ZONING ADMINISTRATOR HEARING AGENDA

CITY OF NEWPORT BEACH
COUNCIL CHAMBERS – 3300 NEWPORT BOULEVARD
Wednesday, August 24, 2011
Regular Meeting – 3:30 p.m.
Jaime Murillo
Zoning Administrator

NOTICE TO THE PUBLIC

HEARING ITEMS

ITEM NO. 1. **Wahoo's Fish Taco – Minor Use Permit** Permit No. UP2011-025 (PA2011-137
401 Newport Center Drive, A101 Council District 5

SUMMARY: A minor use permit to allow alcoholic beverage service (Type 47, On-Sale General for Bona Fide Public Eating Place) in conjunction with a new restaurant which will occupy a vacant retail space (3,868 gross square feet) and will include one outside dining patio (622 gross square feet) within the Fashion Island Shopping Center pursuant to the PC-56 (North Newport Center Planned Community) District regulations. The proposed hours of operation are 11:00 a.m. until 11:00 p.m. Monday through Saturday and 11:00 a.m. until 10:00 p.m. on Sunday. The property is located in the PC-56 (North Newport Center) District.

RECOMMENDED ACTION:

1) Conduct public hearing; and
2) Approve Minor Use Permit No. UP2011-025 (PA2011-137) subject to the recommended findings.

CEQA COMPLIANCE: The project is exempt from environmental review pursuant to Section 15303, of the California Environmental Quality Act (CEQA) Guidelines - Class 3 (New Construction or Conversion of Small Structures) of the Implementing Guidelines of the California Environmental Quality Act.

This hearing is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Zoning Administrator's agenda be posted at least 72 hours in advance of each hearing 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 Zoning Administrator may limit public comments to a reasonable amount of time, generally either three (3) or five (5) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this hearing, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact the Planning Division at least 48 hours prior to the hearing to inform us of your particular needs and to determine if accommodation is feasible.

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.

Any writings or documents provided to the Zoning Administrator regarding any item on this agenda will be made available for public inspection in the office of the Planning Division located at 3300 Newport Boulevard, during normal business hours.

APPEAL PERIOD: Modification Permit applications do not become effective until 14 days after the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code.

Tentative Parcel Map, Condominium Conversion, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of action, during which time an appeal may be filed with the Planning Commission Secretary in accordance with the provisions of the Newport Beach Municipal Code.