



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Thursday, May 23, 2024**, at **6:00 p.m.** or soon thereafter as the matter shall be heard, a public hearing will be conducted in the Council Chambers at 100 Civic Center Drive, Newport Beach. The Planning Commission of the City of Newport Beach will consider the following application:

Smith Family Trust Encroachment - A request to waive City Council Policy L-6 to retain private improvements consisting of a various retaining walls, steps, and pilasters with lights that encroach up to 4 feet within the 40-foot-wide La Jolla Drive public right-of-way and up to 13 feet within the 80-foot-wide Cliff Drive public right-of-way. The La Jolla Drive public right-of-way is approximately 5-foot wide from face of curb to property line and the Cliff Drive right-of-way is approximately 13-feet wide from the face of curb to the property line. City Council Policy L-6 prohibits the retaining walls, steps, and pilasters with lights since structures are limited to a one 1-foot projection into the right-of-way, maximum height of 36-inches, and prohibits lighting.

Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) (Preliminary Review) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment.

All interested parties may appear and present testimony regarding this application. If you challenge this project in court, you may be limited to raising only those issues you raised at the public hearing or in written correspondence delivered to the City, at, or prior to, the public hearing. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapter 20.64. The application may be continued to a specific future meeting date, and if such an action occurs, additional public notice of the continuance will not be provided.

The agenda, staff report, and corresponding documents will be available by end of business day on the Friday preceding the public hearing, and may be reviewed at the Community Development Department Permit Center (Bay C-1st Floor), at 100 Civic Center Drive, Newport Beach, CA 92660 or at the City of Newport Beach website at www.newportbeachca.gov/planningcommission. Individuals not able to attend the meeting may contact the Planning Division or access the City's website after the meeting to review the action on this application. All mail or written communications (including email) from the public, residents, or applicants regarding an agenda item must be submitted by 5:00 p.m. on the business day immediately prior to the meeting. This allows time for the Planning Commission to adequately consider the submitted correspondence.

For questions regarding this public hearing item please contact David Keely, Senior Civil Engineer, at 949-644-3349 or dkeely@newportbeachca.gov, 100 Civic Center Drive, Newport Beach, CA 92660.

Project File No.: PA2024-0045

Activity No.: N2024-0163

Zone: R-1 (Single Unit Residential)

General Plan: RS-D (Single Unit Residential Detached)

FILING DATE: March 18, 2024

Location: 3015 Cliff Drive

Applicant: Patricia Coleen Smith

Tristan Harris, Secretary, Planning Commission, City of Newport Beach