum of 10.9 feet (NAVD88). Flood shields (sandbags and other methods) can be deployed across the openings to protect and prevent flooding to the structure.*
5. 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.
6. 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.

7. This Coastal Development Permit does not authorize any development seaward of the private property.
8. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new Coastal Development Permit.

14. The project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the conditions of approval.
15. 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.
16. 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.
17. *Prior to 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.*
18. *Prior to 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.*
19. *Prior to issuance of building permits, a copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans.*
20. Construction activities shall comply with Section 10.28.040 (Construction Activity – Noise Regulations) 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.
21. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 (Community Noise Control) 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

22. 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.



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23. 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.
  24. 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.
  25. 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 **Wickett Residence including but not limited to, Coastal Development Permit (PA2023-0140)**. 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.

## RESOLUTION NO. ZA2023-072

**A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING A COASTAL DEVELOPMENT PERMIT TO DEMOLISH AN EXISTING SINGLE-UNIT DWELLING AND CONSTRUCT A NEW 3,571 SQUARE-FOOT SINGLE UNIT DWELLING WITH A 709 SQUARE-FOOT ATTACHED ACCESSORY DWELLING UNIT (ADU) AND 708 SQUARE-FOOT ATTACHED THREE-CAR GARAGE LOCATED AT 32 BEACON BAY (PA2023-0130).**

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

### SECTION 1. STATEMENT OF FACTS.

1. An application was filed by John Robert Walz of Walz: Architecture, on behalf of Paul Tashima, concerning the property located at 32 Beacon Bay, requesting approval of a coastal development permit. The property is legally described as Parcel 32 of Record of Survey RS\_009\_42-43 ("Property").
2. The applicant requests a coastal development permit to demolish an existing 2,674 square-foot single-unit dwelling and construct a new, three-story 3,571-square-foot, single-unit dwelling with a 709-square-foot accessory dwelling unit (ADU) and 708-square-foot attached three-car garage. The project also includes appurtenances such as a covered front deck and 1,181 square-feet of landscaping. The project complies with all development standards and no deviations from the Newport Beach Municipal Code (NBMC) are requested.
3. The subject property is categorized as Two Unit Residential (RT) by the General Plan Land Use Element and is located within the Two-Unit Residential (R-2) Coastal Zoning District.
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is RT-C (Two Unit Residential), and it is located within the Two-Unit Residential (R-2) Coastal Zoning District
5. A public hearing was held on November 30, 2023, online via Zoom. A notice of the time, place, and purpose of the hearing was given by the 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, 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 single-family dwellings and additions of up to 10,000 square feet to existing structures. The proposed project consists of the demolition of one, single-unit dwelling and the construction of a three-story 3,571-square-foot, single-unit dwelling with a 709-square-foot attached accessory dwelling unit (ADU) and 708-square-foot attached three-car garage in the Two-Unit (R-2) Coastal Zoning District.
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.

In accordance with Section 21.52.015(F) (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 5,958 square feet and the proposed floor area is 4,988 square feet.
  - b. The proposed development provides the minimum required setbacks, which are 5 feet along the front property line abutting Schooner Road, 3 feet along each side property line, and 12 feet on the front property line abutting Reef Cove.
  - c. The highest guardrail is less than 24 feet from established grade (9.00 feet North American Vertical Datum of 1988 (NAVD 88)) and the highest ridge is less than 29 feet from established grade, which comply with the maximum height requirements.
  - d. The project includes garage parking for a total of three vehicles, complying with the minimum two-car garage parking requirement for single-unit dwelling with less than 4,000 square feet of habitable floor area. Parking is not required for the attached ADU due to the project location being less than 0.5 mile from a transit stop.

2. The neighborhood is predominantly developed with two- and three-story, single- and two-unit dwellings. The proposed design, bulk, and scale of the development are consistent with the existing neighborhood pattern of development.
3. The project proposes to demolish an existing single-unit dwelling and construct a single-unit dwelling with an attached accessory dwelling unit (ADU). As a result, the project complies with the Housing Crisis Act of 2019 and Senate Bill 8 (Skinner) because it does not result in the loss of residential density. The property owner has certified that the units are not "protected" units under Section 66330 Subdivision (d)(2). The project is consistent with the General Plan, Local Coastal Program, and Zoning designations that allow the single-family and ADU land uses. Under the Coastal Land Use Plan Table 2.1.1-1, the Two Unit Residential (RT-C) category is intended for a range of two-unit residential dwelling units such as duplexes and townhomes. Implementation Program (IP) Table 21.18-1 shows "Single-Unit Dwellings – Detached" and "Accessory Dwelling Units" as allowed uses in the R-2 Coastal Zoning District. Therefore, the project of demolishing a single-unit dwelling and constructing a single-unit dwelling with an attached accessory dwelling unit is consistent with the R-2 zoning district and land use designations and does not result in a loss of residential density.
4. The finished floor elevation of the first floor of the Project is 11.15 feet (NAVD 88), which complies with the minimum 9.00-foot (NAVD 88) elevation standard for new structures.
5. 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
6. The property is located within approximately 250 feet of coastal waters. Under Section 21.35.030 (Construction Pollution Prevention Plan) of the Municipal Code, a Construction Pollution Prevention Plan (CPPP) is required 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. A CPPP has been provided and construction plans and activities will be required to adhere to the CPPP.
7. Pursuant to Section 21.35.050 of the NBMC (Water Quality and Hydrology Plan), due to the proximity of the development to the shoreline and the development containing more than 75% of impervious surface area, a Water Quality and Hydrology Plan (WQHP) is required. A preliminary WQHP has been prepared for the project by Toal Engineering, Inc. February 8, 2022. The WQHP 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.

8. Proposed landscaping complies with Implementation Plan Section 21.30.075 (Landscaping). A condition of approval is included that requires drought-tolerant species. Prior to issuance of building permits, the final landscape plans will be reviewed to verify invasive species are not planted.
9. 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 at the Balboa Yacht Basin that is approximately 800 feet to the east, however the project is not visible from that location due to the distance and intervening structures. The site is within the general view as seen from designated viewpoints above the project site. The project replaces an existing single-unit dwelling with a single-unit dwelling and attached accessory dwelling unit (ADU) that comply with all applicable Local Coastal Program (LCP) development standards and maintains a building envelope consistent with the existing pattern of development. Therefore, the project does not have the potential to degrade the visual quality of the Coastal Zone or result in significant adverse impacts on public 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 in the Promontory Bay area between the nearest public road and the Newport Bay. 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 dwelling on a standard residential lot with a new single-unit dwelling and attached ADU, consistent with the existing neighborhood pattern of development and applicable development standards. Therefore, the project does not involve a change in land use 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. Vertical and lateral access to the Newport Bay is available at the street ends of the Reef Cove Strada. The proposed development for the project is located entirely within the confines of private property, with the exception of an on-grade decorative wood walkway extending approximately 16 feet into the Reef Cove Strada. The walkway is conditioned to require approval of an encroachment permit from the Public Works Department. The proposed development does not include any features that would obstruct access to the Newport Bay.

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 the Coastal Development Permit (PA2023-0130), 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 30<sup>TH</sup> DAY OF NOVEMBER, 2023.**



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Jaime Murillo  
Zoning Administrator

**EXHIBIT “A”****CONDITIONS OF APPROVAL****Planning Division**

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. *Prior to the issuance of a building permit, the property owner shall record a deed restriction with the County Recorder’s Office, the form and content of which is satisfactory to the City Attorney, prohibiting the use of the accessory dwelling unit for short-term rentals (i.e., less than 30 days) and prohibiting the sale of the ADU separate from the principal dwelling. This deed restriction shall remain in effect so long as the accessory dwelling unit exists on the property.*
3. 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.
4. 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.
5. 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.

6. 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.
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. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new Coastal Development Permit.
9. The project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the conditions of approval.
10. 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.
11. 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.
12. *Prior to the issuance of a building permit, the applicant shall submit a final drainage and grading plan. The plan shall be subject to review and approval by the Building Division.*
13. *Prior to the 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.*
14. *Prior to the issuance of a building permit, the Applicant shall submit a final construction erosion control plan. The plan shall be subject to review and approval by the Building Division.*
15. *Prior to the issuance of a building permit, the final WQHP/WQMP shall be reviewed and approved by the Building Division. Implementation shall comply with the approved CPPP and WQHP/WQMP and any changes could require separate review and approval by the Building Division.*
16. Construction activities shall comply with Section 10.28.040 (Construction Activity – Noise Regulations) 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, and 8:00 a.m. and 6:00 p.m. on Saturday. Noise-generating construction activities are not allowed on Saturdays, Sundays, or Holidays.



17. 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

18. Prior to the issuance of a building permit, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Division.
19. 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.
20. This Coastal Development Permit No. PA2023-0130 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.
21. 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 **Tashima Residence, including but not limited to, Coastal Development Permit No. PA2023-0130**. 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.

**Building Division**

22. For habitable levels located more than one story above or more than one story below an egress door: The maximum travel distance from any occupied point to a stairway or ramp that provides egress from such habitable level or basement shall not exceed 50'. R311.4 2
23. Revise travel distance to include the most remote point, 18" away from edge of the wall and 18" to stair landing edge.

**Public Works Department**

24. An encroachment permit and encroachment agreement are required for the proposed decorative walkway within the Reef Cove right of way.
25. The proposed driveway approach shall be compliant with City Standard.
26. The garage finish floor shall be 6" above the adjacent flowline of Schooner Road.
27. A new sewer clean-out shall be installed on the existing sewer lateral per City Standard 406.

**Fire Department**

28. NFPA 13D fire sprinklers shall be installed in the development.

## RESOLUTION NO. ZA2023-073

### **A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING A COASTAL DEVELOPMENT PERMIT TO DEMOLISH AN EXISTING SINGLE-UNIT DWELLING AND CONSTRUCT A NEW TWO-STORY SINGLE-UNIT DWELLING AND ATTACHED TWO-CAR GARAGE LOCATED AT 1580 EAST OCEAN FRONT (PA2023-0120)**

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

#### SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Octavio Hernandez of Brandon Architects, concerning property located at 1580 East Ocean Front and legally described as Lot 21, Block B of Tract No. 518, requesting approval of a coastal development permit.
2. The applicant requests a coastal development permit (CDP) to allow the demolition of an existing single-unit dwelling and construction of a new 3,515-square-foot two-story single-unit dwelling and an attached 453-square-foot two-car garage. The project also includes landscaping, hardscaping, and site walls. The project complies with all applicable development standards and no deviations are requested.
3. The subject property is designated Single Unit Residential Detached (RS-D) by the General Plan Land Use Element and is located within the Single-Unit Residential (R-1) Zoning District.
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is Single Unit Residential Detached (RSD-C) (10.0 – 19.9 DU/AC) and it is located within the Single-Unit Residential (R-1) Coastal Zoning District.
5. A public hearing was held on November 30, 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, construction, or conversion of up to three single-family residences in urbanized areas. The proposed project consists of the demolition of an existing single-unit dwelling and construction of a new 3,515-square-foot two-story single-unit dwelling and an attached 453-square-foot two-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(F) (Coastal Development Permits - Findings and Decision) of the NMBC, 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 4,752 square feet and the proposed floor area is 3,968 square feet.
  - b. The proposed development provides the minimum required setbacks, which are 10 feet along the front property line abutting the East Ocean Front, 3 feet along each side property line, and 0 feet along the rear property line abutting the East Ocean Front alley.
  - c. The highest guardrail is less than 24 feet from the established grade (13.15 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 vehicles, complying with the minimum two-car garage parking requirement for single-unit dwellings with less than 4,000 square feet of habitable floor area.
2. The neighborhood is predominantly developed with two and three story, single-unit dwellings. The proposed design, bulk, and scale of the development are consistent with the existing neighborhood pattern of development.
3. A Coastal Hazards Report was prepared by PMA Consulting, INC. on June 3, 2023. The project site is separated from the water by a wide sandy beach. The site is approximately 340 feet from the mean high tide line. The report concludes that the highest high tide elevation (currently 7.7 feet North American Vertical Datum of 1988 [NAVD 88]) will not exceed 10.8 feet (NAVD 88) using the low-risk aversion projected sea level rise (3.2-foot increase) over the 75-year design life of the structure based on estimates for sea

level rise provided by the State of California Sea-Level Rise Guidance 2018. The report states that the estimated sea level rise over the next 75 years, using the Medium-High Risk Aversion, is potentially 6.7 feet (14.4 feet NAVD 88). The finish floor elevation of the proposed dwelling is 15 feet (NAVD 88). Additionally, the site has not historically been subject to any wave overtopping, nor is overtopping waters over the next 75 years expected to reach the subject site, even under extreme conditions. Based on the data provided, the study provides no recommendations necessary for shoreline protection devices and concludes that coastal hazards will not impact the property over the next 75 years, as the proposed project has minimal risk from flooding.

4. The finished floor elevation of the proposed single-unit dwelling is 15 feet (NAVD 88), which complies with the minimum 9.00-foot (NAVD 88) elevation standard.
5. 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.
6. The property is located adjacent to coastal waters. Under Section 21.35.030 (Construction Pollution Prevention Plan) of the Municipal Code, a Construction Pollution Prevention Plan (CPPP) is required 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. A CPPP has been provided and construction plans and activities will be required to adhere to the CPPP.
7. Proposed landscaping complies with Implementation Plan Section 21.30.075. 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.
8. The project site is not located adjacent to a coastal view road, public viewpoint, public park, or public accessway, as identified in the Coastal Land Use Plan. The project site is located adjacent to a public beach and is visible from the beach. The project is also located adjacent to the I Street street-end. The project may be located within the viewshed of other distant public viewing areas. Site evaluation revealed that the proposed two-story design is consistent with the existing neighborhood pattern of development and will not affect the existing views afforded from the I Street street-end. The project will replace an existing single-family residence with a new single-family residence that complies with all applicable Local Coastal Program (LCP) development standards and maintains a building envelope consistent with the existing neighborhood pattern of development. Therefore, the project does not have the potential to degrade the visual quality of the Coastal Zone or result in significant adverse impacts to public 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.*

Fact in Support of Finding:

1. The project site is located on the Balboa Peninsula between the nearest public road and the sea. 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-family residence with a new single-family residence. Therefore, the project does not involve a change in land use, density or intensity that will result in increased demand on public access and recreation opportunities. Furthermore, the project is designed and sited so as not to block or impede existing public access opportunities.
2. The project site is located between I Street and G Street, which are identified by the Coastal Land Use Plan as vertical access locations. The project does not interfere with the existing nearby access to the beach.

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 (PA2023-0120), 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 30<sup>TH</sup> DAY OF NOVEMBER, 2023.**



---

Jaime Murillo  
Zoning Administrator

**EXHIBIT "A"**

**CONDITIONS OF APPROVAL**

Planning Division

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. *Prior to the final building permits, 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.*
3. *Prior to the final building permits, 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 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 the City's approval of the development. This letter shall be scanned into the plan set before building permit issuance.*
4. 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.
5. 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.
6. This Coastal Development Permit does not authorize any development seaward of the private property.



7. 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.
8. 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.
9. 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.
10. 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.
11. 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.
12. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new Coastal Development Permit.
13. The project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the conditions of approval.

14. 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.
15. 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.
16. *Prior to 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.*
17. *Prior to 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.*
18. *Prior to issuance of building permits, a copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans.*
19. *Prior to 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.*
20. 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.
21. Construction activities shall comply with Section 10.28.040 (Construction Activity – Noise Regulations) 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.
22. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 (Community Noise Control) 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:

	Between the hours of 7:00 AM and 10:00 PM		Between the hours of 10:00 PM and 7:00 AM	
Location	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

23. 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.
24. 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.
25. 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.
26. 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 **Reuben Residence including but not limited to, Coastal Development Permit (PA2023-0120)**. 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.

**Public Works Department**

27. The proposed encroachments within the I street public right-of-way shall comply with City Council Policy L-6. An encroachment permit and encroachment agreement is required for all improvements within the I street public right-of-way.



**COMMUNITY DEVELOPMENT DEPARTMENT**  
PLANNING DIVISION  
100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915  
949-644-3200  
[www.newportbeachca.gov](http://www.newportbeachca.gov)

## **COMMUNITY DEVELOPMENT DIRECTOR ACTION LETTER**

**Subject:** **Eastbluff Village Center Parking Reduction (PA2023-0124)**  
▪ Staff Approval

**Site Location** **2523 Eastbluff Drive**

**Applicant** **Irvine Company**

**Legal Description** **Parcel 2 of Lot Line Adjustment 98-14**

On **December 1, 2023**, the Community Development Director approved a staff approval, authorizing a 20% reduction of required off-street parking requirements for an existing shopping center based on a parking study, addition of bicycle parking and the addition of a rideshare space, as further described below.

### **LAND USE AND ZONING**

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

### **EXISTING CONDITIONS**

The subject property, Eastbluff Village Center, is located in the Eastbluff neighborhood on the corner of Vista Del Oro, Vista Del Sol and Eastbluff Drive (see attached Vicinity Map on Attachment No. CD 1). The center consists of five parcels, includes 77,103 square feet of commercial floor area, and includes a 343-space surface parking lot. The center includes a variety of uses, including a retail, eating and drinking establishments, service uses, a bank, and medical offices.

Through a separate application, the applicant is proposing to expand the outdoor dining patio of Suite 2523 from 130 square feet to 619 square feet. The suite is currently vacant but is proposed to be improved for a future eating and drinking establishment.

### **REQUESTED PARKING REDUCTION**

For the purpose of flexibility with future tenants, the applicant is requesting a waiver of 20% of the off-street parking requirement. There is a total parking supply of 343 spaces (307 located in the front of the parking lot, 25 in the rear of the parking lot, and 11 total accessible spaces). Based on the existing tenants in the center, a total of 356 parking spaces are required, which results in a deficit of 13 spaces (Attachment No. CD 4). Through a separate application, the applicant is proposing to expand the outdoor dining patio of Suite 2523

from 130 square feet to 619 square feet. The expansion of the outdoor dining patio of Suite 2523 would increase the parking requirement to 369 spaces, which results in a total parking deficit of 26 spaces. The requested 20% reduction of required parking (including all existing uses and proposed expansion) reduces the total parking requirement to 296 spaces and a resulting 47-space surplus (Table 1, below).

*Table 1: Existing and Proposed Parking*

	Parking Required	Parking Provided	Surplus/Deficit
Existing	356	343	-13
Existing (w/ expansion)	369	343	-26
Proposed (w/ waiver)	296	343	47

**FINDINGS**

Pursuant to Section 20.40.110(D) (Reduction of Required Off-Street Parking by Director) of the Newport Beach Municipal Code (NBMC), the Community Development Director may authorize a reduction of off-street parking by a maximum of 20% using a combination of the following:

Finding:

- A. *The applicant has provided sufficient data, including a parking study if required by the Director, to indicate that parking demand will be less than the required number of spaces or that other parking is available.*

Facts in Support of Finding:

1. A parking study dated October 24, 2023, was prepared by Stantec Consulting, Inc. which included parking counts for the Eastbluff Village Center on a Thursday, Friday, and Saturday in September. The study indicated a peak observed parking demand occurred during lunchtime on Thursday with a maximum of 235 of the 343 spaces occupied (approximately 69%) A total of 108 spaces were observed to be unoccupied during this peak time.
2. The parking study accounts for 1,863 square feet of unoccupied uses and the 619 square-foot future patio expansion that is proposed to be constructed. Per the NBMC, 22 parking spaces are required for these uses and were added to the observed peak 235 space occupancy, resulting in an anticipated parking demand of 257-spaces and an 86-space surplus. The parking demand, including anticipated demand of the unoccupied uses, are expected to be less than the required number of parking spaces for the center.

Finding:

- B. *On-Site Bicycle Facilities. Required nonresidential off-street parking may be reduced where there is a demonstrated use of bicycles as a mode of transportation. The Director may reduce the number of required parking spaces by one space for every three bicycle parking spaces provided on the same site they serve, up to five percent of the total requirement in compliance with the following conditions:*
- i. *The applicant has provided sufficient evidence to substantiate that there exists a demand for bicycle parking; and*
  - ii. *The bicycle parking spaces are located completely within the private property they serve.*
  - iii. *An additional five percent reduction may be allowed when enhanced end-of-trip facilities are provided on the same site they serve, including, but not limited to, showers and locker facilities.*

Facts in Support of Finding:

1. The Eastbluff Village Center is located on the corner of Eastbluff Drive and Vista Del Sol. It is surrounded by residential uses to the north, east, and south. It is also adjacent to the Newport Beach Tennis Club to the north and Eastbluff Elementary School and Boys and Girls Club to the west across Vista Del Oro. The center experiences a substantial amount of bicycle traffic due to a combination of residential uses with multiple recreational uses and an elementary school. The center includes a grocery store, in-line retail establishments, eating and drinking establishments, and a bank, which is convenient for the surrounding neighborhood to access via bicycles.
2. There are 10 bicycle parking spaces located within the private property (Attachment No. CD 5), all within convenient and visible locations for patrons to park.

Finding:

- C. *Space for Shared Mobility. Required nonresidential off-street parking may be reduced by up to ten (10) percent in compliance with the following conditions:*
- i. *Exclusive of curb space needed for emergency access purposes (e.g., a fire lane), the development includes at least twenty (20) linear and contiguous feet of on-site dedicated curb-space located entirely on private property; or*
  - ii. *There is one off-street parking space designated and with proper signage for the use of shared-mobility vehicles and/or pick-up/drop-off located on private property and on the same site it is intended to serve.*

Fact in Support of Finding:

1. The center is proposing one off-street parking space designated with proper signage for the use of rideshare. It is located on the northwestern corner of the parking lot near the commercial tenants and in a convenient area for pick-up and

drop-off. The rideshare space is located on private property in the center and intends to serve patrons for the various uses on the property.

## **CONDITIONS**

1. The development shall be in substantial conformance with the approved site plan stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
2. The Community Development Director and City Traffic Engineer may add to or modify conditions to this staff approval, or revoke this staff approval upon determination that the operations, which is the subject of this staff approval, causes injury, or is detrimental to the public health, safety, peace, or general welfare of the community or if the property is operated or maintained so as to constitute a public nuisance.
3. The Applicant is required to obtain all applicable permits from the City Building Division and Fire Department. Prior to the issuance of any building, mechanical, and/or electrical permits, architectural drawings and structural design plans shall be submitted to the City of Newport Beach for review and approval by the applicable departments. A copy of these conditions of approval shall be incorporated into the drawings approved for the issuance of permits.
4. *A minimum of 10 bicycle parking spaces shall be maintained on-site in a location deemed appropriate by the Community Development Director.*
5. *Prior to the issuance of building permits for the expansion of Suite 2523, one rideshare stall shall be provided and maintained within the center.*
6. To the fullest extent permitted by law, Applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all 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 **Eastbluff Village Center Parking Reduction including, but not limited to, a Staff Approval (PA2023-0124)**. 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 Applicant, City, and/or the parties initiating or bringing such proceeding. The Applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages 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.

**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:



David S. Lee  
Senior Planner

Approved by:



Assistant City Manager/Community  
Development Director

JM/dl

- Attachments:
- CD 1 Vicinity Map
  - CD 2 Applicant's Project Description
  - CD 3 Parking Study
  - CD 4 Existing and Proposed Parking Requirements
  - CD 5 Project Plans



# **Attachment No. CD 1**

Vicinity Map

# VICINITY MAP



Staff Approval  
PA2023-0124

**2523 Eastbluff Drive**

# **Attachment No. CD 2**

Applicant's Project Description



July 13, 2023

David Lee  
Senior Planner  
City of Newport Beach  
100 Civic Center Drive  
Newport Beach, CA 92660

RE: Request for Director's Parking Waiver - 2523 Eastbluff

Dear Mr. Lee,

Irvine Company is seeking a Director's Parking Waiver for the Eastbluff Village Center. Specifically, we are requesting to waive 20 percent of the required parking based on the provision of 10 bicycle parking spaces and through the provision of a dedicated ride-share space within the center.

A future application is expected from a new tenant at 2523 Eastbluff Drive is expected seeking a modification to the existing use permit to allow an outdoor patio. This application will be processed by the tenant.

I trust that the information provided in this letter along with the attached and previously submitted supporting documents meet applicable submittal requirements for the Director's consideration. Should you have any questions concerning this matter, please contact me directly at 949.720.2412 or via email at [bcurtis@irvinecompany.com](mailto:bcurtis@irvinecompany.com).

Sincerely,

Barry Curtis, AICP  
Senior Director, Entitlement

# **Attachment No. CD 3**

Parking Study

To:	Chase Gilmore Irvine Company Retail Properties	From:	Sandhya Perumalla and Daryl Zerfass Stantec
File:	2042625900	Date:	October 24, 2023

**Reference: Parking Study for the Eastbluff Village Center in the City of Newport Beach**

The purpose of this memo is to present a parking analysis to determine the current level of parking utilization at the Eastbluff Village Center located at 2555 Eastbluff Drive in the City of Newport Beach, California. The project site is located on the northwest corner of the Eastbluff Drive and Vista Del Sol intersection, with three site access driveways—one on Eastbluff Drive (shared with the Newport Beach Tennis Club) and two on Vista Del Oro. The shopping center consists of a total of 343 parking spaces, and a total of approximately 76,839 square feet (SF) of retail and medical uses that are leased out to various tenants. Currently, 74,976 SF of the Project is leased for retail and medical uses, and the remaining 1,863 SF is vacant.

A parking survey of the existing Eastbluff Village Center was conducted to identify peak parking usage. A professional traffic data collection firm, Transportation Studies Inc. (TSI), was engaged to conduct the parking survey. Parking counts were collected at approximately half-hour intervals over a twelve-hour period from 10 AM to 10 PM for three consecutive days—Thursday to Saturday—in September 2021.

In total, there are 307 regular parking spaces and 11 handicap parking spaces in the front of the shopping center and an additional 25 parking spaces for the shopping center in the back of the lot, for a total of 343 spaces. A summary of the existing parking spaces is shown in Table 1.

**TABLE 1 - EXISTING PARKING SPACES**

Type	No. of Parking Spaces
Handicap	11
Regular – Front Lot	307
Regular – Back Lot	25
<b>Total Shopping Center</b>	<b>343</b>

The three days of parking counts that were collected at the site are summarized in Table 2. Regular and handicap parking spaces were counted, as well as parking spaces in the back lot. Based on the parking counts, the maximum parking demand occurred at approximately 12:30 PM on Thursday and Friday, with parking utilization of 235 spaces and 216 spaces, respectively. On Saturday, the maximum parking demand occurred at approximately 1:30 PM with a parking utilization of 218 spaces. This suggests that there are only about 69 percent, 63 percent, and 64 percent of the available parking spaces occupied at the peak time on a Thursday, Friday, and Saturday, respectively. See Figure 1 for a graphical illustration of the parking counts.

Reference: **Parking Study for the Eastbluff Village Center in the City of Newport Beach**

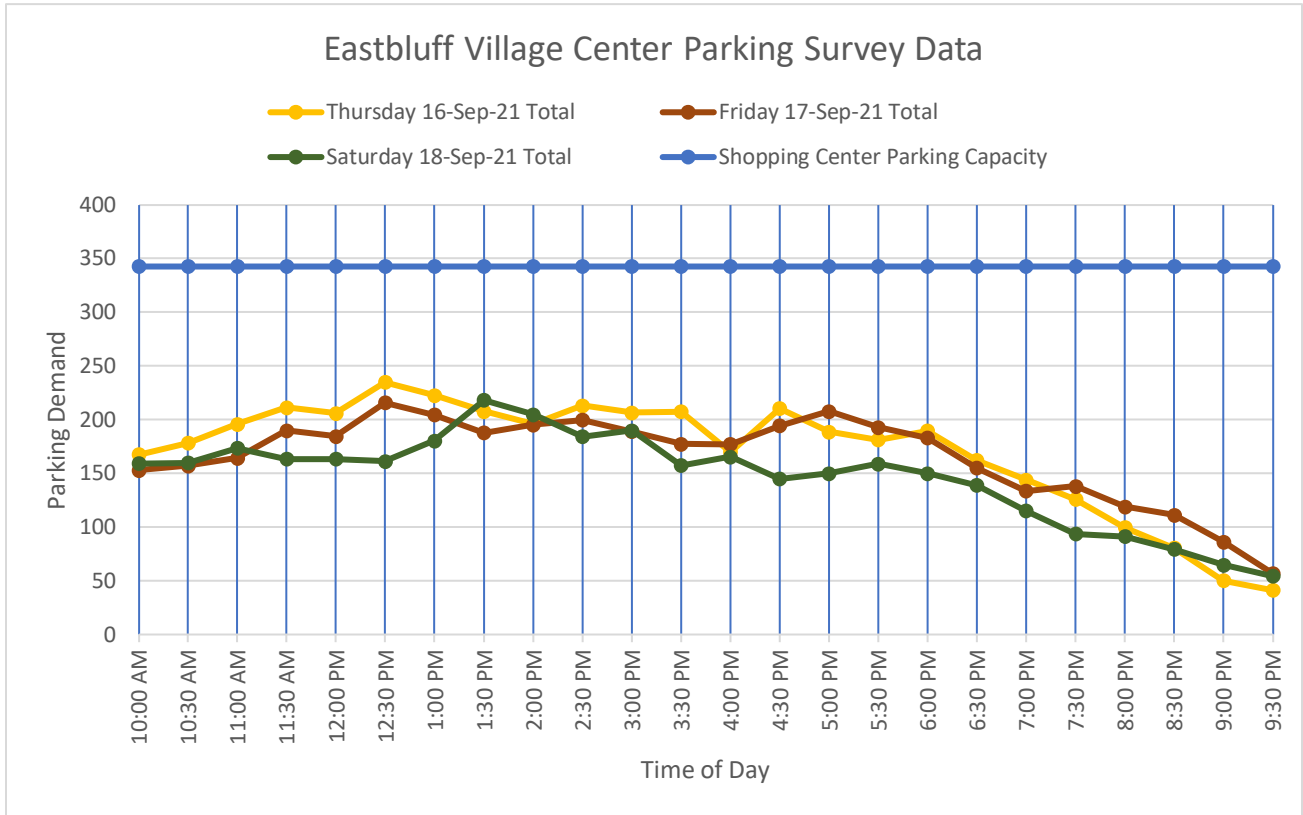
**TABLE 2 - PARKING COUNTS SUMMARY**

Count Period	Thursday 16-Sep-21				Friday 17-Sep-21				Saturday 18-Sep-21			
	Regular	Handicap	Back lot	Total	Regular	Handicap	Back lot	Total	Regular	Handicap	Back lot	Total
	10:00 AM	150	2	15	167	131	4	18	153	137	5	17
10:30 AM	159	2	17	178	135	2	20	157	136	5	19	160
11:00 AM	170	4	22	196	140	4	20	164	150	4	19	173
11:30 AM	188	3	20	211	165	3	22	190	144	0	19	163
12:00 PM	180	5	21	206	158	4	22	184	140	4	19	163
12:30 PM	211	2	22	<b>235</b>	189	5	22	<b>216</b>	139	2	20	161
1:00 PM	197	3	22	222	180	2	22	204	154	6	20	180
1:30 PM	183	3	22	208	163	3	22	188	194	5	19	<b>218</b>
2:00 PM	172	4	20	196	168	3	24	195	179	4	22	205
2:30 PM	187	5	21	213	173	5	22	200	161	3	20	184
3:00 PM	184	3	19	206	163	5	21	189	165	4	21	190
3:30 PM	183	5	19	207	154	4	19	177	136	2	19	157
4:00 PM	144	5	21	170	152	4	21	177	140	3	22	165
4:30 PM	188	3	19	210	166	5	23	194	124	3	18	145
5:00 PM	166	1	22	189	181	5	22	208	129	3	18	150
5:30 PM	158	3	20	181	168	3	22	193	136	5	18	159
6:00 PM	168	2	19	189	160	5	18	183	131	4	15	150
6:30 PM	144	1	17	162	140	4	11	155	119	5	15	139
7:00 PM	128	2	14	144	124	1	9	134	101	3	11	115
7:30 PM	114	1	11	126	128	0	10	138	84	1	9	94
8:00 PM	91	0	9	100	106	2	11	119	82	0	9	91
8:30 PM	72	0	9	81	101	0	10	111	67	3	9	79
9:00 PM	43	0	7	50	75	1	10	86	57	0	8	65
9:30 PM	36	0	5	41	48	1	8	57	49	0	5	54

Note: 'Back Lot' includes approximately 25 spaces for the retail center and an additional 14 spaces reserved for the apartment clubhouse that are not a part of this analysis.

Reference: **Parking Study for the Eastbluff Village Center in the City of Newport Beach**

**FIGURE 1 - PARKING COUNTS**



**PARKING DEMAND**

Table 3 summarizes the measured parking demand for the existing tenants and the total number of parking spaces within the center. As shown, with 74,976 SF of occupied tenant space (1,863 SF was vacant), the maximum number of occupied parking spaces was 235, which represents 69% of the total number of parking spaces. At the peak time of parking demand, 108 parking spaces were unoccupied, which represents 31% of the total number of parking spaces.

**TABLE 3 PARKING DEMAND**

Use	Amount (Square Feet)	No. of Parking Spaces	Peak Hour Demand for Shopping Center	Parking Used (%)	Surplus	Surplus (%)
Existing Leased Area	74,976	343	235 spaces	69%	108	31%



**Reference: Parking Study for the Eastbluff Village Center in the City of Newport Beach**

**PARKING CODE REQUIREMENTS**

Based on the information provided by the client, the 1,863 SF vacancy includes 310 SF of medical office and 1,553 SF of restaurant for Suite 2523. There is also a 619 SF patio associated with the restaurant.

Per the City's parking code, the medical office requires parking at a rate of 1 space per 200 SF. Therefore, 310 SF of medical office requires 1.6 parking stalls.

The City's parking rate for food service based on the City's new parking code (Ordinance 2023-6, adopted on May 23, 2023) is 1 space per 100 SF, and 1 space per 150 SF for outdoor dining areas. The required parking is 15.5 spaces for the indoor restaurant and 4.1 spaces for the outdoor dining area based on the parking rate. See Table 4 for the parking code requirements for the vacant space, which shows the total parking spaces required for the current vacant space is 21.2 spaces.

**TABLE 4 PARKING REQUIREMENTS FOR VACANT SUITES**

<b>Use</b>	<b>Amount (Square Feet)</b>	<b>Parking Rate</b>	<b>Required Parking Spaces</b>
Medical	310	1/200	1.6
Restaurant	1,553	1/100	15.5
Outdoor dining	619	1/150	4.1
<b>Total Spaces</b>			<b>21.2</b>

Accounting for the 310 SF of vacant medical office (1.6 stalls) and the 1,553 SF (plus patio) for Suite 2523 (19.6 stalls), the expected parking demand for the entire retail center is 256 spaces (235 + 21.2 = 256.2), which represents an occupancy of 75% of the total number of 343 spaces. This results in a surplus of 87 spaces for the shopping center (25% of the total number of spaces). This indicates that with the entire shopping center leased with no vacant suites, full occupancy parking demand would not exceed current parking supply.

**CONCLUSION**

Parking counts were conducted for the Eastbluff Village Center on a Thursday, Friday, and Saturday, which indicated a peak observed parking demand of approximately 69% of the available spaces (a maximum of 235 of 343 spaces were occupied), with 108 spaces unoccupied. At the time of the parking counts, 1,863 SF of the center was unoccupied (310 SF of medical office and 1,553 SF of restaurant). There is also a 619 SF patio associated with the unoccupied restaurant.

Based on City parking code requirements, the 1,863 SF of unoccupied uses, plus the unoccupied restaurant patio, would require a total of 21 spaces. Based on information provided by the applicant, approximately seven spaces are allocated to these uses per the center's use permit. Therefore, the applicant is requesting a waiver of 14 parking spaces.

With a peak surplus of 108 parking spaces unoccupied when the parking lot was counted, and based on full occupancy the estimated surplus would be approximately 87 spaces, the requested waiver of 14 parking spaces is not expected to negatively impact the center's current parking supply.

**Reference: Parking Study for the Eastbluff Village Center in the City of Newport Beach**

Thank you for the opportunity to work with you and your team on this important parking study effort for the Eastbluff Village Center. Please feel free to contact Daryl or Sandhya if you have any questions or if you would like to discuss the above material.

**STANTEC CONSULTING SERVICES INC.**



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**Attachment No. CD 4**  
Existing and Proposed Parking Requirements

## Eastbluff Village Parking Summary

Suite	Trade Name	Use	Square Feet	Ratio	Required	Reference
2501	Bank of America	Bank	5,271	1/250	21.1	
2503	Eastbluff Medical Building	Medical Office	11,320	1/200	56.6	
2521	CVS	Retail	9,759	1/250	39.0	Sav On UP3646 also includes SF
2523	Vacant	Food	1,553		7.0	UP3651
2523P	Vacant	Food	619		0.0	
2525	Images	Nail Salon	1,200	1/80	15.0	
2527	Supercuts	Personal Service	1,200	1/250	4.8	
2529	Sunrise Martial Arts	Personal Service	1,440	1/250	5.8	UP2009-021 Limits TT to 10 persons
2531	Mutt's	Food	2,675	1/50	29.0	1,250sf @ 1/50sf of npa, 490sf patio PA2013-069 for SA2013-004
2545	Icicles	Full Ser, SmSc	900	1 per 3 seats	4.0	UP2009-036
2547	Sunny Fresh Cleaners	Personal Service	1,800	1/250	7.2	
2549A	Z Pizza	Food	1,380	1/250 per UP	6.0	UP2002-047
2549B	UPS Store	Retail	1,014	1/250	4.0	
2555	Ralphs	Grocery	31,955	1/250	127.8	Sav On UP3646 states SF for market
2509	Eastbluff Walk-In Clinic	Medical Office	3,321	1/200	16.6	
2515	Newport Orthodontics	Medical Office	2,315	1/200	11.6	
<b>Total Building SF</b>			<b>77,103</b>		<b>356.0</b>	

Summary	
Total Stalls Provided	343
Total Stalls Required	356
Parking Surplus/(Deficit)	(13)

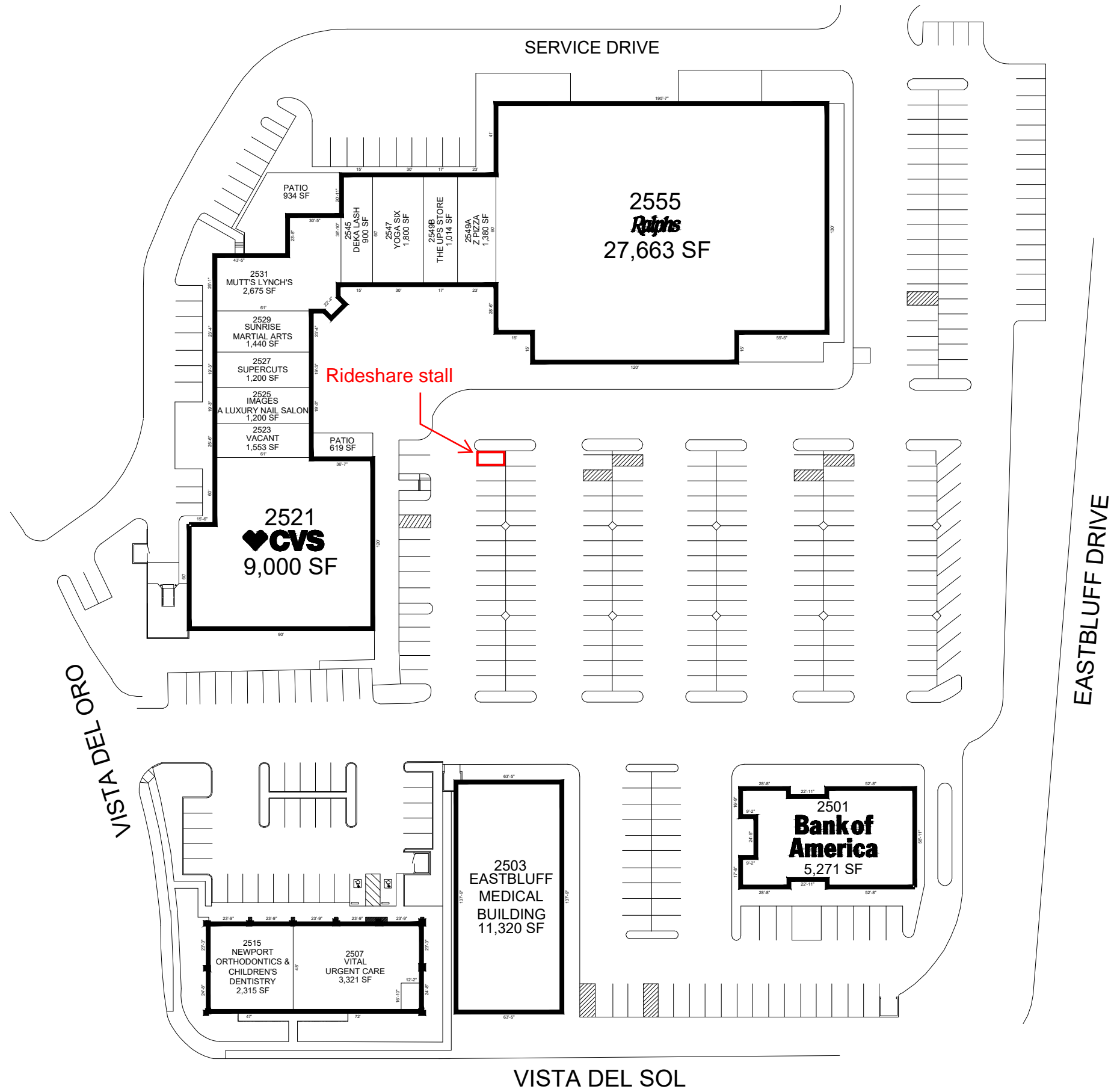
## Eastbluff Village Parking Summary June 2023

Suite	Trade Name	Use	Square Feet	Ratio	Required	Reference
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2503	Eastbluff Medical Building	Medical Office	11,320	1/200	56.6	
2521	CVS	Retail	9,759	1/250	39.0	Sav On UP3646 also includes SF
2523	Vacant	Food	1,553	1/100	15.5	PA2022-0211*
2523P	Vacant	Food	619	1/150	4.1	PA2022-0211*
2525	Images	Nail Salon	1,200	1/80	15.0	
2527	Supercuts	Personal Service	1,200	1/250	4.8	
2529	Sunrise Martial Arts	Personal Service	1,440	1/250	5.8	UP2009-021 Limits TT to 10 persons
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2547	Sunny Fresh Cleaners	Personal Service	1,800	1/250	7.2	
2549A	Z Pizza	Food	1,380	1/250 per UP	6.0	UP2002-047
2549B	UPS Store	Retail	1,014	1/250	4.0	
2555	Ralphs	Grocery	31,955	1/250	127.8	Sav On UP3646 states SF for market
2509	Eastbluff Walk-In Clinic	Medical Office	3,321	1/200	16.6	
2515	Newport Orthodontics	Medical Office	2,315	1/200	11.6	
<b>Total Building SF</b>			<b>77,103</b>		<b>369.0</b>	

Summary	
Total Stalls Provided	343
Total Stalls Required	369
Parking Surplus/(Deficit)	(26)

# **Attachment No. CD 5**

Project Plans



Map not to scale  
Newport Beach, CA

# EASTBLUFF VILLAGE CENTER

May 2023

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Ralphs  
fresh juice

2555

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# Medical Wa

