

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

**THURSDAY, OCTOBER 16, 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
Daniel Kopshever, Assistant Planner
Laura Rodriguez, Assistant Planner
Cameron Younger, Planning Technician

II. REQUEST FOR CONTINUANCES

None.

III. APPROVAL OF MINUTES

ITEM NO. 1 MINUTES OF SEPTEMBER 25, 2025

Zoning Administrator Zdeba noted that, while he did not serve as Zoning Administrator at the September 25 meeting, he received additional materials from Principal Planner Westmoreland who did serve. She confirmed the draft minutes are an accurate representation of the meeting and recommended approval. No comments were provided by members of the public in attendance.

Action: Approved and filed

IV. PUBLIC HEARING ITEMS

**ITEM NO. 2 Gray Residence Coastal Development Permit (PA2025-0193)
Site Location: 1245 Blue Gum Lane**

Council District 3

Cameron Younger, Planning Technician, provided a brief project description stating that the request is for a coastal development permit (CDP) to allow a 668-square-foot addition to an existing 2,582-square-foot single-unit residence with an attached 476-square-foot two-car garage. Since the project is located between the nearest public road and the sea, and the addition exceeds 10% of the existing floor area, a CDP is required. The project complies with all development standards including site coverage, setbacks, height and parking requirements. The property is not located adjacent to a coastal view road, public access way or Coastal Viewpoint as identified in the Coastal Land Use Plan. The nearest Coastal Viewpoint is Westcliff Park, located 1,800 feet southwest of the property. The coast is locally accessible through Blue Gum Lane, Grove Lane, Santiago Drive, and Castaways Park through an adjacent pedestrian/bike trail. The proposal does not contain any features that would impede access along these routes or any coastal views.

Zoning Administrator Zdeba opened the public hearing.

Applicant Kaveh Arbab, 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

ITEM NO. 3 Foreman Residence Coastal Development Permit (PA2025-0089)
Site Location: 836 Via Lido Nord

Council District 1

Daniel Kopshever, Assistant Planner, provided a brief project description stating that the request is for the a coastal development permit (CDP) to authorize the demolition of an existing single-unit dwelling and the construction of a new two-story 3,886 square-foot single-unit dwelling with a 513 square-foot attached two-car garage. The project will not change the property's land use, density, intensity or impact public coastal access, or recreation opportunities. The project is not located adjacent to a coastal view road, public access way, or Coastal Viewpoint. Coastal access is provided by the Lido Isle Community Association parks located on the perimeter of Lido Island. Two of these parks are located within 400 feet of the property but the project will not impede access. The nearest Coastal Viewpoint is at Castaways Park 2,900 feet northeast of the property. The waterfront property is visible from the harbor yet it replaces an existing single-unit dwelling with a new residence that is consistent with the development of the neighborhood. The project complies with the 10-foot front yard setback where all fences, hedges and walls are limited to 42 inches in height. The project will not diminish the quality of coastal views, or access to the coast.

Zoning Administrator Zdeba opened the public hearing.

Applicant Gavin Frieauf of Brandon Architects, 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

ITEM NO. 4 O'Brien Residence Coastal Development Permit (PA2025-0116)
Site Location: 1624 West Ocean Front

Council District 1

Laura Rodriguez, Assistant Planner, provided a brief project description stating that request is for a coastal development permit (CDP) to allow the demolition of an existing duplex and allow the construction of a new three-story 2,738 square-foot single-unit dwelling with an attached 928 square-foot accessory dwelling unit (ADU). The property is located in the Two-Unit Residential (R-2) Zoning and Coastal Zoning District. The project conforms with all applicable development standards. On-site parking will not be required for the ADU, because the property is half a mile from a major transit stop. The finished floor elevation for the project is 12.17 feet (NAVD 88), which complies with the 9.00-foot minimum for new structures. A Coastal Hazards Report and Sea Level Rise Analysis was prepared by Skelly Engineering, finding that the project is reasonably safe from shoreline erosion. A Water Quality Hydrology Plan (WQHP) was prepared due to the site's proximity to the shoreline and containing more than 75% impervious surface area. The final WQHP will be reviewed and approved by the Building Division during plan check. The proposal does not include a change in land use, density or intensity resulting in an increased demand for public coastal access or recreational activities. The project is not located near a Coastal Viewpoint or Coastal View Road as identified in the Coastal Land Use Plan (CLUP). The nearest Coastal Viewpoint is Veterans Memorial Park, located 600 feet northeast of the property. Vertical access to the coast is available at the 16th and 17th Street end. The proposal does not contain any features that will diminish the visual quality of the Coastal Zone or access to the coast.

At the conclusion of Assistant Planner Rodriguez's presentation, Zoning Administrator Zdeba highlighted Condition of Approval No. 30, which requires the removal of unauthorized encroachments into the public right-of-way and enhanced public access along the coast.

Zoning Administrator Zdeba opened the public hearing.

Applicant John Walz and Sally Alchikh, 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

ITEM NO. 5 Chaupain Bakery Minor Use Permit and Staff Approval (PA2025-0073)
Site Location: 2622 San Miguel Drive Council District 7

Jerry Arregui, Assistant Planner, provided a brief project description stating that the request is for a minor use permit (MUP) to allow an existing restaurant located in the Newport Hills Shopping Center, Chaupain Bakery, to add a Type 41 License (On-Sale Beer and Wine – Eating Place). Late hour operations (after 11:00 p.m.) will be eliminated with a change in operation hours from 6 a.m. to 12 a.m. daily, to 6 a.m. to 10 p.m. daily. No physical changes to the restaurant are proposed. The existing restaurant operates pursuant to Use Permit No. UP2001-009 authorized by the Planning Commission in 2001; which allowed operation until 12 a.m., a parking waiver associated with an expansion, but it did not allow for the sale of alcohol. The project is located within the Harbor View Hills Planned Community (PC 3), which specifies restaurants are allowed based on the zoning requirements of the Newport Beach Municipal Code (NBMC). The NBMC states that restaurants with alcohol sales with no late hour operations are allowed subject to approval of an MUP, therefore the project is eligible for consideration by the Zoning Administrator, and review by the Planning Commission is no longer required. The proposal was reviewed by the Newport Beach Police Department (NBPD), which included conditions of approval regarding the sale of alcohol such as prohibiting the restaurant from operating as a bar, requiring food to be sold during all operational hours, and prohibiting live entertainment.

Assistant Planner Arregui recognized receiving a written public comment from a nearby resident concerned with alcohol potentially increasing noise, disturbances to nearby residential neighborhoods and public safety concerns. In response, Assistant Planner Arregui noted conditions of approval requiring the restaurant to comply with the City's noise requirements, noting the noise allowance is stricter in the evening. The NBPD also does not expect an increase in calls for service to this area, or an increase in alcohol-related impacts. The approval of alcohol service is intended to serve as an additional menu item for the restaurant and is not expected to result in compatibility issues with the surrounding area.

Assistant Planner Arregui noted changes to the tenant mix, reduction in parking for the shopping center due to accessibility striping and changes to parking requirements for restaurants. The shopping center currently requires 350 parking spaces based on the existing tenant mix but only provides 317 spaces, resulting in a parking deficit of 33 spaces (9.4%). Due to the deficit, a parking waiver is required to reauthorize the restaurant's use based on the shopping centers current parking requirement. The NBMC allows for the Community Development Department Director, but in this case the Zoning Administrator, to waive up to a 10% of the required parking if there is one space with proper signage designated for pick-up use. The shopping center parking lot contains 4 designated spaces for use by pick-up patrons. The shopping center also has an existing bike rack to serve bicyclists visiting the shopping center. Additionally, Condition of Approval No. 10 allows the Community Development Director, Public Works Director, or the City Traffic Engineer the ability to require additional parking mitigation measures if parking is determined to be a nuisance to surrounding uses. The Public Works Division was satisfied with the included measures to waive the parking requirement.

In response to Zoning Administrator Zdeba, Assistant Planner Arregui confirmed that all the conditions recommended by the NBPD were included in the Conditions of Approval.

Zoning Administrator Zdeba opened the public hearing.

Applicant Kevin Hufford, 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 stated he had reviewed the closing hours for other Chaupain locations in Orange County and none of them open later than 6 p.m. Kevin Hufford clarified the request to allow the hours of operation until 10 p.m. is to allow flexibility for the applicant. Zoning Administrator Zdeba described the location as being within a neighborhood commercial shopping center that is proximate to residential. He expressed that an earlier closing hour may be more appropriate to bring it in alignment with other uses in the shopping center.

In response to Zoning Administrator Zdeba, the Applicant agreed to change the Condition of Approval related to hours of operation to reflect the revised 6 a.m. to 9 p.m., daily.

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 10:25 a.m.

The agenda for the Zoning Administrator Hearing was posted on October 9, 2025, at 12:30 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 9, 2025, at 11:04 a.m.

Benjamin M. Zdeba, AICP
Zoning Administrator