

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Th13b

DATE: November 21, 2019
TO: Commissioners and Interested Persons

FROM: Karl Schwing, Deputy Director, South Coast District
Zach Rehm, District Supervisor
Liliana Roman, Coastal Program Analyst

SUBJECT: Request to extend the time limit for Commission action on
City of Newport Beach LCP Amendment Request 2-19 (LCP-5-NPB-19-0151-2),
for Commission action at its December 12, 2019 meeting in Calabasas.

On October 30, 2019, the Commission's South Coast District office in Long Beach received the City's above-cited LCP amendment request. The proposed amendment was submitted for Coastal Commission action via City Council Resolution No. 2019-90. The proposed LCP amendment requests changes to both the Land Use Plan (LUP) and Implementation Plan (IP) portions of the certified LCP in order to add a single new LUP policy and add new procedures to the IP for the transfer of development rights from a property to one or more other properties. On November 15, 2019, after the 10-day review period, LCP Amendment Request No. 2-19 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 both the LUP and IP portions of a certified LCP must be scheduled for a public hearing within ninety days of a complete submittal. The 90th day for this LUP/IP amendment is January 28, 2020. In order to be heard within this allotted time period, the LUP/IP would have had to be scheduled for the December 2019 Commission meeting. This does not allow sufficient time for staff to analyze the LCP amendment submittal. 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 possible suggested modifications. The full one-year extension to January 28, 2021 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.

STAFF RECOMMENDATION

Staff recommends the Commission vote **YES** to extend the deadline for Commission action on the LCP Amendment Request for one year (to January 28, 2021).

Motion:

"I move that the Commission extend the time limit to act on the City of Newport Beach Local Coastal Program Amendment No. 2-19 for a period of one year."

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