



CITY OF

NEWPORT BEACH

City Council Staff Report

May 10, 2022
Agenda Item No. 4

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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

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TITLE: Ordinance No. 2022-11: LCP Amendment Related to Setback Map Corrections (PA2020-006)

ABSTRACT:

For the City Council's consideration is the adoption of an amendment to Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code (NBMC) to correct identified errors in setback maps. The attached ordinance was introduced and considered at the April 26, 2022, City Council meeting.

RECOMMENDATION:

- a) Find this amendment exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), and Section 15265(a)(1), because it has no potential to have a significant effect on the environment and local governments are exempt from the requirements of CEQA in connection with the adoption of a Local Coastal Program;
- c) Conduct second reading and adopt Ordinance No. 2022-11, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal Code and Adopting Local Coastal Program Amendment No. LC2020-001 Correcting Setback Map Errors (PA2020-006).*

DISCUSSION:

On October 26, 2021, the City Council adopted amendments to Title 20 (Zoning Code) of the NBMC to correct identified errors in setback maps. Similar amendments to Title 21 of the NBMC are also needed for consistency with the adopted changes to Title 20.

On October 12, 2021, the City Council adopted Resolution No. 2021-97, authorizing submittal of LCP Amendment No. LC2020-001 to the California Coastal Commission (CCC) for review and approval. The resolution specified LCP Amendment No. LC2020-001 shall not become effective until approval by the CCC and adoption, including any modifications suggested by the CCC, by resolution(s) and/or ordinance(s) of the City Council.

On March 9, 2022, the CCC approved LCP Amendment No. LC2020-001 as a minor amendment with no modifications. As a result, the amendment is now considered deemed approved and became a certified part the City of Newport Beach Local Coastal Program on March 23, 2022, 10 working days after the date of the CCC meeting. This item is the final adoption of the ordinance amending Title 21 to approve LC2020-001, as certified by the Coastal Commission.

FISCAL IMPACT:

There is no fiscal impact related to this item.

ENVIRONMENTAL REVIEW:

The action proposed herein is not a project subject to CEQA in accordance with Section 21065 of CEQA and State CEQA Guidelines Sections 15060(c)(2), 15060(c)(3) and 15378. The proposed action is also exempt pursuant to State CEQA Guidelines Section 15061(b)(3) because it has no potential to have a significant effect on the environment. Lastly, pursuant to CEQA Guidelines Section 15265(a)(1), local governments are exempt from the requirements of CEQA in connection with the adoption of a Local Coastal Program. The Amendments themselves do not authorize development that would directly result in physical change to the environment.

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. 2022-011