

RESOLUTION NO. 2025-02
RESOLUTION OF THE ZONING ADMINISTRATOR OF
ORANGE COUNTY, CALIFORNIA,
DECEMBER 4, 2025

By action of the Zoning Administrator, the following Resolution was adopted:

WHEREAS, Planning Application PA25-0072 was submitted by the applicant, Peter Blied on behalf of Verizon Wireless and AT&T, requesting approval of a Coastal Development Permit and Use Permit to construct two new wireless communications facilities consisting of two 40-foot towers and a shared equipment enclosure;

WHEREAS, the project area has been annexed to the City of Newport Beach (City), the County of Orange (County) has retained land use and permitting authority for the Pelican Hill Golf Club through the Newport Coast Local Coastal Program, Second Amendment (LCP), which was certified by the Coastal Commission on January 21, 1997, and the cooperative agreement, dated October 9, 2001, between the County and City;

WHEREAS, the project is consistent with the City of Newport Beach General Plan. Specifically, the proposed project does not modify the existing use of a golf course as permitted by the Parks and Recreation General Plan designation;

WHEREAS, the project is consistent with the Coastal Zone development standards pursuant to Zoning Code Section 7-9-40 and “Golf Club Planning Area 10A” zoning designation under the certified Newport Coast Local Coastal Program, Second Amendment;

WHEREAS, the project is Categorically Exempt (Class 3) from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 because the exemption provides for the construction of new small facilities and structures, and installation of small new equipment and facilities in small structures, and the project does not fall within any of the categories identified in CEQA Guidelines Section 15300.2;

WHEREAS, a duly noticed public hearing was held on December 4, 2025, before the Orange County Zoning Administrator, at which time all interested persons were given the opportunity to be heard, and the Zoning Administrator reviewed and considered all evidence presented, including the staff report and public testimony;

WHEREAS, the Zoning Administrator reviewed and fully considered the proposed Coastal Development Permit PA25-0072 and has heard and considered any public comments received on

this request, and determined after review and consideration to approve Coastal Development Permit PA25-0072.

NOW, THEREFORE, BE IT RESOLVED THAT the Orange County Zoning Administrator adopts this resolution to:

- a. Find that the project is categorically exempt from the California Environmental Quality Act (CEQA), Class 3 New Construction or Conversion of Small Structures pursuant to CEQA Guidelines Section 15303; and
- b. Approve Planning Application PA25-0072 for a Coastal Development Permit and Use Permit to construct two new wireless communications facilities consisting of two 40-foot towers and a shared equipment enclosure subject to the Findings and Conditions of Approval contained within this Resolution.

Recommended Findings:

1. General Plan
 - a. That the project is consistent with the objectives, policies, and general land uses and programs specified in the City of Newport Beach General Plan adopted pursuant to the State Planning and Zoning Law
2. Zoning Code
 - a. That the use, activity or improvement(s) proposed, subject to the specified conditions, is consistent with the provisions of the Zoning Code, inclusive of the County of Orange Wireless Communications Facilities on Private Property Ordinance, and Newport Coast LCP regulations applicable to the property.
3. California Environmental Quality Act (CEQA)
 - a. That this project is Categorical Exempt (Class 3) from the provisions of CEQA pursuant to CEQA Guidelines Section 15303 because the exemption provides for the construction of new small facilities and structures, and installation of small new equipment and facilities in small structures. Additionally, this project does not fall within any of the categories in CEQA Guidelines Section 15300.2, as the project is not located on a site with sensitive environmental resources or historic resources, there are no unusual circumstances that apply to the project, it is not located near a scenic highway or on a hazardous waste site, and would not have a cumulatively significant impact.
4. Compatibility
 - a. That the location, size, design and operating characteristics of the proposed use will not create unusual conditions or situations that may be incompatible with other permitted uses in the vicinity.
5. General Welfare

- a. That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.
6. Public Facilities
- a. That the approval of the permit application is in compliance with Codified Ordinance Section 7-9-711 regarding public facilities (fire station, library, sheriff, etc.).
7. Local Coastal Program
- a. That the project conforms with the certified Newport Coast Local Coastal Program, Second Amendment.
 - b. That the project conforms with the public access and public recreation policies of the California Coastal Act.
 - c. That the approval of the application will result in a project that is in full compliance with the requirements of the certified land use plan.

Recommended Conditions of Approval:

1. Basic/Zoning Regulations
- a. This approval constitutes approval of the proposed project only to the extent that the project complies with the Orange County Zoning Code and any other applicable zoning regulations. Approval does not include any action or finding as to compliance or approval of the project regarding any other applicable ordinance, regulation or requirement.
2. Basic/Time Limit
- a. This approval is valid for a period of 36 months from the date of final determination. If the use approved by this action is not established within such period of time, this approval shall be terminated and shall thereafter be null and void, unless a valid extension is approved.
3. Basic/Plan
- a. If the applicant proposes changes regarding the location or alteration of any use or structure, the applicant shall submit a changed plan to the Director, OC Planning, for approval. If the Director, OC Planning, determines that the proposed change complies with the provisions and the spirit and intent of the original approval action, and that the action would have been the same for the changed plan as for the approved plot plan, he may approve the changed plan without requiring a new public hearing.
4. Basic/Compliance

- a. Failure to abide by and faithfully comply with any and all conditions attached to this approving action shall constitute grounds for the revocation of said action by the Orange County Zoning Administrator.

5. Indemnification

- a. Applicant shall defend with counsel approved by the County of Orange in writing, indemnify and hold harmless the County of Orange, its officers, agents and employees from any claim, action or proceeding against the County, its officers, agents or employees to attack, set aside, void, or annul any approval of the application or related decision, or the adoption of any environmental documents, findings or other environmental determination, by the County of Orange, its Board of Supervisors, Planning Commission, Zoning Administrator, Director of OC Public Works, or Deputy Director of OC Development Services concerning this application. The County may, at its sole discretion, participate in the defense of any action, at the applicant's expense, but such participation shall not relieve applicant of his/her obligations under this condition. The County may, at its sole discretion, require the Applicant to post a bond, enter into an escrow agreement, obtain an irrevocable letter of credit from a qualified financial institution, or provide other security, to the satisfaction of the County, in anticipation of litigation and possible attorney's fee awards. Applicant shall reimburse the County for any court costs and attorney's fees that the County may be required to pay as a result of such action. The County shall promptly notify the applicant of any such claim, action or proceeding.

6. Basic/Appeal Exactions

- a. Pursuant to Government Code Section 66020, the applicant is hereby informed that the 90-day approval period in which the applicant may protest the fees, dedications, reservations or other exactions imposed on this project through the conditions of approval has begun.

7. Building Code Compliance

- a. All structures shall comply with the applicable provisions of the Building Code, Fire Code, Energy Code, and all other relevant local, state, and federal regulations in effect at the time the applicant submits a building permit application.

8. Geology Report

- a. Prior to the issuance of a grading permit, the applicant shall submit a geotechnical report to the Manager, Building and Safety Division, for approval. The report shall include the information and be in the form as required by the Grading and Excavation Code and Grading Manual.

9. Construction Noise

- a. Prior to the issuance of any grading permits, the project proponent shall produce evidence acceptable to the Manager, Building and Safety Division, that:
 - (1) All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of a dwelling shall be equipped with properly operating and maintained mufflers.
 - (2) All operations shall comply with Orange County Codified Ordinance Division 6 (Noise Control).
 - (3) Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings.
- b. Notations in the above format appropriately numbered and included with other notations on the front sheet of the project's permitted grading plans, will be considered as adequate evidence of compliance with this condition.

10. Erosion and Sediment Control Plan

- a. If determined necessary, prior to the issuance of any grading or building permit, the applicant shall submit an Erosion and Sediment Control Plan (ESCP) in a manner meeting approval of the Manager, Building and Safety Division, to demonstrate compliance with the County's NPDES Implementation Program and state water quality regulations for grading and construction activities. The ESCP shall identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. shall be properly covered, stored, and secured to prevent transport into local drainages or coastal waters by wind, rain, tracking, tidal erosion or dispersion. The ESCP shall also describe how the applicant will ensure that all BMPs will be maintained during construction of any future public rights-of-way. The ESCP shall be updated as needed to address the changing circumstances of the project site. A copy of the current ESCP shall be kept at the project site and be available for County review on request.

11. Drainage Study

- a. If determined necessary, prior to the issuance of any grading permits, the following drainage studies shall be submitted to and approved by the Manager, Permit Services
 - (1) A drainage study of the project including diversions, off-site areas that drain onto and/or through the project, and justification of any diversions; and
 - (2) When applicable, a drainage study evidencing that proposed drainage patterns will not overload existing storm drains; and
 - (3) Detailed drainage studies indicating how the project grading, in conjunction with the drainage conveyance systems including applicable swales, channels,

street flows, catch basins, storm drains, and flood water retarding, will allow building pads to be safe from inundation from rainfall runoff which may be expected from all storms up to and including the theoretical 100-year flood.

12. Water Quality Management Plan

- a. If determined necessary, prior to the issuance of any grading or building permits, the applicant shall submit for review and approval by the Manager, Building and Safety, a Water Quality Management Plan (WQMP) specifically identifying Best Management Practices (BMPs) that will be used onsite to control predictable pollutant runoff. The applicant shall utilize the Orange County Drainage Area Management Plan (DAMP), Model WQMP, and Technical Guidance Manual for reference, and the County's WQMP template for submittal. This WQMP shall include the following:

- Detailed site and project description
- Potential stormwater pollutants
- Post-development drainage characteristics
- Low Impact Development (LID) BMP selection and analysis
- Structural and Non-Structural source control BMPs
- Site design and drainage plan (BMP Exhibit)
- GIS coordinates for all LID and Treatment Control BMPs
- Operation and Maintenance (O&M) Plan that (1) describes the long-term operation and maintenance requirements for BMPs identified in the BMP Exhibit; (2) identifies the entity that will be responsible for long-term operation and maintenance of the referenced BMPs; and (3) describes the mechanism for funding the long-term operation and maintenance of the referenced BMPs

The BMP Exhibit from the approved WQMP shall be included as a sheet in all plan sets submitted for plan check and all BMPs shall be depicted on these plans. Grading and building plans must be consistent with the approved BMP exhibit.

13. Orange County Fire Authority (OCFA)

- a. Prior to the issuance of a grading permit, the applicant must provide the Manager, Building and Safety with a clearance from OCFA indicating that a Fire Master Plan has been prepared that complies with Fire Code Chapter 5 and Guideline B-09.
- b. Prior to issuance of a grading permit or a building permit, the applicant must provide the Manager, Building and Safety with a clearance from OCFA indicating that a Precise Fuel Modification Plan has been approved by OCFA.
- c. Prior to the issuance of a building permit, the applicant must provide the

Manager, Building and Safety with a clearance from OCFA allowing the introduction of tanks storing hazardous materials, battery for any system containing an aggregate quantity of electrolyte in excess of 50 gallons, and any combustible materials into the project area.

- d. Prior to the approval of final inspection, the applicant must provide the Manager, Building and Safety with a clearance from OCFA confirming that the approved fuel modification plan has been installed and completed. This includes physical installation of features identified in the approved precise fuel modification plan (including, but not limited to, plant establishment, thinning, irrigation, zone markers, access easements, etc). A written disclosure may be requested by the OCFA Inspector indicating that the owner is aware of the fuel modification zone on their land and that they are aware of the associated restrictions of the zone.
- e. All maps, fuel modification plans, fire master/site plan, and architectural plans submitted for this project shall include a note stating “Project is located in a Fire Hazard Severity Zone or Wildland-Urban Interface area and is subject to the special construction requirements of CBC Chapter 7A or CRC R327, as applicable.”
- f. The developer/builder shall implement those portions of the approved fuel modification plan determined to be necessary by the OCFA and a confirmation of proper vegetation clearance shall be issued by the OCFA to the local building department prior to issuance of either building permits or bringing lumber or other combustible materials into the area, whichever comes first. Removal of undesirable species may meet this requirement or a separation of combustible vegetation for a minimum distance of 100 feet from the location of the structure and lumber stock-pile may be acceptable. Call OCFA Inspection Scheduling at 714-573-6150 with the Service Request number of the approved fuel modification plan at least five days in advance to schedule the vegetation clearance inspection.
- g. The property owner is responsible for all maintenance of the fuel modification indefinitely in accordance with the approved fuel modification plans and recorded covenant. The property owner shall retain all approved fuel modification plans. As property is transferred, property owners shall disclose the location and regulations of fuel modification zone to the new property owners.

I HEREBY CERTIFY that the foregoing Resolution No. 2025-02 was adopted on December 4, 2025 by the Orange County Zoning Administrator.

By: Justin Kirk, Deputy Director OC Public Works
ORANGE COUNTY ZONING ADMINISTRATOR