Appendix C:

SUMMARY OF OUTREACH

DRAFT

C. Summary of Community Outreach

Section 65583 of the Government Code sates that, "the local government shall make diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort." Meaningful community participation is also required in connection with the City's Assessment of Fair Housing (AFH). A summary of citizen participation is provided below.

As part of the 6th Cycle Housing Element Update process, Newport Beach has conducted extensive public outreach activities beginning in 2019. In October 2019, the City launched Newport Together, a Listen & Learn process to guide and inform a future General Plan Update. The goal of the Listen & Learn was to hear from a broad spectrum of community members on community values, assess the current General Plan Vision, and provide recommendations for a future General Plan Update. Newport Together was guided by the General Plan Update Steering Committee, a body appointed by City Council to oversee the Listen and Learn process. The following series of Community Workshops occurred in each of the Newport Beach Council Districts:

- November 12, 2019 from 6 – 8 p.m. at 16th Street Recreation Center – *District 2*
- November 14, 2019 from 6 – 8 p.m. Back Bay Science Center – *District 3*
- November 20, 2019 from 6 – 8 p.m. Newport Coast Community Center – *District 7*
- November 21, 2019 from 6 – 8 p.m. OASIS Senior Center – *District 6*
- December 3, 2019 from 6 – 8 p.m. Central Library's Friend Meeting Room – *District 5*
- December 11, 2019 from 6 – 8 p.m. Bonita Creek Community Center - *District 4*
- December 12, 2019 from 6 – 8 p.m. Marina Park Community Center – *District 1*

Beginning in 2020 the City began additional focused discussion for the 6th Cycle Housing Element Update. These recent outreach efforts included Community Workshops, Digital Engagement, Planning Commission Study Sessions, Housing Element Advisory Committee Meetings, digital media, and noticed Public Hearings. Project materials, including summaries from community workshops and public meetings, notices, and draft public review documents are available on the City's website: https://www.newporttogether.com/housing.

Outreach for the 6th Cycle Housing Element to the Newport Beach community, includes the following actions:

- **Community Workshop #1** – The City conducted a virtual community workshop on October 20, 2020. Advertising for the workshop included emailing the City's list serve, posting on social media, creating an item on the City's calendar, newspaper ads, water bill notices, and announcing the event on the project website. The recorded workshop is available for viewing on the workshop's webpage at https://www.newporttogether.com/virtual_workshop. The 82 workshop participants were provided with an overview of the Housing Element Update process, community and housing characteristics, and also participated in engagement activities. Takeaways from the workshop include the following:

DRAFT

- Many believe Newport Beach has opportunities to overcome housing challenges in communities where density may be increased and through a mixture of housing types that meets the needs of many different family types and income levels;
- Traffic impacts and parking are important issues to be addressed along with housing;
- Different densities are suitable in different areas of the City;
- And, some people are opposed to the development of more housing.

- **Community Workshop #2 and #3** – The City conducted a second and third community workshop on November 16th and 17th, 2020. Advertising for the workshop included emails out to the City's distribution list, social media posts, creating an item on the City's calendar, newspaper ads, water bill notices, and announcing the event on the project website. The recorded workshop is available for viewing on the workshop's webpage at https://www.newporttogether.com/housing-suitability. The workshop included an ice breaker that asked participants to guess the density of various housing types. The activity's goal was to have participants think about density and to associate density numbers with housing projects in Newport Beach. Participants could submit comments and questions via the Zoom chat box in the first half of the workshop. In the second half, during the public comment section, participants could use the "raise hand" function to indicate that they would like to speak verbally, and project staff would then unmute their microphone. Each participant was allotted three minutes to ask questions or provide comments. Participants were also able to submit comments via the chat box. A primary objective of the workshop was allowing participants opportunities to comment on the housing suitability analysis for focus areas in the City. Participants were asked to consider if focus areas were suitable for housing development and if there were challenges and opportunities associated with these specific areas. Attendance for the part 1 and part 2 of the workshop was as follows:
  - **Part 1**: 61 participants (4 called in and 57 participated on the web)
  - **Part 2**: 55 participants (1 called in and 54 participated on the web)

- **Community Workshop #4** – The City conducted a fourth community workshop on February 24th, 2021. Advertising for the workshop included emails out to the City's distribution list, social media posts, creating an item on the City's calendar, newspaper ads, water bill notices, and announcing the event on the project website. The recorded workshop is available for viewing on the workshop's webpage at https://www.newporttogether.com/circulation-element-themes2. The workshop discussed opportunity sites and policy strategies for the Housing Element and provide opportunities for the public to discuss options and provided feedback.

- **Community Workshop #5** – The City conducted a fifth community workshop on March 22nd, 2021. Advertising for the workshop included emails out to the City's distribution list, social media posts, creating an item on the City's calendar, newspaper ads, water bill notices, and announcing the event on the project website. The recorded workshop is available for viewing on the workshop's webpage at https://www.newporttogether.com/housing-element-initial-draft. The workshop

DRAFT

provided an introduction to the initial draft and provided opportunities for the public to provide questions and comments.

- **Community Workshop #6** – The City conducted a sixth community workshop on June 21st , 2021. Advertising for the workshop included emails out to the City's distribution list, social media posts, creating an item on the City's calendar, newspaper ads, water bill notices, and announcing the event on the project website. The recorded workshop is available for viewing on the workshop's webpage at https://www.newporttogether.com. The workshop provided an overview of inclusionary housing, accessory dwelling units, and housing overlays. Staff also introduced a revised housing production scenario that would be shared with City Council for feedback the following night.

- **Online Community Survey –**Newport Beach launched an online community survey to gather additional feedback regarding the Housing Element Update. Participants were asked to consider potential policies and programs to include in the Housing Element, as well as potential housing types and opportunities for housing in the City. The survey also solicited feedback regarding potential barriers to housing access and constraints to the development of housing.

- **Planning Commission Study Session** –The City held a Planning Commission Study Session on March 22nd, 2021. During the study session, the project team provided a presentation with an overview of the Public Review Draft Housing Element and Housing Element update process to date. Community members had the opportunity to give public comments.

- **City Council Study Sessions** –The City held three City Council Study Sessions on April 27th, June 8th, and June 22nd, 2021 to discuss the draft Housing Element, the City Council review draft RHNA accommodation scenarios and provided input and direction in consideration of community comments received.

- **Housing Element Update Advisory Committee (HEUAC) Meetings** – The City established a Housing Element Update Advisory Committee to:
    - Ensure there is sufficient public outreach and stakeholder input regarding the update to the Housing, Land Use, and Circulation Elements of the Newport Beach General Plan and any other Elements deemed necessary.
    - Review responses to the Request for Proposal for services to update the Housing, Land Use, Circulation, and other Elements deemed necessary.
    - Make recommendations to the City Council regarding the selection of consultants to assist in the update of the Housing, Land Use, Circulation, and other Elements deemed necessary.
    - Provide guidance to City staff and the consultant through the outreach process.

DRAFT

- Provide guidance to City staff, and the consultant, on goals and policies related to the update of the Housing, Land Use, Circulation Elements, and any other Elements deemed necessary by the Committee or City Council.
- Make other recommendations to the City Council regarding the update of the General Plan, as necessary.

The HEUAC meeting agendas, minutes, and videos are available on the City's webpage at: https://ecms.newportbeachca.gov/Web/Browse.aspx?startid=2503780&cnb=BoardsCommissions. Nine Newport Beach residents were appointed by the Mayor and Confirmed by the City Council to be part of the committee.

- **Housing Element Update Website** – A website was developed for public consumption, and can be accessed at https://www.newporttogether.com/housing. The website provided relevant information about the update process, key features of the housing element, project timeline and a calendar of events for outreach activities. The website also provided a link to the community survey tool, past recorded meetings and summaries, as well as the contact information of the City for residents and community members to send additional comments or request additional information.

- **Targeted Outreach** –From the time the City kicked off an update of the General Plan in 2019, there has been an extensive broad-sweeping outreach and engagement effort. To get the whole community involved, the City published materials in the local newspaper (*The Daily Pilot*), provided inserts in utility bill mailers, posted on social media, distributed flyers, and relied upon word-of-mouth through City council announcements and neighborhood conversations.

  The City's website provided a disclaimer and contact information ~~links~~ for assistance to those needing Spanish language services. No Spanish translation services requests were made by the public at any w~~W~~orkshop, s~~S~~tudy s~~S~~ession or community activity, or at any time throughout the process.~~.~~

  In addition, a centralized website (www.NewportTogether.com) was created to act as an accessible, interactive landing point for all those interested in learning more about the City's efforts. It is important to know that contact information was provided in case there is any trouble reviewing the information or translation services were required. Hard copies of draft Housing Element updates were also made available at City Hall for review for those who may not have digital access capabilities.

  Newport Beach has been named a "deaf-friendly city" and Deaf, hard-of-hearing, and non-English speakers now have access to tablets that allow them to connect to interpreters who help translate information regarding city services at libraries, City Hall, and other facilities.

DRAFT

The City distributed meeting flyers/event notices for all public outreach activities to a variety of local and County services agencies, interest groups, universities, private/public services agencies, advocacy organizations that support and advocate for extremely-low and low-income households in Orange County. Many of these groups actively participated and provided comments at the Workshops, HEUAC and Hearings before the Planning Commission and City Council. There comments area summarized in the meeting summaries provided in this Appendix.

An email registration sign up was offered, that provided regular updates to local residents, agencies and organizations who desired continued participation in the process. Registrants were regularly informed of outreach and engagement activities throughout the planning process.

Through the City's website and the project website, interested individuals have been able to sign up for newsletter updates and alerts about upcoming activity. In this manner, nongovernmental organizations have been able to stay informed. In addition, workshop notices were included in the Kennedy Commission (local nonprofit housing organization) newsletters that are sent via electronic mail to a wide variety of housing stakeholders in the Orange County area.

At the City's Housing Element workshops, representatives of YIMBY Law, the Kennedy Commission, and other nongovernmental organizations attended. Comments are provided during the workshop discourse and are always included in the prepared summary for consideration as the update continues.

As required by Government Code Section 65585(b)(2), all written comments regarding the Housing Element made by the public have previously been provided to each member of the City Council.

This Appendix contains a summary of all public comments regarding the Housing Element received by the City at scheduled public meetings, and the Appendix has been provided to the City Council.

DRAFT

C.1 Community Workshop 1 Materials

This section contains all the related materials from the virtual Community Workshop 1. This includes the outreach flyer, materials provided to participants, and the workshop summary. Comments were received in the chat box, polling questions, and open-ended questions with types responses. Video recording of the workshop and verbal comments are available at https://www.newporttogether.com/.

DRAFT

Newport, Together.

ENVISIONING THE FUTURE OF HOUSING:

Housing Element Virtual Workshop Summary

October 20, 2020

DRAFT

Prepared by Kearns & West
November 4, 2020

TABLE OF CONTENTS

Introduction 3

Takeways from the Workshop 3

Project Overview 3

Public Outreach Overview 4

Virtual Workshop 1: Envisioning the Future of Housing Activities 4

Activity 1: Ice Breaker 5

Activity 2: What is your connection to Newport Beach? 5

Activity 3: How familiar are you with the term “environmental justice”? 6

Activity 4: What surprised you about the community profile? 6

Activity 5: What are creative solutions to meet our housing needs? 6

Activity 6: Envisioning a Range of Housing Alternatives 7

Activity 7: What are the challenges to meeting our housing needs? 9

DRAFT

Newport, Together.

Introduction

The City of Newport Beach (City) has initiated a focused update to the General Plan Housing Element. In October 2020, the project team hosted the first public workshop to review community input from previous Listen & Learn outreach, identify the process and framework for the Housing Element, explore housing challenges and solutions, and envision a range of housing alternatives.

Takeaways from the Workshop

The virtual workshop produced many different data points, which will be used to inform the Existing Conditions and Visioning part of the General Plan Update process. While this document summarizes the information collected, four key takeaways are important to note.

- Many believe Newport Beach has opportunities to overcome housing challenges including:
    - Communities where density may be increased
    - A mixture of housing types that meets the needs of many different family types and income levels
- Traffic impacts and parking are important issues to be addressed along with housing
- Different densities are suitable in different areas of the City
- Some people are opposed to the development of more housing

Additional public engagement opportunities will help the City learn more, including from people who chose not to respond during this first workshop

Project Overview

The effort to update the City's General Plan Housing Element will enable the City to comply with State housing law. Compliance is mandatory, although details of how the City complies is left to the City, subject to approval by the State. This amendment will focus on housing mandates, but will also necessarily result in amendments to the Land Use and Circulation Elements, and the incorporation of environmental justice policies.

The Housing Element will provide for policies, programs and actions addressing existing and projected future housing needs in the community for the 2021-2029 planning period. The Land Use Element will need to be updated for consistency with required changes to the Housing Element to accommodate future housing growth needs as determined by the State.

The Circulation Element will describe policies, programs, and actions that consider the implications of future growth on the City's transportation and circulation system. The update will be evaluated and the impacts to Level of Service (LOS) and Vehicle Miles Travelled (VMT) will be examined within an Environmental Impact Report. This will include the incorporation of Complete Streets policies.

The Environmental Justice Element, as required by SB 1000, describes related goals, policies, and objectives that identify "disadvantaged communities" within the area covered by the General Plan. The environmental justice goals, policies, and objectives will identify objectives and policies (1) to reduce the unique or compounded health risks in disadvantaged communities by means that include, but are not limited to, the reduction of pollution exposure, including the improvement of air quality, and the promotion of public facilities, food access, safe and sanitary homes, and physical activity, (2) to promote civil engagement in the public decision-making process, and (3) prioritize improvements and programs that address the needs of disadvantaged communities.

DRAFT

Public Outreach Overview

Public outreach is integral to each step of the process. Phase 1 Existing Conditions, Education, and Visioning; Phase 2 Policy Development; and Phase 3 Draft Plan Development. Members of the public may participate in workshops, activities on the project website, and in Community Advisory Committee meetings. Phase 4 Draft & Final Plan Development/EIR/CEQA, the draft plan will be circulated for comments, which will also be received at Planning Commission and City Council meetings.

Virtual Workshop 1: Envisioning the Future of Housing Activities

Objectives

During the first workshop, the goals were to review input from the Listen & Learn outreach that took place during Winter 2020, identify the process and framework for the Housing Element, and engage and educate participants in the discussion of housing alternatives compliant with state law and challenges presented by the State's requirements.

Date, Time, Platform, and Attendance

The meeting took place during the evening of October 20, 2020. The City chose the Zoom platform to involve 82 unique participants.

On average, 65% percent of participants engaged in workshop activities. Those who responded provide a preliminary understanding of the range of opinions among community members. About 35% of participants did not engage in the activities. It is difficult to infer meaning from this data point. However, the comments typed during the workshop may explain some of the reasons for not responding. Through additional engagement the City will deepen its understanding of participant opinions.

Getting the Word Out

Information about the workshop was shared through the City's distribution email, on social media platforms, as an item on the City's calendar, announced on the project website (NewportTogether.com).

Outreach Event Activities and Input

The first workshop was comprised of seven activities, which included entries into the chat box, polling questions, and open-ended questions with typed responses. Each activity is described below along with a summary of results.

DRAFT

Activity 1: Ice Breaker

Using the chat box, participants were invited to introduce themselves by sharing their neighborhood and the view from their windows. Out of 82 participants, 12 people responded.

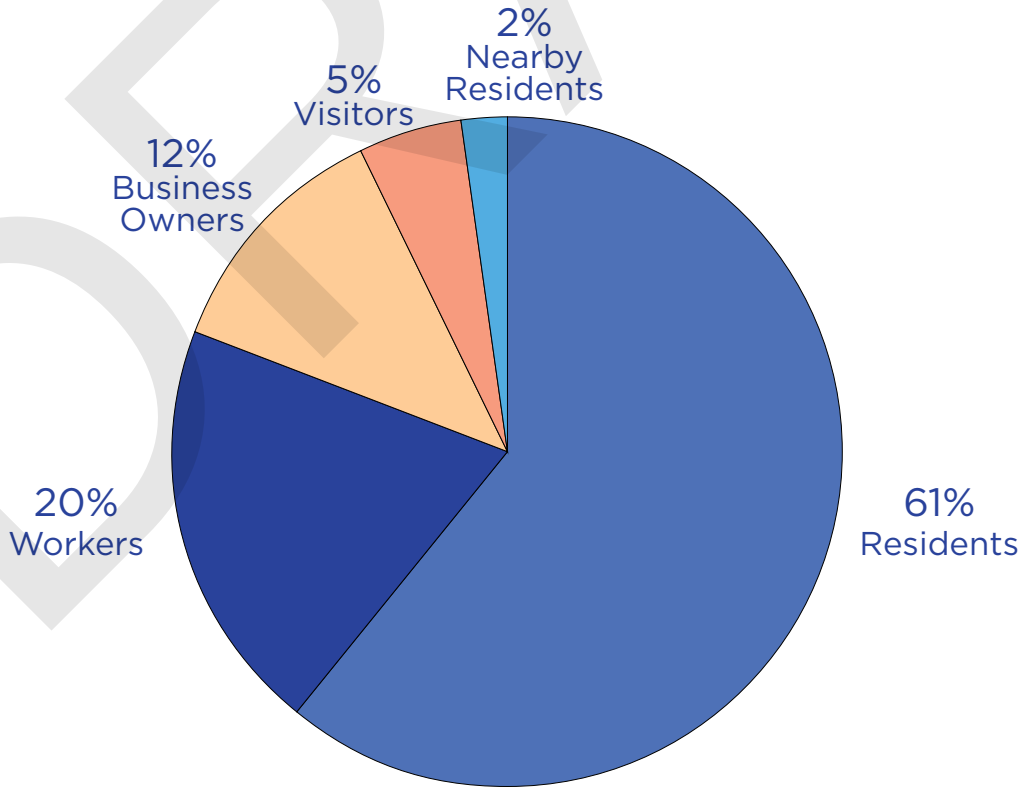
Participants Live In	Participants Have Views Of
Corona Del Mar	Newport Back Bay
Newport Crest	
Newport Crest	
Newport Crest	
The Bluffs	Newport Back Bay
West Newport Beach	
West Newport Beach	Banning Ranch
Newport Island	
Trovare Community of Newport Coast	Newport Bay

Two additional participants are connected to the Airport Area. One is a business owner and the other is a commercial property owner.

Activity 2: What is your connection to Newport Beach?

The second activity provided more information about participants. Chart 1 illustrates the breakdown with residents being the majority.

Chart 1: Participant Connection to Newport Beach

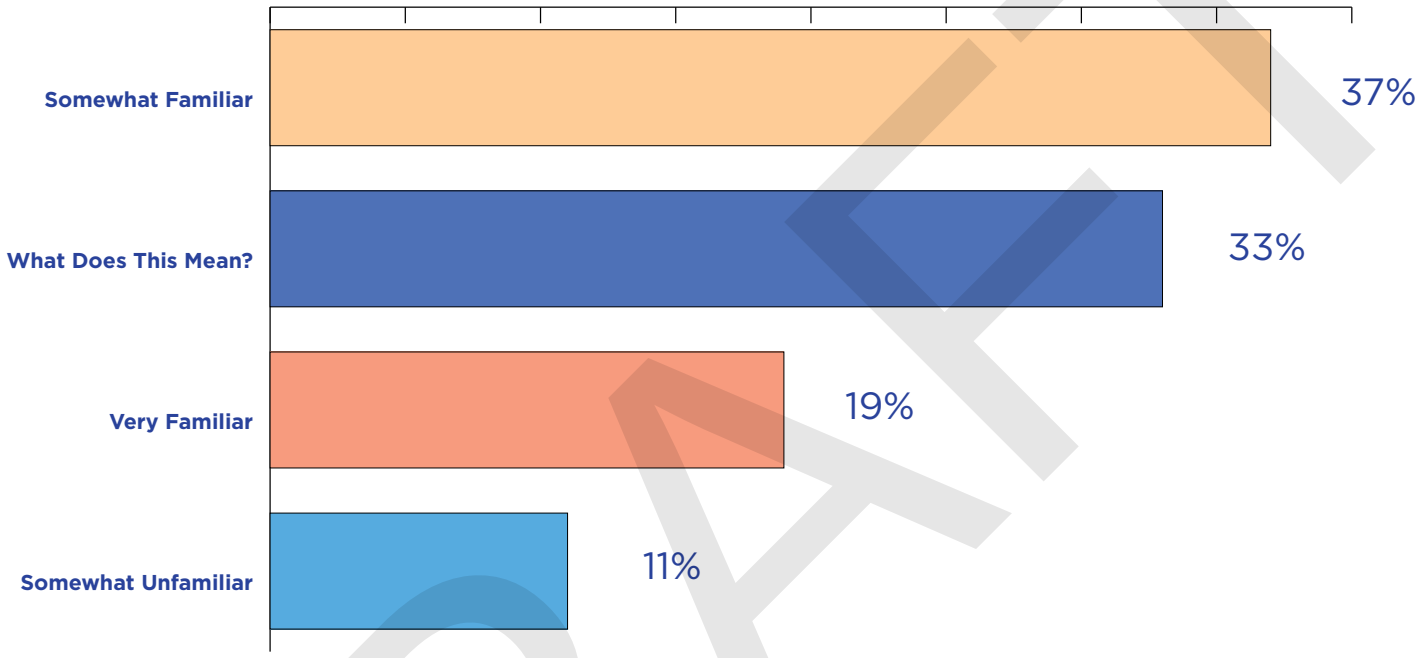


DRAFT

Activity 3: How familiar are you with the term "environmental justice"?

The State requires that local jurisdictions incorporate environmental justice policies into their General Plans. According to the California Environmental Justice Agency[1],environmental justice policies "call for fairness, regardless of race, color, national origin or income, in the development of laws and regulations that affect every community's natural surroundings, and the places people live, work, play and learn." Out of 27 respondents, most (37%) are somewhat familiar and a large percentage (33%) are unfamiliar with the term. Chart 2 shows the distribution of responses.

Chart 2: Familiarity With The Term "Environmental Justice"



Activity 4: What surprised you about the community profile?

The presentation included a community profile to provide participants with resident and housing characteristics. Participants were asked what surprised them about the community profile and they were able to type their responses. This question received 31 responses, which are included in Appendix A: Data Summary. The following topics received comments from multiple people.

- **Not a surprise:** Of all participants 11 participants were not surprised by the data.
- **Age:** A few participants commented on age demographics, noting that more than half of the population is 45 years or older.
- **Multi-family housing:** Two participants noted the proportion of multi-family housing, which makes up more than 30% of the housing stock.

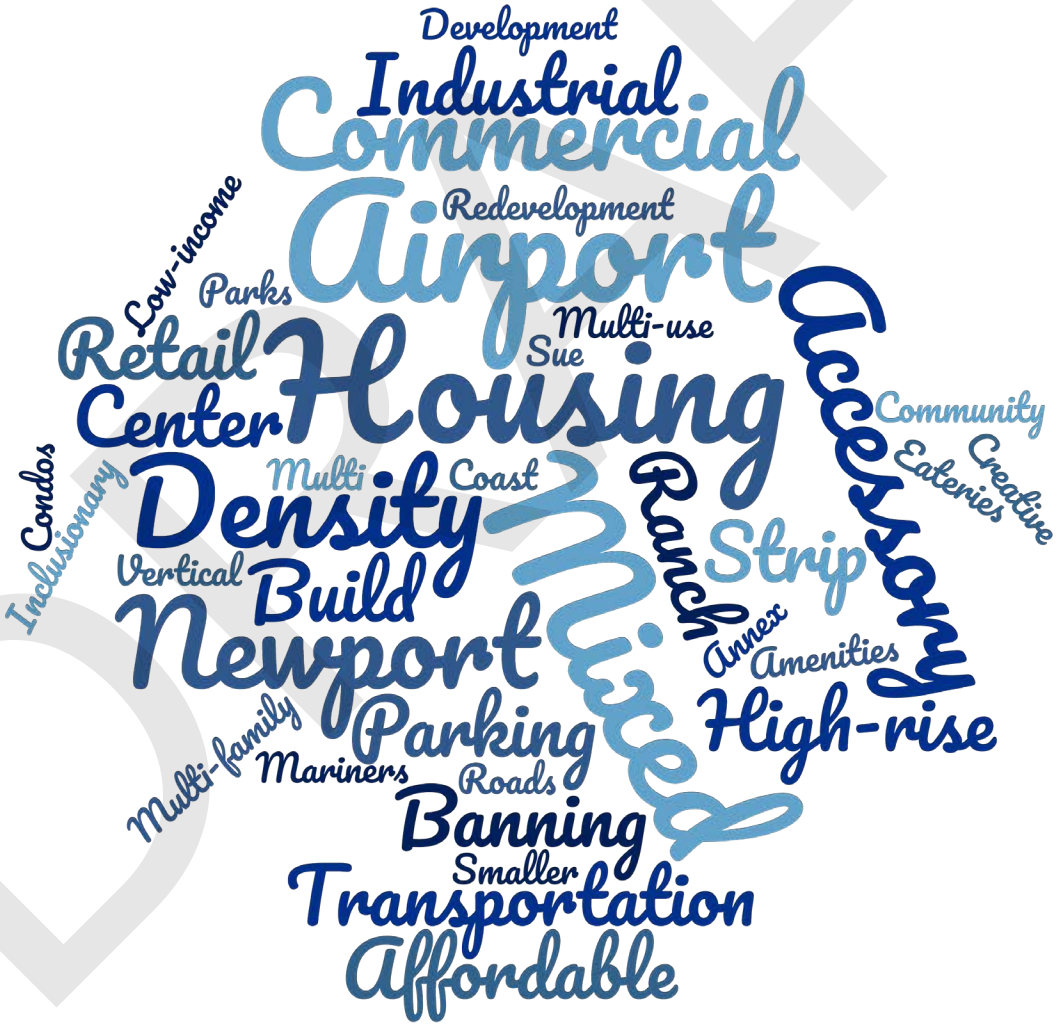
1 https://calepa.ca.gov/envjustice/

DRAFT

Activity 5: What are creative solutions to meet our housing needs?

Participants were asked about solutions to meet Newport Beach's housing needs. They were encouraged to make two to three comments in the chat. This question garnered a total of 47 responses. The full list of comments is available in Appendix A: Data Summary. The word cloud in Figure 1 illustrates the text responses. The size of the word represents the number of times it was typed by participants. Increasing density, development in the airport area, and the use of strip commercial/ excess retail for residential development were all noted in five comments. Three comments made note of transportation solutions, construction of accessory housing units, and additional multi-family units. The following solutions were noted in two comments each: parking lots, mixed uses, fewer industrial properties, Newport Center, and development in Banning Ranch.

Figure 1: Participant Responses Word Cloud



DRAFT

Activity 6: Envisioning a Range of Housing Alternatives

In addition to solutions, participants were asked about the appropriateness of six different housing types in five areas of the City. The map in Figure 2 shows the five areas and the questions referred to the housing types illustrated below.

Figure 2: Housing Activity Responses

The responses presented below are a summary of responses in **Chart 3.**

Area 1: Duplexes are perceived as the most appropriate. Single family, small lots, townhomes, and mid-rise also received relatively high response rates.

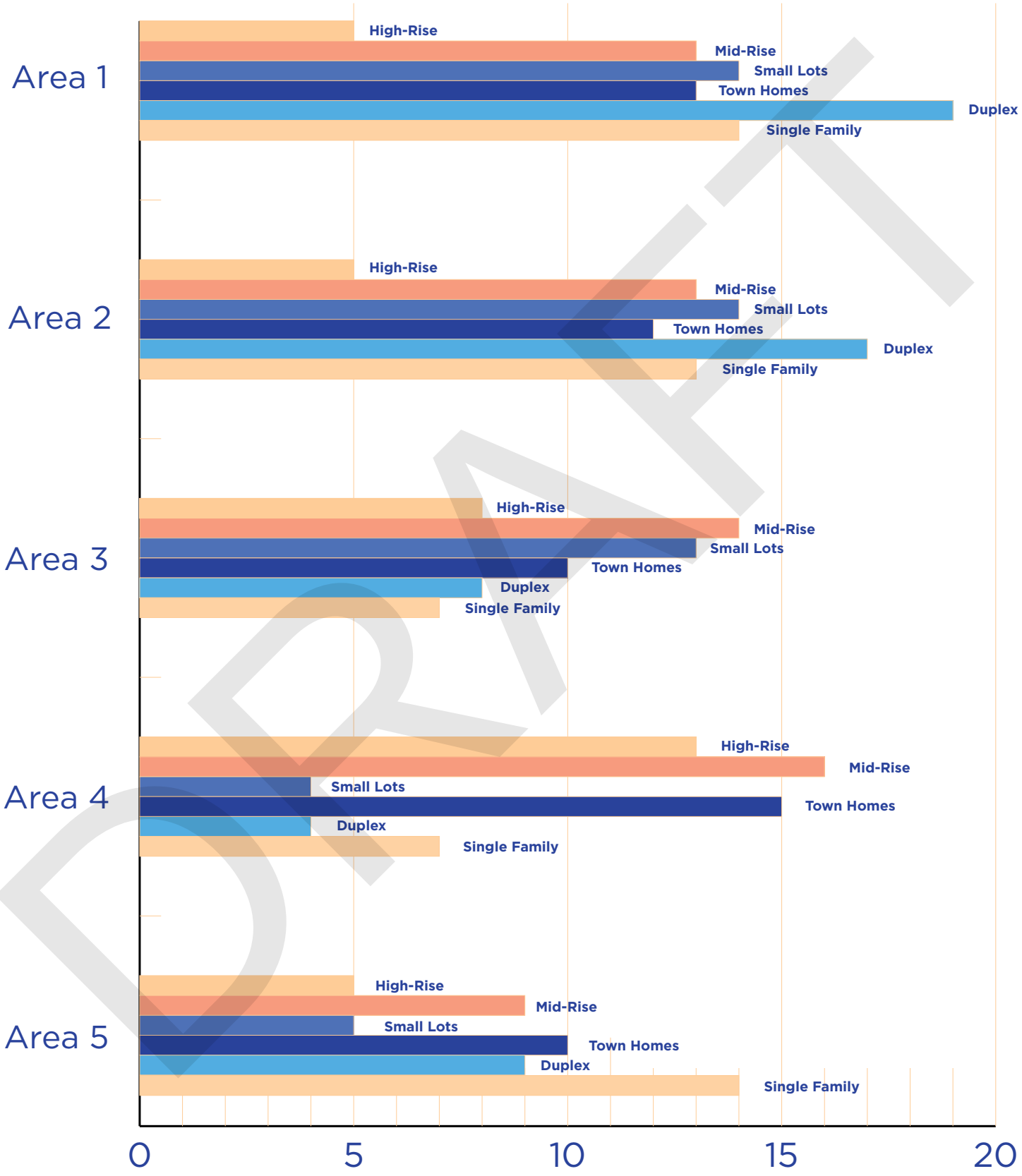
Area 2: Like Area 1, duplexes received a high number of responses and small lots, mid-rise, and single family received a high response rate.

Area 3: Higher density was viewed as appropriate in Area 3, with mid-rise being the most popular closely followed by small lots. Town-homes received several responses followed by high-rise and duplexes.

Area 4: Mid-rise, townhomes, and high-rise are viewed as most appropriate in Area 4.

Area 5: Single family homes, with 14 responses, are seen as most appropriate in Area 5. Duplexes, townhomes, and mid-rise also received a notable number of responses.

Chart 3: Appropriateness of Housing Type by Area



DRAFT

Several comments were submitted in the chat during this activity. The complete chat record may be found in Appendix B. Multiple comments addressed the following:

- **Airport Area:** The airport area generated three comments. One reinforced the responses to the polling question. The other two are paraphrased below:
    - Existing business invested in a business environment. There are not sufficient pedestrian and residential amenities.
    - The airport area should be thoughtfully planned with an integrated approach, weaving together a mixed-use landscape in a manner sensitive to existing issues.

- **Area 1:** Three people said that Area 1 has been developed enough, and should be an open area, and needs remidiation.

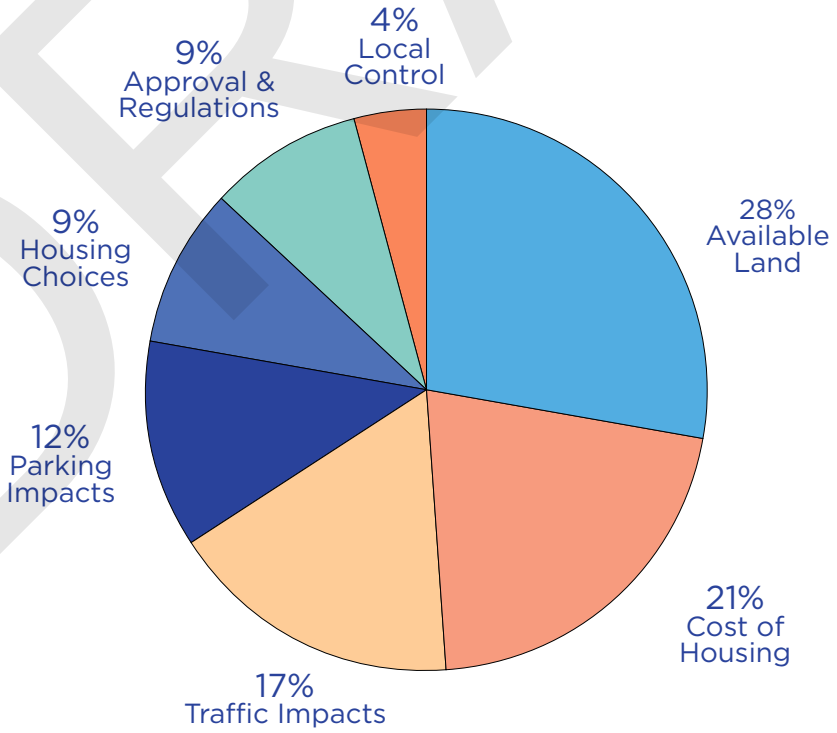
- **Banning Ranch:** Four people noted that do not want housing developed in Banning Ranch.

- **Do not want development:** Several different comments indicate that people would have chosen "none" if it were an option.

Activity 7: What are the challenges to meeting our housing needs?

The ability to overcome challenges is important for the development of housing units. Participants were asked to identify one or more challenges from a list. Chart 4 illustrates responses. Of all the choices, available land, cost of housing, and traffic impacts received the most responses.

Chart 4: Challanges to Meeting Housing Needs



DRAFT

Community Involvement Every Step of the Way

Newport, Together.

The City has initiated a focused amendment of the Newport Beach General Plan in 2020. The purpose of this amendment is to enable the City to comply with State laws, including the State Housing Law and others relating to transportation and environmental justice.

How do you get involved?

The process chart below offers you a glimpse into the many engagement opportunities you will have to participate in the General Plan Update from Virtual Workshops to Planning Commission Meetings.

Dates and times for items below will be available through NewportTogether.com

COMMUNITY ENGAGEMENT OPPORTUNITIES

- DIGITAL ENGAGEMENT
- COMMITTEE ADVISORY MEETING
- WORKSHOP
- VIDEO PRESENTATION
- WEBINAR

	Fall 2020 Existing Conditions, Education and Visioning	Winter 2020 Policy Development	Spring 2021 Draft Plan Development	Summer/ Fall 2021 Draft & Final Plan Development/EIR/CEQA
Housing Element	INTRODUCTORY WORKSHOP DIGITAL ENGAGEMENT HOUSING ELEMENT ADVISORY COMITTEE	CAPSTONE WORKSHOP DIGITAL ENGAGEMENT HOUSING ELEMENT ADVISORY COMITTEE	POLICY CONSIDERATIONS & OPPORTUNITIES WORKSHOP DIGITAL ENGAGEMENT HOUSING ELEMENT ADVISORY COMITTEE	
Combined Public Meetings		PLANNING COMMISSION STUDY SESSION PLANNING COMMISSION PRESENTATION EIR SCOPING MEETING	DRAFT PLAN DEVELOPMENT /EIR	DRAFT PLAN DEVELOPMENT / EIR PUBLIC REVIEW FINAL PLAN ADOPTION/ FINAL EIR
Circulation Element	INTRODUCTORY WEBINAR	ON DEMAND VIDEO ON DEMAND VIDEO A VISION FOR NEWPORT BEACH CREATING THE VISION DIGITAL ENGAGEMENT DIGITAL ENGAGEMENT DIGITAL ENGAGEMENT DIGITAL ENGAGEMENT		

DRAFT

Newport, Together.

Housing Element Focus

Virtual Workshop 1 - Envisioning Housing Alternatives

You're invited to the first in a series of virtual workshops

Help Shape the Future of Housing in Newport Beach!

The City of Newport Beach has initiated a focused amendment of the Newport Beach General Plan, including updates to the Housing and Circulation Elements to comply with State laws. This workshop will introduce the Housing Element process and include opportunities for you to provide input future housing alternatives in Newport Beach.

OCTOBER 20,2020

6:00-7:30PM

VIA ZOOM

REGISTRATION & MORE INFO AT

WWW.NEWPORTTOGETHER.COM

Scan Me

EXISTING CONDITIONS, EDUCATION AND VISIONING	POLICY DEVELOPMENT	DRAFT PLAN DEVELOPMENT	FINAL PLAN ADOPTION/CEQA
Fall 2020	Winter 2021	Spring 2021	Summer/Fall 2021

To learn more about Housing and RHNA head to the website

www.NewportTogether.com

CITY OF NEWPORT BEACH CALIFORNIA

DRAFT

C.2 Community Workshop 2 and 3 Materials

This section contains the summary and chat responses from the virtual Community Workshop 2/3. Comments were received in the chat box and verbally during the meeting. Video recording of the workshop and verbal comments are available at https://www.newporttogether.com/.

DRAFT

Newport, Together.

Housing Suitability - Virtual Workshop
Held On: November 16 & 17, 2020
Workshop Summary

DRAFT

Prepared by Kearns & West
December 29, 2020

Introduction

On November 16 and 17, 2020, the City of Newport Beach (City) hosted a Housing Suitability Virtual Workshop to gather community input on potential housing sites and their suitability. The City chose to host the virtual workshop in two parts to provide enough time for public input and question and answer sessions for different areas in the City.

Part 1 (November 16) focused on the Airport Area, West Newport, and Newport Mesa. Part 2 (November 17) focused on Newport Center and Coyote Canyon. The workshop built on the community input and exploration of housing alternatives from previous workshops. The workshop summarized in this report focused on presenting the site feasibility analysis and the process used by the Housing Element Update Advisory Committee to identify candidate sites for review.

Workshop Objectives

The workshop had two objectives. The first was to present the site feasibility analysis and potential areas for candidate sites. The second objective was to allow the public to comment on this analysis and the potential sites. A primary driver for this workshop was providing a workshop format to allow members of the public to provide input and engage with staff in a question and answer style meeting.

Getting the Word Out

Information about the workshop was shared through the City's email distribution list, on social media platforms, as an item on the City's calendar, and as an announcement on the project website (NewportTogether.com).

Newport, Together (Online Input Opportunities)

The workshop page on the Newport, Together project website includes recordings from both workshop dates and virtual tools to gather input. The platform allows the project team to expand input opportunities beyond the workshop dates and for participants to engage with the project on-demand. Participants are currently able to submit geo-located comments on identified housing sites.

Workshop Format: Date, Time, Platform, and Attendance Summary

The workshop took place during the evening of November 16 & 17, 2020. Both workshop parts were hosted using Zoom to continue to build participant familiarity with the virtual platform and its tools. Over the two nights, the workshop had a total of 133 registered participants and combined attendance of 116 participants. Attendance details are below.

Part 1:

- Total attendance of 61 participants.
- Four participants called in
- 57 web-based participants

Part 2:

- Total attendance of 55 participants.
- One participant called in
- 54 web-based participants

DRAFT

Activities

The workshop included an ice breaker that asked participants to guess the density of various housing types. The activity's goal was to have participants think about density and to associate density numbers with housing projects in Newport Beach. Response rates for the ice breaker were:

Part 1: 90 responses were submitted

Part 2: 60 responses were submitted

Input Opportunities

Participants could submit comments and questions via the Zoom chat box in the first half of the workshop. In the second half, during the public comment section, participants could use the raise-hand function to indicate that they would like to speak verbally and project staff would then unmute their microphone. Each participant was allotted three minutes to ask questions or provide comments. Participants were also able to submit comments via the chat box.

Major Themes from Public Questions and Comments

A primary objective of the workshop was allowing participants opportunities to comment on the housing suitability analysis for focus areas in the City. Participants were asked to consider if focus areas were suitable for housing development and if there were challenges and opportunities associated with these specific areas.

The following section outlines the key themes and comments highlighted by participants. Themes consider overall responses and ideas shared during the public input section for each area. Chat responses can be found in Appendix A.

Airport Area:

- Participants expressed concern over the impact of noise levels on new housing development. It was noted flight paths could impact development.
- It was suggested that the area could become a higher density area, but the City should have an overall plan that incorporates services, recreation space, and other necessary amenities for a community.
- Participants stated concerns with housing developments sitting close to or within industrial areas that have contamination issues.
- The question was asked how the City makes sure that developments create affordability.

West Newport:

- Participants noted that housing development in the area is limited.
- Concern was expressed over the displacement of mobile homeowners.
- A potential partnership with Hoag Hospital for mixed-use development was mentioned.
- A concern was raised over the number of available sites for development and if property owners would be open to development.
- Concern over limited parking availability for new residents with new development was expressed.
- It was suggested Newport-Mesa Unified School District could be a partner in workforce development.

DRAFT

Newport Mesa: Dover/Westcliff/Mariners Mile

- Some participants noted a preference for lower density housing typologies.
- Comments included concern over developer affordability with development near the coast.
- Another concern involved property ownership interest in the development of low-income units.
- The question was asked if there is any surplus property to considered for development.

Newport Center

- Some participants identified the possibility of high-rise development as well as mixed-use development.
- Concern was expressed over Irvine Company property ownership development restrictions.
- Residents who live close to Newport Center noted a request to keep existing height restriction agreements in place at Newport Center.
- Property owners expressed interest in market-rate development.
- It was stated that amenities are essential for residents; the City needs to consider community benefits.
- A commenter noted that placing affordable housing near Newport Center would be ideal because of the availability of jobs.
- Questions were posed about the conversion of retail to housing with shifting trends.

Coyote Canyon

- Several participants noted there could be an opportunity for higher density units.
- Participants commented that area development would require further incorporation of services to the area.
- Concern was expressed over environmental impacts because of the potential location of affordable housing units near the landfill.
- Participants noted that development of the non-landfill area on the north section could be most feasible.
- Participants noted future development needs to consider the expansion of infrastructure.
- A commenter noted that access to development might be a concern for development north of the landfill.

DRAFT

Appendix A: Chat Responses

Nov 16 Housing Suitability Virtual Workshop Chat

From Susan Eaton : Park Newport

From Susan De Santis : Susan De Santis, Trovare in Newport Coast

From Bruce Bartram : Bruce Bartram Newport Crest

From Sam Shams : East Bluff

From Jenna Tourje, Facilitator : Thanks everyone for sharing!

From P. Matheis : The Airport Area is, by my observations, a eclectic series of developed properties. Some of these properties are significant class A properties, while others are old and dilapidated. Given the figures of about 4,800 new dwelling units I read in the print news that NB planning officials suggest that this is not possible given self described restrictions. Because of my experience in Newport Beach and understanding of the situation one the ground I dispute this view. If I were to suggest that this housing could be meet entirely within the Airport Area can the community development people explain why this is not possible.

From Jenna Tourje, Facilitator : Thanks, P. We will incorporate your comments

From David Tanner : Hi Seimone & Jim, Please provide an overview of the existing setting for the Housing Element Update project. Include the physical and regulatory setting and the impact housing regulations have had on the buildout of the existing General Plan. After you provide the existing setting upon buildout of the General Plan, please summarize how staff proposes to address General Plan buildout in the Housing Element Update Project.

From P. Matheis : As I recall, on or about the 1980s/90s the permitted housing development in Area2 was downzoned in a way that impacted about 320 dwelling units. Is this something that is being reconsidered?

From David Tanner : Please confirm (yes or no) if the existing General Plan is in compliance with state law. If no, what does Staff propose to remedy the deficiencies and will it be a part of the Housing Element Update Project?

From David Tanner : Please provide the legislative steps the City has and is proposing to take relative to the Housing Element Update Project, and the location(s) where Housing Element Update information can be found (GP diagnostic memo, communications between the City and HCD, Congresswoman Norris, SCAG, other cities and legislators, etc.).

From David Tanner : The scope of the Housing Element Project (the other Elements to be amended as part of the Project and how staff hopes to achieve internal consistency among the Elements (example: General Plan Vision Statement)).

From David Tanner : What is Staff's strategy for meeting the HCD deadline for submittal of an adopted Housing Element (if you feel a vote of the public to make the Housing Element Update effective is not required, please provide a detailed explanation. If staff believes other governmental approvals are not required, (example: Coastal Commission review/ approval) please explain why.

From Nancy Scarbrough : This area seems like an area that could become a higher density, but I believe the City should have an overall plan for the area that incorporates services, recreation space and other uses that are necessary to a community. We don't want to create an environmentally disabled area.

From David Tanner : This information will provide the public with a clear picture of the situation facing the City, the challenges that lay ahead and the City's plan to address these challenges. this information should be provided to the public prior to asking the public for recommendations.

From Susan De Santis : What is the capacity in the Airport Area for housing if developed on the available sites at 60 units per acre?

DRAFT

From P. Matheis : In the 1990s the entitlements in Newport Center (Area 3) were reduced following a vote of the people. Is this area being considered for future additional development?

From Allyson Presta : what is the response from property owners in the area?

From Adriana Fourcher : I am a property owner and not in favor of this.

From David Tanner : Will existing housing laws allowing ADUs impact the City Jobs Housing Balance?

From David Tanner : Will existing housing laws allowing ADUs impact the city circulation system?

From David Tanner : Will existing housing laws allowing ADUs impact emergency services and public safety?

From Susan De Santis : What is the potential for finding 100 percent affordable housing locations for a workforce housing?

From Nancy Scarbrough : Can we focus on projects that are 100% low income or very low income with a subsidy whether in this area or another area of the city? We can't possible comply with the state mandates if only 5% of a project is low or very low income housing. If we allow projects with only 5% low and very low income we will have to approve 40,000 (plus or minus) residential units in our city of approximately 45,000 existing residential units

From David Tanner : How many ADUs can be constructed within the City?

From Susan De Santis : How many stories is the Uptown Newport project? How is the noise added?

From Susan De Santis : How is the noise issues addressed in Uptown Newport?

From P. Matheis : I suspect that there a number of properties in the City that could help to meet this State mandate. By focusing on the Airport Area an opportunity seems to exist to answer a good deal of this challenge.

From Adriana Fourcher : Susan - noise was not addressed. Uptown is 5 stories. It is not fully occupied so there is not a lot of information on noise complaints. Plus with Covid all air traffic is unusually low. This will change when things return to "normal".

From David Tanner : Is there a penalty if the RHNA allocation is not met within the timeframe?

From Jonathan Langford : Do we anticipate the 65 dB CNEL line changing?

From Alexis Mondares : If there is a focus of affordable density housing within the airport area, is there a concern that clustering affordable housing within such a noisy area that others find unsuitable would be discriminatory?

From Adriana Fourcher : Jonathan - we have monitored noise levels at 4340 and the decibels range from 65 to 70.

From Adriana Fourcher : Alexis - Environmental Justice is not a term that fits in this discussion.

From P. Matheis : Should legal questions be answered by the people best suited to answer those questions?

From Susan De Santis : Can you discuss how the affordable units in the new Picerne project were created?

From Cesar Covarrubias : How will affordable housing will be incorporated into these focus areas. Density alone will not be create affordable housing in the focus areas. What policies are we putting in place to address AH in the focus areas?

From Nancy Scarbrough : The City just approved a project in the 65 CNEL without regard for noise. They ignored the Airport Commision recommendation.

From Adriana Fourcher : Susan - Only small # of affordable units in Picerne project. Doesn't make a dent.

From David Tanner : Housing in West Newport - What impact will the conversion of housing in west Newport and the Airport area have on Jobs?

DRAFT

From Nancy Scarbrough : If you displace the mobile homes, which are already low income housing, will those individuals who lose their mobile homes new housing that they can afford?

From Adriana Fourcher : Nancy - Thank you. Taxpayers don't want to bear the financial consequences if the City gets sued. The developer fees are driving this.

From David Tanner : If we convert employment areas to housing. What steps will the City take to replace lost jobs and create new jobs for the increase in population?

From Adriana Fourcher : David - Great question!

From P. Matheis : This area seems to have a limited payoff versus the Airport Area.

From Adriana Fourcher : Business owners don't want to be disregarded in the conversation.

From Adriana Fourcher : P. Matheis - there is no payoff, hopefully.

From David Tanner : What will the cumulative impact from RHNA (1.3 million units) have on jobs within Newport Beach?

From Charles Klobe : The pie charts shown in each slide do not reflect a no build answer. Participants were not offered the choice of no units. That translates to the false belief that residents agreed to some additional residential units in each area. This does not reflect actual responses. Why is the total focus of this meeting on affordable housing to our housing element?

From P. Matheis : This area is a significant industrial area, and I wonder if this is something that needs to be maintained for business needs in the City.

From Adriana Fourcher : Charles - Very good point.

From Charles Klobe : We have to TRY to plan. We do not have to succeed.

From David Tanner : What will the cumulative impact from ADUs in Southern California have on jobs within the City?

From Adriana Fourcher : 4,800 units now but what is going to be later and after that. The City of Newport Beach should combine efforts with other Cities and fight back on RHNA allocations.

From Susan De Santis : How many units have already been approved that will be counted towards the RHNA allocation?

From Sam Shams : Is the plan able to assume the conversions of existing properties, or does it require open space? So can the plan basically be that one large development becomes even bigger?

From P. Matheis : I believe it is important that the City plan for this mandate. I suspect that the idea that the City simply work to fail is something that will not succeed in 2020 and beyond.

From Alexis Mondares : Adriana - the City has already appealed its RHNA allocation. However, it is unlikely that the City's share will be reduced in a meaningful way.

From Debbie Stevens : I have concerns with siting housing closer or within industrial areas that have contamination issues, as there are such properties in this area.

From David Tanner : Staff's statement - The City has no choice but to increase density. This is not a foregone conclusion. This is Staff's conclusion. Fact - The City Council is proceeding on a 3 pronged approach. Compliance is one. There is no evidence to date that Compliance is feasible.

From Adriana Fourcher : Alexis - An appeal is the first step. The City has too much to loose to simply accept central planning from Sacramento.

From Sam Shams : Thank you for the response!

DRAFT

From Adriana Fourcher : It seems like we are going thru an exercise but there will not be any meaningful consensus from both residents and businesses.

From Charles Klobe : There is no stated penalty for not finding willing property owners.

From Alexis Mondares : If density housing is created in this area, I would think parking would be an extreme issue for new residents.

From Allyson Presta : in this area isn't the road & track site zoned for residential?

From Sylvia Walker : Doing away with the mobile homes, which are likely affordable housing, to put in other housing seems like a less than opportune way to meet RNHA goals, if that is what was suggested.

From Sam Shams : I am curious if dorm rooms for coastline college would be worth thinking of, I am not familiar with that college though.

From Angelica Astorga : If density housing is built they should provide a parking structure and not street parking so that residents can park.

From P. Matheis : Is senior housing something that is considered "affordable" housing?

From P. Matheis : Due to the proximity to Hoag Hospital is seems like senior housing might be something to consider if it meets the definition of affordable.

From Susan De Santis : Senior and workforce housing are both considered affordable housing.

From Adriana Fourcher : I understand the committee's role in identifying opportunity zones. That same process was used a few years ago which resulted in the business park that our business is located as being marked as an "opportunity zone for residential". Most of the building owners were not part of that discussion. We invested in a business park. We do not believe that residential should be approved in a commercial zone, simply because it gets colored "pink" on a City map.

From David Tanner : Everyone review the State Housing and Community Development ADU handbook published in September 2020 to learn the facts on the potential for ADUs: https://www.hcd.ca.gov/policy-research/docs/adu-ta-handbook-final.pdf

From Adriana Fourcher : Senior housing is important.

From Charles Klobe : Anyone notice that they have not answered one of Dave Tanner's questions? Why the total focus on finding sites for affordable housing only? Our housing element includes housing needs for the entire city.

From Adriana Fourcher : Housing needs for young professionals.

From P. Matheis : Staff is doing a great job here.

From Angelica Astorga : Many people are commenting on affordable housing, then that is obviously an issue especially in California.

From Cesar Covarrubias : The Hoag area creates a lot of service sector jobs. It will be appropriate to prioritize affordable housing for the workforce and families.

From Angelica Astorga : I am a college student and we need more affordable housing, discussions around that are extremely important, in all of my circles it is a huge problem.

From Adriana Fourcher : People commute and make their own choices based upon what things are important to them. Irvine has lots of apartments and housing choices that is definitely more affordable than Newport Beach.

From David Tanner : Everyone, ask Staff to share the findings of the General Plan Diagnostic Memo prepared as part of the Housing Element Update. The Memo identifies the existing deficiencies in the General Plan that must be remedied. Ask

DRAFT

Staff to discuss how these deficiencies will be remedied.

From Angelica Astorga : You want to push people out of Newport because they cannot find affordable housing? That is classist. What about students and young people who work in Newport?

From Sylvia Walker : Irvine has an affordable housing issue.

From Angelica Astorga : Sylvia - exactly. both cities need more options.

From P. Matheis : At Dover and West Coast Hwy is an empty lot that is not painted blue. Why?

From Adriana Fourcher : Angelica - College Students can rent rooms in people's homes, share apartments, work 2 jobs, etc. Affordable housing in Newport Beach is a different level of rent than in other Cities.

From Allyson Presta : I am an apartment complex at bayshores and pch

From Allyson Presta : would I be part of this area

From Adriana Fourcher : Angelica - I moved here from the Midwest right out of college and had to adjust to CA. It is expensive here.

From Sylvia Walker : Rents in Newport Beach are not necessarily higher than rents for apartments in Irvine.

From David Tanner : Staff updated the City Council last week on the Housing Element Update. staff warned the City Council that they might have to break the Housing Element Update into 2 stages. If Staff does this only a portion of the General Plan would be updated. Staff said the cost of the total General Plan Update would increase from $1.5 to $3.5 million dollars (2 EIRs and 2 General Plan amendment processes). Ask Staff to explain what they are thinking.

From Allyson Presta : not currently

From Angelica Astorga : Well I was born in California, I have lived a life of knowing how important it is to have access to affordable housing. As a student, we do all of those things and the way wages have remained stagnant in this state and housing costs only go up is challenging for new graduates.

From Allyson Presta : that site is rented long term

From David Tanner : Will the Housing Element Update go to a vote of the public per the City Charter? Staff does not want to answer this question. Why? Ask Staff to explain.

From P. Matheis : The properties on West Coast Hwy appear to be under used retail properties.

From Adriana Fourcher : Jenna, thanks for reminding us of those slides. My recollection is someone could earn somewhere above $50 to $60K a year and qualify for affordable housing. However, there are very few units. The Picerne project stacks the affordable units to Studio units. That might be fine for a single person but won't work for a young family.

From Allyson Presta : he rented the entire site

From Allyson Presta : russ fluters

From P. Matheis : The proximity to the water is a silent point. This speaks to the value of maximizing the development in the Airport Area for this challenge.

From P. Matheis : Should read "Salient."

From Adriana Fourcher : Mariners Mile is very expensive property. P. Matheis there is a cost to purchasing existing buildings in airport area and scraping the property and then building residential.

From David Tanner : The City's Local Coastal Plan prohibits impacts to coastal bluffs and blockage of ocean/harbor views How can the City possibly make a finding that high density residential is consistent with the Local Coastal Plan?

DRAFT

From Susan De Santis : Should the City provide housing for its seniors and its essential workers?

From Cesar Covarrubias : Have surplus land sites from the City and the Special Districts been identified at opportunity sites?

From Adriana Fourcher : Angelica, that explains why so many residents and businesses have moved out of state. It is not because those states provide them with subsidized housing it is because the cost of development is lower, the cost of land is lower and the government doesn't tax, tax, tax.

From David Tanner : Why is Staff been un-willing to discussing these obvious General Plan inconsistencies? These questions have been asked since day 1.

From Adriana Fourcher : If we give CA a few more months this problem might resolve by the law of natural consequences. The State if Broke. Businesses and residents might move which will make property values decrease and increase supply.

From P. Matheis : I submit that if we take this time to properly plan for this mandate we could design something that is the best it can be under the circumstances. I do not see a change in the political environment in Sacramento in the near term, and it is likely this mandate will stand.

From P. Matheis : How is an area outside the City included in this plan, i.e., item 1?

From David Tanner : Seimone - provide a date certain when these questions will be answered. Quit putting this off!

From Adriana Fourcher : Seimone - the committee has been given an impossible task. The policy recommendations unfortunately impact property owners. Again, we are in a Business Park that was colored "Pink" a few years ago based upon some committee discussion and few community input. Now the business owners are all fighting residential infill proposals.

From Technical Support : www.newporttogether.com.

From Sam Shams : This might sound crazy, but what are the chances of changing the city borders to get some of Costa Mesa?

From Adriana Fourcher : Seimone - the in-fill residential project that is being proposed in our parking lot will take around 3 years to build. That is a real negative impact to the employees and businesses. A parking lot that is common area. Think about that.

From Charles Klobe : The NMUSD property is prime for workforce housing. Susan DeSantis has previously offered this to the committee. Likely nothing will come of this until the new trustees are seated. We should work toward this as it is good for the city, good for the district and good for the NMUSD employees. I hope we pursue this in 2021.

From Adriana Fourcher : Charles - Absolutely no subsidized housing units for Public Sector employees. Do not use our tax dollars to pay for housing for government employees. Sorry.

From David Tanner : All ADUs are assumed by the State to be Affordable Housing.

From Sam Shams : Does rent-control qualify as affordable housing?

From Adriana Fourcher : Sam - good question.

From Sam Shams : I ask because affordable housing options usually don't appreciate much in value relative to market prices, and when you consider mortgage etc, it may be a better alternative for low income people to rent

From Charles Klobe : Not suggesting subsidized by the city. The idea is to take the NMUSD property and have the district build rental housing for their new employees, The offer of this could factor into their labor negocistions

From Adriana Fourcher : Who owns the NMUSD property?

DRAFT

From Charles Klobe : spell check. Fred: I will send you the outline via email.

From Susan De Santis : How will the city and consultants use the input that you received this evening?

From Adriana Fourcher : Charles - this is Adriana.

From Allyson Presta : are we going to cover Newport center tonight?

From David Tanner : ADUs are considered affordable by the State - period. The state requires documentation to demonstrate they are in fact affordable. ADUs can be a few hundred square fee to 1,200 sq. feet How will this not be affordable?

From Charles Klobe : NMUSD owns the property. Banning Ranch Conservancy would not oppose the project of workforce housing for NMUSD employees.

From Debbie Stevens : FYI - Newport Center will be covered tomorrow night.

From Allyson Presta : thank you

From Adriana Fourcher : Charles - no workforce housing for public service employees. That is pure socialism. The next step will be imminent domain to take private property for public sector employee housing.

From Mary Ann Soden : How long will you be looking at input through the website. I have folks not able to attend the workshops. Is there a deadline?

From Susan De Santis : Will the city be pursuing partnerships with Hoag and the school district as part of this process?

From Adriana Fourcher : Thank you Jenna.

From P. Matheis : Can a large developer build in one area and site the affordable units in another area of the City?

From Sam Shams : Thank you!

From Bruce Bartram : My thanks to Staff and everyone for an interesting and informative presentation.

From Sylvia Walker : Good job by Newport Beach staff.

From Debbie Stevens : Nice job and thanks!

From Charles Klobe : Thank You.

From Susan De Santis : Thank you!

From Adriana Fourcher : Thank you.

From Kevin Martin : Good job Newport team. Talk to you tomorrow!

From Mary Ann Soden : See you tomorrow. Thank you.

From Jonathan Langford : Appreciate the work.

From Allyson Presta : see you tomorrow. thank you

DRAFT

Nov 17 Housing Suitability Virtual Workshop Chat

Susan Eaton: Park Newport formerly Eastbluff

Allyson Presta: Big Canyon Resident, property owner thru newport

Charles Klobe: Anyone who participated did not have the option for no housing. So the charts are skewed to give the impression that residents wanted more housing throughout the city.

David Tanner: Hi Seimone & Jim, As a preface to public input at tonight's Housing Suitability meeting please provide the following information in Staff's introductory remarks: 1. As professional planners, please provide an overview of the long-term regional effects of State housing laws. Please assume for this discussion the literal interpretation of the laws which create the potential for development of millions of Accessory Dwelling Units (ADUs) and 1.3 million additional RHNA units (by 2029) within southern California (SCAG boundary). For example, what impacts will likely occur to the following sectors: (beneficial impact, negative impact or no impact) a. The ability of the existing transportation systems and urban infrastructure to accommodate the increased population. b. Jobs and employment opportunities (will people in inland areas continue to commute long distances to Job centers or will urban in-fill take those jobs?). c. W i l l there be a need for additional Jobs to meet the population increase?

e. Social and economic impacts: i. Will there be higher or lower costs to consumers? ii. Will business be attracted to or leave southern California? f. Public safety and quality of life. i.What will be the regional impact?

Based on the answers to the regional concerns in question #1, what are the potential long-term impacts to the City of Newport Beach from housing laws and RHNA? a. Will the impacts mirror the regional impacts or will Newport Beach be disproportionally impacted? (better or worse) b. What impact will this regional growth have on tourism within Newport Beach? c. What impact will this regional growth have on the city's circulation system and transportation infrastructure? d. Would you expect the increased regional population would put pressure on John Wayne Airport to expand the number of flights beyond current limitations? e. Will there be more competition for jobs in Newport Beach as a result of regional growth? f. If you believe increased population will increase the competition for jobs, can the City expect to get a higher quality workforce?

i. What impact will this have on the City of Newport Beach demographics?

ii. What sectors might benefit and what sectors might decline?

iii. What impact will this have on wages?

g. What will be the regional impact on Newport Beach's fresh water supplies?

David Tanner: Question 3 3. What are the constraints the City faces in formalizing the Housing Element Update? For Example: a. As professional planners would you recommend the City locate housing in: (yes, no, maybe) i. Disadvantaged communities ii. Areas subject flooding iii. Areas subject to wildfire iv. Areas subject to liquefaction v. Areas subject to sea level rise vi. Under the flight path of John Wayne Airport vii. Areas subject to health hazards viii. Areas subject to potentially significant earthquake hazards ix. Within or adjacent to protected biological areas x. Areas subject to high noise levels (65 CNEL or greater) xi. Hazardous waste sites xii. Areas that do not have job opportunities for new residents (areas with a significant jobs/housing imbalance)

xiii. Areas that would result in an unavoidable decline in emergency services/public health and safety.

David Tanner: Question 4 4. What are the consequences to the City if the RHNA housing allocations identified in the Housing Element Update are not met? Is there a difference in the consequences between un-met affordable and market rate units?

Answers to these 4 questions will provide the public with a clearer picture of the regional impacts facing the City. It will provide insight if the City does nothing and the rationale behind the City's plan to address these challenges.

Charles Klobe: There is no stated penalty by the state for trying and failing to find willing landowners who want to rezone

DRAFT

their land for high density lower income housing. The city is trying through the Housing committee but they will almost certainly fail to find landowners to rezone their property without state or federal subsidy.

Alejandra Reyes: Is Jenna breaking for anyone else or only me?

Allyson Presta: I can't hear her either

Andrew Campbell: breaking up for all

Kevin Martin: breaking up for me as well

Taylor York (Technical Support) : Apologies for the technical delays!

Allyson Presta: my site can be high rise

Mary Ann Soden: what site is that?

P. Matheis: is Fashion Island designed for additional building stock?

Sam Shams: I think we need to consider public access to the sand beaches at the dunes, I would imagine there might be some restrictions to development to allow public access.

Charles Klobe: What percentage would you propose as affordable Allyson?

Allyson Presta: i don't know i'm not a developer

Cesar Covarrubias: Is Newport Center a mixed use zone or do you need an overlay for new development

P. Matheis: I foresee significant high-rise potential in Newport Center with the correlating ADUs in the Airport Area.

P. Matheis: Is the Fashion Island property seen as something that might see a change in zoning due to changes in how people shop?

Mary Ann Soden: Another important element is the impact on traffic circulation, so these two general plan updates need to be considered at some point together.

Susan Eaton: Thank you Cesar.

Charles Klobe: No property owner has expressed any interest in developing lower income housing without City, State, or Federal subsidy. NONE! Many owners would like to rezone their property for high density market rate apartments. The City does not need to offer density bonuses beyond what the state requires for any area of Newport Beach. Residents will suffer the increased traffic and drain on resources.

David Tanner: Has the HEUC determined this site is feasible for residential development?

Alejandra Reyes: Echoing a few comments (and responding to others) and as a housing researcher and UCI faculty member, I want to highlight that there are many new state and assembly bills that do emphasize the importance of this Housing Element update: In 2017, SB-35 created consequences for failing to meet local housing targets and AB-1397 now requires cities and counties to ensure that proposed development sites have a demonstrated potential for development. Since 2019, AB-686 also pushes cities to site low-income housing in high opportunity neighborhoods and grants the California Department of Housing and Community Development increased oversight capacity. Also since 2019, SB 330 limits some jurisdictions' abilities to restrict development due to their failure to meet their RHNA goals.

David Tanner: The cost of development on this site makes this site economically infeasible.

David Tanner: Would you want your family members to live on a landfill given its environmental constraints. I see the potential for litigation.

Sam Shams: Development of the non-landfill area here on the north section seems like the most feasible development

DRAFT

I have seen so far in the city.

Allyson Presta: i think the garbage site would be bad for health

P. Matheis: If housing can be developed on the 30 acres then why would the City not use this opportunity given the external pressure.

Lin He: Non-landfill area makes sense as it's close to freeway etc.

David Tanner: It would make a nice site for habitat restoration/mitigation.

Nancy Scarbrough: I think the 30 available acres seems like a great place to build low and very low income homes. It is close the freeway.

P. Matheis: My sense is that the bulk of the opportunity for development of ADUs will be in the Airport Area above SR-73 given the cost limitations.

Charles Klobe: Nearly every single family home in Newport Beach is eligible to have an ADU and junior ADU.

David Tanner: High density development on the 30 acre portion of the landfill would provide a great visual window from the toll road to the high quality homes in the area.

Mary Ann Soden: To Mr. Smith's question and Mr. Barquist's comments now, the City might need to use its own land to meet the planning goals

Sam Shams: What are those two zones on the south if the landfill zone?

P. Matheis: I do not believe that the City should reduce parkland for development.

Allyson Presta: i agree

Allyson Presta: my kids use the sports park for activities

Sam Shams: sure

David Tanner: Are they fule mod zones?

Susan Eaton: Elephant in the room - what are issues to convince owners to consider any level of "Affordable" Housing -

David Tanner: Why doesn't the city satisfy the RHNA requirement with ADUs?

Debbie Stevens: The Newport Tennis Club should be considered as potentially feasible.

P. Matheis: I suspect that area 29 (fire & police station location) are potentially feas

Mary Ann Soden: Please update the maps per Larry Tucker's comments so that the folks who participate through the website will have the corrected maps. Thank you.

Jenna Tourje, Facilitator: Thanks Mary Ann - we will update the maps on the website as well

P. Matheis: I believe that the preservation of the natural resources are critical to this process. While this may result in intensification of development in other areas the City is special because of the natural resources.

Charles Klobe: Every developer may be willing to redevelop their property to market rate apartments. NO developer is willing to redevelop without Federal, State or City subsidy any more than 5% affordable. To get to 2,400 or so affordable they need to build 48,000 market rate apartments @ 5% which pencils according to the developers I have spoken to. Never going to happen although the developers are drooling to build them.

David Tanner: Staff updated the City Council a week ago and said Staff was concentrating on the Housing Element. Please clarify

DRAFT

P. Matheis: As I recall the City was considering moving the police facility to the city yard site at one point, and there is a Newport Beach fire station relocation study that moves the Newport Center Fire Station adjacent to the OCTA bus station.

Mary Ann Soden: How will the housing and circulation elements be harmonized given their separate committees

Brad Avery: Great resident input and effort from the CD team, many thanks! Brad

David Tanner: How can the City possible meet the Housing Element Update by October 2020.

David Tanner: Is this not piecemealing?

David Tanner: Why does the schedule not include a vote of the public per the City charter?

Sam Shams: Thank you everyone!

Debbie Stevens: Great job Jenna, Jim, Dave and Ben!

Alejandra Reyes: Thank you!

Mary Ann Soden: Thank you for this learning opportunity and input opportunity. This is very important.

Allyson Presta: Thank you so much

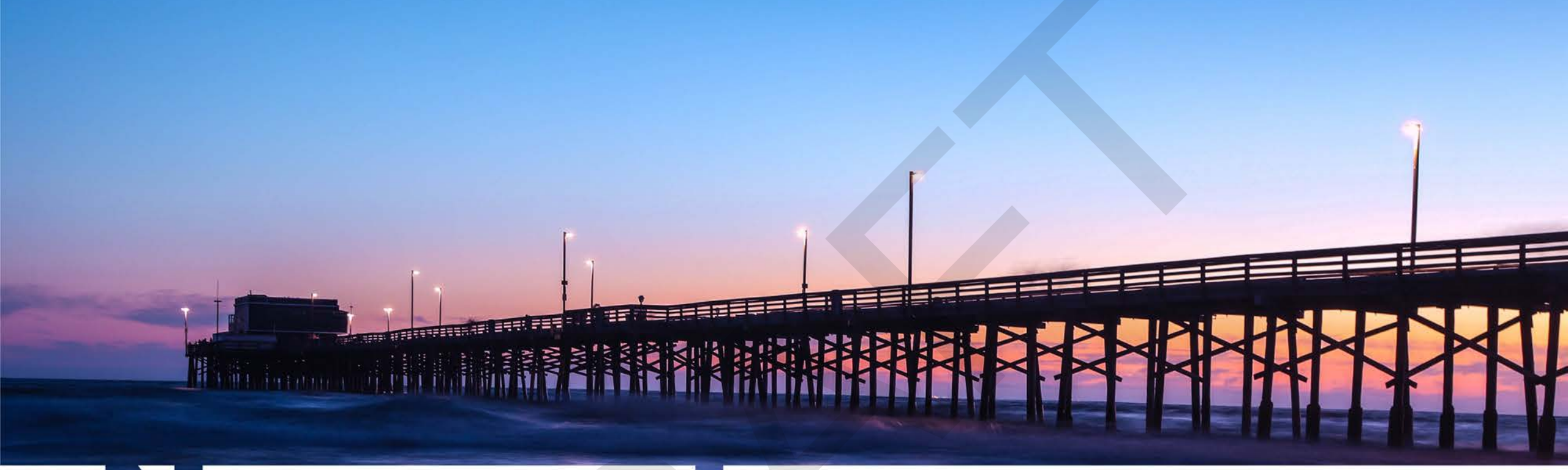
Susan De Santis: Thank you all. Well-done!

DRAFT

C.3 Community Workshop 4 Materials

This section contains the summary and chat responses from the virtual Community Workshop 4. Comments were received in the chat box and verbally during the meeting. Video recording of the workshop and verbal comments are available at https://www.newporttogether.com/.

DRAFT



Newport, Together.

HOUSING WORKSHOP
MARCH 22, 2021

DRAFT

You are viewing Kearns & West's screen

View Options

00:04:02

View

Zoom Ratio Fit to Window

Request Remote Control

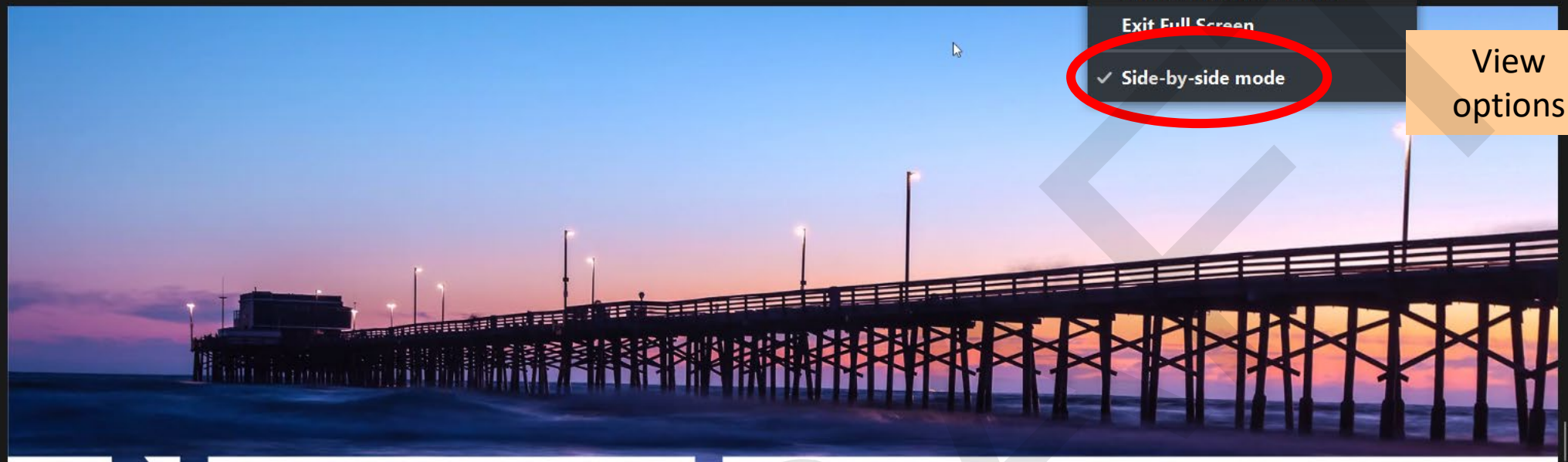
Exit Full Screen

Side-by-side mode

View options

Raise/Lower Hand

Kear



Newport, Together.

HOUSING WORKSHOP 3

Audio Settings

Participants

Chat

Reactions

Mute

Stop Video

2

Participants

Chat

Share Screen

Record

Reactions

2

Leave

DRAFT

Guide for a Productive Workshop

WE ARE HAPPY AND EXCITED YOU CAN JOIN US!

- **Actively participate – we need your input!**
- **Be respectful**
- **Listen for understanding**
- **Share your ideas with room for others**
- **Respect differences**
- **Have fun!**

This workshop is being recorded and will be posted on www.NewportTogether.com

DRAFT

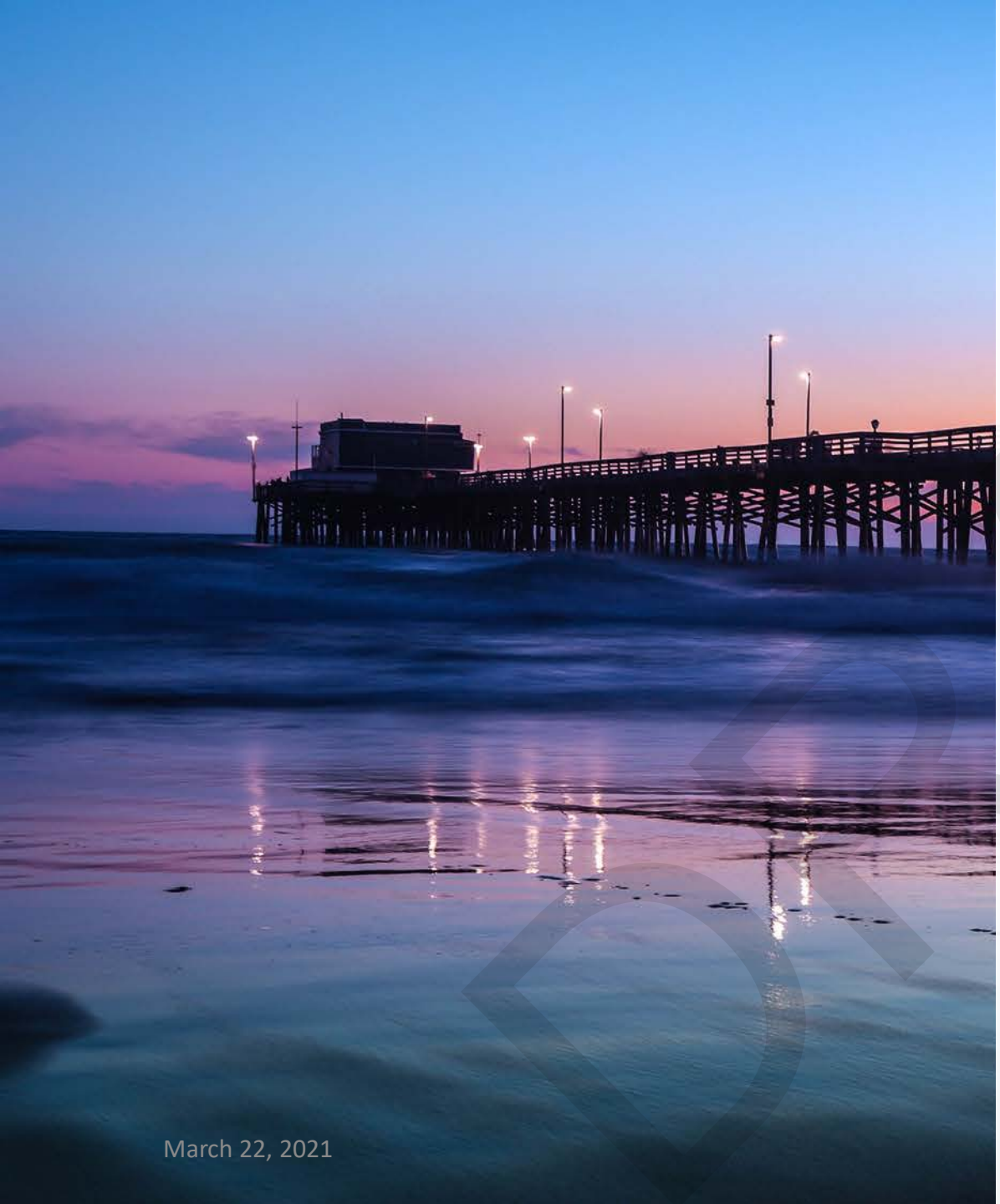
Workshop Outline

1. Welcome and Introductions
2. Overview of Housing Element
3. Outreach Process
4. Components of the Housing Element
5. Sites Analysis/Identification
6. Policy Summary
7. Future Community Engagement

DRAFT

Welcome & Introductions

DRAFT



Introductions

USING THE CHAT POD AND THE RAISE HAND FEATURE, SHARE:

- Your name
- Name a project or place you consider has great housing.

The facilitation team will call on 2-3 participants to share

DRAFT

You are viewing Kearns & West's screen

View Options

00:04:02

View

Zoom Ratio Fit to Window

Request Remote Control

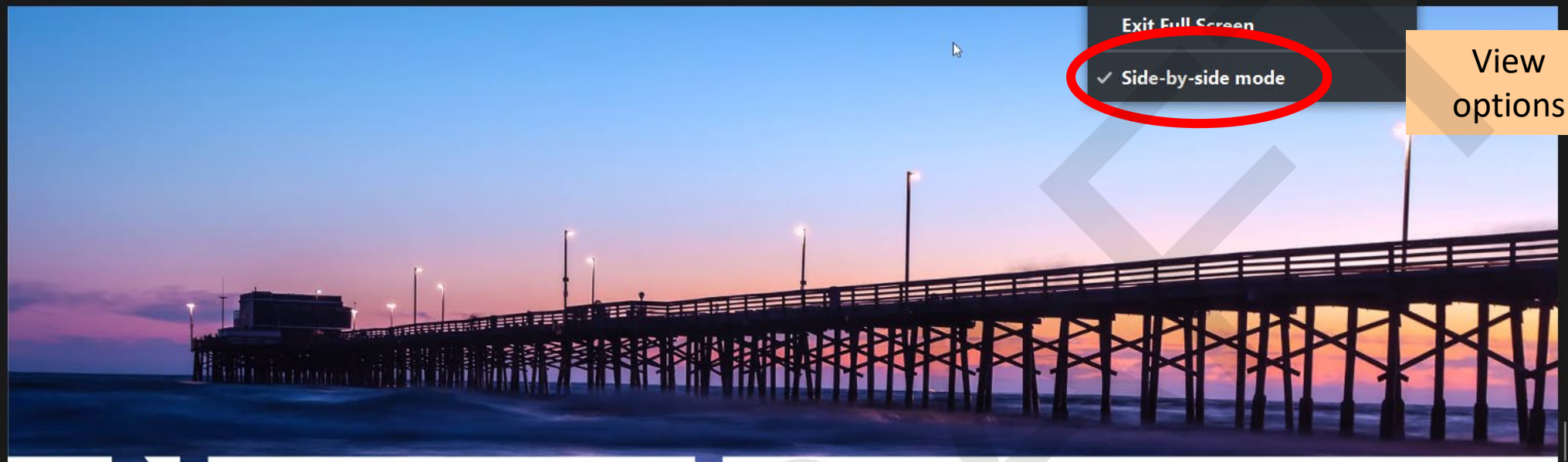
Exit Full Screen

Side-by-side mode

View options

Raise/Lower Hand

Kear



Newport, Together.

HOUSING WORKSHOP 3

Audio Settings

Participants

Chat

Reactions

Mute

Stop Video

2

Participants

Chat

Share Screen

Record

Reactions

7

Leave

DRAFT

Virtual Workshop Goals

- Share overview of the Housing Element;
- Review components of Housing Element;
- Review and discuss summary of sites by area;
- Review and discuss policies;
- Overview how to provide comments on draft Housing Element

DRAFT

Overview of the Housing Element

DRAFT

What is the Housing Element?

- Required Element of the Newport Beach General Plan
- Provides Goals, Policies, Programs, and Objectives related to housing in Newport Beach
- Identifies projected housing growth need by income category
- Requires certification by the State Department of Housing and Community Development (HCD) for compliance with State housing laws

DRAFT

What is the Regional Housing Needs Assessment (RHNA)?

- **Estimate of housing growth need for the 2021-2029**
- **Housing growth need by income category**
- **Newport Beach must show capacity to accommodate future growth**

Income Category	% of Area Median Income (AMI)	Income Range*		RHNA Allocation (Housing Units)
		Min.	Max.	
Very Low Income	0 - 50% AMI	$0	$51,500	1,456 units
Low Income	51 – 80% AMI	$51,501	$82,400	930 units
Moderate Income	81 – 120% AMI	$82,401	$123,600	1,050 units
Above Moderate Income	>120% AMI	$123,601	>$123,601	1,409 units
			Total:	**4,845 units**

***Income range is based on the 2020 HUD Median Family Income (MFI) for Orange County of $103,0000.**

DRAFT

What does housing mean for us?

First-time opportunities for housing

Ability to downsize and retire in City

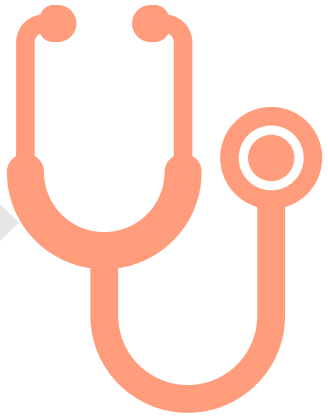
Opportunities for families to stay and live in the City

Maintains housing opportunities for future generations

DRAFT

Examples of qualifying salaries in Newport Beach

Newport Mesa Unified School District Teacher $54,043 - $82,689[3]



Hoag Memorial Hospital Registered Nurse $74,880 - $85,280[2]

Librarian 1
$57,179 - $80,433[1]

Police Officer
$66,185 - $118,872[1]

Paralegal
$62,129 – $87,422[1]

Notes:
1. Derived from open job listings on City website May 2017.
2. Derived from Glassdoor.
3. Derived from teacher pay scale listing on NMUSD website.

DRAFT

New Statutory Considerations

- Many new laws related to housing in California
- City required to comply with all statutory provisions in law
- Affects analysis, sites selection criteria and policy considerations
- Monitoring, accountability and enforcement

DRAFT

Outreach Process

DRAFT

Housing Element Engagement Overview

3 Housing Element Workshops

+250 Workshop Participants

~45,000 NextDoor Impressions

+2000 Unique Newport, Together Website Visits

+200 Registered Users Receiving Updates

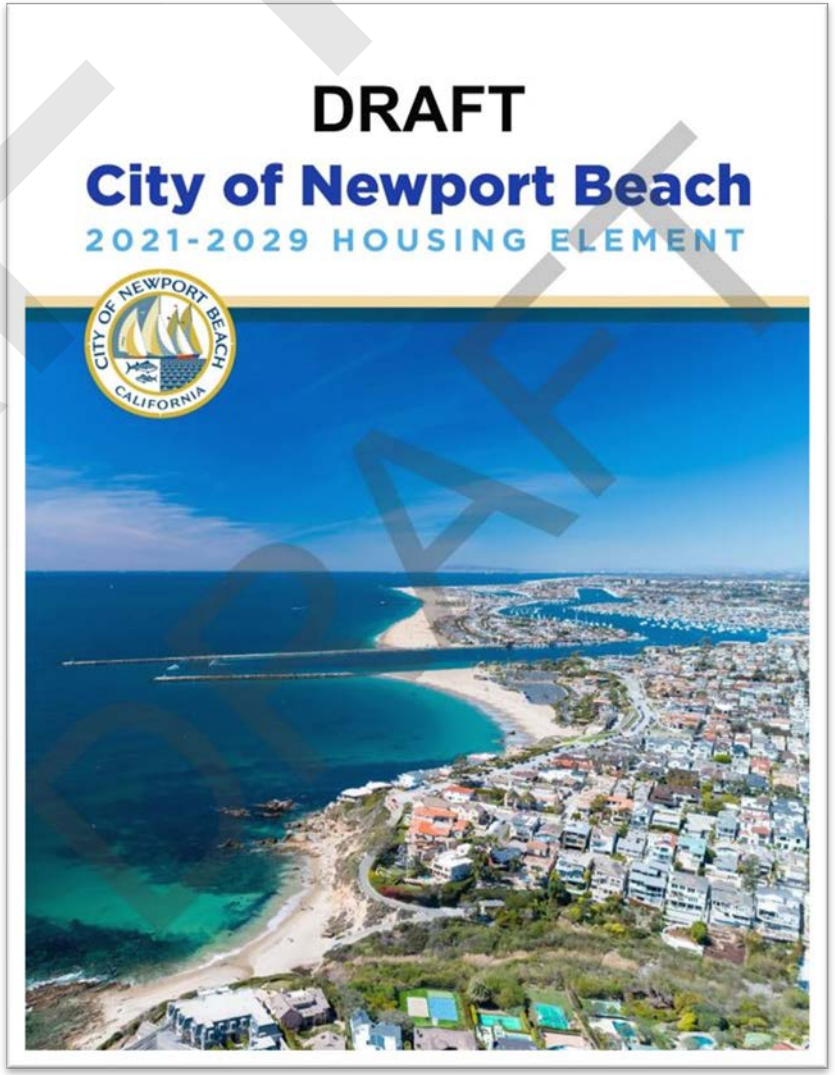
DRAFT

Components of the Housing Element

DRAFT

Overview of Content of Draft Housing Element

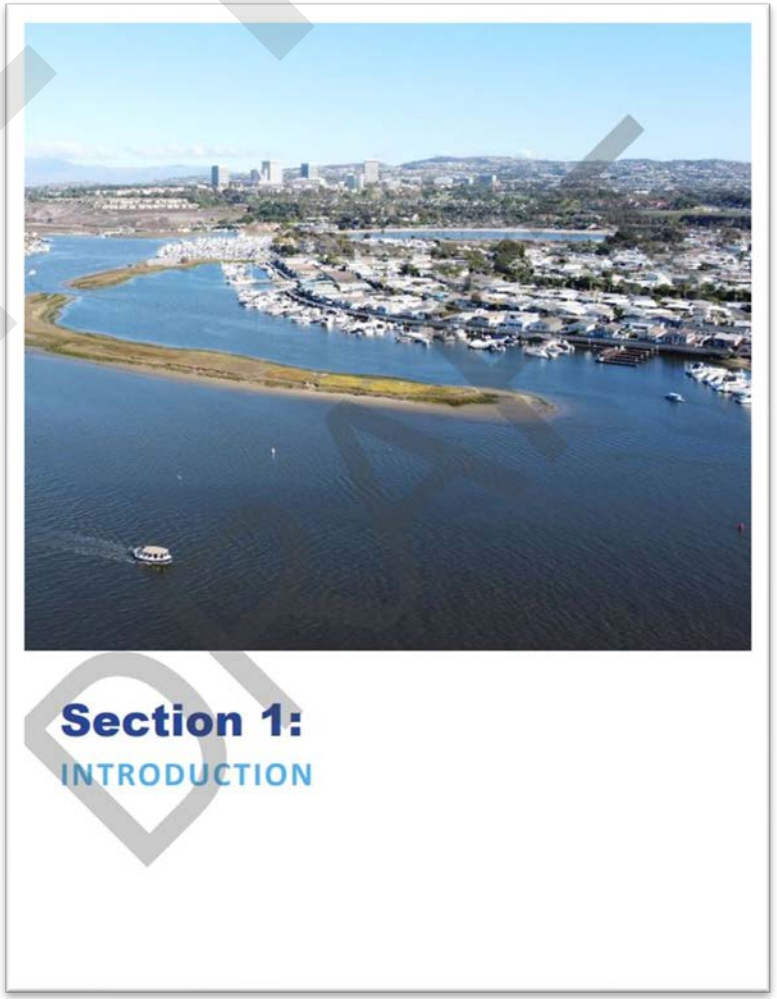
- Section 1 – Introduction
- Section 2 – Community Profile
- Section 3 - Housing Constraints and Resources
- Section 4 - Housing Plan
- Appendix A - Past Performance
- Appendix B - Sites Analysis
- Appendix C - Community Engagement



DRAFT

Section 1 - Introduction

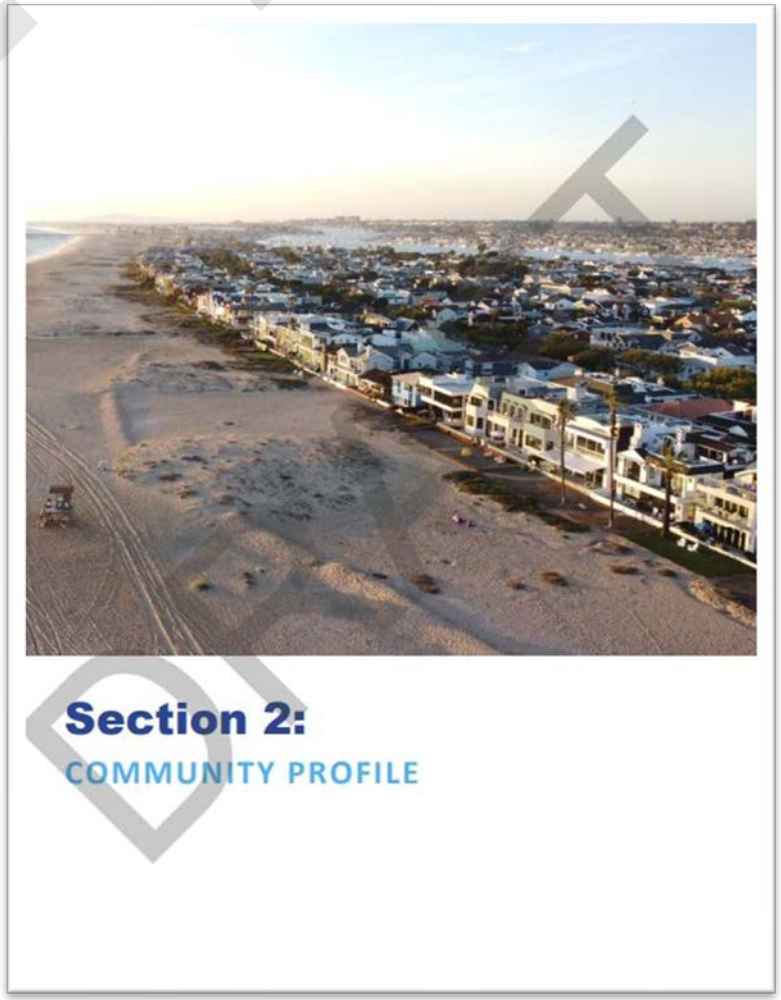
- Statutory Authority
- Relationship to General Plan
- Data Sources Used
- Element Organization



DRAFT

Section 2 – Community Profile

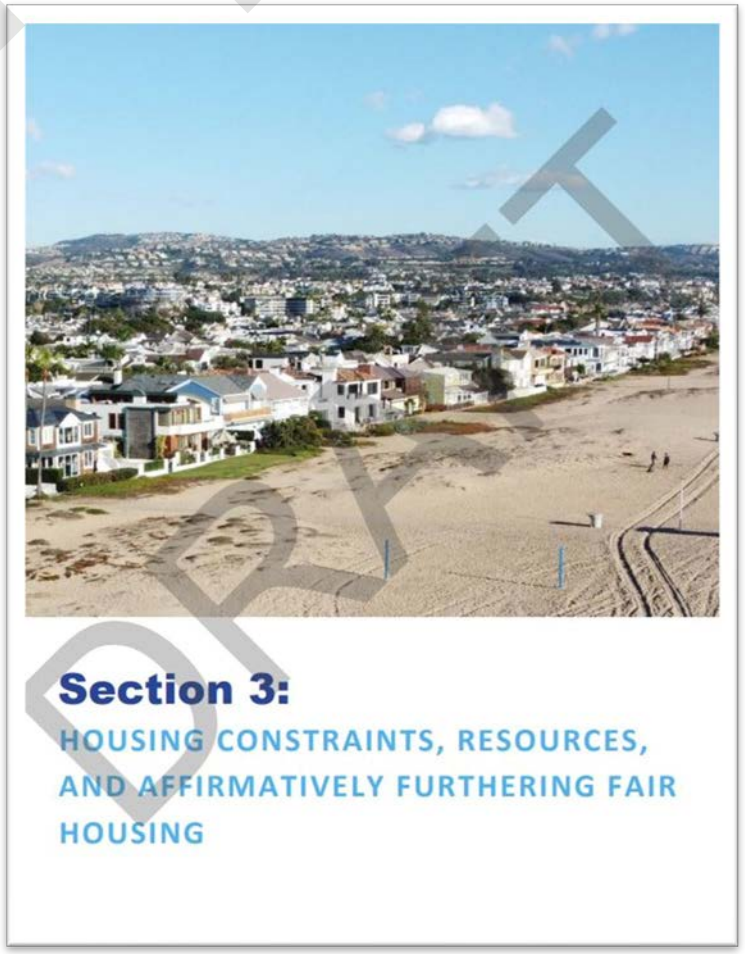
- Population trends
- Household characteristics
- Economic characteristics
- Housing problems
  - Overcrowding
  - Overpayment
- Special needs groups
- Housing stock profile



DRAFT

Section 3 - Housing Constraints and Resources

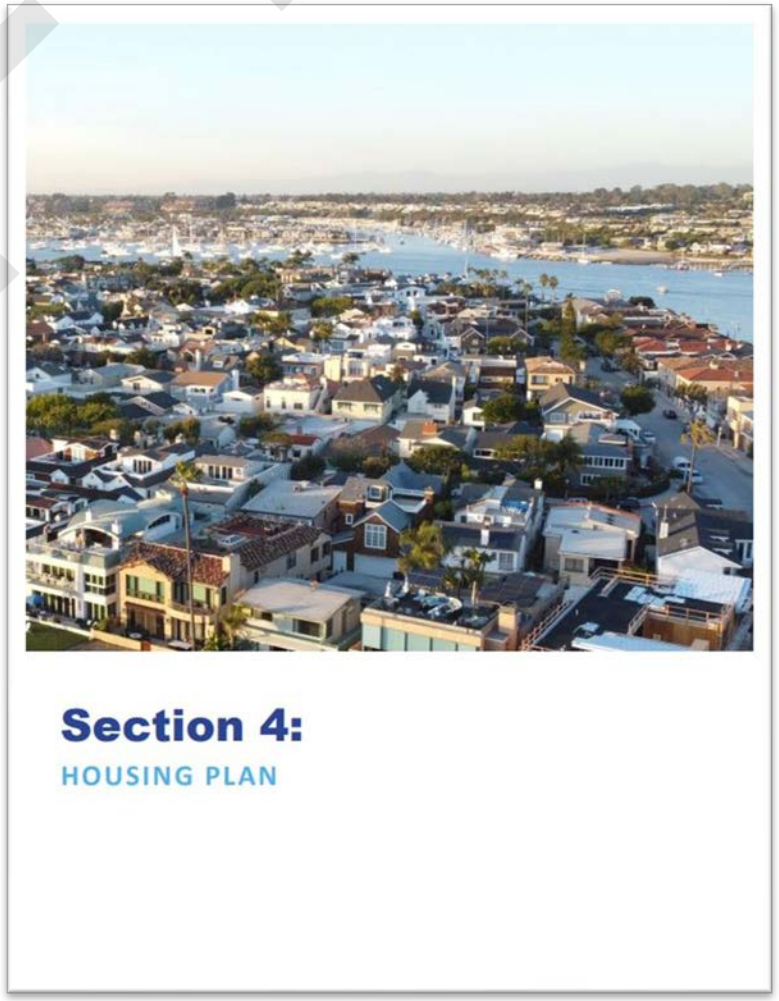
- Non-governmental constraints
  - Land/construction costs
- Governmental constraints
  - Land use controls
  - Infrastructure/environmental
- Fair housing analysis (AFFH)
- Housing resources
  - Adequate sites summary
  - Financial resources
  - Energy conservation



DRAFT

Section 4 - Housing Plan

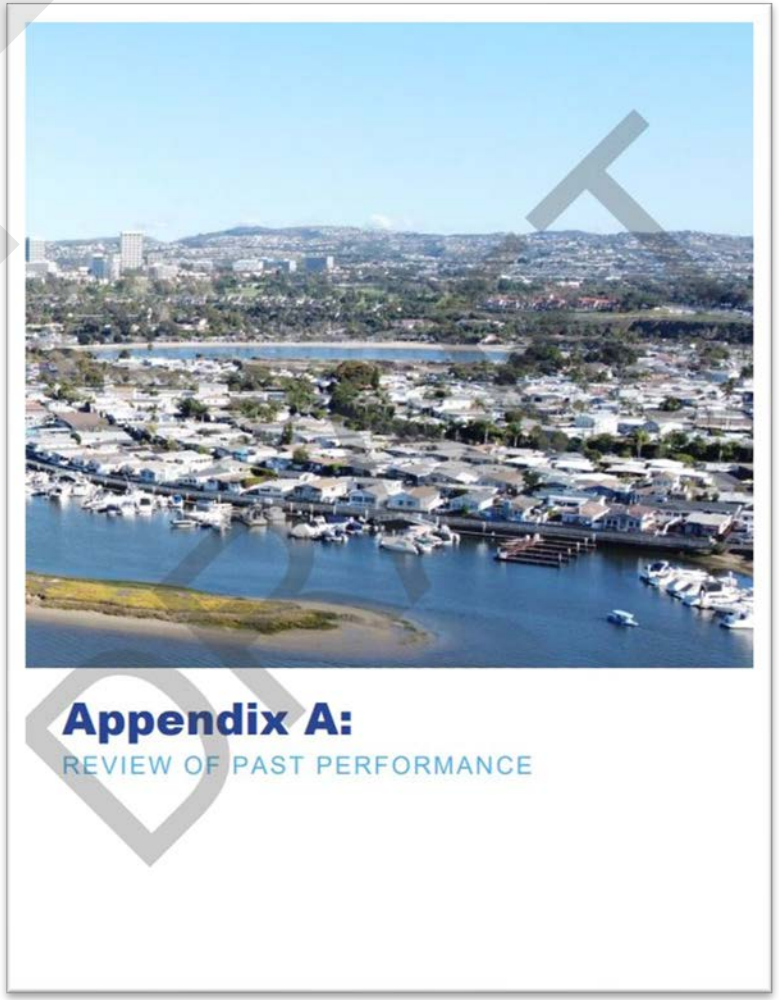
- Overall housing goals
  - Stated “ends”
- Policies
  - Stated “means”
- Program actions
  - Specific action(s)
  - Timeline
  - Responsible party
  - Funding source
- Existing needs and growth need



DRAFT

Appendix A – Review of Past Performance

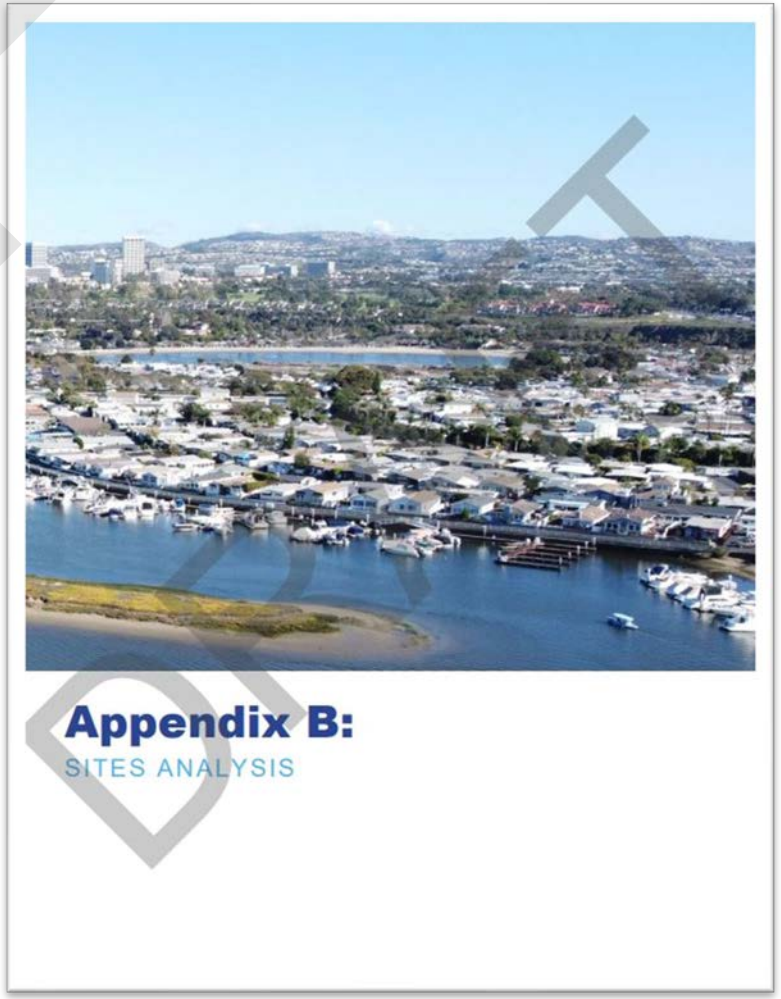
- Review of 5th cycle housing element programs
- Assessment of progress
  - Qualitative/quantitative
- Basis for 6th cycle programs



DRAFT

Appendix B – Adequate Sites Analysis

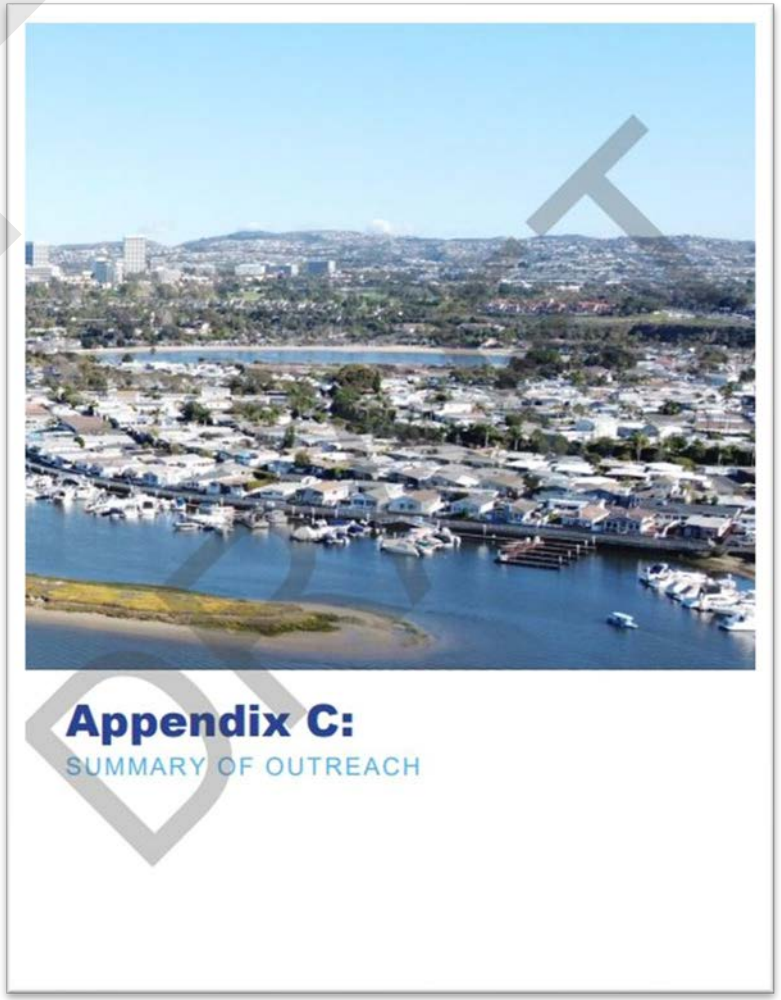
- Detailed analysis of adequate sites to accommodate RHNA
- Evaluation of capacity by APN
- Mapping of sites
- Statistical summary
- Discussion of feasibility and likelihood of redevelopment



DRAFT

Appendix C – Summary of Outreach

- Summary of all outreach efforts
- Meeting presentations, minutes and summaries
- Demonstrates “diligent efforts” to engage public and stakeholders



DRAFT

Questions?

DRAFT

You are viewing Kearns & West's screen

View Options

00:04:02

View

Zoom Ratio Fit to Window

Request Remote Control

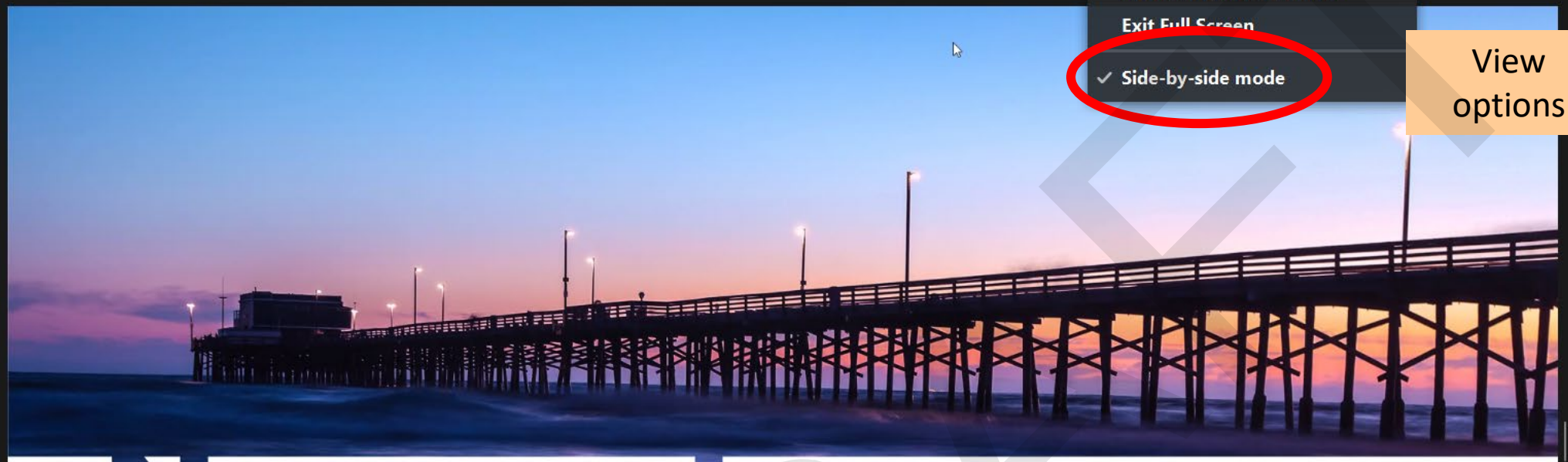
Exit Full Screen

Side-by-side mode

View options

Raise/Lower Hand

Kear



Newport, Together.

HOUSING WORKSHOP 3

Audio Settings

Participants

Chat

Reactions

Mute

Stop Video

2

Participants

Chat

Share Screen

Record

Reactions

Leave

DRAFT

Demonstrating Adequate Sites

DRAFT

Demonstrating Adequate Sites

- City must demonstrate the capacity to accommodate 4,845 new housing units for the 2021-2029 planning period
- Units Determined by the Regional Housing Needs Assessment (RHNA) "Fair Share" Allocation
  - State Department of Housing and Community Development (HCD)
  - Southern California Association of Governments (SCAG)
- Sites Identification Must Consider and Variety of New Laws and Requirements
  - "No Net Loss" Provisions – identify sites above RHNA allocations
  - More stringent criteria to define an adequate site
  - Sites must be demonstrated as viable opportunities
  - Monitoring and enforcement provisions on progress in meeting RHNA objectives

DRAFT

Demonstrating Adequate Sites

Summary of RHJNA Need					
	Extremely Low/ Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
2021-2029 RHNA	1,456 units	930 units	1,050 units	1,409 units	4,845 units
Sites Available					
Projects in the Pipeline	121 units		0 units	2,183 units	2,304 units
Accessory Dwelling Units	228 units		100 units	6 units	334 units
Existing Zoning Capacity (No Rezones)	0 units		342 units	40 units	382 units
Remaining RHNA Need	2,037 units		608 units	0 units	2,645 units

DRAFT

How we got here…

Initial Identification of Growth Areas

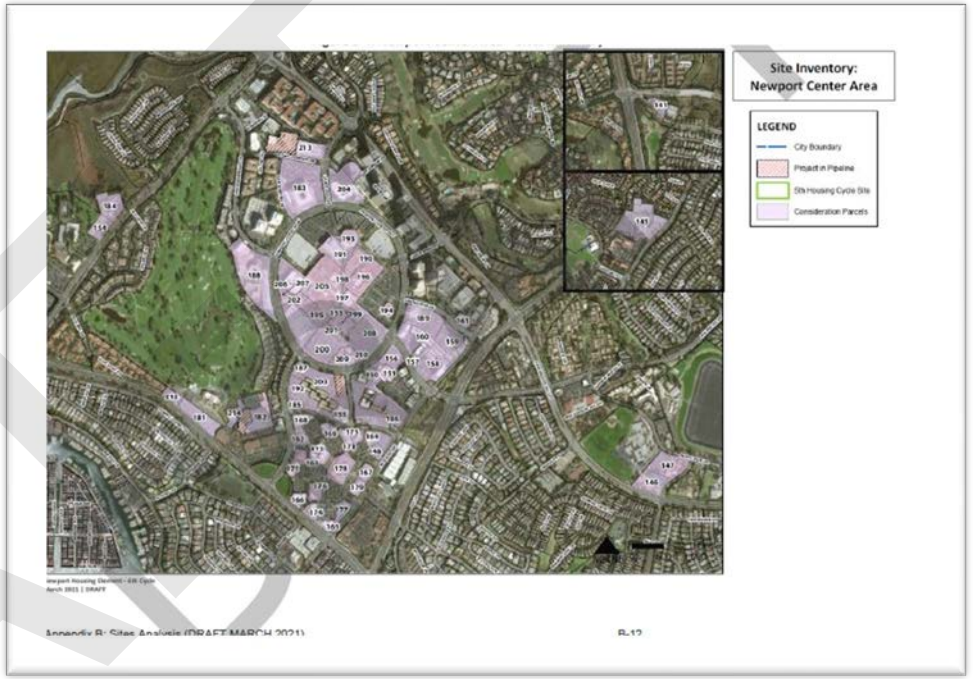
Identification of Focus Areas

Detailed Summary of Sites

DRAFT

Focus Areas

- Airport Environs
- West Newport Mesa
- Dover-Westcliff
- Newport Center
- Coyote Canyon
- Banning Ranch



DRAFT

Areas of Potential Change in Policy

ADEQUATE SITE , ACCESSORY DWELLING UNITS, AND INCLUSIONARY HOUSING POLICIES

DRAFT

Demonstrating Adequate Sites

POLICY STRATEGIES:

- Demonstrates capacity to meeting need that is not accommodated with current land use policy
  - Based on Focus Areas identified
  - Considers unique circumstances
- Overlay or similar rezone strategy
- Accessory Dwelling Units (ADUs)
- Inclusionary Housing

DRAFT

Adequate Sites Policies

POLICY 1A: AIRPORT ENVIRONS:

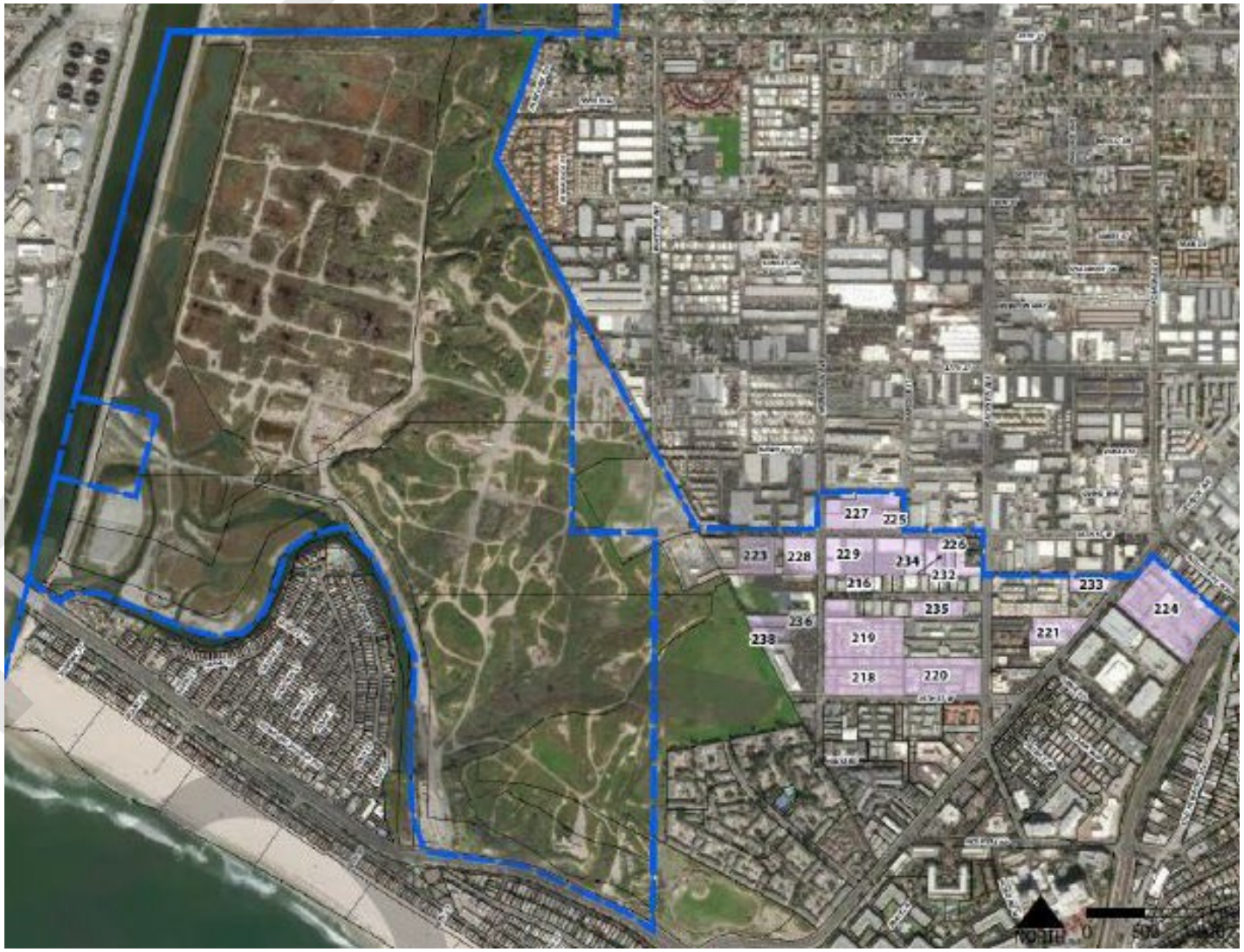
- Adopt overlay of similar rezone strategy
- 45 dwelling units/acre
- Ability to Accommodate:
  - 1,941 very low/low units
  - 485 moderate units

DRAFT

Adequate Sites Policies

POLICY 1B: WEST NEWPORT MESA:

- **Adopt overlay of similar rezone strategy**
- **45 dwelling units/acre**
- **Ability to Accommodate:**
  - **347 very low/low units**
  - **86 moderate units**



DRAFT

Adequate Sites Policies

POLICY 1C: NEWPORT CENTER

- Adopt overlay of similar rezone strategy
- 45 dwelling units/acre
- Ability to Accommodate:
  - 178 very low/low units
  - 89 moderate units
  - 1,515 above moderate

DRAFT

Adequate Sites Policies

POLICY 1D: DOVER-WESTCLIFF AREA

- Adopt overlay of similar rezone strategy
- 30 dwelling units/acre
- Ability to Accommodate:
  - 4 very low/low units
  - 2 moderate units
  - 35 above moderate

DRAFT

Adequate Sites Policies

POLICY 1F: COYOTE CANYON

- Rezone of Site
- Average 40 dwelling units/acre
- Ability to Accommodate:
  - 88 very low/low units
  - 88 moderate units
  - 704 above moderate units

DRAFT

Adequate Sites Policies

POLICY 1E: BANNING RANCH

- Future Annexation
- Consistent with Previously City-Approved Plan
- Average of 30 dwelling units/acre
- Ability to Accommodate:
  - 206 Very/Low
  - 207 Moderate
  - 962 Above Moderate

DRAFT

You are viewing Kearns & West's screen

View Options

00:04:02

View

Zoom Ratio Fit to Window

Request Remote Control

Exit Full Screen

Side-by-side mode

View options

Raise/Lower Hand

Kear

Newport, Together.

HOUSING WORKSHOP 3

DRAFT

Audio Settings

Participants

Chat

Reactions

Mute

Stop Video

2

Participants

Chat

Share Screen

Record

Reactions

Leave

Accessory Dwelling Units Policies

POLICY CONSIDERATIONS:

- Current average of 21 ADUs constructed each year
- Pursue “aggressive” approach to ADU construction on planning period
- Allows for “safe harbor” determination of affordability

DRAFT

Accessory Dwelling Units Policies

POLICY ACTION 1H: ACCESSORY DWELLING UNIT CONSTRUCTION

- Public awareness campaign
- Web-based resources
- Evaluate additional incentives to encourage ADU construction
- Evaluate permit-ready program with pre-approved plans
- Evaluate methods – 12 months
- Adopt programs – 24 months

DRAFT

Accessory Dwelling Units Policies

POLICY ACTION 1I: ACCESSORY DWELLING UNIT MONITORING PROGRAM

- Track progress of ADU construction in planning period
- Annual review of progress to meeting “aggressive” approach
- Adjust programs and requirements, as necessary

DRAFT

Accessory Dwelling Units Policies

POLICY ACTION 1J: ACCESSORY DWELLING UNITS AMENSTY PROGRAMS

- Allow existing unpermitted ADUs to obtain permits to legalize
- Permit, inspect and legalize existing unpermitted ADUs of any size
- Develop program – 24 months

DRAFT

You are viewing Kearns & West's screen

View Options

00:04:02

View

Zoom Ratio Fit to Window

Request Remote Control

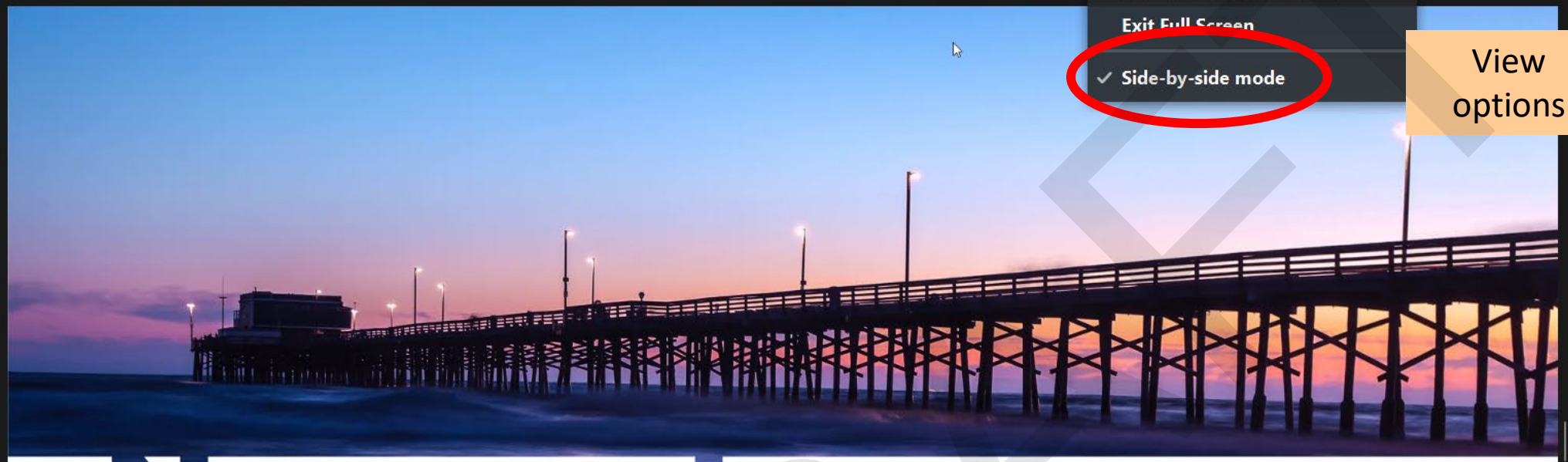
Exit Full Screen

Side-by-side mode

View options

Raise/Lower Hand

Kear



Newport, Together.

HOUSING WORKSHOP 3

Audio Settings

Participants

Chat

Reactions

Mute

Stop Video

2

Participants

Chat

Share Screen

Record

Reactions

46

Leave

DRAFT

Inclusionary Housing Policies

POLICY CONSIDERATIONS:

- **Ability to provide opportunity for lower income units in Newport Beach's current market**
- **Explore opportunities to accommodate lower income units as a requirement for certain types of development**

DRAFT

Inclusionary Housing Policies

POLICY ACTION 1K: INCLUSIONARY HOUSING

- Process to explore inclusionary policy
- Provides opportunities for mixed-income developments
- City of evaluate/analyze inclusionary policies/programs to determine viability and effectiveness
    - Interim requirement 15% - 6 months
    - Adopt inclusionary provisions – 24 months

DRAFT

You are viewing Kearns & West's screen

View Options

00:04:02

View

Zoom Ratio Fit to Window

Request Remote Control

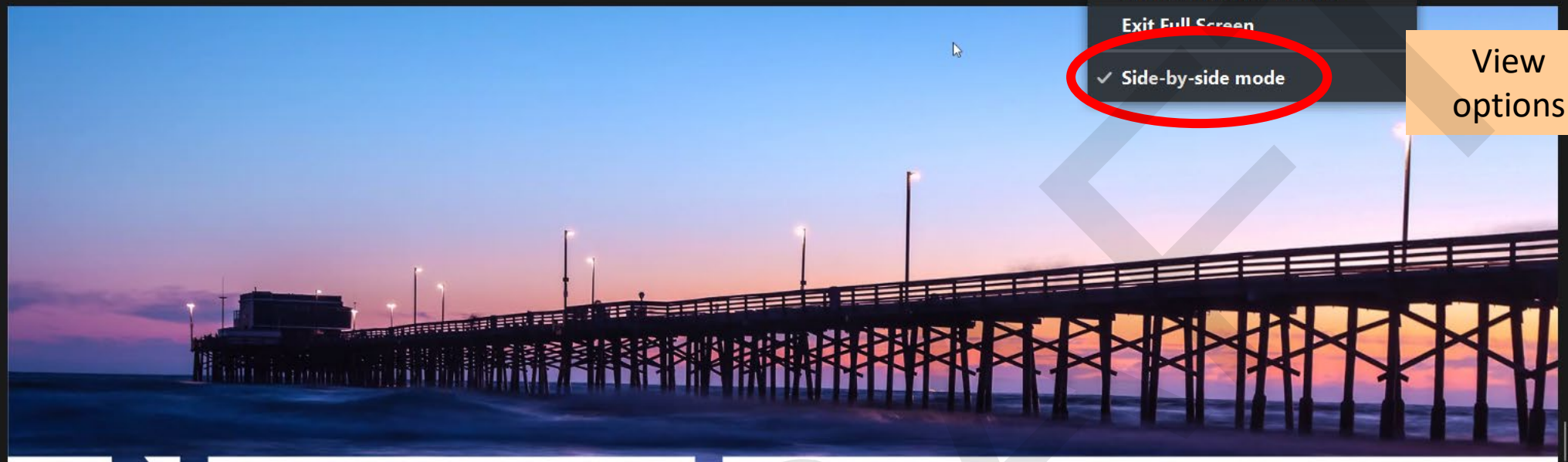
Exit Full Screen

Side-by-side mode

View options

Raise/Lower Hand

Kear



Newport, Together.

HOUSING WORKSHOP 3

Audio Settings

Participants

Chat

Reactions

Mute

Stop Video

2

Participants

Chat

Share Screen

Record

Reactions

Leave

DRAFT

How To Provide Comment

DRAFT

How to Submit Comments/Questions

- Please provide your comments on the initial draft no later than **April 30, 2021.** A revised version is anticipated to be available for review late Spring 2021.
- If you have any questions or to submit comments, please reach out to City staff by emailing **GPUpdate@newportbeachca.gov.**

DRAFT

Wrap Up & Next Steps

DRAFT

Your insights will continue to be used by technical team to inform the drafting of the Housing Element Update

DRAFT

Outreach Schedule

We are here

DRAFT

Contact

JIM CAMPBELL, DEPUTY DIRECTOR

P: 949-644-3210

www.NewportTogether.com

BEN ZDEBA, SENIOR PLANNER

P:949-644-3253

gpupdate@newportbeachca.gov

DRAFT

Newport, Together.

DRAFT

Newport, Together.

Housing Element

Initial Draft Housing Element Workshop
March 22, 2021, 6 - 8 p.m.
Workshop Chat

DRAFT

Prepared by Kearns & West
March 23, 2021

Housing Element - Initial Draft Housing Element Workshop

17:54:03 From Christian Mendez (K&W) Technical Support to Everyone (in Waiting Room) : Welcome to the Newport Beach – Housing Element Workshop. We will open the meeting room at 5:55 pm, and the workshop will begin at 6:00 pm. Thank you, and we will see you soon!

18:00:57 From Christian Mendez (K&W) Technical Support to Everyone (in Waiting Room) : Welcome to the Newport Beach – Housing Element Workshop. We will open the meeting room at 5:55 pm, and the workshop will begin at 6:00 pm. Thank you, and we will see you soon!

18:03:52 From Ivana Rosas (K&W) Technical Support, she/her to Everyone (in Waiting Room) : Hello everyone. If you have any technical issues during today's webinar, please send me, Ivana Rosas, a private message describing your issue. I will help diagnose the problem.

18:04:06 From Ivana Rosas (K&W) Technical Support, she/her to Everyone : Hello everyone. If you have any technical issues during today's webinar, please send me, Ivana Rosas, a private message describing your issue. I will help diagnose the problem.

18:07:44 From Ivana Rosas (K&W) Technical Support, she/her to Everyone : Hello everyone. If you have any technical issues during today's webinar, please send me, Ivana Rosas, a private message describing your issue. I will help diagnose the problem.

18:11:58 From Ivana Rosas (K&W) Technical Support, she/her to Everyone : You can access the chat button at the menu of the bottom of your screen.

18:12:09 From John Loper to Everyone : John I think the Villas at Fashion Island are a great example of high density units done very well

18:12:46 From Suzanne Gignoux to Everyone : I don't live in a unit or project. I love Newport Shores.

18:13:12 From Melanie Schlotterbeck to Everyone : Melanie Schlotterbeck (representing Olen Properties), Great housing: San Jose

18:13:27 From Charles Klobe to Everyone : Baker Block in Costa Mesa

18:13:30 From Dorothy Kraus to Everyone : One Nautical Mile, 15th street, West Newport

18:13:55 From Sonja Trauss to Everyone : Sonja Philadelphia! Row houses, classic human scale form

18:18:39 From Susan Eaton to Everyone : Camarillo Homeless Housing Community formed at a decommissioned military facility. It is a large group of housing with medical facilities, local bus service, rehabilitated older units and family area in newer LEED certified housing. It felt like Park Newport where I live and love where I live.

18:22:04 From Susan Eaton to Everyone : Camarillo is in Long Beach.

18:23:11 From Mary Ann Soden to Everyone : I wish I could stay for this entire meeting, but cannot tonight. Here are my two cents. The plan appears to propose zoning a whopping 9,957 dwelling units to meet the 4845 allocation. That is not in the best interest of the City. Plan definitely needs reduction of the DU within the sight plane over Newport Center to ensure the zoning is compliant with that municipal commitment. Consideration of housing partnerships with affordable housing non profits to build what is needed and required, not 3217 above mod units that are not responsive

DRAFT

to the FHNA allocation. I'll follow up further online. Thank you.

18:24:46 From Jenna Tourje to Everyone : Thank you, Mary Ann! We are glad you could join tonight and are looking forward to your input online

18:25:04 From Christian Mendez (K&W) Technical Support to Everyone : To find the draft Housing Element, copy and paste this link into your browser: www.newportbeachca.gov/DraftHEUpdate

18:26:24 From Sonja Trauss to Everyone : I have q.s specifically about section 3

18:26:56 From Sonja Trauss to Everyone : Particularly about the map on page 70, figure 3-8

18:27:14 From Christian Mendez (K&W) Technical Support to Everyone : Hi Sonja, we will have an opportunity for questions in a few minutes

18:34:14 From Christian Mendez (K&W) Technical Support to Everyone : To find the draft Housing Element, copy and paste this link into your browser: www.newportbeachca.gov/DraftHEUpdate

18:41:09 From Christian Mendez (K&W) Technical Support to Everyone : Technical Support: Hello, everyone. If you have any technical issues during today's workshop, please send me (Technical Support) a private message describing your issue. I will help diagnose the problem.

18:53:50 From Herman Basmaciyan to Everyone : Herman Basmaciyan

18:54:01 From Christian Mendez (K&W) Technical Support to Everyone : To find the draft Housing Element, copy and paste this link into your browser: www.newportbeachca.gov/DraftHEUpdate

18:54:10 From Dorothy Kraus to Everyone : Question: Does the "overlay" for Newport Mesa include Banning Ranch? So, some of 347 low/very low, 86 mod units would be zoned on Banning Ranch? If yes, how many? Thank you.

18:58:58 From Herman Basmaciyan to Everyone : Is my understanding correct that the City has to show the capacity for accommodating these units, not necessarily make sure that the units are constructed? What happens if no developer comes in to construct the units? Are there any consequences? Will this plan require an environmental review and require that it is consistent with all other elements of the General Plan?

19:00:27 From Herman Basmaciyan to Everyone : The preceding questions are from Herman Basmaciyan.

19:07:07 From Sonja Trauss to Everyone : RHNA is a minimum, so if Newport Beach produces more housing and exceeds its RHNA, that's great, all the better. California has a housing shortage.

19:07:35 From John Loper to Everyone : Is there a reason why there are no plans for new housing in the Coastal Zone? Such as the Peninsula. Are there some sites that could be redeveloped?

19:07:45 From Christian Mendez (K&W) Technical Support to Everyone : To find the draft Housing Element, copy and paste this link into your browser: www.newportbeachca.gov/DraftHEUpdate

19:22:51 From Dorothy Kraus to Everyone : Jenna/Jim, will the City respond to each public comment submitted regarding the Draft HE update? Thank you.

19:22:58 From Glenn Hellyer to Everyone : Thanks to staff for presenting a plan to accomplish the RHINA goals

DRAFT

and recognized that NB is showing good faith in providing new housing stock.

19:33:51 From Glenn Hellyer to Everyone : Again thanks to Staff for recognizing ADUs as the low hanging fruit opportunity for increasing much needed housing stock. Why would the incentives take 2 years to employ?

19:36:49 From karen martin to Everyone : will this recording be available on the website?

19:37:45 From Jenna Tourje to Everyone : Hi Karen - the recording will be available this week on www.NewportTogether.com

19:37:54 From Jenna Tourje to Everyone : including a transcript of the chat as well

19:43:01 From John Loper to Everyone : would this be something as 5% very low, 5% low and 5% mod income levels?

19:44:02 From Glenn Hellyer to Everyone : Would the Inclusionary program be voluntary with density bonus as opposed to mandatory?

19:45:02 From John Loper to Everyone : thank you

19:47:50 From Christian Mendez (K&W) Technical Support to Everyone : To find the draft Housing Element, copy and paste this link into your browser: www.newportbeachca.gov/DraftHEUpdate

19:48:27 From Christian Mendez (K&W) Technical Support to Everyone : To find more information on the project, copy and paste this link into your browser: www.newporttogether.com.

19:49:05 From Charles Klobe to Everyone : The final draft will go to the City Council for a vote to submit, modify and submit, or revisit and submit nearer to the date it is due. It takes four City Council Members to advance this or another version. You will note that there has been no direct answer to the max possible units question. Estimates have run over 20,000 new apartments. Newport Beach land prices do not support single family homes or condos as affordable. This is about high density, high rise apartment construction only. There are alternative approaches that the City has chosen not to pursue. If you think the City should seek alternate ideas, please write to the City Council Members and ask them to slow this process down and visit alternate ideas.

19:50:06 From Dorothy Kraus to Everyone : will we get a response from city for our comments like what's done with either

19:50:46 From Dorothy Kraus to Everyone : Thank you.

19:51:23 From Dorothy Kraus to Everyone : will comments be made public?

19:52:11 From Dorothy Kraus to Everyone : comments in response

19:55:56 From Glenn Hellyer to Everyone : Thank you all!

19:57:10 From Susan De Santis to Everyone : Thank you!

19:57:17 From Christian Mendez (K&W) Technical Support to Everyone : To find the draft Housing Element, copy and paste this link into your browser: www.newportbeachca.gov/DraftHEUpdate

DRAFT

C.4 Community Workshop 5 Materials

This section contains the summary and chat responses from the virtual Community Workshop 5. Comments were received in the chat box and verbally during the meeting. Video recording of the workshop and verbal comments are available at https://www.newporttogether.com/.

DRAFT

C.5 Community Workshop 6 Materials

This section contains the summary and chat responses from the virtual Community Workshop 6. Comments were received in the chat box and verbally during the meeting. Video recording of the workshop and verbal comments are available at https://www.newporttogether.com/.

DRAFT

C.6 Online Community Survey

This section contains the summary of survey results.

[UPDATE AS WE PROCEED]

DRAFT

C.7 Planning Commission Study Session

This section contains the meeting minutes and materials provided at the study session. All recordings, agendas, and minutes can be found on the City's website at https://www.newportbeachca.gov/government/data-hub/agendas-minutes
.

DRAFT

C.8 City Council Study Sessions

This section contains the summary presentations and minutes for Study Sessions before the City Council occurring in 2021. All recordings, agendas, and minutes can be found on the City's website at https://www.newportbeachca.gov/government/data-hub/agendas-minutes

DRAFT

C.9 HEUAC Meetings

This section contains the meeting minutes and public comments for each meeting held up to February 3rd, 2021. All recordings, agendas, and minutes can be found on the City's website at https://www.newportbeachca.gov/government/data-hub/agendas-minutes/housing-element-update-advisory-committee.

DRAFT

CITY OF NEWPORT BEACH
HOUSING ELEMENT UPDATE ADVISORY COMMITTEE MINUTES
CITY COUNCIL CHAMBERS – 100 CIVIC CENTER DRIVE

WEDNESDAY, JULY 1, 2020
REGULAR MEETING – 6 P.M.

I. CALL MEETING TO ORDER – 6 p.m.

II. WELCOME, INTRODUCTIONS AND ROLL CALL

MEMBERS PRESENT: Chair Larry Tucker, Jeffrey Bloom, Susan DeSantis, Paul Fruchbom, Elizabeth Kiley, Geoffrey LePlastrier, Stephen Sandland, Ed Selich, Debbie Stevens, (Ex Officio Member) Mayor Will O'Neill

MEMBERS ABSENT: None

Staff Present: City Manager Grace Leung, Community Development Director Seimone Jurjis, Deputy Community Development Director Jim Campbell, Principal Planner Jaime Murillo, Senior Planner Ben Zdeba, City Traffic Engineer Tony Brine, Administrative Support Technician Amanda Lee

Chair Tucker welcomed everyone to the inaugural meeting of the Housing Element Update Advisory Committee (HEUAC). The Housing Element Update process begins with the State determining the number of housing units that agencies must plan for over the ensuing planning period.

Mayor O'Neill thanked committee members for their service to the City. The Council spent quite a bit of time in December 2019 and January 2020 thinking about how to address the Housing Element Update. Committee members were selected for specific reasons, including their background and expertise. In 2019, the Council talked to residents to ensure it understood what residents were looking for. Given the size and scope of the Housing Element, the Council will need to engage stakeholders. Finding the number of housing units will be incredibly difficult and will likely be divisive. At the beginning of the year, the Council adopted an approach to object to the State's mandate legally and politically/legislatively and to comply with the mandate. The goal for the HEUAC is to find a way for the City to comply or to explain why the City cannot comply with the mandate. Technically, the Southern California Association of Governments (SCAG) has not provided a certified number of housing units required for this planning cycle. SCAG has requested the California Department of Housing and Community Development (HCD) grant extensions for all municipalities. HCD has not responded. Indications are HCD will deny the request; however, enforcement will be extremely difficult. The City has been working with Senator John Moorlach and Assembly Member Cottie Petrie-Norris. In reference to his role on the HEUAC, Mayor O'Neill explained that he represents the Council, but he cannot speak for the Council without a majority vote on a topic. He may offer his personal opinion and present a topic or question to the Council.

III. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Jim Mosher hoped any conflicts of interest would be handled transparently given committee members' expertise in real property development and HEUAC's recommendations to the Council regarding the use of real property. If people are paid to attempt to influence committee members' opinions, they are regarded as lobbyists and should register with the City.

DRAFT

IV. CURRENT BUSINESS

a. Three-Pronged Strategy of City Council and Focus of the Committee

Recommended Action: No action taken

Chair Tucker reported the City is working legislatively and with other agencies to better define the Regional Housing Needs Assessment (RHNA) number and credits that can be applied to the number.

Community Development Director Seimone Jurjis advised that the City has engaged with multiple State agencies. SCAG has issued a draft RHNA number of 4,832 housing units for the City. The Mayor has written letters to SCAG opposing the methodology and to HCD requesting clarification. State law requires the City to permit accessory dwelling units (ADUs), but HCD's guidelines do not provide sufficient credits for ADUs to meet RHNA numbers. Staff has drafted legislative changes, and Assembly Member Petrie-Norris has introduced legislation that defines RHNA credits and provides guidelines for substantial evidence. The City needs to build a coalition to support the bill and will appeal its RHNA numbers.

Chair Tucker indicated the City has to identify sites where residential development could occur and prepare an Inventory of Sites. The Tax Assessor's parcel number for each property must be listed on the Inventory. The certified number of RHNA units and credits will not be known for some period of time. Any political efforts to reduce housing units will likely occur late in the process.

Chair Tucker invited the public to comment.

Jim Mosher noted HEUAC's purpose and responsibilities do not include a complete focus on RHNA numbers. HEUAC is more of a forum for public input. The General Plan Update Steering Committee (GPUSC) attempted to conduct outreach and research, which could inform HEUAC's discussions. HEUAC should obtain input from the people who will be impacted by the need for housing as well as developers.

David Tanner suggested HEUAC direct the public as to how it can help HEUAC achieve its goals. He requested an update regarding staff's efforts to expedite the processing of the Housing Element amendment, specifically an exemption from the California Environmental Quality Act (CEQA), to affect the Greenlight provision or Measure S.

Mayor O'Neill noted that Still Protecting Our Newport (SPON) submitted the same request as Mr. Tanner. The City has requested State Representatives sponsor legislation to exempt or at least expedite the CEQA process for a Housing Element Update. The sole purpose of the City's request was to try to meet the timing aspects of the Housing Element Update. The representatives declined the request.

Chair Tucker advised that he raised the issue of a CEQA exemption with the GPUSC in order to emphasize that HCD's schedule would be difficult to meet and if an EIR had to be prepared then additional time would be needed to complete a Housing Element Update. With respect to Mr. Mosher's comments, the resolution directs HEUAC to make any recommendations it believes necessary. To begin the compliance process, HEUAC will need to identify sites. Greenlight will not change the Committee's work, but rather will merely add one more layer of approval, a public

DRAFT

vote, after the Committee, Planning Commission and City Council complete their work. Therefore, Greenlight is outside HEUAC's purview.

In response to a committee member's question, Deputy Community Development Director Jim Campbell understood a housing project that is approved but not completed before June 30, 2021 may be counted towards the City's RHNA numbers. Currently, there is no information regarding counting live-aboards towards RHNA numbers. Staff will provide HEUAC with a tally of housing units.

Committee Member DeSantis noted SCAG has joined the San Diego Association of Governments and the Sacramento Area Association of Governments to sign a letter to the Governor and HCD to push back on the schedule. The Governor or the Legislature can change the timeline for the Housing Element Update, but HCD cannot. HCD recently extended the timeline for the local assistance program by six to eight months.

b. Discuss Methods to Identify Possible Housing Opportunity Sites

Recommended Action: Discuss procedures for (i) identifying and contacting owners of potential housing opportunity sites; (ii) discuss approach to encouraging sites that could enable affordable housing in whole or in part; and (iii) prioritizing sites in case the RHNA requirements are lower than currently anticipated

Chair Tucker related that there may be underutilized or vacant parcels in the City that can be opportunity sites. Newport Center, the west Newport area, and the Airport Area will be opportunity sites. He noted that in GPUSC community workshops, participants favored placing housing in Newport Center, the Airport Area, the area near Hoag Hospital, Banning Ranch, and the former landfill in Newport Coast. HEUAC will have to review each parcel in areas that might provide opportunity sites. The standard for opportunity sites is land that is suitable and available (feasible). Determining whether a parcel is available will require some technical analysis. Determining whether a parcel is suitable will be decided by the full Committee and will require public input. HEUAC will form a subcommittee to analyze sites to see how the process will play out. Anyone with ideas for potential opportunity sites should contact staff or committee members.

Committee Member Fruchbom added that feasibility means economically feasible.

Chair Tucker noted the City is required to plan for development, not to ensure sites are developed. State law states a municipality that plans to use non-vacant land for more than 50 percent of lower-income RHNA requirements has to provide substantial evidence that there are no impediments to the use of the property in order to claim credit for the property.

In reply to Committee Member Kiley's query, Chair Tucker advised that HEUAC will review recent housing applications that were not developed. The first step is to identify sites where development is feasible. If sites are feasible, HEUAC will consider their suitability. The hot topic for the community will be which sites are suitable for housing.

In answer to Committee Member Sandland's inquiry, Chair Tucker agreed that his memorandum proposed HEUAC rank opportunity sites. He did not believe the State would reduce the RHNA numbers materially. However, if the City cannot comply with the RHNA numbers and the State does reduce the numbers, the Council can use the ranking of sites by the Committee and supporting information rather than having to start the process again.

DRAFT

Committee Member DeSantis believed community input on a range of scenarios will be important when HEUAC prioritizes sites. The Orange County Business Council's in-fill capacity study focused on capacity within Orange County for additional housing development. Perhaps HEUAC can invite the study author to present information about changing market trends and the study's results.

Chair Tucker invited the public to comment.

Jim Mosher remarked that the public may not be familiar with committee members, which could be a problem if committee members want to engage with the public. He hoped committee members would have open minds. The infeasibility of the former landfill site is not obvious.

Chair Tucker indicated if development of the former landfill site was feasible, someone would have developed it by now.

An unnamed resident provided an unrelated comment about the COVID-19 pandemic.

c. Formation of Affordable Housing Subcommittee and Opportunity Sites Subcommittee

Recommended Action: Form an affordable housing subcommittee and a housing opportunity sites subcommittee to divide up workload

Chair Tucker reviewed the City's RHNA numbers by income level and stated he thought that three committee members had expertise in development of affordable housing. It was his hope that an affordable housing subcommittee would be able to educate HEUAC regarding choices.

Mayor O'Neill advised that Committee Members Bloom and Fruchbom have experience with affordable housing.

Chair Tucker proposed Committee Members Selich and Sandland form a housing opportunity sites subcommittee, which will analyze sites for feasibility. HEUAC will form a subcommittee for outreach in the future.

Jim Mosher asked if the affordable housing subcommittee will propose revisions to the goals and policies of the Housing Element and engage people living in or seeking affordable housing. Chair Tucker reported the purpose of the subcommittee is to assist HEUAC in understanding the financing and tax aspects of affordable housing and how the City can seek as many new affordable units as possible while still complying with RHNA. The subcommittee will not review the existing Housing Element regarding affordable housing from the vantage point of people living in or seeking affordable housing.

Mayor O'Neill suggested the City not only needs to zone for affordable housing, but hast to think it will actually happen. The question of whether the required number of affordable housing units can be constructed given the cost of land is legitimate. The Council needs to know if it is possible. If it is not possible, the Council needs to know the amounts of a subsidy and incentives that could achieve more affordable housing. The Council will need a primer on affordable housing and an explanation of what is needed to achieve affordable housing.

In response to Committee Member DeSantis' question, Chair Tucker stated programs that involve larger employers in the City to incentivize affordable housing is outside HEUAC's purview, although

DRAFT

he noted that is something that Committee Member DeSantis might want to discuss directly with the City Council.

Chair Tucker invited the public to comment. Seeing no one wishing to comment, he moved, seconded by Committee Member Selich, to appoint Committee Members Bloom and Fruchbom and Chair Tucker to the affordable housing subcommittee and Committee Members Selich and Sandland and Chair Tucker to the housing opportunity sites subcommittee.

AYE: Tucker, Bloom, DeSantis, Fruchbom, Kiley, LePlastrier, Sandland, Selich, Stevens
NO: None
ABSTAIN: None
ABSENT: None

d. Discuss Agenda Items for Next Meeting
Recommended Action: No action taken

Chair Tucker requested agenda items for a CEQA project description, a definition of substantial evidence, and an outreach process.

In reply to Committee Member Selich's query, Principal Planner Jaime Murillo advised that the proposed recommendations for substantial evidence were taken from the initial legislative amendments.

Chair Tucker invited the public to comment.

Charles Klobe suggested committee members may be confronted by folks who need a planning incentive to make affordable housing work. Residents may be resigned to the RHNA number, but they may not accept the City granting a subsidy or incentive that the resident has to pay for. HEUAC may not find enough sites to comply with the requirements, but the State will be hard pressed to impose fines for not trying.

V. COMMITTEE ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)

Committee Member DeSantis requested the author of the in-fill capacity study address HEUAC regarding development trends and data from the study relevant to Newport Beach.

Committee Member Sandland requested staff advise HEUAC regarding the consultant's work and how the consultant's work will affect HEUAC's work.

In answer to Committee Member Bloom's question, Chair Tucker indicated HEUAC will receive information about housing units entitled or permitted before June 30, 2021.

Community Development Director Jurjis recommended a presentation from the consultant regarding HCD's guidelines and information HCD is seeking.

VI. ADJOURNMENT – 7:36 p.m.

Next Meeting: July 15, 2020, 6 p.m. in the City Council Chambers.

DRAFT

CITY OF NEWPORT BEACH
HOUSING ELEMENT UPDATE ADVISORY COMMITTEE MINUTES
CITY COUNCIL CHAMBERS – 100 CIVIC CENTER DRIVE

WEDNESDAY, JULY 15, 2020
REGULAR MEETING – 6 P.M.

I. CALL MEETING TO ORDER – 6 p.m.

II. WELCOME AND ROLL CALL

MEMBERS PRESENT: Chair Larry Tucker, Jeffrey Bloom, Susan DeSantis, Paul Fruchbom, Elizabeth Kiley, Geoffrey LePlastrier, Stephen Sandland, Ed Selich, Debbie Stevens

MEMBERS ABSENT: (Ex Officio Member) Will O'Neill – arrived at 6:31 p.m.

Staff Present: Community Development Director Seimone Jurjis, Deputy Community Development Director Jim Campbell, Principal Planner Jaime Murillo, Senior Planner Ben Zdeba, City Traffic Engineer Tony Brine, Administrative Support Specialist Clarivel Rodriguez

III. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Deborah Allen, Harbor View Hills Community Association President, questioned the rationale of holding a public meeting on such an important topic in light of the coronavirus and suggested the City fight the State regarding the timing of the Housing Element Update.

Jim Mosher asked if the City would defend voters' disapproval of the Housing Element Update in a court because a provision of AB 1063 authorizes a court to order the Housing Element Update approved if the City submits it timely but final approval is delayed due to a local requirement for voter approval.

Philip Bettencourt believed consultants Kimley-Horn and LSA would serve the City well and appreciated the substantial materials provided to the public.

Dorothy Kraus hoped members of the Housing Element Update Advisory Committee (Committee) would introduce themselves and noted the foremost objective of the Committee is to serve as a public forum as stated in the Council resolution forming the Committee.

David Tanner inquired about the City's strategy to successfully update the Housing Element and public involvement in the process.

Chair Tucker advised that Committee members would introduce themselves later in the meeting. The Committee will serve as a forum for public comments. The Council needs a draft Housing Element Update to consider and possibly adopt if it chooses to comply with the California Department of Housing and Community Development's (HCD) requirements. With respect to AB 1063, if thresholds are met and a Measure S vote is required, there will be a further approval process for Council actions. Measure S means the electorate can decide whether to proceed.

DRAFT

IV. CONSENT CALENDAR

a. Minutes of July 1, 2020
Recommended Action: Approve and file

Chair Tucker noted his and Mr. Mosher's revisions.

Chair Tucker moved, seconded by Committee Member Selich, to approve the minutes of the July 1, 2020 meeting as amended by himself and Mr. Mosher.

AYE:	Tucker, Bloom, DeSantis, Fruchbom, Kiley, LePlastrier, Sandland, Selich, Stevens
NO:	None
ABSTAIN:	None
ABSENT:	None

V. CURRENT BUSINESS

a. Overview of Project Schedule
Recommended Action: No action; receive presentation from Kimley-Horn on the tentative project schedule and discuss as necessary.

David Barquist, Kimley-Horn & Associates, reported the State of California has imposed deadlines on all Metropolitan Planning Organizations (MPO), and the Southern California Association of Governments (SCAG), the MPO for Newport Beach, has imposed deadlines on all jurisdictions within its region. The Housing Element planning period extends from October 15, 2021 to October 15, 2029, and the Housing Element due date is October 15, 2021. The October 15, 2021 due date may be delayed for up to six months. Legislative action is required to extend the due date. The State provides the Regional Housing Needs Assessment (RHNA) allocations. The RHNA process includes development of allocations, an appeal period, and final adoption of the allocations at SCAG. Because of a number of issues, the State postponed the appeal period for up to 120 days, and the final allocations may not be approved until the end of 2020. In order to update the Housing Element, the City is assuming the draft allocation will be its final allocation. The baseline analysis, which will extend through October 2020, includes a demographic housing profile, a constraints and resources analysis, analysis of fair housing issues, and a review of the performance of the prior Housing Element. Drafting of the Housing Element will extend through February 2021. The public review period will extend from March through July 2021. A draft Housing Element will be submitted to HCD for compliance review in June 2021. HCD has 60 days to review the draft Housing Element. During that review, HCD staff and City staff can and will communicate regarding issues. Staff anticipates public hearings will be held in September or early October 2021 in order to comply with the adoption deadline.

Committee Member Sandland requested the fiscal analysis, Task 7.3, begin prior to February 2021.

In response to Chair Tucker's questions, Mr. Barquist advised that the market analysis will be conducted by Keyser Marston Associates. The analysis will look at the implications of growth as it relates to the fiscal model prepared by a prior City consultant. It will determine the cost dynamic for such things as future opportunities for growth, affordability levels, and the rental market versus the owner market. Task 2.2, development of housing plan, is the policy component of the Housing Element, and work on it will occur along with Task 2.4, draft Housing Element. A draft Housing Element could be ready for presentation by November 2020, but work and analyses may be

DRAFT

presented to the Committee prior to November. The project description is scheduled for an extended time period because there could be some issues with sites and decisions may affect the project description. Before the Environmental Impact Report (EIR) process begins in earnest, the project description should be accurate. The scoping meeting is typically held just after the notice of preparation is issued, but it can be held earlier or later in the process. The scoping meeting will define the bounds of the project for the public. The Initial Study, notice of preparation, and public process to begin the EIR is meant to focus on specific environmental issues.

In reply to Committee Member Selich's inquiries, Mr. Barquist indicated the EIR public review period is generally the final two months of the process. The public review period will be determined by the hearing dates before the Planning Commission and City Council. The public review period could occur between June and September 2021.

In answer to Committee Member DeSantis' query, Mr. Barquist related that the length of a Housing Element Update process depends on the jurisdiction and outreach and collaboration opportunities. The average process extends for 12-16 months. The COVID situation, the nature of outreach, and potential legislative changes will influence the length of the process. The proposed schedule is feasible.

In response to Committee Member Sandland's question, Mr. Barquist stated funding and financing opportunities for affordable housing are part of the requisite analysis for the Housing Element. The analysis will consider existing local programs and regional, state, federal and private programs for affordable housing. A summary of the programs will be provided to the Committee.

In reply to Committee Member DeSantis' inquiries, Mr. Barquist noted the area subject to the VMT analysis will be determined in the next few weeks and will be shared with the Committee. October or November may be too early to have information from VMT analyses.

In answer to Committee Member Stevens' query, Mr. Barquist advised that a baseline assessment is part of the Housing Element policy. Committee Member Stevens suggested including the baseline environmental study as a separate task. The scoping meeting should be held during the public comment period for the Initial Study and notice of preparation.

Jim Mosher agreed that the scoping meeting seems to be scheduled late in the process. He inquired about the City's position regarding the SoCal Connect Plan. He wanted to know what the public review draft, Item 2.6, would be and how long the review period would be.

David Tanner stated under normal times, the Housing Element Update process would extend over two years. The schedule is unrealistic. If it is realistic, there will not be any public participation. The schedule shows very little public involvement. He requested inclusion of Measure S in the schedule because Measure S will be required. He asked why the City is pursuing legislation that will exempt Measure S from a vote.

Chair Tucker assumed the consultant prepared the schedule based on the due date. The process will include public input. The Committee's task is to complete a draft Housing Element. Measure S is not within the Committee's purview.

DRAFT

b. Lessons Learned from Prior Outreach and Discussion of Future Outreach
Recommended Action: No action; receive presentation from staff on previous outreach efforts under the now dissolved General Plan Update Steering Committee and discuss future outreach efforts.

Senior Planner Ben Zdeba reported a major product of the General Plan Update Steering Committee was branding for the overall General Plan Update effort. Public engagement disclosed that the Land Use and Housing Elements were two of the most important elements for the community. A public workshop was held in each Council district on different days. More than 600 people were engaged in person and online during those workshops. One lesson learned from the prior outreach is engaging the public on such a complicated matter is not easy. The prior process developed a list of shared community values. Early in the process, outreach focused on community values and a vision statement. Approximately 400 people attended a kickoff event. The first workshop garnered the highest attendance with 68 people, and a workshop in December garnered the lowest attendance with 8 people. Workshops included an exercise for participants to map locations for housing. A large amount of housing was placed in the Airport Area, Banning Ranch, the Hoag area, Newport Coast, and Fashion Island/Newport Center. Some housing was scattered around the City and placed in boats off the coast.

Chair Tucker advised that he attended five of the seven workshops and found the usual community members at the workshops. An Outreach Subcommittee will be appointed, but engaging the community is difficult.

Mildred Perez, Kennedy Commission, suggested the City engage community organizations early in the process to discuss meeting the housing needs of low-income people and to engage low-income communities. The Kennedy Commission would like to assist with public outreach.

David Tanner remarked that the questions asked at the workshops reflected the consultant's view and not the public's view. He requested a discussion of the numerous impacts to the General Plan from housing laws.

Dorothy Kraus suggested advertising begin now for the Housing Element Update, perhaps through a banner on the City's homepage and announcements on social media platforms.

Committee Member Stevens noted the pandemic, the closure of City Hall, and misconceptions are impediments to outreach.

Committee Member DeSantis believed outreach would probably not be in person; therefore, different strategies and technologies will be needed.

c. Overview of Current Housing Opportunity Sites, HCD Guidebook for Site Selection Criteria and Substantial Evidence
Recommended Action: No action; receive presentation from Kimley-Horn and staff regarding current housing opportunity sites inventory of the Housing Element as well as the current site selection criteria pertaining to the update. The discussion should also touch on what "substantial evidence" means.

Nick Chen, Kimley-Horn, reported sites are suitable for residential development if zoned appropriately and available for residential use during the planning period. Approximately half of the City's RHNA allocation is designated for very-low-income and low-income housing. HCD's

DRAFT

memorandum is generally oriented toward meeting the lower-income need. The analysis of sites begins with units entitled after the start of the projection period, June 30, 2021, which can be counted towards the RHNA allocation. Next are the most available or the easiest to develop sites, also known as vacant sites, but vacant sites are not a readily available resource in Newport Beach. Next in the analysis are non-vacant or underutilized sites, which are sites currently zoned for residential or other uses that are deemed, based on substantial evidence, re-developable for affordable housing within the planning period. New guidance states if 50 percent or more of the allocation is fulfilled with non-vacant or underutilized sites, there is an impediment to housing development and further evidence must be provided, evidence such as past performance in developing these types of sites or market analysis. The City is not responsible for development of sites, but for providing an environment for development of sites. Creative measures or alternative methods, such as accessory dwelling units, can be used to fulfill the allocation. HCD's memorandum provides methods for anticipating the number of accessory dwelling units that can be counted toward the allocation. Boats as housing units may be an alternative method. Development has to result in no net housing loss, and any loss of units has to be accounted for in the Housing Element and sites analyses. Fair housing and the equitable distribution of housing has to be addressed and analyzed. The HCD memorandum defines substantial evidence as facts, reasonable assumptions or expert opinion that can be supported by facts.

In reply to Committee Member Fruchbom's query, Mr. Chen advised that if the analysis shows that fulfilling a requirement is infeasible, staff would have to discuss with HCD next steps and an approach for addressing the situation.

Chair Tucker commented that locating affordable units on the coast will result in fewer units than locating them near Hoag or the airport. Equitable distribution will be a challenge. Mr. Chen explained that equitable distribution ensures units are not concentrated in lower resource areas. All census tracts in Newport Beach are likely high resource areas. Chair Tucker noted the Airport Area is zoned for a different school district. HCD suggests a jurisdiction vary its development standards if it cannot generate sufficient affordable units. At some point, increased density becomes counterproductive. Landowners' decisions to redevelop their properties will be driven by economics.

In response to Committee Member LePlastrier's inquiry, Principal Planner Jaime Murillo explained staff's development of the sites inventory prepared for the 2006 General Plan Update. Staff included justification for the sites being legitimate opportunity sites. The Airport Area provided the greatest opportunity for housing, followed by Newport Center, Mariners Mile, and a few smaller sites. More analysis is needed to determine sites that can accommodate lower-income units. State law provides that if a site can accommodate at least 30 dwelling units per acre, it is presumed the site can accommodate lower-income housing. The Airport Area is the only area in the City with that minimum density. The Airport Area requires a minimum 10-acre site, and the City implemented a housing overlay exempting a development with at least 30 percent affordable units from the site requirement. Lower-income housing sites are concentrated in the Airport Area, but it is a high resource area. Unfortunately, development projects have reduced the number of lower-income units that can be developed in the Airport Area.

Committee Member Kiley remarked that because of the proximity to employment and transportation, the Airport Area is the logical location for affordable housing. In answer to her query, Principal Planner Murillo related that staff is looking at the possibility of accessory dwelling units (ADU) qualifying as affordable units. The potential for development of ADUs in the City is great. SCAG is developing pre-approved methodologies to count ADUs regionally. At the time of

DRAFT

permitting, property owners complete a questionnaire indicating the rent for an ADU, and in some cases the ADUs can be counted as low-income housing units.

In answer to Committee Member Fruchbom's question, Principal Planner Murillo explained that in the Airport Area the minimum density is 30 units per acre and the maximum is 50 units per acre. Staff used 30 units per acre and parcel size to develop the realistic capacity for the Airport Area. The actual capacity of the Airport Area is closer to 4,000 units. Staff did not consider 60 or 80 units per acre because the General Plan does not allow such high densities.

Chair Tucker recalled the Mayor's letters to legislators regarding credit for ADUs. Public opinion seems to be split as to whether ADUs will be developed.

In response to Committee Member DeSantis' inquiries, Principal Planner Murillo believed the Committee will explore the potential for redeveloping existing land uses as housing. Changes in retail business models and the pandemic may provide justification for redevelopment of sites as housing.

Chair Tucker indicated surface parking lots are being redeveloped for other uses. The Sites Subcommittee is exploring all possibilities and hopes to find sites on the perimeter of town.

In reply to Committee Member Sandland's inquiry, Principal Planner Murillo reported the Newport Crossings project with 350 units and Uptown Newport project with approximately 600 units have been entitled, but they have not been submitted for plan check. As such, it is likely they will be counted towards the City's RHNA allocation for the upcoming cycle. Unfortunately, the units that can be counted will be moderate or above-moderate-income units because the lower-income components have been completed. Staff will prepare a list of projects and units for the next meeting.

Jim Mosher commented that the vast majority of opportunity sites identified in 2013 have not been redeveloped during the current planning period, but some of the areas that have been redeveloped with housing were not identified as housing opportunity sites. The Committee may want to know the number of ADUs to which the safe harbor provisions of the HCD memo refer. Locating housing on the County's portion of Banning Ranch may not be a good idea because of the requirements to annex the property and to assume the County's RHNA allocation for the site.

Deborah Allen indicated the community strongly supports locating 4,800 units on the periphery of the City.

David Tanner requested clarification of the viability under the new regulations of opportunity areas previously shown on the General Plan and not developed. Current laws allow each residential property owner within the City to construct an ADU on his property. More than 40,000 ADUs could be built within the City.

Dorothy Kraus inquired about preparation of a baseline number of units that have been built and the remaining capacity and about the Coastal Commission's review of opportunity sites in the Coastal Zone and the impact of the Coastal Commission's review on the October 2021 deadline.

Chair Tucker advised that opportunity sites within the Coastal Zone are not under consideration presently.

DRAFT

Deputy Community Development Director Jim Campbell explained that the City has a robust GIS database of density. Much of the under-built density is located on R-2 properties. Staff has not created any summaries but has created maps, which have been provided to the consultant for evaluation of the current baseline. Staff will work with HCD to develop projections for ADUs and work with the community to increase development of ADUs. Redeveloping single-family homes on R-2 lots as duplexes may be an untapped resource for housing units, but it could be difficult to justify to HCD because staff would have to assess the amount of redevelopment over the next eight years based on a nonexistent program.

In response to Committee Member Kiley's inquiry, Deputy Community Development Director Campbell related that staff would like to count existing, unpermitted ADUs. However, HCD might take the position that existing ADUs are not a net increase in housing. The City may need to develop policies and programs to promote permitting of existing unpermitted ADUs and redevelopment on R-2 parcels so that HCD will accept the housing units.

d. CEQA Project Description

Recommended Action: No action; receive presentation from staff on the project description as it pertains to compliance with the California Environmental Quality Act (CEQA) and discuss as necessary.

Deputy Community Development Director Campbell reported the environmental review will be programmatic. The CEQA analysis will be based on discrete geographies and specific densities, which are the fundamental components of a project description. This approach to a programmatic environmental review will likely result in an EIR that reflects more impacts than what will be approved. There will not be an opportunity to change the project description to match the final inventory.

In reply to Chair Tucker's questions, Deputy Community Development Director Campbell explained sites may be removed from the inventory if they are not feasible or do not meet legal definitions, but sites cannot be added to the inventory. The project scope may be larger than the final sites inventory. Amendments to the Circulation Element may require environmental review and analysis. Policies added to the Housing Element and Land Use Element may need to be evaluated. The project description has to be broader than potential sites. Many components will need to be analyzed before preparation of the EIR begins. The sites inventory will be specific while areas of interest can be fairly broad. Sites will be considered in parallel to preparation of the EIR. Staff and the consultants will prepare a project description and present it to the Committee for review and action. Meanwhile, the Committee will be reviewing potential sites. A Statement of Overriding Considerations is a possibility even if the RHNA allocation is fulfilled. While Level of Service has been replaced with Vehicle Miles Traveled, a Level of Service analysis will be needed to properly plan for intersections and to ensure housing fits as best it can within projections.

In answer to Committee Member DeSantis' inquiry, Deputy Community Development Director Campbell indicated staff will attend SCAG's workshop regarding a new tool for the site inventory.

In response to Committee Member Fruchbom's query, Deputy Community Development Director Campbell related that there has been talk about exempting the Housing Element Update from CEQA requirements so that jurisdictions can complete it on time. Staff will proceed under the assumption that the Housing Element Update is not exempt from CEQA requirements.

DRAFT

David Tanner stated the project description should not be developed by staff or consultants. The City's Traffic Phasing Ordinance will require a Level of Service analysis. There will be massive gridlock if ADUs are developed and RHNA numbers are met.

e. Subcommittee Progress Reports

Recommended Action: Receive verbal progress reports from both subcommittees and discuss as necessary.

Chair Tucker advised that the Affordable Housing Subcommittee discussed funding, financing, tax credits, subsidies, and rent restrictions for affordable housing. The challenge will be creating incentives that allow the construction of as much affordable housing as possible. At this time, achieving the RHNA allocations for affordable housing does not appear realistic.

Committee Member Fruchbom introduced himself as an affordable housing developer. The cost of providing an affordable unit in Newport Beach is higher than in many other cities, but state and federal regulations for affordable housing rents do not consider that fact. Tax credits generally do not provide sufficient income to construct the required number of affordable units. Because rents are high in Newport Beach, increasing the density to some economic limit creates more value for projects in Newport Beach than in an area with lower rents. Hopefully, the developer's profit from high-rent units will be sufficient to subsidize the affordable rents.

Committee Member Jeffrey Bloom introduced himself as the head of commercial lending for a regional bank. In addition, he oversees the bank's investment in low-income housing tax credits. Finding tax credit investments in higher-income areas is extremely difficult. Incentives are needed for developers to construct projects in high-income areas and allocate funds saved from that project to projects in less-costly areas.

Chair Tucker indicated the Sites Subcommittee began analyzing parcels in a portion of the Airport Area for potential opportunities. There are many large parking lots in the area; however, office buildings have the rights to park in those lots. The subcommittee will probably draft letters to the property owners. The Airport Area is limited to 550 infill units, but that number will probably change.

Committee Member Selich introduced himself as a housing developer and a former member of the Newport Beach City Council, Planning Commission, Affordable Housing Task Force, and Local Coastal Program Implementation Committee.

Committee Member Sandland introduced himself as a licensed architect and retired real estate developer, primarily in infill and reuse projects. He has served on the City Hall Design Committee and the Building and and Fire Board of Appeals. The Sites Subcommittee also discussed buildings that could be repurposed or demolished for a higher and better use and wrap and podium projects. For all of these projects, the property owner has to be willing to redevelop his property.

Committee Member LePlastrier introduced himself as a business adviser and a member of the Board for Olson Urban Housing.

Committee Member Kiley introduced herself as a commercial real estate appraiser.

Committee Member DeSantis introduced herself as a consultant for stakeholder engagement and advised that she has worked with the California Association of Realtors, as the Director of the State Department of Housing, and with an urban planning firm.

DRAFT

Committee Member Stevens introduced herself as an environmental consultant primarily for CEQA documents and as President of the Corona del Mar Residents Association.

Chair Tucker introduced himself as a former attorney for residential, retail and industrial real estate developers, an investor in commercial properties, and a former licensed real estate broker. He has also served on the Planning Commission, City Hall Design Committee, and Finance Committee.

Jim Mosher appreciated the introductions and the detailed subcommittee reports and hoped future agendas would include subcommittee reports.

f. New Subcommittee Appointments
Recommended Action: Appoint an additional opportunity sites subcommittee and appointment an outreach subcommittee.

Chair Tucker appointed Committee Members LePlastrier, Selich and Kiley to the Opportunity Sites Subcommittee for West Newport/Mesa and Committee Members DeSantis and Stevens to the Outreach Subcommittee.

Chair Tucker moved, seconded by Committee Member Selich, to confirm the appointments to the Opportunity Sites Subcommittee and the Outreach Subcommittee.

AYE:	Tucker, Bloom, DeSantis, Fruchbom, Kiley, LePlastrier, Sandland, Selich, Stevens
NO:	None
ABSTAIN:	None
ABSENT:	None

VI. COMMITTEE ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)

Chair Tucker did not believe a presentation of the 2018 Orange County Business Council study would be useful even though it is an interesting study. The study could be good support for a draft Housing Element Update.

VII. ADJOURNMENT – 8:41 p.m.

Next Meeting: August 19, 2020, 6 p.m. in the City Council Chambers.

DRAFT

CITY OF NEWPORT BEACH
HOUSING ELEMENT UPDATE ADVISORY COMMITTEE MINUTES
CITY COUNCIL CHAMBERS – 100 CIVIC CENTER DRIVE

WEDNESDAY, SEPTEMBER 2, 2020
REGULAR MEETING – 6 P.M.

I. CALL MEETING TO ORDER – 6 p.m.

II. WELCOME AND ROLL CALL

MEMBERS PRESENT: Chair Larry Tucker, Jeffrey Bloom, Susan DeSantis, Elizabeth Kiley, Geoffrey LePlastrier (remote), Stephen Sandland, Ed Selich, Debbie Stevens, (Ex Officio Member) Will O'Neill (arrived at 6:10)

MEMBERS ABSENT: Paul Fruchbom

Staff Present: Community Development Director Seimone Jurjis, Deputy Community Development Director Jim Campbell, Principal Planner Jaime Murillo, Senior Planner Ben Zdeba, City Traffic Engineer Tony Brine, Administrative Technician Amanda Lee

III. PUBLIC COMMENTS ON NON-AGENDA ITEMS

David Tanner inquired regarding the City's strategy for updating the Housing Element; the rationale for spending more than $2 million to update the Housing Element; a Greenlight election; and the City's involvement in AB 1063. He offered to explain an alternative strategy that would save the City time and money.

Jim Mosher noted there have not been agenda items to discuss the frequency of the Housing Element Update Advisory Committee (HEUAC) meetings or the consultant's work on the Environmental Impact Report (EIR). The Circulation Element Update has been delegated to the Planning Commission when the City Council charged the HEUAC with updating the Circulation Element.

Nancy Scarbrough asked if the City has applied for any planning grants offered by the California Department of Housing and Community Development (HCD).

Senior Planner Ben Zdeba reported the City has been awarded grants under the SB 2 planning grant program and the Local Early Assistance Planning (LEAP) grant program. The grant funds have been used to update the City's land management software.

Chair Tucker suggested the City Council is the appropriate body to consider Mr. Tanner's alternative strategy. The City Council has indicated a Greenlight vote will be held if the Housing Element Update triggers one. Chair Tucker believed a vote would be necessary. AB 1063 failed to receive the support necessary for advancing through the Legislature. The HEUAC will meet as needed and when necessary information is available. The HEUAC will receive updates regarding the environmental document. The decision has been made to delegate the Circulation Element Update to the Planning Commission.

DRAFT

Mayor O'Neill advised that the need for a Greenlight vote will not be known until the end of the update process.

IV. CONSENT CALENDAR

a. Review Minutes of the July 15, 2020 Meeting

Recommended Action: Approve and file the minutes of July 15, 2020

At Committee Member Sandland's request, Principal Planner Jaime Murillo clarified that the Newport Crossings project has been entitled, but it has not been submitted for plan check. Staff anticipates the project's housing units can be counted towards the City's Regional Housing Needs Assessment (RHNA) allocation for the upcoming cycle.

Committee Member Sandland requested the minutes reflect Mr. Murillo's clarification of comments in the fifth paragraph on page 6 and reflect Building and Fire Board of Appeals rather than Building and Life Safety Board of Appeals on page 8.

David Tanner asked the City to create a folder to store all public comments rather than including public comments in each agenda item.

Chair Tucker requested the incorporation of Mr. Mosher's correction of typographical errors and proper names.

Committee Member Sandland moved, seconded by Committee Member Selich, to approve the minutes of the July 15, 2020 meeting as amended.

AYE:	Tucker, Bloom, DeSantis, Kiley, LePlastrier, Sandland, Selich, Stevens
NO:	None
ABSTAIN:	None
ABSENT:	Fruchbom

V. CURRENT BUSINESS

a. Community Outreach Plan

Recommended Action: Review and discuss the draft outreach plan. Provide direction to staff on how to proceed.

David Barquist, Kimley-Horn & Associates, reported the purpose of the plan is to ensure community engagement is sustained throughout the planning process. The overall goal is to provide a transparent process that provides sufficient and varied opportunities for public participation. The plan can be adapted to respond to the COVID situation. The process chart depicts the planning phases and outreach activities for each phase. He summarized the use of Bang the Table, the online platform, and workshops; the HEUAC's and City Council's involvement; and opportunities for feedback regarding the EIR.

Committee Member DeSantis appreciated staff and the consultant incorporating the outreach subcommittee's comments in the plan. In response to her questions, Mr. Barquist recommended a four-week lead time to promote the initial workshop in October. Staff and consultants are working on the details of the workshop. A specific date in October has not been announced. Consultants will suggest technologies they feel are best for tasks. Bang the Table can be used for polling,

DRAFT

analysis, mapping, and many other activities and will be the base technology. Workshops will be recorded and available for the public to review and provide feedback.

In reply to Committee Member Stevens' inquiry, Senior Planner Zdeba advised that the website has been updated and is live. A member of the public has commented on the removal of the prior planning effort, and staff is working on returning it to the website. The website will be updated throughout the process.

In answer to Committee Member Sandland's queries, Mr. Barquist indicated the overall schedule and associated action items are being updated and will be provided to the HEUAC at or before its next meeting.

Chair Tucker remarked that the HEUAC needs to review and understand information about housing sites before it can provide direction regarding outreach. The HEUAC needs the information in order to obtain specific input from the public.

Deborah Allen, Harbor View Hills Community Association President, agreed with Chair Tucker's comments. The sites will be the issue for public comment. Notices of meetings and workshops should be provided to community associations and homeowners associations for distribution to the members.

Jim Mosher inquired regarding the anticipated deliverables from the workshops and the purpose of outreach. For outreach to be effective, the topic for public comment should be specific, and the input should have a meaningful effect on the outcome of the process. The HEUAC should consider better branding for the update effort. The number of community members who have used the outreach tools is probably small, and community familiarity with the tools is not sufficient reason to continue using the tools. Stakeholders should include potential future residents with low incomes.

David Tanner suggested the workshops be dialogs with the community such that the community helps draft the document. The schedule should be revised to accommodate a Greenlight election and Coastal Commission approval. None of the documentation refers to updating the Safety Element. Voters want to know the assumptions being used in modeling.

Nancy Scarbrough expressed concern about the timing of the outreach program. The content of workshops should be reviewed in advance to ensure the workshops will be productive and effective. Community input needs to be more than responses to questions.

Chair Tucker believed sites would drive discussions and community input. Hopefully, the outreach program will be designed to elicit input about sites. Stakeholders are residents, businesses, and owners of commercial properties where housing sites may be located.

Committee Member Stevens suggested a review of the housing sites subcommittee's work would help the public understand the complexities of selecting sites.

Committee Member DeSantis understood the community wants to know the location of housing sites and the effect of development at those sites on the look of the community. This will add another layer to the complexity of identifying sites.

Chair Tucker expected the look of potential developments to be a factor in decisions. In all likelihood, only a small number of sites could accommodate an all affordable housing project. The

DRAFT

majority of affordable units would likely be components of large, above-moderate-income development projects.

b. Subcommittee Progress Reports

Recommended Action: Receive verbal progress reports from all subcommittees and discuss as necessary.

Chair Tucker reported the sites subcommittee has reviewed sites in the Airport Area to determine possible sites for housing. He reviewed each of the sites and pros and cons for redeveloping the sites.

Committee Member Selich advised that limited housing opportunities are available in West Newport areas zoned for residential, medical office, and public facility uses. Housing may be possible in areas zoned for industrial/commercial uses and in areas containing mobile home lots.

Chair Tucker explained that a zoning overlay retains the current use and adds a new use. An overlay may be important for the east side of MacArthur Boulevard. Tenants of affordable housing pay rent, but the rent amount is based upon income. Incentives will be needed for the development of affordable housing.

Committee Member Kiley related that rezoning a one or two-story commercial building to residential could increase the utilization of the site, which may be preferable to the property owner. The cost of demolishing a commercial building from the 1970s and replacing it with housing could be less than remodeling the commercial building.

Jim Mosher believed the State allows housing with adequate sound attenuation in 65 dB areas. However, Noise Element Policy N 3.2 prohibits new residential development in 65 dB areas. A General Plan amendment has been noticed for the September 8 City Council meeting. The amendment would extend the existing overlay for housing into an area where housing is not allowed. He requested clarification of Committee Member Bloom's concept of incentives for development of projects in high-income areas.

Chair Tucker indicated developers could pay a fee for projects in high-income areas, and the fees would be used for affordable housing projects in areas with lower land costs.

In answer to Committee Member DeSantis' questions, Chair Tucker stated the HEUAC does not advise the Council regarding planning applications. If the Council approves the General Plan amendment, the HEUAC will have less to consider. The units have been incorporated into the roadmap.

c. Housing Element Sites Strategy

Recommended Action: Receive an overview of current projects in the development pipeline that can count towards the RHNA allocation and discuss strategies to identify housing opportunities.

Senior Planner Zdeba reported the City's draft RHNA allocation will be increased to 4,834 units. The roadmap is simplistic and does not include income designations. Entitled and unbuilt projects may be under construction but have not received a certificate of occupancy and will provide 1,136 units. Projects under review have not been entitled and could provide 878 units.

DRAFT

In reply to Chair Tucker's questions, Senior Planner Zdeba indicated the unit count for the Uptown Newport project pertains to Phase 2. Phase 2 will begin when TowerJazz's lease expires. Principal Planner Murillo explained that the Newport Crossings project was approved under the Newport Place affordable housing overlay. The overlay allows housing development up to 50 dwelling units per acre subject to design review only. To qualify for housing under the overlay, the developer has to commit to providing a minimum of 30 percent of units at the low-income level. The developer has received a density bonus in exchange for low-income housing. This is the first application to utilize the overlay. Plans have not been submitted for plan check. The Airport Area has a maximum development limit of 2,200 units, but most of those units have to be developed through the conversion of commercial floor area. Five hundred fifty infill units are also allowed. The Residences at 4400 Von Karman project is utilizing 260 of those infill units. The developer received a density bonus for providing very-low-income units. The Newport Village project complies with minimum commercial standards and maximum residential standards and is currently under review. The project does not seek more intensity than is allowed.

Committee Member Kiley suggested the RHNA allocation and business closures caused by COVID may provide an opportunity to amend the General Plan to support more residential and less commercial space in mixed-use projects.

In answer to Mayor O'Neill's queries, Principal Planner Murillo explained that if a project is permitted and built prior to June 30, 2021, the units in the project will be credited to the current cycle. The guidelines state the cutoff date is the date of entitlement, permitting, or issuance of a certificate of occupancy. Staff relies on the date a certificate of occupancy is issued. The Newport Crossings project has been entitled but has not obtained permits. The Uptown Newport project is subject to a Development Agreement.

Senior Planner Zdeba advised that 781 units from the 2014-2021 Housing Element inventory could count if they comply with the guidelines for the current cycle. The number of units does not include any units at Banning Ranch because annexation probably could not occur prior to the deadline.

In response to Committee Member Sandland's inquiry, Senior Planner Zdeba indicated the 781 units are based on the realistic development capacity of the existing inventory and do not include sites slated for redevelopment. He agreed to provide a tabulation of the units.

Senior Planner Zdeba described alternatives to new construction as preservation of existing affordable units and conversion of market-rate units to affordable units. The guidelines limit the number of alternative units to 25 percent of the City's very low and low-income requirements. Mobile home units can be identified as committed and preserved for affordable housing, but the 55-year minimum affordability term may be a deterrent to property owners taking that action.

In reply to Chair Tucker's queries, Senior Planner Zdeba stated realistically 12 units could be preserved within the timeframe for the current cycle. Chair Tucker believed there are few opportunities to achieve the 594 units.

Senior Planner Zdeba related that 1,000 units is an aggressive target for the production of accessory dwelling units (ADUs). With the changes in State law, the production of ADUs is much easier. To achieve this number, the City would have to commit to promoting ADUs, monitoring ADU production, and being held accountable should 1,000 units not be achieved. The ADU target number is open for discussion.

DRAFT

In response to Chair Tucker's inquiries, Senior Planner Zdeba indicated there would be consequences for failing to achieve 1,000 ADUs. State law does not allow the imposition of new or existing private restrictions on ADUs.

Senior Planner Zdeba explained that the City could commit to a rezoning program that would account for shortfalls in achieving goals.

In answer to Committee Member Sandland's questions, Senior Planner Zdeba advised that the beginning of the planning period is June 30, 2021. None of the goals include potential units at Banning Ranch. Principal Planner Murillo reported live-aboards with permanent utility hookups can count towards the allocation. Moorings in Newport Harbor do not provide permanent utility hookups and cannot count.

In reply to Committee Member Selich's queries, Senior Planner Zdeba reported the number of units obtained through rezoning could be 445 if the other goals are achieved. Staff has not analyzed the number of units from the existing inventory to suggest a realistic number of units that could be achieved. The assumptions for existing inventory sites, alternatives to new construction, and ADUs will affect the target for rezoning.

Committee Member Bloom remarked that the net number of needed units is 2,009 absent income restrictions. With income restrictions, the target for low-income units is about 3,300 units. Approximately 6,200 units will be needed to satisfy the income restrictions. Principal Planner Murillo related that only 88 of the 1,136 units entitled and unbuilt are lower-income units. Staff needs to present the number of units per income category for each target.

In answer to David Tanner's question, Chair Tucker stated the HEUAC will attempt to find sufficient sites to accommodate housing. If the HEUAC cannot accomplish that, it will report it to the Council. Mr. Tanner suggested the HEUAC ask staff and consultants about the strategy if the allocation cannot be fulfilled. He inquired about opportunities for public input in the roadmap.

Jim Mosher remarked that the HEUAC is not envisioning all affordable housing projects. The goal for low and very-low-income units is more than 2,000. To achieve 2,000 units, the number of overall units will have to be more than 4,834. The City Council has asked the Harbor Commission to review live-aboards, perhaps with the idea of counting them towards the RHNA allocation. The Harbor Code prohibits houseboats.

Chair Tucker reported approximately 2,400 units in the lower affordability range are required. If market-rate housing projects can include no more than 20 percent affordable housing, 12,000 housing units will be needed to provide 2,400 affordable units.

Mayor O'Neill recalled the Council's direction for three paths: providing a compliant Housing Element, pushing back legislatively, and pushing back legally. The Council will consider an appeal and legal options when it receives the formal RHNA allocation. The Council's legislative efforts ended when the bill it supported died. Completing the Housing Element Update in 14-15 months is not possible. The expectation for the HEUAC is to find as much compliance as possible and make recommendations to the Council. The Council will then review its options.

In reply to Committee Member Selich's question, Principal Planner Murillo advised that a rezoning program, if needed, would be contained in the Housing Element that the City Council adopts. The City will have three years to complete rezoning, which could include General Plan amendments. A

DRAFT

Greenlight vote would not occur until rezoning and associated General Plan amendments are proposed. A Greenlight vote and Coastal Commission approval are not needed to submit the Housing Element to HCD.

Committee Member DeSantis remarked that affordable housing does not have to be achieved through inclusionary requirements only. The HEUAC can explore other methods to achieve affordable housing that will not increase the number of overall units. A housing trust fund and mortgage programs are examples of such methods. Newport Beach employers could be interested in contributing to a housing trust fund for workforce housing.

Chair Tucker commented that the HEUAC will need to document and describe the reasons it cannot meet the RHNA allocation, if that occurs.

Mayor O'Neill referred to the City's efforts to subsidize permanent supportive housing, which could aid compliance with the RHNA allocation.

Mary Ann Soden encouraged the HEUAC to consider nonprofit and affordable housing partners to build affordable housing.

In answer to Committee Member Sandland's question, Chair Tucker indicated he is working with staff to draft a letter to property owners regarding redevelopment of their properties.

d. Appointment of an Additional Sites Subcommittee
Recommended Action: Appoint an additional sites subcommittee.

Chair Tucker moved, seconded by Committee Member Selich, to establish an Additional Sites Subcommittee composed of Chair Tucker and Committee Members Selich and Stevens.

AYE:	Tucker, Bloom, DeSantis, Kiley, LePlastrier, Sandland, Selich, Stevens
NO:	None
ABSTAIN:	None
ABSENT:	Fruchbom

VI. COMMITTEE ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)

Chair Tucker requested details of affordable housing.

VII. ADJOURNMENT – 8:39 p.m.

Next Meeting: October 7, 2020, 6 p.m. in the City Council Chambers.

DRAFT

CITY OF NEWPORT BEACH
HOUSING ELEMENT UPDATE ADVISORY COMMITTEE MINUTES
CITY COUNCIL CHAMBERS – 100 CIVIC CENTER DRIVE

WEDNESDAY, OCTOBER 7, 2020
REGULAR MEETING – 6 P.M.

I. CALL MEETING TO ORDER – 6 p.m.

II. WELCOME AND ROLL CALL

MEMBERS PRESENT: Chair Larry Tucker, Jeffrey Bloom, Susan DeSantis, Paul Fruchbom (remote), Geoffrey LePlastrier, Stephen Sandland, Ed Selich, Debbie Stevens

MEMBERS ABSENT: Elizabeth Kiley (excused), (Ex Officio Member) Will O'Neill

Staff Present: Community Development Director Seimone Jurjis, Deputy Community Development Director Jim Campbell, Principal Planner Jaime Murillo, Senior Planner Ben Zdeba, Administrative Support Specialist Clarivel Rodriguez

III. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Jim Mosher noted the City Council has amended the General Plan and approved a development agreement for a developer to build housing that does not require low-income or very-low income units on property adjacent to the Airport. Allowing all developers to do this would result in the need to find locations for up to 49,000 units to achieve quotas for affordable housing.

Nancy Scarbrough commented that the Circulation Element had been delegated to the Planning Commission without a Council vote or public awareness. She wanted to know when and where that decision was made and whether staff or consultants have begun work on updating the Circulation Element.

IV. CONSENT CALENDAR

a. Minutes of the September 2, 2020
Recommended Action: Approve and file the minutes of September 2, 2020

Chair Tucker indicated Mr. Mosher has provided a minor correction.

Chair Tucker moved, seconded by Committee Member Selich, to approve the minutes of the September 2, 2020 meeting as presented.

AYE: Tucker, Bloom, DeSantis, LePlastrier, Sandland, Selich, Stevens
NO: None
ABSTAIN: Fruchbom
ABSENT: Kiley

DRAFT

V. CURRENT BUSINESS

a. Subcommittee Progress Reports

Recommended Action: Receive verbal progress reports from all subcommittees and discuss as necessary.

Chair Tucker reported the sites subcommittees for the Airport Area and West Newport Mesa have completed their reviews, and staff has posted the subcommittees' notes to the website. The site subcommittee for the remainder of the City is awaiting information from staff. The goal is to have the subcommittee's review complete and its notes posted prior to the next HEUAC meeting and the workshop.

Senior Planner Ben Zdeba advised that the information should be available for the subcommittee the following week.

Chair Tucker explained that the sites subcommittees graded each site as feasible, potentially feasible, or infeasible. Feasible sites have physical characteristics that may allow housing development. Infeasible sites appear not to have the ability to accommodate housing. Potentially feasible sites may accommodate housing, but the subcommittee could not make a determination based upon current information. After public input, the HEUAC will decide if a parcel is suitable for housing.

Committee Member Sandland requested staff maintain a tabulation of the number of acres and potential units the sites could generate in each category. Deputy Community Development Director Jim Campbell advised that staff will maintain a tabulation of the acreage of the sites and could provide a range of densities or unit yields at different densities.

In response to Deputy Community Development Director Campbell's query, Chair Tucker explained that the HEUAC should determine sites are suitable for housing prior to staff contacting the property owners. The subcommittees have no decision-making authority. Deputy Community Development Director Campbell expressed concern because the HEUAC would receive public input prior to making a decision, and public input would occur over a number of months. Staff should contact property owners sooner rather than later to learn of their interest in building housing on their properties. In addition, staff should probably contact more property owners than the HEUAC identifies in order to gather additional information about sites. Chair Tucker expected the workshops to provide public input regarding the sites that could accommodate housing. The October 20, 2020 workshop could provide input for the HEUAC to consider in its October 21 meeting. The HEUAC will review sites in the Airport Area and West Newport Mesa on October 21 and the rest of the City on November 4. By November 4, the HEUAC should have enough input for staff to begin contacting property owners. Deputy Community Development Director Campbell did not believe the October 20 workshop would consider specific sites; therefore, the HEUAC would not have public input regarding specific sites for its October 21 meeting.

Jim Mosher requested a more logical numbering system for the parcels and suggested the HEUAC webpage contain a list of subcommittees, subcommittee members, and the task of each subcommittee.

Chair Tucker related that the numbering system was provided to the subcommittee, and the subcommittee did not change it.

DRAFT

Deputy Community Development Director Campbell indicated the webpage could be updated to include a list of subcommittees.

Dorothy Kraus remarked that the lack of a response to Ms. Scarbrough's comments about the Circulation Element leaves an unsettling feeling. She inquired about the rationale for deeming the Road and Track building as infeasible when the underlying zoning for the parcel is residential.

Chair Tucker explained that he made a recommendation to staff and the Mayor that the Planning Commission update the Circulation Element as it has experience with traffic matters and HEUAC members do not. He was not privy to how the decision occurred.

Committee Member Selich advised that the subcommittee was informed that the Road and Track building is undergoing remodeling for a private school's educational offices. With the school's investment in the building, the subcommittee felt it was infeasible for housing. In addition, a major portion of the parking lot for the building is in the public right-of-way for the extension of 15th Street.

Deputy Community Development Director Campbell reported several years ago the Hearing Officer granted an extension of the nonconforming office use for Kobe's project at the Road and Track site. Pacifica Christian School is making similar investments and extending that nonconforming privilege. Changing zoning on the site from residential to commercial would require a General Plan Amendment. Also, the shape and size of the parcel makes a residential development on the site challenging. In order to include the site in the Housing Element Update, the City needs reasonable evidence that the site could change land uses during the planning period.

Chair Tucker appreciated Ms. Kraus' input as the type of input the HEUAC wants to receive.

b. Strategy for Public Input on Sites

Recommended Action: Discuss and provide direction on how to best seek public input on the housing opportunity sites inventory.

Chair Tucker wanted to receive quality input regarding the suitability of sites listed in the subcommittees' notes. Following the October 20 workshop, the HEUAC will review feasible and potentially feasible sites, hear public input provided at the workshop, and determine sites suitable for housing. HEUAC review of sites in the Airport Area and West Newport Mesa will be scheduled for October 21, and sites in the remainder of the City will be scheduled for November 4.

In response to Chair Tucker's question, David Barquist, Kimley-Horn and Associates, advised that the City has the right to adopt a Housing Element as it sees fit, but the City has to abide by State law. If the City adopts a Housing Element that does not comply with statutory requirements, the State will not certify the Housing Element. There are some challenges to self-certifying a Housing Element. In his opinion, the community's desires and statutory requirements should be considered equally. Chair Tucker understood penalty provisions contained in recent legislation apply pressure on cities to achieve their RHNA allocations. Mr. Barquist could provide the HEUAC with relevant legislation.

Chair Tucker did not want the public to participate in the engagement process and then feel as though the HEUAC ignored its input. He read the Code section regarding public participation.

DRAFT

c. Outreach Plan Update

Recommended Action: Receive an overview of the outreach plan efforts, including information on the schedule moving forward and the upcoming October 20 virtual workshop and the November 16 virtual workshop for the Circulation Element Update.

Mr. Barquist reviewed opportunities for community engagement, which include digital engagement, committee/advisory meetings, in-person or virtual workshops, online video presentations, and webinars. The first community workshop is scheduled for October 20, 2020, will be held online, and will be interactive without a presentation. Engagement opportunities will be available through the website and HEUAC meetings

Senior Planner Zdeba related that 36 people have registered via Zoom for the October 20 workshop. The community was notified of the workshop through email blasts and Nextdoor posts. The community may register for the workshop on the website. A Circulation Element kickoff workshop is scheduled for November 16, 2020.

In response to Committee Member DeSantis' inquiries, Mr. Barquist emphasized the interactive nature of the October 20 workshop. The workshop will include lessons learned from prior outreach efforts, the context for RHNA, a series of activities, and next steps. Scenario building or modeling with different densities will occur after the October workshop. Vehicle miles traveled (VMT) and circulation will be part of the analysis. Mitigation measures for VMT impacts and many other topics will be part of community education.

In answer to Committee Member Stevens' question, Mr. Barquist stated the Lego exercise will not be repeated as staff has clearly directed the consultant team not to repeat activities. The workshop will focus on locations within areas of the City.

Chair Tucker remarked that if the HEUAC cannot achieve the RHNA allocation during the update process, sites will be selected based on their ability to provide housing units, which is not a good planning method.

Committee Member DeSantis referred to a letter from Olen Properties. Visioning is not reviewing individual sites but preparing a realistic model for an area based on available sites and the development community's input regarding feasibility.

In reply to Committee Member Selich's query, Mr. Barquist explained that during the workshop, participants can respond to polls and share their ideas.

Jim Mosher hoped the workshop will have some form. He expressed concern about having to provide information to Zoom in order to register for the workshop. He inquired whether workshops would be recorded and posted on the website. He requested clarification of the Circulation Element workshop and the center column of the chart for outreach opportunities.

Charles Klobe commented that without State and Federal subsidies, the City will not find enough sites to accommodate 49,000 housing units, which will include the required number of affordable housing units. The HEUAC should decide it will submit an incomplete Housing Element. He suggested staff reach out to coastal cities in the same position as Newport Beach and develop a regional coalition to approach the State.

DRAFT

Dorothy Kraus expressed confusion regarding the role of the outreach subcommittee in obtaining public input on sites. The HEUAC seems to be glossing over Committee Member DeSantis' comments regarding visioning. The Outreach Plan and the websites are confusing and do not relate to each other.

Chair Tucker advised that Committee Members DeSantis and Stevens form the outreach subcommittee. They coordinate the outreach program with staff and consultants in order to obtain meaningful public input. The City can fight its RHNA allocation or update the Housing Element to achieve the allocation. If individuals feel the City should fight the allocation, they should address the City Council.

Deputy Community Development Director Campbell indicated the workshops will be recorded and posted on the website. A detailed script or agenda of the workshop is not ready for publication. Zoom registration requires a name and email address. Staff will update the City Council on October 13, 2020, but currently no other meetings with the Planning Commission or City Council have been scheduled.

Chair Tucker requested the workshop script be provided to the outreach subcommittee for comment. The affordable housing subcommittee is awaiting information from Principal Planner Jaime Murillo.

Committee Member DeSantis noted Orange County has a housing trust fund, and cities may create a local fund to subsidize housing units.

Senior Planner Zdeba explained that the Circulation Element webinar is listed at the top of the chart.

In response to Committee Member Sandland's question, Deputy Community Development Director Campbell clarified that workshops and webinars will allow the community to participate through chat and polling features.

Chair Tucker recommended the workshop include an announcement of the HEUAC's schedule for reviewing sites in the Airport Area, West Newport Mesa, and the remainder of the City.

d. Affordable Housing Compliance

Recommended Action: Receive an overview of what "affordable housing" means in the context of Orange County, as well as the new affordable housing requirements related to the housing opportunity sites inventory. Discuss strategies for compliance.

Mr. Barquist defined affordability as the ability to pay based on income and housing cost. Affordability is based on median family income (MFI), which is calculated by the Department of Housing and Urban Development (HUD) for each county. Orange County's MFI of $103,000 is high in comparison to many counties in the state. RHNA assumes a family of four individuals. The Housing Element is required to identify sites by income category. Affordability for a site is generally based upon the density allowed for the site. According to the State, 30 dwelling units per acre is the default density for affordable units. Sites can accommodate more than one income category. The Department of Housing and Community Development (HCD) recommends a 15-30 percent buffer for additional dwellings to cover no net loss.

DRAFT

In reply to Committee Member Selich's questions, Mr. Barquist indicated the City would have to find sites to accommodate affordable housing that a developer does not build on a site designated for affordable housing. Staff will track affordable housing sites and construction of affordable housing. A subsidy could be a policy solution for construction of affordable housing.

Chair Tucker advised that most sites in Newport Beach are non-vacant, which is required for housing in the lower-income range. Therefore, the substantial evidence rule will come into effect.

In answer to Chair Tucker's query, Mr. Barquist explained that different strategies and methods can encourage property owners to redevelop their land.

Committee Member Selich remarked that the City cannot provide enough incentives, fee reductions, or bonus programs to make up the deficit of constructing affordable housing.

Committee Member Fruchbom related that coastal cities have the most difficulty providing affordable housing because their rents are higher than countywide rents, on which RHNA requirements are based. He calculated a developer's loss in constructing a hypothetical one-bedroom apartment unit at 50-60 percent AMI in Huntington Beach and in Newport Beach. According to his very rough estimation, a bond measure levying $6,000 on every man, woman, and child in Newport Beach could provide funding for affordable housing. Theoretically, it is possible for tax credits and cheap land to fill a developer's deficit, but the demand for tax credits is immense. The City could offer increased density in exchange for affordable units. In the past, he surveyed the City for sites that could accommodate a development with affordable housing and found only one site, City-owned land near the maintenance yard.

Chair Tucker questioned whether the State would accept a Housing Element that utilizes strategies to achieve affordable housing allocations, regardless of the success of the strategies.

Committee Member Selich expressed concern regarding the no net loss requirement.

Chair Tucker suggested the no net loss requirement will have to be covered through an overlay that requires affordable housing as part of a residential development.

In response to Committee Member DeSantis' inquiry, Mr. Barquist stated the City could use in-lieu fees to construct affordable housing in other cities. Committee Member DeSantis noted UCI has a fund for silent second mortgages on affordable housing. The City of Livermore and the County of Marin are subsidizing mortgages to attract residents. Chair Tucker added that UCI is subsidizing affordable housing located on UCI's property. He questioned whether the State would accept affordable housing built in another city.

Mr. Barquist clarified that the Housing Element contains courses of actions that should achieve the RHNA allocation. The specific details of those actions do not have to be included in the Housing Element. To obtain affordable housing, the City could provide incentives or streamline permitting for accessory dwelling units (ADU), increase densities, create affordable overlay zones, promote the preservation of existing affordable units, or promote the conversion of market-rate units to affordable units.

In reply to Committee Member Sandland's questions, Mr. Barquist explained the City's ability to count affordable units when their affordable covenants, which are set to expire, are renewed. Deputy Community Development Director Campbell reported the current Housing Element

DRAFT

contains a list of project sites subject to affordable covenants. Staff has registered with the State to receive notice prior to the expiration of covenants. Theoretically, the City could negotiate with property owners to pay for an extension of the covenants. Staff has contacted property owners where the covenants were about to expire, and all property owners have rejected offers to extend the covenants. Senior Planner Zdeba indicated covenants on 12 properties will expire during the 2021-2029 planning cycle.

In answer to Committee Member Selich's query, Mr. Barquist related that the no net loss requirement applies to the entire RHNA allocation.

Chair Tucker commented that staff and consultants will provide the HEUAC with alternatives for affordable units. The HEUAC will likely consider an inclusionary fee.

Mr. Barquist indicated HCD considers whether the Housing Element meets the spirit and intent of the law and substantially complies with the law. Staff can discuss potential programs and strategies with HCD prior to completing the Housing Element.

Committee Member DeSantis suggested salaries for Newport Beach jobs should be prominent in the workshop discussion so that the community can relate to residents of affordable housing

Jim Mosher suggested staff clarify the statement that HCD considers a density of 30 units per acre as suitable for affordable housing and the application of that density to the Newport Airport Village project.

Deputy Community Development Director Campbell reported a site identified for affordable housing must have a density of 30 units per acre. He recommended the Housing Element reflect the number of affordable units proposed for the Newport Airport Village project rather than the maximum number of units that could be built on the site. His recommendation would apply to the Newport Crossings project and any remaining development in the Uptown Newport project.

e. RHNA Appeal Filing-Council Item for October 13
Recommended Action: Receive and file.

Chair Tucker remarked that the appeal lists retail commercial and industrial properties without describing economic constraints on converting those properties to residential uses. He has submitted language addressing that issue to staff. In determining the number of housing units needed, the State did not consider the availability of land for housing.

Jim Mosher stated other cities will appeal their allocations and make arguments similar to Newport Beach's arguments.

Deputy Community Development Director Campbell advised that a draft letter has been included in the meeting packet and will be presented to the City Council on Tuesday along with a request to authorize an appeal. The Southern California Association of Governments (SCAG) will convene its litigation committee, which could mean SCAG is considering litigation regarding RHNA.

In answer to Committee Member DeSantis' query, Principal Planner Murillo reported the deadline to submit an appeal is October 26, 2020. A 45-day comment period will follow the deadline. Once the comment period expires, SCAG will hold hearings, which are estimated to last four to six weeks.

DRAFT

The appeal process is expected to conclude in late January or early February 2021. At that time, cities will have their final RHNA allocations.

VI. COMMITTEE ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)

Chair Tucker requested a presentation by the Kennedy Commission and a discussion of the appropriate time for staff to contact property owners about building housing on their properties.

Committee Member DeSantis' requested a presentation by Renaissance Housing, an affordable housing developer. Chair Tucker suggested that occur when the Affordable Housing Subcommittee has information to share.

Committee Member Sandland requested Mr. Barquist provide an updated outreach schedule by October 21, 2020.

VII. ADJOURNMENT – 8:23 p.m.

Next Meeting: October 21, 2020, 6 p.m. in the City Council Chambers.

DRAFT

CITY OF NEWPORT BEACH
HOUSING ELEMENT UPDATE ADVISORY COMMITTEE MINUTES
CITY COUNCIL CHAMBERS – 100 CIVIC CENTER DRIVE

WEDNESDAY, OCTOBER 21, 2020
REGULAR MEETING – 6 P.M.

I. CALL MEETING TO ORDER – 6 p.m.

II. WELCOME AND ROLL CALL

MEMBERS PRESENT: Chair Larry Tucker, Jeffrey Bloom, Susan DeSantis, Elizabeth Kiley, Geoffrey LePlastrier, Stephen Sandland, Ed Selich, Debbie Stevens

MEMBERS ABSENT: Paul Fruchbom, (Ex Officio Member) Will O'Neill (excused)

Staff Present: Community Development Director Seimone Jurjis, Deputy Community Development Director Jim Campbell, Principal Planner Jaime Murillo, Senior Planner Ben Zdeba, City Traffic Engineer Tony Brine, Administrative Support Specialist Clarivel Rodriguez

III. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Jim Mosher remarked that a loophole in the Housing Crisis Act allows people to merge lots and demolish multifamily housing if the new development is limited to a single unit, which seems contrary to the intent of the Housing Crisis Act.

IV. CONSENT CALENDAR

a. Minutes of the October 7, 2020 Meeting
Recommended Action: Approve and file the minutes of October 7, 2020

Chair Tucker advised that Mr. Mosher has suggested some minor corrections to the October minutes.

Chair Tucker moved, seconded by Committee Member Selich, to approve the minutes of the October 7, 2020, meeting with Mr. Mosher's revisions.

AYE: Tucker, Bloom, DeSantis, Kiley, LePlastrier, Sandland, Selich, Stevens
NO: None
ABSTAIN: None
ABSENT: Fruchbom

V. CURRENT BUSINESS

a. Presentation by The Kennedy Commission
Recommended Action: Receive a presentation from Cesar Covarrubias of The Kennedy Commission followed by brief questions and answers.

Chair Tucker indicated The Kennedy Commission is an affordable housing advocacy group that was founded in 2001. The Housing Element Update Advisory Committee (HEUAC) is interested

DRAFT

in hearing about strategies, policies, and incentives that will result in affordable housing development.

Cesar Covarrubias shared information regarding median home price, household income, affordability, and Regional Housing Needs Assessment (RHNA) allocations for Orange County. Two cities in Orange County have specific policies for affordable housing and have met their RHNA allocations in the very-low-income and low-income categories. Overlays and specific plans can encourage housing as part of mixed-use developments. Institutional and church campuses are potential sites for mixed-use concepts. The Surplus Land Act, a mixed-income housing ordinance, an affordable housing strategic plan, housing opportunities zoning or an overlay, and an affordable housing land trust support affordable housing. The Veterans and Affordable Housing Bond Act, the No Place Like Home program, the Orange County Housing Finance Trust/JPA, the Orange County Housing Trust, the Orange County Housing Bond 2020, and the Mental Health Services Act can be used to fund affordable housing.

Chair Tucker commented that there are areas in the City where property owners may be enticed to build housing on their properties. Policies that relax development standards and increase allowed density can encourage housing development, but at some point increased density makes construction costs infeasible.

Mr. Covarrubias suggested incorporating the City's housing objectives into an overlay or zoning change. Changes to the State Density Bonus Law may result in more affordable housing. Office buildings can be redeveloped with a more intense and intentional use. Adopting policies and programs for affordable housing is essential to the development of affordable housing.

In answer to Committee Member Sandland's question, Mr. Covarrubias advised that The Kennedy Commission is reviewing the potential for housing located in areas such as Banning Ranch and portions of the Airport Area located within the 65 dB CNEL contour. Planning growth around existing uses is challenging but doable.

In reply to Committee Member DeSantis' query, Mr. Covarrubias indicated he is aware of cities discussing agreements to use funding from one city to build affordable housing in the other city. However, he did not anticipate such agreements would work well because of each city's need to fulfill its allocation for low and very-low-income housing.

In response to Committee Member Stevens' comment, Mr. Covarrubias remarked that if amenities are located close to housing, residents will probably make fewer vehicle trips.

b. Orange County Mayors' Letter to the Southern California Council of Governments (SCAG)
Recommended Action: Receive and file.

Chair Tucker felt the Mayors' letter could be more fruitful in reducing RHNA allocations than other approaches. The public should be aware of the letter.

Jim Mosher inquired regarding the reasons for the Mayors of Dana Point and San Clemente not signing the letter.

DRAFT

c. Subcommittee Progress Reports
Recommended Action: Receive verbal updates from each subcommittee, as appropriate.

Chair Tucker reported that the subcommittee for opportunity sites in the remainder of Newport Beach met the prior day, and a report will be scheduled for the next HEUAC meeting. The affordable housing subcommittee will review different approaches to obtain affordable housing at different income levels and may craft an inclusionary plan.

d. October 20, 2020 Virtual Housing Workshop Recap
Recommended Action: Receive an overview of the first virtual housing workshop and discuss any takeaways. Provide feedback or direction to staff and the consultants on any changes or considerations for future workshops.

David Barquist, Kimley-Horn and Associates, reported 72 people participated in the workshop. Analysis of feedback provided during the workshop is underway, and a report will be available via the Newport Together website. Engagement occurred during the workshop and will continue online. During the workshop, members of the public inquired about a no housing response to questions. In light of the draft RHNA allocation for Newport Beach, the consultant team does not believe a no housing response is practical. In subsequent stages of outreach, the team can explore the most appropriate locations for growth and development and different types of housing. The public can view the workshop and provide feedback on the Newport Together website.

In reply to Committee Member Stevens' question, Mr. Barquist advised that the team will explore methods to obtain public input for individual opportunity sites during both in-person and virtual meetings. Committee Member Stevens remarked that the interactive portion of the workshop was easy and a good start to obtaining public feedback.

Committee Member DeSantis suggested future virtual workshops include more opportunities for two-way communication. The presentations and polling were well done. The workshop could have been longer to allow more dialog with the community. She emphasized the importance of creating visions for opportunity areas while reviewing parcels in the areas. Mr. Barquist noted the difficulty of sustaining the public's attention for an extended period of time. Engagement will build and improve as the schedule progresses. The team is working with the City's Public Information Officer to distribute information to the community through different avenues. The public and committee members can assist by sharing links and posts to meetings and information.

Deborah Allen, Harbor View Hills Community Association President, advised that she discussed the workshop with seniors at OASIS, a number of whom attended the workshop, and neither the seniors nor she felt the technology was easy to use or the workshop encouraged community input. The input may have been too structured for a community that is accustomed to voicing their opinions. Questions have to have a no project response. If the goal is to obtain community input, the public has to be allowed to express opinions.

Nancy Scarbrough noted 18 of those present for the workshop were staff and committee members. The inability to converse was extremely frustrating. Future workshops need to be more interactive with the public.

Jim Mosher concurred with comments regarding the lack of two-way communication. The workshop did not mention HEUAC meetings, and the website does not list all HEUAC meetings.

DRAFT

Adriana Fourcher felt the workshop was not collaborative. In-person meetings with small group discussions should be possible. She had some difficulty participating in the polling and did not believe her responses were counted. Input from the business community is needed.

Melanie Schlotterbeck, representing Olen Properties, expressed disappointment with the repetition of information during the workshop. She supported the use of breakout rooms during virtual meetings to allow individuals to comment. There has been no mention of new and innovative housing types and mixed-use development. Housing options need to include a range of sizes, prices, and affordability. The City needs a vision for the Airport Area.

Hoiyin Ip suggested community groups will help distribute information about meetings and workshops. One city in Orange County has been assessing in-lieu housing fees for many years.

David Tanner hoped the City would work with The Kennedy Commission to learn about the effects of affordable housing on public services. Staff is intentionally misinforming the public regarding the scope of the Housing Element Update by discussing only RHNA information.

Dorothy Kraus remarked that workshop participants were the usual group who attend or participate in public meetings. Staff and the consultants need to use more traditional means to notify the public about meetings.

Chair Tucker advised that the State has disrupted the City's planning process and shortened the time for a planning process. Staff has not intentionally misled anyone. Public comments have included some valid criticisms of the outreach process. The HEUAC is charged with preparing a plan to comply with State requirements. Consequently, no development is not an option.

Committee Member Stevens related that the City's Public Information Manager asked the outreach subcommittee to distribute information about the workshop, and the subcommittee sent emails to almost 1,000 people. The community may not be interested in planning efforts.

e. Sites Rundown: Airport Area

Recommended Action: Review the list of potential sites and discuss feasibility. Solicit input from the public on the list and the Committee's discussion.

Chair Tucker directed staff to begin contacting the owners of properties identified as feasible or potentially feasible for housing. He assumed members of the public would agree with the subcommittee's designations for sites as the public has expressed interest in locating housing in the Airport Area. He reviewed the subcommittee's consideration of parcels 43, 113, 37, 69, 95, 87, 23, 70, 80, 81, 111, 9, 24, 131, 135, 38, and 79 and the Saunders site.

Committee Member Sandland suggested the parcel numbers for the Saunders site should be provided. If the prohibition of housing in the 65 dB CNEL is relaxed, parcels 87 and 23 may be potentially feasible rather than infeasible. Chair Tucker indicated the subcommittee may reconsider designations for parcels located within the 65 dB CNEL if the prohibition is relaxed.

Committee Member Bloom commented that abandoning streets so that parcels may be combined would theoretically create more land and larger parcels. Parcels could be even more feasible for housing. Chair Tucker clarified the comment as abandoning private circulation rather than streets.

DRAFT

Jim Mosher did not recall the HEUAC agreeing with the subcommittee's approach of not considering parcels within the 65 dB CNEL. Based on the statement that the subcommittee is not considering parcels within the 65 dB CNEL at this time, he inquired when the subcommittee would consider those parcels. Chair Tucker suspected the subcommittee would consider those sites if all other sites do not provide sufficient housing to comply with the RHNA allocation or if someone proposes a project on a parcel within the 65 dB CNEL.

In reply to Chair Tucker's inquiry, Deputy Community Development Director Jim Campbell related that a policy in the Noise Element of the General Plan states parcels within the 65 dB CNEL are not appropriate for housing development. The Airport Land Use Commission would find housing development incompatible with the 65 dB CNEL.

Chair Tucker reviewed the subcommittee's consideration of parcels 51, 72, 88, 71, 91, 122, 52, 138, 77, 68, 106, 121, 19, 33, 117, 116, 119, and 120.

Adriana Fourcher remarked that the dB rating pertains to jet traffic. Noise studies are needed for small plane traffic because the departure pattern for small planes is over the parcels being considered for housing. Deputy Community Development Director Campbell advised that the noise contours are based on a composite of both runways and represent a 24-hour average of all aircraft traffic.

Chair Tucker reviewed the subcommittee's consideration of parcels 66, 67, 83, 61, 62, 63, 76, 16, 105, 47, 31, 13, 99, and 104. The subcommittee omitted parcels 39 and 89, which are located partially within the 65 dB CNEL. Parcel 39 is small, and the building on parcel 89 has been refurbished. Therefore, parcel 39 is infeasible and parcel 89 is feasible.

Committee Member Stevens expressed concern that airplane noise was last studied and the CNEL contours determined in 1985. Deputy Community Development Director Campbell indicated an update of CNEL maps is not on the horizon. Staff could discuss the topic with Airport Land Use Commission staff and provide a report to the HEUAC.

Chair Tucker reviewed the subcommittee's consideration of parcels 4, 1, 5, 6, 2, 3, 8, 9, 10, 11, 13-16, 17, 12, 37-42, 43-69, 70, and 71-76.

Adriana Fourcher advised that helicopters from a helicopter school and the Orange County Sheriff's Office fly over the area and beneath the departure pattern for small planes. A noise study is needed.

Chair Tucker reviewed the subcommittee's consideration of parcels 77, 78, 79, 80, 81, 82, 19, 20, 25-27, 31, 21-24, 28-30, 34-36, and 83.

Adriana Fourcher noted many property owners oppose the residential project proposed for the parking lot of Koll Center Newport.

Melanie Schlotterbeck, representing Olen Properties, indicated parcel 19 is an Olen Properties building and is not part of a residential project. The review of parcels focuses on site selection rather than the integration of sites with their surroundings. She questioned whether sites would be excluded if a property owner did not respond to a request for information. This is an opportunity for the City to partner with landowners and developers to enact a vision for the area. The focus on housing and not mixed uses is a lost opportunity to create a community. The Airport Area could

DRAFT

become a vibrant, walkable, bikeable, mixed-use, urban core that attracts a range of residents, incomes, and opportunities. She encouraged the HEUAC to create a vision for the Airport Area.

f. Sites Rundown: West Newport-Mesa

Recommended Action: Review the list of potential sites and discuss feasibility. Solicit input from the public on the list and the Committee's discussion.

Committee Member Selich noted the West Newport Mesa area contains medical office uses, mobile home parks, various densities of residential uses, older single-story industrial/commercial buildings, and a series of institutional uses. The subcommittee has discussed the need to preserve opportunities for smaller-scale industrial and service businesses and recommends a zoning overlay concept as some but not all parcels may convert to residential uses. It is important not to convert everything to residential in order to have a well-balanced land use plan. He reviewed the subcommittee's consideration of parcel 56 (Newport Health Care); parcel 27 (Ebb Tide); parcels 62 and 64 (Road & Track Building); parcel 63 (Coastline College); the private school site north of parcel 50; the City Utilities Yard; the City General Services Yard; parcels 36, 116, 123, and 182 (four mobile home parks); the area bordered by Superior, 15th, and Monrovia; the area bordered by Hospital Road, Placentia, and Superior; and parcels 12, 41, 42, and 49.

Commissioner Member Sandland suggested combining parcels 13 and 11 could result in a designation of potentially feasible. Perhaps staff could send a letter to the property owners inquiring about interest in building housing on the parcels. Committee Member Selich noted the demand for medical office buildings is high at the current time. Committee Member Kiley concurred with sending a letter as the owners can indicate no interest.

Chair Tucker advised that parcels 14 and 44 will be designated infeasible and parcels 13 and 11 will be designated potentially feasible.

Committee Member Selich reviewed the subcommittee's consideration of the small residential parcels between Dana and Flagship; parcels 3, 39, 48, 117, 124, and 228; parcels 74 and 122; parcels 24 and 40; parcels 17 and 51; parcels 2, 10, and 23; parcels 5-7, 9, 18-22, 26, 28, 29, 31-34, 36, 37, 46, 47, 53, 55, 60, 61, and 227; parcels 4 and 16; and parcels 50 and 59. The HEUAC may wish to consider contacting Hoag Hospital regarding construction of workforce housing in the area.

Deputy Community Development Director Campbell advised that the business located on parcel 47 has some air quality issues and has installed equipment to hopefully resolve the issues. Committee Member Stevens indicated the business has been reviewed for both ground and soil contamination. The cleanup requirements for industrial uses are different from the requirements for residential uses. The time and expense to clean up the site for residential uses may be prohibitive.

An unidentified speaker appreciated the suggestion to contact Hoag Hospital. The small amount of land available for construction is dismaying. The Mayors' letter may be the best approach to seek a reduction in the RHNA allocation.

DRAFT

VI. COMMITTEE ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)

Chair Tucker noted the subcommittee for housing sites in the remainder of Newport Beach will report at the next meeting. He requested a discussion of inclusionary zoning and fees.

Committee Member Sandland requested a discussion of large employers that could support housing.

VII. ADJOURNMENT – 8:53 p.m.

Next Meeting: November 4, 2020, 6 p.m. in the City Council Chambers.

DRAFT

CITY OF NEWPORT BEACH
HOUSING ELEMENT UPDATE ADVISORY COMMITTEE MINUTES
CITY COUNCIL CHAMBERS – 100 CIVIC CENTER DRIVE

WEDNESDAY, NOVEMBER 4, 2020
REGULAR MEETING – 6 P.M.

I. CALL MEETING TO ORDER – 6 p.m.

II. WELCOME AND ROLL CALL

MEMBERS PRESENT: Chair Larry Tucker, Susan DeSantis, Paul Fruchbom, Elizabeth Kiley, Geoffrey LePlastrier, Stephen Sandland, Ed Selich, Debbie Stevens, (Ex Officio Member) Will O'Neill

MEMBERS ABSENT: Jeffrey Bloom (excused)

Staff Present: Community Development Director Seimone Jurjis, Deputy Community Development Director Jim Campbell, Senior Planner Ben Zdeba, Administrative Support Specialist Clarivel Rodriguez

III. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Deputy Community Development Director Jim Campbell reported 47 of 197 jurisdictions located within the Southern California Association of Governments (SCAG) region have filed appeals of their Regional Housing Needs Assessment (RHNA) allocations. Eighteen agencies in Orange County filed appeals. Four agencies, including the City of Newport Beach, filed appeals against the City of Santa Ana. The City has sent a letter to SCAG trying to get sponsorship of legislation that will protect local jurisdictions subject to another agency's oversight.

IV. CONSENT CALENDAR

a. Minutes of the October 21, 2020 Meeting
Recommended Action: Approve and file the minutes of October 21, 2020

Chair Tucker noted Mr. Mosher has submitted corrections to the October 21, 2020 minutes.

Chair Tucker moved, seconded by Committee Member Selich, to approve the minutes of the October 21, 2020 meeting with Mr. Mosher's revisions.

AYE: Tucker, DeSantis, Fruchbom, Kiley, LePlastrier, Sandland, Selich, Stevens
NO: None
ABSTAIN: None
ABSENT: Bloom

DRAFT

V. CURRENT BUSINESS

a. Subcommittee Progress Reports

Recommended Action: Receive verbal updates from each subcommittee, as appropriate.

Chair Tucker advised that the affordable housing subcommittee met to discuss methods for financing and developing affordable housing projects. The subcommittee will prepare a report of potential incentives to generate affordable housing. The Housing Element Update Advisory Committee (HEUAC) may discuss the subcommittee's report during its December 2, 2020 meeting, and the Council will determine which, if any, approach to pursue.

b. Sites Rundown: Remainder of Town

Recommended Action: Review the list of potential sites and discuss feasibility. Solicit input from the public on the list and the Committee's discussion.

Chair Tucker noted the report is in draft form and will be revised and attached to the agenda for the next HEUAC meeting. Before any parcel is approved for inclusion on the sites inventory list, the HEUAC will have to find that housing is a suitable use for the parcel. The intent of the review is to narrow the number of sites that staff will investigate and the HEUAC will consider after receiving public input. Sites that the subcommittee determines are infeasible or does not review may later be determined to be feasible or potentially feasible and may be evaluated for suitability. Sites may be brought to the subcommittee's attention and may be ultimately included in the sites inventory after public input.

In reply to Committee Member DeSantis' questions, Chair Tucker related that defining feasible, potentially feasible, and infeasible is more art than science. Crafting definitions other than those previously stated is not possible. The feasibility determination for any site could change if the site is viewed in the context of a vision for the area. However, the State form requires a listing of sites by parcel number. Committee Member DeSantis believed a site inventory is a critical piece of the Housing Element Update, but neither the HEUAC nor the community can provide adequate input without a vision for the major opportunity areas. Seeking community input without providing a vision is meaningless.

In response to Committee Member Fruchbom's query, Chair Tucker clarified Committee Member DeSantis's position as the HEUAC should be doing more than reviewing sites. In order to begin the planning process, the HEUAC needs to understand the source of traffic trips and where housing can be placed.

Committee Member Stevens noted combining some sites could result in a designation of feasible. Listing more than one parcel number per site on the State's form is probably acceptable.

Chair Tucker stated undeveloped sites listed in the sites inventory for the fifth cycle are considered feasible for the sixth cycle. He reviewed the designations for Parcels 1, 2, 3, 4, 6-9, 10, 12, 11, 13, 14-17, 18, 19, 20, and 21.1.

Jim Mosher reiterated his request for staff to list the subcommittees and their members on the website. He questioned whether the feasibility of sites pertains to technical or economic feasibility; whether income level affects feasibility; the term "remainder of town" when the maps do not show all of Newport Beach outside the Airport Area and West Newport Mesa; and the numbering system for parcels.

DRAFT

Chair Tucker explained that the term "remainder of town" resulted from the subcommittee's request for staff to prepare information for certain sites. The subcommittee may have inadvertently overlooked some sites. He reviewed the designations for the Dunes west of the lagoon and Parcels 22, 23, 24, 25, 36, 39, 40, 42, 43, 44, 35, 34, and 33.

Mayor O'Neill related that he as Mayor will send a formal invitation for the Irvine Company to participate in the Housing Element Update process unless there are strong objections to doing so. Chair Tucker and Committee Members Kiley, Stevens, Sandland, and DeSantis encouraged Mayor O'Neill to send an invitation. Committee Member DeSantis proposed Mayor O'Neill send invitations to Hoag Hospital, major employers within Newport Center, and churches that own large parcels.

Jim Mosher noted there is no analysis or conclusion for Parcel 37.

Committee Member Kiley clarified that feasibility for the sites pertains to the ability to physically construct housing on a site. The property owners will determine whether housing is financially feasible.

Chair Tucker reviewed the designations for Fashion Island and Parcels 30, 29, 27, 28, 31, 32, 114-120, 122, 121, 105-109, 104, 110-113, 107 (the County bus depot), 98-102, 103, 91-97, 87-89, 77, 78, 80-86, 57-61, 63-76, 45, 47-56, and 52.

Committee Member Sandland proposed revising the designation for Parcels 98-102 and 103 to feasible. The Irvine Company may be willing to discuss Parcels 46-54.

Debra Allen, Harbor View Hills Community Association President, reported the sight plane ordinance applies to certain areas and limits building heights in those areas.

Jim Mosher remarked that buildings on Parcels 45 and 47-56 should not obstruct views from Fashion Island Circle.

Chair Tucker reviewed the designations for Parcels 123, 124, 125, 126, 127, and 128.

Committee Member Sandland suggested the subcommittee explore the parcels across Pacific Coast Highway from Parcel 22, the City's Avon parking lot, and the parking lot for Mariner's Square.

Committee Member Selich advised that Lower Castaways Park is deed restricted to parkland.

Chair Tucker noted the parking lot for Mariner's Square is subject to a height limit and located in the Coastal Zone. In addition, the parking would have to be replaced.

Committee Member Kiley indicated a number of lots along the Peninsula and Bay are included in the Housing Element for the fifth cycle and covered by paragraph 1 of the subcommittee's report.

Jim Mosher requested the maps reflect the sites listed in the fifth cycle. One or two housing units could be built on a small lot; therefore, small lots should not be deemed infeasible based on size alone.

Charles Klobe proposed contacting a developer that is constructing a residential project on a closed landfill to determine if housing can be built on Parcel 128.

DRAFT

Johnny advised that night lighting around the Library and the Orange County Transportation Authority bus depot needs to be brighter.

Mary Ann Soden encouraged the HEUAC to consider projects that provide housing for very-low, low, and moderate-income households.

Chair Tucker reported Parcels 46-54, Avon parking lot, and the Mariners Square Parking Lot will be added to the list as potentially feasible, and he will inquire regarding construction of residential units on a closed landfill.

In answer to Committee Member DeSantis' query, Chair Tucker indicated the subcommittee will explore an exchange of zoning for land on which 100-percent affordable housing may be built. Committee Member DeSantis encouraged the affordable housing subcommittee to explore those possibilities so that the bulk of affordable units is not provided through inclusionary zoning.

Chair Tucker requested staff add the sites from the fifth cycle Housing Element to the map.

In reply to Committee Member Sandland's inquiries, Chair Tucker related that staff may prepare a tabulation of acreage from sites designated feasible and potentially feasible after learning of property owners' interest in developing housing. Deputy Community Development Director Campbell advised that staff plans to send letters to property owners in the next few weeks and follow up with property owners in an effort to obtain their responses by the end of the year.

c. Site Suitability Input and Community Engagement

Recommended Action: Receive an overview of the outreach plan moving forward, including how the community will be engaged on the suitability of the sites that are identified as feasible or potentially feasible. Provide feedback and direction to staff and the consultant on the outreach plan.

Senior Planner Ben Zdeba reviewed public engagement opportunities in October through HEUAC, City Council, and Planning Commission meetings and a virtual community workshop and in November through HEUAC, City Council, and Planning Commission meetings, two virtual housing suitability workshops, and a virtual Circulation Element workshop. The housing suitability workshops will begin to consider density, which has policy implications. The public will be able to comment verbally and through the chat box and to respond to polls during the housing and Circulation Element workshops.

In answer to Committee Member DeSantis' questions, Senior Planner Zdeba advised that the public may provide feedback regarding parcels identified by the subcommittee and other parcels during the workshops. On the Newport Together website, community members may place pins on a GIS map to indicate their preferences for locations of housing types. If the HEUAC agrees with the plans for November workshops, staff will begin an extensive promotion of the workshops through social media and email blasts. Committee Member DeSantis suggested posts and emails contain a link to Newport Together and information about providing feedback through the website. Senior Planner Zdeba noted a potential social media campaign to drive more traffic to the website. The City's appeal of the RHNA allocation should be resolved in February 2021. If the City's appeal is successful, the City's allocation could theoretically be reduced by half. Committee Member DeSantis commented that focusing messaging on the needs of the community rather than a State mandate could generate more community interest and feedback.

DRAFT

In response to committee Member Stevens' inquiries, Senior Planner Zdeba indicated the potential housing sites will be divided between the two housing workshops. Activities utilized during the workshops will be available on the website for the public to provide feedback after the workshops. Staff has prepared a flyer promoting the workshops to distribute in the community.

Chair Tucker remarked that "none of the above" will not be a response to questions about locations for housing because the City has to find enough sites to comply with the RHNA allocation.

Jim Mosher inquired whether the workshops will extend for the full two hours. He suggested staff publish questions from the workshops ahead of the workshops so that community members have time to consider their responses. Community members are less likely to provide feedback if they feel it will not have a practical effect on HEUAC discussions and decisions.

Debra Allen suggested information for the workshops include a list of sites to be discussed in each workshop and instructions for participating in polling and verbal and chat box comments.

Senior Planner Zdeba clarified that flyers will include a list of areas to be discussed in each workshop. Discussion topics for the workshops will be published on the website prior to the workshops. The workshops will extend for two hours unless the public completes their questions and comments in less than two hours.

Mary Ann Soden concurred with requests for publication of workshop information and suggested staff promote the workshop in print media and allow the community to participate in workshops from the Community Room.

Chair Tucker advised that the HEUAC will not meet on November 18, 2020.

VI. **ADJOURNMENT** – 8:04 p.m.

Next Meeting: November 18, 2020, 6 p.m. in the City Council Chambers.

DRAFT

CITY OF NEWPORT BEACH
HOUSING ELEMENT UPDATE ADVISORY COMMITTEE MINUTES
ZOOM

WEDNESDAY, DECEMBER 2, 2020
REGULAR MEETING – 6 P.M.

I. CALL MEETING TO ORDER – 6 p.m.

II. WELCOME AND ROLL CALL

MEMBERS PRESENT (remote): Chair Larry Tucker, Jeffrey Bloom, Susan DeSantis, Paul Fruchbom, Elizabeth Kiley, Geoffrey LePlastrier, Stephen Sandland, Ed Selich, Debbie Stevens

MEMBERS ABSENT: (Ex Officio Member) Will O'Neill (excused)

Staff Present (remote): Community Development Director Seimone Jurjis, Principal Planner Jaime Murillo, Senior Planner Ben Zdeba, Administrative Support Technician Amanda Lee

III. PUBLIC COMMENTS ON NON-AGENDA ITEMS

David Tanner indicated the public has been told that they will get answers to their questions at this meeting, but there is not an agenda item for this topic. He inquired as to when the public will have an opportunity to ask questions and receive answers.

Hoiyin Ip remarked that virtual meetings are missing the energy of in-person meetings and suggested more interaction with the public during workshops and activities before and after workshops to get participants thinking about housing topics.

IV. CONSENT CALENDAR

a. Minutes of the November 4, 2020 Meeting
Recommended Action: Approve and file the minutes of November 4, 2020

Committee Member Sandland corrected the third paragraph of page 4 to read "Chair Tucker reported Parcels 46-54, the Avon parking lot, and the Mariners Square parking lot will be added to the list as potentially feasible, and he will inquire regarding construction of residential units on a closed landfill."

Chair Tucker moved, seconded by Committee Member Sandland, to approve the minutes of the November 4, 2020 meeting as amended.

AYE: Tucker, Bloom, DeSantis, Fruchbom, Kiley, LePlastrier, Sandland, Selich, Stevens
NO: None
ABSTAIN: None
ABSENT: None

DRAFT

V. CURRENT BUSINESS

a. Subcommittee Progress Reports

Recommended Action: Receive verbal updates from each subcommittee, as appropriate.

Chair Tucker reported the sites subcommittees have completed their work temporarily. The notes for sites in the remainder of town have been revised. The affordable housing subcommittee met on October 27, 2020 to discuss the Regional Housing Needs Assessment (RHNA) numbers and preparation of a full report to the Housing Element Update Advisory Committee (HEUAC). The purpose of the report is to educate the HEUAC regarding the various methods for financing and developing affordable housing projects. Understanding the affordable housing business will help the HEUAC reach a recommendation for the Council. Chair Tucker indicated he has prepared a first draft of the report and sent it to staff for review. He will modify the report after staff's review, if necessary, and circulate it to subcommittee members for revision. The report should be complete in December.

In response to Chair Tucker's question, Senior Planner Ben Zdeba advised that staff is preparing maps containing all sites and a list of properties from the fifth cycle that have not been developed. Staff hopes to provide both at the next meeting as a “receive and file” agenda item.

Committee Member Fruchbom related that he read information indicating Shopoff sold an acre in Uptown Newport for 66 luxury condominiums at an average price of almost $400,000 per unit or more than $24 million for the real property. If the information is true and the City can create land through increased densities, the land value of the units will be extraordinarily high and should allow the City to extract some reasonable fees for added density.

Charles Klobe added that the Uptown Newport project is entitled for 66 luxury condominiums with no requirement for anything less than above moderate, which should increase the price of land. The entitlements that Picerne is seeking for the 4400 Von Karman project only allows 5% of the total units to be low-income units while the apartments will be market rate.

Chair Tucker recalled Shopoff building a fair number of affordable units in the first phase of the project and Picerne seeking a density bonus of 20 percent in exchange for either 10 percent low-income units or 5 percent very-low-income units. Picerne chose 5 percent very-low-income units.

David Tanner asked about the validity of statements that staff is considering placing housing within the 65 decibel (dB) CNEL contour and, if true, the rationale for doing that. It would seem to open the City to litigation.

b. Virtual Workshops Recap

Recommended Action: Discuss the virtual workshops so far and takeaways from them. Receive an overview of the outreach plan timeline moving forward and provide feedback to staff and the consultant.

Senior Planner Zdeba reported the November 16 and 17, 2020, site suitability workshops obtained community input regarding potential density, scale, and attributes that could be applied to sites and the suitability of housing on the sites. Forty to 50 people attended each night, and dialog with the public was greater during the second workshop. The November 23 Circulation Element workshop included a good discussion with the community and solicited good feedback.

DRAFT

Jenna Tourje, Kearns & West, advised that the public provided good information through the chat feature, and she shared that information with all participants during the workshop.

Chair Tucker noted participants could offer multiple comments and were not limited to one 3-minute time period. Staff and the consultants have addressed the shortcomings of the first workshop.

In reply to Committee Member Sandland's inquiries, Ms. Tourje indicated recordings of workshops are available on newporttogether.com. The team is preparing an after-action report that will include key comments from the workshops and printouts of comments from the chat feature. The report should be ready in the next week. The team can capture comments regarding specific sites.

In answer to Committee Member DeSantis' queries, Ms. Tourje related that the team has been promoting the Newport Together website through ads, emails, and campaigns. Seventeen people have provided input on the map. Many people have visited the website without providing feedback on parcels. One thousand thirty-six unique IP addresses have visited the website over the past month. Currently, there is nothing tangible to which the public can respond. Senior Planner Zdeba added that the next utility bill will include a postcard regarding the January Circulation Element workshop. Hopefully, the postcard will drive a little more traffic to Newport Together and generate input. Staff is exploring contacting homeowners' associations (HOA) in the vicinity of the affected areas to generate interest.

Deborah Allen, Harbor View Hills Community Association President, commented that staff has attempted to make the process as transparent as possible and that she has heard good feedback from participants in the second workshop. Contacting HOAs with a list of sites should generate interest and input.

Nancy Scarbrough believed the format of the two workshops was much more interactive than previous workshops. Twelve to 13 of the participants were staff and committee members, and another ten were people who regularly attend public meetings. Some participants told her they left the workshops early because they did not feel their opinions would affect the outcome.

Chair Tucker advised that he sent an email about the workshops to 75 people who were likely to attend, and one email recipient attended the first night.

Adriana Fourcher encouraged the HEUAC to engage business owners in discussions of Airport Area sites.

Committee Member DeSantis suggested presenting information about specific sites to HOAs interested in those sites. Chair Tucker indicated the HEUAC needs to narrow the list of sites before talking to HOAs.

c. Housing Element Update Progress Documents
Recommended Action: Discuss, receive, and file.

David Barquist, Kimley-Horn and Associates, reviewed the five basic components of the Housing Element Update. Drafts of the Community Profile and Review of Past Performance components have been prepared.

Chair Tucker advised that this item will come back at the next meeting for additional thoughts and comments because of the substantial amount information contained in the documents.

DRAFT

Mr. Barquist indicated there will be a number of opportunities to comment on the draft documents as the process progresses. For the Community Profile, the Government Code requires an assessment of housing needs and an inventory of resources and constraints, specifically an analysis of the population, employment trends, and household characteristics. The analysis tells stories about the community and assists with the development of policies and programs that address needs. The Review of Past Performance document evaluates the 2014-2021 Housing Element goals, objectives, policies, and programs to determine whether they contributed to attaining the State's housing goals and were effective in attaining the community's goals and objectives, and to determine the progress of the City in implementing the Housing Element. Past performance is a good basis for including policies from the fifth cycle in the sixth cycle. Many policy changes will relate to new and emerging needs.

In response to Committee Member Stevens' question, Mr. Barquist related that census data will not be available for this analysis. Much of the information is based on projections.

In reply to Committee Member DeSantis' inquiries, Mr. Barquist stated the HEUAC can discuss specific policies and explore options at any time. The subcommittees and staff have already begun the discussions. Chair Tucker added that the HEUAC and the public need to understand affordable housing in order to stimulate ideas about meeting the RHNA allocation. The HEUAC may not need to meet with affordable housing developers because one is a committee member. Talking with a developer may not be appropriate as developers will compete for any sites the update process generates. Committee Member DeSantis anticipated the HEUAC needing to explore the parameters of an inclusionary zoning policy. Chair Tucker indicated committee members and the public can ask questions about inclusionary zoning when the affordable housing subcommittee presents its report.

Adriana Fourcher noted the population growth forecast for the City of Newport Beach is 8.4 percent over the next 20 years. Meeting the RHNA numbers may result in more housing units than are actually needed. Building housing in the Airport Area may displace jobs.

Chair Tucker noted the HEUAC is tasked with complying with the RHNA allocation.

Jim Mosher commented that if the HEUAC oversees the writing of the Housing Element with public guidance, having an outline of the new Housing Element would be valuable. Misstatements of facts in the two documents detract from the credibility of the documents.

Hoiyin Ip appreciated the interesting presentation.

d. RHNA Sites Identification Strategy

Recommended Action: Receive an overview of a strategy to comply with the RHNA allocation through the sites inventory and alternative housing opportunities.

Mr. Barquist advised that Table B in the November 24, 2020 memo contains incorrect information. In the very low column, projects in the pipeline should be 135, the total should be 146, and the net remaining need should be 1,307. The text below the table will be revised accordingly. The City of Newport Beach has been allocated 4,834 housing units and has to identify sites that can accommodate that allocation through the planning period. After subtracting existing capacity, projects in the pipeline, and accessory dwelling units (ADU), the City's net remaining RHNA allocation is 1,307 very-low-income units, 831 low-income units, 1,022 moderate-income units, and

DRAFT

0 above-moderate-income units. The next step is to determine candidate sites that will subsequently undergo evaluation of their suitability for housing. The HEUAC has identified a number of candidate sites, and letters have been sent to the property owners to determine their interest in redeveloping their properties. A number of property owners have responded to the letters. Next, the net remaining need will be refined based on each property owner's interest in redevelopment, site conditions and constraints, statutory limitations and constraints, and prioritization of sites. Finally, the HEUAC, staff, and the community will begin to create policy and programmatic solutions to meet the unaccommodated need.

In reply to Chair Tucker's questions, Mr. Barquist reported the number of housing units generated by projects in the pipeline is correct, but the numbers are fluid due to assumptions. The law states that cities must identify RHNA obligations by income category, but it does not require a developer to identify affordability categories when developing a project. The City is obligated to ensure there is no net loss when projects are developed. If there is a net loss, the City has 120 days to provide rezoning that accommodates the net loss. Essentially, the City needs to accommodate more units than its RHNA obligation to avoid the net loss scenario. The California Department of Housing and Community Development's (HCD) general recommendation is to plan for 10 to 30 percent more units than allocated. If the HEUAC determines sites will not accommodate the full amount of growth, the Housing Element may contain a program of actions to address the deficiency. At the time of adoption, the Housing Element may identify all sites to accommodate the RHNA allocation or include a policy mechanism to identify all sites within three years.

Committee Member Stevens noted the City will need to create policies that encourage developers to include more units in the very-low and low-income categories in their projects.

In answer to Committee Member Sandland's queries, Mr. Barquist related that sites will be divided into the four categories. The sites inventory will list the seven descriptors for each site, and the required HCD form will provide the information.

Committee Member Sandland stated some sites will have to be identified for 100 percent affordable housing in order to meet the RHNA allocation.

Committee Member Kiley understood the HEUAC would identify sites, and the Council would develop policies, including a policy to fund 100 percent affordable housing. The City previously had a program that required developers to pay a fee for luxury residential developments, and the City used the funds for affordable housing. The City of Irvine has a similar program.

Chair Tucker noted affordable housing projects typically provide 50 or so units rather than 400 units. Financing for 100 percent affordable housing projects is more complicated than financing for any other type of affordable housing project. In-lieu fees are not sufficient to construct the number of affordable units for which the fees are paid.

Committee Member Fruchbom advised that more than $0.5 billion would be needed to fund the required number of affordable housing units. The shortfall for each affordable housing unit is about $250,000. The problem is exacerbated by higher costs and rents in Newport Beach.

Chair Tucker highlighted the difficulties of meeting the allocation for affordable units.

Committee Member Selich viewed the excess number of above-moderate units as increasing the total number of units needed. As developers build mainly above-moderate units and few very low,

DRAFT

low and moderate units, the City will be in a never-ending cycle of zoning for the no net loss scenario.

Committee Member Sandland remarked that the City will have to look to property owners with other economic interests. Perhaps employers and churches will be willing to give up a portion of their properties for housing in exchange for a concession.

In response to Committee Member DeSantis' inquiry, Mr. Barquist reported the total number of ADUs was based on the number of ADUs constructed in the City. HCD provides criteria for affordability of ADUs located in the Southern California Association of Governments (SCAG) region. The intent is to expand the opportunities for construction of ADUs through policies and programmatic enhancements.

Committee Member DeSantis noted Vancouver has imposed a tax on vacant units to fund affordable housing and has increased the tax three times in the past 12 months.

In answer to Committee Member Bloom's query, Mr. Barquist advised that the sites inventory does not have to include the feasibility of developing a site. Whether or not a site is developed as planned comes into play with the no net loss scenario.

Adriana Fourcher believed a tax or fee imposed to fund affordable housing would be passed to consumers. Imposing a tax on vacant homes conflicts with the City's concerns about VRBO and Airbnb. Property owners pay property taxes and should not have to pay a fee or rent their home if they choose to take an extended vacation.

David Tanner suggested the HEUAC develop estimates of in-lieu fees for units in the different affordability levels. He inquired about the penalty for the Housing Element not attaining its goals. Chair Tucker indicated the answer to Mr. Tanner's question is probably unknown at this point.

Nancy Scarbrough asked if Mayor O'Neill has contacted the City of Irvine about sharing information with the City. Chair Tucker indicated he has not received any information about it.

Jim Mosher remarked that Table B seems to reinforce the historical anomaly that Newport Beach has great difficulty producing moderate housing units. He inquired whether the production of moderate-income housing in Newport Beach is a real problem, whether the barriers are known, and whether it can be corrected. Chair Tucker suggested increasing density to 50 to 60 units per acre may generate moderate housing.

e. Formation of an Additional Sites Subcommittee

Recommended Action: Form an additional sites subcommittee to review the potential for housing sites within the 65 dB CNEL contour in the Airport Area.

Chair Tucker reported a property owner has expressed interest in developing housing on his property located within the 65 dB CNEL area. Building housing within the 65 dB CNEL is not unlawful, but the interior noise level must be mitigated to below the noise threshold. The Mayor has suggested a subcommittee explore the feasibility of developing properties within the 65 dB CNEL contour.

Chair Tucker appointed Committee Members Sandland and DeSantis to the Additional Sites Subcommittee.

DRAFT

David Tanner advised that the noise standard for the exterior living environment is 65 dB and for the interior living environment is 45 dB. He suggested the Additional Sites Subcommittee consult with a noise consultant or the City's CEQA consultant to learn the law on this topic. This will result in nothing more than litigation for the City.

Committee Member Sandland was aware of apartment buildings being constructed within the 65 dB CNEL and adjacent to freeways in other cities.

Fred Fourcher indicated his office is located beneath the flight path of the left runway at John Wayne Airport and outside the 65 dB CNEL area. He cannot have his windows open and conduct phone calls because aircraft noise is too loud. The area is not hospitable for people attempting to enjoy the outdoors.

VI. **ADJOURNMENT** – 8:25 p.m.

Next Meeting: January 6, 2021, 6 p.m. in the City Council Chambers.

DRAFT

CITY OF NEWPORT BEACH
HOUSING ELEMENT UPDATE ADVISORY COMMITTEE MINUTES
ZOOM MEETING, NEWPORT BEACH, CA

WEDNESDAY, JANUARY 20, 2021
REGULAR MEETING – 6 P.M.

I. CALL MEETING TO ORDER – 6 p.m.

II. WELCOME AND ROLL CALL

MEMBERS PRESENT: Chair Larry Tucker, Jeffrey Bloom, Susan DeSantis, Elizabeth Kiley, Geoffrey LePlastrier, Stephen Sandland, Debbie Stevens, (Ex Officio Member) Will O'Neill

MEMBERS ABSENT: Paul Fruchbom

Staff Present: Community Development Director Seimone Jurjis, Deputy Community Development Director Jim Campbell, Principal Planner Jaime Murillo, Senior Planner Ben Zdeba, Administrative Support Specialist Clarivel Rodriguez

III. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None

IV. CONSENT CALENDAR

a. Minutes of the December 2, 2020 Meeting
Recommended Action: Approve and file the minutes of December 2, 2020.

Committee Member Sandland moved, seconded by Committee Member DeSantis to approve the minutes of the December 2, 2020 meeting as presented.

AYE: Tucker, Bloom, DeSantis, Kiley, LePlastrier, Sandland, Selich, Stevens
NO: None
ABSTAIN: None
ABSENT: Fruchbom

V. CURRENT BUSINESS

a. Subcommittee Progress Reports
Recommended Action: Receive verbal updates from each subcommittee, as appropriate.

In answer to Chair Tucker's inquiry, Senior Planner Ben Zdeba advised that the update of parcel numbers for the map of the remainder of town and information for the 65 decibel (dB) Community Noise Equivalent Level (CNEL) subcommittee hopefully will be ready on January 21, 2021.

Chair Tucker indicated that he will finalize reports for the Airport Area, the Hoag industrial area, and the remainder of town and ask staff to attach them to an agenda. Committee Member Sandland

DRAFT

will report regarding the safety zones and the noise contour of the 65 dB CNEL area later in the meeting, and the Housing Element Update Advisory Committee (HEUAC) will review sites in the 65 dB CNEL at the next meeting.

In response to Committee Member Stevens' inquiry, Committee Member Sandland stated there are approximately 200 properties in the 65 dB CNEL area.

b. Housing Element Update Progress Documents
Recommended Action: Discuss, receive, and file.

Chair Tucker recalled that committee members did not have sufficient time to review the voluminous Community Profile and Review of Past Performance documents provided for the December 2, 2020 meeting. Consequently, he had requested this agenda item for committee members to provide comments and ask questions.

c. Update on Property Owner Responses
Recommended Action: Receive an update from staff on the progress being made with receiving responses from property owners of properties identified as either "potentially feasible" or "feasible."

Chair Tucker recalled the HEUAC's desire to learn of property owners' interest in redeveloping their properties prior to discussing the suitability of properties for redevelopment.

Deputy Community Development Director Jim Campbell reported that the letter attached to the staff report was sent to several hundred property owners and some owners of mobile homes. Staff has received many calls and some emails from owners.

Senior Planner Zdeba advised that he informs mobile homeowners who respond to the letter about the Newport Together website to be involved in the process. Staff sent the letter to about 500 people, including mobile homeowners. Of note, Tait has expressed interest in redeveloping the Coyote Canyon landfill site. Some property owners have indicated no interest in redeveloping their properties. Staff does not attempt to change the property owners' minds but ensures they understand the process and the opportunities. Staff has received mixed interest from property owners in the Airport Area, Newport Center, Corporate Plaza, and the Dover Westcliff area. Staff is compiling the responses in a spreadsheet.

In reply to Chair Tucker's inquiry, Senior Planner Zdeba estimated 50-75 property owners and mobile homeowners have responded to the letter.

Deputy Community Development Director Campbell indicated that he has scheduled a meeting with Tait Engineering to discuss preliminary concept plans and densities for the Coyote Canyon site. The County of Orange (County), the landfill property owner, submitted a letter expressing support for the effort. Russ Fluter, who owns the Palisades Tennis Club site and several properties in Mariners' Mile, has expressed interest in redevelopment and offered to contact the Hyatt Regency about the adjacent golf course. Owners of some of the mobile home parks on 15th Street are interested in increased density. The owners of Banning Ranch continue to discuss the possibility of public acquisition of Banning Ranch for open space. If that does not occur, the owners will probably be interested in a project. Property owners in Cannery Village have responded to the letter. While the lots in Cannery Village are small, they can accommodate at least one or two

DRAFT

residential units. The consultant will use the spreadsheet of property owners' responses in their analysis of all sites to produce a draft list for the HEUAC in February.

In answer to Chair Tucker's questions, Deputy Community Development Director Campbell related that staff can send follow-up letters to property owners who have not responded and whose properties can accommodate a significant number of units. For the February 17, 2021 meeting, staff can provide a list of acreages based on parcel sizes and propose some densities for discussion purposes. Based on Tait's representations, the 32-acre site at Coyote Canyon is technically neither a landfill nor habitat area. Staff is attempting to confirm that it is not included in a Natural Community Conservation Plan (NCCP) / Habitat Conservation Plan.

In reply to Committee Member Sandland's and Chair Tucker's questions, Deputy Community Development Director Campbell stated he will contact Newport-Mesa Unified School District (NMUSD) about its property adjacent to Banning Ranch. Most of the NMUSD property is located within the city limits. A letter was not sent to Hoag Hospital, but staff will contact Hoag immediately. Senior Planner Zdeba clarified that letters were sent to NMUSD and Hoag Hospital.

Council Member O'Neill requested staff notify him of the date of the HEUAC's discussion of the Coyote Canyon site as he needs to ensure community members are aware of the discussion.

In response to Chair Tucker's inquiry, Deputy Community Development Director Campbell explained that staff intends to submit a draft sites inventory with a progress draft of the Housing Element to the California Department of Housing and Community Development (HCD) in mid-May. David Barquist, Kimley-Horn and Associates, reported the submission needs to contain all requisite documents and analyses and should contain the majority of the City's policy direction.

In reply to Committee Member DeSantis' query, Deputy Community Development Director Campbell indicated a letter was sent to the owners of the Newport Beach Golf Course, and they have expressed interest in redeveloping the golf course for housing, particularly the portion located south of Irvine Avenue. If the site is deemed suitable, its priority may be lower because of its proximity to John Wayne Airport (JWA).

Dorothy Kraus requested the name of the entity that has expressed interest in developing Banning Ranch and notification of discussions with Newport Banning Ranch (NBR) regarding a possible project.

Community Development Director Seimone Jurjis clarified that staff is actively discussing some level of development on the property with its owner, Newport Banning Ranch, LLC, as a backup plan if public acquisition of the property does not occur.

Nancy Scarbrough noted the Banning Ranch and Coyote Canyon sites are located in the county and inquired regarding the City or the County counting any housing units developed on the sites toward the Regional Housing Needs Assessment (RHNA) numbers.

Chair Tucker believed the County owns the Coyote Canyon site, but it is in the city. The Banning Ranch site is located almost entirely in the county. Deputy Community Development Director Campbell clarified that housing on the portion of the Banning Ranch site located in the city can be counted toward the City's RHNA. If the City annexes the remainder of the site, the City and the County will negotiate RHNA issues.

DRAFT

In answer to Chair Tucker's queries, Deputy Community Development Director Campbell explained that in order to count housing approved for the Banning Ranch site, the City has to show substantial evidence that the housing will be built during the planning cycle. Given the Coastal Commission's oversight of the site and annexation issues, convincing HCD that housing will be built may be difficult. If the number of sites for housing is limited, development of the Banning Ranch site may have to be considered. The City, Newport Banning Ranch, and the Coastal Commission are discussing possible development of the least environmentally constrained portion of the site. He indicated he has not received a response from the Irvine Company, but the Irvine Company may have responded to Community Development Director Jurjis or the Mayor.

Council Member O'Neill advised that the Irvine Company contacted the City Manager, who requested the Irvine Company respond in writing.

d. Affordable Housing Subcommittee Memorandum
Recommended Action: Discuss the draft memorandum and receive comments from the Committee and the public.

Chair Tucker reported affordable housing is a very complicated issue. Virtually all affordable housing projects are tied to 9% tax credits, which are allocated to each state on a per capita basis. Each state allocates the tax credits to projects. Affordable housing projects compete for a limited number of tax credits and typically seek multiple funding sources. Generally, a subsidy or incentive offsets the reduced rent charged for an affordable unit. There are currently two federal programs and one State program. Inclusionary housing ordinances are cities' efforts to encourage affordable housing projects through granting entitlements, waiving fees, and/or altering development standards. For an affordable housing project to be financially viable, the land cost has to be very low. The no net loss law requires a jurisdiction to account for affordable units that are listed on an approved sites inventory but not built as listed. The report contains policies and potential strategy alternatives for the Council's and public's consideration. HCD has determined that 68% of the accessory dwelling units (ADU) projected for the planning cycle may be credited toward the City's lower-income RHNA number. The City will have to achieve a performance metric for construction of ADUs or face repercussions.

Principal Planner Jaime Murillo advised that since 2018, 78 ADU applications have been approved or are under review, which is approximately 25 ADUs per year. Over the next eight-year cycle, the projection is about 200 ADUs. The projection will have to be supported by a policy that aggressively promotes and incentivizes ADUs. Ultimately, HCD will want the City to commit to a monitoring program and provide a backup plan if it fails to meet estimates for ADUs. HCD will accept some assumed affordability rates for ADUs.

Chair Tucker remarked that if the City seeks a higher number of ADUs, it will need to implement a program to promote ADUs. Some residents may be unhappy with the program if a neighbor constructs an ADU such that it obstructs the light and air on their property.

Committee Member Kiley noted the projection of 25 ADUs per year does not consider the State law that eliminates most restrictions on ADU construction. Principal Planner Murillo explained that staff is debating the impact of the law on the number of ADUs with HCD. The number of ADU applications was small in 2018, increased in 2019, and was quite large in 2020. Staff has considered using the trend to exponentially increase the projection for ADUs. If the projection is aggressively large, HCD will probably require monitoring and support for the projection.

DRAFT

Committee Member Stevens appreciated the affordable housing report because it simplifies a complex issue. In response to her inquiry, Chair Tucker related that the total amount of 9% tax credits is negotiated through Congress. Federal and state governments place regulations on the use of the tax credits.

Committee Member Bloom related that Amazon recently announced a $560 million investment in the preservation and protection of 2,300 units in the Seattle area. That is a subsidy of approximately $243,000 per unit and demonstrates the magnitude of subsidies required for affordable housing.

Council Member O'Neill stated the City's RHNA for very-low-income units is 1,451. Using a loss of value of $494,000 per unit, constructing the RHNA requirement will require almost $717 million in subsidies. Chair Tucker clarified that the loss of value analysis in the report does not include the value enhancement of the City granting entitlements for projects. A loss of value analysis is nuanced and needs to be conducted for each project. The relevant point is that there is a limit to the number of affordable units a project can provide and remain financially viable.

Hoiyin Ip remarked that some residents may not appreciate having a 100% affordable housing project in their neighborhood. The California Energy Commission is hosting a conference about sustainable affordable housing, and one of the topics is funding.

Chair Tucker clarified that 100% affordable housing projects and projects with a mix of housing individually do not provide a large number of affordable units. In order to achieve the number of affordable units in the RHNA, the City will need many market-rate units to subsidize the affordable units.

In answer to Committee Member DeSantis' inquiry, Principal Planner Murillo indicated a property owner related to him a cost of around $80,000 to convert a garage to an ADU. New construction could cost as much as $200,000-$300,000. Mr. Barquist advised that an estimate of $10,000 for an ADU conversion is extremely low.

e. Update Schedule Moving Forward

Recommended Action: Receive an overview of the schedule moving forward and discuss, as necessary.

Deputy Community Development Director Campbell reported on February 17, 2021, the HEUAC will begin the policy discussion. A virtual public workshop is scheduled for February 24. Staff will present a draft Housing Element Update to the HEUAC on March 17, the public on March 22, the Planning Commission on April 7, and the Council on April 27. Once HCD provides its comments on the progress draft, staff can schedule additional meetings.

In response to Chair Tucker's questions, Deputy Community Development Director Campbell advised that the February 17 sites analysis discussion will begin with entitled projects that are eligible for the Housing Element Update and a placeholder for ADUs and move to sites that can provide units to fill the gap between the RHNA requirement and the number of units provided by entitled projects and ADUs. The discussion will include property owner interest, densities, and constraints. The progress draft needs to correlate policies and the availability of sites. HCD may have difficulty understanding the breadth of housing policies if the sites inventory is not part of the progress draft. The sites inventory will be refined over the summer. Also on February 17, staff will present an initial narrative and outline of the project description for the Environmental Impact Report (EIR).

DRAFT

Chair Tucker recommended scheduling an HEUAC meeting on March 3, 2021 to continue discussion of the sites inventory and obtain additional public feedback.

Committee Member Sandland suggested moving discussion of the 65 dB CNEL area, including safety zones and the contour, to February 3 to provide more time for the sites analysis discussion on February 17.

In reply to Committee Member Stevens' question, Principal Planner Murillo reported the City's appeal of Santa Ana's RHNA allocation was heard and denied on Friday. The City's appeal of its RHNA allocation was heard and denied on January 19. Of the many appeals filed, the County of Riverside's appeal is the only one to be granted thus far, and it may result in a small increase in the City's allocation. The Southern California Association of Governments (SCAG) has not yet determined if it will litigate the State's regional allocations.

Committee Member Kiley suggested discussions with the Irvine Company about further development of Newport Center should be a priority. Deputy Community Development Director Campbell indicated receipt of the Irvine Company's letter, depending on its content, will open discussions between the Mayor, Community Development Director Jurjis, or Deputy Community Development Director Campbell and the Irvine Company's executive management. Council Member O'Neill clarified that the Irvine Company's communication with the City Manager appears to indicate the Irvine Company does not intend to engage significantly in a discussion of the City's RHNA allocation. Consequently, the City Manager requested a written response.

Committee Member DeSantis requested an update regarding housing legislation that takes effect in 2021 and requested staff update and provide the memorandum of housing legislation prepared for the General Plan Update Steering Committee.

Deputy Community Development Director Campbell advised that staff will explore updating the housing legislation memorandum. An update regarding recent legislation can be scheduled for a future meeting.

Chair Tucker preferred a legislative update focus on legislation that affects site selection and the sites inventory.

VI. **ADJOURNMENT** – 7:49 p.m.

Next Meeting: February 3, 2021, 6:00 p.m. via Zoom.

DRAFT

CITY OF NEWPORT BEACH
HOUSING ELEMENT UPDATE ADVISORY COMMITTEE MINUTES
ZOOM MEETING, NEWPORT BEACH, CA

WEDNESDAY, FEBRUARY 3, 2021
REGULAR MEETING – 6 P.M.

I. CALL MEETING TO ORDER – 6 p.m.

II. WELCOME AND ROLL CALL

MEMBERS PRESENT: Chair Larry Tucker, Jeffrey Bloom, Susan DeSantis, Paul Fruchbom, Elizabeth Kiley, Geoffrey LePlastrier, Stephen Sandland, Debbie Stevens (joined at 6:06 p.m.), Will O'Neill (Ex Officio) (joined at 6:03 p.m.)

MEMBERS ABSENT: None

Staff Present: Community Development Director Seimone Jurjis, Deputy Community Development Director Jim Campbell, Principal Planner Jaime Murillo, Senior Planner Ben Zdeba, Administrative Support Specialist Clarivel Rodriguez

III. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Jim Mosher expressed surprise to learn of an unscheduled vacancy on the Housing Element Update Advisory Committee (Committee) and the qualifications for the position. The enabling resolution does not contain a position with the qualifications listed for the vacant position. Also, the enabling resolution designates the current Mayor as the Council's representative to the Committee, and Council Member O'Neill is no longer Mayor.

IV. CONSENT CALENDAR

a. Minutes of January 20, 2021 Meeting
Recommended Action: Approve and file the minutes of January 20, 2021.

Chair Tucker moved, seconded by Committee Member Bloom to approve the minutes of the January 20, 2021 meeting with revisions proposed by Jim Mosher, Hoiyin Ip, and Chair Tucker.

AYE: Tucker, Bloom, DeSantis, Fruchbom, Kiley, LePlastrier, Sandland
NO: None
ABSTAIN: None
ABSENT: Stevens

V. CURRENT BUSINESS

a. Subcommittee Progress Reports
Recommended Action: Receive verbal updates from each subcommittee, as appropriate.

DRAFT

Chair Tucker reported he provides the affordable housing memorandum to parties who contact him about affordable housing. Based on comments submitted to him, he will revise the memorandum and circulate it to the Affordable Housing Subcommittee for approval. In addition, he received requested information for the memorandum pertaining to sites in the remainder of town after the agenda deadline for the current meeting. Updated memoranda will be placed on the agenda for the next Committee meeting.

b. Feasibility of Housing in the 65 dB CNEL and Subcommittee Action Report
Recommended Action: Receive an update from Committee Members Sandland and DeSantis on their exploration of properties as being "potentially feasible," "feasible," or "infeasible" within the 65 dB CNEL areas near the John Wayne Airport. Discuss the analysis prepared and receive and file.

Committee Member Sandland advised that the subcommittee only considered parcels that were physically able to accommodate housing in place of or in addition to the current use of the parcels. Parcels were designated as feasible, potentially feasible, and infeasible. He provided the subcommittee's criteria for designating sites as feasible, potentially feasible, and infeasible. Parcels that are overlaid with a CNEL contour greater than 70 dB were deemed infeasible. The Airport Land Use Commission (ALUC) has established Site Safety Compatibility policies. Zones 1 and 2, Runway Protection Zones, prohibit residential uses within the zones. Zone 3 is the Inner Turning Zone. Zone 4 is the Outer Approach/Departure Zone, and the basic compatibility indicates residential uses should be limited to low density. Zone 5 contains properties immediately adjacent to the runway and prohibits residential uses. Zone 6 is called the Traffic Pattern Zone. The compatibility policies state that residential land uses shall be allowed in this area. The subcommittee considered these basic compatibility qualities and determined that Zones 1-5 would be infeasible, and Zone 6 could be considered feasible or potentially feasible. John Wayne Airport (JWA) and the City both utilize CNEL contours of 65 and 70 dB, and the subcommittee did not explore alternatives. The subcommittee does not have all the facts regarding the various parcels; therefore, the designations are subjective. Some of the parcels could be reclassified as feasible, potentially feasible, or infeasible. Staff will contact the owners of properties identified as feasible or potentially feasible. Before the Committee approves any parcel for the site inventory list and after public input, the Committee would have to find that housing is a suitable use. Additional deliberations regarding suitability will involve density and could involve development standards. The subcommittee does not endorse housing on any particular site but has narrowed the list of sites that staff will review and that the Committee will consider adding to the site inventory after receiving public input.

Jim Mosher remarked that the 65 dB contour is very old. The actual contour changes with the flight patterns of aircraft departing JWA. The 65 dB contour has contracted such that almost all of Campus Drive is located outside the contour.

Chair Tucker noted the Committee did not consider the 65 dB area initially but may have to if sites are needed.

Deputy Community Development Director Jim Campbell agreed with Mr. Mosher in that noise contours change with traffic at JWA. For planning purposes, the adopted Airport Environs Land Use Plan is the determining factor. Staff anticipates a change over time but not a remarkable change. Some of these sites may be needed to fill a gap between required and identified sites. Sites within the 65 dB noise contour may be the last sites included on the list because of noise.

DRAFT

Chair Tucker added that there may be more opportunities for more affordable units at these sites.

Brett Feuerstein, owner of a portion of the Newport Beach Golf Course, indicated the property is located within the 65 dB CNEL and split between Zones 6 and 4. If the City needs to utilize sites within the 65 dB contour, the property would be perfect for some type of residential use. Based on his interpretation of the Airport Safety Zones, a residential use located in Zone 4 should have a density equal to the average density of all surrounding uses. If needed, the property could provide up to 100 units

Chair Tucker requested staff review the details of Zone 4 because the summary language for Zone 4 is confusing.

In response to Committee Member Kiley's inquiry, Mr. Feuerstein felt a density that provided more than 100 units might be aggressive for Zone 4. The portion of his property located in Zone 6 could provide up to 50 units per acre.

Committee Member Sandland reviewed the subcommittee's designations for Parcels 1, 1.5, 2, 3, 4, 6, 7, 8, 11, 48, 50, and 9. At the Committee's request, Committee Member Sandland only went over Parcels 17, 19, 21, 22, 29, 24, 41, 41.1, 114, 115, 119, 122, 123, 124, 125, 126, 128, 129, 142, 141, 146, 147-155, 158, 163, 165-169, 156, 157, 159, 160, 161, 189, 190, and 191, which the subcommittee designated as feasible or potentially feasible.

Committee Member Bloom noted that constructing a parking structure on the portion of the Newport Beach Golf Course property located in Zone 4 and constructing residential uses on the portion in Zone 6 may be feasible.

Committee Member Stevens concurred with Mr. Mosher's concern about relying on old data, equipment, and aircraft and with Deputy Community Development Director Campbell's comment that this is the data we are stuck with. The subcommittee handled the analyses well and found some potentially decent-sized parcels.

Chair Tucker related that the Council will have to deal with the safety issue if units within the 65 dB CNEL contour are needed to meet the Regional Housing Needs Assessment (RHNA) number.

Committee Member Sandland added that the subcommittee attempted to follow policies from the Basic Compatibility Qualities.

Charles Klobe remarked that Mr. Feuerstein proposed low-income housing in the form of condominiums and questioned whether Mr. Feuerstein understands that the Committee is looking for low- to very-low-income units.

Chair Tucker clarified that some of the property may be condominiums, but they would not be affordable housing. Nothing will be built if the burdens of affordability render projects infeasible. The State will have to confront the low-income issues when it reviews Housing Elements submitted by 197 jurisdictions.

Deborah Allen felt a residential project at the Newport Beach Golf Course would be wildly popular with the Newport Beach community regardless of density and affordability because development would constrain John Wayne Airport's (JWA) expansion.

DRAFT

c. Approach for Accessory Dwelling Units (ADU)
Recommended Action: Receive an overview of the possible approaches for using ADUs to count towards the RHNA requirement.

Chair Tucker commented that ADUs as potential units are different from other housing types. Assumptions have to be made in estimating the number of units that will be built. The City will receive credit for ADUs at certain affordability levels that are quite attractive. The disadvantage to ADUs is they may be built next to neighbors who are not expecting them. The Council will have to set the policies.

David Barquist, Kimley Horn and Associates, reported the memorandum describes the process and considerations for ADUs. Attached to the memo are the Southern California Association of Governments' (SCAG) methodology and excerpts from the Site Inventory Guidebook developed by the California Department of Housing and Community Development (HCD). ADUs are one strategy to accommodate growth needs, and single-family residences and multifamily developments will be needed to accommodate growth. HCD's approach to counting ADUs is called the Safe Harbor Approach and utilizes historical trends to project a yearly average of production over the course of the planning period. This approach eliminates the need to calculate affordability levels. Supplemental policies and programs may be needed to encourage development of ADUs.

In response to Committee Member Fruchbom's query, Mr. Barquist indicated ADU production has been approximately 25 units per year, and projecting that over the planning period provides the City's Safe Harbor.

Mr. Barquist continued the presentation, stating the ADU unit yield is 200 for the planning period. The City may take a more aggressive approach and adopt policies and programs that support a more aggressive approach. HCD will review these aggressive approaches on a case-by-case basis. The City is obligated to perform to the aggressive approach through the planning period and should balance its vision with a realistic projection to avoid no net loss implications.

In answer to Chair Tucker's inquiries, Mr. Barquist explained that theoretically the City could accommodate 4,834 ADUs. The question is the realistic number of ADUs that can be built during the planning period because the City is obligated to produce that number of ADUs. The Council will have to balance the tensions among the policies it creates for each type of housing. In his experience, jurisdictions are utilizing the Safe Harbor Approach.

Principal Planner Jaime Murillo advised that housing laws require the City to plan and zone for a variety of housing types and different densities. ADUs are viewed as an alternative to the sites inventory. HCD staff has stated clearly that the Safe Harbor Approach is acceptable, but they are open to an aggressive approach. Because the majority of ADU applications are pending in plan check, staff has to ensure the ADU projections for the Safe Harbor Approach are appropriate. A projection of 1,000 ADUs may be aggressive. While ADUs are allowed in any residential zone, there has to be a demand for ADUs. HCD will likely request a monitoring program for an aggressive approach. If the City does not meet its production targets, HCD will require the City to find alternative sites.

In reply to Committee Member Stevens' queries, Principal Planner Murillo stated HCD will probably not require monitoring for a Safe Harbor Approach. However, recent conversations with HCD staff seem to indicate monitoring may be required for a Safe Harbor Approach. Mr. Barquist indicated

DRAFT

the City may adjust its zoning for other housing types if ADU production exceeds projections. Basically, the City has to show it can accommodate its unaccommodated need.

In answer to Committee Member Sandland's question, Chair Tucker reiterated that the City would have to justify its ADU projections regardless of the method for calculating the projections.

Committee Member LePlastrier indicated he is working with family members to plan an ADU. The cost for a freestanding ADU is approximately $300 per square foot.

Committee Member Kiley believed a projection of 400 ADUs is realistic with the recent changes in housing laws. An amnesty program for existing illegal ADUs could capture additional units. Projecting the number of ADUs based on a percentage of single-family lots is reasonable.

Committee Member DeSantis concurred with the feasibility of a projection for more than 200 ADUs. San Diego is exploring ways to provide financing and preapproved architectural drawings and site plans for ADUs. Using best practices from other Southern California cities, the City should be able to craft a program that will support an increase in the projections. Developing a program that makes sense for Newport Beach, is supported by the community, and facilitates this is reasonable.

In response to Committee Member Kiley's inquiry, Committee Member DeSantis advised that staff has access to the Turner report and the website for best practices.

Nancy Scarbrough supported an aggressive approach because there is no history for ADUs. With education, Newport Beach residents would probably strongly prefer 2,000 ADUs over tens of thousands of high-density units concentrated in the City. Once the City zones for high-density projects, it will be impossible to reduce that zoning.

Charles Klobe supported an aggressive approach. The report indicates Newport Beach's historical rent for an ADU is approximately half that reported in other jurisdictions. That history of low rent should support an aggressive approach for low- and very-low-income ADUs. Achieving 2,000 ADUs over the next nine years is highly likely.

Chair Tucker commented that affordable units have to happen on private property, and private developers are not going to lose money to build affordable housing. The construction of affordable units just is not going to happen as designed.

VI. <u>ADJOURNMENT</u> – 7:42 p.m.

Chair Tucker noted on March 17, 2021 the Committee is scheduled to make a recommendation for the Planning Commission and City Council to consider in April. The Committee will likely continue working on the sites inventory after it makes a recommendation.

Deputy Community Development Director Campbell reported a first housing opportunities list will be presented at the next meeting. A public workshop regarding the policy framework and the first sites analysis is scheduled for February 24th. The process will repeat in March. The Council study session on February 9, 2021 will include the RHNA appeal, the Committee's progress, and ADUs.

In answer to Committee Member DeSantis's question, Deputy Community Development Director Campbell related that a workshop for the Circulation Element will be held on February 10.

DRAFT

Next Meeting: February 17, 2021, 6 p.m. via Zoom.

DRAFT

C.8 Public Comments

This section contains all the public comments received regarding the Housing Element Update. Personal addresses and contact details have been redacted for privacy.

A summary matrix of public comments to the Draft Housing Element is provided in this section.

DRAFT

Public Comments Matrix

The following table provides a summary of comments received during the 30-day public review period of the draft Housing Element Update. The City has reviewed and considered these comments in the development of the revised Draft Housing Element. Responses to community comments, as appropriate, are included in the table.

Public Review Draft Comments	Response to Comments
I have concerns regarding the low-income housing project. I picked Newport Beach to be my home for its exquisite style and I pay a hefty tax fee to keep it this way. Adding low income housing will impact us negatively so please stop this project.	The City is obligated by state law to identify sites by various income categories throughout the community.
I assume the "inventory area" is acreage, I see Banning Ranch is listed at 46 acres. Is this net acres, not inclusive of sensitive habitat? If this has not been vetted, the assumed density may not be accurate or comparable if you have to cram more units on less footprint. It doesn't seem logical to me to include Banning Ranch as 1 of 3 major focus areas (ie. Airport Area - 2,022 units, Newport Center - 1,814 units and Banning Ranch - 1,375). These are fairly comparable total net unit numbers, but the locations are vastly different. The Airport Area and Newport Center both clearly meet the SCAG/RHNA requirements for focusing 50% on transit-oriented locations and 50% on those with job accessibility. The allocation of units between these 3 areas doesn't seem to be proportionate to the goals. Beyond this, Banning Ranch seems to be a much more environmentally sensitive area. Lastly, it seems very aggressive and unfeasible to propose 1,375 units on Banning Ranch after the last plan that Coastal Commission voted down was based on a developer-proposed "reasonable" number of 895 units. Increasing the proposed unit target over what has already been rejected seems like an exercise in futility. We need housing. The Banning Ranch site needs to be considered. But perhaps it is more practical to target +/-895 units.	Net acreage is the assumed acreage used for calculating unit yield and may be less than total acreage of the site. Banning Ranch focus area is identified in the current General Plan and is generally consistent with the assumptions in the Housing Element Draft

DRAFT

Public Review Draft Comments	Response to Comments
Please preserve our popular and irreplaceable community recreational asset that will be lost if you rezone the Newport Beach Golf Course on Irvine Ave. near the airport. We love it and need it far more than more housing.	Recreation, infrastructure, safety are examples of the considerations when identifying future feasible housing opportunity.
Please vote against the re-zoning of Newport Beach Golf Course! This course is a staple within our community! It creates great value and beauty within our neighborhoods. It would be such a disservice to remove any part of the golf course! With having such a year of staying home due to the pandemic I know of countless Newport families who have enjoyed this [Golf] course and it's beauty which helped tremendously with being able to be outside safely. What a terrible shame to take it away! Please reconsider by maintaining Newport Beach's open spaces and please don't bend to the pressure like other cities have succumbed to by jamming structures on top of one another.	Comment Noted.
NO on rezoning golf course. Green space cannot be replaced. Our quality of life is at stake	Comment Noted.
Please do not rezone the Newport Beach golf course off of Mesa and Irvine. It will take away from the character of the community and city and we really don't have a lot of open space. I strongly oppose the low-income housing or any additional housing for that area. That golf course brings a lot of joy to the below average golfer who just wants to socialize and learn the game and that is a good thing for the sport as well.	Comment Noted.
We do not need any more high/medium density housing made out of cheap materials that are popping up all over Newport Beach. They look like units that are designed for affordable housing placed on prime real estate. Keep our green spaces exactly that and create a park with recreational facilities for our families. We do not need any more housing in Newport Beach. This just adds to more crowded living, traffic congestion, and widening of streets.	Comment Noted.
We are strongly against the rezone of Newport Beach Golf Course and want to see it remain as-is. It is an irreplaceable community recreational asset. Changing this for residential will set a bad precedent for development and elimination of other golf courses, parks, sports fields, beaches, open space, Back Bay, etc. Housing without such extremely negative impacts can be done with free market incentives by higher density rezoning of existing residential/commercial but never on open space, a red line that cannot be crossed.	Comment Noted.

DRAFT

Public Review Draft Comments	Response to Comments
Please do not rezone the Newport Beach golf course off of Mesa and Irvine. It will take away from the character of the community and city -- we really don't have a lot of open space. I strongly oppose the low-income housing or any additional housing for that area. That golf course brings a lot of joy to the below average golfer who just wants to socialize and learn the game and that is a good thing for the sport as well. I've lived in Newport since 1975 and I'm saddened by all the changes - it's already too crowded and this would just add to it.	Comment Noted.
As a resident and neighbor in close proximity to the proposed location for rezoning on Birch St in Newport Beach, I'd like to let my voice be heard and vote NO to the proposed changes. This area is an extremely high traffic area. Cars can often be seen racing up and down the area. There is a lot of congestion in this area. It's not an ideal corner for walking or stopping for an entrance. The golf course keeps the lands beauty and allows for recreational rather than loading this high traffic area into an even bustier and more dangerous intersection. There have been several deaths at this intersection and countless accidents. Having small children and being so close we don't want to exacerbate the problem of high-density traffic when we are already challenged with so many break-ins. In addition to keeping this portion of Newport Beach recreational is ideal. It really makes the land desirable and beautiful considering we have enough traffic and pollution living next to the airport. Please keep the space green & for recreational purposes. Please DON'T rezone holes 3-8 on the Mesa Dr side. This is a popular and irreplaceable community recreational asset that will be lost if rezoning happens. For the good of the community please reconsider and vote no to rezoning this gem.	Comment Noted.
I am reading the housing element, and I got to the bottom of page 72 here: https://www.newportbeachca.gov/PLN/Housing_Element_Update/March_10_2021_Draft/Section3_HousingConstraintsandResources.pdf At the bottom of the page, the last sentence says, "Other programs that affirmatively further fair housing and implement the AI's recommendations include:" But the next page is the next section. There is no list of programs.	The additional information has been added to this section and is provided in the Draft submittal to HCD.
I am against the City of Newport Beach changing the land use of the Newport Beach Golf Course and possibly the YMCA to make way for new housing in the Bayview Heights neighborhood. We do not want or need the zoning changed to make our area more dense. Our community is a small one already and now you want to over build it and make it more dense. The city has already approved rezoning for a multi story senior care facility where Kitayama was on Bristol even though the neighborhood was against it.	Comment Noted.

DRAFT

Public Review Draft Comments	Response to Comments
Now you want to build 100's of houses on the other side of our neighborhood on Mesa Dr. Where does it end? It's a total money grab for millions of dollars once the land is sold for development. Plus, residents enjoy the recreation facilities like the public golf course and the YMCA. The city is rezoning plenty around other parts of Newport Beach so please leave the Back Bay alone so we may enjoy the little open space we do have.	
I am not understanding "Element" I know the words land & housing. What is the proposal in plain language that the city wants to do?	"Element" is a term used in state housing element law to describe the different Chapters of the General Plan. The General Plan is a policy document adopted by Resolution of the City Council.
This is not going to happen…???? How where and why? Can I build a 60 story 300 unit high rise oceanfront in Cdm??? You get me the land I can get it built. ridiculous.	Comment Noted.
Can you add me to the City's mailing list so that I can receive updates regarding the Housing Element Update? I am a resident of Newport Beach and I work for a residential and mixed-use developer/homebuilder, so I'd like to be involved in the update process and be a resource for the City in meeting their RHNA allocation.	Interested parties can contact City staff or visit www.NewportTogether.com to register for regular updates.
WE ARE EMPHATICALLY OPPOSED TO NEW CONSTRUCTION AT THE NEWPORT BEACH GOLF COURSE (Birch Street/Mesa). This type of development will negatively impact our neighborhood on many levels.	Comment Noted.
Rezoning Newport Beach Golf Course, a popular and irreplaceable community recreational asset, for residential will set precedent for development and elimination of other golf courses, parks, sports fields, beaches, open space, Back Bay, etc. Housing without such extremely negative impacts can be done with free market incentives by higher density rezoning of existing residential/commercial but never on open space, a red line that cannot be crossed.	Comment Noted.

DRAFT

Public Review Draft Comments	Response to Comments
My mother is an over 50-year resident of Newport Beach. She does not use a computer but is interested in following the General Plan Update. Could you please mail her hard copy updates?	Interested parties can contact City staff if they require special accommodations.
My property is identified as site #161. Please withdraw or remove from consideration. I do not want my property changed in use or zoning from high rise office. I am not interested in very low-income housing. Do I need to have an attorney address this to insure that my site is removed from this plan and appendix B?	By Council direction, property owners who have requested removal from consideration will be granted that request.
I know the City has already appealed this arbitrary allocation of housing units and was denied, but I'm encouraging you to continue to push back. Please tell us how we can unify as a group to counter this overreach and intrusion into a city's right to plan its future. Do we have any legal options, or does this have to be fought from a political angle? For now, please only submit the minimum number of units required by RHNA. The more we can reduce the number of units we have to build, at the same time stretching out the years over which they are built, the more we will have a chance to eliminate, or mitigate, the impact this forced housing will have on our community. We have many acres of land that are either unsuitable, or unbuildable, without major grading and destruction of beautiful natural terrain - Coyote Canyon and Banning Ranch, to name two. If the number of available acres is reduced due to inviability (i.e. Coastal Commission or difficult terrain), does this reduce the number of units we're required to build? Have we already counted all the affordable "over-the-garage" and "behind-the-house" units that may be un-permitted, but could be counted as housing units? **Traffic, water and Resources**: We can't handle the traffic we have now: many residents rate traffic congestion as their biggest complaint. Traffic from 4800+ housing units will only exacerbate this problem. If there is another water shortage like the one a few years ago, there will probably need to be rationing to provide for these additional housing units. Has	The City will continue to be actively involved efforts related to RHNA allocations and will proactively monitor local and state efforts during and after the Housing Element Update process. The City is concurrently updating the Circulation Element and will include an Environmental Impact Report that will address the potential impacts to traffic, water and other resources. The Sites analysis, Appendix B, describes the intended

DRAFT

Public Review Draft Comments	Response to Comments
that been factored into the equation? Who is going to pay for the increased police, fire and emergency services that we will be burdened with? **Where to put the initial housing**: Since the majority of these new units are to be moderate, low and very low income housing, this means higher density and taller buildings. The area by the SNA Airport (where I live) would be the most logical and appropriate area to put the majority of this high-density housing: it would be compatible with the multi-story commercial buildings and hotels that exist there now. Also, this area's proximity to major freeways would lessen the traffic traveling through our city. Please do not touch the Newport Beach Golf Course in the Back Bay - our city needs these public recreational areas. Yachting, golf, tennis, hiking and outdoor activities are central to our community. Please keep this housing away from the coast - there is already enough traffic congestion there, as well as serious concerns and objections to higher buildings, increased density and incompatibility with existing neighborhoods.	location of potential rezone sites
We strongly oppose this [rezoning the NB Golf Course to build housing]! Irvine Ave has just recently been expanded from Bristol to Mesa and can not handle much more traffic during prime drive time. From Mesa to University, it is always backed up. The traffic and negative impact will be horrendous.	Comment noted.
I hereby voice my objection to the conversion of public land currently utilized as a golf course to multi dwelling housing. This proposal is not in the best interests of the citizens of Newport Beach and any progress to move forward with the transaction will result in alienating your constituents. The congestion that is already significant along this stretch of Irvine Blvd, Bristol, 73 FWY and the other streets adjacent to the Orange County Airport will only increase with this rezoning. Please do not approve the rezoning of this area.	Comment noted.
The Commission discussed among other things the Sight Plane Ordinance which is a protected view plane granted in 1971 by the Irvine Company to Harbor View Hills. It limits building heights in Corporate Plaza and Corporate Plaza West to roughly 32 feet. The Planning Commission concluded the Sight Plane Ordinance states a long established City Policy that should be maintained and protected in the zoning or design standards for re-development in the area it covers when the housing element is adopted. Please protect the Sight Plane Ordinance.	The Sight Plane Ordinance has been discussed with the City Council and is a consideration in the identification of opportunity sites and future rezoning actions.

DRAFT

Public Review Draft Comments	Response to Comments
NBGC owner wants big property value increase by using State housing mandate to get otherwise impossible rezoning from golf course to high density residential but NBGC is more popular and profitable than ever with good return on investment Housing Element has many existing commercial and residential zone properties with free market incentives for high density housing without the many negative impacts, consequences, and ramifications of developing the golf course: 1. loss of golf course and open space 2. sets precedent for development on other golf courses, parks, sport fields, and open space. 3. consideration of new housing directly under flight path contradicts many years NB working for curfew, for noise reduction, against increased flights, against airport expansion, etc. and will make opposition to future airport development less credible and effective. 4. new housing under flight path contradicts when airport impacts were used to justify eminent domain taking of many neighborhood homes for Birch St office development. 5. elimination of front 9 would reduce viability of existing 18-hole golf course and open the door for development and runway extension on driving range parcel and County owned back 9. 6. inappropriate use of recreational open space for residential will generate public opposition to entire Housing Element plan Please remove NBGC from Housing Element list before going to the next review level, maintain golf course protective zoning, keep one of the good reasons we enjoy living here, and save us all time energy and frustration dealing with this completely unacceptable proposal.	Comment noted.
One of the beauties of our area is the surrounding recreational/open space. This zoning is for the benefit of not only our neighborhood but for all Newport Beach residents, surrounding communities and visitors alike. If the proposed rezoning is approved the impact would destroy the intent that was meant for the entire community to enjoy. I urge you NOT to consider the proposed rezoning.	The Housing Element identifies candidate sites for potential rezones. State law obligates the City to identify adequate sits to accommodate future project housing need.

DRAFT

Public Review Draft Comments	Response to Comments
The Newport Beach Golf Course is part of the community. A place where the community can come together amidst all the chaos and enjoy the outdoors. A place where families and residents alike can spend a day on the course with no worries. I strongly oppose the rezoning efforts and hope City Council rethinks this change.	Comment noted.
I live close to the proposed location [NPB golf course] and am extremely concerned about all of the problems resulting from the congestion that this proposal would cause. Please do NOT rezone this area and remove this proposal entirely from this location. It simply cannot support the increase in traffic and other related issues.	Comment noted.
Our specific concern and opposition relates to the parcels located near and on the current public golf course on Irvine Avenue, Birch, and Mesa streets. 1. Our neighborhood already experiences speed and traffic issues, whether from speeding neighbors or those businesses (delivery or adjacent) using our adjoining streets to bypass traffic on Irvine, Birch, or Bristol. More housing will only contribute to those safety risks. It is unclear how related circulation and transportation plans would evolve as part of the drafted/planned developments. Our immediate community has witnessed at least a half dozen traffic-related deaths in the immediate area, including pedestrians, motorcyclists, and auto drivers. We've even witnessed a helicopter crash that killed three and plane crash that also killed three nearby. As you know, the proposed development is directly under the flight path of flights from JWA. 2. We live in a beautiful City whose residents value open space and the natural areas in, around, and through our neighborhoods. Replacing the open spaces with residential or commercial development will further impede into and degrade the City's natural habitats that make us unique, robbing our families of the public space experience we've come to enjoy and hold dear. 3. Significant environmental impact can be expected not just in the area currently defined by the golf course, but to the watershed feeding to and from the Back Bay and the natural preserve surrounding it. 4. While it is unclear how any of the development and infrastructure will be funded, we are concerned our families will bear some financial burden in supporting the potential developments. Development of any portion of the golf course is not a solution we can or are willing to support. Please help us in preserving the City we want to commit to in the long term.	Comment noted.
I do not support the near 100% buffer and the inclusion of almost 10,000 units in the Housing Element. I understand the need for a buffer, but not more than 15-20%. I would rather see us have to review/revise our	The Housing Element identifies potential sites to

DRAFT

Public Review Draft Comments	Response to Comments
Housing Element in a few years, as opposed to suggesting that an extensive amount of existing commercial areas be converted to residential (or mixed uses). I would like to see the path that other cities take, review comments from HCD, and see if there are any changes in state law before the City makes this kind of drastic move. Newport Beach is not alone in its concern with the RHNA allocations and requirements. I disagree with moving forward with the planning efforts to allow this many housing units.	accommodate future projected growth and does not represent actual construction. Sites identified in the Housing Element may or may not be utilized in future rezoning efforts. The buffer is used to protect the City for the implications of no net loss provisions in state law.
There is currently nothing to cap the number of housing units that could be constructed in the Housing Element to 4,845 units. Before the Housing Element is approved, those caps must be in place, e.g., zoning overlays that limit the development in each study area of the city. I believe those overlay zones should recognize existing ordinances. For example the City's Sight Plane Ordinance, (#1596) that limits the height of all buildings and landscaping to a maximum of 32 feet which applies to the sites in Corporate Plaza, Corporate Plaza West, and CdM Plaza should be identified.	The potential overlay zones or other appropriate zoning tool will be adopted subsequent to the Housing Element. Provisions related to existing policies will be considered as these amendments are made in the future.
I believe that we should be more aggressive in the use of ADUs and JADUs to help reach our RHNA goals. While I don't think we can meet our entire RHNA goals with ADUs, I believe the number should be at least double the 334 units that are currently shown in the Housing Element. This topic has been discussed a number of times at the Housing Element Update Advisory Committee meetings and there appeared to be general support for an increase into the 700-800-unit range. The laws regarding ADUs have recently been implemented and are beginning to be used more widely throughout the City. I think we should take advantage of that in our Housing	The accommodation of RHNA need is identified in the Housing Element by a variety means including overlay zones, existing

DRAFT

Public Review Draft Comments	Response to Comments
Element and that 700-800 ADUs would be easily achievable. In addition, an active program to encourage and look for unpermitted ADUs should be implemented to take credit for existing, unpermitted ADUs. Since ADUs are by definition 47% low-income, it's very helpful to our RHNA compliance without impacting any one area of the City.	entitled projects, available vacant land and ADU's. The policy program contains a policy addressing unpermitted ADU's.
The goal of the State in developing the RHNA numbers has been to provide a better housing/jobs balance so that people do not need to drive large distances to get to work. The strategy in the Housing Element has been to find undeveloped space, primarily in commercial areas of the city, for development of low-income housing (since the city is largely developed). If we rezone our vibrant commercial areas for residential development, we potentially reduce the employment opportunities and further impact the housing/jobs balance. I would like to stress this point to the state.	As a built-out community with severely limited vacant land, the majority of new development opportunity will occur on infill, existing developed parcels.
I remain concerned that more housing has been suggested in the industrial portion of the City. Specifically, identifying a metal plating facility (Hixson) that is contaminated and undergoing remediation as a potential site for housing and increasing housing near the site, is very poor planning and potentially dangerous. While the site will likely be remediated, it is doubtful that it would be available for residential housing any time soon.	As a built-out community with severely limited vacant land, the majority of new development opportunity will occur on infill, existing developed parcels.
We have watched our neighborhood start to transition from an 'empty nester' community to now a 'family' community. Adding a large "low income" apartment complex where open green space is currently located makes no sense from the perspective of creating a family community atmosphere. The more recent families making up our neighborhood have kids that enjoy the 2 parks on Mesa Drive along with the horse trails adjacent to the canal that butts up to the apartment site. This is a disaster waiting to happen and we are totally against it.	Comment noted.
I am opposed building 100's of units where the golf course back nine is now. Keep our open space!	Comment noted.
The rezoning of the NBGC front 9 to low income housing is a seriously bad idea. This area is directly under the flight path of John Wayne Airport, falls within an upscale residential community and adds to the overall congestion we experience every day in the area. This is literally the opposite of progress. Why not purchase the property instead. Leave it a golf course or park. Contribute to the natural environment. We don't want to	Comment noted.

DRAFT

Public Review Draft Comments	Response to Comments
see more cars, trash cans and congestion. This is Newport Beach. Not a place that really needs low income housing. Plenty of that exists in ruined communities already like Santa Ana, Anaheim and Garden Grove. Our area already suffers from poor leadership associated with airport expansion.	
I am adamantly opposed to such a move [rezone part of the Newport Beach Golf Course]. I oppose a housing project there, and any rezoning of this area ... and urge you to take the housing item off the table at this location. I remember losing the Bayview Elementary School on the bluff to high density housing townhouses. And now many of our streets have been rezoned to office buildings. The Newport Beach Golf Course is not only an integral part of our community, but a welcomed breath of fresh air and open space for everyone to come enjoy. It's also one of the very few or only affordable golf facilities open to the public in this area for families to learn and enjoy the game. And it provides a much-needed attractive relief to the corner of Irvine Ave and Mesa Dr. I strongly urge you to leave the Newport Beach Golf Course as it is for all to enjoy, and to maintain the aesthetics of our community.	Comment noted.
It is hard to briefly summate why all the reasons that turning the golf course into a high-density low-income housing project is a bad idea. Some of the more apparent issues are CEQA related in terms of noise and traffic. Also, removing the only affordable public golf course in Newport Beach is sad to consider. I understand there may be housing mandates but the folks at this end of town seem to take on an unreasonable burden for solving these types of issues. Please remove this property from consideration.	Comment noted.
I strongly oppose the golf course housing project. We want to preserve this are as it is not expand it. Absolutely not!	Comment noted.
As a local resident and taxpayer, I am against this rezoning [of the Newport Beach Golf Course for high density, low income housing] and am highly concerned about the traffic issues that will compound to an already busy area. We witness at least 1 major accident a month that occurs on the corner of Mesa and Santa Ana and can't imagine how many more there are that we do not see while we are at work. This rezoning is not good for the overall local community, traffic, and safety. I DO NOT support this rezoning and truly encourage to reevaluate this decision.	Comment noted.
I am completely against the rezoning of the Newport Beach golf course!!! No more High-density housing!!! I live off of Mesa Dr. The traffic alone is unbearable, my son was hit by a car, due to excessive parked cars on	Comment noted.

DRAFT

Public Review Draft Comments	Response to Comments
Mesa Dr. from overflow parking of high-density housing. I can't even pull out of my street without taking a chance of being hit.	
I'd like to voice my opposition to any plan to rezone the golf course and build high density housing to replace it. Please take this location off consideration. Bayview Heights has already gone through a lot of rezoning with office buildings all around us. We want to continue to enjoy and use the open space of the golf course. We like having open space just like other communities around Newport Beach. Please stop picking Bayview Heights to rezone. I am against any rezoning or development to any portion of the Newport Beach Golf Course.	Comment noted.
I strongly oppose the rezoning of the Newport Beach Golf Course - holes 3-8 (lots 23,24,25,26) and the golf course project. Please take this housing item off the table at this location. Bayview Height is special and unique to all who live here. Living here, we put up with the airport noise and office buildings all around us. Now you want to get rid of our open space (NB Golf Course) and subject us to high density housing. Many people use the NB Golf course for great recreation. It will be a great loss to our community. We want to keep the golf course as open space so it can continue to be utilized as an affordable recreational area. Please rethink this. You are trying to develop too much in the airport area. We are a small neighborhood, please do not overcrowd us with high density housing.	Comment noted.
My wife and I are ADAMANTLY OPPOSED to the potential rezone of the Newport Beach Golf Course to a development for low income housing. The City of Newport Beach would be better suited to re-developing this location to one that supports the existing population of the city and creates tax dollars and/or a location that will support further business growth. Low income housing developers will "Sell" cities on the needs of low income housing because it is a business for them to take government funds to build these projects that PAY THE DEVELOPER, but DO NOT SUPPORT A NEED for the City of Newport Beach. A low income housing project would do nothing for the actual economy of people who live here other than bring in a body of people who will further their political agenda with voting rights within the City of Newport Beach and the attorneys they bring with them. We are ADAMANTLY OPPOSED and will vote against this zone change as well as their supporters at every voting opportunity.	Comment noted.

DRAFT

Public Review Draft Comments	Response to Comments
We know the issue of affordable housing is a big item in our State, and the State of California is imposing edicts on many Cities in regard to this. Please slow down this City-wide housing issue so as to gather more facts, more citizen input/ comments and study the issue.	Comment noted.
In regard to our Bayview Heights/ Santa Ana Heights Neighborhood, we have seen the details and the housing count of what could be planned and installed on the golf course area, i.e. holes 3 - 8 (lots 23, 24, 25, 26). This has the potential for hundreds of units to go up in the golf course area. We do not want this! We very strongly oppose this golf course housing project, oppose any rezoning of this area, and demand that you take the housing item off the table at this location. The golf course is currently zoned SP - 7. That means, "Open Space and Recreational District: SP-7 (OS/R) - Open Space and Recreational District is intended to establish the long-term use and viability of the Newport Beach Golf Course."	Comment noted.
Our family opposes the re-zoning of the NB Golf Course area to build high density low-income housing on Mesa Drive. We've always focused on the Bayview Heights equestrian neighborhood for its open space and the neighborhood itself, the safety for our 2 year old and soon-to-be-born second child, the schools, the cleanliness, the community, the slower paced feel you don't quite get in the hustle bustle of the peninsula. This will absolutely affect our health and safety, it will increase traffic, impact the environment (the natural preservation of the Back-Bay area), and it will affect our schools and my kids' education. I am by no means opposed to low-income housing. I understand the need and support the fact that Orange County should provide more of it. Please find an alternative location and remove this housing item off the table at this location.	Comment noted.
I am writing to you today to express my extreme opposition to turning the front seven holes of our golf course into public housing. It makes absolutely no sense to take away recreational and park areas from the public mainly because the population density in the surrounding areas are already increasing at an alarming rate and we will need all the open spaces we can get to make sure people have a place for relaxation and recreation.	Comment noted.
It is well known and well published that affordable housing should never be concentrated in one area as originally contemplated in the Airport area. History tells us that this can lead to significant problems within communities. The concept of in-lieu fees appears to contribute to this problem. Have we conducted a study by an affordable housing professional that tells us how to allocate low-income and market rate units	The Housing Element responds to the requirements of AB 686. Council direction has

DRAFT

Public Review Draft Comments	Response to Comments
intelligently throughout the City in a way that will address this concern? This high concentration will only serve to undercut present efforts underway to revitalize the area, undermine existing property values and, in turn, result in an unfair and inequitable impact to area businesses and landowners. Please note that Assembly Bill 686 (2018) establishes a new mandate to "affirmatively further fair housing." The California Department of Housing and Community Development has explained that this new law must "ensure that sites zoned to accommodate housing for lower-income households are not concentrated in areas . . . but rather dispersed throughout the community, including in areas with access to greater resources, amenities, and opportunity."	indicated the desire for a more equitable distribution of units citywide. The sites analysis has considered these factors.
The City has policies in place today that require developers to provide affordable housing as part of what would otherwise be a market rate apartment project. These deals are referred to as mixed-income projects. For-profit affordable housing developers prefer mixed-income projects and are financed through private capital and a public subsidy, if needed. Nonprofit developers do not have access to private capital and build what the government is willing to subsidize. Today in California, that is Extremely Low affordable housing and housing for the homeless. Have we studied the value of creating public policy to allocate affordable housing and market rate units intelligently throughout the City in a way that will attract mixed-income, for-profit developers, and how are we reflecting that in our RHNA allocation? You would not have to look any further than our One Uptown Newport property as a successful mixed income development providing affordable rental units (based on 50% of OC median income) for 20% of the property's residents in Orange County's most affluent city. Our recommendation is to create a fair and proportional mix of 60% market and 40% affordable (low and moderate incomes) ratio equally in high opportunity locations which have the capacity for multifamily housing and are consistent with good urban land use planning. In our opinion those areas are the Airport, Newport Center, Coyote Canyon, and Banning Ranch.	The policy program provides for a variety of methods to achieve a balance of affordability levels to meet existing and projected need. The policy program also includes provisions to explore inclusionary policy to further explore proportional mix of incomes.
The proposed densities are not based on product that can actually be built from a development perspective. Three story garden product at most can achieve 30 units to an acre. Moving up the density scale is Type V wrap product which jumps to approximately 55 units to an acre. Type III wrap will provide approximately 75 units per acre (Newport Crossing). Type V podium (One Uptown) can achieve approximately 85 units per acre. Type III podium is about 100 units per acre. As you can see, densities at 40 units per acre (proposed Coyote Canyon) and 45 units per acre (proposed Newport Center) simply do not exist in a realistic	Future implementing revisions to the Zoning Code will consider a variety of development regulations and standards addressing feasibility, development

DRAFT

Public Review Draft Comments	Response to Comments
development. The reason is the cost of building a costly concrete garage in either a wrap or podium project typically requires the higher density (in excess of 55 units per acre) to achieve a viable economic development given the high land prices in Newport Beach. Three story garden apartment product (at 30 units per acre) which provide surface parking for its residents and is best suited to cities with an abundance of inexpensive land unlike Newport Beach, which is basically completely built out. Our suggestion is to take advantage of the high opportunity locations and create higher densities for the Airport Area, Newport Center, Coyote Canyon, and Banning Ranch.	incentives among other considerations.
Coyote Canyon is public land and, in our opinion, should serve one of the most pressing public issues, affordable housing. Density at 40 du per acre as stated above seems like an opportunity lost for more residential units given it is public land, not immediately surrounded by single family homes. One of the Housing Element Update Advisory Committee members, Paul Fruchbom, suggested using part the landfill for parking for the 22 developable acres. We think that suggestion is creative and should not be dismissed without serious analysis of the possibility. Also note, the State Surplus Land Act (SB 1486 – 2019) requires local agencies disposing or leasing surplus land to provide preferential treatment to affordable housing developers given the housing crisis in this State.	The Coyote Canyon area has environmental considerations that limit use of the entire site for residential uses. The plan reflects the use of a net area representing only a small portion of the landfill property not subject to extreme constraints. Further, assumptions in the plan are approximations subject to change based upon actual feasibility.
100% Senior Affordable Housing is a great way for cities to meet their state affordable housing requirements as well as providing much needed housing for the local community. Creating a "Senior Overlay" zoning allowance would include specific design and operational requirements such as higher density, reduced size of units, reduced parking, and senior oriented amenities. Senior Affordable projects are typically less than 100 units providing many opportunities throughout the city to find an appropriate development location.	The Housing Element provides for prioritization of senior housing through specific policy programs.
What was the methodology used to analyze the potential ADU units? ADU's appear to be low hanging fruit to assist in satisfying the city's RHNA requirement, and we are sure there are many opportunities that exist that	The methodology to utilize ADUs is provided in a new

DRAFT

Public Review Draft Comments	Response to Comments
were not counted. It was mentioned during the April 27th City Council Housing Element study session that the City's target for ADU's should be 1,000. We concur. We believe the high opportunity locations should all shoulder their share of the lower income affordable units. This results in a fair distribution and is good urban planning, which lays the foundation for the city to create land use and zoning policies that maintain local control.	Appendix D, in support of the City's desire to enhance ADU construction to meet its RHNA need.
As a user of Newport Golf Course ("NGC"), I strongly object to the above proposal for the following reasons: a. It is a badly needed recreation facility which would be severely damaged by the proposed development. b. It would severely impact the surrounding area and home values.	Comment noted.
I am opposed to the rezoning of the NB Golf Course for low income housing Per state requirements. The golf course is open to the public, the only one I believe in NB and enjoyed by many NB residents as well as everyone else. The golf course also provides a buffer from the airport and is under the flight path Which is another consideration. Since the State is requiring the housing project it only makes sense to me for the State to provide unused State land or empty State buildings that can be refurbished To meet their own requirements, instead of "forcing " cities to rezone public City Land or private land for that matter.	Comment noted.
How is this low income high density housing project going to impact our property values? Who do we see about that? Many of us in this NB neighborhood have worked hard for many years to acquire homes here and enjoy our quality of life here, again, who do we see about that potential impact to us? Note my opposition to Rezoning NB Golf Course.	Comment noted.
I OPPOSE the housing project of the Newport Beach Golf Course. I OPPOSE any rezoning of this area. Remove the project from the agenda. There is too much traffic already on Irvine Ave. Increased traffic is not safe for pedestrians and cyclists. Environmentally it is not responsible to proceed with this residential proposition.	Comment noted.
As I drive in and out of my neighborhood I see people enjoying the golf course. Singles, families and I have seen an increase in young people playing golf at the golf course. Better to see young people on the golf course than on "the streets". I oppose the golf course housing project, I oppose any rezoning of this area. Please take	Comment noted.

DRAFT

Public Review Draft Comments	Response to Comments
the housing item off the table at this location. Bayview Heights/Santa Ana Heights Neighborhood is a Newport Beach "gem". There is nothing like my neighborhood anywhere else in Newport Beach. Please don't destroy it.	
We love all neighborhood as is, and Santa Ana Heights has already spiked with flowing traffic and crowds of people. We need to keep the Newport Beach Golf Course, it's part of where we live and we treasure our community as is. Meeting with our neighbors we couldn't find anyone who agrees with the rezoning, and we oppose this plan 100%. Please take the housing item off the table at this location.	Comment noted.
I am writing to express my concern for the rezoning proposal of the Newport Beach Golf Course for residential housing. As a long time member of this community it is upsetting to see the cities of Newport Beach and Costa Mesa more focused on profit rather than the best interest of the community. This additional housing project would not only take away one of the few recreational areas we have left in the community but also create a traffic nightmare in the area. We have already seen pedestrians struck and killed in the cross walks at Irvine/Mesa as well as Irvine/University. How do you expect we could properly manage the traffic flow with this additional housing project?	Comment noted.
I strongly encourage you to oppose this awful idea to rezone a beautiful open space at the golf course into more high density housing that will only further clog and pollute a busy area around the airport. I further would encourage you to oppose nitwit ideas and mandates coming from Sacramento that only serve to destroy our once beautiful and safe city. Crime and drug addicts currently littering our once safe neighborhoods is a clear example of failed policies coming from Sacramento. Please do what's right for the constituents of your city and maintain what we have left.	Comment noted.
Residents seem to treasure their quality of life in Newport Beach. This includes a quiet airport, unobstructed views, and unclogged roadways. While this is not always possible, I believe that the city takes the necessary steps to ensure all the voices are heard and important input is considered. Understanding the pieces of this puzzle (building stock, roadways, utilities below grade, community risk, et al) at the ground level may prove to be beneficial if you chose to consider my thoughts. While I often hear about the city being "built-out" I do not entirely subscribe to the belief. The district/area that has the least sophisticated development if the Airport Area of the city. This area is surrounded on three sides by adjacent jurisdictions and heavily impacted by decisions of the other local governments. Additionally,	Comment noted.

DRAFT

Public Review Draft Comments	Response to Comments
the school district in this section of Newport Beach is the Santa Ana Unified School district. I'm sure this is unknown to the many new residents destined to move here who recognize that these cities are significantly different in many ways. Some have suggested that a change in district boundaries to address the issue, and while this may feel good to proffer, I don't see that happening anytime soon. It is safe to say that the Airport Area differs in many respects from the remainder of Newport Beach. Because of this a different vision statement may be needed in this specific community to seriously address the new development that is likely to occur in that area in the future. When I look at the General Plan vision statement, I fail to see how that can be realistically represented in the Airport Area. This area will see the Lion's share of the RHNA low/moderate units and be more intensively developed. This is something that will take a well considered vision and political leadership not before seen in Newport Beach to be done properly given the forces that will be aligned against new construction.	
We are adamantly opposed to the rezoning of the Newport Beach Golf Course to high density, low-income housing. A high density low-income project negatively impacts every single homeowner in the area, while offering absolutely zero benefits to us and the community as a whole. We hope the City Council will seriously re-consider and ultimately deny the rezoning of the golf course.	Comment noted.
I strongly oppose building on one of the few open spaces left. I personally feel as do many others the the government keeps taking taking taking! Homeless population is out of control, druggies are all over the play and now this! Do the right thing before we the people have to get more involved!	Comment noted.
As a resident and someone who grew up in the area, the Newport Beach Golf Course is part of the community, a place where my parents and I grew up playing, and it would be terrible to see housing built. I strongly oppose the rezoning efforts and hope City Council rethinks this change.	Comment noted.
I am a resident of Newport Beach at Orchid Hill Pl. I'm writing to you to express my opposition with the golf course housing project, opposing any rezoning of this area, and asking you to take the housing item off the table at this location.	Comment noted.
PLEASE stop the discussions about building high density low income housing at the golf course off Irvine Ave/ Mesa Dr. That idea is pure insanity. The neighborhood simply cannot handle the additional population and ensuing traffic. Already we are exploding thanks to Costa Mesa's allowing multiple units being built on what	Comment noted.

DRAFT

Public Review Draft Comments	Response to Comments
we're once single family home lots. In the 23 years living at my condo a few blocks away from proposed development, the development has resulted in 4x as many dwellings on a SINGLE BLOCK. Multiply that x2 easily for number of people/cars in a single block and you have insanity. The lack of parking, speeding, deteriorating roads...not to mention the smell of marijuana that permeates the neighborhood 24/7 has really already stretched the neighborhood beyond the limit. I beseech the City or Newport Beach to PLEASE find another site for this development. If you are going to change zoning, the other side of the 73 is a much more appropriate location for high density housing.	
Section 1: Introduction While we understand the role of the Housing Element is to "identify ways in which housing needs of current and future residents can be met" (page 1-2), those needs should not supersede the private property rights of existing residents and businesses. We seek clarification of this item in the Introduction, considering the fact that several pending and prior housing projects have improperly impacted existing property rights, including parking and property rights afforded under Covenants, Conditions and Restrictions (CC&Rs).	State law requires and the City's overarching General Plan goal is to identify opportunities to address existing and future housing need in the community.
Section 3: Housing Constraints & Resources It is our understanding that the City of Newport Beach was allocated a total of 4,845 units, per Section 2 - Profile. As identified on page 3-2, some constraints for the City establishing opportunity sites include "the availability and cost of land for residential development." We believe an additional constraint excluded from the list are CC&Rs. These documents often provide the governing rules for master planned areas, including lands in the Airport Area. Since the City has no authority over CC&Rs those "Nongovernmental Constraints" should be included in this section. Further, the City should respect the private property rights of existing business owners (and residents) and- at a minimum - acknowledge that collective rights in business parks are a constraint in the Housing Element Update. For example, no individual residential property is being targeted for conversion from one use to another, but areas that are considered "common area" business parks where owners bought into a share of the interest are targeted for new uses. The City should respect CC&Rs as they stand or require proposed projects to prove that modification of the CC&Rs accurately allows a new/specific use. The City should require this as a	Constraints and resources include evaluation of a variety of potential constraints related to governmental policy, site conditions and other factors that may influence the provisions of housing. The sites identification process considered many of these considerations through consultation w/ the

DRAFT

Public Review Draft Comments	Response to Comments
condition of approval for development entitlements prior to construction. Without this, the Housing Element will not properly consider existing property rights and this omission will expose the City to unnecessary entitlement challenges and delays. While we do not disagree that housing could be added to certain areas of the Airport Area-adequate resident-based services and amenities must also be included with those developments. The Business Parks that cover the majority of the Airport Area were not originally intended to be residential areas and are therefore lacking in many of the standard amenities and services one would expect to find in a residential neighborhood (grocery stores, parks, restaurants, banks, child-care facilities, etc.) The City should invest the time now to determine where these amenities, parks and services should be, or the City will be functionally promoting increased densification without properly planning for how this new housing density can also be high-quality, "livable communities." This exact conflict is referenced in Policy Action 4E: Airport Area Policy Exceptions for Affordable Housing in Section 4.	HEUAC and consultation with property owners.
Section 4: Housing Plan Any proposed overlay (as described on page 4-4) should include direct engagement by business owners and tenants in the Airport Area. This is a unique, commercial and business focused area that if not properly planned for could force businesses to relocate and have unintended consequences including but not limited to revenue consequences for the City. Further, if businesses leave, the marketability of the Airport Area could diminish and create unfavorable market and quality of life conditions for this important area within the City. On page 4-3 the Update states: "Housing Goal #8 - Effective and responsive housing programs and policies." Unfortunately, we could find no programs or policies that address the conversion of existing Class A commercial office space into residential units. This is an area that should be carefully investigated further by the City, as while it may be a potentially unique way to create housing and meet needs immediately where buildings and utilities have already been developed, it has a direct material impact on existing commercial property rights and the current infrastructure does not support residential development. Policy Action 3A: Objective Design Standards (page 4-10) and Policy Action 4B: Streamlined Project Review (page 4-16) should not create a by-right housing process that ignores impacts to adjacent businesses, existing	The overlay policy will be subsequently updated. Any rezoning action will provide entitlements in addition to those already provided to current property owners. Other policies in the Policy Program respond to requirements subject to state housing law.

DRAFT

Public Review Draft Comments	Response to Comments
CC&Rs, Planned Development Standards, or Integrated Conceptual Development Plans. These limitations should be noted in the document or be required to be addressed in the planning process.	
Appendix B: Sites Analysis After reviewing Figure B-1 Airport Area Environs - Sites Inventory, several Olen buildings were included as "Consideration Parcels" for housing. Because the Housing Element Update remains in Draft form at this time, we are not in a position to condone any such conversion of existing high performing commercial business parks into residential, which potentially strips owners of valuable and protected property rights. To be clear, Olen does not currently support conversion of existing commercial business parks to residential uses absent strict protections of the existing rights of commercial property owners and specifically does not consent to conversion to residential of any of its Newport Beach portfolio. We appreciate the opportunity comment on the Housing Element Update, but remain concerned that the private property rights of existing businesses will be adversely impacted by the City's expansion of housing units unless additional considerations are evaluated by the City. We are also concerned that the City is inadequately planning for the types of parks, amenities and services that would create good quality of life for these new neighborhoods, and for the City's business and residents as a whole. This concept of livable communities should be a central focus of the current planning process in addition to the question of where to potentially place new housing units. This letter shall not be construed as a full recitation of all of Olen's positions related to this matter and shall not act as a waiver of any claims.	Appendix B has been significantly updated to modify sites and locations. Property owners not interested in participating have been removed from consideration.
Please note I oppose this change to a housing project [Golf Course].	Comment noted.
The Housing Element should be harmonized with the LCP and Environmental Elements BEFORE SUBMISSION TO BE CERTIFIED. The fact that Banning Ranch is mentioned as a housing option after the Coastal Commission denied building and development options is either an attempt to "allocate housing to a back hole that has not potential, but looks good" and an attempt to undermine the Coastal Commission and set into play a fight between two state agencies. The City of Newport Beach should be honest and communicate clearly its intention. A past survey of residents clearly gave the city a clear dictate to preserve Banning Ranch and facilitate its acquisition for open space and public access.	A program EIR will be prepared in conjunction with the Housing Element update.
Banning Ranch should not be listed as a housing option.	Comment noted.

DRAFT

Public Review Draft Comments	Response to Comments
This element does not do enough to level the playing field to allow residents to add an additional story to facilitate families living together. One of the challenges of the cost of housing is that families are being separated and longtime residents are forced to sell to access equity, while adding another story could allow more residents to provide housing for aging parents (on the ground floor) or house adult children with their families on upper floors. Currently many remodels and new construction in West Newport are able to achieve 3 story construction using expensive variances, lawyers and political influence. The city has created an exclusive club that contributes to the housing shortage. The fastest way to more housing is to allow residents more freedom for "Mother/daughter" type construction. These would not be condos, but units with the ability of two families living together. Eventually, this can lead to duplex or triplex rentals, but that process can be paced out by economics and zoning plans over time.	Comment noted.
Homelessness is a mental health issue – any document produces by the city should recognize mental health as an issue. The main problem for those homeless wondering the streets of Newport Beach, they have addition and mental health issues that cannot be resolved without local mental health services. The city would be better served at add mental health counselors in the police department to go on calls related to those wondering the streets with mental health and addition issues. We could offer free housing, and the homeless issue would persist, because low cost housing is not the primary cause of the homeless populations wondering our neighborhoods, camping on public spaces and causing health and safety issues.	Comment noted.
Public transportation impacts housing prices. If we invested in mobility of having people easily move between Newport Beach and Riverside and make 24/hr per day access within 30 minutes then housing prices would not be an issue. What drives the unfair housing issue is the time it takes to commute between work and home and between home and public resources like the beach. Housing must be reconciled with a county and state transportation plan.	The Circulation Element of the General Plan is being updated concurrently with the Housing Element, addressing transportation-related issues.
Outreach has been lacking because the outreach has been unfairly biased to The Housing Element and the General Plan is more than the Housing Element – it must be a harmonized plan and the city needs to conduct more outreach for the other elements of the General Plan Update.	A summary of all outreach efforts is included in Appendix C of the Housing Element.

DRAFT

Public Review Draft Comments	Response to Comments
The parcel identified as ID 47 in the Housing Element Study is correct (APN 445-131-31, 2.58 acres). Two additional parcels owned by KCN A Management, LLC should be included as well. The two additional parcels are APN 445-131-30 totaling 23.74 acres and APN 445-122-19 totaling 16.67 acres. Both of these additional parcels have a combined usable development area of approximately 11 acres. All three parcels would provide a development area of approximately 13.6 acres providing the opportunity for 700 housing units based on a standard 50:1 ratio. In addition, the draft study indicates that all parcels in the specified area of our properties are to be rezoned as Low and Very Low housing categories. While we agree that some affordable housing should be provided in this area, we do not believe that the area should be exclusively Low and Very Low housing categories. A good balance of both market rate and affordable housing would be best suited for the Airport Area.	Appendix B has been updated to consider a variety of site considerations related to the distribution of affordability throughout the City.
The Newport Beach Golf Course is a part of our community, a place where my family and friends get together for events, and it would be absolutely terrible for you to build housing on a cornerstone area of my community. I STRONGLY oppose the rezoning efforts and hope the City council rethinks the impact this will have on its citizens.	Comment noted.
This is not acceptable to build homes that will impact our neighborhood and community. The problems that comes with crowding to many people in an area, the quality of people your wanting to attract will cause the same problems with parking and theft that is currently across Irvine Ave on Mesa Dr. the homes on riverside drive and Redlands have had issue after issue with people of poor character, theft, disorderly conduct and there street is covered in cars that do not live in the neighborhood. We love our hidden community, it is safe, family oriented and a hidden gem. We do not want this to change. We truly hope you can understand.	Comment noted.
I oppose the golf course housing project, oppose any rezoning of this area, and would ask that you take the housing item off the table at this location.	Comment noted.
I respectfully request that you NOT approve any rezoning of the Newport Beach Golf Course area as outlined in the Draft of the General Plan Housing Element Update (PA2017-141), presented during the Study Session on 4/27/2021. As you know, the Golf Course area is currently zoned SP-7, "Open Space and Recreational District". I and many of my Neighbors in Bayview/ Santa Ana Heights want to preserve the open space and the Golf Course area for	Comment noted.

DRAFT

Public Review Draft Comments	Response to Comments
recreation and use as previously & currently designated. I believe many other residents in Newport Beach and the surrounding area enjoy using the Golf Course and do not want to see it or any portion thereof changed out for a Housing project. This project would have a Negative impact on our Bayview/ Santa Ana Heights Neighborhood. In regard to traffic in the area, Irvine Ave. is already incredibly congested at various hours of the day and adding more volume will only make it worse and we will see an increase in accidents.	
Please vote no on rezoning the Newport Beach Golf Course to a high density, low-income housing zone. As long as the golf course chooses to remain open to the public for golf, they should be permitted to keep their 18 holes. I am not a golfer, but I enjoy seeing people enjoy their sport. While I recognize that low cost housing is in great need, this location is hardly a great location for low cost housing. It places it in the middle of a community, with few close job opportunities/career paths that don't require a commute. Things like local grocery, diverse public transportation, and local medical should all be considerations for a high density low cost housing complex. I don't see that kind of infrastructure in this area. Meanwhile you will be removing one of the few public golf courses Newport Beach can lay claim too.	Comment noted.
This is a notice of strong objection to the proposed Newport Housing Element zoning changes for the Newport Golf Club LLC ("Unique ID Parcels 23 to 26). The effects of this proposal will negatively impact the areas immediately adjacent to the proposed development densification by overloading the Mesa Drive / Birch and Irvine Avenue roadways. Morning and evening peak wait times at intersections currently approach 5 minutes and queue from Irvine Avenue to Orchard Drive. A number of years ago the circulation element was modified along with the County's Master Plan of Arterial Highways (MPAH) to eliminate the University Drive Extension to Jamboree Road and to remove the Mesa Drive connection on assurances that development and densities would not be increased. This proposal would violate those assurances and previous planning efforts. Additionally, during the creation of the specific area plan for the Santa Ana Heights neighborhood and the LAFCO discussions for its annexation to the City of Newport Beach, the City agreed to retain and preserve the residential rural equestrian zoning (and character) of the neighboring areas in exchange for some limited commercial rezoning along Birch and Irvine Avenues. The proposal under consideration conflicts with those previous planning efforts and commitments from the City, the County (and the previous Redevelopment Agency).	Comment noted.

DRAFT

Public Review Draft Comments	Response to Comments
I am writing to oppose the rezoning of the Newport Beach golf course into high density housing. We don't need any more traffic, noise, or people flooding the back Bay Area by Mesa drive. What we could use is some walkable retail shopping or commercial not dedicated to plastic surgery. Given this is also in the wake of Buck Johns paying off politicians to buy cheap land in Newport, I would hope extra diligence is being put into how land is being sold/zoned/used with an emphasis on benefitting existing residents.	Comment noted.
Accessory Dwelling Units We are concerned about the City's calculation of ADU production and the lack of support for the numbers that have been included in the Drafts thus far. With the direction of the City Council to increase the ADU numbers even further, to potentially 1000 units, we have even greater concerns that such production is unrealistic. However, we are encouraged by the fact that City Staff intends to survey the community and study this further. We hope that the City's ultimate determination regarding ADU production will be supported by reliable evidence and specific incentives to ensure a realistic probability that the City will meet its ADU production. Additionally, the City's ADU program should include some form of regular data collection, evaluation, and site inventory update. For example, the City should evaluate annually the number of ADUs produced and the rental rates at which they are available to the general population, if at all. Based on a review of data, the City should reevaluate its ADU predictions and in the event of a shortfall in production, revise its ADU program and incentives to boost production or ultimately identify additional sites to accommodate the shortfall. The City should also consider incentives that encourage residents to agree to affordability covenants for their ADUs. With the City's aggressive approach to ADU production, the specific details of its ADU program as well as its robust and regular evaluation of ADU production are essential.	A new Appendix D has been provided supporting the assumptions for increasing ADU potential. Additionally, programs supporting ADU construction and monitoring of progress have been included.
No Net Loss Requirements Government Code section 65863 ensures that jurisdictions accommodate their RHNA throughout the planning period. To accomplish this, HCD recommends that a jurisdiction create a buffer in the housing element inventory of at least 15 to 30 percent more capacity than required. The City Council's direction to reduce the buffer of sites in its inventory to 5% is alarming, especially considering the potential need for a citywide vote to rezone newly identified sites within 180 days of approval of any development that results in a shortfall in the City's site inventory. This is also problematic considering that nearly 50% of the City's RHNA is allocated to housing for households with very low and low incomes. Unless the City is donating land or providing significant	The assumption for a RHNA buffer has been increased per Council directive.

DRAFT

Public Review Draft Comments	Response to Comments
funding toward affordable housing, it is unlikely that the market will support the development of housing complexes where 50% or more of the units are affordable to very-low- and low-income families. Further, the City is planning on the percentages of units affordable to low- and very-low-income households to be 45% in the airport area, 65% in West Newport Mesa, 30% in both Dover-Westcliff and Newport Center, 35% in Coyote Canyon, and 20 % in Banning Ranch. However, the City is planning on adopting an inclusionary zoning ordinance requiring only 15% of the units be affordable to very-low-, low-, and moderate-income. With the development of just a few of the housing element sites, the City may quickly run out of inventory to cover its RHNA with only a 5% buffer. We encourage the City to reconsider its 5% buffer and adopt a buffer in line with staff's recommendation in Table B-1 on page SS3-4 of the Staff Report for the April 27 Study Session.	
Site Inventory Banning Ranch: We are concerned with the City's reliance on Banning Ranch as a suitable site for the development of housing, including affordable housing, during the 6th Cycle. As the City's Draft recognizes, Banning Ranch was identified in prior planning periods and the City previously approved a development at that location, however, the development was denied by the California Coastal Commission. In its findings, the California Coastal Commission indicated that approximately 19.7 acres were suitable for development, of which only 11 of those acres could be developed for residential housing structures. Considering this history, without additional programs or supporting information determining the development potential of 46 acres at this site, it is unrealistic for the City to consider more than the 11 acres developable within the planning period. Coyote Canyon: Considering the landfill in the vicinity of this location and the correspondence the City received from State and Federal Fish & Wildlife agencies opposing development at the site, we are concerned about the viability of the site for housing development during the planning period without additional programs or supporting information to show the reliability of the site's development potential during the planning period. We also agree with comments made during the Study Session that locating 100% affordable developments at the site raises environmental justice concerns. Via Lido Plaza: We support the City's decision to include all sites in its inventory where property owners have affirmatively expressed interest in redeveloping their property for residential use and in being included in the site inventory, especially if a property owner has indicated a willingness to include affordable units in any	Banning Ranch and Coyote Canyon are two of the six opportunity areas in addition to existing entitlements and ADU assumptions. Constraints and other factors have been considered and will be considered as part of the implementation of the rezone programs described in the Policy Program.

DRAFT

Public Review Draft Comments	Response to Comments
development. Including such sites will help the City meet the increased requirement that jurisdictions demonstrate realistic development potential for nonvacant sites.	
Affirmatively Furthering Fair Housing With HCD's release of its Affirmatively Furthering Fair Housing: Guidance for All Public Entities and for Housing Elements (April 2021 Update), we encourage the City to review the HCD's Guidance and revise its analysis and programs as they relate to the duty to affirmatively further fair housing. While we address a few concerns specifically, the Guidance is an exceptional resource that the City should thoroughly review and follow when revising its Draft Housing Element. We also encourage the City to take advantage of HCD's AFFH Data and Mapping Resources to incorporate additional data into its analysis.	AB 686 considerations have been included in Sections 3 and 4, as well as Appendix B of the Housing Element
Outreach and Key Stakeholders We encourage the City to ensure that its outreach includes a diverse group of organizations and individuals, particularly with its assessment of fair housing and in its selection of sites and development of programs that affirmatively further fair housing. Some key stakeholders the City should reach out to include: community-based and other organizations that represent protected class members, public housing authorities, housing and community development providers, lower income community members and households that include persons in protected classes, fair housing agencies, independent living centers, regional centers, homeless services agencies, churches and community service organizations that serve ethnic and linguistic minorities, etc.6 While we applaud the sometimes thankless and often tiresome work that the Housing Element Update Advisory Committee has committed to the Draft Housing Element over the last eight months, we are concerned that there has been a lack of diverse stakeholders included in the City's outreach efforts. Among the stakeholders listed above, the City should make particular efforts to engage renters, members of protected classes, individuals that rely on affordable housing, and local workers, who may not be Newport Beach residents, but would choose to live closer to their employment if affordable housing were available.	Outreach efforts through the process have been transparent and seek to engage a diverse audience. A summary of efforts is provided in Appendix C of the Housing Element.
Additional Analysis The City's "analysis must address patterns at a regional and local level and trends in patterns over time." The City is also "expected to use local data and knowledge to analyze local fair housing issues, including information obtained through community participation or consultation, such as narrative descriptions of people's lived experiences." Other relevant factors the City should analyze include barriers in	AB 686 requirements have been included in Section 4 of the Housing Element.

DRAFT

Public Review Draft Comments	Response to Comments
zoning and land use, such as "[p]redominance of single family uses and larger lot sizes in racially concentrated areas of affluence" or "[v]oter initiatives that restrict multifamily developments, rezoning to higher densities, height limits or similar measures that limit housing choices," etc. The Draft should also include an analysis of racially concentrated areas of affluence when analyzing patterns and trends of segregation and integration.	
Site Inventory and AFFH While we applaud the City's efforts to redistribute affordable housing throughout its focus areas and reduce the concentration of affordable housing in the airport area, we are concerned that limiting affordable housing to the focus areas still creates or exacerbates patterns of segregation. Even though the City as a whole is predominately White and affluent, especially when compared with the region and state, simply viewing Figures 3-7, 3-8, and 3-9 still demonstrates that the City is focusing its affordable housing in areas of the City with higher percentages of Hispanic/Latinx, Non-White, and Low/Moderate Income populations than may exist elsewhere in the City. When evaluating its Site Inventory, the City needs to "discuss how the sites are identified in a manner that better integrates the community," explain how the identified sites impact "existing patterns of segregation and number of units relative to the magnitude of the RHNA by income group," and evaluate "whether the RHNA by income group is concentrated in areas of the community."	AB 686 requirements have been included and considered in Secitons 3 and 4, as well asAppendix B of the Housing Element.
Goals, Policies, and Actions As part of the AFFH component of the Draft Housing Element, the City needs to identify and prioritize contributing factors to fair housing issues then identify goals, policies and a schedule of actions with specific timelines, discrete steps, and measurable outcomes that will have a beneficial impact during the planning period. "Goals and policies must be created with the intention to have a significant impact, well beyond a continuation of past actions, and to provide direction and guidance for meaningful action." The City's Policy Action 4A fails to meet the requirements of the necessary program to affirmatively further fair housing. Essentially, the City's program is to collaborate with other organizations and to review fair housing complaints simply to refer them to the appropriate government agency and to collaborate with other stakeholders to address potential constraints to fair housing, which may include analysis of barriers, review of historic policies, and "specific actions" that contribute to an inclusive community. First, the analysis of barriers to housing and a review of historic policies and restrictions that prevented protected classes from locating in Newport Beach should already have been done and included in the Housing Element as a part of the City's	AB 686 requirements have been included in Sections 3 and 4 of the Housing Element.

DRAFT

Public Review Draft Comments	Response to Comments
required analysis of Fair Housing. Essentially, the City has set a goal to do the analysis in the future that is should have already incorporated into its Draft Housing Element. And while the City states that it may take "specific actions," to foster inclusivity, there are no details about these "specific actions." "Programs in the element must have specific commitments to deliverables, measurable metrics or objectives, definitive deadlines, dates, or benchmarks for implementation. Deliverables should occur early in the planning period to ensure actual housing outcomes. For example, programs to 'explore' or 'consider' on an 'ongoing' basis are inadequate to demonstrate a beneficial impact in the planning period." The City's AFFH Policy Action is exactly what HCD has deemed to be inadequate. We encourage the City to rework its fair housing analysis, identify barriers to fair housing, and develop specific programs and policy actions in line with HCD's guidance to affirmatively further fair housing and actually achieve beneficial impacts during the planning period.	
Site Inventory Based on the April 27, 2021 City Council Study Session, we understand that the City is taking additional time to review and revise its Draft, including the Site Inventory to increase the reliance on ADU production, which we interpret to mean a decrease in the list of sites identified or in the density of those sites. As we have requested before, when the City updates its Site Inventory, we would appreciate receiving a copy for review. Some concerns that we have previously identified and encourage City Staff to consider when revising the Site Inventory include: • Ensure that the Site Inventory correctly identifies whether a site was previously identified in the 5th Cycle; • Specifically identify the sites to be rezoned in any rezoning policy action; • Ensure that the appropriate densities, or greater, and appropriate percentages of affordability, or greater, are designated to sites in accordance with housing element laws; • Provide the required analysis for sites less than 0.5 acres or greater than 10 acres to demonstrate that sites of that size were successfully developed during the prior planning period; • Develop a policy action to identify City-owned nonvacant sites as surplus land, in accordance with the Surplus Land Act, during the planning period; and • Identify the current uses of nonvacant sites and how such uses do not constitute an impediment to additional residential development during the planning period.	Appendix B has been revised to include a variety of these considerations.

DRAFT

Public Review Draft Comments	Response to Comments
We continue to be encouraged by the City's diligent efforts to comply with state housing element laws and meaningfully contemplate the housing needs of its community and how to meet the needs. While we are concerned with some of the recent direction City Staff has received related to the Draft Housing Element, as described above, we await the City's thorough review and investigation of those matters to determine the realistic development potential during the planning period of ADUs and identified sites. We are also excited by the new HCD Guidance and Data and Mapping Resources to assist the City in complying with its duty to affirmatively further fair housing. We look forward to continuing to work with the City through this process and if we can provide any additional assistance, please do not hesitate to contact us.	Comment noted.
As a resident who has lived here for the past decade, this golf course is part of the community, and it would be terrible to lose that!!! I strongly urge you to reconsider zoning and truly consider the affect it will have on our beloved community.	
I am adamantly opposed to any rezoning as residential land. The golf course is a beautiful natural quiet area and adding residential buildings will destroy any sense of peace and will add hundreds of automobiles, pollution and noise to this quiet east side location. Property values will plummet, traffic will increase 100-fold and noise will substantially increase. The Golf course is the only reason I purchased in this area. Please do not continue this horrible project of rezoning the golf course.	Comment noted.
I highly oppose this decision [to build high density housing on a portion of the golf course]. We believe that this is a very poor decision and will greatly affect the community by removing something that is constantly used by our residents as well as visitors from around the world. It will also cause an increase in traffic that is already an issue in this area. Please reconsider this decision as it will be a detrimental move to our city.	Comment noted.
I adamantly oppose the rezoning of the golf course for low income housing. That is a terrible place to put high density housing directly under the flight path and we do not need more traffic. The golf course should not get smaller because thousands of golfers enjoy both the front and back 9 every week. That is really the only affordable public golf course in Newport Beach, and you want to downsize it?	Comment noted.
Gentlemen, this message is to express my opposition to any plan to convert the Newport Beach Tennis Club property into any kind of "low, moderate, or above-moderate income" housing units. Doing so would become an environmental disaster to the surrounding community in my opinion. Bear in mind there are two schools within walking distance of this site, the closest being a grammar school. The added traffic resulting from additional housing would greatly increase the likelihood of tragic pedestrian accidents involving children.	Comment noted.

DRAFT

Public Review Draft Comments	Response to Comments
I have lived in my home in Newport Beach for over thirty years and have seen careful planning and good progress made in the city. In my opinion, converting the the Newport Beach Tennis Club property into additional housing is a very bad idea and detrimental to the surrounding community. I believe there are more appropriate sites on the list and therefore I would like to see the tennis club property removed from the list permanently.	Comment noted.
Thank you very much for serving our local community of which I have been a resident of for nearly 60 years. Regarding APN: 440-281-02 I highly objection to the aforementioned Parcel and its re-zoning to provide over 250 high density residences to the Eastbluff area —Higher traffic plus a high carbon footprint vs recreation and health? Additionally to hide this behind the veil of 125 low income housing is intolerable. Please don't tell me that the city will receive and increase in property tax — With good management from your team the city has more than enough money. But more importantly to take away recreation which is so badly needed in just wrong! If you haven't notice the second biggest contributing factor to deaths from COVID is obesity or high BMI. This property serves many times more people each year than the proposed 125 low income units will ever provide. Besides the membership the property serves several tennis tournaments and provides hundreds of children swimming lessons and races each year! If you would like to discuss further do not hesitate to contact me — and I do look forward to seeing each of in person to reinforce my concerns about this project! Thank you again for your service and with your good leadership we can make this city even better. I am here to help if needed!	Comment noted.
As a 30-year resident of Newport Beach I urge you to reject the efforts being proposed to replace the NB Tennis Club with housing units. NB Tennis Club has been a fixture in our community and serves as a gathering spot for residents to exercise and enjoy each other's camaraderie. The population density in Newport is already too great and the traffic and crowds is excessive. Please protect NB Tennis Club!	Comment noted.

DRAFT

Public Review Draft Comments	Response to Comments
As you can see from below, we've been fighting the re-districting of Newport Beach Tennis Club for years, always assured that a general plan amendment and a long process with multiple hurdles would be required to change NBTC to a residential site. It looks like more and more of those hurdles are falling and the threat is real. I STRONGLY oppose both the destruction of the tennis club and the building of condos. As to the former it's a longstanding recreational landmark and a very active, well-used club. As to the latter if we wanted to live somewhere dominated by condos and a bunch of cookie cutter housing developments with a horrible traffic flow we would move to Irvine. PLEASE stop the "development" that is ruining the character and individuality of Newport Beach. I understand there is a mandate from the state to identify areas for affordable housing but taking away one of the longest standing and supported recreational areas in a city that is exploding with condos and traffic cannot be the right answer.	Comment noted.
I wanted to take this time to offer my opinion on the upcoming decisions facing you regarding site selections for the 2021-2029 Housing Element addressing future low/very low, moderate and above moderate income housing specifically involving APN:440-281-02...the Newport Beach Tennis Club. I am completely against including this property in the designated City of Newport Beach 2021-2029 Housing Element for the following reasons: 1. Traffic....Not only will ingress and egress of the proposed development not likely be easily solved but Eastbluff Drive will be severely overtaxed causing major traffic issues along with increased traffic accidents also resulting in increased danger to bicyclists who use this route. 2. Infrastructure....In addition to impacting the roadways, the local shopping center will not be able to handle either the increased volume nor supply adequate parking. The Ralph's grocery store is one of the smaller footprints in their chain and likely could in no way handle the increased volume from the additional dwelling units. This area truly is built out relative to the amenities it was designed for. 3. Recreation.....Adding more dwelling units in this neighborhood removes more acres of recreation this city cannot afford. We can only look at our country's increased obesity rate to understand reducing land devoted to recreation only contributes to this national emergency....please don't add to this problem. 4. Tennis Community.....The only other tennis club in the city (Palisades Tennis Club) would be completely unable to absorb the 500+ members Newport Beach Tennis club has which would lead to citizens leaving the sport or flooding city courts well beyond their capacity. I urge you to NOT include APN: 440-281-02 in the City of Newport Beach 2021-2029 Housing Element and select a more suitable site.	Comment noted.

DRAFT

Public Review Draft Comments	Response to Comments
As a homeowner with a property in close proximity to Planning Site #145 - currently the Newport Beach Tennis Club - I would like to express my strong opinion that apartment development on this site is ill-considered. There has been copious apartment development in Newport Beach and surrounding cities over the past 5 years. Plenty of inventory has been added that strains an already overburdened traffic, amenity and educational infrastructure. Carpeting the neighborhoods of NB, Costa Mesa and Irvine with apartment dwellings will ultimately seriously undermine the quality of life that was the very reason most of us moved here in the first place. We do not want to create another West Los Angeles. Please remove Site #145 for the city's "Site Analysis List".	Comment noted.
It has come to my attention that the Newport Beach Tennis Club (APN: 440-281-02) site being considered for re-zoning to accommodate future low income housing. Please remove this site from your Site Analysis List - the location is in the heart of Newport Beach and would significantly alter home values and the look/feel of our city.	Comment noted.
It has come to my attention that the Newport Beach Tennis Club (APN: 440-281-02) site being considered for re-zoning to accommodate future low income housing. Please remove this site from your Site Analysis List - the location is in the heart of Newport Beach and would significantly alter home values and the look/feel of our city.	Comment noted.
Please keep our beloved tennis club zoned recreational !! it is a quality of LIFE issue for multi generational families !! look elsewhere for more housing sites !!	Comment noted.
I have lived at [redacted] for 46 years since 1975! Our house is DIRECTLY across the street from the tennis club. My sons went to Lincoln and Corona del Mar schools and have grown up here. The possibility of having a 379 unit development across the street and in this area is abhorrent and difficult to envision. I have been active in various neighborhood and city affairs and have seen many changes in this area. I cannot believe the city is even considering the development of the building 379 units in this area! Along with thousands of others, I earnestly implore the planning committee to remove this property from the 2021-2019 Housing Element now, to prevent any housing accommodations to be considered now or in the future. If this property is to be razed there are other developments that could be considered. Something that would benefit the people who live in Newport Beach and this close-knit area.	Comment noted.

DRAFT

Public Review Draft Comments	Response to Comments
The thought of at least 600 plus more cars on East Bluff Drive, Jamboree, etc. along with other factors, is outside the realm of credibility and not worthy of any of you able to make this critically important decision. I, along with many others will follow this issue closely and do whatever we can to prevent it.	

DRAFT