



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, November 24, 2021**, at **10:00 a.m.** or soon thereafter as the matter shall be heard, a public hearing will be conducted online via Zoom. The Zoning Administrator of the City of Newport Beach will consider the following application:

Cappy's Café - A request for a limited term and coastal development permit to authorize a 1,000 square-foot maximum expanded dining area for up to a one-year term (January 1, 2022 through December 31, 2022) that was previously authorized through Emergency Temporary Use Permit No. UP2020-052 (PA2020-131) for Cappy's Café and the size and location of the expanded dining area has been modified under this request.

The project is categorically exempt under Section 15301 - Class 1 (Existing Facilities) and Section 15303 - Class 3 (New Construction or Conversion of Small Structures) of the State CEQA (California Environmental Quality Act) Guidelines.

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 Chapters 20.64 (Appeals) and 21.64 (Appeals and Calls for Review). 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. A fee is not required to appeal any final action on a coastal development permit to the Planning Commission. The project site is located within the appeal area of the coastal zone; therefore, final action by the City may be appealed to the California Coastal Commission.

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/zoningadministrator. **Please review the Zoning Administrator Agenda for Zoom participation instructions.** 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 12:00 p.m. on the business day immediately prior to the meeting. This allows time for the Zoning Administrator to adequately consider the submitted correspondence.

For questions regarding this public hearing item please contact Caitlyn Curley, Planning Technician, at 949-644-3235 or ccurley@newportbeachca.gov, 100 Civic Center Drive, Newport Beach, CA 92660.

Project File No.: PA2021-180

Activity No.: XP2021-005 and CD2021-036

Zone: CV (Commercial Visitor-Serving)

General Plan: CV (Visitor Serving Commercial)

Coastal Land Use Plan: CV-A (Visitor Serving Commercial - 0.0–0.75 FAR)

Filing date: July 26, 2021

Location: 5930 West Coast Highway

Applicant: Cappy's Café