



NEWPORT BEACH

City Council Staff Report

November 12, 2024
Agenda Item No. 6

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: Seimone Jurjis, Assistant City Manager/Community Development Director - 949-644-3232, sjurjis@newportbeachca.gov

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TITLE: Ordinance No. 2024-27: Local Coastal Program (LCP) Amendment to Increase the Development Limit Specified for Bay Island (PA2022-087)

ABSTRACT:

For the City Council's consideration is the adoption of Ordinance No. 2024-27, to amend Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code (NBMC) to increase the development limit specified for Bay Island from 23 dwelling units to 25 dwelling units maximum. The ordinance was introduced and considered at the October 22, 2024 City Council meeting.

RECOMMENDATIONS:

- a) Find this action exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, because this project has no potential to have a significant effect on the environment; and
- b) Conduct second reading and adopt Ordinance No. 2024-27, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Title 21 (Local Coastal Program Implementation Plan) to Change the Development Limit Specified for Bay Island from 23 Dwelling Units to a Maximum of 25 Dwelling Units (PA2022-087)*.

DISCUSSION:

On January 24, 2023, the City Council introduced Ordinance No. 2023-1 to amend Title 20 (Planning and Zoning), adopted Resolution No. 2023-4 to amend the land use element of the General Plan to correct the development limit for Bay Island from 23 units to 25 units, and adopted Resolution No. 2023-5 authorizing the submittal of the Local Coastal Program (LCP) Amendment to the California Coastal Commission (CCC). The resolution stipulated that the LCP Amendment would not become effective until it received approval from the CCC and was adopted by the City Council, including any modifications suggested by the CCC, through resolution or ordinance.

On July 11, 2024, the CCC approved the LCP Amendment with no suggested modifications. As such, this item is the final adoption of the ordinance to amend Title 21, as certified by the CCC.

On October 22, 2024, the City Council introduced Ordinance No. 2024-27. This agenda item is for the final adoption of the ordinance. If adopted, the ordinance goes into effect in 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 Section 15303 under Class 3 (New Construction or Conversion of Small Structures) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.

Class 3 exempts the construction of up to three single-family residences. The project would authorize the future development of up to two additional single-family residences at Bay Island and therefore qualifies under this exemption. The exceptions to this categorical exemption under Section 15300.2 are not applicable. The project location does not impact an environmental resource of hazardous or critical concern, does not result in cumulative impacts, does not have a significant effect on the environment due to unusual circumstances, does not damage scenic resources within a state scenic highway, is not a hazardous waste site, and is not identified as a historical resource.

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. 2024-27