

RESOLUTION NO. 1734

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH RECOMMENDING THE ADOPTION OF COASTAL LAND USE PLAN AMENDMENT NO. 2007-003 REGARDING COASTAL BLUFF DEVELOPMENT IN CORONA DEL MAR (PA 2007-196)

THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH HEREBY FINDS, RESOLVED AND ORDERS AS FOLLOWS:

WHEREAS, pursuant to the California Coastal Act, the City prepared a Coastal Land Use Plan (CLUP) for property lying within the Coastal Zone of the City of Newport Beach. In October of 2005, the California Coastal Commission certified the CLUP and the City Council subsequently adopted it in December of 2005; and

WHEREAS, the CLUP contains policies for the preservation of significant coastal resources, including coastal bluffs, and the application of these policies to proposed development applications highlighted unintended results that can only be eliminated through an amendment of the policies; and

WHEREAS, on October 1, 2007, a notice of the availability of a draft amendment of the City Coastal Land Use Plan was provided in accordance with Section 13515(c) of the California Code of Regulations. This notice was mailed to approximately 135 affected property owners, interested parties and public agencies in order to provide public participation and comments; and

WHEREAS, a public hearing was held on October 18, 2007, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Planning Commission at this meeting; and

WHEREAS, the attached amendment provides more clear policy direction and eliminates the possibility that the predominant line of existing development might be considered the only factor in the siting of new development on a coastal bluff; and

WHEREAS, the attached amendment is necessary to ensure that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance and that development shall be designed and sited to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

NOW THEREFORE, BE IT RESOLVED that based on the aforementioned findings, the Planning Commission hereby recommends that the City Council of the City of Newport Beach adopt Coastal Land Use Plan Amendment No. 2007-003 as provided in Exhibit A.

PASSED, APPROVED AND ADOPTED THIS 18th DAY OF OCTOBER, 2007.

AYES: Eaton, Hawkins, Hillgren, McDaniel

NOES: Peotter, Cole, Toerge

BY: _____
Robert Hawkins, Chairman

BY: _____
Bradley Hillgren, Secretary

Exhibit A

Added text is underlined, removed text shown by ~~strikethrough~~

The following policies of the Coastal Land Use Plan should be amended as follows:

4.4.3-8. Prohibit development on bluff faces, except private development on coastal bluff faces along Ocean Boulevard, Carnation Avenue and Pacific Drive in Corona del Mar determined to be consistent with the predominant line of existing development. Establish a predominant line of existing development for both principal structures and accessory improvements. ~~or public improvements providing public access, protecting coastal resources, or providing for public safety. Permit such improvements only when no feasible alternative exists and when designed and constructed to minimize alteration of the bluff face, to not contribute to further erosion of the bluff face, and to be visually compatible with the surrounding area to the maximum extent feasible.~~

4.4.3-9. Permit public improvements providing public access, protecting coastal resources, or providing for public safety on coastal bluff faces only when no feasible alternative exists and when designed and constructed to minimize alteration of the bluff face, to not contribute to further erosion of the bluff face, and to be visually compatible with the surrounding area to the maximum extent feasible.

~~Where principal structures exist on coastal bluff faces along Ocean Boulevard, Carnation Avenue and Pacific Drive in Corona del Mar, require all new development to be sited in accordance with the predominant line of existing development in order to protect public coastal views. Establish a predominant line of development for both principle structures and accessory improvements. The setback shall be increased where necessary to ensure safety and stability of the development.~~

The following policy should be added to the Coastal Land Use Plan:

4.4.3-19. In all cases where the predominant line of existing development is used to establish a development limit along Ocean Boulevard, Carnation Avenue and Pacific Drive in Corona del Mar, it shall not be the only criteria used for this purpose. All coastal land use and development policies shall be considered in determining the appropriate extent of new development and size of new structures on bluff faces along Ocean Boulevard, Carnation Avenue and Pacific Drive.

The following change to the Glossary definition of the Coastal Land Use Plan should be made:

Predominant Line of Existing Development: The most common or representative distance from a specified group of structures to a specified point or line (e.g. topographic line or geographic feature). For example, the predominant line of existing development for a block of homes on a coastal bluff (a specified group of structures) could be determined by calculating the median distance (a representative distance) these structures are from the bluff edge (a specified line).