



## **NOTICE OF AVAILABILITY OF DRAFT LOCAL COASTAL PROGRAM AMENDMENT RELATED TO RESIDENTIAL DESIGN STANDARDS**

**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](http://www.newportbeachca.gov/lcp) for the following amendment to the Implementation Plan (IP) of certified Local Coastal Program (LCP):

**Residential Design Standards LCP Amendment (LC2019-006)** – Amendments to the Newport Beach Municipal Code (NBMC) Title 21 (Local Coastal Program Implementation Plan) to revise the definition of Gross Floor Area and clarify the applicability of Open Space standards. As currently defined, gross floor area excludes *unfinished* attics (regardless of ceiling height) and is not clear with respect to the threshold of what constitutes an enclosed deck or patio. As a result, the bulk and scale of new residential developments appear larger than what the applicable floor area limits intend. Revisions to the definition are necessary to avoid “box-like” appearance and to appropriately regulate large attics and partially enclosed covered patios and decks. The amendment also includes a revision to Table 21.18-4 clarifying that the common and private open space requirements of the Multi-Unit Residential Coastal Zoning Districts only apply to multi-unit residential developments of 3 units or more. (PA2019-070).

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 7, 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](mailto:PlanningCommissioners@newportbeachca.gov). To give the Planning Commission adequate time to review your questions and comments, please submit your written comments by **Wednesday, May 6, 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](http://www.newportbeachca.gov/planningcommission), by end of business day on Friday, **May 1, 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](mailto: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 9, 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](http://newportbeachca.gov/agendas) or contact the City Clerk at 949-644-3005 or [cityclerk@newportbeachca.gov](mailto: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](mailto:jmurillo@newportbeachca.gov).

**Proposed Amendment to the City of Newport Beach Local Coastal Program Implementation Plan Related to Residential Design Standards (LC2019-006)**

**Section 1:** Amend the Open Space row of Table 21.18-4 of Section 21.18.030 (Development Standards for Multi-Unit Residential Coastal Zoning Districts) of Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code to read as follows:

	<i>Minimum required open space <u>(applicable to 3 or more unit development)</u>.</i>	
Open Space	Common: 75 square feet/unit Minimum dimension shall be 15 feet. Private: 5% of the gross floor area for each unit. Minimum dimension shall be 6 feet.	The minimum dimension is for length and width.

**Section 2:** Amend the definition of “Floor Area, Gross” of Section 21.70.20 (Definitions of Specialized Terms and Phrases) of Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code, as follows:

Floor Area, Gross.

1. Single-Unit and Two-Unit Dwellings.

a. For single-unit and two-unit dwellings, the following areas shall be included in calculations of gross floor area:

- i. The area within and including the surrounding exterior walls; ~~and~~
- ii. Covered decks, balconies or patios above the first floor;
- iii. Any interior ~~finished~~ portion of a structure that is accessible and that measures more than six feet from finished floor to ceiling; and
- iv. Covered parking spaces which are open only on one side.

b. The following areas shall be excluded:

- i. Stairwells and elevator shafts above the first level; and
- ii. Covered decks, balconies, or patios open on at least 2 sides, with the exception of required safety railings and minimal structural supports. Railings shall be constructed of either transparent material (except for supports) or opaque material (e.g., decorative grillwork, wrought iron, latticework, or similar open materials) so that at least forty (40) percent of the railing is open.

2. Multi-Unit Residential (3+ dwellings), Mixed-Use, and Nonresidential Structures.

a. For multi-unit residential, mixed-use, and nonresidential structures, the following areas shall be included in calculations of gross floor area:

- i. The surrounding exterior walls; and
- ii. Any interior ~~finished~~ portion of a structure that is accessible and that measures more than four feet from finished floor to ceiling.

b. The following areas shall be excluded:

- i. Stairwells and elevator shafts above the first level;
- ii. Outdoor dining areas associated with an eating and drinking establishment;  
and
- iii. Parking structures associated with an allowed use within the same development.