



CITY OF NEWPORT BEACH PLANNING COMMISSION AGENDA

Council Chambers - 100 Civic Center Drive

Thursday, March 5, 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, Community Development Director
Ben Zdeba, Acting Deputy 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 FEBRUARY 5, 2026**

Recommended Action: Approve and file

[Draft Minutes of February 5, 2026](#)

[1a Additional Materials Received Mosher Draft Minutes of February 5, 2026](#)

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

2. **300 NEWPORT CENTER DRIVE CONDOMINIUMS (PA2025-0102)**

Site Location: 210 and 300 Newport Center Drive and Unaddressed Parcels Identified as Accessor Parcel Numbers 442-091-12 and 442-161-16

Summary:

A request to demolish all improvements on a 4.17-acre site, including an existing movie theater (Regal Edwards Big Newport) and a health/fitness facility (Body Design), to allow for the construction of two, 22-story residential buildings (approximately 270 feet high) consisting of a total of 150 condominium units, on-site amenities, for-sale home offices, retail/café space, and 343 parking spaces. Each residential building is nearly identical and is connected through a podium that contains the home offices, retail/café, amenities, parking, and building support facilities. The project includes private residential amenities such as pools, exercise facilities, and entertainment spaces. Vehicular access to the Property is through a driveway on Newport Center Drive, which leads to a guardhouse and motorized gate restricting access to the motor court and valet drop off. The requested project

requires the following approvals:

- Major Site Development Review to allow a new residential development with five or more units and a tentative tract map, and to waive 5 of the 52 Multi-Unit Objective Design Standards;
- Conditional Use Permit to waive 58 required off-street parking spaces for the proposed home offices and retail/café component; and
- Vesting Tentative Tract Map to consolidate four lots into one parcel and to allow for an airspace subdivision of the individual residential units and nonresidential units for condominium purposes.

Recommended Actions:

1. Conduct a public hearing;
2. Find that this project is not subject to further environmental review pursuant to Section 21083.3 of the California Public Resources Code (PRC) and Section 15183 of the California Environmental Quality Act (CEQA) Guidelines because the project is consistent with the previously certified Program Environmental Impact Report (SCH No. 2023060699); and
3. Adopt Resolution No. PC2026-004 approving the Major Site Development Review, Conditional Use Permit, and Vesting Tentative Tract Map No. 19407, collectively filed as PA2025-0102.

[Item No. 2 Staff Report](#)

[Attachment 1 - Draft Resolution with Findings and Conditions](#)

[Attachment 2 - General Plan Consistency Analysis](#)

[Attachment 3 - Public Comments](#)

[Attachment 4 - Project Plans](#)

[2a Additional Materials Received Various PA2025-0102](#)

[2b Additional Materials Received Various PA2025-0102](#)

[2c Additional Materials Received from Staff Conditions of Approval and Civil Sheets PA2025-0102](#)

[2d Additional Materials Received Various PA2025-0102](#)

3. THE NICE GUY RESTAURANT (PA2025-0252)

Site Location: 2607 West Coast Highway

Summary:

A request for a conditional use permit (CUP) to renovate an existing 5,260-square-foot restaurant space on the waterfront, formerly occupied by *GuacAmigos*, and operate a restaurant known as *The Nice Guy* with a Type 47 (On-Sale General - Eating Place) Alcoholic Beverage Control license, late hour

operations, and live entertainment. Proposed hours of operation are 11 a.m. to 12 a.m., Monday through Saturday, and 9:30 a.m. to 12 a.m. on Sunday. A CUP is required to authorize a restaurant with alcohol service and late hour operations (defined by the Newport Beach Municipal Code as service provided after 11 p.m.). If this CUP is approved, the restaurant operator will be required to obtain an operator license from the Newport Beach Police Department, as they intend to offer alcoholic beverages for on-site consumption in conjunction with late hour operations and live entertainment. No dancing is proposed. Approval of the project will also supersede the Minor Use Permit filed as PA2023-0119 and Staff Approval No. SA2018-010.

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 the exceptions to this Exemption do not apply; and
3. Adopt Resolution No. PC2026-005 approving the Conditional Use Permit filed as PA2025-0252.

[Item No. 3 Staff Report](#)

[Attachment 1 - Draft Resolution with Findings and Conditions](#)

[Attachment 2 - Project Plans](#)

[Attachment 3 - The Nice Guy Project Description](#)

[Attachment 4 - Noise Study Prepared by RK Engineering Group, Inc., October 14, 2025](#)

[Attachment 5 - Newport Beach Police Department Memorandum](#)

4. WIRELESS SERVICE FACILITIES CODE AMENDMENTS (PA2021-103)

Site Location: Citywide

Summary:

Consistent with the City Council's initiation on May 25, 2021, and the more recent guidance provided at the City Council Study Session on January 13, 2026, the proposed amendments to Title 13 (Streets, Sidewalks and Public Property), Title 20 (Planning and Zoning), and Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code serve to simplify and modernize some of the City of Newport Beach's (City) regulations related to the permitting, installation, modification, operation, and maintenance of wireless service facilities on both private and public property, including within the public right-of-way. Although Title 13 does not fall within the purview of the Planning Commission, it is included for reference.

Recommended Actions:

1. Conduct a public hearing;
2. Find this action is not a project subject to the California Environmental Quality Act (CEQA) in accordance with Section 20165 of the California Public Resources Code and Sections 15060(c)(2), 15060(c)(3), and 15378 of the California Code of Regulations, Title 14, Division 6, Chapter 3 (CEQA Guidelines). Further find this action is also exempt pursuant to CEQA Guidelines Section 15061(b)(3), the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment;
3. Adopt Resolution No. PC2026-006 recommending the City Council approve the Zoning Code Amendment modifying regulations pertaining to wireless service facilities on private and public property; and
4. Adopt Resolution No. PC2026-007 recommending the City Council authorize staff to submit the Local Coastal Program Amendment to the California Coastal Commission.

[Item No. 4 Staff Report](#)

[Attachment 1 - Resolution No. PC2026-006](#)

[Attachment 2 - Resolution No. PC2026-007](#)

[Attachment 3 - Draft NBMC Chapter 13.22](#)

[Attachment 4 - Redline-Strikeout Chapter 20.49](#)

[Attachment 5 - Redline-Strikeout Chapter 21.49](#)

[Attachment 6 - Community Correspondence Received](#)

[4a Additional Materials Received from Staff Attachment No. PC 4 PA2021-103](#)

[4b Additional Materials Received from Staff Attachment No. PC 5 PA2021-103](#)

[4c Additional Materials Received Mosher PA2021-103](#)

VIII. CURRENT BUSINESS

**5. ANNUAL GENERAL PLAN AND HOUSING PROGRESS REPORTS
(PA2026-0004)**

Site Location: Citywide

Summary:

The General Plan and Housing Element Annual Progress Reports (Reports) are prepared by City of Newport Beach staff each year and reviewed by the Planning Commission and City Council. The Reports summarize the City's progress with implementing the goals, policies, and programs of the General Plan and specifically, the Housing Element. The current Reports are presented for the Planning Commissions' review and expansively cover the City's activities in calendar year

2025

Recommended Actions:

1. Find the review of the 2025 General Plan and Housing Element Annual Progress Report is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(b)(2) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly;
2. Review and comment on the 2025 General Plan and Housing Element Annual Progress Reports; and
3. Recommend the City Council review and authorize the submittal of the 2025 General Plan and Housing Element Annual Progress Reports to the California Office of Land Use and Climate Innovation (LCI) and the submittal of the Housing Element portion to the State Department of Housing and Community Development (HCD)

[Item No. 5 Staff Report](#)

[Attachment 1 - General Plan Annual Progress Report 2025](#)

[5a Additional Materials Received Mosher PA2026-0004](#)

IX. STAFF AND COMMISSIONER ITEMS

6. MOTION FOR RECONSIDERATION

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

[Tentative Agenda](#)

8. REQUESTS FOR EXCUSED ABSENCES

X. ADJOURNMENT