

CALIFORNIA COASTAL COMMISSION

South Coast District Office
301 E. Ocean Blvd., Suite 300
Long Beach, CA 90802
(562) 590-5071

W10b

April 23, 2022

TO: Commissioners and Interested Persons

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

RE: Concurrence with the Executive Director's determination that the action by the City of Newport Beach accepting certification of LCP Amendment No. LCP-5-NPB-19-0016-1 with suggested modifications is legally adequate. For Commission review at the May 12, 2021 meeting.

On April 19, 2019 the City of Newport Beach submitted a request to amend the Implementation Plan portion of the City's certified Local Coastal Program (LCP). LCP Amendment No. LCP-5-NPB-19-0016 to create a new Parking Management Overlay District (PM Overlay) category and implementing procedures in the IP and also establish the first Parking Management District, PM-1 for the Balboa Village area of the City. The request was submitted to the Commission's South Coast District office with City Council Resolution No. 2019-37.

On September 9, 2020, the Commission approved LCP Amendment No. LCP-5-NPB-19-0016-1 with suggested modifications to ensure the requested PM-1 accommodates public transit and alternative modes of transportation, minimizes conflicts between users (commercial, residential, and coastal zone visitors) during peak summer months, and does not result in adverse impacts to public access to the beach. On February 23, 2021, the Newport Beach City Council adopted Ordinance No. 2021-4, incorporating the modifications suggested by the Commission pursuant to its approval of LCP Amendment. On March 1, 2021, the City submitted the ordinance adopted by the City Council (see attachment) to the Executive Director for a determination that the City's action is consistent with the Commission's September 9, 2020 action.

Pursuant to Section 13544 of the California Code of Regulations, Title 14, Division 5.5, the Executive Director must determine that the action taken by the City of Newport Beach acknowledging receipt and acceptance of and agreement with the Commission's certification of the above-referenced LCP amendment with suggested modifications is legally adequate and report that determination to the Commission. In this case, the Executive Director has determined that the City's action is legally adequate. Unless a majority of the Commissioners object to the Executive Director's determination, the certification of City of Newport Beach Implementation Plan Amendment No. 3-17 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)(E).

STAFF RECOMMENDATION

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