



# CITY OF NEWPORT BEACH

## CITY ATTORNEY'S OFFICE

**DATE:** November 4, 2025

**TO:** Nicholas Sanders, the Political Law Group, LLC  
Lena Shumway, City Clerk

**FROM:** Aaron C. Harp, City Attorney

**MATTER:** 865231138

**SUBJECT:** Impartial Summary Pursuant to Elections Code section 9238

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On October 31, 2025, Lena Shumway, City Clerk for the City of Newport Beach received correspondence from the Political Law Group, LLC, requesting an Impartial Summary of Referendum for Resolution No. 2025-71. A copy of the correspondence is attached hereto as Attachment A.

The City Attorney has reviewed and edited the summary, which is attached hereto as Attachment B. As requested, the City Attorney has returned the summary with edits to Mr. Nicholas Sanders via email.

Attachment A - Correspondences from Nicholas Sanders dated October 31, 2025.  
Attachment B - Impartial Summary of the Referendum of Resolution No. 2025-71.

## ATTACHMENT A



**ATTORNEYS AT LAW**

1215 K Street  
Suite 1750  
Sacramento, CA 95814  
[www.thepoliticallaw.group](http://www.thepoliticallaw.group)

Nicholas Sanders  
530.219.6692  
[nicholas@tpl.group](mailto:nicholas@tpl.group)

Tracey Wigglesworth  
916.712.8125  
[tracey@tpl.group](mailto:tracey@tpl.group)

October 31, 2025

Lena Shumway  
City Clerk, City Newport Beach  
100 Civic Center Drive, Bay E, 2<sup>nd</sup> Floor  
Newport Beach, CA 92660  
via email only at: [lushumway@newportbeachca.gov](mailto:lushumway@newportbeachca.gov);  
[cityclerk@newportbeachca.gov](mailto:cityclerk@newportbeachca.gov); [jfarris@newportbeachca.gov](mailto:jfarris@newportbeachca.gov).

Re: Submission of Proposed Impartial Summary Pursuant to Elections Code section 9238

Dear Ms. Shumway:

On behalf of Newport Beach resident Steven Vickers, who hereby declares himself to be the proponent of a referendum effort related to Resolution 2025-71, which was adopted at the October 28, 2025 City Council meeting, and pursuant to Elections Code section 9238, we formally submit the following proposed summary of the referendum:

**"Impartial Summary of Referendum for Resolution No 2025-71**

At its October 28, 2025 meeting, the Newport Beach City Council adopted Resolution 2025-71, which amends the City's General Plan to permit the redevelopment of the central 15.38-acre parcel of the privately owned Newport Beach Golf Course. This parcel will be replaced by a new surf-focused outdoor commercial recreation use facility, including approximately five acres of surfing lagoons, seating, pools, spa, restrooms, landscaping, clubhouse, an accommodations building with 20 overnight rooms, and two parking lots with 351 spaces.

The General Plan amendment, among other things, increases the development limit of the parcel from 20,000 square feet to 59,772 square feet, to accommodate a building which is larger and taller than permitted by the City's current law and General Plan.

At the same meeting, the City Council approved three other resolutions related to the Surf Park Project: it approved a Conditional Use Permit (Resolution 2025-72), certified the environmental impact report (Resolution 2025-73), and overrode the Orange County Airport Land Use Commission's ("ALUC") determination of inconsistency with the ALUC's land use plan (Resolution 2025-74). These resolutions fall outside the people's power of referendum and, as such, are not subject to this referendum."

\* \* \*

October 31, 2025

Submission of Proposed Impartial Summary Pursuant to Elections Code section 9238

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My understanding is that the City Attorney will return any edits to this summary within ten business days – on or before Monday, November 17, 2025. I request that the summary be provided to me via email at [nicholas@tpl.group](mailto:nicholas@tpl.group). I am also more than happy to discuss any issues related to the summary, or referendum generally, directly with the City Attorney.

Thank you for your attention to this matter, and please do not hesitate to reach out with any questions or concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read 'NS', is positioned above the name Nicholas Sanders.

Nicholas Sanders

cc: Aaron C. Harp, Esq.  
City Attorney, City of Newport Beach  
via email only at: [aharp@newportbeachca.gov](mailto:aharp@newportbeachca.gov)

## ATTACHMENT B



**CITY OF NEWPORT BEACH  
CITY ATTORNEY'S IMPARTIAL SUMMARY  
OF THE REFERENDUM OF RESOLUTION NO. 2025-71  
APPROVING A GENERAL PLAN AMENDMENT  
FOR THE SNUG HARBOR SURF PARK PROJECT LOCATED AT  
3100 IRVINE AVENUE, NEWPORT BEACH, CALIFORNIA**

On October 28, 2025, the Newport Beach City Council considered an application ("Application") filed by CAA Planning, on behalf of Back Bay Barrels, LLC (collectively the "Applicant"), for the redevelopment of the private property owned by Newport Golf, LLC, located at 3100 Irvine Avenue, Newport Beach, California ("Property"). In the Application, the Applicant proposed to redevelop approximately 15.38-acres in the center of the privately owned Property, currently occupied by the driving range, putting green, pro-shop, restaurant and bar, and three golf holes, into a new surf-focused outdoor recreational facility commonly known as the Snug Harbor Surf Park Project ("Project").

The Project would include construction of a five-acre surf lagoon divided into two hydrologically separate basins. Features would include viewing platforms, seating areas, pools, restrooms, and drought-tolerant landscaping.

A new clubhouse would provide a reception and lobby area, surf academy, fitness and yoga studios, administrative offices, locker rooms, retail space, restaurant, viewing suites, and a coffee and snack bar. The basement level would include golf cart storage, surfboard and equipment storage, and mechanical facilities.

The Project also includes an athlete accommodation building with 20 rooms. A total of 351 parking spaces, including 91 spaces dedicated to golf, are provided on the Project site to support the Project with parking, distributed across two surface lots and partially shaded by solar canopies. The Project would support the remaining 15-hole golf course and facilitate continued golf by providing parking, a check-in station (starter) on the Project site, golf cart storage within the basement level of the Project's proposed clubhouse building and maintenance of connection between all golf holes.

The Property is currently designated Parks and Recreation (PR) under the City's General Plan Land Use Element. PR-designated properties allow active and passive recreation uses, such as golf courses, aquatic facilities, private recreation clubs, and similar activities.

While the Project is consistent with the PR designation, the Applicant requested an amendment to the General Plan to increase the allowable development limit (for Anomaly No. 58 in Table LU2 of the General Plan Land Use Element) by 39,772 square feet from 20,000 square feet to 59,772 square feet ("Amendment").

Following review of the proposed Amendment, the City Council determined the Amendment was consistent with the City's General Plan goals and policies and adopted Resolution No. 2025-71 on October 28, 2025. A copy of the Amendment is attached hereto as Attachment 1.

Under California law, voters may use the referendum process to approve or reject legislative actions by local government. Because the 39,772, square foot increase authorized by the Amendment is a legislative act, the 39,772 square-foot increase, and only this increase, is subject to the people's power of referendum.

At the same meeting, the City Council approved three other resolutions related to the Project; however, these resolutions fall outside the people's power of referendum and, as such, are not subject to this referendum.

The full text of the General Plan Amendment (Resolution No. 2025-71) and other relevant documents are available at the City Clerk's webpage: <https://www.newportbeachca.gov/government/departments/city-clerk>.

## **ATTACHMENT 1**



GENERAL PLAN AMENDMENT TO ANOMALY NO. 58 OF TABLE LU2 OF THE  
NEWPORT BEACH GENERAL PLAN LAND USE ELEMENT

<b>Anomaly Number</b>	<b>Statistical Area</b>	<b>Land Use Designation</b>	<b>Development Limit (SF)</b>	<b>Development Limit (other)</b>	<b>Additional Information</b>
58	J5	PR	59,772		