



# CITY OF NEWPORT BEACH PLANNING COMMISSION AGENDA

City Council Chambers - 100 Civic Center Drive

Thursday, May 17, 2018 - 4:00 PM

***Planning Commission Members:***

**Peter Koetting, Chair**  
**Peter Zak, Vice Chair**  
**Erik Weigand, Secretary**  
**Bill Dunlap, Commissioner**  
**Lauren Kleiman, Commissioner**  
**Kory Kramer, Commissioner**  
**Lee Lowrey, Commissioner**

**Staff Members:**

**Seimone Jurjis, Community Development Director**  
**Jim Campbell, Deputy Community Development Director**  
**Michael Torres, Assistant City Attorney**  
**Tony Brine, City Traffic Engineer**  
**Brittany Ramirez, Administrative Support Specialist**

**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 web site 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.

Please Note: All mail or written communications (including email) from the public, residents, or applicants regarding an agenda item must be submitted by 5 p.m. on the business day immediately prior to the meeting. This allows time for the Planning Commission to adequately consider the submitted correspondence.

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 Leilani Brown, City Clerk, at least 72 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3005 or [lbrown@newportbeachca.gov](mailto:lbrown@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 and Zoning 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. (Red light signifies when three (3) minutes are up; yellow light signifies that the speaker has one (1) minute left for summation.) 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 APRIL 5, 2018**

Recommended Action: Approve and file

[MINUTES OF APRIL 5, 2018](#)

[1a Additional Materials Received After Deadline Mosher Draft Minutes - 04-05-18](#)

**VII. CONTINUED BUSINESS**

**2. AGAPE ART COLLECTIVE (PA2017-232)**

**Site Location: 365 Old Newport Boulevard**

**Summary:**

A minor use permit to allow the establishment of a tattoo studio (Personal Services, Restricted Land Use), in conjunction with an artist's studio, within an existing commercial tenant space. This item was continued from the April 5, 2018, Planning Commission meeting.

**Recommended Action:**

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. PC2018-016 approving Minor Use Permit No. UP2017-031.

[ITEM NO. 2 STAFF REPORT](#)

[2a Additional Materials Received Public Comments PA2017-232](#)

[2b Additional Materials Received Public Comments PA2017-232](#)

**VIII. 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. VERIZON AND AT&T MONOPOLE TELECOMMUNICATIONS FACILITY (PA2018-010)**

**Site Location: 1600 Newport Center Drive**

**Summary:**

Conditional use permit (CUP) and a coastal development permit (CDP) to construct two, 43-foot-tall, slim line monopoles (i.e., antennas located within pole) to accommodate twelve, six-foot-tall antennas for Verizon Wireless and AT&T. The telecom facility support equipment will be ground-mounted and enclosed within a new 450-square-foot enclosure. The two monopoles would exceed the 32-foot height limit by 11 feet.

**Recommended Action:**

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and
3. Adopt Resolution No. PC2018-017 approving Conditional Use Permit No. UP2018-005 and Coastal Development Permit No. CD2018-004.

[ITEM NO. 3 STAFF REPORT](#)

[3a Additional Materials Received Public Comments PA2018-010](#)

[3b Additional Materials Received Public Comments PA2018-010](#)

[3c Additional Materials Received After Deadline Public Comments PA2018-010](#)

**4. ACCESSORY DWELLING UNIT ORDINANCE (PA2018-099)**

**Site Location: Citywide**

**Summary:**

Initiation of amendments to the Zoning Code and Local Coastal Program revising the City's regulations pertaining to Accessory Dwelling Units (ADU) to conform with Government Code Section 65852.2, as effective January 1, 2018. Specifically, the proposed amendments would update regulations related to the development of ADUs as *new construction* in single-family residential zoning districts, or as *conversions of existing floor area* within single-family residences in all residential zoning districts.

**Recommended Action:**

1. Take public comment;
2. Determine this action exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15262 (Feasibility and Planning Studies) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3; and
3. Initiate an amendment to Section 20.48.200 and other affected sections of the Newport Beach Municipal Code to appropriately reflect recent legislation affecting the development of Accessory Dwelling Units.

[ITEM NO. 4 STAFF REPORT](#)

**IX. STAFF AND COMMISSIONER ITEMS**

**5. MOTION FOR RECONSIDERATION**

**6. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

1. Update on City Council Items

[ITEM NO. 6 TENTATIVE AGENDA](#)

**7. ANNOUNCEMENTS ON MATTERS THAT THE PLANNING COMMISSION MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION, OR REPORT**

**8. REQUESTS FOR EXCUSED ABSENCES**

**X. ADJOURNMENT**