



NOTICE OF AVAILABILITY OF DRAFT LOCAL COASTAL PROGRAM AMENDMENT RELATED TO COTTAGE PRESERVATION

NOTICE IS HEREBY GIVEN that in accordance with applicable provisions of the Coastal Act and California Code of Regulations (CCR) §13515, a draft of the proposed amendment is available for public review and inspection at the Planning Division and at all branches of the Newport Beach Public Library for the following amendment to the Implementation Plan (IP) of certified Local Coastal Program (LCP):

Cottage Preservation LCP Amendments (LC2019-004) – Amendments to the Local Coastal Program (Coastal Land Use Plan and Implementation Plan) to allow additions of up to fifty (50) percent of the existing floor area of a residential development that is nonconforming due to parking when the project would result in the preservation of the cottage character of the development and a building envelope representative of traditional development patterns in the City (PA2019-181).

The Planning Commission of the City of Newport Beach is scheduled to consider this item and make a recommendation to the City Council at a regular meeting to be held at 6:30 p.m. on Thursday, October 17, 2019, at the City of Newport Beach Council Chambers, 100 Civic Center Drive, Newport Beach, CA 92660. The date and time of the Planning Commission meeting has been noticed in accordance with City of Newport Beach notification requirements.

Furthermore, the City Council of the City of Newport Beach is tentatively scheduled to consider this item at a regular meeting to be held at 7:00 p.m. on Tuesday, November 19, 2019, at the City of Newport Beach Council Chambers, 100 Civic Center Drive, Newport Beach, CA 92660. The date and time of the City Council meeting will be noticed in accordance with City of Newport Beach notification requirements.

For questions regarding this Amendment, please contact Jaime Murillo, Principal Planner, at 949-644-3209, jmurillo@newportbeachca.gov.

**Proposed Local Coastal Program Amendment
Related to Cottage Preservation (LC2019-004)**

Section 1: Amending Policy 2.9.3-8 of Chapter 2.0 (Land Use and Development) of the Coastal Land Use Plan as follows, with all other provisions of the Coastal Land Use Plan remaining unchanged:

2.9.3-8 Continue to require properties with nonconforming parking to provide code-required off-street parking when new uses, alterations, or additions result in increased parking demand. However, additions of up to fifty (50) percent of the existing floor area of a residential development may be allowed without requiring the code-required parking when the project would result in the preservation of the cottage character of the development and a building envelope representative of traditional development patterns in the City.

Section 2: Amending Section 21.38.060 (Nonconforming Parking) of Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal to read as follows:

21.38.060 Nonconforming Parking.

A. Residential. Where a residential structure or use is nonconforming only because it does not conform to the off-street parking requirements of this Implementation Plan, the following provisions shall apply:

1. Number of Spaces. A residential development having less than the required number of parking spaces per dwelling unit shall be allowed the following repairs, alterations, and additions:
 - a. Repair and maintenance, interior alterations, and structural alterations, as provided for in Section [21.38.040\(A\)](#) through (F);
 - b. Additions up to a maximum of ten (10) percent of the existing floor area of the structure as provided in Section [21.38.040\(G\)](#);
 - c. Any repair, maintenance, or additions shall not result in loss of existing parking spaces; and
 - d. Required parking shall be provided where feasible.

2. Dimensions or Type of Parking Spaces. Residential developments that are nonconforming because they do not have the required type of covered or enclosed parking spaces or because amendments to this Implementation Plan have changed the dimensions of required parking spaces subsequent to the original construction of the structure may be altered or expanded as follows:

- a. All improvements and expansions allowed under subsection (A)(1) of this section;
- b. Additions larger than those allowed under subsection (A)(1) of this section may be allowed subject to the approval of a coastal development permit.

3. Alley Access. Where applicable, residential development involving repairs, alterations, and additions to residential development having less than the required number of parking spaces per dwelling unit shall provide alley access to parking area if it would result in additional public street parking.

4. Exception for Cottage Preservation. Notwithstanding the provisions of subsections (A)(1) and (A)(2) of this section, additions up to fifty (50) percent of the existing floor area of the structure are permitted for cottage preservation projects. Eligible projects include the remodel and expansion of a smaller residential dwelling or structure representative of the traditional development patterns in the City, result in the preservation of the cottage character, and comply with the following criteria:

- a. The floor area of any addition, together with the floor area of the existing structure, shall not exceed the allowed maximum floor area for the coastal zoning district;
- b. The addition shall comply with all applicable development standards and use regulations of this Implementation Plan;

c. The square footage of residential parking area additions identified below shall be excluded from the allowed expansion under subsection (A)(3), but shall be included as gross floor area;

<u>Required Parking</u>	<u>Maximum Excluded Area</u>
<u>One-car garage</u>	<u>200 square feet, maximum</u>
<u>Two-car garage</u>	<u>400 square feet, maximum</u>
<u>Three-car garage</u>	<u>600 square feet, maximum</u>

d. The height of the resulting structure shall not exceed the following, regardless of roof pitch:

i. Front half of lot: one story and 16 feet; and

ii. Rear half of lot: two stories and 24 feet;

e. The residential structure shall not include a third floor deck; and

f. The addition complies with the limitations of Section 21.38.040(G)(1).