



CITY OF NEWPORT BEACH PLANNING COMMISSION AGENDA

City Council Chambers - 100 Civic Center Drive

Thursday, August 9, 2018 - 6:30 PM

Planning Commission Members:

Peter Zak, Chair
Erik Weigand, Vice Chair
Lauren Kleiman, Secretary
Bill Dunlap, Commissioner
Peter Koetting, 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).

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. ELECTION OF OFFICERS

1. ELECTION OF OFFICERS

Summary:

The Planning Commission's adopted rules require the election of officers at its annual meeting. Officers include the Chair, Vice Chair, and Secretary and they would serve for a one-year term.

Recommended Action:

1. Find this action not subject to the California Environmental Quality Act ("CEQA") pursuant to 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3;
2. Nominate Planning Commission officers consisting of Chair, Vice Chair, and Secretary; and
3. Appoint the officers by majority approval of a motion.

V. 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.

VI. REQUEST FOR CONTINUANCES

VII. CONSENT ITEMS

2. MINUTES OF JULY 19, 2018

Recommended Action: Approve and file

[MINUTES OF JULY 19, 2018](#)

VIII. CONTINUED BUSINESS

3. HINTON AND MALONEY RESIDENCE (PA2017-208)

Site Location: 3200 Ocean Boulevard

Summary:

A request for a coastal development permit to allow the construction of a new 7,421-square-foot, single-family residence and a 694-square-foot three car garage. The application also includes a request for a variance to allow the residence to encroach 5 feet into the required 10-foot rear setback and exceed the maximum floor area limit.

Recommended Action:

1. Conduct a public hearing;
2. Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303, Article 19, of Chapter 3, Guidelines for Implementation of the California Environmental Quality Act) under 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; and
3. Adopt Resolution No. PC2018-023 approving Coastal Development Permit No. CD2017-091 and Variance No. VA2017-002.

[ITEM NO. 3 STAFF REPORT](#)

[3a Additional Materials Received Public Comments PA2017-208](#)

[3b Additional Materials Received Public Comments PA2017-208](#)

[3c Additional Materials Received Public Comments PA2017-208](#)

[3d Additional Materials Presented At Meeting Staff PA2017-208](#)

IX. 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

4. DEAN RESIDENCE (PA2017-167)

Site Location: 16 Bay Island

Summary:

A coastal development permit to allow the construction of a new 4,379-square-foot, single-family residence and adjust the off-street parking requirements with a parking management plan. In addition, the applicant requests to increase the allowed building height to 28 feet for flat roofs and 33 feet for sloped roofs pursuant to the provisions of Use Permit No. UP3618. The design includes hardscape, drainage facilities, and approximately 194 square feet of landscaping. With approval of the height allowance, the project complies with all applicable development standards.

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. PC2018-024 approving Coastal Development Permit No. CD2018-054, including an adjustment to off-street parking requirements, and allow for an increased height limit.

[ITEM NO. 4 STAFF REPORT](#)

[4a Additional Materials Received Public Comments PA2017-167](#)

[4b Additional Materials Presented At Meeting Staff PA2017-167](#)

5. ACCESSORY DWELLING UNIT ORDINANCE (PA2018-099)

Site Location: Residential Zones Citywide

Summary:

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 amended and effective on January 1, 2018. Specifically, the amendment would establish regulations permitting the development of accessory dwelling units in conjunction with single-family residences in all residential zoning districts.

Recommended Action:

1. Conduct a public hearing;
2. Find this project statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15282(h) of the CEQA Guidelines, which states that the adoption of an ordinance regarding second units to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code are exempt from the requirements of CEQA;
3. Adopt Resolution No. PC2018-025 recommending the City Council approve Zoning Code Amendment No. CA2018-003 modifying regulations pertaining to accessory dwelling units; and
4. Adopt Resolution No. PC2018-026 recommending the City Council authorize staff to submit Local Coastal Program Amendment No. LC2018-002 to the California Coastal Commission.

[ITEM NO. 5 STAFF REPORT](#)

[5a Additional Materials Presented At Meeting Staff PA2018-099](#)

X. STAFF AND COMMISSIONER ITEMS

6. MOTION FOR RECONSIDERATION

7. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Update on Planning Commission or City Council Items

[ITEM NO. 7 TENTATIVE AGENDA](#)

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

9. REQUESTS FOR EXCUSED ABSENCES

XI. ADJOURNMENT