

CALIFORNIA COASTAL COMMISSION

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Prepared December 18, 2008 (for January 7, 2009 Hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, District Manager
Jonathan Bishop, Coastal Planner

Subject: Extension of Time Limit for Commission Action on San Luis Obispo County Local Coastal Program Major Amendment Number 1-08 (Agricultural Property Subdivision Ordinance).

San Luis Obispo County has submitted the above-referenced Local Coastal Program (LCP) amendment request designed to change the standards for agricultural property subdivisions.

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 was filed as complete on December 4, 2008. The amendment submittal is limited to IP changes. As a result, the 60-day requirement applies and the 60th day is February 2, 2009. Therefore, the amendment would have to be scheduled for action by the Commission's January 2009 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 presents significant issues and questions, particularly regarding the protection of agricultural lands, and staff has not yet had sufficient time to completely analyze the changes proposed to ensure that coastal resources are protected consistent with the LCP. Staff is also continuing to work closely with County staff on the analysis of the amendment prior to finalizing a recommendation. 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 February 2, 2010.

Although the Commission's general practice is to extend LCP action deadlines for up to one year 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, **Staff has targeted the first quarter of the Commission's 2009 hearing schedule in this case.** Therefore, staff recommends that the Commission extend the deadline for Commission action for the proposed LCP



amendment by one year, with the understanding that this item will likely be scheduled in the very near future.

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 San Luis Obispo County Local Coastal Program Amendment Number 1-08 to February 2, 2010.

