

Attachment No. PC 1

Draft Resolution

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RESOLUTION NO. PC2026-017

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH, CALIFORNIA, SUPERSEDING THE USE PERMIT FILED AS PA2023-0172, AND APPROVING A MINOR SITE DEVELOPMENT REVIEW, MINOR USE PERMIT, STAFF APPROVAL, AND TRAFFIC STUDY TO CONSTRUCT A MEDICAL OFFICE BUILDING AND WAIVE A PORTION OF THE OFF-STREET PARKING REQUIREMENT FOR THE PROPERTY LOCATED AT 20071 BIRCH STREET (PA2025-0220)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by ACS Development Group, Inc (“Applicant”), on behalf of Newport-Birch Holdings, LP (“Owner”), concerning property located at 20071 Birch Street, and legally described as a Portion of Lot 85 of Tract No. 706 (“Property”).
2. The Property is currently approved to operate as an airport shuttle facility pursuant to the Conditional Use Permit (“CUP”) filed as PA2023-0172, approved by the Planning Commission on May 23, 2024. The Property was subsequently sold to the current Owner in 2025. The airport shuttle facility will not be developed, and the CUP will not be exercised.
3. The Applicant proposes to construct a new 19,156-square-foot medical building on an undeveloped lot. The building will feature a small lobby on the ground level and two levels of medical office space above. The interior of the building is proposed as a shell design to accommodate future medical office users. The project also includes associated site improvements including circulation improvements, surface parking spaces, drainage improvements, trash facilities and landscaping along the street frontage and throughout the parking areas. The existing curb opening will be closed, and a new, commercial-sized curb opening will be provided, allowing both left and right turns onto Birch Street. A total of 89 parking spaces is proposed through a combination of 60 surface parking spaces and 29 parking spaces located within the building’s podium level. One parking space is designated as a pick-up and drop-off space and additional open and enclosed bicycle parking is proposed. The Applicant requests a waiver of 7 parking spaces, or 7.3% of the required parking for the building (“Project”).
4. The following approvals are required from the City of Newport Beach (“City”) to implement the Project:
 - a. **Minor Site Development Review (“SDR”)**: To allow the construction of a nonresidential building proposing between 10,000 and 19,999 square feet of floor area pursuant to Table 5-2 (Review Authority for Site Development Reviews) of Section 20.52.080 (Site Development Reviews) of the Newport Beach Municipal Code (“NBMC”).

- b. **Minor Use Permit (“MUP”)**: To allow medical and dental offices pursuant to Section 20.90.120 (Business Park District: SP-7) [BP] of the NBMC.
 - c. **Staff Approval**: To waive 7 of the 96 required parking spaces, or 7.2 % of the parking requirement, pursuant to Section 20.40.110(D) (Adjustments to Off-Street Parking Requirements – Reduction of Required Off-Street Parking by Director) of the NBMC.
 - d. **Traffic Study**: To consider the projected 643 net increase in average daily trips (“ADTs”), pursuant to Chapter 15.40 (Traffic Phasing Ordinance) of the NBMC.
5. Table 5-1 (Review Authority) of Section 20.50.020 (Authority for Land Use and Zoning Decisions) of the NBMC generally identifies the review authority responsible for acting on each type of required application. Both a minor SDR and a MUP can be approved by the Zoning Administrator. Section 20.40.110(D) (Adjustments to Off-Street Parking Requirements) of the NBMC allows the Community Development Director to reduce the number of required parking spaces by a maximum of 20%. Chapter 15.40 (Traffic Phasing Ordinance) of the NBMC designates the Planning Commission as the review authority for traffic studies.
 6. Section 20.50.30 (Multiple Permit Applications) of the NBMC requires that multiple applications for the same project be processed concurrently and be reviewed and approved, modified, or denied by the highest review authority which in this case is the Planning Commission.
 7. The Property is categorized as General Commercial Office (CO-G) by the General Plan Land Use Element and is located within the Santa Ana Heights Specific Plan Business Park (SP-7/BP) Zoning District.
 8. The Property is not located within the Coastal Zone; therefore, a coastal development permit is not required.
 9. A public hearing was held on May 21, 2026, in the Council Chambers at 100 Civic Center Drive, Newport Beach, California. A notice of the time, place, and purpose of the hearing was given in accordance with Government Code Section 54950 *et seq.* (“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. This Project is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15332 under Class 32 (In-Fill Development Projects) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3 because it has no potential to have a significant effect on the environment.
2. Class 32 exempts in-fill development that meets the following criteria: (1) is consistent with the applicable General Plan designation and applicable policies, as well as applicable zoning designations and regulations, (2) would occur on a site less than five

acres, (3) the project site must have no habitat value, (4) the project would not result in significant traffic, noise, air quality, or water quality effects, and (5) the site can be adequately served by all required utilities and public services. If a project meets the criteria and qualifies for the Class 32 exemption, the project is categorically exempt from CEQA unless one of the exceptions to exemptions apply. The exemption is not limited to any use type and may apply to residential, commercial, industrial, public facility, and/or mixed-use projects.

3. The Project meets all the requirements and is exempt under Class 32 (In-Fill Development Projects) based on the following:

a. General Plan and Zoning Consistency: The Property is categorized as General Commercial Office (CO-G) by the General Plan Land Use Element and is located within the Santa Ana Height Business Park (SP-7/BP) Zoning District. The CO-G category provides for areas appropriate for administrative, professional, and medical offices with limited accessory retail and service uses. The Project is consistent with the purpose and intent of the CO-G category, as the new building will provide medical services to the surrounding area. Additionally, Project is allowed in the SP-7/BP Zoning District.

b. Less Than 5 Acres: The Property is approximately 0.88 acres, which is less than 5 acres.

c. No Habitat Value: The Property is currently undeveloped; however, it was previously developed with a nonconforming single-unit dwelling. The dwelling unit was demolished in 2024, and the Property has remained undeveloped since. The Property has been regularly maintained and has not experienced significant vegetation growth. As such, it is unlikely to provide value as habitat for endangered, rare, or threatened species.

d. No Significant Traffic, Noise, Air Quality or Water Quality Effects:

The Project will generate a net increase of 643 ADTs on a typical weekday; therefore, a Traffic Impact Analysis (“TIA”) was prepared for the Project. The TIA found that the 12 intersections studied will continue to operate at a satisfactory level of service as defined by the City’s Traffic Phasing Ordinance.

The primary source of noise in the vicinity of the Property is airplane noise, as documented in Figure N2 (Existing Noise Contours) of the Noise Element of the General Plan. The addition of 643 vehicle trips will not significantly contribute to the ambient noise already experienced in this area. All stationary noise sources such as air conditioners are located on the roof of the building and shall conform to the Sections 10.26.025 (Exterior Noise Standards) of the NBMC. While the Project may experience short-term construction-related noise, the long-term operation is not anticipated to produce any noise beyond the existing levels of noise experienced in the areas and would therefore be less than significant.

The 643 ADTs generated by the Project are negligible compared to the existing trips associated with State Highway 73, located less than 500 feet northeast of the Property. Additionally, John Wayne Airport (Airport) experiences approximately 130 flights per day, and is located less than 1,000 feet north of the Property. The Project's contribution to existing air quality conditions in the area would be less than significant.

A preliminary Water Quality Management plan ("WQMP"), Grading Plan, and Drainage Plan have been prepared for the Project and accepted by the Building Division. The plans comply with state, regional, and City water quality requirements.

- e. Utilities and Public Services: The Property is within a developed area of the City and is adequately served by existing utilities. All public services are adequate to accommodate the Project. The Applicant has provided evidence from the Costa Mesa Sanitary District and Irvine Ranch Water District indicating their respective utilities will be provided to serve the Project.

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 findings and facts in support of such findings are set forth as follows:

Finding:

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

Facts in Support of Finding:

1. The Property is located within the SP-7/BP Zoning District, which is intended for professional and administrative offices, commercial uses, specific uses related to product development, and limited light industrial uses. Pursuant to Section 20.90.120 (B) (Business Park District: SP-7 [BP] – Principal Uses Permitted) of the NBMC, medical and dental office uses are permitted within the SP-7/BP District, subject to approval of a MUP; therefore, the Project is allowed within the subject Zoning District.
2. The Property measures approximately 132 feet wide by 290 feet deep and 38,303 square feet in total area. The SP.7 BP District limits floor area to a maximum Floor Area Ratio ("FAR") of 0.5. This equates to a maximum floor area of 19,156 square feet (38,303 sq. ft. x .5). The Project proposes 19,156 square feet of gross floor area and therefore complies.

3. The SP-7/BP District limits lot coverage to a maximum of 40%. This equates to a maximum lot coverage of 15,321 square feet (38,303 sq. ft. x 40%). The Project proposes a lot coverage of 12,877 square feet, or 34%, and therefore complies.
4. The SP-7/BP District requires a 10-foot front setback from Birch Street, and a 10-foot side setback on one side, with no minimum required for the opposite side or for the rear. The Project proposes a 54-foot front setback, a 56-foot side setback on the southwest side, an 8-foot side setback on the northeast side, and 45-foot 6-inch rear setback. The Project complies with all minimum required setbacks.
5. The SP-7/BP District allows for a maximum building height of 37 feet for properties located 75 feet or more from adjacent properties within the Santa Ana Height Specific Plan Residential Equestrian (SP-7/REQ) Zoning District. Mechanical roof screens are allowed to exceed the permitted height by up to 6 feet, to a maximum height of 43 feet, provided the roof screen is located a minimum of 10 feet from the building's main parapet. The Project proposes a building height of 37 feet and a mechanical roof screen height of 43 feet, as measured from the established grade pursuant to Section 20.30.050 (Grade Establishment) of the NBMC. The roof screens are located 27 feet, 6 inches and 80 feet from the main parapet. Therefore, the project complies with the height limits.
6. Table 3-10 (Off-Street Parking Requirements) of Section 20.40.040 (Off-Street Parking Spaces Required) of the NBMC requires medical and dental office uses to provide one space per 200 square feet of gross-floor area. The Project requires a total of 96 parking spaces (19,156 sq. ft. / 200 sq. ft. = 95.78, rounded up to 96 spaces). The Project provides 89 parking spaces; therefore, a seven-space, or 7.3%, parking waiver is required. Pursuant to Section 20.40.110(D) (Adjustments to Off-Street Parking Requirements – Reduction of Required Off-Street Parking by Director) of the NBMC, additional facts are required to substantiate the findings required for a parking waiver. The request for a parking waiver is evaluated and substantiated in Findings H through J below.
7. Pursuant to Table 3-4 (Multi-Unit Development Minimum Common Storage Areas Required) of Section 20.30.120 (Solid Waste and Recyclable Materials Storage) of the NBMC, requires that buildings between 10,000 and 25,000 square feet provide a total of 96 square feet of trash enclosure areas for both refuse and recycling. The Project proposes a 120-square-foot trash enclosure and therefore complies.
8. Section 20.90.030 (Design Guidelines) of the NBMC establishes design guidelines for business park uses located in the Santa Ana Heights Specific Plan. The intent of these design guidelines is to promote a consistent, high-quality character of development that results in the overall enhancement of the aesthetic character of the community. The design guidelines help ensure business park uses blend and complement the residential areas of the community through coordinated building form, materials, and landscaping. The Project is consistent with the intent of the design guidelines and provides a well-articulated and visually cohesive building. Specifically, the Project complies with the design guidelines, including, but not limited to, the following:

- a. Project provides a high-quality coastal contemporary design that incorporates the use of large glass windows, glass guardrails along an exterior walkway, and vertical wood paneling, applied across all elevations. While the Project includes the use of glass throughout the building, where the design guidelines discourage glass from being a major design element, the proposed glass windows and guardrails, are balanced with solid materials, including the wood paneling, so that glass does not visually dominate the façades. The proposed window placement, glazing and proportions are typical of offices for interior lighting purposes.
- b. The Project includes pedestrian-oriented features, such as a clearly defined entrance with decorative paving and integrated landscaping. Parking lot trees are provided at the required rate of one tree per four parking stalls for a total of 21 trees.
- c. The building's façade and perceived mass are softened through a combination of architectural recesses, articulation, and landscaping including trees, shrubs, and ground cover.
- d. The Project includes roof mounted and ground mounted mechanical and electric equipment, which will be screened with walls that are consistent with the design and the materials of the building.
- e. The Project building materials include the use of wood and stucco with a neutral color palette and glazing as a secondary architectural feature.
- f. The Project provides the minimum 10-foot front landscape setback along Birch Street and proposes planting two Brisbane Box trees and three Australian Willow trees. While the design guidelines include a recommended planting palette not inclusive of the willow, an alternative palette was established in coordination with the City Arborist. This alternative palette proposes plantings that require less maintenance and have a lower fire risk, while still achieving the intent of providing a high-quality landscape design, including the Brisbane Box trees from the design guideline's recommended palette.

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 Property is categorized as General Commercial Office (CO-G) by the Land Use Element of the General Plan, which provides areas appropriate for administrative, professional, and medical offices with limited accessory retail and service uses. The Project is for a medical office building that will serve the community and is therefore consistent with the purpose and intent of the CO-G category.
2. The Project is consistent with General Plan Land Use goals and policies, including, but not limited to the following:
 - a. **Land Use Element Policy LU 1.5 (Economic Health).** *Support the local economy through the identification and development of housing opportunities, as well as adequate commercial, office, medical, industrial, and marine-oriented uses that provide employment and local revenue opportunities to support high-quality community services for residents, businesses, and visitors.*
 - b. **Land Use Policy LU 2.1 (Resident-Serving Land Uses).** *Accommodate uses that support the needs of Newport Beach's residents including housing, retail, services, employment, recreation, education, culture, entertainment, civic engagement, and social and spiritual activity that are in balance with community natural resources and open spaces.*

The Project will authorize the construction and operation of a new medical office building within the developed neighborhood of Santa Ana Heights. Medical office uses remain in high demand due to the continued need for in-person healthcare services, and the Project will provide high-quality medical care within an already developed area of the City, avoiding the need to develop historically undeveloped property. Additionally, the Project is expected to serve future residents of the adjacent Airport Area, where additional housing opportunities authorized through the 6th Cycle Housing Element are anticipated to increase the residential population and demand for medical services in this area.

- c. **Land Use Policy 2.4 (Economic Development).** *Accommodate uses that maintain or enhance Newport Beach's fiscal health and account for market*

demands, while maintaining and improving the quality of life for current and future residents.

The Project is subject to several City fees, including development impact fees and traffic impact fair share fees. Additionally, future medical office users will be required to obtain a business license, which provides additional tax revenue to the City.

- d. **LU 3.3 (Opportunities for Change – Santa Ana Heights)** *Support opportunities for new development and improved physical environments for residents, businesses, and visitors in several areas including the Santa Ana Heights area to support the continued implementation of the adopted Specific Plan and Redevelopment Plan.*

The Project is located on Birch Street adjacent to other professional and medical office developments and nonconforming residential properties. Birch Street and nearby Acacia Street are both part of the business park corridor within the Santa Ana Heights Specific Plan, where over time it is expected to be fully developed into a contiguous business park. Additionally, the business park corridor is categorized as CO-G by the Land Use Element of the General Plan, where residential uses are not appropriate. This Property was previously developed with a nonconforming single-unit dwelling and is currently vacant. The Project will develop a medical office building that furthers the vision of a continuous business park corridor.

- e. **Land Use Element Policy LU 5.1.2 (Compatible Interfaces).** Require that the height of development in nonresidential areas and higher density residential areas transition as it nears lower-density residential areas to minimize the conflicts at the interface between the different types of development.

The Property is located approximately 375 feet west of the nearest residentially zoned area. Properties on Cypress Street are zoned SP-7/REQ and provide single-unit dwellings. The tallest parapet wall on the Project is set back an additional 27 feet from the building's leading edge and towards the center of the building. This provides even greater separation between the tallest elements of the Project to the SP-7/REQ properties. Additionally, the properties across Birch Street abut the SP-7/REQ properties and range in height from 27 to 37 feet tall with roof screens up to 43 feet. These building heights provide a gradual transition between the SP-7/REQ properties and the Project.

- f. **Noise Element Policy N 1.1 (Noise Compatibility of New Development)** *Require that all proposed projects are compatible with the noise environment through use of Table N2, and enforce the interior and exterior noise standards shown in Table N3.*

The Project is located approximately 1,000 feet south of John Wayne Airport and within the 65-70 dBA Community Noise Equivalent Level (“CNEL”) noise contour area. Pursuant to Table N2 (Land Use Noise Compatibility Matrix) of the General Plan Noise Element, office uses are normally compatible with this noise environment, whereas the previous residential use was incompatible. However, Table N2 requires that new construction within this CNEL contour undergo a detailed analysis of noise reduction requirements and noise insulation features. The table notes that conventional construction with closed windows and fresh air supply systems or air conditioning will normally suffice. The Project has been conditioned to provide an acoustical study and incorporate the recommended design features to achieve the City noise standards.

- g. **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.*

The Project has been conditioned to require the Applicant prepare a construction management plan to be reviewed and approved by the Planning Division and Public Works Department prior to building permit issuance. This ensures that any traffic congestion impacts associated with the construction process is minimized to the greatest extent possible.

- h. **Safety Element Policy S 8.6 (John Wayne Airport Traffic Pattern Zone).** Use the most currently available John Wayne Airport (JWA) Airport Environs Land Use Plan (AELUP) as a planning resource for evaluation of land use compatibility and land use intensity in areas affected by JWA operations. In particular, future land use decisions within the existing JWA Clear Zone/Runway Protection Zone (Figure S5) should be evaluated to minimize the risk to life and property associated with aircraft operations

The Project is located within Safety Zone 3 (Inner Turning Zone) of the AELUP which is an area where aircraft are typically turning when departing or arriving. The AELUP prohibits buildings with more than three habitable floors and recommends avoiding moderate and high intense non-residential uses such as major shopping centers, theaters and meeting halls within Safety Zone 3. The Project is for a medical building, which is not classified as a moderate or high intense nonresidential use and only includes two levels of habitable area above the podium level which only includes a small lobby for access to the upper levels.

- 3. All facts in support of Finding A are hereby incorporated by reference.
- 4. The Project includes various intentional architectural design features including the use of glass windows, vertical wood paneling, recesses, outdoor walkways with glass

guardrails, and a neutral color palette with natural wood accents. These design features result in well-articulated facades which soften the visual bulk of the Project.

5. The Property is within the Business Park corridor of the Santa Ana Heights Specific Plan. The majority of land uses within the corridor are multi-tenant professional and medical offices. There are residential uses along Birch Street that are also within the SP-7/BP District, including an apartment complex and several single-unit dwellings located approximately 100 and 450 feet south of the Property, respectively. Residential uses are not allowed within the SP-7/BP District, and the residences are considered nonconforming. These residential uses are intended to be redeveloped into commercial buildings over time, leaving the SP-7/REQ properties along Cypress Street as the nearest residential zone. The Project's main parapet is 37 feet tall with additional parapets screening mechanical equipment up to 43 feet tall, located towards the center of the building as previously described. These distances, along with intervening professional and medical office buildings, provide a harmonious transition from the residential uses to the Project.
6. Vehicular and pedestrian access to the Property will be provided from Birch Street. The Project includes a surface parking lot and covered parking tucked under the building, and appropriate drive aisles for use by employees, visitors and delivery services. The Project has been reviewed by the Public Works Department and conditions of approval are provided to ensure appropriate access and circulation.
7. The Project includes approximately 5,000 square feet of landscaping inclusive of the 10-foot front, 5-foot side, and 5-foot rear landscape buffers and the parking lot. The 10-foot landscape buffer includes two Brisbane box trees which grow between 30 to 60 feet tall with a canopy spread between 25 to 40 feet wide. The front landscape buffer also includes three Australian Willow trees that can grow between 25 to 35 feet tall with a canopy spread between 20 and 30 feet. The anticipated mature size of the proposed trees, including both height and canopy spread, will provide a sufficient landscape buffer that further softens the scale of the Project to the adjacent uses, including the nearby nonconforming residential uses along Birch Street. All new and rehabilitated landscaping shall comply with Section 14.17 (Water Efficient Landscaping) and Chapter 20.36 (Landscaping Standards) of the NBMC, including the installation and maintenance of drought tolerant and non-invasive species.
8. Pursuant to Section 20.30.100 (Public View Protection) of the NBMC, projects shall preserve significant visual resources from public viewpoints and corridors as identified on Figure NR3 (Coastal Views) of the Natural Resources Element of the General Plan. The Project Site 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 Bayview Park, located over half a mile southeast of the Property. The nearest designated coastal view road is University Drive, located over half a mile south of the Property. Additionally, there are no public views through or across the Property. Due to the distance from these designated areas and urbanized character of Birch Street, the Project is not anticipated to impact any public views.

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.*

Fact in Support of Finding:

1. The majority of buildings along Birch Street are multi-tenant professional and medical office buildings that range in size from 10,000 to 33,000 square feet, range from 27 to 43 feet tall, and have between 40 and 130 onsite parking spaces. The Project authorizes a 19,156-square-foot medical building with a building height of 37 feet and up to 43 feet for roof screening of mechanical equipment, and 89 onsite parking spaces. Therefore, the Project is similar to and compatible with the use and scale of other properties in the vicinity.
2. The Project has been designed to have adequate, efficient, and safe pedestrian and vehicular access to and from the Property within the drive aisles and parking lot. The Project is also designed to accommodate and provide safe access for emergency vehicles and refuse collection vehicles through the proposed Birch Street curb opening.
3. A traffic study titled “Newport Birch Medical Plaza – Traffic Impact Analysis” dated April 8, 2026 (TIA), which is attached hereto as Exhibit “B” and incorporated herein by reference, was prepared by Ganddini Group Inc., under the supervision of the City Traffic Engineer for the Project in compliance with Chapter 15.40 (Traffic Phasing Ordinance) and Appendix A of the NBMC. As discussed further in Finding L, the Project does not result in a traffic impact. Therefore, the Project is not anticipated to be detrimental to the surrounding neighborhood.
4. The Project has been conditioned to comply with City Noise standards as provided in Section 20.30.080 (Noise) of the NBMC. The conditions are inclusive of operational and construction noise to ensure that the Project does not create adverse noise impacts to the community. Additionally, the Project has be conditioned to prepare an acoustical study and to incorporate the design features required to achieve the required noise standards.
5. The Project has been conditioned to ensure adequate trash storage facilities for the medical tenants are provided in screened areas on private property, thereby preventing any odor or related issues for the adjacent properties.
6. Prior to building permit issuance, the Applicant is required to prepare a photometric study in conjunction with a final lighting plan which shows that lighting values are one-foot candle 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.

7. The Project will comply with all Building, Public Works, and Fire Codes, along with all applicable City ordinances and conditions of approval which are attached hereto as Exhibit "A".

Minor Use Permit

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

Finding:

- D. *The use is consistent with the General Plan and any applicable specific plan.*

Facts in Support of Finding:

1. All facts in support of Finding A are hereby incorporated by reference.
2. Facts 1 and 2 in support of Finding B are hereby incorporated by reference

Finding:

- E. *The use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code.*

Facts in Support of Finding:

1. All facts in Support of Finding A are hereby incorporated by reference.
2. All facts in support Finding H, I and J are hereby incorporated by reference.

Finding:

- F. *The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity.*

Facts in Support of Finding:

1. Facts 2 in support of Finding C is hereby incorporated by reference.
2. While there are no specific tenants identified at this time, all tenants are expected to operate during normal business hours. Condition of Approval No. 8, which restricts hours of operation to between 7 a.m. and 7 p.m., Monday through Friday and 8 a.m. to 5 p.m. on Saturday and Sunday. This provides flexibility for future medical tenants while maintaining hours of operation comparable to professional and medical offices in the vicinity.

3. Medical offices typically Monday through Friday during standard business hours and typically do not generate public inconveniences such as noise, light, or odors. The Project includes Condition of Approval Nos. 9 and 10 which prohibits the operation of an urgent care or hospital and prohibits any patient discharges or patient occupancy outside the approved hours of operation. Therefore, the Project is not anticipated to impact, nor be detrimental to, adjacent professional and medical offices or residential uses due to the office nature of the use.

4. Pursuant to Section 20.90.120 (Business Park District: SP-7 [BP]) of the NBMC, requirements for SP-7/BP properties include, but are not limited to, building design, landscape buffering and the screening of mechanical equipment and trash containers. As specified in the facts in support of Finding A, the Project will conform to these standards and will remain compatible with the abutting properties.

Finding:

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

Facts in Support of Finding:

1. The Property measures 38,312 square feet in area, is rectangular in shape, and is located within a developed business park corridor.

2. The Project has been reviewed by the City's Fire, Public Works, and Building Departments. Adequate public and emergency vehicle access, public services, and utilities are provided to the Property.

3. The Building Division and Fire Department have reviewed the Project and have provided conditions of approval which require the Applicant to obtain all applicable building permits and comply with applicable Building and Fire Codes.

Finding:

- H. *Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, nor endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.*

Facts in Support of Finding:

1. The Project will add a medical office building to a developed business park corridor where professional and medical offices are common.

2. The Project will provide a total of 89 on-site parking spaces and requests a waiver of portion of the required parking. In addition to Conditions of Approval Nos. 8 to 10 as

discussed in Fact 3 in support of Finding C and Fact 2 in Support of Finding F above, the Project includes several conditions of approval to ensure that the Project does not become detrimental to the surrounding area, including but not limited to the following:

- a. Condition of Approval No. 11 requiring all employees and visitors to park on-site and not park on any public street.
- b. Condition of Approval No. 12 requiring the Applicant to designate one parking space as a pick-up and drop-off area in lieu of providing 7 additional parking spaces.
- c. Condition of Approval No. 49 requiring the Project to provide bicycle parking facilities per Cal Green requirements.
- d. Condition of Approval No. 13 affords the Community Development Director and the City Traffic Engineer the ability to require additional parking mitigation measures if spill over parking is determined to be a nuisance to surrounding properties.
- e. Condition of Approval No. 14 requiring the Property owner and tenants to take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks, areas surrounding the Property, and adjacent properties during business hours, if directly related to visitors to the Property.
- f. Condition of Approval No. 15 requiring the Applicant to prepare a construction management plan to be reviewed and approved by the Planning Division and Public Works Department to ensure that short-term construction related traffic impacts are minimized to the greatest extent possible.

3. The Project has been reviewed and includes conditions of approval to ensure that potential conflicts with the surrounding land uses are minimized to the greatest extent possible. Based on the NBMC requirements and the proposed conditions of approval, the Project should not result in a detriment to the surrounding community.

Staff Approval for Parking Waiver

In accordance with Section 20.40.110(D) (Adjustments to Off-Street Parking Requirements – Reduction of Required Off-Street Parking by Director) of the NBMC, the Community Development Director may authorize a reduction of off-street parking by a maximum of 20% using a combination of the following:

Finding:

H. *The applicant has provided sufficient data, including a parking study if required by the Director, to indicate that parking demand will be less than the required number of spaces or that other parking is available.*

Fact in Support of Finding:

A parking study was not used as justification for the reduction in parking.

Finding:

- I. *On-Site Bicycle Facilities. Required nonresidential off-street parking may be reduced where there is a demonstrated use of bicycles as a mode of transportation. The Director may reduce the number of required parking spaces by one space for every three bicycle parking spaces provided on the same site they serve, up to 5% of the total requirement in compliance with the following conditions:*
- i. The applicant has provided sufficient evidence to substantiate that there exists a demand for bicycle parking; and*
 - ii. The bicycle parking spaces are located completely within the private property they serve.*
 - iii. An additional 5% reduction may be allowed when enhanced end-of-trip facilities are provided on the same site they serve, including, but not limited to, showers and locker facilities.*

Fact in Support of Finding:

While on-site bicycle facilities are not used as justification for the reduction in parking, the Project includes bike racks at the rear of the Property and a lockable bike enclosure located at the covered parking area, as required by the California Green Building Standards Code (Cal Green).

Finding

- J. *Space for Shared Mobility. Required nonresidential off-street parking may be reduced by up to 10% in compliance with the following conditions:*
- i. Exclusive of curb space needed for emergency access purposes (e.g., a fire lane), the development includes at least 20 linear and contiguous feet of on-site dedicated curb-space located entirely on private property; or*
 - ii. There is one off-street parking space designated and with proper signage for the use of shared-mobility vehicles and/or pick-up/drop-off located on private property and on the same site it is intended to serve.*

Fact in Support of Finding:

- 1. Fact 2.D in Support of Finding H is hereby incorporated by reference.
- 2. A shared mobility space or pick-up and drop-off space can reduce the off-street parking requirement for a project by up to 10%. In this case, the parking requirement for the Project is 96 spaces and 89 spaces are provided; therefore, a 7 space, or 7.3%, parking waiver is requested.

3. The Applicant proposes to designate one parking space for use as a pick-up and drop-off space. The Project has been conditioned to require the Applicant to install signage indicating that a parking space is reserved for pick-up and drop-off only.
4. Both the CDD Director and City Traffic Engineer are satisfied that the pick-up and drop-off parking space, complemented by the bicycle racks, is sufficient to support a waiver of seven parking spaces, or 7.3% of the parking requirement.

Traffic Study

In accordance with Section 15.40.030 (Standards for Approval–Findings–Exemptions) of the NBMC, the following findings and facts in support of such findings are set forth as follows:

Finding:

- K. *That a traffic study for the project has been prepared in compliance with this NBMC Chapter 15.40 and Appendix A.*

Fact in Support of Finding:

The TIA which is attached hereto as Exhibit “B” and incorporated herein by reference, was prepared by Ganddini Group Inc., under the supervision of the City Traffic Engineer for the Project in compliance with Chapter 15.40 (Traffic Phasing Ordinance) and Appendix A of the NBMC.

Finding:

- L. *That, based on the weight of the evidence in the administrative record, including the traffic study, one of the findings for approval in subsection 15.40.030(B) can be made:*
 1. *Construction of the project will be completed within 60 months of project approval in accordance with Section 15.40.030(B)(1) of the NBMC.*
 2. *Additionally, the project will neither cause nor make worse an unsatisfactory level of traffic service at any impacted intersection in accordance with Section 15.40.030(B)(1)(a) of the NBMC.*

Facts in Support of Finding:

1. Construction of the Project is expected to be completed by January of 2028.
2. The TIA included 12 study intersections that were analyzed for potential impacts based on the City’s Intersection Capacity Utilization (“ICU”) methodology, which is expressed in terms of level of service (“LOS”). Utilizing these methodologies, the TIA determined that implementation of the Project will neither cause nor worsen an unsatisfactory LOS at any impacted primary intersection within the City. The City Traffic Engineer concurs with this conclusion.

Finding:

- M. *That the project proponent has agreed to make or fund the improvements, or make the contributions, that are necessary to make the findings for approval and to comply with all conditions of approval.*

Fact in Support of Finding:

No improvements or mitigation are necessary because implementation of the Project will neither cause nor worsen the level of traffic service at any impacted primary intersection within the City.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Planning Commission of the City of Newport Beach hereby finds this Project is categorically exempt from the California Environmental Quality Act under Section 15332 under Class 32 (In-Fill Development Projects) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3 because it has no potential to have a significant effect on the environment.
2. The Planning Commission of the City of Newport Beach hereby approves the Minor Site Development Review, Minor Use Permit, Staff Approval, and Traffic Study filed as PA2025-0220, subject to the conditions outlined in Exhibit "A", which are attached hereto and incorporated by reference.
3. This resolution supersedes the Use Permit filed as PA2023-0172, which upon vesting of the rights authorized by this resolution, shall become null and void.
4. This action shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal is filed with the City Clerk by the provisions of Title 20 (Planning and Zoning) of the NBMC.

PASSED, APPROVED, AND ADOPTED THIS 21ST DAY OF MAY, 2026.

AYES:

NOES:

RECUSED:

ABSENT:

BY: _____
Tristan Harris, Chair

BY: _____
Jon Langford, Secretary

EXHIBIT “A”

CONDITIONS OF APPROVAL

(Project-specific conditions are in italics)

Planning Division

1. The Project shall be in substantial conformance with the approved site plan, floor plans, and building elevations stamped and dated with the date of this approval (except as modified by applicable conditions of approval).
2. Any substantial change to the operational characteristics, expansion in area, or other modification shall require subsequent Planning Division review and may require an amendment to this approval or the processing of a new application.
3. The Project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the conditions of approval.
4. 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 be caused the revocation of this approval.
5. This approval shall expire unless exercised within 24 months from the date of approval as specified in Section 20.54.060 (Time Limits and Extensions) of the NBMC, unless an extension is otherwise granted.
6. This approval may be modified or revoked by the Planning Commission or City Council should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity or if the Property is operated or maintained so as to constitute a public nuisance.
7. Prior to the issuance of a building permit, a copy of the Resolution, including conditions of approval Exhibit “A” shall be incorporated into the Building Division and field sets of plans.
8. *Hours of operation shall be limited to between 7 a.m. and 7 p.m., Monday to Friday and 8 a.m. to 5 p.m. on Saturday and Sunday.*
9. *This approval does not authorize the operation of an urgent care facility or a hospital as defined in Chapter 20.70 (Definitions) of the NBMC.*
10. *This approval does not authorize any patient discharges or patient occupancy outside the approved hours of operation.*
11. *Employees shall be required to park on-site and shall not park on any public street.*

12. *Prior to building permit final, the Applicant shall install appropriate signage to designate one parking space as a drop-off and pick-up space.*
13. *If in the opinion of the Community Development Director, or City Traffic Engineer, the medical use is generating a greater parking demand than anticipated and is creating a nuisance, additional parking management measures may be required.*
14. *The Property owner and tenants shall take reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks, areas surrounding the Property, and adjacent properties during business hours, if directly related to the patrons of the business.*
15. *Prior to the issuance of a building permit, the Applicant shall submit a construction management plan to be reviewed and approved by the Planning Division and Public Works Department. The Applicant shall be responsible for implementing and complying with the stipulations set forth in the approved plan.*
16. *Prior to the issuance of any certificate of occupancy, the developer shall pay all applicable Development Impact Fees (DIFs) in accordance with the adopted fee schedule.*
17. *The Applicant shall comply with all applicable provisions Chapter 15.38 (Fair Share Traffic Contribution Ordinance) and Chapter 15.42 (Major Thoroughfare and Bridge Fee Program) of the NBMC. Prior to the issuance of a building permit, Fair Share Traffic Fees and Transportation Corridor Agency fees shall be paid for the Project at the fee assessed at the time of payment.*
18. *All mechanical equipment shall be fully screened from view from the public right of way and the surrounding properties in accordance with 20.30.020 (Buffering and Screening) of the NBMC.*
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 plantings and water-efficient irrigation practices, and the plans shall be approved by the Planning Division.*
20. *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.*
21. *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 Community Development Director, 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.

22. 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.
23. All noise generated by the proposed use shall comply with the provisions of Chapter 10.26 (Community Noise Control), Section 20.30.080 (Noise), and other applicable noise control requirements of the NBMC.
24. *Prior to the issuance of any building permit, the Applicant shall prepare an acoustic analysis report for approval by the Planning Division. The Project shall incorporate the acoustic features necessary to achieve the required exterior noise standard of 65 dBA from 7 a.m. to 10 p.m. and 60 dBA from 10 p.m. to 7 a.m.*
25. Construction activities shall comply with Section 10.28.040 (Construction Activity—Noise Regulations) of the NBMC, which restricts hours of noise-generating construction activities that produce noise to between the hours of 7 a.m. and 6 p.m., Monday through Friday, and 8 a.m. and 6 p.m. on Saturday. Noise-generating construction activities are not allowed on Sundays, or Holidays.
26. No outside paging system shall be utilized in conjunction with this business.
27. All trash shall be stored within the building or within dumpsters stored in the trash enclosure (three walls and a self-latching gate) or otherwise screened from view of neighboring properties, except when placed for pick-up by refuse collection agencies. The trash enclosure shall have a decorative solid roof for aesthetic and screening purposes.
28. Trash receptacles for patrons shall be conveniently located both inside and outside of the building, however, not located on or within any public property or public right-of-way.
29. The exterior of the business 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. The Applicant shall ensure that the trash dumpsters and/or receptacles are maintained to control odors. This may include the provision of either fully self-contained dumpsters or periodic steam cleaning of the dumpsters if deemed necessary by the Planning Division. Cleaning and maintenance of trash dumpsters shall be done in compliance with the provisions of Title 14, including all future amendments (including Water Quality related requirements).
31. Deliveries and refuse collection for the facility shall be prohibited between the hours of 10 p.m. and 7 a.m. on weekdays and Saturdays and between the hours of 10 p.m. and

9 a.m. on Sundays and Federal holidays unless otherwise approved by the Director of Community Development and may require an amendment to this approval.

32. Storage outside of the building in the front or at the rear of the Property shall be prohibited, except within the required trash enclosure.
33. A Special Events Permit is required for any event or promotional activity outside the normal operating 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 NBMC to require such permits.
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 business owner, property owner or leasing agent.
35. 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.
36. 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 **Newport Birch Medical Plaza** including, but not limited to the **Site Development Review, Minor Use Permit, Staff Approval, and Traffic Study filed as PA2025-0220**. 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 proceeding. 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

37. The Applicant shall 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 (CBC).
38. *Ambulatory Care facility shall comply with Chapter 422 of the CBC.*
39. *Allowable building area, height and number of story shall comply with Chapter 5 of the CBC.*

40. *Exterior wall and opening protection shall comply with Table 705.5 & Table 705.8 of 2022 CBC. Exterior material shall comply with type of construction of the building.*
41. *Corridor width shall comply with Table 1020.3 of CBC.*
42. *Egress balcony shall comply with Section 1021 of CBC.*
43. *Exterior Exit stairs shall comply with Section 1027 of CBC. No use shall be below the balcony and it cannot be enclosed by a wall. Exterior line of the wall shall be clearly identified and shall be separated from the Exterior stair.*
44. *Egress court shall comply with Section 1029 of CBC.*
45. *An accessible path of travel from parking and public right of way shall be provided.*
46. *Separate count for covered and outdoor required accessible parking is required.*
47. *EV Capable spaces and EVCS shall comply with Section 5.106.5 of CBC.*
48. *Accessible Electric Vehicle Charging Station (EVCS) parking shall be provided per Table 11B-228.3.2.1 of CBC. Accessible electric vehicle (EV) parking cannot count as accessible parking.*
49. *Bicycle parking shall comply with Section 5.106.4 of Cal Green.*
50. *Circulation path shall be separated to vehicular way by curb and detectable warning per 11B-250.1 of CBC.*
51. *Plumbing fixture analysis shall comply with Table 422.1.of the California Plumbing Code (CPC). Accessible restrooms shall comply with 11B-213 of CBC.*
52. *Elevator and lobby shall comply with Section 3002 & 3006 of CBC.*

Fire Department

53. **NFPA13 system** : An automatic sprinkler system installed in accordance with Section 903.3.1.1 of the California Fire Code (CFC) shall be provided throughout all portions of the building.
54. **Fire alarm systems**, occupant notification and smoke alarms shall be installed in accordance with NPFA72.
55. **Approved fire apparatus access roads** shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the

exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

56. Fire department access roads shall comply with Newport Beach Fire Guidelines C.01 and C.02.
57. Any fire department access roads that exceed 150' will require an approved turn around for fire apparatus.
58. Addressing shall meet the requirements of Newport Beach Municipal Code 9.04.170.
59. Emergency responder radio coverage in new buildings. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. See Newport Beach Fire Guideline D.05.
60. Emergency responder radio coverage systems. Standby power shall be provided for emergency responder radio coverage systems as required in Section 510.4.2.3. The standby power supply shall be capable of operating the emergency responder radio coverage system for a duration of not less than 24 hours.
61. A two-way communication system complying with Sections 1009.8.1 and 1009.8.2 shall be provided at the landing serving each elevator or bank of elevators on each accessible floor that is one or more stories above or below the level of exit discharge.
62. Directions for the use of the two-way communication system, instructions for summoning assistance via the two-way communication system and written identification of the location shall be posted adjacent to the two-way communication system. Signage shall comply with Chapter 11A, Section 1143A of the CBC requirements for visual characters.
63. Directional signage complying with Chapter 11B, Section 11B-703.5, indicating the location of all other means of egress and which of those are accessible means of egress shall be provided at the following:
 - a. At exits serving a required accessible space but not providing an approved accessible means of egress.
 - b. At elevator landings.
 - c. Within areas of refuge.
64. These buildings will require an emergency generator.
65. Standby power shall be provided for elevators and platform lifts as required in Sections 606.2, 1009.4.1, and 1009.5. of the CFC.

66. Emergency power shall be provided for exit signs as required in Section 1013.6.3 of the CFC. The system shall be capable of powering the required load for a duration of not less than 90 minutes.
67. In buildings and structures where standby power is required or furnished to operate an elevator, the operation shall be in accordance with Section 1203 and Sections 3003.1.1 through 3003.1.5 of the CFC.
68. Standby power shall be manually transferable to all elevators in each bank.
69. Where only one elevator is installed, the elevator shall automatically transfer to standby power within 60 seconds after failure of normal power.
70. Where two or more elevators are controlled by a common operating system, all elevators shall automatically transfer to standby power within 60 seconds after failure of normal power where the standby power source is of sufficient capacity to operate all elevators at the same time. Where the standby power source is not of sufficient capacity to operate all elevators at the same time, all elevators shall transfer to standby power in sequence, return to the designated landing and disconnect from the standby power source. After all elevators have been returned to the designated level, not less than one elevator shall remain operable from the standby power source
71. Elevators shall be provided with Phase I emergency recall operation and Phase II emergency in-car operation in accordance with California Code of Regulations, Title 8, Division 1, Chapter 4, Subchapter 6, Elevator Safety Orders.
72. Elevator hoist ways shall have a floor number not less than 4 inches (102 mm) in height, placed on the walls and/or doors of the hoist way at intervals such that a person in a stalled elevator, upon opening the car door, can determine the floor position.
73. All automatic elevators shall have not less than one sign at each landing printed on a contrasting background in letters not less than 1/2 inch (12.7 mm) high to read: IN CASE OF FIRE USE STAIRWAY FOR EXIT. DO NOT USE ELEVATOR.
74. Automatic passenger elevators shall have call and car operation buttons within 60 inches (1524 mm) of the floor. Emergency telephones shall also be within 60 inches (1524 mm) of the floor.
75. All elevators shall be equipped to operate with a standardized fire service elevator key in accordance with the CFC.
76. Where elevators are provided in buildings four or more stories above, or four or more stories below, grade plane, not fewer than one elevator shall be provided for fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate an ambulance stretcher 24 inches by 84 inches (610 mm by 2134 mm) with not less than 5-inch (127 mm) radius corners, in the horizontal, open position and shall be identified by the international symbol for emergency medical

services (star of life). The symbol shall be not less than 3 inches (76 mm) in height and shall be placed inside on both sides of the hoist-way door frame.

77. The elevator(s) designated the medical emergency elevator shall be equipped with a key switch to recall the elevator nonstop to the main floor. For the purpose of this section, elevators in compliance with Section 3003.2 shall be acceptable
78. Medical emergency elevators shall be identified by the international symbol (Star of Life) for emergency medical services. The symbol shall not be less than 3 inches (76 mm) in size.
79. A symbol shall be permanently attached to each side of the hoist way door frame on the portion of the frame at right angles to the hallway or landing area. Each symbol shall be not less than 78 inches (1981 mm) and not more than 84 inches (2134 mm) above the floor level at the threshold.
80. Fire Master Plan shall be submitted to the Fire Prevention Division for approval. The plan shall include information on the following (but not limited to) subjects: fire department vehicle access to the project site, secondary emergency vehicle access, firefighter access (hose pull) around structures, fire lane identification, location of fire hydrants and other fire department appliances, and the location and type of gates or barriers that restrict ingress/egress.
81. All portions of the perimeter of all structures shall be located within 150' of a fire lane as measured along an approved route. A portion of the proposed structure exceeding this distance is considered "out of access" and shall be corrected during plan review by one of the following methods:
 - a. Provide additional fire lanes to bring the entire structure "in access"
 - b. Propose an alternate form of mitigation via the Alternate Methods and Materials provisions of the fire code for the Fire Marshal's review. There is no guarantee that the Alternate Methods and Materials proposal will be approved as proposed.
82. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises. Fire-flow requirements for buildings or portions of buildings and facilities shall be determined by Appendix B of the CFC.
83. Fire hydrants shall be spaced along fire department access roads in compliance with Appendix C of the CFC.

Public Works Department

84. All improvements shall be constructed as required by Ordinance and the Public Works Department.
85. An encroachment permit is required for all work activities within the public right-of way.

86. The existing broken and/or otherwise damaged concrete curb, gutter and sidewalk panels along the Birch Street frontage shall be reconstructed.
87. The existing gas meter shall be relocated to private property.
88. The proposed water service and meter shall be installed per City Standard.
89. All improvements shall comply with the City's sight distance requirement per City Standard 105.
90. The two existing driveway approaches on Birch Steet shall be removed per City Standard 105.
91. A new driveway shall be constructed per City Standards 162.
92. Prior to building permit final, a 4-foot-wide easement shall be provided adjacent to the driveway approach along the Birch Street frontage for sidewalk purposes.
93. The project plans shall demonstrate that the parking layout complies with City Standard 805.
94. In case of damage done to public improvements surrounding the development site by the private construction, additional reconstruction within the public right-of-way shall be required at the discretion of the Public Works Inspector.
95. Prior to building permit issuance, approval shall be obtained from Costa Mesa Sanitary District and Irvine Ranch Water District and submitted to the City.

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EXHIBIT "B"

TRAFFIC IMPACT ANALYSIS

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<https://ecms.newportbeachca.gov/WEB/DocView.aspx?id=3233991&dbid=0&repo=CNB>

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