

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

**THURSDAY, OCTOBER 30, 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
Jenny Hannsun, Associate Planner
Daniel Kopshever, Assistant Planner
James Miclat, Contract Planner

II. REQUEST FOR CONTINUANCES

None.

III. APPROVAL OF MINUTES

ITEM NO. 1 MINUTES OF OCTOBER 16, 2025

Zoning Administrator Zdeba acknowledged receiving written comments from Jim Mosher. Seeing no one from the public wishing to comment, he accepted the suggested changes.

Action: Approved as amended.

IV. PUBLIC HEARING ITEMS

**ITEM NO. 4 Balboa Residence Coastal Development Permit (PA2025-0140)
Site Location: 1204 East Balboa Boulevard**

Council District 1

Zoning Administrator Zdeba reordered the agenda to hear Item No. 4 first.

Jenny Hannsun, Associate Planner, provided a brief project description stating that the applicant requests a coastal development (CDP) permit to demolish an existing duplex and construct a new three-story single-unit dwelling with an attached junior accessory dwelling unit (JADU) and attached two-car garage. The project complies with all development standards and no deviations from the Newport Beach Municipal Code are requested. The site location is on the Balboa Peninsula where the original subdivision contained the Bay Avenue right-of-way. This right-of-way has since been abandoned, and is now developed with private rear patio areas overlooking the Newport Harbor. The patio area and areas beyond are within the California Coastal Commission's (CCC) jurisdiction, requiring a separate CDP for the work to be completed in that portion of the property. The City's CDP is intended to cover on the work within the City's permitting jurisdiction, which contains the proposed single-unit dwelling and JADU.

A Coastal Hazards Report and Bulkhead Conditions Report was prepared requiring the project to raise the bulkhead to 10.9 feet (NAVD 88). Since the bulkhead is within the CCC's jurisdiction, obtaining a CDP from the CCC is required before obtaining a Certificate of Occupancy for the principal dwelling.

The property is within the Single-Unit Residential (R-1) Zoning District and therefore the existing duplex is considered nonconforming. The project proposes to construct a single-unit dwelling and JADU, to comply with SB 330 prohibiting density reductions while still complying with the property's single-unit zoning.

The property is not adjacent to a Coastal Viewpoint as determined by the Coastal Land Use Plan. Additionally, the project does not contain any features that would degrade the visual quality of the coastal zone. Vertical

access to the bay is available along D Street. Lateral access is available along the Oceanfront Boardwalk. All development proposed will be on private property and will not impede access to the coast.

Associate Planner Hannsun revised Fact 12 in Support of Finding A to strikethrough the statement, “after the lots are merged” since the proposal does not include a lot merger.

In response to Zoning Administrator Zdeba, Associate Planner Hannsun confirmed that the bulkhead enhancements are within the CCC’s permitting jurisdiction and that Condition of Approval No. 7 states that the City is not authorizing development in an area where the CCC has jurisdiction.

Zoning Administrator Zdeba opened the public hearing.

Applicant Jeff Van Voorhis, on behalf of the Owner, stated that he had reviewed the draft resolution and agrees with all the required conditions of approval.

Zoning Administrator Zdeba closed the public hearing.

Action: Approved as amended.

ITEM NO. 2 Uptown Newport Development Agreement Annual Review (PA2025-0159)
Site Location: 4321 Jamboree Road Council District 3

Daniel Kopshever, Assistant Planner, provided a brief project description stating that the item is for the annual review of the Development Agreement for Uptown Newport. Assistant Planner Kopshever referenced that the Development Agreements’ entitlement history was included in the staff report. Additionally, he noted that in last review, the Zoning Administrator found that the developer had demonstrated good faith and compliance with the Development Agreement.

For this review, the developer’s report covers a period from February 2024 to August 2025. In summary, the construction activities include certificates of occupancy for 24 of 30 units of the Parkhouse Residences, with 26 of those units sold. The Parkhouse Residences HOA became operational in December 2024 and is managed by the Management Trust. The Uptown Newport Residences approved on Lot 1 during Phase 1 have an anticipated submittal by the end of this year and construction starting in 2026. As of December 2024, 44 of 46 affordable units in the south building were occupied. In the north building, 41 of 46 buildings were occupied with all vacant units in the process of being leased. In April 2022, a revised tentative tract map was submitted to adjust street and lot design for future Phase 2 development. Resubmittal of a revised tentative tract map, master site development plan and Environmental Impact Report addendum is anticipated in 2025 for Phase 2 development. Phase 2 development is expected to begin when TowerJazz seizes operations in 2030.

In response to a written comment received, Assistant Planner Kopshever stated that the City and developer are making efforts to review compliance with the Development Agreement every 12 months, but due to changes in staff and coordination with the developer, this review is falling outside the 12-month period. Despite being outside the calendar year, the annual review of the development agreement is covering the entire time period since the previous review. Additionally, Assistant Planner Kopshever recognized that the developer’s annual report focused on accomplishments. The City reviewed the Development Agreement and found no evidence of noncompliance. In response to the comment on public benefits, Assistant Planner Kopshever clarified the City received payment of the public benefit fee for the 24 units which have Certificates of Occupancy.

Zoning Administrator Zdeba opened the public hearing. Seeing that no one from the public wished to comment, the public hearing was closed.

Action: Received and filed, found in good faith compliance.

ITEM NO. 3 DeCarrier Residential Condominiums (PA2025-0029)
Site Location: 306 Marguerite Avenue Units A, B, and C Council District 6

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James Miclat, Contract Planner, provided a brief project description stating that the request is for a coastal development permit (CDP) to allow a 709-square-foot addition and remodel to an existing single-unit residence. The project complies with all applicable development standards including setbacks, height, and parking. A coastal development permit is required as the project includes more than a 10% increase in floor area within the coastal zone.

Contract Planner Miclat acknowledged receiving written public comments and agreed to update the final resolution with the suggested changes. Specifically, he addressed Fact in Support of Finding No. 2 under Finding B and clarified that since the project is located in a private community, vertical access to bay is instead available adjacent to the Balboa Bay Resort and at Lower Castaways Park. Lateral access is available at several access points along West Coast Highway.

Zoning Administrator Zdeba opened the public hearing.

Applicant Pat Austin, on behalf of the 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.

V. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

VI. ADJOURNMENT

The hearing was adjourned at 10:35 a.m.

The agenda for the Zoning Administrator Hearing was posted on October 23, 2025, at 3:00 p.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 October 23, 2025, at 2:12 p.m.

Liz Westmoreland, AICP
Zoning Administrator