

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

**THURSDAY, DECEMBER 11, 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
Jerry Arregui, Assistant Planner
Oscar Orozco, Associate Planner
Melinda Whelan, Assistant Planner

II. REQUEST FOR CONTINUANCES

None.

III. APPROVAL OF MINUTES

ITEM NO. 1 MINUTES OF NOVEMBER 26, 2025

Zoning Administrator Zdeba acknowledged receiving a written public comment and agreed with the suggested changes. No further comments were received.

Action: Approved as amended.

IV. PUBLIC HEARING ITEMS

**ITEM NO. 3 The Place Limited Term Permit (PA2025-0139)
Site Location: 2920 East Coast Highway**

Council District 6

Melinda Whelan, Assistant Planner, provided a brief project description stating that the request is for a limited term permit to allow an approximately 500-square-foot temporary outdoor dining patio for up to a one-year term. The existing outdoor dining area was previously approved in May 2023 through the Limited Term Permit filed under PA2023-0230. The applicant is preparing to submit an application for a conditional use permit to permanently approve the patio; however, there is an ongoing study and possible code changes regarding the commercial corridor in Corona del Mar that may affect the process to request that the patio remain permanently.

The patio has been reviewed by the Building Division, Public Works and Fire Departments. It includes a barrier and two canopies and is conditioned to close at 9:00 p.m., daily. There have been no complaints against usage of the patio, since it was first permitted. Assistant Planner Whelan recognized receiving a written public comment in support of the patio and another comment questioning the placement of a barrier. She noted the barrier was misplaced such that it encroached into the alley setback. As a result, Assistant Planner Whelan recommended an update to the draft resolution to include Condition of Approval No. 3, which would ensure conformance with setback requirements from the alley and the parking spaces.

Zoning Administrator Zdeba opened the public hearing.

Applicant and business owner Katie Flamson stated that she had reviewed the draft resolution and agreed with all the required conditions of approval.

One member of the public, Glen Biener, spoke and stated that he is in support of the project. He inquired about the timing of any proposed changes to the patio. He also stated that the concerns regarding the alley setbacks were all remedied. He also questioned if any improvements to the alley are proposed.

Zoning Administrator Zdeba closed the public hearing.

Action: Approved as amended.

ITEM NO. 2 **Brighton Road Investments LLC Residence Coastal Development Permit and Modification Permit (PA2025-0048)**
Site Location: 1530 Galaxy Drive **Council District 3**

Oscar Orozco, Associate Planner, provided a project description stating that the request is for a coastal development permit (CDP) to allow construction of a 1,243-square-foot addition to an existing 3,326-square-foot single-unit dwelling and attached 748-square-foot three-car garage. The addition includes a 683-square-foot detached accessory dwelling unit (ADU), along with landscaping, hardscaping, and drainage facilities being proposed. In addition to the CDP, a modification permit is requested to allow the reconstruction of an existing driveway leading to a three-car garage that exceeds the allowable width. The site is in the Single-Unit Residential (R-1-6000) Coastal Zoning District. Except for the single deviation, the project complies with all development standards including heights, setbacks, parking, and lot coverage.

The existing neighborhood is predominantly developed with one- and two-story single-unit dwellings. The design and scale of the proposed residence match the scale and design of existing patterns of development. The finished floor elevation for the project is 90.18 feet based on the North American Vertical Datum of 1988 (NAVD88), which complies with the minimum 9.00-foot elevation standard. The site is also located in the Bluff Overlay District, establishing special development standards. The existing principal dwelling and major structures are located within Development Area A and set back at a minimum 25 feet from the bluff edge. The proposed ADU and additional floor area are located within Area A. Minor accessory structures are proposed within Development Area B and will be set back a minimum of 10 feet from the bluff edge. No new accessory structures are proposed within Development Area C. There are existing encroachments that extend beyond the property line into property owned by the State of California. The project is conditioned to remove all illegal encroachments. Since the property is within 100 feet of an environmental study area, a Biological Assessment Report was prepared which concluded that no listed, sensitive wildlife or plant were observed therefore no mitigation efforts are required.

The site is located between the nearest public road and the sea, requiring the provision of public access be roughly proportional to the project and its impacts. The project includes an addition to the primary residence and building a detached ADU. Since the project does not change the land use, density or intensity there is no expectation of creating substantial demand for public access and recreational opportunities. Vertical and lateral access to the coast is available at North Star Beach approximately 1,700 feet south of the project. The proposal does not include any features that will obstruct access. The nearest Coastal Viewpoint, as designated by the Coastal Land Use Plan, is Galaxy View Park located 1,100 feet north of the site, but is not visible from the property. The project site is also located 770 feet south of the Mariners Drive cul-de-sac viewpoint yet is not visible from the property. The site is located 1,900 feet east of the Upper Newport Bay State Marine Conservation Area but is not visible from the property. The project site is within viewshed of the Big Canyon Park, Newport North, and Back Bay Drive. Despite this, the addition is for a single-story residence and ADU with maximum heights of 14 feet and 14 feet, 7 inches, respectively. The average structure height on the subject property is approximately 9 feet, 5 inches lower than the allowable height for flat roofs in the R-1-6000 Coastal Zoning District. As a result, the residence will be no more visible than the surrounding neighborhood and will not impact public views or degrade the visual quality of the Coastal Zone.

The project includes a request for a modification permit for the reconstruction of the existing driveway. Driveways for three-car garages are limited to 25 feet wide. The existing three-car garage includes a driveway measuring 29 feet, 6 inches wide. With the intent of improving the exterior design of the residence, the two garage doors will be shifted towards the south of the property. The proposed driveway will measure 29 feet, 6 inches in width. Enforcing the 25-foot driveway width would result in decreased maneuverability and access to the garage. Also, the proposed ADU requires one additional off-street parking space, while the primary residence requires two spaces, the project requires a total of three parking spaces. The Public Works

Department reviewed the modification request and supported reconstruction of the driveway to a width of 29 feet, 6 inches.

Associate Planner Orozco acknowledged receiving two written public comments, in response he clarified the project is most accurately classified as an addition to the floor area of the main structure, and the addition of an ADU. He also clarified the front setback, along the bluff, is based on Setback Map 13B for Dover Shores which was approved by City Council.

In response to verbal comments received from neighbors regarding proposed heights and private views, city staff met with neighbors clarifying whether the project proposed an increase in height and explained the city does not protect private views.

Associate Planner Orozco removed Condition of Approval No. 22, as it is a duplicate of Condition of Approval No. 20.

Zoning Administrator Zdeba opened the public hearing.

Applicant Anthony Thibert, on behalf of the Owner, stated that he had reviewed the draft resolution and agreed with all the required conditions of approval.

In response to Zoning Administrator Zdeba, Associate Planner Orozco confirmed Condition of Approval No. 7, requires the applicant to remove all the encroachments from the property of the State of California, prior to finalizing building permits and issuing a Certificate of Occupancy.

Zoning Administrator Zdeba emphasized the city has no policies to protect private views. He added that the ADU height of 14 feet 7 inches, is not a significant increase in height that is perceptible to the neighborhood.

In response to Applicant Anthony Thibert, Zoning Administrator clarified that permits for the project may be issued but cannot be finalized until all aforementioned encroachments are removed.

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

Action: Approved as amended.

ITEM NO. 4 Fletcher Jones Temporary Lot Limited Term Permit (More than 90 days) (PA2025-0141)
Site Location: 20052 Birch Street **Council District 3**

Jerry Arregui, Assistant Planner, provided a brief project description stating that the request is for a limited term permit (LTP) to allow Fletcher Jones to operate a temporary parking lot from January 26, 2026 to January 26, 2027, between the hours of 5:00 a.m. and 10:00 p.m., Monday through Saturday, and 6:00 a.m. to 10:00 p.m. on Sunday. The site is in the Business Park District of the Santa Ana Heights Specific Plan (SP-7 BP), which allows outdoor vehicle storage subject to approval of an LTP. The existing site is considered legal nonconforming as it is currently developed with residential uses. Demolition of residential uses has been approved in compliance with the Housing Crisis Act. In response to a written public comment received, Assistant Planner Arregui noted that through the demolition permit process, the applicant attested that the existing residential units are not protected units as defined by state housing laws. Because the units are not considered protected units, there is no requirement for the units to be replaced.

The subject property abuts another owned by Fletcher Jones, which provides parking, car wash and shuttle services. In 2023, the Planning Commission approved a Conditional Use Permit to allow the redevelopment of that facility and authorized shuttle services from 5:00 a.m. to 10:00 p.m., Monday through Saturday, and 6:00 a.m. to 10:00 p.m. on Sundays. Due to the project on the abutting property, a temporary parking facility for the shuttle services is required to continue operation during construction. The subject property provides approximately 41 overflow parking spaces and creates access for shuttles to exit on Birch Street. The property will also serve as a temporary staging facility for construction. After demolition of the residential uses, temporary improvements are proposed including semi-permeable gravel, temporary lighting, mobile security cameras.

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Twenty-four-hour security personnel are also proposed to further increase safety. The project complies with all SP-7 BP development standards. The Public Works Department included Conditions of Approval requiring the property's driveway to operate as a one-way and outbound onto Birch Street, for shuttle drivers

Assistant Planner Arregui highlighted Condition of Approval No. 8, requiring the submittal of a landscaping plan to ensure compliance with the 10-foot landscape screening buffer.

In response to Zoning Administrator Zdeba, Assistant Planner Arregui noted conditions requiring signage to be installed at the exit of 20052 Birch Street stating that entering the lot is not allowed.

Zoning Administrator Zdeba opened the public hearing.

Applicant Austin Hahn, on behalf of the Owner, stated that he had reviewed the draft resolution and agreed with all the required conditions of approval.

One member of the public, Jim Mosher, spoke and noted a spelling issue under Condition of Approval No. 10.

Zoning Administrator Zdeba closed the public hearing.

Action: Approved as amended

ITEM NO. 5 Annual Review of North Newport Center Development Agreement (PA2025-0197)
Site Location: Fashion Island; Block 100, Block 400, Block 500, Block 600 and Block 800 of Newport Center Drive and San Joaquin Plaza Council District 5

Jerry Arregui, Assistant Planner, provided a brief project description stating that the item is for an annual review of the North Newport Center Development Agreement (DA) for the 2024 review period. The last review occurred April 2025, where the Zoning Administrator found Irvine Company in good faith compliance with the terms of the agreement for the 2023 Calendar year. Earlier this year the Annual Monitoring Report for 2024 was submitted listing existing development, maximum development, and issued building permits. The permitting history for 2024 consisted of tenant improvements and no changes to gross floor areas. In June 2025, City Council approved an ordinance amending the Development Agreement and Planned Community Development Plan; however, these changes will be noted at the 2025 annual review.

In response to written public comments, Assistant Planner Arregui clarified in Attachment No. ZA 2 the dashed line indicates the public noticing radius. For subsequent annual reviews staff will alter this exhibit to avoid confusion.

Applicant Pua Whitford, on behalf of Irvine Company, stated that she had reviewed the draft resolution and agreed with all the required conditions of approval.

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

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

V PUBLIC COMMENTS ON NON-AGENDA ITEMS

None

VI. ADJOURNMENT

The hearing was adjourned at 10:36 a.m.

The agenda for the Zoning Administrator Hearing was posted on December 5, 2025, at 9:00 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 December 5, 2025, at 8:30 a.m.

Benjamin M. Zdeba, AICP
Zoning Administrator

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