

# Local Coastal Program Certification

West Newport/Peninsula/Harbor Area Residential  
Community Meeting  
February 18, 2015



# Coastal Act



- Coastal Zone Conservation Act - Prop. 20 (1972)

<b>20</b>	<p><b>COASTAL ZONE CONSERVATION ACT. Initiative.</b> Creates State Coastal Zone Conservation Commission and six regional commissions. Sets criteria for and requires submission of plan to Legislature for preservation, protection, restoration and enhancement of environment and ecology of coastal zone, as defined. Establishes permit area within coastal zone as the area between the seaward limits of state jurisdiction and 1000 yards landward from the mean high tide line, subject to specified exceptions. Prohibits any development within permit area without permit by state or regional commission. Prescribes standards for issuance or denial of permits. Act terminates after 1976. This measure appropriates five million dollars (\$5,000,000) for the period 1973 to 1976. Financial impact: Cost to state of \$1,250,000 per year plus undeterminable local government administrative costs.</p>	<b>YES</b>	
	<b>NO</b>		

- California Coastal Act (1976)

# Coastal Act Goals



- Protect, maintain and enhance natural and artificial coastal resources
- Balance utilization and conservation of coastal resources
- Maximize public access and recreational opportunities
- Priority for coastal-dependent and coastal-related development

# Coastal Commission



## 12 voting members

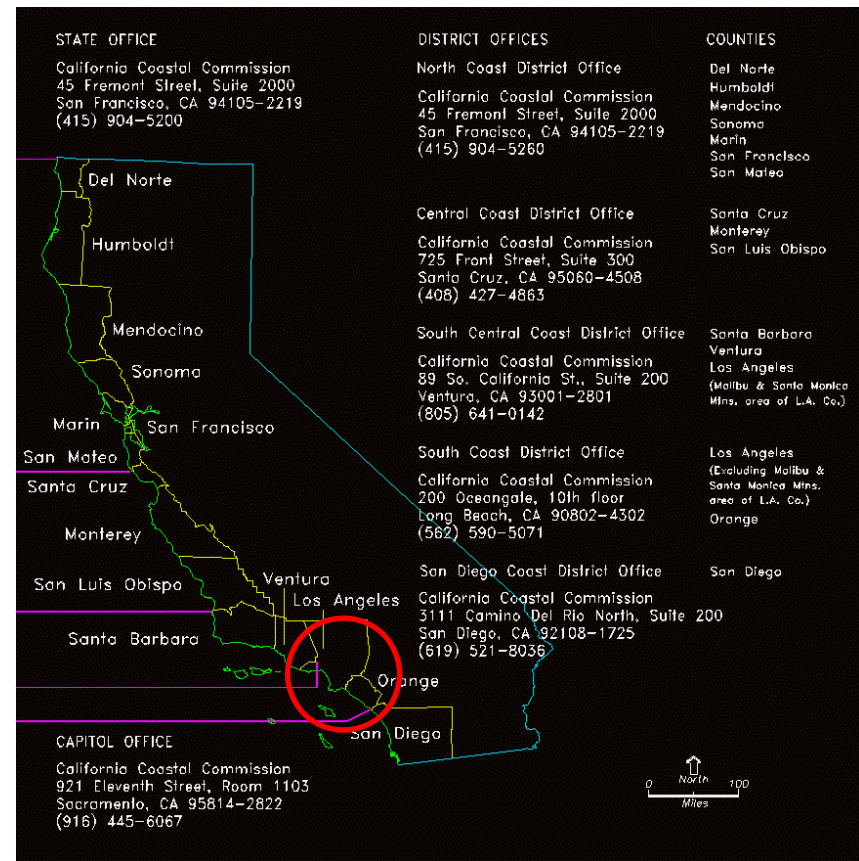
- 4 each appointed by Governor, Senate Rules Committee, & Speaker of the Assembly
- 6 locally-elected officials, 6 public at-large
- (3 non-voting ex officio members)

# South Coast District

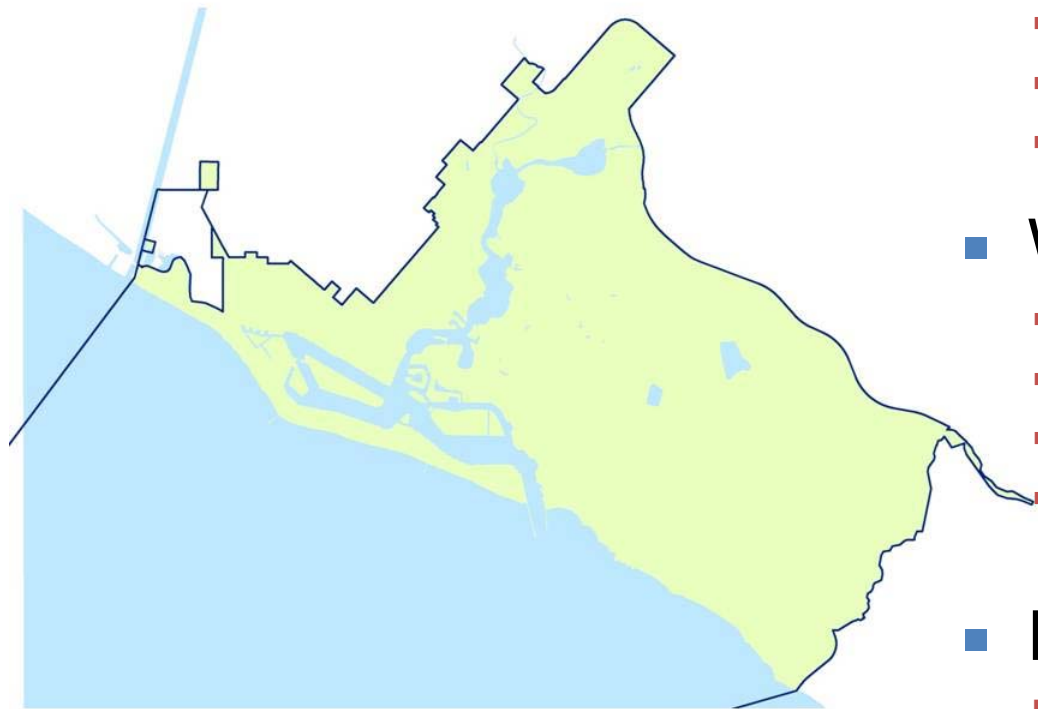


## Serves Los Angeles and Orange Counties

Avalon, El Segundo, Hermosa Beach, Long Beach, Los Angeles, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Santa Monica, Costa Mesa, Dana Point, Huntington Beach, Irvine, Laguna Beach, **Newport Beach**, San Clemente, Seal Beach, South Laguna



# Coastal Zone



## ■ Land

- 23.6 square miles in the City
- 12.5 sq. mi. in coastal zone
- Covers over half of the City

## ■ Water

- 23 square miles of ocean
- 1.25 square miles of bay
- 1.25 square miles of harbor
- 45 miles of shoreline

## ■ Development

- 21,300 dwelling units
- 4.7 million sq. ft. non-residential
- 2,699 hotel rooms

# Coastal Zone West Newport



# Coastal Zone Peninsula/Harbor Area



# Coastal Development Permits



“Any person...wishing to perform or undertake any development in the coastal zone...shall obtain a coastal development permit.”

## Development Includes:

- Erection of structures
- Discharge/disposal of materials
- Changes in density/intensity of land use
- Subdivisions
- Changes in intensity of and access to water
- Construction, reconstruction, additions, demolition
- Removal of vegetation

**NOTICE OF  
PENDING PERMIT**

A PERMIT APPLICATION FOR DEVELOPMENT ON THIS SITE IS PENDING BEFORE THE CALIFORNIA COASTAL COMMISSION.

PROPOSED DEVELOPMENT: Re-grading of the existing grass area south of Newport Elementary, the installation of CMU walls with a decorative cap and fence where indicated on plans, and the installation of two concrete stairs to access the grass area.

LOCATION: Newport Elementary School, 1327 W. Ocean Front

APPLICANT: City of Newport Beach

APPLICATION NUMBER: CD2014-001

DATE NOTICE POSTED: \_\_\_\_\_

FOR FURTHER INFORMATION, PLEASE PHONE OR WRITE THE OFFICE LISTED BELOW BETWEEN 8 A.M. AND 5 P.M., WEEKDAYS.

 CALIFORNIA COASTAL COMMISSION  
SOUTH COAST DISTRICT OFFICE  
200 OCEANGATE, 10<sup>TH</sup> FLOOR  
LONG BEACH, CA 90802-4402  
(562) 590-5071

PRINT ON YELLOW STOCK CARD

# CDP Exceptions



- Key Exemptions
  - Existing single family dwellings
    - "10% Rule" (floor area, height, building bulk)
  - Repair & maintenance
  - Temporary events (subject to CCC guidelines)
- Categorical Exclusion Orders (Cat Ex)

# Cat Ex



- Categorical Exclusion Order
  - Adopted in 1977
  - Excludes one-unit and two-unit projects
    - Does not include first row of lots on the shoreline
    - Does not include Bay Shores Community
    - Max 1.5 FAR
    - Must conform to Zoning Code standards (c. 1977)
  - About 30-50 CEOs issued each year

# Cat Ex

## West Newport/Peninsula/Harbor Area



# Cat Ex Will Continue



- Cat Ex terms incorporated into the LCP Implementation Plan
- No CDP required by the City or the Coastal Commission

# Post Certification



- CDP authority is delegated to the City
- CCC retains permit authority in certain specified areas
- CCC serves as an appellate authority in specified areas

# A Local Coastal Program



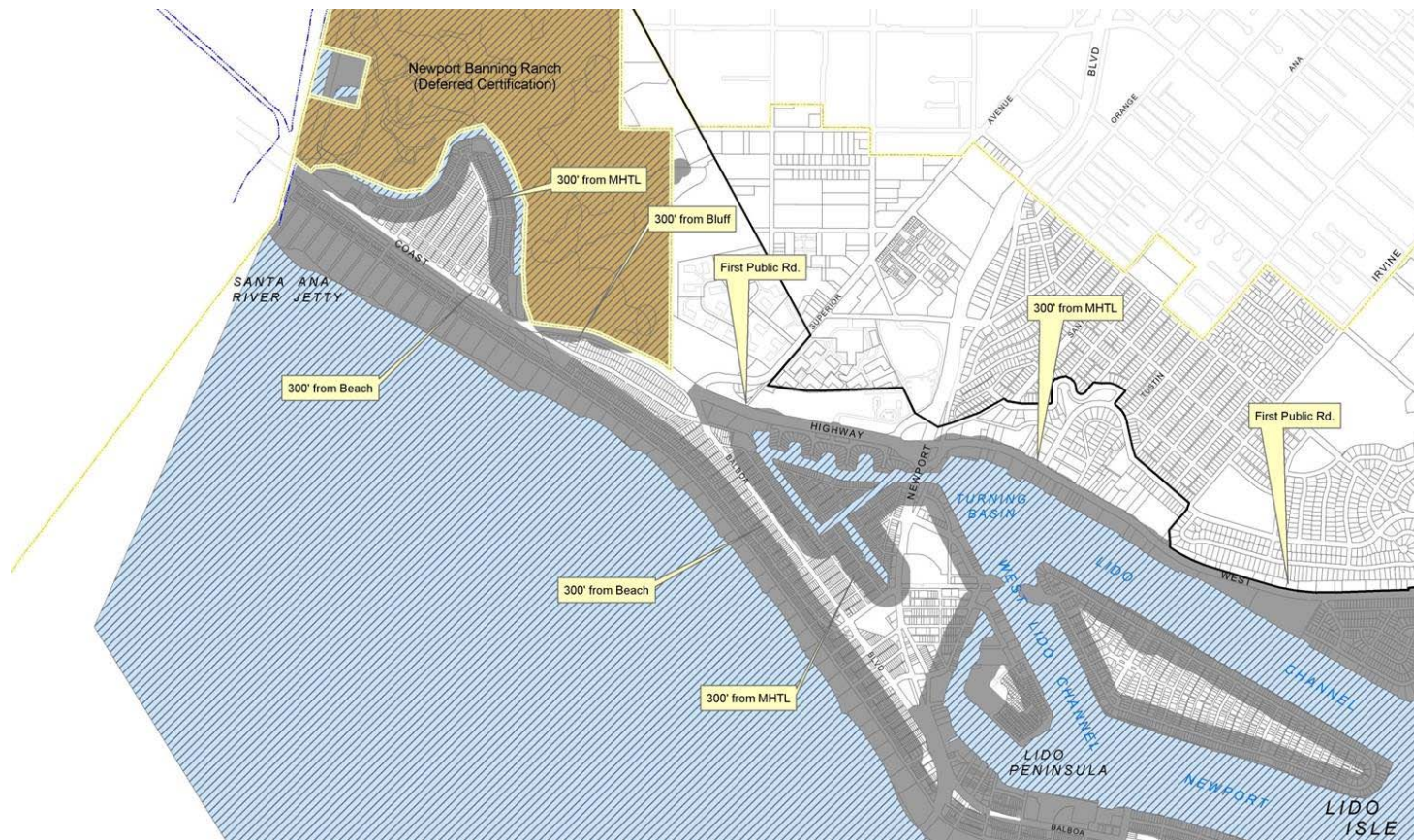
- Local control
- Local staff
- Local hearings

# Post Certification CCC Permit Authority

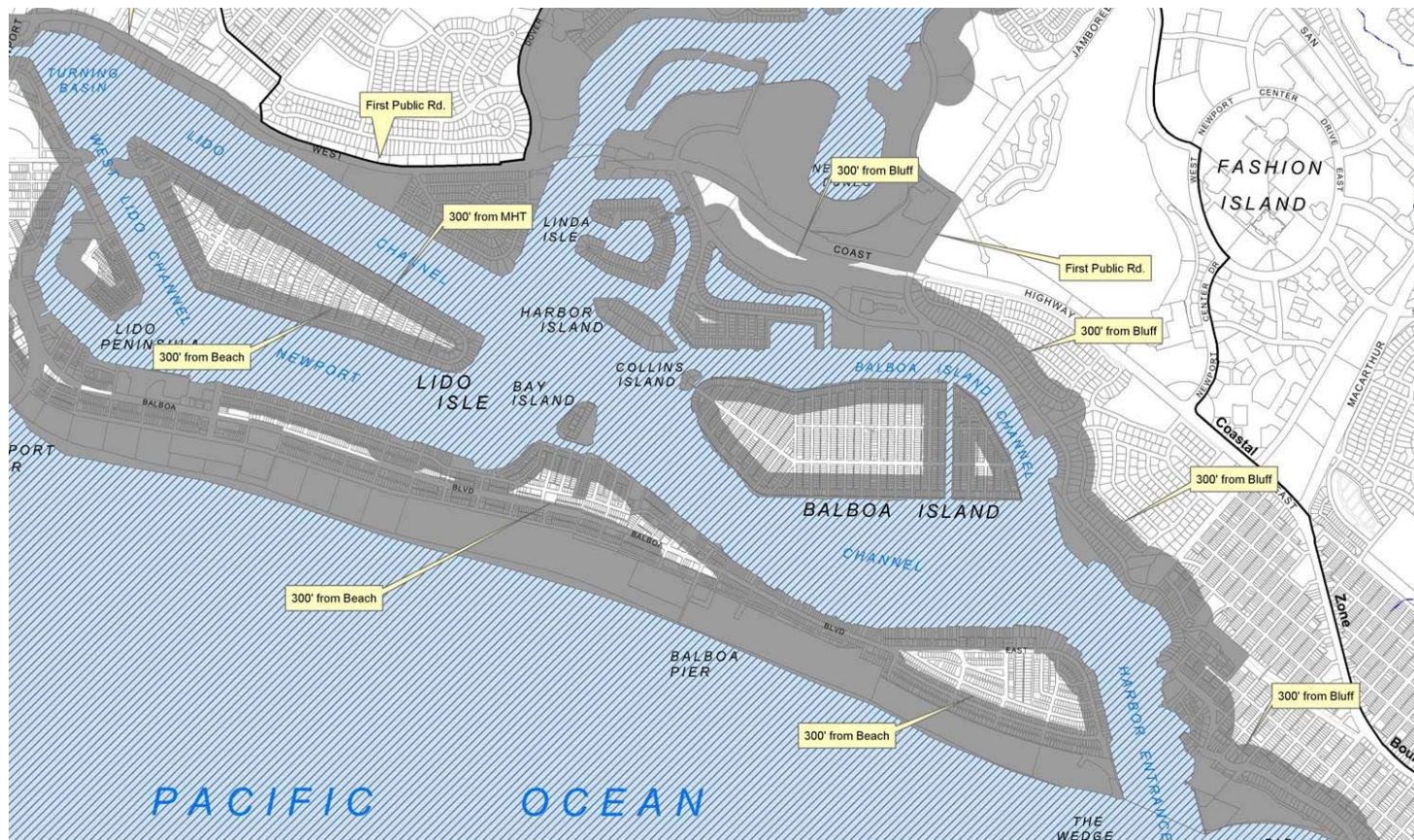


- Original Jurisdiction Areas
  - Submerged lands (below MLT line)
  - Tidelands (between MHT and MLT lines)
  - Other public trust lands (historic tidelands)\*
    - Newport Dunes
    - Balboa Bay Resort
    - Beacon Bay
    - Marina Park

# Appeal Areas West Newport



# Appeal Areas Peninsula/Harbor Area



# LCP Implementation Plan



- Uses existing zoning
  - Land use
  - Setbacks, height, etc.
- Resource Protection
  - ESHAs/Wetlands
  - Bluffs and Canyons
  - Public views
- Public Access
  - Vertical, lateral, bluffs
- Administration

**City of Newport Beach**

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**Local Coastal Program**



**Implementation Plan**

**PUBLIC REVIEW DRAFT 1  
February 2015**

# No Changes



- No zone changes
- Setbacks, height, FAR, parking, etc. remain the same as today

# Bottom Line



## NOW

- Apply in Long Beach
- State staff
- Sequential processing
- 6-12 months processing
- \$2,740-4,932 (SFD)
  - + Grading Fee

## POST CERTIFICATION

- Apply at City Hall
- City staff
- Concurrent processing
- 6-8 weeks processing
- \$891-2,400 (SFD)

# What's Next



- Feb/March 2015 – Community Meetings
- Mar/Apr 2015 – Study Sessions
- May/Jun 2015 – Public Hearings
- Jun 2015 – Submittal to CCC
- Jan 2016 – CCC Hearing
- Feb 2016 – City Council Acceptance/Rejection
- Mar 2016 – Certification

# Community Meetings



## **Coastal Bluff and Canyon Residential Properties:**

Wednesday, February 25, 7 p.m. to 9 p.m.  
Civic Center Community Room, 100 Civic Center Dr.

## **Coastal Zone Commercial Properties:**

Wednesday, March 4, 7 p.m. to 9 p.m.  
Civic Center Community Room, 100 Civic Center Dr.

# Questions?





For more information contact:

Patrick J. Alford, Planning Manager  
949-644-3235  
[PAIford@newportbeachca.gov](mailto:PAIford@newportbeachca.gov)  
[www.newportbeachca.gov](http://www.newportbeachca.gov)

# Public Access



- Only considered with a CDP application
- Replacement, reconstruction, and improvements exempt
- Must bear a responsible relationship with impact
- Must be proportional
- Modifications/waivers



# Habitat Protection



- ESHAs/Wetlands
  - Buffers
  - Limits on land uses
- Coastal Dunes
  - Found on public beaches

# Public View Protection



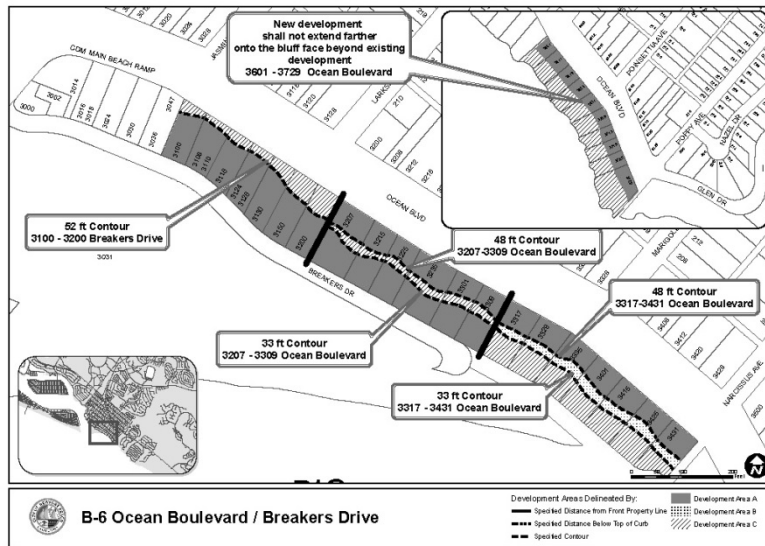
- Only impacts to public views considered
- Initial evaluation
  - Between public road and the sea
  - Bluff or canyon
  - Next to view points, etc.
  - Landforms or vegetation
- Visual impact analysis
- Siting and design principles



# Bufs and Canyons



- Bluffs
  - Existing B Overlay
  - Development Zones
- Canyons
  - Existing GP Policy
  - Stringline Setback



Name: B-6\_Ocean Blvd/October 26, 2010