



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
SUBJECT: Report of actions taken by the Zoning Administrator and/or Planning Division staff for the week ending September 29, 2017.

ZONING ADMINISTRATOR ACTIONS SEPTEMBER 28, 2017

- Item 1: Bengston Residence Coastal Development Permit No. CD2017-024 (PA2017-058)
Site Address: 111 8th Street
Action: Continued to 10/12/2017 Council District 1
- Item 2: 620 and 620 ½ Poinsettia Tentative Parcel Map No. NP2017-018 (PA2017-157)
Site Address: 620 and 620 ½ Poinsettia Avenue
Action: Approved by Resolution No. ZA2017-072 Council District 6
- Item 3: 552 Seaward Lot Merger No. LM2017-004 (PA2017-100)
Site Address: 552 Seaward Road
Action: Approved by Resolution No. ZA2017-073 Council District 6
- Item 4: DeMore Residence Coastal Development Permit No. CD2017-058 (PA2017-136)
Site Address: 1033 West Balboa Boulevard
Action: Approved by Resolution No. ZA2017-074 Council District 1
- Item 5: 427 Marigold Tentative Parcel Map No. NP2017-012 (PA2017-111)
Site Address: 427 Marigold Avenue
Action: Approved by Resolution No. ZA2017-075 Council District 6
- Item 6: 619 and 619 ½ Marguerite Tentative Parcel Map No. NP2017-011 (PA2017-110)
Site Address: 619 and 619 ½ Marguerite Avenue
Action: Approved by Resolution No. ZA2017-076 Council District 6
- Item 7: 418 and 418 ½ Fernleaf Tentative Parcel Map No. NP2017-013 and Coastal Development Permit No. CD2017-053 (PA2017-112)
Site Address: 418 and 418 ½ Fernleaf Avenue
Action: Approved by Resolution No. ZA2017-077 Council District 6

Item 8: 435 Fernleaf Tentative Parcel Map No. NP2017-014 and Coastal Development Permit No. CD2017-052 (PA2017-113)

Site Address: 435 Fernleaf Avenue

Action: Approved by Resolution No. ZA2017-078

Council District 6

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

Item 1: Coastal Development Permit Waiver for De Minimis Development No. CD2017-061 (PA2017-148)

Site Address: 211 35th Street

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.

RESOLUTION NO. ZA2017-072

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING TENTATIVE PARCEL MAP NO. NP2017-018 FOR TWO-UNIT CONDOMINIUM PURPOSES LOCATED AT 620 AND 620 ½ POINSETTIA AVENUE (PA2017-157)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Kim Walker (Applicant), on behalf of Reklaw, LLC, A California Limited Liability Company (Property Owner), with respect to property located at 620 and 620 ½ Poinsettia Avenue, and legally described as Lot 22, Block 643 of the Corona del Mar Subdivision, requesting approval of a tentative parcel map.
2. The Applicant proposes a tentative parcel map application for two-unit condominium purposes. No waiver of Title 19 (Subdivisions) development standards are proposed with this application. An existing duplex will be demolished and replaced with a new duplex. The Tentative Parcel Map would allow each unit to be sold individually as condominiums.
3. The subject property is designated Two-Unit Residential (RT) by the General Plan Land Use Element and is located within the Two-Unit Residential (R-2) Zoning District.
4. The subject property is not located within the coastal zone; therefore, no coastal development permit is required.
5. A public hearing was held on September 28, 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 15315 under Class 15 (Minor Land Divisions) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.
2. The Class 15 exemption allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel

does not have an average slope greater than 20 percent. The Tentative Parcel Map is for condominium purposes and is consistent with all of the requirements of the Class 15 exemption.

SECTION 3. REQUIRED FINDINGS.

The Zoning Administrator determined in this case that the Tentative Parcel Map is consistent with the legislative intent of Title 20 (Planning and Zoning) of the Newport Beach Municipal Code (NBMC) and is approved based on the following findings per Section 19.12.070 (Required Findings for Action on Tentative Maps):

Finding:

- A. *That the proposed map and the design or improvements of the subdivision are consistent with the General Plan and any applicable specific plan, and with applicable provisions of the Subdivision Map Act and this Subdivision Code.*

Facts in Support of Finding:

1. The Tentative Parcel Map is for two-unit residential condominium purposes. An existing duplex originally constructed in 1947, and remodeled in 1988, will be demolished and replaced with a new duplex. The proposed subdivision and improvements are consistent with the density of the R-2 Zoning District and the RT General Plan Land Use Designation.
2. The proposed project site is not located within any specific plan area.

Finding:

- B. *That the site is physically suitable for the type and density of development.*

Facts in Support of Finding:

1. The lot is physically suitable for two-unit development because it is rectangular in shape and slopes slightly upward from Poinsettia Avenue to the alley, which is typical of lots in this area.
2. A duplex has existed on this site since 1947. The proposed project will replace the existing structure with a new duplex that is compliant with all current code requirements.
3. The subject property is located on a corner such that it is accessible from Poinsettia Avenue, Fourth Avenue and from the alley at the rear. It is adequately served by existing utilities.

Finding:

- C. *That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. However, notwithstanding the foregoing, the decision-making body may nevertheless approve such a subdivision if an environmental impact report was prepared for the project and a finding was made pursuant to Section 21081 of the California Environmental Quality Act that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.*

Facts in Support of Finding:

1. See Fact in Support of Finding B2.
2. The property is located in an urbanized area that does not contain any sensitive vegetation or habitat.
3. The project is categorically exempt under Section 15315 (Article 19 of Chapter 3), of the California Environmental Quality Act (CEQA) Guidelines – Class 15 (Minor Land Alterations).

Finding:

- D. *That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.*

Fact in Support of Finding:

The Tentative Parcel Map is for residential condominium purposes. All improvements associated with the project will comply with all Building, Public Works, and Fire Codes, which are in place to prevent serious public health problems. Public improvements will be required of the developer per NBMC Section 19.28.010 (General Improvement Requirements) and Section 66411 (Local agencies to regulate and control design of subdivisions) of the Subdivision Map Act. All ordinances of the City and all Conditions of Approval will be complied with.

Finding:

- E. *That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the decision making body may approve a map if it finds that alternate easements, for access or for use, will be provided and that these easements will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to the City Council to determine that the public at large has acquired easements for access through or use of property within a subdivision.*

Fact in Support of Finding:

The design of the development will not conflict with easements acquired by the public at large, for access through, or use of property within the proposed development, because there are no public easements located on the property.

Finding:

F. That, subject to the detailed provisions of Section 66474.4 of the Subdivision Map Act, if the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act), the resulting parcels following a subdivision of the land would not be too small to sustain their agricultural use or the subdivision will result in residential development incidental to the commercial agricultural use of the land.

Facts in Support of Finding:

1. The property is not subject to the Williamson Act because the subject property is not designated as an agricultural preserve and is less than 100 acres in area.
2. The site is developed for residential use and is within the R-2 Zoning District, which permits residential uses.

Finding:

G. That, in the case of a "land project" as defined in Section 11000.5 of the California Business and Professions Code: (1) there is an adopted specific plan for the area to be included within the land project; and (2) the decision making body finds that the proposed land project is consistent with the specific plan for the area.

1. The property is not a "land project" as defined in Section 11000.5 of the California Business and Professions Code because the existing subdivision does not contain fifty (50) or more parcels.
2. The project is not located within a specific plan area.

Finding:

H. That solar access and passive heating and cooling design requirements have been satisfied in accordance with Sections 66473.1 and 66475.3 of the Subdivision Map Act.

Fact in Support of Finding:

The Tentative Parcel Map and any future improvements are subject to Title 24 of the California Building Code that requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. The Newport Beach Building Division enforces Title 24 compliance through the plan check and inspection process.

Finding:

- I. *That the subdivision is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code regarding the City's share of the regional housing need and that it balances the housing needs of the region against the public service needs of the City's residents and available fiscal and environmental resources.*

Fact in Support of Finding:

The proposed duplex is consistent with the R-2 Zoning District, which allows two (2) residential units on the property. Therefore, the Tentative Parcel Map for condominium purposes will not affect the City in meeting its regional housing need.

Finding:

- J. *That the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board.*

Fact in Support of Finding:

The new duplex will be designed so that wastewater discharge into the existing sewer system complies with the Regional Water Quality Control Board (RWQCB) requirements.

Finding:

- K. *For subdivisions lying partly or wholly within the Coastal Zone, that the subdivision conforms with the certified Local Coastal Program and, where applicable, with public access and recreation policies of Chapter Three of the Coastal Act.*

Facts in Support of Finding:

1. The subject property is not located within the Coastal Zone.
2. The project is not located between the nearest public road and the sea or shoreline of any body of water located within the Coastal Zone; therefore, the public access and recreation policies of Chapter 3 of the Coastal Act are not applicable.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves Tentative Parcel Map No. NP2017-018 (PA2017-157), 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 10 days after the adoption of this Resolution unless within such time an appeal or call for review is filed with the Director of Community Development in accordance with the provisions of NBMC Title 19.

PASSED, APPROVED, AND ADOPTED THIS 28TH DAY OF SEPTEMBER, 2017.



Patrick J. Alford, Zoning Administrator

EXHIBIT "A"

CONDITIONS OF APPROVAL

1. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
2. Subsequent to the recordation of the Parcel Map, the Applicant shall apply for a building permit for a description change of the subject project development from "duplex" to "condominium." **The development will not be condominiums until this permit is final.** The building permit for the new construction shall not be final until after recordation of the Parcel Map.
3. 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 NBMC Title 19.
5. A Final Parcel Map shall be recorded. The Map shall be prepared on the California coordinate system (NAD83). Prior to recordation of the Map, the surveyor/engineer preparing the Map shall submit to the County Surveyor and the City of Newport Beach a digital-graphic file of said map in a manner described in Section 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. **The Map to be submitted to the City of Newport Beach shall comply with the City's CADD Standards. Scanned images will not be accepted.**
6. Prior to recordation of the Parcel Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. Monuments (one inch iron pipe with tag) shall be set on each lot orner unless otherwise approved by the Subdivision Engineer. Monuments shall be protected in place if installed prior to completion of construction project.
7. A 10-foot radius corner cut-off easement for street and public utility purposes at the Poinsettia Avenue and Fourth Avenue curb return shall be recorded as a part of the Parcel Map.
8. All improvements shall be constructed as required by Ordinance and the Public Works Department.
9. The Applicant shall reconstruct all damaged concrete sidewalk panels, curb and gutter along the Poinsettia Avenue and Fourth Avenue property frontages and any damaged concrete alley panels along the alley property frontage as determined by the Public Works Department.

10. A new minimum 5-foot-wide concrete sidewalk shall be constructed along the entire Fourth Avenue frontage.
11. Upon the construction of new concrete sidewalk along the Fourth Avenue frontage, a new Americans with Disabilities Act (ADA) compliant curb access ramp shall be constructed at the Poinsettia Avenue and Fourth Avenue curb return.
12. All existing overhead utilities shall be undergrounded.
13. All above ground improvements shall stay a minimum 5-foot clear of the alley setback.
14. All existing private, non-standard improvements within the public right-of-way and/or extensions of private, non-standard improvements into the public right-of-way fronting the development site shall be removed.
15. The Applicant shall install new sod or low groundcovers of the type approved by the City throughout the Poinsettia Avenue and Fourth Avenue parkways fronting the development site.
16. Each unit shall be served by its individual water meter and sewer lateral and cleanout. Each water meter and sewer cleanout shall be installed with a traffic-grade box and cover.
17. An encroachment permit is required for all work activities within the public right-of-way.
18. All improvements shall comply with the City's sight distance requirement pursuant to City Standard 110-L.
19. The Applicant shall install a new 36-inch box street tree along the Fourth Avenue frontage. Tree species shall be per City Council Policy G-6. All other City street trees shall be protected in place, unless otherwise approved by the Municipal Operations Department, General Services Division.
20. In case of damage done to public improvements surrounding the development site by the private construction, additional reconstruction within the public right-of-way could be required at the discretion of the Public Works Inspector.
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 the 620 Poinsettia Avenue Condominiums including, but not limited to, NP2017-018 (PA2017-157). 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. ZA2017-073

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING LOT MERGER NO. LM2017-004 AND A WAIVER OF THE PARCEL MAP REQUIREMENT FOR A LOT MERGER LOCATED AT 552 SEAWARD ROAD (PA2017-100)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Holly Rose, on behalf of the owner Mohammed Alt-Tuwaijri, with respect to two properties located at 552 Seaward Road. The lot at 552 Seaward Road is legally described as Lot 178 of Tract 1237, Corona Highlands. The lot to the east of 552 Seaward Road, which shares the same address, is legally described as Lot 4 of Tract 14795.
2. The applicant proposes a lot merger and requests to waive the parcel map requirement for two properties under common ownership.
3. The subject properties are located within the Single-Unit Residential (R-1-6000) Zoning District and the General Plan Land Use Element category is Single-Unit Residential Detached (RS-D).
4. The subject properties are located within the coastal zone. The Coastal Land Use Plan category is Single-Unit Residential Detached (RSD-A).
5. A public hearing was held on September 28, 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. The project is categorically exempt under Section 15315, of the State CEQA (California Environmental Quality Act) Guidelines - Class 15 (Minor Land Divisions). Class 15 exemption includes the division of property in urbanized areas zoned for residential, commercial, or industrial use into four (4) or fewer parcels when the division is in conformance with the General Plan and zoning; no variances or exceptions are required; all services and access to the proposed parcel to local standards are available; the parcel was not involved in a division of a larger parcel within the previous two (2) years; and the parcel does not have an average slope greater than 20 percent. This exemption includes a minor lot merger not resulting in the creation of any new parcel that complies with the conditions specified above.

SECTION 3. REQUIRED FINDINGS.

In accordance with Section 19.68.030 and 19.08.030 of the Newport Beach Municipal Code, the following findings and facts in support of such findings are set forth:

Finding:

- A. *Approval of the merger will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City, and further that the proposed lot merger is consistent with the legislative intent of this title.*

Facts in Support of Finding:

1. The lot merger to combine two existing lots by removing the interior lot line between the lots will not result in the creation of additional parcels.
2. The project is in an area with an average slope of less than 20 percent.
3. The lot merger is consistent with the purpose and intent of Title 19 (Subdivisions).
4. The future development on the proposed parcel will be subject to the Zoning Code development standards, which are intended to promote orderly development, protect neighborhood character, and preserve public health, safety, and general welfare of the City.

Finding:

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

Facts in Support of Finding:

1. The two parcels to be merged are under common fee ownership.

Finding:

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

Facts in Support of Finding:

1. The merged parcels will retain the Single-Unit Residential (R-1-6000) zoning designation, consistent with the surrounding area. The R-1-6000 Zoning District is intended to provide for areas appropriate for a detached single-family residential dwelling unit located on a single lot.

2. The Land Use Element of the General Plan designates the subject site as Single-Unit Residential Detached (RS-D), which applies to a range of single-family residential dwelling units. The Coastal Land Use Plan designates this site as Single-Unit Residential Detached (RSD-A), which provides for density ranges from 0.0-5.9 dwelling units per acre. The land use will remain the same and the merger is consistent with the land use designations of the General Plan.
3. The subject property is not located within a Specific Plan area.
4. Section 20.18.030 of the Zoning Code establishes minimum lot area and width requirements. The proposed merger would result in a 11,588-square-foot parcel that is in conformance to the minimum 6,000-square foot interior lot area standard of the Zoning Code. Also, the proposed merger would create one approximately 72-foot-wide parcel, exceeding the minimum 60-foot interior lot width standard of the Zoning Code.

Finding:

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

Facts in Support of Finding:

1. No adjoining parcels will be deprived of legal access as a result of the merger. Legal access is provided from Seaward Road, and will remain unchanged.

Finding:

- E. The lots as merged will be consistent with the pattern of development nearby and will not result in a lot width, depth or orientation, or development site that is incompatible with nearby lots. In making this findings, the review authority may consider the following:*
- a. Whether the development of the merged lots could significantly deviate from the pattern of development of adjacent and/or adjoining lots in a manner that would result in an unreasonable detriment to the use and enjoyment of other properties.*
 - b. Whether the merged lots would be consistent with the character or general orientation of adjacent and/or adjoining lots.*
 - c. Whether the merged lots would be conforming or in greater conformity with the minimum lot width and area standards for the zoning district.*

Facts in Support of Finding:

1. Properties along Seaward Road consist of lots of varying shapes and sizes. Although the proposed lot merger will create a larger lot, it will not create an excessively large lot in comparison to many of the existing lots in the area. There are many existing lots in the surrounding development that exceed the proposed lot area, including 433 Isabella Terrace (29,289 square feet), 440 Rivera Terrace (11,440 square feet), and 436 Rivera Terrace (11,416 square feet).

2. The proposed lot width is approximately 72 feet, which will not create an excessively wide lot in comparison to other existing lots in the area. There are existing lots in the surrounding development that exceed the proposed lot width, including 433 Isabella Terrace (approximately 170 feet), 432 Isabella Terrace (approximately 86 feet), and 429 Isabella Terrace (approximately 78 feet).
3. Although the current configuration is two parcels, the property is used as a single parcel with one single-family residence. As a result, the proposed merger will not result in a visible change in character to the neighborhood and will continue to allow the property to be used for single-family purposes.
4. The resulting lot configuration will not change the existing pattern of development since the orientation and access to the parcel would remain from the Seaward Road.

Waiver of Parcel Map

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

Finding:

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

Facts in Support of Finding:

1. Approval of the proposed lot merger would remove the existing interior lot line, and allow the property to be used as a single site. The proposed lot would comply with all design standards and improvements required for new subdivisions by Title 19, General Plan, and Coastal Land Use Plan.
2. The subject property is not subject to a Specific Plan.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves Lot Merger No. LM2017-004, 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 10 days after the adoption of this Resolution unless within such time an appeal is filed with the Director of Community Development

in accordance with the provisions of Title 19 (Subdivisions) of the Newport Beach Municipal Code.

PASSED, APPROVED, AND ADOPTED THIS 28th DAY OF SEPTEMBER, 2017.



Patrick J. Alford, Zoning Administrator

EXHIBIT "A"

CONDITIONS OF APPROVAL

1. The map shall be submitted to the Public Works Department for final map review and approval. All applicable fees shall be paid.
2. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
3. Prior to the issuance of building permits for construction to cross the existing interior lot line between the two (2) parcels proposed to be merged, recordation of the lot merger documents with the County Recorder shall be required.
4. All easement documents shall be provided upon final map review.
5. Lot Merger No. LM2017-004 shall expire unless exercised within twenty-four (24) months from the date of approval as specified in Section 20.54.060 of the Newport Beach Municipal Code, unless an extension is otherwise granted.
6. 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 Alt-Tuwaijri Lot Merger including, but not limited to, Lot Merger No. LM2017-004 (PA2017-100). 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. ZA2017-074

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING COASTAL DEVELOPMENT PERMIT NO. CD2017-058 FOR A NEW SINGLE UNIT RESIDENCE LOCATED AT 1033 WEST BALBOA BOULEVARD (PA2017-136)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by R.A. Jeheber Residential Design, Inc., with respect to property located at 1033 West Balboa Boulevard, and legally described as Lot 16 of Block 10, requesting approval of a Coastal Development Permit.
2. The applicant proposes the construction of a new 3,600-square-foot single-family residence with a 750-square-foot attached garage on a lot with no existing residence. The proposed development also includes additional appurtenances such as walls, fences, patios, hardscape, drainage devices, and landscaping.
3. The subject property is located within the Two-Unit Residential (R-2) Zoning District and the General Plan Land Use Element category is Two-Unit Residential Detached (RT).
4. The subject property is located within the coastal zone. The Coastal Land Use Plan category is Two-Unit Residential– (20.0 - 29.9 DU/AC) (RT-D) and the Coastal Zoning District is Two-Unit Residential (R-2).
5. A public hearing was held on September 28, 2017, in the Corona del Mar Conference Room (Bay E-1st Floor) at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the hearing was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Zoning Administrator at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project is categorically exempt pursuant to Title 14 of the California Code of Regulations (Section 15315, Article 19 of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (CEQA) under Class 3 (New Construction or Conversion of Small Structures), because it has no potential to have a significant effect on the environment.
2. Class 3 exempts the construction of limited numbers of new, small structures, including one single-family residence. The proposed project is a new single-family residence located in the R-1 Coastal Zoning District.

SECTION 3. REQUIRED FINDINGS.

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

Finding:

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

Facts in Support of Finding:

1. The proposed development complies with applicable residential development standards including, but not limited to, floor area limitation, setbacks, height, and parking.
 - a. The maximum floor area limitation is 4,578 square feet and the proposed floor area is 4,350 square feet.
 - b. The proposed development complies with the required setbacks, which are 10 feet along the property line abutting West Balboa Boulevard and 3 feet along each side of property line. There is no setback along the rear property line.
 - c. The highest guardrail/parapet is less than 24 feet from established grade and the highest ridge is 29 feet from established grade. The proposed development complies with all height requirements.
 - d. The proposed development provides a three-car garage, exceeding the two-car minimum garage requirement for residences with less than 4,000 square feet of livable floor area.
 - e. The proposed development exceeds the minimum 9.0 (NAVD88) top of slab elevation requirement for interior living areas of new structures.
2. The neighborhood is predominantly developed with two and three-story 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 is set back approximately 460 feet from the mean high water line. Due to the large distance from coastal waters, a Water Quality Management Plan (WQMP) and a Construction Pollution Prevention Plan (CPPP) are not required. A post-construction drainage system will be installed that includes drainage and percolation features designed to retain dry weather and minor rain run-off on-site to ensure the project does not impact water quality. Any water not retained on-site is directed to the City's storm drain system.
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.

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 not located between the nearest public road and the sea or shoreline and the proposed project will not affect public recreation, access or 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. CD2017-058, 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 28TH DAY OF SEPTEMBER, 2017.



Patrick J. Alford, Zoning Administrator

EXHIBIT "A"

CONDITIONS OF APPROVAL

1. The development shall be in substantial conformance with the approved site plan, floor plans and building elevations stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
2. Revisions to the approved plans may require an amendment to this Coastal Development Permit or the processing of a new Coastal Development Permit.
3. Coastal Development Permit No. CD2017-058 shall expire unless exercised within 24 months from the date of approval as specified in Section 21.54.060 (Time Limits and Extensions) of the Newport Beach Municipal Code, unless an extension is otherwise granted.
4. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
5. The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the use may be cause for revocation of this Coastal Development Permit.
6. This Coastal Development Permit may be modified or revoked by the Zoning Administrator if determined that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the property is operated or maintained so as to constitute a public nuisance.
7. Prior to issuance of the building permits, a copy of the Resolution, including conditions of approval Exhibit "A" shall be incorporated into the Building Division and field sets of plans.
8. Prior to issuance of building permits, the applicant shall submit to the Planning Division an additional copy of the approved architectural plans for inclusion in the Coastal Development file. The plans shall be identical to those approved by all City departments for building permit issuance. The approved copy shall include architectural sheets only and shall be reduced in size to 11 inches by 17 inches. The plans shall accurately depict the elements approved by this Coastal Development Permit.
9. Prior to the issuance of building permits, the applicant shall submit a final construction erosion control plan. The plan shall be subject to the review and approval by the Building Division.
10. Prior to the issuance of building permit, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Division.

11. 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.
12. This approval shall expire and become void unless exercised within 24 months from the actual date of review authority approval, except where an extension of time is approved in compliance with the provisions of Title 21 Planning and Zoning of the Newport Beach Municipal Code.
13. 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 DeMore Residence Coastal Development Permit including, but not limited to, Coastal Development Permit No. CD2017-058 (PA2017-136). 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. ZA2017-075

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING TENTATIVE PARCEL MAP NO. NP2017-012 FOR TWO-UNIT CONDOMINIUM PURPOSES LOCATED AT 427 MARIGOLD AVENUE (PA2017-111)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Betsy Anderson, with respect to property located at 427 Marigold Avenue, and legally described as Lot 19 in Block 439 of the Corona del Mar Tract requesting approval of a tentative parcel map.
2. The applicant proposes a tentative parcel map for two-unit condominium purposes. An existing single family dwelling has been demolished and a new duplex is currently under construction. No waivers of Title 19 are proposed. The Tentative Parcel map would allow each unit to be sold individually.
3. The subject property is located within the Two-Unit Residential (R-2) Zoning District and the General Plan Land Use Element category is Two-Unit Residential.
4. A public hearing was held on September 28, 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 has been determined to be categorically exempt pursuant to the State CEQA (California Environmental Quality Act) Guidelines under Class 15 (Minor Land Divisions).
2. The Class 15 exemption allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four (4) or fewer parcels when the division is in conformance with the General Plan and Zoning, no variances or exceptions are required, all services and access to the proposed parcels are available, the parcel was not involved in a division of a larger parcel within the previous two (2) years, and the parcel does not have an average slope greater than 20 percent. The Tentative Parcel Map is for condominium purposes and is consistent with all of the requirements of the Class 15 exemption.

SECTION 3. REQUIRED FINDINGS.

The Zoning Administrator determined in this case that the Tentative Parcel Map is consistent with the legislative intent of Title 20 (Planning and Zoning) of the Newport Beach Municipal Code and is approved based on the following findings per Section 19.12.070 (Required Findings for Action on Tentative Maps) of Title 19:

Finding:

A. That the proposed map and the design or improvements of the subdivision are consistent with the General Plan and any applicable specific plan, and with applicable provisions of the Subdivision Map Act and this Subdivision Code.

Facts in Support of Finding:

1. The Tentative Parcel Map is for two-unit residential condominium purposes. An existing single family dwelling has been demolished and a new duplex is under construction. The proposed subdivision and improvements are consistent with the density of the R-2 Zoning District and the current General Plan Land Use Designation "Two-Unit Residential."
2. The subject property is not located within a specific plan area.
3. The project has been conditioned to require public improvements, including the reconstruction of sidewalks, curbs, and gutters along the Marigold Avenue frontage, consistent with the Subdivision Code (Title 19).

Finding:

B. That the site is physically suitable for the type and density of development.

Facts in Support of Finding:

1. The lot is physically suitable for a two-unit development because it is regular in shape and relatively flat.
2. The subject property is accessible from the alley at the rear and is adequately served by existing utilities.

Finding:

C. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. However, notwithstanding the foregoing, the decision making body may nevertheless approve such a subdivision if an environmental impact report was prepared for the project and a finding was made pursuant to Section 21081 of the California Environmental Quality Act that specific economic, social, or other considerations make

infeasible the mitigation measures or project alternatives identified in the environmental impact report.

Facts in Support of Finding:

1. An existing single-family dwelling has been demolished and a new two-unit dwelling is currently under construction.
2. The property is located in an urbanized area that does not contain any sensitive vegetation or habitat.
3. The project is categorically exempt under Section 15315 (Article 19 of Chapter 3), of the California Environmental Quality Act (CEQA) Guidelines – Class 15 (Minor Land Alterations).

Finding:

D. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

Fact in Support of Finding:

1. The Tentative Parcel Map is for residential condominium purposes. All improvements associated with the project will comply with all Building, Public Works, and Fire Codes, which are in place to prevent serious public health problems. Public improvements will be required of the developer per Section 19.28.010 (General Improvement Requirements) of the Municipal Code and Section 66411 (Local Agencies to Regulate and Control Design of Subdivisions) of the Subdivision Map Act. All ordinances of the City and all Conditions of Approval will be complied with.

Finding:

E. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the decision making body may approve a map if it finds that alternate easements, for access or for use, will be provided and that these easements will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to the City Council to determine that the public at large has acquired easements for access through or use of property within a subdivision.

Facts in Support of Finding:

1. The design of the development will not conflict with easements acquired by the public at large, for access through, or use of property within the proposed development, because there are no public easements located on the property.

Finding:

F. That, subject to the detailed provisions of Section 66474.4 of the Subdivision Map Act, if the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act), the resulting parcels following a subdivision of the land would not be too small to sustain their agricultural use or the subdivision will result in residential development incidental to the commercial agricultural use of the land.

Facts in Support of Finding:

1. The property is not subject to the Williamson Act because the subject property is not designated as an agricultural preserve and is less than 100 acres in area.
2. The site is developed for residential use and is located in a Zoning District that permits residential uses.

Finding:

G. That, in the case of a "land project" as defined in Section 11000.5 of the California Business and Professions Code: (1) there is an adopted specific plan for the area to be included within the land project; and (2) the decision making body finds that the proposed land project is consistent with the specific plan for the area.

Facts in Support of Finding:

1. California Business and Professions Code Section 11000.5 has been repealed by the Legislature. However, this project site is not considered a "land project" as previously defined in Section 11000.5 of the California Business and Professions Code because the project site does not contain 50 or more parcels of land.
2. The project is not located within a specific plan area.

Finding:

H. That solar access and passive heating and cooling design requirements have been satisfied in accordance with Sections 66473.1 and 66475.3 of the Subdivision Map Act.

Fact in Support of Finding:

1. The Tentative Parcel Map and any future improvements are subject to Title 24 of the California Building Code that requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. The Newport Beach Building Division enforces Title 24 compliance through the plan check and inspection process.

Finding:

- I. That the subdivision is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code regarding the City's share of the regional housing need and that it balances the housing needs of the region against the public service needs of the City's residents and available fiscal and environmental resources.*

Facts in Support of Finding:

1. The proposed two-unit dwelling is consistent with the R-2 Zoning District which allows two residential units on the property. Therefore, the Tentative Parcel Map for condominium purposes will not affect the City in meeting its regional housing need.

Finding:

- J. That the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board.*

Facts in Support of Finding:

1. The new two-unit dwelling will be designed so that wastewater discharge into the existing sewer system complies with the Regional Water Quality Control Board (RWQCB) requirements.

Finding:

- K. For subdivisions lying partly or wholly within the Coastal Zone, that the subdivision conforms with the certified Local Coastal Program and, where applicable, with public access and recreation policies of Chapter Three of the Coastal Act.*

Facts in Support of Finding:

1. The subject property is not within the Coastal Zone.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves PA2017-111 for Tentative Parcel Map No. NP2017-012, 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 10 days after the adoption of this Resolution unless within such time an appeal or call for review is filed with the Director of Community Development an appeal is filed with the City Council in accordance with the provisions of Title 19 Subdivisions, of the Newport Beach Municipal Code.

PASSED, APPROVED, AND ADOPTED THIS 28th DAY OF SEPTEMBER, 2017.



Patrick J. Alford, Zoning Administrator

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

1. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
2. Subsequent to the recordation of the Parcel Map, the applicant shall apply for a building permit for a description change of the subject project development from "duplex" to "condominium." The development will not be condominiums until this permit is final. The building permit for the new construction shall not be final until after recordation of the parcel map.
3. Prior to recordation of the Parcel Map, a park fee shall be assessed for one additional dwelling unit.
4. 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.
5. 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 427 Marigold Avenue Tentative Parcel Map including, but not limited to, Tentative Parcel Map No. NP2017-012 (PA2017-111). 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.

Public Works Conditions

6. A Final Parcel Map shall be recorded. The Map shall be prepared on the California coordinate system (NAD88). Prior to recordation of the Map, the surveyor/engineer preparing the map shall submit to the County Surveyor and the City of Newport Beach a digital-graphic file of said map in a manner described in Section 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual,

Subarticle 18. The Map to be submitted to the City of Newport Beach shall comply with the City's CADD Standards. Scanned imaged will not be accepted.

7. Prior to the recordation of the Parcel Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. Monuments (one inch iron pipe with tag) shall be set on each lot corner unless otherwise approved by the Subdivision Engineer. Monuments shall be protected in place if installed prior to completion of the construction project.
8. All existing private, non-standard improvements within the public right-of-way and/or extensions of private, non-standard improvements into the public right-of-way fronting the development site shall be removed.
9. All improvements shall be constructed as required by Ordinance and the Public Works Department.
10. Reconstruct all damaged concrete sidewalk panels, curb and gutter along the Marigold Avenue property frontages and any damaged concrete alley panels along the alley property frontage as determined by the Public Works Department.
11. All existing overhead utilities shall be undergrounded.
12. All above ground improvements shall stay a minimum 5-foot clear of the alley setback.
13. All existing private, non-standard improvements within the public right-of-way and/or extensions of private, non-standard improvements in the public right-of-way fronting on the development site shall be removed.
14. Each unit shall be served by its individual water service/meter and sewer lateral and cleanout. Each water meter and sewer cleanout shall be installed with a traffic-grade box and cover.
15. Existing street tree within the Marigold Avenue right-of-way fronting the property shall be protected in place.
16. An encroachment permit is required for all work activities within the public right-of-way.
17. All improvements shall comply with the City's sight distance requirement. See City Standard 110-L and Municipal Code Section 20.30.130.
18. In case of damage done to public improvements surrounding the development site by the private construction, additional reconstruction within the public right-of-way could be required at the discretion of the Public Works Inspector.

RESOLUTION NO. ZA2017-076

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING TENTATIVE PARCEL MAP NO. NP2017-011 FOR TWO-UNIT CONDOMINIUM PURPOSES LOCATED AT 619 AND 619 ½ MARGUERITE AVENUE (PA2017-110)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Tonya Nicholson, with respect to property located at 619 and 619 ½ Marguerite Avenue, and legally described as Lot 19 in Block 638 of the Corona del Mar Tract requesting approval of a tentative parcel map.
2. The applicant proposes a tentative parcel map for two-unit condominium purposes. An existing duplex has been demolished and a new two-unit dwelling is currently under construction. No waivers of Title 19 are proposed. The Tentative Parcel map would allow each unit to be sold individually.
3. The subject property is located within the Two-Unit Residential (R-2) Zoning District and the General Plan Land Use Element category is Two-Unit Residential.
4. The subject property is not located within the coastal zone.
5. A public hearing was held on September 28, 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 has been determined to be categorically exempt pursuant to the State CEQA (California Environmental Quality Act) Guidelines under Class 15 (Minor Land Divisions).
2. The Class 15 exemption allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four (4) or fewer parcels when the division is in conformance with the General Plan and Zoning, no variances or exceptions are required, all services and access to the proposed parcels are available, the parcel was not involved in a division of a larger parcel within the previous two (2) years, and the parcel does not have an average slope greater than 20 percent. The Tentative Parcel Map is for condominium purposes and is consistent with all of the requirements of the Class 15 exemption.

SECTION 3. REQUIRED FINDINGS.

The Zoning Administrator determined in this case that the Tentative Parcel Map is consistent with the legislative intent of Title 20 (Planning and Zoning) of the Newport Beach Municipal Code and is approved based on the following findings per Section 19.12.070 (Required Findings for Action on Tentative Maps) of Title 19:

Finding:

A. That the proposed map and the design or improvements of the subdivision are consistent with the General Plan and any applicable specific plan, and with applicable provisions of the Subdivision Map Act and this Subdivision Code.

Facts in Support of Finding:

1. The Tentative Parcel Map is for two-unit residential condominium purposes. An existing duplex has been demolished and a new two-unit dwelling is under construction. The proposed subdivision and improvements are consistent with the density of the R-2 Zoning District and the current General Plan Land Use Designation "Two-Unit Residential."
2. The subject property is not located within a specific plan area.
3. The project has been conditioned to require public improvements, including the reconstruction of sidewalks, curbs, and gutters along the Marguerite Avenue frontage, consistent with the Subdivision Code (Title 19).

Finding:

B. That the site is physically suitable for the type and density of development.

Facts in Support of Finding:

1. The lot is physically suitable for a two-unit development because it is regular in shape.
2. The subject property is accessible from the alley at the rear and is adequately served by existing utilities.

Finding:

C. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. However, notwithstanding the foregoing, the decision making body may nevertheless approve such a subdivision if an environmental impact report was prepared for the project and a finding was made pursuant to Section 21081 of the California

Environmental Quality Act that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

Facts in Support of Finding:

1. An existing duplex has been demolished and a new two-unit dwelling is currently under construction.
2. The property is located in an urbanized area that does not contain any sensitive vegetation or habitat.
3. The project is categorically exempt under Section 15315 (Article 19 of Chapter 3), of the California Environmental Quality Act (CEQA) Guidelines – Class 15 (Minor Land Alterations).

Finding:

D. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

Fact in Support of Finding:

1. The Tentative Parcel Map is for residential condominium purposes. All improvements associated with the project will comply with all Building, Public Works, and Fire Codes, which are in place to prevent serious public health problems. Public improvements will be required of the developer per Section 19.28.010 (General Improvement Requirements) of the Municipal Code and Section 66411 (Local Agencies to Regulate and Control Design of Subdivisions) of the Subdivision Map Act. All ordinances of the City and all Conditions of Approval will be complied with.

Finding:

E. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the decision making body may approve a map if it finds that alternate easements, for access or for use, will be provided and that these easements will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to the City Council to determine that the public at large has acquired easements for access through or use of property within a subdivision.

Facts in Support of Finding:

1. The design of the development will not conflict with easements acquired by the public at large, for access through, or use of property within the proposed development, because there are no public easements located on the property.

Finding:

F. That, subject to the detailed provisions of Section 66474.4 of the Subdivision Map Act, if the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act), the resulting parcels following a subdivision of the land would not be too small to sustain their agricultural use or the subdivision will result in residential development incidental to the commercial agricultural use of the land.

Facts in Support of Finding:

1. The property is not subject to the Williamson Act because the subject property is not designated as an agricultural preserve and is less than 100 acres in area.
2. The site is developed for residential use and is located in a Zoning District that permits residential uses.

Finding:

G. That, in the case of a "land project" as defined in Section 11000.5 of the California Business and Professions Code: (1) there is an adopted specific plan for the area to be included within the land project; and (2) the decision making body finds that the proposed land project is consistent with the specific plan for the area.

Facts in Support of Finding:

1. California Business and Professions Code Section 11000.5 has been repealed by the Legislature. However, this project site is not considered a "land project" as previously defined in Section 11000.5 of the California Business and Professions Code because the project site does not contain 50 or more parcels of land.
2. The project is not located within a specific plan area.

Finding:

H. That solar access and passive heating and cooling design requirements have been satisfied in accordance with Sections 66473.1 and 66475.3 of the Subdivision Map Act.

Facts in Support of Finding:

1. The Tentative Parcel Map and any future improvements are subject to Title 24 of the California Building Code that requires new construction to meet minimum heating and

cooling efficiency standards depending on location and climate. The Newport Beach Building Division enforces Title 24 compliance through the plan check and inspection process.

Finding:

- I. That the subdivision is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code regarding the City's share of the regional housing need and that it balances the housing needs of the region against the public service needs of the City's residents and available fiscal and environmental resources.*

Facts in Support of Finding:

1. The proposed two-unit dwelling is consistent with the R-2 Zoning District which allows two residential units on the property. Therefore, the Tentative Parcel Map for condominium purposes will not affect the City in meeting its regional housing need.

Finding:

- J. That the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board.*

Facts in Support of Finding:

1. The new two-unit dwelling will be designed so that wastewater discharge into the existing sewer system complies with the Regional Water Quality Control Board (RWQCB) requirements.

Finding:

- K. For subdivisions lying partly or wholly within the Coastal Zone, that the subdivision conforms with the certified Local Coastal Program and, where applicable, with public access and recreation policies of Chapter Three of the Coastal Act.*

Facts in Support of Finding:

1. The subject property is within the Coastal Zone. The facts in support of findings A and B above are hereby incorporated by reference.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves PA2017-110 for Tentative Parcel Map No. NP2017-011, 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 10 days after the adoption of this Resolution unless within such time an appeal or call for review is filed with the Director of Community Development an appeal is filed with the City Council in accordance with the provisions of Title 19 Subdivisions, of the Newport Beach Municipal Code.

PASSED, APPROVED, AND ADOPTED THIS 28th DAY OF SEPTEMBER, 2017.



Patrick J. Alford, Zoning Administrator

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

1. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
2. Subsequent to the recordation of the Parcel Map, the applicant shall apply for a building permit for a description change of the subject project development from "duplex" to "condominium." The development will not be condominiums until this permit is final. The building permit for the new construction shall not be final until after recordation of the parcel map.
3. 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.
4. 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 619 and 619 ½ Marguerite Avenue Tentative Parcel Map including, but not limited to, Tentative Parcel Map No. NP2017-011 (PA2017-110). 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.

Public Works Conditions

5. A Final Parcel Map shall be recorded. The Map shall be prepared on the California coordinate system (NAD88). Prior to recordation of the Map, the surveyor/engineer preparing the map shall submit to the County Surveyor and the City of Newport Beach a digital-graphic file of said map in a manner described in Section 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. **The Map to be submitted to the City of Newport Beach shall comply with the City's CADD Standards. Scanned imaged will not be accepted.**

6. Prior to the recordation of the Parcel Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. Monuments (one inch iron pipe with tag) shall be set on each lot corner unless otherwise approved by the Subdivision Engineer. Monuments shall be protected in place if installed prior to completion of the construction project.
7. All existing private, non-standard improvements within the public right-of-way and/or extensions of private, non-standard improvements into the public right-of-way fronting the development site shall be removed.
8. All improvements shall be constructed as required by Ordinance and the Public Works Department.
9. Reconstruct all damaged concrete sidewalk panels, curb and gutter along the Marguerite Avenue property frontages and any damaged concrete alley panels along the alley property frontage as determined by the Public Works Department.
10. All existing overhead utilities shall be undergrounded.
11. All above ground improvements shall stay a minimum 5-foot clear of the alley setback.
12. All existing private, non-standard improvements within the public right-of-way and/or extensions of private, non-standard improvements in the public right-of-way fronting on the development site shall be removed.
13. Each unit shall be served by its individual water service/meter and sewer lateral and cleanout. Each water meter and sewer cleanout shall be installed with a traffic-grade box and cover.
14. An encroachment permit is required for all work activities within the public right-of-way.
15. All improvements shall comply with the City's sight distance requirement. See City Standard 110-L and Municipal Code Section 20.30.130.
16. In case of damage done to public improvements surrounding the development site by the private construction, additional reconstruction within the public right-of-way could be required at the discretion of the Public Works Inspector.

RESOLUTION NO. ZA2017-077

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING TENTATIVE PARCEL MAP NO. NP2017-013 AND COASTAL DEVELOPMENT PERMIT NO. CD2017-053 FOR TWO-UNIT CONDOMINIUM PURPOSES LOCATED AT 418 AND 418 ½ FERNLEAF AVENUE (PA2017-112)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Berk Properties, with respect to property located at 418 and 418 ½ Fernleaf Avenue, and legally described as Lot 20 in Block 333 of the Corona del Mar Tract requesting approval of a tentative parcel map and a coastal development permit.
2. The applicant proposes a tentative parcel map for two-unit condominium purposes. An existing duplex has been demolished and a new two-unit dwelling is currently under construction. No waivers of Title 19 are proposed. The Tentative Parcel map would allow each unit to be sold individually. The Tentative Parcel Map also requires the approval of a Coastal Development Permit pursuant to Title 21 Local Coastal Program Implementation Plan of the Municipal Code.
3. The subject property is located within the Two-Unit Residential (R-2) Zoning District and the General Plan Land Use Element category is Two-Unit Residential.
4. The subject property is located within the coastal zone and has a Coastal Land Use Designation of Two-Unit Residential (RT-D) and a Coastal Zoning District of Two-Unit Residential (R-2).
5. A public hearing was held on September 28, 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 has been determined to be categorically exempt pursuant to the State CEQA (California Environmental Quality Act) Guidelines under Class 15 (Minor Land Divisions).
2. The Class 15 exemption allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four (4) or fewer parcels when the division is in conformance with the General Plan and Zoning, no variances or exceptions are required, all services and access to the proposed parcels are available, the parcel was not involved in a division of a larger parcel within the previous two (2) years, and the

parcel does not have an average slope greater than 20 percent. The Tentative Parcel Map is for condominium purposes and is consistent with all of the requirements of the Class 15 exemption.

SECTION 3. REQUIRED FINDINGS.

The Zoning Administrator determined in this case that the Tentative Parcel Map is consistent with the legislative intent of Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code and approves the Coastal Development Permit based on the following findings per Section 21.52.015 F. of Title 21:

Finding:

A. That the proposed map conforms to all applicable sections of the certified Local Coastal Program.

Facts in Support of Finding:

1. The Tentative Parcel Map is for condominium purposes and meets all of the requirements of the Local Coastal Program including 21.30.025 Coastal Subdivisions.
2. The project site is not located between the nearest public road and the sea or shoreline and approval of the parcel map will not affect public recreation, access or views.
3. The Tentative Parcel Map is for a property within a developed neighborhood that is approximately 1,500 feet from the shoreline and is not near any natural landforms or environmentally sensitive areas.

Finding:

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

Facts in Support of Finding:

1. The Tentative Parcel Map is not between the nearest public road and the sea or shoreline of any body of water located within the coastal zone.

The Zoning Administrator determined in this case that the Tentative Parcel Map is consistent with the legislative intent of Title 20 (Planning and Zoning) of the Newport Beach Municipal Code and is approved based on the following findings per Section 19.12.070 (Required Findings for Action on Tentative Maps) of Title 19:

Finding:

C. That the proposed map and the design or improvements of the subdivision are consistent with the General Plan and any applicable specific plan, and with applicable provisions of the Subdivision Map Act and this Subdivision Code.

Facts in Support of Finding:

1. The Tentative Parcel Map is for two-unit residential condominium purposes. An existing duplex has been demolished and a new two-unit dwelling is under construction. The proposed subdivision and improvements are consistent with the density of the R-2 Zoning District and the current General Plan Land Use Designation "Two-Unit Residential."
2. The subject property is not located within a specific plan area.
3. The project has been conditioned to require public improvements, including the reconstruction of sidewalks, curbs, and gutters along the Fernleaf Avenue and First Avenue frontage, consistent with the Subdivision Code (Title 19).

Finding:

D. That the site is physically suitable for the type and density of development.

Facts in Support of Finding:

1. The lot is physically suitable for a two-unit development because it is regular in shape.
2. The subject property is accessible from the alley at the rear and is adequately served by existing utilities.

Finding:

E. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. However, notwithstanding the foregoing, the decision making body may nevertheless approve such a subdivision if an environmental impact report was prepared for the project and a finding was made pursuant to Section 21081 of the California Environmental Quality Act that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

Facts in Support of Finding:

1. An existing duplex has been demolished and a new two-unit dwelling is currently under construction.
2. The property is located in an urbanized area that does not contain any sensitive vegetation or habitat.
3. The project is categorically exempt under Section 15315 (Article 19 of Chapter 3), of the California Environmental Quality Act (CEQA) Guidelines – Class 15 (Minor Land Alterations).

Finding:

F. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

Facts in Support of Finding:

1. The Tentative Parcel Map is for residential condominium purposes. All improvements associated with the project will comply with all Building, Public Works, and Fire Codes, which are in place to prevent serious public health problems. Public improvements will be required of the developer per Section 19.28.010 (General Improvement Requirements) of the Municipal Code and Section 66411 (Local Agencies to Regulate and Control Design of Subdivisions) of the Subdivision Map Act. All ordinances of the City and all Conditions of Approval will be complied with.

Finding:

G. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the decision making body may approve a map if it finds that alternate easements, for access or for use, will be provided and that these easements will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to the City Council to determine that the public at large has acquired easements for access through or use of property within a subdivision.

Facts in Support of Finding:

1. The project is conditioned to provide a 10-foot radius corner cut-off easement for a new ADA compliant ramp access at the Fernleaf Avenue/First Avenue curb return required to be recorded as a part of the parcel map.

Finding:

H. That, subject to the detailed provisions of Section 66474.4 of the Subdivision Map Act, if the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act), the resulting parcels following a subdivision of the land would not be too small to sustain their agricultural use or the subdivision will result in residential development incidental to the commercial agricultural use of the land.

Facts in Support of Finding:

1. The property is not subject to the Williamson Act because the subject property is not designated as an agricultural preserve and is less than 100 acres in area.
2. The site is developed for residential use and is located in a Zoning District that permits residential uses.

Finding:

I. That, in the case of a "land project" as defined in Section 11000.5 of the California Business and Professions Code: (1) there is an adopted specific plan for the area to be included within the land project; and (2) the decision making body finds that the proposed land project is consistent with the specific plan for the area.

Facts in Support of Finding:

1. California Business and Professions Code Section 11000.5 has been repealed by the Legislature. However, this project site is not considered a "land project" as previously defined in Section 11000.5 of the California Business and Professions Code because the project site does not contain 50 or more parcels of land.
2. The project is not located within a specific plan area.

Finding:

J. That solar access and passive heating and cooling design requirements have been satisfied in accordance with Sections 66473.1 and 66475.3 of the Subdivision Map Act.

Facts in Support of Finding:

1. The Tentative Parcel Map and any future improvements are subject to Title 24 of the California Building Code that requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. The Newport Beach Building Division enforces Title 24 compliance through the plan check and inspection process.

Finding:

K. That the subdivision is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code regarding the City's share of the regional housing need and that it balances the housing needs of the region against the public service needs of the City's residents and available fiscal and environmental resources.

Facts in Support of Finding:

1. The proposed two-unit dwelling is consistent with the R-2 Zoning District which allows two residential units on the property. Therefore, the Tentative Parcel Map for condominium purposes will not affect the City in meeting its regional housing need.

Finding:

L. That the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board.

Facts in Support of Finding:

1. The new two-unit dwelling will be designed so that wastewater discharge into the existing sewer system complies with the Regional Water Quality Control Board (RWQCB) requirements.

Finding:

M. For subdivisions lying partly or wholly within the Coastal Zone, that the subdivision conforms with the certified Local Coastal Program and, where applicable, with public access and recreation policies of Chapter Three of the Coastal Act.

Facts in Support of Finding:

1. The subject property is within the Coastal Zone. The facts in support of findings A and B above are hereby incorporated by reference.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. Zoning Administrator of the City of Newport Beach hereby approves PA2017-113 for Tentative Parcel Map No. NP2017-013 and Coastal Development Permit No. CD2017-053, 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 28th DAY OF SEPTEMBER, 2017.



Patrick J. Alford, Zoning Administrator

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

1. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
2. Subsequent to the recordation of the Parcel Map, the applicant shall apply for a building permit for a description change of the subject project development from "duplex" to "condominium." The development will not be condominiums until this permit is final. The building permit for the new construction shall not be final until after recordation of the parcel map.
3. 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.
4. 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 418 Fernleaf Avenue Tentative Parcel Map and Coastal Development Permit including, but not limited to, Tentative Parcel Map No. NP2017-013 and Coastal Development Permit No. CD2017-053 (PA2017-112). 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.

Public Works Conditions

5. A Final Parcel Map shall be recorded. The Map shall be prepared on the California coordinate system (NAD88). Prior to recordation of the Map, the surveyor/engineer preparing the map shall submit to the County Surveyor and the City of Newport Beach a digital-graphic file of said map in a manner described in Section 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. **The Map to be submitted to the City of Newport Beach shall comply with the City's CADD Standards. Scanned imaged will not be accepted.**

6. Prior to the recordation of the Parcel Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. Monuments (one inch iron pipe with tag) shall be set on each lot corner unless otherwise approved by the Subdivision Engineer. Monuments shall be protected in place if installed prior to completion of the construction project.
7. All existing private, non-standard improvements within the public right-of-way and/or extensions of private, non-standard improvements into the public right-of-way fronting the development site shall be removed.
8. All improvements shall be constructed as required by Ordinance and the Public Works Department.
9. A 10-foot radius corner cut-off easement for a new ADA compliant ramp access at the Fernleaf Avenue/First Avenue curb return shall be recorded as a part of the parcel map.
10. Reconstruct all damaged concrete sidewalk panels, curb and gutter along the Fernleaf Avenue and First Avenue property frontages and any damaged concrete alley panels along the alley property frontage as determined by the Public Works Department.
11. All existing overhead utilities shall be undergrounded.
12. A new minimum 4-foot (4') wide concrete sidewalk shall be constructed along the entire First Avenue frontage.
13. Upon the construction of the new concrete sidewalk along the First Avenue frontage, a new ADA compliant curb access ramp shall be constructed at the Fernleaf Avenue/First Avenue curb return.
14. All above ground improvements shall stay a minimum 5-foot clear of the alley setback.
15. Fernleaf Avenue and First Avenue are part of the City's Moratorium List. Work performed on said roadways will require additional surfacing requirements. See City Standard 105-L-F.
16. Install new sod or low groundcovers of the type approved by the City throughout the Fernleaf Avenue and First Avenue parkways fronting the development site.
17. Each unit shall be served by its individual water service/meter and sewer lateral and cleanout. Each water meter and sewer cleanout shall be installed with a traffic-grade box and cover.
18. An encroachment permit is required for all work activities within the public right-of-way.

19. All improvements shall comply with the City's sight distance requirement. See City Standard 110-L and Municipal Code Section 20.30.130.
20. In case of damage done to public improvements surrounding the development site by the private construction, additional reconstruction within the public right-of-way could be required at the discretion of the Public Works Inspector.
21. All on-site drainage shall comply with the latest City Water Quality requirements.

RESOLUTION NO. ZA2017-078

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH APPROVING TENTATIVE PARCEL MAP NO. NP 2017-014 AND COASTAL DEVELOPMENT PERMIT NO. CD2017-052 FOR TWO UNIT CONDOMINIUM PURPOSES LOCATED AT 435 FERNLEAF AVENUE (PA2017-113)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Berk Properties, with respect to property located at 435 Fernleaf Avenue, and legally described as Lot 15, Block 432 in the Corona del Mar Tract requesting approval of a Tentative Parcel Map and Coastal Development Permit.
2. The applicant proposes a tentative parcel map for two-unit condominium purposes. An existing single family dwelling and a new duplex is currently in the plan check process. No waivers of Title 19 are proposed. The Tentative Parcel map would allow each unit to be sold individually. The Tentative Parcel Map also requires the approval of a Coastal Development Permit pursuant to Title 21 Local Coastal Program Implementation Plan of the Municipal Code.
3. The subject property is located within the Two-Unit Residential (R-2) Zoning District and the General Plan Land Use Element category is Two-Unit Residential.
4. The subject property is located within the coastal zone and has a Coastal Land Use Designation of Two-Unit Residential (RT-D) and a Coastal Zoning District of Two-Unit Residential (R-2).
5. A public hearing was held on September 28, 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 has been determined to be categorically exempt pursuant to the State CEQA (California Environmental Quality Act) Guidelines under Class 15 (Minor Land Divisions).
2. The Class 15 exemption allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four (4) or fewer parcels when the division is in conformance with the General Plan and Zoning, no variances or exceptions are required, all services and access to the proposed parcels are available, the parcel was not involved in a division of a larger parcel within the previous two (2) years, and the

parcel does not have an average slope greater than 20 percent. The Tentative Parcel Map is for condominium purposes and is consistent with all of the requirements of the Class 15 exemption.

SECTION 3. REQUIRED FINDINGS.

The Zoning Administrator determined in this case that the Tentative Parcel Map is consistent with the legislative intent of Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code and approves the Coastal Development Permit based on the following findings per Section 21.52.015 F. of Title 21:

Finding:

A. That the proposed map conforms to all applicable sections of the certified Local Coastal Program.

Facts in Support of Finding:

1. The Tentative Parcel Map is for condominium purposes and meets all of the requirements of the Local Coastal Program including 21.30.025 Coastal Subdivisions.
2. The project site is not located between the nearest public road and the sea or shoreline and approval of the parcel map will not affect public recreation, access or views.
3. The Tentative Parcel Map is for a property within a developed neighborhood that is approximately 1,800 feet from the shoreline and is not near any natural landforms or environmentally sensitive areas.

Finding:

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

Facts in Support of Finding:

1. The Tentative Parcel Map is not between the nearest public road and the sea or shoreline of any body of water located within the coastal zone.

The Zoning Administrator determined in this case that the Tentative Parcel Map is consistent with the legislative intent of Title 20 (Planning and Zoning) of the Newport Beach Municipal Code and is approved based on the following findings per Section 19.12.070 (Required Findings for Action on Tentative Maps) of Title 19:

Finding:

C. That the proposed map and the design or improvements of the subdivision are consistent with the General Plan and any applicable specific plan, and with applicable provisions of the Subdivision Map Act and this Subdivision Code.

Facts in Support of Finding:

1. The Tentative Parcel Map is for two-unit residential condominium purposes. An existing single family dwelling will be demolished and a new duplex is currently in the plan check process. The proposed subdivision and improvements are consistent with the density of the R-2 Zoning District and the current General Plan Land Use Designation "Two-Unit Residential."
2. The subject property is not located within a specific plan area.
3. The project has been conditioned to require public improvements, including the reconstruction of sidewalks, curbs, and gutters along the Fernleaf Avenue frontage, consistent with the Subdivision Code (Title 19).

Finding:

D. That the site is physically suitable for the type and density of development.

Facts in Support of Finding:

1. The lot is physically suitable for a two-unit development because it is regular in shape.
2. The subject property is accessible from the alley at the rear and is adequately served by existing utilities.

Finding:

E. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat. However, notwithstanding the foregoing, the decision making body may nevertheless approve such a subdivision if an environmental impact report was prepared for the project and a finding was made pursuant to Section 21081 of the California Environmental Quality Act that specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

Facts in Support of Finding:

1. An existing single-family dwelling will be demolished and a new two-unit dwelling is currently in the plan check process.
2. The property is located in an urbanized area that does not contain any sensitive vegetation or habitat.
3. The project is categorically exempt under Section 15315 (Article 19 of Chapter 3), of the California Environmental Quality Act (CEQA) Guidelines – Class 15 (Minor Land Alterations).

Finding:

F. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

Facts in Support of Finding:

1. The Tentative Parcel Map is for residential condominium purposes. All improvements associated with the project will comply with all Building, Public Works, and Fire Codes, which are in place to prevent serious public health problems. Public improvements will be required of the developer per Section 19.28.010 (General Improvement Requirements) of the Municipal Code and Section 66411 (Local Agencies to Regulate and Control Design of Subdivisions) of the Subdivision Map Act. All ordinances of the City and all Conditions of Approval will be complied with.

Finding:

G. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the decision making body may approve a map if it finds that alternate easements, for access or for use, will be provided and that these easements will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to the City Council to determine that the public at large has acquired easements for access through or use of property within a subdivision.

Facts in Support of Finding:

1. The design of the development will not conflict with easements acquired by the public at large, for access through, or use of property within the proposed development, because there are no public easements located on the property.

Finding:

H. That, subject to the detailed provisions of Section 66474.4 of the Subdivision Map Act, if the land is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act), the resulting parcels following a subdivision of the land would not be too small to sustain their agricultural use or the subdivision will result in residential development incidental to the commercial agricultural use of the land.

Facts in Support of Finding:

1. The property is not subject to the Williamson Act because the subject property is not designated as an agricultural preserve and is less than 100 acres in area.
2. The site is developed for residential use and is located in a Zoning District that permits residential uses.

Finding:

I. That, in the case of a "land project" as defined in Section 11000.5 of the California Business and Professions Code: (1) there is an adopted specific plan for the area to be included within the land project; and (2) the decision making body finds that the proposed land project is consistent with the specific plan for the area.

Facts in Support of Finding:

1. California Business and Professions Code Section 11000.5 has been repealed by the Legislature. However, this project site is not considered a "land project" as previously defined in Section 11000.5 of the California Business and Professions Code because the project site does not contain 50 or more parcels of land.
2. The project is not located within a specific plan area.

Finding:

J. That solar access and passive heating and cooling design requirements have been satisfied in accordance with Sections 66473.1 and 66475.3 of the Subdivision Map Act.

Facts in Support of Finding:

1. The Tentative Parcel Map and any future improvements are subject to Title 24 of the California Building Code that requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. The Newport Beach Building Division enforces Title 24 compliance through the plan check and inspection process.

Finding:

K. That the subdivision is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code regarding the City's share of the regional housing need and that it balances the housing needs of the region against the public service needs of the City's residents and available fiscal and environmental resources.

Facts in Support of Finding:

1. The proposed two-unit dwelling is consistent with the R-2 Zoning District which allows two residential units on the property. Therefore, the Tentative Parcel Map for condominium purposes will not affect the City in meeting its regional housing need.

Finding:

L. That the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board.

Facts in Support of Finding:

1. The new two-unit dwelling will be designed so that wastewater discharge into the existing sewer system complies with the Regional Water Quality Control Board (RWQCB) requirements.

Finding:

M. For subdivisions lying partly or wholly within the Coastal Zone, that the subdivision conforms with the certified Local Coastal Program and, where applicable, with public access and recreation policies of Chapter Three of the Coastal Act.

Facts in Support of Finding:

1. The subject property is within the Coastal Zone. The facts in support of findings A and B above are hereby incorporated by reference.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby approves PA2017-113 for Tentative Parcel Map No. NP2017-014 and Coastal Development Permit No. CD2017-052, subject to the conditions set forth in Exhibit "A," which is attached hereto and incorporated by reference.

2. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal or call for review is filed with the Community Development Director in accordance with the provisions of Title 20 Planning and Zoning, of the Newport Beach Municipal Code.

PASSED, APPROVED, AND ADOPTED THIS 28th DAY OF SEPTEMBER, 2017.



Patrick J. Alford, Zoning Administrator

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

1. The project is subject to all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval.
2. Subsequent to the recordation of the Parcel Map, the applicant shall apply for a building permit for a description change of the subject project development from "duplex" to "condominium." The development will not be condominiums until this permit is final. The building permit for the new construction shall not be final until after recordation of the parcel map.
3. Prior to recordation of the Parcel Map, a park fee shall be assessed for one additional dwelling unit
4. 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.
5. 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 435 Fernleaf Avenue Tentative Parcel Map and Coastal Development Permit including, but not limited to, Tentative Parcel Map No. NP2017-014 and Coastal Development Permit No. CD2017-052 (PA2017-113). 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.

Public Works Conditions

6. A Final Parcel Map shall be recorded. The Map shall be prepared on the California coordinate system (NAD88). Prior to recordation of the Map, the surveyor/engineer preparing the map shall submit to the County Surveyor and the City of Newport Beach a digital-graphic file of said map in a manner described in Section 7-9-330 and 7-9-337

of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. **The Map to be submitted to the City of Newport Beach shall comply with the City's CADD Standards. Scanned imaged will not be accepted.**

7. Prior to the recordation of the Parcel Map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. Monuments (one inch iron pipe with tag) shall be set on each lot corner unless otherwise approved by the Subdivision Engineer. Monuments shall be protected in place if installed prior to completion of the construction project.
8. All existing private, non-standard improvements within the public right-of-way and/or extensions of private, non-standard improvements into the public right-of-way fronting the development site shall be removed.
9. All improvements shall be constructed as required by Ordinance and the Public Works Department.
10. Reconstruct all damaged concrete sidewalk panels, curb and gutter along the Fernleaf Avenue property frontages and any damaged concrete alley panels along the alley property frontage as determined by the Public Works Department.
11. All existing overhead utilities shall be undergrounded.
12. All above ground improvements shall stay a minimum 5-foot clear of the alley setback.
13. Fernleaf Avenue is part of the City's Moratorium List. Work performed on said roadways will require additional surfacing requirements. See City Standard 105-L-F.
14. All existing private, non-standard improvements within the public right-of-way and/or extensions of private, non-standard improvements in the public right-of-way and/or extension of private, non-standard improvements into the public right-of-way fronting the development site shall be removed.
15. Install new sod or low groundcovers of the type approved by the City throughout the Fernleaf Avenue parkway fronting the development site.
16. Each unit shall be served by its individual water service/meter and sewer lateral and cleanout. Each water meter and sewer cleanout shall be installed with a traffic-grade box and cover.
17. An encroachment permit is required for all work activities within the public right-of-way.
18. All improvements shall comply with the City's sight distance requirement. See City Standard 110-L and Municipal Code Section 20.30.130.

19. In case of damage done to public improvements surrounding the development site by the private construction, additional reconstruction within the public right-of-way could be required at the discretion of the Public Works Inspector.



COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
100 Civic Center Drive, P.O. Box 1768, Newport Beach, CA 92658-8915
949-644-3200
www.newportbeachca.gov

**COASTAL DEVELOPMENT PERMIT
WAIVER FOR DE MINIMIS DEVELOPMENT**

Application No. Coastal Development Permit Waiver No. CD2017-061
(PA2017-148)

Applicant Brett Browning

Site Location 211 35th Street

Legal Description Lot 19 Block 135 of Lake Tract in the City of Newport Beach,
Orange County, California

Determination Date: September 29, 2017

DETERMINATION

The Community Development Director hereby waives the requirement for a Coastal Development Permit pursuant to [Section 21.52.055 \(Waiver for De Minimis Permit\)](#) of the City of Newport Beach Local Coastal Program Implementation Plan. The issuance of this Waiver for De Minimis Development is based on the project plans and information provided by the applicant. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and any development must cease until an amendment to this Waiver for De Minimis Development is obtained or, a Coastal Development Permit is obtained or, any discrepancy is resolved.

REQUEST/PROJECT DESCRIPTION

Proposal to demolish an existing one-story single-family residence with attached garage and construct a new 2,581 square foot three-story single-family residence with an attached 395 square foot garage. The proposed structure will reach a maximum height of 29 feet the proposed finish floor elevation will meet the 9.0 (NAVD 88) minimum requirement. The project complies with all development standards and no deviations are requested.

ZONING DISTRICT/GENERAL PLAN

- **Coastal Zoning District:** R-2 (Two-Unit Residential)
- **Coastal Land Use Category:** RT-E (Two Unit Residential 30.0 – 39.9 DU/AC)

DISCUSSION

A project is eligible as “de minimis” development under Section 21.52.055 (Waiver for De Minimis Development) of the Local Coastal Program, and therefore, eligible to receive a waiver from the requirement to obtain a Coastal Development Permit if it:

- 1) Is located within the Coastal Commission’s permit jurisdiction or appeal area,
- 2) Does not require a local public hearing,
- 3) Does not have the potential for any adverse effect, either individually or cumulatively, on coastal resources, and
- 4) Is consistent with the certified Local Coastal Program.

Additionally, projects must be located in areas where similar projects have been approved as a routine matter without special conditions, opposition, or have probable public controversy.

The subject property is located in the R-2 (Two-Unit Residential) Coastal Zoning District, which is consistent with the City’s Coastal Land Use Plan, General Plan and Zoning Code. The property is not located in the Appeal Area and therefore a Coastal Development Permit is not required and a de minimis waiver can be issued if the project will not adversely affect coastal resources and is consistent with the certified Local Coastal Program.

The subject property is currently developed with a single-family residence on an existing lot designated for residential development. The property is located in an area eligible for a Categorical Exclusion Order (CEO); however, the proposed single-family residence exceeds the 1.5 floor area limit identified in Categorical Exclusion CE-5-NPB-16-1. The project complies with all development standards and no deviations are requested. The project site is not located between the nearest public road and the sea or shoreline and re-development will not affect public recreation, access or views.

All projects are required to comply with the California Building Code and Building Division standards and policies. Geotechnical investigations specifically addressing liquefaction are required to be reviewed and approved prior to the issuance of building permit. 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 the California Building Code (CBC) prior to building permit issuance.

The property is not located within 200 feet of coastal waters. The project design addresses water quality with a construction erosion control plan and a post-construction drainage system. The project is required to adhere to the City’s grading, erosion control, and drainage requirements that includes percolation features and retention of dry weather and minor rain event run-off on-site. Any water not retained on-site is directed to the City’s storm drain system.

The design, bulk and scale of the development is consistent with the existing neighborhood pattern of development and expected future development. The property is not located near designated Public View Points or Coastal View Roads and will not impact public coastal views. The project is therefore consistent with the certified Local Coastal Program and is

eligible as “de minimis” development for a waiver in accordance with Section 21.52.055 of the Local Coastal Program.

WAIVER EFFECTIVENESS

This waiver will not become effective until reported to the City Council at their October 10, 2017, meeting. If two City Council members object to this De Minimis Waiver, a Coastal Development Permit will be required.

ENVIRONMENTAL REVIEW

This project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3 - New Construction and Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3. Class 3 exempts the construction of limited numbers of new, small structures, including a single-family residence, located in a Two-Unit Zoning District.

PUBLIC NOTICE

Notice of a pending Coastal Development Permit application was posted on the project site at the time the application was filed with the City.

Notice of intent to issue a waiver for de minimis development was mailed to all owners of property and residents within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways), the applicant, the Coastal Commission and all persons who have requested notice, at least 7 days prior to the de minimis determination by the Director. Notice of Intent to issue a waiver was also posted on the subject property at least 7 days before the Director’s determination consistent with the provisions of Implementation Plan Section 21.52.055.D.

By: 

Liz Westmoreland, Assistant Planner

Law/GBR

Attachments: CD 1 Vicinity Map
CD 2 Project Plans

Attachment No. CD 1

Vicinity Map

VICINITY MAP

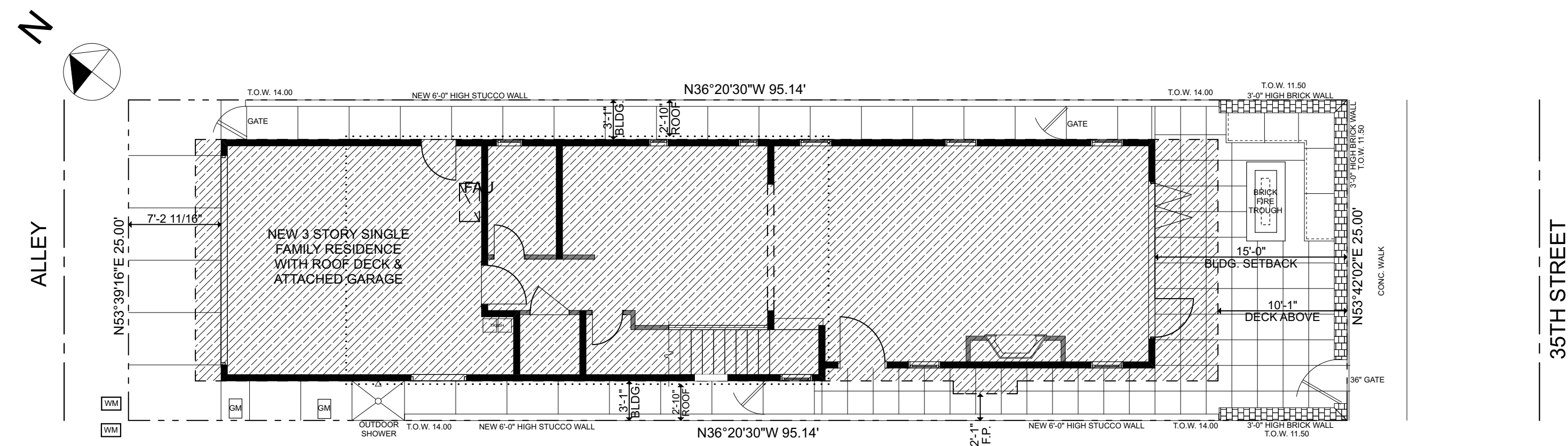


Coastal Development Permit Waiver No. CD2017-061
(PA2017-148)

211 35th Street

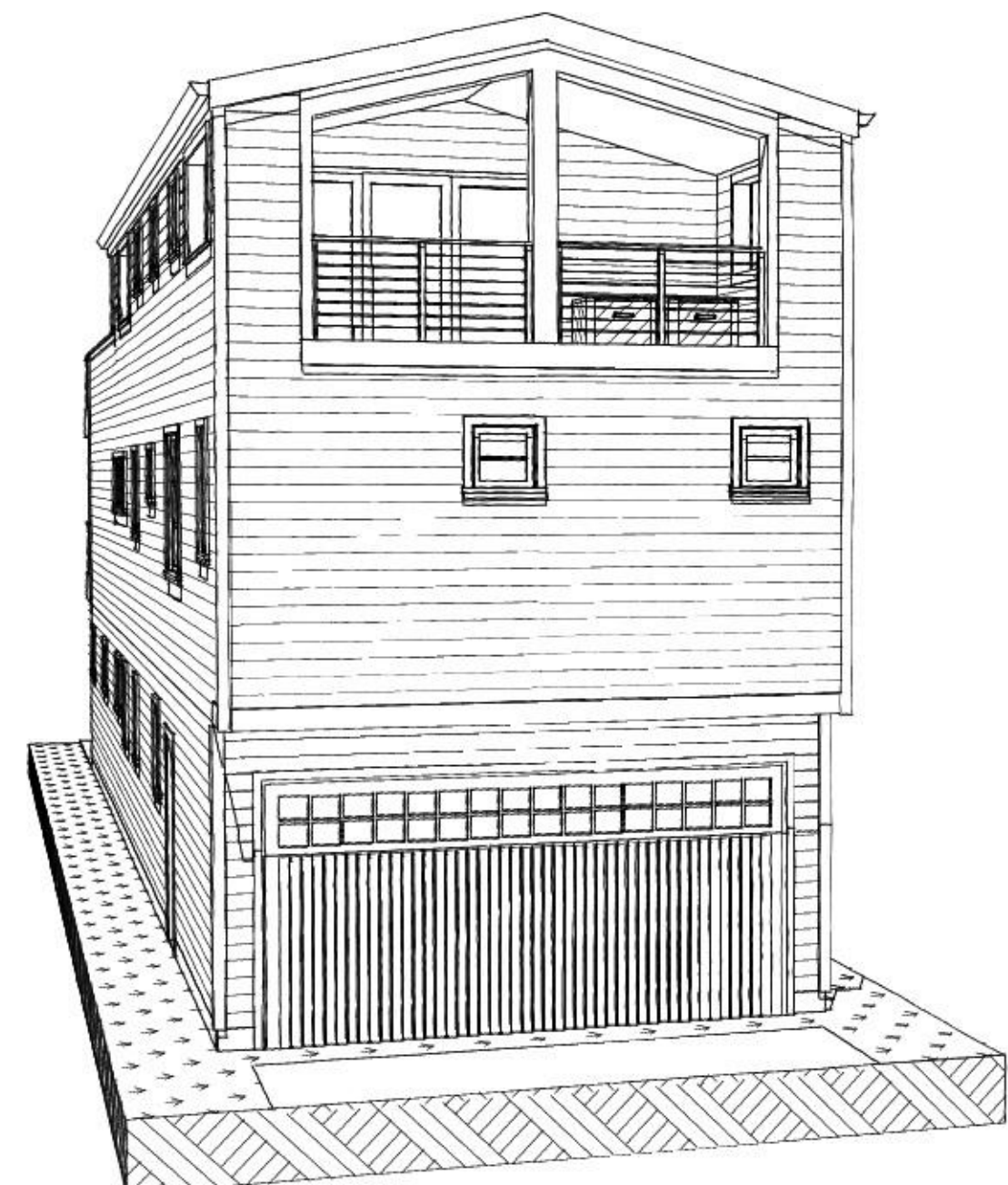
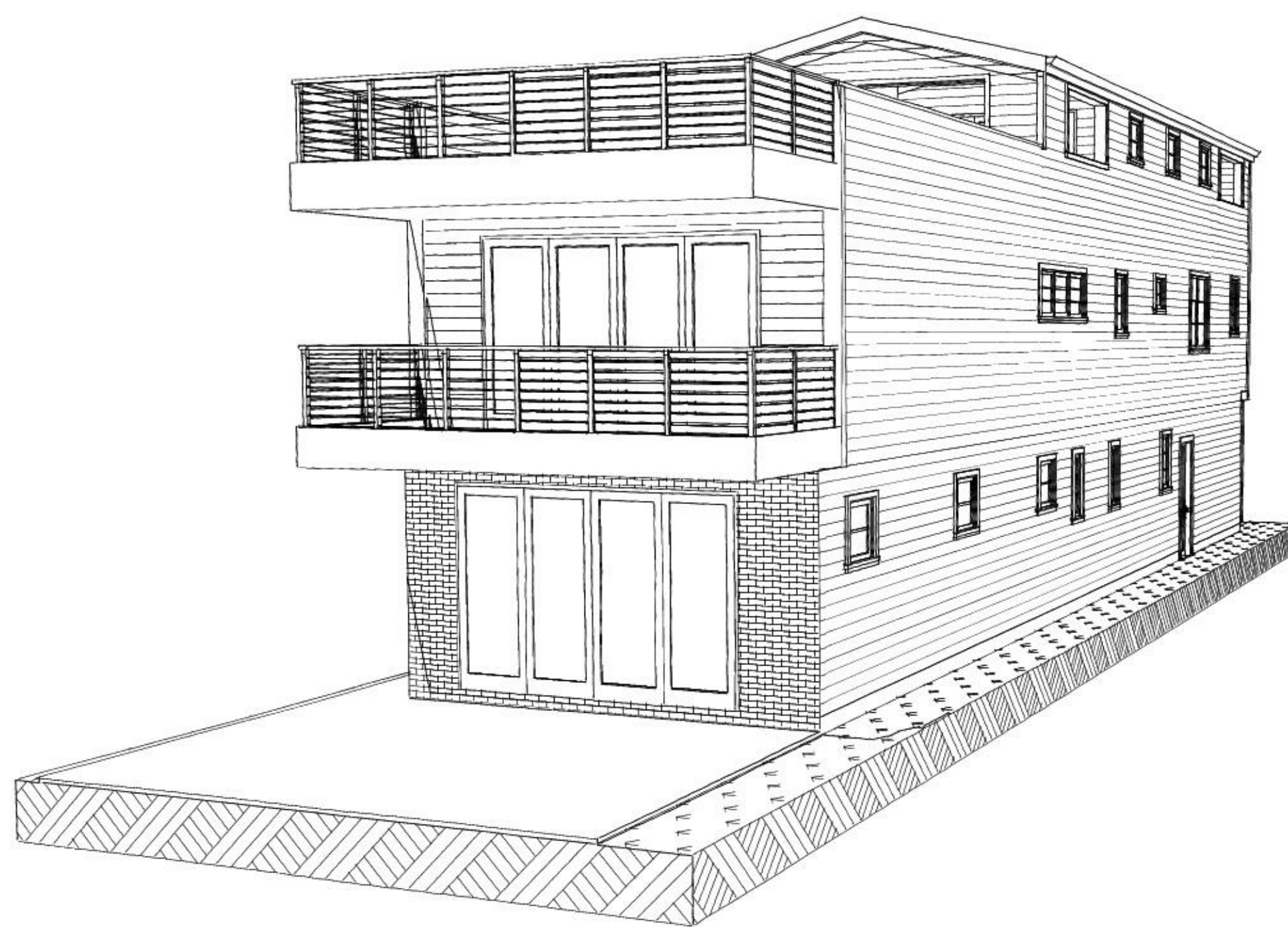
Attachment No. CD 2

Project Plans



SITE PLAN

SCALE: 1/8" = 1'-0"



PROJECT INFORMATION

CUSTOM RESIDENCE FOR
 Brett & Keri Browning
 1806 Marapata Drive
 Corona Del Mar, CA 92625 (949) 422-4563

JOB ADDRESS
 211 35th Street
 Newport Beach, CA 92660

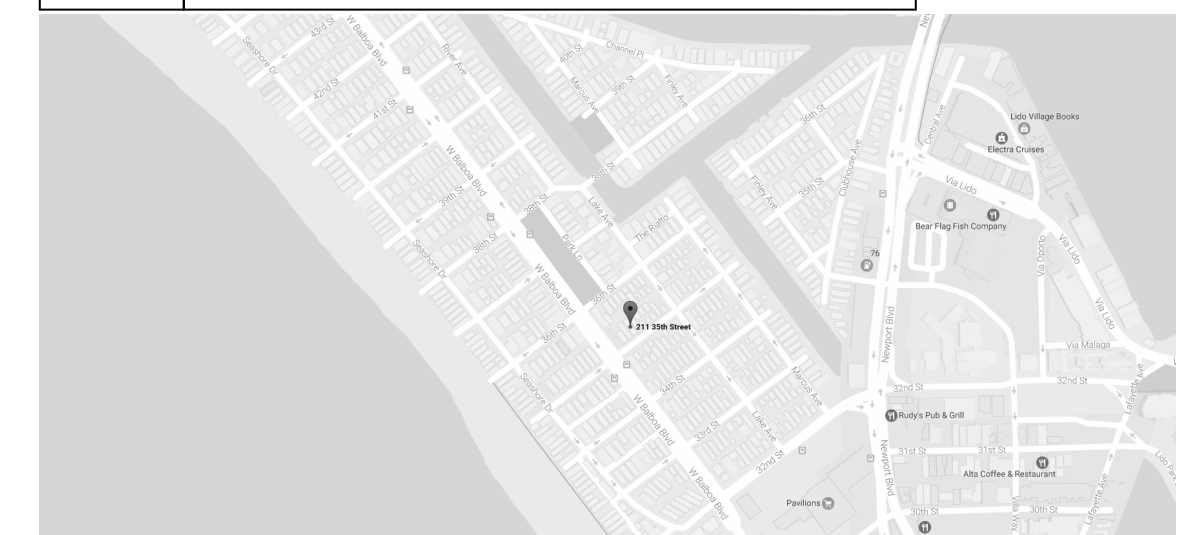
LEGAL
 Lot 19
 Tract LAKE TRACT
 Zoning R-2
 APN: 423 364 16

SITE
 Lot Area 2,375 sq. ft.
 Buildable Lot Area 1,520 sq. ft.
 Max. Buildable Area (2x) 3,040 sq. ft.
 Project Buildable Area (1.96x) 2,976 sq. ft.
 Min. Open Space Req'd. (15%) 228 sq. ft.
 Open Space Provided (19%) 286 sq. ft.

RESIDENCE (3 bedrooms)
 First Level Floor Area 953 sq. ft.
 Second Level Floor Area 1,252 sq. ft.
 Third Level Floor Area 376 sq. ft.
 Total Floor Area 2,581 sq. ft.
 Garage Area 395 sq. ft.
 Roof Deck Area 1021 sq. ft.

OCCUPANCY: R-1, U
 TYPE: V-B fire-sprinkled per NFPA 13D
 ZONING: R-2

SHEET INDEX	
ID	Name
1	SITE PLAN
2	FIRST LEVEL FLOOR PLAN
3	SECOND LEVEL FLOOR PLAN
4	THIRD FLOOR & ROOF DECK PLAN
5	ROOF PLAN
6	EXTERIOR ELEVATIONS (FRONT, REAR & RIGHT SIDE)
7	EXTERIOR ELEVATIONS (LEFT SIDE)
8	FIRST LEVEL AREA CALCULATIONS
9	SECOND LEVEL AREA CALCULATION
10	THIRD LEVEL AREA CALCULATION
11	TOPOGRAPHIC SURVEY
12	PRELIMINARY GRADING PLAN
13	EROSION CONTROL PLAN
14	LANDSCAPE/HARDSCAPE PLAN



VICINITY MAP

CRAIG S. HAMPTON
 INCORPORATED
 DESIGNING QUALITY CUSTOM HOMES SINCE 1979
 3615 S. BROOKSHIRE PLACE ROSELIE, IDAHO 83706
 (949) 209-8888
 craigs@craigshampton.com
 www.craigshampton.com



SITE PLAN
 COASTAL PACKAGE

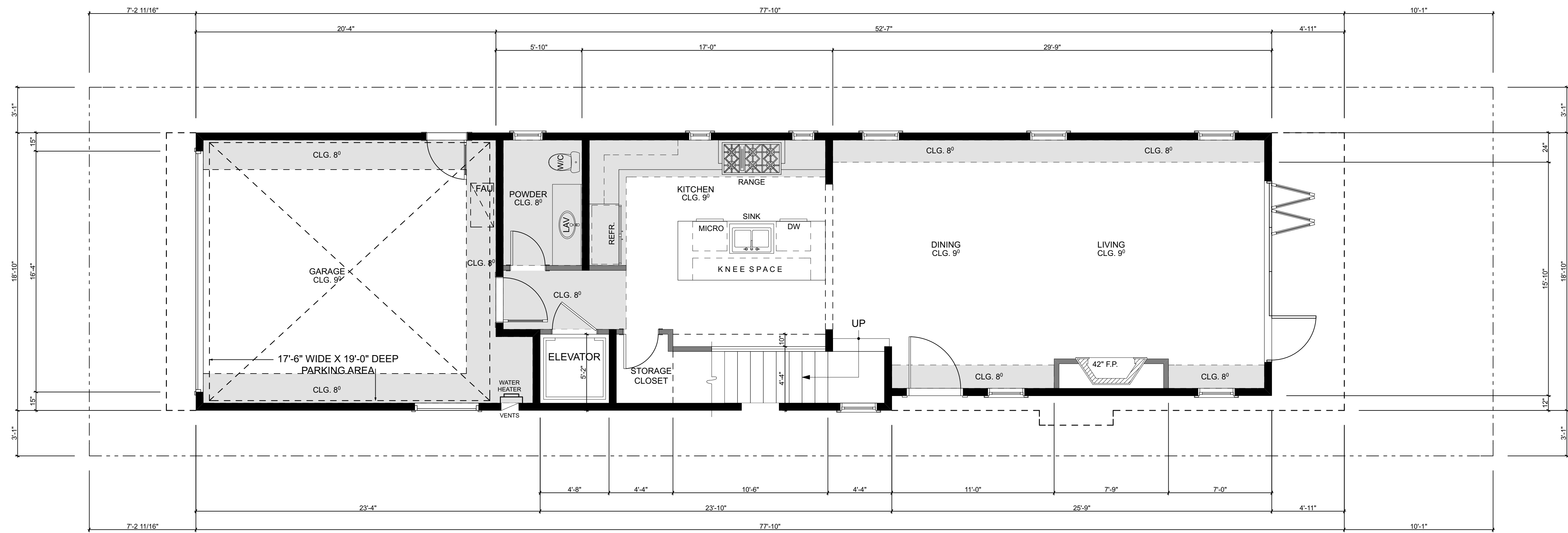
211 35TH STREET, NEWPORT BEACH, CALIFORNIA
 CUSTOM RESIDENCE FOR
 BRETT & KERI BROWNING
 1806 MARAPATA DRIVE
 NEWPORT BEACH CA 92625
 (949) 422-4563

Date: 8/14/17
 Scale: 1/8" = 1'-0"
 Drawn: CSH
 Job: 211 35TH STREET

SHEET
 1

OF 14 SHEETS

8/14/17 4:45 PM 211 35TH STREET_BROWNING_RESIDENCE_DRAWINGS_REV2.dwg



FIRST LEVEL FLOOR PLAN

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

CRAIG S. HAMPTON
 INCORPORATED
 DESIGNING QUALITY CUSTOM HOMES SINCE 1979
 3615 S. BROOKSHIRE PLACE BOISE, IDAHO 83706
 (949) 209-8888
 craig@craigshampton.com
 www.craigshampton.com

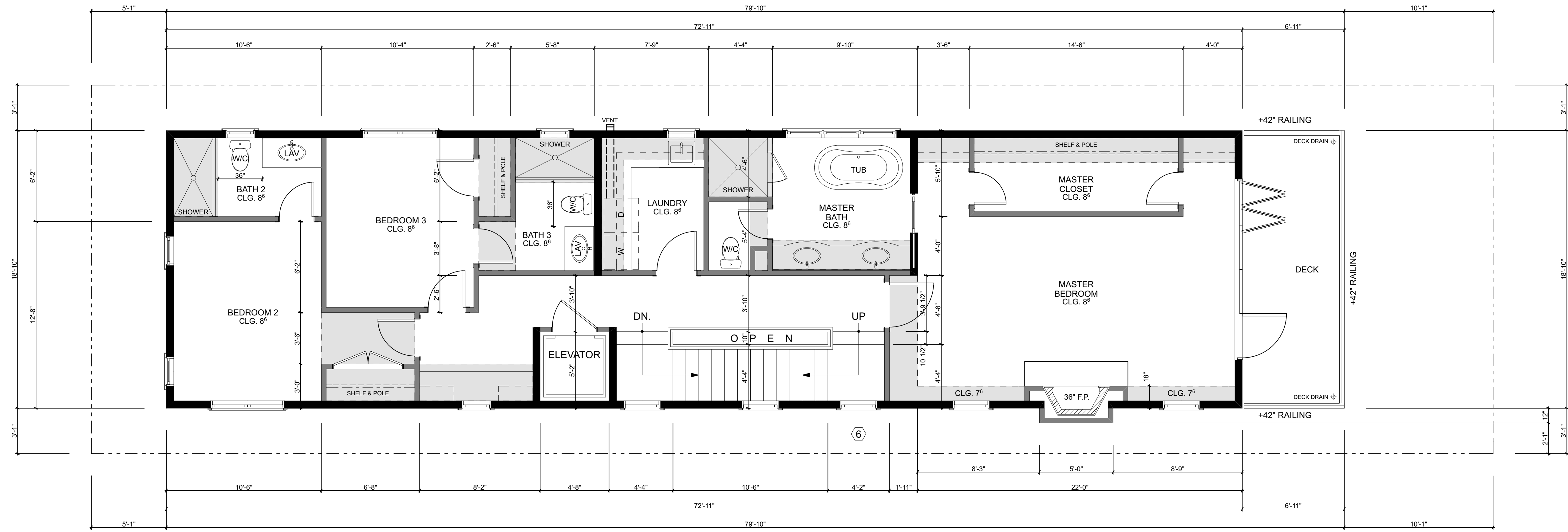
FIRST LEVEL FLOOR PLAN
 COASTAL PACKAGE

211 35TH STREET, NEWPORT BEACH, CALIFORNIA
CUSTOM RESIDENCE FOR
 BRETT & KERI BROWNING
 1806 MARAPATA DRIVE
 NEWPORT BEACH CA 92625
 (949) 422-4563

Date: 8/14/17
 Scale: 1/4" = 1'-0"
 Drawn: CSH
 Job: 211 35TH STREET

SHEET
2
 OF 14 SHEETS

8/14/17 4:45 PM 211 35TH STREET_BROWNING_DESIGN_DRAWINGS_REV2.dwg



SECOND LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0"

CRAIG S. HAMPTON
INCORPORATED
DESIGNING QUALITY CUSTOM HOMES SINCE 1979
3615 S. BROOKSHIRE PLACE BOISE, IDAHO 83706
(949) 209-8888
craig@craigshampton.com
www.craigshampton.com

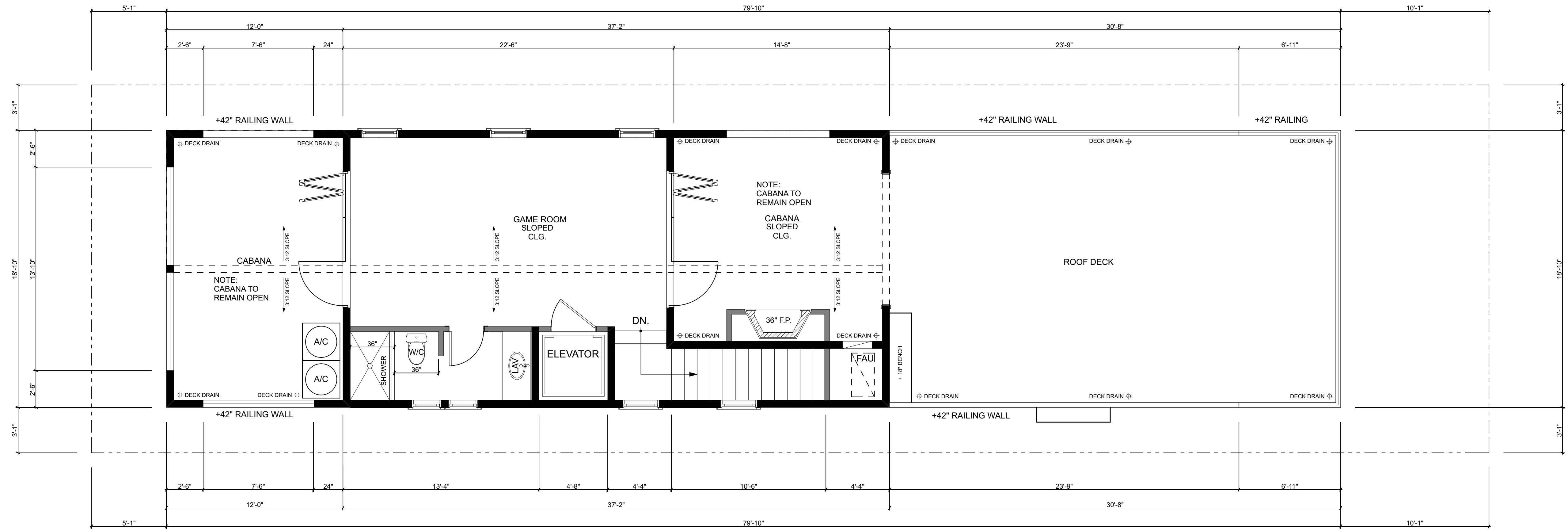
SECOND LEVEL FLOOR PLAN
COASTAL PACKAGE

211 35TH STREET, NEWPORT BEACH, CALIFORNIA
CUSTOM RESIDENCE FOR
BRETT & KERI BROWNING
1806 MARAPATA DRIVE
NEWPORT BEACH CA 92625
(949) 422-4563

Date: 8/14/17
Scale: 1/4" = 1'-0"
Drawn: CSH
Job: 211 35TH STREET

SHEET
3
OF 14 SHEETS

8/14/17 4:45 PM 211 35TH STREET_BROWNING_RESIDENCE_DRAWINGS_REV2.dwg



THIRD FLOOR & ROOF DECK

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

CRAIG S. HAMPTON
 INCORPORATED
 DESIGNING QUALITY CUSTOM HOMES SINCE 1979
 3615 S. BROOKSHIRE PLACE BOISE, IDAHO 83706
 (949) 209-8888
 craigs@csghampton.com
 www.csghampton.com

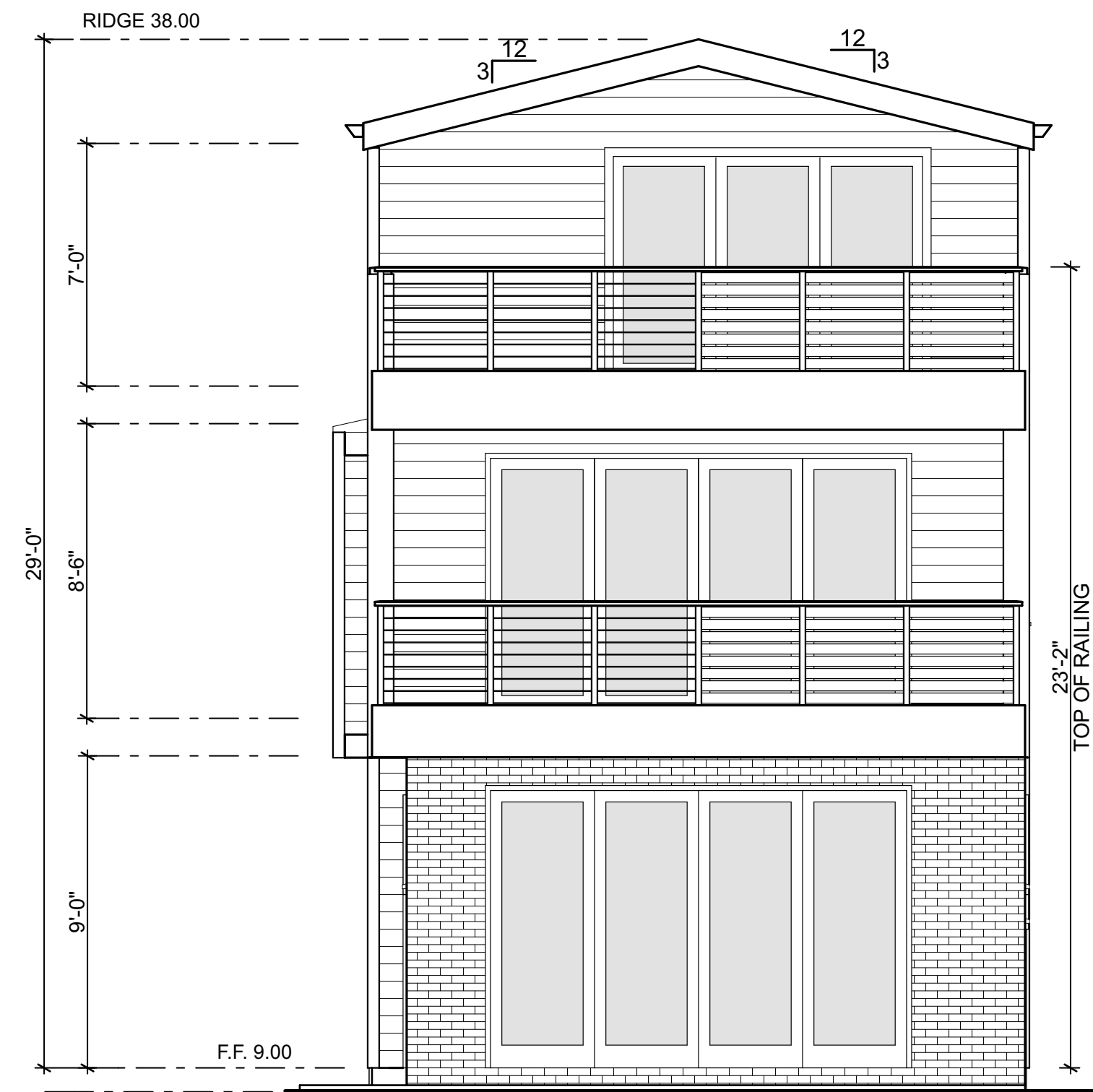
THIRD FLOOR & ROOF DECK PLAN
COASTAL PACKAGE

211 35TH STREET, NEWPORT BEACH, CALIFORNIA
CUSTOM RESIDENCE FOR
 BRETT & KERI BROWNING
 1806 MARAPATA DRIVE
 NEWPORT BEACH CA 92625
 (949) 422-4563

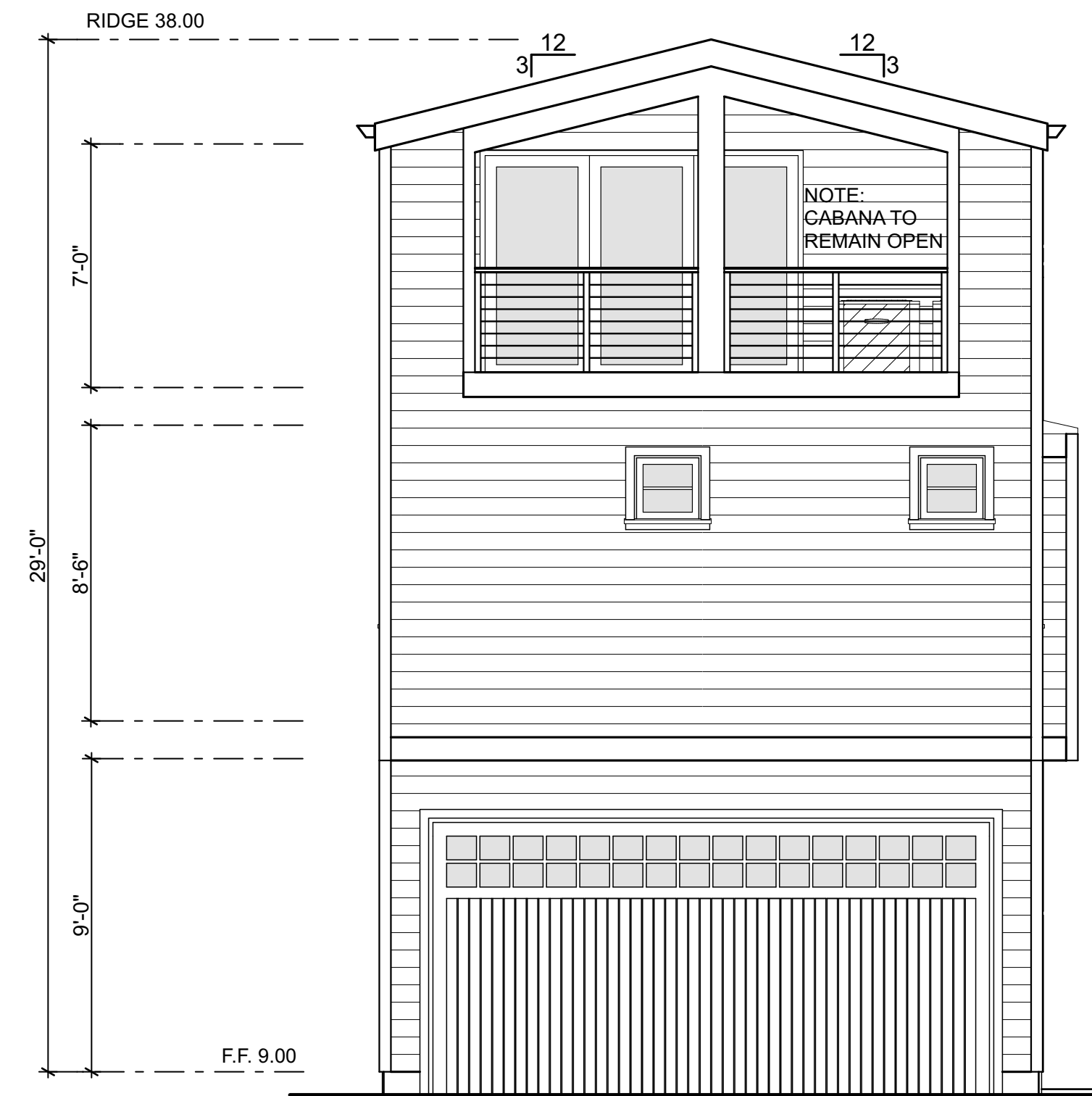
Date: 8/14/17
 Scale: 1/4" = 1'-0"
 Drawn: CSH

Job: 211 35TH STREET
 SHEET
4
 OF 14 SHEETS

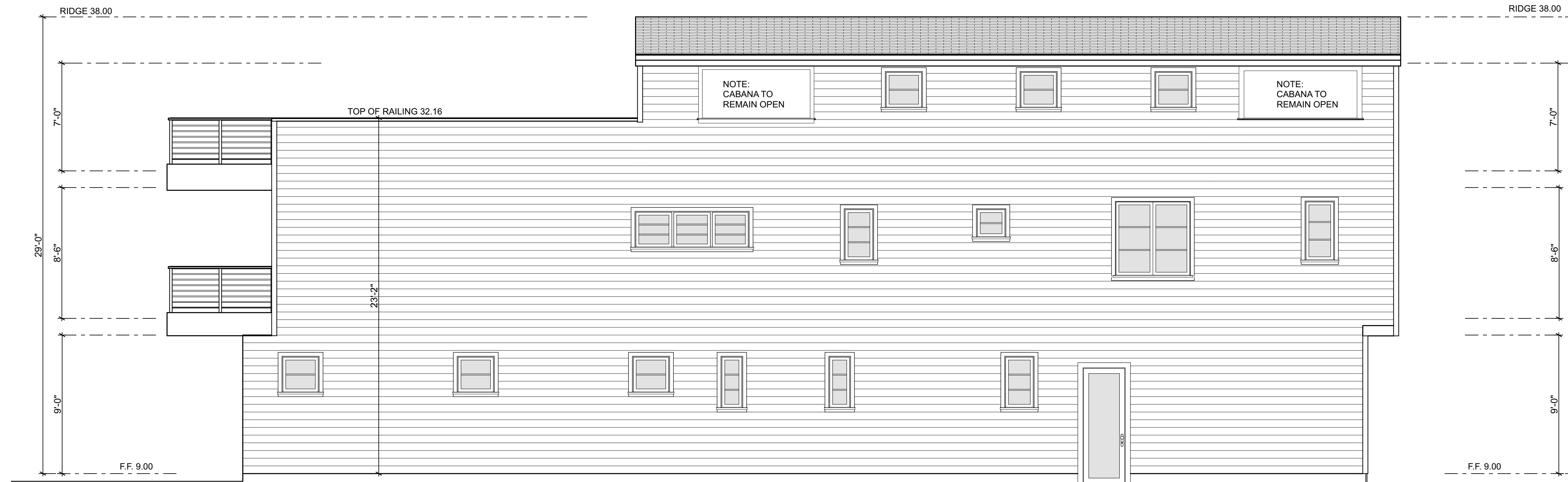
8/14/17 4:45 PM 211 35TH STREET_BROWNING_DESIGN_DRAWINGS_REV2.dwg



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"

CRAIG S. HAMPTON
INCORPORATED
DESIGNING QUALITY CUSTOM HOMES SINCE 1979
3615 S. BROOKSHIRE PLACE BOISE, IDAHO 83706
(949) 209-8883
craig@craigshampton.com
www.craigshampton.com

**EXTERIOR ELEVATIONS (FRONT, REAR & RIGHT SIDE)
COASTAL PACKAGE**

211 35TH STREET, NEWPORT BEACH, CALIFORNIA
CUSTOM RESIDENCE FOR
BRETT & KERI BROWNING
1806 MARAPATA DRIVE
NEWPORT BEACH CA 92625
(949) 422-4563

Date: 8/14/17
Scale: 1/4" = 1'-0"
Drawn: CSH
Job: 211 35TH STREET

8/14/17 4:45 PM 211 35TH STREET_BROWNING_DESIGN_DRAWINGS_REV2.dwg

8/14/17 4:45 PM 211 35TH STREET_BROWNING_DESIGN_DRAWINGS_REV2.dwg



LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"

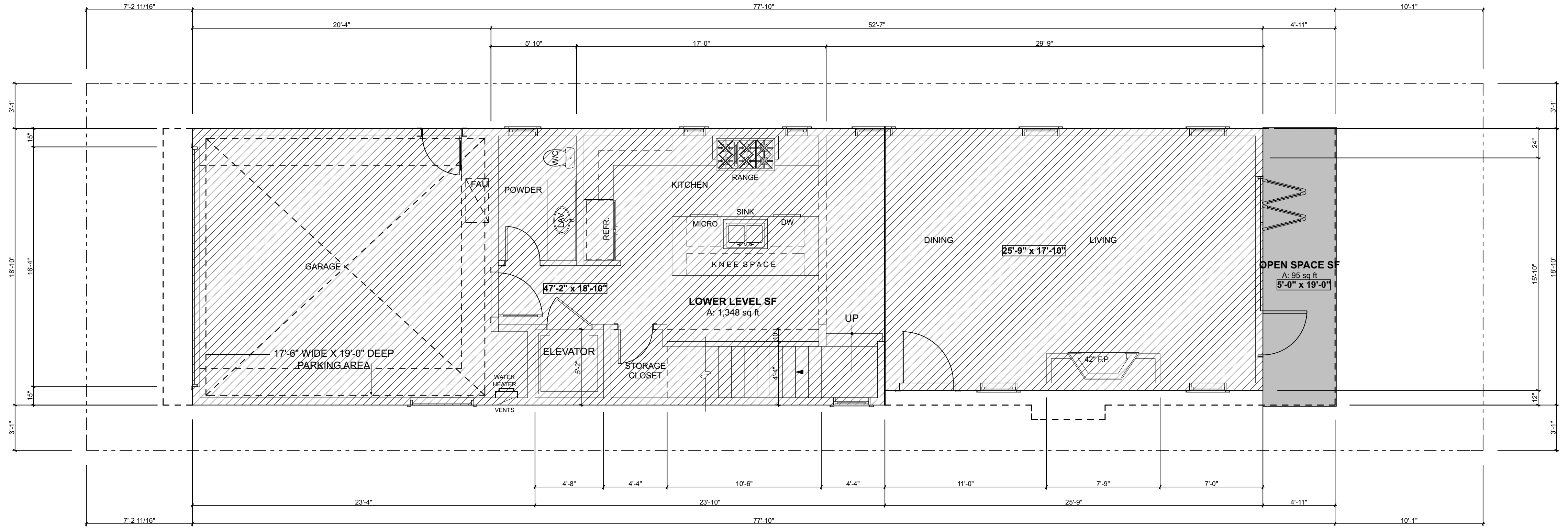
CRAIG S. HAMPTON
INCORPORATED
DESIGNING QUALITY CUSTOM HOMES SINCE 1979
3615 S. BROOKSHIRE PLACE BOISE, IDAHO 83706
(949) 209-8888
craig@craigshampton.com
www.craigshampton.com

EXTERIOR ELEVATIONS (LEFT SIDE)
COASTAL PACKAGE

211 35TH STREET, NEWPORT BEACH, CALIFORNIA
CUSTOM RESIDENCE FOR
BRETT & KERI BROWNING
1806 MARAPATA DRIVE
NEWPORT BEACH CA 92625
(949) 422-4563

Date: 8/14/17
Scale: 1/4" = 1'-0"
Drawn: CSH
Job: 211 35TH STREET

SHEET
7
OF 14 SHEETS



FIRST LEVEL AREA CALCULATIONS

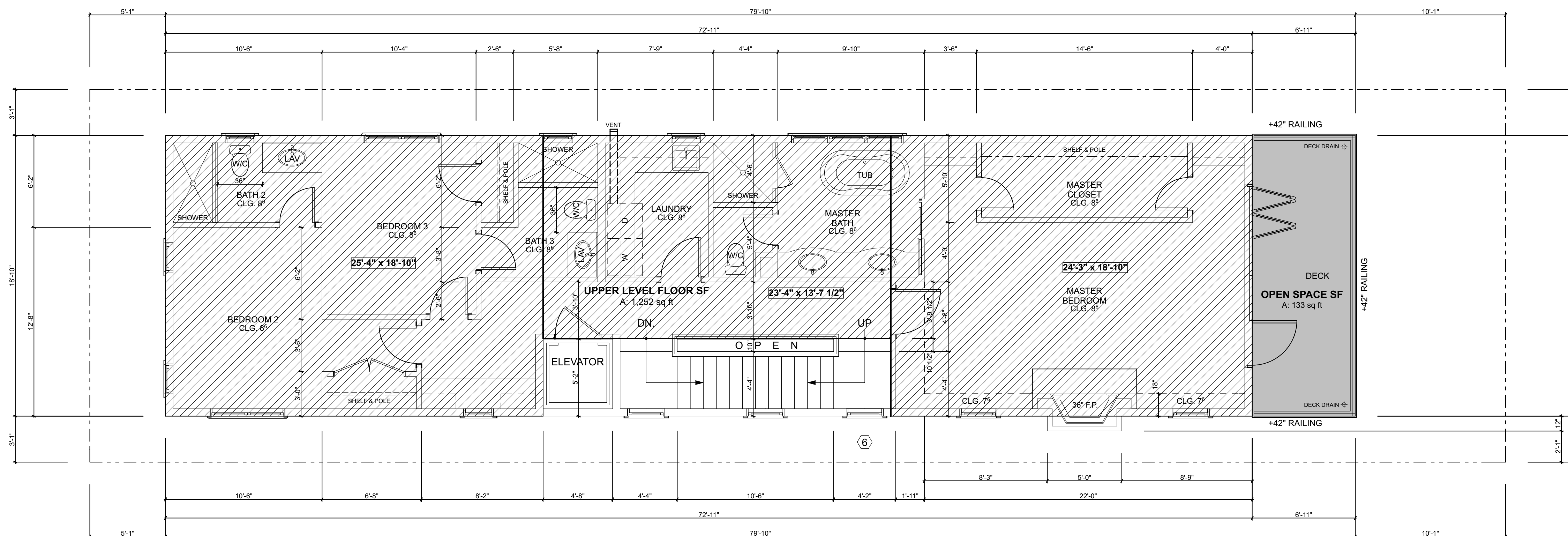
CRAIG S. HAMPTON
 INCORPORATED
 DESIGNING QUALITY CUSTOM HOMES SINCE 1979
 3615 S. BROOKSHIRE PLACE BOISE, IDAHO 83706
 (949) 209-8888
 craig@craigshampton.com
 www.craigshampton.com

FIRST LEVEL AREA CALCULATIONS
 COASTAL PACKAGE

211 35TH STREET, NEWPORT BEACH, CALIFORNIA
CUSTOM RESIDENCE FOR
 BRETT & KERI BROWNING
 1806 MARAPATA DRIVE
 NEWPORT BEACH CA 92625
 (949) 422-4563

Date: 8/14/17
 Scale: 1/4" = 1'-0"
 Drawn: CSH
 Job: 211 35TH STREET

8/14/17 4:45 PM 211 35TH STREET_BROWNING_DESIGN_DRAWINGS_REV2.dwg



SECOND LEVEL AREA CALCULATIONS

CRAIG S. HAMPTON
 INCORPORATED
 DESIGNING QUALITY CUSTOM HOMES SINCE 1979
 3615 S. BROOKSHIRE PLACE BOISE, IDAHO 83706
 (949) 209-8888
 craigs@csghampton.com
 www.csghampton.com

SECOND LEVEL AREA CALCULATION
 COASTAL PACKAGE

211 35TH STREET, NEWPORT BEACH, CALIFORNIA
CUSTOM RESIDENCE FOR
 BRETT & KERI BROWNING
 1806 MARAPATA DRIVE
 NEWPORT BEACH CA 92625

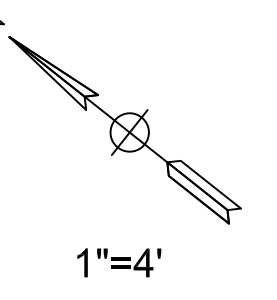
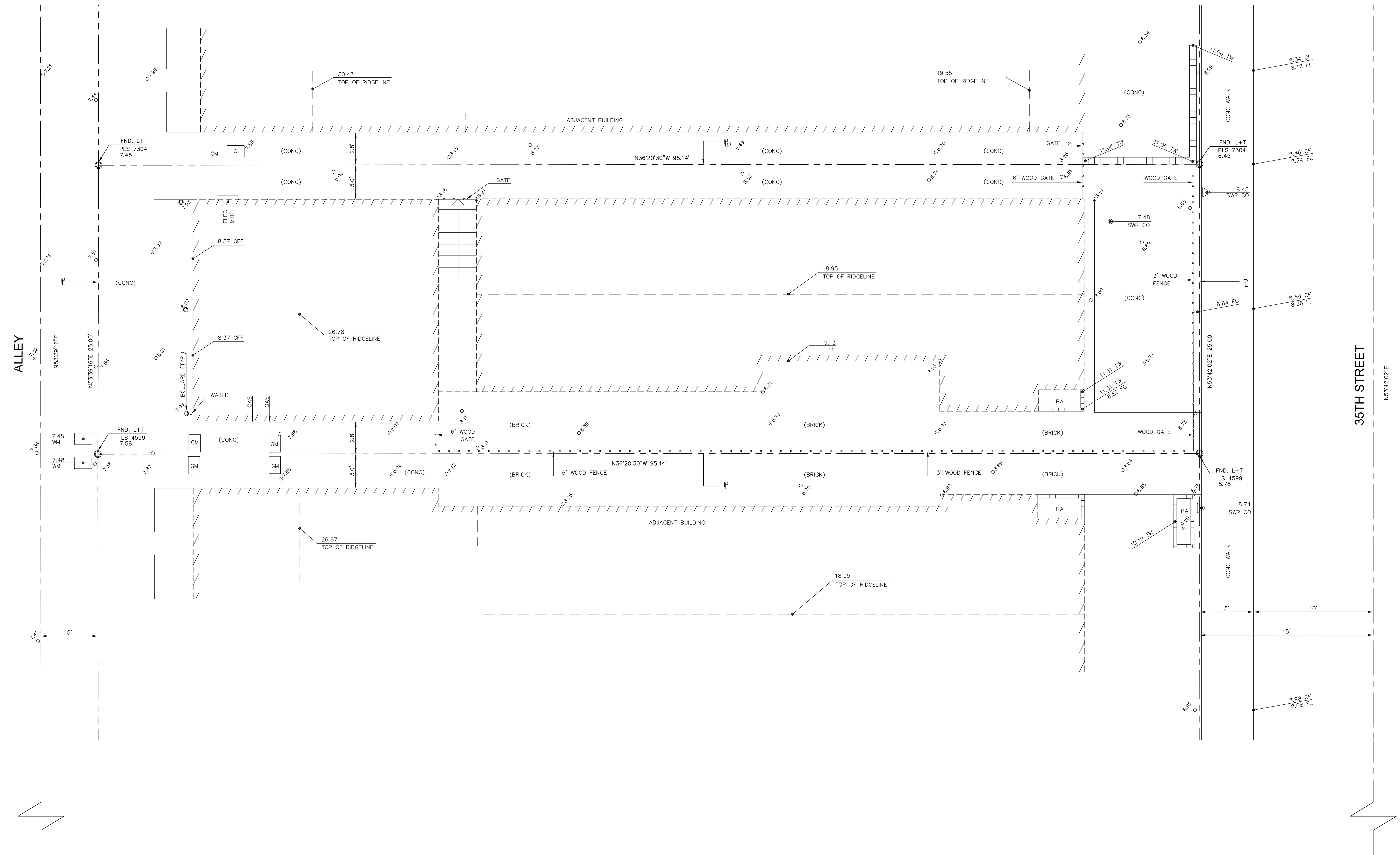
Date: 8/14/17
 Scale: 1/4" = 1'-0"
 Drawn: CSH
 Job: 211 35TH STREET

8/14/17 4:45 PM 211 35TH STREET_BROWNING_DESIGN_DRAWINGS_REV2.dwg

ABBREVIATIONS

AD	AREA DRAIN
CONC	CONCRETE
DI	DROP INLET
DWY	DRIVEWAY
EP	EDGE OF PAVEMENT
FD	FLOW LINE
FL	FOUND
FF	FINISH FLOOR
FH	FIRE HYDRANT
FP	FINISH PAD
FS	FINISH SURFACE
FC	FINISH GRADE
GB	GRADE BREAK
GFF	GARAGE FINISH FLOOR
HH	HANDHOLE
HP	HIGH POINT
I.P.	IRON PIPE
IE	INVERT ELEVATION
IRCV	IRRIGATION CONTROL VALVE
OG	ORIGINAL GROUND
PA	PLANTER AREA
PL	PROPERTY LINE
PROP	PROPOSED
L&T	LEAD AND TACK MONUMENT
NTG	NOTHING
R/W	RIGHT OF WAY
SDWK	SIDE WALK
S.F.N.	SEARCHED FOUND NOTHING
SPK	TEMPORARY BENCHMARK
T.B.M.	SPIKE
TC	TOP OF CURB
TF	TOP OF FOOTING
TC	TOP OF GRATE
TCC	TOP OF CONCRETE
TW	TOP OF WALL
WM	WATER METER
WV	WATER VALVE

LOT AREA: 2,377.9 SF

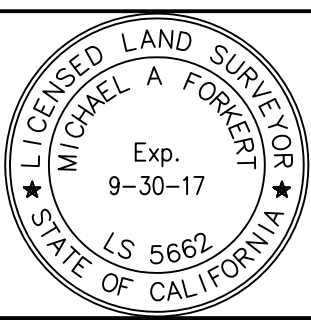


BALBOA BOULEVARD

35TH STREET

ALLEY

COASTAL PACKAGE

DESIGNED:		OWNER: BRETT BROWNING 211 35TH ST. NEWPORT BEACH, CA 92660	PREPARED BY: FORKERT ENGINEERING & SURVEYING, INC. 22311 BROOKHURST ST, STE 203 HUNTINGTON BEACH, CA 92646 (714) 963-6793 JN 9319		BASIS OF BEARING: THE CENTERLINE OF 35TH STREET, HAVING A BEARING OF N 53°42'02"E AS SHOWN ON RECORD OF SURVEY NO. 2012-1032.	BENCHMARK: OCS BM J-782 ELEVATION= 6.978 (NAVD88) YEAR LEVELED= 2015	LEGAL DESCRIPTION: LOT 19 OF BLOCK 135 OF MAP OF LAKE TRACT NEWPORT BEACH.	TOPOGRAPHIC SURVEY 211 35TH ST. NEWPORT BEACH, CALIFORNIA	SHEET: 11 OF 14 SHEETS
DRAWN: AC									
CHK'D: TD									
DATE: 5/10/17									
NO.	DATE	REVISIONS							

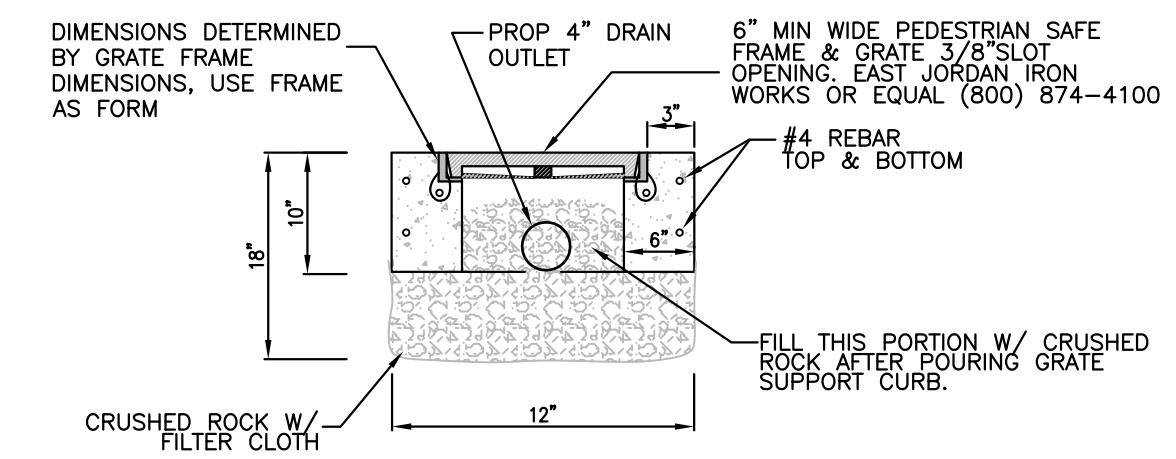
8/14/17 4:45 PM 211 35TH STREET_BROWNING_DESIGN_DRAWINGS_REV2.dwg

GENERAL NOTES:

1. A PUBLIC WORKS DEPARTMENT ENCROACHMENT PERMIT INSPECTION IS REQUIRED BEFORE THE BUILDING DEPARTMENT PERMIT FINAL CAN BE ISSUED. AT THE TIME OF THE PUBLIC WORKS DEPARTMENT INSPECTION, IF ANY OF THE EXISTING PUBLIC IMPROVEMENTS SURROUNDING THE SITE IS DAMAGED, NEW CONCRETE SIDEWALK, CURB AND GUTTER, AND ALLEY/STREET PAVEMENT WILL BE REQUIRED AND 100% PAID BY THE OWNER. SAID DETERMINATION AND THE EXTENT OF THE REPAIR WORK SHALL BE MADE AT THE DISCRETION OF THE PUBLIC WORKS INSPECTOR.
2. SEPARATE PERMIT FOR FENCES AND WALLS SHALL BE OBTAINED AT THE SAME TIME AS THE BUILDING PERMIT.
3. ALL WORK RELATED TO WASTEWATER IN THE PUBLIC RIGHT-OF-WAY SHALL BE PERFORMED BY A C-42 LICENSED SANITATION SEWER CONTRACTOR OR AN A LICENSED GENERAL ENGINEERING CONTRACTOR.
4. AN ENCROACHMENT AGREEMENT IS REQUIRED FOR ALL NON-STANDARD IMPROVEMENTS WITHIN THE PUBLIC RIGHT OF WAY. ALL NON-STANDARD IMPROVEMENTS SHALL COMPLY WITH CITY COUNCIL POLICY L-6.
5. ISSUANCE OF A BUILDING PERMIT BY THE CITY OF NEWPORT BEACH DOES NOT RELIEVE APPLICANTS OF THE LEGAL REQUIREMENTS TO OBSERVE COVENANTS, CONDITIONS AND RESTRICTIONS WHICH MAY BE RECORDED AGAINST THE PROPERTY OR TO OBTAIN PLANS. YOU SHOULD CONTACT YOUR COMMUNITY ASSOCIATIONS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION AUTHORIZED BY THIS PERMIT
6. AN APPROVED ENCROACHMENT PERMIT IS REQUIRED FOR ALL WORK ACTIVITIES WITHIN THE PUBLIC RIGHT-OF-WAY

CONSTRUCTION NOTES:

- 1 CONSTRUCT 6" MIN CONCRETE DRIVEWAY
- 2 CONSTRUCT 4" MIN CONCRETE WALK
- 3 INSTALL 4" FLAT GRATE DRAIN
- 4 INSTALL 4" PVC SDR 35 DRAIN LINE, S=0.01 MIN
- 5 INSTALL TRENCH DRAIN PER DETAIL SHEET C2

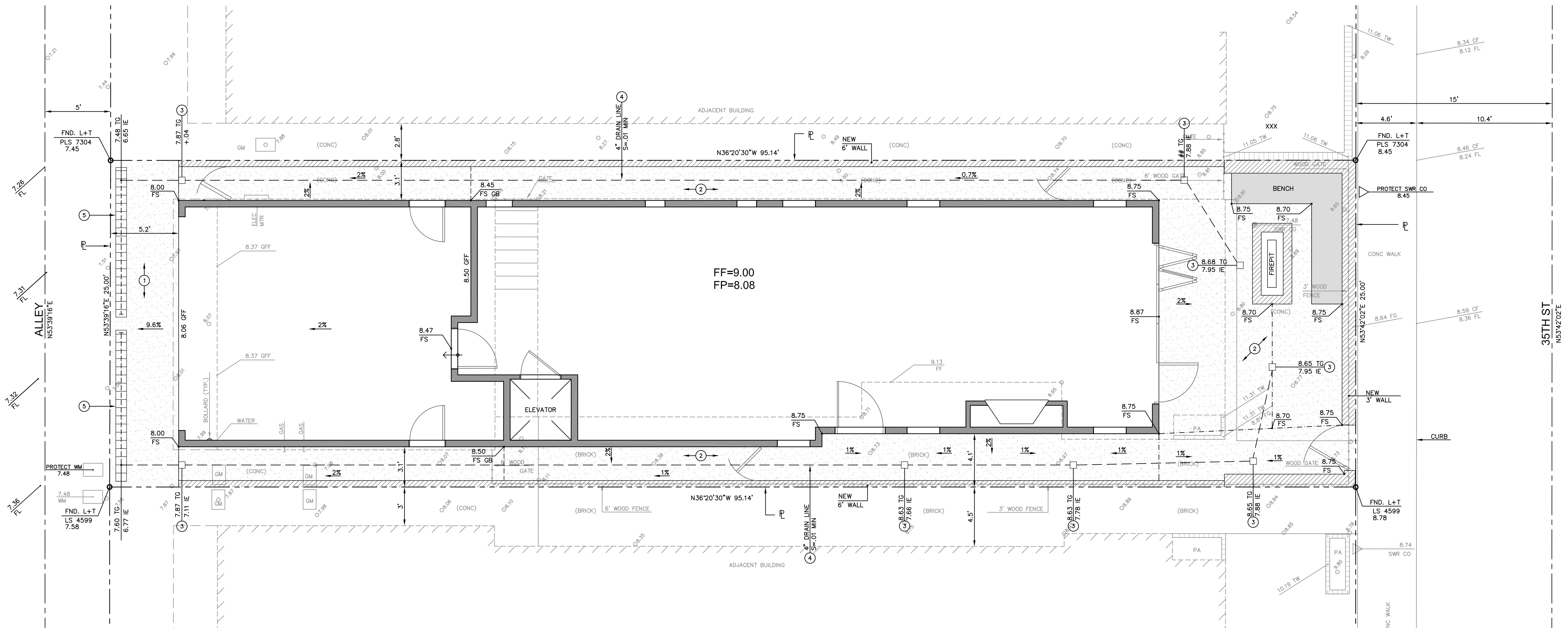


A- DIG A 24" WIDE X 18" DEEP TRENCH
 B- PLACE FILTER CLOTH IN THE TRENCH EXTENDING 12" VERTICAL ON EACH SIDE
 C- FILL BOTTOM 8" OF THE TRENCH W/ CRUSHED ROCK
 D- FORM AND POUR PERIMETER CONCRETE CURB
 E- FILL THE REST OF THE TRENCH W/ CRUSHED ROCK TO 4" FROM TOP OF TRENCH

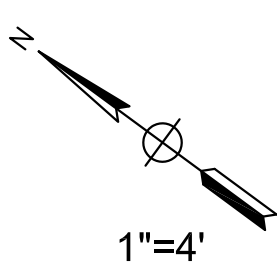
5 TRENCH DRAIN
NTS

ABBREVIATIONS

C.O.	CLEAN OUT
C&G	CURB AND GUTTER
DS	DOWNSPOUT
EXIST	EXISTING
ED	EXTRA DEPTH FOOTING
FD	FOUND
FL	FLOWLINE
FF	FINISH FLOOR
FP	FINISH PAD
FS	FINISH SURFACE
FG	FINISH GRADE
GB	GRADE BREAK
HP	HIGH POINT
I.P.	IRON PIPE
IE	INVERT ELEVATION
PA	PLANTER AREA
PROP	PROPOSED
L&T	LEAD AND TACK
MON.	MONUMENT
(N)	NEW
R/W	RIGHT OF WAY
SDWK	SIDEWALK
T.B.M.	TEMPORARY BENCHMARK
TC	TOP OF CURB
TF	TOP OF FOOTING
TG	TOP OF GRADE
TS	TOP OF SEAL
TW	TOP OF WALL



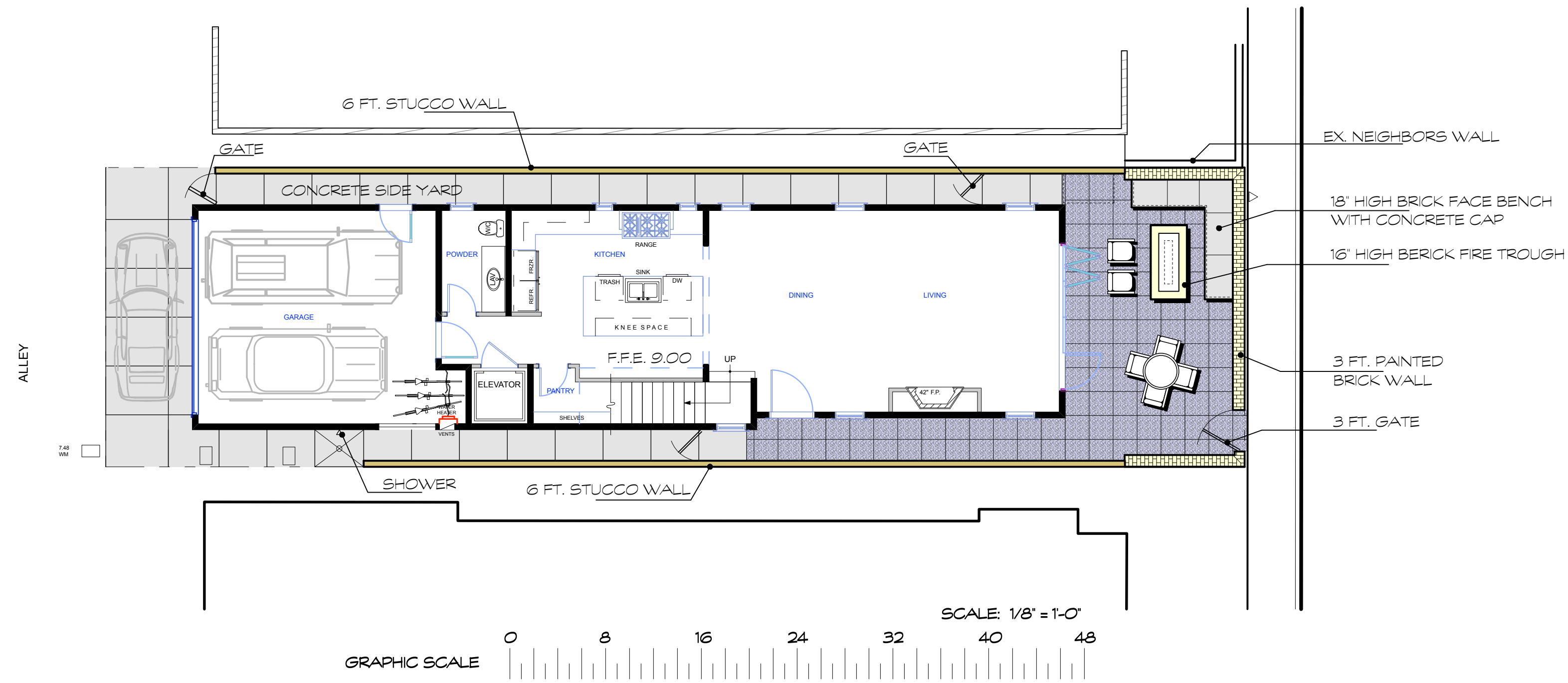
COASTAL PACKAGE



NO.	DATE	DESIGNED:		ARCHITECT: CRAIG HAMPTON, INC. 46 MALLARD COURT MAGALIA, CA 95954 (949) 209-8883	OWNER/DEVELOPER: MR. BRETT BROWNING 1806 MARAPATA DRIVE CORONA DEL MAR, CA 92625	PREPARED BY: FORKERT ENGINEERING & SURVEYING, INC. 22311 BROOKHURST ST. STE 203 HUNTINGTON BEACH, CA 92646 (714) 963-6793 JN 9319	SOILS ENGINEER/GEOLOGIST: COAST GEOTECHNICAL 1200 W. COMMONWEALTH AVE FULLERTON, CA 92833 PH: 714-870-1211 W.O. 532417-01 DATE: JUNE 20, 2017	BENCHMARK: OCS BM J-782 ELEVATION= 6.978 (NAVD88) YEAR LEVELED= 2015	LEGAL DESCRIPTION: LOT 19 OF BLOCK 135 OF MAP OF LAKE TRACT NEWPORT BEACH.	PRECISE GRADING PLAN 211 35TH STREET NEWPORT BEACH, CALIFORNIA	SHEET: 12 OF 14 SHEETS
		DRAWN: MJ									
		CHK'D: TR									
		DATE: 7/11/17									
REVISIONS											



8/14/17 4:45 PM I:\211 35TH STREET_BROWNING_DESIGN_DRAWINGS_REV2.dwg



CRAIG S. HAMPTON
 INCORPORATED
 DESIGNING QUALITY CUSTOM HOMES SINCE 1979
 3615 S. BROOKSHIRE PLACE BOISE, IDAHO 83706
 (949) 209-8888
 craigs@craigshampton.com
 www.craigshampton.com

LANDSCAPE/HARDSCAPE PLAN
COASTAL PACKAGE

211 35TH STREET, NEWPORT BEACH, CALIFORNIA
CUSTOM RESIDENCE FOR
 BRETT & KERI BROWNING
 1806 MARAPATA DRIVE
 NEWPORT BEACH CA 92625
 (949) 422-4563

Date: 8/14/17
 Scale: 1/8" = 1'-0"
 Drawn: CSH
 Job: 211 35TH STREET

8/14/17 4:45 PM 211 35TH STREET_BROWNING_DESIGN_DRAWINGS_REV2.dwg