



NEWPORT BEACH

City Council Staff Report

May 13, 2025
Agenda Item No. 3

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: David Miner, Chief of Police - 949-644-3701, dminer@nbpd.org

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TITLE: Ordinance No. 2025-6: Amending Chapter 11.04 (*Parks, Park Facilities, and Beaches*) of the Newport Beach Municipal Code Related to the Use of Bicycles, Electric Bicycles, and Other Such Devices on the Beach

ABSTRACT:

For the City Council's consideration is the adoption of Ordinance 2025-6, amending of the Newport Beach Municipal Code (NBMC) Chapter 11.04 (Parks, Park Facilities, and Beaches) to prohibit the operation of bicycles, electric bicycles, electrically motorized boards, motorized bicycles, motorized scooters, pedicabs, and surrey cycles from operation on beaches within the City of Newport Beach. The ordinance was introduced for consideration at the City Council's April 29, 2025, regular meeting.

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. 2025-6: *An Ordinance of the City Council of the City of Newport Beach, California, Amending Chapter 11.04 (Parks, Park Facilities, and Beaches) of the Newport Beach Municipal Code Related to the Use of Bicycles, Electric Bicycles, and Other Such Devices on the Beach.*

DISCUSSION:

At its April 29, 2025 meeting, the City Council introduced and passed to second reading Ordinance No. 2025-6. The ordinance would prohibit the operation of bicycles, electric bicycles, electrically motorized boards, motorized bicycles, motorized scooters, pedicabs, and surrey cycles from operation on beaches within the City of Newport Beach. If adopted, the ordinance would become effective June 13, 2025.

Police officers working the Newport Beach Peninsula area have recently observed a significant increase in the number of e-bikers riding their bikes on the sand. This poses a significant risk to beachgoers for a variety of reasons. The speed capacity of the e-bikes in combination with the terrain of the beach (which includes sand berms with limited visibility), and large crowds during summer months, could lead to disastrous consequences for beachgoers who aren't accustomed to looking out for vehicles while enjoying the sand.

In addition to the safety concerns, e-bikers have been riding on the sand dunes, which are considered an Environmentally Sensitive Habitat Area (ESHA). Sand dunes provide nesting and shelter for several species of endangered birds and provide habitat for such rare species as the California legless lizard and several species of Blue Butterfly. It is imperative to keep e-bike riders off of these dunes in order to preserve this fragile habitat area and prevent unnecessary destruction.

In an effort to proactively address the situation and enhance public safety, the Newport Beach Police Department seeks City Council approval to amend NBMC Chapter 11.04 (*Parks, Park Facilities, and Beaches*) to prohibit the operation of bicycles, electric bicycles, electrically motorized boards, motorized bicycles, motorized scooters, pedicabs, and surrey cycles from being operated on the City's beaches.

FISCAL IMPACT:

There is no fiscal impact for 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).

ATTACHMENTS:

Attachment A – Ordinance No. 2025-6
Attachment B – Redline of NBMC Chapter 11.04.080