



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:

Petty Family Trust Encroachment - A request to waive City Council Policy L-6 to retain existing and construct new non-compliant private improvements consisting of 3-foot-tall vinyl fencing and 6-foot-tall vinyl fencing encroaching up to 6-feet and 2-foot 6-inches, respectively, within the 50-foot wide Third Avenue public right-of-way. The Third Avenue right of way is approximately 10-feet from face of curb to the property line. City Council Policy L-6 prohibits the existing and proposed new vinyl fencing to a 1-foot projection into the right-of-way and limiting encroachments to 36-inches maximum.

Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2), 15060(c)(3) (Preliminary Review), and Section 15303 Class 3 (New Construction or Conversion of Small Structures) 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.: PA2024-0067

Activity No.: N2024-0154

Zone: R-2 (Two-Unit Residential)

General Plan: RT (Two Unit Residential)

FILING DATE: April 1, 2024

Location: 521 Larkspur Avenue

Applicant: Stephanie Petty

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