

## CALIFORNIA COASTAL COMMISSION

SOUTH COAST AREA

245 W. BROADWAY, STE. 380

P.O. BOX 1450

LONG BEACH, CA 90802-4416

(310) 590-5071

November 21, 1996



## MEMORANDUM

TO: Commissioners and Interested Persons

FROM: Peter Douglas, Executive Director  
Charles Damm, South Coast Deputy Director  
Teresa Henry, South Coast District Manager  
Robin Maloney-Rames, Staff Analyst

SUBJECT Concurrence with the Executive Director's determination that the action of the County of Orange accepting certification with suggested modifications of Amendment No. 1-96 to the LUP and IP portions of the County of Orange Newport Coast LCP is legally adequate. (For Commission review at the December 10-13, 1996 hearing.)

STAFF RECOMMENDATION:

Staff recommends that the Commission concur with the Executive Director's determination that the County's action is legally adequate.

BACKGROUND

On August 6, 1996, the County of Orange submitted a request to amend the LUP and LIP portions of the Newport Coast LCP. The LCP amendment involved major and minor revisions to the land use plan and implementation plan, including shifting development off a portion of Muddy Canyon to create a large open space segment, removing restrictions on private ownership of Tourist/Commercial overnight units, and allowing guest cottages/caretaker units on 10,000 square foot lots.

On October 10, 1996, the Commission approved Amendment No. 1-96 to the LIP and LUP portions of the County of Orange's Newport Coast LCP with suggested modifications. The Commission's suggested modifications involved changes to LCP text concerning the private ownership of tourist/commercial overnight units.

On December 3, 1996 the Orange County Board of Supervisors will act to accept the Commission's suggested modifications and adopt a resolution and ordinance incorporating the suggested modifications into LCP Amendment No. 1-96. In the interim, the Orange County planning staff has submitted a draft resolution which will be acted on by the Board of Supervisors. Staff has reviewed this draft and found that it is adequate. If the Supervisors act on this same draft on December 3, 1996, then the Board of Supervisors action on this resolution will be legally adequate.

Concurrence with Executive Director's Determination  
Newport Coast Amendment No. 1-96

As provided in Section 13544 of the California Code of Regulations, the Executive Director must determine that the County's action is legally adequate and report that determination to the Commission. In this case, the Executive Director has determined that the County's action will be legally adequate if the resolution acted on by the County Board of Supervisors is the same as that submitted for the Executive Director's review. Unless the Commission objects to the Executive Director's determination, the certification of Amendment No. 1-96 to the County of Orange's Newport Coast LCP shall become effective upon the filing of the required notice of certification with the Secretary of Resources as provided in Public Resources Code Section 21080.5(d)(2)(V).

8110F: RMR