



CITY OF NEWPORT BEACH ZONING ADMINISTRATOR STAFF REPORT

August 28, 2025
Agenda Item No. 2

SUBJECT: 424 Orchid LLC Residential Condominiums (PA2025-0081)
▪ Coastal Development Permit
▪ Tentative Parcel Map

SITE LOCATION: 321 and 321 ½ Larkspur Avenue

APPLICANT: Matthew Watson

OWNER: 424 Orchid LLC

PLANNER: Cameron Younger, Planning Technician
cyounger@newportbeachca.gov, (949) 644-3228

LAND USE AND ZONING

- **General Plan Land Use Plan Category:** Two Unit Residential (RT)
- **Zoning District:** Two-Unit Residential (R-2)
- **Coastal Land Use Plan Category:** Two Unit Residential (RT-D (20.0-29.9 DU/AC))
- **Coastal Zoning District:** Two-Unit Residential (R-2)

PROJECT SUMMARY

A tentative parcel map and coastal development permit (CDP) to allow for two-unit residential condominiums. A duplex has been demolished, and a new 3,347-square-foot duplex with two enclosed parking garages totaling 380 square feet is currently under construction. No waivers of Title 19 (Subdivisions) are proposed. The tentative parcel map will allow each unit to be sold individually. A CDP is required because the property is located in the coastal zone.

RECOMMENDATION

- 1) Conduct a public hearing;
- 2) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315 under Class 15 (Minor Land Divisions) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential to have a significant effect on the environment; and
- 3) Adopt Draft Zoning Administrator Resolution No. _ approving the Tentative Parcel Map and Coastal Development Permit No. PA2025-0081 (Attachment No. ZA 1).

DISCUSSION

Background and Setting

- The property is in the Two-Unit Residential (R-2) Coastal Zoning District. The R-2 District is intended to provide areas appropriate for residential development of up to two units (i.e., a duplex) on a single legal lot. The existing lot is relatively flat and was previously developed as a duplex (see Figure 1, below).



Figure 1: Oblique Aerial Image of Subject Property

- The property measures 30 feet wide, 118 feet deep, and is relatively flat. The neighborhood is predominantly developed with two- and three-story single- and two-unit residences. The proposed design, bulk, and scale of the development are consistent with the existing neighborhood pattern of development and expected future development consistent with applicable development standards.
- The property is located within the Categorical Exclusion Area within the Coastal Zone. Categorical Exclusion Order No. CEO20240033 was issued for the demolition of an existing duplex and construction of a new duplex. The existing

duplex has subsequently been demolished, and a new duplex is under construction.

Tentative Parcel Map

- The Tentative Parcel Map is for two-unit residential condominium purposes. The RT and R-2 designations apply to a range of two-unit residential dwelling units such as duplexes and townhomes. As previously discussed, the property was previously developed as a duplex, which has been demolished. A new duplex is currently under construction. The proposed subdivision and improvements will continue to be consistent with the density of the RT and R-2 designations.
- The property is accessible from Larkspur Avenue and the rear alleyway. Existing and proposed vehicular access is taken from the alley. The property is adequately served by all existing utilities to accommodate the two new dwelling units being constructed. The project does not alter the anticipated utility demand generated from the site.
- The project has been conditioned to require public improvements, including the reconstruction of sidewalks, curbs, and gutters along the Larkspur Avenue frontage, as needed. The utilities will be underground, consistent with Title 19 (Subdivisions) of the Newport Beach Municipal Code (NBMC). The existing City trees along the Larkspur Avenue frontage have been conditioned to be protected in place.

Coastal Development Permit

- Since the property is located within the Coastal Zone, the tentative parcel map requires an accompanying CDP. The proposed residence conforms to Title 21 (Local Coastal Program Implementation Plan) of the NBMC. The CDP meets the required findings found in NBMC Section 21.52.015(F) (Coastal Development Permits – Findings and Decision). The complete findings and facts in support are numbered in the draft resolution (Attachment No. ZA 1).
- The property is not located adjacent to a coastal view road, or public viewpoint as identified in the Coastal Land Use Plan (CLUP). The project does not have the potential to degrade the visual quality of the Coastal Zone or to result in insignificant adverse impacts to public view. The nearest coastal viewpoint is Inspiration Point Park, which is approximately 1,300 feet southeast of the property. The property and other residences along Larkspur Avenue are not located within the view shed of the park.
- The new duplex under construction, as authorized by Permit No. XR2024-5662, conforms to all applicable development standards, including floor area limit,

setbacks, height, and off-street parking, and is consistent with the policies of the General Plan. Each unit will be served by individual water meters, sewer laterals, cleanouts, fire risers, and separate garage parking.

- The project does not involve a change in land use, density, or intensity that will result in increased demand for public access and recreation opportunities. Furthermore, the project is designed and sited (appropriate height, setbacks, etc.) so as not to block or impede existing public access opportunities.
- Vertical access to the nearby Corona del Mar (CDM) State Beach is available adjacent to the site along Larkspur Avenue. Lateral access to the beach is available to the southwest and the end Larkspur Avenue where there is an access point available via the CDM Main Beach Ramp as identified by the CLUP, approximately 1,100 feet of the property. The project does not include any features that would obstruct access along these routes.

ENVIRONMENTAL REVIEW

This project is exempt from the California Environmental Quality Act (CEQA) under Section 15315 under Class 15 (Minor Land Divisions) 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.

The Class 15 exemption allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and Zoning, no variances or exceptions are required, and all services and access to the proposed parcels are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20%. The tentative parcel map and CDP is for a two-unit condominium subdivision and will conform to all development standards. Therefore, the Project is eligible for the Class 15 exemption.

PUBLIC NOTICE

Notice of this public hearing was published in the Daily Pilot, mailed to all owners and residential occupants of property within 300 feet of the boundaries of the site (excluding intervening rights-of-way and waterways), including the applicant, and posted on the subject property at least 10 days before the scheduled hearing, consistent with the provisions of the Municipal Code. Additionally, the item appeared on the agenda for this meeting, which was posted at City Hall and on the city website.

APPEAL PERIOD:

This action on the CDP shall become final and effective 14 days following the date the Resolution is adopted unless within such time an appeal or call for review is filed with the Community Development Director by the provisions of Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code. The project site is not located within the appeal area of the coastal zone; therefore, final action by the City may not be appealed to the California Coastal Commission.

The action on the Tentative Parcel Map shall become effective 10 days following the date this Resolution was adopted unless within such time and appeal is filed in accordance with the provisions of Title 19 (Subdivisions) of the NBMC.

Prepared by:



Cameron Younger, Planning Technician

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Attachments:	ZA 1	Draft Resolution
	ZA 2	Vicinity Map
	ZA 3	Project Plans

Attachment No. ZA 1

Draft Resolution

RESOLUTION NO. ZA2025-###

A RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF NEWPORT BEACH, CALIFORNIA, APPROVING A TENTATIVE PARCEL MAP AND COASTAL DEVELOPMENT PERMIT FOR TWO-UNIT RESIDENTIAL CONDOMINIUM PURPOSES LOCATED AT 321 AND 321 ½ LARKSPUR AVENUE (PA2025-0081)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Matthew Watson (Applicant) on behalf of 424 Orchid LLC (Owner) with respect to property located at 321 and 321 ½ Larkspur Avenue and legally described as Lot 21 of Block 237 (Property), requesting approval of a tentative parcel map, and associated coastal development permit (CDP) for condominium purposes.
2. The Applicant requests a tentative parcel map and coastal development permit for a two-unit condominium. A duplex residence has been demolished, and a new duplex is currently under construction. The tentative parcel map will allow each unit to be sold individually. No waivers of Newport Beach Municipal Code (NBMC) Title 19 (Subdivisions) are proposed. A CDP is required because the project is located in the coastal zone (Project).
3. The Property is designated Two Unit Residential (RT) by the General Plan Land Use Plan and is located within the Two-Unit Residential (R-2) Zoning District.
4. The Property is located within the Coastal Zone. The Coastal Land Use Plan category is Two Unit Residential (RT-D – 20.0-29.9 DU/AC) and it is located within the Two-Unit Residential (R-2) Coastal Zoning District.
5. The Property is located within the Categorical Exclusion Area. Categorical Exclusion Order No. CEO20240033 was issued for the demolition of an existing duplex and construction of a new duplex. The tentative parcel map for condominium purposes requires an accompanying CDP. The Project conforms with Title 21 Local Coastal Program Implementation Plan in the NBMC.
6. A public hearing was held on August 28, 2025, online via Zoom. A notice of the time, place, and purpose of the hearing was given in accordance with the NBMC. Evidence, both written and oral, was presented to and considered by, the Zoning Administrator at this hearing.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315 under Class 15 (Minor Land Divisions) of the CEQA Guidelines,

California Code of Regulations, Title 14, Division 6, Chapter 3 because it has no potential to have a significant effect on the environment.

2. The Class 15 exemption allows the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and Zoning, no variances or exceptions are required, all services and access to the proposed parcels are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20%. The Project is for a two-unit condominium subdivision and will conform to all development standards. Therefore, the Project is eligible for the Class 15 exemption.

SECTION 3. REQUIRED FINDINGS.

Tentative Parcel Map

The Zoning Administrator determined the tentative parcel map is consistent with the legislative intent of the NBMC Title 19 (Subdivisions) and is approved based on the following findings per NBMC Section 19.12.070 (Required Findings for Action on Tentative Maps):

Finding:

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

Facts in Support of Finding:

1. The Tentative Parcel Map is for two-unit residential condominium purposes. The RT and R-2 designations apply to a range of two-unit residential dwelling units such as duplexes and townhomes. The Property was previously developed as a duplex which has been demolished. A new duplex is currently under construction. The proposed subdivision and improvements will continue to be consistent with the density of the RT and R-2 designations.
2. The Property is not located within a specific plan area.

Finding:

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

Facts in Support of Finding:

1. The Property is physically suitable for a two-unit condominium development because it is regular in shape and size. An existing duplex has been demolished, and a new duplex is currently under construction, which complies with all requirements of the NBMC Title 20 (Planning and Zoning) and Title 21 (Local Coastal Program Implementation Plan).

2. The Property is accessible from Larkspur Avenue and the rear alleyway. Existing and proposed vehicular access is taken from the alley.
3. The Property is adequately served by all existing utilities to accommodate the two new dwelling units being constructed. The Project does not alter the anticipated utility demand generated from the site.

Finding:

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

Facts in Support of Finding:

1. The Property is located within an existing residential neighborhood that does not contain any sensitive vegetation or habitat on-site.
2. This Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315 under Class 15 (Minor Land Divisions) of the CEQA Guidelines. Section 2 of this Resolution is hereby incorporated by reference.

Finding:

- D. *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 Project has been conditioned to require public improvements, including the reconstruction of sidewalks, curbs, and gutters along the Larkspur Avenue frontage, as needed. The utilities will be undergrounded, consistent with Title 19 (Subdivisions) of the NBMC.
2. All improvements associated with the Project will comply with all Building, Public Works, and Fire Codes, which are in place to prevent serious public health problems. Public improvements will be required of the developer per NBMC Section 19.28.010 (General Improvement Requirements) and Section 66411 (Local agencies to regulate and control design of subdivisions) of the Subdivision Map Act. All ordinances of the City and all Conditions of Approval will be complied with.

Finding:

- E. *That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the decision-making body may approve a map if it finds that alternate easements, for access or 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 Project 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 Property within the proposed development because no public easements are located on the Property.

Finding:

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

Facts in Support of Finding:

1. The Property is not subject to the Williamson Act because the subject Property is not designated as an agricultural preserve and is less than 100 acres in area.
2. The Property was previously developed for residential use and is located in a zoning district that permits residential uses.

Finding:

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

Facts in Support of Finding:

1. California Business and Professions Code Section 11000.5 has been repealed by the Legislature. However, this project site is not considered a "land project" as previously

defined in Section 11000.5 of the California Business and Professions Code because the project site does not contain 50 or more parcels of land.

2. The Project is not located within a specific plan area.

Finding:

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

Fact in Support of Finding:

1. The Tentative Parcel Map and any future improvements are subject to Title 24 of the California Building Code, 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:

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

Fact in Support of Finding:

1. The proposed two-unit condominiums will replace an existing duplex, which is consistent with the R-2 Zoning District and is an increase in residential density. Therefore, the tentative parcel map for condominium purposes will not negatively affect the City in meeting its regional housing need.

Finding:

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

Fact in Support of Finding:

1. The Project wastewater is designed to discharge into the existing sewer system and complies with the Regional Water Quality Control Board (RWQCB) requirements.

Finding:

- K. *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 Property is located within the Coastal Zone and a CDP is therefore requested in conjunction with the proposed Tentative Parcel Map. The Project complies with the certified Local Coastal Program (LCP) and public access and recreation policies of Chapter 3 of the Coastal Act. The Facts in Support of Findings L and M for the Coastal Development Permit (below) are hereby incorporated by reference.

Coastal Development Permit

In accordance with Section 21.52.015(F) (Coastal Development Permits - Findings and Decision) of the NBMC, the following findings, and facts in support of such findings are set forth:

Finding:

- L. *Conforms to all applicable sections of the certified Local Coastal Program.*

Facts in Support of Finding:

1. The Project is for a tentative parcel map for two-unit residential condominium purposes. A duplex has been demolished, and a new duplex is under construction. The duplex conforms to all applicable development standards, including floor area limit, setbacks, height, and off-street parking. The proposed subdivision and improvements are consistent with the allowed density of the R-2 Coastal Zoning District.
2. The Property is not located adjacent to a coastal view road, or public viewpoint as identified in the Coastal Land Use Plan (CLUP). The Project does not have the potential to degrade the visual quality of the Coastal Zone or to result insignificant adverse impacts to public view. The nearest coastal viewpoint is Inspiration Point Park, which is approximately 1,300 feet southeast of the Property. The Property and other residences along Larkspur Avenue are not located within the view shed of the coastal viewpoint or public view road.
3. The Property is not located in an area known for the potential of seismic activity. All projects are required to comply with the California Building Code and Building Division standards and policies, which include all required mitigation for seismic hazards.

Finding:

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

Facts in Support of Finding:

1. The Property is not located between the nearest public road and the sea or shoreline. As such, it is not necessary to evaluate consistency with the public access and public recreation policies of Chapter 3 of the Coastal Act.
2. Vertical access to the nearby Corona del Mar (CDM) State Beach is available adjacent to the site along Larkspur Avenue. Lateral access to the beach is available to the southwest and the end Larkspur Avenue where there is an access point available via the CDM Main Beach Ramp as identified by the CLUP, approximately 1,100 feet of the Property. The Project does not include any features that would obstruct access along these routes.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Zoning Administrator of the City of Newport Beach hereby finds this project is categorically exempt from the California Environmental Quality Act pursuant to Sections 15315 under Class 15 (Minor Land Divisions) 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 Zoning Administrator of the City of Newport Beach hereby approves the Tentative Parcel Map and Coastal Development Permit filed as PA2025-0081, subject to the conditions set forth in Exhibit A, which is attached hereto and incorporated by reference.
3. This action on the Coastal Development Permit shall become final and effective 14 days following the date this Resolution was adopted unless within such time an appeal or call for review is filed with the Community Development Director in accordance with the provisions of Title 21 Local Coastal Implementation Plan, of the Newport Beach Municipal Code (NBMC). The project site is not located within the appeal area of the coastal zone; therefore, final action by the City may not be appealed to the California Coastal Commission.
4. The action on the Tentative Parcel Map shall become effective 10 days following the date this Resolution was adopted unless within such time and appeal is filed in accordance with the provisions of Title 19 (Subdivisions) of the NBMC.

PASSED, APPROVED, AND ADOPTED THIS 28th DAY OF AUGUST 2025.

Benjamin M. Zdeba, AICP, Zoning Administrator

EXHIBIT “A”**CONDITIONS OF APPROVAL****Planning Division**

1. The Project is subject to all applicable City ordinances, policies, and standards unless specifically waived or modified by the Conditions of Approval.
2. After the recordation of the Parcel Map and prior to building permit final inspection, the Applicant shall apply for a building permit for a description change of the subject project development from “duplex” to “condominium.” The development will not be condominiums until this description change permit is final.
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 be cause for the revocation of this tentative parcel map.
4. This approval shall expire and become void unless exercised within 24 months from the actual date of review authority approval, except where an extension of time is approved in compliance with the provisions of Title 19 (Subdivisions) and Title 21 of the Newport Beach Municipal Code.
5. Prior to the approval of the final map, a “Purpose Statement” shall be added to the map to clarify that the map is for two residential condominium units and how common areas will be owned.
6. 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 the City’s approval of **424 Orchid LLC Residential Condominiums, but not limited to, Tentative Parcel Map and Coastal Development Permit No. PA2025-0081**. 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 of the City’s costs, attorney’s fees, and damages that which the City incurs in enforcing the indemnification provisions set forth in this condition. The applicant shall pay to the City upon demand any amount owed to the City pursuant to the indemnification requirements prescribed in this condition.

Public Works Department

7. Prior to the building permit final inspection, a parcel map shall be recorded. The Map shall be prepared on the California coordinate system (NAD83). Prior to recordation of the Map, the surveyor/engineer preparing the Map shall submit to the County Surveyor and the City of Newport Beach a digital-graphic file of said map in a manner described in Section 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. The Map to be submitted to the City of Newport Beach shall comply with the City's CADD Standards. Scanned images will not be accepted.
8. Prior to recordation of the parcel map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. Monuments (one inch iron pipe with tag) shall be set on each lot corner unless otherwise approved by the Subdivision Engineer. Monuments shall be protected in place if installed prior to completion of the construction project.
9. All improvements shall be constructed as required by Ordinance and the Public Works Department.
10. An encroachment permit shall be required for all work activities within the public right-of-way.
11. The existing broken and/or otherwise damaged concrete curb, gutter and sidewalk panels along the Larkspur Avenue Frontage shall be reconstructed. Additionally, any damaged concrete panels along the alley frontage shall be reconstructed.
12. All existing overhead utilities shall be undergrounded.
13. Each unit shall be served by its individual water service/meter and sewer lateral/cleanout.
14. All improvements shall comply with the City's sight distance requirement. See City Standard 110-L.
15. All private improvements shall be removed within the Larkspur Avenue frontage and turf or other drought-tolerant landscaping shall be installed within the Larkspur Avenue parkway.
16. In case of damage done to public improvements surrounding the development site by the private construction, additional reconstruction within the public right-of-way shall be required at the discretion of the Public Works Inspector.

Fire Department

17. The condominium units shall each be equipped with a residential fire sprinkler system complying with 2022 NFPA13D standards.
18. Each condominium shall have its own water meter and source to supply the fire sprinkler system.

Building Division

19. Prior to the recordation of the parcel map, separate utility services shall be required for each unit.

Attachment No. ZA 2

Vicinity Map

VICINITY MAP



Coastal Development Permit and
Tentative Parcel Map
(PA2025-0081)
321 and 321 ½ Larkspur Avenue

Attachment No. ZA 3

Project Plans

