

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



September 22, 2006

TH 11d

TO: Commissioners and Interested Persons

FROM: SHERILYN SARB, DEPUTY DIRECTOR
TERESA HENRY, SOUTH COAST DISTRICT MANAGER
KARL SCHWING, ORANGE COUNTY AREA SUPERVISOR
FERNIE SY, COASTAL PROGRAM ANALYST

SUBJECT: Request to extend the sixty-day time limit for Commission action on City of Dana Point LCP Amendment Request No. 2-06 (for Commission Action at the October 11-13, 2006 meeting in Long Beach).

On July 11, 2006, the City of Dana Point submitted a request to amend its certified Local Coastal Program (LCP), affecting the Implementation Plan (IP). The submittal was deemed incomplete for additional information and the requested information was subsequently received on August 29, 2006. The proposed IP amendment would primarily modify the height regulations to address the unique constraints posed by hillside lots. This amendment also includes more restrictive regulations governing residential roof decks, building mass, floor area ratio, maximum building lot coverage, building height above a street while also providing opportunities for steeper residential driveway slopes to further reduce site grading and potential building height above a street. In addition, the amendment also establishes a new, case-by-case review process with a public hearing in front of the City's Planning Commission with story-pole staking for all applications for three-story residential structures whether or not those projects require a Coastal Development Permit. Proposed LCP Amendment Request No. 06-02 was submitted for Commission certification by City Council Resolution No. 06-08-23-03.

On August 29, 2006, the date of resubmittal, the Executive Director determined that LCP Amendment Request No 2-06 was in proper order and legally adequate to comply with the submittal requirements of the Coastal Act and the California Code of Regulations. Therefore, LCP Amendment Request No. 2-06 is deemed complete pursuant to the requirements of Section 30510 of the Coastal Act.

Pursuant to Sections 30513 and 30514 of the Coastal Act, an LCP amendment that includes changes to the IP portion of a certified LCP must be scheduled for a public hearing and the Commission must take action within sixty days (60) of a complete submittal. The sixtieth day after the City's filing of the complete submittal is October 28, 2006. In order to be heard within this time frame, the LCP amendment would need to be scheduled for the Commission's October 11-13, 2006 meeting in Long Beach.

However, this deadline may be extended for good cause. Public Resources Code (PRC) Section 30517 allows the Commission to extend any time limitation established by Chapter 6 of Division 20 of the PRC, wherein lies Sections 30513 and 30514, for up to a year. Staff is recommending that the Commission extend the sixty-day (60) time limit for the review of

DANA POINT LCPA 2-06
Time Extension Request
Page 2 of 2

the LCP amendment request. The time extension would allow for a thorough review of the City's proposed changes. City staff has been notified of this time extension request and has not objected to this request.

Therefore:

Summary of Staff Recommendation. Staff recommends that the Commission extend the 60-day time limit for a period of one year, i.e. to August 29, 2007.

MOTION:

"I move that the Commission extend the 60-day time limit to act on the City of Dana Point Local Coastal Program Amendment DPT-2-06 for a period of one year."

STAFF RECOMMENDATION:

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