

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV

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Prepared October 23, 2008 (for November 12, 2008 Hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, District Manager
Susan Craig, Coastal Planner

Subject: Extension of Time Limit for Commission Action on Santa Cruz County Local Coastal Program Major Amendment Number 1-08 Part 3 (Small Scale Residential Projects).

Santa Cruz County has submitted the above-referenced Local Coastal Program (LCP) amendment request intended to modify certified Local Coastal Program (LCP) standards in relation to certain types of residential projects (including accessory structures, second units, etc).

Coastal Act Section 30510 requires proposed LCP amendment submittals to contain materials sufficient for a thorough and complete review. Once that requirement is satisfied and an amendment request is deemed submitted (or "filed"), the Coastal Act requires the Commission to act on Implementation Plan (IP) amendments within 60 days, and on Land Use Plan (LUP) amendments and combined LUP/IP amendments within 90 days. If Commission action is not taken within the applicable time frame, then the amendment is deemed approved and certified by the Commission (Coastal Act Sections 30512, 30513, and 30514).

Proposed LCP amendment 1-08 Part 3 was filed as complete on October 13, 2008. The proposed amendment includes IP changes only. The 60th day is December 12, 2008. Therefore, the amendment would have to be scheduled for action by the Commission's December 2008 meeting if it were to be decided within the applicable time frame. However, Coastal Act Section 30517 allows the Commission to extend, for good cause, the time limit for Commission action for a period not to exceed one year.

In this case, the amendment includes numerous proposed changes (affecting dozens of different LCP sections) that present significant Coastal Act and LCP conformance issues, and staff has not yet had sufficient time to analyze the changes proposed to ensure that coastal resources are protected consistent with the land use component of the LCP. A later meeting date would allow for adequate review, as well as consultation with the County regarding any possible amendment modifications. A one-year extension would result in a new deadline for Commission action of December 12, 2009.

Although staff believes that this matter will be brought to hearing before such a new deadline, it has generally been the Commission's practice to extend such deadlines for a full year as provided by the Coastal Act to allow for flexibility in hearing scheduling (including to accommodate any requested or otherwise necessary postponements, continuances, etc.) and in terms of allotting scarce staff resources. Therefore, staff recommends that the Commission extend the deadline for Commission action on the proposed LCP amendment by one year.



Summary of the Staff Recommendation

Staff recommends that the Commission extend the deadline for Commission action on the proposed amendment by one year. Staff recommends a **YES** vote on the motion below. Passage of the motion will result in a new deadline for Commission action on this proposed LCP amendment. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion. I move that the Commission extend the time limit to act on Santa Cruz County Local Coastal Program Amendment Number 1-08 Part 3 to December 12, 2009.

