

Attachment No. PC 1

Draft Resolution

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RESOLUTION NO. PC2025-020

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING A MAJOR SITE DEVELOPMENT REVIEW AND VESTING TENTATIVE TRACT MAP TO CONSTRUCT 89 RESIDENTIAL TOWNHOMES LOCATED AT 1580-1598 MONROVIA AVENUE AND 865-899 WEST 16TH STREET (PA2025-0062)

THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Intracorp Homes (“Applicant”), on behalf of the property owner, Kassa Grand, LLC, (“Owner”) concerning property located at 1580-1598 Monrovia Avenue and 865-899 West 16th Street (“Properties”), which are legally described in Exhibit “A,” attached hereto and incorporated herein by reference.
2. The Applicant proposes to develop a for-sale, residential townhome community with 89 dwelling units on a 4.34-acre property at the southeast corner of Monrovia Avenue and West 16th Street. The development includes four (4) single-unit dwellings, seventeen (17) two-unit buildings with thirty-four (34) dwelling units, and fifty-one (51) townhome-style dwelling units ranging in size from 2,063 to 2,998 gross square feet. Single-unit and duplex buildings are located on the southern half of the site and will be a maximum of four stories, with a height up to 47 feet, 8 inches above finish grade. Townhome-style units are located on the northern half of the site and will be a maximum of three stories, with a height up to 38 feet, 8 inches above finish grade. Private resident-serving amenities include a community pool and pedestrian walking paths with picnic tables and benches. Each unit will have an attached two-car garage with an additional forty-seven uncovered parking spaces proposed throughout the site for a total of 225 parking spaces to serve the development. Vehicle access to the site is provided through two driveways on Monrovia Avenue and one driveway on 16th Street. The project will provide Publicly Accessible Open Space along Monrovia Avenue and West 16th Street (“Project”).
3. The following approvals are required from the City of Newport Beach (“City”) to implement the Project:
 - **Major Site Development Review (“SDR”):** An SDR is required for any project proposing five or more residential units with a tract map. The SDR allows for deviations from specific multi-unit objective design standards pursuant to Section 20.48.185 (Multi-Unit Objective Design Standards) of the Newport Beach Municipal Code (“NBMC”); and
 - **Vesting Tentative Tract Map (“VTTM”):** A VTTM is requested to merge two properties to create a single building site (“Project Site”) and allow for an airspace

subdivision of the individual residential units for individual sale (i.e., for condominium purposes).

4. On September 24, 2024, the City Council adopted Ordinance Nos. 2024-16 and 2024-17, approving amendments to Title 20 (Planning and Zoning) of the NBMC to establish the Housing Opportunity (HO) Overlay Zoning Districts in Section 20.28.050 (Housing Opportunity (HO) Overlay Zoning Districts) ("Housing Overlay") and to create multi-unit objective design standards in Section 20.48.185 (Multi-Unit Objective Design Standards) of the NBMC. The new sections serve to implement Policy Actions 1A through 1G and 3A in the 6th Cycle Housing Element ("Housing Element") of the General Plan. The Project was identified as Housing Opportunity Site Nos. 229 and 237.
5. The Project is located within the HO-2 (West Newport Mesa) Subarea of the Housing Opportunity (HO) Overlay Zoning District ("HO-2 Subarea"). The Project is categorized as General Industrial (IG) by the General Plan Land Use Element and is located within the Industrial (IG) Zoning District.
6. The Project is not located within the coastal zone; therefore, a coastal development permit is not required.
7. The Project does not include the construction of affordable housing. However, the City's Sites Inventory within Appendix B of the City's 6th Cycle Housing Element contains adequate other sites suitable for affordable housing opportunities and therefore is consistent with the State's no net loss provisions.
8. A public hearing was held on September 18, 2025, in the Council Chambers at 100 Civic Center Drive, Newport Beach. A notice of the time, place, and purpose of the hearing was given in accordance with Government Code Section 54950 *et seq.*, the (Ralph M. Brown Act) and Chapter 20.62 (Public Hearings) of the NBMC. Evidence, both written and oral, was presented to and considered by the Planning Commission at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. Pursuant to the California Environmental Quality Act ("CEQA") as set forth in California Public Resources Code Section 21000 *et seq.* and its implementing guidelines set forth in California Code of Regulations, Title 14, Division 6, Chapter 3 ("CEQA Guidelines"), the City Council adopted Resolution No. 2024-50 on July 23, 2024, certifying Final Program Environmental Impact Report SCH No. 2023060699 ("PEIR"), approving a Mitigation Monitoring and Reporting Program ("MMRP"), and adopting Findings and a Statement of Overriding Considerations related to the implementation of the Housing Element involving amendments to the General Plan, Coastal Land Use Plan, and Title 20 (Planning and Zoning) and Title 21 (Local Coastal Program Implementation Plan) of the NBMC which are available at: [Housing Implementation Program EIR](#).
2. The Project is not subject to further environmental review pursuant to Section 21083.3 of the Public Resources Code ("PRC") and Section 15183 of the CEQA Guidelines because, inasmuch as the Properties involved are within the HO-2 Subarea, the Project

does not change the underlying land use or zoning designations; and would not result in new significant impacts or a substantial more adverse impact than addressed in the PEIR.

3. Section 15183 of the CEQA Guidelines provides, in relevant part:

- a. Projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.
- b. In approving a project meeting the requirements of this section, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:
 - i. Are peculiar to the project or the parcel on which the project would be located;
 - ii. Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent;
 - iii. Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action; or
 - iv. Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.
- c. If an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, as contemplated by subdivision (e) below, then an additional EIR need not be prepared for the project solely on the basis of that impact.
- d. This section shall apply only to projects which meet the following conditions:
 - i. The project is consistent with:
 - A. A community plan adopted as part of a general plan;
 - B. A zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development; or
 - C. A general plan of a local agency; and

- ii. An EIR was certified by the lead agency for the zoning action, the community plan, or the general plan.
- 4. As part of its decision-making process, the City is required to review and consider whether the Project would create new significant impacts or significant impacts that would be substantially more severe than those disclosed in the PEIR. Additional CEQA review is only triggered if the Project's new significant impacts or impacts that are more severe than those disclosed in PEIR are such that major revisions to the PEIR would be required. A detailed consistency analysis prepared by T & B Planning Inc. dated September 2025 ("Consistency Analysis"), and peer reviewed and accepted by Kimley-Horn and Associates Inc., subject to Condition of Approval No. 33 that, prior to demolition, the Applicant shall retain a qualified professional historian to confirm the affected structures are not historically significant. The Consistency Analysis is attached hereto as Exhibit "B" and incorporated herein by reference.
- 5. The Project is consistent with the development density and use characteristics established by the City's General Plan Housing Implementation Program ("GPHIP") as analyzed by the PEIR, and the required determinations can be made, as detailed in Exhibit "B." Therefore, in accordance with Section 21083.3 of the PRC and Section 15183 of the CEQA Guidelines, no additional environmental review is required to approve the Project. The Planning Commission determines:
 - a. The Project is consistent with the development density of 20 to 50 dwelling units per acre established by existing zoning and general plan policies for which the PEIR was certified;
 - b. There are no significant environmental effects that are peculiar to the Project or the parcels on which the Project would be located;
 - c. There are no significant environmental effects of the Project that were not analyzed as significant effects in the PEIR;
 - d. There are no potentially significant off-site impacts or cumulative impacts which were not discussed in the PEIR; and
 - e. There are no previously identified significant effects which, as a result of substantial new information which was not known at the time the PEIR was certified, are determined to have a more severe adverse impact than discussed in the prior PEIR.
- 6. The Planning Commission finds that judicial challenges to the City's CEQA determinations and approvals of land use projects are costly and time consuming. In addition, project opponents often seek an award of attorneys' fees in such challenges. As project applicants are the primary beneficiaries of such approvals, it is appropriate that such applicants bear the expense of defending against any such judicial challenge, and bear the responsibility for any costs, attorneys' fees, and damages which may be awarded to a successful challenger.

SECTION 3. REQUIRED FINDINGS.

Major Site Development Review

In accordance with Section 20.52.080(F) (Site Development Reviews – Findings and Decisions) of the NBMC, the following findings and facts in support of such findings are set forth:

Finding:

A. *The proposed development is allowed within the subject Zoning District*

Facts in Support of Finding:

1. The Project Site is located within the HO-2 Subarea and is identified as Housing Opportunity Site Nos. 229 and 237. Pursuant to Section 20.28.050(B) (Housing Opportunity (HO) Overlay Zoning Districts – Uses Allowed) in addition to the uses that are permitted or conditionally permitted in the base zoning district, multi-unit residential development that meets the 20 to 50 dwelling units per acre density requirement shall be permitted within the HO Overlay Zoning District.
2. Pursuant to Table 2-16 (Development Standards for Housing Opportunity Overlay Zones) of Section 20.28.050 of the NBMC, the HO-2 Subarea requires a density of 20 to 50 dwelling units per acre. Based on the proposed 4.34-acre lot, the Project results in a density of 20.5 units per acre and meets the density requirement of the HO-2 Subarea.
3. The HO-2 Subarea requires 10-foot front and street-side setbacks and a 20-foot rear setback. There is no setback required for interior side property lines. Notwithstanding this, Footnote No. 3 of Table 2-16 requires that any portion of a building that is over 20 feet in height, shall provide a 20-foot setback from the front and street-side property lines. The Project is bounded to the north by 16th Street (street-side property line) and the west by Monrovia Avenue (front property line). Inasmuch as portions of all buildings are more than 20 feet in height, the Project has been designed to set all structures back a minimum of 20 feet from these property lines. The Project also provides an approximate 40-foot rear setback and a 13-foot interior side setback. Therefore, the Project complies with setback requirements.
4. Table 2-16 establishes a maximum height for the HO-2 Subarea as not to exceed 65-feet. The Project proposes a maximum height of 47 feet, 8 inches for the single-unit and duplex buildings, and a maximum height of 38 feet, 8 inches for the townhome-style buildings. Therefore, the Project complies with height requirements.
5. Table 2-17 (Residential Off-Street Parking Requirements for Housing Opportunity Overlay Zones) of Section 20.28.050 (Housing Opportunity (HO) Overlay Zoning Districts) of the NBMC requires 1.8 spaces per unit that includes two bedrooms, 2.0 spaces per unit that includes three or more bedrooms and 0.3 spaces per unit for visitor

parking. The Project includes 89 dwelling units, 17 with two bedrooms and 72 with three or more bedrooms, resulting in a requirement of 175 spaces, plus 27 guest parking spaces for a total of 202 parking spaces. The Project provides a two-car garage for each unit, resulting in 178 enclosed parking spaces, and 47 open parking spaces for a total of 225 onsite parking spaces. The Project therefore complies with the minimum parking requirement.

6. Pursuant to Section 20.48.185 (Multi-Unit Objective Design Standards) of the NBMC, multi-unit objective design standards are applicable to any residential project with a density of 20 dwelling units per acre or more. The Project has a density of 20.5 dwelling units per acre. These standards ensure the highest possible design quality and provide a baseline standard for new multi-unit developments throughout the City. As detailed in the Objective Design Standards Checklist, which is attached hereto as Exhibit "C" and incorporated by reference, the Project complies with all the objective design standards, except the following nine standards from which a deviation is being requested:

- (1) 20.48.185.E.1 (Orientation) – Building entries shall face the primary public street with direct pedestrian connections to the public sidewalks, unless determined to be infeasible due to topographic constraints by the Director. Pedestrian connections to the public sidewalks shall also be provided to parking areas and publicly accessible open space. For larger sites with multiple buildings, building entries may also be oriented to face internal open spaces, paseos, and recreation amenities.
- (2) 20.48.185.J.3.a.iv (Frontage Types and Standards) – At least twenty percent of the surface area of the ground and upper floor facade shall be occupied by windows.
- (3) 20.48.185.N.2.b (Private Driveway Standards Landscape and Paving Zone (LPZ)) – A four-foot minimum width zone shall be provided. The zone shall be landscaped a minimum of twenty percent of the total site abutting a building. A combination of vines, ornamental grasses, shrubs, ground cover, and ornamental trees shall be provided. Landscaping in pots is permitted.
- (4) 20.48.185.O.3.a (Publicly Accessible Open Space (PAOS) Design Standards) - Minimum PAOS Width. No paseo, promenade, or courtyard right-of-way shall be narrower than twenty (20) feet in width. If incorporated in a development plan, paseos or promenades shall include an eight-foot minimum width path; all courtyards shall include a minimum six-foot minimum width path.
- (5) 20.48.185.S.2.a (First Floor Opening and Transparency Standards) – Minimum Opening Standard. First floor multi-unit building frontages shall be comprised of transparent glazed door and window openings as follows: Twenty-five (25) percent for any at-grade or above-grade residential first floor unit fronting a street or paseo.

The Project otherwise complies with the design standards and, in come some cases, exceeds the intent of the standards. Section 20.48.185(C) (Multi-Unit Objective Design Standards - Applicability) of the NBMC allows for deviations from any objective design standards through the approval of an SDR by the Planning Commission if the Applicant can demonstrate that strict compliance with the standards is not necessary to achieve the purpose of the objective design standards and that the project possesses compensating design and development features that meets or exceeds the intent of the objective design standards. The facts in support of the required findings are included in Findings D through E below.

7. The HO-2 Subarea requires a minimum building separation of 10 feet. The Project proposes a minimum 10-foot-6-inch separation between buildings. The Project therefore complies with the minimum building separation requirement.
8. The HO-2 Subarea requires that at least 75 square feet of common space to be provided per dwelling unit throughout the Project with a minimum length and width of 15 feet. The Project is therefore required to provide a minimum of 6,675 square feet of common open space. Section 20.70 (Definitions) of the NBMC defines common open space as the land area within a residential development that is not individually owned or dedicated for public use and that is designed, intended, and reserved exclusively for the shared enjoyment or use by all the residents and their guests including but not limited to areas of scenic or natural beauty, barbecue areas, landscaped areas, turf areas, and habitat areas. The Project provides a total of 11,682 square feet of common open area within the pool area and passive walking paths. The Project therefore complies with the minimum common open space requirement.
9. The HO-2 Subarea requires that at least 5percent of the proposed gross floor area (GFA) per unit be dedicated to private open space. Qualifying areas of private open space shall have a dimension of at least six feet in length and width. Section 20.70 (Definitions) of the NBMC defined private open spaces as outdoor or unenclosed areas directly adjoining and accessible to a dwelling unit, reserved for the exclusive private enjoyment and use of residents of the dwelling unit and their guests including but not limited to a balcony, deck, porch or terrace. The following table demonstrates the private open space provided for each unit type:

Unit Type	Floor Plan Number	Gross Livable Floor Area (Sq. Ft.)	Private Open Space Required (Sq. Ft.)	Private Open Space Provided (Sq. Ft.)
Single-Unit	2	2,496	124.8	217
Duplex	1A	2,432	121.6	220
Duplex	2A	2,496	124.8	217
Duplex	1B	2,432	121.6	220
Duplex	2B	2,496	124.8	217
Townhome	1	1,661	83.1	107
Townhome	1X	1,742	87.1	109.5
Townhome	1X (w/ courtyard	1,742	87.1	272

Townhome	2 (w/ courtyard A)	1,697	84.8	224
Townhome	2 (w/ courtyard B)	1,747	87.4	143
Townhome	2 (w/ porch)	1,697	84.8	120
Townhome	3X	1,906	95.3	141
Townhome	3 (w/ porch)	1,813	90.6	171
Townhome	3 (w/ courtyard)	1,860	93	311
Townhome	Unit 4	1,697	84.8	223

Finding:

- B. The proposed development is in compliance with all of the following applicable criteria:*
- i. Compliance with this section, the General Plan, this Zoning Code, any applicable specific plan, and other applicable criteria and policies related to the use or structure;*
 - ii. The efficient arrangement of structures on the site and the harmonious relationship of the structures to one another and to other adjacent developments; and whether the relationship is based on standards of good design;*
 - iii. The compatibility in terms of bulk, scale, and aesthetic treatment of structures on the site and adjacent developments and public areas;*
 - iv. The adequacy, efficiency, and safety of pedestrian and vehicular access, including drive aisles, driveways, and parking and loading spaces;*
 - v. The adequacy and efficiency of landscaping and open space areas and the use of water efficient plant and irrigation materials; and*
 - vi. The protection of significant views from public right(s)-of-way and compliance with NBMC Section 20.30.100 (Public View Protection).*

Facts in Support of Finding:

1. The Project Site is categorized as General Industrial (IG) by the Land Use Element of the General Plan. However, as indicated in Land Use Policy LU 4.5 (Residential Uses and Residential Densities) residential use of any property including within an established housing opportunity overlay zoning district is allowed regardless of and in addition to the underlying land use category. In this case, the HO-2 subarea would allow residential development on the Project Site in addition to the uses allowed in of the underlying IG land use category and zoning district.
2. The Project is consistent with the following General Plan Housing Element, Land Use Element, and Circulation Element policies that establish fundamental criteria for the formation and implementation of new residential development, including, but not limited to the following:

- a. **Housing Element Policy 3.2.** *Encourage housing developments to offer a wide spectrum of housing choices, designs, and configurations.*

The proposed Project includes the development of 89 dwelling units that include three-unit types (single-unit, duplex, and multi-unit) with ten different floor plans. Unit sizes range from 2,063 to 2,998 gross square feet and contain two-bedroom, three-bedroom, or four-bedroom units. This Project further diversifies the City's housing stock by including multiple housing types with varied sizes. The Project accommodates a variety of household sizes, responds to market demand, and supports the City's efforts to increase the supply of housing throughout the City.

- b. **Land Use Element Policy LU 2.3 (Range of Residential Choices).** *Provide opportunities for the development of residential units that respond to community and regional needs in terms of density, size, location, and cost. Implement goals, policies, programs, and objectives identified within the City's Housing Element.*

As previously noted, the project would increase the housing stock within the City by 89 dwelling units, which includes a variety of unit types and sizes. These additional units meet the needs of the community and the region by providing additional dwelling units on a site and at the density envisioned by the Housing Element of the General Plan.

- c. **Land Use Element Policy LU3.2 (Growth and Change).** *Enhance existing neighborhoods, districts, and corridors, allowing for re-use and infill with uses that are complementary in type, form, scale, and character. Changes in use and/or density/intensity should be considered only in those areas that are economically underperforming, are necessary to accommodate Newport Beach's share of projected regional population growth, improve the relationship and reduce commuting distance between home and jobs, or enhance the values that distinguish Newport Beach as a special place to live for its residents. The scale of growth and new development shall be coordinated with the provision of adequate infrastructure and public services, including standards for acceptable traffic level of service.*

The Project is proposed on an underutilized industrial property within an area of the City that is considerably developed. The Project will add 89-unit single-unit, two-unit, and multi-unit dwellings to the City's housing stock which furthers the City's efforts of increasing and diversifying the housing stock. Pursuant to Chapter 15.40 (Traffic Phasing Ordinance) of the NBMC, the Public Works Department reviewed the Project's projected traffic generation analysis and found that 16th Street and Monrovia Avenue would adequately serve the project. The Project is projected to produce 600 average daily trips, which is 208 average daily trips fewer than the current industrial use would generate at full occupancy. Additionally, the Public Works Department reviewed the submitted sewer and water demand study and found that the

existing sewer and water infrastructure has sufficient capacity to accommodate the Project, and no additional sewer system or water line improvements are required.

- d. **Land Use Element Policy LU 4.5 (Residential Uses and Residential Densities).** *Residential use of any property included within an established housing opportunity overlay zoning district is allowed regardless of and in addition to the underlying land use category or density limit established through Policy LU 4.1, Table LU 1 and Table LU 2, or any other conflict in the Land Use Element. A general plan amendment is not required to develop a residential use within an established housing opportunity zoning overlay district. The maximum density specified for the various overlay districts specified in Policy LU 4.4 is an average over the entire property or project site. For example, a portion of a development site may be developed at a higher density than specified by Policy 4.4 provided other portions of the site are developed at lower densities such that the average does not exceed the maximum. Density calculations and total units identified in LU 4.4 do not include units identified as pipeline units or units permitted pursuant to State density bonus law.*

The Project is located within Housing Opportunity Site Nos. 229 and 237 and is located within the HO-2 Subarea. The Project proposes 89 dwelling units on a 4.34-acre property which yields a density of 20.5 dwelling units per acre, consistent with the allowed density of the HO-2 Subarea.

- e. **Land Use Element Policy LU 5.1.6 (Character and Quality of Residential Properties).** *Require that residential front setbacks and other areas visible from the public street be attractively landscaped, trash containers enclosed, and driveway and parking paving minimized.*

The Project will have a landscaped pedestrian paseo between the dwelling units and the public right-of-way. This includes dense ground cover and shrubs with evenly spaced trees to provide shade. The design of the Project minimizes the visibility of paving from the right-of-way by locating the buildings between the internal driveways/parking areas and the adjoining streets. Each unit is provided with individual trash containers that are stored in the enclosed garages to avoid visibility.

- f. **Land Use Element Policy LU 5.1.9 (Character and Quality of Multi-Family Residential)** *Require that multi-family dwellings be designed to convey a high-quality architectural character in accordance with the following principles:*

Building Elevations

Treatment of the elevations of buildings facing public streets and pedestrian ways as the principal façades with respect to architectural treatment to achieve the highest level of urban design and neighborhood quality.

Architectural treatment of building elevations and modulation of mass to convey the character of separate living units or clusters of living units, avoiding the appearance of a singular building volume

Provide street- and path-facing elevations with high-quality doors, windows, moldings, metalwork, and finishes.

Ground Floor Treatment

Set ground-floor residential uses back from the sidewalk or from the right-of-way, whichever yields the greater setback to provide privacy and a sense of security and to leave room for stoops, porches and landscaping.

Raise ground-floor residential uses above the sidewalk for privacy and security but not so much that pedestrians face blank walls or look into utility or parking space.

Encourage stoops and porches for ground-floor residential units facing public streets and pedestrian ways.

Roof Design

Modulate roof profiles to reduce the apparent scale of large structures and to provide visual interest and variety.

Parking

Design covered and enclosed parking areas to be integral with the architecture of the residential units' architecture.

Open Space and Amenity

Incorporate usable and functional private open space for each unit.

Incorporate common open space that creates a pleasant living environment with opportunities for recreation.

As detailed in the Objective Design Standards Checklist, which is attached hereto as Exhibit "C" and incorporated by reference, the Project complies with the majority (i.e. 47 of the 52) applicable objective design standards, and in some cases exceeds the intent of the standards. In complying with a majority of the objective design standards, the Project provides an architectural style that reduces mass and enhances pedestrian connectivity. The site layout utilizes the buildings to screen all parking from the right-of-way and open space is provided for all the units. Even with the requested minor deviations from the objective design standards, the design standards were developed to implement Land Use Policy LU5.1.9. Compliance with the majority of the standards with negligible deviation ensures that the Project is consistent with Land Use Policy LU5.1.9.

- g. **Land Use Element Policy LU 5.6.2 (Form and Environment).** *Require that new and renovated buildings be designed to avoid the use of styles, colors, and materials that unusually impact the design character and quality of their location such as abrupt changes in scale, building form, architectural style, and the use of surface materials that raise local temperatures, result in glare and excessive illumination of adjoining properties and open spaces, or adversely modify wind patterns.*

The architectural style of immediate vicinity to the Project Site is an eclectic mix of styles, materials, finishes, and colors. The Project proposes a Coastal Farmhouse architectural style, which utilizes board and baton, horizontal, and stucco siding. These materials can be found on other properties within the area of the Project. The Project's proposed color scheme of whites, greys, beiges, and blues provides a natural and coastal feel and can be found on other properties in the area. The combination of structure form, architectural finishes, and colors allows the Project to blend in with the character and quality of the surrounding properties.

- h. **Land Use Element Policy LU 5.6.3 (Ambient Lighting).** *Require that outdoor lighting be located and designed to prevent spillover onto adjoining properties or significantly increase the overall ambient illumination of their location.*

The Project has been conditioned to require the Applicant to prepare a photometric study in conjunction with a final lighting plan which shows that lighting values are one (1) or less at all property lines. The Project has also been conditioned to allow the Community Development Director to order the dimming of light sources or other remediation upon finding that the illumination creates an unacceptable negative impact on surrounding land uses or environmental resources.

- i. **Land Use Policy LU 6.15.23 (Sustainable Development Practices).** *Require that development achieves a high level of environmental sustainability that reduces pollution and consumption of energy, water, and natural resources. This may be accomplished through the mix and density of uses, building location and design, transportation modes, and other techniques. Among the strategies that should be considered are the integration of residential with jobs-generating uses, use of alternative transportation modes, maximized walkability, use of recycled materials, capture and re-use of storm water on-site, water conserving fixtures and landscapes, and architectural elements that reduce heat gain and loss.*

The Project is required to comply with the provisions of the Building and Energy Efficiency Standards (CCR, Title 24, Parts 6 – California Energy Code) and the Green Building Standards Code (CCR, Title 24, Part 11 - CALGreen). Additionally, the Project would implement water-efficient

landscaping, water quality best management practices and low impact development practices.

- j. **Circulation Element Policy CE 2.3.3 (New Development Maintained Responsibility).** *Ensure minimization of traffic congestion impacts and parking impacts and ensure proper roadway maintenance through review and approval of Construction Management Plans associated with new development proposals in residential neighborhoods.*

Changing the use of the Properties from industrial to residential reduces the daily vehicle trips from 808 to 600 and provides more parking than required by the NBMC; thus, the Project is not anticipated to have long-term traffic congestion impacts and parking impacts. To minimize impacts during the construction of the project, the Applicant has submitted a Construction Management Plan, which is designed to minimize the Project's neighborhood impacts and construction-related environmental effects and foster public safety during the construction of the Project.

- k. **Circulation Element Policy CE 7.1.7 (Project Site Design Supporting Alternate Modes).** *Encourage increased use of public transportation by requiring project site designs that facilitate the use of public transportation and walking.*

The nearest public transit stop is located at 16th Street and Placentia Avenue, which serves OCTA Bus Route 47. The Project has been designed such that all dwelling units are within one third of a mile of the bus stop. This will encourage public transportation use by future residents.

3. Facts 1 through 9 in support of Finding A above are hereby incorporated by reference.
4. The Project Site is not located within a Specific Plan Area.
5. The Project includes various intentional architectural design features including recessed balconies, varied rooflines, and material changes with a neutral, earthy and coastal color pallet. These design features result in well-articulated facades which reduce the visual bulk of the Project.
6. The Project landscaping complies with Chapter 14.17 (Water-Efficient Landscaping) and Chapter 20.36 (Landscaping Standards) of the NBMC. Additionally, the Project complies with the City's Water Efficient Landscape Ordinance ("WELO") which requires the installation and maintenance of drought tolerant and noninvasive plant species. A landscaped pedestrian paseo along 16th Street and Monrovia Avenue. Landscaping is also integrated throughout the Project, including along the internal pedestrian paths to enhance the residential experience.
7. Pursuant to Section 20.30.100 (Public View Protection) of the NBMC, projects shall preserve significant visual resources from public views and corridors

including identified in Figure NR 3 (Coastal Views) of the Natural Resources Element of the General Plan. The Project is not within the vicinity of any Public Viewpoints, nor any Coastal View Roads as identified in Figure NR3. The nearest designated public viewpoint is located at Sunset Ridge Park, approximately half of a mile southwest of the Project. The nearest designated coastal view road is the southern portion of Superior Avenue. The Project is not within the viewshed of coast, as seen from the designated viewpoint and view road.

Finding:

- C. *Not detrimental to the harmonious and orderly growth of the City, nor will it endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of person residing or working in the neighborhood of the proposed development.*

Facts in Support of Finding:

1. The Project has been designed to minimize aesthetic impacts to the surrounding neighborhood to the greatest extent possible by providing an architecturally pleasing contemporary architecture. The Project provides two distinct themes: coastal farmhouse and beach cottage. Both are designed with articulation and high-quality materials.
2. The Project has been designed to have adequate, efficient, and safe pedestrian and vehicular access to and from the Project Site within driveways, parking, and loading areas. The Project includes the drive aisles that are located within the Project Site, behind the proposed buildings, which will significantly buffer any vehicle noise produced. The Project is also designed to accommodate and provide safe access for emergency vehicles and refuse collection vehicles to both 16th Street and Monrovia Avenue.
3. Garages are designed large enough to accommodate individual trash bin storage within, except on trash pick-up day.
4. The Project Site is accessed via 16th Street and Monrovia Avenue, both of which are designated two-lane undivided local streets. Approval of the Project is anticipated to reduce the traffic on these streets by approximately 200 vehicle trips per day. The Public Works Department has reviewed the project and has determined that there is sufficient capacity on both roadways to accommodate the Project.
5. Pursuant to Chapter 15.40 (Traffic Phasing Ordinance) of the NBMC which provides a framework for analyzing and evaluating the traffic impacts of projects that generate 300 or more new average daily trips ("ADTs"), the Public Works Department reviewed the Project's Vehicle Miles Traveled Screening Assessment ("Screening Assessment") prepared by Linscott, Law and Greenspan Engineers, dated May 21, 2025. The Screening Assessment projected 600 ADTs. This is below the 800 ADTs that can be generated by the existing industrial use. Therefore, the Project results in a net reduction of ADTs. The Project is under the 300 new ADT threshold which would require preparation of a full Traffic Impact Analysis.

6. The Project requires 202 on-site parking spaces; however, the Project provides 225 on-site parking spaces, including a two-car garage for each unit, 47 open parking spaces. The additional parking and individual unit garage parking will help prevent the use of street parking on 16th Street and Monrovia Avenue.
7. Condition of Approval No. 24 requires the Applicant prepare a photometric study in conjunction with a final lighting plan which shows that lighting values are one (1) or less at all property lines. Condition of Approval No. 25 allows the Community Development Director to order the dimming of light sources or other remediation upon finding that the illumination creates an unacceptable negative impact on surrounding land uses or environmental resources.
8. The Project will comply with all Building, Public Works, and Fire Codes, along with all City ordinances and all conditions of approval which are attached hereto as Exhibit "D".

Multi-Unit Objective Design Standards Deviation

In accordance with Section 20.48.185(A) (Multi-Unit Objective Design Standards – Purpose) of the NBMC, the Project is seeking deviation from the following Multi-Unit Objective Design Standards:

- a) *20.48.185.E.1 – Building entries shall face the primary public street.*
- b) *20.48.185.J.3.a.iv - Facade fenestration.*
- c) *20.48.185.N.2.b - Landscape and Paving Zone (LPZ).*
- d) *20.48.185.O.3.a - Minimum PAOS Width.*
- e) *20.48.185.S.2.a - Minimum Opening Standard.*

The Planning Commission may approve a SDR to allow deviation of multi-unit objective design standards only after making all the following findings:

Finding:

- D. *The strict compliance with the standards is not necessary to achieve the purpose and intent of this section.*

Facts in Support of Finding:

1. *Section 20.48.185.E.1 - Building entries shall face the primary public street with direct pedestrian connections to the public sidewalks, unless determined to be infeasible due to topographic constraints by the Director. Pedestrian connections to the public sidewalks shall also be provided to parking areas and publicly accessible open space. For larger sites with multiple buildings, building entries may also be oriented to face internal open spaces, paseos, and recreation amenities.*

Most of the buildings on the site either face a public street or an internal paseo that provides pedestrian access to the public street. However, due to the size of the parcel,

and in order to maintain internal streets and parking that are screened from view by the buildings, twelve units, or 13.4 percent of the overall development, are unable to take direct access from a public street or through a paseo. If the Applicant was required to remove units to achieve the requirement, they would not meet the minimum density required by the HO-2 overlay. The majority of units comply with this requirement and the 12 units that do not will still feature designated porches, identifying the entry to the unit.

2. Section 20.48.185.J.3.a.iv - *At least twenty (20) percent of the surface area of the ground and upper floor facade shall be occupied by windows.*

The Project proposes a Coastal Farmhouse architectural style to blend into the surrounding community and provide a residential development that fits into the City. This style typically does not include extensive fenestration. Nevertheless, the Applicant has increased the number and size of windows to the maximum feasible size while maintaining practical and usable floor plans. The project provides a range of window coverage which sometimes exceeds 20% but does not consistently provide 20%.

3. Section 20.48.185.N.2.b - *Landscape and Paving Zone (LPZ). A four-foot minimum width zone shall be provided. The zone shall be landscaped a minimum of twenty (20) percent of the total site abutting a building. A combination of vines, ornamental grasses, shrubs, ground cover, and ornamental trees shall be provided. Landscaping in pots is permitted.*

While the Project does not provide the minimum four feet of landscaping adjacent to the drive aisle, it includes narrower planters that preserve the minimum drive aisle widths required by Public Works and the Fire Department. These planters still support the growth of vines and shrubs, contributing greenery and visual interest consistent with the intent of the landscaping requirement. Additionally, the prescribed four-foot minimum can create an unintended visual cue that encourages parallel parking in front of garage doors, as planters of that width on either side of a garage opening can suggest a parking space, potentially obstructing access and circulation.

4. Section 20.48.185.O.3.a - *Minimum PAOS Width. No paseo, promenade, or courtyard right-of-way shall be narrower than twenty (20) feet in width. If incorporated in a development plan, paseos or promenades shall include an eight-foot minimum width path; all courtyards shall include a minimum six-foot minimum width path.*

The Project proposes pedestrian paseos along the Monrovia Avenue and West 16th Street frontage. To accommodate the rectangular shape of the parcel (longer than wider) and minimum density requirements, these paseos have a width of only 10 feet with a five-foot-wide sidewalk. Increasing the width of these paseos would result in the reduction of private open space for units with courtyards or shrinking drive aisles, which would be contrary to Fire Department requirements. While the PAOS is narrower than required, it runs along the entire West 16th Avenue frontage and most of the Monrovia Avenue frontage, providing 10,224 sq. ft. of PAOS when only 4,695 sq. ft. are required, i.e. over double the minimum requirement. Furthermore, the PAOS placement is strategic. Having PAOS along the street frontages makes it easily

accessible to the public, increasing the likelihood of use, which meets the intent of this standard. Lastly, the PAOS will provide bicycle racks and a repair station, which will benefit the neighborhood.

5. Section 20.48.185.S.2.a - *Minimum Opening Standard. First floor multi-unit building frontages shall be comprised of transparent glazed door and window openings as follows: Twenty-five (25) percent for any at-grade or above-grade residential first floor unit fronting a street or paseo.*

The Project proposes a Coastal Farmhouse architectural style to blend into the surrounding community and provide a residential development that fits into the City. This style typically does not include extensive fenestration. Nevertheless, the Applicant has increased the number of size of windows to the maximum feasible size while maintaining practical and usable floor plans. The transparency standards are intended to make a ground floor appear welcoming and not walled off from the street. The proposed design still achieves this intent by proposing articulated porches and windows where appropriate. Furthermore, the private residence courtyards that face the PAOS and the street will create a relaxing and social atmosphere for the community.

Finding:

- E. *The project possesses compensating design and development features that offset impacts associated with the modification or waiver of standards.*

Facts in Support of Finding:

1. All facts in support of Finding D above are hereby incorporated by reference.
2. Facts 1 and 9 in support of Finding A above are hereby incorporated by reference.
3. To minimize the number of waivers, the Project has been designed to meet the minimum required density. The Project maximizes open space by providing a combination of private, active common (pool area), and passive (paseos) areas. Parking and internal circulation is located behind the buildings to minimize visual impacts to the surrounding neighborhood. Multiple housing types with multiple color schemes are proposed to provide a variety of building appearances.

Vesting Tentative Tract Map

In accordance with Section 19.12.070 (Required Findings for Action on Tentative Maps) of the NBMC, the following findings, and facts in support of such findings are set forth:

Finding:

- F. *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 VTTM is for 89-unit residential condominiums (i.e., “residential townhomes”).
4. Facts 1 and 9 in support of Finding A above are hereby incorporated by reference.
2. The Public Works Department has reviewed the proposed VTTM and found it consistent with Title 19 (Subdivisions) of the NBMC and applicable requirements of the Subdivision Map Act.
3. The Applicant will provide an in-lieu park dedication fee pursuant to Chapter 19.52 (Park Dedication and Fees), as required for park and recreational purposes in conjunction with the approval of this VTTM. The existing parcel is undeveloped; therefore, the in-lieu park fee will be required for 89 new dwelling units.
4. A preliminary application for residential development, filed as PA2024-0228, was deemed submitted on February 14, 2025, for this Project. The preliminary application prevents the Project from being subject to any City ordinances, policies, and standards adopted after the date of submission, except as specified in Government Code Section 65589.5(o). Therefore, the Project will be subject to the in-lieu park fee in the amount of \$38,400 per unit which was the fee in effect at the time the preliminary application was deemed submitted.

Finding:

- G. *The site is physically suitable for the type and density of development.*

Facts in Support of Finding:

1. The proposed 4.34-acre Project Site is rectangular in shape. The Project proposes 89 dwelling units and complies with all required development standards for the HO-2 Subarea.
2. The Project Site is suitable for the type and density of the development in that the infrastructure serving the site has been designed to accommodate the Project. A sewer and water demand study were prepared by Fuscoe Engineering dated July 7, 2025 and June 4, 2025, respectively. The studies concluded that no additional sewer system or water line improvements are required to accommodate the Project. The Project does not result in more than 500 dwelling units; therefore, a Water Supply Assessment is not required for Project.
3. The Project has been reviewed by the Building, Fire, and Public Works Department and must comply with all Building, Fire, and Public Works Codes and City ordinances.

Finding:

- H. *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*

Fact in Support of Finding:

1. As detailed in the CEQA Consistency Memorandum, which is attached hereto as Exhibit "B" and incorporated by reference, the site does not contain riparian habitat or other sensitive natural community, or wetlands. The Project would not have any specific effects which are peculiar to the Project or the Project site. Additionally, there are no project-specific significant impacts that were not analyzed in the GPHIP, PEIR, no potentially significant off-site or cumulative impacts that were not discussed in the GPHIP PEIR, and no substantial new information not known at the time the GPHIP PEIR was certified that shows that the proposed Project's effects would be more severe than discussed in the GPHIP PEIR.

Finding:

- I. *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 proposed VTTM is for an 89-unit residential development. 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 NBMC and Section 66411 (Local agencies to regulate and control design of subdivisions) of the Subdivision Map Act. The Project will conform to all City ordinances and Conditions of Approval.
2. The Project shall comply with all applicable mitigation measures within GPHIP, PEIR MMRP, as specified within Attachment A of the CEQA Consistency Memorandum which is attached hereto as Exhibit "B" and incorporated by reference.
3. No evidence is known to exist that would indicate that the proposed subdivision will generate any serious health problems.

Finding:

- J. *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 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 the 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:

1. The Public Works Department has reviewed the proposed VTTM and determined that the design of the development will not conflict with easements acquired by the public at large, for access through, or use of the Project Site within the proposed development because no public easements are located on the Project Site.

Finding:

- K. *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.*

Fact in Support of Finding:

1. The Project Site is not subject to the Williamson Act. The Project Site is not designated as an agricultural preserve and is less than 100 acres in area.
2. The Project Site is within the HO-2 Subarea which is intended for development of a multi-story residential project. The intended use is not for residential development that is incidental to commercial agricultural use.

Finding:

- L. *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, the 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:

- M. *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 VTTM includes attached dwelling units with open space, private driveways, and walkways which separate the individual buildings. The proposed subdivision design allows for solar access and passive and cooling opportunities by ensuring all units have solar access to the roof. Furthermore, 69 of the 89 units have an east-west orientation with the facades being visible to the southern sky.
2. The Project and any future improvements are subject to Title 24 of the California Building Code, which requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. The City's Building Division enforces Title 24 compliance through the plan check and inspection process.

Finding:

- N. *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:

2. The 89 dwelling unit Project yields a density of 20.5 dwelling units per acre, consistent with the HO-2 subarea. The Project is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code as the Project results in a net increase in eighty-nine, for-sale, residential dwelling units which contributes to the City's assigned 6th Cycle RHNA. By developing vacant land with medium-density, ownership housing, the Project helps meet the City's housing goals while utilizing existing infrastructure and public services.

Finding:

- O. *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. Wastewater discharge from the Project into the existing sewer system has been designed to comply with the Regional Water Quality Control Board requirements.
2. A Water Quality Management Plan ("WQMP") has been prepared for the Project.
3. Fact 2 in support of Finding G is hereby incorporated by reference.

Finding:

- P. For subdivisions lying partly or wholly within the Coastal Zone, the subdivision conforms with the certified Local Coastal Program and, where applicable, with public access and recreation policies of Chapter 3 of the Coastal Act.*

Fact in Support of Finding:

1. The Project Site is not located in the Coastal Zone; therefore, compliance with the Local Coastal Program (LCP) and the Coastal Act is not applicable.

SECTION 4. ADDITIONAL FINDINGS.

1. The Project Site is designated as a Housing Opportunity Site under the City of Newport Beach's certified 6th Cycle Housing Element, approved by the City Council and certified by the California Department of Housing and Community Development. Pursuant to that approval, a residential overlay was placed on the site, allowing for the development of the proposed 89 residential units. This overlay designation is supported by the certified PEIR, approving the MMRP, and adopting Findings and a Statement of Overriding Considerations related to the implementation of the Housing Element involving amendments to the General Plan, Coastal Land Use Plan, and Title 20 (Planning and Zoning) and Title 21 (Local Coastal Program Implementation Plan) of the NBMC.
2. The Project Site is located within the HO-2 Subarea of the Housing Opportunity (HO) Overlay Zoning District. The Project Site is designated as General Industrial (IG) by the General Plan Land Use Element and is located within the Industrial (IG) Zoning District. The City Council's duly adopted Housing Element and accompanying actions establish the HO-2 (West Newport Mesa Area) Subarea as a valid residential zoning mechanism consistent with California Government Code Sections 65583 and 65583.2. At the time of project approval, the certified Housing Element and residential overlay are in full legal effect.
3. The Project is not subject to further environmental review pursuant to Section 21083.3 of the Public Resources Code and Section 15183 of the CEQA Guidelines, because the Project does not change the underlying land use or zoning designations; and would not result in new significant impacts or significant impacts that would be substantially more severe than those disclosed in the PEIR.
4. Further, the proposed 89-unit residential Project does not trigger Charter Section 423 (Greenlight) because it does not seek a General Plan Amendment. Furthermore, even

if a General Plan Amendment was sought the amendment would not be considered “major” because the Project is less than 100 dwelling units, has less than 100 peak hour trips (traffic) and has no commercial component (thus, it is less than 40,000 square feet of floor area). Therefore, even without reliance upon the HO-2 (West Newport Mesa Area) Subarea, no public vote is required for this proposed project under Greenlight.

5. In the event the Housing Element and General Plan amendments are invalidated by court order, the City nonetheless finds that the Project may be approved for the following reasons:
- The certified PEIR, which is final and lawful, serves as a valid and independent basis for establishing the suitability of residential development at this site.
 - Under CEQA and California Government Code Section 65457 (exemption for residential projects consistent with a specific plan or general plan EIR), the certified PEIR’s confers legal stability on the City’s approval, including its reliance on the HO-2 subarea of the Housing Opportunity (HO) Overlay Zoning District for land use purposes.
 - The City’s approval advances the statewide interest in addressing housing needs, consistent with California Government Code Section 65589.5, and supports the City’s good faith compliance with state law. Preventing the development of 89 residential units—already environmentally analyzed and approved—due solely to procedural uncertainty would run contrary to both local planning policy and state housing mandates.

SECTION 5. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. In accordance with Section 21083.3 of the California Public Resources Code and Section 15183 of the CEQA Guidelines, the Project is consistent with the development density and use characteristics established by the City’s General Plan Housing Implementation Program as analyzed by the PEIR, and the required determinations can be made as detailed in the CEQA Consistency Memorandum, which is attached hereto as Exhibit “B.”
2. The Planning Commission finds that the SDR and VTTM for the 89-unit residential project are validly approved under existing law. The Project is consistent with the certified Housing Element, is not subject to additional environmental review, and does not trigger Charter Section 423 thresholds.
3. The Planning Commission of the City of Newport Beach hereby approves the SDR and VTTM filed as PA2025-0062, subject to the conditions outlined in Exhibit “D”, which is attached hereto and incorporated by reference.

4. The action on the SDR shall become final and effective 14 days following the date of this Resolution was adopted unless within such time an appeal is filed with the City Clerk in accordance with the provisions of Title 20 (Planning and Zoning) of the NBMC.
5. This action on the VTTM shall become final and effective 10 days following the date this Resolution was adopted unless within such time an appeal is filed with the City Council in accordance with the provision of Title 19 (Subdivisions) of the NBMC.

PASSED, APPROVED, AND ADOPTED THIS 18TH DAY OF SEPTEMBER, 2025

AYES:

NOES:

ABSTAIN:

ABSENT:

BY: _____
Tristian Harris, Chair

BY: _____
Jon Langford, Secretary

Attachments: Exhibit "A" – Legal Description
Exhibit "B" - CEQA Consistency Memorandum Prepared by T & B Planning, Inc.,
Dated, September, 2025
Exhibit "C" – Objective Design Standards Checklist
Exhibit "D" – Conditions of Approval

EXHIBIT "A"

Legal Description

PARCEL 1:

THE WEST 396 FEET OF LOT 913 OF "FIRST ADDITION TO NEWPORT MESA TRACT", AS SHOWN ON A MAP RECORDED IN BOOK 8, PAGE 81 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

EXCEPTING THEREFROM ONE-SIXTH OF ALL OIL, GAS AND/OR OTHER HYDROCARBON SUBSTANCES LYING IN OR UNDER THE ABOVE DESCRIBED LAND AND ONE-SIXTH OF ALL OIL, GAS, AND/OR OTHER HYDROCARBON SUBSTANCE WHICH MAY BE THEREAFTER PRODUCED, SAVED AND SOLD FROM SAID LAND AS EXCEPTED IN THE DEED FROM GEORGE TREMAINE MCDOWELL AND WIFE TO AGNES R. FLORES, RECORDED JANUARY 19, 1938.

NOTE: SAID LAND LIES WITHIN THE NEWPORT MESA IRRIGATION DISTRICT.

PARCEL 2:

LOT 913 OF "FIRST ADDITION TO NEWPORT MESA TRACT", AS SHOWN ON A MAP RECORDED IN BOOK 8, PAGE 61 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

EXCEPTING THEREFROM THE WEST 396 FEET.

ALSO EXCEPTING THEREFROM ONE-SIXTH OF ALL OIL, GAS AND/OR OTHER HYDROCARBON SUBSTANCES LYING IN OR UNDER THE ABOVE DESCRIBED LAND AND ONE-SIXTH OF ALL OIL, GAS AND/OR OTHER HYDROCARBON SUBSTANCES WHICH MAY BE THEREAFTER PRODUCED, SAVED AND SOLD FROM SAID LAND.

<u>Assessor's Parcel Number:</u>	<u>Commonly Known As:</u>
APN 424-141-01	1580 Monrovia Ave, Newport Beach, CA 92663
APN 424-141-02	875 W 16th St, Newport Beach, CA 92663

EXHIBIT “B”

CEQA Consistency Memorandum Prepared by T & B Planning, Inc., dated September, 2025

File available via link due to size:

<https://ecms.newportbeachca.gov/WEB/Browse.aspx?id=3184503&dbid=0&repo=CNB>

EXHIBIT “C”

OBJECTIVE DESIGN STANDARDS CHECKLIST



Objective Design Standards Checklist

Community Development Department
 Planning Division
 100 Civic Center Drive / P.O. Box 1768 / Newport Beach, CA 92658-8915
 (949) 644-3204
www.newportbeachca.gov

Disclaimer: This checklist is intended to help ensure compliance with Section 20.48.185 (Multi-Unit Objective Design Standards) of the Newport Beach Municipal Code (NBMC). It does not include all design and development standards from other sections of the NBMC, planned community development plans, or any overlay zoning district; however, compliance with all applicable standards is still required. If you have questions on which standards apply to your project, please contact a planner at 949-644-3204.

Name of applicant: _____

Date: _____

Project Address: _____

Project Application # (City staff to fill out) _____

Development Type:

Multi Family Unit Residential

Mixed Use Development

Project Site Context (check all that apply)

Situated adjacent to existing residential development

Situated next to existing commercial development

Situated adjacent to designated historical structure

Other _____

20.48.185 Objective Design Standards Checklist Items	Applicant Evaluation			Staff Evaluation			
	Yes	No	N/A	Yes	No	N/A	Drawing Reference
A. General Standards							
1: Multi-unit development orientation							
a. Development color scheme (8+ buildings)							
b. Development color scheme (30+ buildings)							
c. Pedestrian walkways and linkages							
d. Architectural variety and features							
e. Structured parking visibility							
f. Corner lot loading docks/service areas							
g. Parking facility entrances							

20.48.185 Objective Design Standards Checklist Items	Applicant Evaluation			Staff Evaluation			
	Yes	No	N/A	Yes	No	N/A	Drawing Reference
2: Mixed-use buildings orientation							
a. Commercial unit entrances							
b. Residential unit entrances							
B. Orientation							
1. Orientation to primary public street							
2. Screening of parking areas							
3. Multi-unit projects across from single-family							
4. Building arrangement for outdoor space							
C. Parking Standards							
1: Parking compliance with NBMC 20.40.070							
a. Parking lot placement							
b. Landscaped area							
2: Residential garages							
a. Street facing garage door							
i. Consistent garage and building architecture							
ii. Arbor or other similar feature							
3. Parking structures and loading bays							
a. Shielding of parked vehicles							
b. Minimize blank concrete facades							
D. Common Open Space (C.O.S)							
1: Common recreation area requirement							
2: Residential entry distance from C.O.S.							
3: Pedestrian walkway connection points							
4: Open space location							
5: Usable open space grade							
6: Seating and lighting							
E. Recreation Activities							
1: Play area location and visibility							
2: Senior housing areas of congregation							
3: Recreational amenities per unit count							

20.48.185 Objective Design Standards Checklist Items	Applicant Evaluation			Staff Evaluation			
	Yes	No	N/A	Yes	No	N/A	Drawing Reference
F. Landscaping							
1: Min. 8% of total site landscaped							
2: Landscaping materials							
a. Ground cover							
b. Nonliving decorative landscaping							
c. Turf areas for recreation							
3: Landscaping and irrigation							
G. Frontage Types and standards							
1: Storefronts							
a. Ground floor elevation location							
b. Entrance using one of given methods							
c. Windows and/or glass doors coverage							
d. Upper floor facade window coverage							
e. Floor to floor height (15 ft)							
f. Awnings or marquees min/max height							
2: Live work/office fronts							
a. Ground floor elevation location							
b. Entrance for ground floor tenant							
c. Entrance for upper floor tenants							
d. Ground floor facade coverage							
e. Upper-level facade coverage							
f. Ground floor to ceiling height							
g. Awnings or marquees min/max height							
h. Setbacks							
3: Residential fronts							
a. Ground floor elevation							
i. Garage length of building facade							
ii. Entrance for ground floor tenants							
iii. Entrance for upper-floor tenants							
iv. Ground and upper floor facade coverage							
v. Setbacks							

20.48.185 Objective Design Standards Checklist Items	Applicant Evaluation			Staff Evaluation			
	Yes	No	N/A	Yes	No	N/A	Drawing Reference
H. Walls and Fences							
1: Community perimeter and theme walls							
2: Wall materials							
3: Wall style conformance with architecture							
4: Exterior perimeter wall depth							
I. Utilities							
1: Utility locations and placement							
2: Mechanical equipment screening (if needed)							
3: Utility rooms (if feasible) for certain equipment							
a. If not feasible, incorporated into design							
J. Private Street Standards							
1: Private street right-of-way width							
a. Without on-street parallel parking (41 ft)							
b. With on-street parallel parking (50 ft)							
2: Private street zones							
a. Street zone (SZ) design standards							
b. Sidewalk zone(SWZ) design standards							
c. Landscaping and paving zone (LPZ) design standards							
K. Private Driveway Zones							
1: Private driveway right-of-way (dimensions)							
2: Driveway zones							
a. Driveway zone (DZ)							
b. Landscape and paving zone (LPZ)							
L. Publicly Accessible Open Space (PAOS) Standards							
1: Required PAOS							
2: Site area calculations							
3: PAOS Design Standards							
a. PAOS minimum width							
b. PAOS access							
M. Façade Modulation Standards							
1: Density and building typology							

20.48.185 Objective Design Standards Checklist Items	Applicant Evaluation			Staff Evaluation			
	Yes	No	N/A	Yes	No	N/A	Drawing Reference
N. Vertical Modulation							
1: Components							
a. Base							
b. Middle							
c. Top							
2: Changes in facade material and/or color							
a. Banding							
b. Floor heights							
c. Fenestration							
d. Cladding material							
3. Additional vertical modulation standards							
a. First floor height							
i. Density less than 30 units/acre							
ii. Density greater than 30 units/acre (residential only)							
iii. Density greater than 30 units/acre (commercial units on ground floor)							
b. Vertical variation							
i. Density less than 30 units/acre							
ii. Density greater than 30 units/acre							
O. Horizontal Modulation							
1: Building standards for developments with density of less than 30 units/acre							
a. Maximum building length							
b. Required minimum modulation area							
c. Minimum depth							
d. Maximum number							
2: Building standards for developments with density of 30 units/acre or greater							
a. Maximum facade length							
b. Required minimum modulation area							
c. Minimum depth							
d. Minimum width							
e. Maximum number							

20.48.185 Objective Design Standards Checklist Items	Applicant Evaluation			Staff Evaluation			
	Yes	No	N/A	Yes	No	N/A	Drawing Reference
P. First Floor Opening and Transparency Standards							
1: Building standards for development with density less than 30 units/acre							
a. Minimum opening standard							
2: Building standards for development with density of 30 units/acre or more							
a. Minimum opening standard							
i. For any at-grade or above-grade first floor unit fronting a street or paseo							
ii. For any mixed-use multi-unit building with a first-floor commercial use fronting a street, courtyard, or paseo							
Q. First Floor Entry Standards							
1: Individual residential unit entrances							
a. Residential front door standards							
i. Minimum entry sidewalk width							
ii. Entry stoop, terrace and patio area							
2: Lobby Entrances							
a. Location standards and accessibility							
i. Sidewalk entry width							
ii. Entry landing area							
iii. Prohibited primary entries							

EXHIBIT “D”**CONDITIONS OF APPROVAL**

(Project-specific conditions are in italics)

Planning Division

1. The Project shall be in substantial conformance with the approved plans (site plan, floor plans, landscape plan, and building elevations, etc.) stamped and dated with the date of this approval (except as modified by applicable conditions of approval). Minor changes to the approved development may be approved by the Community Development Director, pursuant to Section 20.54.070 (Changes to an Approved Project) of the NBMC. By way of example, a change to the number of stories of a unit (e.g., three-story product, etc.), floor plan redesign, and change to offered square footage ranges would be considered minor changes provided the project was within the allowed height limit, and in compliance with the Objective Design Standards and density range under the Housing Opportunity (HO) Overlay Zoning District.
2. The Project is subject to compliance with all applicable submittals approved by the City and all applicable City ordinances, policies, and standards, unless specifically waived or modified by the conditions of approval
3. The Applicant shall comply with all federal, state, and local laws. A material violation of any of those laws in connection with the use may cause the revocation of this approval.
4. *This Major Site Development Review shall expire and become void unless exercised within seven years from the date of approval of Resolution No. PC2025-020 to coincide with the expiration of Vesting Tentative Tract Map No. 19408, unless extended as provided in Condition No. 16.*
5. A copy of the Resolution, including conditions of approval Exhibit “D” shall be incorporated into the Building Division and field sets of plans before issuance of the building permits.
6. *The proposed residential development shall consist of 89 dwelling units. The number of units may be reduced by the Applicant provided the total number of units meets the density requirements under the HO Overlay Zoning District of 20 to 50 dwelling units per acre.*
7. *The on-site residential amenities including the pool area, benches, and walking paths as illustrated on the approved plans shall be provided and maintained for the duration of the Project. The exact mix of amenities may be modified from the original approved plans subject to the approval by the Community Development Director.*

8. *The Project shall maintain at least 75 square feet of common open space per dwelling unit on the Project Site, as required by the HO-2 Subarea. The square footage of on-site resident-serving amenities shall not be reduced so that the development no longer provides 75 square feet of common open space per dwelling unit.*
9. *Residential structures shall be attenuated to provide an interior noise level of 45 dBA CNEL or less pursuant to Section 10.26.030 (Interior Noise Standards) of the NBMC. Prior to issuance of any Certificate of Occupancy, an acoustic study shall be performed by a qualified professional and submitted to the City Planning Department demonstrating compliance with these standards. If the exterior noise levels exceed applicable standards, additional mitigation shall be required which may include the installation of additional sound attenuation devices as recommended by the acoustic study and subject to the approval of the Community Development Director.*
10. *Prior to issuance of any Certificate of Occupancy, Applicant shall provide a disclosure statement at the time of purchase contract, in form and content acceptable to the City Attorney in consultation with the Community Development Director, which shall be provided to each prospective purchaser of one of the residential units on the site advising of the potential noxious characteristics of the nearby industrial uses which could adversely affect the prospective owner's enjoyment of the property. The disclosure statement shall be included and recorded with the Conditions, Covenants and Restrictions (CC&Rs) at the County Recorder's Office and each purchaser shall be required to acknowledge receipt of the disclosure statement, in writing, prior to executing a deed and the written acknowledgement shall be recorded together with the deed with the County Recorder. The form shall also be provided to future buyers of a re-sold residential unit and similarly included and recorded with the CC&Rs for those future buyers.*
11. *The Applicant shall comply with all applicable provisions of NBMC Chapter 15.38 (Fair Share Traffic Contribution Ordinance) and Chapter 15.42 (Major Thoroughfare and Bridge Fee Program). Prior to the issuance of a building permit, Fair Share Traffic Fees shall be paid for the Project in accordance with fees in effect at the time the PA2024-0028 was deemed complete. Transportation Corridor Agency fees shall be paid for the Project at the fee assessed at the time of payment.*
12. *Prior to the issuance of a building permit, the Applicant shall pay applicable school fees for the Project.*
13. *Prior to the issuance of a building permit, the Applicant shall pay applicable property development tax as required pursuant to NBMC Chapter 3.12 (Property Development Tax) for the Project.*
14. *A preliminary application for residential development, filed as PA2024-0228, was deemed submitted on February 14, 2025, for this Project. The preliminary application prevents the Project from being subject to any City ordinances, policies, and standards adopted after the date of submission, except as specified in Government Code Section 65589.5(o). The Applicant shall provide an in-lieu park dedication fee pursuant to Chapter 19.52 (Park Dedication and Fees), as required for park and recreational*

purposes in conjunction with the approval of this VTTM. Therefore, the Project will be subject to an in-lieu park fee of \$38,400 per unit which is the fee that was in effect at the time the preliminary application was deemed submitted.

15. *Prior to the issuance of any certificate of occupancy, the developer shall pay all applicable Development Impact Fees (DIFs) in accordance with the fee schedule in place when PA2024-0228 was deemed submitted on February 14, 2025 .*
16. *Vesting Tentative Tract Map No. 19408 shall expire two years from the date of approval of Resolution No. PC2025-020. Pursuant to Section 19.16.010(A) (Expiration of Tentative Maps (California Government Code Sections 66452.6, 66463.5)) of the NBMC, an approved tentative tract map expires 24 months after the date of its approval or conditional approval. Under Section 19.16.020(A) (Extension of Tentative Maps (California Government Code Sections 66452.6, 66463.5)) of the NBMC, the subdivider shall have the right to request an extension of the map for up to five years. The subdivider has submitted an application for an extension of Vesting Tentative Tract Map No. 19408 and has requested that the extension be granted after the Planning Commission adopts Resolution No PC2025-020; thus, providing for an initial term of the vesting tentative tract map of 24 months, followed by extension of five years, for a total term of seven years from the date of approval of Resolution No. PC2025-020.*
17. *Prior to final map recordation, the VTTM shall be updated to show the PAOS and a public easement shall be recorded in form to the satisfaction of the City Attorney.*
18. *Bicycle racks and the bicycle repair station are to be located within the PAOS easement. The Project shall maintain the bicycle amenities.*
19. *Prior to the issuance of a building permit, the Applicant shall submit a landscape and irrigation plan prepared by a licensed landscape architect. These plans shall incorporate drought-tolerant planting and water-efficient irrigation practices, and the plans shall be approved by the Planning Division.*
20. *Twenty-seven of the open parking spaces shall be marked and reserved for guest parking.*
21. *The covenants, conditions and restrictions (CC&Rs) shall require that garages be used for vehicles and shall prohibit storage of personal items that would otherwise impede parking of vehicles within the required 17'6" x 19' garage spaces. The CC&Rs shall prohibit residents from parking in guest parking spaces within the development.*
22. *All landscape materials and irrigation systems shall be maintained by the approved landscape plan. All landscaped areas shall be maintained in a healthy and growing condition and shall receive regular pruning, fertilizing, mowing, and trimming. All landscaped areas shall be kept free of weeds and debris. All irrigation systems shall be kept operable, including adjustments, replacements, repairs, and cleaning as part of regular maintenance.*

23. Prior to the final building permit inspection, the Applicant shall schedule an inspection with Planning Department staff to verify landscaping has been installed per plan.
24. Prior to the issuance of a building permit, the Applicant shall prepare a photometric study in conjunction with a final lighting plan for approval by the Planning Division. The survey shall show that lighting values are "1" or less at all property lines.
25. The site shall not be excessively illuminated based on the luminance recommendations of the Illuminating Engineering Society of North America, or, in the opinion of the Director of Community Development, the illumination creates an unacceptable negative impact on surrounding land uses or environmental resources. The Director may order the dimming of light sources or other remediation upon finding that the site is excessively illuminated.
26. Prior to the issuance of Final Certificate of Occupancy, the Applicant shall schedule an evening inspection by the Code Enforcement Division to confirm control of light and glare specified in conditions of approval.
27. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 (Community Noise Control), under Sections 10.26.025 (Exterior Noise Standards) and 10.26.030 (Interior Noise Standards), and other applicable noise control requirements of the NBMC.
28. Construction activities shall comply with Section 10.28.040 of the Newport Beach Municipal Code, which restricts hours of noise-generating construction activities that produce noise to between the hours of 7:00 a.m. and 6:30 p.m., Monday through Friday, and 8:00 a.m. and 6:00 p.m. on Saturday.
29. The exterior of the development shall be always maintained free of litter and graffiti. The owner or operator shall provide for daily removal of trash, litter debris, and graffiti from the premises and on all abutting sidewalks within 20 feet of the premises.
30. All trash bins shall be stored within each residential unit and screened from the view of neighboring properties, except when placed for pick-up by refuse collection agencies. The Applicant shall ensure that the trash receptacles are maintained to control odors. The Applicant shall ensure that the trash bins are maintained to control odors. This may include the provision of periodic steam cleaning of the trash bin, if deemed necessary by the Planning Division. Cleaning and maintenance of trash bins shall be done in compliance with the provisions of Title 14, including all future amendments (including Water Quality related requirements).
31. Prior to the issuance of a building permit, the applicant shall pay any unpaid administrative costs associated with the processing of this application to the Planning Division.

32. *The Project shall comply with all applicable mitigation measures within the GPHIP, PEIR and MMRP as specified within Attachment A of the CEQA Consistency Memorandum prepared by T&B Planning, Inc., dated June, 2025.*
33. *Prior to the issuance of any permit for demolition, construction, grading, or otherwise, the Applicant shall provide the Community Development Department with documentation prepared by a qualified professional historian that confirms the affected structures are not historically significant and subject to the applicable criteria under CEQA.*
34. 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 property owner or leasing agent.
35. To the fullest extent permitted by law, the applicant shall indemnify, defend and hold harmless the City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs, and expenses (including without limitation, attorney's fees, disbursements, and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to City's approval of **The Residences at 1580 Monrovia** including, but not limited to, **Major Site Development Review and Vesting Tentative Tract Map (PA2025-0062)**. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorney's fees, and other expenses incurred in connection with such claim, action, causes of action, suit, or proceeding whether incurred by the applicant, City, and/or the parties initiating or bringing such proceedings. The applicant shall indemnify the City for all the City's costs, attorneys' fees, and damages that which City incurs in enforcing the indemnification provisions outlined in this condition. The applicant shall pay to the City upon demand any amount owed to the City under the indemnification requirements prescribed in this condition.

Building Division

36. The Applicant is required to obtain all applicable permits from the City's Building Division and Fire Department. The construction plans must comply with the most recent, City-adopted version of the California Building Code. The construction plans must meet all applicable State Disabilities Access requirements.
37. *Townhouses that are not per the definition below shall be reviewed under California Building Code and shall be equipped with National Fire Protection Association ("NFPA") 13R. A single-family dwelling unit in a townhouse that extends from foundation to roof and that has a yard or public way on not less than two sides."*
38. *Prior to the issuance of a building permit, the applicant shall provide a building analysis that demonstrates the type of construction and occupancy. Show allowable area, height and number of stories per Chapter 5 of California Building Code*

39. *Buildings with three or more dwelling units shall comply with Chapter 11A of California Building Code ("CBC"). Accessible path of travel from parking and public rights of way is required.*
40. *Prior to the issuance of a building permit, the Applicant shall obtain approval from the Orange County Health Care Agency for the pool and spa.*
41. *All guest parking spaces shall comply with 1109A of CBC. This shall include providing required number of accessible parking spaces.*
42. *Exterior wall and opening protection shall comply with Table R302.1(1) and (2) of the California Residential code and Chapter 705 of CBC.*
43. *Prior to the issuance of a building permit, the plans shall be modified to show the required Electric Vehicle charging for new construction per 4.106.4 of California Green Code.*
44. *1-hr fire and 50stc sound rating shall be required between dwelling units.*
45. *Spaces with one exit shall comply to table 1006.2.1, Table 1006.3.4(1) and Table 1006.3.4(2) of the CBC.*
46. The Applicant shall employ the following best available control measures ("BACMs") to reduce construction-related air quality impacts:

Dust Control

- Water all active construction areas at least twice daily.
- Cover all haul trucks or maintain at least two feet of freeboard.
- Pave or apply water four times daily to all unpaved parking or staging areas.
- Sweep or wash any site access points within two hours of any visible dirt deposits on any public roadway.
- Cover or water twice daily any on-site stockpiles of debris, dirt, or other dusty material.
- Suspend all operations on any unpaved surface if winds exceed 25 mph.

Emissions

- Require 90-day low-NOx tune-ups for off-road equipment.
- Limit allowable idling to 30 minutes for trucks and heavy equipment

Off-Site Impacts

- Encourage carpooling for construction workers.
- Limit lane closures to off-peak travel periods.
- Park construction vehicles off traveled roadways.
- Wet down or cover dirt hauled off-site.
- Sweep access points daily.
- Encourage receipt of materials during non-peak traffic hours.
- Sandbag construction sites for erosion control.

Fill Placement

- The number and type of equipment for dirt pushing will be limited on any day to ensure that SCAQMD significance thresholds are not exceeded.
- Maintain and utilize a continuous water application system during earth placement and compaction to achieve a 10% soil moisture content in the top 6-inch surface layer, subject to review/discretion of the geotechnical engineer.

47. Prior to the issuance of a grading permit, a Storm Water Pollution Prevention Plan (SWPPP) and Notice of Intent (NOI) to comply with the General Permit for Construction Activities shall be prepared, submitted to the State Water Quality Control Board for approval and made part of the construction program. The project applicant will provide the city with a copy of the NOI and their application check as proof of filing with the State Water Quality Control Board. This plan will detail measures and practices that will be in effect during construction to minimize the project's impact on water quality.
48. Prior to the issuance of a grading permit, the applicant shall prepare and submit a WQMP for the proposed project, subject to the approval of the Building Division and Code and Water Quality Enforcement Division. The WQMP shall provide appropriate Best Management Practices (BMPs) to ensure that no violations of water quality standards or waste discharge requirements occur.
49. A list of "good housekeeping" practices will be incorporated into the long-term post-construction operation of the site to minimize the likelihood that pollutants will be used, stored, or spilled on the site that could impair water quality. These may include frequent parking area vacuum truck sweeping, removal of waste or spills, limited use of harmful fertilizers or pesticides, and the diversion of stormwater away from potential sources of pollution (e.g., trash receptacles and parking structures). The Stage 2 WQMP shall list and describe all structural and non-structural BMPs. In addition, the WQMP must also identify the entity responsible for the long-term inspection, maintenance, and funding for all structural (and if applicable Treatment Control) BMPs.

Public Works Department

50. Prior to the sale of any residential units, a Tract Map shall be recorded. The Map shall be prepared on the California coordinate system (NAD83).
51. Prior to recordation of the Tract 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 Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Sub Article 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.
52. Prior to the recordation of the Tract 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, Sub Article 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 construction project.

53. Prior to the recordation of the Tract Map, a Subdivision Agreement shall be obtained and approved by the City Council consistent with the Section 19.36.010 (Improvement Agreements (California Government Code Section 66462)) of the NBMC.
54. Prior to Final Map approval, the Applicant shall provide a Faithful Performance Bond and Labor and Materials Bond, each for 100% of the estimated improvement costs for the improvements in the public right-of-way, as prepared by a Registered Civil Engineer and approved by the Public Works Director, for each of the following, but not limited to, public and private improvements, street improvements, monumentation, sidewalks, striping, signage, street lights, sewer systems, water systems, storm drain systems, water quality management systems, erosion control, landscaping and irrigation within the public right-of-way, common open spaces areas accessible by the public, fire access and off-site improvements required as part of the project.
55. Warranty Bond for a minimum of 10% of the engineers cost estimate (final percentage to be determined by the Public Works Director) shall be released 1-year after the improvements have been accepted.
56. All improvements shall be constructed as required by Ordinance and the Public Works Department.
57. An encroachment permit shall be required for all work activities within the public right-of-way.
58. Prior to the issuance of a building permit, the final construction management plan (CMP) shall be reviewed and approved by the Community Development Director and the City Traffic Engineer.
59. Parking layout shall comply with the City Parking Lot Standard 805. Dead-end drive aisle in public areas shall provide a dedicated turn around space and minimum five-foot drive aisle extension.
60. The Applicant shall reconstruct all existing broken and/or otherwise damaged curb, gutter and sidewalk along the 16th street and Monrovia Avenue frontages per City Standards.
61. All deliveries and move-ins/move-out shall be accommodated on-site and prohibited from parking or stopping within the public right-of-way.
62. The on-site sewer and water system shall be privately owned and maintained. All connections to City facilities shall be constructed per City standards.

63. The Project storm drain system shall be privately owned and maintained. The storm drain system shall be prohibited from discharging to the adjacent City lots and shall be redesigned accordingly.
64. Prior to the issuance of a building permit, the final hydrology and hydraulic report shall be reviewed and approved. Any required improvements to downstream City infrastructure to accommodate the proposed project shall be designed and constructed by the proposed project.
65. *The existing power poles along Monrovia Avenue and along the rear property line shall be undergrounded*
66. All improvements shall comply with the City's sight distance requirements per City Standard 105.

Fire Department

67. FD access lanes shall comply with the Newport Beach Fire Department ("NBFD") guideline C.01 for required widths and clearances
68. Onsite fire hydrants shall be required and a fire underground plan submittal complying with the 2022 National Fire Protection Association ("NFPA") Standard 24 shall be a required as a deferred submittal.
69. *All SFR and duplexes shall be equipped with fire sprinklers complying with the 2022 NFPA Standard 13D.*
70. *All buildings with three or more units shall be equipped with fire sprinklers complying with the 2022 NFPA Standard 13R.*
71. *All MFR fire sprinklers shall be equipped with fire alarm and water flow monitoring devices to comply with 2022 CFC 907 and 2022 NFPA 72 standards.*
72. Fire master plan complying with the NBFD Guideline D.08 shall be required as a deferred submittal.
73. Fire rescue opening and laddering pads complying with NBFD Guideline C.05 shall be required.
74. If gates are proposed to enclose the driveways onto the property, Knox key switches and a second method of rapid entry shall be required.