

Attachment E

Redline/Strikeout Revisions of the Title 21 Amendments

Redline/Strikeout

**Proposed Local Coastal Program
Amendment No. LC2019-1 to Clarify Provisions related to Minimum Lot Size and
Dimensions, Overlays and Public Hearing Notice Requirements (LC2019-001)**

Section 1: Add Note 6 and amend the Lot Area row of Table 21.18-2 of Section 21.18.030 (Residential Coastal Zoning Districts General Development Standards) of Chapter 21.18 (Residential Coastal Zoning Districts (R-A, R-1, R-BI, R-2, and RM)) of Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code to read as:

Development Feature	R-A	R-1	R-1-6,000	Additional Requirements
Lot Area (1) <u>(6)</u> :				
Corner lot	87,120 sq. ft.	6,000 sq. ft.	6,000 sq. ft.	
Interior lot	87,120 sq. ft.	5,000 sq. ft.	6,000 sq. ft.	

(6) Lots may be subdivided so that the resulting lot area and dimensions for each new lot are less than that identified in this table in compliance with the provisions of Title 19 (Subdivisions). The minimum lot size shall not be less than the original underlying lots on the same block face and in the same coastal zoning district. Lot width and length may vary according to the width and depth of the original underlying lots. New subdivisions that would result in additional dwelling units beyond what the original underlying lots would allow are not permitted unless authorized by an amendment of the General Plan (GPA).

Section 2: Add Note 6 and amend the Lot Area row of Table 21.18-3 of Section 21.18.030 (Residential Coastal Zoning Districts General Development Standards) of Chapter 21.18 (Residential Coastal Zoning Districts (R-A, R-1, R-BI, R-2, and RM)) of Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code to read as follows:

Development Feature	R-BI	R-2	R-2-6,000	Additional Requirements
Lot Area (1)(2)(3) <u>(6)</u> :				
Corner lot	2,375 sq. ft.	6,000 sq. ft.	6,000 sq. ft.	
Interior lot	2,375 sq. ft.	5,000 sq. ft.	6,000 sq. ft.	

(6) Lots may be subdivided so that the resulting lot area and dimensions for each new lot are less than that identified in this table in compliance with the provisions of Title 19 (Subdivisions). The minimum lot size shall not be less than the original underlying lots on the same block face and in the same coastal zoning district. Lot width and length may vary according to the width and depth of the original underlying lots. New subdivisions that would result in additional dwelling units beyond what the original underlying lots would allow are not permitted unless authorized by an amendment of the General Plan (GPA).

Section 3: Add Note 8 and amend the Lot Area row of Table 21.18-4 of Section 21.18.030 (Residential Coastal Zoning Districts General Development Standards) of Chapter 21.18 (Residential Coastal Zoning Districts (R-A, R-1, R-BI, R-2, and RM)) of Title 21 (Local

Coastal Program Implementation Plan) of the Newport Beach Municipal Code to read as follows:

Development Feature	RM	RM-6,000	Additional Requirements
Lot Dimensions	Minimum dimensions required for each newly created lot.		
Lot Area (1)(2)(8):			
Corner lot	6,000 sq. ft.	6,000 sq. ft.	
Interior lot	5,000 sq. ft.	6,000 sq. ft.	

(8) Lots may be subdivided so that the resulting lot area and dimensions for each new lot are less than that identified in this table in compliance with the provisions of Title 19 (Subdivisions). The minimum lot size shall not be less than the original underlying lots on the same block face and in the same coastal zoning district. Lot width and length may vary according to the width and depth of the original underlying lots. New subdivisions that would result in additional dwelling units beyond what the original underlying lots would allow are not permitted unless authorized by an amendment of the General Plan (GPA).

Section 4: Amend the introductory paragraph of Section 21.28.010 (Purposes of Overlay Coastal Zoning Districts) of Chapter 21.28 (Overlay Coastal Zoning Districts (MHP, PM, B, C and H)) of Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code to read as follows. In all other respects, Section 21.28.010 shall remain unchanged:

21.28.010 Purposes of Overlay Coastal Zoning Districts.

The purposes of the individual overlay coastal zoning districts and the manner in which they are applied are outlined below. An overlay district may be initiated as a Coastal Zoning Map amendment in compliance with Chapter 21.14 (Coastal Maps). All development shall comply with the applicable development standards (e.g., setbacks, height) of the underlying coastal zoning district in addition to the standards provided in this chapter, if any. In situations where an inconsistency occurs between the development standards of the underlying coastal zoning district and the standards in this chapter, ~~the most restrictive~~ standards of the overlay district shall prevail.

Section 5: Amend Subsection 21.62.020(B)(2)(c) (Nearby Property Owners) of Chapter 21.62 (Public Hearing) Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code to read as follows:

- c. Nearby Property Owners. All owners of property located within a three hundred (300) foot radius, excluding intervening rights-of-way and waterways, of the exterior boundaries of the subject lot, as shown on the last equalized assessment roll or, alternatively, from other records that contain more recent addresses. It shall be the responsibility of the applicant to obtain and provide to the Department the names and addresses of all owners required by this section. If the number of property owners to whom notice would be mailed in compliance with this section is more than one thousand (1,000), in lieu of mailed notice, the Director may choose to publish a one-eighth page display advertisement in a newspaper of general circulation within the City. However, a mailed notice shall still be provided to those persons who have requested notice, including all persons known to the applicant to be a party interested in the application, including those persons who testified at or submitted written comments for the local hearing(s);

Section 6: Subsection 21.62.020(B)(4) (Alternative to Mailing) is repealed and replaced with a new Subsection 21.62.020(B)(4) (Additional Notice) of Chapter 21.62 (Public Hearings) Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code as follows:

- ~~4. Alternative to Mailing. If the number of property owners, residents, and interested persons to whom notice would be mailed in compliance with subsection (B)(2)(c) of this section is more than one thousand (1,000), the Director may choose to provide the alternative notice specified by State law where it is reasonable that such substitute notice is expected to be adequate or better notice rather than through a mailed notice. However, a mailed notice shall still be provided to those persons who have requested notice, including all persons known to the applicant to be a party interested in the application, including those persons who testified at or submitted written comments for the local hearing(s).~~
4. Additional Notice. The Director may provide additional notice of the hearing in any other manner deemed necessary.