



# NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that on **Thursday, December 05, 2019**, at **6:30 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:

**Malibu Farm Expansion** - A minor use permit to expand an existing food service, eating and drinking establishment with a Type 47 (On-Sale General for Bona Fide Public Eating Place) Alcoholic Beverage Control (ABC) license. The existing restaurant is located at 3420 Via Oporto and includes indoor and outdoor areas. The existing 624-square-foot, take-out only ice cream and coffee shop (to remain) is located at 3416 Via Oporto. The proposed expansion would convert the existing Malibu Farm retail store at 3424 Via Oporto into additional restaurant space. No late hours (after 11 p.m.) are proposed. If approved, this Minor Use Permit would supersede Use Permit No. UP2017-026.

The project is categorically exempt under Section 15301 - Class 1 (Existing Facilities) of the State CEQA (California Environmental Quality Act) Guidelines.

All interested parties may appear and present testimony in regard to 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](http://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 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 Liz Westmoreland, Assistant Planner, at 949-644-3234 or [lwestmoreland@newportbeachca.gov](mailto:lwestmoreland@newportbeachca.gov).

**Project File No.:** PA2019-057

**Activity No.:** UP2019-022

**Zone:** Mixed-Use Water (MU-W2)

**General Plan:** Mixed-Use Water (MU-W2)

**Location:** 3416, 3420, and 3424 Via Oporto

**Applicant:** Malibu Farm Lido

Lee Lowrey, Secretary, Planning Commission, City of Newport Beach