

**CALIFORNIA COASTAL COMMISSION**

SOUTH COAST DISTRICT OFFICE  
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**W17c**

**LCP AMENDMENT NO. LCP-5-NPB-21-0036-1, PART C  
(NEWPORT ISLAND SHORT-TERM LODGING)**

**JULY 6, 2021**

**CORRESPONDENCE**

- 1. Correspondence from Dr. James Mosher, dated July 2, 2021  
(in support)**

**From:** [Jim Mosher](#)  
**To:** [SouthCoast@Coastal](mailto:SouthCoast@Coastal)  
**Subject:** Public Comment on July 2021 Agenda Item Wednesday 17c - City of Newport Beach LCP Amendment No. LCP-5-NPB-21-0036-1 Part C. Time Extension  
**Date:** Friday, July 02, 2021 2:35:00 PM

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I support CCC staff's request for additional time to review this proposal to amend the Newport Beach LCP-IP to incorporate regulations regarding short-term rentals on Newport Island.

I would also like to express concern about the confusing process by which this proposed amendment reached the Coastal Commission via [City Council Resolution No. 2021-30](#).

I may be misunderstanding the CCC's regulations, but [14 CCR § 13515](#) appears to require cities proposing amendments to their LCPs to post drafts of those amendments at least six weeks prior to their final decision to submit them to the CCC.

Additionally, local [Council Policy K-1](#) in Newport Beach requires LCP amendments to come to the City Council with a recommendation from its Planning Commission.

In this case, the City of Newport Beach [publicly posted](#) a [review draft](#) on November 20, 2020.

As indicated in Resolution No. 2021-30, that draft was reviewed by the Planning Commission on [December 3, 2020](#), and by a 6-1 vote they [recommended rejection](#) of it.

After an [aborted plan](#) to do so on February 9, 2021, the City Council ultimately considered the Planning Commission's recommendation at a noticed hearing on April 13, 2021. But, according to the [agenda staff report](#) posted on April 8, they would be considering not what the PC had made a recommendation about, but rather a [different draft](#) posted with the agenda on April 8, giving the public only 5 days to review it.

If that was not confusing enough, on April 13, and shortly before the hearing, a quite different Resolution No. 2021-30 was substituted for the one that had been posted with the agenda on April 8, and this different LCP-IP amendment was adopted by the Council on a 4-3 vote. On April 13, it was difficult to tell if members of the public were commenting on the November 20, 2020, the April 8, 2021, or the April 13, 2021, version (only the November 2020 one having been placed on the page where the City's [pending LCP amendment proposals](#) are posted).

In short, the City Council approved submitting to the CCC a proposed LCP-IP amendment on which they had no recommendation from their Planning Commission (in apparent violation of their own Policy K-1) and for which the public had not six weeks or more, but mere minutes to review (in apparent violation of 14 CCR §

13515).

Adding still more to the confusion, I believe Resolution No. 2021-30 proposes amendments to a section of short term lodging code in the LCP-IP that has itself not yet been certified by the Coastal Commission.

Prior to the April 13 hearing, I expressed frustration with this to the City Council [in writing](#), as well as even more strongly, according to the [minutes](#), at the hearing itself, upon discovering the amendment being voted upon for submittal to the CCC was not at all the one that had been provided for review with the agenda -- or even the one most of the public was commenting on.

I continue to feel that frustration regarding an LCP amendment process that seems governed by few discernable rules.

Yours sincerely,

Jim Mosher  
Newport Beach resident