

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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DATE: May 17, 2018

TO: Commissioners and Interested Persons

FROM: Karl Schwing, Deputy Director, South Coast District
Charles Posner, Supervisor of Planning
Liliana Roman, Coastal Program Analyst

SUBJECT: Request to extend the time limit for Commission action on
City of Newport Beach LCP Amendment Request 4-17 (LCP-5-NPB-17-0084-1),
for Commission action at its June 8, 2018 meeting in Chula Vista.

On December 4, 2017, the Commission's South Coast District office in Long Beach received the City's above-cited LCP amendment request. The subjects of the LCP amendment include: Accessory Dwelling Unit (ADU) regulations, beach encroachments, exceptions to the Shoreline Height Limit, Setback Map Nos. S-3A and S-3B, and four IP "clean-up" items. The proposed amendment was submitted for Coastal Commission action via City Council Resolutions Nos. 2017-59, 2017-56, 2017-51, 2017-50, and 2017-45. The proposed LCP amendment requests changes to both the Land Use Plan (LUP) and Implementation Plan (IP) portions of the certified LCP. On May 3, 2018, after receipt of additional information requested from the applicant, LCP Amendment Request No. 4-17 was deemed to be complete and in proper order for filing pursuant to the requirements of Section 30510 of the Coastal Act.

Pursuant to Sections 30512, 30513 and 30514 of the Coastal Act, an LCP amendment that includes changes to the LUP portion of a certified LCP only must be scheduled for a public hearing within ninety days of a complete submittal. The 90th day for this LUP/IP amendment is August 1, 2018. In order to be heard within this allotted time period, the LUP/IP would have had to be scheduled for the July 2018 Commission meeting in the central coast region. This does not allow sufficient time for staff to analyze the complete submittal which includes approximately eight (8) different LUP and IP components. Section 30517 of the Coastal Act and Section 13535(c), Title 14 of the California Code of Regulations 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 on suggested modifications. The full one-year extension to August 1, 2019 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. A time extension is necessary to allow staff to conduct further analysis of the conformance of the proposed LCP amendment with Chapter 3 of the Coastal Act and the provisions of the certified LUP, and to prepare an appropriate staff recommendation, including preparation of suggested modifications if appropriate, for the Commission. A time extension will also allow for the public hearing on the LCP amendment to be held in Southern California

STAFF RECOMMENDATION

Staff recommends the Commission vote YES to extend the deadline for Commission action on the LCP Amendment Request for one year (to August 1, 2019).

Motion:

"I move that the Commission extend the time limit to act on the City of Newport Beach Local Coastal Program Amendment No. 4-17 for a period of one year."

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