

CALIFORNIA COASTAL COMMISSION

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F7.1a

DATE: August 30, 2018

TO: Commissioners and Interested Persons

FROM: Karl Schwing, Deputy Director, South Coast District
Charles Posner, Supervisor of Planning
Liliana Roman, Coastal Program Analyst

RE: Amendment Request No. 4-17 Part A (LCP-5-NPB-17-0084-1) to the City of Newport Beach LCP, for Commission Action at its September 14, 2018 meeting in Fort Bragg.

Local Coastal Program Amendment No. 4-17A (Minor)

The City of Newport Beach is requesting that the Commission certify an amendment to the Implementing Plan (IP) portion of the Newport Beach certified Local Coastal Program (LCP). The LCP amendment is needed to correct mapping errors in LCP Setback Maps S-3A and S-3B (Lido Isle) for eight (8) inland residential properties on Lido Isle.

Local Coastal Program Amendment Request No. 4-17A affects only the City's IP, which is the implementing ordinances portion of the certified LCP, and does not propose any rezoning or land use changes. On July 6, 2017, the Newport Beach Planning Commission conducted a public hearing and adopted Planning Commission Resolution No. 2062. The Newport Beach City Council held a public hearing on September 12, 2017 and passed City Council Resolution No. 2017-59 authorizing City staff to submit the LCP amendment to the Coastal Commission for certification.

Analysis

The Executive Director has determined that City of Newport Beach LCP Amendment No. 4-17 Part A is a minor LCP amendment. The LCP amendment has been determined to be a "minor" LCP amendment because the proposed IP modifications are consistent with the certified Land Use Plan (LUP), would make the City's development regulations more specific, and would not change the kind, location, intensity or density of any uses. The subject properties are located at 203 Via Ithaca and 300, 328, 332, 335, 408, 412 and 416 Piazza Lido on Lido Isle (Exhibit #2) and are designated Single-Unit Residential (R-1). Setbacks can vary across different lots and blocks throughout the City. For example, for most R-1 and R-2 designated lots in Newport Beach, the required front setback standard is 20 feet. All lots on Lido Isle are designated R-1. However, on inland (non-bay front) lots on Lido Isle, the standard side setback is 4 feet and front setback is typically 1.5 feet or 0 feet, unless depicted differently on the Setback Maps S-3A and S-3B for Lido Isle (Exhibit #3). Most bay fronting lots are depicted on the setback maps with a 10-foot setback from the bay front property line, however, the smaller bay front lots have a 0-foot setback from the bay front property line.

When the setback maps were created and incorporated into the LCP (IP), property lines on six residential properties on Piazza Lido and one on Via Ithaca, previously regulated as side setbacks, were inadvertently labeled as front setbacks; and no front setback was identified at an eighth property located at 335 Piazza Lido. The proposed changes to Setback Maps S-3A and S-3B would reinstate the side yard setbacks and clarify front setbacks by removing incorrectly referenced setbacks for the seven properties north of Piazza Lido. These properties would default to the standard 4-foot side setback, with no change to the existing 1.5-foot front setback and clarify a 4-foot side setback for the property at 335 Piazza Lido (south side of Piazza Lido adjacent to Via Firenze) with no change to its existing 0-foot front setback already depicted on the setback maps.

Setbacks are important regulations as they affect building location and impact buildable area, floor area limit, open volume, and third floor limitations. The proposed amendment would increase the floor area limit (maximum square footage) at 4 of the 8 subject inland properties, with no change to the other 4 properties. None of the affected setbacks are needed to protect sensitive environmental areas. The amendment would not result in a significant change to the existing pattern of development along these inland Lido Isle R-1 lots, the subject properties are currently developed with single family residences that comply with the corrected front and side setback standards. The City' resolution is attached as Exhibit #1.

Procedures

Pursuant to Section 30514(c) of the Coastal Act and Section 13554(a) of the California Code of Regulations, the Executive Director has determined that the proposed LCP amendment is "minor" in nature. Section 13554(a) of the California Code of Regulations defines a minor LCP amendment as changes in wording which make the use as designated in the zoning ordinances, zoning district maps or other implementing actions more specific and which do not change the kind, location, intensity, or density of use and are consistent with the certified LUP.

When the Executive Director determines that an amendment is minor, that determination must be reported to the Commission. If one-third of the appointed members of the Commission request that it be processed as a major LCP amendment, then the amendment shall be set for a future public hearing; if less than one-third of the appointed members of the Commission object to the minor LCP amendment determination, then the amendment is deemed approved, and it becomes a certified part of the LCP immediately. The Executive Director will report this minor LCP amendment determination, and any comments received on it, to the Coastal Commission at its September 14, 2018 meeting in Fort Bragg. The deadline for Commission action on this LCP amendment is August 1, 2019. For any questions or needed additional information regarding the proposed amendment or the process under which it is being certified, please contact **Liliana Roman** at the South Coast District Office in Long Beach.