

CALIFORNIA COASTAL COMMISSION

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W14c

ADDENDUM

DATE: October 12, 2021
TO: Coastal Commissioners and Interested Parties
FROM: South Coast District Staff
SUBJECT: **ADDENDUM TO ITEM W14c, CITY OF NEWPORT BEACH MAJOR AMENDMENT NO. LCP-5-NPB-21-0036-1 Part C, NEWPORT ISLAND SHORT TERM LODGINGS) for the Commission Meeting of Wednesday, October 13, 2021.**

I. REVISIONS/CORRECTIONS TO THE STAFF REPORT

Prior to submittal of this subject LCP Amendment No. LCP-5-NPB-21-0036-1 Part C to modify Section 21.48.115 of the IP to incorporate additional short-term lodging permit and operation requirements specifically for Newport Island, the City submitted a previous LCP Amendment, LCP-5-NPB-20-0070-3 to modify the same IP section containing short term lodging regulations. Both amendments are scheduled for Commission action at this October 13, 2021 meeting. Suggested Modification #2 in the subject LCP Amendment staff report serves to clarify that the Commission's action on LCP Amendment No. LCP-5-NPB-0070-3 at this same October 13, 2021 meeting requesting amendment to IP Section 21.48.115, if approved by the Commission is hereby accepted and shall be incorporated into this second Commission action.

Additionally, as submitted, the City's amended language references the regulatory framework for short-term rentals contained in the Newport Beach Municipal Code (NBMC) Title 5 Chapter 5.95 (as modified by the most recent City Council Ordinance No. 2020-26 to implement a 3-night minimum stay, cap the number of short-term lodging permits to 1,550 permits citywide, and set up a wait list for new permits, make revisions clarifying the transferability of permits and establishing when a permit is deemed abandoned, prohibit the rental to a user under the age of 25, and allowance for the owner of the short-term rental unit to be cited if a user receives a parking ticket while utilizing a short-term lodging unit). By including these references Chapter 5.95 into the certified IP, the chapter becomes incorporated by reference into the LCP. The Commission considers the entirety of Chapter 5.95 as becoming incorporated into the LCP, not just those subsections that the City modified in City Council Ordinance No. 2020-26.

Thus, this point of clarification must also be reflected in the language of Special Condition #2 of the subject LCP Amendment staff report which is meant to clarify that the

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City of Newport Beach Major Amendment No. LCP-5-NPB-21-0036-1

Commission's action on LCP Amendment No. LCP-5-NPB-0070-3 at this same October 13, 2021 meeting requesting amendment to IP Section 21.48.115, if approved by the Commission is hereby accepted and shall be incorporated into this second Commission action.

Additional changes proposed in this Staff Report Addendum show deleted language in ~~single strikethrough~~ and new added language is in **bold and single underlined** to differentiate from the suggested modifications from the staff report which depict deleted language in ~~double strikethrough~~ and new added language in **bold and double underlined**.

On page 8 of the staff report, the following revision to Suggested Modification #2 is made:

Suggested Modification #2 – Clarification regarding changes to IP Section 21.48.115 **and Chapter 5.95 of Title 5** approved by the Commission under LCP Amendment No. LCP-5-NPB-20-0070-3:

Amendments to the language of IP Section 21.48.115 and Chapter 5.95 of Title 5 approved by the Commission under LCP Amendment No. LCP-5-NPB-20-0070-3 at its October 13, 2021 meeting shall be reflected in this subject LCP Amendment No. LCP-5-NPB-21-0036-1 Part C.

Additionally, the following few corrections within the body of the staff report are necessary:

1. On page 14 of the staff report, the first paragraph:

LUP Policy 2.3.3-6 provides for the continuation of a short-term lodging permit program as an additional means of providing lower-cost overnight visitor accommodations in the coastal zone and allows for ~~restrictions~~ to protect residential areas. In the early 20th century, Newport Beach was known as a summer beach resort type of town. The City began regulating short-term lodging in 1992, to address code enforcement issues and demands on City services. ~~At that time~~**Then in 2004**, the City established a prohibition on short-term lodging in single-family residential districts (with the exception of 211 properties which were allowed to retain their existing short-term ~~lodging~~**lodging** permits), and continued to permit in all other residential zoning districts.

2. On page 19, the second paragraph:

To ensure short-term rental units minimize impacts to limited on-street public parking, the amendment requires that at minimum, a rental unit shall provide one free and unobstructed parking space for renter use in a garage, **or** carport ~~or~~ driveway.

II. CORRESPONDENCE

Five (5) letters in opposition of the staff recommendation for LCP Amendment No. LCP-5-NPB-20-0070-3, specifically in opposition to the “owner-occupied” requirement, a comment letter from Dr. Jim Mosher with procedural concerns, and thirty-two (32) letters in support were all received. All letters are included under the Correspondence Tab.