

# **Attachment A**

Resolution No. 2024-81

**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 THE CASTAWAYS MARINA PLANNED COMMUNITY (PC-37) DEVELOPMENT PLAN TO INCREASE THE DEVELOPMENT LIMIT AND ALLOW A COMMUNITY RECREATIONAL FACILITY AT LOWER CASTAWAYS PARK (PA2024-0138)**

**WHEREAS**, Council Policy K-1 (General Plan and Local Coastal Program) requires amendments to the City of Newport Beach General Plan to be initiated by the City Council;

**WHEREAS**, a City Council Planning Session was held on February 3, 2024, where the City's Long Range Planning Capital Improvement Projects were presented to the City Council based on projects identified in the various City Master Plans, including the Pavement Management Plan, Harbor & Beaches Master Plan, Facilities Financing Plan, Park Maintenance Master Plan, Bicycle Master Plan, Water Master Plan, and Sewer Master Plan (collectively, "Master Plans");

**WHEREAS**, the City's Lower Castaways Park, located at 100 Dover Drive ("Lower Castaways"), is not included in the Capitol Improvements Plan and the City Council expressed a desire to explore possible improvements to provide a community benefit and enhance the City's facilities at Lower Castaways;

**WHEREAS**, the City Council established the Lower Castaways Ad Hoc Committee ("Ad Hoc Committee") and confirmed the appointments of Mayor Pro Tem Stapleton, Councilmember Grant, and Councilmember Blom on February 27, 2024, pursuant to Resolution No. 2024-12;

**WHEREAS**, the Ad Hoc Committee's purpose and responsibility includes working with City staff in evaluating additional capital improvements, harbor and beach uses, and/or recreational opportunities for Lower Castaways;

**WHEREAS**, the Ad Hoc Committee met several times with City staff and on-call consultants between March and September, 2024, to review potential options for improvements, and ultimately determined the best use of Lower Castaways to be a community recreational pool facility with rich amenities, including a 50 meter pool, therapy pool, splash pad, hand boat launch, and meeting rooms ("Recommendations");

**WHEREAS**, the Ad Hoc Committee presented the Recommendations to the full City Council at a study session on October 8, 2024, and at the conclusion of the presentation, including public comments and City Council discussion, the City Council unanimously supported the Recommendations;

**WHEREAS**, Lower Castaways is designated Recreational and Marine Commercial (CM) including Anomaly No. 54 by the City of Newport Beach General Plan Land Use Element with a development limit of 2,000 square feet of gross floor area;

**WHEREAS**, Lower Castaways is located within the Castaways Marina Planned Community (PC-37) Zoning District, which limits permitted uses to a commercial marina, parking facilities intended to serve marina users, accessory structures normally associated with a commercial marina, temporary structures and uses, and signs;

**WHEREAS**, the Recommendations are consistent with the purpose and intent of the Recreational and Marine Commercial (CM) General Plan Land Use Category; however, the proposed building would exceed the 2,000 square-foot development limit identified in Anomaly No. 54 within Table LU2; and

**WHEREAS**, to move forward with the Recommendations an amendment to Anomaly No. 54 within Table LU2 of the General Plan Land Use Element and the Castaways Marina Planned Community (PC-37) Development Plan are necessary.

**NOW, THEREFORE**, the City Council of the City of Newport Beach resolves as follows:

**Section 1:** The City Council does hereby initiate amendments to Anomaly No. 54 within Table LU2 of the General Plan Land Use Element and the Castaways Marina Planned Community (PC-37) that would modify the development limits to facilitate the Recommendations.

**Section 2:** The recitals provided in this resolution are true and correct and are incorporated into the operative part of this resolution.

**Section 3:** If any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

**Section 4:** The City Council finds 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.

**Section 5:** This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting the resolution.


**ADOPTED** this 12<sup>th</sup> day of November, 2024.

\_\_\_\_\_  
Will O'Neill  
Mayor

**ATTEST:**

\_\_\_\_\_  
Leilani I. Brown  
City Clerk

**APPROVED AS TO FORM:  
CITY ATTORNEY'S OFFICE**

  
\_\_\_\_\_  
Aaron C. Harp  
City Attorney