



# CITY OF NEWPORT BEACH NEIGHBORHOOD REVITALIZATION COMMITTEE AGENDA

Newport Beach City Hall, Council Chambers  
3300 Newport Boulevard  
Thursday, September 13, 2012 - 4:00 p.m. to 5:30 p.m.

**Neighborhood Revitalization Committee Members:**

Michael Henn, Council Member (Chair)  
Rush Hill, Council Member  
Ed Selich, Council Member

**Staff Members:**

Kimberly Brandt, Community Development Director  
Brenda Wisneski, Deputy CD Director  
Jim Campbell, Principal Planner  
Steve Badum, Assistant City Manager  
Dave Webb, Public Works Director  
Cindy Nelson, Project Consultant  
Leonie Mulvihill, Assistant City Attorney  
Gaylene Olson, Department Assistant

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- I. **Call Meeting to Order**
  - II. **Approval of Minutes for June 28, 2012 (*Attachment 1*)**
  - III. **Balboa Village Citizen Advisory Panel - Council Member Henn**
    1. Formation of Balboa Village Advisory Committee – Jim Campbell
      - a. Recommended Action:
        - i. Review draft structure and purpose (*Attachment 2*)
        - ii. Forward to City Council
    2. Residential Permit Parking Program – Jim Campbell/Tony Brine
      - a. Recommended Action:
        - i. Review draft Resident Survey (*Attachment 3*)
        - ii. Forward to City Council
  - IV. **Correspondence Received (*Attachment 4*)**
  - V. **Public Comment**
  - VI. **Adjournment**

Please refer to the City Website, <http://www.newportbeachca.gov/index.aspx?page=1831>, for additional information regarding the Neighborhood Revitalization Committee.

AN AGENDA FOR THIS MEETING HAS BEEN POSTED AT LEAST 72 HOURS IN ADVANCE OF THE MEETING AND THE PUBLIC IS ALLOWED TO COMMENT ON AGENDA ITEMS.

IT IS THE INTENTION OF THE CITY OF NEWPORT BEACH TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT (ADA) IN ALL RESPECTS. IF, AS AN ATTENDEE OR A PARTICIPANT AT THIS MEETING, YOU WILL NEED SPECIAL ASSISTANCE BEYOND WHAT IS NORMALLY PROVIDED, THE CITY OF NEWPORT BEACH WILL ATTEMPT TO ACCOMMODATE YOU IN EVERY REASONABLE MANNER. PLEASE CONTACT LEILANI BROWN, CITY CLERK, AT LEAST 72 HOURS PRIOR TO THE MEETING TO INFORM US OF YOUR PARTICULAR NEEDS AND TO DETERMINE IF ACCOMMODATION IS FEASIBLE (949-644-3005 OR [CITYCLERK@NEWPORTBEACHCA.GOV](mailto:CITYCLERK@NEWPORTBEACHCA.GOV)).

# **Attachment No. 1**

Draft Minutes – June 28, 2012

Action Meeting Minutes  
**NEIGHBORHOOD REVITALIZATION COMMITTEE**

Location: Council Chambers  
Thursday, June 28, 2012 - 4:00 p.m.

**I. Call Meeting to Order**

Council Member Henn convened the meeting at 4:00 p.m. and reviewed the meeting protocol. The following persons were in attendance:

Committee Members

- Michael Henn, Council Member (Chair)
- Rush Hill, Council Member
- Ed Selich, Council Member

City Staff

- Kimberly Brandt, Community Development Director
- Brenda Wisneski, Deputy CD Director
- Jim Campbell, Principal Planner
- Dave Webb, Deputy PW Director/City Engineer
- Cindy Nelson, Project Consultant
- Leonie Mulvihill, Assistant City Attorney
- Marlene Burns, Administrative Assistant

**II. Approval of Minutes for June 14, 2012**

Council Member Hill moved to approve the minutes of the June 14, 2012, meeting as submitted, and Council Member Selich seconded the motion; and **the minutes were approved unanimously.**

**III. Draft Balboa Village CAP Implementation Plan, May 2012**

Project Consultant Cindy Nelson presented a review of previous discussions by the Committee on the draft Balboa Village Implementation Plan including agreement that a commercial façade improvement project was warranted in the area, subject to funding and future discussion by City Council. Regarding the targeted tenant attraction program, there was consensus that this would be deferred until a time subsequent to implementation of other recommendations by the Committee, as it premature to determine now if it was needed or how to go about it. There was strong support to facilitate the development of ExplorOcean and the Balboa Theater. Discussion also took place regarding developing a special events initiative for Balboa Village and hire a consultant to develop a special events program for the area in partnership with ExplorOcean, Balboa Theater, the Business Improvement District and the Neighborhood Associations.

Council Member Hill noted that Visit Newport Beach is paid for those activities and suggested that staff contact them for coordination.

Discussion followed regarding rationale for a consultant who would focus on event management and organization versus event marketing. Council Member Henn noted that the scope of work needs a dedicated resource.

Ms. Nelson continued summarizing previous discussions including developing a trial program for an off-peak RV use program in the Balboa Pier parking lot without utility hook-ups, subject to outreach with residents of the surrounding area and the development of parameters. Discussion also took place regarding future mixed-use development on the City-owned Palm Street parking lot with it best deferred to a later time, subject to the final plans being developed by ExplorOcean; additional funding to the Balboa Village BID for marketing; modify the boundaries of the BID; design guidelines especially as it relates to signage; and eliminating parking requirements for new commercial developments and intensification of use applications;

providing incentives to attract new commercial business to the area; and eliminating the in lieu parking fee for Balboa Village. Regarding the latter, the NRC recommended suspension of the program rather than elimination at this point.

Another issue addressed was the pursuit of the adoption of the Local Coastal Plan which is currently in process. She addressed details of the parking management plan discussed as well as getting Council direction on that matter and establishing a resident permit parking program as well as an employee permit parking program and developing a coordinated way-finding signage program. In coordination with the way-finding signage plan and parking, discussion took place regarding additional improvements to use of bicycles in the area, possibly including a shared-bike system. There was consensus that public streetscape needs to be revisited in terms of public improvements with a recommendation to hire an architect to put together a revised conceptual streetscape plan and adding to the Boardwalk area and for the City to assume maintenance of the Boardwalk area. Discussion also took place regarding a developing a very high standard of maintenance for the Village. Ms. Nelson reported that an item which was not previous discussed was the creation of a governance structure.

The CAP felt it important for the City Council to establish an oversight committee that would meet as often as necessary to monitor and promote execution of the approved recommendations and provide additional input.

Council Member Selich asked about the need for a new committee in light of the existence of a BID.

Chair Henn felt it would work well to ensure a major representation of stakeholders in the area and that it would be a committee that would have a defined life, include one or two Council Members, a representative of the BID, a resident representative and representative from ExplorOcean. Its mission would be parallel to the recommendations of the NRC and funding needs would need to be approved by Council as a whole.

Discussion followed regarding the importance of having continuity with the City Council, the need for the BID to be well-represented, and outlining the responsibilities of the proposed committee.

Interested parties were invited to address the Committee on this item. The following is a summary of what was discussed by the public:

- The BID is a good starting point but that it is lacking residential input.
- There is a need for increased resident representation from Visit Newport Beach and the importance of establishing relationships with the business community was discussed.
- One of the challenges involves absentee owners of buildings and getting more of them involved in the governance structure.
- There has been no follow up regarding some of the previous studies and the need for coordination was emphasized.
- The need for a committee to oversee and coordinate to push projects and recommendations through.
- Concerns with the lack of businesses and existing zoning issues.
- Various organizations in other commercial areas of the City, such as in Corona del Mar and the various Chambers of Commerce already exist and seem to be effective, and there is no need to create a new group for Balboa Village.

There being no other wishing to address the Committee, Chair Henn closed public comments for this item.

Chair Henn noted that staff is working on a more coordinated effort in the area and stated the proposed governance committee would be strictly for Balboa Village and will not have oversight elsewhere. He suggested that the recommendations of the NRC need to move forward and that the next step will be a Planning Commission review. He felt the recommendation for a governance structure should stay with staff returning with an outline for review by the NRC, where the mission of the group would be clearly stated, with a defined term, and expectations of accomplishment of objectives and milestones.

Interested parties were invited to address the Committee on the parking recommendations. The following is a summary of what was discussed by the public:

- A resident was in favor of residential parking permits.
- Three residents opposed the concept of residential parking permits.
- The possibility of offering parking validation by existing businesses.
- A residence, for example, which has no garage, requires on-street parking.
- The inclusion of Balboa Island.
- The availability of parking for rentals units.
- The impacts to parking by day users.
- A recommendation was made to permit the area's five blocks and to include Medina Way, allowing two hour free parking in the BID area, including during the winter months, to encourage locals to patronize businesses in the area.
- It was reported that the BID is a parking district and that there are 30, legal, non-conforming units with no parking in the area.
- Inquiry as to the times proposed for the overnight parking permit.
- Concerns with residents not being able to find parking, in addition to tourists.
- Approval of overnight parking permits by the Coastal Commission was noted.
- Concerns that residents have not had to pay for parking on their streets but that now residents will be required to pay for permits.
- Details are needed to determine how residents will be affected, and that they should be resolved prior to approval.

In response to an inquiry by Chair Henn, Assistant City Attorney Leonie Mulvihill reported that under the City's Municipal Code, City Council has the authority to designate an area for resident parking permits.

Principal Planner Jim Campbell further noted that there are criteria within the Municipal Code to establish a preferential parking district if a majority of the residents in the affected area desires the plan. He stated the need for a survey to demonstrate the findings.

Chair Henn noted that another survey would have to be conducted by a disinterested third party.

The following is a summary of what was discussed by the public:

- The need for increased communication to residents.
- Concerns regarding parking enforcement.
- Concerns with establishing a permit parking district, forever, which would run from Adams to Seventh Street and extend into an area that had none of the original criteria that was proposed in the survey.

There being no others wishing to address the Committee, Chair Henn closed public comments for this item.

Council Member Selich reported that residents of Balboa Island acknowledge their parking problems and have learned to live with them and decided against parking permits.

Council Member Hill commented on how residents around Newport Harbor High School are uncertain on how to deal with the issue they have with student parking disrupting their neighborhoods. He indicated that he has been a proponent of residential parking permits but acknowledged related problems.

Chair Henn felt this has to be a resident-driven decision. He addressed existing metered parking, businesses requiring parking, and stated that he saw the potential for problems related to a residential parking program. He also indicated the need for a survey that provides clear information.

Discussion followed regarding addressing details, providing specific information in the proposed survey, offering various options for residents to choose, and considering the seasonal aspects of parking.

Support was expressed for a survey with various alternatives offered.

Community Development Director Kimberly Brandt stated that it could be part of the Committee recommendation that an additional survey be conducted by the City prior to considering a formal ordinance.

Chair Henn agreed with Ms. Brandt's comments.

Ms. Brandt noted that it could be a priority component of the implementation plan.

Interested parties were invited to address the Committee on other aspects of the implementation plan.

The following is a summary of what was discussed by the public:

- Concerns regarding renaming Balboa to make it more marketable, that the plan for input was never publicized, that the survey was not easy to access, and that connecting "Fun Zone" to Balboa is not appropriate.

Chair Henn addressed timing of the Committee meeting and noted that all recommendations will be presented to the Planning Commission on July 19th, which starts at 6:30 p.m., providing working residents the opportunity to attend and provide input.

- A resident commented on the misinformation regarding the location of Balboa Island within Mapquest and Google.
- A concern with the integrity of the survey was noted.

Chair Henn noted the recommendation regarding developing maintenance standards.

- Opposition to adding "Fun Zone" to the Balboa name was expressed.

There being no others wishing to address the Committee, Chair Henn closed public comments for this item.

Chair Henn stated the need to move the plan forward and addressed the two items needing further vetting including developing a governance structure and conducting the resident survey on residential parking permits.

Ms. Brandt addressed the related steps needed and presented the schedule of presentation to the Planning Commission, the Harbor Commission and City Council. She suggested that staff could compose a governance schedule that Council could review as part of the actions based on recommendations from the NRC.

Chair Henn thanked the members of the public who provided their input.

#### **IV. Public Comment**

Interested parties were invited to address the Committee on items not on the agenda.

Bruce Brandenburg thanked the City Manager and staff for their work in District 1 in bringing negotiations to conclusion and reducing rates to all Assessment Districts.

Dan Purcell presented an image of an area outside the current City Hall with a large amount of trash cans and expressed concerns regarding the need for increased maintenance.

Chair Henn expressed his appreciation to the Citizens Advisory Panel, Cindy Nelson, and staff for their work on this project.

**V. Adjournment**

There being no further business to come before the Committee, Chair Henn adjourned the meeting at 5:30 p.m.

The agenda for the Meeting was posted on June 22, 2012, at 2:45 p.m. on the City Hall Bulletin Board located outside of the City of Newport Beach Administration Building.

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Michael Henn, Chair

DRAFT

# **Attachment No. 2**

Draft Structure and Purpose



**CITY OF NEWPORT BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
3300 NEWPORT BOULEVARD, BLDG. C  
NEWPORT BEACH, CA 92658-8915  
(949) 644- 3200**

## Memorandum

**To:** Neighborhood Revitalization Committee  
**From:** James Campbell, Principal Planner  
**Date:** July 31, 2012  
**Re:** Balboa Village Implementation Plan – Oversight Committee

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The Balboa Village Implementation Plan (“Plan”) recommends the creation of a governance or oversight function to ensure execution of the various strategies provided in the Plan. At the June 28, 2012, NRC meeting, the Committee indicated the need for additional details and a desire to provide additional input related to the purpose and function of the recommended oversight committee. The Council is scheduled to consider creating the committee at its August 14, 2012 meeting based upon the attached rules. NRC comments will be forwarded to the City Council for consideration.

Attachment:

Balboa Village Advisory Committee draft rules

## **BALBOA VILLAGE ADVISORY COMMITTEE**

**AUTHORIZATION:** Established by Resolution No. 2012-\_\_\_\_\_ adopted on \_\_\_\_\_, 2012.

**MEMBERSHIP:** Two members of the City Council, one of whom shall represent Councilmanic District #1, who shall Chair the Committee.

One Balboa Village Business Improvement District Board member.

One representative of a major property owner in Balboa Village.

A representative of the Balboa Peninsula Point Homeowners Association.

A representative of the Central Newport Beach Community Association.

All appointments are made by the Mayor and ratified by the City Council.

City staff support shall come from the Community Development Department, Public Works Department, and others as needed.

**TERM:** Term ends December 31, 2016.

**MEETS:** As called by the Chair.

**PURPOSE & RESPONSIBILITIES:**

- A. Oversee the timely implementation of recommendations provided in the Balboa Village Implementation Plan approved by the City Council, including the establishment of appropriate priorities.
- B. Provide recommendations to the City Council regarding: 1) the adoption of specific programs or projects consistent with the Implementation Plan; and 2) allocation of funding for Balboa Village projects derived from the Parking Benefit District and other sources.
- C. Provide recommendations to the City Council regarding the addition, modification, or elimination of revitalization strategies.
- D. Provide recommendations to the governing board of the newly created Parking Benefit District for Balboa Village.

ADDITIONAL  
MATERIALS  
RECEIVED



**Central Newport Beach Community Association**  
PO Box 884 • Newport Beach, CA • 92661-0884  
[www.CentralNewport.Org](http://www.CentralNewport.Org)

**Date:** September 11, 2012  
**To:** Neighborhood Revitalization Committee - City of Newport Beach  
**From:** Central Newport Beach Community Association (CNBCA)  
**Subject:** Balboa Village Revitalization Advisory Committee

On your agenda for September 13, 2012, there is discussion of the creation of an Advisory Committee to aid in the revitalization of Balboa Village. The proposed membership of the Committee includes a representative from CNBCA. The Board of Directors of CNBCA proposes that there be an additional Committee member representing the West Balboa Village Parking Committee.

CNBCA sponsored and funded a member committee to study parking for the area impacted by parking spillover from the Village. The recommendations from that committee became a divisive issue for CNBCA and the parking committee separated itself from CNBCA as stated at a Balboa Village CAP meeting by a CAP member.

The Board requests that the representative for CNBCA be a knowledgeable and neutral individual who can envision a revitalized Balboa Village that will benefit all stakeholders, including residents, without being beholden to any particular interest. The Board also requests that it be consulted on the appointment inasmuch as that individual represents CNBCA. By including an Advisory Committee member to represent the proposed residential parking permit program that has become an integral part of the Revitalization Plan, the permit program for the area adjacent to the revitalization area will be represented.

Thank you for your consideration.

Central Newport Beach Community Association  
Louise Fundenberg, President

# **Attachment No. 3**

Draft Resident Survey



**CITY OF NEWPORT BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
3300 NEWPORT BOULEVARD, BLDG. C  
NEWPORT BEACH, CA 92658-8915  
(949) 644- 3200**

## Memorandum

**To:** Neighborhood Revitalization Committee  
**From:** James Campbell, Principal Planner  
**Date:** July 31, 2012  
**Re:** Balboa Village Implementation Plan – Resident Parking Survey

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The Balboa Village Implementation Plan (“Plan”) includes a recommendation for the creation of an overnight resident parking permit program (RPPP). To date, the request to establish a preferential parking zone has been based upon a petition conducted by residents in 2011, prior to the program being considered by the CAP or NRC. Chapter 12.68 of the Municipal Code governs the creation of resident preferential parking zones and one criteria to be considered is whether there is a majority of the residents adjacent to the proposed zone who desire, agree to or request preferential parking privileges. Staff recommends conducting an additional controlled survey to measure resident support of the concept program. Staff has drafted the attached survey for consideration. NRC feedback will be forwarded to the City Council on August 14, 2012. After City Council endorsement of the survey on the 14<sup>th</sup>, the final survey would be mailed to property owners after Labor Day. The proposed boundary of the RPPP includes approximately 640 properties. While the Code indicates the majority of “residents” shall request the parking privileges, staff recommends the survey be distributed to residents and property owners after the Labor Day Holiday.

### Attachments:

1. Municipal Code Chapter 12.68,
2. Residents’ Preferential Parking Draft survey

**Chapter 12.68**  
**RESIDENTS' PREFERENTIAL PARKING**

Sections:

- 12.68.010 Legislative Findings.
- 12.68.020 Residential Streets and Alleys—Establishment of Preferential Parking Zones.
- 12.68.030 Preferential Parking Zones—Criteria for Determination of Findings.
- 12.68.040 Preferential Parking Privileges—Issuance of Permits.
- 12.68.050 Prohibitions.
- 12.68.060 Preferential Parking Zones—Locations and Restrictions.

**12.68.010 Legislative Findings.**

The City Council finds that this chapter is enacted in response to the serious adverse effects caused in certain residential areas and neighborhoods of the City by motor vehicle congestion, particularly parking on residential streets and alleys to the detriment of the residents therein.

In order to protect and promote the integrity of these areas and neighborhoods, it is necessary to enact parking regulations, restricting unlimited parking by nonresidents therein, while providing an opportunity for residents to park near their homes. Uniform parking regulations restricting residents and nonresidents alike would not serve the public interest. Further, for the preservation of safe, healthy and attractive neighborhoods and residential areas, this chapter is adopted to establish a system of preferential resident parking. The City Council has considered the facts and finds that the livability of residential neighborhoods has deteriorated by the practice of nonresidents parking in these areas for extended periods of time. Further, there exists within the City certain areas which attract parking by nonresidents which further exacerbates the residential parking problem. (Ord. 1883 § 1 (part), 1981)

**12.68.020 Residential Streets and Alleys—Establishment of Preferential Parking Zones.**

The City Council may designate, by ordinance, certain residential streets or alleys or any portions thereof, as preferential parking zones for the benefit of residents adjacent thereto, in which zones vehicles displaying a permit or other authorized indicia may be exempt from parking prohibitions or restrictions otherwise posted, marked or noticed. Each preferential parking zone shall be designated only upon the City Council finding that such zone is required to enhance or protect the quality of life in the area of the proposed zone threatened by noise, traffic hazards, environmental pollution or devaluation of real property resulting from long-term nonresidents parking, that such zone is necessary to provide reasonably available and convenient parking for the benefit of the adjacent residents, and that the proposed zone is desirable to alleviate traffic congestion, illegal parking and related health and safety problems.

No preferential parking restrictions shall apply until signs or markings giving adequate notice thereof have been placed. (Ord. 1883 § 1 (part), 1981)

#### **12.68.030 Preferential Parking Zones—Criteria for Determination of Findings.**

The findings referred to in Section 12.68.020 of this chapter shall be based upon the following criteria established to the satisfaction of the City Council:

- A. The parking in the area by nonresidents does substantially and regularly interfere with the use of the majority of the available public street or alley parking spaces by adjacent residents;
- B. That the interference by the nonresidents parking referred to in subsection (A) of this section, occurs at regular and significant daily or weekly intervals;
- C. That nonresidents parking is a source of unreasonable noise, traffic hazards, environmental pollution or devaluation of real property in the area of the proposed zone;
- D. That the majority of the residents adjacent to the proposed zone desire, agree to or request preferential parking privileges;
- E. That no unreasonable displacement of nonresident vehicles will occur in surrounding residential areas;
- F. That a shortage of reasonably available and convenient residentially related parking spaces exists in the area of the proposed zone; and
- G. That no alternative solution is feasible or practical. (Ord. 1883 § 1 (part), 1981)

#### **12.68.040 Preferential Parking Privileges—Issuance of Permits.**

A. Issuing Authority. The Finance Director shall issue permits for preferential parking. Applicants for such permits may be required to present such proof as may be required by the Finance Director, of residence adjacent to the area designated as a preferential parking zone. Any combination of permanent and visitor permits, up to a total of three per unit, shall be issued for each qualified dwelling unit to any qualified applicant.

B. Fees. The Finance Director shall collect a fee of ten dollars (\$10.00) for each permit issued pursuant to this section, whether permanent or visitor.

C. Duration of Permits. Permits issued pursuant to this section shall remain effective for one year, commencing January 1st and ending December 31st, or fraction thereof, or until the preferential parking zone for which such permit was issued was eliminated, whichever period of time is less. Notwithstanding the foregoing, permits issued to residents for the year 1981 shall be valid during 1982 without additional cost.

D. Conditions of Permits. Each permit issued pursuant to this section shall be subject to all the conditions and restrictions set forth in this chapter and of the preferential parking zone for which it was issued, including conditions or restrictions which may be altered or amended from time to time. The issuance of such permit shall not be construed to be a permit for or approval for any violation of any provision of this Code or any other law or regulation. (Ord. 84-25 § 1, 1984; Ord. 1897 § 1, 1982; Ord. 1883 § 1 (part), 1981)

#### **12.68.050 Prohibitions.**

A. No vehicle shall be parked or stopped adjacent to any curb or allowed alley parking in a preferential parking zone in violation of any posted or noticed prohibition or restriction, unless such vehicle shall have prominently displayed, on or by the left rear bumper thereof a permit indicating an exemption for such restriction or prohibition.

Visitor permits, however, must be displayed as required by the terms of said permit and be visible from the outside of the vehicle.

B. It is unlawful for any person to sell, rent or lease, or cause to be sold, rented or leased for any value or consideration any preferential parking permit, except by the issuing authority. Upon the conviction of a violation of this subsection, all preferential parking permits issued to, or for the benefit of, the dwelling unit for which the sold, rented or leased permit was authorized shall be void.

C. It is unlawful for any person to buy or otherwise acquire for value or use any preferential parking permit, except as provided in this chapter.

D. Any vehicle having issued to it a permanent or visitor's permit which is not properly displayed, shall be deemed in violation of this chapter. The fact that a permit had been issued to the vehicle but the permit was not properly displayed shall not be a defense or considered by the court in determining whether or not a violation of this chapter has occurred. (Ord. 1883 § 1 (part), 1981)

### **12.68.060 Preferential Parking Zones—Locations and Restrictions.**

The following locations are declared to be preferential parking zones, subject to the provisions of this chapter and the times and manner of restriction or prohibition indicated:

A. Zone "1"—Newport Island. No parking shall be permitted at any time on Newport Island, between May 15th and the following September 15th of any year, except by permit.

B. Zone "2"—Newport Heights and Cliff Haven. Parking on the following streets shall be limited to two hours duration on school days between the hours of 8:00 a.m. and 6:00 p.m., except by permit.

1. Clay Street—South side from St. Andrews to 15th Street.
2. Fullerton Avenue—From 15th Street to and including 542 on the east side and 543 on the west side of Fullerton Avenue.
3. Haven Place—From St. Andrews Road to Irvine Avenue.
4. Holly Lane—From Irvine Avenue to and including 2328 on the north side and 2321 on the south side of Holly Lane.
5. Irvine Avenue—West side from 15th Street to Laurel Place.
6. Laurel Place—From Irvine Avenue to westerly terminus of Laurel Place.
7. Margaret Drive—From Irvine Avenue to and including 2322 on the north side and 2323 on the south side of Margaret Drive.
8. Michael Place—From 15th Street to and including 601 on the west side and 620 on the east side of Michael Place.
9. Pirate Road—From Clay Street southerly to and including 424 on the east side and 427 on the west side of Pirate Road.
10. St. Andrews Road—From 15th Street to Haven Place on the west side; from Clay Street to alley south of Clay Street on the west side; from Clay Street to and including 400 on the east side of St. Andrews Road.
11. St. James Road—From 15th Street to and including 625 on the north side and on the south side from 15th Street to and including 636 St. James Road.
12. Signal Road—From 15th Street southerly to and including 418 on the east side and 419 on the west side of Signal Road.

13. Snug Harbor Road—From Clay Street southerly to and including 406 on the east side and 401 on the west side of Snug Harbor Road.

14. 15th Street—North side from Irvine Avenue to Michael Place; from Clay Street to Kings Place; south side from alley west of Irvine Avenue to Irvine Avenue; from two hundred ten (210) feet east of Irvine Avenue to three hundred ten (310) feet east of Irvine Avenue; from St. Andrews Road to Kings Place. (Ord. 2009-20 § 1, 2009; Ord. 2001-21 § 1, 2001; Ord. 98-25 § 1, 1998; Ord. 97-28 § 1, 1997; Ord. 97-2 § 1, 1997; Ord. 96-32 § 1, 1996; Ord. 96-11 § 1, 1996; Ord. 84-25 § 2, 1984; Ord. 1883 § 1 (part), 1981)

Dear Resident,

Residents of the Balboa Peninsula have historically experienced parking shortfalls especially during the peak summer season from Memorial Day to Labor Day. Many homes were built at a time when garages and carports were not required and the area experiences high influxes visitors principally during the summer months. Late night or overnight parking demand from commercial uses within Balboa Village (east of Adams Street) and boating uses are viewed as a contributing factor that reduces parking availability in the residential area to the west between 7th Street and Adams Street. Residents from this area have proposed the creation of an overnight residential parking permit program (RPPP) to eliminate "spillover" commercial parking onto the adjacent residential streets.

The City is conducting this survey to help document the extent of the parking problem and understand the extent of resident support for an RPPP. Please review the attached Informational Sheet and complete the attached questionnaire. Send the completed questionnaire to the City in the stamped and self-addressed envelope provided by **October 12, 2012**. The information collected from the questionnaires will be summarized and presented to the City Council at a future date. If you have any questions or concerns, please contact me by phone or email. Thank you for your assistance.

***James Campbell, Principal Planner***  
Community Development Department  
City of Newport Beach  
949-644-3210 | [jcampbell@newportbeachca.gov](mailto:jcampbell@newportbeachca.gov)

***Please complete the attached survey***



*Please complete the attached survey*

**Proposed preferential parking zone:** All residential streets between 7th Street and Adams Street, except for on-street metered stalls on Balboa Boulevard. See the map on the back of the enclosed letter.

**Eligibility:** All residences located within the proposed RPPP would be eligible to purchase permits.

**Parking Availability:** A permit holder would not be given a specific parking space but would be allowed to park anywhere in the preferential parking zone during the posted hours when parking is available.

**Hours:** No parking on streets between 4:00PM – 9:00AM, 7 days per week, excluding federal holidays, without a valid permit. Parking on the streets within the preferential parking zone would be restricted to valid permit holders.

**Number of permits:** Four (4) permits per household maximum with the possibility to purchase a number of daily guest permits. The number of daily guest permits per residence has not been determined.

**Permit Type:** Permits would be issued annually and would likely hang from the rearview mirror.

**Permit Cost:**

- 1st Permit: \$20 per year
- 2nd Permit: \$20 per year
- 3rd Permit: \$60 per year
- 4th Permit: \$100 per year
- Daily Guest passes: number and cost TBD

**City Council and Coastal Commission:** Implementation of a RPPP would require the review and approval by the City Council and California Coastal Commission.

**Changes:** The RPPP outlined in this survey, if adopted, is subject to change, pending City Council and California Coastal Commission approval.

***Please complete and submit the survey on reverse***

1. I support the proposed overnight residential parking permit program as described in the Information Sheet. <b><i>(Please check the box to the right, please do not check any other boxes, and sign and return the form).</i></b>	<input type="checkbox"/>				
2. I do not support any type of residential parking permit program. <b><i>(Please check the box to the right, please do not check any other boxes, and sign and return the form).</i></b>	<input type="checkbox"/>				
3. I would support an overnight residential parking permit program, but feel some changes to the proposal are needed. <b><i>(Please check the box to the right, and check any of the boxes below you feel are appropriate and/or write in any other suggestions.)</i></b>	<input type="checkbox"/>				
Statement	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree
a) Overnight commercial parking from Balboa Village impacts my block.	<input type="checkbox"/>				
b) The proposed pricing schedule is appropriate.	<input type="checkbox"/>				
c) There should be no charge for the permits.	<input type="checkbox"/>				
d) There should be no charge for the first 2 permits.	<input type="checkbox"/>				
e) The proposed hours are appropriate. <b><i>(If you disagree with the proposed hours, please indicate what hours might be appropriate in the comment area below.)</i></b>	<input type="checkbox"/>				
f) The program should only be effective during the summer months.	<input type="checkbox"/>				

Comments: \_\_\_\_\_

\_\_\_\_\_

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Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Phone: \_\_\_\_\_

To receive updates, provide e-mail: \_\_\_\_\_

## **Attachment No. 4**

Email from Bruce Brandenburg\_8/6/2012

**From:** Bruce Brandenburg [BruceBrandenburg@sbcglobal.net]  
**Sent:** Monday, August 06, 2012 2:38 PM  
**To:** Campbell, James  
**Cc:** Deanna Schnabel; Bill Dildine; Jim Stratton; Brandt, Kim; Wisneski, Brenda; Burns, Marlene; Mike Henn  
**Subject:** RPPP Survey

Jim ,

First of all thanks to the staff/council for the efforts to help West Balboa Village residents. As a result of all the comments we believe the KISS method will work the best to inform and gather the residents input. Of course we would need to add all of the units that aren't on your address list and also help in the follow-up to insure all residents living in the area have a chance to vote like they did on the original petition.

Here are a couple of comments:

- Add a link in the letter directly to all the parking information for those that want to be more informed.
- Add a comment with the original petition percentages and that this was resident driven. Also Jim's RPPP email address if they need some clarification from the parking committee. We have talked to many that believe this is city driven and they don't get the understanding on the reasoning for fees.
- Although we understand the option on summer only, our inventory shows it is year around issue . We believe as with the other items that weren't based on a study this doesn't belong as a specific option to each resident and therefore should be removed. We're sure there will be many ideas that will be submitted that will be considered and evaluated and possibly used as solutions with Coastal Commission and staff/council.  
**Note:** We have year around visitors with our weather and with the revitalization efforts and off peak season events it will make it even more difficult to find a spot when you return from work as Mike Henn pointed out.

Thanks again  
Bruce Brandenburg

**ADDITIONAL  
MATERIALS  
RECEIVED**

at Meeting

Council Member Henn:

I just left you a voice mail regarding the attached article regarding a similar situation in another city that is considering allowing RV parking at the beach. As you read the article you will notice that some real estate sales in a nearby condominium project that were in escrow have been put on hold pending the decision on whether RV parking will be allowed on a nearby beach. I spoke to you a few weeks ago regarding my concern for an RV park to be located in the Balboa beach front parking lot. I (along with my in-laws) own a property at 504 East Oceanfront and would not like to see this happen. I believe you had mentioned that this was just up for consideration and that my concerns could be heard during the process.

My concern now is that by just having this in the Balboa Village Implementation Plan that this would cause home owners of properties within several blocks of the parking lot to disclose this in a potential real estate sale even if this is only up for consideration. I called a local real estate attorney and a local title representative and they both said that they felt that the inclusion of this item in the Balboa Village Implementation Plan which is being considered by the City Council would cause an owner to have to disclose this to a potential purchaser now.

If you think about it let's say that we went to sell our property (which we do not intend to do as we have owned in for over 20 years) and we had failed to disclose this to the buyer. We closed escrow and then a couple of years down the road the RV parking gets approved and the new buyer is not happy about it (which I am sure they would not be) and then they come back to us and ask us why we did not disclose this and we would tell them it was just being considered by the council and had not been approved so we did not disclose it. I would think they would have a lawsuit against us. They would tell me I should have disclosed my knowledge of this and let them decide whether it might go through. If I were to disclose it I don't think a buyer would want to buy our property with this kind of uncertainty and would probably want to put the escrow on hold.

I feel by having this item in the plan (even if not approved yet) it is going put a kind of uncertainty on homeowners that could cause a chilling effect on escrow closings in the area and possibly on rentals as well.

I recommend this item be eliminated from the Balboa Village Implementation Plan or at a minimum the Balboa Village Implementation Plan not be brought up at the next regular council meeting on September 25th until this matter can be investigated further.

I noticed that there is a council meeting tonight and I was wondering whether I should bring this up tonight or at tomorrow's meeting at 4:00 at the council chambers where I believe the Balboa Village

Hotmail Print Message

Implementation Plan is being discussed.

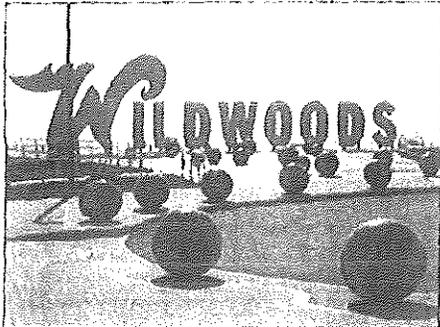
Can you call me at 949-632-3352 or e-mail me to let me know what would be more appropriate.

Thank you,

Jim Petrilli  
2501 Bamboo Street  
Newport Beach, CA 92660

## Petition Prompts City to Revisit RV Placement

Government | Thu, 08/16/12 | 2:02 pm | Updated 3 days 5 hours ago | Read 1564 | Commented 5 | Embed  
By Deborah McGuire



**WILDWOOD** — A petition with over 1,500 signatures was sent to the city's governing body Aug. 14 by two local condominium associations who do not want to see recreational vehicles parked on the beach. And in response, the city will revisit the placement of the proposed park, Mayor Ernest Troiano told the Herald.

Signers of the petition ranged from city residents to vacationers from as far away as Canada.

"The condominium associations of Wildwood Ocean Towers and 300 E. Learning Street stand united in their opposition to the city's plan to allow RVs to park on our beaches," wrote the boards of directors of both associations. The two associations asked the city to revisit the plan with its engineering firm and "challenge them to recommend beach friendly concessions to replace the RV campground."

The city has proposed placing parking spots for 80 recreational vehicles on the southern end of its beach. Initially placed on the beach near Cresse Avenue, the proposed parking location was moved and would be located south of the Wildwoods Convention Center and north of Ocean Towers.

The petition called for the cancellation of all RV parking on the beach due to concerns about beach safety and access; environmental issues and potential traffic hazards.

"There is significant concern for the ability for residents and vacationers to safely access the beach from Learning to Cresse without having to come in contact with the RVs or to cross paths with them," noted the petition. "This RV park will be within one block of hundreds of residential condominium owners/taxpayers, numerous commercial businesses and will be next to the Wildwood Boardwalk where tens of thousands of tourists walk by."

The petition noted a concern for environmental issues such as motor oil, transmission fluid or brake fluid being spilled onto the sand, as well as graywater, sewage discharge, pet waste and other waste generated by RVs. The petition called for the elimination of the proposed RV park for financial reasons. It noted, "There have been at least two contracts of sale at Wildwood Ocean Towers placed in jeopardy by the potential presence of RVs on the beach and other property owners have reported losses of renters for 2013 and beyond due to RV parking."

At the June 27 City Commissioners meeting, Michael McCarty, an Ocean Towers condominium owner told city officials he, along with other condominium owners were interested in finding "an amicable solution to not have RVs parked in front of us." During that meeting McCarty said "there is enough support within our community to hire a study and file an injunction against the city for the allowed use. We don't want them. We want them on the southern side of the convention center."

Placing recreational vehicles on the beach is part of the city's plan to make the beach a money-making venture for the city. "Everyone complains about their taxes and everyone wants their taxes lowered," said Troiano during the June 27 meeting. "We need to try and generate revenue. We have an expansive beach out there that is just a barren waste of money."

Signers of the petition do not necessarily agree with the mayor's take on a financial fix for the city's empty coffers.

"Wildwood's chief asset is its beaches and beaches should be protected at all costs," wrote Jeanne LaSorda in a comment to the online petition. "This is the city's first step, but it won't stop with just 80 RVs. Once the beach is contaminated with motor oil, no one will want to sunbathe on it. When no one wants to vacation in Wildwood, the city won't have to worry about a 'revenue stream.'"

"People are entitled to their opinions," said the mayor. "There will be a review of the location of the RVs."



## BALBOA VILLAGE CITIZEN ADVISORY PANEL PLAN

My concerns with establishing a permit parking district forever, which would run from Adams to 7<sup>th</sup> St. still stand. The District extends into an area that has none of the original criteria that was proposed in the initial survey. This arbitrary expansion to ten blocks of the permit area is not even rational. East Newport has never been affected by business parking for the Balboa commercial area. Why are we continually thrown into this revitalization mix?

The new survey seems designed in such a way as to give preference to a simple yes or no vote on the parking permit program. This does not provide the information of seeing who is actually affected by business parking from the Balboa commercial area, which is crucial to this issue. This same approach was used on the previous survey to then arbitrarily draw the boundary line at 7<sup>th</sup> St.

This over-extension of parking permit boundaries even cost the committee the support of the Central Newport Beach Community Association. This also should indicate that those of us living in this central area do not support this boundary extension!

My previous recommendation of drawing the boundary line at Medina Way was given no credence in the new survey, despite assurances by city staff that it could be included. Once again, one has to write in the comments section to get any recognition of different boundary limits from 7<sup>th</sup> St.

This is similar to the approach used in the previous survey regarding the re-naming of Balboa, where you had to write in "Balboa" as a choice, after checking "Other" to maintain our current name. This tactic can't help but skew the survey, which I hope is not the point.

My example of a fair and easy survey is given on the reverse of this paper.

Submitted to the Newport Beach Neighborhood Revitalization Committee on September 13, 2012, by long time property owners and residents, Howard and Kathleen Hall.

*Howard Hall Kathleen Hall*

1. Check one:

I am affected by the commercial business parking from the Balboa business district .

I am not affected by the commercial business parking from the Balboa business district .

---

2. Check one:

I would support the overnight residential parking permit as proposed. (If you check the box to the right, please do not check any other boxes. Sign and return the form.)

I would not support any residential parking permit plan. (If you check the box to the right, please do not check any other boxes. Sign and return the form.)

I would support an overnight residential parking permit plan, but feel some changes to the proposal are needed. (If you check the box at the right, please check any of the boxes below that you feel are appropriate and/or write in any other suggestions.)

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STATEMENT:

a.) The boundary of residential parking permit plan should be drawn at Median Way, not 7<sup>th</sup> St.

b.) The boundary of residential parking permit plan should be drawn at Coronado St., not 7<sup>th</sup> St.

c.) There should be no charge for the parking permits.

d.) There should be no charge for the first 2 permits.

e.) The proposed hours are inappropriate . Please comment below on permit hours.

f.) The program should only be effective during the summer months.

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Comments:

Printed Name:

Signature:

Phone:

Date:

To receive updates, provide e-mail: