



CITY OF NEWPORT BEACH PLANNING COMMISSION STAFF REPORT

September 8, 2022
Agenda Item No. 4

SUBJECT: Bay Island Amendments (PA2022-087)
▪ Code Amendment No. CA2022-005
▪ General Plan Amendment and No. GP2022-001
▪ LCP Amendment No. LC2022-003

SITE LOCATION: Bay Island

APPLICANT: Bay Island Club, Inc

OWNER: Bay Island Club, Inc

PLANNER: Chelsea Crager, Associate Planner
949-644-3227 or ccrager@newportbeachca.gov

PROJECT SUMMARY

Amendments to the General Plan, Zoning Map, and Coastal Zoning Map increasing the maximum development limit specified for Bay Island from 23 dwelling units to 25 dwelling units. The amendments were initiated by the applicant who seeks to return development rights, consistent with prior entitlements under Use Permit No. UP3618, to the property owners of Bay Island.

RECOMMENDATION

- 1) Conduct a public hearing;
- 2) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
- 3) Adopt Resolution No. PC2022-023 (Attachment No. PC 1) recommending the City Council approve General Plan Amendment No. GP2022-001, Code Amendment No. CA2022-005, and Local Coastal Program Amendment No. LC2022-003.

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VICINITY MAP



GENERAL PLAN



ZONING



LOCATION	GENERAL PLAN	ZONING	CURRENT USE
ON-SITE	Multiple Residential Detached (RM) and Open Space (OS)	Multiple Residential (RM) and Open Space (OS)	Detached single-family residential
NORTH	Single Unit Residential Detached (RS-D)	Single-Unit Residential (R-1)	Single-unit residential (Harbor Island)
SOUTH	RS-D and Two Unit Residential (RT)	R-1 and Two-Unit Residential (R-2)	Single- and two-unit residential

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EAST	RT	Two-Unit Residential, Balboa Island (R-BI)	Single- and two-unit residential (Balboa Island)
WEST	RS-D	R-1	Single-family residential (Lido Isle)

INTRODUCTION

Project Setting

Bay Island is a 5.5-acre legal lot in the Newport Harbor with 24 individual building sites. Bay Island is located on the north end of Island Avenue on the Balboa Peninsula where it is accessible by a gated pedestrian bridge. The Island is currently developed with 23 single-family homes, a caretaker's residence currently utilized as a clubhouse, and shared open space, and recreational areas. The homes are predominately two and three stories in height. With the exception of golf carts, vehicles are not permitted on Bay Island. Vehicular parking for residents is provided off-site at 501 West Bay Avenue, where a 49-space parking structure is owned in common by Bay Island residents.

Background

Bay Island was established over 100 years ago as a recreational club and developed as a residential island over the years. Accessed only by a pedestrian bridge, there are no vehicles allowed on the island. Accordingly, Bay Island has a long history of off-site parking that is provided in a parking garage located at 501 W. Bay Avenue.

On November 24, 1997, the City Council approved Use Permit No. UP3618 (Attachment No. PC 2). The Use Permit implemented a Planned Residential Development Overlay District, which modified the Multi-Family Residential (MFR) zoning and development regulations for Bay Island. It created a development plan that included a maximum of 25 residential units (24 single-family building sites plus one residential caretaker site) and authorized off-site parking. The purpose of Use Permit No. UP3618 is to ensure that future development maintains the single-family detached character of Bay Island.

On July 25, 2006, the City Council approved Resolution No. 2006-76 adopting a comprehensive General Plan Update. With the adoption of the updated General Plan, the density of Bay Island was inadvertently decreased to a maximum of 23 residential dwelling units based on the existing number of dwellings that existed on the Bay Island at the time; however, the caretaker's unit was not taken into account, nor the fact that one dwelling is currently constructed over two authorized building sites.

Project Description

The applicant is requesting approval to amend the maximum density allowed on Bay Island from 23 units to 25 units, consistent with previous entitlements. The following approvals are requested or required from the City of Newport Beach to implement the project as proposed:

- **General Plan Amendment No. GP2022-001** – An amendment to the Land Use Element of the General Plan increasing the maximum development limit specified on Figure LU4 for Bay Island from 23 dwelling units to 25 dwelling units;
- **Local Coastal Program Amendment No. LC2022-003** – An amendment to the Local Coastal Program Implementation Plan (Title 21) of the Newport Beach Municipal Code (“NBMC”) increasing the maximum development limit specified on the Coastal Zoning Map for Bay Island 23 dwelling units to 25 dwelling units; and
- **Zoning Code Amendment No. CA2022-005** – An amendment to the Zoning Code (Title 20) of the NBMC increasing the maximum development limit specified on the Zoning Map for Bay Island from 23 dwelling units to 25 dwelling units.

DISCUSSION

Analysis

Amendments to the General Plan Land Use Plan and Zoning Code are legislative acts. Neither City nor State Planning Law sets forth specific required findings for approval or denial of such amendments. However, when making a recommendation to the City Council, the Planning Commission should consider applicable policies and development standards to ensure internal consistency.

Approval of these amendments would allow the applicant to utilize the site as it was originally entitled in 1997 through Use Permit No. UP3618; with a maximum of 25 residential units.

General Plan

Bay Island is a single property with two General Plan Land Use designations. The building sites on the island are designated Multiple Residential Detached (RM-D) and the common areas are designated Open Space (OS). The RM-D designation is intended to provide primarily for multi-family residential development exclusively containing detached dwelling units. This amendment will apply to the RM-D designated areas only, and the amended residential density will remain consistent with this designation. The OS designation is intended to provide areas for a range of public and private uses to protect, maintain, and enhance the community’s natural resources. This amendment does not change the OS designation.

Charter Section 423 (Measure S) Analysis

Pursuant to City Charter Section 423 and Council Policy A-18, proposed General Plan amendments are reviewed to determine if a vote of the electorate would be required because a project (separately or cumulatively with other projects in the same Statistical Area over the prior 10 years) exceeds certain thresholds provided in Section 423 of the City Charter. The proposed General Plan Amendment is in Statistical Area D3 and there

are no prior amendments approved less than 10 years ago. The Table 1 below shows the increases attributable to the subject amendment thereby demonstrating that no vote would be required.

Table 1: Charter Section 423, Measure S Analysis for Statistical Area D3				
Amendment	Increased Density	Increased Intensity	Peak Hour Trip Increase	
			AM	PM
GP2022-001 (PA2022-087)	2	0	1.4	1.88
Threshold	100	40,000	100	100
Remaining	98	40,000	98.6	98.12
Vote Required?	No	No	No	No

Local Coastal Plan

The Multiple Residential (RM) Coastal Zoning District is intended to provide for areas appropriate for multi-unit residential developments containing attached or detached dwelling units. The project does not propose a change to the RM Coastal Zoning District designation but corrects an error in the maximum number of dwelling units at Bay Island. Portions of Bay Island that are within the Open Space (OS) Coastal Zoning District will not be affected by the proposed amendment.

Future redevelopment at Bay Island, including construction or demolition of any dwelling units would continue to require conformance with applicable RM Coastal Zoning District development and parking standards and would require discretionary approval through a coastal development permit. Approval of a coastal development permit requires consistency with all applicable section of the Local Coastal Program, including, but not limited to, policies related to water quality, public access and views, and coastal hazards.

Zoning Code

The Multiple Residential (RM) Zoning District is intended to provide for areas appropriate for multi-unit residential developments containing attached or detached dwelling units. The project does not propose a change to the RM Zoning District but corrects an error in the maximum number of dwelling units at Bay Island. Further, the existing Use Permit No. UP3618 entitled a maximum of 25 dwelling units on Bay Island.

The stated purpose and intent of the Zoning Code is to carry out the policies of the City of Newport Beach General Plan. Consistency between the General Plan and the Zoning Code designation is critical to ensure orderly development and enforcement. Under the existing Zoning Map, the subject property could only be developed with a maximum of 23 dwelling units, despite the previously approved UP3618 allowing for up to 25 dwelling units. The requested amendment would update the zoning map to allow up to 25 dwelling

units at Bay Island, consistent with the previous entitlement, and correcting the error made in previous General Plan and Zoning Code updates.

SB18 Tribal Consultation Guidelines

Pursuant to Section 65352.3 of the California Government Code, a local government is required to contact the appropriate tribes identified by the Native American Heritage Commission (NAHC) each time it considers a proposal to adopt or amend the General Plan. If requested by any tribe, the local government must consult for the purpose of preserving or mitigating impacts to cultural resources. Twelve tribe contacts were provided notice on June 23 2022. Section 65352.3 of the California Government Code requires 90 days to allow tribe contacts to respond to the request to consult unless the tribe contacts mutually agree to a shorter time period. To date, the City has received one response from Gabrieleno Band of Mission Indians – Kizh Nation, requesting a consultation. This process will be completed prior to final action by the City Council.

Alternatives

Alternatives to the recommended amendments could include disapproval of the request and retention of the existing General Plan, Zoning Code, and Local Coastal Program Implementation Plan maximum development limits restricting Bay Island to a maximum of 23 residential units.

Environmental Review

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) 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.

Class 3 exempts the construction of up to three single-family residences. The project would authorize the future development of up to two additional single-family residences at Bay Island and therefore qualifies within this exemption. The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, is not a hazardous waste site, and is not identified as a historical resource.

Public Notice

Notice of this hearing was published in the Daily Pilot, mailed to all owners 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 meeting, 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.

Prepared by:

Submitted by:


Chelsea Crager
Associate Planner


Jim Campbell
Deputy Community Development Director

ATTACHMENTS

- PC 1 Draft Resolution with Findings and Conditions
- PC 2 Use Permit No. UP3618

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Attachment No. PC 1

Draft Resolution with Findings and Conditions

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RESOLUTION NO. PC2022-023

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH, CALIFORNIA RECOMMENDING CITY COUNCIL APPROVAL OF GENERAL PLAN AMENDMENT NO. GP2022-001, LOCAL COASTAL PROGRAM AMENDMENT NO. LC2022-003, AND ZONING CODE AMENDMENT NO. CA2022-005, FOR BAY ISLAND (PA2022-087)

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

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Bay Island Club, Inc., (“Applicant”) with respect to Bay Island, as shown on the official map of Bay Island (“Property”) as shown in Exhibit “A.”
2. Bay Island is a 5.5-acre legal lot in the Newport Harbor individual building sites for single-family residences that is accessible by a gated pedestrian bridge. With the exception of golf carts, vehicles are not permitted on Bay Island. Bay Island is currently developed with 23 single-family homes and shared open space, recreational areas, and a caretaker’s unit, which currently functions as a clubhouse.
3. On November 24, 1997, the City Council approved Use Permit No. UP3618 to implement a Planned Residential Development Overlay District, which modified the Multi-Family Residential (MFR) zoning and development regulations for Bay Island and created a development plan that included a maximum of 25 residential units (24 single-family building sites plus one residential caretaker site) and authorized off-site parking. The purpose of Use Permit No. UP3618 is to ensure that future development maintains the single-family detached character of Bay Island.
4. On July 25, 2006, the City Council approved Resolution No. 2006-76 adopting a comprehensive 2006 General Plan Update (“General Plan Update”). With the adoption of the General Plan Update, the density of Bay Island was inadvertently decreased to a maximum of 23 residential dwelling units based on the number of dwellings that existed on the Bay Island at that time; however, the caretaker’s unit was one dwelling that is constructed over two authorized building sites were omitted.
5. The Applicant is requesting approval to correct the maximum density allowed on Bay Island from 23 units to 25 units, consistent with Use Permit No. UP3618. The following approvals are requested or required from the City of Newport Beach (“City”) to implement the project as proposed:
 - **General Plan Amendment No. GP2022-001** – An amendment to the Land Use Element of the General Plan correcting the development limit specified for Bay Island from 23 dwelling units maximum to 25 dwelling units maximum;

- **Local Coastal Program Amendment No. LC2022-003** – An amendment to the Local Coastal Program Implementation Plan (Title 21) of the Newport Beach Municipal Code (“NBMC”) correcting the development limit specified for Bay Island 23 dwelling units maximum to 25 dwelling units maximum; and
- **Zoning Code Amendment No. CA2022-005** – An amendment to the Zoning Code (Title 20) of the NBMC to correct the development limit specified for Bay Island from 23 dwelling units to a maximum of 25 dwelling units.

6. The Property is located within the Multiple Residential (RM) Zoning District and the General Plan Land Use Element category is Multiple Residential Detached (RM-D).
7. The Property is located within the coastal zone. The Coastal Land Use Plan category is Multiple-Unit Residential – 10.0 – 19.9 DU/AC (RM-C) and the Coastal Zoning District is Multiple Residential (RM).
8. A public hearing was held on September 8, 2022, in the Council Chambers at 100 Civic Center Drive, Newport Beach. A notice of time, place and purpose of the hearing was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the 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 15303 under Class 3 (New Construction or Conversion of Small Structures) 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 3 exempts the construction of up to three single-family residences. The project would authorize the future development of up to two additional single-family residences at Bay Island and therefore qualifies within this exemption.
3. The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, is not a hazardous waste site, and is not identified as a historical resource.

SECTION 3. REQUIRED FINDINGS.

General Plan, Zoning Code, and Local Coastal Program Amendments

1. Amendments to the General Plan, Zoning Code, and Local Coastal Program are legislative acts. Neither the City nor State Planning Law set forth any required findings for either approval or denial of such amendments.
2. Section 8 of City Council Resolution No. 2006-76 states that General Plan texts, exhibits, figures, and plan map may be corrected without further amendment. This provision applies only to errors of fact, language consistency between elements and policies, calculations and/or scribe's errors. In this case, the Bay Island unit count was erroneously decreased by two units (from 25 to 23 units) during the 2006 General Plan update and reflected in subsequent Zoning Code and Local Coastal Program updates.
3. The correction of the proper development limits will return the maximum residential density of Bay Island to 25 units, consistent with the prior entitlement under UP3618. This will return development rights to the property owners of Bay Island. There is no proposed increase beyond prior approved entitlements.
4. The additional dwelling units will not significantly reduce increase bulk and massing of development on Bay Island, which remain subject to development standards set forth in the NBMC and UP3618.
5. The development on Bay Island would remain consistent with remaining and unchanged applicable standards of the RM Coastal Zoning District and UP3618, which set forth development standards including setbacks, height, floor area limitations, and parking standards.

Charter Section 423

Pursuant to City of Newport Beach ("City") Charter Section 423 and City Council Policy A-18, proposed General Plan amendments are reviewed to determine if a vote of the electorate would be required because a project (separately or cumulatively with other projects in the same Statistical Area over the prior 10 years) exceeds certain thresholds provided in Section 423 of the City Charter. The proposed General Plan Amendment is in Statistical Area D3 and there are no prior amendments approved less than 10 years ago. The following table shows the increases attributable to the subject amendment thereby demonstrating that no vote would be required.

Charter Section 423, Measure S Analysis for Statistical Area D3				
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GP2022-001 (PA2022-087)	2	0	1.4	1.88
Threshold	100	40,000	100	100
Remaining	98	40,000	98.6	98.12
Vote Required?	No	No	No	No

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 pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) 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 recommends City Council approve the following:
 - a. General Plan Amendment No. GP2022-001 attached hereto as Exhibit "B" and incorporated herein by reference.
 - b. Local Coastal Program Amendment No. LC2022-003 attached hereto as Exhibit "C" and incorporated herein by reference.
 - c. Zoning Code Amendment No. CA2022-005 attached hereto as Exhibit "D" and incorporated herein by reference.

PASSED, APPROVED, AND ADOPTED THIS 8TH DAY OF SEPTEMBER, 2022.

AYES:

NOES:

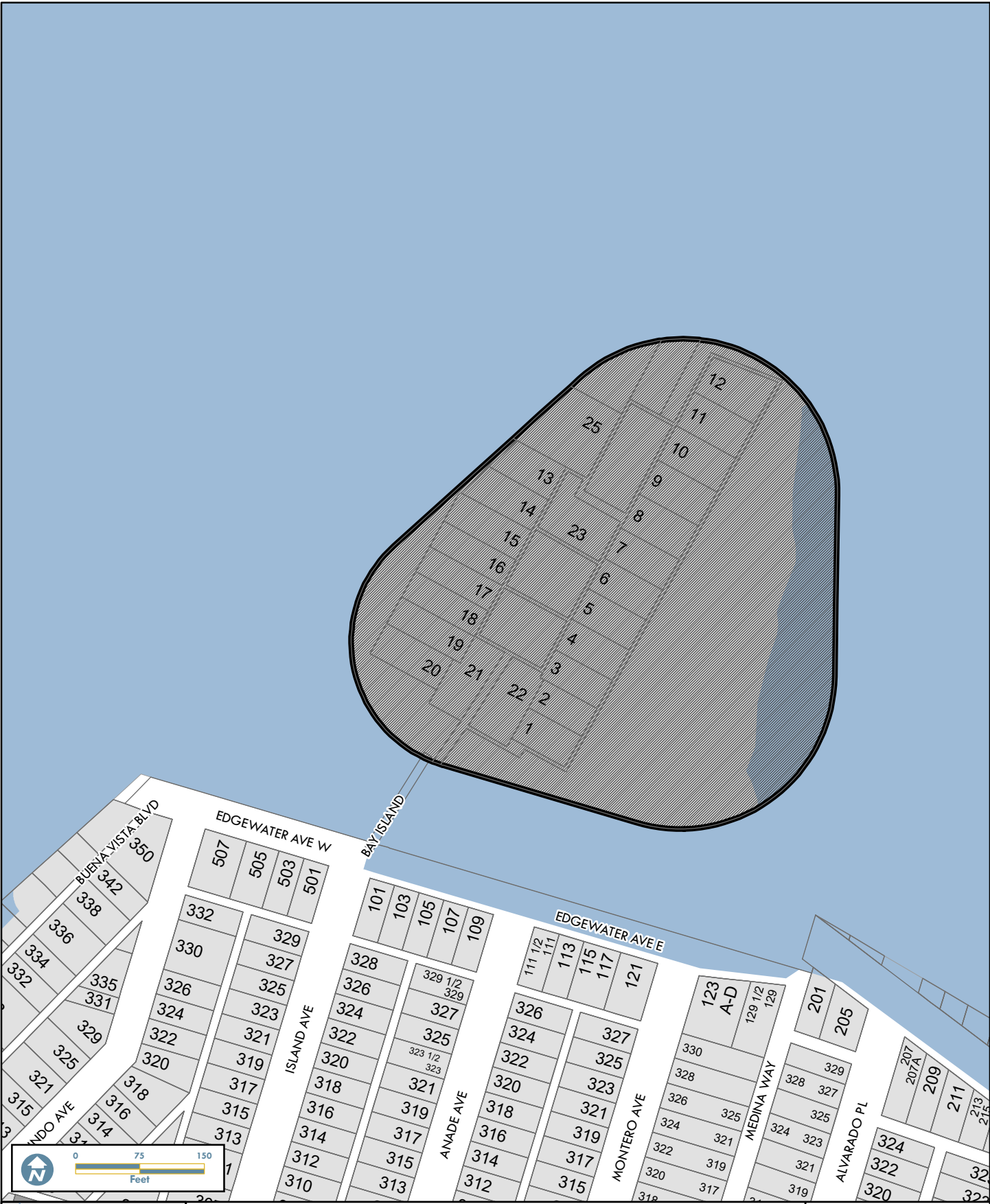
ABSTAIN:

ABSENT:

BY: _____
Lauren Kleiman, Chair

BY: _____
Mark Rosene, Secretary

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Bay Island

PA2022-087

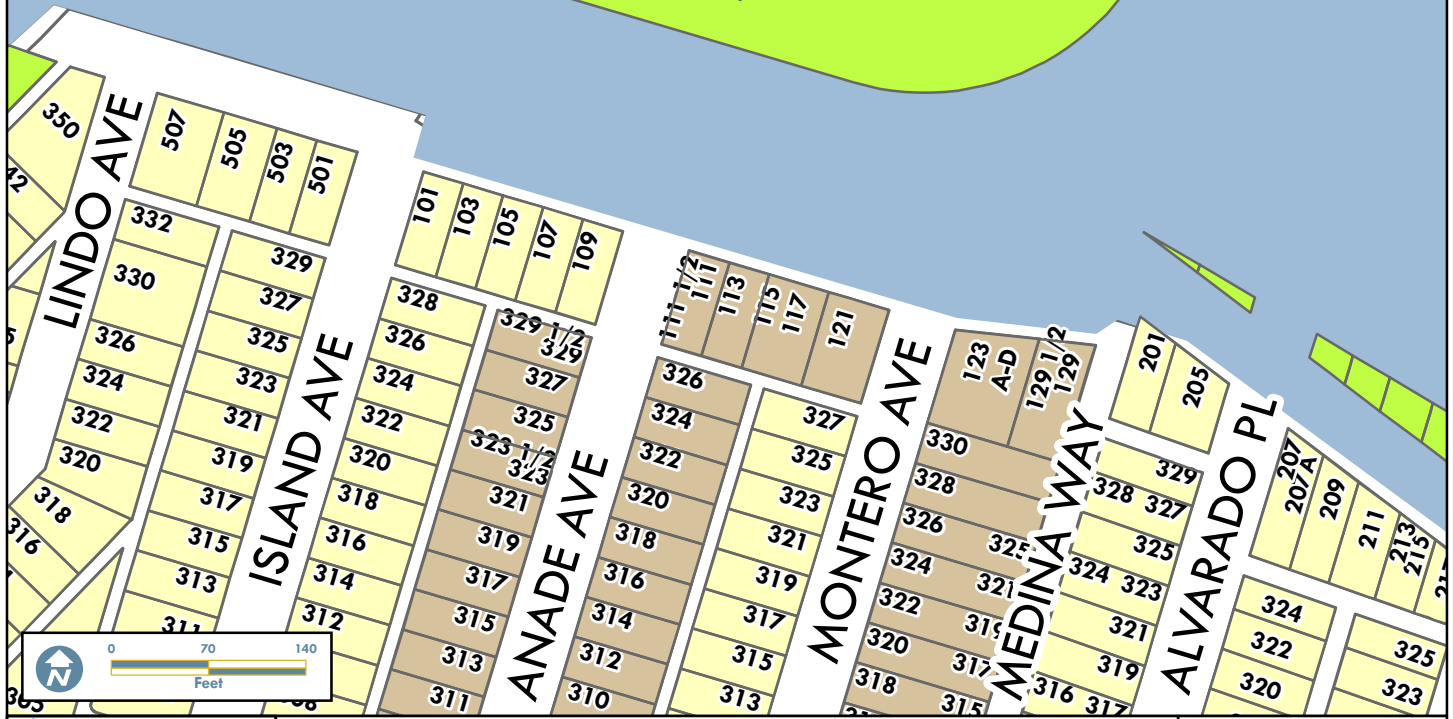
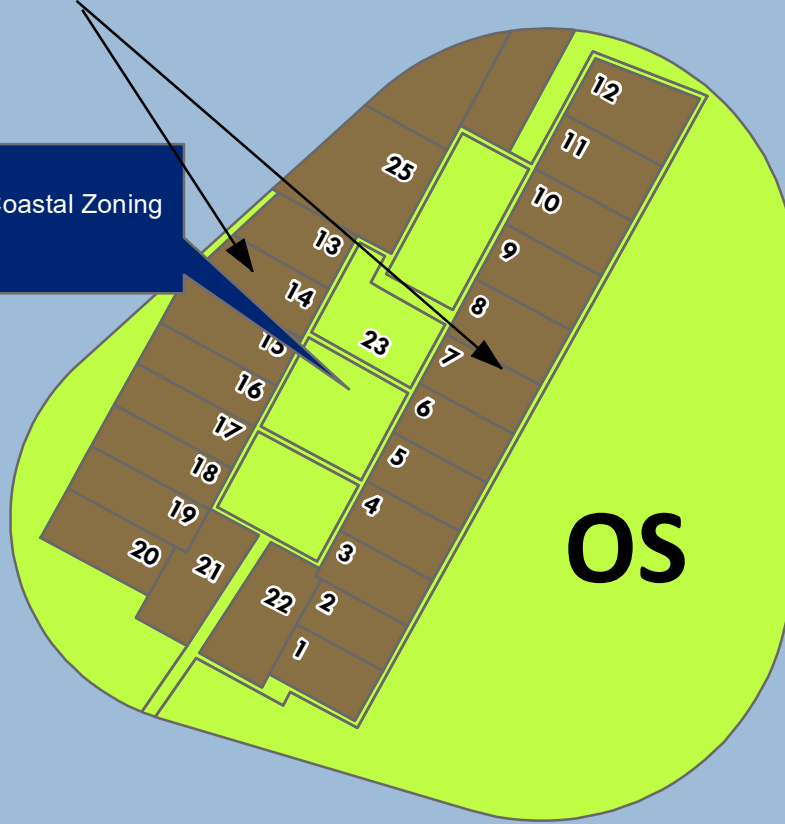
EXHIBIT A



City of Newport Beach
GIS Division
August 16, 2022

RM 25 du

Dwelling Unit Change:
23 du to 25 du for the RM Coastal Zoning
District for Bay Island



**Local Coastal Program Amendment
No. LC2022-003
Bay Island
PA2022-087**

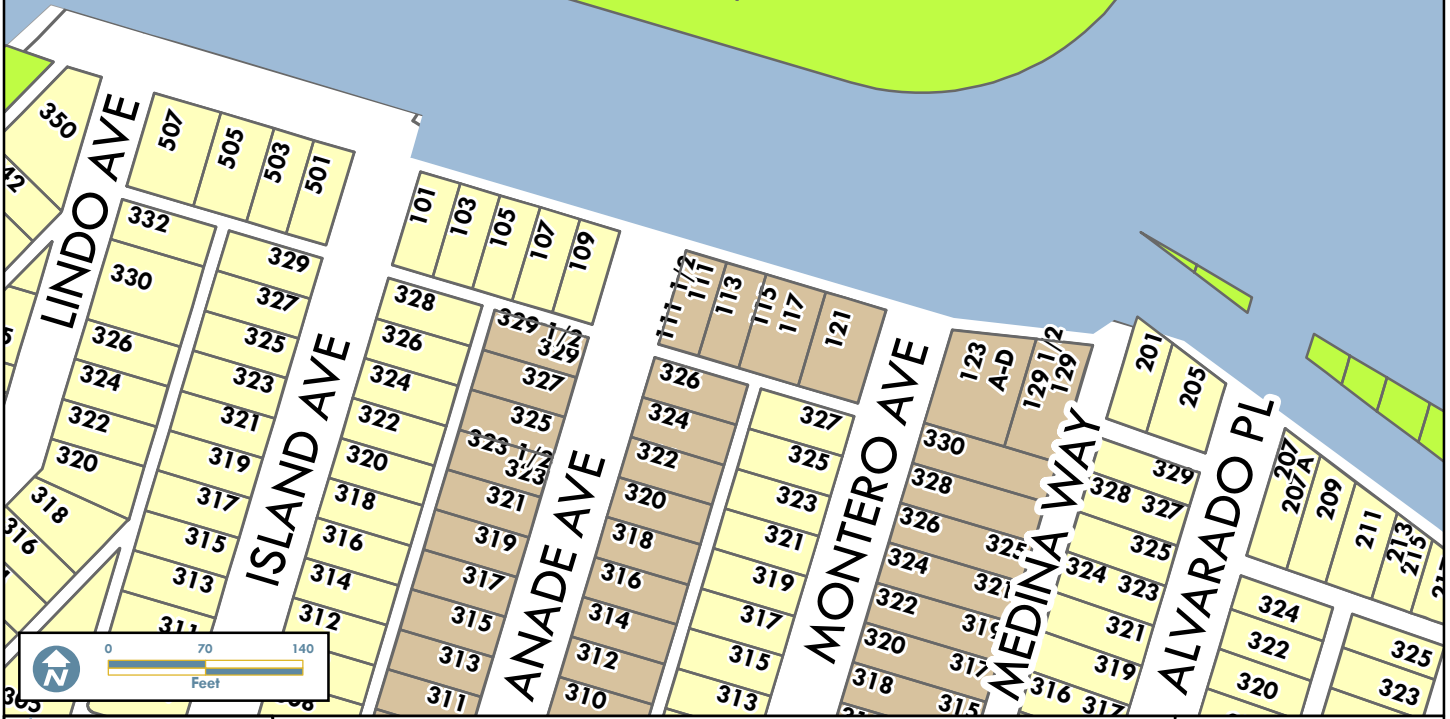
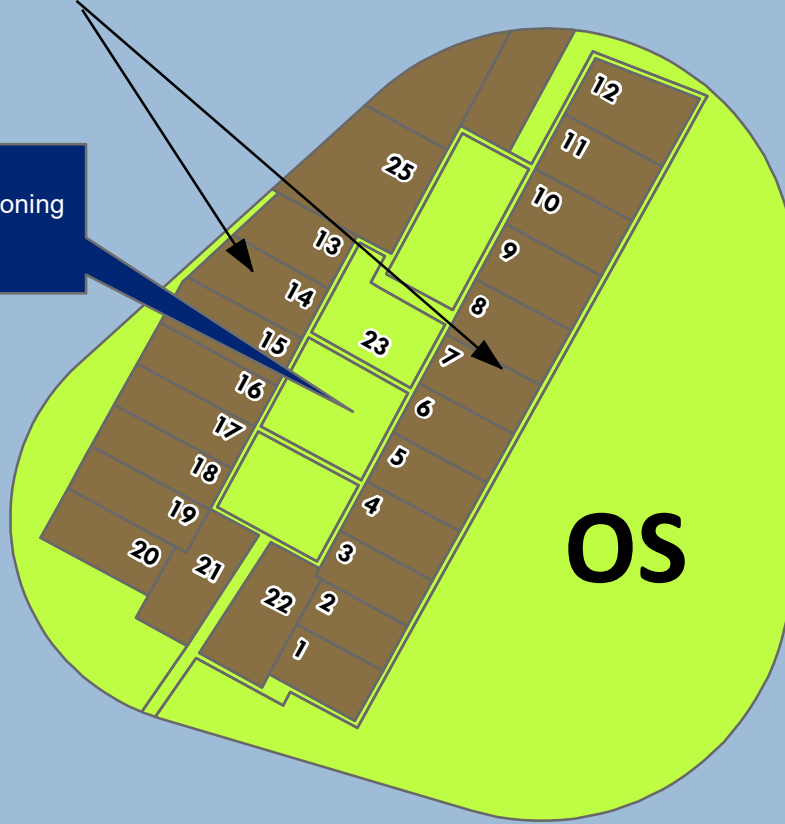
EXHIBIT C



City of Newport Beach
GIS Division
August 16, 2022

RM 25 du

Dwelling Unit Change:
23 du to 25 du for the RM Zoning
District for Bay Island



Zoning Code Amendment No. CA2022-005 Bay Island

PA2022-087

EXHIBIT D



City of Newport Beach
GIS Division
August 16, 2022

Attachment No. PC 2

Use Permit No. UP3618

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RESOLUTION NO. 23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH APPROVING A PLANNED RESIDENTIAL DEVELOPMENT USE PERMIT TO ESTABLISH LAND USE AND PROPERTY DEVELOPMENT REGULATIONS FOR THE BAY ISLAND COMMUNITY [USE PERMIT 3618]

WHEREAS, the Bay Island was developed as a stock cooperative prior to the establishment of City zoning regulations; and

WHEREAS, a planned residential development use permit is necessary for the administration of City zoning regulations on existing and future development on Bay Island; and

WHEREAS, the Land Use Element of the General Plan and the Local Coastal Program Land Use Plan designate the site for "Residential Single Family Detached" residential uses and that a planned residential development is a permitted use within this designation; and

WHEREAS, the project is located within the Multi-Family Residential District and Planned Residential Development Overlay District, which permits multi-family residential land uses and planned residential developments; and

WHEREAS, Bay Island provides off-street parking for each dwelling unit which is equal to that of the requirement for single family residential dwelling units. The off-street parking for Bay Island has shown to be adequate for many years and that the approval of the planned residential development use permit will not result in additional parking demand; and

WHEREAS, the waiver of the requirement that the planned residential development be bounded on all sides by public streets will not be inconsistent with adequate standards of pedestrian and vehicular access and traffic circulation for the development and for the area in which the development is located. The project has not negatively affected the pedestrian and vehicular system in the past seventy-five years, and with the standards established by the planned residential development use

permit, the project will have adequate pedestrian and vehicular access; and

WHEREAS, the approval of Use Permit No. 3618 to allow a planned residential development will not, under the circumstances of the case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or be detrimental or injurious to property or improvements in the neighborhood or the general welfare of the City, for the following reasons:

- The proposed planned residential development will not significantly alter the land use and development pattern of Bay Island.
- That the PRD will allow Bay Island to continue to be developed with dwelling units, densities and property development standards which are consistent with those in the surrounding area.

WHEREAS, on October 23, 1997, the Planning Commission of the City of Newport Beach held public hearings regarding Use Permit 3618; and

WHEREAS, on November 24, 1997, the City Council of the City of Newport Beach held a public hearing regarding Use Permit 3618; and

WHEREAS, the public was duly noticed of the public hearing; and

WHEREAS, pursuant to the California Environmental Quality Act, it has been determined that the proposed amendment is categorically exempt under Class 5, minor alterations in land use limitations.

THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1: Use Permit 3618 is hereby approved to establish the following land use and property development regulations for Bay Island:

1.5 Bay Island - PRD. All development shall conform to MFR District regulations unless modified by the following:

1.5.1 Setbacks and Encroachments.

A. "Major Structures" shall conform to setbacks and envelopes as illustrated on Building Site Map dated 8-15-97 which defines the Buildable Area of these sites.

B. "Minor Structures" such as sun shades, decks, railings, stairs, etc., may encroach into the area illustrated with a maximum railing height of 42" above the main living floor. Porches and decks, roofs, etc., to serve floors above the main living floor shall be cantilevered and shall not encroach more than 5' into the front yard (bayside) or more than 4' into the rear yard (interior or "park" side). Roofs may encroach an additional 2'.

1.5.2 Gross Floor Area

Gross Floor Area shall not exceed 2.5 times "buildable area."

1.5.3 Land Use

Each site designated on the map of Bay Island shall permit the construction of only one single family unit. The existing caretaker's residence and the tennis court are permitted as accessory uses to the single family units.

1.5.4 Parking

A parking structure built and owned by the Bay Island Club and located on Lots 2, 3, 4, 5, 6, Block 3, East Newport Tract provides parking for 48 cars, 37 covered and 11 uncovered. Two off-street parking spaces, including one covered, shall be

maintained for each dwelling unit, including any caretaker's residences.

1.5.5 Building Height

Building height shall be 24', using the measurement of height defined in the Newport Beach Zoning Code, Chapter 20.65. This may be increased to a maximum of 28' with the approval of the Planning Commission if it is deemed compatible and consistent with the height and scale of adjacent and surrounding dwellings.

1.5.6 Nonconforming Buildings and Structures

Buildings and structures made nonconforming due to the adoption of this planned residential development use permit or by ordinance changes may be continued subject to the provisions of Chapter 20.62 of the Newport Beach Zoning Code.

1.5.7 Modification Permits/Variances

Modifications and variances to the property development regulations established by this planned residential development use permit or the Zoning Code may be granted under the provisions of Chapter 20.93 and Chapter 20.91, respectively, of the Newport Beach Zoning Code.

1.5.8. Public Safety Improvements

All new structures shall be fully automatic fire sprinklered in conformance with the requirements specified by the Newport Beach Fire and Marine Department.

All existing structures shall be retrofitted with automatic fire sprinklers in conformance with the requirements specified by the Newport Beach Fire and Marine Department when the valuation of any new construction or alterations exceeds \$50,000.

Fire sprinkler system for each residential dwelling unit shall be installed on the dwelling unit's domestic water line. It shall be installed ahead of the pressure regulator so that the fire sprinkler system will be pressurized when the 6" fire main is pressurized.

Since the domestic and fire system are common, Bay Island shall sign an indemnification agreement, which is agreeable to both the Bay Island Club and the City of Newport Beach, indemnifying the City of Newport Beach for contamination or damage to individual dwelling units or the common domestic water system from pressurization of the fire line.

This resolution was adopted at a regular meeting of the City Council of the City of Newport Beach held on March 9, 2004, by the following vote, to wit:

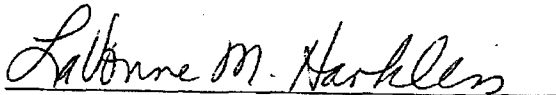
AYES, COUNCIL MEMBERS Heffernan, Rosasnsky, Adams, Bromberg, Webb, Nichols, Mayor Ridgeway

NOES, COUNCIL MEMBERS None

ABSENT COUNCIL MEMBERS None


MAYOR

ATTEST:



CITY CLERK

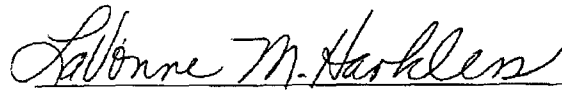


STATE OF CALIFORNIA }
COUNTY OF ORANGE }
CITY OF NEWPORT BEACH } ss.

I, LaVonne M. Harkless, City Clerk of the City of Newport Beach, California, do hereby certify that the whole number of members of the City Council is seven; that the foregoing resolution, being Resolution No. 2004-23 was duly and regularly introduced before and adopted by the City Council of said City at a regular meeting of said Council, duly and regularly held on the 9th day of March, 2004, and that the same was so passed and adopted by the following vote, to wit:

Ayes: Heffernan, Rosansky, Adams, Bromberg, Webb, Nichols, Mayor Ridgeway
Noes: None
Absent: None
Abstain: None

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of said City this 10th day of March, 2004.



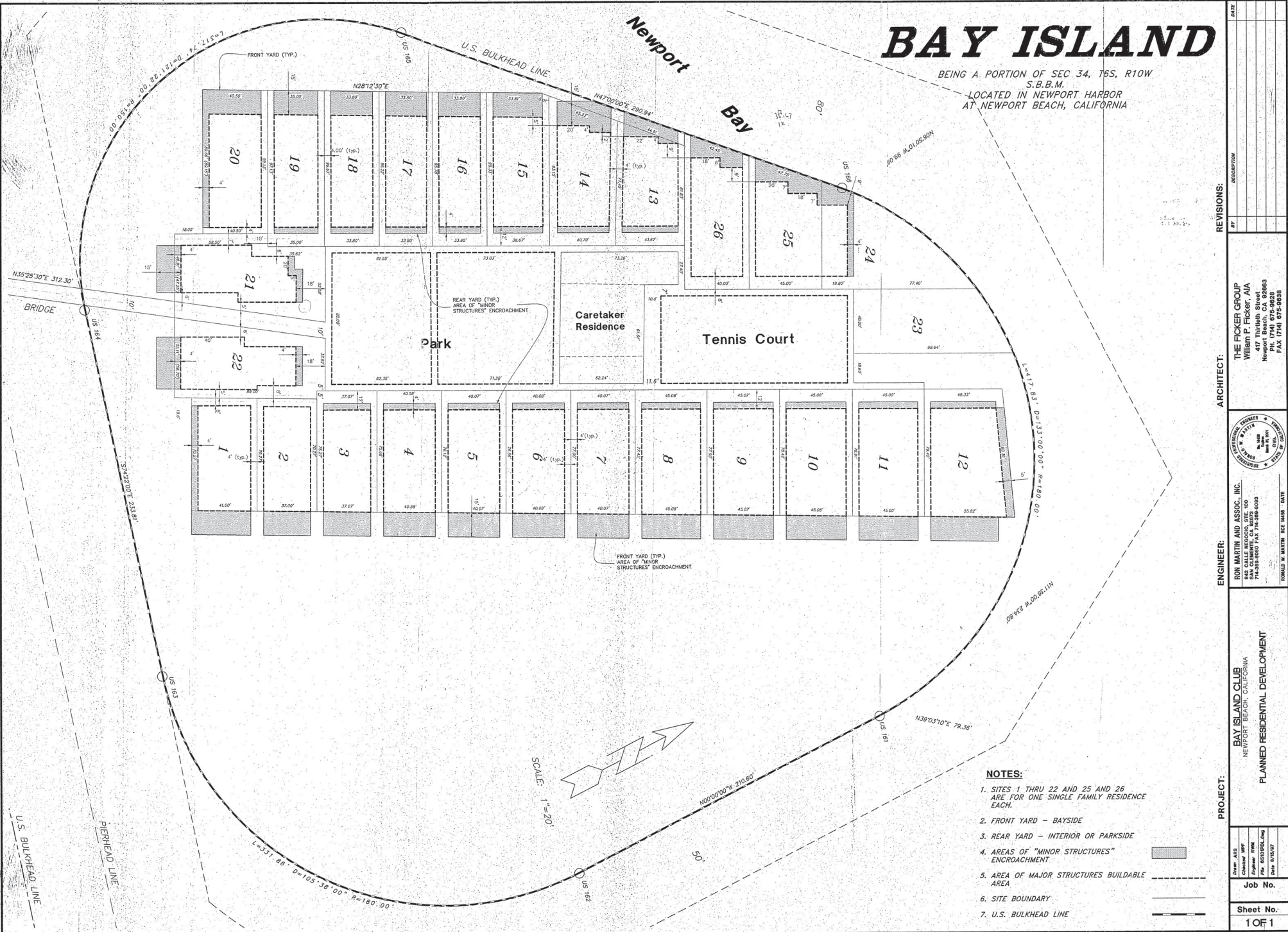
City Clerk
Newport Beach, California

(Seal)



BAY ISLAND

BEING A PORTION OF SEC 34, T6S, R10W
S.B.B.M.
LOCATED IN NEWPORT HARBOR
AT NEWPORT BEACH, CALIFORNIA

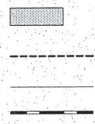


SCALE: 1"=20'



NOTES:

1. SITES 1 THRU 22 AND 25 AND 26 ARE FOR ONE SINGLE FAMILY RESIDENCE EACH.
2. FRONT YARD - BAYSIDE
3. REAR YARD - INTERIOR OR PARKSIDE
4. AREAS OF "MINOR STRUCTURES" ENCROACHMENT
5. AREA OF MAJOR STRUCTURES BUILDABLE AREA
6. SITE BOUNDARY
7. U.S. BULKHEAD LINE



DATE	DESCRIPTION	REVISIONS:	BY
<p>ARCHITECT: THE FICKER GROUP William P. Ficker, AIA 417 Third Street Newport Beach, CA 92869 FAX: (714) 875-9838</p>			
<p>ENGINEER: ROY MARTIN AND ASSOC., INC. 842 CALLE INOCENCIA, STE. 100 NEWPORT BEACH, CALIFORNIA 92660 714-555-8059 FAX 714-555-8033</p>			
<p>PROJECT: BAY ISLAND CLUB NEWPORT BEACH, CALIFORNIA PLANNED RESIDENTIAL DEVELOPMENT</p>			
Drawn: AIB	Checked: WFF	Engineer: RMM	Date: 6/26/97
Job No.			Sheet No.
			1 OF 1

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