

Attachment No. PC 4

Police Department Memorandum



**NEWPORT BEACH POLICE DEPARTMENT
DETECTIVE DIVISION**

MEMORANDUM

TO: Liz Westmoreland, Principal Planner

FROM: Wendy Joe, Police Civilian Investigator

DATE: January 14, 2026 [Note: Updated statistics provided for 2025]

SUBJECT: SOL Mexican Cocina
251 East Coast Hwy
PA2025-0199

At your request, the Police Department has reviewed the project application for Sol Mexican Cocina located at 251 East Coast Hwy., Newport Beach. The applicant is seeking a use permit to make a temporary outdoor patio, permanent. The applicant is also requesting late hours until midnight and live entertainment. If this project is approved, a Police Operator Permit will be required.

Statistical Data

Attached is a summary report which provides detailed statistical information related to alcohol establishments in and around the applicant's proposed place of business at 251 East Coast Highway.

Business and Professions Code §23958.4 finds "undue concentration" for an applicant premises in two ways: 20% higher crime (with an alcohol nexus) in a Reporting District as compared to the City-wide average, or an over saturation of alcohol licenses in a census tract as compared to the County's per capita ratio.

Crime Statistics:

The Police Department divides the City into areas referred to as Reporting Districts. This allows the Police Department to compile statistical data, as well as better communicate officer locations while policing. The proposed applicant location is within Reporting District (RD) 41 which encompasses the Back Bay area south to Harbor Island.

Per Business and Professions Code §23958.4, the Police Department is required to report offenses of criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, theft, and motor vehicle theft (all Part I crimes), combined with all arrests for other crimes, both felonies and misdemeanors (except traffic citations) to the Department of Alcoholic Beverage Control (ABC). These figures make up the "Crime Count" which is indicated on the attached statistical data form.

This reporting district is reported to ABC as a high crime area as compared to other Reporting Districts in the City. The RD's Crime Count is 120, 7% above the City-wide crime count average of 112. In comparison, neighboring RD 26 is 40% above the City-wide average, RD 39 (Fashion Island) is 393% above the average, and RD 44 (CDM) is 167% above the average. Of 38 reporting districts in Newport Beach, we reported 10 to ABC as high crime areas.

The highest volume crime in this area is theft/larceny. The highest volume of arrests in the area are narcotics related offenses.

DUI, Public Intoxication, and liquor law violations make up 24% of arrests in this reporting district. In comparison, the figure for neighboring RD 26 is 21%, RD 39 is 18% and RD 44 is 32%.

This location meets the legal criteria for undue concentration pertaining to crime (B&P §23958.4).

Alcohol License Statistics:

The applicant premise is located within census tract 630.05. This census tract has an approximate population of 1,447 residents with 7 active on-sale alcohol licenses. That is a per capita ratio of one license for every 207 residents. Per the Business and Professions code, we compare this per capita ratio to Orange County's on-sale per capita ratio of one on-sale license for every 822 residents and we find census tract 635.05 is over-saturated with alcohol licenses per the specified criteria.

This location meets the legal criteria for undue concentration pertaining to alcohol licenses (B&P §23958.4).

Calls for Service

There were 42 calls for service in 2024 and 31 thus far in 2025. A review of all calls revealed most were not related to the restaurant, rather the restaurant's address was used to geographically tag the general area. No calls were the result of poor business practices, no calls were due to the temporary patio, and no calls were due to an over-consumption of alcoholic beverages. Additionally, the PD has not received any calls regarding loud music in 2024 or 2025.

Discussion and Recommendations

As a part of this application, a Police Operator License will be required due to the late hours with alcohol service and live entertainment. The applicant will need to apply for a Police Operator License and submit a security plan to be approved by the Police Department. That application has not been submitted.

We have requested a condition requiring a security recording system with a 30-day retention. The Police Department also recommends participation in the FUSUS program. Information will be provided to the applicant.

The Police Department has no concerns with the application. We request the below conditions below (or similar conditions) be imposed.

1. The Alcoholic Beverage Control License shall be limited to a Type 47 (On-Sale General). Any substantial change in the ABC license type shall require subsequent review and potential amendment of the Use Permit.

2. The interior of the restaurant shall close at midnight, daily. The new outside deck patio shall close at 10:00 p.m. daily.
3. The applicant shall comply with all federal, state, and local laws, and all conditions of the Alcoholic Beverage License. Material violation of any of those laws or conditions in connection with the use is a violation and may be cause for revocation of the use permit.
4. The Applicant shall obtain and maintain authorization from the California Department of Alcoholic Beverage Control (ABC) for all areas where the sale, service or consumption of alcohol is under the control of the applicant. The establishment shall abide by all applicable regulations of ABC.
5. The applicant shall install and maintain a physical barrier to the outdoor patio between any area used and adjacent common pedestrian walkways in accordance with the requirements of ABC.
6. All owners, managers and employees selling alcoholic beverages shall undergo and successfully complete a certified training program in responsible beverage service within 60 days of hire or approval of this application. The certified program must meet the standards of the State of California. Records of each owner's and employee's successful completion of the required certified training program shall be maintained on the premises and shall be presented upon request by a representative of the City of Newport Beach.
7. There shall be no dancing allowed on the premises.
8. A Live Entertainment Permit shall be obtained from the Revenue Division prior to any live entertainment being conducted.
9. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee.
10. Petitioner shall not share any profits or pay any percentage or commission to a promoter or any other person based upon monies collected as a door charge, cover charge, or any other form of admission charge, including minimum drink orders or the sale of drinks.
11. Any event or activity staged by an outside promoter or entity, where the applicant, operator, owner or his employees or representatives share in any profits, or pay any percentage or commission to a promoter or any other person based upon money collected as a door charge, cover charge or any other form of admission charge is prohibited.
12. The operator of the restaurant facility shall be responsible for the control of noise generated by the subject facility. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 and other applicable noise control requirements of the Newport Beach Municipal Code.
13. Food service shall be made available to patrons until closing.
14. The sale of "to go" alcohol shall be prohibited.

15. A Special Events Permit is required for any event or promotional activity outside the normal operational characteristics of the approved use, as conditioned, or that would attract large crowds, involve the sale of alcoholic beverages, include any form of on-site media broadcast, or any other activities as specified in the Newport Beach Municipal Code to require such permits.
16. The operator of the restaurant facility shall be responsible for the control of noise generated by the subject facility. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 and other applicable noise control requirements of the Newport Beach Municipal Code.
17. The applicant shall maintain a security recording system with a 30-day retention and make those recording available to police upon request.
18. The Operator of the establishment shall secure, maintain, and abide by an Operator License pursuant to Chapter 5.25 of the Municipal Code.

If you have any questions as to the content of this memorandum, please contact Investigator Wendy Joe at (949)644-3705 or wjoe@nbpd.org.



Wendy Joe
Police Civilian Investigator, Special Investigations Unit

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CHIEF DAVE MINER

NEWPORT BEACH POLICE DEPARTMENT

2025 CRIME STATISTICS

Summary for Sol Mexican Cocina at 251 East Coast Hwy (RD41)

Subject:	DISPATCH EVENTS	REPORTED CRIMES				ARRESTS					CITATIONS
		GROUP A OFFENSES	GROUP B OFFENSES	CRIME RATE	HIGHEST VOLUME	ALL ARRESTS	DUI ALCOHOL	PUBLIC INTOXICATION	LIQUOR LAW	HIGHEST VOLUME	ALCOHOL RELATED
251 East Coast Hwy	31	1	0	N/A	N/A	0	0	0	0	N/A	0
Subject RD: RD41	1,921	78	63	2,793.70	THEFT/LARCENY	80	16	3	1	DUI	3
Adjacent RD: RD26	3,073	125	81	7,580.35	THEFT/LARCENY	117	22	8	2	NARCOTICS	8
Adjacent RD: RD39	8,035	469	253	19,822.49	THEFT/LARCENY	358	37	32	1	THEFT/LARCENY	7
Adjacent RD: RD44	6,934	217	226	7,725.17	SIMPLE ASSAULT	259	33	47	6	DISORDERLY CONDUCT	512
Newport Beach	93,185	3,865	2,535	4,458.21	THEFT/LARCENY	3,219	436	413	30	NARCOTICS	1,023

This report reflects City of Newport Beach data for 2025. The NIBRS Group A Offense category is made up of 49 offenses used to report crimes committed within a law enforcement agency's jurisdiction. NIBRS Group B Offenses are less serious offenses that require an arrest to be reportable. Crime Rate refers to the number of Group A Crimes per 100,000 people.

Subject:	ACTIVE RETAIL ABC LICENSES <small>(Numbers frequently change)</small>							ABC CRIME COUNT			
	Population	ON-SALE Licenses	ON-SALE License Per Capita	OFF-SALE Licenses	OFF-SALE License Per Capita	TOTAL RETAIL LICENSES	TOTAL RETAIL LICENSES PER CAPITA	Subject:	CRIME COUNT	DIFF FROM AVG	%DIFF FROM AVG
251 East Coast Hwy	N/A	1	N/A	0	N/A	1	N/A	251 East Coast Hwy	1	N/A	N/A
Subject Census Tract: 630.05	1,447	7	207	3	482	10	145	Subject RD: RD41	96	-14	-13%
Adjacent Census Tract: 634	4,776	17	281	0	0	17	281	Adjacent RD: RD26	143	+33	+30%
Adjacent Census Tract: 630.08	2,408	32	75	4	602	36	67	Adjacent RD: RD39	516	+406	+369%
Adjacent Census Tract: 627.02	4,515	15	301	6	753	21	215	Adjacent RD: RD44	334	+224	+204%
Newport Beach	86,694	279	311	66	1,314	345	251	Newport Beach	4,161	RD Average = 110	
Orange County	3,186,989	3,876	822	1,842	1,730	5,718	557				

All Population figures taken from 2020 US Census. Per BP 23958.4, the "ABC Crime Count" includes offenses of criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, theft, and motor vehicle theft, combined with all arrests for other crimes, both felonies and misdemeanors (except traffic citations).

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