



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

TO: CITY COUNCIL, CITY MANAGER AND PLANNING COMMISSION

FROM: Kimberly Brandt, Community Development Director
Brenda Wisneski, Deputy Community Development Director

SUBJECT: Report of actions taken by the Zoning Administrator, and/or Planning Division staff for the week ending February 12, 2016

**ZONING ADMINISTRATOR ACTIONS
FEBRUARY 11, 2016**

Item 1: Family Meal Market Minor Use Permit No. UP2015-046 (PA2015-209)
Site Address: 417 30th Street

Action: Approved by Resolution No. ZA2016-006 Council District 1

**COMMUNITY DEVELOPMENT DIRECTOR
OR PLANNING DIVISION STAFF ACTIONS
(Non-Hearing Items)**

Item 1: Stag Bar Comprehensive Sign Program No. CS2016-001 (PA2016-009)
Site Address: 121 Mc Fadden Place

Action: Approved Council District 1

APPEAL PERIOD: An appeal 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 of time 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. ZA2016-006

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING MINOR USE PERMIT NO. UP2015-046 FOR A TAKE-OUT SERVICE LIMITED, EATING AND DRINKING ESTABLISHMENT LOCATED AT 417 30TH STREET (PA2015-209)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Darian Radac of Novum Architecture, with respect to property located at 417 30th Street, and legally described as Parcel 1 of Lot Line Adjustment No. 94-8 requesting approval of a minor use permit.
2. The applicant proposes a minor use permit to allow a take-out service limited, eating and drinking establishment within an existing 1,980-square-foot single-story office building. No seating, no late hours (after 11:00 p.m.), and no alcohol service are proposed as part of this application.
3. The subject property is located in the Mixed-Use Cannery Village/15th Street (MU-CV/15TH ST) Zoning District and the General Plan Land Use Element category is Mixed Use Horizontal (MU-H4).
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is Mixed Use Horizontal (MU-H).
5. A public hearing was held on February 11, 2016, in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project has been determined to be categorically exempt pursuant to Title 14 of the California Code of Regulations (Section 15301, Article 19 of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act) under Class 1 (Existing Facilities).
2. This exemption authorizes minor alterations to existing structures involving negligible or no expansion of use. The proposed project involves interior improvements to convert an office use to a take-out service limited, eating and drinking establishment and involves no expansion in floor area or change in parking requirement.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 20.52.020 (Conditional Use Permits and Minor Use Permits) of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

A. *The use is consistent with the General Plan and any applicable specific plan.*

Facts in Support of Finding:

1. The General Plan designates the site as Mixed Use Horizontal (MU-H4) which applies to areas where it is the intent to establish a cohesively developed district or neighborhood containing multi-unit residential dwelling units with clusters of mixed-use and/or commercial structures on interior lots of Cannery Village and 15th Street on Balboa Peninsula.
2. The proposed establishment will occupy a single-story commercial building on an interior lot and is intended to provide a service not only to visitors, but also to residents within the immediate neighborhood and surrounding area, and is therefore consistent with the MU-H4 designation.
3. Several mixed-use structures including office, personal service, and eating and drinking establishment uses exist nearby. The proposed take-out service would serve and be complementary to these uses.
4. The subject property is not part of a specific plan area.

Finding:

B. *The use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code.*

Facts in Support of Finding:

1. The property is located in the Mixed-Use Cannery Village/15th Street (MU-CV/15TH ST) Zoning District. The proposed establishment, which includes kitchen facilities, no seats, no alcohol service, and no late hours is a permitted use subject to the approval of a minor use permit pursuant to Newport Beach Municipal Code Section 20.22.020 (Mixed-Use Zoning Districts Land Uses and Permit Requirements).
2. The take-out service limited, eating and drinking establishment requires parking at a rate of 1 space for every 250 square feet of floor area ($1,980 / 250 = 7.92$) which results in the same number of spaces that were required of the previous office use. Therefore, there is no intensification of use and the existing onsite parking complies with the Zoning Code.

3. As conditioned, the proposed establishment will comply with Zoning Code standards for eating and drinking establishments, including those specific to the take-out service limited use classification which includes up to a maximum of six (6) seats.

Finding:

- C. *The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity.*

Facts in Support of Finding:

1. The proposed establishment consists of 208 square feet of net public area, kitchen facilities, indoor storage and washing areas, a customer service area with a counter, a restroom, and dedicated wash down area that will drain directly into the sewer system. A covered trash enclosure with gate is also proposed at the rear of the property. A maximum of four employees will be present at any one time.
2. The proposed take-out service use is appropriate given the establishment will be located within an existing single-story building accessible from 30th Street and the alley at the rear, which provides convenient access to motorists, pedestrians, and bicyclists.
3. Surrounding properties consist of office, personal service, and eating and drinking establishments. The proposed establishment will be complementary to the existing uses within the area.
4. The proposed establishment will provide a convenience for residents of the neighborhood and visitors to the area and will not require the provision of additional parking spaces on site.
5. As conditioned, the allowed hours of operation will be 7:00 a.m. to 10:00 p.m. daily, which will minimize any disturbance to residences residing near the property.
6. The proposed trash storage area with gate and roof are designed to accommodate the proposed establishment and are conveniently located where materials can be deposited and collected, and does not impede with the parking spaces.

Finding:

- D. *The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities.*

Facts in Support of Finding:

1. The existing eight parking spaces on-site provide adequate parking for patrons and employees. There are no proposed change to the size of the building or the number of existing parking spaces.
2. The site has been reviewed by the Fire Department to ensure adequate public and emergency vehicle access is provided.
3. Any proposed site improvements will comply with the Zoning Code and all Building, Public Works, and Fire Codes.

Finding:

- E. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, nor endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.*

Facts in Support of Finding:

1. The take-out service limited, eating and drinking establishment will occupy space within an existing single-story commercial building that has not proven to be detrimental to the occupants of the property or nearby properties.
2. The project has been reviewed and includes conditions of approval to ensure that potential conflicts with the surrounding land uses are minimized to the greatest extent possible. The operator is required to take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks and areas surrounding the subject property and adjacent properties during business hours, if directly related to the patrons of the establishment.
3. Restrictions on seating, maximum number of employees at one time, and location of employee parking will prevent adverse traffic impacts for the surrounding residential and commercial uses.
4. The applicant is required to obtain Health Department approval prior to opening for business, and comply with the California Building Code to ensure the safety and welfare of customers and employees within the establishment.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves Minor Use Permit No. UP2015-046, subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.

2. 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 in accordance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.

PASSED, APPROVED, AND ADOPTED THIS 11TH DAY OF FEBRUARY, 2016.

BY:



Patrick J. Alford, 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. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Minor Use Permit.
3. The Minor Use 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 is detrimental to the public health, welfare or is materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
4. Any change in operational characteristics, expansion in area, or other modifications to the approved plans, shall require an amendment to the Minor Use Permit or the processing of a new use permit.
5. A copy of the Resolution, including conditions of approval (Exhibit "A") shall be incorporated into the Building Division and field sets of plans prior to issuance of the building permits.
6. Incidental seating for up to a maximum of six (6) patrons may be provided for on-site consumption of food or beverage.
7. The sale of alcoholic beverages shall be prohibited unless an amendment to the Minor Use Permit or other required application is first approved in accordance with the provisions of the Municipal Code.
8. The hours of operation are limited to between 7:00 a.m. and 10:00 p.m. daily.
9. Employees shall park on-site and utilize parking spaces at the rear of the property. Eight (8) parking spaces shall be maintained on-site.
10. A maximum of four (4) employees may be on-site at any one time.
11. A dedicated wash-out area for refuse containers and kitchen equipment, with minimum useable area dimensions of 36-inches wide, 36-inches deep and 72-inches high, shall be provided, and the area shall drain directly into the sewer system, unless otherwise approved by the Building Director and Public Works Director in conjunction with the approval of an alternate drainage plan.

- 12. A valid business license from the City of Newport Beach with a sellers permit shall be required prior to start of business. Any contractors/subcontractors doing work at the subject site shall be required to obtain a valid business license from the City of Newport Beach prior to the commencement of any work on the subject site.
- 13. Approval from the Orange County Health Department is required prior to the issuance of a building permit.
- 14. All proposed signs shall conform to Title 20, Chapter 20.42 (Sign Standards) of the Newport Beach Municipal Code regulations or any sign program applicable to the property.
- 15. 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 time periods unless the ambient noise level is higher:

Location	Between the hours of 7:00 a.m. and 10:00 p.m.		Between the hours of 10:00 p.m. and 7:00 a.m.	
	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

- 16. 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 either the current business owner, property owner or the leasing agent.
- 17. The applicant is required to obtain all applicable permits from the City’s Building Division and Fire Department. The construction plans must comply with the most recent, City-adopted version of the California Building Code. The construction plans must meet all applicable State Disabilities Access Requirements. Approval from the Orange County Health Department is required prior to the issuance of a building permit.
- 18. Construction activities shall comply with Section 10.28.040 of the Newport Beach Municipal Code, which restricts hours of noise-generating construction activities 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 Sundays or Holidays.
- 19. Strict adherence to maximum occupancy limits is required.
- 20. No outside paging system shall be utilized in conjunction with this establishment.

21. All trash shall be stored within the building or within dumpsters stored in the trash enclosure (three (3) walls and a self-latching gate) or otherwise screened from view of neighboring properties, except when placed for pick-up by refuse collection agencies.
22. The applicant is required to provide a trash enclosure with metal gate and decorative solid roof.
23. Trash receptacles for patrons shall be conveniently located both inside and outside of the establishment; however, not located on or within any public property or right-of-way.
24. The exterior of the business shall be maintained free of litter and graffiti at all times. The owner or operator shall provide for daily removal of trash, litter debris and graffiti from the premises and on all abutting sidewalks within twenty (20) feet of the premises.
25. The applicant shall ensure that the trash dumpsters and/or receptacles are maintained to control odors. This may include the provision of either fully self-contained dumpsters or periodic steam cleaning of the dumpsters, if deemed necessary by the Planning Division. Cleaning and maintenance of trash dumpsters shall be done in compliance with the provisions of Title 14, including all future amendments (including Water Quality related requirements).
26. Deliveries and refuse collection for the facility shall be prohibited between the hours of 10:00 p.m. and 8:00 a.m. daily, unless otherwise approved by the Director of Community Development, and may require an amendment to this Use Permit.
27. Storage outside of the building in the front or at the rear of the property shall be prohibited, with the exception of the required trash container enclosure.
28. A Special Events Permit is required for any event or promotional activity outside the normal operational characteristics of the approved use, as conditioned, or that would attract large crowds, involve the sale of alcoholic beverages, include any form of on-site media broadcast, or any other activities as specified in the Newport Beach Municipal Code to require such permits.
29. This approval shall expire and become void unless exercised within twenty-four (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 20 (Planning and Zoning) of the Newport Beach Municipal Code.
30. 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 Family Meal Market including, but not limited to,

UP2015-046 (PA2015-209). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' 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.



**COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

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ZONING ADMINISTRATOR ACTION LETTER

Application No. **Comprehensive Sign Program No. CS2016-001 (PA2016-009)**
Applicant **Mario Marovic, Stag Bar**
Site Address **121 Mc Fadden Place**
Legal Description **Lots 15 and 16 in Block 21 of Newport Beach, County of Orange, State of California, as per map recorded in Book 3, Page 26, of Miscellaneous Maps, in the Office of the County Recorder of said county**

On **February 19, 2016**, the Zoning Administrator approved Comprehensive Sign Program No. CS2016-001, addressing signage for a two-story commercial building. The intent of this program is to allow signage, as determined by the property owner, and includes two primary frontage wall signs.

A comprehensive sign program is required to allow the following deviations from the Zoning Code:

1. A second wall sign located on a primary building frontage, where the Zoning Code allows one sign per primary building frontage;
2. Installation of wall signs outside the middle 50 percent of a building frontage, where the Zoning Code requires walls signs to be located within the middle 50 percent of a building frontage; and
3. Installation of a wall sign on the second story of a multi-story building.

The subject property is located within Mixed-Use Water Related (MU-W2) Zoning District and the General Plan Land Use Element category is Mixed-Use Water Related (MU-W2). The property is located in the Coastal Zone and is designated Mixed-Use Water Related (MU-W).

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

FINDINGS AND STANDARDS FOR APPROVED SIGNS

Finding

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

Facts in Support of Finding

1. Class 11 exempts minor structures accessory to existing commercial facilities, including signs. The proposed signs are incidental and accessory to the principal commercial use of the property and do not intensify or alter the use.

In accordance with Section 20.42.120 (Comprehensive Sign Program) of the Newport Beach Municipal Code, the following standards and facts in support of such standards are set forth:

Standard

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

Facts in Support of Standard

1. The proposed Comprehensive Sign Program complies with the purpose and intent of Newport Beach Municipal Code Chapter 20.42 (Sign Standards). Through the strategic placement of the two wall signs, it provides the commercial building with adequate identification while guarding against an excessive proliferation of signage. It preserves and enhances community appearance by limiting signage to two wall signs with areas, lengths, and letter heights that are proportional to the building; the use of individual light bulbs to illuminate the signs is in keeping with the historic character of the building, and are designed and conditioned so as not to create a public nuisance or public safety hazard. Through said regulations, the Comprehensive Sign Program will enhance the safety of motorists and pedestrians by minimizing the distraction of signs, as well as to protect the life, health, property, and general welfare of City residents and visitors.
2. The proposed Comprehensive Sign Program integrates all of the signs on the project site with the building's historic character to provide a unified architectural state. The proposed deviations from standards meet the purpose and intent of Chapter 20.42 by providing adequate identification while limiting the size and number of signs.
3. The Comprehensive Sign Program is consistent with the Citywide Sign Design Guidelines Manual because the proposed signs are designed to be compatible with

the building design in terms of scale, size, and materials. As proposed, signs are designed to effectively communicate a commercial message without creating sign clutter through the use of legible text that contrasts with the background. The location and size of the signs do not dominate, but rather are consistent with the proportions of the façade on which they are located.

4. The wall signs proposed will be located on walls where the architectural design of the building suggests placement of a sign. Proposed signs employ a consistent sign pattern in location and are designed to fit with the overall scale of the building and its relationship to Balboa Boulevard and Newport Boulevard.

Finding

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

Facts in Support of Standard

1. The site is developed with a two-story commercial building. Signs are designed to identify the tenant. The number and location of signs will not contribute to an overabundance of signage that will have a detrimental effect on the neighborhood.
2. Both wall signs integrate well with the historic character and architectural style of the building by maintaining consistency in materials.
3. Proposed wall signs will not obstruct public views from adjacent roadways because there are no public views through or across the subject property.
4. The wall signs will not interfere with sight distance from any street, driveway, or parking area.

Finding

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

Facts in Support of Standard

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

Finding

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

Facts in Support of Standard

1. The Comprehensive Sign Program has been designed to be effective for the commercial tenants that occupy the building by providing sign opportunities for the tenants.
2. The Comprehensive Sign Program establishes allowed type, number, location, and area of signage with flexibility to accommodate any existing and future tenants.
3. It is not anticipated that future revisions to the Comprehensive Sign Program will be necessary to accommodate changes in tenants or uses. However, the Community Development Director may approve minor revisions to the Comprehensive Sign Program if the intent of the original approval is not affected.

Finding

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

Facts in Support of Standard

1. The Comprehensive Sign Program allows for deviations with regards to the number, location, and placement (outside of the middle 50 percent of the building frontage) of wall signs on a primary building frontage, and number and location of awning signs on a secondary building frontage. The approval conforms to all other standards of Zoning Code Chapter 20.42, and enhances the overall development by integrating all of the project's signs with the overall site and structure design into an architectural statement.
2. Allowing deviation from the Zoning Code for a second wall sign located on a primary building frontage is appropriate, given the architectural design of the building and an absence of space for wall signage on other frontages. The building fronts a parking lot facing Balboa Boulevard. The proposed wall sign locations allow for maximum visibility to pedestrians and passing motorists as the building curves away from the street.
3. The number of signs is reasonable given that the building has a frontage in excess of one hundred feet and curves along the alignment of McFadden Place.

Total allowed sign area for each primary frontage and secondary frontage does not deviate from the maximum permitted by the Zoning Code.

Finding

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

Facts in Support of Standard

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

Finding

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

Facts in Support of Standard

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

CONDITIONS

1. All proposed signs shall be in substantial conformance with the approved plans and provisions of Chapter 20.42 of the Newport Beach Municipal Code, unless otherwise indicated in the following conditions.
2. Anything not specifically approved by this Comprehensive Sign Program is prohibited.
3. A building permit shall be obtained prior to commencement of installation of the signs.
4. A copy of this letter shall be incorporated into the plan check sets of plans prior to issuance of building or sign permits.
5. Illuminated signs shall be regulated in accordance with the provisions of Section 20.42.060 (H) of the Newport Beach Municipal Code. If, in the opinion of the Community Development Director, existing illumination creates an unacceptable negative impact on surrounding land uses or sensitive habitat areas the Director may order the dimming of light sources or other remediation upon finding that the site is excessively illuminated.
6. Prior to final of the building permit, the applicant shall schedule a nighttime lighting inspection with the City's Code Enforcement Division.
7. The maximum letter and/or logo height shall be 36 inches.

8. There shall be no exposed electrical raceways as they should be integrated into the design of the sign to the greatest degree possible.
9. Signs shall be maintained in a clean and orderly condition.
10. The Community Development Director may approve revisions to the Comprehensive Sign Program if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require approval of a new/revised comprehensive sign program by the Zoning Administrator.
11. Any future revisions or changes to the signs approved by this Comprehensive Sign Program due to a change in the use or tenants of the building shall be reviewed and approved by the Planning Division, so long as the sign size, copy configuration, and number of signs authorized by this approval does not substantially change or increase. The mandatory reduction or elimination of signs shall be exercised as necessary.
12. The Zoning Administrator may add to or modify conditions of this approval, or revoke this approval upon a determination that any sign that is authorized by this approval has been altered beyond the parameters of the authorization and therefore beyond the justification.
13. 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 20 Planning and Zoning, of the Newport Beach Municipal Code.
14. 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 Stag Bar Comprehensive Sign Program including, but not limited to, Comprehensive Sign Program No. CS2016-001 (PA2016-009). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' 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 may be filed with the Director of Community Development within 14 days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code. For additional information on filing an appeal, contact the Planning Division at (949) 644-3200.

On behalf of Patrick Alford, Zoning Administrator

By:



Benjamin M. Zdeba
AICP, Associate Planner

JWC/bmz

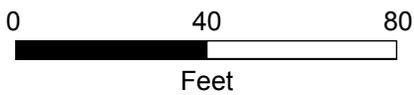
Attachments: ZA 1 Vicinity Map
 ZA 2 Project Plans

Attachment No. ZA 1

Vicinity Map



Newport
Beach
GIS



Disclaimer: Every reasonable effort has been made to assure the accuracy of the data provided, however, The City of Newport Beach and its employees and agents disclaim any and all responsibility from or relating to any results obtained in its use.

Imagery: 2009-2013 photos provided by Eagle Imaging www.eagleaerial.com

Attachment No. ZA 2

Project Plans

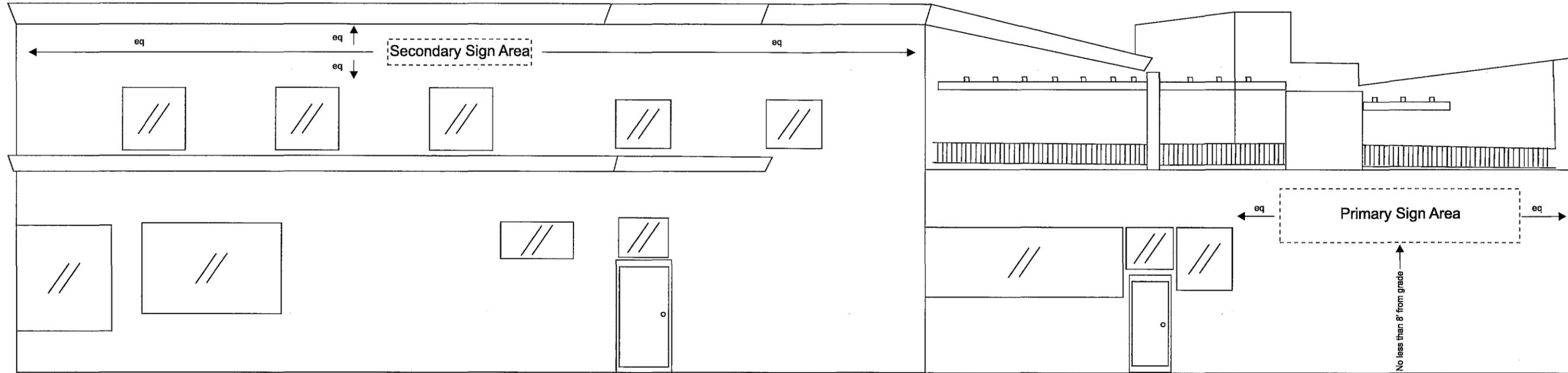
Sign Program

**121 Mcfadden Place
Newport Beach, CA.**

November 2015

Prepared by:

**Pacific Coast Signs
CA Lic: 993036 (C45)
(949) 295-0259**



Street Front Elevation

General Sign Requirements for 121 McFadden Place

- 1) Signs are only permitted in designated sign areas (A) and (B)
- 2) Signs in designated sign areas must be centered in sign area with equal spacing both vertically and horizontally in designated area (as shown)
- 3) Allowable sign area to be 1.5 square feet per linear foot of building frontage and not be greater than 75 total square feet for primary sign and 37.5 square feet for secondary sign. Maximum square footage for building to be not greater than a total of 112.5 square feet.
- 4) Individual letter size to be not greater than 36" in letter height (no minimum letter size)
- 5) Sign copy is limited to two (2) lines of copy and is limited to the business name or service provided
- 6) All proposed signs must be approved by the landlord prior to city submittal.
- 7) All fabrication, installation and permits are responsibility of the tenant and or contractor
- 8) No flashing signs will be allowed
- 9) Window graphics displaying hours and address are allowed per landlord's approval
- 10) Sign type may be standard or reverse channel letters with LED illumination. Color and type style are to be approved by the landlord.

Primary Sign	Secondary Sign
One (1) primary sign	One (1) secondary sign
Maximum letter height 36"	Maximum letter height 36"
Maximum 75 square feet	Maximum 37.5 square feet
Maximum (2) lines of copy	Maximum (2) lines of copy



All electrical connections must meet UL code standards
 Must meet or exceed 2013 NEC code standards
 Must meet all title 24 electrical standards



PA2016-009

Sign Lighting Controls: *Adapted: The Switch Sign Lighting is connected and controlled by an astronomical time clock that complies with requirements of Section 1108. *Control for Sign is permanently connected lighting which shall meet requirements of Section 133. All components and wiring connections are U.L. approved.

Client Name: Stag Bar & Kitchen 121 McFadden Place Newport Beach, CA. 92663

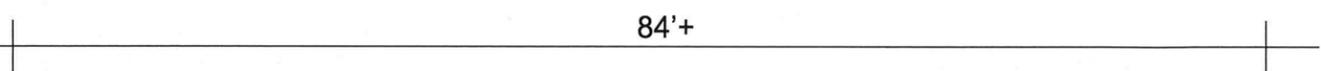
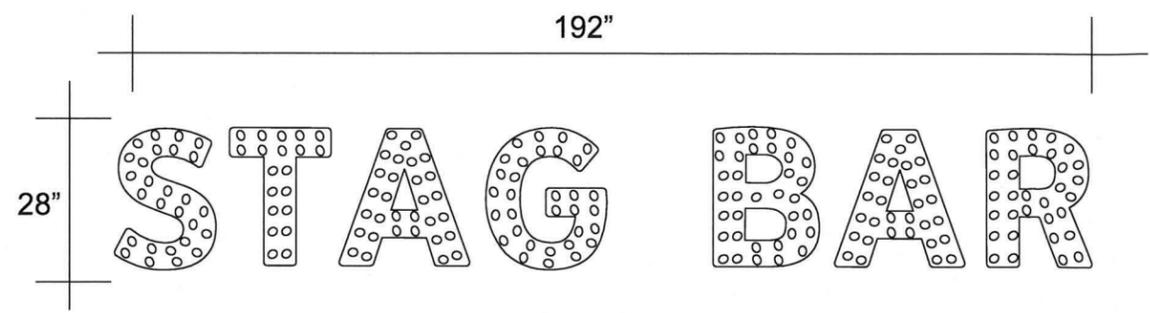
Approvals: Customer Landlord

Revisions

Designer: Design Date:

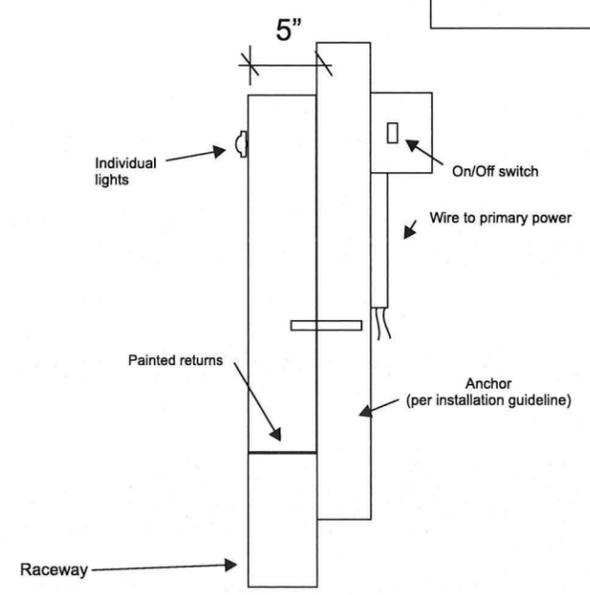
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Installation Guideline

Wall type	Can Sign	Letters
Wood Stud	(4) 1/2" x 2 1/2" Lag screws top and bottom every 4'	(4) - #1/4" x 2 1/2" Lag screws per letter
Concrete/Masonry or Brick	(4) - 1/2" approved anchors (ICC-ES) top and bottom every 4'	(4) - #12 plastic anchors with #12 x 3" screws (ICC-ES) every letter



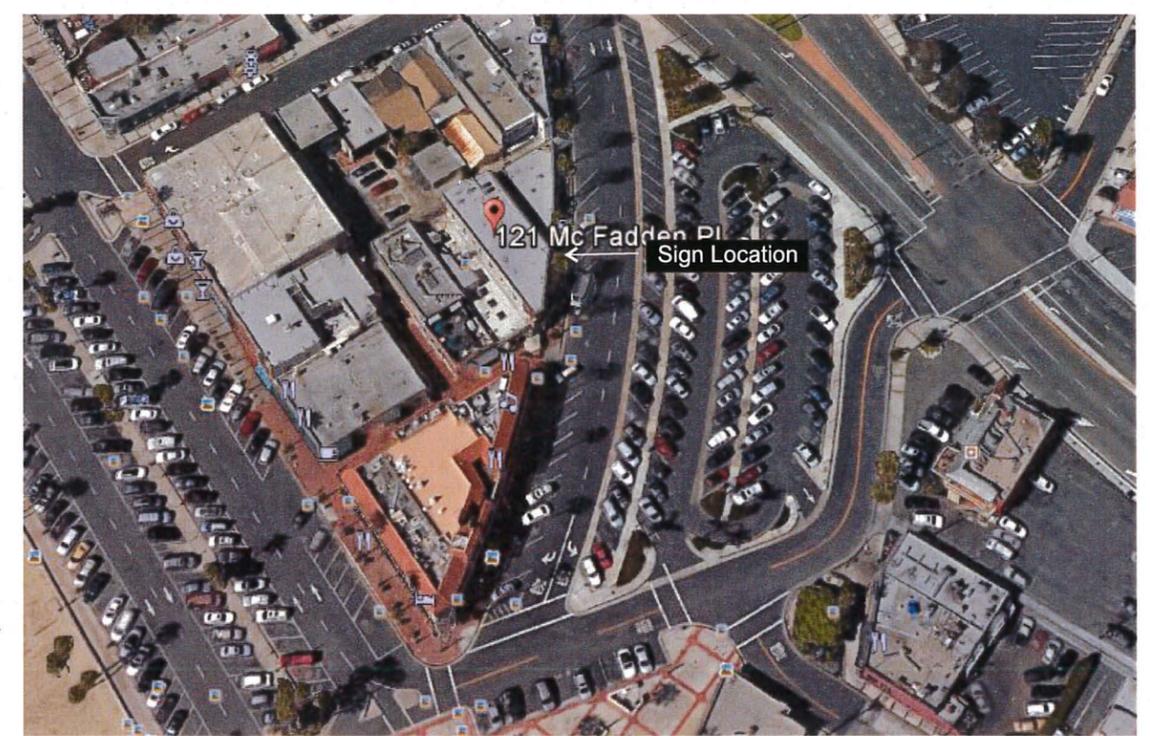
Sign meets requirements of Article 600 CEC (600.5) Individual dedicated sign circuit operated by a switch (20 amp minimum) (600.6) Sign not within site of switch. Switch can be locked in open position (600.7) Circuit is grounded (600.21) Power supply is properly secured

- Inspection Notes
- Ladder to be provided by contractor
 - Approved plans on job site at time of inspection
 - Verify attachment to structure
 - Verify U.L. labels
 - Verify drain holes
 - Verify color and size
 - Verify circuit and timeclock

- Construction Plan Requirements
- Sign to be constructed of .040 aluminum
 - Metal power supply box to contain all electrical equipment (bonded to building)
 - Electrical to comply with Article 600 of 2007 California Electrical code
 - Signs to be on separate electrical circuit
 - Sign to be U.L. listed
 - Letters to have 1 or 2 1/4" drain holes
 - Signs are to be attached to structure with approved fasteners
 - Title 24 energy form to be completed and filed with approved plans at city office

Sign notes: Individual pan channel letters with white bulb illumination. Faces painted white returns painted red with automotive enamel finish. Each letter wired individually and connected to an astronomical and programmable time clock. Letters mounted to exterior raceway. Raceway mounted with 1/2" x 4" Kwik Bolt tension expansion anchors (every 2' top and bottom) Wiring to be U.L. listed and to meet or exceed all local building codes. (NEC 2013)

Sign size: 37.5 sq ft. Length = 16' = (19% of building frontage)





PA2016-009

Sign Lighting Controls: Automatic Time Switch Sign lighting is controlled and controlled by an automatic time switch that complies with requirements of Section 1198. *Control for Sign is permanently connected lighting which shall meet requirements of Section 133. All components and wiring connections are U.L. approved

Client Name: **Stag Bar & Kitchen**
121 McFadden Place
Newport Beach, CA. 92663

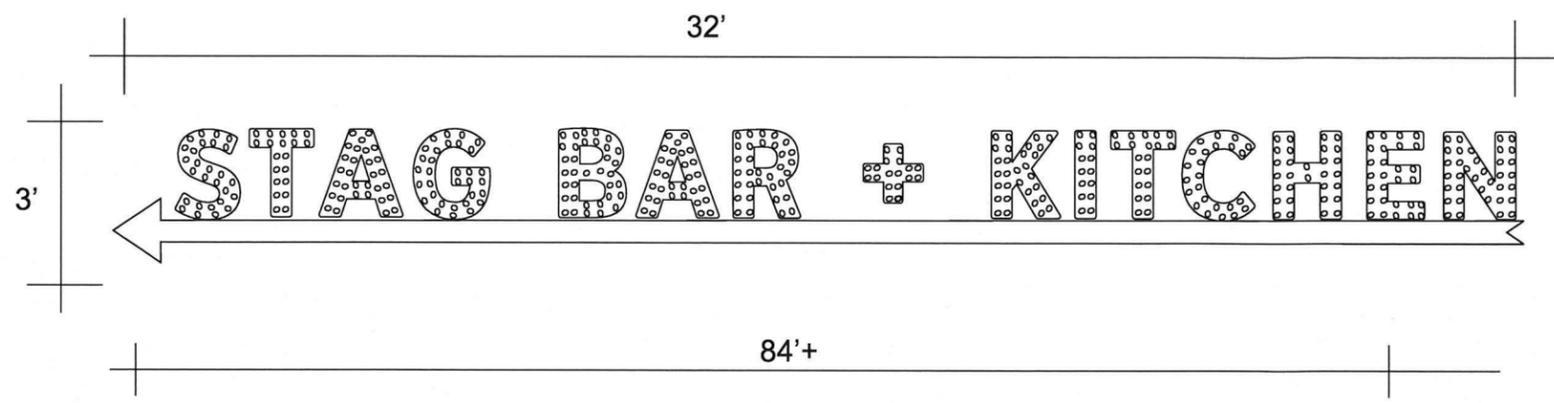
Approvals:
Customer
Landlord

Revisions

Designer:
Design Date:

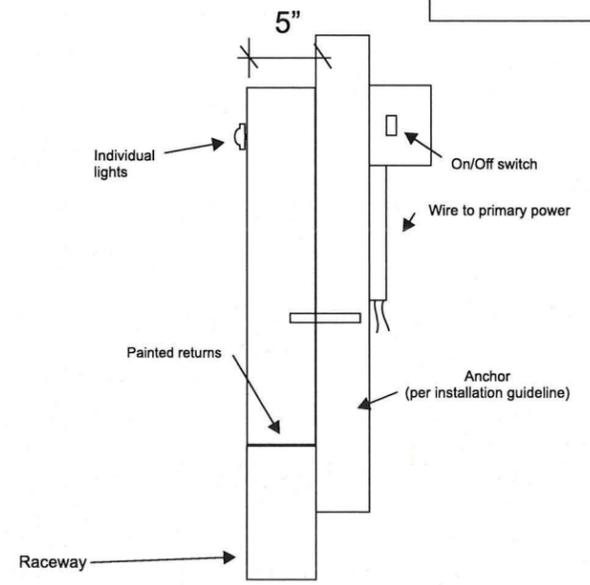
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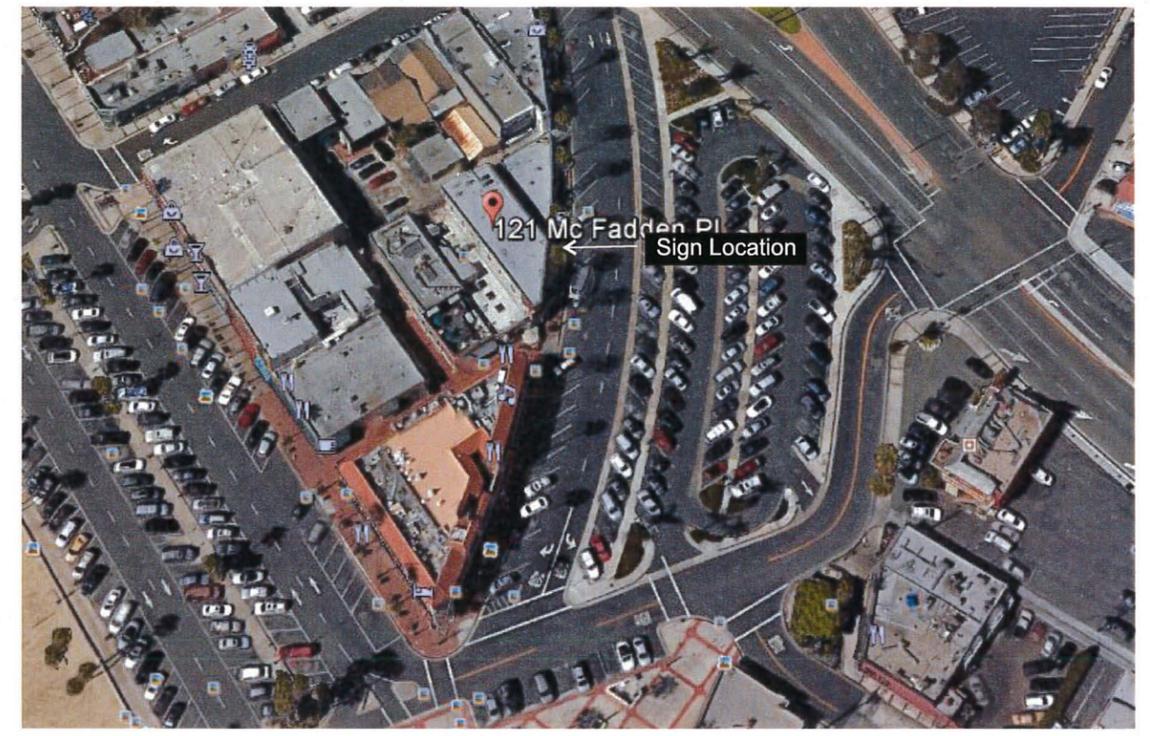
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- Inspection Notes
1. Ladder to be provided by contractor
 2. Approved plans on job site at time of inspection
 3. Verify attachment to structure
 4. Verify U.L. labels
 5. Verify drain holes
 6. Verify color and size
 7. Verify circuit and timeclock

- Construction Plan Requirements
1. Sign to be constructed of .040 aluminum
 2. Metal power supply box to contain all electrical equipment (bonded to building)
 3. Electrical to comply with Article 600 of 2007 California Electrical code
 4. Signs to be on separate electrical circuit
 5. Sign to be U.L. listed
 6. Letters to have 1 or 2 1/4" drain holes
 7. Signs are to be attached to structure with approved fasteners
 8. Title 24 energy form to be completed and filed with approved plans at city office



Sign notes: Individual pan channel letters with white bulb illumination. Faces painted white returns painted red with automotive enamel finish. Each letter wired individually and connected to an astronomical and progammable time clock. Letters mounted to exterior raceway. Raceway mounted with 1/2" x 4" Kwik Bolt tension expansion anchors (every 2' top and bottom) Wiring to be U.L. listed and to meet or exceed all local building codes. (NEC 2013)

Sign size:
72 sq ft.
Length = 32' = (38% of building frontage)