



# NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that on **Thursday, June 03, 2021**, at **6:30 p.m.** or soon thereafter as the matter shall be heard, a telephonic public hearing will be conducted in the Council Chambers at 100 Civic Center Drive, Newport Beach, observing restrictions due to the Declaration of a State Emergency and Proclamation of Local Emergency related to COVID-19. The Planning Commission of the City of Newport Beach will consider the following application:

**Ibbetson Trust Encroachment** - A request to install non-compliant private improvements within the Aliso Avenue and Beacon Street public rights-of-way consisting of a 30-inch high fence with two inward swinging gates that encroach up to six feet into the public right-of-way. The property owner requests to install landscaping with a maximum growth characteristic that ranges between 3-feet and 7-feet in height. City Staff recommends the installation of landscaping with a maximum growth characteristic of 24-inches high within the 'limited use area' and 36-inches high within the remaining portions of public right-of-way.

This action is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15303 Class 3 (New Construction or Conversion of Small Structures) because it has no potential to have a significant effect on the environment. Class 3 exempts the construction accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

All interested parties may present written or oral testimony regarding 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.

## **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, June 2, 2021, at 5:00 p.m.** In addition, members of the public will have the ability to participate in this meeting telephonically. Please review the Planning Commission Agenda for further 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, May 28, 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. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapter 20.64.

For questions regarding this public hearing item please contact Abby Cooke, Associate Civil Engineer, at 949-644-3323 or [acooke@newportbeachca.gov](mailto:acooke@newportbeachca.gov), 100 Civic Center Drive, Newport Beach, CA 92660.

**Project File No.:** PA2021-088

**Activity No.:** N2021-0158

**Zone:** R-1 (Single Unit Residential)

**General Plan:** RS-D (Single Unit Residential Detached)

**Location:** 400 Aliso Avenue

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