

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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W17d

June 18, 2021

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 LCP-5-NPB-21-0036-1 Part D
(TDRs) for Commission action at its July 7, 2021 virtual meeting.

On April 29, 2021, the Commission's South Coast District office in Long Beach received the City's above-cited LCP amendment request 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 (TDRs) from a property to one or more other properties. On June 8, 2021 after review of additional information requested, LCP Amendment Request LCP-5-NPB-21-0036-1 Parts A through D were 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 September 6, 2021. However, this does not allow enough 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 due to insufficient time to adequately analyze the conformance of the proposed LCP amendment with Chapter 3 of the Coastal Act and the provisions of the certified LUP, prepare a recommendation including preparation of suggested modifications if appropriate, for the Commission. Given the scope of work, volume of LCP amendment workload, staffing limits and operational constraints related to the current public health crises, the requested time will allow for Commission review and resolution of any issues or scheduling conflicts that may arise.

STAFF RECOMMENDATION

Staff recommends the Commission vote **YES** to extend the deadline for Commission action on the LCP Amendment Request for one year (to September 6, 2022).

Motion:

"I move that the Commission extend the time limit to act on the City of Newport Beach Local Coastal Program Amendment No. LCP-5NPB-21-0036-1 Part D for a period of one year."

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