

**From:** Oborny, Shirley  
**Sent:** Friday, September 06, 2019 4:18 PM  
**Subject:** Insider's Guide for the Newport Beach City Council Meeting of Tuesday, September 10, 2019

Happy Friday! Our next City Council meeting is Tuesday, September 10. The following are items that may be of interest. As always, this is not a summary of the entire agenda, which can be viewed [here](#).

**Study Session starts at 4 p.m.** and includes an update on **proposed code amendments related to Third Floor Massing, Beach Cottage Preservation and the RM Zone**. In May 2019, the City Council initiated code amendments related to these areas. Staff has developed proposed amendments based on City Council input and conducted a community meeting to review the proposed amendments with the public and design community on August 19, 2019. Comments and feedback received from the meeting and the proposed amendments will be reviewed with City Council at this study session. Following Council direction, staff will present the proposed amendments to the Planning Commission for their review and recommendations, and ultimately return to City Council for final review and adoption.

The **Regular Session begins at 7 p.m.** and the following are items of note:

- On the consent calendar is the **recommendation of the Parks, Beaches, and Recreation (PB&R) Commission with regard to Marine Avenue tree maintenance**. At the August 13, 2019 study session, City Council discussed the maintenance of Marine Avenue trees, including staff's recommendation of the removal and replacement of several trees. Council requested that PB&R review the trees and to report back on the actions taken by the Commission. PB&R reviewed the Marine Avenue trees on September 3, 2019 and provided direction that included the removal and replacement of four special eucalyptus trees, additional testing and review of the results before taking action on six additional trees and the replacement of the three non-eucalyptus trees with eucalyptus trees. All replacement trees will be 24 inch box lemon scented gum eucalyptus trees.
- For public hearing is the **Appeal of the Reed Residential Variance for 1113 Kings Road**. The Planning Commission approved a variance related to the construction of a new 10,803 square foot, single-family residence and a 1,508 square foot, four-car garage at this address in May 2019. The variance authorized portions of the upper level roof and deck, and portions of an office and covered patio on the main level of the proposed home to exceed the allowed height limit due to the steep topography of the site. The appeal was filed by Stop Polluting Our Newport (SPON).
- **Proposed revisions to City Council Policy B-17 – Parks, Facilities and Recreation Program Donations** is before Council for approval. B-17 establishes criteria for donations within the City's public parks and streets system. City Council reviewed the policy in July 2018 and took an action to suspend the policy and directed staff to work with the PB&R Commission to review and make recommendations on revisions back to the City Council. The PB&R Commission conducted a detailed review of the policy, utilizing an ad hoc committee. Following the review, PB&R recommended changes related to the donation and maintenance period, increase to the maintenance fee, standardization of types of benches used throughout the City, disallowance of memorial language, and elimination of plaques for donated trees. Council considered these recommendations on May 14, 2019 and directed the removal of all donation plaques and to offer first right of refusal after the ten-year donation period. Council also directed these changes be reviewed by the PB&R Commission. The commission has approved

these changes and now the proposed changes to the policy are back to City Council for final review and approval.

- **Amendments to the Municipal Code related to Chapter 6.04 – Garbage, Refuse and Cuttings and adding Chapter 6.06 – State Mandated Municipal Solid Waste Diversion Programs** are required to be in compliance with state legislation that mandate commercial recycling and the diversion of organic materials from the waste stream by businesses. The revisions to the Municipal Code will require businesses and multifamily complexes of five units or larger to comply with AB 341 and AB 1826 or face penalties. Staff has been working closely with the affected businesses and franchise haulers to educate and gain compliance on the new requirements.

As a reminder, public comment is welcome at the City Council meeting. The public can comment on any item on the agenda. If you cannot attend the meeting and/or want to communicate with the City Council directly on an item, the following e-mail address gets to all of them: [City Council](#).

*The Week in Review* is also provided this week. It is posted on the City’s website; the latest edition can be found [here](#).

Thank you for reading. Feedback is appreciated so please don’t hesitate to ask a question or offer a comment.



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