



# NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that on **Thursday, September 17, 2020**, at **6:30 p.m.** or soon thereafter as the matter shall be heard, a public hearing will be conducted in the Council Chambers at 100 Civic Center Drive, Newport Beach. The Planning Commission of the City of Newport Beach will consider the following application:

**Residential Design Standards Code and LCP Amendments** – Amendments to Title 20 (Zoning Code) and Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code (NBMC) revising development standards applicable to single- and two-unit residential development. This item was continued from the May 7, 2020, Planning Commission hearing. Specifically, the proposed amendments would reduce bulk and mass associated with future residential development as follows:

## **Revisions to Third Floor Standards**

- Third floor step backs would apply to covered deck areas (currently applies only to enclosed floor area).
- Third floor side step backs would apply to lots 30 feet wide or greater (currently applies to lots wider than 30 feet).
- Maximum covered third floor area (enclosed or unenclosed) limited to 50 percent of buildable area. Uncovered deck area would remain unrestricted.
- Third floor step back standards (front and rear) would apply to 25-foot wide or less lots zoned R-2 (currently exempt).
- Third floor step back standards (front, rear, and sides) would apply to single- and two-unit dwellings in Multiple Residential (RM) zone (currently exempt).

## **Clarification of Gross Floor Area**

- *Unfinished* attics with a ceiling height of 6 feet or higher would count as floor area (currently only finished attics count).
- Covered patios, decks, and balconies above the first floor would count as floor area unless completely open on at least two sides, rather than one side.
- Carports only open on one side would count as floor area.

## **Single-Unit and Two-Unit Dwellings in the R-BI Zone**

- Third floor and open volume standards applicable to R-1 and R-2 zones would now apply to single- and two-unit dwellings in Two-Unit Residential, Balboa Island (R-BI) zone.

Pursuant to the authority and criteria contained in the California Environmental Quality Act (CEQA), the amendments are statutorily exempt from the 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.

All interested parties may appear and present testimony in regard to this application. If you challenge this project in court, you may be limited to raising only those issues you raised at the public hearing or in written correspondence delivered to the City, at, or prior to, the public hearing. Administrative procedures for appeals are provided in the Newport Beach Municipal Code Chapter 21.64. The application may be continued to a specific future meeting date, and if such an action occurs, additional public notice of the continuance will not be provided.

## **SPECIAL NOTICE REGARDING COVID-19**

Given the Declaration of a State Emergency and Proclamation of Local Emergency related to COVID-19, we recommend that you submit your questions and comments in writing for Planning Commission consideration by sending them to the Community Development Department at [PlanningCommissioners@newportbeachca.gov](mailto:PlanningCommissioners@newportbeachca.gov). To give the Planning Commission adequate time to review your questions and comments, please submit your written comments by **Wednesday, September 16, 2020, at 5:00 p.m.** In addition, members of the public will have the ability to participate in this meeting telephonically. Please review the Planning Commission Agenda for further instructions. The Agenda, staff report and corresponding documents will be posted to the City's website at [www.newportbeachca.gov/planningcommission](http://www.newportbeachca.gov/planningcommission), by end of business day on Friday, **September 11, 2020**. While the City does not expect there to be any changes to the above process for participating in this meeting, if there is a change, the City will post the information as soon as possible to the City's website. The City of Newport Beach thanks you in advance for continuing to take precautions to prevent the spread of the COVID-19 virus. If you are unable to participate in the meeting via the process set forth in the agenda, please contact the Planning Division at 949-644-3200 or [CDD@newportbeachca.gov](mailto:CDD@newportbeachca.gov) and our staff will attempt to accommodate you.

For questions regarding this public hearing item please contact Jaime Murillo, Principal Planner, at 949-644-3209, [jmurillo@newportbeachca.gov](mailto:jmurillo@newportbeachca.gov).

**Project File No.:** PA2019-070

**Zone:** Various

**Coastal Land Use Plan:** Various

**Location:** Citywide

Lauren Kleiman, Secretary, Planning Commission, City of Newport Beach

**Activity No.:** CA2019-004 and LC2019-006

**General Plan:** Various

**Filing Date:** May 14, 2019

**Applicant:** City of Newport Beach