

## Jan. 30, 2014, Zoning Administrator Agenda Comments

Comments submitted by: Jim Mosher ( [jimmosher@yahoo.com](mailto:jimmosher@yahoo.com) ), 2210 Private Road, Newport Beach 92660 (949-548-6229)

### **Item B: Minutes of January 16, 2014**

Suggested change to page 1, in line 5 from the end: "*The temporary contractor yard **is** supports the Orange County Sanitation District project ...*"

### **Item No. 1. Katayama Tentative Parcel Map (PA2013-239)**

I find this item quite confusing, perhaps in part because the City's [GIS map](#) is providing access only to the March 1946 Tract Map No. 1136, which shows two 60-foot wide lots (Lots 2 & 3) at this location, and further indicates that the two subject addresses (306 and 308 Old Newport Boulevard), which encompass a smaller area than the whole of Lots 2 & 3, are regarded as a single assessor's parcel (APN 425 381 02) -- as if the lots had been adjusted and merged at some time after the Tract Map was recorded.

Based on Attachment No. ZA 3, the surveyor and planner seem to have had access to a later map ("P.M.B. 163/44-45") which apparently shows new "parcels" were created that do not match the underlying lots of Tract 1136. In particular "Parcel 1" of P.M.B. 163/44-45 appears to encompass all of Lot 1 and 15 feet of Lot 2. But unless P.M.B. 163/44-45 somehow merged the remaining 45 feet of Lot 2 with Lot 3, this would seem to me to be an 8 foot lot line adjustment, rather than a re-subdivision.

Attachment No. ZA 3 is also confusingly labeled to make it look like the numbered "lot" designations now refer only to the existing building pads, which seems inconsistent with the way the term "lot" is used in the Resolution. I also had trouble deciphering the significance of the dimensions listed on the Holmwood Drive frontage of the proposed Parcel 1 / existing Lot 2 ("*31.09', 23.09', [23.22']*"), although I now think I understand what they refer only to the uncurved portion.

Since NBMC [Subsection 19.04.090.B](#) says "*The terms lot and parcel are interchangeable for purposes of this Code,*" I am primarily confused as to whether the intent of this resolution is to modify the boundaries of the existing lots, or to create new "parcels" overlying, and co-existing with, but somehow distinct from them.

I have these specific comments on the draft resolution:

1. I believe *Facts in Support of Finding A-3* misstates the depth of Parcel 1, at least as "lot depth" is defined in NBMC [Subsection 20.70.020.L](#) .
2. *Facts in Support of Finding A-4, B1, C1, D1, I1 and J1* all say that "*No development or improvements are proposed,*" yet Exhibit "A" (Conditions of Approval) imposes on the applicant the requirement to make numerous improvements, including construction of sidewalks, landscaping and possibly the construction of separate water and sewer connections for the two parcels/lots.
3. The requirement for improvements to "Marigold Avenue" in the Condition of Approval 11 seems difficult to reconcile with the parcel map location.