

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

**THURSDAY, JULY 30, 2026
REGULAR MEETING – 10:00 A.M.**

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

Staff Present (Remote): Liz Westmoreland, AICP, Zoning Administrator
Oscar Orozco, Associate Planner
Jasmine Leon, Planning Technician
Laura Rodriguez, Assistant Planner
Jerry Arregui, Assistant Planner
Daniel Kopshever, Assistant Planner

II. REQUEST FOR CONTINUANCES

None.

III. APPROVAL OF MINUTES

ITEM NO. 1 MINUTES OF JUNE 25, 2026

Action: Approved

IV. PUBLIC HEARING ITEMS

**ITEM NO. 2 Café Lido Minor Use Permit (PA2025-0261)
Site Location: 3461 Via Lido**

Council District 1

Oscar Orozco, Associate Planner, provided a brief project description stating that the request is for a minor use permit (MUP) to upgrade the existing Alcoholic Beverage Control (ABC) license from a Type 41 (On-Sale Beer and Wine) to a Type 47 (On-Sale General – Eating Place) license. The request also includes a renovation to the existing tenant space and the reduction in the overall number of seats from 150 to 101. The reduction is to incorporate the creation of a new bakery, to-go pick-up area, and a new bar area. In conjunction with this request is a proposal to edit hours of operations. The existing Woody's Diner operates from 6 a.m. to 12 a.m. Sunday through Thursday and 6 a.m. to 2 a.m. Friday and Saturday. The proposed revised hours are 7 a.m. to 11 p.m. daily, eliminating any late hour operations.

The project site is located in the Lido Plaza Shopping Center on Via Lido between Newport Boulevard and Via Oporto. The site is developed with a multi-tenant commercial center and a 300-space parking lot. The shopping center consists of a mix of commercial uses.

Associate Planner Orozco stated that restaurants with incidental alcohol services are common within the Lido Plaza Shopping Center and the proposed change in alcohol license type, in conjunction with an earlier closing hour, is not anticipated to alter the operational characteristics of that use such that it would become detrimental to that area. The project is required to provide a total of 36 on-site parking spaces. Given that the shopping center operates at a surplus of 4 parking spaces, the proposed project is required to continue the 36-space parking requirement, which is 3 less than the previous restaurant was required under the use permit.

Associate Planner Orozco stated that the draft resolution includes all required facts and supported findings for alcohol sales and operational conditions of approval as recommended by the Newport Beach Police Department. Conditions of approval include not allowing the restaurant to operate as a bar, tavern cocktail lounge, or night club and to ensure the restaurant closes by 11 p.m. The project is also conditioned to not allow

live entertainment or dancing. Finally, because the project would not result in an increase in parking demand, a Coastal Development permit is not required.

Associate Planner Orozco noted an addition to Condition of Approval No. 7 to include Accessory Outdoor Dining Permit No. OD2001-002 (PA2001-134), which would be superseded upon approval of this MUP. Additionally, Mr. Orozco noted a revision to Condition of Approval No. 32 to revise a minor typo that the Type 47 alcohol license is an On-site General Eating license. Additionally, a revision to Condition of Approval No. 40, to add "except as amended by Condition of Approval No. 23", to ensure the restaurant has the ability to operate with minor background music but also restrict large parties or live entertainment. Finally, Associate Planner Orozco noted changes to Condition of Approval No. 44 to strike-out the limits on exterior signage as staff does not believe there is an existing sign.

Applicant John Loper of Fritz Duda Company, on behalf of the Owner, stated that he had reviewed the draft resolution and agreed with all the required conditions. Mr. Loper provided clarification on Condition of Approval No. 36, stating that the licensee for the subject property is also a related entity to the tenant of the Lido Theater, which has a pending Type 47 alcohol license with the City.

In response to Mr. Loper's comments, Zoning Administrator Westmoreland confirmed that the Minor Use Permit only pertains to the subject use and would not relate to any additional use permits under review or subject to future review.

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

Action: Approved as amended

ITEM NO. 3 Childs Residence Modification Permit (PA2026-0093)
Site Location: 2391 Azure Avenue

Council District 3

Jasmine Leon, Planning Technician, provided a brief project description stating that the project is a request for a modification permit. The subject property is located within the residential single-family area within the Santa Ana Heights Specific Plan. The request is to allow a 947-square-foot addition to an existing 1,505-square-foot single-family residence with nonconforming parking dimensions. The zoning code limits additions to a maximum of 10% for nonconforming parking, and the project proposes an addition of 63%. The current standards of the zoning code require 20-feet wide by 20-feet deep for a two-car garage. The legal nonconforming garage has interior dimensions of 19 feet, 4 inches wide by 21 feet, 3 inches deep. Planning Technician Leon stated that the residence was originally constructed in 1953 and the existing garage dimensions complied with the development standards at the time. A modification permit is required as the applicant proposes an addition to the rear of the residence of more than 10% without altering the garage for compliance with today's minimum requirements.

Planning Technician Leon confirmed that Staff has found the project compatible with the scale of the surrounding development, which consist of primarily one and two-story single-family residences. The project will also meet applicable development standards of the zoning code, such as building height and setbacks. The existing garage meets the intent of the zoning code, which is to provide adequate space for the parking of two vehicles. Staff also determined that extending the garage east to towards the property line would cause an encroachment into the five-foot side yard setback. Additionally, expanding it to the west into the habitable space would require new framing and structural alterations, which would cause the project to be infeasible. Staff has determined that the project will not impact or increase demand for on-street parking in the neighborhood. The project will be conditioned so that the existing garage dimensions shall be kept clear of any obstructions so that the garage shall remain permanently available for parking purposes.

The Applicant, Wayne Rizzo, on behalf of the Owner, stated that he had reviewed the draft resolution and agreed with all the required conditions.

In response to the Applicant's question regarding the listed square footage, Zoning Administrator Westmoreland confirmed that the total square footage for the project includes the garage and is correct as mentioned on the Staff Report.

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

Action: Approved

ITEM NO. 4 Becker Residence Coastal Development Permit (PA2024-0197)
Site Location: 224 Grand Canal

Council District 5

Laura Rodriguez, Assistant Planner, provided a brief project description stating that the request is for a coastal development permit (CDP) to demolish an existing duplex and construct a new, three-story residence with a two-car garage and an approximately 300-square-foot Junior Accessory Dwelling Unit (JADU). The property is located on Balboa Island. As designed, the project is consistent with the City's Coastal Land Use Plan, General Plan, and zoning code. The finished floor elevation of the proposed residence is at 9.12 feet, which is compliant with the minimum 9-foot elevation standard for new structures. A coastal hazards report was provided and based on the projected sea-level rise, the project is conditioned to require a water-proofing curb or similar design feature to be installed to protect the property from flooding.

The property is located between the nearest public road and sea but will not have an impact on public access. The project will also not result in a change of land use, density or intensity of the site. Assistant Planner Rodriguez stated that the project is not near a coastal view road or coastal viewpoint. While it can be visible from the Marine Avenue Bridge, the project is consistent with the neighboring developments and will not impact access to the public boardwalk.

Assistant Planner Rodriguez noted the striking out of language regarding bay water elevation in Fact 5 of Finding A, as it is already discussed in the previous fact. Additionally, the addition of language in Fact 2 of Finding B to confirm that the project will not obstruct public access. Finally, the addition of language in Condition of Approval No. 10 noting the section within the City's zoning code which requires covered decks above the first floor be open on at least two sides.

Applicant Ron Ritner of Ritner Architects, on behalf of the Owner, stated that he had reviewed the draft resolution and agreed with all the required conditions including the changes suggested by staff.

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

In response to Zoning Administrator Westmoreland's question regarding the existing bulkhead in front of the property, Assistant Planner Rodriguez confirmed that the bulkhead is city-owned and the applicant does not have the authority to alter the bulkhead.

In response to Zoning Administrator Westmoreland's question regarding protections for sea level rise, Assistant Planner Rodriguez confirmed that because the applicant is not able to alter the sea wall, conditions requiring waterproofing are included to protect from sea-level rise.

Action: Approved as amended

ITEM NO. 5 Hauptert Residence Coastal Development Permit (PA2025-0267)
Site Location: 1309 East Balboa Boulevard

Council District 1

Jerry Arregui, Assistant Planner, provided a brief project description stating that the request is for a coastal development permit (CDP) to demolish an existing single-unit dwelling to construct a three-story single-unit dwelling with a two-car garage. The property is within the R-1 coastal zoning district and is located on the

Balboa Peninsula, adjacent to the Ocean Front Boardwalk and the beach. The area is primarily developed with two- and three-story single-unit dwellings and the project's bulk and scale would be consistent with the existing development in the area. The project meets all applicable development standards including building height, setbacks, and parking. A coastal hazards report was prepared for the project and concluded that no hazards would impact the property over the life of the project and no shoreline protection device would be required.

The project does not include any features that would interfere with nearby beach access locations or the abutting Ocean Front Boardwalk. The project is not near any coastal view roads or viewpoints; however, the front of the property is visible from the public beach. Assistant Planner Arregui highlighted that the project would serve as an opportunity to replace an aging structure with a new structure that has a high-quality coastal design that is typical with new development within the city. Staff concluded that the project would not degrade the visual quality of the coastal zone or have an impact on public views.

Applicant Renata Schrockova, on behalf of the Owner, stated that she had reviewed the draft resolution and agreed with all the required conditions.

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

Action: Approved

ITEM NO. 6 Chester Residence Coastal Development Permit (PA2026-0083)
Site Location: 5807 Seashore Drive

Council District 1

Daniel Kopshever, Assistant Planner, provided a brief project description stating that the project is for a coastal development permit to demolish an existing single-family residence and to construct a new, three-story single-family residence. The proposed residence is 3,725 square feet, including a 630-square-foot attached garage. The subject property is zoned R-2 two-unit residential and is within the West Newport neighborhood, which primarily consists of two-story dwellings and scattered one and three-story dwellings. The project complies with all applicable standards such as height and setbacks and because it replaces an existing single-family residence, there is no change in land use or intensity. The project will not negatively impact any public coastal access, which is provided by the 58th and 59th Street ends 90 and 60-feet away, respectively. The nearest designated coastal viewpoint is Newport Shores Park, which is 680 feet north of the property and not visible from the project due to intervening structures. The project is visible from the beach and the adjacent West Newport Park, which is not a designated coastal viewing point. As the project replaces an existing structure built in 1980 compatible with the neighborhood's pattern of development, Assistant Planner Kopshever confirmed that there would be no negative impacts to the Coastal Zone.

In response to received public written comments from Mr. Jim Mosher, Assistant Planner Kopshever clarified that because the improvements within the encroachments area are a replacement of existing improvements with no expansion, a separate coastal development permit is not required. Assistant Planner Kopshever also addressed a second written public comment and confirmed that after additional review of the existing chimney at 5805 Seashore Dr, staff has included a condition of approval to require a signed agreement with the neighbor be provided to the City. Additionally, staff has included a condition of approval to require as-built construction details for property-line site wall and exterior wall foundation of 5805 Seashore Dr. be provided to the building revision for review the prior and to demolition of the shared site wall.

Applicant John Walz of Walz Architecture on behalf of the Owner, stated that he had reviewed the draft resolution and agreed with all the required conditions.

Zoning Administrator opened the public hearing. 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 10:31 a.m.

The agenda for the Zoning Administrator Hearing was posted on July 24, 2026, at 10 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 24, 2026, at 9:52 a.m.



Liz Westmoreland, AICP
Zoning Administrator

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