



CITY OF

NEWPORT BEACH

City Council Staff Report

August 26, 2025
Agenda Item No. 7

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Ordinance No. 2025-14: Amending Title 21 of the Newport Beach
Municipal Code Related to Comprehensive Municipal Code
Amendments (PA2022-0219)

ABSTRACT:

For the City Council's consideration is the adoption of Ordinance No. 2025-14, which amends Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code (NBMC) to clean up certain provisions consistent with the broader effort to update the NBMC made effective by Ordinance No. 2023-22. Ordinance No. 2025-14 was introduced and considered at the July 22, 2025, City Council meeting. If adopted, the ordinance will become effective 30 days thereafter and will be sent back to the California Coastal Commission for final acceptance.

RECOMMENDATIONS:

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- b) Conduct second reading and adopt Ordinance No. 2025-14, *An Ordinance of the City Council of the City of Newport Beach, California, Approving a Local Coastal Program Amendment to Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code as Modified by the California Coastal Commission Related to Comprehensive Municipal Code Amendments (PA2022-0219)*.

DISCUSSION:

On November 14, 2023, the City Council introduced Ordinance No. 2023-22 to update and streamline various NBMC titles. Concurrently, the Council adopted Resolution No. 2023-76, authorizing submittal of the Local Coastal Program Amendment (PA2022-0219) to the California Coastal Commission (CCC) to similarly amend Title 21. Ordinance No. 2023-22 was adopted on November 28, 2023, but Title 21 remained pending CCC approval. The proposed changes affecting Title 21 included:

- Deletion of Chapter 21.34 (Conversion or Demolition of Affordable Housing), as the requirements in this Chapter are already provided for in State law and, furthermore, the City does not meet the criteria for its applicability;
- Creating a coastal development permit exemption for tentative parcel maps involving the subdivision of airspace within multi-unit dwellings for condominium purposes;
- Correcting, updating and/or clarifying references to State law throughout;
- Changing references from “building director” or “planning director” to “community development director”; and
- Clarifying the definition of “Code” to mean the Newport Beach Municipal Code.

On May 7, 2025, the CCC considered and approved the Local Coastal Program Amendment with the following two suggested modifications:

1. Modify Subsection 21.52.035(C) regarding Coastal Act Exemptions to remove the proposed exemption related to tentative parcel maps for condominium purposes; and
2. Simplify footnotes to Tables 21.18-4, 21.22-3, and 21.22-4 by referencing Chapter 21.32 (Density Bonus); revise California Government Code references in Section 21.48.200 and update language for consistency with State law for accessory dwelling units; and revise the definition of “Density bonus” in Section 21.70.020 (Definitions of Specialized Terms and Phrases).

At its July 22, 2025, meeting, the City Council introduced Ordinance No. 2025-14 to formally update Title 21 and held a public hearing. No further amendments were requested, and the ordinance, which incorporates the CCC’s suggested modifications, is now presented for City Council adoption. If adopted, the ordinance will become effective 30 days thereafter and will be sent back to the CCC for final acceptance.

FISCAL IMPACT:

There is no fiscal impact related to this item.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

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. 2025-14