



CITY OF NEWPORT BEACH GENERAL PLAN/LCP IMPLEMENTATION COMMITTEE

ACTION MINUTES

Action Minutes of the General Plan/LCP Implementation Committee held at the City Council Chambers, City of Newport Beach, on **Wednesday, October 1, 2008**

Members Present:

X	Ed Selich, Mayor, Chairman
X	Leslie Daigle, Mayor Pro Tem
X	Don Webb, Council Member
X	Barry Eaton, Planning Commissioner
X	Robert Hawkins, Planning Commissioner
X	Michael Toerge, Planning Commissioner

Advisory Group Members Present:

X	Mark Cross
	Larry Frapwell
	William Guidero
X	Ian Harrison
X	Brion Jeannette
	Don Krotee
X	Todd Schooler
	Kevin Weeda
	Dennis Wood

Staff Representatives:

X	Sharon Wood, Assistant City Manager
	David Lepo, Planning Director
X	Robin Clauson, City Attorney
X	James Campbell, Senior Planner
	Gregg Ramirez, Senior Planner

E = Excused Absence

Committee Actions

1. **Agenda Item No. 1** – Approval of minutes of September 24, 2008.

Action: Committee approved the draft minutes.

Vote: Consensus

2. Agenda Item No. 2 - Zoning Code Re-write

Action: The Committee reviewed comments prepared by Committee members Eaton and Hawkins regarding Part Two of the draft code. The Committee discussed all of the chapters in Part Two and directed staff to:

- address existing attached single family residential developments - no "R-1-A" zone, use R-1 zone with existing entitlements and add a provision requiring discretionary review for new attached single family projects.
- add Limited Term Permit to Section 20.30.030
- take another look at pg. 2-15 Note (2) of table 2-3 to verify that it is consistent with the General Plan policy prohibiting new subdivisions that create additional density
- modify the permit requirements in table 2-4 making retail sales less than 10,000 sq ft in OA a MUP and make retail sales more than 10,000 sq. ft. in OA a CUP; discussion that General Plan land use category allows flexibility and at the same time requires these uses to be ancillary; possibly require the site development review will require larger buildings to have discretionary review (idea)
- revise table 2-4 alcohol sales (off sale) accessory only to require MUP under OG and OM
- revise table 2-4 convalescent facilities to require a MUP in OG
- modify the definition of personal services as it is too broad for all areas including OA, OC, OM, OR – possibly require MUP. Resolution – create another subcategory in personal services that includes day spas, healing arts, tanning and tattoo called personal services limited and require MUP for this subcategory and permit the remainder
- revise definition of utilities as it is too broad as proposed and will allow larger facilities permitted by right in residential zones; resolution – use existing code definition of utilities that differentiates major and minor utilities
- revise table 2-2 where garages in the R-1 zones that face alleys to have a maximum setback of seven feet; this should apply to all residential zones except where we have wider alleys. Staff will work with Public Works to modify and clarify
- look into options other than changing zone of Balboa Island from R-1.5 to R-2; discussion – the zone designation should reflect permitted use and removal of FAR will streamline plan check; however, Balboa Island residents will be very concerned; resolution – Chairman Selich will take proposed change to the board of Balboa Island and staff will continue to evaluate and refine the development standards to ensure negative consequences are avoided with new standards.
- revise the definition of the Research and Development as it may be too broad. Concerns were expressed as to where it is permitted by right, a possible resolution was discussed by identifying a limited category to protect residential uses
- revise table 2-4 and prohibit large day care (15+ children) in the AO zone

- consider a revision of the permit requirements in the industrial zone for industrial uses - why CUP for facilities over 5,000 square feet; possible solution might be a larger threshold
- modify heading of the commercial permitted use tables to distinguish commercial from office zones
- clarify that the floor area limit for multi-family in CDM will be 1.5 (current standard) and not 1.75
- investigate why the rear setback for Balboa Island is 10 feet when the alley setback is most common
- investigate proposed 5-foot side setback for Buck Gully seems too restrictive; it is based upon fire hazard designation and there may need to be a change to make it more flexible in accordance with the Fire and Building Codes; staff will research and modify code accordingly

The public provided comments to the Committee and staff regarding:

- MU-W1 mixed use in Mariners Mile permits multi-family uses in residential and does not allow single family units – is this correct?
- MU-W1 does not allow bed and breakfast where they are currently permitted
- concern that the draft purpose of the planned community zone is unduly restrictive
- the time between meetings for the public to review the chapters is too limiting.

Due to time constraints Part Five (Planning Permit Procedures) was not discussed.

Vote: Consensus

3. Agenda Item No. 3 – Items for future agenda

Action: None

Vote: None

4. Agenda Item No. 4 – Public Comments on non-agenda items

None

Meeting Adjourned 6:45 p.m.