



# NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that on **Thursday, January 21, 2021**, at **6:30 p.m.** or soon thereafter as the matter shall be heard, a public hearing will be conducted online via Zoom. The Planning Commission of the City of Newport Beach will consider the following application:

**DeCaro Residence** – A variance and coastal development permit to allow a 1,732-square-foot addition to an existing 1,989-square-foot duplex and a reduction of the required rear yard setback and third floor setback.

The variance request would allow two deviations: (1) encroachment of 5 feet into the required 10-foot rear setback along River Avenue; and, (2) encroachment of 5 feet into the required 15-foot third floor setback along River Avenue. Implementation of the project would result in a 29-foot-tall, three-story, 3,153-square-foot duplex with an attached 584-square-foot three-car garage and one tandem carport. With the exception of the requested rear setback and setback deviations, the project would comply with all other development standards such as floor area, height limits, and setbacks.

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

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. 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. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapters 20.64 and 21.64 (Appeals and Appeals and Calls for Review). A fee is required to appeal any final action on a coastal development permit to the City Council. The project site is located within the appeal area of the coastal zone; therefore, final action by the City to approve a Coastal Development Permit may be appealed to the California Coastal Commission.

## **Planning Commission - SPECIAL NOTICE REGARDING COVID-19**

Given the Declaration of a State Emergency and Proclamation of Local Emergency related to COVID-19, we recommend that you submit your questions and comments in writing for Planning Commission consideration by sending them to the Community Development Department at [PlanningCommissioners@newportbeachca.gov](mailto:PlanningCommissioners@newportbeachca.gov). To give the Planning Commission adequate time to review your questions and comments, please submit your written comments by **Wednesday, January 20, 2021, at 5:00 p.m.** Please review the Planning Commission Agenda for participation instructions. The Agenda, staff report and corresponding documents will be posted to the City's website at [www.newportbeachca.gov/planningcommission](http://www.newportbeachca.gov/planningcommission), by end of business day on **Friday, January 15, 2021**. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City's website. The City of Newport Beach thanks you in advance for continuing to take precautions to prevent the spread of the COVID-19 virus. If you are unable to participate in the meeting via the process set forth in the agenda, please contact the Planning Division at 949-644-3200 or [CDD@newportbeachca.gov](mailto:CDD@newportbeachca.gov) and our staff will attempt to accommodate you.

For questions regarding this public hearing item please contact Patrick Achis, Assistant Planner at [pachis@newportbeachca.gov](mailto:pachis@newportbeachca.gov), 100 Civic Center Drive, Newport Beach, CA 92660.

**Project File No.:** PA2020-072

**Activity No.:** VA2020-002 and CD2020-021

**Zone:** R-2 (Two-Family Residential)

**General Plan:** RT (Two-Unit Residential)

**Coastal Land Use Plan:** RT-D Two Unit Residential - (20.0 - 29.9 DU/AC)

**Filing Date:** May 15, 2020

**Location:** 5406 and 5408 Neptune Avenue

**Applicant:** Mr. and Mrs. Robert DeCaro

Lauren Kleiman, Secretary, Planning Commission, City of Newport Beach