

City of Newport Beach
GROUP RESIDENTIAL USES
REASONABLE ACCOMMODATION
HEARING AGENDA



This hearing is held in accordance with Newport Beach Municipal Code Chapter 20.98 (*Reasonable Accommodation*).

DATE: Friday, June 11, 2010
TIME: 3:00 p.m. - 5:00 p.m.
LOCATION: Council Chambers, Newport Beach City Hall @ 3300 Newport Boulevard
HEARING OFFICER: Judy Sherman

AGENDA ITEM #1

REASONABLE ACCOMMODATION No. 2009-002
APPLICANT: Balboa Recovery, Inc.
SUBJECT PROPERTY: 124 30th Street

PROJECT SUMMARY: An amendment to a reasonable accommodation application for relief from the requirements of Newport Beach Municipal Code (NBMC) Section 20.10.020, (*Residential Districts: Land use Regulations*) due to changed factual circumstances. The applicant requests an amendment to Reasonable Accommodation No. 2009-002 to allow the continued operation of an existing sober living home with a reduced population from ten female adult resident clients and two resident managers to no more than six female adult resident clients and two resident managers in the two units of a duplex building. The facility is located in the R-2 District, where such uses are not permitted. The applicant requests an accommodation from the requirements that sober living facilities are permitted only in MFR Districts with approval of a use permit. This is a public hearing item.

AGENDA ACTION

1. Meeting Convened (Hearing Officer)

2. Agenda Item #1: Reasonable Accommodation – Balboa Recovery, Inc., 124 30th Street

- a) Presentation of the amended reasonable accommodation request (Newport Beach city staff)
- b) Applicant comments, if any
- c) Public hearing opened (Hearing Officer).
 - i. Comments are limited to comments about the subject property's application; and
 - ii. Comments limited to three minutes, unless otherwise ordered by the Hearing Officer.
- d) Public hearing closed (Hearing Officer).
- e) Applicant may offer rebutting or clarifying comments (Applicant).
- f) Hearing officer's questions of City staff or applicant.

g) Hearing Officer determination. Options include continuance, approval of reasonable accommodation with conditions, or denial of reasonable accommodation. In the latter two cases, the Hearing Officer may instruct staff to prepare a Resolution for their signature.

3. Adjournment (Hearing Officer).

CEQA: This activity has been determined to be categorically exempt under the requirements of the California Environmental Quality Act (CEQA) under Class 1 (Existing Facilities). This class of projects has been determined not to have a significant effect on the environment and is exempt from CEQA's provisions.

APPEAL PERIOD: Reasonable Accommodations do not become effective until 14 days after the date of approval, during which time the decision of the Hearing Officer may be appealed to the City Council.

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