



## **CITY OF NEWPORT BEACH** **NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that on **Wednesday, April 14, 2021**, at **5 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 Harbor Commission of the City of Newport Beach will consider approval of the following application:

**Request for an Encroachment into the Public Right-of-Way at Topaz Avenue adjacent to 526 S. Bay Front, Balboa Island, CA**

The applicant, Shirley Pepys requests a nine-foot extension of her vessel into the Topaz Avenue street end in exchange for the removal of onshore mooring S-028. The requested encroachment will require a variance from Newport Beach Municipal Code (NBMC) Section 17.25.020(C)(1).

This action is categorically exempt under Section 15301 (Existing Facilities) of the State CEQA (California Environmental Quality Act) Guidelines. The action is also exempt from CEQA under Section 15601 of the CEQA Guidelines (the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment).

All interested parties may appear and present testimony in regard to this proposal. The public hearing shall be conducted in accordance with the procedure set forth in NBMC Sections 17.05.140(C) and 17.05.140(D)(2). If you challenge the decision of the Harbor Commission, 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 NBMC Chapter 17.65. 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.

To give the Harbor Commission adequate time to review your questions and comments, please submit your written comments by **Tuesday, April 13, 2021, at 5 p.m. to [cjacobs@newportbeachca.gov](mailto:cjacobs@newportbeachca.gov)**. Please review the Harbor Commission Agenda for further instructions. The Agenda, staff report and corresponding documents will be posted to the City's website at <https://newportbeachca.gov/government/departments/harbor/harbor-commission>, by end of business day on **Friday, April 9, 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. If you are unable to participate in the meeting via the process set forth in the agenda, please contact Carol Jacobs, Assistant City Manager at 949-270-8158 or [cjacobs@newportbeachca.gov](mailto:cjacobs@newportbeachca.gov) and our staff will attempt to accommodate you.