



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Thursday, August 06, 2026**, 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:

Moriarty Residence Encroachments - A request to waive City Council Policies L-6 (Encroachments in Public Rights-of-Way) and L-2 (Driveway Approaches) and to approve Encroachment Permit No. N2026-0255 to allow retention of certain existing, noncompliant private improvements encroaching into the 60-foot-wide Birch Street and 60-foot-wide Mesa Drive public rights-of-way, including retention of an existing third driveway approach along Birch Street.

The project is categorically exempt under Section 15301 – Class 1 (Existing Facilities) of the State CEQA (California Environmental Quality Act) Guidelines.

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 Josh McDonald, Principal Civil Engineer, at 949-644-3326 or jmcdonald@newportbeachca.gov, 100 Civic Center Drive, Newport Beach, CA 92660.

Project File No.: PA2026-0134

Activity No.: Encroachment Permit No. N2026-0255

Zone: SP-7 (Santa Ana Heights Specific Plan)

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

Location: 20462 Birch Street

Applicant: Richard Moriarty

Greg Reed, Secretary, Planning Commission, City of Newport Beach