



CITY OF

NEWPORT BEACH

City Council Staff Report

February 11, 2020
Agenda Item No. 6

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Ordinance No. 2020-4: Cottage Preservation (PA2019-181)

ABSTRACT:

For City Council's consideration is the adoption of the Cottage Preservation ordinance. The attached ordinance was introduced and considered at the January 28, 2020, City Council meeting. The amendments to the Newport Beach Municipal Code (NBMC) Title 20 (Planning and Zoning) and Title 15 (Building and Construction) will provide a voluntary option for homeowners seeking to remodel but preserve traditional beach cottages. Typically, cottages do not provide all the code-required parking and additions are limited to 10 percent of the existing floor area. The amendments would allow larger additions (up to 50 percent of the existing floor area or a maximum of 750 square feet) without providing the minimum code-required parking when the project would result in the preservation of the cottage character and building envelope that is representative of traditional development patterns in the City.

RECOMMENDATION:

- a) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21065 of CEQA and State CEQA Guidelines Sections 15060 (c)(2), 15060 (c)(3), and 15378. The proposed action is also exempt pursuant to State CEQA Guidelines Section 15061(b)(3) because it has no potential to have a significant effect on the environment; and
- b) Conduct second reading and adopt Ordinance No. 2020-4: *An Ordinance of the City Council of the City of Newport Beach, California, Adopting Code Amendment No. CA2019-006 to Amend Title 15 Entitled "Building and Construction" and Title 20 Entitled "Planning and Zoning" of the City of Newport Beach Municipal Code Related to Cottage Preservation (PA2019-181).*

FUNDING REQUIREMENTS:

There is no fiscal impact related to this item.

DISCUSSION

In consideration of the Planning Commission's recommendation and public comments submitted in support of increasing the maximum allowable addition from 500 square feet to 750 square feet for eligible cottage preservation projects, the City Council voted to introduce Ordinance 2020-4 incorporating the 750-square-foot maximum allowance.

Status in the Coastal Zone

Should the City Council adopt the proposed ordinance amending Title 15 and 20, the cottage preservation incentives will only be permissible for developments located outside the Coastal Zone. Upon approval of the proposed Local Coastal Program Amendment (LCP) No. LC2019-004 by the California Coastal Commission, staff will return to the City Council with an ordinance adopting LC2019-004, thereby allowing the cottage preservation incentives citywide. Staff estimates to return to City Council within the year.

ENVIRONMENTAL REVIEW:

The action proposed herein is not a project subject to the California Environmental Quality Act (CEQA) in accordance with Section 21065 of CEQA and State CEQA Guidelines Sections 15060 (c)(2), 15060 (c)(3), and 15378. The proposed action is also exempt from the CEQA pursuant to State CEQA Guidelines Section 15061(b)(3), the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Lastly, pursuant to CEQA Guidelines Section 15265(a)(1), local governments are exempt from the requirements of CEQA in connection with the adoption of a Local Coastal Program. The Amendment itself does not authorize any development and therefore would not directly result in physical change to the environment.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENT:

Attachment A – Ordinance No. 2020-4