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# **NEWPORT BEACH**

## **City Council Staff Report**

October 12, 2021  
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. 2021-21: Zone Change from Multiple Unit Residential to Private Institutions at 1499 Monrovia Avenue (PA2021-068)

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**ABSTRACT:**

For the City Council's consideration is the adoption of Ordinance No. 2021-21, to change the existing zoning district from Multiple Unit Residential (RM) to Private Institutions (PI) at 1499 Monrovia Avenue. The attached ordinance was introduced and considered at the September 28, 2021, City Council meeting.

**RECOMMENDATION:**

- a) Find this action proposed herein is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) 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; and
- b) Conduct second reading and adopt Ordinance No. 2021-21, *An Ordinance of the City Council of the City of Newport Beach, California, Approving Zoning Code Amendment No. CA2021-003 to Change the Zoning Code Designation from RM 2420/3100 (Multiple Residential) to PI 0.49 FAR (Private Institutions) for the Property Located at 1499 Monrovia Avenue (PA2021-068).*

**DISCUSSION:**

On September 28, 2021, the City Council introduced and passed to a second reading Ordinance No. 2021-21 which changes the zoning district designation from Multiple Unit Residential (RM 2420/3100) to Private Institution (PI 0.49 FAR) for a property located at 1499 Monrovia Avenue. The subject property is currently, and has historically been, used as a commercial property since its development. The existing office building operates under an abatement to the residential zoning designation, and the property has never been used for residential development, and no such development is planned for the site. As a result, residential uses will not be impacted because there is no residential use on the property. Any future use will be consistent with the Private Institution General Plan land use designation and zoning regulations.

**FISCAL IMPACT:**

There is no fiscal impact related to this item.

**ENVIRONMENTAL REVIEW:**

The Code Amendment 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 Section 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.

This action is further covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment (Section 15061(b)(3) of the State CEQA Guidelines). It can be seen with certainty that there is no possibility that this activity will have a significant effect on the environment. Therefore, this activity is not subject to CEQA.

It can be seen with certainty that there is no possibility that the approved General Plan Amendment and Code Amendment will have a significant effect on the environment because the property is currently developed with an office building and no additional development is contemplated as a part of this General Plan Amendment and Code Amendment. There is no expansion of use or intensification beyond the existing office use, rather the Amendments will allow the possibility of the existing office building to be reutilized to a private institution use.

**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. 2021-21