



CITY OF NEWPORT BEACH HEARING OFFICER AGENDA

100 Civic Center Drive, Balboa Conference Room (Bay B-2nd Floor)

Thursday, February 20, 2020 - 10:00 AM

Hearing Officer Members:

William B. Conners, Hearing Officer

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

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 hearing, 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 the Community Development Department at least forty-eight (48) hours prior to the hearing to inform us of your particular needs and to determine if accommodation is feasible at 949-644-3200.

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.

The agendas, minutes, and staff reports are available on the City's web site at: www.newportbeachca.gov/hearingofficer 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.

APPEAL PERIOD: An appeal may be filed with the Director of Community Development or City Clerk, as applicable, within fourteen (14) days following the date the action or decision was rendered unless a different period of time is specified by the Municipal Code (e.g., Title 19 allows ten (10) day appeal period for tentative parcel and tract maps, lot line adjustments, or lot mergers). For additional information on filing an appeal, contact the Planning Division at 949 644-3200.

I. CALL MEETING TO ORDER

II. PUBLIC HEARING ITEMS

1. Balboa Realty Abatement Extension (PA2019-186) Site Location: 813 East Balboa Boulevard

Project Summary

Request for extension of the required Abatement Period specified by Newport Beach Municipal Code (NBMC) Section 20.38.100 (Abatement Periods). The property is located in the Two-Unit Residential (R-2) Zoning District and is developed with an existing 2,613-square-foot nonresidential building. The previously approved abatement extension authorizes nonresidential uses to remain until November 30, 2021. The property owner intends to remodel and reinvest in the existing building and requests to allow the existing nonresidential use to continue to November 30, 2031, without abatement.

Recommended Action

1. Conduct a public hearing;
2. Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 under Class 1 (Existing Facilities) of the CEQA Guidelines,

because it has no potential to have a significant effect on the environment; and

3. Adopt Resolution No. HO2020-001 for the property located at 813 East Balboa Boulevard, approving the Abatement Period Extension for an additional ten years to November 30, 2031(Attachment No. HO 1).

[ITEM NO. 1 STAFF REPORT](#)

III. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Public comments are invited on agenda and non-agenda items generally considered to be within the subject matter jurisdiction of the Hearing Officer. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Hearing Officer has the discretion to extend or shorten the speakers' time limit on agenda or non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

IV. ADJOURNMENT