



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

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 on Newport Island LCP Amendment (LC2020-008) – Amendment to the Local Coastal Program Implementation Plan to update coastal zoning regulations prohibiting the issuance of new short-term lodging permits on any property located on Newport Island. Any existing short-term lodging unit located on Newport Island will be permitted to remain provided it is located on an owner-occupied parcel and managed by the owner of the owner-occupied unit within one-year of the effective date of the ordinance adopting the amendment (PA2020-326).

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, December 3, 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, January 26, 2021, 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 Jaime Murillo, AICP, Principal Planner, at 949-644-3209, jmurillo@newportbeachca.gov.

Proposed Local Coastal Program Amendment

Short-Term Lodging on Newport Island (LC2020-008)

[This proposed amendment would modify revisions proposed under LC2020-007 currently under review by the California Coastal Commission]

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.~~

~~C. Permits. No owner of a short-term lodging unit shall advertise for rent or rent a lodging unit located within a residential district for a short-term without a valid short-term lodging permit for that unit issued pursuant Chapter 5.95. As set forth in Section 5.95.042, of Chapter 5.95, the maximum number of short-term lodging permits shall be limited to fifteen hundred and fifty (1,550) permits at any time. If there are more than fifteen hundred and fifty (1,550) valid permits that have been issued as of the effective date of this section, an owner shall be permitted to renew, reinstate, or transfer a valid permit in accordance with the provisions of Chapter 5.95; however, no new permit shall be issued to anyone on the waiting list, as described in Section 5.95.043 (D), until the total number of permits does not exceed the fifteen hundred and fifty (1,550).~~

B. Permits.

1. No owner of a short-term lodging unit shall advertise for rent or rent a lodging unit located within a residential district for a short-term without a valid short-term lodging permit for that unit issued pursuant Chapter 5.95.
2. An owner shall be permitted to renew, reinstate, or transfer a valid permit in accordance with the provisions of Chapter 5.95.
3. As set forth in Section 5.95.042, of Chapter 5.95, the maximum number of short-term lodging permits shall be limited to one thousand five hundred and fifty (1,550) permits at any time. If there are more than one thousand five hundred and fifty

(1,550) valid permits that have been issued as of [EFFECTIVE DATE OF ORDINANCE NO. 2020-26], no new permit shall be issued to anyone on the waiting list, as described in Section 5.95.042 (D), until the total number of permits does not exceed the one thousand five hundred and fifty (1,550).

4. 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.
5. No short-term lodging unit shall be permitted on any parcel identified on Map A-16 (Newport Island), unless the short-term lodging unit was legally established on or before [EFFECTIVE DATE OF ORDINANCE]. On or after [ONE YEAR AFTER EFFECTIVE DATE OF ORDINANCE], a short-term lodging unit permit holder on Newport Island shall only be allowed to rent a unit for a short term if the dwelling units is located on a parcel with an owner-occupied dwelling unit, and is managed by the owner of the owner-occupied unit.

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 comply with all federal, state, and local laws, rules, regulations and conditions of approval including, but not limited to, all short term lodging permit conditions set forth in Chapter 5.95. In addition, 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 agreement, limit overnight occupancy of the short-term lodging unit to the maximum permitted by the Building Code and Fire Code.
2. Use best efforts to ensure that the transient user, occupants and/or guests of the short term lodging unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this Code 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, occupant and/or guest of his or her short term lodging unit has created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of this Code or any state 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 any transient user, occupant or guest.

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. Not rent, let, advertise for rent, or enter into an agreement for the rental of any lodging unit, for less than three (3) consecutive nights.
7. 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.

21.70.020 (Definitions of Specialized Terms and Phrases)

“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.”

21.80.010 (Area Maps)

A-16 – Newport Island (PDF)

