



NEWPORT BEACH

City Council Staff Report

April 15, 2025
Agenda Item No. 3

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Ordinance No. 2025-5: An Amendment to Section 15.02.095 of the Newport Beach Municipal Code Related to Timeframes for Completion of Construction

ABSTRACT:

For the City Council's consideration is the second reading and the adoption of Ordinance No. 2025-5, amending the Newport Beach Municipal Code (NBMC) to remove the sunset provision from Ordinance No. 2022-8 and authorizing the building official to grant extensions of time to complete construction of one-unit and two-unit family dwellings for up to one additional year.

RECOMMENDATIONS:

- a) Find this project statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21080.17 of the Public Resource Code and Section 15282(h) of the CEQA Guidelines, which states that the adoption of an ordinance regarding second units to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code are exempt from the requirements of CEQA; and
- b) Conduct second reading and adopt Ordinance No. 2025-5, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Section 15.02.095 (Section 105.3.4) to Timeframes for Completion of Construction.*

DISCUSSION:

Ordinance No. 2025-5, if adopted, will remove the sunset provision from Ordinance No. 2022-8, and grant the building official authority to approve up to two, 180-day extensions for one- and two- unit residential construction projects entering their fourth year. Any request for a third or fourth extension will require a public hearing with an administrative hearing officer.

Additionally, the ordinance includes new requirements for applicants seeking extensions. Requests must include:

1. A detailed explanation of the reasons for the delay and supporting justification.
2. A comprehensive completion schedule.
3. A record of any past complaints or enforcement actions, which will be considered in evaluating the extension request.

The attached ordinance was introduced at the March 25, 2025, City Council meeting. If adopted, the ordinance will become effective after 30 days.

FISCAL IMPACT:

There is no fiscal impact related to this item.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.17 and CEQA Guidelines Section 15282(h), which states that the adoption of an ordinance regarding second units in a single-family or multifamily zone by a city or county to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code” are exempt from the requirements of CEQA. Similarly, the ministerial approval of ADUs would not be a project for CEQA purposes, and environmental review would not be required prior to approving individual applications.

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. 2025-5