



CITY OF NEWPORT BEACH COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION ACTION REPORT

TO: CITY COUNCIL, CITY MANAGER AND PLANNING COMMISSION

FROM: Seimone Jurjis, 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 August 25, 2017.

ZONING ADMINISTRATOR ACTIONS AUGUST 24, 2017

- Item 1: Hauch Remodel Coastal Development Permit No. CD2017-042 (PA2017-095)
Site Address: 821 West Balboa Boulevard
Action: Approved by Resolution No. ZA2017-060 Council District 1
- Item 2: 14 Beacon Bay Coastal Development Permit No. CD2017-051 (PA2017-106)
Site Address: 14 Beacon Bay
Action: Approved by Resolution No. ZA2017-061 Council District 5
- Item 3: 2201 Bayside Drive Coastal Development Permit No. CD2017-050 (PA2017-117)
Site Address: 2201 Bayside Drive
Action: Approved by Resolution No. ZA2017-062 Council District 6
- Item 4: 2209 Bayside Drive Coastal Development Permit No. CD2017-054 (PA2017-118)
Site Address: 2209 Bayside Drive
Action: Approved by Resolution No. ZA2017-063 Council District 6
- Item 5: Arrache Residence Coastal Development Permit No. CD2017-038 (PA2017-090)
Site Address: 1223 East Balboa Boulevard
Action: Approved by Resolution No. ZA2017-064 Council District 1
- Item 6: Balboa Lily's Alcohol Service Use Permit No. UP2017-016 (PA2017-124)
Site Address: 711 East Balboa Boulevard
Action: Approved by Resolution No. ZA2017-065 Council District 1

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

- Item 1: Lido House Hotel Comprehensive Sign Program No. CS2017-010 (PA2017-138)
Site Address: 3300 Newport Boulevard
Action: Approved Council District 1
- Item 2: Balboa Saloon and Pizza Pete's Comprehensive Sign Program No. CS2017-003 (PA2017-142)
Site Address: 700 East Bay Avenue and 701 Edgewater Plac
Action: Approved Council District 1

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.

cc Wendy Joe, Civilian Investigator, NBPD
Sgt. Brad Miller, NBPD

RESOLUTION NO. ZA2017-060

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING COASTAL DEVELOPMENT PERMIT NO. CD2017-042 AUTHORIZING A REMODEL AND ADDITION TO AN EXISTING TWO-UNIT CONDOMINIUM COMPLEX LOCATED AT 821 WEST BALBOA BOULEVARD (PA2017-095)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by John T. Morgan Jr, Architect, with respect to property located at 821 West Balboa Boulevard, requesting approval of a Coastal Development Permit.
2. The property is legally described as Parcel 1 of Parcel Map No. 2005-262.
3. The applicant proposes a Coastal Development Permit (CDP) to allow a 597-square-foot addition and remodel to an existing two-unit condominium building. The project includes a 30-square-foot first floor addition, 124-square-foot second floor addition, and 443-square-foot third floor addition. The height of the structure is proposed to be 29 feet. The project complies with all applicable development standards and no deviations are requested.
4. The subject property is located within the R-2 (Two-Unit Residential) Zoning District and the General Plan Land Use Element category is RT (Two-Unit Residential).
5. The subject property is located within the coastal zone. The Coastal Land Use Plan category is RT-D (Two-Unit Residential – 20.0-29.9 DU/AC).
6. A public hearing was held on August 24, 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 Class 1 (Existing Facilities).
2. Class 1 exempts additions of up to 10,000 square feet to existing structures where public services and utilities are available and the area is not considered environmentally sensitive. The proposed project is an addition of less than 10,000 square feet to an existing two-unit residence in a developed neighborhood and is not within an environmentally sensitive area.

SECTION 3. REQUIRED FINDINGS.

In accordance with 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 4,466 square feet and the proposed floor area is 3,864 square feet.
 - b. The proposed development provides the minimum required setbacks, which are 10 feet along the front property line, 3 feet along each side property line and 5 feet along the rear property line abutting the alley.
 - c. The highest guardrail is no more than 24 feet from established grade (10.35 feet NAVD88) and the highest ridge is no more than 29 feet from established grade, which complies with the maximum height requirements.
 - d. The project includes existing garage parking for a total of four vehicles, complying with the minimum two-car per unit parking requirement for two-unit residential developments.
2. The neighborhood is predominantly developed with two- and three-story single-family and two-unit residences. The proposed design, bulk, and scale of the development is consistent with the existing neighborhood pattern of development and expected future development.
3. The proposed development is not located on the shoreline. The proposed finished floor is 10.35 feet (NAVD 88) which is higher than the 9.00 feet (NAVD 88) minimum elevation standard. As such, impacts from future sea level 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. Although the project is located within 100 feet of a public beach, there is minimal site work proposed and therefore no proposed changes to the grading or drainage onsite.
6. There is no landscaping proposed as a part of this project.
7. The property is not located near designated public view points or coastal view roads and will not impact public coastal views.
8. Although the property is located within 100 feet of the public beach, alterations to the existing development would occur primarily on the upper levels and minimal site work is proposed. There is no proposed change in grading or drainage, nor increase in impermeable surface area onsite. In addition, the development, as proposed and as conditioned, incorporates design features to minimize the effect of construction and post-construction activities on the marine environment. These design features include, but are not limited to, one or more of the following: the appropriate management of equipment and construction materials, reducing runoff through the use of permeable surfaces, and the use of post-construction best management practices to minimize the project's adverse impact on coastal water.

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 proposed project is not located between the nearest public road and the sea or shoreline.
2. The existing residential lot does not currently provide nor inhibit public coastal access. The property is located less than 100 feet from the public beach; however, nearby public access is provided at street ends throughout Balboa Peninsula

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves Coastal Development Permit No. CD2017-042, 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 24TH DAY OF AUGUST, 2017.



Patrick J. Alford, Zoning Administrator

EXHIBIT "A"

CONDITIONS OF APPROVAL

(project specific conditions are italicized)

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.
3. Coastal Development Permit No. CD2017-042 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. 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 improvement in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
6. Prior to the issuance of building permits, a copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans.
7. 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.
8. Prior to the 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. If landscaping is proposed, the applicant shall submit a final landscape and irrigation plan consistent with Implementation Plan Section 21.30.075 prior to the issuance of building permits. These plans shall incorporate drought tolerant planting, non-invasive plant species and water efficient irrigation design. The plans shall be approved by the Planning Division.
12. 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 a part of regular maintenance.
13. 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.
14. 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. Stock piles 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.
15. Trash and debris shall be disposed in proper trash and recycling receptacles at the end of each construction day. Solid waste, including excess concrete, shall be disposed in adequate disposal facilities at a legal disposal site or recycled at a recycling facility.
16. 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.
17. No demolition or construction materials, equipment debris, or waste, shall be placed or stored in a location that would enter sensitive habitat, receiving waters, or a storm drain, or result in impacts to environmentally sensitive habitat areas, streams, wetland or their buffers.
18. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) shall be implemented prior to and throughout the duration of construction activity as designated in the Construction Pollution Prevention Plan (CPPP).
19. 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.

20. 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 Hauch Remodel Coastal Development Permit including, but not limited to, Coastal Development Permit No. CD2017-042 (PA2017-095). 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. ZA2017-061

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING COASTAL DEVELOPMENT PERMIT NO. CD2017-051 TO DEMOLISH AN EXISTING SINGLE-FAMILY RESIDENCE AND CONSTRUCT A NEW SINGLE-FAMILY RESIDENCE AND ATTACHED 3-CAR GARAGE LOCATED AT 14 BEACON BAY (PA2017-106)

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, Inc., with respect to property located at 14 Beacon Bay, requesting approval of a Coastal Development Permit.
2. The lot at 14 Beacon Bay is legally described Lot 14 of Record of Survey 2010-1095 in Book 251 Page 46 of Record of Surveys, in the office of the County Recorder of Said County.
3. The applicant proposes to demolish a 2-story single-family residence and 2-car garage and construct a new 3,991-square-foot, 3-story, single-family residence with attached 662-square-foot, 3-car garage. The design includes hardscape, walls, drainage facilities, and approximately 386 square feet of landscaping. The project complies with all applicable development standards and no deviations are requested.
4. The subject property is located within the (R-2) Two Unit Residential Zoning District and the General Plan Land Use Element category is (RT) Two-Unit Residential.
5. The subject properties are located within the coastal zone. The Coastal Land Use Plan category is (RT-C) Two Unit Residential – (10.0 – 19.9 DU/AC).
6. A public hearing was held on August 24, 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 15303, 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 demolition of up to three single-family residences and additions of up to 10,000 square feet to existing structures. The proposed project consists of the

demolition of one single-family residence and the construction of a new 3,991-square-foot, 3-story, single-family residence with attached 662-square-foot, 3-car garage.

SECTION 3. REQUIRED FINDINGS.

In accordance with 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 as evidenced by the project plans.
 - a. The maximum floor area limitation is 4,920 square feet and the proposed floor area is 4,601 square feet.
 - b. The proposed development provides the minimum required setbacks, which are 3 feet along Beacon Bay, 15 feet along the property line abutting the beach, 4 feet on the side, and 16 feet along Shelter Cove.
 - c. The highest guardrail and other flat elements are no more than 24 feet from established grade (9.86 feet NAVD88) and the highest ridge is no more than 29 feet from established grade, which complies with the maximum height requirements.
 - d. The project includes garage parking for a total of three vehicles, complying with the minimum two-car garage parking requirement for single-family residences with less than 4,000 square feet of habitable floor area.
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.
3. The development fronts the Newport Bay with a sandy beach separating the project site and the water. A Coastal Hazards Analysis was prepared by Geosoils, Inc. The report concludes that the proposed project is reasonably safe from coastal hazards for the next 75 years including shoreline movement, waves and wave runup, and flooding with moderate future sea level rise projections. The project site is not protected by a bulkhead or other form of shoreline protection. The proposed finished floor is 9.11 feet (NAVD 88) which is higher than the 9.00 feet (NAVD 88) standard. Additional waterproofing will be provided to an approximate elevation of 11.7 feet (NAVD 88) when and if it becomes necessary in the future.

4. Pursuant to NBMC Section 21.30.015(E)(5), the property owner will be required to enter into an agreement 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). 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). Both requirements are included as conditions of approval that will need to be satisfied prior to the issuance of building permits for construction.
5. 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.
6. The property is located within 100 feet of coastal waters. Pursuant to Municipal Code Section 21.35.030, a Construction Pollution Prevention Plan (CPPP) is required to implement temporary Best Management Practices (BMPs) during construction to minimize erosion and sedimentation and to minimize pollution of runoff and coastal waters derived by construction chemicals and materials. A CPPP has been reviewed and approved by the City's Engineer Geologist. Construction plans and activities will be required to adhere to the approved CPPP.
7. Pursuant to Municipal Code Section 21.35.050, due to the proximity of the development to the shoreline and the development containing more than 75 percent of impervious surface area, a Water Quality and Hydrology Plan (WQHP) is required. The WQHP has been reviewed and approved by the City's Engineer Geologist. The WQHP includes a polluted runoff and hydrologic site characterizations, a sizing standard for BMPs, use of an LID approach to retain the storm runoff volume onsite, and documentation of the expected effectiveness of the proposed BMPs. Construction plans will be reviewed for compliance with the approved WQHP prior to the building permit issuance.
8. Proposed landscaping complies with the Implementation Plan Section 21.30.075. A condition of approval is included that requires drought-tolerant, and prohibits invasive, species. Final landscape plans will be reviewed to verify invasive species are not planted.
9. The project site is located between the nearest public road and the sea or shoreline, but redevelopment will not affect public recreation, access or views because development is consistent with applicable development standards including building height and setbacks, and construction will be limited to the project site. Vertical access to the public beach is available directly adjacent to the site along Shelter Cove. The property is also not located near public view points or coastal view roads, as designated in the Coastal Land Use Plan, and will therefore not impact public coastal views.

Finding:

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

Fact in Support of Finding:

1. The project site is located between the nearest public road and the sea or shoreline, but redevelopment will not affect public recreation, access or views because development is consistent with applicable development standards including building height and setbacks, and construction will be limited to the project site. Vertical access to the public beach is available directly adjacent to the site along Shelter Cove. The property is also not located near public view points or coastal view roads, as designated in the Coastal Land Use Plan, and will therefore not impact public coastal views.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves Coastal Development Permit No. CD2017-051, 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 24TH DAY OF AUGUST, 2017.



Patrick J. Alford, Zoning Administrator

EXHIBIT "A"

CONDITIONS OF APPROVAL

(Project specific conditions are italicized.)

1. The development shall be in substantial conformance with the approved site plan, floor plans and building elevations stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
2. Prior to the issuance of a building permit, 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 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 development.
4. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new Coastal Development Permit.
5. Prior to the issuance of the building permits, the approved Construction Pollution Prevention Plan (CPPP) and Water Quality and Hydrology Plan (WQHP) shall be submitted with the building permit plans. Implementation shall be in compliance with the approved CPPP and WQHP and any changes could require separate review and approval by the Building Division.
6. Coastal Development Permit No. CD2017-051 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.
7. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.

8. 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 improvement in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
9. Prior to the issuance of building permits, a copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans.
10. 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.
11. Prior to the 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.
12. 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.
13. 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.
14. Prior to the issuance of building permits, the applicant shall submit a final landscape and irrigation plan consistent with Implementation Plan Section 21.30.075. These plans shall incorporate drought tolerant planting, non-invasive plant species and water efficient irrigation design. The plans shall be approved by the Planning Division.
15. 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 a part of regular maintenance.
16. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by either the current business owner, property owner or the leasing agent.
17. 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. Stock piles 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.

18. Trash and debris shall be disposed in proper trash and recycling receptacles at the end of each construction day. Solid waste, including excess concrete, shall be disposed in adequate disposal facilities at a legal disposal site or recycled at a recycling facility.
19. 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.
20. No demolition or construction materials, equipment debris, or waste, shall be placed or stored in a location that would enter the beach, sensitive habitat, receiving waters, or a storm drain, or result in impacts to environmentally sensitive habitat areas, streams, wetland or their buffers.
21. Best Management Practices (BMPs) and Good Housekeeping Practices (GHP's) shall be implemented prior to and throughout the duration of construction activity as designated in the CPPP.
22. 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.
23. 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 14 Beacon Bay Coastal Development Permit including, but not limited to, Coastal Development Permit No. CD2017-051 (PA2017-106). 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. ZA2017-062

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING COASTAL DEVELOPMENT PERMIT NO. CD2017-050 TO CONSTRUCT A NEW SINGLE-FAMILY RESIDENCE, SUBTERRANEAN BASEMENT, POOL, AND ATTACHED 5-CAR GARAGE LOCATED AT 2201 BAYSIDE DRIVE (PA2017-117)

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, Inc., with respect to property located at 2201 Bayside Drive requesting approval of a coastal development permit.
2. The lot at 2201 Bayside Drive is legally described as Parcel 1 of Parcel Map No. 2005-129, in the City of Newport Beach, County of Orange, State of California, being a subdivision of Parcel 2 of a parcel map filed in Book 47, Page 32 of Parcel Maps, in the Office of the County Recorder of Orange, County, CA.
3. The applicant proposes a Coastal Development Permit (CDP) to construct a new 7,910-square-foot, 3-story, single-family residence with 1,219-square-foot subterranean basement and attached 2,920-square-foot 5-car garage. The design includes a pool, hardscape, drainage facilities, site walls, and associated landscaping. The project complies with all applicable 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-A (Single-Unit Residential Detached) – (0.0-5.9 DU/AC) and it is located within the R-1 (Single-Unit Residential) Coastal Zone District.
6. A public hearing was held on August 24, 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 15303, 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), because it has no potential to have a significant effect on the environment.

2. Class 3 exempts the demolition of up to three single-family residences and additions of up to 10,000 square feet to existing structures. The proposed project consists of the demolition of one single-family residence and the construction of a new 9,159-square-foot single-family residence with a subterranean basement and attached 2,920-square-foot 5-car garage.

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 14,703 square feet and the proposed floor area is 12,049 square feet.
 - b. The proposed development complies with the required setbacks, which are 15 feet along the front property line abutting Bayside Drive, 4 feet along each side property line, and 5 feet along the water.
 - c. The highest guardrail is less than 24 feet from established grade and the highest ridge is approximately 29 feet from established grade, which comply with the maximum height requirements.
 - d. The project includes garage parking for five vehicles, exceeding the minimum three-car garage parking requirement for single-family residences with 4,000 square feet or more of habitable floor area.
2. The immediate neighborhood is predominantly developed with two-story, single-family residences; however, there is an intermixing of newer, three-story, single-family residences. Development immediately to the north along Bayside Drive terraces up to Pacific Drive. The proposed design, bulk, and scale of the development will appear consistent with the existing neighborhood pattern of development and expected future development consistent with applicable development standards.
3. The project site abuts Newport Bay and is currently undeveloped with no shoreline protection devices. The finished first floor elevation of the proposed residence is 11.5

feet (NAVD88) at the waterfront stepping up to 13.75 feet (NAVD88) at Bayside Drive. Both elevations are higher than the minimum 9.00 feet (NAVD88) elevation standard. The proposed pool wall and associated planter walls fronting the Bay at a minimum elevation of 10.5 feet (NAVD88) will serve as a bulkhead and provide shoreline protection against potential coastal hazards and sea level rise.

4. Newport Beach Municipal Code (NBMC) Section 21.30C.050(I) allows bulkheads at this property provided it is not bayward of a line 40 feet landward of the face of the bulkhead at 2137 Bayside Drive, which is the approximate location of the mean high tide line. Proposed development is approximately 45 feet landward of this line and as a result, public access to lands below the mean high tide line will remain unaffected.
5. A Coastal Hazard and Sea Level Rise Analysis was prepared by GeoSoils, Inc., dated October 14, 2015, for the project. A memorandum was issued on July 17, 2017, by the same preparer to validate the former conclusion and analysis is still current. The report concludes no additional protective devices will be necessary to protect the proposed development from any existing or anticipated future coastal hazards and that the proposed project will be safe from coastal hazards for the next 75 years or more.
6. Pursuant to NBMC Section 21.30.030(C)(3)(i)(iv), the property owner will be required to enter into an agreement 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). 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). Both requirements are included as conditions of approval that will need to be satisfied prior to the issuance of building permits for construction.
7. 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.
8. The property is located within 100 feet of coastal waters. Pursuant to Section 21.35.030 (Construction Pollution Prevention Plan) of the Municipal Code, a Construction Pollution Prevention Plan (CPPP) is required to implement temporary Best Management Practices (BMPs) during construction to minimize erosion and sedimentation and to minimize pollution of runoff and coastal waters derived by construction chemicals and materials. A CPPP prepared by DZN Engineering, Inc., dated May 23, 2017, has been reviewed and approved by the City's Engineer Geologist.
9. Pursuant to Municipal Code Section 21.35.050 (Water Quality and Hydrology Plan), due to the proximity of the development to the shoreline and the development containing more than 75 percent of impervious surface area, a Water Quality and Hydrology Plan

(WQHP) is required. A WQHP prepared by DZN Engineering, Inc., dated May 31, 2017, has been reviewed and approved by the City's Engineer Geologist. The WQHP includes an identification of potential stormwater pollutants, post-development drainage characteristics, Low Impact Development (LID) BMP selection and analysis, structural and non-structural source control BMPs, a site design and drainage plan exhibit, and an operation and maintenance plan.

10. Proposed landscaping complies with Municipal Code Section 21.30.075 (Landscaping). 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:

1. The property is located adjacent to Newport Bay and coastal access points are provided to the north at the public beach adjacent to the Newport Beach Harbor Patrol and along several vertical access points across from Balboa Island. Section 21.30A.040(A) of the certified Local Coastal Program (LCP) states that the provision of public access shall bear a reasonable relationship between the requirement and the project's impact and shall be proportional to the impact. The subject property was developed with residential development in the past and the development of a new single-unit dwelling will not result in a significant impact on public access. Furthermore, LCP Section 21.30A.020(C)(1)(a) provides that new public access shall not be required when it is inconsistent with public safety. The subject property is located on a curved segment of Bayside Drive, a narrow, heavily traveled street with no on-street parking. Providing new public access in this area would create an unsafe condition for pedestrians and vehicles.
2. The closest public view point is located near Bayside Drive and Carnation Avenue, approximately 500 feet from the property. The proposed residence is not located near coastal view roads, as designated in the Coastal Land Use Plan. Due to the distance of the proposed development from the public view point and the project's compliance with height, setbacks, the project will not impact coastal views.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves Coastal Development Permit No. CD2017-050, 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 24TH DAY OF AUGUST, 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. Prior to the issuance of a building permit, an agreement in a form approved by the City Attorney between the property owner and the City shall be executed and recorded waiving rights to the construction of future shoreline protection devices including the repair and maintenance, enhancement, reinforcement, or any other activity affecting the bulkhead, that results in any encroachment seaward of the authorized footprint of the bulkhead or other shoreline protective device. The agreement shall be binding against the property owners and successors and assigns.
3. Prior to the 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 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 development.
4. No demolition or construction materials, equipment debris, or waste, shall be placed or stored in a location that would enter sensitive habitat, receiving waters, or a storm drain, or result in impacts to environmentally sensitive habitat areas, streams, wetland or their buffers.
5. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) shall be implemented prior to and throughout the duration of construction activity as designated in the Construction Pollution Prevention Plan (CPPP).
6. 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.
7. 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. Stock piles 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.

8. Trash and debris shall be disposed in proper trash and recycling receptacles at the end of each construction day. Solid waste, including excess concrete, shall be disposed in adequate disposal facilities at a legal disposal site or recycled at a recycling facility.
9. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new Coastal Development Permit.
10. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
11. 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.
12. 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.
13. 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.
14. 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.
15. Prior to issuance of the building permits, the approved CPPP and WQHP/WQMP shall be submitted with the Building Permit plans. Implementation shall be in compliance with the approved CPPP and WQHP/WQMP and any changes could require separate review and approval by the Building Division.
16. Prior to the issuance of building permits, the applicant shall submit a final landscape and irrigation plan. These plans shall incorporate drought tolerant plantings, non-invasive plant species and water efficient irrigation design. The plans shall be approved by the Planning Division.
17. 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.

18. 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.
19. Should the property be sold or otherwise come under different ownership, any future owners or assignees shall be notified of the conditions of this approval by the current property owner or agent.
20. This Coastal Development Permit No. CD2017-050 shall expire unless exercised within 24 months from the date of approval as specified in Section 21.54.060 (Time Limits and Extensions) of the Newport Beach Municipal Code, unless an extension is otherwise granted.
21. To the fullest extent permitted by law, 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 2201 Bayside Drive CDP including, but not limited to, Coastal Development Permit No. CD2017-050 (PA2017-117). 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. ZA2017-063

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING COASTAL DEVELOPMENT PERMIT NO. CD2017-054 FOR A NEW SINGLE-FAMILY RESIDENCE LOCATED AT 2209 BAYSIDE DRIVE (PA2017-118)

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, Inc. with respect to property located at 2209 Bayside Drive, and legally described as Parcel 2 of Parcel Map No. 2005-129, requesting approval of a coastal development permit.
2. The applicant proposes to construct a new 6,809-square-foot, 3-story, single-family residence with 1,598-square-foot subterranean basement and attached 2,823-square-foot 5-car garage. The design includes hardscape, drainage, and associated landscaping. The project complies with all applicable development standards and no deviations are requested.
3. The subject property is designated Single-Unit Residential Detached (RS-D) by the General Plan Land Use Element and is located within the Single-Unit Residential (R-1) Zoning District.
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is Single-Unit Residential Detached (0.0 – 5.9 DU/AC) (RSD-A) and it is located within the Single-Unit Residential (R-1) Coastal Zoning District.
5. A public hearing was held on August 24, 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 exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) 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 3 exemption includes one single-family residence in a residential zone. The proposed project is the construction of a new single-family residence located within the R-1 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 14,841 square feet and the proposed floor area is 11,230 square feet.
 - b. The proposed development complies with the required setbacks, which are 15 feet along the front property line abutting Bayside Drive, 4 feet along each side property line and 5 feet along the rear property line in the water.
 - c. The highest guardrail is less than 24 feet from established grade and the highest ridge is approximately 29 feet from established grade, which comply with the maximum height requirements. The project also proposes a rooftop deck where there is a mansard roof serving as a guardrail. The ridge of the mansard roof is also below 29 feet and the finished floor of the deck is below 24 feet.
 - d. The project includes garage parking for five vehicles, exceeding the minimum three-car garage parking requirement for single-family residences with 4,000 square feet or more of habitable floor area.
2. The immediate neighborhood is predominantly developed with two-story single-family residences. There is an intermixing of newer, three-story, single-family residences. Development along the northern side of Bayside Drive to the north terraces up to Pacific Drive and single family homes are developed on top of the bluff. The proposed design, bulk, and scale of the development is consistent with the existing neighborhood pattern of development and expected future development consistent with all applicable development regulations.
3. The project site abuts the Newport Bay and is currently undeveloped with no shoreline protection devices. The finished floor elevation of the proposed residence is 12.125 feet (NAVD88) at the waterfront stepping up to 13.625 feet (NAVD88) at Bayside Drive. Both elevations are higher than the minimum 9.00 feet (NAVD88) elevation standard. The proposed pool wall, basement wall, and associated planter walls fronting the Bay will serve as a bulkhead and provide shoreline protection against potential future coastal hazards and sea level rise.

4. Newport Beach Municipal Code (NBMC) Section 21.30C.050(l) allows bulkheads at this property provided it is not bayward of a line 40 feet landward of the face of the bulkhead at 2137 Bayside Drive, which is the approximate location of the mean high tide line. Proposed development is approximately 45 feet landward of this line and as a result, public access to lands below the mean high tide line will remain unaffected.
5. A Coastal Hazard and Sea Level Rise Analysis was prepared by GeoSoils, Inc., dated October 14, 2015 for the project. A memorandum was issued on July 17, 2017, by the same preparer to validate the former conclusion and analysis is still current. The report concludes no additional protective devices will be necessary to protect the proposed development from any existing or anticipated future coastal hazards and that the proposed project will be safe from coastal hazards for the next 75 years or more.
6. Pursuant to NBMC Section 21.30.030(C)(3)(i)(iv), the property owner will be required to enter into an agreement 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). 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). Both requirements are included as conditions of approval that will need to be satisfied prior to the issuance of building permits for construction.
7. 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.
8. The property is located within 100 feet of coastal waters. Pursuant to NBMC Section 21.35.030 of the Municipal Code, a Construction Pollution Prevention Plan (CPPP) is required to implement temporary Best Management Practices (BMPs) during construction to minimize erosion and sedimentation and to minimize pollution of runoff and coastal waters derived by construction chemicals and materials. A CPPP prepared by DZN Engineering, Inc., dated May 23, 2017, has been reviewed and approved by the City's Engineer Geologist.
9. Pursuant to NBMC Section 21.35.050, due to the proximity of the development to the shoreline and the development containing more than 75 percent of impervious surface area, a Water Quality and Hydrology Plan (WQHP) is required. A WQHP prepared by DZN Engineering, Inc., dated May 31, 2017, has been reviewed and approved by the City's Engineer Geologist. The WQHP includes a polluted runoff and hydrologic site characterization, a sizing standard for BMPs, use of a Low-Impact Development approach to retain the design storm runoff volume on site, and documentation of the expected effectiveness of the proposed BMPs.

10. Proposed landscaping complies with NBMC 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:

1. The property is located adjacent to Newport Bay and coastal access points are provided to the north at the public beach adjacent to the Newport Beach Harbor Patrol and along several vertical access points across from Balboa Island. Section 21.30A.040(A) of the certified Local Coastal Program (LCP) states that the provision of public access shall bear a reasonable relationship between the requirement and the project's impact and shall be proportional to the impact. The subject property was developed with residential structures in the past and the development of a new single-unit dwelling will not result in a significant impact on public access. Furthermore, LCP Section 21.30A.020(C)(1)(a) provides that new public access shall not be required when it is inconsistent with public safety. The subject property is located on a curved segment of Bayside Drive, a narrow, heavily traveled street with no on-street parking. Providing new public access in this area would create an unsafe condition for pedestrians and vehicles.
2. The closest designated Public View Point is located near Bayside Drive and Carnation Avenue (Begonia Park) and is approximately 500 feet from the subject property. Due to the distance from this point and the project's compliance with height, setback and floor area standards, the project will not affect views from Begonia Park. The project site is also not located near or within the viewshed of any Coastal View Roads, as designated in the Coastal Land Use Plan.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves Coastal Development Permit No. CD2017-054, 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 24TH DAY OF AUGUST, 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. Prior to the issuance of a building permit, an agreement in a form approved by the City Attorney between the property owner and the City shall be executed and recorded waiving rights to the construction of future shoreline protection devices including the repair and maintenance, enhancement, reinforcement, or any other activity affecting the bulkhead, that results in any encroachment seaward of the authorized footprint of the bulkhead or other shoreline protective device. The agreement shall be binding against the property owners and successors and assigns.
3. Prior to the 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 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 development.
4. There shall be no encroachments into the public beach.
5. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new Coastal Development Permit.
6. Coastal Development Permit No. CD2017-054 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.
7. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
8. 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.
9. 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.

10. 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.
11. 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.
12. Prior to issuance of the building permits, the approved Construction Pollution Prevention Plan (CPPP) and Water Quality and Hydrology Plan (WQHP) shall be submitted with the Building Permit plans. Implementation shall be in compliance with the approved CPPP and WQHP and any changes could require separate review and approval by the Building Division.
13. Prior to the issuance of building permits, the applicant shall submit a final landscape and irrigation plan. These plans shall incorporate drought tolerant plantings, non-invasive plant species and water efficient irrigation design. The plans shall be approved by the Planning Division.
14. 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.
15. 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.
16. No demolition or construction materials, equipment debris, or waste, shall be placed or stored in a location that would enter sensitive habitat, receiving waters, or a storm drain or result in impacts to environmentally sensitive habitat areas, streams, wetland or their buffers.
17. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) shall be implemented prior to and throughout the duration of construction activity as designated in the CPPP.

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18. 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.
 19. 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. Stock piles 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.
 20. Trash and debris shall be disposed in proper trash and recycling receptacles at the end of each construction day. Solid waste, including excess concrete, shall be disposed in adequate disposal facilities at a legal disposal site or recycled at a recycling facility.
 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 the leasing agent.
 22. 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 2209 Bayside Drive CDP including, but not limited to, Coastal Development Permit No. CD2017-054 (PA2017-118). 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. ZA2017-064

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING COASTAL DEVELOPMENT PERMIT NO. CD2017-038 FOR A NEW SINGLE-FAMILY RESIDENCE LOCATED AT 1223 EAST BALBOA BOULEVARD (PA2017-090)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Eric Aust with respect to property located at 1223 East Balboa Boulevard, and legally described as Parcel J of Resubdivision No. 252 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 approximately 2,818 square-foot single-family residence with a 447-square-foot attached garage. The proposed development also includes additional appurtenances such as walls, fences, patios, hardscape, drainage devices, and landscaping. The project complies with all applicable development standards and no deviations are requested.
3. The subject property is designated Single-Unit Residential Detached (RS-D) by the General Plan Land Use Element and is located within the Single-Unit Residential (R-1) Zoning District.
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is Single-Unit Residential Detached (6.0 – 9.9 DU/AC) (RSD-B) and it is located within the Single-Unit Residential (R-1) Coastal Zoning District.
5. A public hearing was held on August 24, 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 exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) 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 3 exemption includes one single-family residence in a residential zone. The proposed project is the demolition of an existing single-family residence and the construction of a new single-family residence within the R-1 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 3,360 square feet and the proposed floor area is 3,265 square feet.
 - b. The proposed development complies with the required setbacks, which are 10 feet along the front property line abutting East Ocean Front, 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 established grade and the highest ridge is approximately 29 feet from established grade, which comply with the maximum height requirements. The project also proposes a rooftop deck where there is a mansard roof serving as a guardrail. The ridge of the mansard roof is also below 29 feet and the finished floor of the deck is below 24 feet.
 - d. The project includes garage parking for two vehicles, meeting the minimum two-car garage parking requirement for single-family residences with less than 4,000 square feet of habitable floor area.
2. Coastal Land Use Plan Section 3.1.3 (Beach Encroachments) allows encroachments into the Ocean Front right-of-way on a limited basis. The project includes reconstruction of existing approximately 2-foot tall patio walls fronting the East Ocean Front public sidewalk. The encroachment of walls into the public right-of-way is consistent with City Council Policy L-12 and Appendix C of Newport Beach Municipal Code (NBMC) Title 21. Compliance would be verified by the City's Public Works Department during the building permit plan check process.
3. 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 consistent with applicable development standards.
4. The finished floor elevation of the proposed residence is 10.00 feet (NAVD88) at East Balboa Boulevard and steps up to 11.75 feet (NAVD 88) at East Ocean Front. Both

elevations are higher than the minimum 9.00 MSL (NAVD88) elevation standard. The exterior walls of the proposed building have also been designed to incorporate adaptive waterproofing should it become necessary in the future. The reconstructed 2-foot tall patio walls that separate the development from the East Ocean Front Boardwalk will also serve to protect the project site.

5. A Coastal Hazard and Sea Level Rise Analysis was prepared by GeoSoils, Inc., dated August 5, 2016, for the project. The report concludes it is very unlikely that any type of wave will reach the site even considering a 4.75-foot rise in sea level that could occur by the year 2092. The report also concludes the proposed project will be reasonably safe from the shoreline erosion due to the width of the beach and lack of wave or wakes that would erode sand from the beach. Overall, the analysis concludes that the proposed project will be safe from flooding and erosion hazards for the next 75 years.
6. Pursuant to NBMC Section 21.30.030(C)(3)(i)(iv), the property owner will be required to enter into an agreement 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). 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). Both requirements are included as conditions of approval that will need to be satisfied prior to the issuance of building permits for construction.
7. 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.
8. The property is located within 100 feet of coastal waters. Pursuant to NBMC Section 21.35.030, a Construction Pollution Prevention Plan (CPPP) is required to implement temporary Best Management Practices (BMPs) during construction to minimize erosion and sedimentation and to minimize pollution of runoff and coastal waters derived by construction chemicals and materials. A CPPP prepared by Toal Engineering, Inc., dated June 15, 2017, has been reviewed and approved by the City's Engineer Geologist.
9. Pursuant to NBMC Section 21.35.050, due to the proximity of the development to the shoreline and the development containing more than 75 percent of impervious surface area, a Water Quality and Hydrology Plan (WQHP) is required. A WQHP prepared by Toal Engineering, Inc., dated June 14, 2017, has been reviewed and approved by the City's Engineer Geologist. The WQHP includes a polluted runoff and hydrologic site characterization, a sizing standard for BMPs, use of a Low-Impact Development (LID) approach to retain the design storm runoff volume on site, and documentation of the expected effectiveness of the proposed BMPs.

10. There is no landscaping currently proposed as part of the project. Any future landscaping will be verified for compliance with NBMC 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:

1. The existing residential lot does not currently provide nor inhibit public coastal access. The proposed development will remain within the existing residential lot and construction would not encroach any further into the abutting public right-of-way (East Ocean Front). All reconstructed encroachments comply with City Council Policy L-12 and Appendix C of NBMC Title 21, which is in furtherance of Coastal Land Use Plan Section 3.1.3 (Beach Encroachments), first certified by the Coastal Commission in 2005.
2. Vertical access is currently provided at multiple points at public street ends (D Street and E Street are the closest to the project site). Horizontal access is provided by the East Ocean Front boardwalk and the over 500 foot wide public beach directly to the south.
3. The property is not located near Public View Points or Coastal View Roads, as designated in the Coastal Land Use Plan, and will not impact public coastal views because the proposed development is within the private residential lot and complies with all applicable development standards including setbacks and building height.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves Coastal Development Permit No. CD2017-038, 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 24TH DAY OF AUGUST, 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. Prior to the issuance of a building permit, an agreement in a form approved by the City Attorney between the property owner and the City shall be executed and recorded waiving rights to the construction of future shoreline protection devices including the repair and maintenance, enhancement, reinforcement, or any other activity affecting the bulkhead, that results in any encroachment seaward of the authorized footprint of the bulkhead or other shoreline protective device. The agreement shall be binding against the property owners and successors and assigns.
3. Prior to the 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 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 development.
4. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new Coastal Development Permit.
5. Coastal Development Permit No. CD2017-038 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.
6. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
7. 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.
8. 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.

9. 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.
10. 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.
11. Prior to issuance of the building permits, the approved Construction Pollution Prevention Plan (CPPP) and Water Quality and Hydrology Plan (WQHP) shall be submitted with the Building Permit plans. Implementation shall be in compliance with the approved CPPP and WQHP and any changes could require separate review and approval by the Building Division.
12. Prior to the issuance of building permits, the applicant shall submit a final landscape and irrigation plan. These plans shall incorporate drought tolerant plantings, non-invasive plant species and water efficient irrigation design. The plans shall be approved by the Planning Division.
13. 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.
14. 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.
15. No demolition or construction materials, equipment debris, or waste, shall be placed or stored on the beach or in a location that would enter sensitive habitat, receiving waters, or a storm drain or result in impacts to environmentally sensitive habitat areas, streams, wetland or their buffers.
16. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) shall be implemented prior to and throughout the duration of construction activity as designated in the CPPP.
17. 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.

18. 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. Stock piles 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.
19. Trash and debris shall be disposed in proper trash and recycling receptacles at the end of each construction day. Solid waste, including excess concrete, shall be disposed in adequate disposal facilities at a legal disposal site or recycled at a recycling facility.
20. 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.
21. 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 Arrache Residence CDP including, but not limited to, Coastal Development Permit No. CD2017-038 (PA2017-090). 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. ZA2017-065

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING MINOR USE PERMIT NO. UP2017-016 ADDING ALCOHOL SALES AND SERVICE WITH A TYPE 41 LICENSE TO AN EXISTING RESTAURANT WITH NO LATE HOURS LOCATED AT 711 EAST BALBOA BOULEVARD (PA2017-124)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Balboa Lily's, with respect to property located at 711 East Balboa Boulevard, and legally described as Lots 6, 7 and 8 in Block 10 of the Balboa Tract in the City of Newport Beach, County of Orange, State of California, requesting approval of a minor use permit.
2. The applicant proposes the sale and service of beer and wine in conjunction with an existing restaurant classified as a food service, eating and drinking establishment. The applicant is pursuing a Type 41 (On-Sale Beer and Wine – Eating Place) Alcoholic Beverage Control (ABC) license. There are no other proposed changes to the restaurant. The allowed hours of operation will remain from 7 a.m. to 10 p.m., daily.
3. The subject property is designated Mixed Use Vertical (MU-V) by the General Plan Land Use Element and is located within the Mixed-Use Vertical (MU-V) Zoning District.
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is Mixed Uses Vertical (MU-V) and it is located within the Mixed-Use Vertical (MU-V) Coastal Zone District.
5. A public hearing was held on August 24, 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 exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 under Class 1 (Existing Facilities) 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 1 exemption includes the ongoing use of existing buildings where there is negligible or no expansion of use. The proposed project involves the addition of the Type

41 ABC License to the existing eating and drinking establishment with no other alterations or changes.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 20.48.030 (Alcohol Sales) 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 purpose and intent of Section 20.48.030 (Alcohol Sales of the Zoning Code).*

Facts in Support of Finding:

In finding that the proposed use is consistent with Section 20.48.030 of the Zoning Code, the following criteria must be considered:

- i. *The crime rate in the reporting district and adjacent reporting districts as compared to other areas in the City.*
1. The subject property is located in Reporting District 12 (RD 12). The Part One Crimes (Part One Crimes are the eight most serious crimes defined by the FBI Uniform Crime Report – homicide, rape, robbery, aggravated assault, burglary, larceny-theft, auto theft, and arson) crime rate in RD 12 is comparable to adjacent RD 11 and RD 13, which are predominantly residential, and lower than the Citywide average.
 2. The Police Department has reviewed the proposal, provided operating conditions of approval, and has no objection to the addition of the alcoholic beverage license subject to appropriate conditions of approval. The operation of the establishment includes the approved floor plan with no separate bar counter or area and a closing hour of 10 p.m.
- ii. *The numbers of alcohol-related calls for service, crimes, or arrests in the reporting district and in adjacent reporting districts.*
1. The total number of alcohol-related calls for service, crimes, or arrests in RD 12 is higher than RD 11, but lower than adjacent RDs 13 and 15. RD 11 is comprised of residential properties, so the lower amount of alcohol-related incidents is expected. The Police Department has reviewed the proposal and has no objection.
 2. Year to date, one call for service representing less than one percent of all calls for service in the RD has been reported at the subject property. The call for service was not specifically related to the existing restaurant.
- iii. *The proximity of the establishment to residential zoning districts, day care centers, hospitals, park and recreation facilities, places of worship, schools, other similar uses, and any uses that attract minors.*

1. The eating and drinking establishment is located within a multi-tenant building fronting East Balboa Boulevard and Main Street. There are six residential units above on the second floor. The mixed-use development is consistent with the MU-V General Plan designation. The property is not located within close proximity to any day care centers, hospitals, places of worship, schools, or similar uses that typically attract minors. The closest park is Peninsula Park, which is approximately 200 feet southeast of the property.
 2. The nature of Balboa Village is to provide goods, services, and entertainment, including eating and drinking establishments, designed to foster visitor and resident activity from travelers down the Peninsula and residents nearby. The nearest residential uses are located on the second floor above the subject establishment.
 3. Eating and drinking establishments with incidental alcohol service are common in Balboa Village and the proposed ABC license in conjunction with an early closing hour is not anticipated to alter the operational characteristics of the use such that it becomes detrimental to the area.
- iv. The proximity to other establishments selling alcoholic beverages for either off-site or on-site consumption.*
1. The closest establishments are Cruisers Pizza immediately east and BJ's Pizza immediately south and Cabo Cantina located approximately 175 feet south on Main Street, which are full service restaurants. Other establishments selling alcoholic beverages operate within Balboa Village, near the subject restaurant. There is no evidence suggesting a full-service restaurant use has been or will be detrimental to surrounding properties or the neighborhood.
- v. Whether or not the proposed amendment will resolve any current objectionable conditions.*
1. An eating and drinking establishment has operated at the subject property since the 1960s with no operating issues or complaints. No objectionable conditions are presently occurring at the site and this minor use permit as conditioned is intended to avoid future objectionable conditions.
 2. The project has been reviewed and conditioned to help ensure that the purpose and intent of Section 20.48.030 (Alcohol Sales) of the Zoning Code is maintained and that a healthy environment for residents and businesses is preserved. The service of alcohol is intended for the convenience of customers dining at the establishment. Operational conditions of approval recommended by the Police Department relative to the sale of alcoholic beverages will ensure compatibility with the surrounding uses and minimize alcohol related impacts.
 3. The existing hours of operation of the establishment will minimize the potential effects on land use. The establishment closes by 10 p.m., daily, which will ensure the use does not become a late night bar, tavern, or nightclub.

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:

B. The use is consistent with the General Plan and any applicable specific plan;

Facts in Support of Finding:

1. The site is designated MU-V by the General Plan Land Use Element, which is intended to provide for the development of properties for mixed-use structures that vertically integrate housing with commercial uses, including retail, office, restaurant, and similar nonresidential uses.
2. The existing eating and drinking establishment is located within Balboa Village along East Balboa Boulevard in a mixed-use development with residential units above the ground floor. The sale and service of alcohol will provide a convenience for patrons and will help to maintain a vibrant commercial use on the ground level, consistent with the MU-V land use designation. The earlier closing hour of 10 p.m. will help to ensure the use remains compatible.
3. The subject property is not a part of a specific plan area.

Finding:

C. 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 site is located within the MU-V Zoning District consistent with the General Plan Land Use Element. See Fact in Support of Finding B1.
2. The existing eating and drinking establishment operates pursuant to Variance No. 993 and Staff Approval No. SA2006-006. Minimal conditions of approval were placed on the operation.
3. The use will remain a food service, eating and drinking establishment and the addition of the Alcoholic Beverage Control License will not alter or intensify the existing use. Further, there will be no change to the floor area including the existing net public area and seats or the hours of operation.

Finding:

D. 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 addition of the alcohol license does not change the operating characteristics of the existing eating and drinking establishment.
2. The eating and drinking establishment will remain complementary to the other uses in Balboa Village, which includes retail stores, restaurants, services, and other commercial uses. Success of the subject establishment should help to reenergize the area with its prominent corner location at East Balboa Boulevard and Main Street, making it a viable commercial node for the neighborhood and visitors.
3. The eating and drinking establishment will continue to provide a convenience for residents of the neighborhood and visitors to the area.

Finding:

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

Facts in Support of Finding:

1. The existing eating and drinking establishment within has proven to be physically suitable in terms of design, location, shape, and size to support the use. The physical characteristics of the site are not changing with the addition of the alcohol license.
2. Adequate public and emergency vehicle access, public services, and utilities are provided for on-site.

Finding:

- F. 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 has been reviewed and includes conditions of approval to help ensure that potential conflicts with the surrounding land uses are minimized to the greatest extent possible. The operator is required to take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks and areas surrounding the subject property and adjacent properties during business hours, if directly related to the patrons of the establishment.
2. The eating and drinking establishment will continue to service the neighborhood by providing dining services as a public convenience to the surrounding residential

neighborhood as well as visitors. The service of alcohol will continue to complement the principal use of the facility and provide an economic opportunity for the property owner to maintain a successful business in a way that best serves the community.

3. As conditioned, the owners, managers and employees selling alcohol are required to undergo and successfully complete a certified training program in responsible methods and skills for selling alcohol.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves Minor Use Permit No. UP2017-016, subject to the conditions set forth in Exhibit "A," which is attached hereto and incorporated by reference.
2. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal or call for review is filed with the Community Development Director in accordance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.
3. This resolution supersedes Staff Approval No. SA2006-006 (PA2006-105) and Variance No. 0993, which upon vesting of the rights authorized by this Minor Use Permit, shall become null and void.

PASSED, APPROVED, AND ADOPTED THIS 24TH DAY OF AUGUST, 2017.



Patrick J. Alford, Zoning Administrator

EXHIBIT “A”

CONDITIONS OF APPROVAL

Planning Division

1. The development shall be in substantial conformance with the approved site plan, floor plans and building elevations stamped and dated with the date of this approval. (Except as modified by applicable conditions of approval.)
2. 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 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 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.
5. The allowed hours of operation shall be between 7 a.m. and 10 p.m., daily.
6. All net public areas shall remain as designated on the project plans provided for reference and dated June 12, 2009.
7. Any change in operational characteristics, expansion in area, or other modification to the approved plans, shall require a separate review and may necessitate an amendment to this Minor Use Permit or the processing of a new Use Permit.
8. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 and other applicable noise control requirements of the Newport Beach Municipal Code. The maximum noise shall be limited to no more than depicted below for the specified time periods unless the ambient noise level is higher:

Location	Between the hours of 7 a.m. and 10 p.m.		Between the hours of 10p.m. and 7 a.m.	
	Interior	Exterior	Interior	Exterior
Residential Property	45dBA	55dBA	40dBA	50dBA
Residential Property located within 100 feet of a commercial property	45dBA	60dBA	45dBA	50dBA
Mixed Use Property	45dBA	60dBA	45dBA	50dBA
Commercial Property	N/A	65dBA	N/A	60dBA

9. 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.

10. No outside paging system shall be utilized in conjunction with this establishment.
11. 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.
12. 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.
13. 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.
14. 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).
15. Deliveries and refuse collection for the facility shall be prohibited between the hours of 10 p.m. and 7 a.m. on weekdays and Saturdays and between the hours of 10p.m. and 9 a.m. on Sundays and Federal holidays, unless otherwise approved by the Director of Community Development, and may require an amendment to this Use Permit.
16. Storage outside of the building in the front or at the rear of the property shall be prohibited, with the exception of the required trash container enclosure.
17. A Special Events Permit is required for any event or promotional activity outside the normal operational characteristics of the approved use, as conditioned, or that would attract large crowds, involve the sale of alcoholic beverages, include any form of on-site media broadcast, or any other activities as specified in the Newport Beach Municipal Code to require such permits.
18. 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.
19. 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 Balboa Lily's Alcohol Service including, but not limited to, Minor Use Permit No. UP2017-016 (PA2017-124). 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

18. All customers must vacate the establishment 30 minutes after closing.
19. The removal or relocation of tables, chairs, stools, or other furniture to accommodate an area for standing or dancing shall be prohibited.
20. The approval is for an eating and drinking establishment with on-sale alcoholic beverage service. The type of alcoholic beverage license issued by the California Board of Alcoholic Beverage Control shall be a Type 41 (On-Sale Beer and Wine – Eating Place) license in conjunction with the restaurant as the principal use of the facility.
21. Approval does not permit the premises to operate as a bar, tavern, cocktail lounge or nightclub as defined by the Newport Beach Municipal Code.
22. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee.
23. There shall be no live entertainment or dancing allowed on the premises.
24. No games or contests requiring or involving the consumption of alcoholic beverages shall be allowed.
25. There shall be no reduced price alcoholic beverage promotions after 9 p.m.
26. No off-sale of alcohol shall be permitted beyond what is permitted by the Type 41 ABC license.
27. Food service from the regular menu shall be made available to patrons until closing.
28. The quarterly gross sales of alcoholic beverages shall not exceed the gross sales of food during the same period. The licensee shall at all times maintain records, which reflect separately the gross sales of food and the gross sales of alcoholic beverages of the licensed business. These records shall be kept no less frequently than on a quarterly basis and shall be made available to the Police Department on demand.

29. There shall be no exterior advertising or signs of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.
30. Petitioner shall not share any profits or pay any percentage or commission to a promoter or any other person based upon monies collected as a door charge, cover charge, or any other form of admission charge, including minimum drink orders or the sale of drinks.
31. Any event or activity staged by an outside promoter or entity, where the applicant, operator, owner or his employees or representatives share in any profits, or pay any percentage or commission to a promoter or any other person based upon money collected as a door charge, cover charge or any other form of admission charge is prohibited.
32. There shall be no on-site radio, television, video, film, or other electronic media broadcasts, including recordings to be broadcasted at a later time, which include the service of alcoholic beverages, without first obtaining an approved Special Event Permit issued by the City of Newport Beach.
33. All owners, managers and employees selling alcoholic beverages shall undergo and successfully complete a certified training program in responsible methods and skills for selling alcoholic beverages. The certified program must meet the standards of the California Coordinating Council on Responsible Beverage Service or other certifying/licensing body, which the State may designate. The establishment shall comply with the requirements of this section within 180 days of the issuance of the certificate of occupancy. Records of each owner's, manager's and employee's successful completion of the required certified training program shall be maintained on the premises and shall be presented upon request by a representative of the City of Newport Beach.
34. Strict adherence to maximum occupancy limits is required.
35. The applicant shall maintain a security recording system with a 30-day retention and make those recording available to police upon request.



COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915

(949) 644-3200

www.newportbeachca.gov

ZONING ADMINISTRATOR ACTION LETTER

Application No. Lido House Hotel Comprehensive Sign Program No. CS2017-010
(PA2017-138)

Applicant Anthony Wrzosek , RD Olson Development

Property Owner City of Newport Beach

Site Address 3300 Newport Boulevard

Legal Description Attachment ZA 1

On **August 25, 2017**, the Zoning Administrator approved Comprehensive Sign Program No. CS2017-010 (“Sign Program”) to authorize signs for a hotel in accordance with the provisions of Chapter 20.42 (Sign Standards) of the Newport Beach Municipal Code (NBMC).

Pursuant to NBMC Section 20.42.120, a Comprehensive Sign Program is required to allow new signs whenever three (3) or more separate tenant spaces are proposed on the same lot, whenever signs are proposed to be located on or above the second story, or whenever a structure has more than 300 feet of street frontage. Comprehensive sign programs can allow limited deviations from code requirements under certain circumstances and the subject Sign Program does not provide for any deviations from these standards.

The subject property is designated Visitor Serving Commercial – Lido Village (CV-LV) by the Land Use Element of the General Plan. The property is zoned CV-LV (Visitor Serving Commercial – Lido Village). The property is located in the Coastal Zone and the development of the hotel including signs has been authorized by Coastal Development Permit No. 5-14-1785 and 5-14-1785-A1.

The Sign Program includes standards for three different sign types (not including address numbering) and a total of eight signs. Four building wall signs, three monument signs, and one small window sign will be provided for the 130-room hotel, its accessory restaurant, bar and retail uses. One wall sign will face north toward Finley Avenue and the Via Lido Plaza, two wall signs and the window sign will face Newport Boulevard and one wall sign will face 32nd Street. Two monument signs will be located near Newport Boulevard, one near the intersection with Finley and the other near the intersection with 32nd Street. The last monument sign will be located near the service entrance near the fire station on 32nd Street.

The approval of this Sign Program is based on the following findings and standards and subject to the following conditions:

Finding

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

Facts in Support of Finding

Class 11 exempts minor structures accessory to existing commercial facilities, including signs. The proposed signs are incidental and accessory to the principal commercial use of the property for a 130-room hotel and do not intensify or alter the authorized principal use. The wall and window signs will be located on the building and the three monument signs will be located in ornamental landscape planters.

Finding

- B. *The proposed comprehensive sign program is consistent with Section 21.30.065 that regulates roof signs and free-standing signs and prohibits billboards.*

Facts in Support of Finding

1. Based upon the sign matrix and project plans, the Sign Program would not include a pole sign, roof sign or billboard.
2. Commercial coastal zoning districts are allowed one freestanding sign per site; however, additional signs are allowed on sites with more than 300 linear feet of street frontage through a comprehensive sign program. The project site has approximately 400 feet of street frontage on Newport Boulevard and approximately 485 feet of street frontage along 32nd Street. The large amount of street frontage warrants the approval of additional freestanding signs.
3. The free-standing signs are shown on the approved plans for Coastal Development Permit No. 5-14-1785 approved by the California Coastal Commission effective February 11, 2016.

Standard

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

Facts in Support of Standard

1. The purpose of NBMC Chapter 20.42 is to provide adequate identification of uses while guarding against excessive and confusing signage. The goal is to preserve and enhance community appearance by regulating the type, size, location, quantity, design, character, scale, color, illumination, and maintenance of signs. Regulations should encourage well-designed signs that attract and invite rather than demand the public's attention. Signs need to be complementary to their related buildings and uses and need to be harmonious with their surroundings. Signs need to enhance the safety of motorists and pedestrians by minimizing the distraction of signs, as well as to protect the life, health, property, and general welfare of City residents and visitors.
2. The purpose of comprehensive sign programs is to integrate project signs with the overall site design and architecture to create a unified architectural design statement. A comprehensive sign program also provides a means for the flexible application of sign regulations for projects that require multiple signs. Comprehensive sign programs can also provide incentives and latitude in the design and display of multiple signs and to achieve, not circumvent, the purpose of NBMC Chapter 20.42.
3. The proposed Sign Program is consistent with the purpose and intent of the NBMC Chapter 20.42 because it is comprehensive by including all types of signs. It includes a limited number of high quality signs at appropriate locations to identify the hotel and its various component uses. The design of the three monument signs incorporates vertical batten board siding that closely matches and complements the similar building architectural elements.
4. Two of the wall signs are halo lit (Sign Type A and B) with individually painted aluminum letters with colors to complement the overall nautical theme of the building architecture. The other two wall signs (Sign Type D and D-1) for the retail use at the hotel will be a backlit cutout sign that will have a unique rusted look complementing the overall design of the development. Sign Type C is a single door decal sign for the proposed restaurant and it is less than 4 square feet in area.
5. The primary frontage for the hotel building is located at the north elevation and the proposed wall identification sign is 55 square feet in area, smaller than the maximum allowed of 75 square feet. The primary frontage for the hotel restaurant, given its location within the building, is Newport Boulevard. Its wall identification sign is 47.33 square feet in area, again smaller than the maximum allowed for a primary frontage. The two retail signs are 23.3 square feet in area each; one faces Newport Boulevard and the second faces 32nd Street. Both signs are below the maximum area allowed for a primary frontage (75 square feet) or a secondary frontage (37.5 square feet). Each of these signs are centered on the architectural elevations as noted on the plans, do not project above the wall, and are logically related to the location of the activity they identify.
6. The Sign Program includes three free-standing monument signs. Section 20.42.070(B) allows one freestanding sign on sites with 50 feet of frontage and additional signs on sites with more than 300 feet of frontage through a

comprehensive sign program. The project site has approximately 400 feet of street frontage on Newport Boulevard and approximately 485 feet of street frontage along 32nd Street. Each monument sign is less than 6 feet in height and its height-to-width ratio is less than 1.5 as prescribed by Section 20.42.080(C). The location of each of the three free standing monument signs are not within traffic site distance areas for vehicular traffic at project driveways.

Standard

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

Facts in Support of Standard

1. All wall signs relate visually to each other and the building design because they maintain consistency in design, materials, and color while identifying the activities within the hotel.
2. The proposed signs will not obstruct public views from adjacent roadways because there are no public views through or across the subject property.
3. The proposed signs will not interfere with sight distance from any street or driveway.

Standard

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

Facts in Support of Standard

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

Standard

- F. 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 Sign Program establishes allowed type, number, location, and area of signs with flexibility to accommodate existing and future tenants, activities, or uses.

2. It is not anticipated that future revisions to the Sign Program will be necessary to accommodate a change in tenant or use. However, the Community Development Director may approve minor revisions to the Comprehensive Sign Program if the intent of the original approval is not affected.

Standard

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

Facts in Support of Standard

1. Facts in support of Finding B above are incorporated by reference.
2. No deviations from area or signs limits are authorized by this Sign Program.

Standard

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

Facts in Support of Standard

The Sign Program does not authorize the use of any prohibited signs including changeable copy, pole, roof, animated, "A" frame signs or billboards.

Standard

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

Facts in Support of Standard

1. The Sign Program contains no regulations affecting sign message content.
2. The content of the signs as expressed in the conceptual plans was not considered during the review and approval of this Sign Program.

CONDITIONS

1. All proposed signs shall be in substantial conformance with the approved plans, Comprehensive Sign Program Matrix Table, and provisions of Chapter 20.42 of the Newport Beach Municipal Code, unless otherwise indicated in the following conditions.

2. Signs not specifically approved by this Sign Program are prohibited.
3. Any future revisions or changes to the signs approved by this Sign Program due to a change in the use or tenants of the building shall be reviewed and approved by the Planning Division, so long as the sign size, copy configuration, and number of signs authorized by this approval does not substantially change or increase.
4. A building permit and/or sign permit shall be obtained prior to the installation of signs.
5. A copy of this letter and the approved sign matrix shall be incorporated into the plan check sets of plans prior to issuance of building or sign permits.
6. Signs shall be located on private property and outside of the limited use area. Sign location shall comply with City Standard STD-110-L. Freestanding signs near property lines, streets, parking areas, or driveways shall be reviewed and approved by the Public Works Department.
7. Fire lane signs must meet Newport Beach Fire Department Guideline C.02 and fire lanes shall be marked as per Newport Beach Fire Department Guideline C.02
8. Illuminated signs shall be regulated in accordance with the provisions of Section 20.42.070 of the Newport Beach Municipal Code. If, in the opinion of the Community Development Director, existing illumination creates an unacceptable negative impact on surrounding land uses or sensitive habitat areas, the Director may order the dimming of light sources or other remediation upon finding that the site is excessively illuminated.
9. All signs shall be maintained in a clean and orderly condition. Signs in disrepair shall be repaired, replaced or removed in a timely fashion or at the direction of the Community Development Director.
10. All work performed near or within the public right-of-way or City-administered public easement area shall be reviewed and approved by the Public Works Department. If any work is necessary within the public right-of-way or a City-administered public easement, an encroachment permit or encroachment agreement is required.
11. The Community Development Director may approve revisions to the Sign Program if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require approval of a new/revised comprehensive sign program by the Zoning Administrator.
12. The Zoning Administrator, Planning Commission or City Council may add to or modify conditions of this approval, or revoke this approval upon a determination

that any sign that is authorized by this approval has been altered beyond the parameters of the authorization and therefore beyond the justification.

13. This approval shall expire and become void unless exercised within twenty-four (24) months from the actual date of review authority approval, except where an extension of time is approved in compliance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.
14. To the fullest extent permitted by law, applicant shall indemnify, defend and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of the Lido House Hotel Comprehensive Sign Program including, but not limited to, Comprehensive Sign Program No. CS2017-010 (PA2017-138). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

APPEAL PERIOD: An appeal may be filed with the Community Development Director within fourteen (14) days following the date the action. For additional information on filing an appeal, contact the Planning Division at (949) 644-3200.

On behalf of Patrick Alford, Zoning Administrator

By:



James W, Campbell, Principal Planner

Attachments: ZA 1 Legal Description
 ZA 2 Vicinity Map
 ZA 3 Comprehensive Sign Program Matrix
 ZA 4 Sign Program Plans

Attachment ZA 1

Legal Description

**EXHIBIT A-1
LEGAL DESCRIPTION
"LEASE PARCEL"**

THAT PORTION OF LOTS 6 AND 7 IN SECTION 28, TOWNSHIP 6 SOUTH, RANGE 10 WEST, SAN BERNARDINO MERIDIAN IN THE CITY OF NEWPORT BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, TOGETHER WITH THOSE PORTIONS OF LOT 1 IN BLOCK "A" AND "THE HUDSON" OF MAP OF "LANCASTER'S ADDITION TO NEWPORT BEACH", AS SHOWN ON A MAP RECORDED IN BOOK 5, PAGE 14 OF MISCELLANEOUS MAPS, THAT PORTION OF LOT 3 OF TRACT NO. 1117, AS SHOWN ON A MAP RECORDED IN BOOK 35, PAGE 48 OF MISCELLANEOUS MAPS AND THAT PORTION OF A 20.00 FOOT ALLEY, AS VACATED BY THAT CERTAIN RESOLUTION NO. 3280 OF THE CITY COUNCIL OF SAID CITY, A CERTIFIED COPY OF WHICH WAS RECORDED MARCH 11, 1946 IN BOOK 1400, PAGE 189 OF OFFICIAL RECORDS, ALL OF RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 3, THENCE ALONG THE WESTERLY LINE OF SAID LOT 3, NORTH 00°09'03" EAST 128.00 FEET TO THE WESTERLY TERMINUS OF THAT CERTAIN COURSE SHOWN AS "N89°15'30"E 90.00 FEET" ON THE SOUTHERLY BOUNDARY OF PARCEL 1 OF PARCEL MAP RECORDED IN BOOK 85, PAGES 1 AND 2 OF PARCEL MAPS, RECORDS OF SAID COUNTY AND BEING THE **TRUE POINT OF BEGINNING**;

THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL 1, THE FOLLOWING FOUR (4) COURSES:

- (1) NORTH 00°09'03" EAST 53.55 FEET,
- (2) NORTH 39°53'38" WEST 108.61 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 351.15 FEET,
- (3) NORTHWESTERLY 306.25 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 49°58'10" AND
- (4) NORTH 89°51'48" WEST 97.67 FEET TO THE MOST NORTHEASTERLY CORNER THAT CERTAIN IRREVOCABLE OFFER OF DEDICATION TO THE CITY OF NEWPORT BEACH RECORDED SEPTEMBER 18, 2014 AS INSTRUMENT NO. 2014000378678, OF OFFICIAL RECORDS OF SAID COUNTY;

THENCE ALONG THE EASTERLY LINE OF SAID IRREVOCABLE OFFER OF DEDICATION THE FOLLOWING TWO (2) COURSES:

- (1) SOUTH 00°26'22" WEST 47.25 FEET,
- (2) NORTH 88°31'14" WEST 8.13 FEET TO AN ANGLE POINT THEREIN;

THENCE LEAVING SAID EASTERLY LINE SOUTH 01°27'07" WEST 12.14 FEET;

THENCE SOUTH 49°26'59" WEST 22.96 FEET TO A POINT IN SAID EASTERLY LINE, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 2724.04 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 82°33'58" WEST;

THENCE ALONG SAID EASTERLY LINE THE FOLLOWING SEVEN (7) COURSES:

- (1) SOUTHERLY 89.31 FEET ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°52'43" TO THE BEGINNING OF A REVERSE CURVE, HAVING A RADIUS OF 58.00 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 84°26'40" EAST,
- (2) SOUTHERLY 13.75 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°35'10",
- (3) SOUTH 19°08'30" WEST 36.43 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 42.00 FEET,
- (4) SOUTHERLY 10.88 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°50'20" TO THE BEGINNING OF A COMPOUND CURVE, HAVING A RADIUS OF 2736.04 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 85°41'50" WEST,
- (5) SOUTHERLY 62.82 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°18'56" TO THE BEGINNING OF A REVERSE CURVE, HAVING A RADIUS OF 873.00 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 87°00'46" EAST,
- (6) SOUTHERLY 74.65 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°53'58" TO THE BEGINNING OF A REVERSE CURVE, HAVING A RADIUS OF 37.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 82°06'48" WEST,
- (7) SOUTHERLY 9.24 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°18'33" TO AN ANGLE POINT IN SAID EASTERLY LINE;

THENCE CONTINUING ALONG SAID EASTERLY LINE AND THE SOUTHERLY PROLONGATION THEREOF, NON TANGENT TO SAID CURVE, SOUTH 39°29'57" EAST 40.40 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 37.00 FEET, A RADIAL LINE TO SAID POINT BEARS SOUTH 17°24'48" WEST;

THENCE EASTERLY 9.24 FEET ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 14°18'32";

THENCE SOUTH 86°53'44" EAST 46.04 FEET;

THENCE NORTH 26°56'46" WEST 20.77 FEET;

THENCE SOUTH 86°56'46" EAST 180.71 FEET;

THENCE SOUTH 26°56'46" EAST 21.18 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 8.50 FEET;

THENCE SOUTHEASTERLY AND EASTERLY 9.33 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 62°55'02";

THENCE SOUTH 89°51'48" EAST 118.46 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 700.00 FEET;

THENCE EASTERLY 57.71 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°43'26";

THENCE NORTH 38°56'26" EAST 12.78 FEET;

THENCE NORTH 82°44'09" EAST 9.41 FEET;

THENCE SOUTH 07°15'51" EAST 5.48 FEET;

THENCE NORTH 84°41'29" EAST 41.64 FEET;

THENCE NORTH 00°00'01" WEST 5.47 FEET;

THENCE NORTH 89°59'59" EAST 5.25 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 48.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 87°05'54" EAST;

THENCE NORTHWESTERLY 27.22 FEET ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 32°29'36" TO A POINT OF NON-TANGENCY, A RADIAL LINE TO SAID POINT BEARS NORTH 60°24'30" EAST;

THENCE NORTH 00°43'30" EAST 29.78 FEET;

THENCE SOUTH 89°58'22" EAST 9.24 FEET;

THENCE NORTH 00°00'08" EAST 81.62 FEET TO SAID SOUTHERLY BOUNDARY OF PARCEL 1;

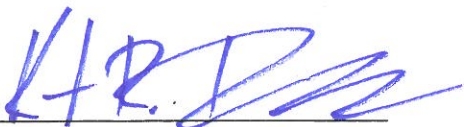
THENCE ALONG SAID SOUTHERLY BOUNDARY NORTH 89°50'57" WEST 12.85 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 171,504 SQUARE FEET, 3.972 ACRES MORE OR LESS.

AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

SUBJECT TO CONVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS AND RIGHTS-OF-WAY OF RECORD, IF ANY.

DATED THIS 19th DAY OF APRIL, 2016



KURT R. TROXELL, L.S. 7854



P.A.R.C.E.L.
P. M. B. 85-1

VIA OPORTO

TRACT NO. 1117

S'LY LINE
PARCEL 1
P.M.B. 85/1

LOT 3
M.M. 35/48

SEE
DETAIL "C"
SHEET 2 OF 2

ALLEY VACATED PER
BK. 1400, PG. 189,
O.R. REC. 3-11-46

S'LY LINE
PARCEL 1
P.M.B. 85/1

P.O.C.,
S'WLY COR.
LOT 3, TR NO. 1117,
M.M. 35/48

LOT 6
R. 10 W. S. B. M.

SECTION 28
T. 6 S.

LOT 7

E'LY LINE IRREVOCABLE OFFER OF
DEDICATION TO THE CITY OF NEWPORT
BEACH, FOR STREET AND HIGHWAY
PURPOSES, INST NO. 2014000378678, O.R.

SEE
DETAIL "A"
SHEET 2 OF 2

SEE
DETAIL "B"
SHEET 2 OF 2

LANCASTER'S ADDITION TO
NEWPORT BEACH

LOT 1
-BLOCK "A"
LOT 2

FINLEY
STREET

NEWPORT

BOULEVARD

STREET

32nd

NOTE: SEE LINE AND CURVE TABLE ON SHEET 3 OF 3



FUSCOE
ENGINEERING

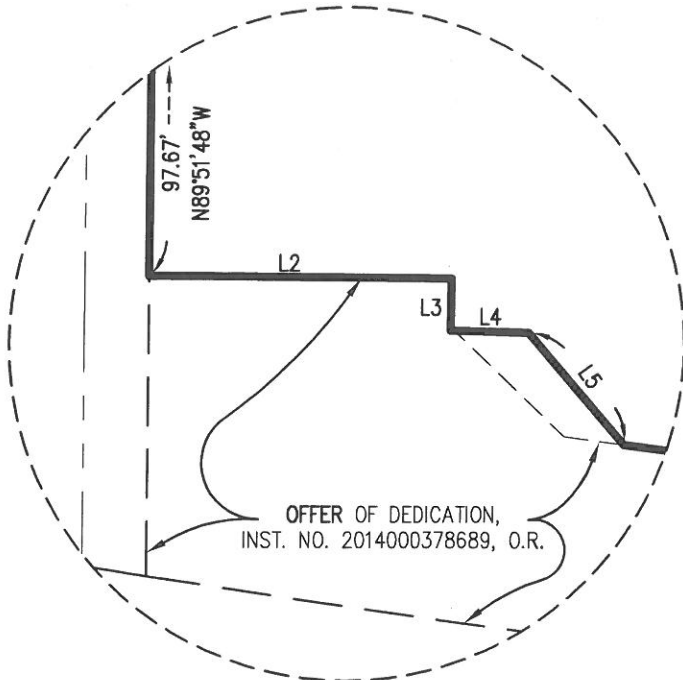
16795 Von Karman, Suite 100, Irvine, California 92606
tel 949.474.1960 • fax 949.474.5315 • www.fuscoe.com

EXHIBIT 'A-2'

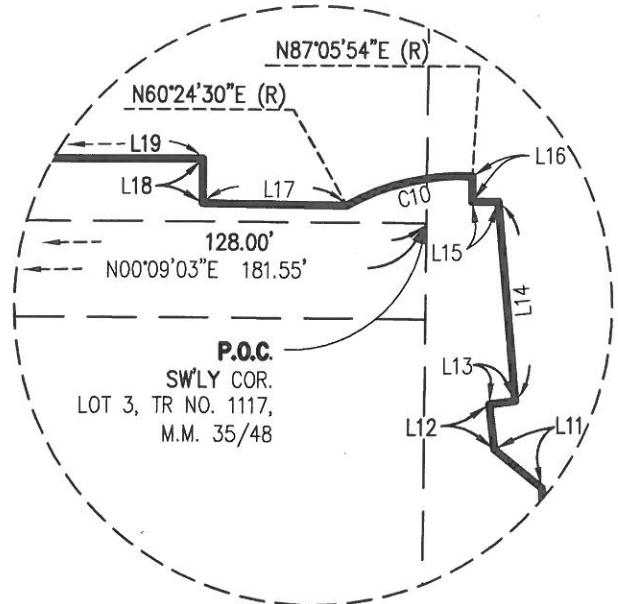
SKETCH TO ACCOMPANY LEGAL DESCRIPTION
LEASE PARCEL
LIDO HOUSE HOTEL
NEWPORT BEACH, CA

DATE: March 28, 2016
SCALE: 1"=80'
JN: 1100.004.01
DRAWN BY: RJL
CHECKED BY: JLU

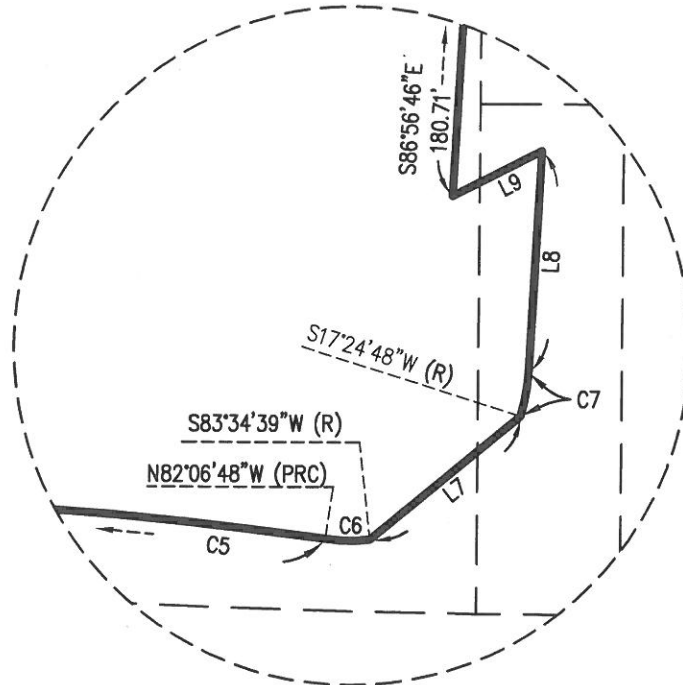
SHEET 1 OF 3



DETAIL "A"
SCALE: 1"=30'



DETAIL "C"
SCALE: 1"=40'



DETAIL "B"
SCALE: 1"=40'



16795 Von Karman, Suite 100, Irvine, California 92606
tel 949.474.1960 o fax 949.474.5315 o www.fuscoe.com

EXHIBIT 'A-2'
SKETCH TO ACCOMPANY LEGAL DESCRIPTION
LEASE PARCEL
LIDO HOUSE HOTEL
NEWPORT BEACH, CA

DATE: August 29, 2014
SCALE: 1"=80'
JN: 1100.004.01
DRAWN BY: RJL
CHECKED BY: JLU

SHEET 2 OF 3

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°09'03"E	53.55'
L2	S00°26'22"W	47.25'
L3	N89°33'38"W	8.13'
L4	S01°27'07"W	12.14'
L5	S49°26'59"W	22.96'
L6	S19°08'30"W	36.43'
L7	S39°29'57"E	40.40'
L8	S86°53'44"E	46.04'
L9	N26°56'46"W	20.77'
L10	S26°56'46"E	21.18'
L11	N38°56'26"E	12.78'

LINE TABLE		
LINE	BEARING	LENGTH
L12	N82°44'09"E	9.41'
L13	S07°15'51"E	5.48'
L14	N84°41'29"E	41.64'
L15	N00°00'01"W	5.47'
L16	N89°59'59"E	5.25'
L17	N00°43'30"E	29.78'
L18	S89°58'22"E	9.24'
L19	N00°00'08"E	81.62'
L20	N89°50'57"W	12.85'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	1°52'43"	2724.04'	89.31'
C2	13°35'10"	58.00'	13.75'
C3	14°50'20"	42.00'	10.88'
C4	1°18'56"	2736.04'	62.82'
C5	4°53'58"	873.00'	74.65'
C6	14°18'33"	37.00'	9.24'
C7	14°18'32"	37.00'	9.24'
C8	62°55'02"	8.50'	9.33'
C9	4°43'26"	700.00'	57.71'
C10	32°29'36"	48.00'	27.22'



16795 Van Karman, Suite 100, Irvine, California 92606
tel 949.474.1960 • fax 949.474.5315 • www.fuscoe.com

EXHIBIT 'A-2'
 SKETCH TO ACCOMPANY LEGAL DESCRIPTION
 LEASE PARCEL
 LIDO HOUSE HOTEL
 NEWPORT BEACH, CA

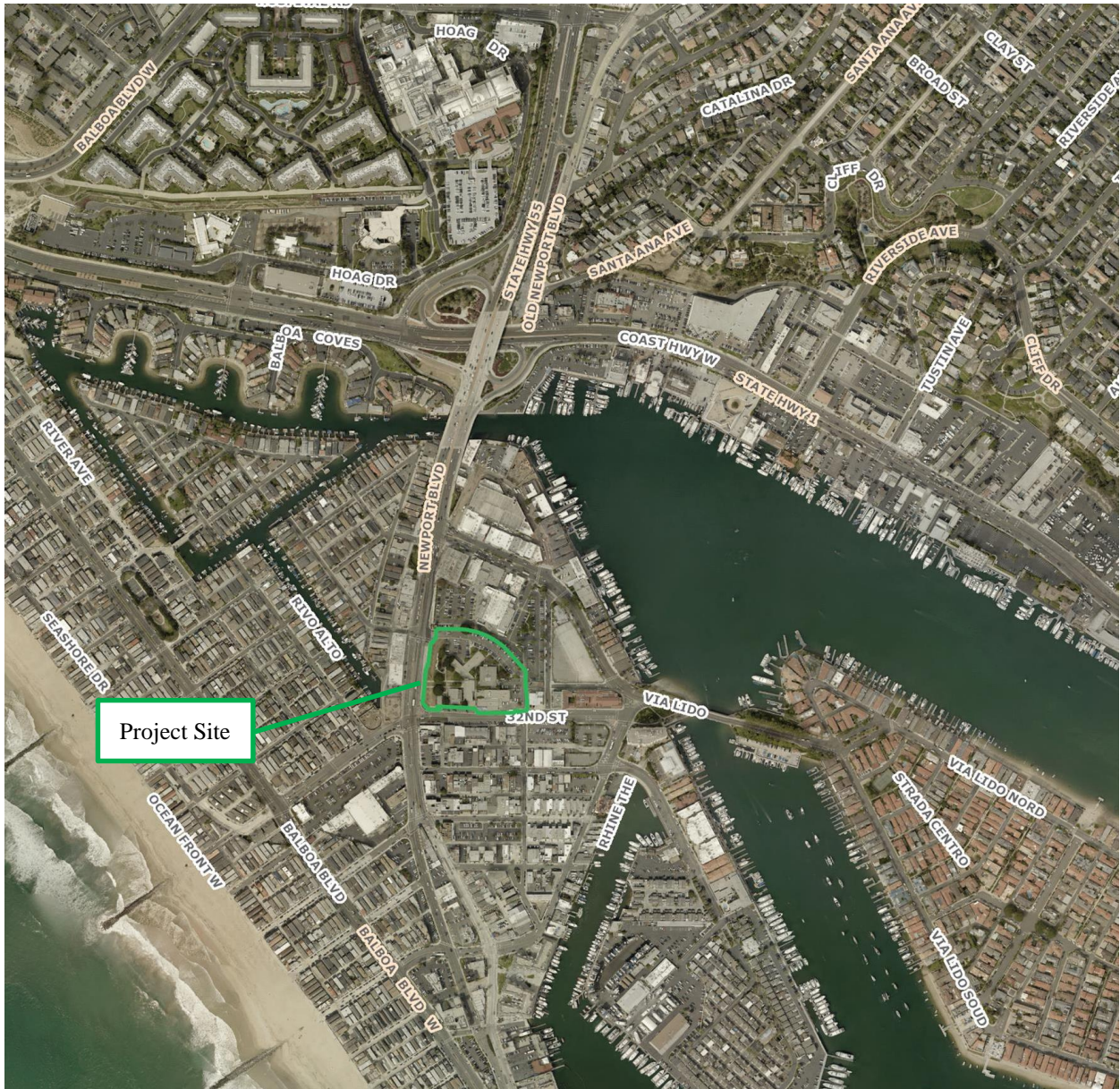
DATE: August 29, 2014
 SCALE: 1"=80'
 JN: 1100.004.01
 DRAWN BY: RJL
 CHECKED BY: JLU

SHEET 3 OF 3

Attachment ZA 2

Vicinity Map

VICINITY MAP



Comprehensive Sign Program No. CS2017-010
(PA2017-138)

3300 Newport Boulevard

Attachment ZA 3

Comprehensive Sign Program Matrix



Comprehensive Sign Program Matrix Worksheet

Community Development Department

Planning Division

100 Civic Center Drive / P.O. Box 1768 / Newport Beach, CA 92658-8915

949-644-3204

www.newportbeachca.gov

3300 Newport Boulevard

Frontages: A Newport Boulevard

B Finley Avenue

C 32nd Street

APPROVED

By James Campbell at 2:24 pm, Aug 24, 2017

Site and Suite No. or Building Address Assign as necessary	Primary Frontage: NEWPORT BOULEVARD (West Elevation) Size limitations where applicable	Secondary Frontages: FINLEY AVENUE (North Elevation) 32ND STREET (South Elevation) Size limitations, where applicable
3300 Newport Boulevard	<p>Proposed Building Signs</p> <p>Sign Type B – Wall Sign</p> <ul style="list-style-type: none"> • Sign Area: 47.3 square feet • Dimensions: 17'-9" W x 2'-8" L <p>Sign Type D – Wall Sign</p> <ul style="list-style-type: none"> • Sign Area: 23.3 square feet • Dimensions: 7'-0" W x 3'-4" L <p>Wall Sign Limitations: Number: 1 Sign Area: 75 square feet per sign</p> <p>Sign Type C – Pedestrian Oriented Sign</p> <ul style="list-style-type: none"> • Sign Area: 3 square feet • Dimensions: 2'-2" W x 1'-8" L <p>Pedestrian Oriented Sign Limitations: Number: 1 Sign Area: 3 square feet Sign Height: 10 feet</p>	<p>Proposed Building Signs</p> <p>Sign Type A – Wall Sign (North Elevation)</p> <ul style="list-style-type: none"> • Sign Area: 55 square feet • Dimensions: <ul style="list-style-type: none"> ○ Logo: 4'-8" W x 3'-5" L ○ Channel Letters: 20'-6" W x 2'-0" L <p>Sign Type D-1 – Wall Sign (South Elevation)</p> <ul style="list-style-type: none"> • Sign Area: 23.3 square feet • Dimensions: 7'-0" W x 3'-4" L <p>Wall Sign Limitations: Number: 1 per secondary building frontage Sign Area: 50% of sign area allowed from primary sign frontage total for any combination of building signs.</p>
	<p>Proposed Freestanding Signs</p> <p>Sign Type E – Monument Signs</p> <ul style="list-style-type: none"> • Sign Area: 40.1 square feet • Dimensions: 7'-6" W x 5'-6" L <p>Freestanding Sign Limitations: Number: 1 Sign Area: 75 square feet Sign Height: 8 feet or average 6 feet for monument signs</p>	<p>Proposed Freestanding Sign</p> <p>Sign Type F (South Elevation)</p> <ul style="list-style-type: none"> • Sign Area: 13 square feet • Dimensions: 4'-0" W x 3'-3" L <p>Freestanding Sign Limitations: Number: 1 Sign Area: 75 square feet Sign Height: 8 feet or average 6 feet for monument signs</p>

Attachment ZA 4

Sign Program Plans

COMPREHENSIVE SIGN PROGRAM FOR:

LIDO HOUSE HOTEL

3300 NEWPORT BOULEVARD
NEWPORT BEACH, CA 92663

CV-LV
(COMMERCIAL, VISITOR-SERVING - LIDO VILLAGE)

ZONING LAND USE CATEGORY

SITE AREA: 170,247 SF
PROJECT BUILDABLE AREA: 103,470 SF

PLANNING AREA NUMBER

RD OLSON DEVELOPMENT
520 NEWPORT CENTER DR, STE 600
NEWPORT BEACH, CA 92660

APPLICANT

WATG
300 SPECTRUM CENTER DR, STE 500
IRVINE, CA 92618

SIGN PROGRAM DESIGNER

ISSUED: 06/26/17

LOCATION MAP



APPROVED

By James Campbell at 2:24 pm, Aug 24, 2017

WATG

strategy planning architecture landscape interiors
Irvine | CA | 949 574 8500 watg.com

R.D. OLSON
DEVELOPMENT

client | consultant

stamp | approval

key plan

no. date issue
issues | revisions

LIDO HOUSE HOTEL

3300 NEWPORT BOULEVARD
NEWPORT BEACH, CA 92663

project logo

sheet title

project no. 134024 date 2017-06-26

checked by: Checker
drawn by: Author

component

SIGN A-1

sheet no.

SIGN TYPE	DESCRIPTION	SIGN CLASSIFICATION PER ZONING ORDINANCE	SIGN LOCATION	QUANTITY	MAXIMUM SIGNAGE AREA ALLOWABLE	SIGNAGE AREA PROPOSED	MAX HEIGHT ABOVE GROUND ALLOWABLE	HEIGHT PROPOSED	LOGOS ALLOWED	ILLUMINATION PERMITTED	BUSINESS IDENTIFICATION PERMITTED
A	LIDO HOUSE HOTEL LOGO SIGN	2. ON-SITE SIGN - PRIMARY FRONTAGE	WALL - NORTH ELEVATION	1	75 SF	55.0 SF	VARIES	EQUAL TO OR BELOW ADJACENT PARAPET	YES	YES	YES
B	MAYORS TABLE RESTAURANT LOGO SIGN	2. ON-SITE SIGN - PRIMARY FRONTAGE	WALL - WEST ELEVATION	1	75 SF	47.3 SF	VARIES	EQUAL TO OR BELOW ADJACENT PARAPET	YES	YES	YES
C	MAYORS TABLE RESTAURANT DOOR DECAL	4. ON-SITE SIGN - PEDESTRIAN-ORIENTED SIGN	WINDOW - WEST ELEVATION	1	3 SF	3.6 SF	10 FT	N/A	YES	NO	YES
D	CREW COFFEE HOUSE LOGO SIGN WEST	2. ON-SITE SIGN - PRIMARY FRONTAGE	WALL - WEST ELEVATION	1	75 SF	23.3 SF	VARIES	EQUAL TO OR BELOW ADJACENT PARAPET	YES	YES	YES
D-1	CREW COFFEE HOUSE LOGO SIGN SOUTH	3. ON-SITE SIGN - SECONDARY FRONTAGE	WALL - SOUTH ELEVATION	1	37.5 SF	23.3 SF	VARIES	EQUAL TO OR BELOW ADJACENT PARAPET	YES	YES	YES
E	SITE SIGNAGE - MONUMENT SIGN	1. ON-SITE SIGN	GROUND - NW CORNER SW CORNER	2	75 SF	40.1SF	8 FT MAX., 6 FT MAX. AVERAGE HEIGHT	4' 9"	YES	YES	YES
F	SERVICE LOCATION SIGNAGE	1. ON-SITE SIGN	GROUND - SW CORNER	1	75 SF	13 SF	8 FT MAX., 6 FT MAX. AVERAGE HEIGHT	2' 8"	YES	YES	YES

Table 3-16
Signs Allowed in Commercial and Industrial Zoning Districts

Sign Class	Allowed Sign Types	Maximum Number	Maximum Sign Area	Maximum Sign Height	Location Requirements	Lighting Allowed	Additional Requirements
1. On-site Sign	Freestanding Signs	1 freestanding sign allowed per site. May be used in combination with other allowed building signs. Additional signs for sites with more than 300 linear feet of street frontage through the approval of a Comprehensive Sign Program.	1.0 SF of sign area per lineal foot of primary street frontage, 75 SF max per sign	NTE 20 ft. in height for pylon signs, or 8 ft. maximum height and 6 ft. maximum average height for monument signs.	Located on street frontage only. At least 15 ft. from any building sign and 50 ft. from any freestanding sign on an adjacent site.	Yes	See 20.42.080 for sign standards for free standing signs.
2. On-site Sign - Primary Frontage	Building Signs. Wall, projecting, window, and awning signs. Roof sign only with variance	1 sign per primary building or tenant frontage. May be wall, projecting, window, or awning signs. (1) second story, window or awning signs only (2)	1.5 SF of sign area per lineal foot of primary building frontage or tenant frontage total for any combination of building signs and window signs. 75 SF maximum sign area per sign. 20 SF maximum for projecting signs. Window signs, 20% maximum of each window area.	Shall not extend above adjacent parapet or roof or above bottom of lowest second-story window or third-story window for project signs. (2)		Yes	See 20.42.080 for sign standards by sign type.
3. On-site Sign - Secondary Frontage	Building Signs. Wall, projecting, window, and awning signs.	1 sign per secondary building or tenant frontage. May be wall, projecting, window, or awning sign. (1) Second story, window or awning signs only. (2)	50% of sign area allowed from primary sign frontage total for any combination of building signs. 10 SF maximum for projecting signs. Window signs, 25% maximum of each window area.	Shall not extend above adjacent parapet or roof or above bottom of lowest second-story window or third-story window for project signs. (2)		Yes	See 20.42.080 for sign standards by sign type.
4. On-site Sign - Pedestrian-oriented sign.	Building signs. Flush-mounted or projecting.	1 per establishment. Allowed in combination with other building signs.	3 SF of sign area	10 ft. maximum. 8 ft of clearance below bottom of projecting sign.	Near main entrance and oriented to pedestrians. Not above 10 ft.	No	See 20.42.080 for sign standards by sign type.
5. On-site Sign - Entry Canopy Sign	Canopy Sign	2 per canopy if both are not visible at the same time.	Shall be part of and shall not exceed limitation of entry canopy.	Not above uppermost part of canopy.	Signs shall be placed on outer faces of canopy only.	No	
6. Business Directory - Multi-tenant site.	Wall or ground sign	1 per multi-tenant site.	8 SF of sign area	8 ft. maximum. 6 ft. maximum average.	Near main entrance and oriented to pedestrians. Not above 10 ft.	No.	See 20.42.080 for sign standards by sign type.

APPROVED
By James Campbell at 2:25 pm, Aug 24, 2017

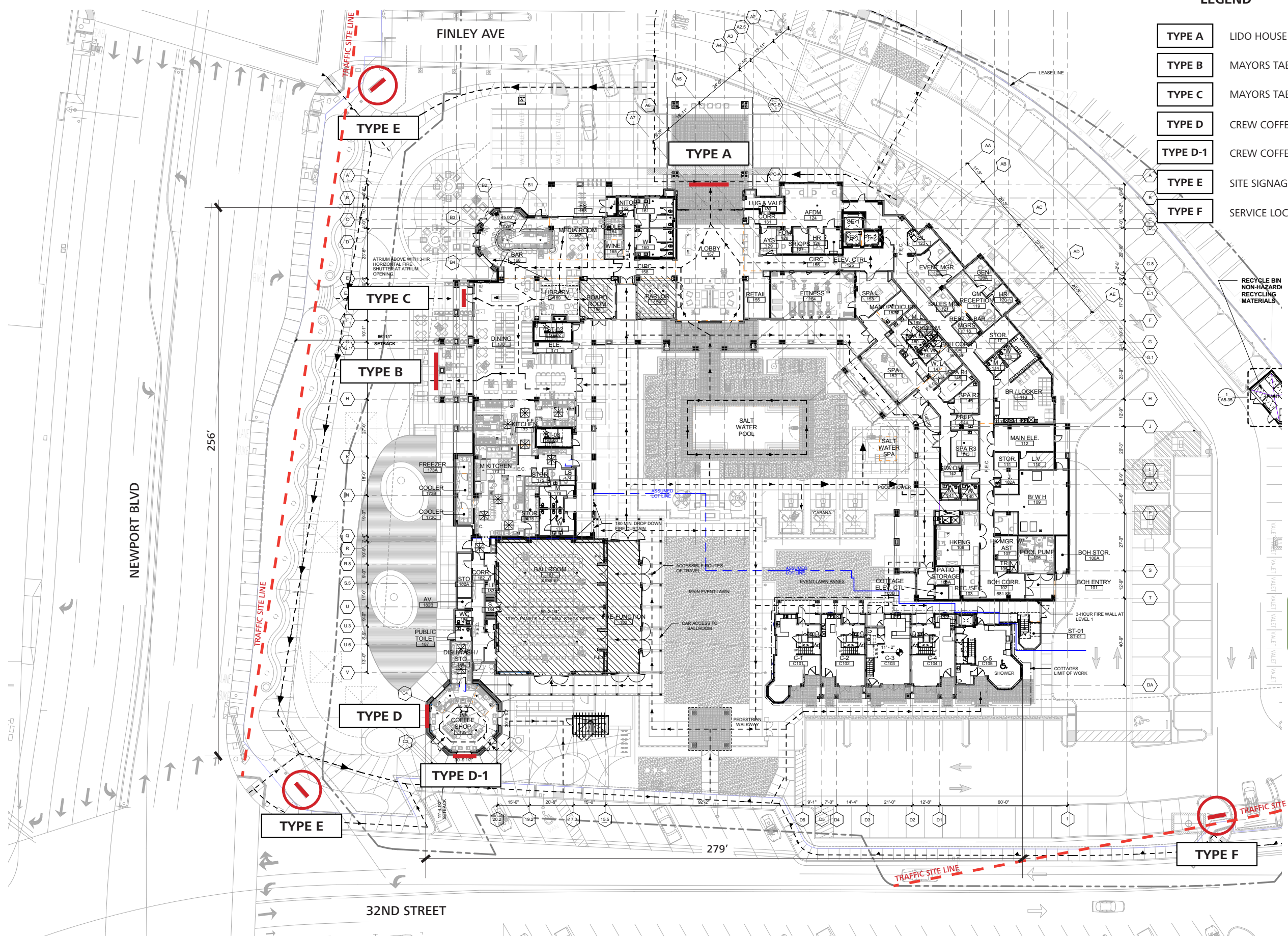
(1) The number of allowed building-mounted signs is one per primary frontage and one per secondary frontage. Building signs include wall, projecting, window, and awning signs. All other signs (i.e., pedestrian oriented signs, entry canopy signs, multi-tenant directory signs, and temporary signs) are not included in this restriction.

(2) Wall signs are allowed for multi-tenant buildings for second story occupancies with exterior entrances.

SIGN CODE SUMMARY

LEGEND

- TYPE A** LIDO HOUSE HOTEL WALL LOGO SIGN
- TYPE B** MAYORS TABLE RESTAURANT WALL LOGO SIGN
- TYPE C** MAYORS TABLE RESTAURANT DOOR LOGO SIGN
- TYPE D** CREW COFFEE HOUSE WALL LOGO SIGN
- TYPE D-1** CREW COFFEE HOUSE WALL LOGO SIGN
- TYPE E** SITE SIGNAGE - MONUMENT SIGN
- TYPE F** SERVICE LOCATION SIGNAGE - MONUMENT SIGN



APPROVED
 By James Campbell at 2:25 pm, Aug 24, 2017

no. date issue
 Issues | revisions

LIDO HOUSE HOTEL
 3300 NEWPORT BOULEVARD
 NEWPORT BEACH, CA 92663

project logo

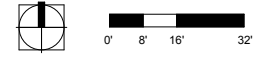
sheet title

project no. 134024 date 2017-06-26

checked by: Checker
 drawn by: Author

component

sheet no.



SITE PLAN: SIGNAGE LOCATIONS

LIDO HOUSE HOTEL · NEWPORT BEACH · COMPREHENSIVE SIGN PROGRAM · JUNE 26, 2017 · 134024



4 BUILDING SIGNAGE: LOGO SIGN

SIGNAGE AREA: 55 sq.ft.



2 ENLARGED PARTIAL ELEVATION
3/32" = 1'-0"

APPROVED
By James Campbell at 2:26 pm, Aug 24, 2017

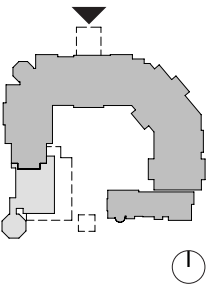


3 HOTEL PERSPECTIVE FOR REFERENCE ONLY
NO SCALE

NOTES:
INCLUDES THE LOGO
BACKLIT HALO PREFINISHED ALUMINUM CHANNEL LETTERS AND LOGO,
WITH WHITE TRANSLUCENT BACK PANEL. LETTERS TO BE 4" TO 5" THICK.
COLOR & FONT PER BRANDING DOCUMENTS "BLUE"



1 HOTEL NORTH ELEVATION: FINLEY AVE
NOT TO SCALE



TYPE A: LIDO HOUSE HOTEL SIGNAGE - NORTH ELEVATION



SIGNAGE AREA: 3.61 sq.ft.

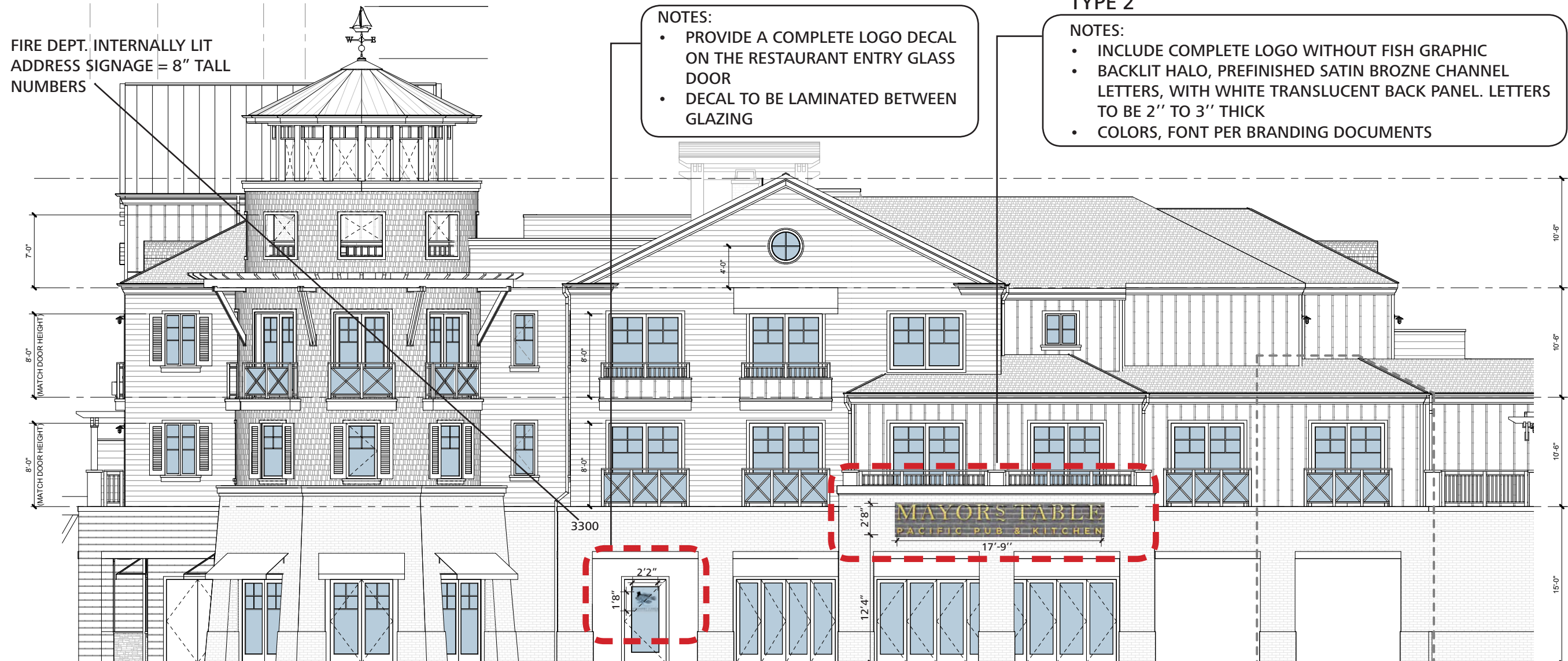
4 DOOR DECAL
NO SCALE



3 BUILDING SIGNAGE LOGO
NO SCALE
SIGNAGE AREA: 47.33 sq.ft.



2 RESTAURANT PERSPECTIVE FOR REFERENCE ONLY
NO SCALE



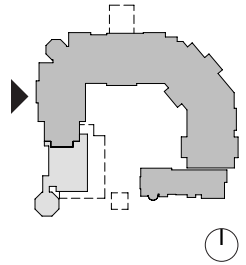
TYPE 3
NOTES:
 • PROVIDE A COMPLETE LOGO DECAL ON THE RESTAURANT ENTRY GLASS DOOR
 • DECAL TO BE LAMINATED BETWEEN GLAZING

TYPE 2
NOTES:
 • INCLUDE COMPLETE LOGO WITHOUT FISH GRAPHIC
 • BACKLIT HALO, PREFINISHED SATIN BROZNE CHANNEL LETTERS, WITH WHITE TRANSLUCENT BACK PANEL. LETTERS TO BE 2" TO 3" THICK
 • COLORS, FONT PER BRANDING DOCUMENTS

1 RESTAURANT WEST ELEVATION: NEWPORT BLVD
3/32"=1'-0"

APPROVED
By James Campbell at 2:26 pm, Aug 24, 2017

TYPE B & C: MAYORS TABLE RESTAURANT - WEST ELEVATION





REFINISHED PANEL WITH CUT-OUT LETTERS & LOGO

SIGNAGE AREA: 23.3 sq.ft.

4 BUILDING SIGNAGE



3 TYPE D1: COFFEE SHOP PERSPECTIVE - SOUTH VIEW FOR REF. ONLY
3/32"=1'-0"



2 Type D: COFFEE SHOP PERSPECTIVE - WEST VIEW FOR REF. ONLY
3/32"=1'-0"

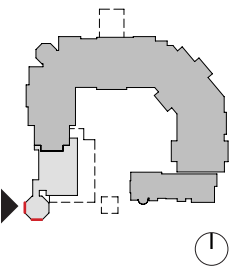
APPROVED
By James Campbell at 2:26 pm, Aug 24, 2017

NOTES:

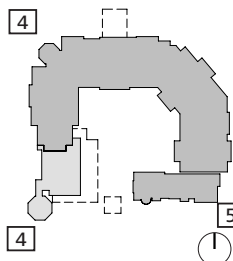
- BACKLIT PREFINISHED "RUSTED" PANEL. CUT OUT SIGNAGE AND LOGO FROM PANEL. SURFACE MOUNT THE PANEL ON SLOPED WALL WITH (4) EXPOSED MOUNTING HEADS
- COLOR: PREFINISHED RUSTED VARIGATED COLOR
- 2 TOTAL SIGNS



1 COFFEE SHOP WEST ELEVATION
3/32"=1'-0"



TYPE D & D1: CREW COFFEE HOUSE BUILDING SIGN - WEST & SOUTH ELEVATION



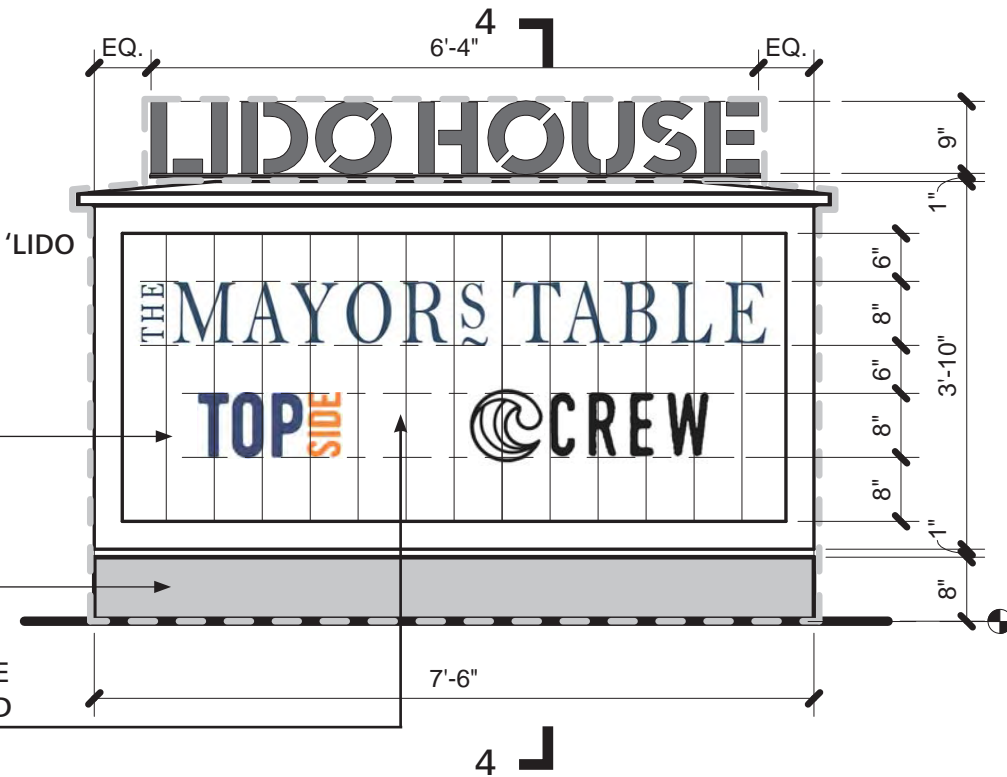
NOTES:

- SIGN IS LIGHTED BY GROUND LIGHTS EXCEPT THE 'LIDO HOUSE SIGN' WILL BE LIT FROM UNDER THE SIGN
- ALL SIGNAGE: PREFINISHED ALUMINUM (COLOR & FONT PER BRANDING DOCUMENTS)

PAINTED WOOD SIDING (WHITE)

NATURAL FINISHED
CONCRETE BASE

- GROUND UP LIGHTS. EXCEPT LIGHT THE LIDO HOUSE SIGN WITH LED'S. PREFINISHED ALUM. PIN MOUNTED SIGNAGE ON WHITE PAINTED TRIM

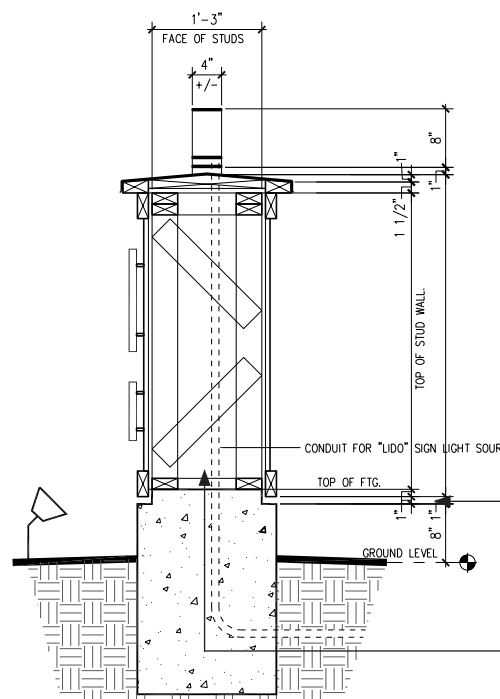


3

TYPE E: MONUMENT SITE SIGNAGE
1/2"=1'-0"

SIGNAGE AREA: 40.1 sq.ft.

APPROVED
By James Campbell at 2:26 pm, Aug 24, 2017

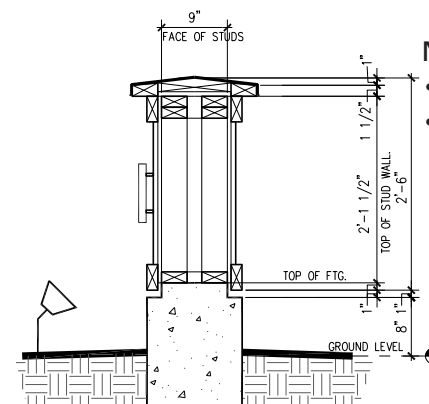


CONCRETE BASE AND CURB.
1" GAP

SECTION CUT: METAL STUD WALLS W/ 5/8"
DENS GLASS WITH WEATHER BARRIER
AND "V" RUSTIC TRIM. 2x6 FRAME WITH
SHAPED CAP

4

TYPE E: MONUMENT SITE SIGNAGE SECTION
1/2"=1'-0"

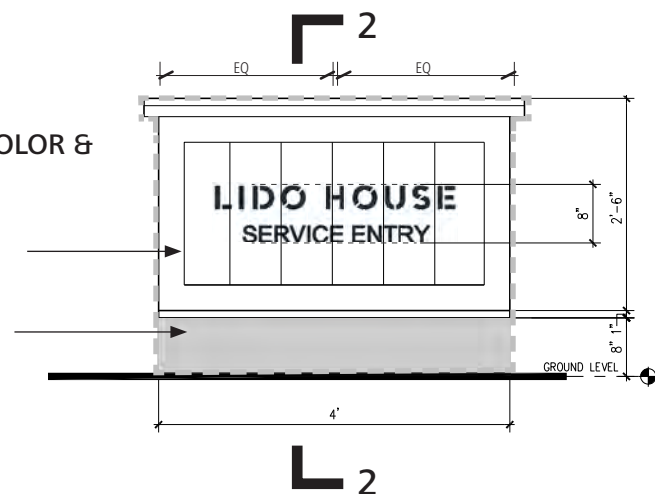


NOTES:

- SIGN IS LIGHTED BY GROUND LIGHTS
- ALL SIGNAGE: PREFINISHED ALUMINUM (COLOR & FONT PER BRANDING DOCUMENTS)

PAINTED WOOD SIDING (WHITE)

NATURAL FINISHED
CONCRETE BASE



SIGNAGE AREA: 13 sq.ft.

2

TYPE F: SERVICE DIRECTIONAL SIGNAGE SECTION
1/2"=1'-0"

1

TYPE F: SERVICE DIRECTIONAL SIGNAGE
1/2"=1'-0"

TYPE E & F: SERVICE DIRECTIONAL SIGNAGE, MONUMENT SITE SIGNAGE



COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915

949-644-3200

www.newportbeachca.gov

ZONING ADMINISTRATOR ACTION LETTER

Application No. **Comprehensive Sign Program No. CS2017-003 (PA2017-142)**

Applicant **Curt A. Herberts, II**

Site Location **700 East Bay Avenue and 701 Edgewater Place**
Balboa Saloon and Pizza Pete's Sign Program

Legal Description **Lot 1, Block 9 of the Balboa Tract Subdivision**

On **August 25, 2017**, the Zoning Administrator approved Comprehensive Sign Program No. CS2017-003, addressing signage for a single-story, multi-tenant commercial building located in Balboa Village. The Comprehensive Sign Program includes two wall signs and one smaller wall or projecting sign for each of the two tenants.

The applicant is seeking the following deviations from Chapter 20.42 (Sign Standards) of the Zoning Code:

1. Installation of a third wall or projecting sign for each of the two tenants on a diagonal frontage, where the Zoning Code would only allow two wall signs per tenant (one primary and one secondary);
2. Installation of wall signage closer than 15 feet from another wall sign; and
3. Installation of wall signs outside of the middle 50 percent of the building frontage, where the Zoning Code requires wall signs to be located within the middle 50 percent of the building frontage.

The property is located within the Commercial Visitor-Serving (CV) Zoning District. The General Plan Land Use Element category is Visitor Serving Commercial (CV). The property is also located within the Coastal Zone. The Coastal Zoning District is Commercial Visitor-Serving (CV) and the Coastal Land Use Plan designation is Visitor Serving Commercial (CV-A).

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

FINDINGS AND STANDARDS FOR APPROVED SIGNS

Finding

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

Facts in Support of Finding:

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

Standard:

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

Facts in Support of Standard:

1. The proposed signs provide identification for the tenant spaces and are not excessive in sign area. Allowing the additional sign on the diagonal frontage will allow increased visibility for the tenant spaces from the Edgewater Place pedestrian walkway and from the Palm Street Parking Lot.
2. The proposed wall signs will be located where the architectural design of the building suggests placement of a sign. Proposed signs employ a consistent sign pattern in location and are designed to fit with the overall scale of the building and its orientation to the adjacent rights-of-way.
3. The purpose of a comprehensive sign program is to integrate all of a project's signs. It provides a means for the flexible application of sign regulations for projects that require multiple signs. The proposed signage provides incentive and latitude in the design and display of signs.
4. Approval of this Comprehensive Sign Program includes deviations to the number and location of signs. It allows the flexible application of the sign regulations to achieve a unified design theme that meets the purpose and intent of the Zoning Code by providing adequate identification while limiting the size and number of signs.
5. The Comprehensive Sign Program is consistent with the Citywide Sign Design Guidelines Manual as well as the Balboa Village Design Guidelines. The proposed signs are designed to be compatible with the building in terms of size, location, legibility, and materials. All wall signs effectively identify the tenants without creating

sign clutter by using legible text and contrasting with the background. The sizes of the signs do not dominate the façades and are appropriately located to identify the tenants to pedestrians and visitors to the area, consistent with the land uses designation for the property.

Standard:

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

Facts in Support of Standard:

1. The site is developed as a two-tenant, single-story commercial building. Two wall signs and one wall or projecting sign on each diagonal entry portion of the buildings are part of the comprehensive sign program to allow for adequate identification.
2. Allowing the third sign on the diagonal entry portions of the building will enhance the overall development by providing visual interest to pedestrians traversing the Edgewater Place walkway as well as those coming from the Palm Street Parking Lot. These signs help to capture the character of the Village by providing an opportunity for unique projecting signs in conjunction with more typical channel letter wall signage.
3. The Sign Program prohibits cabinet sign designs and requires future signs to maintain similarly proposed individual channel designs, consistent with the Balboa Village Design Guidelines.
4. Proposed signs will not obstruct public views from adjacent roadways because there are no public views through or across the subject property.

Standard:

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

Facts in Support of Standard:

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

Finding:

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

Facts in Support of Standard:

1. The Comprehensive Sign Program establishes allowed type, number, location, and area of signage with flexibility by allowing the option of either a wall sign or projecting sign on the diagonal entry frontage to accommodate any existing and future tenants.
2. It is not anticipated that future revisions to the Comprehensive Sign Program will be necessary to accommodate a change in tenants or use. However, the Community Development Director may approve minor revisions to the Comprehensive Sign Program if the intent of the original approval is not affected.

Standard:

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

Facts in Support of Standard:

1. The Comprehensive Sign Program only allows for deviations regarding the number and location of signs; otherwise, the approval conforms to all other standards of Zoning Code Chapter 20.42, and enhances the overall development by integrating all of the project's signs with the overall site and structure design into a unified statement by having similar sizing and styles.
2. Allowing deviation from the Zoning Code for the number of signs is appropriate given the unique diagonal frontages of the building and the high level of pedestrian traffic coming from Balboa Village and along the Edgewater Place pedestrian walkway. Allowing a third sign for each tenant on the diagonal portion of the frontage will improve identification of the tenants.
3. Allowing deviation from the Zoning Code for the wall signs to be located outside of the middle 50 percent is appropriate given the architectural design of the building. The wall signs are centered over the windows for each tenant space, which are not located within the middle 50 percent of the building. The additional wall or projecting sign for each tenant will center over their respective entry door.

Standard:

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

Facts in Support of Standard:

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

Standard:

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

Facts in Support of Standard:

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

CONDITIONS

1. All proposed signs shall be in substantial conformance with the approved plans, Comprehensive Sign Program Matrix Table, and provisions of Chapter 20.42 of the Newport Beach Municipal Code, unless otherwise indicated in the following conditions.
2. Anything not specifically approved by this Comprehensive Sign Program is prohibited.
3. A building permit and/or sign permit shall be obtained prior to commencement of installation or demolition of signs.
4. Cabinet signs shall be prohibited unless said sign is a logo on either diagonal frontage.
5. Illuminated signs shall be regulated in accordance with the provisions of Section 20.42.070 of the Newport Beach Municipal Code. If, in the opinion of the Community Development Director, existing illumination creates an unacceptable negative impact on surrounding land uses or sensitive habitat areas the Director may order the dimming of light sources or other remediation upon finding that the site is excessively illuminated.
6. Signs shall be maintained in a clean and orderly condition.
7. The Community Development Director may approve revisions to the Comprehensive Sign Program if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require approval of a new/revised comprehensive sign program by the Zoning Administrator.
8. Any future revisions or changes to the signs approved by this Comprehensive Sign Program due to a change in the use or tenants of the building shall be reviewed and approved by the Planning Division, so long as the sign size, copy configuration, and number of signs authorized by this approval does not substantially change or increase. The mandatory reduction or elimination of signs shall be exercised as necessary.

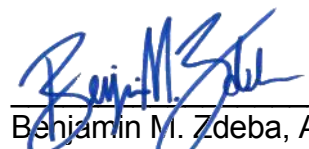
9. The Zoning Administrator may add to or modify conditions of this approval, or revoke this approval upon a determination that any sign that is authorized by this approval has been altered beyond the parameters of the authorization and therefore beyond the justification.
10. This approval shall expire 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.
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 the Enterprise Comprehensive Sign Program including, but not limited to, Comprehensive Sign Program No. CS2017-003 (PA2017-142). This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. The applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

APPEAL PERIOD

An appeal or call for review may be filed with the Director of Community Development within 14 days following the date of action. For additional information on filing an appeal, contact the Planning Division at (949) 644-3200.

On behalf of Patrick J. Alford, Zoning Administrator

By:



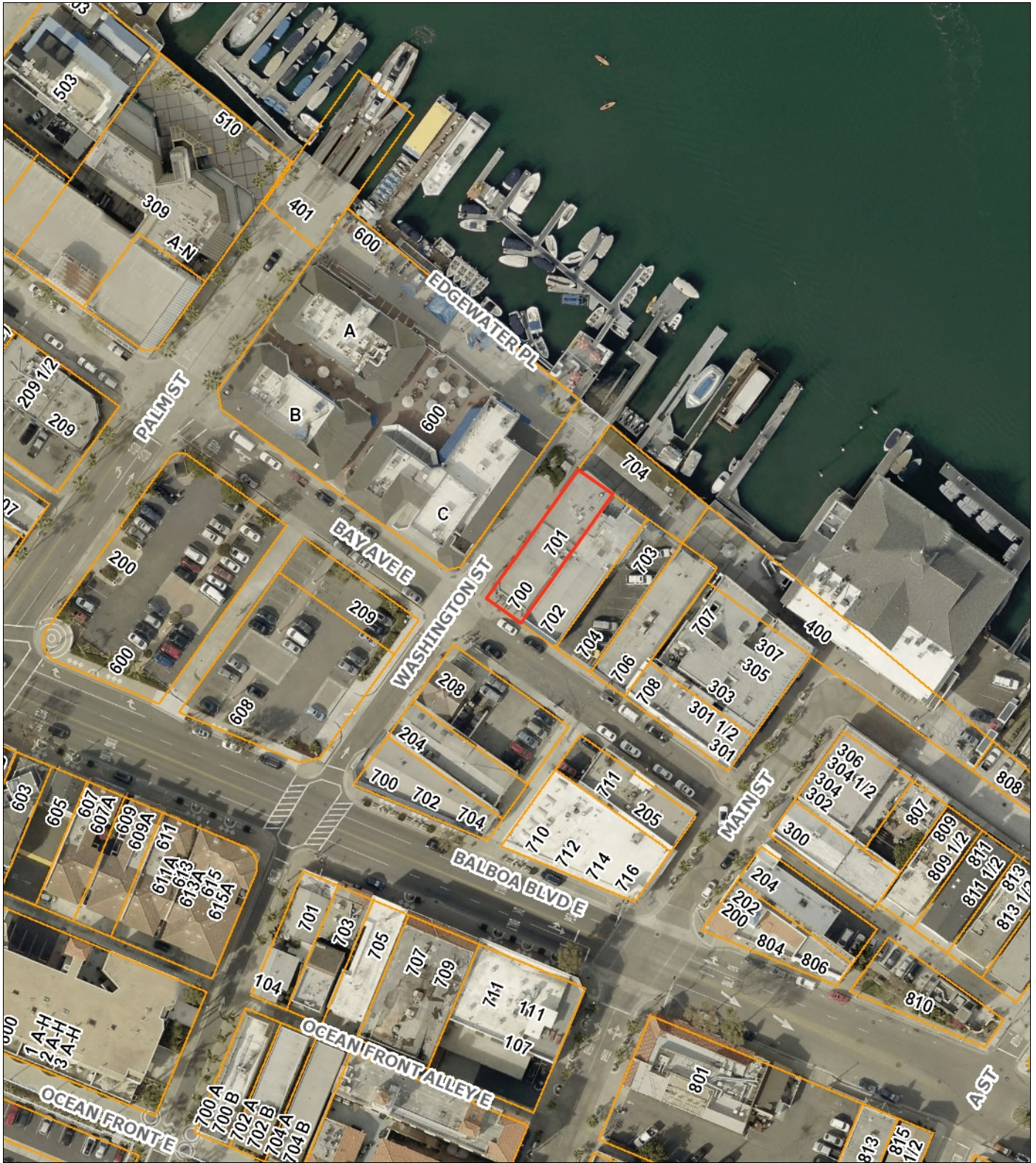
Benjamin M. Zdeba, AICP
Associate Planner

JWC/bmz

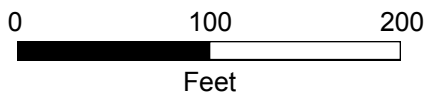
Attachments: ZA 1 Vicinity Map
ZA 2 Sign Program Matrix
ZA 3 Project Plans

Attachment No. ZA 1

Vicinity Map



Newport
Beach
GIS



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

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

Attachment No. ZA 2

Sign Program Matrix

700 E Bay Avenue and 701 Edgewater Place Comprehensive Sign Program Matrix

- Frontages: A Washington Street
 B Edgewater Place
 C Diagonal Entry (Washington and Edgewater)
 D East Bay Avenue
 E Diagonal Entry (Washington and Bay)

Site and Suite No. or Building Address	Primary Frontage Size limitations where applicable	Secondary Frontage Size limitations, where applicable
701 Edgewater Place Current Tenant: Pizza Pete's	(A) Washington St. Number: One (1) Maximum sign area: 1.5 times linear frontage of tenant space (max 65 sq. ft.) Maximum letter/logo height: 36 inches	(B) Edgewater Place Number: One (1) Maximum sign area: one half of maximum for primary (max 32.5 sq. ft.) Maximum letter/logo height: 36 inches
		(C) Diagonal Entry Number: One (1) Maximum sign area: 12 sq. ft. Maximum letter/logo height: 36 inches OR Projecting Sign Number: One (1) Minimum distance above grade 10' Maximum projection: 4' Maximum sign area: 20 sq. ft.
700 E. Bay Ave. Current Tenant: Balboa Saloon	(A) Washington St. Number: One (1) Maximum sign area: 1.5 times linear frontage of tenant space (max 75 sq. ft.) Maximum letter/logo height: 36 inches	(D) E. Bay Ave. Number: One (1) Maximum sign area: one half of Maximum for primary (37.5 sq. ft.) Maximum letter/logo height: 36 inches
		(E) Diagonal Entry Number: One (1) Maximum sign area: 12 sq. ft. Maximum letter/logo height: 36 inches OR Projecting Sign Number: One (1) Minimum distance above grade 10' Maximum projection: 4' Maximum sign area: 20 sq. ft.

- a) Requirements for all signs per Municipal Code Chapter 20.42, except as provided in this sign matrix.
- b) Sign designs shall be consistent with Citywide Sign Design Guidelines Manual and the Balboa Village Design Guidelines.
- 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.

Attachment No. ZA 3

Project Plans

Sign A PA2017-142

17'-0"

28"

10"

Pizza Pete's

20"

Scale 1/2"=1'-0"
Total sq ft. 39.66

INTERNALLY ILLUMINATED FRONT LIT CHANNEL LETTERS

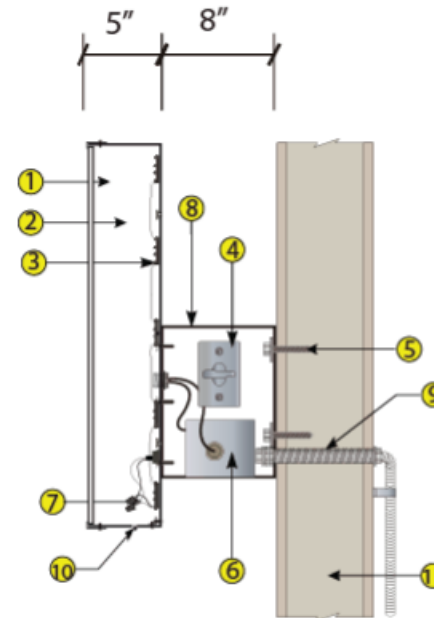
Specifications:

Internally illuminated channel letters 5" deep with black return and 1" black trimcap edges.

"Letter" faces to be 3/16" white acrylic with applied 3M #3630-76 Translucent Holly Green in center leaving a white outline.

Raceway to be painted Dark Red to best match of brick color.

Light source to be low voltage white LED.



1. 3/16" plastic face.
2. Deep aluminum return.
3. 12vdc LED light unit spacing: 3.5 units/stroke inch.
4. Disconnect switch
5. Concrete 3/8" Toggle bolts (2) minimum.
6. UL listed power supply, 12-500 watt as needed.
7. UI Listed 18AWG wire.
8. Raceway
9. Primary source
10. Drain hole
11. Existing wall

LETTER SECTION



Design - Fabrication - Installation

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Lic. #873011

Office:
714-751-5778

Cell:
714-356-8893

E-mail:
info@speedqualitysigns.com

Address:
635 S. Santa Fe Street Santa Ana Ca 92705

This sign is intended to be installed in accordance with the requirements of article 600 of the National Electrical code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

Project: Pizza Pete's	
Location: 700 E. Bay Ave, Newport Beach Ca	
Contact: Jan Nabal	
Date: 5/23/17	Sales & Design SQS Job# 0000319

Approval Signatures
Client: _____
Landlord: _____

PA2017-142
Full Frontage is 43'-4"

Sign A

17'-0"

Pizza Pete's



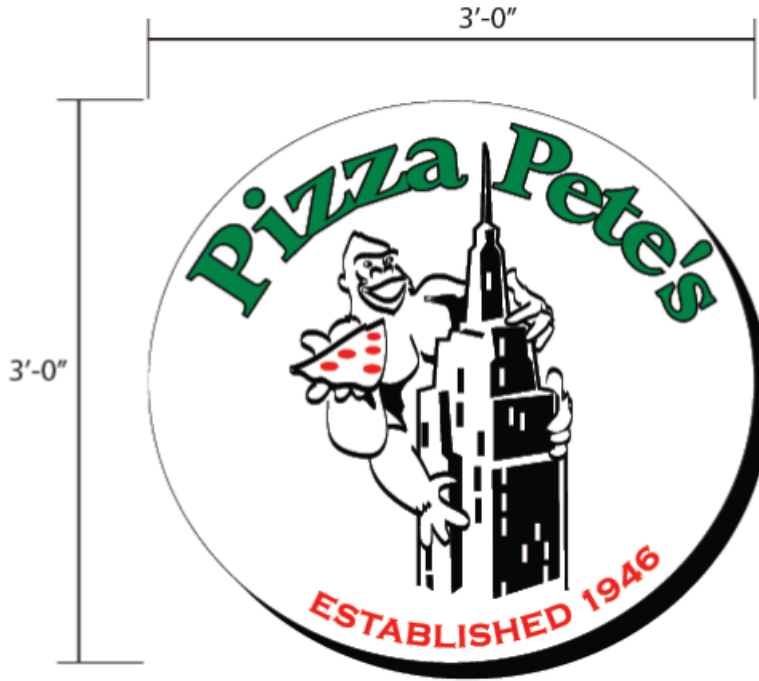
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Cell: 714-356-8893
E-mail: info@speedqualitysigns.com
Address: 635 S. Santa Fe Street Santa Ana Ca 92705

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Project: Pizza Pete's	Approval Signatures
Location: 700 E. Bay Ave, Newport Beach Ca	Client: _____
Contact: Jan Nabal	Landlord: _____
Date: 5/23/17	Sales & Design SQS Job# 0000319

Sign B



Scale 1"=1'-0"
Total sq ft. 9

INTERNALLY ILLUMINATED PUSH THRU LETTERS LOGO

Specifications:

.080 routed out letters aluminum face 4" deep.

Face to be painted white and black return.

"Letters" to be 1/2" white acrylic with applied dark green viny film and black outline.

"Image" to be 1/2" white acrylic with applied black vinyl film.

"Established 1946" to be 1/2" white acrylic with applied red vinyl film.

Light source to be low voltage white LED.



Design - Fabrication - Installation

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Cell:
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E-mail:
info@speedqualitysigns.com

Address:

635 S. Santa Fe Street Santa Ana Ca 92705

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Project: Pizza Pete's			Approval Signatures
Location: 700 E. Bay Ave, Newport Beach Ca			
Contact: Jan Nabal			
Date: 5/23/17	Sales & Design SQS	Job# 0000319	Client: _____
			Landlord: _____

PA2017-142

Sign B

6'-9"



Existing blade sign to be remove



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E-mail: info@speedqualitysigns.com
Address: 635 S. Santa Fe Street Santa Ana Ca 92705

This sign is intended to be installed in accordance with the requirements of article 600 of the National Electrical code and/or other applicable local codes. This includes proper groundign and bonding of the sign.

Project: Pizza Pete's		Approval Signatures	
Location: 700 E. Bay Ave, Newport Beach Ca		Client: _____	
Contact: Jan Nabal		Landlord: _____	
Date: 5/23/17	Sales & Design SQS	Job# 0000319	

Sign C PA2017-142

15'-6"



Scale 1/2"=1'-0"
Total sq ft. 32.29

INTERNALLY ILLUMINATED FRONT LIT CHANNEL LETTERS

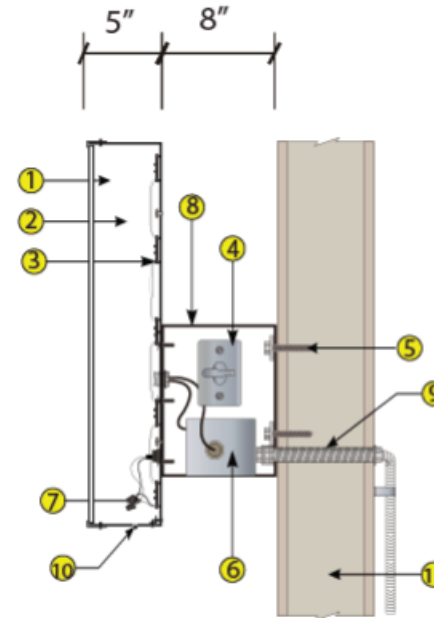
Specifications:

Internally illuminated channel letters 5" deep with black return and 1" black trimcap edges.

"Letter" faces to be 3/16" white acrylic with applied 3M #3630-76 Translucent Holly Green in center leaving a white outline.

Raceway to be painted Dark Red to best match of brick color.

Light source to be low voltage white LED.



1. 3/16" plastic face.
2. Deep aluminum return.
3. 12vdc LED light unit spacing: 3.5 units/stroke inch.
4. Disconnect switch
5. Concrete 3/8" Toggle bolts (2) minimum.
6. UL listed power supply, 12-500 watt as needed.
7. UI Listed 18AWG wire.
8. Raceway
9. Primary source
10. Drain hole
11. Existing wall

LETTER SECTION



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Cell:
714-356-8893

E-mail:
info@speedqualitysigns.com

Address:

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Project: Pizza Pete's	
Location: 700 E. Bay Ave, Newport Beach Ca	
Contact: Jan Nabal	
Date: 5/23/17	Sales & Design SQS
Job# 0000319	

Approval Signatures
Client: _____
Landlord: _____

Full Frontage is 30'-2"

Sign C

15'-6"

Pizza Pete's



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E-mail: info@speedqualitysigns.com
Address: 635 S. Santa Fe Street Santa Ana Ca 92705

This sign is intended to be installed in accordance with the requirements of article 600 of the National Electrical code and/or other applicable local codes. This includes proper groundign and bonding of the sign.

Project: Pizza Pete's		Approval Signatures	
Location: 700 E. Bay Ave, Newport Beach Ca		Client: _____	
Contact: Jan Nabal		Landlord: _____	
Date: 5/23/17	Sales & Design SQS	Job# 0000319	

Existing Sign D to remain

Full Frontage is 62'-0"

20'-0"

Total existing sign 53.33 sq t.

BALBOA SALOON

2'-8"



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This sign is intended to be installed in accordance with the requirements of article 600 of the National Electrical code and/or other applicable local codes. This includes proper groundign and bonding of the sign.

Project: Balboa Saloon		Approval Signatures	
Location: 700 E. Bay Ave, Newport Beach Ca		Client: _____	
Contact: Butch Wilson		Landlord: _____	
Date: 5/23/17	Sales & Design SQS	Job# 0000319	

Sign E



Scale 1"=1'-0"
Total sq ft. 11

INTERNALLY ILLUMINATED PUSH THRU LETTERS LOGO

Specifications:

.080 routed out letters aluminum face 4" deep.

Face to be painted white and dark green return.

"Letters" to be 1/2" white acrylic with applied dark red vinyl film and royal blue outline.

"Image" to be 1/2" white acrylic with applied digital print vinyl film.

Light source to be low voltage white LED.



Design - Fabrication - Installation

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Project: Balboa Saloon			Approval Signatures
Location: 700 E. Bay Ave, Newport Beach Ca			
Contact: Butch Wilson			
Date: 5/23/17	Sales & Design SQS	Job# 0000319	
			Client: _____
			Landlord: _____

Sign E



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Location: 700 E. Bay Ave, Newport Beach Ca		Client: _____	
Contact: Butch Wilson		Landlord: _____	
Date: 5/23/17	Sales & Design SQS	Job# 0000319	

Existing Sign F to remain

Total existing sign 39.66 sq t.



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Location: 700 E. Bay Ave, Newport Beach Ca	
Contact: Butch Wilson	
Date: 5/23/17	Sales & Design SQS Job# 0000319

Approval Signatures
Client: _____
Landlord: _____

3.4 Sign Character

The City of Newport Beach regulates signs through its zoning code including Chapter 20.67 of the municipal code and the Newport Beach Citywide Sign Design Guidelines. Included, is an amortization program, whereby non-conforming signs are encouraged to be removed and replaced by appropriate conforming signs.

- A. Signs should be selected or designed to capture the whimsical and traditional architectural character of the Village.
- B. Where neon is proposed, it should be incorporated into custom signage.
- C. Faded, discolored, or damaged signs shall be replaced or repaired.
- D. Plastic, internally illuminated sign cabinets “can signs” are strongly discouraged.



Pole sign example with appropriate use of form and color



Customized projection sign



Wall sign that nicely frames the opening



This corner project sign adds character to Balboa Village.

Example Projecting Sign

