

CALIFORNIA COASTAL COMMISSION

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



W13c

DATE: April 18, 2024

TO: Commissioners and Interested Persons

FROM: Karl Schwing, Deputy Director
Shannon Vaughn, Coastal Program Manager
Amrita Spencer, District Supervisor
Chloe Seifert, Staff Analyst

SUBJECT: Request to extend time limit for Commission action on City of Newport Beach LCP Amendment Request No. LCP-5-NPB-24-0004-1 (Part A: Short-Term Lodging in Mixed-Use Zones, Part B: Hotel Expansion, and Part C: Municipal Code Update) for Commission Action at the May 8, 2024 meeting.

On February 8, 2024, the City of Newport Beach submitted a request to amend the City's certified Local Coastal Program (LCP) via City Council Resolution No. 2023-83 for Part A, No. 2023-69 for Part B, and No. 2023-76 for Part C. Each part is discussed below.

Part A of the subject amendment request would revise the certified Implementation Plan (IP) to allow local approval of up to 75 short-term rental (STR) permits in the MU-CV, "Mixed Use Cannery Village and 15th Street" and MU-W2, "Mixed-Use Water" zones. Part A also proposes a 75-permit decrease the maximum number of STR permits allowed for approval in residential zones, which would result in no net change to the 1550-permit maximum for STRs currently in effect within the City's coastal zone.

Part B of the subject amendment request would revise the certified IP to allow the expansion of an existing, seven-acre mixed-use development located at 1602 E. Coast Highway. The existing development consists of a seven-court tennis club, a 27-room hotel, and five single-family residences. Part B would revise the development standards of certified IP Section 21.26.055.S to allow a four-court decrease in the number of tennis courts; a 14-room increase in the number of hotel rooms; and conversion of three existing single-family residences to condominium units. The revisions would also allow construction of 14 new pickleball courts. Part B is a project-specific amendment.

Part C of the subject amendment request would revise the certified IP to incorporate abbreviations, correct references to an outdated City staff title, and eliminate Chapter 21.34. Chapter 21.34 requires the replacement of affordable housing units in specified

Newport Beach LCPA Amendment Request No. LCP-5-NPB-24-0004-1
Parts A, B, and C
Time Extension Request

circumstances, but exempts all projects located in cities with less than 50 acres of vacant, privately-owned residential land available for residential use. The City of Newport Beach determined that Chapter 21.34 was not applicable because the City only has 17.36 acres of the subject lands. Part C would also add a new section (Section 21.52.035(C)(8)) to exempt tentative parcel maps for airspace condominium lots from local coastal development permit (CDP) requirements.

On February 23, 2024, staff determined that additional materials and information remained necessary to file Part A and B of the subject amendment request as complete; Part C was determined 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). On March 25, upon receipt of the requested information, Part A and B of the subject amendment request were also determined in proper order and legally adequate to comply with the referenced submittal requirements.

Pursuant to Section 30513 of the Coastal Act, the Commission must act on LCPAs that propose changes to solely the Implementation Plan within 60 working days of filing. Based on the above-cited actions, Parts A and B of the subject amendment request must be scheduled for Commission action by June 19, 2024 (i.e. the June 12-14, 2024 hearing) at the latest. Part C must be scheduled by May 20, 2024 (i.e. the May 8-10, 2024 hearing) at the latest. However, Section 30517 of the Coastal Act and Section 13535(c) of the California Code of Regulations state that the Commission may extend for good cause any applicable time limits for a period not to exceed one year.

Commission staff is requesting the time extension due to insufficient staff time to adequately review the amendment and prepare a recommendation. Given the scope of work, the volume of workload, and staffing limits, the requested time will allow for Commission review and resolution of any issues or scheduling conflicts that may arise.

STAFF RECOMMENDATION

Staff recommends that the Commission extend the deadline for Commission action on the LCP Amendment Request for a period of one year.

Motion 1:

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-24-0004-1 Part A for a period of one year.

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

Newport Beach LCPA Amendment Request No. LCP-5-NPB-24-0004-1
Parts A, B, and C
Time Extension Request

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-24-0004-1 Part B for a period of one year.

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

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-24-0004-1 Part C for a period of one year.

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

Staff recommends a **YES** vote. Passage of these motions will result in one-year extensions of the deadlines for Commission action on the proposed LCP amendment. This will change the deadlines for Commission action from June 19, 2024 to June 19, 2025 for Parts A and B; and from May 20, 2024 to May 20, 2025 for Part C.