



CITY OF

NEWPORT BEACH

City Council Staff Report

February 11, 2020
Agenda Item No. 18

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Newport Beach Wine and Food Festival Request for Waiver of City Council Policy B-13

ABSTRACT:

Consider a request from Newport Beach Wine and Food Festival (NBWFF) to waive Council Policy B-13 to allow alcoholic beverages to be permitted at Peninsula Park for the NBWFF. (Attachment A)

RECOMMENDATION:

- a) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15304 under Class 4 (Minor Alterations to Land), because it has no potential to have a significant effect on the environment; and
- b) Recommend approval to waive Council Policy B-13, Regulations and Restrictions, Section A1, Use of Alcohol to allow for NBWFF to be conducted at Peninsula Park. Approval of waiver would allow the NBWFF to move forward with the Special Event Permit Process. Event approval would be contingent upon Special Event Permit approval.

FUNDING REQUIREMENTS:

There is no fiscal impact related to this item.

DISCUSSION:

Staff has worked closely with the NBWFF over the past six years to permit and house the festival each October at the Newport Beach Civic Center. The event provides challenges annually at the Civic Center location due to the multiday set up and take down that impacts City business and creates significant wear and tear on the facility.

City staff and NBWFF staff have met multiple times over the past few months exploring the concept of moving the event and agree that Peninsula Park is the desired location and better equipped to house the event. Moving the event to Peninsula Park would require a waiver of Council Policy B-13 to allow for use of alcohol during the event.

Approval of this waiver would allow NBWFF to move forward with the planning of the 2020 event. As part of the special event permitting process, an alcohol service plan would continue to be required, outlining guidelines that include limiting the number of alcohol service locations, containers sizes, types of alcohol, security personnel, adherence to state (ABC) restrictions, and required training of alcohol service personnel. The NBWFF has adhered to the restrictions of the alcohol service plan in past years.

Additionally, staff met with NBWFF and representatives from the Balboa Village Advisory Committee (BVAC) and Balboa Village Merchants Association (BVMA). Consensus among BVAC and BVMA was to support this event moving to Peninsula Park and work collaboratively with the organizer to thoughtfully integrate the event in a manner that supports the area commerce and residents.

ENVIRONMENTAL REVIEW:

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15304 under Class 4 (Minor Alterations to Land) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.

Class 4 exemptions consist of minor public or private alterations in the condition of land, water, and/or vegetation that do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes, including the minor temporary use of land having a negligible or no permanent effect on the environment. This proposal is to waive Council Policy B-13 to allow alcoholic beverages to be permitted at Peninsula Park for the Newport Beach Food and Wine Festival, a once-a-year, weekend-long event, and thus qualifies for the Class 4 exemption.

The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, is not a hazardous waste site, and is not identified as a historical resource.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENTS:

Attachment A – Letter from NBWFF dated November 21, 2019

Attachment B – City Council Policy B-13