



NOTICE OF AVAILABILITY OF A DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF NEWPORT BEACH GENERAL PLAN HOUSING IMPLEMENTATION PROGRAM (PA2022-0245) (SCH No. 2023060699)

DATE: February 11, 2024

TO: Reviewing Agencies and Other Interested Parties

FROM: City of Newport Beach, Community Development Department, 100 Civic Center Drive, Newport Beach, CA 92660

PROJECT TITLE/SUBJECT: City of Newport Beach General Plan Housing Implementation Program: Notice of Availability of a Draft Program Environmental Impact Report (EIR)

NOTICE OF AVAILABILITY REVIEW PERIOD: February 12, 2024, through March 27, 2024 (45 days)

PURPOSE OF THIS NOTICE: The City of Newport Beach (City) is the “public agency which has the principal responsibility for carrying out or approving the project” and, as such, is the “Lead Agency” for this Project under the California Environmental Quality Act (CEQA) Guidelines §15367). CEQA requires the Lead Agency to consider the information contained in an EIR prior to taking any discretionary action. This Program EIR is intended to provide information to public agencies, the public, and decision-makers regarding the potential environmental impacts associated with future housing development as set forth in the 6th Cycle General Plan Housing Element for 2021-2029 (2021-2029 Housing Element). Therefore, this Program EIR includes analysis of governmental approvals to be taken by the City to implement the 2021-2029 Housing Element. The City, as the Lead Agency, will review and consider this Program EIR in its decision to approve, revise, or deny the Project.

Notice is hereby given that the City has completed a Draft Program EIR (State Clearinghouse No. 2023060699) for the Project to address the potential environmental effects associated with implementation of the Project.

PROJECT LOCATION: The Project area encompasses housing sites throughout the City of Newport Beach and its Sphere of Influence (collectively referred to herein as the City). Located in coastal Orange County, Newport Beach is generally northwest of the City of Laguna Beach, southeast of the City of Costa Mesa, east of the City of Huntington Beach, and southwest of the City of Irvine. Newport Beach is bordered to the west by the Pacific Ocean.

PROJECT DESCRIPTION: State law mandates that each jurisdiction demonstrate that the 6th Cycle (2021-2029) Housing Element can accommodate its Regional Housing Needs Assessment (RHNA) allocation at all income levels. The City’s 2021-2029 Housing Element RHNA allocation is 4,845 housing units, including 1,456 Very-Low-Income units and 930 Low-Income units. The Draft Program EIR includes an additional analysis of housing sites to accommodate a RHNA buffer to ensure adequate sites are available during 6th Cycle Housing Element implementation, as required by State Housing law. Therefore, this Draft Program EIR conservatively analyzes a total development capacity of 9,914 units (4,845 RHNA plus a 5,069-unit buffer). However, only a portion of the housing units identified on housing sites will be necessary to accommodate the City’s RHNA planning obligation of 4,845 housing units.

The City is not required to build housing units in order to meet its RHNA allocation, only to identify potential sites and create the framework to allow the market the opportunity to develop these units. The proposed Project would not directly construct new housing but would facilitate the development of residential units by adopting implementing actions associated with the 2021-2029 Housing Element.

The 2021–2029 Housing Element identifies six Focus Areas in the City that have sufficient capacity to meet its RHNA allocation for the 6th Cycle. The six Focus Areas are: Airport Area, West Newport Mesa, Dover-Westcliff, Newport Center, Coyote Canyon, and Banning Ranch. The Banning Ranch Focus Area is included in the 2021–2029 Housing Element’s sites inventory but is not assumed to accommodate the City’s 2021–2029 RHNA growth need. Banning Ranch is considered as additional dwelling unit opportunity in addition to those that accommodate the RHNA.

The following actions associated with the proposed Project are required:

- Certification of the City of Newport Beach General Plan 2021-2029 Housing Implementation Program Final Program Environmental Impact Report (Program EIR);
- Amendment to the General Plan Land Use Element to include changes to goals and policies consistent with the adopted and certified 2021–2029 Housing Element;

- Amendments to the following Municipal Code provisions: (1) Amend Newport Beach Municipal Code Chapter 20.28, Overlay Zoning Districts, to include Section 20.28.050: Housing Opportunity (HO) Overlay Zoning Districts. (2) Amend Zoning Maps to identify the HO Overlay Zoning Districts. (3) Adopt City of Newport Beach Multi-Unit Objective Design Standards;
- Amendment to the Local Coastal Program (subject to certification by the California Coastal Commission) to include new and changes to policies; and
- Voter Approval. Voter approval of the proposed Project in compliance with City Charter Section 423.

SIGNIFICANT ENVIRONMENTAL EFFECTS: The Draft Program EIR indicates there may be significant unavoidable adverse environmental impacts associated with the following environmental categories: aesthetics, air quality, cultural resources, greenhouse gas emissions, noise, and utilities and services systems. Upon compliance with regulatory requirements, General Plan policies, and standard conditions/mitigation measures, environmental impacts were found to be less than significant for the remaining environmental categories. The proposed Project is not included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

RESPONDING TO THIS NOTICE: The Draft Program EIR is available for a 45-day public review period beginning February 12, 2024, and ending March 27, 2024. Copies of the Draft Program EIR are available for review in the Community Development Department, 100 Civic Center Drive, Bay 1B, Newport Beach, CA 92660 between the hours of 7:30 a.m. and 5:30 p.m., Monday through Thursday, and 7:30 a.m. and 4:30 p.m. on Friday. The Draft PEIR can also be accessed online at the City's website at: www.newportbeachca.gov/CEQA.

Additionally, copies are also available for review at the following Newport Beach public libraries during regular hours:

Corona del Mar Branch
420 Marigold Avenue
Corona del Mar, CA 92625

Crean Mariners Branch
1300 Irvine Avenue
Newport Beach, CA 92660

Balboa Branch
100 East Balboa Boulevard
Newport Beach, CA 92661

Central Library
1000 Avocado Avenue
Newport Beach, CA 92660

Written comments on the Draft Program EIR must be received no later than March 27, 2024, at 5:00 p.m., sent to the attention of Benjamin Zdeba, Principal Planner, at the address listed below or via email. There is no fee to submit comments. You are also invited to attend and testify at the public hearings as to the appropriateness of the Draft Program EIR document.

It is currently anticipated that the Newport Beach Planning Commission will conduct a public hearing for the proposed Project and Draft Program EIR in April 2024, and that the City Council will conduct a public hearing for the proposed Project and Draft Program EIR in July 2024. Notice of public hearings for the proposed Project will be provided at a later date. For additional information about the Draft Program EIR, the proposed Project, or about future meetings, please contact the City of Newport Beach at:

Benjamin Zdeba, AICP, Principal Planner
(949) 644-3253 or at bzdeba@newportbeachca.gov

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