



ORANGE COUNTY  
CLERK-RECORDER  
CEQA FILING COVER SHEET

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TYPE OR PRINT CLEARLY

Project Title

PUBLIC NOTICE/POSTING: NOTICE OF AVAILABILITY OF A DRAFT  
PROGRAM EIR FOR NEWPORT BEACH

Check Document being Filed:

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type): PUBLIC NOTICE/POSTING:

**FILED**

FEB 13 2024

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: WJ DEPUTY

FILED IN THE OFFICE OF THE ORANGE  
COUNTY CLERK-RECORDER ON February 13, 2024  
Posted for 30 days  
DEPUTY 487

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.



## **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)**

Notice is hereby given that the City of Newport Beach (Lead Agency) has prepared a Draft Program Environmental Impact Report (State Clearinghouse No. 2023060699) for the City of Newport Beach General Plan Housing Implementation Program to address the potential environmental effects of the implementing actions associated with City of Newport Beach General Plan 2021-2029 6<sup>th</sup> Cycle Housing Element (proposed Project) (PA2022-0245). The Draft Program Environmental Impact Report (EIR) is available for public review and comment pursuant to the California Environmental Quality Act (CEQA). The City's General Plan serves as the "blueprint" for future development within Newport Beach. The General Plan includes ten elements: Housing, Land Use, Harbor & Bay, Historic Resources, Circulation, Recreation, Natural Resources, Safety, Arts & Culture, Safety, and Noise. With respect to housing, State Housing law mandates each city and county update its Housing Element every eight years to accommodate estimated housing growth needs within its jurisdiction. The 6<sup>th</sup> Cycle Housing Element covering the period 2021-2029 (2021-2029 Housing Element) was adopted by the City Council on September 13, 2022, and was subsequently found in compliance with State Housing law (certified) by the State of California Department of Housing and Community Development (HCD) on October 5, 2022.

The Project area encompasses sites throughout 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 Laguna Beach, southeast of Costa Mesa, east of Huntington Beach, and southwest of Irvine. Newport Beach is bordered to the west by the Pacific Ocean.

State law mandates that each jurisdiction demonstrate that the 6<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> 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.

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.

The Draft Program EIR is available for a 45-day public review period beginning February 12, 2024, and ending March 28, 2024. PLEASE NOTE THAT THE PUBLIC REVIEW PERIOD WAS EXTENDED AN ADDITIONAL DAY FROM THE ORIGINAL NOTICE DUE TO HOLIDAY CLOSURES. 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 Program EIR can also be accessed online at the City's website at: <http://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 28, 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](mailto:bzdeba@newportbeachca.gov)

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Community Development Department, Planning Division  
100 Civic Center Drive, Bay B  
Newport Beach, CA 92660