



## **CITY OF NEWPORT BEACH** **NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that on **Tuesday, July 23, 2024, at 4:00 p.m.**, or soon thereafter as the matter shall be heard, a public hearing will be conducted in the City Council Chambers at 100 Civic Center Drive, Newport Beach. The City Council of the City of Newport Beach will consider the following:

**Housing Element Implementation Program Amendments** – As background, the Housing Element is one of the seven mandatory elements of the Newport Beach General Plan. Every eight years, state law requires the City of Newport Beach (City) to update its Housing Element to plan for projected housing needs. As required by state law, the City adopted the 6<sup>th</sup> Cycle Housing Element for the 2021-2029 planning period (Housing Element) on September 13, 2022, which was certified by the California Department of Housing and Community Development on October 5, 2022.

To implement the Housing Element by the statutory deadline of February 2025, the City Council will consider the following two options:

**Option No. 1** – The City Council will take the following actions:

- **ALUC Override.** Override the May 16, 2024, Orange County Airport Land Use Commission (ALUC) determination that the amendments are inconsistent with the 2008 John Wayne Airport Environs Land Use Plan (AELUP) pursuant to Public Utilities Code Section 21676(b);
- **General Plan Amendment.** Amend the General Plan Land Use Element to support housing production in the focus areas identified by the Housing Element;
- **Zoning Code Amendment.** Amend Title 20 (Planning and Zoning) of the Newport Beach Municipal Code (NBMC) to implement the Land Use Element's policy changes to include new Housing Opportunity (HO) Overlay Zoning Districts in the focus areas identified by the Housing Element, establish appropriate development standards, and create objective design and development standards for multi-unit residential and mixed-use development projects;
- **Local Coastal Program Amendment.** Amend the Newport Beach Coastal Land Use Plan and Title 21 (Local Coastal Program Implementation Plan) of the NBMC to include new Housing Opportunity (HO) Overlay Coastal Zoning Districts to support and allow housing development in the focus areas identified by the Housing Element within the Coastal Zone;
- **Charter Section 423 Election.** Authorize a ballot measure and calling a consolidated municipal election with the County of Orange to be held during the November 5, 2024, general election.

**Option No. 2** – The City Council will take the following action:

- **Housing Element Amendment Initiation.** Determine a Charter Section 423 vote is precluded by state law and initiate an amendment to the 6<sup>th</sup> Cycle Housing Element removing Charter Section 423 voter approval requirements for the adoption of the General Plan Amendment and related legislative amendments for implementation.

**NOTICE IS HEREBY FURTHER GIVEN** that a Program Environmental Impact Report (PEIR) (SCH No. 2023060699) has been prepared in connection with the Housing Element Implementation Program Amendments identified above in accordance with the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.), the CEQA Guidelines (14 California Code of Regulations Section 15000 et seq) and Council Policy K-3. The deadline to provide the City with comments on the adequacy of the Draft EIR ended on March 28, 2024. However, the City encourages members of the public to review the PEIR that addresses significant environmental issues associated with the Housing Element Implementation Program Amendments. Copies of the Draft EIR and supporting documents are available for public review and inspection at the Planning Division or the City of Newport Beach website at [www.newportbeachca.gov/CEQA](http://www.newportbeachca.gov/CEQA).

**NOTICE IS HEREBY FURTHER GIVEN** that on April 18, 2024, by a vote of (5-0), the Planning Commission of the City of Newport Beach recommended that the City Council adopt the Housing Element Implementation Program Amendments and certify the PEIR.

All interested parties may appear and present testimony in regard to the Housing Element Implementation Program Amendments. If you challenge this action 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 Chapters 20.64 and 21.64. The above City Council actions to approve the Housing Element Implementation Program Amendments 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. Prior to the public hearing the agenda, staff report, and documents may be reviewed at the City Clerk's Office, 100 Civic Center Drive, Newport Beach, California, 92660 or at the City of Newport Beach website at [www.newportbeachca.gov](http://www.newportbeachca.gov). Individuals not able to attend the meeting may contact the Planning Division or access the City's website after the meeting to review the action on this application.

For questions regarding details of the Housing Element Implementation Program Amendments, please contact Benjamin M. Zdeba, AICP, Principal Planner at 949-644-3253 or [bzdeba@newportbeachca.gov](mailto:bzdeba@newportbeachca.gov).

**Project File No.:** PA2022-0245

**Activities:** General Plan Amendment, Zoning Code Amendment, Local Coastal Program Amendment, ALUC Override, Charter Section 423 Approval, PEIR Certification

**Zone/Coastal Zone:** Various

**General Plan/Coastal Land Use:** Various

**Location:** Citywide

**Applicant:** City of Newport Beach

Leilani I. Brown, MMC, City Clerk, City of Newport Beach