

LCP Amendments



Planning Commission
Public Hearing
May 4, 2017



Implementation Plan Amendments



- Oceanfront Encroachment Program
- Balboa Village Parking Management Overlay District
- Clean-Up

City of Newport Beach

Local Coastal Program



Implementation Plan

East Ocean Front Encroachment Program



- 15 property owners received Notice of Violations (NOV) from the California Coastal Commission for unpermitted encroachments.

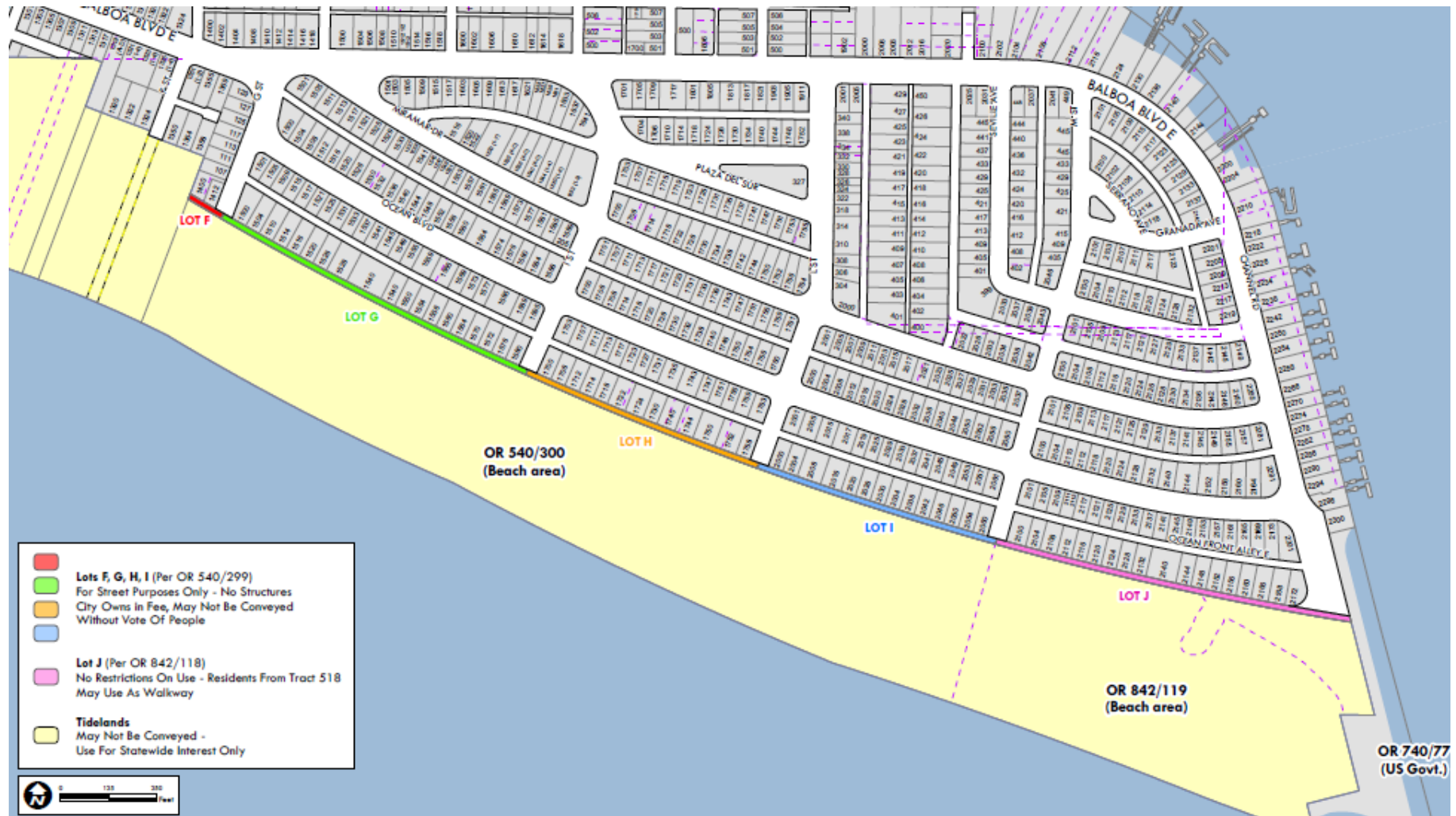
Coastal Commission staff indicates that additional properties are in violation, but have not issued additional NOVs to allow City/residents to develop a solution.



Encroachment Types



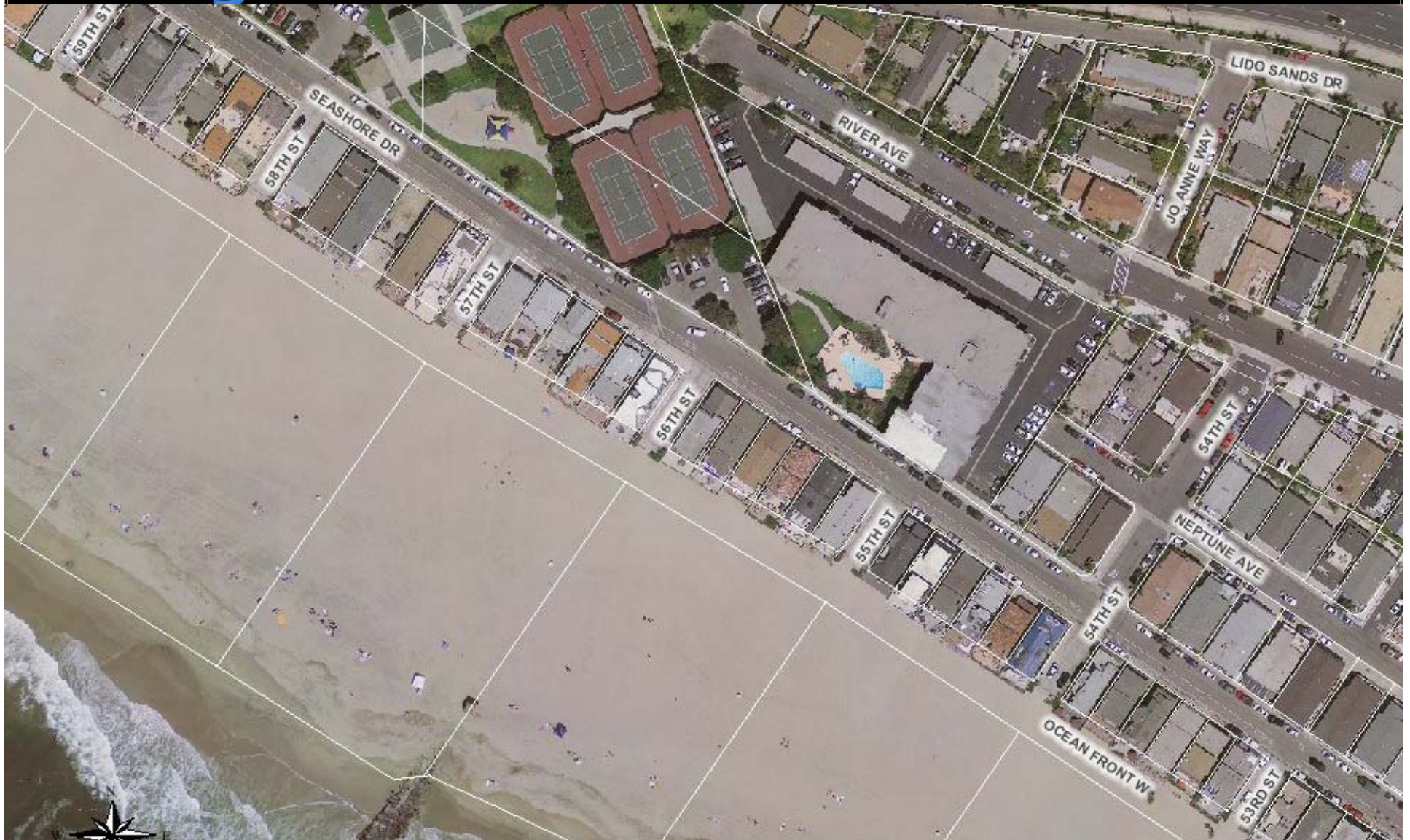
Excluded Areas



Encroachment Program

- Consistent w/ West Newport:
 - Prohibit anything that requires a building permit
 - No pressurized irrigation
 - No objects above 36 inches
 - No impacts to public access
 - Restrict landscaping in dune habitat to native vegetation
- Requires Amendments to Local Coastal Plan and Council Policy L-12 to be allow encroachments

West Newport Encroachment Program



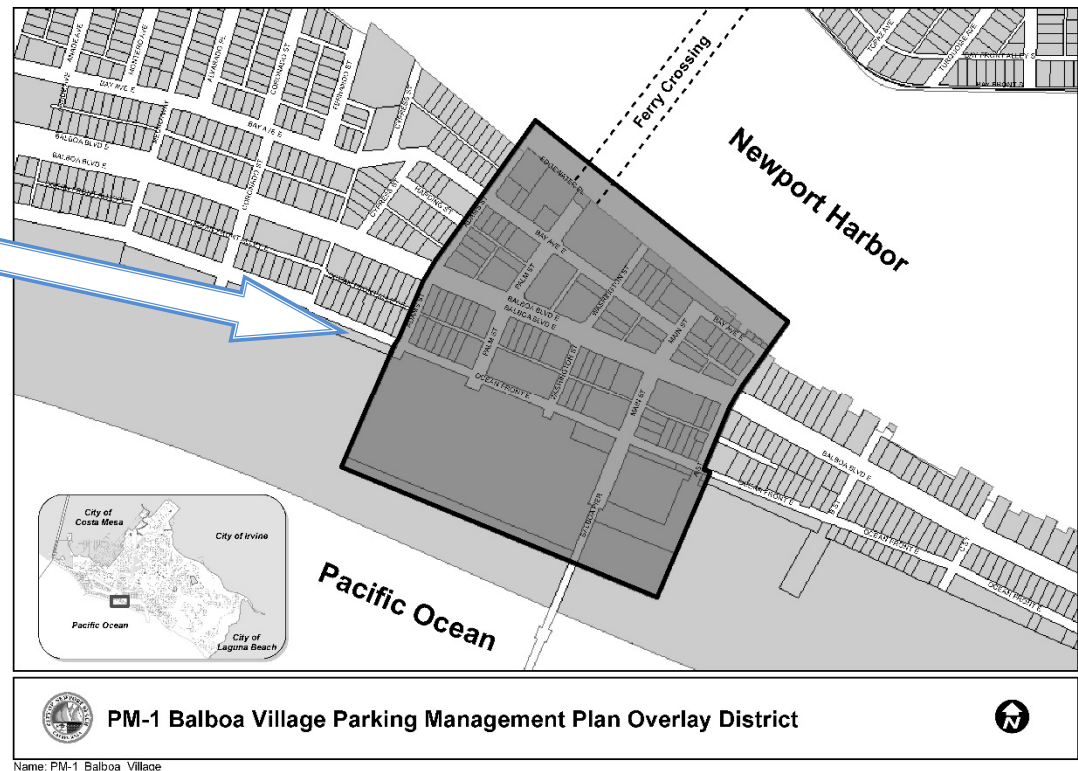
West Newport Examples



Balboa Village Parking Management Overlay District

Established in Zoning Code (Title 20) in early 2015

- Extensive public outreach as part of Balboa Village Master Plan adoption (2014)
- Adams Street to A Street
- Eliminates off-street parking requirement for most commercial uses
- Maintains existing off-street parking facilities
- Allows shared use of parking facilities



IP Clean-up Amendments

- Post-LCP submittal changes
- Corrections and clarifications
- Shoreline Height Limit Zone exceptions
- Provisions for modifications and variances
- Minor development public hearing waiver

Post-LCP Submittal Changes

- Lido Villas PC
- Landscape maintenance exception
- Nonconforming residential structures

Corrections/Clarifications

- Shoreline protective devices
- Appeals and calls for review
- CDP waiver call-ups by City Council

1972 Shoreline Height Limit

- Allowed for 5-foot roof peaks
- Allowed for “structural appurtenances”
 - Chimneys, flag poles, vents, etc.
- Allowed increases
 - Planned community
 - Specific plan
 - Use permit

Existing Zoning Code Shoreline Height Limit Exceptions

- Section 20.30.060 (C)(2) allows for 5-foot roof peaks
- Section 20.30.060 (D) exceptions for:
 - Assembly and meeting facilities (i.e., places of worship)
 - Architectural features, dormers, skylights and roof windows
 - Chimneys and vents
 - Boat cranes and flag poles
 - Elevator shafts, mechanical equipment, solar equipment and light standards
 - Landmark buildings
- Section 20.30.060 (C)(3) allows increases up to max. 35 feet
 - Specific plan
 - Planned development permit
 - Site development review

Proposed LCP Shoreline Height Limit Exceptions

- Section 21.30.060 (C)(2) allows for 5-foot roof peaks
- Section 21.30.060 (D) exceptions for:
 - Assembly and meeting facilities (i.e., places of worship)
 - Architectural features, dormers, skylights and roof windows
 - Chimneys and vents
 - Boat cranes and flag poles
 - Elevator shafts, mechanical equipment, solar equipment and light standards
 - Landmark buildings
- Section 20.31.060 (C)(3) allows increases up to max. 35 feet
 - Coastal development permit
 - Additional coastal resource protection findings

Planned Community Height Limits

EXISTING ZONING CODE SECTION 20.30.060 (C)(3)

- Allows planned communities to exceed the maximum height limit
- Required findings

PROPOSED LCP AMENDMENT

- Allows planned communities to exceed the maximum height limit
- LCP amendment required
- Coastal Commission approval required

Proposed Government Facility Height Exception

- Currently allowed under Zoning Code Section 20.10.040
 - Allows City Council to exempt City-implemented projects
- No corresponding provision in the LCP
- Limited to increases necessary for the facility to function
- CDP required

Modifications and Variances

- Allows CDPs to include relief from zoning regulations authorized by modifications and variances.
- Additional findings require consistency with LCP and protection of coastal resources.
- Includes current Zoning Code prohibitions, plus those in the LCP.

Minor Development Public Hearing Waiver

- Provided for by Coastal Act §30624.9
- Limited to “minor development”
 - Consistent with the certified LCP
 - No other discretionary approvals
 - No impact to coastal resources or access
- Public notice required
- Public hearing may be requested

Recommendation

- Adopt Resolution recommending City Council Amend Coastal Implementation Plan



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