



CITY OF NEWPORT BEACH PLANNING COMMISSION AGENDA

Council Chambers - 100 Civic Center Drive

Thursday, January 22, 2026 - 6:00 PM

Planning Commission Members:

Tristan Harris, Chair
David Salene, Vice Chair
Jonathan Langford, Secretary
Curtis Ellmore, Commissioner
Michael Gazzano, Commissioner
Greg Reed, Commissioner
Mark Rosene, Commissioner

Staff Members:

Jaime Murillo, Acting Community Development Director
Kevin Riley, City Traffic Engineer
Yolanda Summerhill, Assistant City Attorney
Clarivel Rodriguez, Administrative Assistant

NOTICE TO THE PUBLIC

Regular meetings of the Planning Commission are held on the Thursdays preceding second and fourth Tuesdays of each month at 6:30 p.m. The agendas, minutes, and staff reports are available on the City's website at: <http://www.newportbeachca.gov> and for public inspection in the Community Development Department, Planning Division located at 100 Civic Center Drive, during normal business hours.. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Community Development Department, Planning Division staff at 949-644-3200.

This Commission is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Commission's agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Commission and items not on the agenda but are within the subject matter jurisdiction of the Commission. The Commission may limit public comments to a reasonable amount of time, generally three (3) minutes per person. All testimony given before the Planning Commission is recorded.

Under the Levine Act, Section 84308 of the Government Code, a party to a proceeding before the City involving a license, permit, or other entitlement for use is required to disclose on the record of the proceeding any contribution in an amount of more than five hundred dollars (\$500) made within the preceding 12 months by the party or the party's agent to any elected or appointed officer of the City. If you have made a qualifying contribution, please ensure to make this disclosure on the record.

Please Note: You can submit your questions and comments in writing for the Planning Commission to consider by mailing or delivering them to the City of Newport Beach Planning Commission at 100 Civic Center Drive, Newport Beach CA, 92660. Alternatively, you can send them by electronic mail directly to Commissioners at planningcommission@newportbeachca.gov. Each Commissioner and staff will receive your message directly. Pursuant to Planning Commission procedures, please submit your written comments no later than 5:00 p.m. on Wednesday the day before the meeting in order to give Commissioners adequate time to review your submission.

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 of this meeting, 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 Clarivel Rodriguez in the Community Development Department prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3232 or crodriguez@newportbeachca.gov).

APPEAL PERIOD: Use Permit, Variance, Site Plan Review, and Modification Permit applications do not become effective until 14 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. Tentative Tract Map, Tentative Parcel Map, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. General Plan, Zoning, and Local Coastal Program Amendments are automatically forwarded to the City Council for final action.

I. **CALL TO ORDER**

II. **PLEDGE OF ALLEGIANCE**

III. **ROLL CALL**

IV. **PUBLIC COMMENTS**

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Planning Commission. Speakers must limit comments to three (3) minutes. Before speaking, please state your name for the record and print your name on the blue forms provided at the podium.

V. **REQUEST FOR CONTINUANCES**

VI. **CONSENT ITEMS**

1. **MINUTES OF NOVEMBER 20, 2025**

Recommended Actions: Approve and file.

[Draft Minutes of November 20, 2025](#)

[1a Additional Materials Received Mosher Draft Minutes of November 22, 2025](#)

2. **KRISTI A. DUMONT TRUST ENCROACHMENT (PA2025-0228)**

Site Location: 520 POINTSETTIA AVENUE UNITS A, B & C

Summary:

A request to waive City Council Policy L-6 to retain certain existing, non-compliant private improvements encroaching into the 50-foot-wide Third Avenue public right-of-way and the 50-foot-wide Poinsettia Avenue public right-of-way. As part of this consideration, staff is recommending the removal of other non-compliant improvements within the same public rights-of-way due to traffic safety concerns.

Recommended Actions:

1. Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2), 15060(c)(3) (Preliminary Review), and Section 15301 Class 1 (Existing Facilities) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and

2. Adopt Resolution No. PC2026-001, waiving City Council Policy L-6 (Encroachments in Public Rights-of-Way) and approving Encroachment No. N2025-0390, to retain certain existing improvements which encroach into the public right-of-way, including brick hardscape, a low brick wall, brick pilaster, a gate, and landscaping and requiring the removal of an existing fence, lights, hedge, and tall landscaping within the traffic safety visibility area.

[Item No. 2 Staff Report](#)

[Attachment 1 - Draft Resolution](#)

[Attachment 2 - City Council Policy L-6](#)

[Attachment 3 - Site Photos](#)

[Attachment 4 - Owner's Letter](#)

[Attachment 5 - Project Plans](#)

VII. PUBLIC HEARING ITEM(S)

Speakers must limit comments to three (3) minutes on all items. Before speaking, please state your name for the record and print your name on the blue forms provided at the podium.

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

3. EL CHOLO OUTDOOR DINING PATIO EXPANSION (PA2025-0042)

Site Location: 3520 East Coast Highway, 3536 East Coast Highway, 410 Narcissus Avenue, 409 Orchid Avenue

Summary:

A request to expand the existing outdoor dining patio by 975 square feet, resulting in a total of 1,709 square feet of outdoor dining area, with no change to the existing 5,012-square-foot interior of the restaurant. The proposed hours of operation for the outdoor patio are from 10 a.m. and 11 p.m., daily, consistent with the interior restaurant hours. No live entertainment, dancing, or late hours are proposed, and there are no changes to the existing Type 47 (On-Sale General - Eating Place) California Department of Alcoholic Beverage Control license. To authorize the expanded outdoor dining area, the applicant requests a waiver of 17 of the 66 required parking spaces and authorization to provide the remaining spaces through a combination of off-site parking lots. Approval of the project would supersede all previous approvals

Recommended Actions:

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 under Class 1 (Existing Facilities) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
3. Adopt Resolution No. PC2026-001, approving the Conditional Use Permit filed as PA2025-0042.

[Item No. 3 Staff Report](#)
[Attachment 1 - Draft Resolution](#)
[Attachment 2 - Project Design](#)
[Attachment 3 - Project Plans](#)
[Attachment 4 - Parking Survey](#)
[Attachment 5 - Police Memorandum](#)

VIII. STAFF AND COMMISSIONER ITEMS

4. MOTION FOR RECONSIDERATION

5. REPORT BY THE COMMUNITY DEVELOPMENT DIRECTOR OR REQUEST FOR MATTERS WHICH A PLANNING COMMISSION MEMBER WOULD LIKE PLACED ON A FUTURE AGENDA

[Tentative Agenda](#)

6. REQUESTS FOR EXCUSED ABSENCES

IX. ADJOURNMENT