

CALIFORNIA COASTAL COMMISSION

South Coast District Office
301 E Ocean Blvd., Suite 300
Long Beach, CA 90802-4302
(562) 590-5071



F9a

ADDENDUM (2)

November 16, 2021

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: **SECOND ADDENDUM TO AGENDA ITEM F9a**, LCP Amendment No. LCP-5-NPB-20-0025-1, Parts A and B (City of Newport Beach Cottage Preservation and Lido Isle Hedge Heights) for the Commission Meeting of Friday, November 19, 2021.

I. Additional Changes to the Staff Report

There is an addendum dated November 12, 2121 which corrected the agenda number [F9a] at the top of the staff report dated November 4, 2021. This addendum makes additional changes to correct typos and dates of City administrative action, and provide context about changes to the certified LCP. The changes do not alter staff's recommendation. Language to be added to the staff report is shown in underline text, and language to be deleted is shown in ~~strikethrough~~.

a. On page 1, correct the dates when the City took its administrative actions as follows:

The Newport Beach Planning Commission held two public hearings on the Cottage Preservation Element on October 17, 2019, and November 21, 2019. The Newport Beach City Council held a public hearing on ~~January 28, 2020~~ May 14, 2019, to initiate the LCP Amendment and on ~~February 11, 2020~~ January 28, 2020, adopted City Council Resolution No. ~~2020-4~~ 2020-12 authorizing City staff to submit the LCP Amendment to the Coastal Commission (Exhibit 1).

The Newport Beach Planning Commission held a public hearing on the Lido Isle Hedge Height on December 5, 2019. The Newport Beach City Council held a public hearing on ~~February 11, 2020~~ September 10, 2021 to initiate the LCP

Amendment and on ~~February 25, 2020~~ February 11, 2020, adopted City Council Resolution No. ~~2020-7~~ 2020-19 authorizing City staff to submit the LCP Amendment to the Coastal Commission (Exhibit 2).

b. In the last line of page 10, within the list of items of Suggested Modification #3, change a period to a comma:

The addition shall comply with all applicable development standards and use regulations of this Implementation Plan, including the coastal resource protection development regulations of Section 21.28.040 (Bluff (B) Overlay District), Section 21.28.050 (Canyon (C) Overlay District), Section 21.30.015(D) (Waterfront Development), Section 21.30.015(E)(2) (Development in Shoreline Hazardous Areas), Section 21.30(A) (Public Access and Recreation), Section 21.30(B) (Habitat Protection), and Section 21.30.100 (Scenic and Visual Quality Protection)

c. On page 11, change the formatting and description of Suggested Modification #5 as follows (City proposed addition to the LCP to be deleted, Commission suggested modification to be added instead):

Suggested Modification #5 – ~~Add~~ Modify IP Section 21.38.60(A)(4)(f) as follows:

~~f. Dwellings within the residential development shall not be rented for periods of less than thirty (30) days.~~
In addition to limitations of Section 21.48.115 (Short Term Lodging), any cottage preservation project used for short-term lodging shall be restricted to a maximum of six (6) occupants.

d. On page 24: change the next-to-last paragraph to clarify the standards of review for hedge heights as follows:

Titles 20 ~~and 24~~ of the City's municipal code (which is not part of the certified LCP) and Title 21 (which is the certified Implementation Plan) currently establish a hedge height of 42 in. within a required front setback area. In 2001, the Lido Isle Community Association (LICA) amended its Covenants, Conditions, and Restrictions (CC&Rs) to change the hedge height limits within its stradas (or public walkways) from 42 in. to 60 in. The discrepancy between the LICA CC&Rs and the City's code creates a discrepancy that may cause homeowners to incur City violations although their hedge heights may be consistent with their homeowners' association requirements. The proposed amendment to the IP would eliminate the discrepancy between the LICA CC&Rs and the City hedge height regulations within the Lido Isle Stradas. The remainder of Lido Isle would be required to observe the standard hedge height maximum of 42 in.