

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071

**T13c****M E M O R A N D U M**

**TO:** Commissioners & Interested Persons **DATE:** May 25, 2006

**FROM:** Deborah Lee, Senior Deputy Director, South Coast District  
Teresa Henry, District Manager, South Coast District  
Karl Schwing, Supervisor, Regulation & Planning, Orange County Area  
Anne Blemker, Coastal Program Analyst

**SUBJECT: Request to extend the 90-day time limit for action  
City of Newport Beach Land Use Plan Amendment NPB-MAJ-1-06 (CalTrans  
West and Santa Barbara Condominiums), for Commission Meeting of June 13-  
16, 2006**

On April 14, 2006, Land Use Plan Amendment (LUPA) NPB-MAJ-1-06 was deemed to be complete and in proper order for filing pursuant to Section 30510(b) of the Coastal Act. The amendment was initially submitted by the City of Newport Beach on March 6, 2006. On March 15, 2006, Coastal Commission staff notified the City of Newport Beach that the submittal was incomplete and that additional information would be required to complete the submittal. The proposed amendment originally consisted of: A) change in land use designation at 900 Newport Center Drive from Visitor-Serving Commercial to Medium Density Residential (Santa Barbara Condominiums); B) change in land use designation of the CalTrans West property at 4850 West Coast Highway from Medium Density Residential to Open Space; and C) acceptance of 17 Offers to Dedicate ("OTDs") Easements for Coastal Access. The portion of the amendment pertaining to Part C has since been rescinded (this does not affect the status of the OTDs).

Pursuant to Sections 30512 and 30514 of the Coastal Act, an amendment to a certified land use plan, must be acted on by the Commission within 90 days after the submittal request has been deemed to be in proper order for filing. The 90th day for this LCP amendment is July 13, 2006. In order to be heard within this allotted time period, the amendment request would have to be scheduled for hearing by the second day of the July 12-14, 2006 Commission meeting in San Diego. Section 30517 of the Coastal Act allows the Commission to extend, for good cause, the 90-day time limit for up to one year. Commission staff is requesting this extension to allow additional time to evaluate the submittal and consult with the City of Newport Beach and outside parties that have expressed opposition to the proposed land use changes. The full one-year extension is requested because extensions are only considered once and it is prudent to allow for the maximum amount of time in case of unexpected delays. City staff has been notified of this time extension request and does not object to the request so long as the amendment is heard in a timely manner. Commission staff intends to agendize the item in July or August 2006.

Therefore:

Summary of Staff Recommendation. Staff recommends the Commission extend the 90-day time limit for a period of one year, i.e. to July 13, 2007.

MOTION:

*"I move that the Commission extend the 90-day time limit to act on the City of Newport Beach Land Use Plan Amendment NPB-MAJ-1-06 for a period of one year."*

STAFF RECOMMENDATION:

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