

**NEWPORT BEACH ZONING ADMINISTRATOR MINUTES  
100 CIVIC CENTER DRIVE, NEWPORT BEACH  
CORONA DEL MAR CONFERENCE ROOM (BAY E-1ST FLOOR)**

**THURSDAY, JANUARY 30, 2020  
REGULAR MEETING – 3:00 P.M.**

**I. CALL TO ORDER** – The meeting was called to order at 3:00 p.m.

Staff Present: James Campbell, Zoning Administrator  
David Lee, Assistant Planner  
Patrick Achis, Planning Technician  
Joselyn Perez, Planning Technician  
Liane Schuller, Planning Consultant

**II. REQUEST FOR CONTINUANCES**

None.

**III. APPROVAL OF MINUTES**

**ITEM NO. 1 MINUTES OF JANUARY 16, 2020**

**Action:** Approved as amended.

**IV. PUBLIC HEARING ITEMS**

**ITEM NO. 2 611 Jasmine, LLC Residential Condominiums Tentative Parcel Map No. NP2019-015  
(PA2019-254)  
Site Location: 611 Jasmine Avenue Council District 6**

Joselyn Perez, Planning Technician, provided a brief presentation describing the project. She stated that the project site was historically used in conjunction with the adjacent lot at 609 Jasmine Avenue. While 609 Jasmine Avenue was improved with a single family residence, the project site was improved with only an accessory structure and landscaping. The lots however were never merged and the existing site improvements have since been demolished. The project site is zoned R-2 and the proposed duplex has been designed and found consistent with all development standards in the zoning code including height, setbacks, parking, and floor area.

Ms. Perez stated that staff is recommending approval of the project and then clarified that staff has a correction to handwritten page 11 of the staff report. The resolution currently reads, "prior to recordation of the parcel map, a park fee shall be assessed for two additional dwelling units" and the resolution should read "an in-lieu park dedication fee shall be assessed for two additional dwelling units."

Zoning Administrator Campbell asked staff if the new duplex is being built to condominium standards, specifically concerning separate utilities. Ms. Perez answered that the units will have separate utilities.

The Zoning Administrator opened the public hearing.

Applicant Matthew Watson, on behalf of the Owner, stated that he had reviewed the draft resolution and agrees with all of the required conditions.

Seeing that no one from the public wished to comment, the public hearing was closed.

**Action:** Approved with the modified condition.

**ITEM NO. 3      McClain Demolition Coastal Development Permit No. CD2019-056 (PA2019-222)**  
**Site Location: 2172 East Ocean Front      Council District 1**

David Lee, Assistant Planner, provided a brief project description stating that the project is the demolition of a 3,350-square-foot, single-family residence with an attached three-car garage. The lot would be developed with landscaping and hardscaping and serve as a yard for the abutting property at 2168 East Ocean Front. Mr. Lee stated that any subsequent construction of a replacement dwelling would require a separate coastal development permit. Mr. Lee stated that the project results in the reduction of one housing unit. However, since the project application was submitted and deemed complete prior to January 1, 2020, and therefore it is not subject to Senate Bill 330 that would not allow the City to approve the reduction in density. Mr. Lee addressed findings related to public views and access to the water. Finally, Mr. Lee added two additional conditions of approval relating to the waiver of future shoreline protection and applicant acknowledgement of hazards for waterfront development.

The Zoning Administrator opened the public hearing.

The Zoning Administrator asked if there was an opportunity for additional parking with the closure of a curb cut. A member of the public, Robert St. John, stated that there is no curb cut. The Zoning Administrator stated that there is no opportunity for additional street parking with the project.

Applicant Carlton Graham of Graham Architecture, on behalf of the Owner, stated that he had reviewed the draft resolution and agrees with all of the required conditions.

One member of the public, Robert St. John, spoke and stated that he supports the project.

The Zoning Administrator stated that a future owner may build a replacement structure, and that private views are not protected by the City of Newport Beach.

One member of the public, Jim Mosher, spoke and stated that it is positive to see additional open space in this area. Mr. Mosher asked how the demolition of the existing single-unit residence impacts the overall density of the area, and if this adds additional strain on the City to meet regional housing needs.

The Zoning Administrator stated that the project complies with the R-1 zoning standards and coastal implementation plan standards. The Zoning Administrator also broadly discussed the regional housing needs and the City's future plans to replace lost housing.

The Zoning Administrator closed the public hearing.

The Zoning Administrator requested staff to revise Condition of Approval No. 15 to ensure that there will be no encroachments into the adjacent park or public beach.

The Applicant stated that there is no plan to encroach into the public right of way, park, or beach with construction materials or staging areas. There will be an additional two parking spaces to help relieve the parking situation in the area.

The Zoning Administrator indicated that the reduced density with the added off-street parking will reduce pressure for on-street parking thereby supporting increased public access in the area. He also reiterated that the permit would not authorize anything beyond the private property.

The Zoning Administrator re-opened the public hearing given the dialog after the close of the hearing to allow anyone else to comment. Seeing that no one from the public wished to comment further, the public hearing was closed.

**Action:**      Approved with the modified condition.

**ITEM NO. 4      Hoffman Residence Coastal Development Permit No. CD2019-060 (PA2019-241)**  
**Site Location: 298 Lexington Circle      Council District 5**

Patrick Achis, Planning Technician, provided a brief project description stating that the applicant is requesting approval to remove and replace an existing manufactured home on the project site, located in the Bayside Village Mobile Home Park. Project includes a single-car carport, entry stairs and landings, hardscape, and landscape. A local coastal development permit is required for the removal and replacement of the residence, and subsequently, the California Department of Housing and Community Development will oversee the construction permitting process. The project complies with the standards and approval requirements of the City's Local Coastal Program. Public coastal access and view opportunities will not be affected or altered by the project. Bayside Drive bisects the north and south parcels of the Bayside Village Mobile Home Park and provides access to Newport Dunes, which provides several coastal recreational opportunities for the public's use.

The Applicant was unable to attend the meeting.

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

**Action:**      Approved.

**ITEM NO. 5      Lisenbee Residence Coastal Development Permit No. CD2019-069 (PA2019-252)**  
**Site Location: 2701 Circle Drive      Council District 3**

Liane Schuller, Planning Consultant for the City, provided a brief presentation and described the project. She stated the project site is located within the private, gated community of Bayshores and the site is zoned R-1. The site is currently developed with an existing single-family residence that the applicant proposes to demolish and replace with a new single-family residence and attached three-car garage. A coastal development permit is required for the demolition and new construction within the coastal zone.

Ms. Schuller stated the project complies with all applicable development standards, including the standards and approval requirements of the City's Local Coastal Program. There is no intensification of use that would create an increased demand for access and recreation opportunities, and the project does not affect or alter current coastal access conditions. Vertical and lateral access to the Bayfront is available adjacent to the Bayshores community at the Balboa Bay Club.

Staff is recommending approval of the application with two added standard conditions related to landscaping.

The Zoning Administrator opened the public hearing.

Applicant Tyler Wilson of Brandon Architects, on behalf of the property owner, stated that they had reviewed the draft resolution and agree with all of the required conditions, including the added landscape conditions.

Seeing that no one from the public wished to comment, the public hearing was closed.

**Action:**      Approved.

**ITEM NO. 6      Wheatley Residence Coastal Development Permit No. CD2019-065 (PA2019-242)**  
**Site Location: 2008 East Ocean Front      Council District 1**

Liane Schuller, Planning Consultant for the City, provided a brief presentation on the project. She stated that Brandon Architects has submitted an application on behalf of the property owners, requesting approval to demolish an existing single-family residence and construct a new single-family residence on a single parcel in the R-1 single-unit residential zone. A coastal development permit is required for a new structure on a

site located within the coastal zone. The project complies with all applicable development standards, including the standards and approval requirements of the City's Local Coastal Program.

Staff is recommending approval of the application with two added standard conditions related to landscaping.

The Zoning Administrator opened the public hearing.

Applicant Ryan McDaniel of Brandon Architects, on behalf of the property owner, stated that they had reviewed the draft resolution and agree with all of the required conditions, including the added landscape conditions.

One member of the public, Mr. Mosher, spoke and expressed his concern related to windows and potential bird strikes.

The Zoning Administrator asked the applicant to consider Mr. Mosher's concerns during plan check process. The Mr. McDaniel indicated a willingness and the likelihood to add measures to the deck guardrails was high.

Seeing no other speakers, the Zoning Administrator closed the public hearing.

**Action:** Approved

**ITEM NO. 7      Wilson Lot Merger No. LM2019-005 and Coastal Development Permit No. CD2019-064  
(PA2019-237)  
Site Location: 115 and 119 Via Mentone      Council District 1**

Liane Schuller, Planning Consultant for the City, provided a brief project description stating that Toal Engineering prepared and submitted application on behalf of the property owners requesting approval to merge three underlying lots, which are currently developed with two single residential dwellings. A coastal development permit is also required to be approved in conjunction with the lot merger. A separate application for the demolition of the two existing residences was deemed complete and approved in December 2019, because it was found consistent with the City's Categorical Exclusion Order CE-5-NPB-16-A1.

Ms. Schuller indicated the site is located in the R-1 (single unit residential) zone, which is intended to allow low-density, detached residential development. Once merged, future development on the site will be required to comply with the R-1 development standards restricting the site to one single-family residence. Approval of the lot merger will result in a single parcel that complies with the minimum lot area and lot width prescribed by the R-1 zone. The property will be similar in size and width to several other properties in the vicinity, and larger than other sites, which are nonconforming with respect to current dimensional and area standards.

Ms. Schuller went on to say the approval of the lot merger will not change the pattern of development in the vicinity, as orientation and access will remain the same. The proposed lot merger conforms to the Local Coastal Program Implementation Plan, as public access and public views will not be affected.

The Zoning Administrator opened the public hearing.

Applicant Mark Bower of WH Architects, on behalf of the property owner, stated that they had reviewed the draft resolution and agree with all of the required conditions.

Jim Mosher stated he has concerns related to proposed density and he feels it falls below the minimum density standard of the Local Coastal Program (LCP) Coastal Land Use Plan (CLUP).

The Zoning Administrator indicated the minimum density standard of the CLUP is for the entire neighborhood and not applied on an individual lot basis. The California Coastal Commission certified the LCP implementation plan allowing one home on an R-1 lot as being consistent with the CLUP and the Coastal Act. The Zoning Administrator indicated his belief that the project does not conflict with the LCP.

The Zoning Administrator closed the public hearing.

**Action:**           Approved.

**V.       PUBLIC COMMENTS ON NON-AGENDA ITEMS**

One member of the public, Mr. Mosher referenced that Coastal Commission requires lot line adjustments to include coastal development permits, regardless of density.

**VI.       ADJOURNMENT**

The hearing was adjourned at 3:49 p.m.

**The agenda for the Zoning Administrator Hearing was posted on January 24, 2020, at 3:00 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 January 24, 2020, at 3:15 p.m.**

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James Campbell  
Zoning Administrator

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