

Attachment No. PC 4

Zoning Administrator Minutes from
September 28, 2023

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Zoning Administrator Zdeba closed the public hearing. He explained that the lots were never merged prior to the Subdivision Map Act because local rules at the time allowed building over lot lines. Therefore, to revert to the underlying lot lines only requires demolition of the existing structures that cross the property lines.

Action: Approved as amended

ITEM NO. 3 Pine Knot Motel Coastal Development Permit (PA2023-0027)
Site Location: 6302 West Coast Highway

Council District 1

Joselyn Perez, Associate Planner, provided a project description, stating that the request for a coastal development permit is to rehabilitate a motel and construct a partial second story, which includes an addition of 306 square feet. She provided the coastal zoning, coastal land use category, and an overview of the surrounding land uses. She also provided a background of the project site and explained that the original motel was destroyed due to a structure fire in 2018 and stated that the Low Cost Overnight Visitor Accommodations (LCOVA) previously provided by the motel ended due to the fire. She continued by explaining why the project does not need a conditional use permit to reestablish the use and clarified that the project is not an intensification of use.

Associate Planner Perez provided development standards and explained that while the project does not provide the minimum required number of parking spaces, there are provisions within the Newport Beach Municipal Code (NBMC) that allow required parking spaces to be waived if the reduction does not negatively impact coastal resources. She explained the operational characteristics of the motel which would support the reduction in parking.

Associate Planner Perez provided an overview of the NBMC section that requires projects with new overnight visitor accommodations to prepare an impact to LCOVA and a feasibility analysis. She presented the findings of the analysis and explained that it is infeasible for the project to provide LCOVA. Instead the developer will be required to pay a mitigation fee into the Fostering Interest in Nature (FiIN) Program.

Associate Planner Perez discussed the proximity to coastal hazards, designated viewpoints, coastal access points, and stated that the project does not have any features that will impact coastal access or coastal views.

Zoning Administrator Zdeba noted the \$25,000 LCOVA mitigation fee and confirmed that the amount was deemed appropriate by the Community Development Director in considering the type and scale of this motel development. He added that it is far different from a larger luxury hotel, which may have a higher fee applied to it. Zoning Administrator Zdeba also encouraged language be added to Condition of Approval No. 3 to ensure there are sufficient bicycles and bicycle parking provided in the future.

Applicant Eric Aust, Architect, on behalf of the Owner, stated that he had reviewed the draft resolution and agrees with all the required conditions, including the potential change to Condition of Approval No. 3.

Zoning Administrator Zdeba opened the public hearing.

A member of the public, Jim Mosher, spoke and questioned if the Planning Commission should be the hearing body for the item, if the current project design is in line with the previous owner's original plans, if the conclusions of the LCOVA analysis are appropriate, and commented on the definition of motel.

A member of the public, Mike Sinacori, spoke on behalf of the Newport Shores Community Association and spoke in favor of the project.

Zoning Administrator Zdeba closed the public hearing.

In response to Mr. Mosher, Associate Planner Perez confirmed the appropriate hearing body for the item and the adequacy of the LCOVA analysis.

Zoning Administrator Zdeba added that development plans typically do change and evolve over time to respond to market costs and to find a viable business model. He provided additional clarification on the LCOVA analysis as to why certain average daily rates (ADRs) were selected over others, commented on the availability of parking nearby, spoke on the derelict condition of the project since the fire, and discussed the overall increase in coastal access resulting from the project with the inclusion of accessible parking and rooms.

Zoning Administrator Zdeba requested that Associate Planner Perez revise Condition of Approval No. 3 to clarify the number of bicycles to be provided onsite and she replied with adding the number of bicycles can be provided to the satisfaction of the Community Development and Public Works Director.

Action: Approved as amended

V. PUBLIC COMMENTS ON NON-AGENDA ITEMS

One member of the public, Jim Mosher, recommended that the department should review the writing style guide as he finds some staff reports to have poor readability due to repetitive numbering by including Arabic numerals. He also expressed support for conducting hybrid Zoning Administrator meetings in a conference room at City Hall.

Zoning Administrator Zdeba expressed appreciation for Mr. Mosher's comments. He stated that, although it is not a regular practice to conduct hybrid meetings, those who are unable to attend a virtual meeting and need assistance can be accommodated in a physical conference room.

VI. ADJOURNMENT

The hearing was adjourned at 10:46 a.m.

The agenda for the Zoning Administrator Hearing was posted on September 21, 2023, at 2:45 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 September 21, 2023, at 2:55 p.m.


Benjamin M. Zdeba, AICP, Zoning Administrator