

**CITY OF NEWPORT BEACH
ZONING ADMINISTRATOR HEARING
ACTION REPORT**

TO: CITY COUNCIL, CITY MANAGER AND PLANNING COMMISSION

FROM: Planning Department
Javier Garcia, Zoning Administrator
jgarcia@city.newport-beach.ca.us

SUBJECT: Report of the actions taken for the Zoning Administrator Hearing on
Monday, September 8, 2008

Item 1: Lot Line Adjustment No. LA2008-004 (PA2008-069)
461 Newport Center Drive

Request to approve a Lot Line Adjustment application to adjust the lot line between two adjacent parcels, taking land from one parcel and giving it to the other. The number of parcels will remain the same.

This item was removed from calendar Council District 5

Item 2: Condominium Conversion No. CC2008-004 (PA2008-132)
608 & 608 ½ Jasmine Avenue

Request to approve a Condominium Conversion application to convert a duplex into a condominium project. The code required two-car parking is provided and no waivers of Title 19 development standards are proposed with this application.

This item was approved. Council District 6

Item 3: Parcel Map No. NP2008-016 (PA2008-140)
718 Narcissus Avenue

Request to approve a Parcel Map application to combine portions of two lots to create one parcel of land for two-unit condominium purposes. The property was occupied by a single-family residence that was demolished and replaced by a two-unit duplex that will become a condominium structure. No exceptions to Title 19 Development Standards are proposed with this application. The code required two-car parking per unit will be provided.

This item was approved. Council District 6

Item 4: Parcel Map No. NP2008-018 (PA2008-148)
20372 Birch Street

Request to approve a Parcel Map application for commercial condominium purposes. The map will allow for the individual sale of building and/or tenant space. The site will have reciprocal use for ingress, egress and parking of the common area lot.

This item was approved.

Council District 4

Item 5: Lot Line Adjustment No. LA2008-005 (PA2008-155)
361 and 363 Old Newport Boulevard

Request to approve a Lot Line Adjustment application for a lot merger to combine two existing parcels by removing the interior lot line. Also included in the application is a request to waive the requirement to file a parcel map.

This item was approved.

Council District 2

Prepared and submitted by:



Javier S. Garcia, Zoning Administrator

APPEAL: The Zoning Administrator's decision may be appealed to the Planning Commission within 14 days of the action date. A \$600.00 filing fee shall accompany any appeal filed. No building permits may be issued until the appeal period has expired.

c: David Lepo, Planning Director (*e-mail*)
Sharon Wood, Assistant City Manager (*e-mail*)
David Keely, Public Works Senior Civil Engineer (*e-mail*)
Jim Campbell, Senior Planner (*e-mail*)
Sgt. Ron Vallercamp, Vice/Narcotics (*e-mail*)
Code Enforcement Division(*e-mail*)
Iris Lee, Public Works (*e-mail*)
Evelyn Tseng, Revenue (*e-mail*)
SAC-PAC (*e-mail*)



CONDOMINIUM CONVERSION NO. CC2008-004

(PA2008-132)

PLANNING DEPARTMENT
3300 NEWPORT BOULEVARD
NEWPORT BEACH, CA 92663
(949) 644-3200 FAX (949) 644-3229

Application No.	Condominium Conversion No. CC2008-004 (PA2008-132)
Applicant	Mary Smallwood
Site Address	608 and 608 1/2 Jasmine Avenue
Legal Description	Corona Del Mar Blk 637 Lot 10

On **September 8, 2008**, the Zoning Administrator approved the application request to convert a duplex into a condominium project. The code required two-car parking is provided and no waivers of Title 19 development standards are proposed with this application. The property is located in the R-2 District. The Zoning Administrator's approval is based on the following findings and subject to the following conditions.

FINDINGS

1. As conditioned, the project will substantially comply with all applicable standard plans and specifications, adopted City and State Building Codes, and zoning requirements for new buildings related to the district in which the proposed project is located at the time of original construction.
2. The project is consistent with the adopted goals and policies of the Land Use Element and other Elements of the General Plan and the Local Coastal Program Land Use Plan.
3. The design of the development will not conflict with any easements acquired by the public-at-large for access through or use of property within the proposed development.
4. Public improvements will be required of a developer per Section 19.28.010 of the Municipal Code and the Subdivision Map Act.

5. This project has been reviewed, and it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act under Class 1, Existing Facilities.
6. The plumbing system, as approved, will be in substantial compliance with the City of Newport Beach Plumbing Code. The clean-out, as required, will be installed in such a way that it will meet the intent of the requirements of the City.
7. The establishment, maintenance or operation of the use or building applied for will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.

CONDITIONS

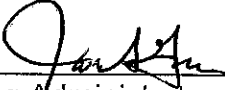
1. The project shall be in substantial conformance with the submitted plot plan, floor plans and elevations, except as noted below.
2. No more than two dwelling units shall be permitted on the site.
3. Per Chapter 13 of the City Municipal Code, street trees shall be planted along the Jasmine Avenue frontage. The designated street tree for this segment of Jasmine Avenue is the Coral Gum (*Eucalyptus Torquata*).
4. All work conducted within the public right-of-way shall be approved under an encroachment permit issued by the Public Works Department.
5. Each of the tenants of the proposed condominium shall be given 180 days' written notice of intention to convert, prior to the termination of tenancy due to the proposed conversion.
6. Each of the tenants of the proposed condominium shall be given written notification within 10 days of the approval of the condominium conversion permit establishing the proposed condominium conversion. Proof of said notification shall be provided to the Planning Department.
7. Each of the tenants of the proposed condominium shall be given notice of an exclusive right to contract for the purchase of their respective units upon the same terms and conditions that such units will be initially offered to the general public or terms more favorable to the tenant. Such right shall run for a period of not less than 90 days from the date of issuance of the subdivision public report (Section 11018.2 of the Business and Professions Code), unless the tenant gives prior written notice of his or her intention not to exercise the right. Prior to final of the condominium conversion permit, the applicant shall provide a copy of the written verification forwarded to the tenants and said verification shall be presented to the Planning Department.

8. At least two parking spaces shall be provided for each dwelling unit on the subject property.
9. The existing electrical service connection shall comply with the requirements of Chapter 15 of the Newport Beach Municipal Code; specifically, that each unit will have a minimum 100-amp service.
10. Each dwelling unit shall be served with an individual water service to the public water system, and shall maintain a separate water meter and water meter connection. This work shall be completed prior to final of the condominium conversion permit.
11. The applicant shall separate the building sewers within the building from each unit.
12. The sewer service shall be separated so that each unit is served with a sewer lateral connection to the public sewer system with a clean-out to grade at the property line. If there is evidence that sewage is leaking from the facility or if it is substandard, the existing sewer lateral shall be replaced. Said work shall be completed under an encroachment permit issued by the Public Works Department, unless otherwise approved by the Utilities Department and the Building Department. This work shall be completed prior to final of the condominium conversion permit.
13. All improvements shall be constructed as required by Ordinance and the Public Works Department.
14. Smoke detectors shall be provided in each bedroom.
15. The corrections listed by the Building Department in the special inspection report shall be completed prior to final of the condominium conversion permit.
16. The exterior wall surfacing shall be made weather-tight as required by the Uniform Housing Code.
17. The property owner shall provide information to the Building Department that the roof is a Class C fire retardant roof as certified by a roofing contractor.
18. The building permit obtained from the Building Department in order to convert the subject residential units into condominiums shall be finalized after the Parcel Map for Condominium Purposes has been recorded with the County of Orange and all conditions of approval have been completed and verified by the Planning Department.

19. This approval shall expire unless exercised within 24 months from the date of approval, as specified in Section 20.93.050 of the Newport Beach Municipal Code.

APPEAL PERIOD

The decision of the Zoning Administrator may be appealed to or by the Planning Commission within 14 days of the decision date. Any appeal filed shall be accompanied by a \$600.00 filing fee. No building permits may be issued until the appeal period has expired.

By: 
Zoning Administrator Javier S. Garcia, AICP

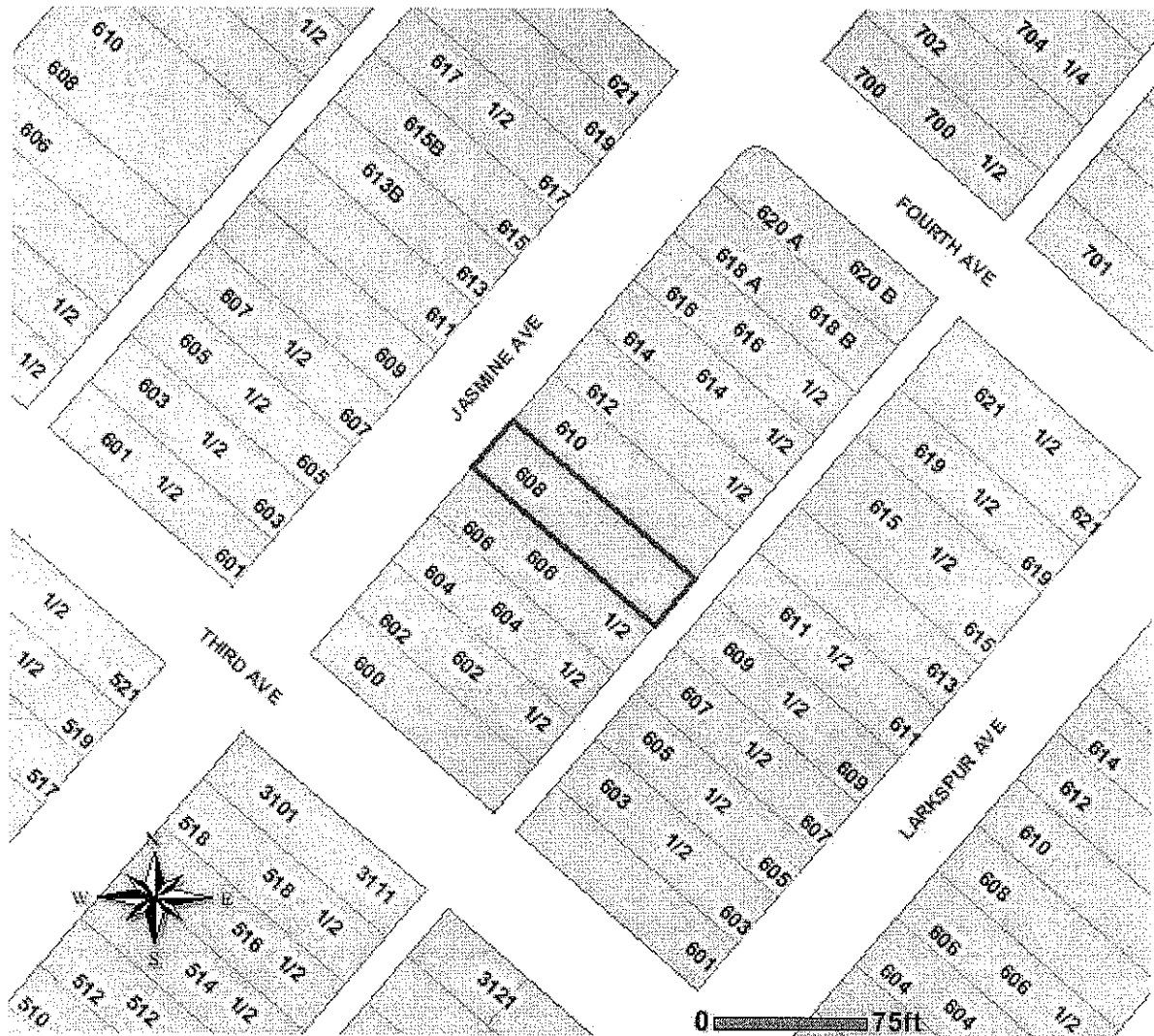
JSG:cs/rm

Attachments: Vicinity Map

Appeared in Opposition: None

Appeared in Support: None

VICINITY MAP



Condominium Conversion No. CC2008-004
PA2008-132

608 and 608 1/2 Jasmine Avenue



PARCEL MAP NO. NP2008-016
(PA2008-140)

PLANNING DEPARTMENT
3300 NEWPORT BOULEVARD
NEWPORT BEACH, CA 92663
(949) 644-3200 FAX (949) 644-3229

Application No. Parcel Map No. NP2008-016 (PA2008-140)
County Parcel Map No. 2007-189

Applicant 718 Narcissus Ave LLP

Site Address 718 Narcissus Avenue

Legal Description Corona Del Mar, Lot 20 , Block 741, Tract 186 and a
Portion of Lot 18, Block 741, Tract 186

On **September 08, 2008**, the Zoning Administrator approved the parcel map request to combine portions of two lots to create one parcel of land for two-unit condominium purposes. The property was occupied by a single-family residence that was demolished and replaced by a two-unit duplex that will become a condominium structure. No exceptions to Title 19 Development Standards are proposed with this application. The code required two-car parking per unit will be provided. The property is located in the R-2 District. The Zoning Administrator's approval is based on the following findings and subject to the following conditions.

FINDINGS

The Zoning Administrator determined in this case that the proposed parcel map is consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code and is approved based on the following findings per Section 19.12.070 of Title 19:

1. The proposed parcel map is to combine portions of two lots to create one parcel of land for two unit condominium purposes. An existing duplex will be demolished and replaced with a two unit condominium project. The residential density on the site will remain the same. The proposed subdivision is consistent with the density of the R-2 Zoning District and the current General Plan Land Use Designation "Two Unit Residential".
2. The lot is regular in shape, has very little slope, and is suitable for development.

3. This project has been reviewed, and it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act under Class 15 (Minor Land Divisions). The division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels is exempt when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.
4. The proposed parcel map is for residential condominium purposes. The construction of the proposed condominiums will comply with all Building, Public Works, and Fire Codes. Public improvements will be required of the developer per Section 19.28.010 of the Municipal Code and Section 66411 of the Subdivision Map Act. All ordinances of the City and all Conditions of Approval will be complied with.
5. The property is not subject to the Williamson Act since its use is not agricultural.
6. The property is not located within the boundaries of a specific plan and is not subject to any specific plan regulations.
7. The proposed subdivision and improvements are subject to Title 24 of the California Building Code that requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. The Newport Beach Building Department enforces Title 24 compliance through the plan check and inspection process.
8. The proposed subdivision is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code regarding the City's share of the regional housing need. The residential density on the site will increase by one unit. No affordable housing units are being eliminated based upon the fact that the previously existing units were not occupied by low or moderate income households and the proposed number of units remains the same.
9. Wastewater discharge into the existing sewer system will remain the same and does not violate Regional Water Quality Control Board (RWQCB) requirements.
10. The proposed parcel map is not located in the Coastal Zone. Therefore it is not subject to the Coastal Act.
11. The design of the development will not conflict with any easements acquired by the public at large for access through or use of property within the proposed development. No public easements affect the site.

12. Public improvements will be required by the applicant per the Municipal Code and the Subdivision Map Act.

CONDITIONS

1. A parcel map shall be recorded. The map shall be prepared on the California coordinate system (NAD83). Prior to recordation of the map, the surveyor/engineer preparing the map shall submit to the County Surveyor and the City of Newport Beach a digital-graphic file of said map in a manner described in Section 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. **The map to be submitted to the City of Newport Beach shall comply with the City's CADD Standards. Scanned images will not be accepted.**
2. Prior to recordation of the parcel map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. Monuments (one inch iron pipe with tag) shall be set **on each lot corner**, unless otherwise approved by the Subdivision Engineer. Monuments shall be protected in place if installed prior to completion of construction project.
3. All improvements shall be constructed as required by City Ordinance and the Public Works Department.
4. All above ground improvements shall stay a minimum 5-foot clear of the alley property line.
5. All applicable Public Works Department plan check fees, improvement bonds and inspection fees shall be paid prior to processing of the map by the Public Works Department.
6. Arrangements shall be made with the Public Works Department in order to guarantee satisfactory completion of the public improvements if it is desired to record a parcel map or obtain a building permit prior to completion of the public improvements.
7. Each dwelling unit shall be served with an individual water service and sewer lateral connection to the public water and sewer systems, unless otherwise approved by the Public Works Department and the Building Department.
8. Prior to issuance of the final building permit, each unit shall be connected to its individual water meter installed per STD 502L and sewer lateral and cleanout located within the public right-of-way per STD 406L.


9. Water meter and sewer cleanout shall be located in the public right-of-way. If installed at a location that will be subjected to vehicle traffic, each water meter and sewer cleanout shall be installed with a traffic-grade box/frame and cover.
10. A separate water meter is required for the fire sprinkler system, unless otherwise approved by the Public Works Department and the Building Department.
11. Each dwelling unit shall be served with individual gas and electrical service connection and shall maintain separate utility meters.
12. Overhead utilities serving the site shall be undergrounded to the nearest appropriate pole in accordance with Section 19.28.090 of the Municipal Code unless it is determined by the City Engineer that such undergrounding is unreasonable or impractical.
13. In accordance with the provisions of Chapter 13 (or any other applicable chapters) of the Newport Beach Municipal Code, existing street trees shall be protected in place during construction of the subject project, unless otherwise approved by the General Services Department and the Public Works Department through an encroachment permit or agreement.
14. Per Chapter 13 of the City Municipal Code, street trees shall be planted along the Narcissus Avenue frontage. Contact Mr. John Conway, Urban Forester of the General Services Department at (949) 644-3083 for the size and species of tree required. Depict on the plans exactly the species/size and location where the new street trees will be planted.
15. Install new sod or low groundcovers of the type approved by the City throughout the Narcissus Avenue parkway fronting the development site.
16. All existing drainage facilities in the public right-of-way shall be retrofitted to comply with the City's on-site non-storm runoff retention requirements. The Public Works Inspector shall field verify compliance with this requirement prior to recordation of the parcel map.
17. All improvements shall comply with the City's sight distance requirement. See City Standard 110-L.
18. All on-site drainage shall comply with the latest City Water Quality requirements.
19. Additional Public Works improvements, including street and alley reconstruction work may be required at the discretion of the Public Works Inspector.
20. In case of damage done to public improvements surrounding the development site by the private construction, additional reconstruction within the public right-of-way could be required at the discretion of the Public Works Inspector.

21. All work conducted within the public right-of-way shall be approved under an encroachment permit issued by the Public Works Department.
22. All existing private, non-standard improvements within the public right-of-way and/or extensions of private, non-standard improvements into the public right-of-way fronting the development site shall be removed unless an Encroachment Agreement is applied for and approved by the Public Works Department.
23. Remove and replace any damaged concrete sidewalk, curb, gutter and concrete alley pavement fronting the development. Said limits of work shall be determined by the Public Works Inspector.
24. Two-car parking, including one enclosed garage space, shall be provided on site for each dwelling unit per requirements of the Zoning Code.
25. All vehicular access to the property shall be from the adjacent alley, unless otherwise approved by the City Council.
26. Disruption caused by construction work along roadways and by movement of construction vehicles shall be minimized by proper use of traffic control equipment and flagmen. Traffic control and transportation of equipment and materials shall be conducted in accordance with state and local requirements.
27. In compliance with the requirements of Chapter 9.04, Section 901.4.4, of the Newport Beach Municipal Code, approved street numbers or addresses shall be placed on all new and existing buildings in such a location that is plainly visible and legible from the street or road fronting the subject property. Said numbers shall be of non-combustible materials, shall contrast with the background and shall be either internally or externally illuminated to be visible at night. Numbers shall be no less than four inches in height with a one-inch wide stroke. The Planning Department Plan Check designee shall verify the installation of the approved street number or addresses during the plan check process for the new or remodeled structure.
28. County Sanitation District fees shall be paid prior to issuance of any building permits, if required by the Public Works Department or the Building Department.
29. Prior to recordation of the parcel map, fair share fees for one (1) dwelling unit shall be paid in accordance with City Ordinance 94-19 of the Newport Beach Municipal Code, unless proof of payment is provided to the Planning Department.
30. Prior to recordation of the parcel map, park dedication fees for one (1) dwelling unit shall be paid in accordance with Chapter 19.52 of the Newport Beach Municipal Code. This fee shall be paid at the time the map is submitted to the Public Works Department for plan check.

31. Subsequent to recordation of the parcel map, the applicant shall apply for a building permit for description change of the subject project development from "duplex" to "condominium." **The development will not be condominiums until this permit is finalized.** The building permit for the new construction shall not be finalized until after recordation of the Parcel Map.
32. This parcel map shall expire if the map has not been recorded within 3 years of the date of approval, unless an extension is granted by the Planning Director in accordance with the provisions of Section 19.16 of the Newport Beach Municipal Code.

APPEAL PERIOD

The decision of the Zoning Administrator may be appealed to or by the Planning Commission within 14 days of the decision date. A \$600.00 filing fee shall accompany the appeal to Planning Commission upon submittal. Building permits will not be issued until the appeal period has expired.

By: 
Zoning Administrator Javier S. Garcia, AICP

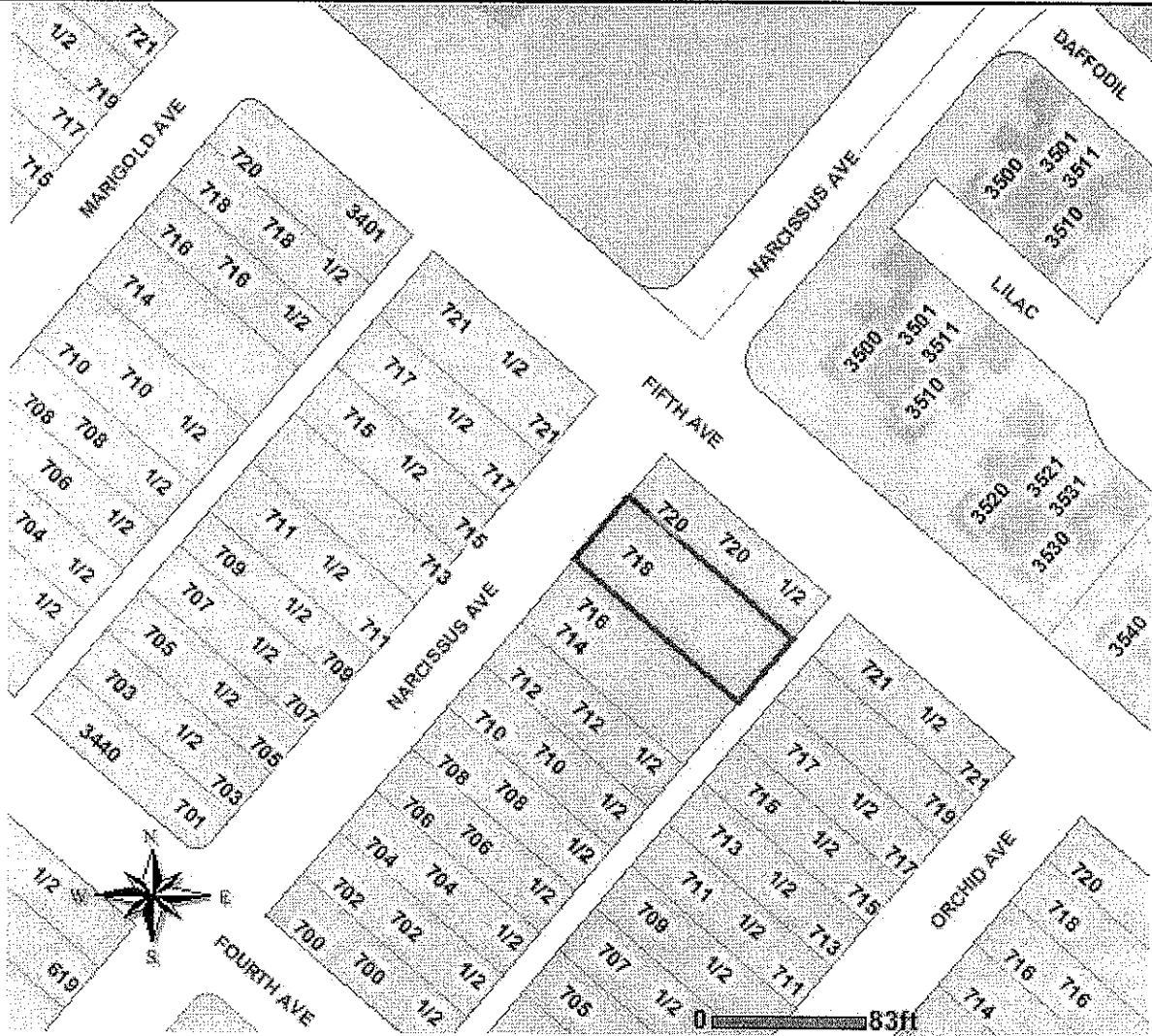
JSG:mn/rm

Attachments: Vicinity Map

Appeared in Opposition: None

Appeared in Support: None

VICINITY MAP



Parcel Map No. NP2008-016
PA2008-140

718 Narcissus Avenue



PARCEL MAP NO. NP2008-018
(PA2008-148)

PLANNING DEPARTMENT
3300 NEWPORT BOULEVARD
NEWPORT BEACH, CA 92663
(949) 644-3200 FAX (949) 644-3229

Application No. Parcel Map No. NP2008-018 (PA2008-148)
County Parcel Map No. 2008-140

Applicant Newport Executive Court, LLC

Site Address 20372 Birch Street

Legal Description TR 706 LOT 127 SWLY1/2

On **September 8, 2008**, the Zoning Administrator approved the parcel map request for commercial condominium purposes. The map will allow for the individual sale of building and/or tenant space. The site will have reciprocal use for ingress, egress and parking of the common area lot. The property is located in the SP-7 (Santa Ana Heights Specific Plan): Business Park District. The Zoning Administrator's approval is based on the following findings and subject to the following conditions.

FINDINGS

The Zoning Administrator determined in this case that the proposed parcel map is consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code and is approved based on the following findings per Section 19.12.070 of Title 19:

1. The property is currently one parcel to be subdivided for condominium purposes. The proposed map and the design or improvements of the subdivision are consistent with SP-7 (Santa Ana Heights) Zoning District, the current General Plan Land Use Designation "General Commercial Office," with applicable provisions of the Subdivision Map Act and the City's Subdivision Code.
2. The lot is regular in shape, it has very little slope. The Site is physically suitable for the type and density of development.
3. This project has been reviewed, and it has been determined that it is categorically exempt from the requirements of the California Environmental Quality Act under Class 15 (Minor Land Divisions).
4. The design of the subdivision, for commercial condominium purposes, will not cause serious public health problems.

5. The proposed parcel map is for commercial condominium purposes allowing for the individual sale of tenant areas. The construction of the proposed condominiums will comply with all Building, Public Works, and Fire Codes. Public improvements will be required of the developer per Section 19.28.010 of the Municipal Code and Section 66411 of the Subdivision Map Act. All ordinances of the City and all Conditions of Approval will be complied with. The design of the subdivision will not conflict with any easements acquired by the public-at-large for access through or use of the property within the proposed subdivision. Currently, there are no public easements located on the property.
6. The property is not subject to the Williamson Act since its use is not agricultural.
7. The property is located within the boundaries of a specific plan and is subject to the specific plan regulations.
8. The proposed subdivision and improvements are subject to Title 24 of the California Building Code that requires new construction to meet minimum heating and cooling efficiency standards depending on location and climate. The Newport Beach Building Department enforces Title 24 compliance through the plan check and inspection process.
9. The proposed subdivision is consistent with Section 66412.3 of the Subdivision Map Act and Section 65584 of the California Government Code regarding the City's share of the regional housing need, since the property is commercial and no residential units are involved.
10. Wastewater discharge into the existing sewer system is not directly affected by this tentative parcel map and does not violate Regional Water Quality Control Board (RWQCB) requirements.
11. The proposed parcel map is not located in the Coastal Zone and is not subject to the California Coast Act.

CONDITIONS


1. A parcel map shall be recorded. The map shall be prepared on the California coordinate system (NAD83). Prior to recordation of the map, the surveyor/engineer preparing the map shall submit to the County Surveyor and the City of Newport Beach a digital-graphic file of said map in a manner described in Section 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. **The map to be submitted to the City of Newport Beach shall comply with the City's CADD Standards. Scanned images will not be accepted.**
2. Prior to recordation of the parcel map, the surveyor/engineer preparing the map shall tie the boundary of the map into the Horizontal Control System established by the County Surveyor in a manner described in Sections 7-9-330 and 7-9-337 of the Orange County Subdivision Code and Orange County Subdivision Manual, Subarticle 18. Monuments (one inch iron pipe with tag) shall be set **on each lot**

corner, unless otherwise approved by the Subdivision Engineer. Monuments shall be protected in place if installed prior to completion of construction project.

3. Each commercial unit shall be served with individual gas and electrical service connection and shall maintain separate meters for the utilities, unless otherwise approved by the Public Works Department or Utilities Department.
4. The applicable conditions from Planning Commission Resolution No. 1735 shall remain in force and apply to all improvements to the parcel.
5. This parcel map shall expire if the map has not been recorded within 3 years of the date of approval, unless an extension is granted by the Planning Director in accordance with the provisions of Section 19.16 of the Newport Beach Municipal Code.

APPEAL PERIOD

The decision of the Zoning Administrator may be appealed to or by the Planning Commission within 14 days of the decision date. A \$600.00 filing fee shall accompany the appeal to Planning Commission upon submittal. Building permits will not be issued until the appeal period has expired.

By: 
Zoning Administrator Javier S. Garcia, AICP

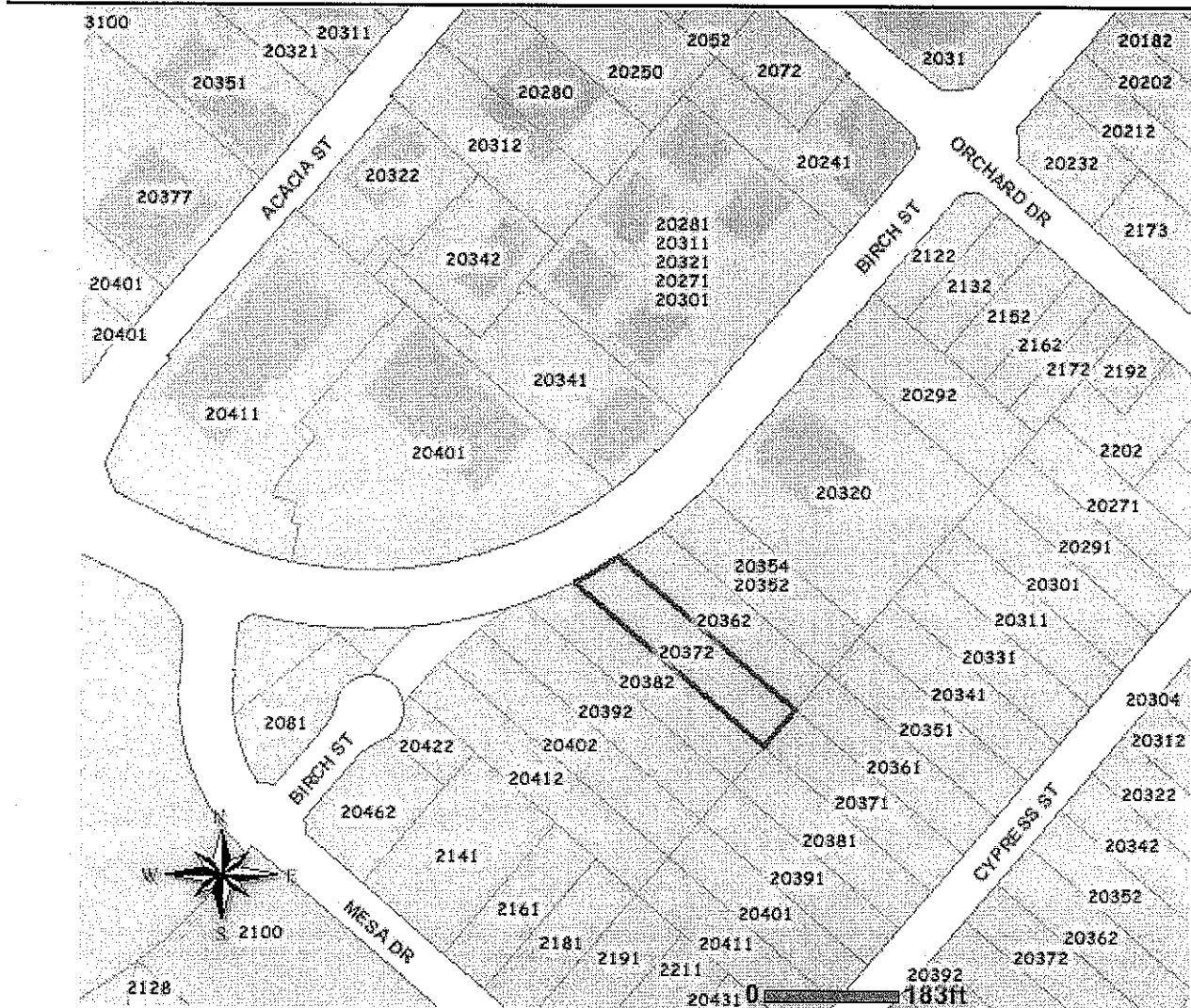
JSG:cs/rm

Attachments: Vicinity Map

Appeared in Opposition: None

Appeared in Support: None

VICINITY MAP



Parcel Map No. NP2008-018
PA2008-148

20372 Birch Street



LOT LINE ADJUSTMENT NO. LA2008-005

(PA2008-155)

PLANNING DEPARTMENT
3300 NEWPORT BOULEVARD
NEWPORT BEACH, CA 92663
(949) 644-3200 FAX (949) 644-3229

Application No.	Lot Line Adjustment LA2008-005 (PA2008-155)
Applicant	Newport Medical Center LLC
Site Address	361 and 363 Old Newport Boulevard
Legal Description	TR 27 LOT 24 BLK 9

On **September 8, 2008**, the Zoning Administrator approved the application request for a lot merger to combine two existing parcels by removing the interior lot line. Also included in the application is a request to waive the requirement to file a parcel map. The property is located in the SP-9 (Old Newport Boulevard Specific Plan) District. The Zoning Administrator's approval is based on the following findings and subject to the following conditions.

AUTHORITY

In accordance with Section 19.68.060 D., voluntary mergers of contiguous lots, under one ownership, may be initiated by the lot owner. In cases where no more than one parcel is eliminated, the Zoning Administrator may approve a waiver of the parcel map requirement and use of a lot line adjustment to combine the lots.

FINDINGS

1. The proposal is consistent with the General Plan and the SP-9 (Old Newport Boulevard Specific Plan Area) District since the lots are for commercial office development, a permitted use in this area.
2. The project is categorically exempt from the requirements of the California Environmental Quality Act under Class 5 (Minor Alterations in Land Use Limitations) because the lot line adjustment is minor and does not result in the creation of any new parcel.
3. In accordance with Section 19.68 of the Newport Beach Municipal Code, the Planning Director has deemed the lot line adjustment application as appropriate to combine the two lots into a single parcel, based on the following:

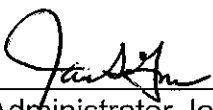
- The merged lot will be consistent with the applicable zone district regulations and other regulations relating to the subject property. The resulting lot will be approximately 15,461 sq. ft. in area exceeding the minimum area requirements of 5,000 sq. ft. No setback nonconformities are directly created by the proposed merger.
 - Neither the merged lot nor adjoining parcel will be deprived of legal access as a result of the merger as vehicular access to and from Old Newport Boulevard will remain unchanged.
4. The merger of continuous lots, under the circumstances of the particular case, will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City, and further that the proposed lot line adjustment is consistent with the legislative intent of Title 19 and Title 20 of the Newport Beach Municipal Code for the following reasons:
- The project site described in the proposal consists of legal building sites. The proposed lot line adjustment will remove the interior lot line between two legal lots.
 - The project is in an area with an average slope less than 20%.
 - The lot merger to combine two existing parcels will not result in the creation of additional parcels.
 - The resulting parcel created by the lot line adjustment complies with all applicable zoning regulations and there will be no change in the land use, density or intensity on the property.
 - The merged lot will be consistent with the applicable zone district regulations as to lot width and size.
 - The lot line adjustment, in and of itself, will not result in the need for additional improvements and/or facilities as it is merely the combination of two existing lots of record and no development is authorized.
5. Based on the information of this particular case, the Zoning Administrator waives the requirement of a parcel map pursuant to Section 19.08 for the following criteria and reasons:
- The proposed lot line adjustment combines the property into a single-parcel of land and does not result in the elimination of more than one lot.
 - The proposed division of land complies with requirements as to area, improvement and design, flood water drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection and other applicable requirements of Title 19 and Title 20 of the Newport Beach Municipal Code and the General Plan.

PROCEDURAL REQUIREMENTS

1. All applicable Public Works Department plan check fees shall be paid prior to review of the lot line adjustment and grant deeds.
2. Prior to recordation of the lot line adjustment, grant deeds indicating the changes in titles of ownership should be submitted to the Public Works Department for review and approval.
3. A record of survey is required to verify the property boundaries, unless otherwise determined by the Public Works Department.
4. The lot line adjustment and grant deeds reviewed and approved by the Public Works Department should be filed concurrently with the County Recorder and County Assessor's Offices.
5. No building permits may be issued until the appeal period has expired, unless otherwise approved by the Planning Department.
6. Prior to final of the building permit for any new construction on the properties, the Planning Department shall verify recordation of the document with the County Recorder.
7. This approval shall expire unless exercised within 24 months from the date of approval as specified in Section 20.93.050 of the Newport Beach Municipal Code.
8. Any party may appeal the decision of the Zoning Administrator to the Planning Commission within 14 days of the decision date. A \$600.00 filing fee must accompany the submitted appeal.

APPEAL PERIOD

The Zoning Administrator's decision may be appealed to the Planning Commission within 14 days of the action date. A \$600.00 filing fee shall accompany any appeal filed.

By: 
Zoning Administrator Javier S. Garcia, AICP

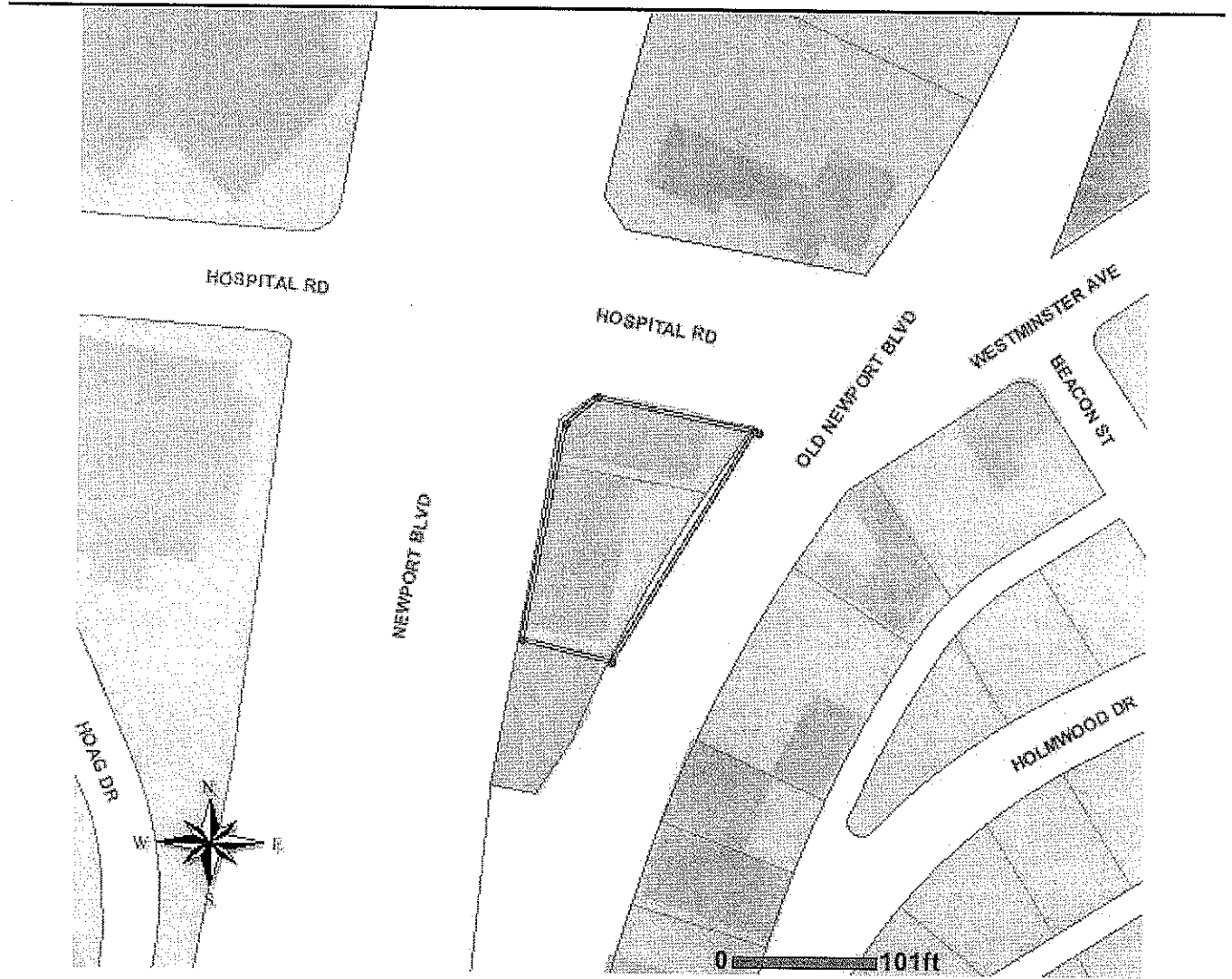
JSG:es/fn/rm

Attachments: Vicinity Map

Appeared in Opposition: None

Appeared in Support: None

VICINITY MAP



Lot Line Adjustment Permit No. LA2008-005
PA2008-155

361 and 363 Old Newport Boulevard