



NEWPORT BEACH

City Council Staff Report

November 12, 2024
Agenda Item No. 8

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Resolution No. 2024-81: Initiating General Plan and Zoning Amendments Related to the Lower Castaways Aquatics Facility (PA2024-0138)

ABSTRACT:

For the City Council’s consideration is the initiation of amendments to Anomaly 54 in Table LU2 of the General Plan Land Use Element and to the Castaways Marina Planned Community (PC-37) Development Plan. Both amendments are necessary for the City of Newport Beach to consider development of the Lower Castaways Aquatics Facility located at 100 Dover Drive.

RECOMMENDATIONS:

- a) Determine the adoption of this resolution is exempt from environmental review under the California Environmental Quality Act (“CEQA”) pursuant to Section 15262 of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it involves feasibility or planning studies for possible future actions which the agency, board, or commission has not approved or adopted; and
- b) Adopt Resolution No. 2024-81, *A Resolution of the City Council of the City of Newport Beach, California, Initiating Amendments to Table LU2 of the General Plan Land Use Element and to the Castaways Marina Planned Community (PC-37) Development Plan to Increase the Anomaly 54 Development Limit and to Allow a Community Recreational Facility at Lower Castaways Park, 100 Dover Drive (PA2024-0138).*

DISCUSSION:

At the City Council Planning Session on February 3, 2024, City staff presented the Long-Range Planning-Capital Improvement Projects, as identified in the various City Master Plans. It was highlighted that the City’s Lower Castaways Park, located at 100 Dover Drive on the northeastern corner of Dover Drive and Coast Highway, is not included in the Capital Improvement Projects list. The City Council expressed a desire to explore possible improvements that would provide a community benefit by enhancing the City’s facilities at that location.

Subsequent to the Planning Session, the City Council established the Lower Castaways Park Ad Hoc Committee on February 27, 2024, and confirmed the appointments of Mayor Pro Tem Joe Stapleton and Councilmembers Robyn Grant and Noah Blom. The Ad Hoc Committee was tasked with working with City staff in evaluating additional capital improvements, harbor and beach uses, and/or recreational opportunities for Lower Castaways. It met several times between March and September 2024. At those meetings, the Ad Hoc Committee worked alongside City staff and on-call consultants to review potential concepts. Ultimately, the Ad Hoc Committee identified a community recreational pool facility with an approximately 9,000-square-foot building, including a 50-meter pool, a therapy pool, a splash pad, a hand boat launch, and event venue, as the best use for Lower Castaways.

At the October 8, 2024, City Council Study Session, City staff presented the Ad Hoc Committee's recommendations. At the conclusion of the item, including public comments and City Council discussion, the City Council unanimously supported pursuing the Ad Hoc Committee's recommendations and taking the next steps forward.

Current General Plan, Zoning, and Amendment Initiation

The Lower Castaways Park site is categorized by the General Plan Land Use Element as Recreational and Marine Commercial (CM) with a development limit set at 2,000 square feet of gross floor area pursuant to Anomaly 54 in Table LU2. The CM Land Use Category's intent is as follows:

"To provide for commercial development on or near the bay in a manner that will encourage the continuation of coastal-dependent and coastal-related uses, maintain the marine theme and character, encourage mutually supportive businesses, encourage visitor-serving and recreational uses, and encourage physical and visual access to the bay on waterfront commercial and industrial building sites on or near the bay."

While the Ad Hoc Committee's recommendations are consistent with the intent of the CM Land Use Category, Anomaly 54 does not allow sufficient development intensity to accommodate the recommendations and must be increased.

The Lower Castaways Park Site is zoned Castaways Marina Planned Community (PC-37), which identifies only a short list of permitted uses, as follows: (1) commercial marina; (2) parking facilities intended to serve marina users; (3) accessory structures normally associated with a commercial marina; (4) temporary structures and uses; and (5) signs. The recommendations are inconsistent with this list, such that it must be updated to include additional allowable uses and development standards.

The PC-37 Development Plan contains no provision for the initiation of an amendment. As such, the Newport Beach Municipal Code (NBMC) provides for the process. Pursuant to Section 20.66.020 (Initiation of Amendment) of the NBMC, an amendment may be initiated by the City Council with or without a recommendation from the Planning Commission.

This agenda item is not a public hearing. Should the City Council choose to initiate the proposed amendments, the specific changes to Table LU2 and the PC-37 Development Plan will be drafted and considered by both the Planning Commission and then the City Council at future public hearings.

FISCAL IMPACT:

As this action is only initiating the required legislative amendments, there is no fiscal impact related to this item.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this action is exempt from environmental review under CEQA pursuant to Section 15262 of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it involves feasibility or planning studies for possible future actions which the agency, board, or commission has not approved or adopted.

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 – Resolution No. 2024-81