

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

TO: CITY COUNCIL, CITY MANAGER AND PLANNING COMMISSION

FROM: Kimberly Brandt, Community Development Director

Brenda Wisneski, Deputy Community Development Director

SUBJECT: Report of actions taken by the Zoning Administrator and/or Planning Division staff for the week

ending April 28, 2017.

### ZONING ADMINISTRATOR ACTIONS APRIL 27, 2017

Item 1: Giangregorio Residence Coastal Development Permit No. CD2017-002 (PA2017-022)

Site Address: 3610 Marcus Avenue

Action: Approved by Resolution No. ZA2017-027 Council District 1

Item 2: Davis Residence Coastal Development Permit No. CD2017-010 (PA2017-026)

Site Address: 2612 Vista Drive

Action: Approved by Resolution No. ZA2017-028 Council District 3

Item 3: Pacific View Memorial Park Development Agreement Annual Review (PA2009-024)

Site Address: 3500 Pacific View Drive

Action: The Zoning Administrator found that Pacific View Memorial Council District 6,7

Park Annual Review was in good faith compliance with the

terms of the Development Agreement.

Item 4: Newport Beach Country Club – Tennis Club Site Development Agreement Annual Review

(PA2016-196)

Site Address: 1602 East Coast Highway

Action: The Zoning Administrator found that Newport Beach Country Council District 5

Club – Tennis Club Site Annual Review was in good faith compliance with the terms of the Development Agreement.

## COMMUNITY DEVELOPMENT DIRECTOR OR PLANNING DIVISION STAFF ACTIONS

(Non-Hearing Items)

Item 1: Bay View Bridge Emergency CDP Coastal Development Permit No. CD2017-036 (PA2017-086)
Site Address: Approximately 400 feet southeast of the Peter and Mary Muth Interpretative Center located at 2301 University Drive

Action: Approved Council District 3

The Community Development Director authorized an emergency coastal development permit for temporary repairs to the Bay View Bridge involving reinforcing the abutments and new tie-downs on the south abutment. The Community Director's decision is final and not subject to appeal.

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 of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

#### **RESOLUTION NO. ZA2017-027**

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING COASTAL DEVELOPMENT PERMIT NO. CD2017-002 TO ADD A PITCHED ROOF AND EXPAND THE MASTER BEDROOM OF AN EXISTING SINGLE-FAMILY RESIDENCE LOCATED AT 3610 MARCUS AVENUE (PA2017-022)

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

#### SECTION 1. STATEMENT OF FACTS.

- 1. An application was filed by Pacific Coast Design, Inc., representing property owner Kim Giangregorio, with respect to property located at 3610 Marcus Avenue and legally described as Lot 6, Tract 336 requesting approval of a Coastal Development Permit.
- 2. The applicant requests a Coastal Development Permit to add a pitched roof and expand the master bedroom of an existing single-family residence with an attached two-car garage.
- 3. The subject 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 the Coastal Zoning District is Two-Unit Residential (R-2).
- 4. The subject property is located within the Two-Unit Residential (R-2) Zoning District and the General Plan Land Use Element category is Two-Unit Residential (RT).
- 5. A public hearing was held on April 27, 2017 in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this meeting.

#### SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

- 1. This project is categorically exempt pursuant to Title 14 of the California Code of Regulations (Section 15301, Article 19 of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (CEQA) under Existing Facilities).
- Class 1 includes the additions to existing structures. The proposed project is to add a
  pitched roof and expand the master bedroom of an existing single-family residence
  located in the R-2 Coastal Zoning District.

#### SECTION 3. REQUIRED FINDINGS.

In accordance with Section 21.52.015 (Coastal Development Permits) 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 subject property is currently developed with a single-family home on an existing lot designated for residential development. The applicant requests to remodel the existing flat roof to create a pitched roof, which increases the overall height of the structure by 4 feet 6 inches. The applicant also proposes to add 80 square feet to the existing second floor master bedroom. There is no change proposed to the existing footprint.
- 2. The property is located in an area known for the potential of seismic activity and liquefaction. All projects are required to comply with the California Building Code and Building Division standards and policies.
- 3. The property is not located near designated public view points or coastal view roads and will not impact public coastal views.
- 4. The proposed roof height and addition conforms to the standards of the Zoning Code and Local Coastal Program.
- 5. The design, bulk, and scale of the development is consistent with the existing neighborhood pattern of development and expected future development. The proposed addition is consistent with all applicable development standards.

#### Finding:

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

#### Fact in Support of Finding:

- 1. The project site is located between the nearest public road and the sea or shoreline and the proposed project will not affect public recreation, access or views.
- 2. Adequate public access to the sea exists on Marcus Avenue, 35<sup>th</sup> Street, 36<sup>th</sup> Street, and Lake Avenue. The proposed bedroom addition and roof remodel shall not interfere with existing public access to the sea.

#### SECTION 4. DECISION.

#### NOW, THEREFORE, BE IT RESOLVED:

- 1. The Zoning Administrator of the City of Newport Beach hereby approves Coastal Development Permit No. CD2017-002, subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.
- 2. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal or call for review is filed with the Community Development Director in accordance with the provisions of Title 21 Local Coastal 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 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 27<sup>TH</sup> DAY OF APRIL, 2017.

Patrick J. Alford, Zoning Administrator

#### **EXHIBIT "A"**

#### CONDITIONS OF APPROVAL

#### **PLANNING**

- 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. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new Coastal Development Permit.
- Coastal Development Permit No. CD2017-002 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.
- 4. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
- 5. 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 Coastal Development Permit.
- 6. 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 is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
- 7. Prior to issuance of the building permits, a copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans.
- 8. Prior to the issuance of building permit, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Division.
- 9. Prior to issuance of building permits, the applicant shall submit to the Planning Division an additional copy of the approved architectural plans for inclusion in the Coastal Development file. The plans shall be identical to those approved by all City departments for building permit issuance. The approval copy shall include architectural sheets only and shall be reduced in size to 11 inches by 17 inches. The plans shall accurately depict the elements approved by this Coastal Development Permit.

- 10. 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.
- 11. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of Giangregorio Coastal Development Permit including, but not limited to, Coastal Development Permit No. CD2017-002 (PA2017-022). 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.

#### **RESOLUTION NO. ZA2017-028**

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING COASTAL DEVELOPMENT PERMIT NO. CD2017-010 FOR A NEW SINGLE UNIT RESIDENCE LOCATED AT 2612 VISTA DRIVE (PA2017-026)

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

#### SECTION 1. STATEMENT OF FACTS.

- An application was filed by Joshua Davis, with respect to property located at 2612 Vista Drive, and legally described as Lot 40 of Tract No. 1102, requesting approval of a coastal development permit.
- 2. The applicant proposes the demolition of an existing single-family residence with attached garage and the construction of a new 3,977-square-foot single-family residence with a 674-square-foot attached garage. The proposed development also includes additional appurtenances such as walls, fences. patios, hardscape, drainage devices, landscaping, and modifications to existing utility connections.
- The subject property is located within the Single-Unit Residential (R-1) Zoning District and the General Plan Land Use Element category is Single-Unit Residential Detached (RS-D).
- 4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is Single-Unit Residential Detached (6.0 9.9 DU/AC) (RSD-B) and the Coastal Zoning District is Single-Unit Residential (R-1).
- 5. A public hearing was held on April 27, 2017, in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the hearing was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this 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 15315, Article 19 of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (CEQA) under Class 3 (New Construction or Conversion of Small Structures).
- 2. Class 3 exempts the construction of limited numbers of new, small structures, including one single-family residence. The proposed project is a new single-family residence located in the R-1 Coastal Zoning District.

#### SECTION 3. REQUIRED FINDINGS.

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

#### Finding:

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

#### Facts in Support of Finding:

- 1. The proposed development complies with applicable residential development standards including, but not limited to, floor area limitation, setbacks, height, and parking.
  - a. The maximum floor area limitation is 5,440 square feet and the proposed floor area is 4,651 square feet.
  - b. The proposed development complies with the required setbacks, which are 10 feet along the front property line, 3 feet along each side property line and 10 feet along the rear property line.
  - c. The highest guardrail/parapet is less than 24 feet from established grade and the highest ridge is 29 feet from established grade. The proposed development complies with all height requirements.
  - d. As the proposed development includes less than 4,000 square feet of livable floor area, a two-car garage is required. The proposed development provides a three-car garage.
- 2. The neighborhood is predominantly developed with two-and three-story single-family residences. The proposed design, bulk, and scale of the development is consistent with the existing neighborhood pattern of development and expected future development.
- The proposed development is not located on the shoreline and is approximately 600 feet from the nearest beach. The proposed finished floor is 13.52 MSL (NAVD88), which is higher than the 9.00 MSL (NAVD88) standard. Impacts from wave run-up and sea live rise are not anticipated.
- 4. The property is located 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 prior to 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 prior to building permit issuance.

- 5. The property is not located within 100 feet of coastal waters. A construction erosion control plan is provided and a post-construction drainage system will be installed that includes drainage and percolation features designed to retain dry weather and minor rain run-off on-site to ensure the project does not impact water quality. Any water not retained on-site is directed to the City's storm drain system.
- 6. Proposed landscaping complies with Implementation Plan Section 21.30.075. A condition of approval is included that requires drought tolerant and prohibits invasive species. Prior to issuance of building permits, the final landscape plans will be reviewed to verify invasive species are not planted.

#### 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:

The proposed project is not located between the nearest public road and the sea or shoreline.

SECTION 4. DECISION.

#### NOW, THEREFORE, BE IT RESOLVED:

- 1. The Zoning Administrator of the City of Newport Beach hereby approves Coastal Development Permit No. CD2017-010, subject to the conditions set forth in Exhibit "A," which is attached hereto and incorporated by reference.
- 2. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal or call for review is filed with the Community Development Director in accordance with the provisions of Title 21 Local Coastal 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 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 27<sup>TH</sup> DAY OF APRIL, 2017.

Patrick J. Alford, Zoning Administrator

#### **EXHIBIT "A"**

#### CONDITIONS OF APPROVAL

- 1. The development shall be in substantial conformance with the approved site plan, floor plans and building elevations stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
- 2. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new Coastal Development Permit.
- Coastal Development Permit No. CD2017-010 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.
- 4. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
- 5. 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 Coastal Development Permit.
- 6. 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 is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
- 7. Prior to issuance of the building permits, a copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans.
- 8. Prior to issuance of building permits, the applicant shall submit to the Planning Division an additional copy of the approved architectural plans for inclusion in the Coastal Development file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to 11 inches by 17 inches. The plans shall accurately depict the elements approved by this Coastal Development Permit.
- 9. Prior to the issuance of building permits, the applicant shall submit a final construction erosion control plan. The plan shall be subject to the review and approval by the Building Division.
- 10. Prior to the issuance of building permits, the applicant shall submit a final drainage and grading plan. The plan shall be subject to the review and approval by the Building Division.

- 11. Prior to the issuance of building permits, the applicant shall submit a 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.
- All landscape materials and irrigation systems shall be maintained in accordance with 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.
- 13. Prior to the issuance of building permit, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Division.
- 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 the 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 21 Planning and Zoning of the Newport Beach Municipal Code.
- 16. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of Davis Residence Coastal Development Permit including, but not limited to, Coastal Development Permit No. CD2017-010. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.



#### COMMUNITY DEVELOPMENT DEPARTMENT

#### PLANNING DIVISION

100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915 (949) 644-3200

www.newportbeachca.gov

#### **EMERGENCY COASTAL DEVELOPMENT PERMIT**

**APPLICATION:** Coastal Development Permit No. CD2017-036 (PA2017-086)

**APPLICANT:** County of Orange

LOCATION: Bay View Bridge at Upper Newport Bay Nature Preserve

Approximately 400 feet southeast of the Peter and Mary Muth Interpretative Center located at 2301 University Drive, Newport Beach,

CA

On <u>April 27, 2017</u>, the Community Development Director (Director) authorized an emergency coastal development permit (CDP), Coastal Development Permit No. CD2017-036. <u>The Director's determination is final and based on the facts and findings, and subject to the conditions, listed below.</u>

#### **WORK AUTHORIZED**

Temporary repairs to the Bay View Bridge involving reinforcing the abutments and new tie-downs on the south abutment.

#### COASTAL ZONING DISTRICT/COASTAL LAND USE PLAN

• **Zone:** PC-44 (Upper Newport Bay Regional Park)

• General Plan: OS (Open Space)

#### I. NATURE OR CAUSE OF THE EMERGENCY

The Bay View Bridge failing at Upper Newport Bay. The cause of the emergency is the abutments affected from the recent heavy storms in December 2016 and early 2017. These storms caused heavy erosion at the abutments and compromised their ability to hold up the bridge. One of the abutments has rotated towards the Delhi Channel. If the abutments do not have temporary repairs and eroding conditions continue, the abutments may fail causing the bridge to collapse, thus putting life and property at risk. Although the bridge is now fenced off, the public has been observed bypassing and climbing over the fence, thus placing them at risk should the bridge fail. Sensitive resources at the Nature Preserve could also be negatively impacted.

#### II. FINDINGS

Pursuant to Section 21.52.025 of the certified Local Coastal Program (LCP) Implementation Plan, in the event of a verified emergency, the Community Development Director may authorize temporary permits to proceed with remedial measures. This authorization is based on the following facts.

- The authorized work is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15269 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, it involves emergency repairs to a publicly owned service facility that is necessary to maintain a service essential to the public health, safety, or welfare.
- 2. An emergency exists that requires action more quickly than permitted by the procedures for regular permits administered pursuant to the provisions of Chapter 21.50 (Permit Application Filing and Processing) of the certified LCP Implementation Plan. The situation meets the definition of an emergency per Section 21.52.025 of the certified LCP Implementation Plan because the storms were unexpected and created this situation. Immediate action is required to prevent the abutments from failing resulting in the bridge collapse and possibly putting life and property at risk.
- 3. The work can and will be completed within thirty (30) days unless otherwise specified by the terms of the permit;
- 4. Public comment on the proposed emergency action has been reviewed, if time allows;
- 5. The work proposed is conditioned to be consistent with the requirements of the City's certified LCP.
- 6. The work proposed under the emergency permit shall be the minimum amount necessary to address the emergency; and
- 7. The development is not located in an area in which the California Coastal Commission retains direct permit review authority. The bridge crosses over the waters of the Delhi Channel, which is located within the original permit jurisdiction areas depicted on the Post-LCP Certification Permit and Appeal Jurisdiction Map. However, the work will be conducted upland from this area, where the City has permit jurisdiction.

#### **III. CONDITIONS OF APPROVAL**

 Only the work specifically described above and as more specifically described in the Community Development Department's file for this emergency CDP application is authorized for the specific property listed above, subject to the conditions set forth below. Any additional work requires separate authorization from the Director.

- 2. The work authorized by this emergency CDP is temporary, unless permanent retention of the development is authorized through the issuance of a subsequent CDP from the City. A CDP issued by the California Coastal Commission is also required if the work is located within the waters of the Delhi Channel.
- Construction staging activities and equipment and materials storage areas shall not be located in vegetation areas, wetland areas, or in any other environmentally sensitive habitat area.
- 4. The use of any public parking areas for construction staging or materials storage shall be limited to the smallest area possible.
- 5. The storage or stockpiling of soil, silt, other organic or earthen materials, or any materials and chemicals related to the construction, shall not occur where such materials/chemicals could pass into coastal waters.
- 6. Any spills of construction equipment fluids or other hazardous materials shall be immediately contained on-site and disposed of in an environmentally safe manner as soon as possible.
- 7. Coastal Development Permit No. CD2017-036 shall expire 60 days from the date of authorization. The Director may extend an emergency CDP for an additional 60 days for good cause including, but not limited to, a CDP application on file with the Community Development Department.
- 8. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
- 9. 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 emergency CDP.
- 10. The applicant is required to obtain all applicable permits from the City and other agencies.

On behalf of Kimberly Brandt, AICP, Community Development Director

By:

Patrick J. Alford, Planning Program Manager

KB/pja

Attachments: CD 1 Vicinity Map

CD 2 Photos

## **Attachment No. CD 1**

Vicinity Map

# **VICINITY MAP**



# Coastal Development Permit No. CD2017-036 PA2017-086

Approximately 400 feet southeast of the Peter and Mary Muth Interpretative Center located at 2301 University Drive, Newport Beach, CA

# **Attachment No. CD 2**

Photos



Bay View Bridge



South Abutment, December 2016



South Abutment, December 2016



The anchor bolts are no longer vertical and bent away from the creek at South Abutment



Exposed east pile at South Abutment

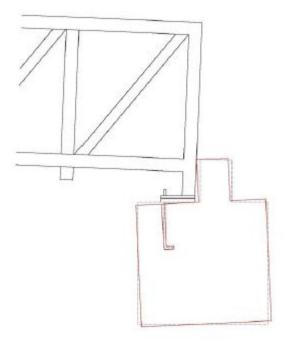


Diagram of South Abutment rotation





North Abutment