



Nancy Gardner

Councilwoman

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Newport Beach, California

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City Hall

General Information
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Departments	644-
Administrative	3127
Building Dept	3275
City Clerk	3005
City Council	3004
City Manager	3000
Economic Dev	3225
General Services	3055
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Mayor	3004
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Emergency Services	
Emergency	9-1-1
Fire Dept	633-3104
Police Dept	644-3717

Libraries	
CdM	644-3075
Main	717-3800
Mariners	717-3838
Balboa	644-3076

Oasis Senior Center
644-3244

Post Office	
CdM	673-2989
Main	640-4663

COUNCILWOMAN

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NORTH NEWPORT CENTER DEVELOPMENT AGREEMENT

While most people seem to feel the City will benefit from the development agreement which will pay for a new city hall, a good portion of the new Oasis Senior Center, and traffic improvements, there are some who raised objections which seemed to focus on three areas:

LACK OF AN EIR: An EIR wasn't required because we had just done an extensive EIR for the General Plan, and there had been no significant changes in the interim period.

LACK OF PUBLIC PARTICIPATION: A joint meeting of the Council and Planning Commission on October 30, a second meeting of the Planning Commission on November 15, two additional council meetings on December 6 and December 18 – that's a month and a half and four meetings for people to get involved. Also, most of what was in the Development Agreement was in the General Plan which had five years of discussion.

LACK OF NEGOTIATION TRANSPARENCY: It's true that two members of the Council went out and negotiated with The Irvine Company and came back with the general terms, but these were then discussed in public meetings. Because of the Brown act, the alternative is to have all seven of us negotiating from the dais, and I can't believe anyone would want that.

BANNING RANCH

This is one of the priorities for the Council this year. As you will recall, the General Plan has two options for the area with Plan A being to purchase the entire area for open space. If we can't find the funds, Plan B is for at least half the property to remain open space with the other half for development with a maximum of 1,350 residential units, 75,000 square feet of commercial space, and a boutique hotel of 75 rooms. The public's position during the General Plan process was interesting. When we presented Plan A — finding funding and keeping it all open space — most people thought it was a terrific idea, but when we talked about Plan B — the city getting only half the open space but getting it for free and having the developer clean up the area, a great many of them jumped on that. Once we get an appraisal and have a better idea of the dollars we're talking about, it will be interesting to see how residents evaluate the two options.

GROUP HOMES ORDINANCE

As predicted, the Council passed a group homes ordinance to address an overconcentration of such entities in the city. The goal has been to craft an ordinance which would alleviate the impacts of this concentration but was not discriminatory.

KEY ELEMENTS:

- All new group homes (with the exception of 6 and under licensed which are allowed by state law to be located in any residential area) are limited to MFR zones. They must get a Use Permit to operate.
- Existing group homes in non-MFR zones are now nonconforming, and they must apply for a Use Permit or reasonable accommodation within 90 days to remain open. Reasonable accommodation is a term from federal statutes and case law that requires cities to provide disabled persons with a process to seek special exceptions from local zoning to provide equal opportunity for housing. Among the elements to be considered in granting or refusing the application: sufficiency of on-site parking, compatibility with the character of the neighborhood, transportation and delivery plans and, in the case of reasonable accommodation, whether individuals with a disability will be denied an equal opportunity to enjoy the housing type of their choice without this particular house.

The ordinance hadn't even been printed when the Concerned Citizens group filed its lawsuit, naming the City as one of the defendants. It would have been nice if they had given the ordinance a modicum of time to judge its effectiveness, but those are the vagaries of litigation.

PORT THEATER

For those who have lamented the passing of yet another landmark, take heart. The latest news is that a decision has been made to keep the Port as a theater. Plans have been submitted that indicate a significant reduction in overall seating with rows of couches, chairs and tables in the lower level, chairs and tables in the mezzanine and a remodeled lobby.