

MINUTE ITEM
This Calendar Item No. C70
was approved as Minute Item
No. 76 by the State Lands
Commission by a vote of 3
to 0 at its 9-17-01
meeting.

CALENDAR ITEM
C70

A -70

09/17/01

S 35

W2400.199

C. Fossum

**CONSIDERATION OF PROPOSED BOUNDARIES AND REQUEST FOR CONSENT
TO THE ANNEXATION OF TIDE AND SUBMERGED LANDS
(NEWPORT COAST ANNEXATION / No. CA-01-06)
INTO THE CITY OF NEWPORT BEACH, ORANGE COUNTY**

APPLICANT:

City of Newport Beach
City Hall
PO Box 1768
3300 Newport Blvd
Newport Beach, CA 92659-1768
Attn: Dave Kiff, Assistant City Manager

BACKGROUND:

The California State Lands Commission has received a request from the City of Newport Beach to process an approval of boundaries and consent to the annexation of tide and submerged lands in an unincorporated area of Orange County into the City of Newport Beach, Orange County.

The area of the proposed annexation, as shown on Exhibit B, includes onshore areas bordered by the current city boundaries of Newport Beach on the west and Irvine on the north, and the sphere of influence of Laguna Beach on the east. On the south the entire upland shoreline area is within Crystal Cove State Park. The portion of the annexation involving the tide and submerged lands is bordered on the west by the current boundaries of Newport Beach and on the north by an unincorporated area of Orange County within Crystal Cove State Park. The proposed southeasterly boundary will run from the intersection of the mean high tide line and the proposed easterly boundary 3 mile offshore to the current southeasterly corner of the city.

Currently pending in the Legislature is SB 516 (Johnson). This bill, if enacted, would provide that Orange County continue to exercise development review authority under the Coastal Act within the annexed area until the City of Newport Beach has its Local Coast Program (LCP) adopted by the Coastal Commission. The target date for the certification of the LCP by the Coastal Commission is June 30, 2003.

CALENDAR PAGE 2260475
MINUTE PAGE 0001827

CALENDAR ITEM NO. **C70** (CONT'D)

Commission staff has reviewed the proposed annexation boundary description and finds it adequate pursuant to Government Code Section 56740 (c) and (d).

Furthermore, staff of the Commission has no objection to transfer of political jurisdiction from the County to the City and recommends the Commission consent to the annexation, as property owner, pursuant to California Government Code Section 56740(a).

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code, Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code of Regs. Title 2, Div. 3; Title 14, Div. 6.
- C. Government Code Section 56740

OTHER PERTINENT INFORMATION:

- 1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

AUTHORITY:

Public Resources Code Section 21065 and 14 Cal. Code Regs. 15378

EXHIBITS:

- A. Land Description
- B. Site Map

IT IS RECOMMENDED THAT THE COMMISSION:

- 1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL. CODE REGS SECTION 15378.
- 2. APPROVE THE PROPOSED BOUNDARIES FOR ANNEXATION OF LANDS INTO THE CITY OF NEWPORT BEACH, AS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 56740 (c) AND (d).

CALENDAR ITEM NO. **C70** (CONT'D)

3. CONSENT TO THE INCLUSION OF THE STATE OWNED TIDE AND SUBMERGED LANDS WITHIN THE AREA DESCRIBED IN EXHIBIT A INTO THE CITY OF NEWPORT BEACH PURSUANT TO 56740(a).
4. FIND THAT TITLE TO THE TIDE AND SUBMERGED LANDS WITHIN THE AREA - DESCRIBED IN EXHIBIT "A" SHALL REMAIN AS LANDS HELD IN TRUST BY THE CALIFORNIA STATE LANDS COMMISSION PURSUANT TO PUBLIC RESOURCES CODE 6301 AND THE STATE'S OWNERSHIP AND CONTROL WILL NOT BE ALTERED BY THE ANNEXATION OF SAID LANDS INTO THE CITY OF NEWPORT BEACH.

EXHIBIT 'A'

NEWPORT COAST ANNEXATION NO.CA01-06

TO THE CITY OF NEWPORT BEACH

BLOCKS: 5151, 5152, 5251
5252, 5253, 5351
5352

MODULES: VARIOUS

BEING THOSE PORTIONS OF BLOCKS 91, 95-98, 128-134, 161-164 OF IRVINE'S SUBDIVISION AS SHOWN ON A MAP THEREOF FILED IN BOOK 1, PAGE 88 OF MISCELLANEOUS RECORD MAPS AND PARCEL 2 AND A PORTION OF PARCEL 1 PER CORPORATION GRANT DEED BOOK 13439, PAGE 94-132, RECORDED DECEMBER 19, 1979, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF ORANGE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT AN ANGLE POINT IN THE EXISTING CITY OF NEWPORT BEACH BOUNDARY AS ESTABLISHED BY REORGANIZATION NO. R097-35, "BONITA CANYON ANNEXATION TO THE CITY OF NEWPORT BEACH AND DETACHMENT OF THE SAME TERRITORY FROM THE CITY OF IRVINE", SAID ANGLE POINT BEING THE SOUTHEASTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS "SOUTH 11°58'31" EAST 11.29 FEET" IN SAID REORGANIZATION NO. R097-35, SAID POINT ALSO BEING DISTANT NORTH 26°42'33" EAST 3071.87 FEET FROM ORANGE COUNTY SURVEYOR'S HORIZONTAL CONTROL STATION GPS NO. 6247, HAVING A COORDINATE VALUE (U.S. SURVEY FOOT) OF NORTH 2173287.386 AND EAST 6074018.521, BASED UPON THE CALIFORNIA COORDINATE SYSTEM (CCS83), ZONE VI. 1983 NAD (1991.35 EPOCH O.C.S. GPS ADJUSTMENT) AS SAID GPS POINT IS SHOWN ON TRACT MAP NO. 15945, RECORDED IN BOOK 805, PAGES 18-25 INCLUSIVE, OF MISCELLANEOUS MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING COMMON TO "HARBOR VIEWS HILLS - PHASE 3" ANNEXATION TO THE CITY OF NEWPORT BEACH;

THENCE CONTINUING ALONG THE EXISTING CITY BOUNDARY OF THE CITY OF NEWPORT BEACH PER "HARBOR VIEW HILLS-PHASE 3" ANNEXATION, THE "HARBOR VIEW HILLS SECTOR 4" ANNEXATION, THE "HARBOR RIDGE ANNEXATION NO. 89", THE "HARBOR RIDGE ANNEXATION NO. 82, THE "HARBOR VIEW HILLS-PHASE 3" ANNEXATION, THE "HARBOR VIEW HILLS-PHASE 4" ANNEXATION, THE "ANNEXATION NO. 57 (CENTERVIEW ANNEXATION)", THE "HARBOR VIEW" ANNEXATION, ANNEXATION NO. 8, CITY BOUNDARY 1928 (COURT CASE NO. 23686) INCORPORATED SEPTEMBER 1, 1906; THE "CORONA HIGHLANDS" ANNEXATION, THE "SEAWARD 17" ANNEXATION, THE "CAMEO HIGHLANDS" ANNEXATION, THE "ANNEXATION NO. 84", THE "CAMEO HIGHLANDS" ANNEXATION, THE "ANNEXATION NO. 64", THE "CAMEO CLIFFS" ANNEXATION" THE "SHORE CLIFFS - CAMEO SHORES TIDELANDS ANNEXATION" THROUGH THEIR VARIOUS COURSES IN A GENERAL SOUTHEASTERLY, SOUTHWESTERLY, SOUTHEASTERLY, SOUTHERLY, WESTERLY, SOUTHERLY, EASTERLY, SOUTHERLY, WESTERLY, SOUTHERLY,

EXHIBIT 'A'

NEWPORT COAST ANNEXATION NO.CA01-06

TO THE CITY OF NEWPORT BEACH

SOUTHEASTERLY, SOUTHERLY, SOUTHWESTERLY, WESTERLY, NORTHWESTERLY,
SOUTHWESTERLY, WESTERLY, SOUTHWESTERLY, SOUTHERLY, NORTHWESTERLY,
SOUTHWESTERLY; WESTERLY, SOUTHEASTERLY, NORTHEASTERLY, SOUTHERLY,
SOUTHWESTERLY, NORTHWESTERLY; SOUTHWESTERLY AND SOUTHERLY DIRECTION TO THE
MOST SOUTHERLY ANGLE POINT ON THE BOUNDARY OF THE CITY OF NEWPORT BEACH AS
ESTABLISHED BY "SHORECLIFFS - CAMEO SHORE TIDELANDS ANNEXATION" THENCE
CONTINUING SOUTHERLY ALONG THE SOUTHERLY PROLONGATION OF THE EASTERLY
BOUNDARY OF LAST SAID ANNEXATION TO IT'S INTERSECTION WITH THE OFFSHORE
BOUNDARY OF THE STATE OF CALIFORNIA; THENCE NORTHEASTERLY IN A DIRECT LINE
TO A POINT ON THE MEAN HIGH TIDE OF THE PACIFIC OCEAN; SAID POINT BEARING
SOUTH 37°39'50" WEST 600 FEET MORE OR LESS FROM THE NORTHWEST CORNER OF
PARCEL 3 OF "PARK PROPERTY" AS DESCRIBED IN CORPORATION GRANT DEED TO THE
STATE OF CALIFORNIA ON FILE DECEMBER 19, 1979, IN BOOK 13439, PAGE 94-132
IN THE OFFICE OF THE COUNTY RECORDER, SAID POINT BEING THE SOUTHWESTERLY
PROLONGATION OF THAT CERTAIN COURSE DESCRIBED AS "NORTH 37°39'50" EAST
104.98 FEET" IN SAID DEED IN THE WESTERLY BOUNDARY OF PARCEL 3 OF SAID
"PARK PROPERTY";

THENCE ALONG SAID SOUTHWESTERLY PROLONGATION "NORTH 37°39'50"EAST 600 FEET
MORE OR LESS TO THE SOUTHWESTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED
AS "NORTH 37°39'50"EAST 104.98 FEET" IN THE NORTHWESTERLY BOUNDARY OF SAID
PARCEL 3, SAID TERMINUS ALSO BEING ON THE NORTHEASTERLY RIGHT OF WAY LINE
OF THE PACIFIC COAST HIGHWAY BEING A HIGHWAY OF VARIABLE WIDTH, AND FURTHER
DESCRIBED IN BOOK 487, PAGE 1 OF DEEDS IN THE OFFICE OF THE COUNTY
RECORDER;

THENCE LEAVING SAID NORTHEASTERLY RIGHT OF WAY LINE ALONG THE NORTHWESTERLY
BOUNDARY LINE OF PARCEL 3 OF SAID "PARK PROPERTY";

THENCE NORTH 37°39'50"EAST 104.98 FEET TO THE BEGINNING OF A TANGENT 950.00
FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST;

THENCE ALONG THE ARC OF SAID CURVE; NORTHEASTERLY, 219.65 FEET THROUGH A
CENTRAL ANGLE OF 13°14'50";

THENCE NORTH 50°54'50" EAST 1645.45 FEET TO THE BEGINNING OF A TANGENT
1300.00 FOOT RADIUS CURVE CONCAVE TO THE WEST;

THENCE ALONG THE ARC OF SAID CURVE NORTHEASTERLY, 1590.29 FEET THROUGH A
CENTRAL ANGLE OF 70°05'24";

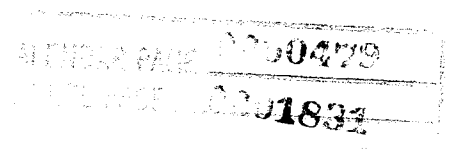


EXHIBIT 'A'
NEWPORT COAST ANNEXATION NO.CA01-06
TO THE CITY OF NEWPORT BEACH

THENCE NORTH 19°10'44" WEST 387.88 FEET;
THENCE SOUTH 84°42'47" EAST 288.52 FEET;
THENCE NORTH 58°39'02" EAST 1018.72 FEET;
THENCE NORTH 74°08'04" EAST 197.52 FEET;
THENCE NORTH 60°27'40" EAST 137.93 FEET;
THENCE SOUTH 68°54'28" EAST 150.05 FEET;
THENCE NORTH 66°48'05" EAST 167.55 FEET;
THENCE NORTH 04°38'08" EAST 74.24 FEET;
THENCE SOUTH 87°03'52" EAST 84.20 FEET;
THENCE NORTH 23°21'06" WEST 232.34 FEET;
THENCE NORTH 51°08'19" EAST 310.79 FEET;
THENCE NORTH 31°50'33" EAST 223.66 FEET;
THENCE NORTH 11°55'46" WEST 290.27 FEET;
THENCE NORTH 30°02'00" EAST 147.85 FEET;
THENCE NORTH 35°52'56" WEST 232.03 FEET;
THENCE NORTH 10°31'40" EAST 229.87 FEET;
THENCE NORTH 46°28'08" EAST 55.17 FEET;
THENCE NORTH 67°53'26" EAST 138.16 FEET;
THENCE NORTH 38°31'49" EAST 138.06 FEET;
THENCE NORTH 24°35'24" EAST 129.77 FEET;
THENCE NORTH 03°52'43" EAST 118.27 FEET;

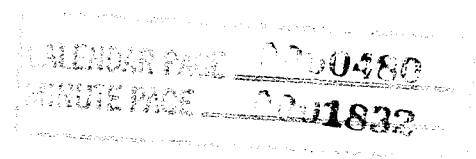


EXHIBIT 'A'
NEWPORT COAST ANNEXATION NO.CA01-06
TO THE CITY OF NEWPORT BEACH

THENCE NORTH 19°50'41" EAST 141.40 FEET;

THENCE NORTH 49°01'42" EAST 150.97 FEET;

THENCE NORTH 73°52'21" EAST 172.80 FEET;

THENCE NORTH 60°49'09" EAST 176.38 FEET;

THENCE NORTH 11°48'47" EAST 312.62 FEET;

THENCE NORTH 03°21'59" WEST 272.47 FEET TO THE SOUTHEASTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS "SOUTH 28°44'47" EAST 328.52 FEET" IN THE EXISTING WESTERLY BOUNDARY OF "PARK PROPERTY" AS DESCRIBED IN CORPORATION GRANT DEED TO THE STATE OF CALIFORNIA RECORDED NOVEMBER 17, 1981 ON FILE IN BOOK 14292, PAGE 953-965 IN THE OFFICE OF THE COUNTY RECORDER;

THENCE ALONG SAID WESTERLY BOUNDARY NORTH 28°44'47" WEST 328.52 FEET;

THENCE NORTH 11°21'29" EAST 467.15 FEET;

THENCE NORTH 08°21'57" WEST 68.73 FEET;

THENCE NORTH 29°47'31" EAST 301.90 FEET;

THENCE NORTH 80°08'45" EAST 383.72 FEET;

THENCE NORTH 30°18'40" EAST 301.17 FEET;

THENCE NORTH 79°56'51" EAST 446.86 FEET;

THENCE NORTH 49°46'51" EAST 390.27 FEET;

THENCE NORTH 75°36'00" EAST 152.80 FEET;

THENCE NORTH 88°17'55" EAST 404.18 FEET;

THENCE NORTH 02°27'46" EAST 186.17 FEET;

THENCE NORTH 25°47'27" EAST 330.97 FEET;

THENCE NORTH 89°15'21" EAST 308.03 FEET;

RECORDED 0000481
INDEXED 001833

EXHIBIT 'A'

NEWPORT COAST ANNEXATION NO.CA01-06

TO THE CITY OF NEWPORT BEACH

HENCE NORTH 11°34'59" EAST 2549.93 FEET;
HENCE NORTH 11°06'16" WEST 1038.44 FEET;
HENCE NORTH 10°47'04" EAST 235.15 FEET;
HENCE NORTH 35°06'10" EAST 551.26 FEET;
HENCE NORTH 16°38'20" EAST 181.60 FEET;
HENCE NORTH 18°54'59" WEST 188.16 FEET;
HENCE NORTH 16°25'40" EAST 424.32 FEET;
HENCE NORTH 29°10'03" EAST 196.98 FEET;
HENCE NORTH 14°24'00" EAST 152.80 FEET;
HENCE NORTH 52°16'30" EAST 67.01 FEET;
HENCE NORTH 80°17'00" EAST 148.12 FEET;
HENCE NORTH 37°27'15" EAST 274.61 FEET;
HENCE SOUTH 33°00'20" EAST 789.39 FEET;
HENCE NORTH 70°38'36" EAST 784.31 FEET;
HENCE SOUTH 02°59'35" WEST 306.42 FEET;
HENCE SOUTH 22°06'00" EAST 356.17 FEET;
HENCE SOUTH 35°18'58" EAST 2345.66 FEET TO WESTERLY TERMINUS OF THAT
CERTAIN COURSE DESCRIBED AS "SOUTH 44°31'21" EAST 678.84 FEET" IN THE
EXISTING NORTHEASTERLY BOUNDARY OF SAID BOOK 13439, PAGE 94-132;
HENCE LEAVING THE BOUNDARY OF SAID BOOK 14292, PAGE 953-965 AND ALONG THE
NORTHEASTERLY BOUNDARY OF SAID BOOK 13439, PAGE 94-132;
HENCE SOUTH 44°31'21" EAST 678.84 FEET;
HENCE SOUTH 71°26'28" EAST 584.39 FEET;

EXHIBIT 'A'

NEWPORT COAST ANNEXATION NO.CA01-06
TO THE CITY OF NEWPORT BEACH

THENCE SOUTH 85°06'26" EAST 515.88 FEET;

THENCE SOUTH 74°32'30" EAST 420.20 FEET;

THENCE SOUTH 66°47'38" EAST 548.66 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF BLOCK 161 OF SAID IRVINE'S SUBDIVISION;

THENCE LEAVING THE NORTHEASTERLY BOUNDARY OF SAID BOOK 13439, PAGE 94-132 AND ALONG THE SOUTHEASTERLY LINE OF SAID BLOCK 161 NORTH 40°33'59" EAST 188.12 FEET TO A POINT ON THAT CERTAIN COURSE BEARING "NORTH 34°56'51" WEST 457.86 FEET" IN THE EXISTING BOUNDARY OF "THE PROPERTY" DESCRIBED IN GRANT DEED TO THE CITY OF LAGUNA BEACH RECORDED JUNE 27, 1991 AS DOCUMENT NO. 91-330557 IN THE OFFICE OF THE COUNTY RECORDER;

THENCE ALONG SAID COURSE AND THE SOUTHWESTERLY BOUNDARY OF "THE PROPERTY" OF SAID GRANT DEED NORTH 34°55'56" WEST 53.88 FEET;

THENCE NORTH 68°21'18" WEST 560.20 FEET;

THENCE NORTH 60°07'54" WEST 785.39 FEET;

THENCE SOUTH 83°28'56" WEST 326.82 FEET;

THENCE NORTH 66°44'01" WEST 658.40 FEET;

THENCE NORTH 39°06'41" WEST 465.65 FEET;

THENCE NORTH 54°32'38" WEST 526.14 FEET;

THENCE NORTH 34°26'23" WEST 410.92 FEET;

THENCE NORTH 12°44'59" EAST 337.73 FEET;

THENCE NORTH 24°22'24" WEST 331.27 FEET;

THENCE NORTH 38°33'34" WEST 489.32 FEET;

THENCE NORTH 22°14'13" WEST 315.36 FEET;

THENCE NORTH 41°41'22" WEST 538.97 FEET;

THENCE NORTH 46°30'42" WEST 848.19 FEET;

RECORDED 000483
INDEXED 0001835

EXHIBIT 'A'
NEWPORT COAST ANNEXATION NO.CA01-06
TO THE CITY OF NEWPORT BEACH

THENCE NORTH 71°06'53" WEST 244.14 FEET;

THENCE SOUTH 89°08'04" WEST 252.22 FEET TO THE SOUTHWESTERLY PROLONGATION OF THE COURSE DESCRIBED AS "NORTH 40°00'00" EAST 660.00 FEET" IN ANNEXATION NO. 1 (FRASIER ANNEXATION) TO THE CITY OF IRVINE;

THENCE ALONG SAID PROLONGATION NORTH 40°33'37" EAST 221.97 FEET TO A POINT IN THE SOUTHEASTERLY BOUNDARY OF THE CITY OF IRVINE AS ESTABLISHED BY "REORGANIZATION NO. RO97-04" DISTANT THEREON SOUTH 64°16'17" EAST 1340.14 FEET FROM THE NORTHWESTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS "NORTH 64°16'17" WEST 4468.85 FEET" IN THE CENTERLINE OF TR-73 (SAN JOAQUIN HILLS TRANSPORTATION CORRIDOR) AS DESCRIBED IN PARCEL 1 OF SAID REORGANIZATION NO. RO97-04;

THENCE ALONG SAID EXISTING CITY BOUNDARY AND THE CENTERLINE OF TR-73 PER SAID "REORGANIZATION NO. RO97-04" THROUGH THEIR VARIOUS COURSES IN A GENERAL NORTHWESTERLY DIRECTION TO AN ANGLE POINT IN THE EXISTING CITY OF NEWPORT BEACH BOUNDARY AS ESTABLISHED BY "REORGANIZATION NO. RO97-35", SAID POINT BEING THE SOUTHEASTERLY TERMINUS OF THAT COURSE DESCRIBED AS "NORTH 69° 24'23" WEST 2092.48 FEET";

THENCE ALONG SAID EXISTING CITY BOUNDARY PER SAID "REORGANIZATION NO. RO97-35" THROUGH ITS VARIOUS COURSES IN A GENERAL NORTHWESTERLY, SOUTHERLY, SOUTHEASTERLY AND NORTHWESTERLY DIRECTION TO THE **TRUE POINT OF BEGINNING**.

CONTAINS 7,799 ACRES, MORE OR LESS.

ATTACHED HERETO AND MADE A PART HEREOF, IS A MAP DESIGNATED AS EXHIBIT "B".

TO OBTAIN THE GRID DISTANCE AT GPS PT. NO. 6247, MULTIPLY THE GROUND DISTANCE BY 0.99996664.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME, OR UNDER MY SUPERVISION FROM RECORD INFORMATION ONLY. NO FIELD SURVEY HAS BEEN CONDUCTED TO VERIFY ANY RECORD INFORMATION.



REX S. PLUMMER, PLS 6641
EXPIRATION DATE 12/31/03

DATE

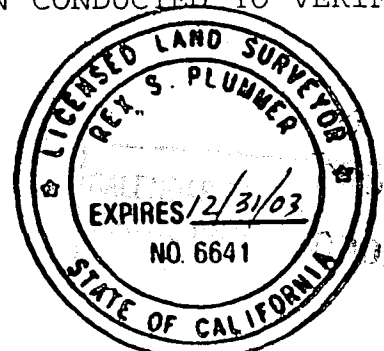
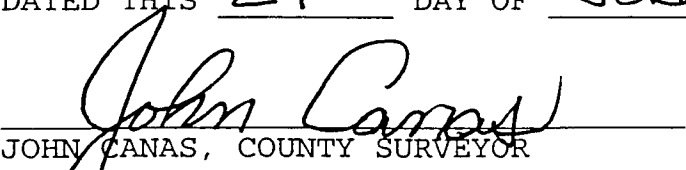


EXHIBIT 'A'
NEWPORT COAST ANNEXATION NO.CA01-06
TO THE CITY OF NEWPORT BEACH

THIS PROPOSAL DOES MEET THE APPROVAL OF
THE ORANGE COUNTY SURVEYOR'S OFFICE.

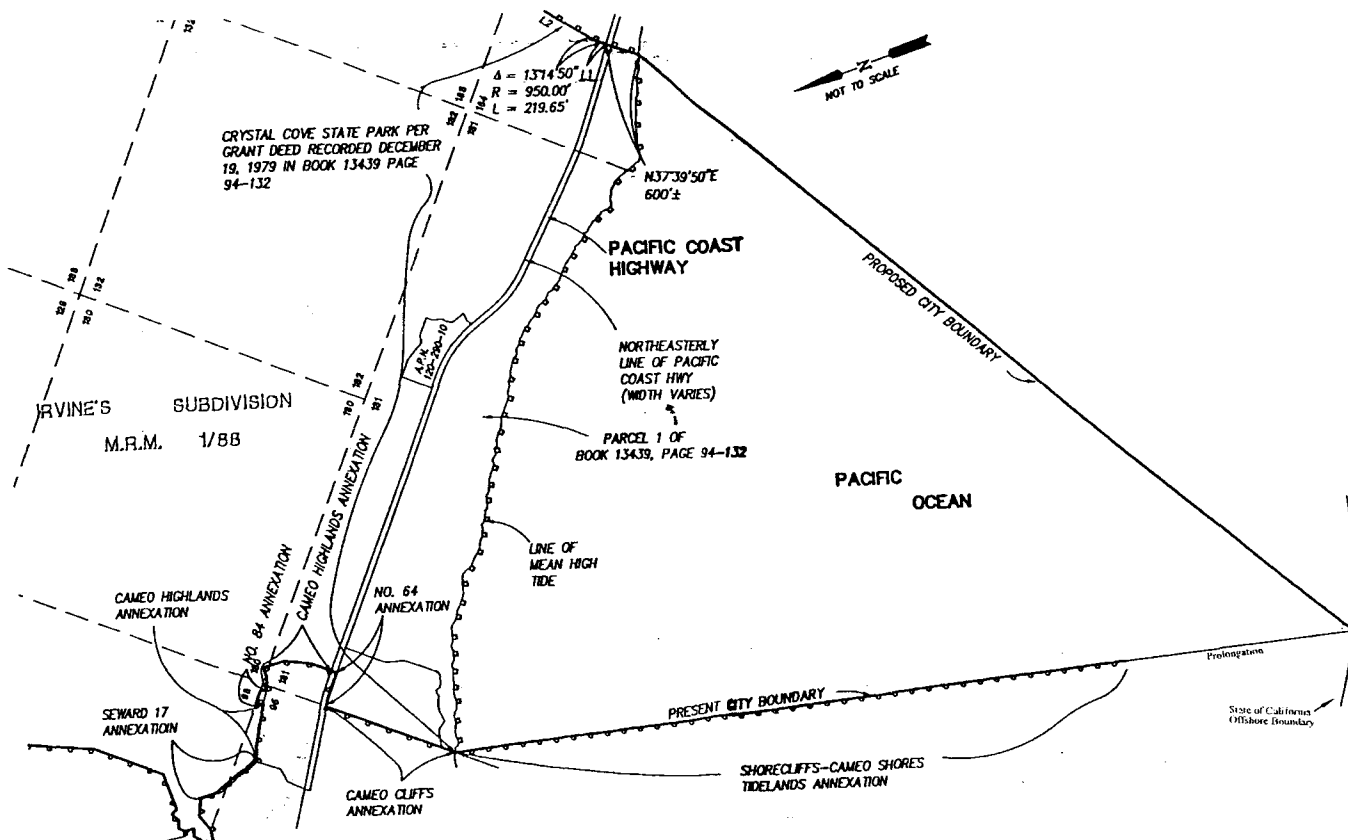
DATED THIS 27TH DAY OF JUNE, 2001.


JOHN CANAS, COUNTY SURVEYOR
LS 4408
EXPIRATION DATE 09/30/01



NO SCALE

SITE MAP



Newport Coast Annexation

LOCATION MAP

NO SCALE

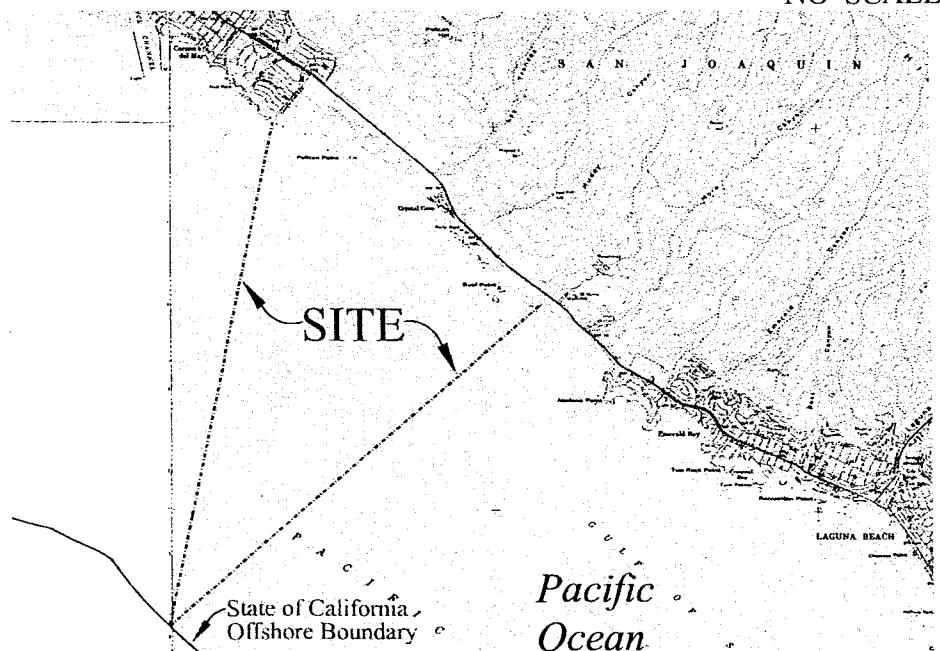


Exhibit B
W2400.199

City of Newport Beach
ORANGE COUNTY

