

CALIFORNIA COASTAL COMMISSION

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August 21, 2014

Th12a

TO: Commissioners and Interested Persons

FROM: SHERILYN SARB, South Coast Deputy Director
KARL SCHWING, South Coast District Manager
CHARLES POSNER, Supervisor of Planning
MATT STONE, Coastal Program Analyst

SUBJECT: **Request to extend the time limit for Commission action on City of Newport Beach LCP Amendment Request No. LCP-5-NPB-14-0611-1 (for Commission Action at the September 10-11, 2014 meeting in Smith River).**

On April 23, 2014, the City of Newport Beach submitted a request to amend its certified Coastal Land Use Plan (CLUP). The submittal was deemed incomplete on May 6, 2014, and a request for additional information was made at that time. All of the requested information was subsequently received on June 20, 2014. CLUP Amendment No. LCP-5-NPB-14-0611-1 involves changing the land use designation of several locations in the City of Newport Beach including, 800 West Bay Avenue from Single-Unit Residential Detached (RSD-B) to Private Institutions (PI-A); 711, 713, 715, and 717 West Bay Avenue from Two-Unit Residential (RT-E) to Private Institutions (PI-A); and 706-708 West Balboa Boulevard from Single-Unit Residential Detached (RSD-B) to Private Institutions (PI-A). Proposed CLUP Amendment Request No. LCP-5-NPB-14-0611-1 was submitted for Commission certification by City Council Resolution No. 2014-19.

On June 20, 2014, after receiving additional information from the City that was deemed necessary to complete the LCP amendment submittal, the Executive Director determined that LCP Amendment Request No. LCP-5-NPB-14-0611-1 was in proper order and legally adequate to comply with the submittal requirements of Section 30510 of the Coastal Act and Section 13553 of the California Code of Regulations (Title 14).

Pursuant to Sections 30512 and 30514 of the Coastal Act, an LCP amendment that includes changes to the Land Use Plan portion of a certified LCP must be scheduled for a public hearing and the Commission must take action within ninety (90) days of a complete submittal. The ninetieth day after the City's filing of the complete submittal is September 18, 2014. Accordingly, in order to be heard within this time frame, the CLUP amendment request would need to be scheduled for the Commission's September 10-12, 2014 meeting in Smith River.

However, this deadline may be extended for good cause. Public Resources Code (PRC) Section 30517 allows the Commission to extend any time limitation established by Chapter 6 of Division 20 of the PRC, wherein lies Sections 30512 and 30514, for up to a year. Staff is recommending that the Commission extend the ninety-day time limit for the review of the LCP amendment request. The time extension would allow for a thorough review of the City's proposed changes. Staff anticipates that this matter will be scheduled for a public hearing and Commission action sometime towards the end of 2014 or beginning of 2015.

STAFF RECOMMENDATION

Staff recommends that the Commission extend the deadline for Commission action for one year.

MOTION:

I move that the Commission extend the time limit to act on the City of Newport Beach Local Coastal Program Amendment No. LCP-5-NPB-14-0611-1 for a period of one year.

Staff recommends a **YES** vote. An affirmative vote of the majority of the Commissioners present is needed to pass the motion.