



**NOTICE OF AVAILABILITY OF
DRAFT LOCAL COASTAL PROGRAM AMENDMENT RELATED TO
SHORT-TERM LODGING**

NOTICE IS HEREBY GIVEN that in accordance with applicable provisions of the Coastal Act and California Code of Regulations (CCR) §13515, a draft of the proposed amendment is available for public review and inspection at the Planning Division and at all branches of the Newport Beach Public Library for the following amendment to the Implementation Plan (IP) of certified Local Coastal Program (LCP):

Short-Term Lodging LCP Amendment (LC2020-007) – Amendment to the Local Coastal Program Implementation Plan to update zoning regulations and operational standards for the operation of short-term lodging, including ceasing the issuance of new permits for short-term lodging (renewals will be allowed) and implementing a minimum night stay for properties within the coastal zone (PA2020-048).

The Planning Commission of the City of Newport Beach is scheduled to consider this item and make a recommendation to the City Council at a regular meeting to be held at 6:30 p.m. on Thursday, July 23, 2020, at the City of Newport Beach Council Chambers, 100 Civic Center Drive, Newport Beach, CA 92660. The date and time of the Planning Commission meeting has been noticed in accordance with City of Newport Beach notification requirements.

Furthermore, the City Council of the City of Newport Beach is tentatively scheduled to consider this item at a regular meeting to be held on Tuesday, August 25, 2020, at the City of Newport Beach Council Chambers, 100 Civic Center Drive, Newport Beach, CA 92660. The date and time of the City Council meeting will be noticed in accordance with City of Newport Beach notification requirements.

For questions regarding this Amendment, please contact David Blumenthal, AICP, Planning Consultant, at 949-644-3200, dblumenthal@newportbeachca.gov.

**Proposed Local Coastal Program Amendment
Related to Short-Term Lodging (LC2020-007)**

Section 1: Amending row titled Short-Term Lodging in Table 21.18-1 (Allowed Uses) of Newport Beach Municipal Code (NBMC) Section 21.18.020(C) (Residential Coastal Zoning Districts Land Uses) of Chapter 21.18 (Residential Coastal Zoning Districts (R-A, R-1, R-BI, R-2, and RM) to read as follows

Table 21.18-1

Land Use	R-A	R-1 R-1- 6,000	R-BI R-2 R-2- 6,000	RM RM-6,000	Specific Use Regulations
Residential Uses					
Short-Term Lodging	—	—	A	A	Chapter 5.95 and Section 21.48.115

Section 2: Amend Section 21.48.115 (Short-Term Lodging) of Title 21 (Local Coastal Program Implementation Plan) of the Newport Beach Municipal to read as follows

21.48.115 Short-Term Lodging.

A. Purpose. This section provides standards for the operation of short-term lodging units to prevent over-burdening City services and adverse impacts on residential neighborhoods and on coastal access and resources.

~~B. Zoning Districts and Planned Communities. No short term lodging unit shall be permitted on any parcel in the R-1 (Single Unit Residential) Coastal Zoning District or any parcel designated for single-unit dwelling land use as part of a planned community development plan unless the short term lodging unit was legally established on or before June 1, 2004.~~

B. Permits.

- No owner of a short-term lodging unit, or any other person, shall advertise for rent, or rent, a short-term lodging unit for less than thirty (30) consecutive calendar days without a valid short term lodging permit for that unit issued pursuant to Chapter 5.95.

2. No new short-term lodging permits shall be issued after [EFFECTIVE DATE OF ORDINANCE].
3. No annual short-term lodging permit issued pursuant to Chapter 5.95 shall be assigned, renewed, or reinstated after previously being suspended, unless:
 - a. The short-term lodging unit is a legal non-conforming use, or is located in a residential district where short-term lodging is an allowed use under Titles 20 and 21 of this Code;
 - b. The short-term lodging unit is located on a parcel in the R-1 (Single-Unit Residential) Coastal Zoning District or any parcel designated for single-unit dwelling land use in a Planned Community Development Plan and was issued a short-term lodging permit on or before June 1, 2004;
 - c. The short-term lodging unit is located in a non-residential or mixed-use zone and was issued a short-term lodging permit on or before November 24, 2010;
 - d. A short-term lodging permit for the short-term lodging unit was active on [EFFECTIVE DATE OF ORDINANCE] and continuously maintained thereafter;
 - e. The short-term lodging permit was not subsequently revoked;
 - f. The permit was not closed by the Finance Director in accordance with Section 5.95.080; and
 - g. There is no other basis for denial of the short-term lodging permit as set forth in Section 5.95.035.

C. Operational Standards. The owner, or any other person(s) or entity(ies) that hold(s) legal and/or equitable title to the lodging unit, shall:

1. By written ~~or oral~~ agreement, limit overnight occupancy of the short-term lodging unit to a specific number of occupants, with the number of occupants not to exceed the permitted Building Code and Fire Code occupancy limits.
2. Use best efforts to ensure that the transient user, occupant~~s~~ and/or guest~~s~~ of the short-term lodging unit does not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this eCode or any State or federal law pertaining to noise, disorderly conduct, the consumption of alcohol, or the use of illegal drugs.

3. Upon notification that any transient user, occupants~~s~~ and/or guests~~s~~ of his or her short-term lodging unit ~~have~~ has created unreasonable noise or disturbances, engaged~~d~~ in disorderly conduct, or committed violations ~~violate provisions~~ of this ~~e~~Code or any Sstate or federal law pertaining to noise, disorderly conduct, the consumption of alcohol or the use of illegal drugs, promptly use best efforts to prevent a recurrence of such conduct by those any transient user, occupants~~s~~ or guests~~s~~.
4. Use best efforts to ensure compliance with applicable health and sanitation regulations relating to waste disposal.
5. Post a copy of any applicable permits and conditions in a conspicuous place within the unit.
6. Ensure the operation of the short-term lodging complies with all applicable federal, state, and City laws and regulations.
7. Not rent, let, advertise for rent, or enter into an agreement for the rental of any short-term lodging unit:
 - a. For less than a three (3) consecutive night stay, if the short-term lodging unit is located on a parcel that has an owner-occupied dwelling unit; or
 - b. For less than a six (6) consecutive night stay if the short-term lodging unit is located on a parcel that does not have an owner-occupied dwelling unit.

For purposes of this subsection (7), the ownership of the short-term lodging and the owner-occupied dwelling unit shall be same person.
8. The City Manager shall have the authority to impose additional standard conditions, applicable to all short-term lodging units, as necessary to achieve the objectives of this section.

Section 3: Add the following definitions to the alphabetical list of definitions contained in Newport Beach Municipal Code Section 21.70.020 (Definitions of Specialized Terms and Phrases) and shall read as follows:

“Dwelling unit, owner-occupied” means a dwelling unit that is occupied by a natural person with legal or equitable title to the lot who resides in the dwelling unit as the person’s legal domicile and permanent residence.

“Owner-occupied dwelling unit”. See “Dwelling unit, owner-occupied”.