



**NOTICE OF AVAILABILITY OF
DRAFT LOCAL COASTAL PROGRAM AMENDMENTS RELATED TO CORRECTIONS,
CLARIFICATIONS, AND INCONSISTENCIES**

NOTICE IS HEREBY GIVEN that in accordance with applicable provisions of the Coastal Act and Section 13515 of the California Code of Regulations Title 14, Division 5.5, Chapter 8, Subchapter 2, Article 5, 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, and online at www.newportbeachca.gov/lcp for the following amendment to the Implementation Plan (IP) of certified Local Coastal Program (LCP):

Amendment to Section 21.18.030 (Residential Coastal Zoning Districts General Development Standards) The Zoning Code allows residential lots to be subdivided to create lots with smaller sizes and dimensions than required by that zone, provided the lot size and dimensions are not less than the original underlying lots on the same block face and in the same zoning district. However, this provision was inadvertently left out of the certified Implementation Plan of the LCP. This amendment would correct that oversight and make the LCP consistent with existing Zoning Code provisions.

Amendment to 21.28.010 (Purposes of Overlay Zoning Districts) Overlay zoning districts are a common tool to modify a base zoning district for a specific area. While overlay zoning districts typically provide a higher level of regulation (more restrictive) than the base zoning classification, they can also permit exceptions or be less restrictive. In cases where conflicting standards are given by an overlay district and the base zoning, those of the overlay district typically control. This amendment will clarify the code intent.

Amendment to 21.62.020(B) (Method of Notice Distribution) Prescribed methods of notice distribution include: publication in a newspaper of general circulation; mailing to affected property owner, local agencies, nearby property owners and residents, persons requesting notice, and the California Coastal Commission; and posting of a sign and notice. In lieu of mailed notice, Subsection 21.62.020(B)(4) authorizes the Director to choose alternative notice specified by State law. To eliminate ambiguity and provide clarification of the alternative afforded by State law, the amendment will clearly specify that the alternative is to publish a one-eighth page display advertisement in a newspaper of general circulation within the City.

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 May 21, 2020, 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. Given the Declaration of a State Emergency and Proclamation of Local

Emergency related to COVID-19, we recommend that you submit your questions and comments in writing for Planning Commission consideration by sending them to the Community Development Department at PlanningCommissioners@newportbeachca.gov. To give the Planning Commission adequate time to review your questions and comments, please submit your written comments by **Wednesday, May 20, 2020, at 5:00 p.m.** In addition, members of the public will have the ability to participate in this meeting telephonically. Please review the Planning Commission Agenda for further instructions. The Agenda, staff report and corresponding documents will be posted to the City's website at www.newportbeachca.gov/planningcommission, by end of business day on Friday, **May 15, 2020**. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City's website. If you are unable to participate in the meeting via the process set forth in the agenda, please contact the Planning Division at (949-644-3200 or CDD@newportbeachca.gov) and our staff will attempt to accommodate you.

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 June 23, 2020, 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. Given the Declaration of a State Emergency and Proclamation of Local Emergency related to COVID 19, this meeting may occur telephonically. Anyone wishing to attend the public hearing should check the June 9, 2020, meeting agenda on the City's webpage at newportbeachca.gov/agendas or contact the City Clerk at 949-644-3005 or cityclerk@newportbeachca.gov, during normal business hours, to receive information on how to attend this meeting.

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

Proposed Local Coastal Program

Amendment No. LC2019-1 to Provide Clarification and Correct Errors and Inconsistencies (LC2019-001)

Section 1: Amend Table 21.18-2 of Section 21.18.030 (Residential Coastal Zoning Districts General Development Standards) of Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code adding Note 6 to the Lot Area row as follows:

| Development Feature | R-A | R-1 | R-1-6,000 | Additional Requirements |
|---------------------|----------------|---------------|---------------|-------------------------|
| Lot Area (1) (6): | | | | |
| Corner lot | 87,120 sq. ft. | 6,000 sq. ft. | 6,000 sq. ft. | |
| Interior lot | 87,120 sq. ft. | 5,000 sq. ft. | 6,000 sq. ft. | |

(6) Lots may be subdivided so that the resulting lot area and dimensions for each new lot are less than that identified in this table in compliance with the provisions of Title 19 (Subdivisions). The minimum lot size shall not be less than the original underlying lots on the same block face and in the same coastal zoning district. Lot width and length may vary according to the width and depth of the original underlying lots. New subdivisions that would result in additional dwelling units beyond what the original underlying lots would allow are not permitted unless authorized by an amendment of the General Plan (GPA).

Section 2: Amend Table 21.18-3 of Section 21.18.030 (Residential Coastal Zoning Districts General Development Standards) of Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code adding Note 6 to the Lot Area row as follows:

| Development Feature | R-BI | R-2 | R-2-6,000 | Additional Requirements |
|------------------------|---------------|---------------|---------------|-------------------------|
| Lot Area (1)(2)(3)(6): | | | | |
| Corner lot | 2,375 sq. ft. | 6,000 sq. ft. | 6,000 sq. ft. | |
| Interior lot | 2,375 sq. ft. | 5,000 sq. ft. | 6,000 sq. ft. | |

(6) Lots may be subdivided so that the resulting lot area and dimensions for each new lot are less than that identified in this table in compliance with the provisions of Title 19 (Subdivisions). The minimum lot size shall not be less than the original underlying lots on the same block face and in the same coastal zoning district. Lot width and length may vary according to the width and depth of the original underlying lots. New subdivisions that would result in additional dwelling units beyond what the original underlying lots would allow are not permitted unless authorized by an amendment of the General Plan (GPA).

Section 3: Amend Table 21.18-4 of Section 21.18.030 (Residential Coastal Zoning Districts General Development Standards) of Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code adding Note 8 to the Lot Area row as follows:

| Development Feature | RM | RM-6,000 | Additional Requirements |
|---------------------|---|---------------|-------------------------|
| Lot Dimensions | Minimum dimensions required for each newly created lot. | | |
| Lot Area (1)(2)(8): | | | |
| Corner lot | 6,000 sq. ft. | 6,000 sq. ft. | |
| Interior lot | 5,000 sq. ft. | 6,000 sq. ft. | |

(8) Lots may be subdivided so that the resulting lot area and dimensions for each new lot are less than that identified in this table in compliance with the provisions of Title 19 (Subdivisions). The minimum lot size shall not be less than the original underlying lots on the same block face and in the same coastal zoning district. Lot width and length may vary according to the width and depth of the original underlying lots. New subdivisions that would result in additional dwelling units beyond what the original underlying lots would allow are not permitted unless authorized by an amendment of the General Plan (GPA).

Section 4: Amend Section 21.28.010 (Purposes of Overlay Coastal Zoning Districts) of Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code as follows

21.28.010 Purposes of Overlay Coastal Zoning Districts.

The purposes of the individual overlay coastal zoning districts and the manner in which they are applied are outlined below. An overlay district may be initiated as a Coastal Zoning Map amendment in compliance with Chapter 21.14 (Coastal Maps). All development shall comply with the applicable development standards (e.g., setbacks, height) of the underlying coastal zoning district in addition to the standards provided in this chapter, if any. In situations where an inconsistency occurs between the development standards of the underlying coastal zoning district and the standards in this chapter the ~~most restrictive~~ standards s of the overlay district shall prevail.

Section 5: Amend Subsection 21.62.020(B)(4) (Alternative to Mailing) of Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code to reflect the practical realities involved in posting notice on a large number of properties and to clarify that the noticing process is consistent with the legal requirements of Government Code Section 65091, Public Hearings as follows:

4. Alternative to Mailing. If the number of property owners, residents, and interested persons to whom notice would be mailed in compliance with subsection (B)(2)(c) of this section is more than one thousand (1,000), in lieu of mailed notice, the Director may choose to publish a one-eighth page display advertisement in a newspaper of general circulation within the City. the Director may choose to provide the alternative notice specified by State law where it is reasonable that such substitute notice is expected to be adequate or better notice rather than through a mailed notice. However, a mailed notice shall still be provided to those persons who have requested notice, including all persons known to the applicant to be a party interested in the application, including those persons who testified at or submitted written comments for the local hearing(s).

Section 6: Add Subsection 21.62.020(B)(6) (Additional Notice) of Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code as follows:

6. Additional Notice. The Director may choose to provide additional notice of the hearing in any other manner deemed necessary or desirable.