

Daily Pilot

SATURDAY, JANUARY 25, 2025 // dailypilot.com



Photos by Don Leach | Staff Photographer

A GROUP OF white pelicans swims against the wind at the Bolsa Chica Ecological Reserve on Thursday.

Volunteers help keep visitors informed at wetland reserve

BY MATT SZABO

The Bolsa Chica Ecological Reserve is a unique and special place in Huntington Beach.

One of the largest and last remaining coastal wetlands in California, it's home to more than 1,000 documented species of wildlife. Forty-two of those, including birds like the Western snowy plover and California least turn, are special status species. The term indicates plants or animals that are threatened, endangered or vulnerable.

Fortunately, Melissa Borde did not fly away after becoming the Bolsa Chica Ecological Reserve manager in 2020.

Borde is with the California Department of Fish and Wildlife, which manages the wetlands. She saw a huge space of about 1,300 acres that would be hard to manage with her small staff.

"It's surrounded by millions of people and it's located next to one of the busiest highways and beaches," Borde said. "As you can

See *Reserve*, page A3



RESERVE WATCH volunteers John Wood, Andrea Sward, CJ Dunbar and Martin Hardlund, from left, at the Bolsa Chica Ecological Reserve on Thursday.

Planning Commission approves boosting height limits for sites in Newport Center

BY ERIC LICAS

The Newport Beach Planning Commission on Thursday unanimously recommended an increase to height limits on buildings in Newport Center to accommodate a higher density of housing.

The amendments to Newport Beach's municipal code will be

considered by the City Council for final approval as soon as March 11. They feature updates to height limits affecting a handful of specific sites including raising the allowable height at the current site of Armstrong Garden Centers/portions of the Newport Beach Country Club from 32 and 50 feet, respectively, to 70 feet; the current site of the

Country Club's golf course from 50 feet to 110 feet; the northern portion of Corporate Plaza from 32 feet to 70 feet; the 100 block of Newport Center from 50 feet to 85 feet, and the 300 block of Newport Center and the current site of the Regal Edwards Newport from 32 feet to 270 feet.

The updates are needed to

achieve a mandate issued by lawmakers in Sacramento to zone for a dramatic increase in housing across the state by 2029, according to reports by city staff. Allowing for taller housing developments with a higher density of units reduces the overall number of projects that need to

See *Height*, page A3

Costa Mesa uncorks expansion plans for bar in problem parking area

BY SARA CARDINE

A Costa Mesa bar and restaurant seeking to expand its footprint and offerings under the city's outdoor dining ordinance — whose owners have faced multiple challenges despite meeting the letter of the law — got final approval from city leaders Tuesday.

Proprietors of Westend, an arts-focused establishment located at 814 West 19th St., aim to build out a back patio into a 720-square-foot dining area with a bar and space for live entertainment and to extend their hours until 2 a.m. nightly.

While such a move would eliminate two of the Westend's three parking spaces, post-pandemic city laws allow for the ex-

pansion of outdoor dining, even when it eliminates parking. The state's AB 2097 goes further, prohibiting cities from implementing parking requirements on projects in transit-rich areas.

To help ease parking concerns, owners of the bar and restaurant secured an agreement with a nearby business for the use of 17 parking spaces on another lot behind the Westend. The proposal was approved on May 28 by city zoning administrator Scott Drapkin.

But historic noise and traffic complaints from residents on nearby Federal Way and business owners of the Vista Center — which maintains a large retail parking lot directly across 19th

See *Plans*, page A3



Don Leach | Staff Photographer

PLANS TO EXPAND the footprint and hours at Westend bar on Costa Mesa's 19th Street have run the gauntlet in recent months. The City Council gave the plan their final approval on Tuesday.

Laguna Beach to invest in artist housing

City enters purchase and sale agreements to acquire two properties along Laguna Canyon Road for \$8.65 million.

BY ANDREW TURNER

Laguna Beach has agreed to terms to acquire two properties located within the canyon for a total of \$8.65 million, a move driven by an interest to preserve them as affordable housing for artists to live and work in.

The City Council unanimously approved the purchase and sale agreements with George R. Burkhardt Trusts for the properties, located at 2307 and 2535 Laguna Canyon Road, at its Jan. 14 meeting.

Laguna Beach now has the next month to complete its due diligence and close the deal. City staff have until Feb. 21 to investigate the sites. The escrow period ends Feb. 28 but can be extended. The city has to make an initial deposit of \$100,000, which increases to \$125,000 if a one-month extension is requested for the closing period.

Local artist Jorg Dubin said the properties are unique to the community in that they allow for industrial uses, enabling artists and craftspeople to "do what they do without restriction."

"That's what makes them unique ... artists who need industrial spaces are able to function without restriction, without worrying about what the neighbors are going to say," Dubin added.

The property at 2535 Laguna Canyon Road comes at a cost of \$4.95 million. It has 14 units built on the 40,780-square-foot lot.

See *Laguna*, page A6

ALSO FROM THE DAILY PILOT:



Courtesy of the Environmental Nature Center

AROUND TOWN: SUNDAY MORNING BIRD WALK AT TUCKER WILDLIFE SANCTUARY
PAGE A4

NEWPORT BEACH TO WEIGH NEW EXPENDITURES
PAGE A2

Fountain Valley officer fatally shoots suspect in attack on fellow officer

BY CITY NEWS SERVICE

A man suspected of attacking a Fountain Valley police officer was fatally shot in the city by another officer on Friday.

The series of violent incidents began shortly before 11 a.m. near Kazuo Masuda Middle School, where the suspect unsuccessfully attempted to get into the car of a woman parked there, Fountain Valley police Sgt. Henry Hsu said. A witness who saw the suspect called

police.

The suspect ran off and officers tracked him down as one chased him on foot while his partner remained in the squad car, Hsu said.

The suspect attacked the officer in her squad car as she was idling in the 17300 block of San Mateo Street, Hsu said. It's unclear if she got out or he dragged her out.

But during the scuffle he got a gun, and it may have been her service revolver or one he already had on him, Hsu said.

The squad car rolled into a U.S. Postal Service van, frightening the postal worker, Hsu said.

The suspect brandished a gun, prompting the partner of the officer who was attacked to open fire on the suspect in the police car, Hsu said. The suspect tumbled out of the car, and first responders attempted to aid him, but he was pronounced dead at the scene.

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Newport Beach City Council to weigh expenditures Tuesday

BY ERIC LICAS

The Newport Beach City Council will consider the purchase of three new SUVs for the police department to replace vehicles meeting the end of their recommended service life at their next meeting on Tuesday.

The purchase of three new Ford Explorers will cost a total of \$173,311.80, according to reports by city staff. They will take the place of vehicles set to reach the end of their recommended service period of either four years or 75,000 miles in 2025.

Ford Explorers are the department's preferred make and model. However, supply chain issues made them difficult to procure in recent years, so Newport Beach police wound up acquiring several Dodge Durangos last year as an alternative.

"So far, the Durangos have been working well,"



File Photo

THE NEWPORT BEACH City Council will meet Tuesday in City Hall, where the members will consider agenda items including the purchase of three new Ford Explorers for the Police Department and renting out part of a pier.

city staff wrote in their report. "However, they do not have a long history of reliability."

Explorers have become more readily available recently, so the department has switched back to Ford. Doing so allows them to

reuse some interior upgrade components used to outfit vehicles for police use, saving the city some money on upgrade costs.

Council members will also consider extending an

See **Weigh**, page A6

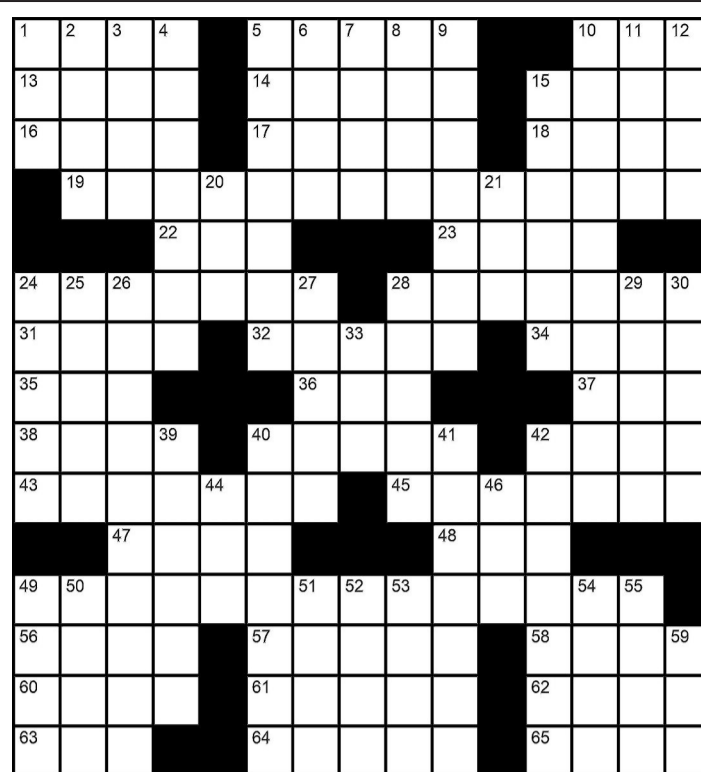
THE DAILY COMMUTER PUZZLE

By Stella Zawistowski

ACROSS

- 1 Spineless one
- 5 Choreographer de Mille
- 10 Vietnamese soup
- 13 Mideast leader
- 14 Inexpensive
- 15 Geometry calculation
- 16 Simplify
- 17 Haute, Indiana
- 18 Shaker seasoning
- 19 Erasable art medium: 2 wds.
- 22 "Ready when you "
- 23 Active person
- 24 Warm-up exam
- 28 Breakfast time
- 31 Valentine's Day flower
- 32 Some Muslims
- 34 Rip
- 35 Astronaut destination: Abbr.
- 36 Flightless bird
- 37 Perish
- 38 Draws on
- 40 Demonstrate
- 42 Change residences
- 43 Earnestly meant
- 45 Planning to get married
- 47 Author Westover
- 48 Camry or Civic
- 49 Humanitarian
- 56 Starring role
- 57 Root for a team
- 58 Carpentry fastener
- 60 Some paintings
- 61 Bone-chilling
- 62 "She" in Spanish
- 63 MDs and DOs: Abbr.
- 64 Crop starters
- 65 Depend (on)

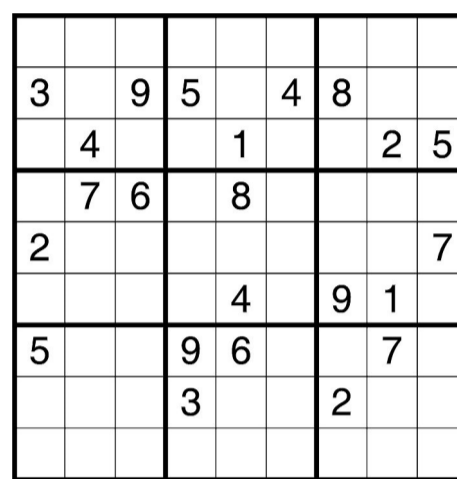
DOWN



SUDOKU

By the Mephram Group

Complete the grid so each row, column and 3-by-3 box (in bold borders) contains every digit, 1 to 9. For strategies on how to solve Sudoku, visit sudoku.org.uk.



For answers to the crossword and Sudoku puzzles, see page A3.

- 1 Itsy-bitsy
- 2 Apple desktop
- 3 Japanese soup
- 4 High-ranking clergyman
- 5 Woman on stage
- 6 Type of clarified butter
- 7 Geek
- 8 Wyatt of the old West
- 9 Some swimsuits
- 10 Great Plains rodent: 2 wds.
- 11 Satan's domain
- 12 Horse food
- 15 Rise
- 20 Smelted

- material
 - 21 Neither hide hair
 - 24 Toyota hybrid
 - 25 Martini &
 - 26 Must-haves
 - 27 " you go again!"
 - 28 Soft purple
 - 29 Easy to dupe
 - 30 Avarice
 - 33 Online "I think": Abbr.
 - 39 Burns with water
 - 40 Moves like a show horse
 - 41 Bonus performances
 - 42 Seattle ballplayer
 - 44 Pitching stat: Abbr.
 - 46 Empty space
 - 49 Trudge
 - 50 Estate beneficiary
 - 51 Biblical pronoun
 - 52 "Take this"
 - 53 NFL coach
 - Andy
 - 54 Event with bargains
 - 55 Work the soil
 - 59 " it on me!"
- Tribune Media Services



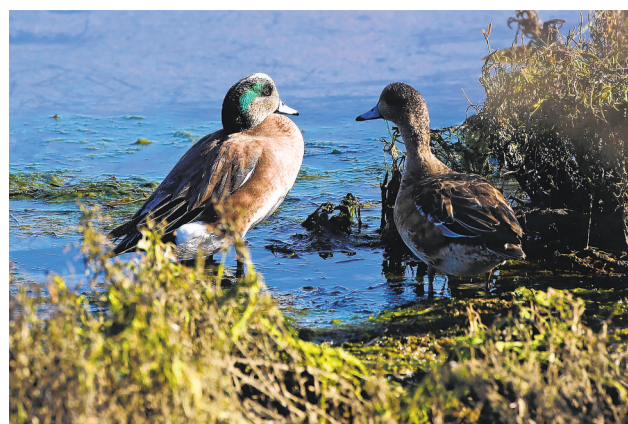
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BUFFLEHEADS, a member of the duck species, stand out of the wind at the Bolsa Chica Ecological Reserve.

RESERVE

Continued from page A1

imagine, it's a constant effort to protect it and educate visitors about the importance of rules. What I noticed when I took the job was that most people that come here come because they love nature. You do get tons of positive support, positive feedback, people that are here for a great reason, [but] I really got overwhelmed at how many people just refused to follow the rules and didn't want to be told what to do.

"I said, 'How can we turn a positive spin on this? How can we create a positive program that educates the local community and visitors?'"

The answer to those questions was the Bolsa Chica Reserve Watch volunteer program, which launched at the end of November 2022 following in-person volunteer training. Four nonprofits associated with the reserve — Amigos de Bolsa Chica, the Bolsa Chica Land Trust, the Bolsa Chica Conservancy and Sea & Sage Audubon Society — were involved in the creation and funding of the program.

A celebration is planned for Saturday to commemorate the program's two-year anniversary.

Thomas Anderson, administrative director of Amigos de Bolsa Chica,

said he worked with Bolsa Chica Land Trust executive director Kim Kolpin to secure a \$20,000 grant for the program through the California Coastal Commission in early 2023. This helped fund the initial year and get the program off the ground.

"That was a nice affirmation that it was a good project," Anderson said. "It's a difficult grant to get, it's very competitive."

The Reserve Watch program represents a new level of outreach for the Bolsa Chica Ecological Reserve. The volunteers, who are required to serve at least eight hours a month, help protect the reserve's wildlife and habitats by educating the public about species there and helping them better understand and respect the rules.

For example, dogs, bicycles and drones are not allowed.

"This is an ecological reserve, not your everyday park," said Annie Daw, the Reserve Watch program manager.

Daw said that Reserve Watch currently has 30 volunteers, 20 of which she described as very active. Through the end of last month they had logged about 41,000 visitor interactions.

There have been 1,300 reported violations, and the most common one has been visitors who simply go off the 5 miles of trails at



RESERVE WATCH MANAGER Annie Daw, volunteer watchers CJ Dunbar and Andrea Sward and Melissa Borde, CDFW manager of the Bolsa Chica Ecological Reserve, from left, take off for a hike on Thursday.

Photos by Don Leach | Staff Photographer

the reserve. Guests who remain noncompliant are reported to Californians Turn in Poachers and Polluters (CalTIP).

In general, though, Daw said violations are becoming less and less frequent, thanks to the help of the volunteers.

"They make connections between people and the wildlife," Daw said. "By making those connections, they make people care about this place even more."

Andrea Sward, who joined the Amigos de Bolsa Chica soon after moving to Huntington Beach in 1985, has seen that cycle ramp up since the creation of the program.

Sward has been one of the most dedicated volunteers. There are thrills that come with the job, like one recent shift when Sward said she got pictures of a sea lion that popped his head out of the water for a visit.

"We give a lot in terms of volunteering, but we get a lot in return too," Sward said. "We found that the more people know, the more invested they get in the area and the more they

become spokespeople to help preserve it."

Carissa Macias, executive director of the Bolsa Chica Conservancy, said one man came into the nonprofit's interpretive center recently inquiring about becoming a part of Reserve Watch. He wanted to help protect a burrowing owl that has been on the reserve lately. "In order to protect it, people have to understand what's there and why it's important, have that point of contact to connect with what's there," Macias said. "Many people will probably just view it as a beautiful space to enjoy on a nice walk or something, which it is, but there's so much more going on there within the ecology. There's so many more biological features that make it an important environment to protect."

That's the goal of each of the four nonprofits, but Borde highlighted the spirit of collaboration between them that led to the creation of Reserve Watch.

They put aside any differences in order to protect the common good of the wetlands, which serves as a critical stop along the Pa-

cific Flyway for thousands of birds.

The previously mentioned Western snowy plover and California least tern are doing well. Last year, the Bolsa Chica Ecological Reserve had 140 nests of the federally threatened snowy plover. The least tern, which is both state and federally endangered, had 100 nests at Bolsa Chica, also in the restricted area of the reserve not open to the public.

Kolpin, the Bolsa Chica Land Trust executive director, said her organization is very pleased with how the Reserve Watch has progressed.

"Visit respectfully and

pay attention to the rules," she said. "That means that Bolsa Chica will be more sustainable, healthier and thrive into the future."

For more information about the Reserve Watch program or information on volunteering, email Daw at annie@bcerwatch.org. Volunteers are required to watch training videos and participate in an in-person field training that covers all four station locations.

Donations to the program can be made via any of the nonprofits, Daw said, as long as it's noted that they are for the program.

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PLANS

Continued from page A1

Street from the Westend — inspired one City Council member to essentially appeal the project twice.

Former District 1 Councilman Don Harper, whose term ended in December, submitted a request May 30 to have the Costa Mesa Planning Commission review the application anew in a public hearing.

Commissioners considered the matter during an Oct. 14 meeting, opting to approve the expansion on a trial basis and reconvene for a six-month review. They limited the 2 a.m. closing time to Fridays and Saturdays only.

Less than one week later, Harper submitted a request to have the Planning Commission's approval considered by the Costa Mesa City Council, which would have final approval.

At Tuesday's hearing, Westend's operating manager and partner Kayleigh Brunner said owners had secured an additional 17 off-site parking spots in an effort to be good neighbors.

"Westend is more than just a restaurant and bar," she said. "Our passion and our roots are tied deeply into our community, the very essence of Costa Mesa, the City of the Arts."

After listening to a handful of comments both for and against the proposal, Mayor John Stephens made a motion to uphold the Planning Commission's Oct. 14 approval but to remove the six-month review period and the condition that live entertainment be capped at 11 p.m. Sundays through Thursdays.

Stephens requested the applicant provide an on-site cellphone contact that neighbors could relay noise or traffic complaints to in real time. Otherwise, he said, the commissioners' conditions were too restrictive on a business that's already waited several months to move forward with plans already approved by the city's zoning administrator.

"I think our staff and our Planning Commission have better things to do than to micromanage a small business," he said. "They've served their time."

Other council members expressed confidence that any issues that arose could be handled through enforcement of the city's noise ordinance or by its code enforcement team.

But Councilwoman Andrea Marr took a different view, stating that while she supported small businesses, she didn't see why Westend should be granted more allowances than surrounding bars and restaurants that do not have outdoor music or serve alcohol so late.

"It's not actually as easy to put the genie back in the bottle," she said. "I'd rather not go down that path and be slightly more in conformance with some of the surrounding businesses. Even [nearby bar] the Wayfarer doesn't go until 2 o'clock in the morning on a Monday night, and they're indoors."

Marr proposed a substitute motion, capping live entertainment until midnight, but she found no supporters. Mayor Pro Tem Chavez said he supported the original administrative approval offered in the city's outdoor dining

ordinance.

"My goal is that everything that's routine and allowed by ordinance or law is approved in this manner," he said. "Any way we can be more efficient we should be. Every day we're not moving quickly on something is a day a business can't make revenue."

Stephens' original motion passed 6-1, with Marr opposed.

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CROSSWORD AND SUDOKU ANSWERS

W	I	M	P	A	G	N	E	S		P	H	O		
E	M	I	R	C	H	E	A	P		A	R	E	A	
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	C	O	L	O	R	E	D	P	E	N	C	I	L	S
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3	2	9	5	7	4	8	6	1
6	4	7	8	1	9	3	2	5
9	7	6	1	8	5	4	3	2
2	1	4	6	9	3	5	8	7
8	5	3	7	4	2	9	1	6
5	3	2	9	6	8	1	7	4
4	6	1	3	5	7	2	9	8
7	9	8	4	2	1	6	5	3

HEIGHT

Continued from page A1

be built.

The amendments would lay the rough blueprint for a "walkable mixed use urban core in Newport Center," Newport Beach Principal Planner Ben Zdeba said during the meeting Thursday. He added that focusing the development of taller structures in a portion of the city near Fashion Island was consistent with planning officials' original vision for the city.

"The Newport Center was really supposed to be the downtown for the south coast," Zdeba said.

The handful of people who offered public comment on the matter during the meeting were generally supportive of the updates. However, resident Jim Mosher suggested that developers allowed to build taller structures in Newport Beach would more likely build a small number of luxury apartments rather

than a higher volume of affordable units that would have a deeper impact on California's housing crisis. He pointed to recent projects offering only market-rate units as examples.

State officials called on the city to plan for an additional 4,485 homes in the most recent Regional Housing Needs Assessment. But identifying suitable sites and developers willing to take on more units of affordable housing in Newport Beach's lucrative coastal real estate market poses a challenge, ac-

cording to city officials. In order to compensate for that, the housing element plans for 8,175 new homes, far exceeding the RHNA requirement and allowing for significantly more market-rate units.

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LEGAL NOTICE

URGENCY ORDINANCE NO. 1709

AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAGUNA BEACH EXTENDING URGENCY ORDINANCE NO. 1707 AMENDING ITS ZONING CODE AND LOCAL COASTAL PROGRAM BY REPEALING AND REPLACING CHAPTER 25.17 OF THE CITY OF LAGUNA BEACH MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS TO COMPLY WITH RECENT CHANGES IN STATE LAW WITH CERTAIN MODIFICATIONS; AND FINDING THE ACTION TO BE STATUTORILY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT UNDER SECTION 21080.17 OF THE PUBLIC RESOURCES CODE

WHEREAS, the City of Laguna Beach, California (“City”) is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, the California Coastal Act (“Coastal Act”) is a comprehensive scheme governing land use planning for the state’s entire coastal zone; and

WHEREAS, as part of its enactment, the Legislature made several findings related to the Coastal Act’s purpose: (1) the coastal zone “is a distinct and valuable natural resource of vital and enduring interest to all the people”; (2) that “permanent protection of the state’s natural and scenic resources is of paramount concern”; (3) that “it is necessary to protect the ecological balance of the coastal zone”; and (4) that “existing developed uses, and future developments that are carefully planned and developed consistent with the policies of [the Coastal Act], are essential to the economic and social well-being of the people of this state. . . .” (Pub. Res. Code §§ 30001(a), (d)); and

WHEREAS, the Coastal Act further provides that: “scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. . . .” (Pub. Res. Code § 30251); and

WHEREAS, the Coastal Act is “interpreted liberally to accomplish its objectives” and relies heavily on local governments “[t]o achieve maximum responsiveness to local conditions, accountability, and public accessibility. . . .” (Pub. Res. Code § 30004(a); Pub. Res. Code § 30009). The Coastal Act requires local governments to develop local coastal programs (“LCPs”), comprised of a land use plan and implementing ordinances, to promote the Coastal Act’s objectives. (*Id.*; see also Pub. Res. Code §§ 30001.5; 30500–30526.) Once the California Coastal Commission certifies a local government’s program, the Coastal Commission delegates authority over coastal development permits to the local government. (Pub. Res. Code §§ 30519(a); 30600.5(a)-(c)); and

WHEREAS, the City has authority over coastal development permits by virtue of the California Coastal Commission’s January 13, 1993, certification of the City’s LCP. The Coastal Act allows the Coastal Commission to specify, by regulation, those classes of development which involve a risk of adverse environmental effect and require coastal development permits. (Pub. Res. Code § 30610.) Through its certified LCP, the City has the authority to specify those classes of development which involve a risk of adverse environmental effect and require coastal development permit; and

WHEREAS, as recognized by the Coastal Commission, the City’s LCP is comprised of a Land Use Plan and an Implementation Plan. The Land Use Plan consists of several planning documents, including, but not limited to, the Coastal Land Use Plan Technical Appendix (“Coastal Technical Appendix”) and the General Plan’s Land Use and Open Space/Conservation Elements. The LCP’s Implementation Plan is comprised of numerous resources, including, among other things, Laguna Beach Municipal Code Title 25 (Zoning Code), Title 22 (Excavation and Grading), and Title 16 (Water Quality).^{1,2} The documents that collectively comprise the City’s certified LCP are publicly accessible on the City’s website (linked in footnote 2, below); and

WHEREAS, within the Land Use Plan, the Coastal Technical Appendix contains a descriptive text and evaluation of coastal problems and issues; the Land Use and OpenSpace/Conservation Elements set forth actual solutions or responses to these issues in the form of City policies. (Coastal Technical Appendix, at p. 2); and

WHEREAS, among other things, the Coastal Technical Appendix addresses the importance of visual and scenic resources. It identifies that the principal focus concerns property situated adjacent to the major transportation system in the City (*i.e.*, Laguna Canyon Road and Pacific Coast Highway) since it is along those roadways that a majority of residents and non-residents view the community and have visual access to scenic corridors. The Coastal Technical Appendix also identifies that the scenic qualities symbolic of Laguna Beach represent one of the community’s more valuable resources; the uncluttered hillsides and open space areas offer residents and visitors relief from urbanized and physically confined areas which separate Laguna Beach from development occurring elsewhere in the county. It further identifies that these visual and scenic resources can be protected through design considerations and land use controls. (See Coastal Technical Appendix, at p. 54 [“With proper design considerations and land use controls, the visual impact of new development can be minimized and accomplished in a manner compatible with the natural landscape.”]); and

WHEREAS, the City’s Land Use Element explains that by designing and siting new development to protect natural and environmentally sensitive resources, such as areas of unique scenic quality and public views, to protect visual compatibility with surrounding uses, and to minimize natural landform alterations, the City is implementing Goal 7 to protect, preserve, and enhance the community’s natural resources and Goal 10 to ensure that proposals for new development are sufficiently evaluated to protect natural resources. (See Land Use Element Policies 7.3 and 10.2); and

WHEREAS, the City’s Open Space/Conservation Element recognizes that the “scenic quality of the local landscape remains high today because significant portions of the hillsides and coastline continue to function as natural open space” and “the scenic value of the hillsides and coastal areas is especially important because they are so visible to residents and visitors alike.” (Open Space/Conservation Element, at pgs. 17, 33). The Open Space/Conservation Element further recognizes that “[n]ew development and/or remodels should not be of a scale that would significantly diminish natural open space areas in a manner out of character with existing proportions. The scenic value of even large natural areas can be diminished when its visual continuity is disrupted by “islands” or “peninsulas” of manmade intrusions. (*Id.*, at p. 34.) The Open Space/Conservation Element requires the City to attempt to preserve natural hillside open space in large segments that are visually continuous and physically undisturbed and to evaluate whether new development in a particular area or type of feature is necessary or desirable for open space use and, if so, what type and degree of regulation is practical and feasible. The Open Space/Conservation Element mandates the following policies to protect visual resources: (1) 7-A: Preserve to the maximum extent feasible the quality of public views from hillsides and along the city’s shorelines; (2) 7-K: Preserve as much as possible the natural character of the landscape (including coastal bluffs, hillsides, and ridgelines) by requiring proposed development plans to preserve and enhance scenic and conversation values to the maximum extent possible. . . .; and (3) 7-M: New development along Pacific Coast Highway shall preserve existing views where feasible and, where topography allows, new development shall be terraced below the grade of Pacific Coast Highway; and

WHEREAS, in recent years, the Legislature has approved, and the Governor has signed into law, numerous bills that amended Government Code sections 65852.2 and 65852.22 to impose new limits on local authority to regulate accessory dwelling units and junior accessory dwelling units (collectively “State ADU Law”); and

WHEREAS, notwithstanding this legislation, State ADU Law provides that it “shall not be construed to supersede or in any way alter or lessen the effect or application of the Coastal Act of 1976. . . .” (Gov. Code § 66329.) The California Department of Housing and Community Development’s (“HCD”) *ADU Handbook* advises that State ADU Law applies in the coastal zone, but “do[es] not necessarily alter or lessen the effect or application of Coastal Act resource protection policies.” Accordingly, HCD opines, a local government could, for example, impose stricter setback or parking standards in the coastal zone “if required by a local [c]oastal [p]rogram.” (HCD’s July 2022 *ADU Handbook*, at pgs. 15-16, 27-28); and

WHEREAS, the City’s regulations governing the approval of ADUs and JADUs are provided in the City’s LCP, specifically Chapter 25.17 (Accessory Dwelling Units and Junior Accessory Dwelling Units) of Title 25 (Zoning) of the Laguna Beach Municipal Code; and

WHEREAS, on November 16, 2021, the City Council adopted Ordinance No. 1665, which identified self-contained accessory dwelling units as subject to the coastal development permit application process; and

WHEREAS, the City most recently updated Chapter 25.17 to comply with State ADU Law via LCP Amendment No. 21-8239, which was certified by the Coastal Commission on September 7, 2023; and

WHEREAS, in 2024, the California Legislature approved, and the Governor signed into law, Assembly Bill 2533 (“AB 2533”) and Senate Bill 1211 (“SB 1211”), which further amend State ADU Law and come into effect on January 1, 2025; and

WHEREAS, the City Council intends to harmonize the City’s responsibilities under the LCP and Coastal Act (as set forth above) with its obligations to approve the development of ADUs in accordance with State ADU Law, including AB 2533’s and SB 1211’s changes to state law; and

WHEREAS, Government Code Section 65858 provides that, without following the procedures otherwise required prior to the adoption of a zoning ordinance, an urgency measure in the form of an interim ordinance may be adopted by a four-fifths vote of the City Council for the immediate preservation of the public peace, health or safety; and

WHEREAS, Government Code Section 65858 further provides that such an urgency measure shall be effective for only 45 days following its adoption, but may be extended beyond the initial 45-day period, following compliance with that Section, for an additional 22 months and 15 days; and

WHEREAS, on December 10, 2024, the City Council found that there was a current and immediate threat to the public health, safety, or welfare based on the passage of AB 2533 and SB 1211 because the City’s existing ordinance would not comply with the legislation if the City did not adopt Urgency Ordinance No. 1707, and the City Council therefore adopted Urgency Ordinance No. 1707 under Government Code Section 65858 and 36937; and

WHEREAS, since the adoption of Urgency Ordinance No. 1707 on December 10, 2024, staff has continued to proceed with the process for local adoption of Ordinance No. 1708 that will then be transmitted to the Coastal Commission for review and certification as an amendment to the City’s LCP. Ordinance No. 1708 is being presented for its second reading and adoption by the City Council on January 14, 2025; and

WHEREAS, Urgency Ordinance No. 1707 is set to expire on January 24, 2025 but can be extended for 22 months and 15 days following the initial 45-day period. (See Government Code Section 65858(b)); and

WHEREAS, Government Code Section 65858 provides that, without following the procedures otherwise required prior to the adoption of a zoning ordinance, an urgency measure in the form of an interim ordinance may be extended by a four-fifths vote of the City Council to protect the public from a current and immediate threat to the public health, safety, or welfare; and

WHEREAS, California Government Code Section 36937 provides that an ordinance takes effect immediately if the ordinance is for the immediate preservation of the public peace, health or safety, containing a declaration of the facts constituting the urgency, and is passed by a four-fifth vote of the City Council; and

WHEREAS, the City Council finds that there is a current and immediate threat to the public health, safety, or welfare based on the passage of AB 2533 and SB 1211 because the City’s existing ordinance will not comply with this legislation if the City does not extend Urgency Ordinance No. 1707 beyond its current expiration date of January 24, 2025. There is also a current and immediate threat to the public health, safety, or welfare because Ordinance No. 1708 amends the City’s LCP and the Coastal Act requires that the Coastal Commission review and certify Ordinance No. 1708 before it becomes effective. (Pub. Res. Code, § 30514(a); see also LBMC Section 25.07.026(E).) The duration of the Coastal Commission’s review and certification process can vary, and, in some instances, has taken numerous months. The City Council desires to ensure that the City’s coastal resources are protected during the pendency of the Coastal Commission’s review of Ordinance No. 1708; and

WHEREAS, the City is authorized by law to adopt an interim ordinance that is effective immediately upon adoption without Coastal Commission certification when the ordinance does not conflict with the Coastal Act and does not authorize a use other than that designated as permitted in the LCP. (*Conway v. City of Imperial Beach* (1997) 52 Cal. App. 4th 78, 88–89.); and

WHEREAS, the City’s interim ordinance, consisting of Urgency Ordinance No. 1707 and this Ordinance, addresses a residential use consisting of ADUs and JADUs—which is an already allowed use within the City’s certified LCP—and merely reorganizes existing development standards, previously certified by the Coastal Commission, and further restricts development standards—to further protect coastal resources—in line with the state ADU law (including the most recent Legislative updates by AB 2533 and SB 1211) and Coastal Act; and

WHEREAS, staff has issued a written report to the City Council on the progress to alleviate the condition which led to the adoption of Urgency Ordinance No. 1707; and

WHEREAS, City staff provided notice of a public hearing on this Urgency Ordinance in accordance with law; and **WHEREAS**, City staff met with Coastal Commission staff on January 14, 2025, regarding the provisions of Urgency Ordinance No. 1707, at which meeting the Coastal Commission notified the City that certain changes in the urgency ordinance resulting from AB 2533 and SB 1211 are not authorized to be made via an interim ordinance without Coastal Commission certification, and therefore, some of the modifications from AB 2533 and SB 1211 have been removed from this urgency ordinance, but will remain in the regular ordinance proposed for Coastal Commission certification; and

WHEREAS, on January 14, 2025, the City Council held a public hearing on this Urgency Ordinance in accordance with law.

NOW, THEREFORE, the City Council of the City of Laguna Beach does ordain as follows:

Section 1. Incorporation. The recitals above are each incorporated by reference and adopted as findings by the City Council.

Section 2. CEQA. Under California Public Resources Code section 21080.17, the California Environmental Quality Act (“CEQA”) does not apply to the adoption of an ordinance by a city or county implementing the provisions of Article 2 of Chapter 13 of Division 1 of Title 7 of the California Government Code, which is California’s ADU law and which also regulates JADUs, as defined by section 66313. Therefore, adoption of this Urgency Ordinance is statutorily exempt from CEQA in that it implements State ADU Law.

Section 3. Urgency Findings. Given the foregoing, the City Council hereby finds that there is a current and immediate threat to the public health, safety, and welfare based on (1) Urgency Ordinance No. 1707, which implements AB 2533 and SB 1211 and further protects coastal resources, will expire before the effective date of Ordinance No. 1708; (2) the City needs to protect coastal resources during the pendency of the Coastal Commission’s review and certification of Ordinance No. 1708 and the Coastal Commission’s review and certification process can vary, and, in some instances, has taken numerous months. The Legislature has mandated coastal resources be considered and protected as a resource of public importance. (Pub. Res. Code, § 30251; see also Pub. Res. Code, §§ 30001(a), (d)) (1) the coastal zone “is a distinct and valuable natural resource of vital and enduring interest to all the people”; (2) that “permanent protection of the state’s natural and scenic resources is of paramount concern”; (3) that “it is necessary to protect the ecological balance of the coastal zone”; and (4) “existing developed uses, and future developments that are carefully planned and developed consistent with the policies of [the Coastal Act], are essential to the economic and social well-being of the people of this state. . . .”) Extending Urgency Ordinance No. 1707 effectuates the foregoing and protects the public health, safety and welfare by enabling the City to review and approve ADUs in a manner that harmonizes its coastal resource protection responsibilities under the LCP and Coastal Act with its obligations to approve ADUs under State ADU Law.

Section 4. Extension. Urgency Ordinance No. 1707 is hereby extended for 22 months and 15 days subject to modifications (reflected in underline to add new text and in strikethrough to delete text) as set forth in Exhibit A, which is attached hereto and incorporated herein by reference, unless earlier repealed by the City Council or extended in accordance with the provisions set forth in California Government Code Section 65858.

Section 5. Publication. The City Clerk is directed to certify to the adoption of this Urgency Ordinance and post or publish this Urgency Ordinance as required by law.

Section 6. Custodian of Records. The custodian of records for this Urgency Ordinance is the City Clerk and the records comprising the administrative record are located at 505 Forest Avenue, Laguna Beach, CA 92651.

Section 7. Severability. If any provision of this Urgency Ordinance or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, such invalidity has no effect on the other provisions or applications of the Ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this Urgency Ordinance are severable. The City Council declares that it would have adopted this Urgency Ordinance irrespective of the invalidity of any portion thereof.

Adopted this 14th day of January, 2025.

Alex Rounaghi, Mayor

I, Ann Marie McKay, City Clerk of the City of Laguna Beach, do hereby certify that the foregoing extension of Urgency Ordinance No. 1707 was adopted at a regular meeting of the City Council on January 14, 2025, by the following vote:

AYES:	COUNCILMEMBER(S):	Jones, Kempf, Whalen, Orgill, Rounaghi
NOES:	COUNCILMEMBER(S):	None
ABSTAIN:	COUNCILMEMBER(S):	None
ABSENT:	COUNCILMEMBER(S):	None

City Clerk, City of Laguna Beach, CA

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP

EXHIBIT A: AMENDED CODE

Chapter 25.17 Accessory Dwelling Units and Junior Accessory Dwelling Units

Section 25.17.010 Accessory Dwelling Units and Junior Accessory Dwelling Units

(a) **Purpose.** The purpose of this section is to allow and regulate accessory dwelling units (“ADUs”) and junior accessory dwelling units (“JADUs”) in compliance with Chapter 13 of Division 1 of Title 7 of the California Government Code.

(b) **Effect of Conforming.** An ADU or JADU that conforms to the standards in this section will not be:

- (1) Deemed to be inconsistent with the city’s general plan and zoning designation for the lot on which the ADU or JADU is located.
- (2) Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.
- (3) Considered in the application of any local ordinance, policy, or program to limit residential growth.
- (4) Required to correct a nonconforming zoning condition, as defined in subsection below. This does not prevent the city from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.

(c) **Definitions.** As used in this section, terms are defined as follows:

- (1) “Accessory dwelling unit” or “ADU” means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. An accessory dwelling unit also includes the following:
 - (A) An efficiency unit, as defined by section 17958.1 of the California Health and Safety Code; and
 - (B) A manufactured home, as defined by section 18007 of the California Health and Safety Code.
- (2) “Accessory structure” means a structure that is accessory and incidental to a dwelling located on the same lot.
- (3) “Complete independent living facilities” means permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated.
- (4) “Efficiency kitchen” means a kitchen that includes all of the following:
 - (A) A cooking facility with appliances.
 - (B) A food preparation counter and storage cabinets that are of a reasonable size in relation to the size of the JADU.
- (5) “Junior accessory dwelling unit” or “JADU” means the following: a residential unit that satisfies all of the following:
 - (A) It is no more than 500 square feet in size.
 - (B) It is contained entirely within an existing or proposed single-family structure. An enclosed use within the residence, such as an attached garage, is considered to be a part of and contained within the single-family structure.
 - (C) It includes its own separate sanitation facilities or shares sanitation facilities with the existing or proposed single-family structure.
 - (D) If the unit does not include its own separate bathroom, then it contains an interior entrance to the main living area of the existing or proposed single-family structure in addition to an exterior entrance that is separate from the main entrance to the primary dwelling.
 - (E) It includes an efficiency kitchen, as defined in subsection above.
- (6) “Livable space” means a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.
- (7) “Living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.
- (8) “Multifamily dwelling” means a structure with two or more attached primary dwellings on a single lot, not counting any existing or proposed ADU.
- (9) “Nonconforming zoning condition” means a physical improvement on a property that does not conform with current zoning standards.
- (10) “Passageway” means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the ADU or JADU.
- (11) “Proposed dwelling” means a dwelling that is the subject of a permit application and that meets the requirements for permitting.
- (12) “Public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.
- (13) “Single-family dwelling” means a structure with only one primary dwelling unit, not counting any existing or proposed ADU.
- (14) “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

(d) **Approvals.** The following approvals apply to ADUs and JADUs under this section:

(1) **Coastal Development Permit**

- (A) Consistent with Government Code section 66329, nothing in Chapter 13 of Division 1 of Title 7 of the California Government Code or this chapter supersedes or in any way alters or lessens the effect or application of the California Coastal Act of 1976 or of the City’s implementing regulations. The City may elect to hold public hearings for coastal development permit applications for ADUs, as it may under Government Code section 66329.
- (B) When an ADU or JADU requires a coastal development permit under the City’s certified Local Coastal Program (“LCP”), including this chapter, the ADU or JADU must comply with the requirements of the City’s certified LCP.
- (C) Application; Appeals.
 - (i) An application for an ADU and a JADU is considered “development” under LBMC Chapter 25.07.
 - (ii) The following projects are exempt from any CDP requirement under the City’s certified LCP:
 - (I) An application that only seeks to convert existing livable space in a legally established primary dwelling unit into a JADU (LBMC § 25.07.008(1)(a)); and
 - (II) An application that only seeks to convert existing livable space in a legally established primary dwelling unit into a ADU (LBMC § 25.07.008(1)(a)).
 - (iii) An application for any other ADU or JADU is subject to the CDP requirement, and must be processed as de minimis development under LBMC section 25.07.008, minor development under LBMC section 25.07.013, or regular development under LBMC section 25.07.012, whichever applies.
 - (iv) Appeals. Appeals are processed in accordance with LBMC chapters 25.07 and 25.05.
- (D) Development standards. For projects within the Coastal Zone, more restrictive standards may apply. (See LBMC section 25.17.020.)

(2) **Building-permit Only.** If an ADU or JADU does not require a CDP under section above, and it complies with each of the general requirements in subsection below, it is allowed with only a building permit in the following scenarios:

- (A) **Converted on Single-family Lot:** One ADU as described in this subsection (d)(2)(A) and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:
 - (i) Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress; and
 - (ii) Has exterior access that is independent of that for the single-family dwelling; and
 - (iii) Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.
 - (iv) The JADU complies with the requirements of Government Code sections 66333 through 66339.
- (B) **Limited Detached on Single-family Lot:** One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under subsection above), if the detached ADU satisfies each of the following limitations:
 - (i) The side- and rear-yard setbacks are at least four feet.
 - (ii) The total floor area is 800 square feet or smaller.
 - (iii) The peak height does not exceed the applicable height limit in subsection (f)(2) below.
- (C) **Converted on Multifamily Lot:** One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection (d)(2)(C), at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to 25 percent of the existing multifamily dwelling units.
- (D) **Limited Detached on Multifamily Lot:** No more than two detached ADUs on a lot with a proposed multifamily dwelling, if each detached ADU satisfies both of the following:
 - (i) The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the city will not require any modification to the multifamily dwelling as a condition of approving the ADU.

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CITY OF LAGUNA BEACH ADOPTION OF ORDINANCE NO. 1710 CONTINUED FROM PAGE ONE

- (iii) The peak height does not exceed the applicable height limit provided in subsection (f)(2) below.
- (3) **ADU Permit.**
- (A) If an ADU or JADU does not require a CDP under section above, and it does not qualify under subsection above, it requires both a building permit and an ADU permit in compliance with the standards set forth in subsections (f) and below.
- (B) The city may charge a fee to reimburse it for costs incurred in processing ADU permits, including the costs of adopting or amending the city's ADU ordinance. The ADU-permit processing fee is determined by the Community Development Director and approved by the City Council by resolution.
- (E) **Process and Timing.**
- (1) **Coastal Development Permit.** Each CDP application for an ADU or JADU is processed in accordance with LBMC chapter 25.07. The Permit Streamlining Act applies to CDP to the extent required by state law.
- (2) **Building-permit Only and ADU Permit.**
- (A) An application for an ADU or JADU that does not require a CDP is considered and decided ministerially, without discretionary review or a hearing.
- (B) The city must approve or deny an application to create an ADU or JADU within 60 days from the date that the city receives a completed application. If the city has not approved or denied the completed application within 60 days, the application is deemed approved unless either:
- (i) The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or
- (ii) When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the city may delay acting on the permit application for the ADU or JADU until the city acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.
- (C) If the city denies an application to create an ADU or JADU, the city must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the 60-day time period established by subsection above.
- (D) A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.
- (F) **General ADU and JADU Requirements.** The following requirements apply to all ADUs and JADUs that are approved under subsections (d)(2) or above:
- (1) **Zoning.**
- (A) An ADU that is subject only to a building permit under subsection above may be created on a lot in a residential or mixed-use zone.
- (B) An ADU that is subject to an ADU permit under subsection above may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.
- (C) In accordance with Government Code section 66333(a), a JADU may only be created on a lot zoned for single-family residences.
- (2) **Height.**
- (A) Except as otherwise provided by subsections (f)(2)(B) and (f)(2)(C) below, a detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed 16 feet in height.
- (B) A detached ADU may be up to 18 feet in height if it is created on a lot with an existing or proposed single family or multifamily dwelling unit that is located within one-half mile walking distance of a major transit stop or high quality transit corridor, as those terms are defined in section 21155 of the Public Resources Code, and the ADU may be up to two additional feet in height (for a maximum of 20 feet) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.
- (C) A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed 18 feet in height.
- (D) An ADU that is attached to the primary dwelling may not exceed 25 feet in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower. Notwithstanding the foregoing, ADUs subject to this subsection (f)(2)(D) may not exceed two stories.
- (E) For purposes of this subsection (f)(2), height is measured from existing legal grade or the level of the lowest floor, whichever is lower, to the peak of the structure. The maximum height of the peak allowed by this subsection (f)(2) applies to every part of the structure, including but not limited to, chimneys, vents, and mechanical equipment.
- (3) **Fire Sprinklers.**
- (A) Fire sprinklers are required in an ADU if sprinklers are required in the primary residence.
- (B) The construction of an ADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.
- (4) **Rental Term.** No ADU or JADU may be rented for a term that is shorter than 30 days. This prohibition applies regardless of when the ADU or JADU was created.
- (5) **No Separate Conveyance.** An ADU or JADU may be rented, but, except as otherwise provided in Government Code section 66341, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).
- (6) **Septic System.** If the ADU or JADU will connect to an onsite wastewater-treatment system, the owner must include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last 10 years.
- (7) **Owner Occupancy.**
- (A) ADUs created under this section on or after January 1, 2020 are not subject to an owner-occupancy requirement.
- (B) As required by state law, all JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement in this subsection (f)(7)(B) does not apply if the property is entirely owned by another governmental agency, land trust, or housing organization.
- (8) **Deed Restriction.** Prior to issuance of a certificate of occupancy for an ADU or JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the Community Development Director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the city and must provide that:
- (A) Except as otherwise provided in Government Code section 66341, the ADU or JADU may not be sold separately from the primary dwelling.
- (B) The ADU or JADU is restricted to the approved size and to other attributes allowed by this section.
- (C) The deed restriction runs with the land and may be enforced against future property owners.
- (D) The deed restriction may be removed if the owner eliminates the ADU or JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Community Development Director, providing evidence that the ADU or JADU has in fact been eliminated. The Community Development Director may then determine whether the evidence supports the claim that the ADU or JADU has been eliminated. Appeal may be taken from the Community Development Director's determination consistent with other provisions of this Code. If the ADU or JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an ADU or JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.
- (E) The deed restriction is enforceable by the Community Development Director or his or her designee for the benefit of the city. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the city is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the ADU or JADU in violation of the recorded restrictions or abatement of the illegal unit.
- (9) **Rent Reporting.** In order to facilitate the city's obligation to identify adequate sites for housing in accordance with Government Code sections 65583.1 and 66330, the following requirements must be satisfied:
- (A) With the building-permit application, the applicant must provide the city with an estimate of the projected annualized rent that will be charged for the ADU or JADU.
- (B) Within 90 days after each January 1 following issuance of the building permit, the owner must report the actual rent charged for the ADU or JADU during the prior year. If the city does not receive the report within the 90-day period, the owner is in violation of this Code, and the city may send the owner a notice of violation and allow the owner another 30 days to submit the report. If the owner fails to submit the report within the 30-day period, the city may enforce this provision in accordance with applicable law.
- (10) **Building & Safety.**
- (A) **Must comply with building code.** Subject to subsection (f)(10)(B) below, all ADUs and JADUs must comply with all local building code requirements.
- (B) **No change of occupancy.** Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in section 310 of the California Building Code, unless the building official or Code Enforcement Division officer makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this subsection (f)(10)(B) prevents the city from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.
- (c) **Specific ADU Requirements.** The following requirements apply only to ADUs that require an ADU permit under subsection above.
- (1) **Maximum Size.**
- (A) The maximum size of a detached or attached ADU subject to this subsection (g) is 850 square feet for a studio or one-bedroom unit and 1,000 square feet for a unit with two or more bedrooms.
- (B) An attached ADU that is created on a lot with an existing primary dwelling is further limited to 50 percent of the floor area of the existing primary dwelling.
- (C) Application of other development standards in this subsection (g) might further limit the size of the ADU, but no application of the percent-based size limit in subsection above or of a front setback may require the ADU to be less than 800 square feet.
- (2) **Setbacks.**
- (A) ADUs that are subject to this subsection (g) must conform to 4-foot side and rear setbacks. ADUs that are subject to this subsection (g) must conform to 20-foot front setbacks, subject to subsection above.
- (B) No setback is required for an ADU that is subject to this subsection (g) if the ADU is constructed in the same location and to the same dimensions as an existing structure.
- (3) **Passageway.** No passageway, as defined by subsection above, is required for an ADU.
- (4) **Parking.**
- (A) Generally, one off-street parking space is required for each ADU. The parking space may be provided in setback areas or as tandem parking, as defined by subsection above.
- (B) Exceptions. No parking under subsection (g)(4)(A) is required for an ADU under this subsection (g) in the following situations:
- (i) The ADU is located within one-half mile walking distance of public transit, as defined in subsection above.
- (ii) The ADU is located within an architecturally and historically significant historic district.
- (iii) The ADU is part of the proposed or existing primary residence or an accessory structure under subsection above.
- (iv) When on-street parking permits are required but not offered to the occupant of the ADU.
- (v) When there is an established car share vehicle stop located within one block of the ADU.
- (vi) When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria listed in subsections (g)(4)(B)(i) through above.
- (C) No Replacement. When a garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced. For clarity, this paragraph does not apply to an ADU or JADU that requires a CDP.
- (5) **Architectural Requirements.**
- (A) The materials and colors of the exterior walls, roof, and windows and doors must be the same as those of the primary dwelling.
- (B) The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.
- (C) The exterior lighting must be fully shielded and aimed downward or as otherwise required by the building or fire code.
- (D) The ADU must have an independent exterior entrance, apart from that of the primary dwelling.
- (E) The interior horizontal dimensions of an ADU must be at least 10 feet wide in every direction, with a minimum interior wall height of seven feet.
- (F) No ADU may have a direct line of sight through windows or doors with glazing to an adjoining residential property. Fencing, landscaping, privacy glass, or a clerestory design with the bottom of the glass at least six feet above the finished floor may be used to provide screening and prevent a direct line of sight.
- (6) **Historical Protections.** The following requirements apply to any detached or attached ADU proposed on a property listed on the California Register of Historic Resources:
- (A) **Visibility.** Attached and detached ADUs must be: (1) located entirely behind the rear building line of the historic structure; and (2) located such that at least 50 percent of the ADU's front-facing façade is behind the historic structure. For through-lots, the front and rear facades are designated based on the orientation of the historic structure. The front-facing façade is defined for this purpose as the building side that is facing a street and providing an entrance doorway. If the entrance doorway is located along a side elevation, or when an entrance doorway exists at each street-facing façade, the front-facing façade is instead defined as the façade closest to the street.
- (B) **Character-Defining Features.** The ADU must not affect any historic building or site feature that has been identified as a "character-defining feature" of the historic resource by a professional that meets the U.S. Secretary of the Interior's professional-qualification standards. This "character-defining feature" determination is limited to a review of information on file with the City on the date that the City receives a complete application for the ADU.
- (7) **Allowed Stories.** No ADU subject to this subsection (g) may have more than one story, except that an ADU that is attached to the primary dwelling may have the stories allowed under subparagraph (f)(2)(D) of this section.
- (ii) **Fees.** The following requirements apply to all ADUs that are approved under subsection (d) above.
- (1) **Impact Fees.**
- (A) No impact fee is required for an ADU that is less than 750 square feet in size. For purposes of this subsection (h)(1), "impact fee" means a "fee" under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). "Impact fee" here does not include any connection fee or capacity charge for water or sewer service.
- (B) Any impact fee that is required for an ADU that is 750 square feet or larger in size must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ADU, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)
- (2) **Utility Fees.**
- (A) If an ADU is constructed with a new single-family home, a separate utility connection directly between the ADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.
- (B) Except as described in subsection (h)(2)(A), converted ADUs on a single-family lot that are created under subsection above are not required to have a new or separate utility connection directly between the ADU and the utility. Nor is a connection fee or capacity charge required.
- (C) Except as described in subsection (h)(2)(A), all ADUs that are not covered by subsection (h)(2)(B) require a new, separate utility connection directly between the ADU and the utility for any utility that is provided by the city. All utilities that are not provided by the city are subject to the connection and fee requirements of the utility provider.
- (i) The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.
- (ii) The portion of the fee or charge that is charged by the city may not exceed the reasonable cost of providing this service.
- (i) **Nonconforming Zoning Code Conditions, Building Code Violations, and Unpermitted Structures.**
- (1) **Generally.** The city will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.
- (2) **Unpermitted ADUs constructed before 2018.**
- (A) **Permit to Legalize.** As required by state law, the city may not deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if denial is based on either of the following grounds:
- (i) The ADU violates applicable building standards, or
- (ii) The ADU does not comply with state ADU law or this ADU ordinance (section 25.17.010).
- (B) **Exceptions:**
- (i) Notwithstanding subsection above, the city may deny a permit to legalize an existing but unpermitted ADU that was constructed before January 1, 2018, if the city makes a finding that correcting a violation is necessary to protect the health and safety of the public or the occupants of the structure.
- (ii) Subsection above does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code section 17920.3.
- (j) **Nonconforming ADUs and Discretionary Approval.** Any proposed ADU or JADU that would otherwise be allowed under this section but that does not conform to the objective design or development standards set forth in subsections (a) through (i) of this section may be allowed by the city with a conditional use permit, in accordance with the other provisions of this title.
- I. Section 25.17.020 Coastal Act and Certified Local Coastal Program Requirements.**
- (A) The following requirements apply to all ADUs and JADUs in the Coastal Zone that do not qualify under section 25.17.010(d)(1)(C)(ii).
- (B) This chapter must not be implemented in a way that would be inconsistent with any other coastal resource protection policy or regulation within the certified LCP or the Coastal Act. More restrictive development standards may be imposed on an ADU or JADU as needed to protect coastal resources consistent with the requirements of the certified Local Coastal Program. Resources may include, but are not limited to, hazardous areas, environmentally sensitive areas, wetlands, public views, and public trails and accessways.
- (c) **Coastal Act and Certified LCP Requirements for ADUs and JADUs.**
- (1) **Setbacks.**
- (A) **Front Yard:** The development must comply with the front yard setback requirement of the underlying zone.
- (B) **Additional Building Setback for Front and Rear:** The development must comply with the additional building setback at the front and rear yard setbacks pursuant to LBMC section 25.50.004(D).
- (C) **Bluff Edge Setback:** The development must maintain a minimum setback of 25 feet from the top of an oceanfront bluff.
- (D) **Watercourse Setback.**
- (i) The development must maintain a 25-foot setback from the centerline of a watercourse.
- (ii) The development must maintain a 25-foot setback from the top of the watercourse bank when a watercourse is also identified as a "blue-line" stream on the USGS 7.5 Minute Quadrangle Series map.
- (2) **Parking.**
- (A) **Replacement Parking**
- (i) When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU or JADU, the demolition permit for the garage, carport, or covered parking structure is reviewed at the same time as the ADU or JADU application.
- (ii) The number of existing parking spaces for a single-family or multifamily dwelling must be replaced on-site at a one-to-one ratio. However, an applicant is not required to provide more spaces than the minimum number of required off-street parking spaces for the single-family or multifamily dwelling.
- (iii) Replacement parking may be done either through construction or relocation of existing parking, through any of the following:
- (I) Uncovered parking;
- (II) Tandem parking, as defined by LBMC section 25.17.010 above; and
- (III) Located in the setback – but not a watercourse or bluff edge setback – if it is located at least 3 feet from all property lines.
- (iv) The replacement parking must also be located entirely on the private property and may not be located within a required on-site turnaround area.
- (3) **Pedestrian Access.** An all-weather firefighter access path must be provided from the right-of-way to the front door of the ADU or JADU. The access must be a minimum of 3 feet wide and non-combustible. Stairs must be provided for any slope greater than 10 percent.
- (4) **Vehicular Access.** An ADU or JADU must utilize the same vehicular access that serves the primary dwelling unless the Fire Department and the Public Works Department find that secondary access will not degrade existing safety or traffic concerns. New vehicular access to streets or alleys is subject to discretionary design review approval and potentially other entitlements.
- (5) **Outdoor Living Space Requirements.**
- (A) Covered exterior porches, decks, patios, and other outdoor living spaces that are attached to an ADU must comply with the same height and setbacks that apply to the ADU.
- (B) Roof decks are prohibited. For purposes of this subsection, a "roof deck" is defined to mean a deck above the uppermost story of a building, with no access from interior living space at the same floor level.
- (ii) **Applicable Provisions of the Certified Local Coastal Program.**
- (1) There are provisions in the City's certified LCP that apply to residential development generally. No ADU or JADU may cause a violation of any provision in the certified LCP.
- (2) ADUs and JADUs under this section do not count toward the calculation for major remodel projects, except as necessary to comply with section 30253 of the Coastal Act limiting alterations of existing bluff top, beachfront, and coastal canyons, and to determine applicability of section 30253 of the Coastal Act and equivalent LCP policies and ensure compliance with the same.

AROUND TOWN

South Coast Plaza, Segerstroms donate \$1M toward fire relief

South Coast Plaza and the Segerstrom family this week announced the donation of \$1 million toward relief and recovery efforts for the Los Angeles area fires. The organizations that will receive donations from the \$1 million fund are Los Angeles Fire Department Fire Foundation, Best Friends Animal Society, California Community Foundation, Baby2Baby, Center for Cultural Innovation and Pasadena Humane Society.



Courtesy of the Environmental Nature Center

BIRDERS KEEP an eye out for native species in Modjeska Canyon. A Birdwalk at the Tucker Wildlife Sanctuary is scheduled for tomorrow morning.

The meet-up is designed for beginner and intermediate birders, but people of all experience

levels are welcome. It begins at 8 a.m. with a brief tutorial on the use of binoculars and basic bird identification.

That's followed by a tour of the sanctuary's oak woodland, riparian, coastal sage scrub and chaparral native habitats.

Attendees will meet in front of the museum at the sanctuary, located at 29322 Modjeska Canyon Road, Silverado.

Reservations can be made at events.encenter.org.

Author Kevin Kwan to appear at library event

Kevin Kwan, the best-selling author of several books, including "Crazy Rich Asians," "Rich People Problems" and "Lies and Weddings: A Novel," will be the featured guest at the Norma Hertzog Community Center in Costa Mesa Wednesday night as part of the O.C. Public Libraries "A Slice of Literary Orange" series.

Kwan was named by Time magazine as one of the "100 Most In-

fluential People in the World" in 2018. Complimentary books available while supplies last. Books will also be available for purchase. No registration is required and all ages welcome.

The event starts at 6:30 p.m.; the center is located at 1845 Park Ave. Early arrival is suggested.

Third annual Walk to Feed OC planned for March 15

In recognition of National Nutrition Month, Tanaka Farms in Irvine will be the venue for the Second Harvest Food Bank's annual Walk to Feed O.C., set for 8 to 11 a.m. on Saturday, March 15.

Second Harvest Food Bank hopes to raise \$350,000 through the event while also raising awareness about nutritional and food insecurity in Orange County. Participants can register at feedoc.org/walk.

Tanaka Farms is located at 5380 1/2 University Drive, Irvine.

The event is presented by the Kroger Co. Zero Hunger Zero Waste Foundation | Ralphs Food4Less.

Paddington Bear to appear in Newport Beach today

Well-spoken, marmalade sandwich-loving, floppy hat and suitcase-toting Paddington Bear has added a trip to the Balboa Island Museum in Newport Beach this morning to his itinerary.

The globetrotting star of one of literature's most recognizable series for children will be at the museum between 11 a.m. and 1 p.m. He'll take photos with fans, share treats and offer other activities for kids and their families.

Paddington Bear merchandise will also be on sale during the event. The museum is located at 210 Marine Ave., Newport Beach.

To make a reservation call (949) 675-3952.

— From staff reports

LAGUNA

Continued from page A1

Additionally, the property at 2307 Laguna Canyon Road was listed at \$3.7 million and comprises 87,000 square feet of land with 11 units on the property.

The acquisition cost to the city decreased from the Dec. 10 meeting when the properties were expected to cost a combined \$9.45 million, but the item was pulled from the City Council agenda.

The purchase could be made by reallocating resources, city officials said. A staff report suggested the city could take \$3.4 million from its vehicle replacement fund, \$2.2 million from its insurance fund, \$2 million from its parking fund, and \$1.05 million from the open space fund to cover the cost.

Councilman Bob Whalen said the city could explore alternative options financially. He voiced a reluctance to take funds out of the vehicle replacement

fund, citing a city commitment to a fleet electrification program.

While the vast majority of public comment made ahead of the meeting supported the purchase as a means to protect the "art colony" of Laguna Beach, one submission from resident Mary Locatelli raised concerns about competing monetary demands, referencing potential consequences from the recent fires in the Los Angeles area.

"I think we need to stay

the course," Whalen said. "... But remember the plan is that the city's [purchase] is a bridge [until another entity takes title]. This was never the plan in the beginning. It's just how the timing played out, right, and the city had to step in and make sure we could preserve these properties before they were sold on the open market for other uses. It was apparent through the real estate process that there were other purchasers out there who were going to use them for other endeav-

ors." Once the Laguna Beach Community Land Trust is formed, the city plans to have the properties placed under the care of that entity. In the meantime, the city is exploring options to have a third party take the title of the properties. The Irvine Community Land Trust is under consideration.

"There is cash flow on the properties currently," said Councilman Mark Orgill, referring to the rent coming in from artists currently sta-

tioned on the properties. "Between that cash flow and a couple of other ideas that you all will hear about in the not-too-distant future, some other funding mechanisms, I'm very confident that the [Laguna Beach Community] Land Trust and the board members are going to be able to close this gap and make the city whole on this in a short period of time, meaning two or three years."

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WEIGH

Continued from page A2

agreement to rent out an underdeck at the end of Newport Beach Pier to UC San Diego researchers monitoring coastal waters.

Scientists with UCSD's Scripps Institute of Oceanography have set up equipment on a deck underneath

the end of the pier that has been monitoring ocean water temperature, salinity, pH, oxygen content, conductivity, chlorophyll, water density and pressure since 2005. That data has been used to conduct research and has also been the basis for the Newport Beach Lifeguards' surf report.

"Three other ocean piers

in Southern California gather the same information, which is used to support ocean health and coastal-ocean water quality by coastal managers, agencies, researchers, and the general public," city staff wrote in a report.

In addition to an extension of the city's agreement with the university, researchers plan to install ad-

ditional equipment and add a sign accessible with visitors with a QR code they can use to see the data recorded by the equipment.

Another project scheduled for review by the City Council is the first of three phases of maintenance to the city's sewer lines.

The Bay Crossing water transmission main and sewer force main rehabili-

ation project would be the first of three major sewer line projects in Newport Harbor. The process involves digging down to reach existing pipes and then installing a liner inside of them to protect them from future wear and tear.

The first stage of the project should cost about \$190,000. However, city staff have recommended

setting aside \$300,000 to account for any unexpected complications.

The Newport Beach City Council will hold a closed session meeting at 4 p.m. Tuesday, followed by its public meeting at 5 p.m., in Council Chambers at City Hall, 100 Civic Center Drive.

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NOTICE OF VACANCIES The City of Newport Beach is accepting applications to fill the following upcoming scheduled vacancies: General Plan Update Steering Committee (GPUSC) (3 seats - term is for the duration of the General Plan update process). General Plan Advisory Committee (GPAC) (20-30 seats - term is for the duration of the General Plan update process).

All scheduled vacancies will become vacant when the existing terms expire on February 11, 2025, and will remain vacant until the seat is filled.

All applicants must be qualified electors of the City, none of whom shall hold any paid office or employment in City government (Section 702 of the City Charter).

The deadline for filing applications is noon on Tuesday, February 18, 2025, or until the vacancies are filled. The application and additional information about the Boards and Commissions can be found at http://www.newportbeachca.gov/vacancy.

For more information, contact the City Clerk's Office at 949-644-3005.

Legal Notices

NOTICE OF PETITION TO ADMINISTER ESTATE OF DAVID GOREN Case No. 30-2024-01440150-PR-PW-CMC To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of DAVID GOREN A PETITION FOR PROBATE has been filed by Pamela Weinstein in the Superior Court of California, County of ORANGE. THE PETITION FOR PROBATE requests that Pamela Weinstein be appointed as personal representative to administer the estate of the decedent. THE PETITION requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court. THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority. A HEARING on the petition will be held on April 2, 2025 at 1:30 PM in Dept. No. CM08 located at 3390 HARBOR BLVD, COSTA MESA CA 92626. The court is providing the convenience to appear for hearing by video using the court's designated video platform. This is a no cost service to the public. Go to the Court's website at the Superior Court of California - County of Orange (occours.org) to appear remotely for Probate hearings and for remote hearing instructions. If you have difficulty connecting or are unable to connect to your remote hearing, call 657-622-8278 for assistance. If you prefer to appear in-person, you can appear in the department on the day/time set for your hearing. IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney. IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code. Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law. YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for petitioner: GORDON C STUART ESQ GABRIEL G GREEN ESQ BUCHALTER A PROFESSIONAL CORPORATION 1000 WILSHIRE BLVD STE 1500 LOS ANGELES CA 90017 CN113635 GOREN Jan 24,25,31, 2025

Legal Notices

Legal Notices

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Legal Notices

CITY OF COSTA MESA NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN that the public hearing originally scheduled for Tuesday, January 21, 2025, will now be held by the Costa Mesa City Council at its regular meeting at City Hall Council Chambers, 77 Fair Drive, Costa Mesa, California on Tuesday, February 4, 2025, at 7:00 P.M., or as soon as possible thereafter, to consider: Applicant No.: PMAP-24-0001 Applicant/Agent: Tish Kelly / Jamboree Housing Corporation Site Address: 695 W 19th Street Zone: C1 - Local Business District Description: Tentative Parcel Map (TPM-24-001), Master Plan with Density Bonus (PMAP-24-0001), a Disposition and Development Agreement / Affordable Housing Agreement (including a Regulatory Agreement) and Ground lease for the development of a 70-unit senior affordable multi-family residential project located on a portion of the senior center parking lot located at 695 West 19th Street. The request includes concessions from specified development standards pursuant to State Density Bonus Law. On December 9, 2024, the City's Planning Commission voted to adopt Resolution PC 2024-30 finding that the proposed long-term leasing of real property for the development of senior affordable housing is in conformance with the City of Costa Mesa General Plan and recommend City Council approval of the above applications. Environmental Determination: The project is exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15332 (Class 32) in-fill development projects. Public Comments: Members of the public wishing to participate in the meeting may find instructions to participate on the agenda. Members of the public may also submit written comments via email to the City Clerk at cityclerk@costamesaca.gov and they will be provided to the City Council, made available to the public, and will be part of the meeting record. Any written communications, photos, or other materials for copying and distribution to the City Council that are 10 pages or less, can be e-mailed to cityclerk@costamesaca.gov, submitted to the City Clerk's Office on a flash drive, or mailed to the City Clerk's Office. Kindly submit materials to the City Clerk AS EARLY AS POSSIBLE, BUT NO LATER THAN 12:00 p.m. on the day of the hearing, February 4, 2025. All materials, pictures, PowerPoints, and videos submitted for display at a public meeting must be previously reviewed by staff to verify appropriateness for general audiences. No links to YouTube videos or other streaming services will be accepted, a direct video file will need to be emailed to staff prior to each meeting in order to minimize complications and to play the video without delay. The video must be one of the following formats, .mp4, .mov or .wmv. Only one file may be included per speaker for public comments. Please note that materials submitted by the public that are deemed appropriate for general audiences will not be redacted in any way and will be posted online as submitted, including any personal contact information. For further assistance, contact the City Clerk's Office at (714) 754-5225. For questions on the project contact the project Planner: Victor Mendez, Senior Planner at (714) 754-5276. The City Council agenda and related documents may also be viewed on the City's website at http://costamesaca.gov, 72 hours prior to the public hearing date. IF THE AFOREMENTIONED ACTION IS CHALLENGED IN COURT, the challenge may be limited to only those issues raised at the public hearing described in the notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Brenda Green, City Clerk, City of Costa Mesa Published: January 25, 2025

Legal Notices

Legal Notices

Legal Notices

Legal Notices

NOTICE OF TRUSTEE'S SALE Trustee Sale No. 176823 Title No. 95529502-55 YOU ARE IN DEFAULT UNDER A DEED OF TRUST, DATED 06/26/2020. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDING AGAINST YOU, YOU SHOULD CONTACT A LAWYER. On 02/21/2025 at 9:00 AM, Prime Recon LLC, as duly appointed Trustee under and pursuant to Deed of Trust recorded 07/01/2020, as Instrument No. 2020000311357, in book xx, page xx, of Official Records in the office of the County Recorder of Orange County, State of California, executed by Gregory Hanoian, a married man as his sole and separate property, WILL SELL AT PUBLIC AUCTION TO HIGHEST BIDDER FOR CASH, CASHIER'S CHECK/CASH EQUIVALENT or other form of payment authorized by 2924h(b), (payable at time of sale in lawful money of the United States), Hotel Fer a Anaheim, a DoubleTree by Hilton - 100 The City Drive, Orange, CA 92868, Auction.com Room. All right, title and interest conveyed to and now held by it under said Deed of Trust in the property situated in said County and State, described as: FULLY DESCRIBED IN THE ABOVE DEED OF TRUST. APN 139-481-66The street address and other common designation, if any, of the real property described above is purported to be: 1944 Flamingo Drive, Costa Mesa, CA 92626 The undersigned Trustee disclaims any liability for any incorrectness of the street address and other common designation, if any, shown herein. Said sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by said Deed of Trust, with interest thereon, as provided in said note(s), advances, if any, under the terms of said Deed of Trust, fees, charges and expenses of the Trustee and of the trusts created by said Deed of Trust. The total amount of the unpaid balance of the obligation secured by the property to be sold and reasonable estimated costs, expenses and advances at the time of the initial publication of the Notice of Sale is: \$850,823.98 If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse. The beneficiary under said Deed of Trust heretofore executed and delivered to the undersigned a written Declaration of Default and Demand for Sale, and written Notice of Default and Election to Sell. The undersigned caused a Notice of Default and Election to Sell to be recorded in the county where the real property is located. Dated: 1/14/2025 Prime Recon LLC Prime Recon LLC may be attempting to collect a debt. Any information obtained may be used for that purpose. Adriana Durham, Vice President Prime Recon LLC 27368 Via Industria, Ste 201 Temecula, CA 92590 (888) 725-4142 FOR TRUSTEE'S SALE INFORMATION PLEASE CALL (800) 280-2832 NOTICE TO POTENTIAL BIDDERS: If you are considering bidding on this property lien, you should understand that there are risks involved in bidding at a trustee auction. You will be bidding on a lien, not on the property itself. Placing the highest bid at a trustee auction does not automatically entitle you to free and clear ownership of the property. You should also be aware that the lien being auctioned off may be a junior lien. If you are the highest bidder at the auction, you are or may be responsible for paying off all liens senior to the lien being auctioned off, before you can receive clear title to the property. You are encouraged to investigate the existence, priority, and size of outstanding liens that may exist on this property by contacting the county recorder's office or a title insurance company, either of which may charge you a fee for this information. If you consult either of these resources, you should be aware that the same lender may hold more than one mortgage or deed of trust on the property. NOTICE TO PROPERTY OWNER: The sale date shown on this notice of sale may be postponed one or more times by the mortgagee, beneficiary, trustee, or a court, pursuant to Section 2924g of the California Civil Code. The law requires that information about trustee sale postponements be made available to you and to the public, as a courtesy to those not present at the sale. If you wish to learn whether your sale date has been postponed, and, if applicable, the rescheduled time and date for the sale of this property, you may call (800) 280-2832 for information regarding the trustee's sale or visit this Internet Web site - www.auction.com - for information regarding the sale of this property, using the file number assigned to this case: TS#176823. Information about postponements that are very short in duration or that occur close in time to the scheduled sale may not immediately be reflected in the telephone information or on the Internet Web site. The best way to verify postponement information is to attend the scheduled sale. NOTICE TO TENANT: You may have a right to purchase this property after the trustee auction pursuant to Section 2924m of the California Civil Code. If you are an "eligible tenant buyer," you can purchase the property if you match the last and highest bid placed at the trustee auction. If you are an "eligible bidder," you may be able to purchase the property if you exceed the last and highest bid placed at the trustee auction. There are three steps to exercising this right of purchase. First, 48 hours after the date of the trustee sale, you can call (800) 280-2832 for information regarding the trustee's sale, or visit this internet website www.auction.com or auction.com/sb079 for information regarding the sale of this property, using the file number assigned to this case TS#176823 to find the date on which the trustee's sale was held, the amount of the last and highest bid, and the address of the trustee. Second, you must send a written notice of intent to place a bid so that the trustee receives it no more than 15 days after the trustee's sale. Third, you must submit a bid so that the trustee receives it no more than 45 days after the trustee's sale. If you think you may qualify as an "eligible tenant buyer" or "eligible bidder," you should consider contacting an attorney or appropriate real estate professional immediately for advice regarding this potential right to purchase. A-FN4832846 01/18/2025, 01/25/2025, 02/01/2025