

Attachment A

Resolution No. 2021-122

RESOLUTION NO. 2021-122

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, INITIATING AMENDMENTS TO THE GENERAL PLAN, COASTAL LAND USE PLAN OF THE LOCAL COASTAL PROGRAM, AND TITLES 19 (SUBDIVISIONS), 20 (PLANNING AND ZONING), AND 21 (LOCAL COASTAL PROGRAM IMPLEMENTATION PLAN) OF THE NEWPORT BEACH MUNICIPAL CODE RELATED TO THE CITY'S IMPLEMENTATION OF SENATE BILL NO. 9

WHEREAS, City Council Policy K-1 (General Plan and Local Coastal Program) requires amendments to the City of Newport Beach ("City") General Plan and certified Local Coastal Program ("LCP"), including Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code ("NBMC") to be initiated by the City Council;

WHEREAS, Section 20.66.020 (Initiation of Amendment) of the NBMC provides that the City Council may initiate an amendment to Title 20 (Planning and Zoning) with or without a recommendation from the Planning Commission;

WHEREAS, on September 16, 2021, Governor Gavin Newsom signed and approved Senate Bill No. 9 ("SB 9") which goes into effect on January 1, 2022;

WHEREAS, SB 9 allows for ministerial approval of two dwelling units on single-family zoned parcels; and

WHEREAS, in order to implement SB 9, amendments to the Land Use Element of the General Plan, Coastal Land Use Plan of the LCP, and Titles 19 (Subdivisions), 20 (Planning and Zoning) and 21 (Local Coastal Program Implementation Plan) of the NBMC may be required.

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

Section 1: The City Council does hereby initiate amendments to the General Plan, Coastal Land Use Plan of the LCP, and Titles 19 (Subdivisions), 20 (Planning and Zoning) and 21 (Local Coastal Program Implementation Plan) of the NBMC to consider including objective design standards and other parameters necessary to best implement SB 9.

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 30th day of November, 2021.

Brad Avery
Mayor

ATTEST:

Leilani I. Brown
City Clerk

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE



Aaron C. Harp
City Attorney