



MEMORANDUM

TO: MAYOR BLOM AND MEMBERS OF THE CITY COUNCIL

FROM: GRACE LEUNG, CITY MANAGER

DATE: OCTOBER 17, 2023

RE: **Newport Beach Municipal Code and Council Policy Manual Update**

On September 13, 2022, the City Council approved Resolution No. 2022-58, creating the Ad Hoc Municipal Code and Council Policy Review Committee (Ad Hoc Committee), and appointing Mayor Blom, Mayor Pro Tem O'Neill, and former Mayor Muldoon to serve as its members. The Ad Hoc Committee was tasked with reviewing the Newport Beach Municipal Code (NBMC) and Council Policies to provide recommendations concerning (1) deleting or reducing language, and (2) the advisability of applying sunset provisions for new and existing code provisions, by June 30, 2023.

On April 11, 2023, the City Council approved Resolution No. 2023-18, extending the expiration date of the Ad Hoc Committee to June 30, 2024, and appointing Council Member Kleiman to fill the vacancy created on the committee when former Mayor Muldoon's City Council term expired.

After gathering information from some of the City's boards and commissions, conferring with staff, and holding multiple meetings, the Ad Hoc Committee is now ready to present its recommendations to the entire City Council and will do so at the October 24, 2023, study session. The proposed modifications are being publicly posted now, at the Ad Hoc Committee's request, to allow extra time for the City Council and members of the public to review the proposed changes in advance of the study session.

It is important to note that the proposed redline changes to the NBMC only set forth the portions of the NBMC proposed to be changed (i.e., in most instances, only the subpart proposed to be changed is presented in redline and not the entire section or chapter).

Additionally, based on the proposed changes to Chapter 5.17 (Taxicabs) of the NBMC, there was a need to adopt regulations for those taxicab businesses that are substantially located in Newport Beach. The proposed regulations are set forth in Attachment B. Currently, no taxicab business is substantially located in Newport Beach; however, regulations are necessary because cities are now responsible for permitting these businesses.

Similarly, upon reviewing Council Policy L-21 (Sidewalk Cafe Standards and Procedures) in conjunction with the proposed changes to Section 13.18.010 of the NBMC, City staff determined

that Council Policy L-21 should be updated to eliminate duplicative provisions. The proposed revisions to Council Policy L-21 are attached hereto as Attachment C.

The Ad Hoc Committee also requested recommendations regarding Council Policy changes from the Board of Library Trustees, the City Arts Commission, the Harbor Commission, the Parks, Beaches and Recreation Commission, and the Planning Commission. Of these commissions, the Parks, Beaches, and Recreation Commission submitted a recommendation to revise several Council Policies. The proposed changes are set forth in the staff report package reviewed by the Parks, Beaches, and Recreation Commission, which is attached hereto as Attachment D.

Staff anticipates bringing the NBMC and Council Policy changes for the Council's further review and approval at its November 14, 2023 meeting.

Attachments:

- A – Redlined Newport Beach Municipal Code
- B – Proposed Supplemental Taxicabs Regulations
- C – Redlined Council Policy L-21
- D – PB&R Commission Staff Report on NBMC and Council Policy Recommendations