

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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**W 8b**

October 10, 2003

TO: Commissioners and Interested Persons

FROM: Deborah Lee, South Coast Deputy Director
Teresa Henry, South Coast District Manager
Anne Blemker, Coastal Program AnalystRE: **Request to extend the ninety-day time limit for Commission action on City of Newport Beach LCP Amendment Request No. NPB-MAJ-1-03 Parts B and C (for Commission Action at its November 5, 2003 meeting in San Pedro).**

On June 13, 2003, the Commission's South Coast District office in Long Beach received a City of Newport Beach request to amend its certified Land Use Plan (LUP) to allow the following: A) a change in land use designation at 205 Orange Street from Retail Service Commercial to Two Family Residential; B) a change in land use designation at 1514 W. Balboa Blvd. from Government, Education and Institutional Facilities to Two Family Residential; and C) a change in land use designation at 129 Agate Avenue from Retail Service Commercial to Two Family Residential. Coastal Commission staff requested additional information on June 27, 2003. City staff submitted the information on September 8, 2003. The Executive Director determined that LCP Amendment Request No. 1-03 was in proper order and legally adequate to comply with the submittal requirements of the Coastal Act and the California Code of Regulations as of September 8, 2003. Therefore, LCP Amendment Request No. 1-03 is deemed submitted pursuant to the requirements of Section 30510 of the Coastal Act and Section 13553 of the California Code of Regulations (Title 14).

Pursuant to Section 30512 of the Coastal Act, an LCP amendment that includes changes to the LUP portion of a certified LCP must be scheduled for a public hearing and the Commission must take action within ninety days of receipt of a complete submittal. The ninetieth day after the City's filing of the complete submittal is December 7, 2003. In order to be heard within this time frame, the LCP amendment would have to be scheduled for the Commission's November 4-7, 2003 meeting in San Pedro.

Coastal Act Section 30517 and Section 13535(c) of the Coastal Commission Regulations state that the Commission may extend for good cause the ninety-day time limit for a period not to exceed one year. Because of the analysis required to evaluate each component of the proposed LCP amendment, staff is recommending that the Commission extend the ninety-day time limit for the review of Parts B and C of the LCP amendment request. Part A will be heard at the November meeting separately. The time extension would allow for a thorough review of the City's proposed changes. This extension request has been discussed with the City. The City supports the request so long as the remainder of the amendment is heard as soon as possible.

STAFF RECOMMENDATION

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

MOTION: *I move that the Commission extend the ninety-day time limit to act on the City of Newport Beach Local Coastal Program Amendment No. NPB-MAJ-1-03 for a period of one year.*

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