

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

**THURSDAY, MAY 28, 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  
Cameron Younger, Planning Technician  
Saul Mercado, Contract Planning Technician  
Laura Rodriguez, Assistant Planner  
Daniel Kopshever, Assistant Planner

**II. REQUEST FOR CONTINUANCES**

None.

**III. APPROVAL OF MINUTES**

**ITEM NO. 1 MINUTES OF MAY 14, 2026**

**Action:** Approved

**IV. PUBLIC HEARING ITEMS**

**ITEM NO. 2 Boyd Residence Coastal Development Permit (PA2026-0035)  
Site Location: 426 Via Lido Nord**

**Council District 1**

Cameron Younger, Planning Technician, provided a brief project description stating that the request is for the demolition of an existing single-unit dwelling and the construction of a two-story single-unit dwelling with an attached two-car garage. 3,120 square feet will be intended for the primary home while 389 square feet will be intended for the garage. A coastal development permit (CDP) is required for this project due to the proposed development in the coastal zone. The project is consistent with the City's Coastal Land Use Plan, and the project design is compatible with the neighborhood as the area is predominately developed with two-story, single-unit residences with a few multi-family residences nearby. The project conforms to all applicable development standards including floor area, setbacks, height, and off-street parking. Planning Technician Younger acknowledged that although the project is located within the viewshed of the Kings Road Park approximately 1,700 feet away, the property is separated by the Newport Bay and designed in a way that is compatible with other properties within the neighborhood.

A Coastal Hazards Report was completed by PMA Consulting in November 2025. The report concluded that flooding, wave run-up, and erosion will not significantly impact the property over the economic life of the proposed development.

In response to received written public comments, Planning Technician Younger provided clarification on the resolution to describe the existing seawall with an elevation of 11.24 feet NAVD 88 and a proposed stair on the eastern side of the property leading to the beach. The top of the stairs is the same height as the seawall and meets the current city standards of 11 feet NAVD 88. Planning Technician Younger clarified that, if necessary, the current seawall can be adapted to 14.4 feet NAVD 88 in the future. Ms. Younger also reiterated that although the project is within the viewshed of Kings Road Park, it will be separated from the park by the lower Newport Bay. Additionally, vertical access to the beach is provided adjacent to the property where there is a public boardwalk. Finally, Planning Technician Younger confirmed that the public park intersecting Via Genoa and Via Lido Nord is identified as a public park per the Coastal Land Use Plan.

Applicant Eric Aust, on behalf of the Owner, stated that he 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 as amended

**ITEM NO. 3 Bayview LLC Comprehensive Sign Program and Modification Permit (PA2026-0042)  
Site Location: 3501 Jamboree Road Council District 3**

Saul Mercado, Contract Planning Technician, provided a brief project description stating that the request is for a comprehensive sign program (CSP) and modification permit. The site is an existing six-story professional and administrative office building located in the Bayview Planned Community. The CSP includes a request to allow up to six primary tenant wall signs and ten secondary tenant wall signs, where the Newport Beach Municipal Code allows one primary and one secondary wall sign per frontage. In addition, the sign program requests a 28% increase in secondary tenant sign area, five freestanding signs where the zoning code allows one per-site, and a 30% increase in the sign area of freestanding signs. A modification permit is also required to allow a 124% increase in sign area for primary tenant signs and a 33% increase in sign area for two freestanding signs located in Bayview Circle.

Contract Planning Technician Mercado stated that since 1987, there have been a total of four modification permits approved for the site. Of the previously approved modification permits, all have included signage in similar locations with similar sign areas to those being proposed today. The request would consolidate and supersede all previous approvals. Historically, the site is known for having a unique orientation and its proximity to the adjacent road network has justified the need for a CSP in previous modification permits. The building currently sits at the corner of Jamboree Road and Bristol Street. The building footprint creates an L-shape along both roads. This is unique and creates frontages along Jamboree Road, Bristol Street North, and Bayview Circle. Additionally, the building is visible from the adjacent State Highway 73 for all motorists traveling northbound and southbound. Contract Planning Technician Mercado concluded that the site's unique building orientation and visibility for motorists traveling on the adjacent road network justify the need for a CSP and a modification permit for additional signage and the increased sign area.

In response to received written public comments regarding confusion over an exhibit included in the staff report as well as an adjacent Comprehensive Sign Program located at 100 Bayview Circle, Contract Planning Technician Mercado noted that although the adjacent property is aesthetically similar to the proposed project, both buildings are located on separate lots and are under different ownerships.

Applicant Helen Becerra of JB3D, 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.

In response to Zoning Administrator Westmoreland's questions regarding technical corrections within Fact 5 Finding L, Contract Planning Technician Mercado confirmed that he agreed with the edits.

**Action:** Approved as amended

**ITEM NO. 4 Zinc Café Temporary Patio and Hours Expansion Limited Term Permit (More Than 90 Days) (PA2026-0039)  
Site Location: 3222 East Coast Highway Council District 6**

Laura Rodriguez, Assistant Planner, provided a brief project description stating that the request is for a limited term permit (LTP) to remodel the existing Zinc Café Restaurant's outdoor dining patio and to extend the hours of operation from 8:30 p.m. to 11 p.m. The property is located within the Corona del Mar commercial corridor and the commercial corridor zoning district. The proposal is to expand and remodel a 250-square-foot outdoor patio to 501 square feet. An LTP is required because the current use permit authorizing the café's operations limits operating hours to 8:30 p.m. The property is developed with a market portion, which is permitted to operate until 10 p.m. The LTP would allow the café to extend its operation hours for up to one year to analyze the success of the additional seating in the expanded area. Staff found no concerns when analyzing for peak parking demand. Assistant Planner Rodriguez highlighted a previous parking study conducted for an adjacent property in the corridor, which demonstrated that peak demand is typically between 12 p.m. and 12:30 p.m. Therefore, there is no concern of increased traffic with the request's proposed extension of hours.

Assistant Planner Rodriguez discussed her analysis of three restaurants within the commercial corridor that operate outdoor dining areas adjacent to residential properties. Gina's Pizza and Chipotle have a similar configuration to the subject property and are permitted to operate until 9 p.m. and 10 p.m. respectively. El Cholo Restaurant's outdoor patio is permitted to operate until 11 p.m. Assistant Planner Rodriguez noted that El Cholo Restaurant is located further from residential properties than the other two restaurants and the subject property. With this consideration, staff recommended the operating hours for the project be adjusted to 10 p.m. to remain consistent with the surrounding uses.

In response to written public comments regarding employee parking permits, Assistant Planner Rodriguez highlighted Conditions of Approval Nos. 3 and 8, which require the applicant and operator to secure employee parking permits and require that employees park at the Bayside Municipal Lot located directly across Coast Highway from the subject property.

In response to other written public comments regarding trash and deliveries, Assistant Planner Rodriguez highlighted Condition of Approval No. 23, which states prohibited times for when trash pick-up and deliveries can occur at the site. Additionally, regarding the Applicant's submitted comments discussing the other nearby restaurants, Assistant Planner Rodriguez confirmed that while interior operating hours are past 10 p.m., the outdoor dining patios generally close around 10 p.m. or earlier.

Applicant Joanna Carlini of CDM partners LLC on behalf of the Owner, stated that she had reviewed the draft resolution and did not agree with all the required conditions. Specifically, she did not agree with the findings that nearby outdoor patios close at 9 p.m. and noted El Cholo and El Ranchito all close at 11 p.m.

Applicant proceeded with a statement acknowledging that a letter had been sent to Assistant Planner Rodriguez containing additional background information and comparable operating hours. She clarified that the basis of the request is to allow a temporary one-year permit to allow the market, interior, and outdoor Zinc Café to provide full-service dining and operate as more of a sit-down restaurant over a fast-casual service. She also stated that substantially more intense uses already exist within the commercial corridor and the project's request is consistent with existing surrounding restaurants. Ms. Carlini acknowledged the written public comments regarding parking and clarified that the landlord was unaware of any issues until last week. The issue is now actively being addressed by the landlord. She requested that copies of any future citations be sent to the property owner to ensure compliance. Additionally, the site has trash enclosures that double the required size and utilize pest control services, and the request does not involve any additional impacts to parking.

In response to Zoning Administrator Westmoreland's question regarding the conditions of approval for which the applicant disagreed with, Applicant Joanna Carlini confirmed that the concern is solely with the closing hours of the outdoor patio, and she agreed to the other conditions.

Zoning Administrator Westmoreland opened the public hearing.

One member of the public, Ms. Frey, spoke and stated that the Zinc Café was previously a retail store and was not originally designed to be a restaurant due to limited parking. She stated that as a homeowner of a duplex, patron parking impacts her livelihood by limiting available parking for her residents as well as her peaceful enjoyment of the neighborhood. She stated that she has observed employees park within the neighborhood,

and that citations have been documented since 2002. The resident emphasized repeated attempts to get the City and the restaurant manager to comply with parking requirements for employees with little success.

One member of the public, Mehdi Jalali, a homeowner from 416 & 416 ½ Larkspur Avenue, spoke in opposition of the project because it would create a substantial impact to the residential properties nearby. He noted concerns for late night noise, rideshare activity, and smoking. He also emphasized that the area already experiences significant impacts during late evening hours due to nearby restaurants and bars along Coast Highway. Mr. Jalali expressed concerns about noise from closing activities such as moving of outdoor furniture and breaking glass while taking out the trash.

One member of the public, Lisa Sutton, spoke in support of the statements made by other members of the public. She stated that the parking lot only appears to have 10 available spaces instead of the stated 11 and that prior to the initial reduction of parking spaces, there were approximately 20 available spaces. She expressed concern that requiring employees to park at the Bayside Municipal Lot would also impact parking available for the nearby Bandera Restaurant. Ms. Sutton also emphasized that more outdoor dining creates more noise and provided examples of existing restaurants that create a noise issue. She did not agree with the request to extend the restaurant's hours of operation. She requested that the City engage in further noise studies when it comes to these requests to protect the quality of the neighborhood. Lastly, she expressed concern for the effectiveness of a one-year LTP as it is difficult to retract operational activities that required capital improvements and financial investments from the tenant.

One member of the public, Patty Frey, spoke in support of the statements made by the other members of the public and expressed concern regarding parking.

One member of the public, Nancy Frey, spoke in support of the statements made by the other members. She also expressed concern regarding safety with late night bars, noting that there have been instances of public drunkenness, knocking on doors, urinating on the sidewalk, noise in the alleyways, and the occurrence of one death on the street. She noted concern for parking impacts, disruption from daily delivery trucks, and an increase in pests.

In response to the public comments, Applicant Joanna Carlini clarified that she is representing the landlord, not the tenant (Zinc Café). She emphasized that the landlord had not been made aware of any issues with parking until last week, limiting their ability to adequately address complaints. The issue is now actively being addressed by the landlord. Additionally, Ms. Carlini noted that she is not aware of any noise complaints for the restaurant itself and stated that it would be unfair for the restaurant to be limited in their operations due to the impacts from surrounding uses, especially as the project's proposed use is as a sit-down dining service, not a late-night bar. In regards to the patio expansion, she also clarified that no expansion into the parking lot will occur, and that the increase of square footage will result only from reconfiguration of the interior elements of the patio.

In response to Zoning Administrator Westmoreland's question regarding the Alcohol License for the extended hours, Applicant Joanna Carlini stated that additional confirmation from the tenant would be needed to address the question.

Zoning Administrator Westmoreland closed the public hearing.

In response to Zoning Administrator Westmoreland's question regarding parking, Assistant Planner Rodriguez confirmed that the proposal does not result in any reduction of parking.

In response to Zoning Administrator Westmoreland's question regarding evidence of noise complaints, Assistant Planner Rodriguez confirmed that the code enforcement history shows no past cases related to noise.

In response to Zoning Administrator Westmoreland's question regarding the parking study, Assistant Planner Rodriguez confirmed that the study shows that peak parking occurs during the daytime and not during the proposed extended hours.

Zoning Administrator Westmoreland clarified that the Zoning Administrator's purview is related to the limited term permit request for additional hours and a larger outdoor dining area, not the existing use permit. Zoning

Administrator Westmoreland opened the public hearing to confirm the applicant agreed with two additional Conditions of Approval that the operator obtain any necessary approvals for alcohol service with the extended hours as well as a condition that the operator make reasonable efforts to reduce the transmission of noise from patron and employee activity.

Applicant Joanna Carlini stated that she agreed with the additional conditions.

Zoning Administrator closed the public hearing.

**Action:** Approved as amended

**ITEM NO. 5 Wagner and Pottharst Residence Coastal Development Permit (PA2026-0022)**  
**Site Location: 1301 East Balboa Boulevard Council District 1**

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 single-unit residence with an accessory dwelling unit (ADU). Because the property is located in the R-1 Coastal Zoning District, a CDP is required. The project is for a three-story, 2,042-square-foot residence with a 994-square-foot ADU. Assistant Planner Rodriguez stated that while the project plans identify patio improvements, this portion of the project requires an Approval in Concept and an encroachment permit from the Public Works Department. Therefore, the patio is not a part of the request at hand.

The ADU will be located on the first floor and due to its proposed layout, will not require additional parking. The project is consistent with all applicable standards within the zoning code and Coastal Land Use Plan. A Coastal Hazards report was provided and determined that the project would be safe from coastal hazards. The property is nearby two coastal viewpoints including Peninsula Park and Balboa Pier. While the property is visible from these viewpoints, it is not within the viewshed and is not anticipated to obstruct any coastal views. Lateral access to the beach is available in front of the property on the East Oceanfront Boardwalk and the project itself, including the proposed patio, would not obstruct the public access available at the end of E Street.

Applicant John Morgan, on behalf of the Owner, stated that he 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 Dinuzzo Residence Modification Permit (PA2026-0007)**  
**Site Location: 715 Patolita Drive Council District 5**

Daniel Kopshever, Assistant Planner, provided a brief project description stating that the request is for a modification permit to allow the construction of a 758-square-foot addition to an existing 1,773-square-foot one-story single-unit residence with nonconforming parking. The project is located within the R-1 zoning district, which allows for a single-unit residence and the surrounding neighborhood is developed with primarily one-story single-unit dwellings. The existing 429-square-foot attached garage is nonconforming due to width at 16 feet, 8 inches of interior clear space where 20 feet of width is required. In response to written public comments, Assistant Planner Kopshever noted that the staff report states the depth as the nonconforming condition, and confirmed that the final resolution will be changed to correctly state that width is the existing nonconforming condition.

The garage door is also being relocated as part of the project, which changes the garage's width to its depth. The final resolution will be amended to correct mentions of depth to width where appropriate. The proposed garage expansion includes two useable parking spaces that are substandard in depth by six inches. Title 20 of the Newport Beach Municipal Code limits additions to a maximum of 10% of the existing gross floor area of the

structure over a 10-year period when a residence has nonconforming parking. The project includes two new bedrooms, a new bathroom, a laundry room, and an addition to the existing living room space. The project is compatible with the surrounding neighborhood and complies with all applicable standards including setbacks, height, and floor area limit.

The scope of work will not affect the rear wall of the existing garage, so increasing the scope to bring the garage into compliance would require major structural alterations not already planned and would significantly increase the cost of the project for a negligible benefit of increasing parking depth by 6 inches. Decreasing the scope of work to a 10% addition would only allow for a 220-square-foot increase in floor area, which would not provide a similar benefit to the applicant as the proposed project.

Assistant Planner Kopshever also clarified that the tankless water heater shown in the garage is mounted 4 feet above the garage, making the garage dimensions to be 19 feet, 6 inches, which is greater than what is stated in the report. Mr. Kopshever confirmed that the final resolution will be amended to reflect accurate dimensions in the garage.

In response to Zoning Administrator Westmoreland's question regarding garage dimensions, Assistant Planner Kopshever clarified that considering the location of the water heater within the garage, the depth of the garage is only 6 inches shy of what is required.

Applicant Rosemary Sweeney, on behalf of the Owner, stated that she 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**

One member of the public, Mr. Jim Mosher, provided recommendations regarding how projects are communicated to the public. He recommended that a clear distinction be made between the project request and what is being recommended by staff, especially if the recommendation differs from the project request.

## **VI. ADJOURNMENT**

The hearing was adjourned at 11:15 a.m.

**The agenda for the Zoning Administrator Hearing was posted on May 22, 2026, at 2:50 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 May 22, 2026, at 2:44 p.m.**

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Liz Westmoreland, AICP  
Zoning Administrator