



**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 April 11, 2025.

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**ZONING ADMINISTRATOR PUBLIC HEARING ACTIONS  
APRIL 10, 2025**

Item 1: Annual Review of North Newport Center Development Agreement (PA2024-0096)  
Site Address: 1101 Newport Center Drive

Action: The Zoning Administrator found that the North Newport Center	Council District	5
is in good faith compliance with the terms of the Development		
Agreement.		

Item 2: 306 East Oceanfront LLC Residence Coastal Development Permit (PA2024-0203)  
Site Address: 306 and 306 ½ East Ocean Front

Action: Approved by Resolution No. ZA2025-012	Council District	1
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Item 3: Schwartz Residence Coastal Development Permit (PA2024-0059)  
Site Address: 2050 East Ocean Front

Action: Approved by Resolution No. ZA2025-013	Council District	1
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Item 4: Reecess Medical Spa Minor Use Permit (PA2024-0150)  
Site Address: 4301 Birch Street, Suite 131

Action: Approved by Resolution No. ZA2025-014	Council District	3
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Item 5: 20062 Birch Street Medical Office Minor Use Permit and Staff Approval (PA2024-0212)  
Site Address: 20062 Birch Street

Action: Approved by Resolution No. ZA2025-015	Council District	3
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Item 6: 2360 Redlands Drive Lot Merger (PA2025-0001)  
Site Address: 2360 Redlands Drive and an unaddressed parcel (APN 439-232-13)

Action: Approved by Resolution No. ZA2025-016	Council District	3
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Item 7: 2356 Redlands Drive Lot Merger (PA2025-0002)  
Site Address: 2356 Redlands Drive and an unaddressed parcel (APN 439-232-12)

Action: Approved by Resolution No. ZA2025-017	Council District	3
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**COMMUNITY DEVELOPMENT DIRECTOR  
OR ZONING ADMINISTRATOR ACTIONS**  
(Non-Hearing Items)

Item 1: Newport Auto Center Comprehensive Sign Program (PA2024-0161)  
Site Address: 445 East Coast Highway

Action: Approved

Council District 5

**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.

Wendy Joe, Civilian Investigator, NBPD (*Telecom - Massage – ABC License*)  
Mark Short, Police Sergeant, NBPD (*Massage – ABC License*)

## RESOLUTION NO. ZA2025-012

### A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING A COASTAL DEVELOPMENT PERMIT TO DEMOLISH AN EXISTING DUPLEX AND CONSTRUCT A NEW THREE-STORY SINGLE-UNIT DWELLING WITH A JUNIOR ACCESSORY DWELLING UNIT AND ATTACHED TWO-CAR GARAGE LOCATED AT 306 AND 306 1/2 EAST OCEAN FRONT (PA2024-0203)

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

#### SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Jason Richart (Applicant), concerning property located at 306 and 306 1/2 East Ocean Front and legally described as Lot 4 of Block 2 in Newport Bay Tract (Property), requesting approval of a coastal development permit (CDP).
2. The Applicant requests a coastal development permit (CDP) to allow the demolition of an existing duplex and construction a 2,114-square-foot three-story single-unit dwelling with a 406-square-foot junior accessory dwelling unit (JADU) and an attached 383-square-foot two-car garage. The project includes hardscape, site walls, and subsurface drainage facilities all within the confines of private property. The project complies with all development standards and no deviations from the Newport Beach Municipal Code (NBMC) are requested (Project).
3. The Property is designated Two Unit Residential (RT) by the General Plan Land Use Element and is located within the Two-Unit Residential (R-2) Zoning District.
4. The Property is located within the coastal zone. The Coastal Land Use Plan category is Two Unit Residential – 30.0-39.9 DU/AC (RT-E) and is located within the Two-Unit Residential (R-2) Coastal Zoning District.
5. A public hearing was held on April 10, 2025, 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 15303, Division 6, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (CEQA) under Class 3 (New Construction or Conversion of Small Structures) because it has no potential to have a significant effect on the environment.
2. Class 3 exempts the demolition of up to three single-unit dwellings and additions of up to 10,000 square feet to existing structures. The Project consists of the demolition of an

existing duplex and the construction of a new 2,114-square-foot single-unit dwelling with a 406-square-foot JADU, and an attached 383-square-foot, two-car garage.

3. The exceptions to this categorical exemption under Section 15300.2 are not applicable. The Project 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 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 (LCP).*

#### Facts in Support of Finding:

1. The Project 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 3,120-square-feet and the proposed total floor area is 2,903-square-feet.
  - b. The Project provides the minimum required setbacks, which are 10 feet along the front property line abutting East Ocean Front, 3 feet along each side property line, and 5 feet along the rear property line which abuts an alley.
  - c. The highest guardrail is less than 24 feet from the established grade 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 a two-car garage, complying with the minimum two-car garage parking requirement for single-unit dwellings with less than 4,000-square-feet of habitable floor area. Additional parking is not required for JADUs per subsection 20.48.200.F.8.(a) and 21.48.200.F.8.(a) of the NBMC.
2. The neighborhood is predominantly developed with two- and three-story, single- and multi-unit residential dwellings. The proposed design, bulk, and scale of the Project are consistent with the existing neighborhood pattern of development.
3. A Coastal Hazards Report and Sea Level Rise Analysis was prepared by Skelly Engineering, dated September 23, 2024, for the Project. The report concludes that the

Project is reasonably safe from shoreline erosion due to the lack of waves or wakes that can erode sand from the beach. The report also concludes that the project will be reasonably safe from future sea level rise assuming an increase up to 12.2 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). The finished floor elevation of the first floor of the proposed structure is 13.05 feet NAVD88, which complies with the minimum 9.0-foot (NAVD88) elevation standard for new structures and exceeds the minimum requirements for future sea level rise (12.2 feet NAVD88).

4. 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.
5. Under Municipal Code Section 21.35.050 (Water Quality and Hydrology Plan), due to 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 Thomas M. Ruiz dated, October 15, 2024. 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.
6. The Property is located approximately 630 feet from the Mean High-Water Line of the ocean. A Construction Erosion Control Plan was provided to implement temporary Best Management Practices (BMPs) during construction to minimize erosion and sedimentation and to minimize pollution of runoff and coastal waters derived from construction chemicals and materials. The Project design also addresses water quality through the inclusion of a post-construction drainage system that includes drainage and percolation features designed to retain dry weather and minor rain event runoff on-site. Any water not retained on-site is directed to the City's storm drain system.
7. The Project does not propose landscaping as a part of the scope of work. However, landscaping must comply with Section 21.30.075 (Landscaping) of the NBMC. Condition of Approval No.19 is included which 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 is not located near a Coastal Viewpoint or Coastal View Road as identified in the Coastal Land Use Plan (CLUP). The nearest Coastal Viewpoint is Balboa Pier, which is approximately 1,650 feet south from the Property, and visible from the site. The Project is not located between Peninsula Park and the bay and would not obscure views from this public area. Therefore, the Project complies with all applicable LCP development standards and maintains a building envelope consistent with the existing neighborhood pattern of development. Additionally, the Project complies with all third-floor standards of

the NBMC which limits the size and location of the third floor. The Project does not contain any unique features that could degrade the visual quality of the coastal zone.

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 Property is located between the nearest public road and the sea or shoreline. Section 21.30A.040 (Determination of Public Access/Recreation Impacts) of the NBMC 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 duplex located on a standard R-2 lot with a new single-unit dwelling and JADU. Therefore, the Project does not involve a change in land use, density, or intensity that will result in increased demand for public access and recreation opportunities. Furthermore, the Project is designed and sited (appropriate height, setbacks, etc.) so as not to block or impede existing public access opportunities.
2. The Project is located near a Public Beach Access point as identified in the CLUP. Vertical access to the beach is available at the Coronado Street end from East Balboa Boulevard and the alley end located east of the property, which is also accessible from East Balboa Boulevard. The property is located adjacent to the East Ocean Front boardwalk, which serves as lateral access and provides a path along the beach for pedestrian and bicycle use. The Project does not include any features that would obstruct access along these routes.
3. The Property provides vehicular access from Coronado Street to the alley of East Ocean Front which is not proposed to change with the Project.

**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 (New Construction or Conversion of Small Structures) under Class 3 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 (PA2024-0203), 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 10<sup>TH</sup> DAY OF APRIL, 2025.**



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Benjamin M. Zueba, AICP, Zoning Administrator

**EXHIBIT "A"**

**CONDITIONS OF APPROVAL**  
(*specific project conditions are italicized*)

**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 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 issuance of a building permit, the property owner shall submit a notarized signed letter acknowledging all hazards present at the site, assuming the risk of injury or damage from such hazards, unconditionally waiving any claims of damage against the City from such hazards, and to indemnify and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney's fees, disbursements, and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the development. This letter shall be scanned into the plan set before building permit issuance.*
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 (CCC). Before the issuance of building permits, the applicant shall provide a copy of said CDP or CDP waiver or documentation from the CCC that subject improvements are not subject to the permit requirements of the Coastal Act and/or not located within the permit jurisdiction of the CCC.
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 the Property or improvements in the vicinity or if the Property is operated or maintained to constitute a public nuisance.
16. *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.*
17. *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.*
18. *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.*
19. *Prior to the issuance of a building permit, 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. *Prior to the issuance of a building permit, the final WQHP/WQMP shall be reviewed and approved by the Building Division. The implementation shall comply with the approved CPPP and WQHP/WQMP and any changes could require separate review and approval by the Building Division.*
21. 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.
22. Construction activities shall comply with Section 10.28.040 (Construction Activity – Noise Regulations) of the NBMC, 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.
23. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 (Community Noise Regulations) of the NBMC and other applicable noise control requirements of the NBMC.
24. *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.*

25. 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.
26. 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 NBMC, unless an extension is otherwise granted.
27. 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 the City's approval of **306 East Oceanfront LLC Residence, including but not limited to, Coastal Development Permit No. PA2024-0203**. 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 Division**

28. All unpermitted encroachments within the East Ocean Front right of way shall be removed and installed with native landscaping.
29. A new sewer clean out shall be installed per City Standard 406.

## RESOLUTION NO. ZA2025-013

### **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 THREE (3)-STORY SINGLE-UNIT DWELLING INCLUDING AN ATTACHED TWO (2)-CAR GARAGE LOCATED AT 2050 EAST OCEAN FRONT (PA2024-0059)**

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

#### **SECTION 1. STATEMENT OF FACTS.**

1. An application was filed by Brandon Architects, concerning property located at 2050 East Ocean Front, requesting approval of a coastal development permit.
2. The lot at 2050 East Ocean Front is legally described as Lot 13 Block D in Tract No. 518.
3. The applicant requests a coastal development permit (CDP) to allow the demolition of an existing single-unit dwelling and the construction of a new 4,376-square-foot, three-story, single-unit dwelling including an attached 563-square-foot, two-car garage. The project includes landscape, hardscape, and subsurface drainage facilities all within the confines of private property. The project complies with all development standards and no deviations are requested.
4. The subject property is designated RS-D (Single Unit Residential Detached) by the General Plan Land Use Element and is located within the R-1 (Single-Unit Residential) Zoning District.
5. The subject property is located within the coastal zone. The Coastal Land Use Plan category is RSD-C (Single Unit Residential Detached) - (10.0 – 19.9 DU/AC) and it is located within the R-1 (Single-Unit Residential) Coastal Zoning District.
6. A public hearing was held on April 10, 2025, 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 new construction or conversion of small structures including the demolition and construction of a single-unit dwelling in a residential zone. The proposed project consists of the demolition of one (1) single-unit dwelling and the construction of a new 4,376-square-foot, three-story, single-unit dwelling, including an attached 564-square-foot, two (2)-car garage.
3. The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, is not a hazardous waste site, and is not identified as a historical resource.

### SECTION 3. REQUIRED FINDINGS.

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

#### Finding:

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

#### Facts in Support of Finding:

1. The proposed development complies with applicable residential development standards including, but not limited to, floor area limitation, setbacks, height, and parking.
  - a. The maximum floor area limitation is 4,730 square feet and the proposed floor area is 4,376 square feet.
  - b. The proposed development provides the minimum required setbacks, which are 10 feet along the front property line abutting East Ocean Front public beach, 3 feet along each side property line, and 0 feet along the rear property line abutting the alley.
  - c. The highest guardrail is less than 24 feet from the established grade (varies due to sloping lot) 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. The finished floor elevation of the proposed single-unit dwelling is 17.0 feet (NAVD88), which complies with the minimum 9.00 feet (NAVD88) elevation standard.
4. A Coastal Hazards Report and Sea Level Rise Analysis was prepared by G3Soil Works, Inc., dated December 20, 2021, and reconfirmed with a memorandum dated December 20, 2024. The project site is separated from the water by a wide sandy beach and the site is approximately 230 feet from the mean high tide line. The report concludes that the proposed project is reasonably safe from shoreline erosion due to the lack of waves or wakes that can erode sand from the beach. The report also concludes that the project will be reasonably safe from future sea level rise assuming an increase up to 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). The finished floor elevation of the first floor of the proposed structure is 17.00 feet based on the North American Vertical Datum of 1988 (NAVD 88), which exceeds the minimum 9.0-foot (NAVD 88) elevation standard for new structures and exceeds the minimum requirements for sea-level rise. Furthermore, the report concluded that due to the distance of the property from the current mean high tide line (over 200 feet), it is unlikely that the mean high tide line will reach the property within the next 75 years.
5. Pursuant to NBMC Section 21.30.030(C)(3)(i)(iv), the property owner will be required to agree with the City waiving any potential right to protection to address situations in the future in which the development is threatened with damage or destruction by coastal hazards (e.g., waves, erosion, and sea level rise). This requirement is included as a condition of approval that will need to be satisfied before the final building permit inspection, respectively.
6. The property owner will also be required to acknowledge any hazards present at the site and unconditionally waive any claim to damage or liability against the decision authority, consistent with NBMC Section 21.30.015(D)(3)(c). This requirement is included as a condition of approval that will need to be satisfied before the issuance of building permits, respectively.
7. 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.
8. The property is located within 300 feet of coastal waters. The project design addresses 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 is directed to the City's storm drain system.

9. Proposed landscaping complies with Implementation Plan Section 21.30.075 (of the NBMC. 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.
10. 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 designated coastal viewpoint is approximately 950 feet away from the project site, at the West Jetty View Park and the project site is not visible from this designated viewpoint due to distance and intervening structures.
11. As a beachfront property, the front and some of the side elevations of the new residence will be visible from the beach. The building design features large glass windows on both stories, glass guardrails, and uses modern lines and architectural treatments which provide visual interest for views from the beach. The proposed residence contains substantial architectural treatment and visual interest, in keeping with the design guidelines of the Zoning Code. The new structure complies with the required setbacks and the design includes modulation of volume throughout the structure, and low walls that prevent the appearance of the site from being walled off from the boardwalk or beach. Therefore, the project does not have the potential to degrade the visual quality of the Coastal Zone or result in significant adverse impacts on existing 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 on the Balboa Peninsula, between the nearest public road and the sea or shoreline. Implementation Plan Section 21.30A.040 (Determination of Public Access/Recreation Impacts) requires that the provision of public access bear a reasonable relationship between the requirement and the project's impact, and be proportional to the impact. In this case, the project replaces an existing single-unit dwelling located on a standard R-1 lot with a new single-unit dwelling. 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 (appropriate height, setbacks, etc.) so as not to block or impede existing public access opportunities.
2. Vertical access to the beach is available on either side of the project site via the L and M Street ends. Lateral access is provided on the beach. The project does not include any features that would obstruct access along these routes.

**SECTION 4. DECISION.**

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Zoning Administrator of the City of Newport Beach hereby finds this project is categorically exempt from the California Environmental Quality Act under Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3 because it has no potential to have a significant effect on the environment.
2. The Zoning Administrator of the City of Newport Beach hereby approves Coastal Development Permit filed as PA2024-0059, 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 10<sup>TH</sup> DAY OF APRIL, 2025.**



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Benjamin M. Zdeba, AICP, Zoning Administrator

**EXHIBIT "A"**

**CONDITIONS OF APPROVAL**

1. The development shall be in substantial conformance with the approved site plan, floor plans, and building elevations stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
2. *Before the final building permit inspection, an agreement in a form approved by the City Attorney, 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. *Before the issuance of a building permit, the property owner shall submit a notarized signed letter acknowledging all hazards present at the site, assuming the risk of injury or damage from such hazards, unconditionally waiving any claims of damage against the City from such hazards, and to indemnify and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney's fees, disbursements, and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the development. This letter shall be scanned into the plan set before building permit issuance.*
4. 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.
5. This Coastal Development Permit does not authorize any development seaward of the private property.
6. 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.
- 7. 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.
- 8. 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.
- 9. 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.
- 10. 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.
- 11. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new coastal development permit.
- 12. The project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the conditions of approval.
- 13. 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.
- 14. 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.
- 15. Before the issuance of building permits, the applicant shall submit a final construction erosion control plan. The plan shall be subject to review and approval by the Building Division.

16. *Before the issuance of building permits, the applicant shall submit a final drainage and grading plan. The plan shall be subject to review and approval by the Building Division.*
17. *Before issuance of a building permit, a copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans.*
18. *Before the issuance of a building permit, 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.*
19. 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.
20. Construction activities shall comply with Section 10.28.040 of the Newport Beach Municipal Code, which restricts hours of noise-generating construction activities that produce noise to between the hours of 7:00 a.m. and 6:30 p.m., Monday through Friday. Noise-generating construction activities are not allowed on Saturdays, Sundays, or Holidays.
21. 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.
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.
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 filed as PA2024-0049 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 **Schwartz Residence** including but not limited to, **Coastal Development Permit filed as PA2024-0059**. 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. ZA2025-014**

### **A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING A MINOR USE PERMIT FOR A PERSONAL SERVICES, RESTRICTED LAND USE WITH ACCESSORY MASSAGE SERVICES LOCATED AT 4301 BIRCH STREET, SUITE 131 (PA2024-0150)**

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

#### **SECTION 1. STATEMENT OF FACTS.**

1. An application was filed by Tiffany Perez of One Nine Architecture (Applicant), on behalf of Reecess (Operator), concerning the property located at 4301 Birch Street and legally described as Lot 4 of Tract 5169 (Property) requesting approval of a minor use permit.
2. The Applicant proposes to operate a medical spa with accessory massage services within a 4,404-square-foot tenant space within an existing office complex. The Applicant will improve the space to provide seven treatment rooms, a wellness area, a reception area, an employee break room, and showers. The medical spa will offer services such as cryotherapy, sauna, intravenous therapy, and limited massage and will operate from 9:00 a.m. to 8:00 p.m., daily, with no late hours (i.e., after 11:00 p.m.) proposed (Project).
3. The Property is categorized as Airport Office and Supporting Uses (AO) by the Land Use Element of the General Plan and is located within the Office-Airport (OA) Zoning District.
4. The Property is not located within the Coastal Zone; therefore, a coastal development permit is not required.
5. A public hearing was held on April 10, 2025, 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 exempt from the California Environmental Quality Act (CEQA) under Section 15301 under Class 1 (Existing Facilities) 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. The exceptions to this categorical exemption under Section 15300.2 are not applicable.
2. The Class 1 exemption authorizes minor alterations of existing structures involving negligible or no expansion of use. The Project will improve a vacant suite within an existing building to operate as a medical spa with no increase in floor area and no intensification of use. Therefore, the Class 1 exemption is applicable.

***Minor Use Permit***

In accordance with Section 20.52.020(F) (Conditional Use Permits and Minor Use Permits, Findings and Decision) of the NBMC, 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 Land Use Element of the General Plan categorizes the Property as Airport Office and Supporting Uses (AO). Table LU1 (Land Use Plan Categories) of the Land Use Element specifies that the AO category is intended to provide for the development of properties adjoining the John Wayne Airport for uses that support or benefit from airport operations. These uses may include corporate and professional offices; automobile sales, rental, and service; aviation sales and service; hotels; accessory retail, restaurant, and service uses.
2. The Project is consistent with the AO designation, as it provides a personal service that supports visitors to the surrounding commercial uses and the region at large. The Project will serve and complement the nearby John Wayne Airport and surrounding business community, as visitors and employees would be able to conveniently access this service use.
3. Land Use Policy LU 3.3 (Opportunities for Change, Airport Area) of the Land Use Element of the General Plan specifies that development in the airport area should contribute to a cohesive urban, mixed-use character where residents and visitors can live, work, shop, access services and play. The Project supports this policy as it provides additional services to residents and employees of the airport area.
4. The Property is not located within 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 within the Office-Airport (OA) Zoning District. Similar to the Land Use categorization of Airport Office and Supporting Uses (AO), the OA Zoning District is also intended to provide areas appropriate for the development of properties adjoining the John Wayne Airport for uses that support or benefit from airport operations including corporate and professional offices; automobile sales, rental, and service; aviation sales

and service; hotels; and accessory retail, restaurant, and service uses. The Project is a service use and is therefore consistent with the intent of the OA Zoning District.

2. Section 20.70 (Definitions) of the NBMC defines the personal services, restricted land use as a personal service use that may have a blighting and/or deteriorating effect on surrounding areas and that may need to be dispersed from other similar uses to minimize adverse impacts. The NBMC provides specific examples of personal services, restricted land uses including day spas, healing arts, tanning salons, and body piercing studios. The NBMC does not have a medical spa land use, nor does it provide a definition for medical spa. The Project will offer cryotherapy, sauna, meditation and breathing areas, intravenous therapy, and limited massage service. The Project will operate like a day spa and would therefore be categorized as personal services, restricted land use.
3. Section 20.70 (Definitions) of the NBMC defines a massage services, accessory land use as a massage establishment that is regulated by State law and operated as an accessory use in conjunction with an approved health club, athletic club, gym, or hotel or in conjunction with a medical office or chiropractic office. For the purpose of this definition, an establishment that includes less than 25% of its floor area dedicated toward massage services is considered accessory. The Project includes two massage rooms totaling approximately 350-square-feet, or 8 %, of the total floor area of the tenant space. The massage services are accessory to the variety of personal services offered as the primary use.
4. Pursuant to Table 2-4 (Commercial Office Zoning Districts Permit Requirements) of Section 20.20.020 (Commercial Zoning Districts Land Uses and Permit Requirements) of the NBMC, both personal services, restricted and accessory massage services are permitted within the OA Zoning District, subject to approval of a minor use permit (MUP).
5. Section 20.40.120 (Massage Establishments and Services) of the NBMC provides additional standards for massage establishments operating as an independent use. The Project only includes massage as an accessory use; therefore, compliance with these standards is not required.
6. Table 3-10 (Off-Street Parking Requirements) of Section 20.40.040 (Off-Street Parking Spaces Required) of the NBMC requires an off-street parking rate of one space per 250-square-feet of gross floor area for personal services. As massage is accessory to the primary use, the off-street parking requirement for personal services is applied to the entire 4,404-square-feet tenant space resulting in a parking requirement of 18 spaces.
7. The Property was developed in the 1960s, prior to current parking requirements, and provides 59 surface parking spaces. The Property is considered nonconforming, as it does not provide the minimum parking spaces currently required. Pursuant to Section 20.38.060 (Nonconforming Parking) of the NBMC, a use with nonconforming parking may be changed to a new use allowed in that zoning district without providing additional parking, provided there is no intensification or enlargement (e.g., increase in floor area, or lot area), and the new use requires a parking rate of no more than one space per 250

square feet of gross floor area. The Project requires a parking rate of one space per 250 square feet of gross floor area and does not increase the gross floor area of the tenant space; therefore, no additional parking is required.

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 Property and surrounding area are developed with professional and medical offices, hotels, car rental and car washing services, and other service uses. The Project provides a personal service that is consistent with the uses within the surrounding area.
2. The Project is not anticipated to generate public inconveniences or nuisances such as noise, light, or odors. Approximately five clients and three staff members are expected to be on site at any given time.
3. Conditional of Approval No. 11 limits hours of operations from 9:00 a.m. through 8:00 p.m., daily and prohibits late hours operations (i.e., after 11 p.m.) The proposed hours of operation are similar with the other uses on the Property.
4. The Property orients towards Birch Street and is not adjacent to any residential neighborhoods. The nearest residential zoning district is approximately 3,000 feet south from the Property. No impacts to any residential uses are expected due to the distance and intervening uses.

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 Property is flat, rectangular in shape, and measures approximately 58,000-square-feet in area. It is developed with two office buildings and a 59-space surface parking lot. The Project is located within the single-story, 9,798-square-foot, building designated for medical office uses. The adjacent building is also designated for medical office uses.
2. The Property is located within a developed, commercial, area and is adequately served by existing public services and utilities.
3. Existing vehicular and pedestrian access points to the Property from Birch Street will be maintained, providing adequate public and emergency vehicle access.

4. The Building Division and Fire Department have reviewed the Project and have provided Conditions of Approval. Condition of Approval No. 26 requires the Applicant obtain a building permit for the Project which ensures the proposed equipment and tenant layout complies with Building 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. Fact 3 in Support of Finding B is hereby incorporated by reference.
2. The Project adds a personal service use to an existing office complex where professional and medical offices are common. The Project diversifies the allowed uses within the building and helps the property owner lease the currently vacant space. The Project is not anticipated to endanger, jeopardize, or otherwise constitute a hazard to the public.
3. The Newport Beach Police Department (NBPD) has reviewed the Project and has no objections. Condition of Approval No. 24 requires the Operator or primary massage therapist to obtain a Massage Operators Permit from the NBPD. Additionally, Condition of Approval No. 25 requires all employees who conduct massage services to be certified by the California Massage Therapy Council (CAMTC).

**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 15301 under Class 1 (New Construction and 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 Minor Use Permit filed as PA2024-0150 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 is filed with the Community Development Director in accordance with the provisions of Section 20.54.060 (Time Limits and Extensions) of the NBMC.

**PASSED, APPROVED, AND ADOPTED THIS 10<sup>TH</sup> DAY OF APRIL, 2025.**



Benjamin M. Zueba, AICP, Zoning Administrator

**EXHIBIT "A"****CONDITIONS OF APPROVAL**

*(Project-specific conditions are in italics)*

**Planning Division**

1. The Project shall be in substantial conformance with the approved site plan, and floor plans stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
2. The Project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the conditions of approval.
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 cause the revocation of this Minor Use Permit.
4. This 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 are detrimental to the public health, welfare, or materially injurious to the Property or improvements in the vicinity or if the Property is operated or maintained to constitute a public nuisance.
5. Any change in operational characteristics, expansion in the area, or other modification to the approved plans shall require review by the Planning Division. An amendment to this Minor Use Permit or the processing of a new minor use permit may be required.
6. 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 Section 20.54.060 (Time Limits and Extensions) of the NBMC.
7. Prior to the issuance of a building permit, a copy of this Resolution including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans
8. 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.
9. Construction activities shall comply with Section 10.28.040 (Construction Activity – Noise Regulations) of the NBMC, 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 Saturdays. Noise-generating construction activities are not allowed on Sundays or Holidays.

10. 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 NBMC.
11. *The hours of operation shall be limited from 9:00 a.m. through 8:00 p.m., daily.*
12. The business operator shall take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks and areas surrounding the Property and adjacent properties during business hours, if directly related to the patrons of the establishment.
13. 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 NBMC to require such permits.
14. All proposed signs shall be in conformance with the provisions of Chapter 20.42 (Sign Standards) of the NBMC.
15. All lighting shall conform to the standards of Section 20.30.070 (Outdoor Lighting) of the NBMC. The Community Development Director may order the dimming of light sources or other remediation upon finding that the site is excessively illuminated.
16. 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 20 feet of the premises.
17. All trash shall be stored within the building or within dumpsters stored in the trash enclosure (three walls and a self-latching gate) or otherwise screened from view of neighboring properties, except when placed for pick-up by refuse collection agencies. The trash enclosure shall have a decorative solid roof for aesthetic and screening purposes.
18. All trash shall be stored within the building, except when placed for pick-up by refuse collection agencies. 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).
19. Trash receptacles for patrons shall be conveniently located inside of the establishment.
20. Storage outside of the building in the front or at the rear of the Property shall be prohibited, with the exception of the trash container on pick-up days.

21. 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 leasing agent.
22. To the fullest extent permitted by law, 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 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 **Reecess Medical Spa** including, but not limited to, **the Minor Use Permit filed as PA2024-0150**. 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.

### **Police Department**

23. *The establishment shall comply with Chapter 5.50 (Massage Establishments) of the NBMC.*
24. *All employees of the establishment who conduct massage shall be certified by the California Massage Therapy Council (CAMTC). Physicians, physical therapists, and chiropractors are exempt from this condition.*
25. *The Operator or primary massage therapist shall obtain and hold in good standing, a Massage Operators Permit issued by the NBPD.*

### **Building Division**

26. The Applicant shall 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.
27. *An accessible path of travel shall be required from the parking lot and public right of way to the tenant space per section 11B-202.4 of the California Building Code.*
28. *A turning space shall be required inside the treatment room per section 11B11B-304 of the California Building Code.*
29. *Medical gases at healthcare related facilities for patient care shall comply with Section 427 and Chapter 53 of the California Fire Code.*

30. *Lounge heated chair area shall be assembly occupant load.*
31. *Applicant shall provide necessary information to support the RCL calculations provided on the project plans which includes dimensions of the “cryo” enclosure and the total amount and type of refrigerant. This data within the RCL calculations provided for this Minor Use Permit shall match the equipment specifications during plan check.*

**Fire Department**

32. *Refrigerant systems shall comply with section 608 of the California Fire Code and the California Mechanical Code.*

## **RESOLUTION NO. ZA2025-015**

### **A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING A MINOR USE PERMIT AND STAFF APPROVAL FOR THE PARTIAL CONVERSION OF AN EXISTING PROFESSIONAL OFFICE BUILDING INTO A MEDICAL OFFICE AND WAIVING A PORTION OF THE OFF-STREET PARKING REQUIREMENT FOR THE PROPERTY LOCATED AT 20062 BIRCH STREET (PA2024-0212)**

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

#### **SECTION 1. STATEMENT OF FACTS.**

1. An application was filed by Michael Segura (Applicant), concerning the property located at 20062 Birch Street and legally described as the southwesterly one half of Lot 140 of Tract 706, Harbor View addition to Santa Ana Heights, as shown on a map recorded in Book 21, Page 25 of Miscellaneous Maps, Records of Orange County, California (Property).
2. The Property is developed with a three-story, 9,622-square-foot professional office building. Prior to the Property's annexation to the City, construction of the building was authorized on May 15, 2003, by the Orange County Zoning Administrator's approval of Use Permit No. PA02-0188. The building provides a 42-space parking lot on the first floor and two levels of professional office space above.
3. The Applicant requests approval of a minor use permit to convert the second floor, approximately 4,256 square feet, from professional office use to medical office use. The Applicant also requests a staff approval to waive one parking space, or 2% of the overall required parking for the building, to implement the conversion. There is no increase in floor area and no exterior remodeling proposed (Project).
4. Section 20.40.110(D) (Adjustments to Off-Street Parking Requirements) of the Newport Beach Municipal Code (NBMC) allows the Community Development Director to reduce the number of required parking spaces by a maximum of 20%. However, Section 20.50.30 (Multiple Permit Applications) of the NBMC requires that multiple applications for the same project be processed concurrently and be reviewed and approved, modified, or denied by the highest review authority, which in this case is the Zoning Administrator.
5. This Resolution shall not supersede or invalidate any previously issued use permit for the Property, and all prior approvals shall remain in full force and effect unless explicitly modified or revoked by this Resolution.
6. The Property is categorized as General Commercial Office (CO-G) by the General Plan Land Use Element and is located within the Santa Ana Heights Specific Plan, Business Park District (SP-7, BP) Zoning District.

7. The Property is not located within the Coastal Zone; therefore, a coastal development permit is not required.
8. A public hearing was held on April 10, 2025, 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 exempt from the California Environmental Quality Act (CEQA) under Section 15301 under Class 1 (Existing Facilities) 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. The exceptions to this categorical exemption under Section 15300.2 are not applicable.
2. The Class 1 exemption authorizes minor alterations of existing structures involving negligible or no expansion of use. The Project is to convert an existing suite from a professional office use to a medical office use with improvements and no increase in floor area. The Project results in a negligible intensification of use. Therefore, the Class 1 exemption is applicable.

## SECTION 3. REQUIRED FINDINGS.

### ***Minor Use Permit***

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 Land Use Element of the General Plan categorizes this Property as General Commercial Office (CO-G). Table LU 1 (Land Use Plan Categories) of the Land Use Element specifies that the CO-G category is intended to provide areas for the development of administrative, professional, and medical offices with limited accessory retail and service uses. The Project converts professional office into medical office and is therefore consistent with the General Plan land use designation.
2. Land Use Policy LU2.1 (Resident-Serving Land Uses) of the Land Use Element of the General Plan encourages uses that support the needs of Newport Beach's residents including housing, retail, services, employment, recreation, education, culture, entertainment, civic engagement, and social and spiritual activity that are in balance with

community natural resources and open spaces. While other types of professional offices have incurred higher vacancy rates in a post COVID-19 environment, medical offices remain an in-demand use. The Project diversifies the allowed uses within the building and helps to provide an additional service to nearby residents and visitors to the City, in an otherwise vacant tenant space, and is therefore consistent with Land Use Policy LU2.1.

3. The Property is located within the Santa Ana Heights Specific Plan Business Park District (SP-7, BP) Zoning District. The BP District was established to provide for the development and maintenance of professional and administrative offices, commercial uses, specific uses related to product development, and limited light industrial uses. The Project converts a portion of an existing professional office building into medical office and is therefore consistent with the specific plan designation.
4. Section 20.90.120 (Business Park District: SP-7 (BP)) of the NBMC requires several development standards including, but not limited to, setbacks, floor area ratio, lot coverage, height, and landscape buffering. The Project does not include any changes to the size of the existing building nor includes any changes to the exterior of the building. The existing building will continue to meet all development standards.
5. Section 20.90.030 (Design Guidelines) of the NBMC requires specific design guidelines for business park uses located in the Santa Ana Heights Specific Plan area including building design and parking lot landscaping. The Project does not include any changes to the exterior façade of the building or landscaping. The existing building will continue to meet design guidelines.

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. Facts 3, 4, and 5 in Support of Finding A are hereby incorporated by reference
2. Section 20.90.120 (Business Park District: SP-7 (BP)) of the NBMC allows for medical uses, subject to approval of a minor use permit (MUP). The Applicant intents to convert the entirety of the second floor into medical office; therefore, a MUP is required.
3. The Project does not include an expansion of the existing office building or any modification to the exterior of the structure. The building will continue to comply with all applicable development standards including but not limited to height, setbacks, floor area ratio, site coverage, and landscaping.
4. Table 3-10 (Off-Street Parking Requirements) of Section 20.40.040 (Off-Street Parking Spaces Required) of the NBMC provides an off-street parking requirement of one space for every 250 square feet of net floor area for a professional office use. The existing

professional office building is developed with 9,622 square feet of net floor area and requires 39 parking spaces. However, Table 3-10 provides a higher off-street parking requirement of one space for every 200 square feet of gross floor area for medical office uses. The Applicant proposes to convert 4,256 square feet of gross floor area into a medical office use, which increases the overall parking requirement of the Property to 43 parking spaces. The Property only provides 42 parking spaces, and it is not feasible to provide additional parking spaces due to site constraints. Therefore, a one space, or 2%, parking waiver is required.

5. All facts in support of Finding F, G, and H are hereby incorporated by reference.

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 Property is located on Birch Street, which primarily developed other multi-story, medical and professional office building. The Project is bounded by a single-unit residence to the north, a single-unit residential equestrian property developed with a storage facility to the east, and a multi-tenant, medical office building to the west. There is a multifamily development approximately 125 feet to the south of the Property along Birch Street. Residential uses are not allowed within SP-7, BP and the residences are considered nonconforming. Medical offices typically do not generate public inconveniences or nuisances such as noise, light, or odors. Conditions of Approval Numbers 10 and 11 prohibit the space from operating as an urgent care or hospital and does not allow for the overnight stay or late-night discharge of patients. Therefore, the Project is not anticipated to impact the nearby nonconforming residences and will maintain compatibility with the surrounding neighborhood.
2. The proposed hours of operation shall be between the hours of 8:00 a.m. to 7:00 p.m. Monday to Thursday and 9:00 a.m. to 5:00 p.m. Friday and Saturday. This allows for flexibility of the future medical use while also maintaining hours of operation that are comparable to medical offices in the vicinity. The existing tenant on the third floor maintains hours of operation between 8:00 a.m. to 5:00 p.m. Monday to Saturday. The proposed hours of operation for the medical use are substantially similar to the operating hours of other tenant in the building.
3. Section 20.90.120 (Business Park District: SP-7 (BP)) of the NBMC requires landscape buffering, mechanical equipment and trash container screening, and a 6-foot wall separating SP-7, BP properties from Residential Equestrian District (REQ) properties. The existing building will continue to conform to these standards and will remain compatible with the abutting property in the REQ District.

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 Property measures 18,692 square feet in area, is rectangular in shape, and is located within a developed neighborhood.
2. Existing vehicular and pedestrian access points to the Property from Birch Street will be maintained. Adequate public and emergency vehicle access, public services, and utilities are provided on the Property
3. The on-site parking area is located on the first floor and will be improved to provide parking solutions for alternative modes of transportation including a parking space designated for rideshare vehicles.
4. The Building Division and Fire Department have reviewed the Project and have provided Conditions of Approval Numbers 31-37 which require the Applicant to obtain a building permit for the change of use and/or change in occupancy regardless of if any construction is proposed. Any required improvements to the Property to accommodate the medical use shall comply with Building 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 Project will add medical office use to an existing professional office building within a developed neighborhood where professional and medical offices are common.
2. The Property currently provides a total of 42 on-site parking spaces. The Project includes Condition of Approval No. 7 which requires the Applicant designate one parking space as share-mobility vehicle parking space in lieu of providing one additional parking space. The Project also includes Condition of Approval No. 8, which affords the Community Development Director, Public Works Director, or the City Traffic Engineer the ability to require additional parking mitigations measure if parking is determined to be a public nuisance for surrounding properties.

3. Condition of Approval No. 10 and 11 prohibits the use from operating as an urgent care facility or a hospital and does not allow any overnight stay or late-night discharges of patients.
4. 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. Condition of Approval No. 12 requires the medical office operator take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks and areas surrounding the Property and adjacent properties during business hours, if directly related to the patrons of the establishment. Based on the NBMC requirements and the proposed conditions of approval, the Project should not result in a detriment to the surrounding community.

### ***Staff Approval for Parking Waiver***

In accordance with Section 20.40.110(D) (Adjustments to Off-Street Parking Requirements) of the 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:**

*F. 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*

#### **Fact in Support of Finding:**

A parking study was not used as justification for the reduction in parking.

#### **Findings:**

*G. 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 5% 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 5% 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.*

**Fact in Support of Findings:**

On-site bicycle facilities were not used as justification for the reduction in parking.

**Findings:**

H. *Space for Shared Mobility. Required nonresidential off-street parking may be reduced by up to 10% 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 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.*

**Facts in Support of Findings:**

1. The Applicant proposes to designate one off-street parking space for use by shared-mobility vehicles. Condition of Approval No. 7 requires the Applicant to install signage indicating that a parking space is reserved for the shared-mobility vehicles prior to the operation of the medical office use.
2. The Community Development Director is satisfied that the shared mobility parking space is sufficient to waive 1 parking space, or 2% of the parking requirement.

**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 15301 under Class 1 (Existing Facilities) 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 Minor Use Permit and Staff Approval filed as PA2024-0212 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 is filed with the Community Development Director in accordance with the provisions of Section 20.54.060 (Time Limits and Extensions) of the NBMC.

**PASSED, APPROVED, AND ADOPTED THIS 10<sup>TH</sup> DAY OF APRIL, 2025.**



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Benjamin M. Zueba, AICP, Zoning Administrator

**EXHIBIT "A"****CONDITIONS OF APPROVAL**

*(Project-specific conditions are in italics)*

**Planning Division**

1. The Project 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 Project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the conditions of approval.
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 caused the revocation of this approval.
4. PA2024-0212 may 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, welfare, or materially injurious to the Property or improvements in the vicinity or if the Property is operated or maintained to constitute a public nuisance.
5. Any change in operational characteristics, expansion in the area, or other modification to the approved plans shall require subsequent review by the Planning Division and potentially the processing of an amendment to this approval or the processing of a new entitlement.
6. Prior to 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.
7. Prior to the operation of the medical use, the Applicant shall install appropriate signage to designate one parking space as share-mobility vehicle parking space.
8. *If in the opinion of the Community Development Director, Public Works Director, or City Traffic Engineer, the medical use is generating a greater parking demand than anticipated and is creating a nuisance, additional parking management measures may be required.*
9. *The hours of operation for the medical office tenants shall be limited to between the hours of 8:00 a.m. to 7:00 p.m. Monday to Thursday and 9:00 a.m. to 5:00 p.m. Friday to Sunday.*
10. *This approval does not authorize the operation of an urgent care facility or a hospital.*

11. *This approval does not authorize overnight stays or the late-night discharges of patients*
12. *The Property owner and tenants shall take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks and areas surrounding the Property and adjacent properties during business hours, if directly related to the patrons of the establishment*
13. *Prior to the issuance of a building permit, the Applicant shall pay Fair Share Fees in accordance with Chapter 15.38 (Fair Share Traffic Contribution Ordinance) of the NBMC.*
14. All Project signs shall be in conformance with the provisions of Chapter 20.42 (Sign Standards) of the NBMC.
15. 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.
16. The Property shall not be excessively illuminated based on the luminance recommendations of the Illuminating Engineering Society of North America, or, in the opinion of the Community Development Director, the illumination creates an unacceptable negative impact on surrounding land uses or environmental resources. The Director may order the dimming of light sources or other remediation upon finding that the Property is excessively illuminated.
17. 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 NBMC.
18. Construction activities shall comply with Section 10.28.040 (Construction Activity – Noise Regulations) of the NBMC, 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 Sundays or Holidays.
19. All trash shall be stored within the building or within dumpsters stored in the trash enclosure (three walls and a self-latching gate) or otherwise screened from the view of neighboring properties, except when placed for pick-up by refuse collection agencies. The trash enclosure shall have a decorative solid roof for aesthetic and screening purposes
20. 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).

21. The exterior of the business shall be always maintained free of litter and graffiti. The owner or operator shall provide for daily removal of trash, litter debris, and graffiti from the premises and on all abutting sidewalks within 20 feet of the premises.
22. Storage outside of the building in the front or at the rear of the Property shall be prohibited, except for the required trash container enclosure.
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. Deliveries and refuse collection for the facility shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m. on weekdays and Saturdays and between the hours of 10:00 p.m. and 9:00 a.m. on Sundays and Federal holidays unless otherwise approved by the Community Development Director and may require an amendment to this approval.
25. A Special Events Permit is required for any event or promotional activity outside the normal operating characteristics of the approved use, as conditioned, or that would attract large crowds, include any form of on-site media broadcast, or any other activities as specified in the NBMC to require such permits.
26. 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 Section 20.54.060 (Time Limits and Extensions) of the NBMC.
27. 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.
28. *This Resolution shall not supersede or invalidate any previously issued use permit for the Property, and all prior approvals shall remain in full force and effect unless explicitly modified or revoked by this Resolution*
29. 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 leasing agent.
30. 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 **20062 Birch Street Medical Conversion** including, but

not limited to, the **Minor Use Permit and Staff Approval filed as PA2024-0212**. 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 that which 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**

31. *The Applicant shall obtain all applicable permits from the City's Building Division and Fire Department, including a building permit for a change in use and/or change of occupancy. 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.*
32. *The medical use shall be limited to medical office and medical clinic as defined in the California Building Code (CBC).*
33. *An accessible path of travel shall be provided from the parking area and public right-of-way to the tenant space on the second floor.*
34. *The existing elevator shall be fully accessible per Section 11B-407 of the California Building Code (CBC).*

### **Fire Department**

35. *Any modifications to the structure, fire sprinkler system, or fire alarm shall require a permit from the Newport Beach Fire Department (NBFD).*
36. *Group B ambulatory care facilities shall be reviewed and approved by the NBFD prior to any occupancy in the structure.*
37. *Any medical service that can render a patient unable to self-evacuate shall be reviewed and approved by the NBFD.*

## **RESOLUTION NO. ZA2025-016**

### **A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING A LOT MERGER FOR TWO LOTS UNDER COMMON OWNERSHIP BOTH LOCATED AT 2360 REDLANDS DRIVE (PA2025-0001)**

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

#### **SECTION 1. STATEMENT OF FACTS.**

1. An application was filed by Amber Miedema (Applicant) with respect to the property at 2360 Redlands Drive, and legally described as Lot 7 of Tract No. 3062. The parcel to be merged to the southeast has no site address and is legally described as a portion of Lot 105 of Tract No. 300 with an Assessor's Parcel Number (APN) of 439-232-13.
2. The Applicant proposes a lot merger and requests to waive the parcel map requirement for two lots under common ownership. The lot merger would combine the two legal lots into a single parcel (Project).
3. The subject properties are located within the Single-Unit Residential (R-1-7200) Zoning District and the General Plan Land Use Element category is Single Unit Residential Detached (RS-D).
4. The subject properties are not located within the coastal zone.
5. A public hearing was held on April 10, 2025, online via Zoom. A notice of time, place, and purpose of the hearing was given in accordance with 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 exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315 under Class 15 (Minor Land Divisions) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.
2. The Class 15 exemption allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four 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%. This exemption includes a minor lot merger not resulting in the creation of any new parcel that complies with the conditions specified above.
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, and is not a hazardous waste site, and is not identified as a historical resource.

### SECTION 3. REQUIRED FINDINGS.

In accordance with Section 19.68.030 (Lot Mergers), the following findings and facts in support of such findings are set forth:

#### Finding:

A. *Approval of the merger will not, under the circumstances of this 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, and further that the proposed lot merger is consistent with the legislative intent of this title.*

#### Facts in Support of Finding:

1. The Project will not result in the creation of additional parcels by removing the interior lot line between them.
2. The Project is consistent with the purpose and intent of NBMC Title 19 (Subdivisions), identified in NBMC Subsection 19.04.020 (Purpose and Applicability). The lot merger will ensure all development is contained within the property and there is no construction crossing legal property lines.
3. The future development on the proposed merged parcel will be subject to NBMC Title 20 (Planning and Zoning), which is intended to promote orderly development, protect neighborhood character, and preserve public health, safety, and general welfare of the City.

#### Finding:

B. *The lots to be merged are under common fee ownership at the time of the merger.*

#### Fact in Support of Finding:

1. The two lots to be merged are under common fee ownership, as evidenced by the Preliminary Title Report submitted with the application.

#### Finding:

C. *The lots as merged will be consistent or will be more closely compatible with the applicable zoning regulations and will be consistent with other regulations relating to the subject property including, but not limited to, the General Plan and any applicable Coastal Plan or Specific Plan.*

Facts in Support of Finding:

1. The merged lots will retain the Single-Unit Residential (R-1-7200) zoning designation, consistent with the surrounding area. The R-1-7200 Zoning District is intended to provide areas appropriate for a detached single-family residential dwelling unit located on a single lot that is 7,200 square feet or greater in area.
2. The Land Use Element of the General Plan designates the subject properties as Single Unit Residential Detached (RS-D), which applies to a range of single-family residential dwelling units.
3. Section 20.18.030 (Residential Zoning Districts General Development Standards) of the Newport Beach Municipal Code (NBMC) establishes minimum lot area and width requirements. The Project would result in a 19,787-square-foot parcel that is in conformance to the minimum 7,200-square-foot interior lot area standard of the Zoning Code. The Project does not affect the existing lot width of the subject properties, which are both 66 feet wide. The lots are considered existing legal, nonconforming as they do not meet the 70-foot minimum requirement set by the NBMC. However, the width of the subject properties are not changed by the Project and the existing 66-foot width is typical of lots within the block. Additionally, the Project would create a lot depth of 299 feet, exceeding the 90-foot minimum depth required by the NBMC.
4. The subject properties are not located within a specific plan area.

Finding:

D. *Neither the lots as merged nor adjoining parcels will be deprived of legal access as a result of the merger.*

Fact in Support of Finding:

1. No adjoining parcels will be deprived of legal access as a result of the Project. The existing southeasterly parcel to be merged is landlocked. Legal access to the merged parcels is provided from Redlands Drive and will remain unchanged.

Findings:

E. *The lots as merged will be consistent with the pattern of development nearby and will not result in a lot width, depth or orientation, or development site that is incompatible with nearby lots. In making these findings, the review authority may consider the following:*

- i. *Whether the development of the merged lots could significantly deviate from the pattern of development of adjacent and/or adjoining lots in a manner that would result in an unreasonable detriment to the use and enjoyment of other properties.*
- ii. *Whether the merged lots would be consistent with the character or general orientation of adjacent and/or adjoining lots.*

*iii. Whether the merged lots would be conforming or in greater conformity with the minimum lot width and area standards for the zoning district.*

Facts in Support of Findings:

1. Any future development on the merged lots will be required to meet all applicable development standards and, therefore, will not significantly deviate from the pattern of development of adjacent and/or adjoining lots in a manner that would result in an unreasonable detriment to the use and enjoyment of other properties.
2. The Project will create a parcel that is consistent with the character or general orientation of adjacent and/or adjoining lots. Although the current configuration is two lots, the property is used as a single parcel with one single-family residence. As a result, the proposed merger will not result in a visible change in the character of the neighborhood and will continue to allow the property to be used for single-family purposes.
3. Fact 3 in support of Finding C is hereby incorporated as reference.

In accordance with Section 19.08.30.(A)(3) (Waiver of Parcel Map Requirement – Activities Eligible for Waiver) of the NBMC, the Zoning Administrator may approve a waiver of the parcel map requirement in cases where no more than three parcels are eliminated. The following finding and facts in support of such findings are set forth:

Finding:

*F. The proposed division of land complies with requirements as to area, improvement and design, flood water drainage control, appropriate improved public roads and property access, sanitary disposal facilities, water supply availability, environmental protection, and other applicable requirements of this title, the Zoning Code, the General Plan, and any applicable Coastal Plan or Specific Plan.*

Facts in Support of Finding:

1. Approval of the proposed lot merger would remove the existing interior lot line, and allow the subject properties to be used as a single site. The merged lot would comply with all design standards and improvements required for new subdivisions by NBMC Title 19 (Subdivisions) and the General Plan.
2. The subject properties are not located within a specific plan area.
3. The subject properties are not located within the Coastal Zone.

**SECTION 4. DECISION.**

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Zoning Administrator of the City of Newport Beach hereby finds this project categorically exempt from the California Environmental Quality Act pursuant to Section 15315 under Class 15 (Minor Land Divisions) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3 because it has no potential to have a significant effect on the environment.
2. The Zoning Administrator of the City of Newport Beach hereby approves PA2025-0001, subject to the conditions set forth in Exhibit "A," which is attached hereto and incorporated for reference.
3. This action shall become final and effective 10 days after the adoption of this Resolution unless within such time an appeal or call for review is filed with the Director of Community Development in accordance with the provisions of Title 19 (Subdivisions), of the Newport Beach Municipal Code.

**PASSED, APPROVED, AND ADOPTED THIS 10<sup>TH</sup> DAY OF APRIL, 2025**



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Benjamin M. Zdeba, AICP, Zoning Administrator

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

1. The development shall be in substantial conformance with the approved lot merger exhibits stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
2. The Project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the conditions of approval.
3. 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 lot merger.
4. *Prior to the issuance of building permits, for any construction to cross the existing interior lot line between the two lots proposed to be merged, recordation of the Lot Merger documents with the County Recorder shall be required.*
5. All easements shall be plotted, and all easement documents provided upon final map review.
6. 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.
7. 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.
8. To the fullest extent permitted by law, the applicant shall indemnify, defend and hold harmless the City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any 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 **2360 Redlands Drive Lot Merger, PA2025-0001**. 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 of the City's costs, attorney's fees, and damages that 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.

## **RESOLUTION NO. ZA2025-017**

### **A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING A LOT MERGER FOR TWO LOTS UNDER COMMON OWNERSHIP BOTH LOCATED AT 2356 REDLANDS DRIVE (PA2025-0002)**

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

#### **SECTION 1. STATEMENT OF FACTS.**

1. An application was filed by Amber Miedema (Applicant) with respect to the property at 2356 Redlands Drive, legally described as Lot 8 of Tract No. 3062. The parcel to be merged to the southeast has no site address and is legally described as a portion of Lot 105 of Tract No. 300 with an Accessor's Parcel Number (APN) of 439-232-12.
2. The Applicant proposes a lot merger and requests to waive the parcel map requirement for two lots under common ownership. The merger would combine the two legal lots into a single parcel (Project).
3. The subject properties are located within the Single-Unit Residential (R-1-7200) Zoning District and the General Plan Land Use Element category is Single-Unit Residential Detached (RS-D).
4. The subject properties are not located within the coastal zone.
5. A public hearing was held on April 10, 2025, 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 exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315 under Class 15 (Minor Land Divisions) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.
2. The Class 15 exemption allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four 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%. This exemption includes a minor lot merger not resulting in the creation of any new parcel that complies with the conditions specified above.

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, and is not a hazardous waste site, and is not identified as a historical resource.

### SECTION 3. REQUIRED FINDINGS.

In accordance with Section 19.68.030 (Lot Mergers), the following findings and facts in support of such findings are set forth:

#### Finding:

- A. *Approval of the merger will not, under the circumstances of this 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, and further that the proposed lot merger is consistent with the legislative intent of this title.*

#### Facts in Support of Finding:

1. The Project will not result in the creation of additional parcels by removing the interior lot line between them.
2. The Project is consistent with the purpose and intent of NBMC Title 19 (Subdivisions), identified in NBMC Subsection 19.04.020 (Purpose and Applicability). The lot merger will ensure all development is contained within the property and there is no construction crossing legal property lines.
3. The future development on the proposed parcel will be subject to NBMC Title 20 (Planning and Zoning), which is intended to promote orderly development, protect neighborhood character, and preserve public health, safety, and general welfare of the City.

#### Finding:

- B. *The lots to be merged are under common fee ownership at the time of the merger.*

#### Fact in Support of Finding:

1. The two lots to be merged are under common fee ownership, as evidenced by the Preliminary Title Report submitted with the application.

Finding:

C. *The lots as merged will be consistent or will be more closely compatible with the applicable zoning regulations and will be consistent with other regulations relating to the subject property including, but not limited to, the General Plan and any applicable Coastal Plan or Specific Plan.*

Facts in Support of Finding:

1. The merged parcel will retain the Single-Unit Residential (R-1-7200) zoning designation, consistent with the surrounding area. The R-1-7200 Zoning District is intended to provide areas appropriate for a detached single-family residential dwelling unit located on a single lot that is 7,200 square feet or greater in area.
2. The Land Use Element of the General Plan designates the subject site as Single Unit Residential Detached (RS-D), which applies to a range of single-family residential dwelling units.
3. Section 20.18.030 (Residential Zoning Districts General Development Standards) of the NBMC establishes minimum lot area and width requirements. The Project would result in a 19,786-square-foot parcel that is in conformance to the minimum 7,200-square-foot interior lot area standard of the Zoning Code. The Project does not affect the existing lot width of the subject properties, which are both 66 feet wide. Since the widths required by the NBMC is 70 feet wide, the lots are considered existing legal, nonconforming due to lot width. However, the width of the subject properties are not changed by the Project and the existing 66-foot width is typical of lots within the block. Additionally, the Project would create a lot depth of 299 feet, exceeding the 90-foot minimum depth required by the NBMC.
4. The subject properties are not located within a specific plan area.

Finding:

D. *Neither the lots as merged nor adjoining parcels will be deprived of legal access as a result of the merger.*

Fact in Support of Finding:

1. No adjoining parcels will be deprived of legal access as a result of the Project. The existing southeasterly parcel is landlocked. Legal access to the merged parcels is provided from Redlands Drive and will remain unchanged.

Finding:

E. *The lots as merged will be consistent with the pattern of development nearby and will not result in a lot width, depth or orientation, or development site that is incompatible with nearby lots. In making these findings, the review authority may consider the following:*

- i. Whether the development of the merged lots could significantly deviate from the pattern of development of adjacent and/or adjoining lots in a manner that would result in an unreasonable detriment to the use and enjoyment of other properties.*
- ii. Whether the merged lots would be consistent with the character or general orientation of adjacent and/or adjoining lots.*
- iii. Whether the merged lots would be conforming or in greater conformity with the minimum lot width and area standards for the zoning district.*

Facts in Support of Finding:

1. Any future development on the merged lots will be required to meet all applicable development standards and, therefore, will not significantly deviate from the pattern of development of adjacent and/or adjoining lots in a manner that would result in an unreasonable detriment to the use and enjoyment of other properties.
2. The Project will create a parcel that is consistent with the character or general orientation of adjacent and/or adjoining lots. Although the current configuration is two lots, the property is used as a single parcel with one single-family residence. As a result, the proposed merger will not result in a visible change in the character of the neighborhood and will continue to allow the property to be used for single-family purposes.
3. Fact 3 in support of Finding C is hereby incorporated as reference.

In accordance with Section 19.08.30.(A)(3) (Waiver of Parcel Map Requirement – Activities Eligible for Waiver) of the NBMC, the Zoning Administrator may approve a waiver of the parcel map requirement in cases where no more than three parcels are eliminated. The following finding and facts in support of such findings are set forth:

Finding:

*F. The proposed division of land complies with requirements as to area, improvement and design, flood water drainage control, appropriate improved public roads and property access, sanitary disposal facilities, water supply availability, environmental protection, and other applicable requirements of this title, the Zoning Code, the General Plan, and any applicable Coastal Plan or Specific Plan.*

Facts in Support of Finding:

1. Approval of the proposed lot merger would remove the existing interior lot line, and allow the property to be used as a single site. The proposed lot would comply with all design standards and improvements required for new subdivisions by NBMC Title 19 (Subdivisions) and the General Plan.
2. The subject property is not located within a specific plan area.

**SECTION 4. DECISION.**

**NOW, THEREFORE, BE IT RESOLVED:**

1. The Zoning Administrator of the City of Newport Beach hereby finds this project categorically exempt from the California Environmental Quality Act pursuant to Section 15315 under Class 15 (Minor Land Divisions) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3 because it has no potential to have a significant effect on the environment.
2. The Zoning Administrator of the City of Newport Beach hereby approves PA2025-0002 subject to the conditions set forth in Exhibit "A," which is attached hereto and incorporated for reference.
3. This action shall become final and effective 10 days after the adoption of this Resolution unless within such time an appeal or call for review is filed with the Director of Community Development in accordance with the provisions of Title 19 (Subdivisions), of the Newport Beach Municipal Code.

**PASSED, APPROVED, AND ADOPTED THIS 10<sup>th</sup> DAY OF APRIL, 2025.**



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Benjamin M. Zdeba, AICP, Zoning Administrator

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

1. The development shall be in substantial conformance with the approved lot merger exhibits stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
2. The Project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the conditions of approval.
3. 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 lot merger.
4. *Prior to the issuance of building permits, for any construction to cross the existing interior lot line between the two lots proposed to be merged, recordation of the Lot Merger documents with the County Recorder shall be required.*
5. All easements shall be plotted, and all easement documents provided upon final map review.
6. 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.
7. 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.
8. To the fullest extent permitted by law, the applicant shall indemnify, defend and hold harmless the City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any 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 **2356 Redlands Drive Lot Merger, PA2025-0002**. 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 of the City's costs, attorney's fees, and damages that 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.



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)

**ZONING ADMINISTRATOR ACTION LETTER**

**Subject:** Newport Auto Center Sign Program (PA2024-0161)  
▪ CSP

**Site Location:** 445 East Coast Highway

**Applicant:** RSI Group

**Legal Description:** Parcel 1 of Resubdivision No. 202

On **April 10, 2025**, the Zoning Administrator approved the Comprehensive Sign Program filed as PA2024-0161 establishing sign criteria for the Newport Auto Center automobile dealership, which is currently under reconstruction. This approval is in accordance with the provisions of Chapter 20.42 (Sign Standards) of the Newport Beach Municipal Code (NBMC).

**LAND USE AND ZONING**

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

**SUMMARY**

As listed in the attached Comprehensive Sign Program Matrix (Attachment No. ZA 2) and required by Chapter 20.42.120 (Comprehensive Sign Program) of the NBMC, the Comprehensive Sign Program (hereafter "Program") covers all signage for the project, including three tenant wall signs, two monument signs, and two freestanding pylon signs.

The site has historically been developed with an automobile dealership, now referred to as the Newport Auto Center, which is currently being renovated. The Newport Auto Center includes an existing Bentley dealership, as well as a Porsche dealership. A comprehensive sign program (CSP) is required for this site because it maintains a frontage along a public right-of-way totaling more than 300 lineal feet. The applicant is requesting the following deviations from Chapter 20.42 (Sign Standards) of the NBMC for the following:

1. The installation of two freestanding pylon signs along the East Coast Highway frontage and two freestanding monument signs, where the NBMC allows one freestanding sign per site;

2. The allowance of a four-inch-tall addressing plate on one of the proposed freestanding pylon signs, where the NBMC requires the addressing plate to be a minimum of six inches;
3. The allowance of a wall sign of 97.5 square feet in area (Porsche), where the NBMC allows a maximum of 75 square feet (30% increase);
4. The installation of three wall signs along the East Coast Highway frontage, where the NBMC allows one per tenant frontage; and
5. The installation of a wall sign (Bentley – Sign 2) to extend below the fascia, where the NBMC does not permit such extension.

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

## **FINDINGS AND STANDARDS FOR APPROVED SIGNS**

### Finding

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

### Fact 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 site and do not intensify or alter the use.

### 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. A CSP is required whenever there is a building with frontage along a public right-of-way totaling more than 300 linear feet and provides flexible application of sign regulations for projects that require multiple signs. In this case, several signs in this Program will not increase in height more than 20% above that allowed or increase in sign area by more than 30% above that allowed.
2. The Program complies with the purpose and intent of Chapter 20.42 of the NBMC because it provides the automobile dealership the adequate identification for

motorists traveling in both directions on East Coast Highway, which has heavy vehicular traffic. The font, colors, and materials of both the wall and freestanding signs will complement the architecture and colors of the automobile dealership. The proposed signage provides incentive and latitude in the design and display of signs.

3. The Porsche wall sign facing East Coast Highway exceeds the maximum square footage of 75 square feet for wall mounted signs. Section 20.42.120 allows for a 30% increase in sign area with approval of a CSP. The proposed wall sign is 91.5 square feet which is a 19.8% increase and is consistent with the allowed deviation. However, to allow flexibility, the max sign allowed by this Program is 97.5 square feet, which is a 30% increase. The proposed sign area is appropriate in scale, as the Porsche dealership's building frontage is approximately 176 feet along East Coast Highway.
4. The existing Bentley dealership includes two existing wall signs on the primary frontage along East Coast Highway, one for tenant identification and the second for identification of the service center. Both signs comply with height and sign area per the NBMC. However, the identification wall sign extends below the fascia it is mounted on, which deviates from NBMC Section 20.42.080 (I)(1). A CSP can allow more than one wall sign along the same frontage for the same tenant. The wall signs are existing and no proposed modifications to its existing configurations are requested. Additionally, the existing wall signs are relatively small (approximately seven square feet each) and serve to identify the dealership. To add flexibility, the maximum sign area for the tenant identification wall sign is 75 square feet, as well as 75 square feet for the service center wall sign.
5. The proposed signs are designed to be compatible with the building design in terms of scale, size, and materials. The proposed signs are designed to effectively identify the dealership without creating sign clutter by using legible text that contrasts with the background. The Porsche wall sign is allowed to be 97.5 square feet and will be installed on a 176-foot-wide dealership frontage. The placement of this sign is facing is proposed along the East Coast Highway frontage that is approximately 370 feet wide. Therefore, the placement and size of the sign is consistent with the proportions of the street frontage on which it is located. Additionally, the Porsche wall sign is adequately spaced to prevent large clusters of signage and appears less obtrusive to neighboring motorists and pedestrians. Both of the existing Bentley wall signs are located within the middle 50% of the building and service center. The Bentley wall sign area is also substantially smaller and appropriate based on the building's current condition.
6. There are two freestanding pylon signs proposed on the primary frontage along East Coast Highway, where the NBMC allows one freestanding sign per site. The westerly pylon sign is intended to serve the Porsche dealership, while the easterly pylon sign is intended to serve the Bentley dealership. Both pylon signs comply with the height, sign area, and location requirements for freestanding signs identified in Table 3-16 of Section 20.42.070 (Standards for Permanent Signs) of

the NBMC. Each pylon sign includes a decorative cover that is architecturally compatible with the rest of the pylon sign per Section 20.42.080(C)(9) of the NBMC. Both pylon signs are proposed to be located 10 feet away from the property line along East Coast Highway for the purpose of site visibility. Additionally, the separation between the two pylon signs is approximately 250 feet.

7. Per Section 20.42.080(C)(11) of the NBMC, freestanding signs are required to include an address plate identifying the property. In this case, two freestanding pylon signs are proposed along East Coast Highway. The westerly pylon sign serving the Porsche dealership is proposed to display the site address for motorists traveling in both directions, while the easterly pylon sign serving the Bentley dealership does not propose to include an address plate. Since one of the two pylon signs identify the address to motorists, it satisfies the intent of the requirement, and it is appropriate that the Bentley pylon sign omits the site address. Additionally, the other two freestanding monument signs are located inside the property and acting as directional signage for additional services that are provided on site.
8. The proposed addressing plate on Porsche's pylon is proposed at a letter height of approximately four inches. Section 20.42.080(C)(11) requires the addressing to be a minimum of six inches. However, a CSP allows flexibility in this requirement. Additionally, Condition of Approval No.11 requires the address plate that will be installed on the building frontage to comply with Section 9.04.170 (Amendments to Section 505.1.1 Premises Identification) of the NBMC in order for Fire personnel to properly identify each structure.
9. There are two additional freestanding signs proposed on the site, which are monument signs intended to act as directional signage for vehicles and pedestrians. While the NBMC permits only one freestanding sign per site, this limitation is not practical given that the use is an automobile dealership which provides additional services such as maintenance, customer service, and sales all within the confines of the property. Additionally, the two signs (referred to as SG-3 and SG-6) are compliant with the requirements for sign area and height for freestanding signs identified in Table 3-16 of Section 20.42.070 of the NBMC, except for location and letter height. The minimum letter size of six inches is not practical for these two freestanding signs as they are intended to act as directional signage only. The additional signage and its deviation are appropriate given that there will also be pedestrians on site apart from drivers and the use is operated throughout the entire Property.

Standard

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

Facts in Support of Standard

1. The site is developed as the Newport Auto Center, which contains an existing Bentley dealership and a Porsche dealership currently under reconstruction. The proposed Program includes signage that is appropriate for each building, with larger signage proposed on the larger Porsche dealership building, and smaller signage proposed on the smaller Bentley dealership building. Therefore, the signage design has been integrated with the design and character of the building. Additionally, the requested deviations from the number and location of signs will not contribute to an overabundance of signage that will have a detrimental effect to the surrounding area. East and West Coast Highway is a local highway with consistently high volumes of vehicular traffic. Both East and West Coast Highways are adjacent to various existing automobile dealerships such as Ferrari and Maserati, as well as various commercial uses along Mariner's Mile. These commercial uses carry similar signage (i.e., pylon sign, wall signs) that this Program is also proposing. Therefore, the Program is reasonable with design, material, and sizing in this vicinity. Both pylons and wall signs promote reasonable identification off East Coast Highway while not overconcentrating the site.
2. Fact 5 of Standard B is hereby incorporated by reference.
3. Given that the site includes two automobile dealerships on a busy street, the size and location of the proposed signage will ensure that adequate visibility is provided and not be abrupt in scale with the overall development.

Standard

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

Fact in Support of Standard

1. The 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 of the NBMC.

Standard

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

Facts in Support of Standard

1. The Program is intended to accommodate signage for two separate dealerships operating together as the Newport Auto Center. However, the Program still allows for flexibility for future tenant, use, and building changes as identified in the attached CSP Matrix (Attachment No. 2).
2. It is not anticipated that future revisions to the Program will be necessary to accommodate changes in tenants or uses. However, the Community Development Director may approve minor revisions to the Program if the intent of the original approval is not affected (NBMC section 20.42.120[F] (Comprehensive Sign Program – Revisions to Comprehensive Sign Programs).

Standard

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

Facts in Support of Standard

1. The Program allows for deviation with regards to the type, number, and location of signs. The number of signs, size, location of wall signs, and an increase in the number of freestanding signs which will enhance the identification and visibility of both commercial tenants from ongoing vehicular traffic on East Coast Highway.
2. Facts 3, 4, and 5 in Support of Standard B is hereby incorporated for reference.
3. Four freestanding signs (two pylons and two monument signs) are proposed on the property when the NBMC only permits one site. Given that the property will be operating with two automobile dealerships, one freestanding standing sign is not practical. Additional services other than sales will be done on site, such as maintenance and customer service.

Standard

- G. *The approval of a comprehensive sign program shall not authorize the use of signs prohibited by this Chapter [Chapter 20.42].*

Fact in Support of Standard

1. The Program does not authorize the use of prohibited signs.

Standard

*H. Review and approval of a comprehensive sign program shall not consider the signs' proposed message content.*

Fact in Support of Standard

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

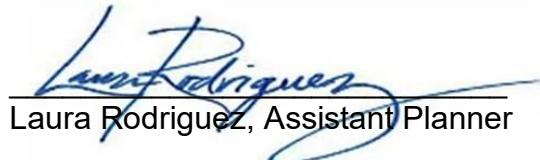
**CONDITIONS OF APPROVAL**

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 project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the conditions of approval.
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 cause the revocation of this Program.
4. This Program may be modified or revoked by the Zoning Administrator if determined that the proposed uses or conditions under which it is being maintained are detrimental to the public health, welfare, or materially injurious to property or improvements in the vicinity or if the property is operated or maintained to constitute a public nuisance.
5. Upon demolition or substantial structural and nonstructural changes to the exterior of the development on which this approval is based, this Program shall be rendered nullified, and a new CSP shall be obtained for the new or altered development by the provisions of the NBMC in effect at the time the new development is approved.
6. Locations of the signs are limited to the designated areas and shall comply with the limitations specified in the Sign Program Matrix included in Attachment No. ZA 2.
7. All signs shall be maintained by Section 20.42.170 (Maintenance Requirements) of the NBMC. Temporary and exempt signs not specifically addressed in the program shall be regulated by the provisions of Chapter 20.42 of the NBMC.
8. Locations of the signs are limited to the designated areas and shall comply with the limitations specified in the Sign Program Matrix included in Attachment No. ZA 2 and any applicable sight distance provisions of Chapter 20.42 of the NBMC or required by the Public Works Department. Additionally, the applicant shall provide Sight Distance Exhibits for review and approval by the Public Works Department before the issuance of building permits.
9. In accordance with Municipal Code Section 20.42.120(F) of the NBMC, the Community Development Director may approve minor revisions to the Program if the intent of the original approval is not affected. This may include deviations in the tenant configurations, such as combining or dividing suites.
10. The supporting structure of a pylon sign shall not include exposed metal pole(s), but shall be surrounded by a decorative cover that is architecturally compatible with the sign cabinet and the architectural character of buildings on the site.

11. Addressing on the building shall conform to NBMC Section 9.04.170.
12. A building permit shall be obtained before the commencement of the construction and/or installation of the signs.
13. A copy of the approval action letter, including conditions of approval and sign matrix, shall be incorporated into the City and field sets of plans before issuance of the building permits for the freestanding signs, and the initial wall sign installations to identify this approval as the authority for location, size, and placement.
14. 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 leasing agent.
15. 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 NBMC.
16. Prior 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.
17. To the fullest extent permitted by law, the applicant shall indemnify, defend and hold harmless the City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney's fees, disbursements, and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the **Newport Auto Center CSP including, but not limited to, CSP filed as PA2024-0161**, and the determination that the project is exempt under the requirements of the California Environmental Quality Act. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorney's fees, and other expenses incurred in connection with such claim, action, causes of action, suit, or proceeding whether incurred by the applicant, City, and/or the parties initiating or bringing the such proceeding. The applicant shall indemnify the City for all the City's costs, attorneys' fees, and damages that the City incurs in enforcing the indemnification provisions outlined in this condition. The applicant shall pay to the City upon demand any amount owed to the City under the indemnification requirements prescribed in this condition.

**APPEAL PERIOD:** An appeal or call for review may be filed with the Director of Community Development or City Clerk, as applicable, within 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.

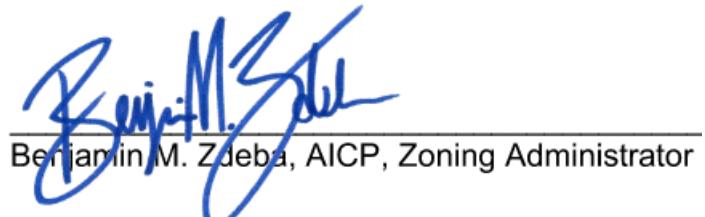
Prepared by:



Laura Rodriguez, Assistant Planner

DL/Ir

Approved by:



Benjamin M. Zueba, AICP, Zoning Administrator

Attachments: ZA No. 1 Vicinity Map  
ZA No. 2 CSP Matrix  
ZA No. 3 Project Plans

## **Attachment No. ZA 1**

Vicinity Map

# VICINITY MAP



## **Attachment No. ZA 2**

CSP Matrix

# SIGN PROGRAM MATRIX

445 EAST COAST HIGHWAY

(PA2024-0161)

PRIMARY FRONTRAGE	
<p><b>Wall Sign Limitations</b></p> <p>Max. number: <b>Three</b> Placement: <b>No limitation</b></p> <p><u>Sign SG-1 (Porsche):</u> Max. Letter/Logo Height: <b>36 inches</b> Max. Area: <b>97.5 square feet</b></p> <p><u>Sign 2 (Bentley):</u> Max. Letter/Logo Height: <b>36 inches</b> Max. Area: <b>75 square feet</b></p> <p><u>Sign 3 (Bentley - Service):</u> Max. Letter/Logo Height: <b>36 inches</b> Max. Area: <b>75 square feet</b></p>	<p><b>Freestanding Pylon Sign Limitation</b></p> <p>Max. Number: <b>Two</b> Min. Separation Between Signs: <b>50 feet</b> Max. Height: <b>20 feet</b> Max. Width: <b>6 feet</b> Max. Sign Area: <b>75 square feet</b> Illumination: <b>Allowed</b></p> <p>Refer to <b>Sign SG-2 (Porsche)</b> and <b>Sign 1 (Bentley)</b> in Approved Plans</p>
INTERIOR SIGNAGE	NOTES AND REQUIREMENTS
<p><b>Freestanding Monument Sign Limitation</b></p> <p>Max. Number: <b>Two</b> Max. Area: <b>75 square feet</b> Max. Avg. Height: <b>6 feet</b> Max. Width: <b>1.5 times avg. height</b></p> <p>Placement: To be in substantial conformance with Approved Plans. Intended to serve as directional signage on the interior of the site.</p> <p>Refer to <b>Sign SG-3 (Porsche – Service)</b> and <b>Sign SG-6</b> in Approved Plans</p>	<ul style="list-style-type: none"> <li>a. Requirements for all signs per Municipal Code Chapter 20.42, except as provided in this sign matrix</li> <li>b. Sign area is the area measured by two perpendicular sets of parallel lines that surround the proposed logo and sign copy. All signs shall substantially conform to the approved attached sign matrix.</li> <li>c. Pursuant to Section 20.42.120.F of the Zoning Code, the Community Development Director may approve minor revisions to this approval if the intent of the original approval is not affected.</li> </ul>

# **Attachment No. ZA 3**

Project Plans



PORSCHE

## Scope

Project ID  
JW1-41015

Porsche Newport Beach  
445 E Coast Hwy  
Newport Beach, CA, USA

### Sign Item

#### Scope

Date: 09-14-2021  
Scale: N.T.S.  
Contact: T. Webb  
Designer: M. Holman (DJ)

#### Revision Note

R7: DJ 11-01-2024 Revised to  
New Pattison ID Titleblock | SG2  
Revised to DFP2 Pylon from DFP4  
Pylon, Added Illuminated Address  
| SG3 DFM1 Service Copy Revised  
to 6" High | SG6 FDS Directional  
"Thank You" Copy Revised to 6"  
High.

R6: DJ 05/09/2024  
Revised Porsche Monument -  
DFM4 to DFP4 Pylon.

R5: M. Holman 12/13/2021  
Moved the red channel letters  
moved roughly 14' down the  
right side of the façade.

#### Information Required for Production

Final dimensions subject to site  
survey and/or technical  
specifications.

#### Customer Approval

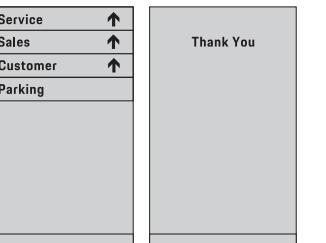
Signature

MM/DD/YYYY

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Pattison ID.

It is the Customer's responsibility to ensure  
that the sign installation location is suitable  
to accept and support the installation of the  
signs being ordered. Notify Pattison ID  
immediately if further details are required.

## Porsche of Newport Beach, CA - 445 E Coast Hwy. Newport Beach, CA 92660

		<b>PCL-30</b> Qty: 1  30" Porsche Letterset 30" H. x 36'-7 1/4" W. Total Square Feet: 91.5 SF.	 Customer Parking ↔ CP-A CP-B CP-C CP-D CP-E	<b>FDS-CP with arrows</b>  Free-standing Directional Customer Parking
 Newport Beach 445 E Coast Hwy		<b>DFP2</b> Qty: 1  Porsche Crest 28" x 36" (both sides) Porsche Pylon 3'-11 1/4"W x 12'-3 7/16"OH 28" x 36" = 6.9 sq. ft.	 Electric Vehicle Parking ↔ EVP-A EVP-B EVP-C EVP-D	<b>FDS-CP with arrows</b>  Free-standing Directional Customer Parking
 Service		<b>PM-1 Monument</b> Qty: 1  Porsche Crest = 3.57 SF. 20" x 25 3/4"(both sides) 2'-8 11/16"W x 5'-0 13/16"H Square Feet: 13.79 Total	 Service ↑ Sales ↑ Customer ↑ Parking Thank You	<b>FDS Directional</b> Qty: 1  Porsche Directional 3'-3 3/8" W. x 5'-5" H. Total Square Feet: 17.77 SF.
		PCNA APPROVAL: _____		





PORSCHE

# Elevations

Project ID  
JW1-41015

Porsche Newport Beach  
445 E Coast Hwy  
Newport Beach, CA, USA

## Sign Item

### Elevations

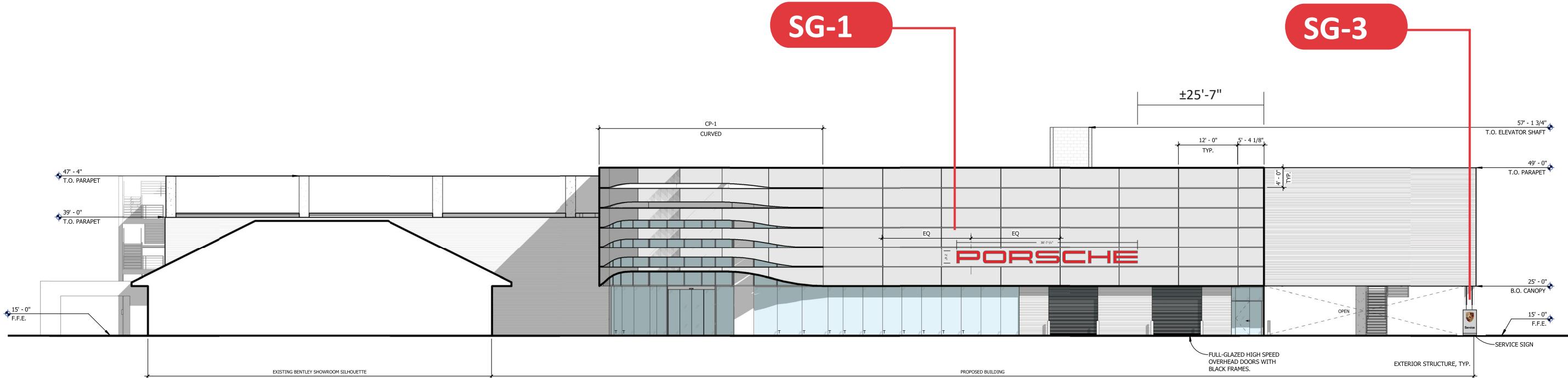
Date: 09-14-2021  
Scale: 3/64"=1'-0"  
Contact: T. Webb  
Designer: M. Holman (DJ)

## Revision Note

R7: DJ 11-01-2024 Revised to  
New Pattison ID Titleblock |  
SG3 DFM1 Service Copy  
Revised to 6" High.

R6: DJ 05/09/2024  
No Change on this Page.

R5: M. Holman 12/13/2021  
Moved the red channel letters  
moved roughly 14' down the  
right side of the façade.



**1 | South Building Elevation**  
Scale: 3/64"=1'

## Information Required for Production

Final dimensions subject to site survey and/or technical specifications.

## Customer Approval

Signature

MM/DD/YYYY

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It is the Customer's responsibility to ensure that the sign installation location is suitable to accept and support the installation of the signs being ordered. Notify Pattison ID immediately if further details are required.

Note: Size of signage in relation to the building is approximate. This photo mock-up is intended for location purposes only and may not accurately represent the scale of the proposed signage to the building. A site survey is required.



Sign Item

SG1

Date: 09-14-2021  
Scale: 1/4"=1'-0"  
Contact: T. Webb  
Designer: M. Holman (DJ)



Revision Note

R7: DJ 09-24-2024 Revised to  
New Pattison ID Titleblock |

R6: DJ 05/09/2024  
No Change on this Page.

R5: M. Holman 12/13/2021  
Moved the red channel letters  
moved roughly 14' down the  
right side of the façade.

COLOR LEGEND	
<span style="color: red;">■</span>	3630-53 Cardinal Red Vinyl
<span style="background-color: white; border: 1px solid black;">■</span>	Acrylic Substrate
<span style="background-color: #cccccc;">■</span>	Pre-finished Anodized Aluminum
<span style="color: red;">■</span>	Red LED Illumination

# Channel Letters

## Supply and Install

### Porsche Individual Letters

Face-lit individual channel letters  
Aluminum construction  
Acrylic faces with 3630-53 Cardinal Red Vinyl  
Pre-finished anodized silver returns & trim-caps  
Red LED illumination

Qty. 1

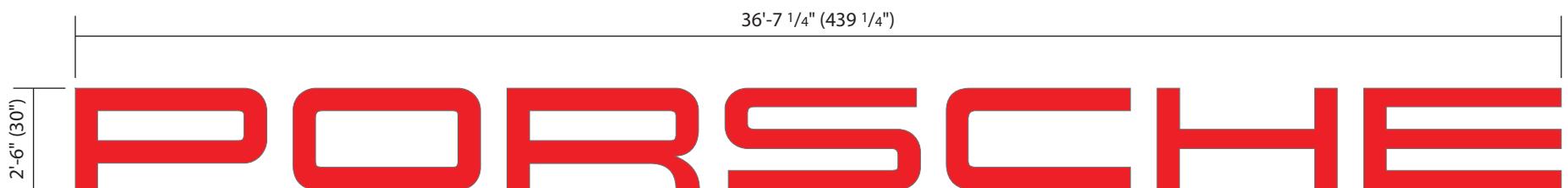
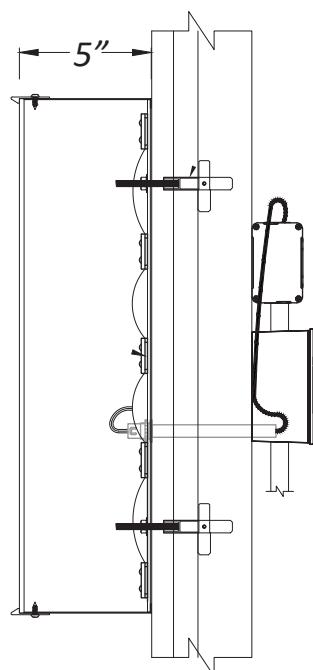


PORSCHE

SG-1

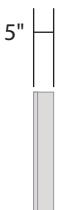
Item	Description	Approx. Wt. Per Letter
PL-30	30" Porsche Letters	32 lbs

PCL-30



Square Feet: 91.5 Sq.Ft.

Scale: 1/4"=1'-0"



Side View

SIDE VIEW  
NTS

#### Application:

Fascia signs provide primary identification for the PCLNA dealership, and if desired, the dealership name as well.

Porsche lettering is to be left justified on the primary (front) elevation.

Specifications: Porsche Letters: Painted aluminum (silver) backs and returns, red translucent acrylic faced, internally illuminated with red LEDs.

#### Information Required for Production

Final dimensions subject to site survey and/or technical specifications.

#### Customer Approval

Signature \_\_\_\_\_

MM/DD/YYYY \_\_\_\_\_

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It is the Customer's responsibility to ensure that the sign installation location is suitable to accept and support the installation of the signs being ordered. Notify Pattison ID immediately if further details are required.



PORSCHE

# Pylon Sign

## Supply & Install

Pylon - DFP - 2

SG-2

ACM Construction to match Silver Metallic (RAL 9006)  
 Routed faces infilled with molded Porsche crests:  
 3/16" Thick Clear Plastic Molded Crest with  
 vinyl applied to 2nd Surface  
 Dealer Name & Address: Routed Face Incised & Infilled  
 with 3/16" Thick White Acrylic #2447  
 with Perforated Black Vinyl 3M 3635-222 Applied to First Surface  
 ACM Construction to match Black RAL 9011 (End Panels)  
 Base Cover ACM Construction to match Silver Metallic (RAL 9006)  
 Sign is internally illuminated with White LEDs

Qty. 1

### Colors

- Clear Plastic Substrate | White Translucent Acrylic
- 3M Black Perforated 3635-222 (Dealer Name)
- Digital Print on Second Surface (Crest)
- Silver Metallic (RAL 9006) Cabinet
- Black RAL 9011 (End Panels)

Illuminated Crest,  
Newport Beach &  
Address

### NOTE:

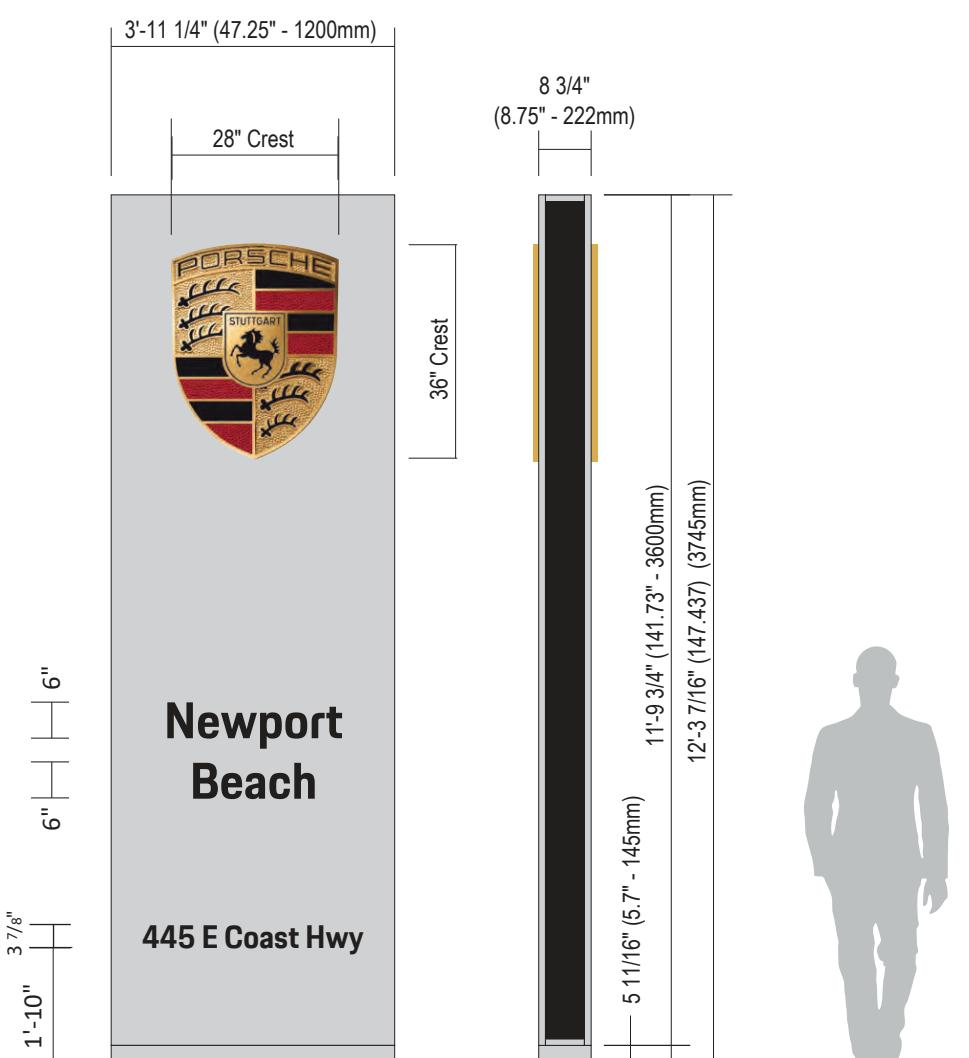
1) Please reference "PORS0PY7T30026" for internal Structural Details for Pylon sign (DFP2)

See PG 11 Onwards. for drawing attached. Specific detail on **Page 16/26** of this document

2) Engineering for the Pylon sign (DFP2) - PG 6

DFP2

Top View



Scale: 3/8"=1'-0"

Side View

### SIGN AREA

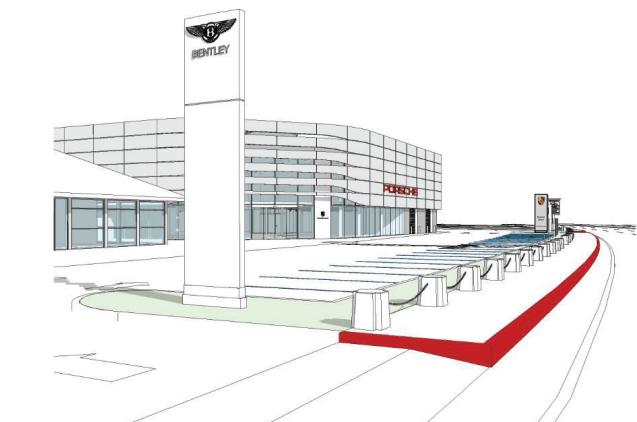
28" x 36" =  
 6.9 sq. ft.  
 Overall height  
 3.745 m  
 12'-3 7/16" ft

### Porsche Crest

28" x 36" (both sides)



ADDITIONAL VIEW  
NTS



ADDITIONAL VIEW  
NTS

Project ID  
JW1-41015

Porsche Newport Beach  
445 E Coast Hwy  
Newport Beach, CA, USA

### Sign Item

SG2

Date: 09-14-2021  
 Scale: 3/8"=1'-0"  
 Contact: T. Webb  
 Designer: M. Holman (DJ)

### Revision Note

R7: DJ 11-01-2024 Revised to  
 New Pattison ID Titleblock |  
 SG2 Revised to DFP2 Pylon  
 from DFP4 Pylon, Added  
 Illuminated Address | Revised  
 Perspective Views of Pylon.

R6: DJ 05/09/2024  
 Revised Porsche Monument -  
 DFM4 to DFP4 Pylon | Added  
 Perspective Views of Porsche  
 Monument - DFM2.

R5: M. Holman 12/13/2021  
 No Change.

R4: M. Holman 11/17/2021  
 Added Perspective Views of  
 Porsche Monument - DFM2.

### Information Required for Production

Final dimensions subject to site survey and/or technical specifications.

### Customer Approval

Signature \_\_\_\_\_

MM/DD/YYYY \_\_\_\_\_

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# PORSOPY7T30026

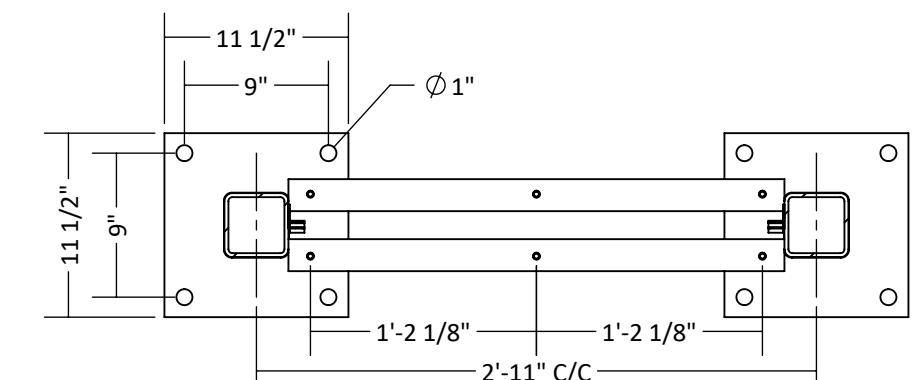
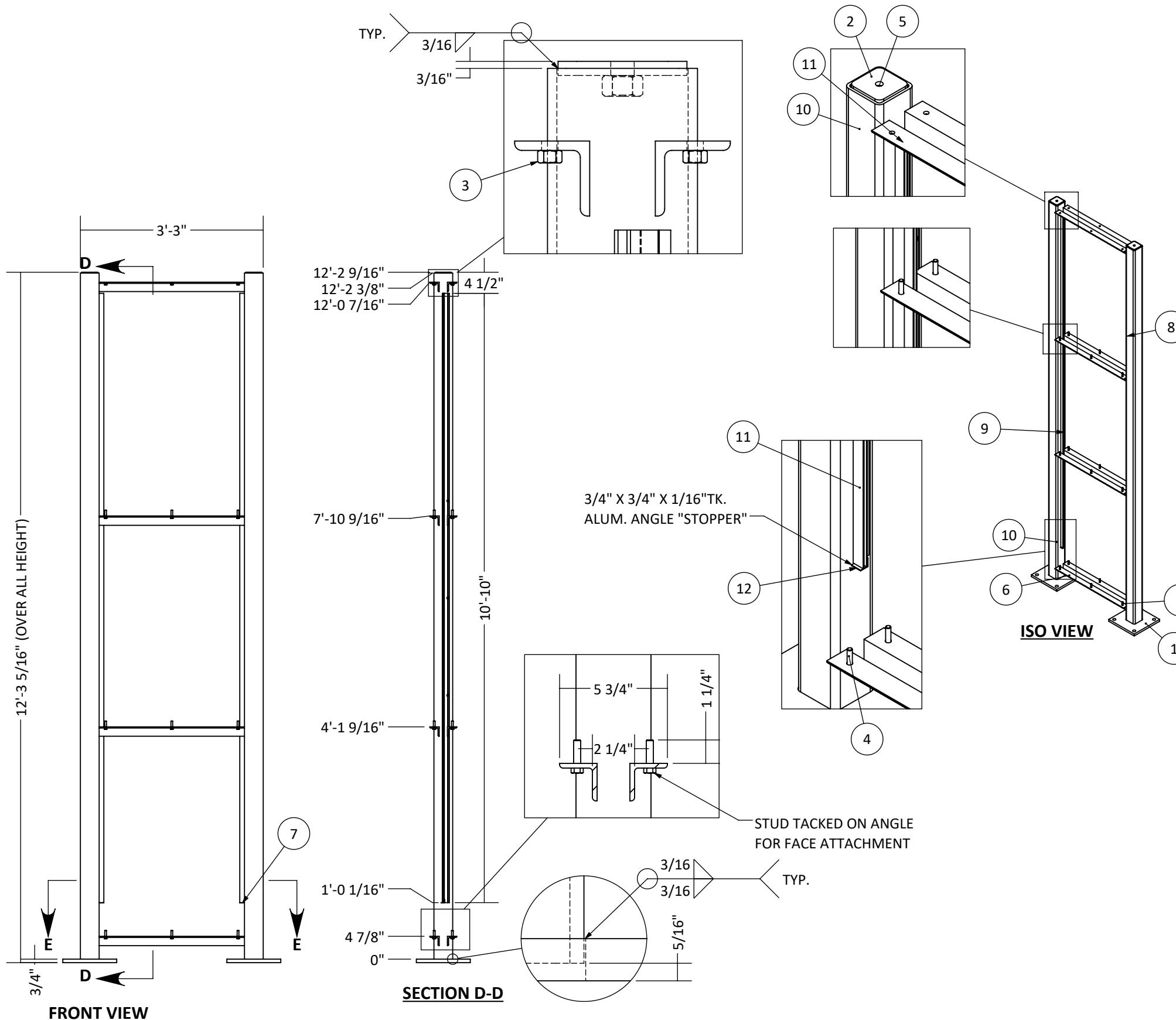
D/F ILLUMINATED PYLON (ACM FACE)

INSTALLATION: ----- WEIGHT (lbs): -----

VOLTS: ----- AMPS: ----- # of CIRCUITS: -----

## CUT LIST MATERIAL - PER ITEM

ITEM NO.	PART NUMBER	TORCH PLATE #	DESCRIPTION	LENGTH	QTY.
1	STPL0005	BP-0000962	3/4"tk. STEEL PLATE		2
2	STPL0002	IC-0000004	3/8"tk. STEEL PLATE		2
3	E-HANU0011		3/8-16 UNC GR5 NUTS		6
4	E-HABO0020		3/8-16 x 1 1/2" GR5 HEX CAP-ZN BOLT		18
5			5/8-11 UNC GR5 NUTS		2
6	STSP0012		Angle 2.000" x 2.000" x 0.250" x 20'	2'-7"	8
7	ALSP0002		Angle Alum 0.750" x 0.750" x .0625" x 20' 6061-T5 Poly Aluminum Square Corners	7/8"	1
8	ALEX0056		Metra 989434 Moulding Mill Finish 21'(EX-5 for Plastic)(Old # 39-094-3) AL Extrusion	10'-10"	1
9			SELF-TAP #10-16 X 3/4" lg.(TEK SCREWS)		6
10	STSP0217		Tubing 4.000" x 4.000" x 0.250" x 48' HSS	12'-2 13/16"	2
11	ALEX0056		Metra 989434 Moulding Mill Finish 21'(EX-5 for Plastic)(Old # 39-094-3) AL Extrusion	10'-10"	1
12	ALSP0002		Angle Alum 0.750" x 0.750" x .0625" x 20' 6061-T5 Poly Aluminum Square Corners	7/8"	1



1.866.635.1110  
pattisonid.com

CLIENT NAME HERE  
THIS SIGN IS AUTHORIZED TO BE  
INSTALLED AT THE FOLLOWING ADDRESS:  
VARIOUS LOCATIONS



If electrified and illuminated, this sign is intended to be installed in accordance with the requirements of National Electrical Code (NEC) or NFPA 70 and/or the Canadian Electrical Code (CE Code) or CSA C22.1 and/or other applicable local codes. This includes proper grounding and bonding of the sign.

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IF THIS AGREEMENT INCLUDES THE MANUFACTURING AND INSTALLATION OF A CONCRETE FOUNDATION(S) BY PATTISON ID FOR THE SIGNS ORDERED HEREIN, SUCH FOUNDATION(S) SHALL BE BUILT AND INSTALLED IN ACCORDANCE WITH APPLICABLE LAWS AND REGULATIONS. IF A FOUNDATION(S) IS TO BE BUILT OR PROVIDED BY THE CUSTOMER (OR AGENT), AND NOT BY PATTISON ID, THE CUSTOMER SHALL ENSURE THAT THE FOUNDATION(S) ARE BUILT AND INSTALLED IN ACCORDANCE WITH APPLICABLE LAWS AND REGULATIONS AND SHALL HOLD PATTISON ID AND ITS EMPLOYEES, REPRESENTATIVES, AGENTS AND OFFICERS, HARMLESS AND INDEMNIFY IT AGAINST ANY AND ALL CLAIMS, LIABILITIES, ACTIONS, PENALTIES, FINES, AND ANY LEGAL FEES INCURRED BY PATTISON ID ARISING FROM THE FAILURE OF THE CUSTOMER (AND/OR ITS AGENT) OBLIGATION(S).

CLIENT: PORSO (PORSCHE)  
DOCUMENT USE: MANUFACTURING

CURRENT  
REVISION  
-

DRAWN BY: KACEY MUCKLER

DATE: 01/23/2025

CHECKED BY: TB

JOB: -----

PROJECT ID: -----

PAGE: 5 OF 15

# REVISION DESCRIPTION:

By: Date:

Sign Item

SG3

Date: 09-14-2021  
Scale: 1/2"=1'-0"  
Contact: T. Webb  
Designer: M. Holman (DJ)

Revision Note

R7: DJ 11-01-2024 Revised to  
New Pattison ID Titleblock |  
SG3 DFM1 Service Copy  
Revised to 6" High | Revised  
Perspective View of  
Monument.

R6: DJ 05/09/2024  
Revised Specifications of DFM1  
Monument to ACM  
Construction.

R5: M. Holman 12/13/2021  
No Change on this Page.

R4: M. Holman 11/17/2021  
Added Perspective Views of  
Porsche Monument - DFM1.

Information Required  
for Production

Final dimensions subject to site  
survey and/or technical  
specifications.

Customer Approval

Signature \_\_\_\_\_

MM/DD/YYYY \_\_\_\_\_

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immediately if further details are required.

# Monument Sign

## Supply and Install

### Porsche DFM1 Monument

SG-3

ACM Construction to match Silver Metallic (RAL 9006)  
ACM Construction to match Black RAL 9011 (End Panels)  
Base Cover ACM Construction to match Silver Metallic (RAL 9006)  
"Service" routed and backed with black/white acrylic  
Routed faces infilled with molded Porsche crests:  
3/16" Thick Clear Plastic Molded Crest with  
vinyl applied to 2nd Surface  
Sign is internally illuminated with White LEDs

Qty. 1

#### Colors

- Clear Plastic Substrate | White Translucent Acrylic
- 3M Black Perforated 3635-222 (Service)
- Digital Print on Second Surface (Crest)
- Silver Metallic (RAL 9006) Cabinet
- Black RAL 9011 (End Panels)



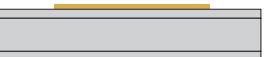
ADDITIONAL VIEW  
NTS



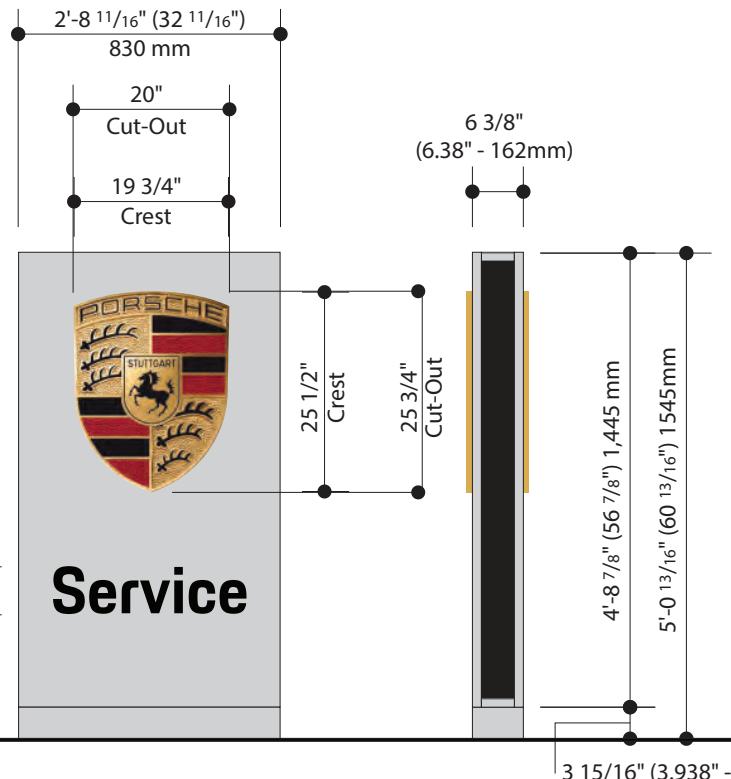
PORSCHE

PM-1 Monument  
Porsche Crest = 3.57 SF.  
20" x 25 3/4"(both sides)  
Square Feet: 13.79 Total  
Square Meters: 1.28 Total

DFM1



Top View



Front View Scale: 1/2"=1'-0" Side View

Illuminated Crest & Text:  
Service

#### Application:

When site conditions and/or local codes prevent use of a PCNA approved pylon, the monument serves as the main ID for PCNA dealerships. Sign is to be located in front of dealership near main roadway, perpendicular to traffic flow.

#### Specifications:

Fabricated aluminum sign cabinet with internal support. Dealership name is stencil cut and backed with "black & white" acrylic. Porsche crest & dealership name are illuminated with LEDs.



**PORSCHE**

# Parking Signs

Aluminum construction

Aluminum Composite; White Aluminum {RAL 9006}

All copy 3M 3630-22 black vinyl face applied

Project ID  
**JW1-41015**

Porsche Newport Beach  
445 E Coast Hwy  
Newport Beach, CA, USA

**Sign Item**  
**SG4 & SG5**

Date: 09-14-2021  
Scale: 3/4"=1'-0" @ 11x17  
Contact: T. Webb  
Designer: M. Holman (DJ)

## Revision Note

R7: DJ 11-01-2024 Revised to New Pattison ID Titleblock.

R6: DJ 05/09/2024  
Added Perspective view of Pylon DFP4.

R5: M. Holman 12/13/2021  
No Change on this Page.

R4: M. Holman 11/17/2021  
Added Perspective Views of Parking Signs

## Information Required for Production

Final dimensions subject to site survey and/or technical specifications.

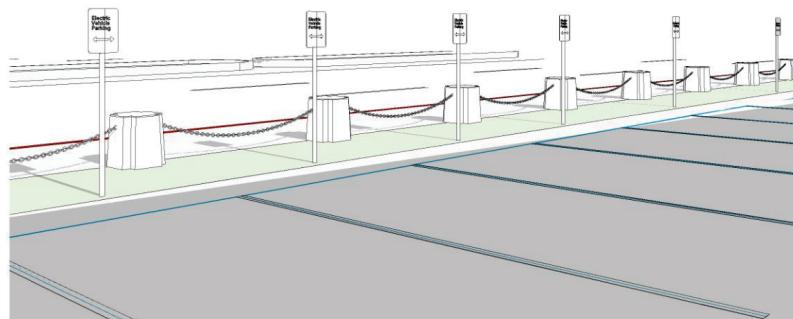
## Customer Approval

Signature \_\_\_\_\_

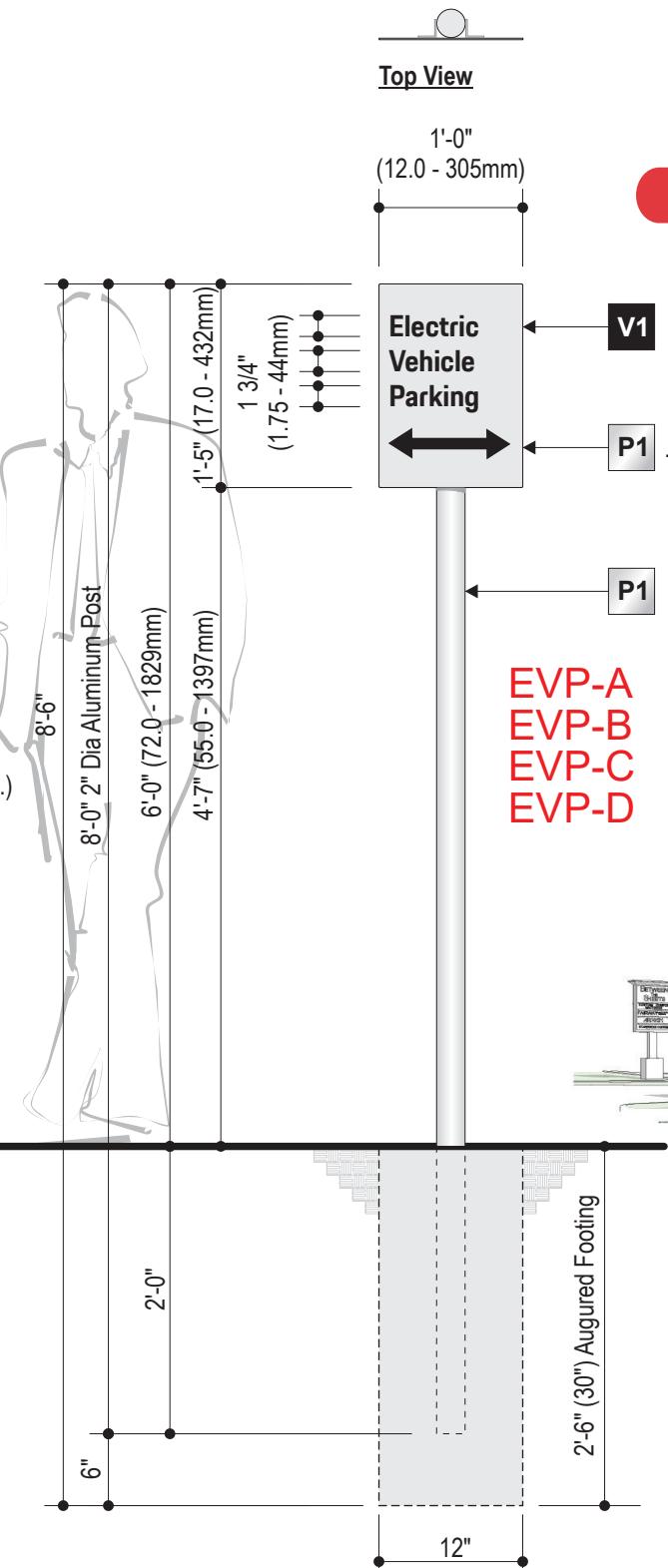
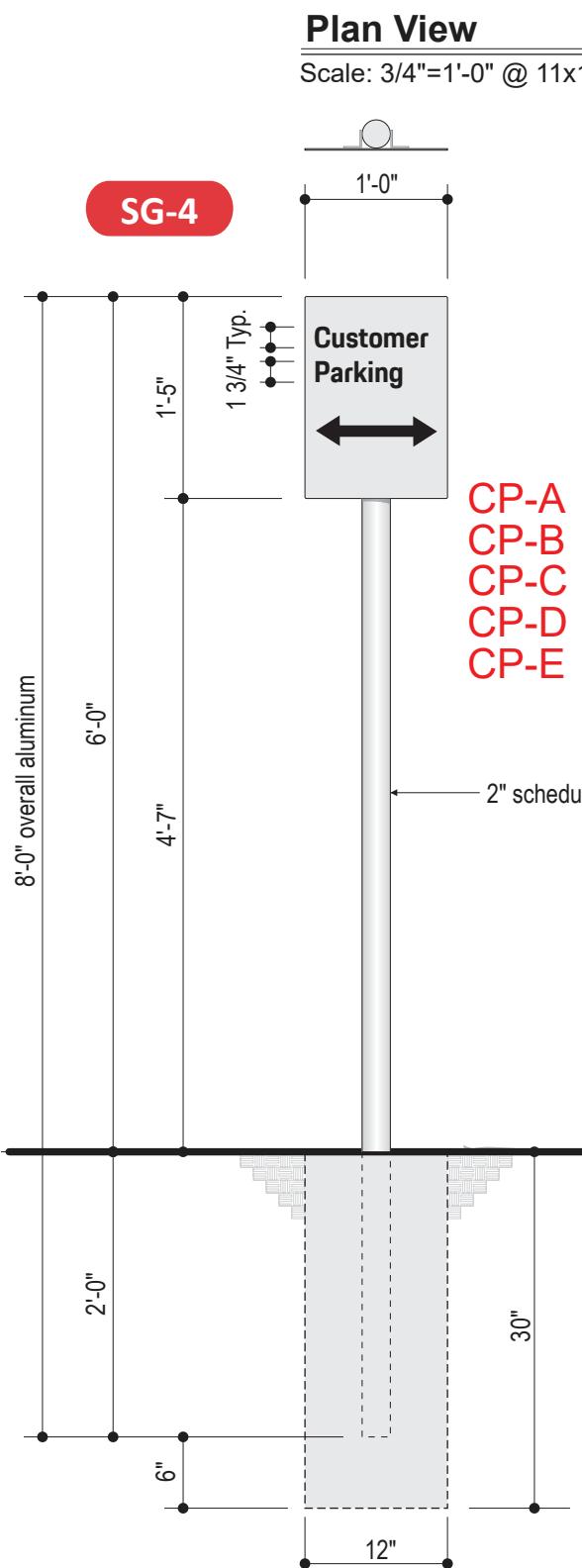
MM/DD/YYYY \_\_\_\_\_

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**ADDITIONAL VIEW**  
NTS



**ADDITIONAL VIEW**  
NTS

Sign Item

SG6

Date: 09-14-2021  
Scale: 3/4"=1'-0"  
Contact: T. Webb  
Designer: M. Holman (DJ)

Revision Note

R7: DJ 11-01-2024 Revised to  
New Pattison ID Titleblock |  
SG6 FDS Revised "Thank You"  
Copy to 6" High | Revised  
Perspective View of  
Monument.

R6: DJ 05/09/2024  
Revised Specifications of  
Directional FDS Pylon to ACM  
Construction.

R5: M. Holman 12/13/2021  
No Change on this Page.

R4: M. Holman 11/17/2021  
Added Perspective Views of  
Directional Pylon Sign.

Information Required  
for Production

Final dimensions subject to site  
survey and/or technical  
specifications.

Customer Approval

Signature \_\_\_\_\_

MM/DD/YYYY \_\_\_\_\_

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to accept and support the installation of the  
signs being ordered. Notify Pattison ID  
immediately if further details are required.

# Ground Signs

## Supply and Install

### Freestanding DF Directional Sign: FDS

ACM Construction to match Silver Metallic (RAL 9006)  
ACM Construction to match Black RAL 9011 (End Panels)  
Base Cover ACM Construction to match Silver Metallic (RAL 9006)  
All copy 3M 3630-22 black vinyl face applied  
Non Illuminated

**Qty. 1**

#### Colors

- 3M 3630-22 Black Vinyl
- Silver Metallic (RAL 9006) Cabinet
- Black RAL 9011 (End Panels)



ADDITIONAL VIEW  
NTS



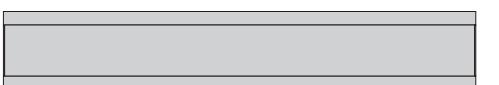
PORSCHE

**FDS**

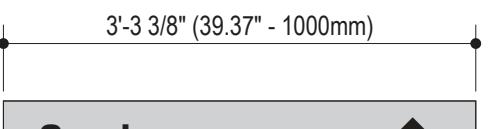
### Free-standing Directional (Double Sided)

This size is Non-illuminated

**SG-6**



#### Top View



3'-3 3/8" (39.37" - 1000mm)

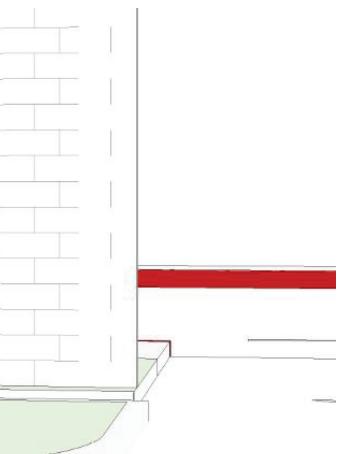
2 3/4"

**Service** ↑  
**Sales** ↑  
**Customer** ↑  
**Parking**

6 1/2" (6.3" - 160mm)

5-5" (65" - 1650mm)

**Thank You**



ADDITIONAL VIEW  
NTS

Scale: 3/4"=1'

*Copy and Arrows to be Confirmed*

**Square Feet: 17.77**

**Square Meters: 1.65**

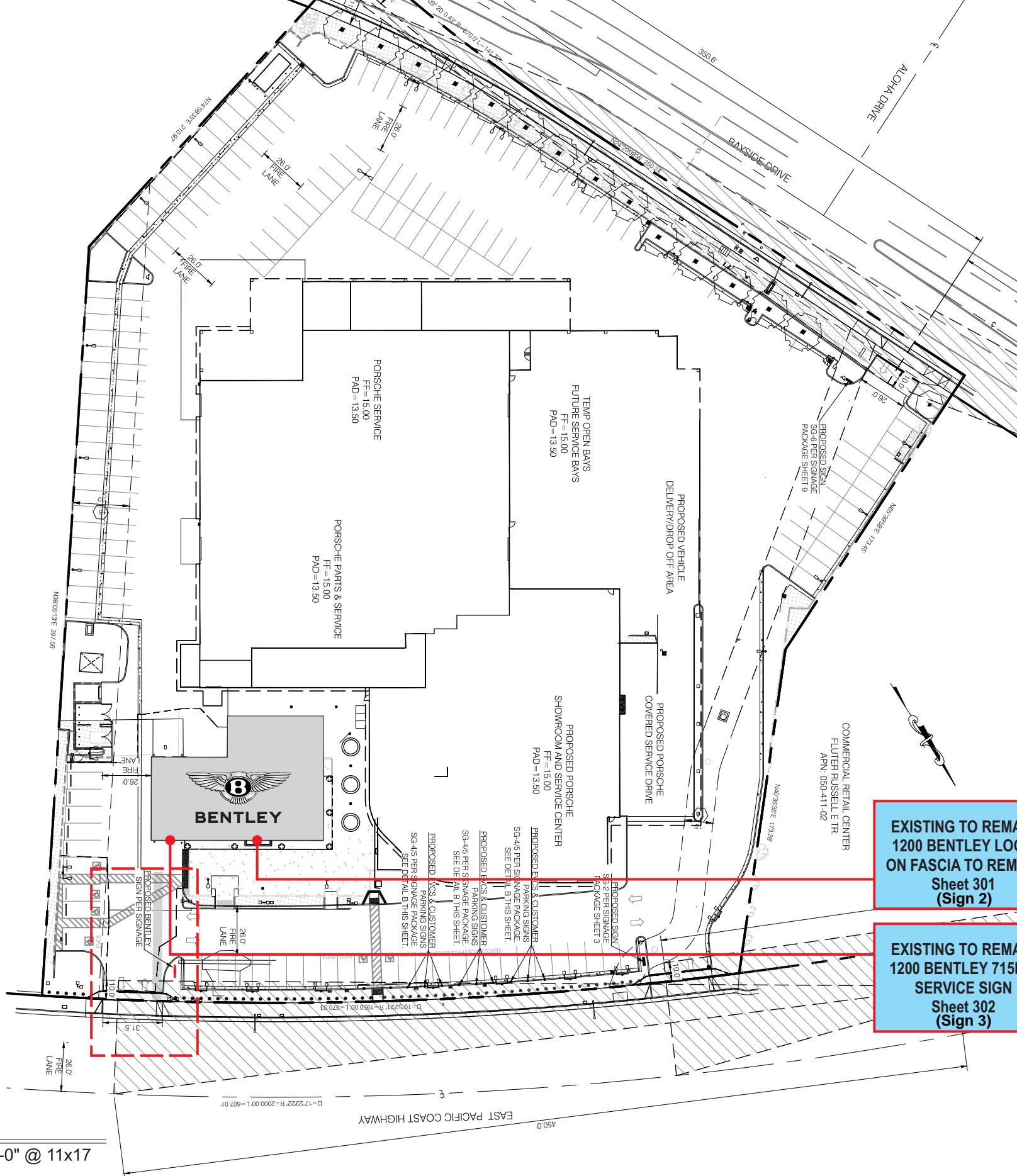


# BENTLEY

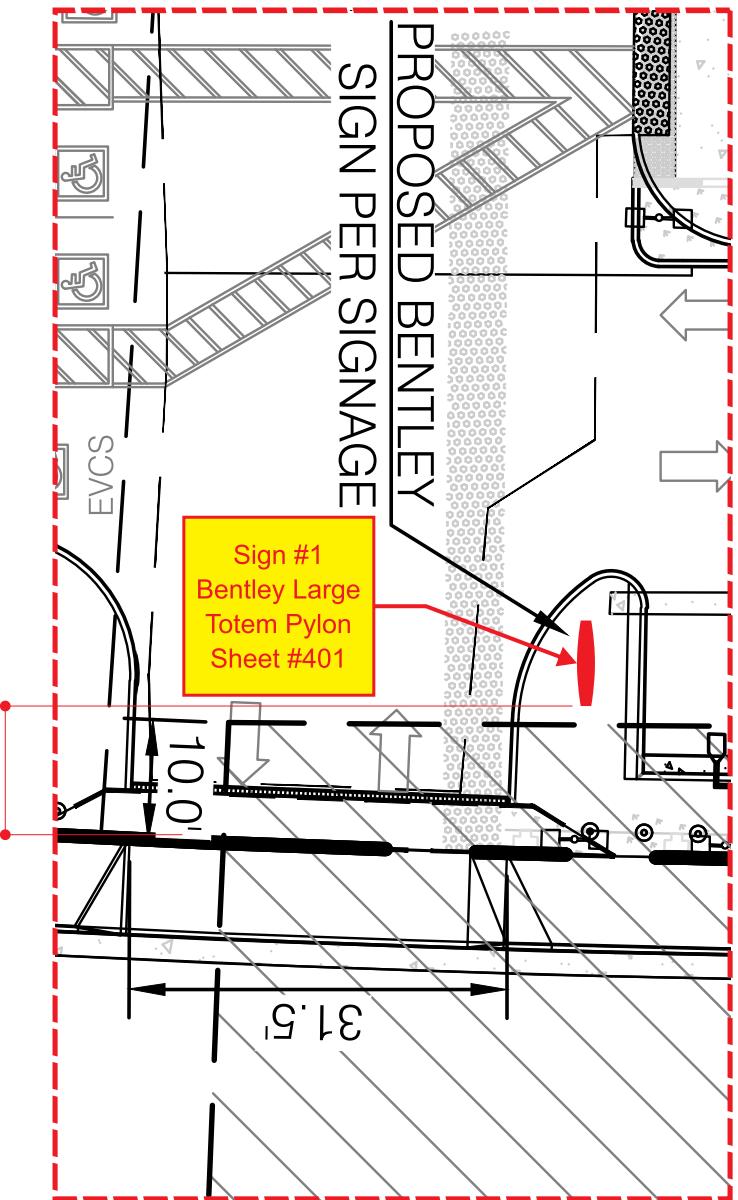
Bentley of Newport Beach  
445 Pacific Coast Hwy, Newport Beach, CA 92660

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Altoona, PA 16601  
P: (814) 949.8287  
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SCOPE OF WORK		
PYLON SIGN BENTLEY CABINETS		
1	NEW BENTLEY SIGN TO BE INSTALLED BY BIE	
2	NEW FOOTING FOR PYLON TO BE INSTALLED BY BIE	
3	OWNER TO RUN POWER TO PYLON LOCATION. OWNER TO COORDINATE LOCATION OF POWER WITH BIE	



**Enlarged View Sign #1**

Scale: 1/16"=1'-0" @ 11x17

Note:  
Center Pylon L/R Between Curbs



CLIENT: Bentley of Newport Beach  
LOCATION: 445 Pacific Coast Hwy, Newport Beach, CA 92660  
BLAIR PROJECT #: 122108  
BLAIR SALES ORDER #: Unassigned  
DATE: 05.15.24

**SHEET CALLOUT**  
101  
PAGE NUMBER: 2  
DRAWN BY: DJG

A REVISED FOR PERMIT COMMENTS 10.22.24 DJG  
B REVISED FOR PERMIT COMMENTS - PYLON 03.05.25 DJG  
REV DESCRIPTION DATE BY

**CUSTOMER APPROVAL**

Print Name	Title
Signature	Date

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### North Elevation

Scale: N.T.S. @ 11x17



CLIENT: Bentley of Newport Beach  
LOCATION: 445 Pacific Coast Hwy, Newport Beach, CA 92660  
BLAIR PROJECT #: 122108  
BLAIR SALES ORDER #: Unassigned  
DATE: 05.15.24

**SHEET CALLOUT**  
**201**  
PAGE NUMBER: 3  
DRAWN BY: DJG

A REVISED FOR PERMIT COMMENTS 10.22.24 DJG  
REV DESCRIPTION DATE BY

**CUSTOMER APPROVAL**  
Print Name \_\_\_\_\_ Title \_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_

Approved  
 Approved as Noted  
 Not Approved  
Resubmit with Changes

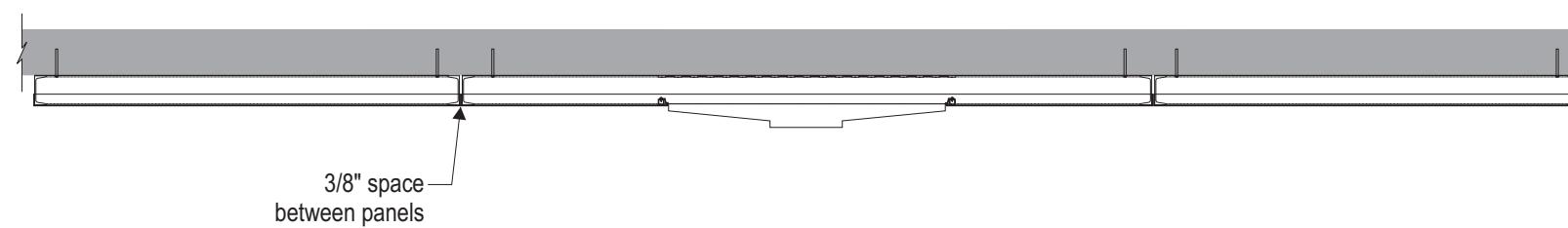
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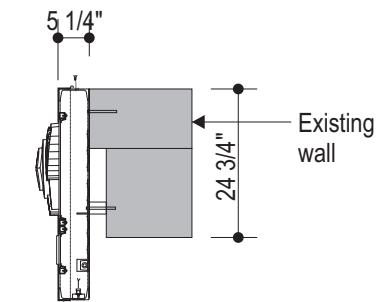
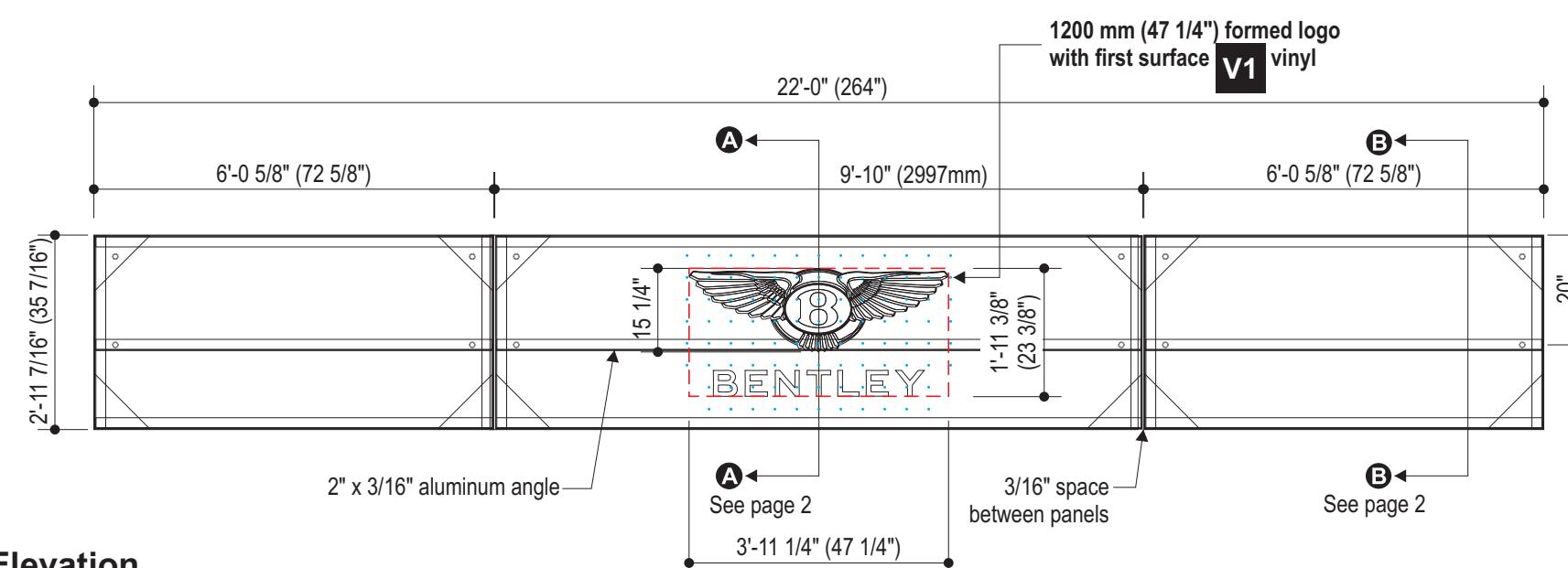
EXISTING SIGN TO REMAIN DRAWING  
PROVIDED FOR INFORMATIONAL USE

## Sign 2



### Plan

Scale: 3/8"=1'-0" @ 11x17



### Elevation

Scale: 3/8"=1'-0" @ 11x17



### Color View

Scale: 3/8"=1'-0" @ 11x17

1200mm Fascia Band

23 3/8" x 47 1/4" = 7.67 SqFt

### Color Specifications

P1

Bentley Thunder Grey

P4

Satin Black Paint

### Acrylic Specifications

A1

7328 White Acrylic

### Vinyl Specifications

V1

2100-03 High Gloss Black Vinyl

### Electrical Specifications

Electrical circuit dedicated to sign only required. Power to sign to be installed and supplied by others.

### CABINET Power Supplies

12v/60w

Qty Req'd: 2 @ 1.1 Amps Ea

### White LED's

Max. Amps Req'd: 2.2

Voltage Req'd: 120-277v



CLIENT: Bentley of Newport Beach

LOCATION: 445 Pacific Coast Hwy, Newport Beach, CA 92660

BLAIR PROJECT #: 122108

BLAIR SALES ORDER #: Unassigned

DATE: 05.15.24

SHEET CALLOUT

301

A REVISED FOR PERMIT COMMENTS

10.22.24

DJG

CUSTOMER APPROVAL

Approved

Approved as Noted

Not Approved

Resubmit with Changes

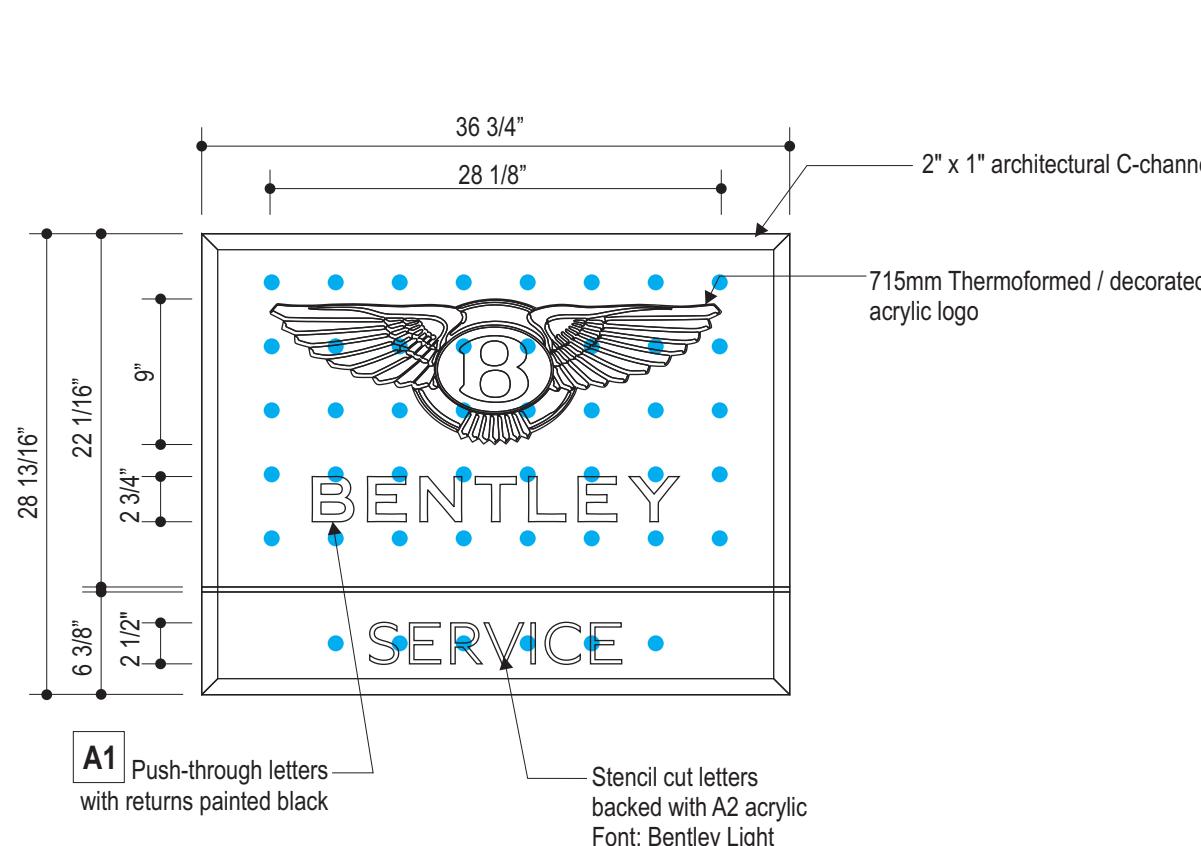
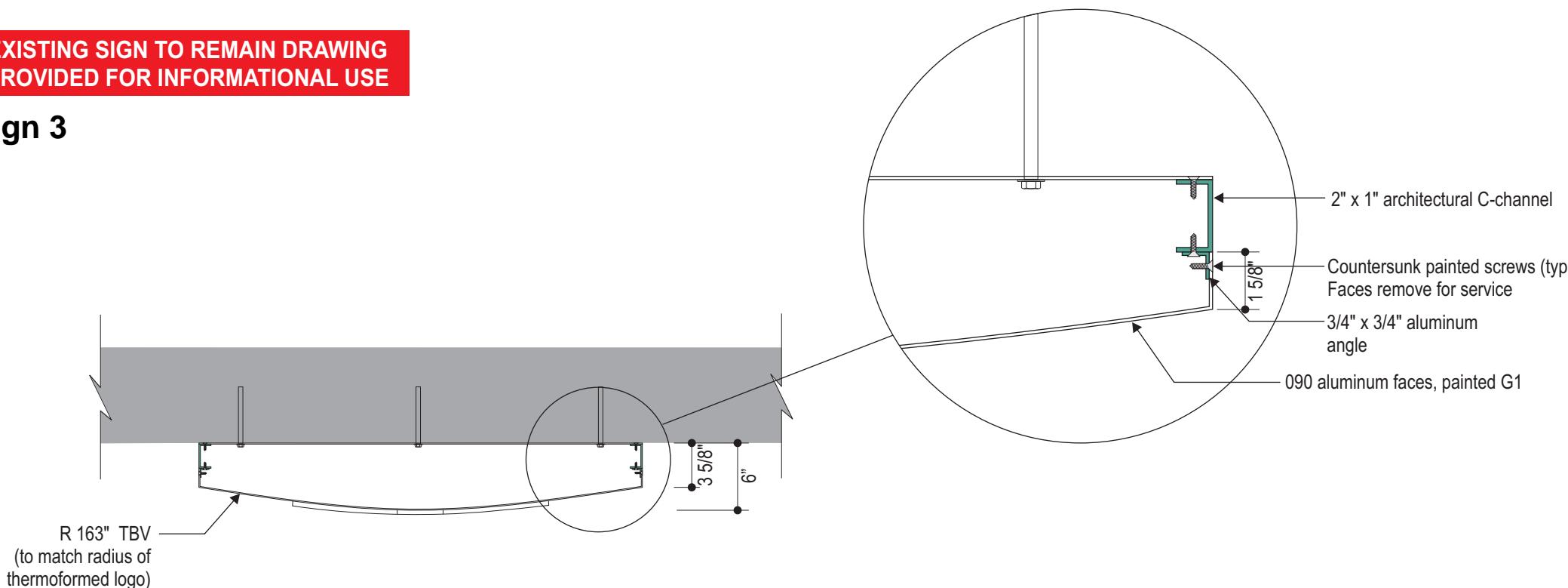
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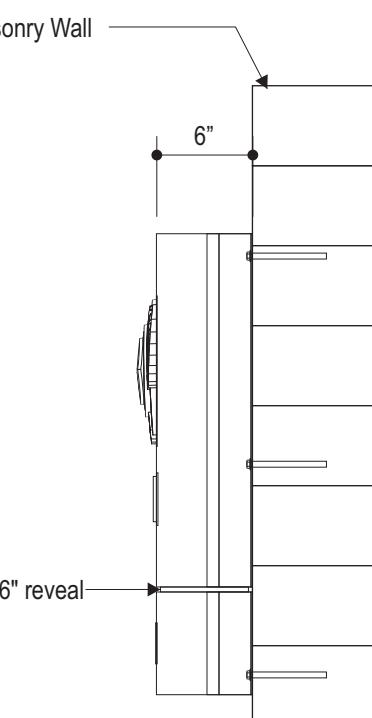
**EXISTING SIGN TO REMAIN DRAWING  
PROVIDED FOR INFORMATIONAL USE**

**Sign 3**



**Elevation**

Scale: 1"=1'-0" @ 11x17



**Mounting Side View**

Scale: 1"=1'-0" @ 11x17

**BENTLEY SERVICE 715mm**

Fabricated from aluminum, painted approved colors.

Internally illuminated. All details to be confirmed prior to fabrication.

**Electrical Specifications**

Electrical circuit dedicated to sign only required. Power to sign to be installed and supplied by others.

**CABINET Power Supplies**

12v/60w

Qty Req'd: 1 @ 1.1 Amps Ea

**White LED's**

Qty Req'd: 9 TBV

Max. Amps Req'd: 1.1

Voltage Req'd: 120-277v

**Color Specifications**

**G1**

Bentley  
Thunder Grey

**G2**

929 Black

**Acrylic Specifications**

**A1**

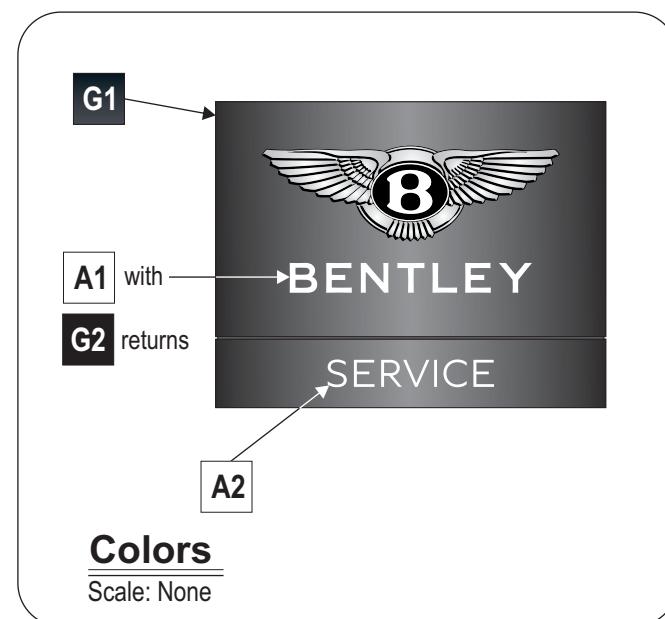
1 3/16" LED  
Block

**A2**

7328 White  
Acrylic

**Square Feet: 2'-4 13/16" x 3'-0 3/4" = 7.35**

**Approximate Weight: 80 lbs**



CLIENT: Bentley of Newport Beach  
LOCATION: 445 Pacific Coast Hwy, Newport Beach, CA 92660  
BLAIR PROJECT #: 122108  
BLAIR SALES ORDER #: Unassigned  
DATE: 05.15.24

**SHEET CALLOUT**  
**302**  
PAGE NUMBER: 5  
DRAWN BY: DJG

REV DESCRIPTION DATE BY

**CUSTOMER APPROVAL**

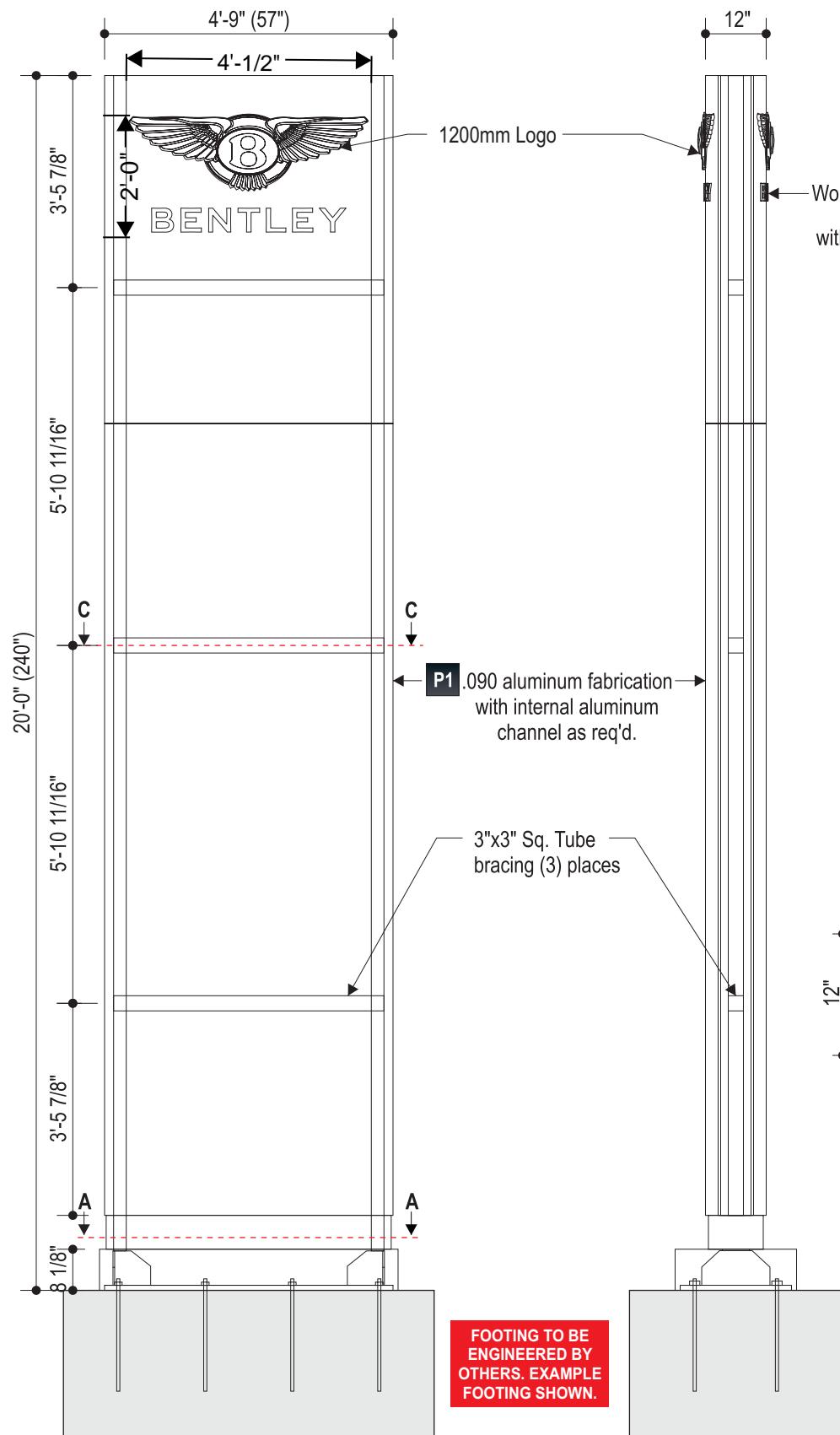
Print Name \_\_\_\_\_ Title \_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_

Approved  
 Approved as Noted  
 Not Approved  
Resubmit with Changes

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**Elevation**

Scale: 3/8"=1'-0" @ 11x17

**Side View**

Scale: 3/8"=1'-0" @ 11x17

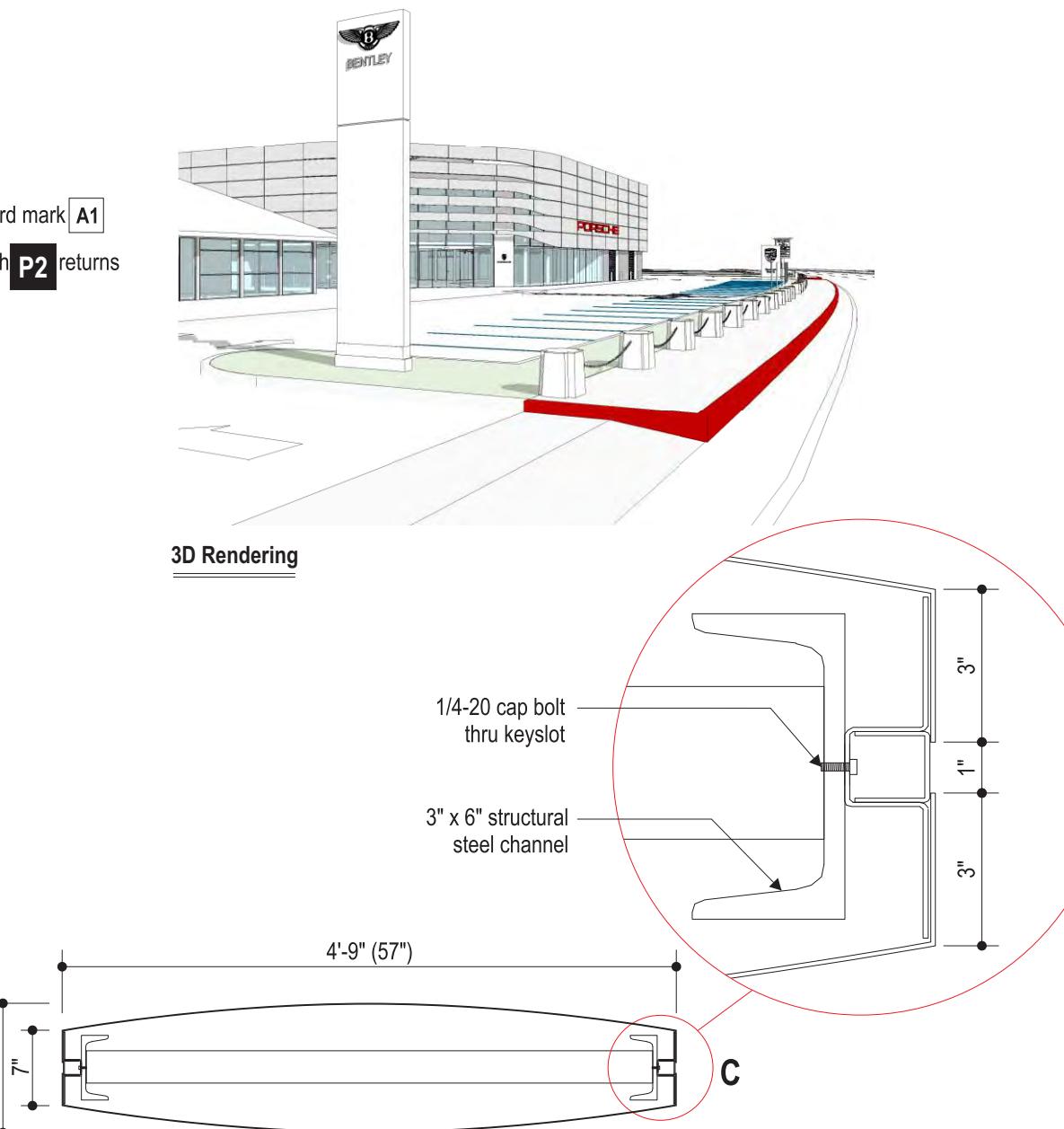


CLIENT: Bentley of Newport Beach  
LOCATION: 445 Pacific Coast Hwy, Newport Beach, CA 92660  
BLAIR PROJECT #: 122108  
BLAIR SALES ORDER #: Unassigned  
DATE: 05.15.24

SHEET CALLOUT  
401  
PAGE NUMBER: 6  
DRAWN BY: DJG  
REV  
DESCRIPTION  
DATE  
BY

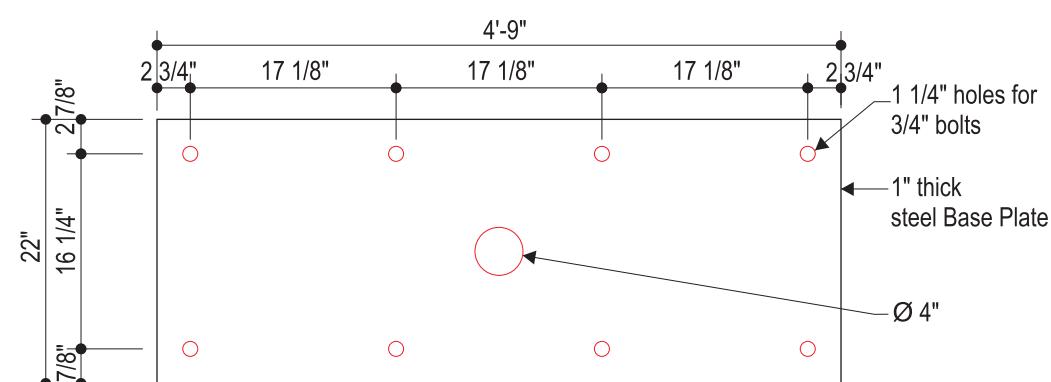
**Base Plate Detail**

Scale: 3/4"=1'-0" @ 11x17



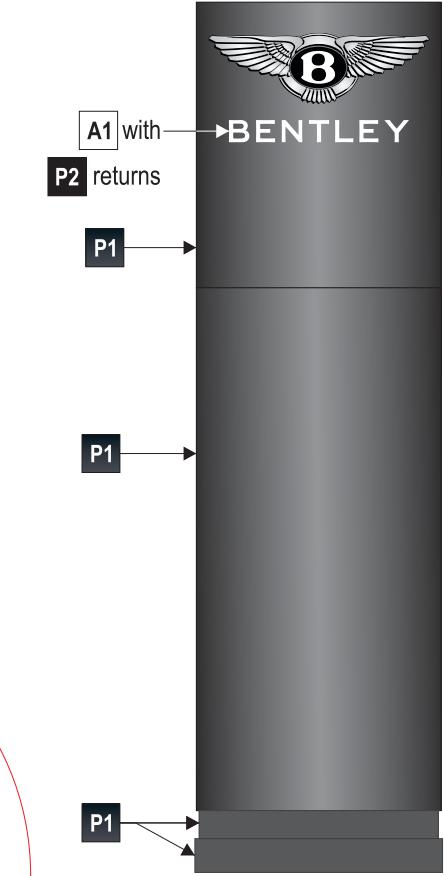
**Section C-C**

Scale: 3/4"=1'-0" @ 11x17



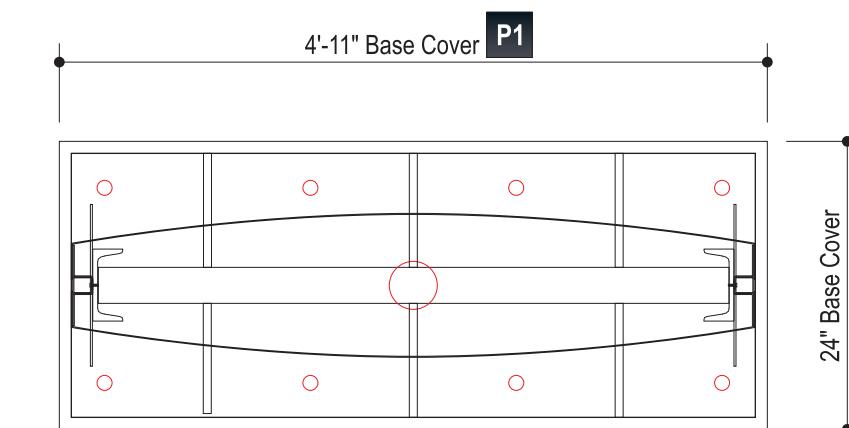
**Base Plate Detail**

Scale: 3/4"=1'-0" @ 11x17



**Color View**

Scale: N.T.S. @ 11x17



**Section A-A**

Scale: 3/4"=1'-0" @ 11x17

Sign #1 PYLON 1200mm LOGO	
4'-1/2" x 2'-0" = 8.5 sq. ft.	
Finish Specifications	
P1	P2
Bentley Thunder Grey	929 Black
Plexiglas Specifications	
A1	
1 3/16" LED Block with 929 Black Returns (Returns Painted White then Black)	
Electrical	
6500K White LEDs	
Max. Amps Req'd: 4.8	
Voltage Req'd: 120V-277V	
PRIMARY CIRCUIT AND FINAL CONNECTION BY OTHERS	

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