



ITEM #1

DATE: December 4, 2025

TO: Orange County Zoning Administrator

FROM: OC Development Services/Planning

SUBJECT: Costal Development Permit and Use Permit PA25-0072 for two new wireless communications facilities

PROPOSAL: Coastal Development Permit and Use Permit to construct two new wireless communications facilities consisting of two 40-foot towers and a shared equipment enclosure.

GENERAL PLAN DESIGNATION: Parks and Recreation (City of Newport Beach)

ZONING DISTRICT: Newport Coast Local Coastal Program, Golf Course, Planning Area 10A

LOCATION: Pelican Hill Golf Club, 22800 S. Pelican Hill Road, Newport Coast, CA 92657 (APN: 473-041-20) within the Fifth Supervisorial District

APPLICANT: Verizon Wireless and AT&T, Agent – Peter Blied

STAFF CONTACT: Scarlet Duggan, Land Use Manager
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RECOMMENDED ACTIONS:

OC Development Services/Planning recommends the Zoning Administrator:

1. Receive staff report and public testimony.
2. Adopt Zoning Administrator Resolution No. 2025-02 (Attachment 1) to:
 - a. Find that the project is categorically exempt from the California Environmental Quality Act (CEQA), Class 3 New Construction or Conversion of Small Structures pursuant to CEQA Guidelines Section 15303; and
 - b. Approve Planning Application PA25-0072 for a Coastal Development Permit and Use Permit to construct two new wireless communications facilities consisting of two 40-foot towers and a shared equipment enclosure subject to the Findings and Conditions of Approval contained within the Resolution.

INTRODUCTION

BACKGROUND

The project area has been annexed to the City of Newport Beach (City), however the County of Orange (County) has retained land use and permitting authority for the Pelican Hill Golf Club through the

Newport Coast Local Coastal Program, Second Amendment (LCP), which was certified by the Coastal Commission on January 21, 1997, and the cooperative agreement, dated October 9, 2001, between the County and City.

EXISTING CONDITIONS

The Pelican Hill Golf Club, which is part of The Resort at Pelican Hill, is located within the City of Newport Beach and owned by The Irvine Company. The proposed project site is located near the southwestern perimeter of the existing golf course and across the street from the residential community of Cameo Highlands.

SURROUNDING LAND USES

The proposed project is surrounded by a golf course and resort as well as residential developments.

Direction	Zoning Designation	Existing Land Use
Project Site	Golf Club (LCP)	Golf Course
North	Golf Club (LCP)	Golf Course
South	R-1 (City)	Residential
West	R-1 (City)	Residential
East	Tourist Commercial (LCP)	Resort

A vicinity map (Attachment 2) and project map (Attachment 3) are included, illustrating the project site in context with surrounding areas.

PROPOSED PROJECT

The applicant is requesting a Coastal Development Permit (CDP) and Use Permit to construct two new wireless communications facilities located at the edge of the Pelican Hill Golf Club. The new wireless communications facilities consist of two proposed 40-foot (40’) matching faux eucalyptus trees containing 12 panel antennas each and a shared concrete masonry unit (CMU)-walled equipment area. One of the wireless communications towers will be installed by Verizon Wireless and the other tower will be installed by AT&T. The shared equipment area is designed to include a steel mesh security lid and vine covered CMU-walls totaling nine feet and four inches (9’-4”) in height for the majority of the enclosure and 9’-7” in the area where natural grade drops in elevation exposing a few extra inches of the foundation edge). The proposed project plans (Attachment 4) provide details of the proposed project.

The location of the proposed wireless communications facilities was selected to provide wireless coverage in an area where Verizon Wireless and AT&T have identified a systemic weakness in their coverage for users in that area.

DISCUSSION/ANALYSIS

GENERAL PLAN CONSISTENCY

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

ZONING CODE AND LOCAL COASTAL PROGRAM CONSISTENCY

The County retains broad land use authority to regulate the placement, construction, and modification of macro wireless communication facilities under the federal Telecommunications Act of 1996 (47 U.S.C. §332 (c)(7)(A)). This authority includes the ability to require discretionary permits, apply zoning and aesthetic standards, and evaluate technical information submitted by applicants. The County may process macro wireless communication facility applications provided the decisions are supported by substantial evidence and consistent with federal limitations.

This authority to regulate the placement, construction, and modification of wireless communication facilities is exercised through the County of Orange Zoning Code, including the County of Orange Wireless Communications Facilities on Private Property Ordinance (Orange County Codified Ordinances 7-9-109, hereinafter, “Wireless Ordinance”). When an applicant demonstrates compliance with the applicable standards and requirements of the Wireless Ordinance and the Zoning Code, the application may be approved subject to findings and conditions necessary to ensure consistency with those standards.

The applicant is requesting a Coastal Development Permit for this project to allow for new wireless facilities within a coastal zone and a Use Permit per the Wireless Ordinance since the proposed new wireless facility is located within 100’ of a residential district.

Pursuant to the Wireless Ordinance, any permit application that includes a request for a deviation from any site development standard required by the Wireless Ordinance shall demonstrate to the satisfaction of the approving authority that: (1) adherence to applicable zoning regulations will make the project technically infeasible and (2) the proposed wireless communications facility is the least intrusive means by which to locate and design the facility to the extent feasible.

The proposed project complies with the development standards required by the Wireless Ordinance except for the applicant’s requested deviation from the following wireless facility design standards:

WIRELESS ORDINANCE DESIGN STANDARD	REQUIRED	PROPOSED/REQUESTED DEVIATION
Ground-mounted equipment enclosure fence height	6’ Maximum	9’-4” total height for CMU wall enclosing the shared equipment enclosure (with 9’-7” in areas with a natural grade drop exposing a few extra inches of the foundation)
Minimum separation between towers	300’ Minimum	84’-4” separation between two towers

Ground-mounted equipment enclosure fence height

Per the Wireless Ordinance, equipment enclosure fencing shall not exceed a maximum of height of 6’ unless the applicant demonstrates a valid safety consideration that justifies a taller fence. The applicant is requesting a 9’-4” total height for CMU wall enclosing the shared equipment enclosure (with 9’-7” in areas with a natural grade drop exposing a few extra inches of the foundation) to address potential security/safety issues such as vandalism anticipated for this unmanned site. The height deviation allows a steel mesh lid to be installed for security over 6’ high equipment while providing adequate clearance underneath for equipment maintenance.

The proposed equipment enclosure wall height deviation is appropriate based on the following findings:

- 1) Adherence to applicable zoning regulations will make the project technically infeasible.
 - The equipment required for this project is 6' tall; it would not be feasible to provide sufficient clearance to maintain the equipment while providing adequate security to the unmanned site without exceeding the 6' maximum design standard requirement per the Wireless Ordinance.
- 2) The proposed wireless communications facility is the least intrusive means by which to locate and design the facility to the extent feasible.
 - The applicant is providing landscape screening surrounding the equipment enclosure walls to blend into the hillside as a least intrusive means of design.

Minimum separation between towers

Per the Wireless Ordinance, towers are required to maintain a 300' minimum separation. The proposed separation distance is 84'-4" between the two towers. As set forth above, two findings must be made to authorize this deviation. Deviation from the normal separation requirement is appropriate based on the following findings:

- 1) Adherence to applicable zoning regulations will make the project technically infeasible.
 - Through signal propagation mapping data, the applicant has demonstrated that the proposed location of the two wireless towers will significantly improve wireless coverage of the two carriers' networks. While it is possible to achieve the same level of improvement to the wireless coverage networks for both carriers if one tower was proposed rather than two towers at the proposed 84'-4" separation between towers, the design would not be technically feasible because co-locating on one tower would require a taller tower that would not meet height restrictions in the area.
- 2) The proposed wireless communications facility is the least intrusive means by which to locate and design the facility to the extent feasible.
 - The applicant's proposal of two towers at a height meeting the underlying zoning designation maximum height of 40' and located in closer proximity than the 300' separation is less intrusive because proximity will allow for use of a shared equipment enclosure and shorter towers. Through signal propagation mapping data, the applicant demonstrated that the gaps in wireless network coverage can be resolved with two towers at lower height rather than co-locating on one tower at a taller height. The height of the proposed faux eucalyptus towers blends better into the existing foliage. Additionally, the proposed towers are located less than 300' apart to feasibly share an equipment enclosure to be least intrusive in design while still providing adequate signal strength to close the wireless network coverage gap for the two carriers.

The Applicant has shown that deviations in wall heights and facility separation are appropriate.

Additionally, the proposed project is consistent with the LCP, as communication transmitting, reception or relay facilities within the Golf Course Planning Area 10A is a principal permitted use subject to Zoning Administrator approval. Additionally, the 40' height of the two proposed faux eucalyptus towers complies with the 40 feet maximum building height requirement of the Golf Course Planning Area 10A.

FINDINGS

Proposed CDP Permit PA25-0072 is consistent with:

1. General Plan – The proposed project is consistent with the objectives, policies, and general land uses and programs specified in the City of Newport Beach General Plan adopted pursuant to the State Planning and Zoning Law.
2. Zoning Code – The use, activity or improvement(s) proposed, subject to the specified conditions, is consistent with the provisions of the Zoning Code, inclusive of the County of Orange Wireless Communications Facilities on Private Property Ordinance, and Newport Coast LCP regulations applicable to the property.
3. California Environmental Quality Act (CEQA) – The proposed project is Categorical Exempt (Class 3) from the provisions of CEQA pursuant to CEQA Guidelines Section 15303 because the exemption provides for the construction of new small facilities and structures, and installation of small new equipment and facilities in small structures. There is no evidence indicating that the proposed project falls into any of the categories identified in CEQA Guidelines Section 15300.2 that would prevent the County from relying on a categorical exemption. There are no sensitive environmental resources on site, there are no historic resources on site, there are no unusual circumstances, the proposed project is not located near a scenic highway or on a hazardous waste site, and would not have a cumulatively significant impact.
4. Compatibility – The location, size, design and operating characteristics of the proposed use will not create unusual conditions or situations that may be incompatible with other permitted uses in the vicinity.
5. General Welfare – The application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.
6. Public Facilities – The approval of the permit application complies with Codified Ordinance Section 7-9-711 regarding public facilities (fire station, library, sheriff, etc.).
7. Local Coastal Program – The proposed project conforms to the certified Newport Coast Local Coastal Program, Second Amendment and with the public access and public recreation policies of the California Coastal Act, and the approval of the application will result in a project that is in full compliance with the requirements of the certified land use plan.

Therefore, the findings required under Zoning Code Sections 7-9-125.6 and 7-9-127.1 can be made in support of this request for a CDP and Use Permit to construct two new wireless communications facilities consisting of two 40' towers and a shared equipment enclosure.

REFERRAL FOR COMMENT

A copy of the planning application and the proposed site plan were distributed for review and comment to the Orange County Fire Authority, Orange County Sheriff's Department, and the appropriate County divisions - Building and Safety, Traffic, and Environmental Planning. Staff has reviewed all comments received, and where appropriate, has addressed the comments through recommended Conditions of Approval.

PUBLIC NOTICE

Public notices were mailed to all owners of record within 300 feet of the subject property, all occupants of dwelling units within 100 feet of the subject site per CDP requirement, posted at the project site, published in a local newspaper, posted at the posting kiosk at the County Administration buildings located in Santa Ana, CA and posted on the OCPW-OC Development Services webpage, at least ten days prior to this public hearing, as required by established public hearing posting procedures.

COMPLIANCE WITH CEQA

The proposed project is Categorically Exempt (Class 3) from the provisions of CEQA pursuant to CEQA Guidelines Section 15303 because the exemption provides for the construction of new small facilities and structures, and installation of small new equipment and facilities in small structures. There is no evidence that any of the conditions identified in CEQA Guidelines Section 15300.2 exist, as there are no sensitive environmental resources on site, there are no historic resources on site, there are no unusual circumstances, the proposed project is not located near a scenic highway or on a hazardous waste site, and would not have a cumulatively significant impact

CONCLUSION

Staff has reviewed the applicant's request for a CDP and Use Permit and finds the proposed project to be consistent with the City of Newport Beach General Plan, County of Orange Wireless Communications Facilities on Private Property Ordinance, and the certified Newport Coast LCP.

Staff recommends approval of Planning Application PA25-0072, subject to the required Findings and Conditions of Approval within Resolution No. 2025-02.

APPEAL PROCEDURE

Any interested person may appeal the decision of the Zoning Administrator on this permit to the Planning Commission within 15 calendar days of the decision upon submittal of required documents filed online at myoceservices.ocgov.com or in person at the County Service Center, located at 601 N. Ross St., Santa Ana. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this report, or in written correspondence delivered to OC Development Services.

Submitted by:

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ATTACHMENTS:

1. Zoning Administrator Resolution No. 2025-02

2. Vicinity Map
3. Project Map
4. Proposed Project Plans