



Date September 3, 2021

To: Eastbluff Board of Directors and Members of the Homeowner's Association
From: Ron Rubino, HOA president
Subject: Review of Newport Beach Draft Housing Element Report

The Board of Directors has previously reported to our Homeowners Association ("HOA") members that the City of Newport Beach **is in the process of updating the "General Plan"**. The City's website includes a complete history and updates as this process continues. This process includes updating the **"Housing Element" which impacts** future development of rental and residential units. Community meetings were conducted by the city in the development of this state mandated report.

The update of the General Plan of Newport Beach will be on the Eastbluff HOA agenda for our next meeting on Monday, September 13, 2021, a Zoom meeting announcement will be sent to members and posted to our HOA web site. This memorandum provides a summary of what we are going to discuss and encourages you to review the Housing Element Report and General Plan update history prior to the HOA meeting.

It is the intent of the Board to discuss the draft Housing Element and solicit comments from members at our meeting. This will help the Board determine if they should send any comments to the City and the State on behalf of our members.

What is a General Plan?

A General Plan is the framework for decision-making regarding the management and growth of a city. It is an aspirational blueprint of a city that includes goals and policies to guide a city to achieve the **community's future vision.**

State law mandates that every California City and County adopt "a comprehensive, long-term general plan." The Newport Beach General Plan includes the seven (7) state-mandated elements -- Land Use, Circulation, Housing, Natural Resources, Open Space, Noise, and Safety -- as well as a Harbor and Bay, Historical Resources, Recreation, and Arts and Cultural elements.

City staff and its consultant team have been working with the Housing Element Update Advisory Committee (HEUAC), the Planning Commission, the City Council, and the community over the past 20 months to prepare an initial draft of the updated General Plan Housing Element. As a reminder, this effort is required by the California Department of Housing and Community Development (HCD) in response to the 6th Cycle Regional Housing Needs Assessment (RHNA) allocation of requiring 4,845 new housing units in Newport Beach. **(For information on how the city has challenged this mandate, please visit www.newportbeachca.gov/housingactionplan.)**





The latest draft of the **City's** updated General Plan Housing Element was submitted by the city to the **State's** HCD on August 13, 2021, for a State-mandated 60-day preliminary review. You can access the Updated Housing Element Draft (8-13-2021) at the following City website:

[Draft Housing Element August 13, 2021. | City of Newport Beach \(newportbeachca.gov\)](https://www.newportbeachca.gov/DocumentCenter/View/11111/Draft-Housing-Element-August-13-2021)

Updated Newport Beach Housing Element Draft (8-13-2021)

The **City's** Housing Element is required to identify potential candidate housing sites by income category **to meet the City's** 4,865 new housing units RHNA Allocation. The sites identified within the Housing Element **represent the City's ability to plan for housing at the designated income levels within the 6th** housing cycle planning period (2021-2029).

The sites **identified in the City's Housing Element** are either residentially zoned or are within a specific plan area or urban plan that permits residential uses at a minimum of 30 dwelling units per acre (du/ac). As described in the Housing Element exhibit, the development capacity for each site depends largely on **its location within a "Focus Area."** The City's report states: "it should be noted that the sites evaluated in the Housing Element are sites that have a favorable chance of redevelopment in the planning period".

The actual number of sites subject to future rezoning and the actual unit yield by income category on each site may vary. The intent of the identification of sites in the Housing Element Appendix is to provide justification of the availability of sites to accommodate the 2021-2029 RHNA needs during the planning period.

As part of the site selection process, letters of interest were sent out to all property owners within each Focus Area. Property owners were consulted to help the City better understand potential future housing growth on candidate housing sites within the City. Additionally, some property owners contacted the City requesting to be added to the list of sites and others requested their removal from the list of sites. Those requests were granted by the city and are reflected in the site analysis.

The Appendix contains Tables B-8 through B-18, identifying each candidate housing site within Newport **Beach's inventory** of sites. The sites are identified by assessor parcel number (APN) as well as a unique identifier used to track sites within the inventory. Pages 62 to 73 of the Appendix lists properties in the **"Newport Center Area"** which includes Eastbluff. On page 63, the property where the Newport Beach Tennis Club is located (Parcel 440 281 02) is listed and the Appendix states:

"Parcel 440 281 02, owned by "ATH LLC", includes 7.60 acres, and could be rezoned to plan for 379 units made up of

- 125 units low cost/very low cost
- 27 units moderate
- 227 units above moderate cost"





The report includes a description of the Tennis Club site which states:

“This parcel contains the Newport Beach Tennis Club. Given the minor amount of building improvements, the site could readily be redeveloped for housing.”

The Newport Beach Tennis Club parcel is current zoned for only “Recreational Use”. The Tennis Club has operated on this site for 55 years under a ground lease. That lease expired in April 2021 and the property owner has assumed control of the business operations. This is the first time both the land and the Tennis Club business are under the control of one owner.

If this property is rezoned for housing, our community would face significant changes. The 379 potential new housing units detailed in the Housing Element would replace the Tennis Club. The current recreational use of the Tennis Club parcel for adult and youth swimming and tennis recreation would not likely be replaced in the Eastbluff community.

Additional Threats to Local Zoning

Additional threats to the elimination of local zoning control are contained in pending State bills SB 8 and bills on the Governor’s desk for signature SB 9 and SB 10, which override local zoning controls to approve low cost and moderate cost housing, including such changes as eliminating Single-family R-1 and other limiting zoning to approve low-cost/high density housing. These measures are designed to override local control and will change the balance of development and open space and the overall harmony of our community.

The HOA Board of Directors has reviewed this potential consequence of the General Plan Housing element and believes this would result in a significant negative impact on community density, traffic, use of water and sewer resources, schools, daycare, and shopping resources.

Recommendations:

1. Obtain **HOA members’** input at the HOA September 13, 2021, meeting as to the Draft Housing Element and the recommendation to exclude the parcel containing the Newport Beach Tennis Club from the **Housing Element’s list of properties to consider for redevelopment.**
2. Consider approving a resolution for delivery to the Governor, City and State Housing and Community Development Agency and Newport Beach City Council officials that expresses our position for the HOA as follows:
 - A. We oppose legislative mandates which undermine local land use planning and ignore current zoning control and impose new state housing unit mandates on city governments.
 - B. We oppose the inclusion of the Newport Beach Tennis Club parcel (Parcel 440 281 02) for potential redevelopment. We request this parcel be removed from the Housing Element list and not considered for a zoning change in the future.
 - C. Send our recommend to the California Department of Housing and Community Development (HCD) and Newport Beach City Council that parcels in the “Airport Area” and” Coyote Canyon Areas” be given priority to meet the Housing Needs Assessment (RHNA) allocation of 4,845 units for Newport Beach.





3. Consider efforts to enlist the various HOA associations for the Eastbluff condominiums to also support exclusion of the Newport Beach Tennis Club parcel from the list of properties to consider for redevelopment.

Members of the HOA can also directly send an email to the City of Newport Beach to ask questions, express their opinions and send recommendations. Please reach out to City staff by sending an email to: GPUUpdate@newportbeachca.gov.

Ron Rubino

Ron Rubino, President

Eastbluff Homeowners' Community Association

