



CITY OF NEWPORT BEACH ZONING ADMINISTRATOR AGENDA

100 Civic Center Drive, CDM Conference Room (Bay E-1st Floor)

Thursday, November 14, 2019 - 3:00 PM

Zoning Administrator Members:
James Campbell, Zoning Administrator

The Zoning Administrator meeting is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Zoning Administrator agenda be posted at least seventy-two (72) hours in advance of each regular meeting and that the public be allowed to comment on agenda items before the Zoning Administrator and items not on the agenda but are within the subject matter jurisdiction of the Zoning Administrator. The Chair may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

Please Note: All mail or written communications (including email) from the public, residents, or applicants regarding an agenda item must be submitted by 5 p.m. on the business day immediately prior to the meeting. This allows time for the Zoning Administrator to adequately consider the submitted correspondence.

The City of Newport Beach's goal is to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact Rosalinh Ung, Zoning Administrator, at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible at (949) 644-3208 or rung@newportbeachca.gov.

NOTICE REGARDING PRESENTATIONS REQUIRING USE OF CITY EQUIPMENT

Any presentation requiring the use of the City of Newport Beach's equipment must be submitted to the Community Development Department 24 hours prior to the scheduled meeting.

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

The agendas, minutes, and staff reports are available on the City's web site at: www.newportbeachca.gov/zoningadministrator and for public inspection in the Community Development Department, Planning Division located at 100 Civic Center Drive, during normal business hours. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Community Development Department, Planning Division staff at (949) 644-3200.

APPEAL PERIOD: An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at (949) 644-3200.

- I. **CALL MEETING TO ORDER**
- II. **REQUEST FOR CONTINUANCES**
- III. **APPROVAL OF MINUTES**
 1. **Draft Minutes of October 24, 2019**

Recommended Action

1. Approve and File

[Draft Minutes of October 24, 2019](#)

IV. PUBLIC HEARING ITEMS

- 2. Annual Review of Hoag Memorial Hospital Presbyterian Development Agreement No. 5 (PA2009-064)**
Site Location: 1 Hoag Drive

Project Summary

Pursuant to Section 15.45.080 of the Municipal Code and Section 65865.1 of the California Government Code, the City is conducting a review of the amended Development Agreement between the City and Hoag Memorial Hospital Presbyterian (“Hoag Hospital”). The City and Hoag Hospital entered into a Development Agreement in 1994, which was amended in 2008 and in 2019, for the purpose of ensuring the orderly expansion of Hoag Hospital. The review will examine Hoag Hospital’s good faith compliance with the provisions of the Development Agreement, the Planned Community Development Plan District Regulations, Municipal Codes, and applicable environmental mitigation measures. Hoag Hospital is located at 1 Hoag Drive, which is south of Hospital Road, west of Newport Boulevard, north of Coast Highway and generally south and east of two residential communities (Villa Balboa and Versailles).

Recommended Action

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15321, Class 21 (Enforcement Actions by Regulatory Agencies) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3;
3. Receive and file the Annual Report of Development Agreement for Hoag Memorial Hospital Presbyterian; and
4. Find that the applicant has demonstrated good faith compliance with the terms of Development Agreement No. 5.

[ITEM NO. 2 STAFF REPORT](#)

- 3. Beaming Juice Minor Use Permit No. UP2019-046 (PA2019-169)**
Site Location: 2001 Westcliff Drive, Suite 104

Project Summary

Request for a minor use permit to establish a food service, eating and drinking establishment in the form of a juice bar within a newly constructed commercial building. The juice bar will provide juice, smoothies and prepackaged food. The proposed juice bar will include 15 interior seats within a 456-square-foot customer area; no late hours and no alcohol service. The required parking is provided through the existing on-site shared parking lot and parking structure for The Walk commercial center.

Recommended Action

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 under Class 1 (Existing Facilities) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
3. Adopt Draft Zoning Administrator Resolution No. _ approving Minor Use Permit No. UP2019-046.

[ITEM NO. 3 STAFF REPORT](#)

4. Shokuh Patisserie Minor Use Permit No. UP2019-047

(PA2019-180)

Site Location: 1735 Westcliff Drive

Project Summary

A minor use permit application to allow a take-out service, limited eating and drinking establishment (restaurant) within an existing commercial tenant space formerly occupied by a retail shoe store. No late hours (after 11 p.m.) are proposed as part of this application.

Recommended Action

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 under Class 1 (Existing Facilities) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
3. Adopt Draft Zoning Administrator Resolution No. _ approving Minor Use Permit No. UP2019-047.

[ITEM NO. 4 STAFF REPORT](#)

5. Pickup Residence Coastal Development Permit No. CD2019-011

(PA2019-051)

Site Location: 23 Harbor Island

Project Summary

A coastal development permit to demolish an existing single-family residence and construct a new two-story, 6,357-square-foot, single-family residence with an 815-square-foot garage. The project includes hardscape, drainage, landscaping improvements, and accessory structures. The project also includes accessory structures and a reinforced bulkhead with cap for coastal hazards protection located in the Harbor Island Tidelands. The proposed residence complies with all applicable development standards including height, setbacks, and floor area limits. No

deviations are requested. The portions of the project within the Harbor Island Tidelands are within the California Coastal Commission's coastal permit jurisdiction boundary and therefore require their review.

Recommended Action

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
3. Adopt Draft Zoning Administrator Resolution No. _ approving Coastal Development Permit No. CD2019-011.

[ITEM NO. 5 STAFF REPORT](#)

6. **Dolphin Rental Newport Beach Boat Rental Coastal Development Permit No. CD2019-017 and Limited Term Permit No. XP2019-002 (PA2019-074)**
Site Location: 2406 Newport Boulevard

Project Summary

A request for a limited term permit (more than 90 days) and associated coastal development permit to allow an electric boat rental operation. The electronic boats will be docked within existing slips accessible from the property. A maximum of one (1) employee and three (3) electric boats will be utilized by the operation at any time. Hours of operation are 9 a.m. to 6 p.m., daily. Parking will be provided on-site and shared with the existing restaurant located on the property.

Recommended Action

1. Remove from calendar to allow the applicant's modification of the proposal and re-notice the project pursuant to NBMC Section 21.62.020 (Notice of Public Hearing).

[ITEM NO. 6 STAFF REPORT](#)

7. **Steelberg Residence Coastal Development Permit No. CD2019-043 (PA2019-158)**
Site Location: 2685 Bay Shore Drive

Project Summary

A coastal development permit to allow the demolition of an existing single-family residence and the construction of a new three-story, 4,510-sqaure-foot, single-family residence, including an attached two-car garage. The project also includes additional appurtenances such as walls, fences, patios, drainage devices, and landscaping. The design complies with all applicable development standards and no

deviations are requested.

Recommended Action

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
3. Adopt Draft Zoning Administrator Resolution No. _ approving Coastal Development Permit No. CD2019-043.

[ITEM NO. 7 STAFF REPORT](#)

**8. Harris Residence Coastal Development Permit No. CD2019-042
(PA2019-153)**

Site Location: 5311 Seashore Drive

Project Summary

A request for a coastal development permit to allow the demolition of an existing single-family residence and construction of a new 1,952-square-foot, single-family residence with an attached 503-square-foot, two-car garage. The proposed project complies with all applicable development standards including height, setbacks, and floor area limits. No development is proposed seaward of the private property. No deviations are requested.

Recommended Action

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
3. Adopt Draft Zoning Administrator Resolution No. _ approving Coastal Development Permit No. CD2019-042.

[ITEM NO. 8 STAFF REPORT](#)

**9. Barnes Residence Coastal Development Permit No. CD2019-041
(PA2019-159)**

Site Location: 283 Cambridge Way

Project Summary

A request for a coastal development permit to allow the removal of an existing single-story manufactured home and the installation of a new single-story manufactured home. The development also includes a single-car carport, entry stairs and landings, hardscape and landscape. The development complies with all

applicable Municipal Code standards and no deviations are requested.

Recommended Action

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
3. Adopt Draft Zoning Administrator Resolution No. _ approving Coastal Development Permit No. CD2019-041.

[ITEM NO. 9 STAFF REPORT](#)

10. **Van Mechelen Residential Demolition Coastal Development
Permit No. CD2019-050 (PA2019-213)
Site Location: 719 West Balboa Boulevard, Units 1, 2, 3 and 4**

Project Summary

A request for a coastal development permit to demolish an existing nonconforming residential fourplex. No new structures are proposed at this time.

Recommended Action

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 under Class 1 (Existing Facilities) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
3. Adopt Draft Zoning Administrator Resolution No. _ approving Coastal Development Permit No. CD2019-050.

[ITEM NO. 10 STAFF REPORT](#)

11. **317 Coronado Residential Demolition Coastal Development
Permit No. CD2019-051 (PA2019-218)
Site Location: 317 Coronado Street, Units A, B and C**

Project Summary

A request for a coastal development permit to demolish an existing nonconforming residential triplex. No new structures are proposed at this time.

Recommended Action

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 under Class 1 (Existing Facilities) of the CEQA Guidelines, because it has no potential to have a significant effect on the

environment; and

3. Adopt Draft Zoning Administrator Resolution No. _ approving Coastal Development Permit No. CD2019-051.

[ITEM NO. 11 STAFF REPORT](#)

12. **315 East Bay Avenue Residential Demolition Coastal Development Permit No. CD2019-052 (PA2019-219)**
Site Location: 315 East Bay Avenue, Units A, B, C and D

Project Summary

A request for a coastal development permit to demolish an existing nonconforming residential fourplex. No new structures are proposed at this time.

Recommended Action

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 under Class 1 (Existing Facilities) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
3. Adopt Draft Zoning Administrator Resolution No. _ approving Coastal Development Permit No. CD2019-052.

[ITEM NO. 12 STAFF REPORT](#)

V. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Public comments are invited on agenda and non-agenda items generally considered to be within the subject matter jurisdiction of the Zoning Administrator. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Zoning Administrator has the discretion to extend or shorten the speakers' time limit on agenda or non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

VI. ADJOURNMENT