

**NEWPORT BEACH ZONING ADMINISTRATOR MINUTES
100 CIVIC CENTER DRIVE, NEWPORT BEACH
ZOOM**

**THURSDAY, JULY 10, 2025
REGULAR MEETING – 10:00 A.M.**

I. CALL TO ORDER – The meeting was called to order at 10:00 a.m.

Staff Present (Remote): Benjamin M. Zdeba, AICP, Zoning Administrator
Rosalinh Ung, Principal Planner
Oscar Orozco, Associate Planner
Cameron Younger, Planning Technician

II. REQUEST FOR CONTINUANCES

None.

III. APPROVAL OF MINUTES

ITEM NO. 1 MINUTES OF JUNE 26, 2025

Zoning Administrator Zdeba acknowledged that a written comment was received from Jim Mosher. Zoning Administrator Zdeba agreed with the suggested changes, clarifying that the minutes should state that waste produced on site will be properly managed either in exterior bins on site or taken off site. No members of the public wished to comment further on the draft minutes.

Action: Approved as amended

IV. PUBLIC HEARING ITEMS

ITEM NO. 2 Uptown Newport-TowerJazz Tentative Parcel Map (PA2025-0110)
Site Location: 4321 Jamboree Road, North side of Jamboree Road, between MacArthur
Boulevard and Birch Street Council District 3

Rosalinh Ung, Principal Planner, provided a brief project description stating that the request is for a tentative parcel map (TPM) to combine the remainders of Parcel Nos. 1 and 4 of Parcel Map No. 2013-108, and subdivide the consolidated parcel into two parcels for conveyance purposes located at Uptown Newport. Principal Planner Ung stated that the Uptown Newport Planned Community is a mixed-use development approved in 2013, located in the Airport Area and is to be completed in two phases. Phase 1 is nearing completion; meanwhile Phase 2 involves the subject property for the proposed TPM. She also noted that the staff report included a detailed history of the mixed-use development, including past subdivision approvals and existing conditions of the subject parcels.

Principal Planner Ung explained the subject property consists of 12.5 acres and improved with a permitted interim light industrial use, TowerJazz, until 2027. A lease extension to 2030 is being considered under a separate planning application. No improvements are proposed, and no waivers from development standards of Title 19 (Subdivisions) of the Newport Beach Municipal Code (NBMC) are requested. Any improvements from Phase 2 development will require future planning applications, and entitlements.

Principal Planner Ung noted staff found the proposal consistent with Uptown Newport Planned Community and Title 19 of the NBMC. All environmental concerns have been adequately addressed in the previously approved documents prepared for the approval and implementation of Uptown Newport Planned Community. She concluded by recommending approval, with the conditions included in draft resolution.

In response to written public comments submitted by Jim Mosher, Principal Planner Ung explained that the vicinity map shows true orientation of the subject property and the phases described in the staff report are consistent with their exhibits. She also noted the north arrow on the TPM will be adjusted to show the true north direction prior to being recorded.

In response to Zoning Administrator Zdeba, Principal Planner Ung confirmed this application is for a TPM for conveyance purposes, and no development is being proposed nor authorized at this time.

Zoning Administrator Zdeba opened the public hearing.

Brian Rupp, on behalf of the Property Owner, stated that he had reviewed the draft resolution and agrees with all the required Conditions of Approval.

Seeing that no one from the public wished to comment, the public hearing was closed.

Action: Approved

ITEM NO. 3 One Twenty-Two Holdings LLC Residential Condominiums Tentative Parcel Map and Coastal Development Permit (PA2025-0094)
Site Location: 122 and 122 ½ 29th Street Council District 1

Cameron Younger, Planning Technician, provided a brief project description stating that the proposal is a request for a tentative parcel map (TPM) and coastal development permit (CDP) in the Two-Unit Residential (R-2) Zoning District. The project is located within a Categorical Exclusion Area of the coastal zone but based on Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code (NBMC), a TPM requires a CDP. The neighborhood consists of two- and three-story single- and two-unit dwellings, and the proposal remains consistent with existing pattern of development. The subject property is accessible from 29th Street and the rear alleyway, and vehicular access will continue to be taken from the alley. The property is located approximately 1,800 feet from Lido Park which is identified as the nearest coastal viewpoint; however, it is not within the viewshed. Vertical access to the beach is available along 29th Street, with lateral access available at the end of 29th Street where there is an access point identified under the Coastal Land Use Plan. The proposed project does not affect any public views or access to the water.

Planning Technician Younger acknowledged a public comment submitted regarding the availability of an appeal under Title 19 (Subdivisions) of the NBMC. In response, she stated the resolution will be updated to reflect the project being appealable under Title 19.

Planning Technician Younger recommended the project be categorically exempt from CEQA under Section 15315 under Class 15 (Minor Land Divisions) and recommended approval of the proposed TPM and CDP.

Zoning Administrator Zdeba opened the public hearing.

Applicant Thomas Decker, on behalf of the Property Owner, stated that he had reviewed the draft resolution and agrees with all the required Conditions of Approval.

Seeing that no one from the public wished to comment, the public hearing was closed.

Action: Approved as amended

ITEM NO. 4 Five-One-Zero Holdings LLC Residential Condominiums Tentative Parcel Map and Coastal Development Permit (PA2025-0095)
Site Location: 510 35th Street Council District 1

Zoning Administrator Zdeba advised Planning Technician Younger that she could abbreviate the presentation of Item No. 4 due to its similarity to Item No. 3.

Planning Technician Younger provided a brief project description stating that the request is for a tentative parcel map (TPM) and coastal development permit (CDP) in the Two-Unit Residential (R-2) Zoning District for a 2,850 square-foot lot. The difference between Items No. 3 and No. 4 is this project will result in a net increase in one residential unit, and as a result is subject to Fair Share Fees and In-Lieu Park Dedications fees.

Zoning Administrator Zdeba noted the Fair Share Fee is included because of the increase in units alone and not the approval of the condominium. Since the building permits are not yet issued, Condition of Approval No. 5 will be updated to reflect that the Fair Share Fee shall be paid prior to issuance of the building permits.

Zoning Administrator Zdeba opened the public hearing.

Applicant Thomas Decker asked for clarification regarding the updates to Condition of Approval No. 5.

Zoning Administrator Zdeba explained that Condition of Approval No. 5 currently states the Fair Share Fees shall be paid prior to final inspection of the building permit; when typically, the Fair Share Fee should be included with issuance of the building permit.

Applicant Thomas Decker, on behalf of the Property Owner, stated that he had reviewed the draft resolution and agrees with all the required conditions.

Seeing that no one from the public wished to comment, the public hearing was closed.

Action: Approved as amended

ITEM NO. 5 SKINIC Day Spa Minor Use Permit (PA2024-0239)
Site Location: 3838 East Coast Highway

Council District 6

Oscar Orozco, Associate Planner, provided a brief project description stating that the request is for a minor use permit (MUP) to allow a day spa establishment (Personal Service, Restricted use). The project is in the Commercial Corridor (CC) Zoning District and Corridor Commercial (CC) General Plan Land Use Category. The project includes the occupancy of a 2,270-square-foot suite with 10 treatment rooms, a lobby, reception area, and an employee break room. The requested hours of operation are between 10:00 a.m. and 5:00 p.m. Monday through Saturday, but staff recommends a condition of approval for hours of operation between 10:00 a.m. and 8:00 p.m. for future operational flexibility. The proposed day spa will offer facials, superficial chemical peels, and accessory massage such as lipomassage. The proposed commercial use is intended to serve residents of the surrounding Corona Del Mar area. The proposed day spa will offer lipomassage as an accessory use since it is less than 10% of the total services offered. The project was reviewed by Newport Beach Police Department and determined to not require a massage operator permit under the Newport Beach Municipal Code (NBMC) as lipomassage is not regulated by the California Massage Therapy Council.

The site is considered nonconforming as it does not provide the required number of parking spaces. However, the NBMC states that a use may be changed to a new use without providing additional parking if no intensification occurs and the new use must require a parking rate of no more than one space per 250 square feet of gross building area. The proposed day spa is located within a vacant tenant space, despite the three previous suites being merged into one suite, the overall floor area was reduced to 122 square feet. The personal services use requires one space per 250 square feet, and no intensification or enlargement is proposed, therefore no additional parking is required.

Associate Planner Orozco stated the project is exempt from CEQA pursuant to Section 15301 under Class 1 (Existing Facilities) and recommended the project be approved.

Zoning Administrator Zdeba opened the public hearing.

Applicant Angela Lindsay on behalf of the owner, stated that she had reviewed the draft resolution and agrees with all the required conditions.

Seeing that no one from the public wished to comment, the public hearing was closed.

Action: Approved

V. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

VI. ADJOURNMENT

The hearing was adjourned at 10:22 a.m.

The agenda for the Zoning Administrator Hearing was posted on July 3, 2025, at 9:30 a.m. on the digital display board located inside the vestibule of the Council Chambers at 100 Civic Center Drive and on the City's website on July 3, 2025, at 9:25 a.m.

Benjamin M. Zdeba, AICP
Zoning Administrator