

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Th13c

DATE: June 23, 2023

TO: Commissioners and Interested Persons

FROM: Karl Schwing, District Director
Shannon Vaughn, Coastal Program Manager

Zach Rehm, District Supervisor
Chloe Seifert, Staff Analyst

SUBJECT: Request to extend the time limit for Commission action on City of Newport Beach LCP Amendment Request No. LCP-5-NPB-23-0019-1, for Commission Action at the July 13, 2023 hearing.

On April 13, 2023, the City of Newport Beach submitted a request to amend its certified Local Coastal Program (LCP). The proposed LCP amendment was found to be in proper order and legally adequate to comply with the submittal requirements of Section 30510 of the Coastal Act and Section 13553 of the California Code of Regulations (Title 14).

The certified Implementation Plan (IP) and Land Use Plan (LUP) would be amended to modify development standards for accessory dwelling units and junior accessory dwelling units, Bay Island, and 3014 Balboa Boulevard. The first component of the subject amendment request would amend the certified Implementation Plan (IP) to exclude certain types of accessory dwelling units and junior accessory dwelling units from standards including height maximums, parking minimums, and non-conformity correction requirements. This is intended for consistency with current state law. The second component of the subject amendment request would amend the certified IP and Land Use Plan (LUP) to modify development standards for Bay Island and correct previously adopted technical errors. The third component of the subject amendment request would amend the certified IP and LUP to modify development standards for 3014 Balboa Boulevard to allow demolition of an existing restaurant and construction of two new housing units at the subject site.

Pursuant to Section 30512 of the Coastal Act, an LCP amendment must be scheduled for a public hearing and the Commission must take action within 90 days of a complete submittal. The 90th day after the City's filing of the complete submittal is September 5, 2023. However, this deadline may be extended for good cause. Section 30517 of the Coastal Act and California Code of Regulations, Title 14, Section 13535(c) state that the Commission may extend any time limitation established by Chapter 6 of the Coastal Act, including Sections 30512, 30513 and 30514, for up to one year. Staff recommends that the

City of Newport Beach LCPA No. LCP-5-NPB-23-0019-1
Time Extension Request

Commission extend the 90-day time limit for review of the LCP amendment request until September 4, 2024.

Unless the deadline is extended, Commission staff will need to complete the review and preparation of staff recommendations for the subject LCP amendment, possibly with suggested modifications, and the Commission will need to complete its action on the LCP amendment on the first day of the Commission's August 2023 hearing. Due to the multiple changes to the LCP included in the single amendment request, as well as the local coastal development permit application associated with the amendment (i.e. demolition of a visitor-serving use for construction of private residences at 3014 Balboa Boulevard), a time extension is necessary to allow staff to conduct comprehensive analysis of any potential impacts to coastal resources resulting from a change to development standards. Thus, staff recommends that the Commission extend the time limit for review of LCP Amendment Request No. LCP-5-NPB-22-0019-1.

PROCEDURE

Motion:

I move that the Commission extend the time limit to act on the City of Newport Beach Local Coastal Program Amendment No. LCP-5-NPB-23-0019-1 for one year.

STAFF RECOMMENDATION

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