CITY OF NEWPORT BEACH
PLANNING COMMISSION AGENDA

City Council Chambers - 100 Civic Center Drive

Thursday, July 7, 2022 - 6:30 PM

Planning Commission Members:
Lee Lowrey, Chair
Lauren Kleiman, Vice Chair
Curtis Ellmore, Secretary
Tristan Harris, Commissioner
Sarah Klaustermeier, Commissioner
Mark Rosene, Commissioner
Erik Weigand, Commissioner

Staff Members:
Seimone Jurjis, Community Development Director
Jim Campbell, Deputy Community Development Director
Tony Brine, City Traffic Engineer
Yolanda Summerhill, Assistant City Attorney
Clarivel Rodriguez, Administrative Assistant

NOTICE TO THE PUBLIC

Regular meetings of the Planning Commission are held on the Thursdays preceding second and fourth Tuesdays of each month at 6:30 p.m. The agendas, minutes, and staff reports are available on the City's website at: http://www.newportbeachca.gov and for public inspection in the Community Development Department, Planning Division located at 100 Civic Center Drive, during normal business hours. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Community Development Department, Planning Division staff at 949-644-3200.

This Commission is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Commission's agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Commission and items not on the agenda but are within the subject matter jurisdiction of the Commission. The Commission may limit public comments to a reasonable amount of time, generally three (3) minutes per person. All testimony given before the Planning Commission is recorded.

Please Note: You can submit your questions and comments in writing for the Planning Commission to consider by mailing or delivering them to the City of Newport Beach Planning Commission at 100 Civic Center Drive, Newport Beach CA, 92660. Alternatively, you can send them by electronic mail directly to Commissioners at planningcommissioners@newportbeachca.gov. Each Commissioner and staff will receive your message directly. Pursuant to Planning Commission procedures, please submit your written comments no later than 5:00 p.m. on Wednesday the day before the meeting in order to give Commissioners adequate time to review your submission.

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 of 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 lbrown@newportbeachca.gov).

APPEAL PERIOD: Use Permit, Variance, Site Plan Review, and Modification Permit applications do not become effective until 14 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. Tentative Tract Map, Tentative Parcel Map, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. General Plan, Zoning, and Local Coastal Program Amendments are automatically forwarded to the City Council for final action.
Planning Commission Meeting  
July 7, 2022  
Page 2

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. ELECTION OF OFFICERS

1. ELECTION OF OFFICERS

Summary:

The Planning Commission’s adopted rules require the election of officers at its annual meeting, which occurs at the first meeting of July each year. Officers include the Chair, Vice Chair, and Secretary and they would serve for a one-year term.

Recommended Action:

1. Find this action not subject to the California Environmental Quality Act (“CEQA”) pursuant to 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3;

2. Nominate Planning Commission officers consisting of Chair, Vice Chair, and Secretary; and

3. Appoint the officers by majority approval of a motion either individually or as one motion for all positions.

V. PUBLIC COMMENTS

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Planning Commission. Speakers must limit comments to three (3) minutes. Before speaking, please state your name for the record and print your name on the blue forms provided at the podium.

VI. REQUEST FOR CONTINUANCES

VII. CONSENT ITEMS

2. MINUTES OF JUNE 9, 2022

Recommended Action: Approve and file.

Draft Minutes of June 9, 2022

VIII. PUBLIC HEARING ITEM(S)

Speakers must limit comments to three (3) minutes on all items. Before speaking, please state your name for the record and print your name on the blue forms provided at the podium.

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues, which you (or
someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing

3. MCGINNIS RESIDENCE (PA2021-234)
   Site Location: 4607 Seashore Drive

   Summary:

   A request for a coastal development permit to demolish an existing duplex and construct a new 2,980-square-foot, single-unit residence with an attached 409-square-foot two-car garage and 376-square-foot junior accessory dwelling unit (JADU) in the VE Special Flood Hazard Area. Additionally, the applicant requests a variance to construct exterior entryway stairs for the JADU within the side yard setback as well as an exterior access stair for the ocean front patio within the front setback.

   Recommended Action:

   1. Conduct a public hearing;
   2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class 3 (New Construction of Conversion of Small Structures) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and

ITEM NO. 3 STAFF REPORT
3a. Additional Materials Received Geiger PA2021-234
3b. Additional Materials Received Mosher PA2021-234

4. GANNON RESIDENCE (PA2021-305)
   Site Location: 20 Bay Island

   Summary:

   A coastal development permit (CDP) to allow the demolition of an existing single-family residence and the construction of a new 4,402-square-foot, single-family residence and adjust the off-street parking requirements with a parking management plan. In addition, the applicant requests to increase the allowed building height to 28 feet for flat roofs and 33 feet for sloped roofs pursuant to the provisions of Use Permit No. UP3618. The project includes hardscape, drainage facilities, accessory structures, and approximately 194 square feet of landscaping. With exception of the requested adjustment to off-street parking requirements and height increase, the project complies with all applicable development standards.

   Recommended Action:
1. Conduct a public hearing;

2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class 3 (New Construction of Conversion of Small Structures) of the CEQA Guidelines, because it has no potential to have a significant effect on the environment; and

3. Adopt Resolution No. PC2022-017 approving Coastal Development Permit No. CD2021-081 (Attachment No. PC 1).

ITEM NO. 4 STAFF REPORT
4a. Additional Materials Received from Applicant_PA2021-305

5. DENSITY BONUS ZONING AND LCP AMENDMENTS (PA2020-032)
Site Location: Citywide

Summary:

Amendments to Title 20 (Planning and Zoning) and Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code updating standards and establishing an approval process for considering density bonuses with housing developments. These amendments are required to ensure the City’s regulations are in compliance with California Government Code Section 65915, et. Seq (Density Bonuses and Other Incentives). A housing development project that includes a minimum percentage of affordable units is eligible for additional units above the otherwise allowed City-established maximum density and it is also eligible for reduced parking requirements, incentives/concessions, and waivers of development standards.

Recommended Action: Continue to the July 21, 2022, Planning Commission meeting.

ITEM NO. 5 STAFF REPORT

IX. STUDY SESSION

6. CODE UPDATE RELATED TO ACCESSORY DWELLING UNITS (PA2021-113)
Site Location: Citywide

Summary:

An overview of the Planning Commission Ad-Hoc Committee’s efforts on developing potential code amendments related to encouraging new accessory dwelling unit (ADU) development within the City and pending legislation related to the City’s ability to regulate ADUs.

Recommended Action:
Receive presentation (Attachment No. PC 1) and provide staff direction regarding proposed amendments.

ITEM NO. 6 STAFF REPORT

X. STAFF AND COMMISSIONER ITEMS

7. MOTION FOR RECONSIDERATION

8. REPORT BY THE COMMUNITY DEVELOPMENT DIRECTOR OR REQUEST FOR MATTERS WHICH A PLANNING COMMISSION MEMBER WOULD LIKE PLACED ON A FUTURE AGENDA.

PC AGENDA

9. REQUESTS FOR EXCUSED ABSENCES

XI. ADJOURNMENT